



AGENDA
PLANNING COMMISSION
CITY OF PORT ORANGE

Meeting Date: Thursday, January 23, 2025

Time: 5:30 PM

Location: Council Chambers, City Hall
1000 City Center Circle
Port Orange

A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call

B. DISCUSSION/ACTION

3. Consideration of Minutes
4. APPLICATION: VARIANCE / SHOPPES AT SUMMER TREES PLAT
CASE NO.: VARC-24-0004
APPLICANT: Jessica Gow, Esq., Cobb Cole
STAFF CONTACT: Penelope Cruz, Planning Manager (386) 506-5671/pcruz@port-orange.org

A request for a variance from the Land Development Code (LDC) to reduce the internal side building setback for a proposed subdivision from 20 feet to 0 feet. If approved, the 0-foot setback will allow for two commercial lots to be created with buildings that share a common wall.

5. APPLICATION: SUBDIVISION PLAT / SHOPPES AT SUMMER TREES PLAT
CASE NO.: CASE NO. SUBD-24-0001
APPLICANT: Jessica Gow, Esq., Cobb Cole
STAFF CONTACT: Penelope Cruz, Planning Manager (386) [506-5671](tel:3865065671)/pcruz@port-orange.org

A request to subdivide ±5.83 acres located at the southwest corner of South Williamson Boulevard and North Summer Trees Road into two (2) commercial lots.

6. APPLICATION: ADMINISTRATIVE MDA AMENDMENT/ 1st Amendment to Madeline Commons Master Development Agreement
CASE NO.: PRZA-24-0009
APPLICANT: Administrative (City of Port Orange)
STAFF CONTACT: Penelope Cruz, Planning Manager (386) 506-5671/pcruz@port-orange.org

A request to approve the 1st Amendment to the Madeline Commons Master Development Agreement to remove the requirement to install a fence adjacent to Sugar Mill Elementary School and for Safety Flashing Beacon and Stop signs at the Sugar Mill Elementary parent drop-off/pick-up driveway at Charles Street.

C. OTHER BUSINESS

7. Commissioner Comments
8. Staff Comments

D. PUBLIC COMMENTS

E. ADJOURNMENT

NOTICES – PURSUANT TO SECTION 286.0105 OF THE FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE PLANNING COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC MEETING OR HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, SUCH PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE CITY DOES NOT PREPARE OR PROVIDE SUCH A RECORD.



FOR SPECIAL ACCOMMODATIONS, PLEASE NOTIFY THE CITY CLERK'S OFFICE (PHONE: 386-506-5563) AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING OR HEARING DATE.



HELP FOR THE HEARING IMPAIRED IS AVAILABLE THROUGH THE ASSISTIVE LISTENING SYSTEM RECEIVERS CAN BE OBTAINED FROM THE CITY CLERKS' OFFICE.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS AN ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, THE PROVISION OF CERTAIN ASSISTANCE. PLEASE CONTACT THE CITY CLERK FOR THE CITY OF PORT ORANGE, 1000 CITY CENTER CIRCLE, PORT ORANGE, FLORIDA 32129, TELEPHONE NUMBER 386-506-5563, CITYCLERK@PORT-ORANGE.ORG, AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING OR HEARING DATE. IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 7-1-1 or 1-800-955-8771.

UPON REQUEST BY A QUALIFIED INDIVIDUAL WITH A DISABILITY, THIS DOCUMENT WILL BE MADE AVAILABLE IN AN ALTERNATE FORMAT. IF YOU NEED TO REQUEST THIS DOCUMENT IN AN ALTERNATE FORMAT, PLEASE CONTACT THE CITY CLERK WHOSE CONTACT INFORMATION IS PROVIDED ABOVE.

REGULAR PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
DECEMBER 12, 2024

THE REGULAR PLANNING COMMISSION MEETING of the City of Port Orange was called to order by Chair Maria Mills-Benat at 5:30 p.m.

CALL TO ORDER

1. Pledge of Allegiance

2. Roll Call

Present: Chair Maria Mills-Benat
Commissioner Scott Steger
Commissioner Mark Bowling
Commissioner Daniel Mallegol

Absent: Vice Chair Thomas Jordan
Commissioner Stan Schmidt
Commissioner Bo Bofamy

Also Present: Matt Jones, City Attorney
Tim Burman, Community Development Director
Tracee Cody, Records Management Coordinator

DISCUSSION/ACTION

3. Consideration of Minutes

Motion to approve the minutes as presented was made by Commissioner Scott Steger and seconded by Commissioner Mark Bowling. Motion carried unanimously by voice vote.

4. APPLICATION: LDC TEXT AMENDMENT / CHAPTER 15

CASE NO.: DCAM-24-0002

APPLICANT: Lamar Outdoor Advertising

STAFF CONTACT: Tim Burman, Community Development Director (386) 506-5675/tburman@port-orange.org

A request by the applicant to amend Chapter 15 of the Land Development Code (LDC) to allow a billboard owner to request approval of a reconstruction agreement to allow a billboard sign face along I-95 to be reconstructed with a digital sign face in exchange for removing billboards

within Port Orange and establish criteria for reconstructing a billboard with a digital sign face.

Motion to approve Case No. DCAM-24-002 was made by Commissioner Scott Steger and seconded by Commissioner Mark Bowling.

Tim Burman, Community Development Director, provided details of the request and answered questions from the Commissioners.

Applicant with Lamar offered to answer any questions from the Commissioners, to which they had none.

Motion carried unanimously by roll call vote.

OTHER BUSINESS

5. Commissioner Comments

Commissioners expressed their appreciation to staff and wished them a Merry Christmas.

6. Staff Comments

There were none.

PUBLIC COMMENTS

There were none.

ADJOURNMENT - 5:44 p.m.

Chair Maria Mills-Benat



STAFF REPORT

VARIANCE / SHOPPES AT SUMMER TREES PLAT
CASE NO. VARC-24-0004

REQUEST:	Variance from the Land Development Code (LDC) to reduce the internal side building setback from 20 feet to 0 feet.
LOCATION:	5500 S. Williamson Boulevard (Figure 1)
OWNER:	FL P52, LLC
APPLICANT:	Jessica Gow, Esq., Cobb Cole
STAFF RECOMMENDATION:	Approval
STAFF CONTACT:	Penelope Cruz, Planning Manager (386) 506-5671
PLANNING COMMISSION:	January 23, 2025

DISCUSSION

The subject property is located at the southwest corner of South Williamson Boulevard and North Summer Trees Road and is zoned Planned Community Agriculture (PC-A) Workplace District. The PC-A Workplace District requires a side building setback of 20 feet [LDC, Chapter 17, Section 29(e)(2)(a)(5)]. The applicant is requesting a variance to allow the internal side building setback for a proposed subdivision (see Case No. SUBD-24-0001) to be zero (0) feet. If approved, the 0-foot setback will allow two commercial lots to be created with buildings on separate lots that will share a common wall.

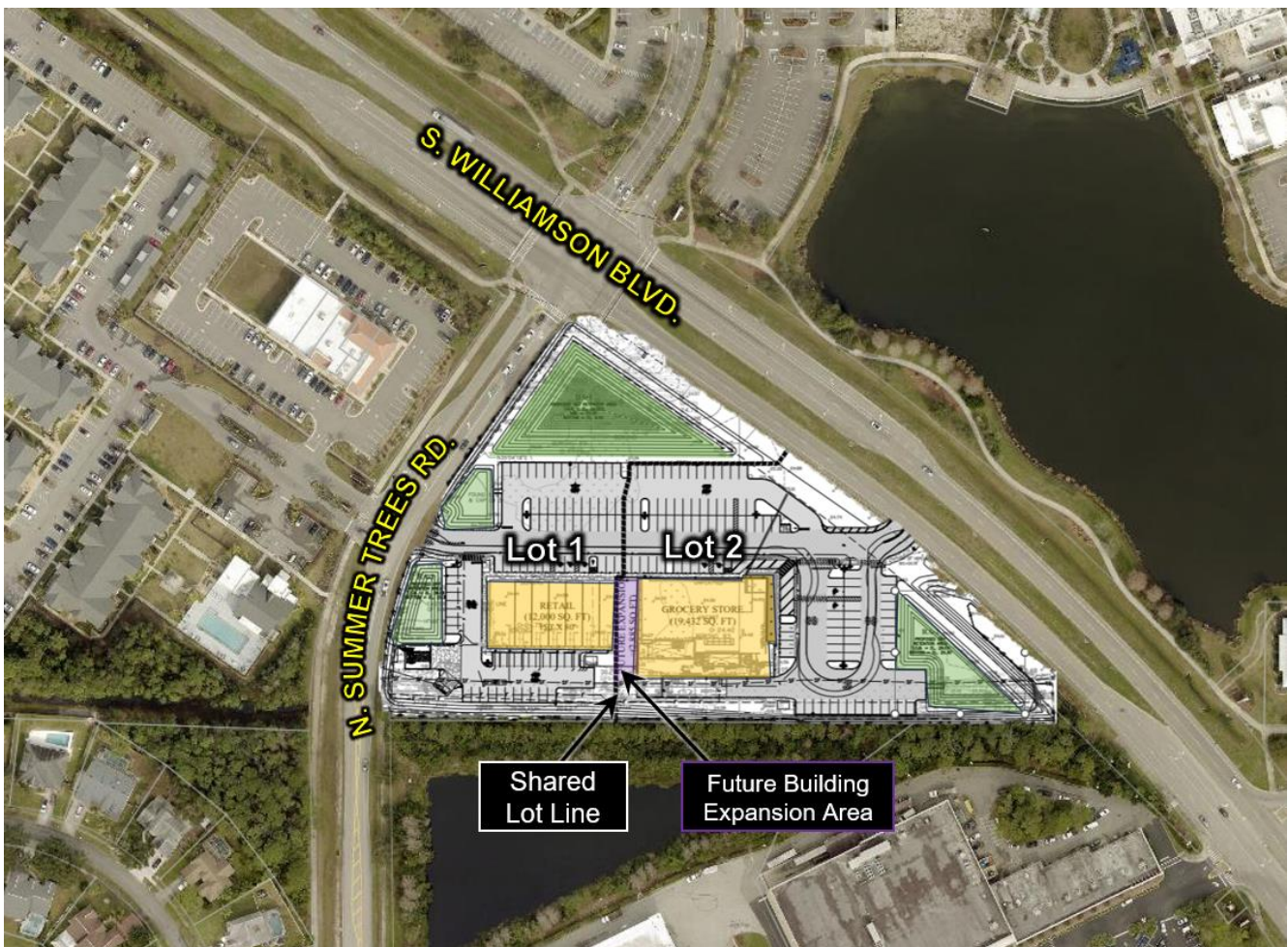
Figure 1. Location Map



In February 2024, a site plan was approved for the construction of a $\pm 12,000$ square foot multi-tenant building and a $\pm 22,317$ square foot Aldi grocery store, along with on-site and off-site improvements (Case No. SPIN-23-0009). The location of the buildings with a shared common wall was approved since the subject property is a single lot, so no internal side building setback was required to be met.

Currently, as being constructed, there will be a ± 26 -foot-wide gap between the two buildings because, at this time, Adli is constructing a $\pm 19,432$ square foot building and has the ability in the future to add 2,885 square feet and connect to the common wall of the multi-tenant building. Aldi has not provided a timeframe for when the expansion may happen, but if the store is expanded in the future, there will be a shared common wall with Aldi and the multi-tenant building that will be required to be constructed to meet all building and fire codes.

The proposed commercial subdivision plat will create a ± 2.78 -acre lot (Lot 1) for the multi-tenant commercial building and a ± 3.05 -acre lot (Lot 2) for an Aldi grocery store, both of which are currently under construction. The proposed shared lot line will go along the proposed future shared common wall between the buildings.



This is a common design for a shopping center that utilizes shared infrastructure but allows for multiple fee simple lot ownership (e.g. Dunlawton Square, Park Place Plaza, LA Fitness and BJ's Wholesale Club (Altamira), Countryside Shopping Center, Winn-Dixie shopping center, Neighborhood Walmart shopping center).

Examples of Shopping Centers in Port Orange with Shared Lot Lines and Common Building Wall



Neighborhood Walmart shopping center



Dunlawton Square



Altamira – LA Fitness and BJ's Wholesale Club



Countryside Shopping Center



Park Place Plaza

According to the applicant, the requested variance is a matter of design choice that allows for a common shopping center design that utilizes shared infrastructure but allows for multiple fee simple lot ownership. According to the applicant, various end-users of commercial shopping centers find that ownership of the underlying parcel is more beneficial than a lease-type layout as it provides the user with the guarantee of use over time instead of providing for lease negotiations.

VARIANCE CRITERIA

Chapter 19, Section 1, LDC, lists the review criteria used to determine whether the variance request should be granted. These criteria, accompanied by staff analysis, are as follows:

- a) *Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which do not apply to other lands, structures, or buildings in the same zoning district.*

The requested variance is a matter of design choice and is not based on a special condition or circumstance.

- b) *The special conditions and circumstances are not a result of the actions of the applicant.*

There are no special conditions or circumstances.

- c) *Literal interpretation and enforcement of the development code regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the development code and would work an unnecessary and undue hardship on the applicant.*

According to the applicant, the requested side building setback variance will allow for individual ownership of property within the subdivision but also allow for common infrastructure to serve both lots and create a commercial development that allows customers to easily access all commercial tenants.

- d) *The variance, if granted, is the minimum variance necessary to make possible the reasonable use of the land, building, or structure.*

The proposed variance is the minimum variance needed to allow the subject property to be subdivided into two commercial lots and the buildings on the lots sharing a common wall along the internal lot line. The concept of buildings on separate lots with a common wall is

common throughout the country, and in Port Orange, there are several commercial developments with a common wall on a shared lot line (e.g. Dunlawton Square, Park Place Plaza, LA Fitness, and BJ's Wholesale Club (Altamira), Countryside Shopping Center, Winn-Dixie shopping center, Neighborhood Walmart shopping center).

The shopping center could be developed to comply with the requirements of the LDC by moving the buildings 20 feet from the internal lot line; however, according to the applicant, this would create a 40-foot unusable corridor between the buildings and reduce the area on the external sides of the property for parking and loading, making the site layout less efficient.

- e) *Granting the variance request will not confer on the applicant any special privilege that is denied by the development code to other lands, buildings, or structures in the same zoning district.*

All property to be subdivided must meet the requirements of the current zoning district in the LDC or secure a variance from said requirements. Several shopping centers within Port Orange have buildings with a common wall on a shared lot line. If the requested variance allows the two proposed buildings to have a common wall along a shared lot line, it will not confer a special privilege denied to other commercial developments within Port Orange. As mentioned above, there are several commercial shopping centers within Port Orange where the buildings that make up the shopping center have a common wall on a shared lot line.

According to the applicant, the requested variance allows for their property to be subdivided generally, consistent with other shopping centers within Port Orange. It provides a more efficient site layout with more open space than the minimum required. According to the LDC, only 30% of the 5.83-acre site must remain as open space (including ponds). However, the current site layout provides +/- 2.5 acres of open space or 42% of the overall subdivision. According to the applicant, if the current internal side building setback of 20 feet were used, it could result in the need for additional pavement to provide sufficient parking and would reduce the amount of open space.

- f) *The granting of the variance will be in harmony with the general intent and purpose of this code and will not be injurious to the surrounding properties or detrimental to the public welfare.*

The LDC is intended to protect Port Orange citizens' health, safety, and general welfare and enhance the city's appearance, function, and livability. The intent of the building setback requirements in the LDC is to provide adequate separation between buildings to minimize the visual appearance of the structures from adjacent properties, ensure adequate separation between structures for air movement, and provide room on the subject property for maintenance and necessary repairs.

According to the applicant, the site has been designed similarly to other commercial centers within Port Orange, where two buildings located on separate lots share a common wall (e.g. Dunlawton Square, Park Place Plaza, LA Fitness, and BJ's Wholesale Club (Altamira), Countryside Shopping Center, Winn-Dixie shopping center, Neighborhood Walmart shopping center).

If the variance is approved, the intent of the building setback in the LDC will be met, as the visual appearance of the buildings from adjacent roadways will meet the general intent of the LDC and minimize the visual appearance of the structures from adjacent properties, ensure adequate room for air movement within the development will be provided, and there will be sufficient room for maintenance and necessary repairs of both buildings and site infrastructure.

The exterior wall of the multi-tenant building located on the shared lot line has been designed to meet all building and fire codes, so it will be compatible in the future when Aldi's is expanded toward the shared internal lot line.

- g) *The variance represents a reasonable disposition of a claim brought under the Bert J. Harris Private Property Rights Protection Act, chapter 95-181, Laws of Florida, that a development order of the city has unreasonably burdened the applicant's property, based upon the recommendations of the special master appointed in accordance with the act, or the order of a court as described in the act.*

The variance requested is not based on a claim brought under the Bert J. Harris Private Property Rights Protection Act.

PUBLIC NOTICE

Public Notices regarding the variance were mailed, and the property was posted on the site on January 3, 2025, per the LDC. As of January 17, no inquiries from the public have been received.

RECOMMENDATION

Based on the findings in this report, staff recommends approval of the variance to allow an internal side building setback of 0 feet between the proposed Lot 1 and Lot 2 of the Shoppes at Summer Trees Subdivision.



STAFF REPORT

SUBDIVISION PLAT / SHOPPES AT SUMMER TREES PLAT CASE NO. SUBD-24-0001

REQUEST:	To subdivide ± 5.83 acres into two commercial lots.
LOCATION:	5500 S. Williamson Boulevard (Figure 1)
OWNER:	FL P52, LLC
APPLICANT:	Jessica Gow, Esq., Cobb Cole
STAFF RECOMMENDATION:	Approval
STAFF CONTACT:	Penelope Cruz, Planning Manager (386) 506-5671
PLANNING COMMISSION:	January 23, 2025

DISCUSSION

The applicant is requesting to subdivide ± 5.83 acres located at the southwest corner of South Williamson Boulevard and North Summer Trees Road (Figure 1) into two (2) commercial lots. The subject property is zoned Planned Community Agriculture (PC-A) Workplace District, and the subdivision plat (Exhibit A) has been designed according to the lot dimensional requirements of the PC-A zoning district and the technical criteria in the Land Development Code (LDC) for subdivision of land. The review of a subdivision plat is a ministerial review, in that the approving body must only consider the technical criteria and lot dimensional requirements in the LDC. The proposed subdivision plat will create a ± 2.78 -acre lot (Lot 1) for a multi-tenant commercial building, and a ± 3.05 -acre lot (Lot 2) for an Aldi grocery store, both of which are currently under construction.

Figure 1. Location Map



The subject property is currently zoned Planned Community Agriculture (PC-A) Workplace District. According to the LDC, this zoning district allows uses such as banks, bars, business services, convenience stores with or without fuel operations, financial services, fleet-based services, game/recreation facilities, health/exercise clubs, hotels, medical offices, motor vehicle and boat sales, motor vehicle service stations, offices, personal services, restaurants, retail sales and services, and veterinary clinics.

In February 2024, a site plan was approved to construct a ±12,000 square-foot multi-tenant commercial building and a ±19,432 square-foot Aldi grocery store, along with on-site and off-site improvements (Case No. SPIN-23-0009). If the plat is approved, the multi-tenant commercial building will be located on Lot 1, and the Aldi grocery store will be located on Lot 2.

The subdivision plat to subdivide the subject property has been reviewed by the Staff Development Review Committee (SDRC) and determined to be designed according to the requirements and dimensional standards of the City's LDC. The required subdivision infrastructure (stormwater, driveway access, water and sewer, open space, etc.) to serve the two (2) proposed lots is being constructed as part of the Shoppes at Summer Trees site plan and will include (See Figure 2):

- Utility infrastructure to serve Lot 1 and Lot 2;
- Construction of improvements to the North Summer Trees Road and Williamson Boulevard intersection to add a second left-turn lane for eastbound North Summer Trees Road to improve traffic flow, reduce delays for turning vehicles, and improve intersection safety;
- Full-access driveway on Summer Trees Road;
- Right-in/right-out/left-in driveway on Williamson Boulevard;
- Stormwater infrastructure to provide retention for Lot 1 and Lot 2;
- Installation of a 36-inch pipe in the existing ditch at the rear of the property to allow for better maintenance;
- Required access, drainage, and utility easements over the shared subdivision infrastructure that serves Lot 1 and Lot 2;
- Cross-access driveways and easements between lots for vehicles and pedestrians;
- Five-foot-wide sidewalk along the North Summer Trees Road;
- Eight-foot-wide sidewalk along Williamson Boulevard; and
- Required tree preservation areas for Lot 1 and Lot 2.

Figure 2. Subdivision Improvements being Constructed with Site Construction



With the required subdivision infrastructure to serve the two (2) proposed lots being constructed as part of the site plan improvements, subdivision infrastructure plans are not required as part of the subdivision plat. All required subdivision infrastructure improvements will be built and accepted as part of the Shoppes at Summer Trees site plan, which may occur prior to the subdivision plat being recorded.

CONCURRENCY REVIEW

Public facilities and services are currently available to serve the proposed two (2) commercial lots. During the site plan review, concurrency reviews for transportation, water, sewer, and stormwater drainage were completed.

As part of the site plan approval process, the developer entered into a Proportionate Fair-Share Agreement with the City of Port Orange and Volusia County in 2023 to address Transportation Concurrency. The transportation mitigation payment in the 2023 agreement included: 1) payment of \$595,738.78 to Volusia County for impacts to Williamson Boulevard and Taylor Road and 2) construction of a second left-turn lane for eastbound North Summer Trees Road onto northbound Williamson Boulevard to improve traffic flow, reduce delays for turning vehicles, and improve intersection safety.

The stormwater drainage system for this development has been designed to comply with the stormwater requirements in the City's Land Development Code, and holds about 9.5 inches of rain over 24 hours. In addition to complying with the stormwater requirements in the LDC, the St. Johns River Water Management District (SJRWMD) reviewed and approved the stormwater drainage system for this project and SJRWMD issued an Environmental Resource Permit (ERP) [Permit #181953-2] approving the stormwater drainage system.

The stormwater system for this development consists of four interconnected ponds (three dry retention ponds and one wet detention pond) located along the perimeter of the site. Stormwater from the site will initially drain to the dry retention ponds before discharging into the wet retention pond. Once the stormwater in the wet retention pond reaches its permitted height, stormwater will discharge into the city-maintained drainage pipe in the North Summer Trees Road right-of-way and flow south to the county-maintained drainage swale in the Taylor Road right-of-way, then will go under Taylor Road through a pipe (in front of Windsor Hills subdivision), eventually discharging into the ditch that runs through the Summer Trees South subdivision out to Spruce Creek. Once the site is developed, the volume and flow rate of discharged stormwater from the on-site wet detention pond into the public conveyance system will not exceed the discharge volume and flow rate from when the site was undeveloped, under the 100-year storm standard in the LDC.

Figure 3. Drainage Flow from Subdivision to Spruce Creek



CONSISTENCY WITH COMPREHENSIVE PLAN

The proposed commercial subdivision is generally consistent with the Goals, Objectives, and Policies of the Comprehensive Plan and the *Planned Community-Westside* Future Land Use designation of the subject property. The City's Comprehensive Plan states that the *Planned Community-Westside* Future Land Use designation is generally characterized by various uses, such as residential, commercial, industrial, and institutional. The subject property is also located in a Regional Commercial node as designated in the City's Comprehensive Plan. A Regional Commercial node is generally designed to serve the residents of Port Orange, along with residents from adjacent cities and unincorporated Volusia County, with a mix of general and specialized products and services. The proposed subdivision provides the necessary infrastructure and buildable land to support the uses projected to be developed at this location.

RECOMMENDATION

A review of a subdivision plat is a ministerial review in that the approving body must consider the technical criteria of the Land Development Code (LDC). The plat will be approved if the technical requirements are met. Staff recommends approval of the Subdivision Plat for Shoppes at Summer Trees, subject to approval of variance case No. VARC-24-0004, as all technical requirements in the LDC are met.

ATTACHMENT

Exhibit 1 – Shoppes at Summer Trees Plat

1/2" MARGIN

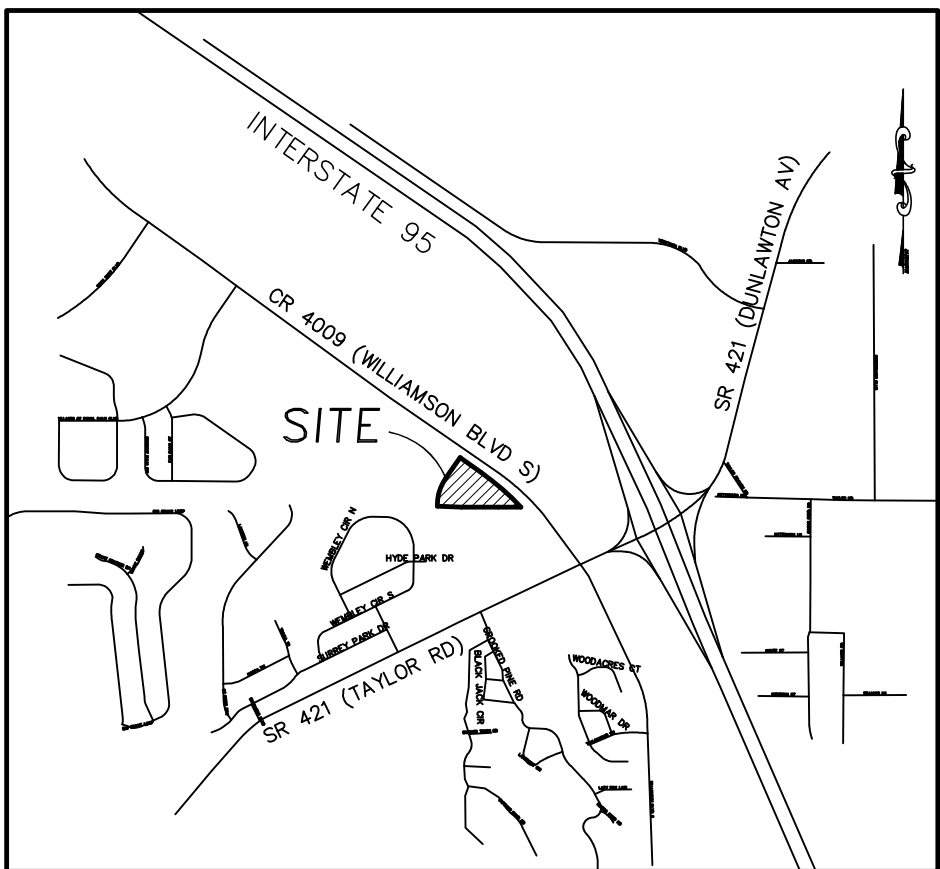
A PLAT OF
SHOPPES AT SUMMER TREES

A PORTION OF SECTION 18, TOWNSHIP 16 SOUTH, RANGE 33 EAST, LOCATED IN THE
CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA

LEGAL DESCRIPTION:

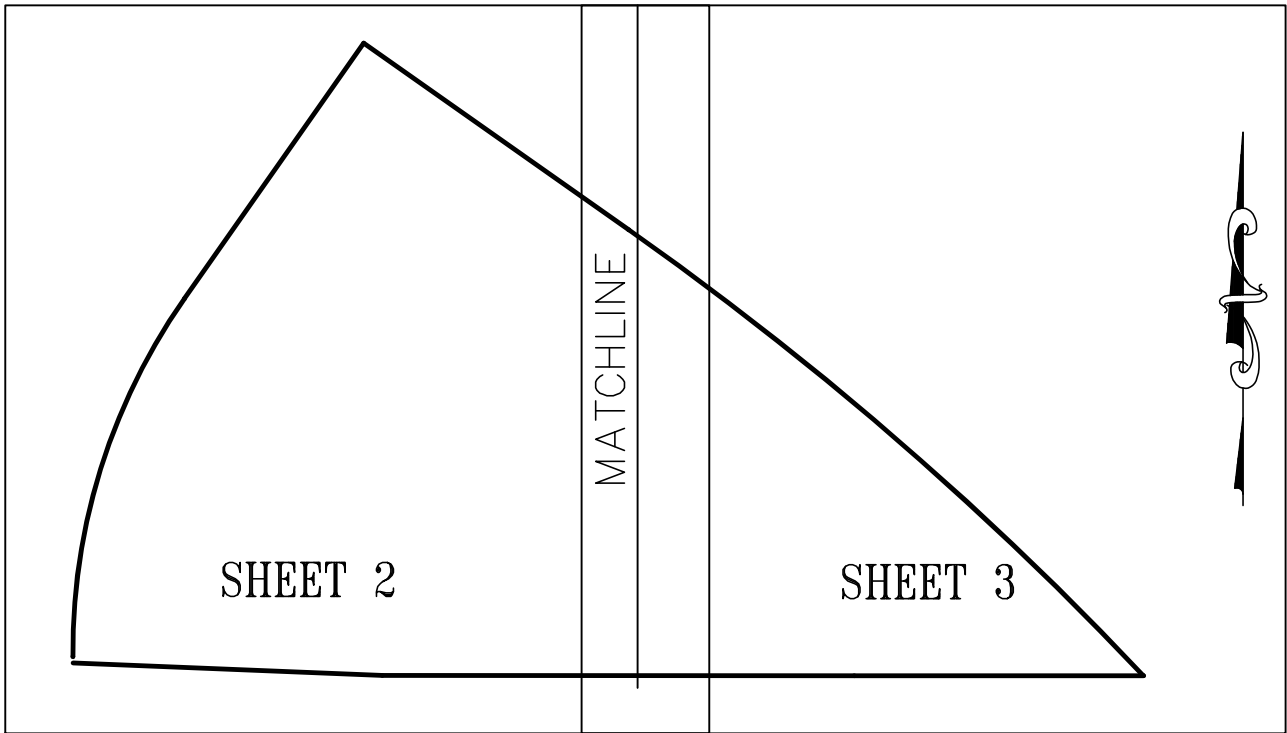
A PORTION OF SECTION 18, TOWNSHIP 16 SOUTH, RANGE 33 EAST, VOLUSIA COUNTY,
FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH 1/4 CORNER OF SECTION 19, TOWNSHIP 16 SOUTH, RANGE 33
EAST, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE RUN N87°39'02"W, A
DISTANCE OF 251.85 FEET, ALONG THE NORTH LINE OF SAID SECTION 19, SAID NORTH
LINE ALSO BEING THE NORTH LINE OF LOT 1, WESTPORT SQUARE P.C.D., PHASE II A
REPLAT AS RECORDED IN MAP BOOK 55, PAGES 49 THROUGH 52, OF THE PUBLIC
RECORDS OF VOLUSIA COUNTY, FLORIDA, TO A POINT LYING ON THE EASTERLY
RIGHT-OF-WAY LINE OF SUMMER TREES ROAD, A 100.00 FOOT WIDE RIGHT-OF-WAY;
THENCE RUN N00°46'27"W ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID SUMMER
TREES ROAD, 4.95 FEET TO THE BEGINNING OF A NON TANGENT CURVE CONCAVE
EASTERLY HAVING A RADIUS OF 500.00 FEET, A CENTRAL ANGLE OF 35°33'19" AND A
CHORD BEARING N17°17'38"E; THENCE NORTHERLY ALONG SAID EASTERLY RIGHT-OF-WAY
LINE AND ALONG THE ARC OF SAID CURVE, 310.28 FEET; THENCE N35°04'18"E ALONG SAID
EASTERLY RIGHT-OF-WAY LINE, 253.94 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF
WILLIAMSON BOULEVARD, A 200.00 FOOT WIDE RIGHT-OF-WAY; THENCE RUN S54°50'58"E
ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID WILLIAMSON BOULEVARD, 263.67 FEET TO
THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 2765.00
FEET, A CENTRAL ANGLE OF 11°30'20" AND A CHORD BEARING S49°05'47"E; THENCE
SOUTHEASTERLY ALONG SAID SOUTH RIGHT-OF-WAY LINE, 555.25 FEET TO THE NORTH
LINE OF WESTPORT SQUARE P.C.D., PHASE I, ACCORDING TO THE MAP OR PLAT THEREOF,
AS RECORDED IN MAP BOOK 45, PAGES 9 AND 10 OF THE PUBLIC RECORDS OF VOLUSIA
COUNTY, FLORIDA; THENCE RUN N89°59'16"W ALONG THE NORTH LINES OF SAID WESTPORT
SQUARE P.C.D., PHASE I AND WESTPORT SQUARE P.C.D., PHASE II A REPLAT, 619.51 FEET
TO THE POINT OF BEGINNING.



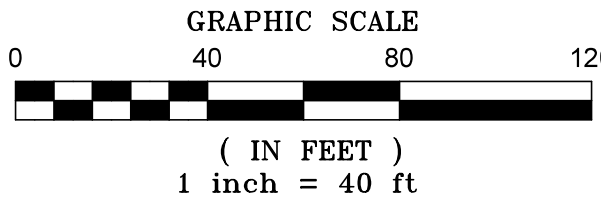
VICINITY MAP
1"=2000'

INDEX / KEY MAP (not to scale)



PREPARED BY:
SLIGER & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS

3921 NOVA ROAD
PORT ORANGE, FL 32127
(386) 761-5385
LICENSED BUSINESS CERTIFICATION NO. 3019



GENERAL NOTES

1. MONUMENTATION
 - DENOTES PERMANENT REFERENCE MONUMENT FOUND STAMPED AS NOTED.
 - DENOTES PERMANENT REFERENCE MONUMENT SET
 - 4X4 CONCRETE MONUMENT STAMPED FRM LB 3019

2. (R) - DENOTES A LINE RADIAL RELATIVE TO ADJACENT CURVE.
(NR) - DENOTES A LINE NOT RADIAL RELATIVE TO ADJACENT CURVE.

3. DIMENSIONS SHOWN ARE IN FEET AND DECIMALS THEREOF.

4. ACCURACY
THE BOUNDARY LINEAR ERROR OF CLOSURE DOES NOT EXCEED 1:10,000.
THE BOUNDARY ANGULAR ERROR OF CLOSURE DOES NOT EXCEED 15 SECONDS
MULTIPLIED BY THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.

5. BEARING STRUCTURE BASED ON NAD 83 FLORIDA STATE PLANE COORDINATE
SYSTEM, EAST ZONE, ALONG THE SOUTHERLY LINE OF THE SOUTHWEST 1/4 OF SECTION 18,
TOWNSHIP 16 SOUTH, RANGE 33 EAST BEING N87°39'02"W.

6. NOTE: ALL MEASUREMENTS REFER TO HORIZONTAL PLANE IN ACCORDANCE WITH
THE DEFINITION OF THE U.S. SURVEY FOOT OR METER ADOPTED BY THE NATIONAL
INSTITUTE OF STANDARDS AND TECHNOLOGY. ALL MEASUREMENTS SHALL USE THE
39.37/12=3.2808333333 EQUATION FOR CONVERSION FROM A U.S. FOOT TO METERS.

7. NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL
DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO
CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL
FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT
RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS
COUNTY.

8. THIS PLAT IS SUBJECT TO ALL EASEMENTS OF RECORD AND RESERVATIONS OF
EASEMENTS, INCLUDING BUT NOT LIMITED TO DRAINAGE, UTILITY, AND ACCESS
EASEMENTS GRANTED HEREON WHICH SHALL BE LOCATED AS FOLLOWS EXCEPT AS
OTHERWISE NOTED ON THE PLAT:

ENTIRE STREET FRONTAGES OF LOTS AND COMMON AREAS: 12.00 FEET WIDE

9. UTILITIES INCLUDE BUT ARE NOT LIMITED TO SANITARY SEWER,
POTABLE WATER, RECLAIMED WATER, STORM DRAINAGE, ELECTRIC,
TELEPHONE, CABLE TELEVISION, SECURITY, NATURAL GAS, FIBER OPTIC,
TELECOMMUNICATION.

10. ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL
ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND
OPERATION OF CABLE TELEVISION SERVICES; PROVIDED, HOWEVER, NO SUCH
CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION
SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC,
TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE COMPANY
DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR
THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS
GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER
PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION
SHALL COMPLY WITH THE NATIONAL SAFETY CODE AS ADOPTED BY THE FLORIDA
PUBLIC SERVICE COMMISSION.

11. ALL OTHER EASEMENTS ARE SUBORDINATE TO ANY CONSERVATION EASEMENTS
DEDICATED HEREON. THERE SHALL BE NO REMOVAL OR DISTURBANCE OF ANY
VEGETATION WITHIN SUCH CONSERVATION EASEMENTS. ANY PROPOSED
CONSTRUCTION OR OTHER USE WITHIN A CONSERVATION EASEMENT MUST BE
REVIEWED AND APPROVED BY THE CITY OF PORT ORANGE AND ANY OTHER
AUTHORITY HAVING JURISDICTION OVER THE CONSERVATION EASEMENT.

12. THE TREE CONSERVATION EASEMENT AS DEFINED ON THIS PLAT IS INTENDED TO
MEET THE TREE PRESERVATION REQUIREMENTS FOR LOTS 1 AND 2, AND IS FOR THE
EXPRESS PURPOSE OF THE PRESERVATION AND LONGEVITY OF THE TREES THEREIN.
ACTIONS DETRIMENTAL TO TREE HEALTH SURVIVAL WITHIN THE BOUNDARIES OF THE
DIPLINE ARE PROHIBITED WITHOUT THE EXPRES PERMISSION OF THE CITY OF PORT
ORANGE, AND ANY OTHER AUTHORITY HAVING JURISDICTION OVER THE CONSERVATION
EASEMENT. NOTHING HEREIN SHALL, HOWEVER, BE CONSTRUCTED TO PREVENT
NATURAL VEGETATION WITHIN THE EASEMENT AREA FROM BEING CLEARED BY HAND TO
PROVIDE A NEAT MANICURED APPEARANCE. IN ADDITION, NOTHING HEREIN SHALL BE
CONSTRUED TO PREVENT THE PLACEMENT OF SOIL, IRRIGATION AND LANDSCAPE
PLANTS OR TO PREVENT NORMAL LAWN MAINTENANCE SUCH AS MOWING, EDGING AND
WEEDING NOT HARMFUL TO THE OBJECTIVE OF TREE PRESERVATION WITHIN THE
EASEMENT AREA. ANY PROPOSED CONSTRUCTION OR OTHER USE WITHIN A
CONSERVATION EASEMENT MUST BE REVIEWED AND APPROVED BY THE CITY OF PORT
ORANGE, AND ANY OTHER AUTHORITY HAVING JURISDICTION OVER THE CONSERVATION
EASEMENT.

13. THE OWNER OF LOT 1, SHALL BE RESPONSIBLE FOR THE OPERATION AND MAINTENANCE
OF THE DRAINAGE AND STORMWATER SYSTEM SERVING THE AREA WITHIN THE BOUNDARIES
OF THIS PLAT, PURSUANT TO THE STORMWATER MANAGEMENT PLAN APPROVED FOR
DEVELOPMENT BY THE CITY OF PORT ORANGE, FLORIDA. SHOULD THE OWNER OF LOT 1 FAIL
TO PERFORM MAINTENANCE REPAIRS, AND REPLACEMENT OF THE DRAINAGE AND
STORMWATER SYSTEM, THE CITY OF PORT ORANGE SHALL BE ENTITLED TO ENTER UPON THE
COMMON AREAS AND DESIGNATED EASEMENT AREAS TO PERFORM NECESSARY MAINTENANCE,
REPAIRS, AND REPLACEMENTS OF THE DRAINAGE AND STORMWATER SYSTEM. THE CITY'S
RIGHTS AS SET FORTH HEREIN DOES NOT IMPOSE ANY OBLIGATION, BURDEN, RESPONSIBILITY
OR LIABILITY UPON THE CITY TO ENTER UPON THE SUBJECT PROPERTY AND TAKE ANY
ACTION TO MAINTAIN, REPAIR, OR REPLACE THE PRIVATE DRAINAGE & STORM-WATER
SYSTEM. FURTHERMORE, THE CITY SHALL HAVE THE RIGHT TO LEND ALL OWNERS OF RECORD
IN PROPERTY FOR THE COST OF ANY NECESSARY MAINTENANCE AND REPAIRS MADE IN
FURTHERANCE OF PROTECTING PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE. IN THE
EVENT OF TERMINATION OR DISSOLUTION OR FINAL LIQUIDATION OF THE OWNER OF LOT 1,
THE RESPONSIBILITY FOR THE OPERATION AND MAINTENANCE OF THE DRAINAGE AND
STORMWATER MANAGEMENT SYSTEM WILL BE TRANSFERRED TO AND ACCEPTED BY AN ENTITY
APPROVED BY THE SAINT JOHNS RIVER WATER MANAGEMENT DISTRICT PRIOR TO SUCH
TERMINATION, DISSOLUTION, OR LIQUIDATION.

14. THE OWNER OF LOT 1 SHALL BE THE ENTITY RESPONSIBLE FOR THE OPERATION AND
MAINTENANCE OF THE PRIVATELY OWNED SANITARY SEWER SYSTEM AND WATER LINE SYSTEM
SERVING THE AREA WITHIN THE BOUNDARIES OF THIS PLAT. THE OWNER OF LOT 1 MAY ENTER
INTO SEPARATE AGREEMENTS REGARDING THE MAINTENANCE OF SUCH UTILITIES WITH THE LOT
OWNERS WITHIN THE PLAT.

15. THE LANDS SHOWN HEREON ARE SUBJECT TO THE CROSS ACCESS AND UTILITY
EASEMENTS AND MAINTENANCE OBLIGATIONS SET FORTH IN THE DECLARATION OF RECIPROCAL
EASEMENT AGREEMENT WITH COVENANTS, CONDITIONS, AND RESTRICTIONS RECORDED IN
OFFICIAL RECORDS BOOK _____, PAGE _____, PUBLIC RECORDS, VOLUSIA COUNTY, FLORIDA.

16. THE OWNER OF LOT 1 HEREBY DECLARES A PERPETUAL NON-EXCLUSIVE
EASEMENT IN FAVOR OF THE OWNER OF LOT 2 FOR DRAINAGE PURPOSES,
INCLUDING THE CONTINUED COLLECTION, RETENTION, AND TRANSPORTATION
OF STORMWATER.

MAP BOOK: _____

PAGE: _____

DEDICATION:

KNOW ALL MEN BY THESE PRESENTS THAT FL P52 LLC, A FLORIDA LIMITED LIABILITY COMPANY IS THE
OWNER IN FEE SIMPLE OF THE LANDS SHOWN AND DESCRIBED HEREON AS THE PLAT ENTITLED "SHOPPES AT
SUMMER TREES" LOCATED IN THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA. HEREBY DEDICATES
THE SAID LANDS AND PLAT FOR THE USES AND PURPOSES HEREIN EXPRESSED, ALL TREE CONSERVATION,
NON-VEHICULAR ACCESS CONTROL, DRAINAGE, DRAINAGE AND UTILITY, AND ACCESS EASEMENTS SHOWN OR
DESCRIBED ON THE PLAT ARE, UNLESS OTHERWISE INDICATED, GRANTED TO THE CITY OF PORT ORANGE FOR
PURPOSES STATED IN GENERAL NOTES. THE CITY OF PORT ORANGE IS HEREBY GRANTED AN EASEMENT FOR
ACCESS OVER ALL DRIVES AISLES AND PARKING AREAS FOR THE PURPOSE OF EMERGENCY AND
GOVERNMENTAL SERVICES. GRANTOR HEREBY DECLARES A PERPETUAL RECIPROCAL NON-EXCLUSIVE EASEMENT
FOR VEHICULAR AND PEDESTRIAN ACCESS, INGRESS AND EGRESS OVER AND UPON ALL DRIVE AISLES AND
RIGHTS OF WAY NOW OR HEREAFTER LOCATED WITHIN THE SUBDIVISION FOR THE USE AND BENEFIT OF ALL
PRESENT AND FUTURE PROPERTY OWNERS WITHIN THE SUBDIVISION AND THEIR RESPECTIVE SUCCESSORS,
ASSIGNS, AGENTS, EMPLOYEES, GUESTS, TENANTS, AND INITEES. THE LIFT STATION TRACT IS HEREBY
DEDICATED TO THE CITY OF PORT ORANGE IN FEE SIMPLE. THE ACCESS EASEMENT SHOWN ON LOT 1 IS
HEREBY GRANTED TO CITY OF PORT ORANGE FOR PURPOSE OF ACCESS TO THE LIFT STATION. ALL DRAINAGE
AND DRAINAGE AND UTILITY EASEMENTS SHOWN OR DESCRIBED ON THIS PLAT ARE ALSO, UNLESS OTHERWISE
INDICATED, GRANTED TO THE OWNERS OF LOT 1 FOR PURPOSES SET FORTH IN THE PLAT NOTES.

IN WITNESS WHERE OF, FL P52 LLC, a Florida limited liability company HAS CAUSED THESE PRESENTS
TO BE SIGNED, ATTESTED AND SEALED BY THOSE NAMED BELOW ON THIS _____ DAY OF
_____, 20____.

SIGNED AND SEALED IN
THE PRESENCE OF:

FL P52 LLC,
a Florida limited liability company

PRINTED NAME: _____

BY: _____

PRINTED NAME: _____

PRINTED NAME: _____

PRINTED NAME: _____

TITLE: _____

STATE OF: FLORIDA

COUNTY OF: VOLUSIA

THIS IS TO CERTIFY THAT THE ABOVE SIGNED BEFORE ME BY MEANS OF [] PHYSICAL PRESENCE OR [] ON LINE NOTARIZATION THIS
DAY OF _____, 20____, AS _____ OF _____, AS
HE/SHE IS PERSONALLY KNOWN TO ME.

NOTARY PUBLIC

SEAL

STATE OF FLORIDA AT LARGE

TITLE/RANK: _____

MY COMMISSION EXPIRES: _____

COMMISSION NUMBER: _____

SIGNATURE

PRINT NAME

CERTIFICATE OF SURVEYOR AND MAPPER

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, being a licensed and registered
Surveyor and Mapper, does hereby certify that the plat shown and described hereon,
entitled "SHOPPES AT SUMMER TREES" was prepared under my direction and supervision, that the plat
complies with all of the survey requirements of Chapter 177, Florida Statutes, and that
all monumentation shown hereon or required per Chapter 177, Florida Statutes, has been
properly placed.

(signature) _____

DATE: _____

J.E. ZAPERT, P.S.M. No.:4046

COMPANY NAME:SLIGER & ASSOCIATES, INC. CERTIFICATE OF AUTHORIZATION NO.:3019

ADDRESS:3921 NOVA ROAD, PORT ORANGE, FLORIDA 32127

REVIEW BY SURVEYOR AND MAPPER FOR THE CITY

I hereby certify to the City, that I have reviewed the foregoing plat for compliance
with the requirements of Chapter 177, Florida Statutes, and that I have provided both
the City and the Surveyor and Mapper of Record a list of deviations, if any, from such
requirements.

(signature) _____

DATE: _____

(print name) _____

P.L.S. No.: _____

PLANNING COMMISSION CERTIFICATE OF APPROVAL

This statement hereby certifies that the plat entitled _____ was approved by
the Port Orange Planning Commission on _____.

BY: _____

Chairman of the Port Orange Planning Commission

CITY COUNCIL CERTIFICATE OF APPROVAL

This statement hereby certifies that the plat entitled _____
was approved by the Port Orange City Council on _____.

BY: _____

Mayor of the City of Port Orange

ATTEST: _____

City Clerk of the City of Port Orange

CERTIFICATE OF CLERK

I hereby certify that I have examined the foregoing plat and found that it complies,
in form, with all requirements stated in Chapter 177, Florida Statutes, and that it
was filed for record on _____ at _____ a.m. / p.m.

Clerk of Circuit Court
Volusia County, Florida

File No. _____

1/2" MARGIN

EXHIBIT 1

1/2" MARGIN

3" MARGIN

MAX. SHEET SIZE 22"x28"

MAP BOOK: __ PAGE: __

GRAPHIC SCALE

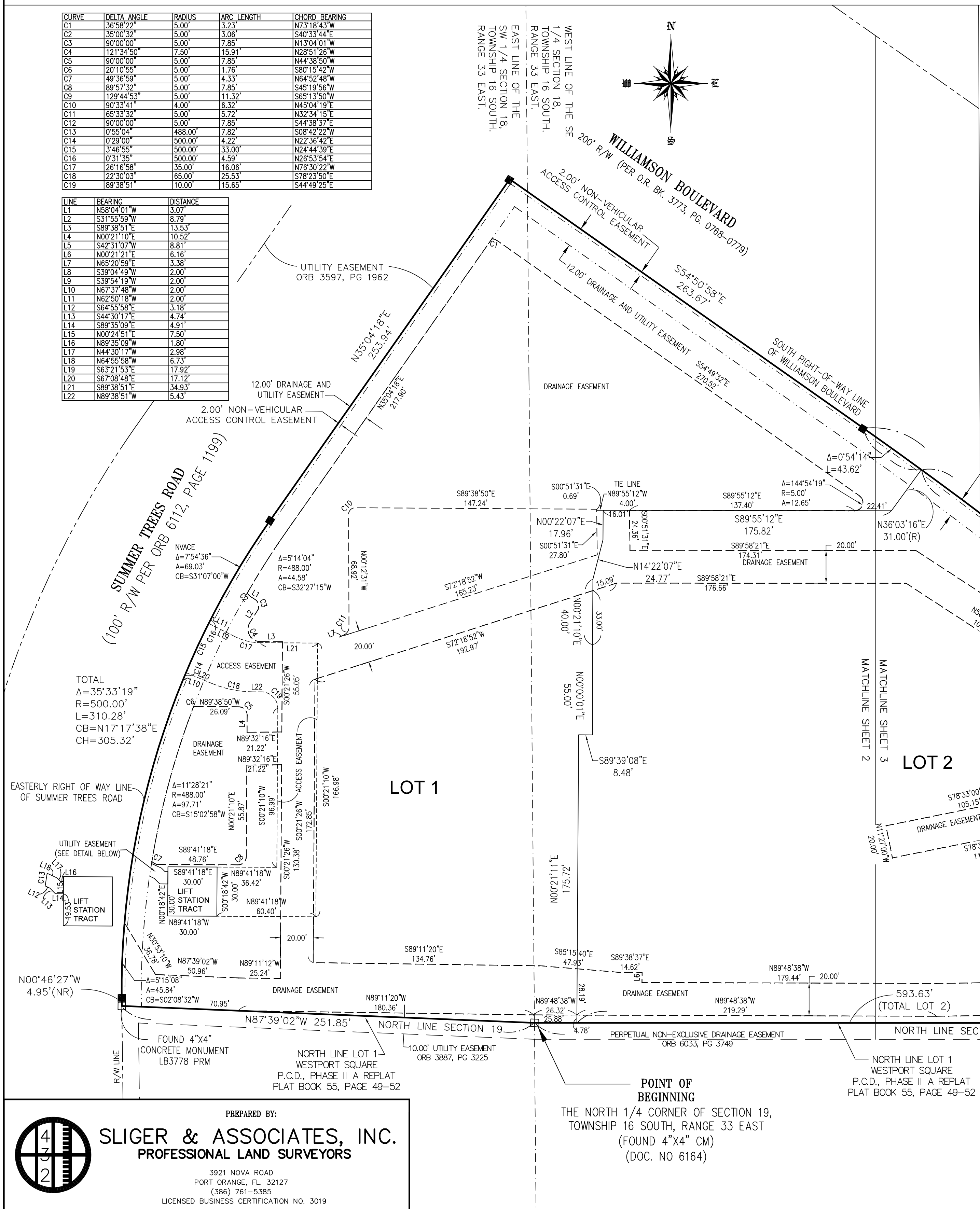
0 40 80 120



(IN FEET)

1 inch = 40 ft

L/N	BEARING	DISTANCE
L1	N58°04'01" W	3.07
L2	S31°55'59" E	8.79
L3	S83°03'15" E	11.33
L4	N00°21'10" E	10.52
L5	S42°31'07" W	8.81
L6	N00°21'21" E	6.16
L7	N65°20'59" E	3.36
L8	S83°03'15" E	2.00
L9	S39°54'10" W	2.00
L10	N67°37'48" W	2.00
L11	N62°50'18" W	2.00
L12	S31°55'59" E	3.68
L13	S44°30'15" E	4.74
L14	S89°35'09" E	4.91
L15	N00°24'51" E	1.80
L16	N69°35'09" W	7.50
L17	N44°17'20" E	2.98
L18	N64°55'58" W	6.73
L19	S63°21'53" E	12.92
L20	S67°08" W	17.12
L21	S89°38'51" E	31.33
L22		5.43

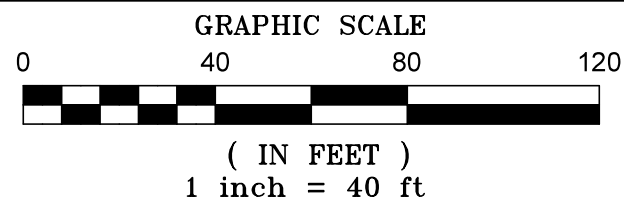


- GENERAL NOTES
1. MONUMENTATION
 □ - DENOTES PERMANENT REFERENCE MONUMENT FOUND STAMPED AS NOTED.
 ■ - DENOTES PERMANENT REFERENCE MONUMENT SET
 ■ - DENOTES CONCRETE MONUMENT STAMPED FROM LD 3019
2. (R) - DENOTES A LINE RADIAL RELATIVE TO ADJACENT CURVE.
 (NR) - DENOTES A LINE NOT RADIAL RELATIVE TO ADJACENT CURVE.
3. DIMENSIONS SHOWN ARE IN FEET AND DECIMALS THEREOF.
4. ACCURACY
 THE BOUNDARY LINEAR ERROR OF CLOSURE DOES NOT EXCEED 1/10,000.
 THE AVERAGE ANGULAR ERROR OF CLOSURE DOES NOT EXCEED 1/100,000 SECONDS
 MULTIPLIED BY THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.
5. BEARING SURVEY BASED ON NAD 83 FLORIDA STATE PLANE COORDINATE
 SYSTEM, EAST ZONE, ALONG THE SOUTHERLY LINE OF THE SOUTHWEST 1/4 OF SECTION 17
 TOWNSHIP 16 SOUTH, RANGE 33 EAST BEARING N87°59'02"W.
6. NOTE: ALL MEASUREMENTS REFER TO HORIZONTAL PLANE IN ACCORDANCE WITH
 THE DEFINITION OF THE U.S. FOOT AS SET FORTH IN THE NATIONAL BUREAU OF
 STANDARDS STANDARDS AND TECHNOLOGY. ALL MEASUREMENTS SHALL USE THE
 39.37/12 = 3.2808333333 EQUATION FOR CONVERSION FROM A U.S. FOOT TO METERS.
7. NOTE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL
 DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO
 CIRCUMSTANCES BE SUPERVANT IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL
 FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT
 RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS
 COUNTY.
8. THIS PLAT IS SUBJECT TO ALL EASEMENTS OF RECORD AND RESERVATIONS OF
 EASEMENTS, INCLUDING BUT NOT LIMITED TO DRAINAGE, UTILITY, AND ACCESS
 EASEMENTS GRANTED HEREON WHICH SHALL BE LOCATED AS FOLLOWS EXCEPT AS
 OTHERWISE NOTED ON THE PLAT:
- ENTIRE STREET FRONTS OF LOTS AND COMMON AREAS; 12.00 FEET WIDE
9. UTILITIES INCLUDING BUT ARE NOT LIMITED TO SANITARY SEWER,
 POTABLE WATER, RECLAIMED WATER, STORM DRAINAGE, ELECTRIC,
 TELEPHONE, CABLE TELEVISION, SECURITY, AND/OR OTHER UTILITIES AND
 TELECOMMUNICATION.
10. ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL
 BE FOR EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND
 OPERATION OF THE TELEPHONE, CABLE TELEVISION, SECURITY, AND/OR OTHER
 CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION
 AND/OR OTHER UTILITIES. THERE WILL BE NO REMEDIAL OR DISTURBANCE OF ANY
 DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR
 THE PROTECTION AND MAINTENANCE OF THE FACILITIES OF THE UTILITY. ANY
 GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER
 PUBLIC UTILITY, SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION
 SHALL BE SUBJECT TO THE NATIONAL SAFETY CODE AS ADOPTED BY THE FLORIDA
 PUBLIC SERVICE COMMISSION.
11. ALL OTHER EASEMENTS ARE SUBORDINATE TO ANY CONSERVATION EASEMENTS
 GRANTED HEREON, AND THERE SHALL BE NO REMEDIAL OR DISTURBANCE OF ANY
 VEGETATION WITHIN SUCH CONSERVATION EASEMENTS, ANY PROPOSED
 CONSTRUCTION OR OTHER USE WITHIN A CONSERVATION EASEMENT MUST BE
 CONSIDERED AND APPROVED BY THE CITY OF PORT ORANGE AND THE LAND OWNERS
 AUTHORITY HAVING JURISDICTION OVER THE CONSERVATION EASEMENT.
12. THE TREE CONSERVATION EASEMENT AS DEFINED ON THIS PLAT IS INTENDED TO
 MEET THE TREE PRESERVATION REQUIREMENTS FOR LOTS 1 AND 2, AND IS FOR THE
 EXPRESS PURPOSE OF THE PRESERVATION AND LONGEVITY OF THE TREES THEREIN.
 IN ORDER TO TREE HEALTH SURVEILLANCE WITHIN THIS EASEMENT, THE CITY OF
 THE DRIPLINE ARE PROHIBITED WITHOUT THE EXPRESS PERMISSION OF THE TREE PORT
 AND ANY OTHER AUTHORITY HAVING JURISDICTION OVER THE CONSERVATION
 ACTION ARE AND DESIGNATED EASEMENT AREAS TO PERFORM NECESSARY MAINTENANCE
 VEGETATION WITHIN THE EASEMENT AREA FROM BEING CLEARED BY HAND TO
 NATURAL VEGETATION WITHIN THE EASEMENT AREA FROM BEING CLEARED BY HAND TO
 REMOVE WEEDS, MAINTAINED OR REMOVED. IN ADDITION, NOTHING HEREIN SHALL
 BE CONSTRUED TO PREVENT THE PLACEMENT OF SOIL, IRRIGATION AND LANDSCAPE
 PLANTS OR TO PREVENT NORMAL LAWN MAINTENANCE SUCH AS MOWING, EDGING AND
 TRIMMING. IN ORDER TO THE DELAY OF THE DELAY OF THE DELAY OF THE DELAY OF THE
 THE EASEMENT AREA, ANY PROPOSED CONSTRUCTION OR OTHER USE WITHIN A
 CONSERVATION EASEMENT MUST BE REVIEWED AND APPROVED BY THE CITY OF PORT
 ORANGE AND ANY OTHER AUTHORITY HAVING JURISDICTION OVER THE CONSERVATION
 EASEMENT.
13. THE OWNER OF LOT 1, SHALL BE RESPONSIBLE FOR THE OPERATION AND MAINTENANCE
 OF THE DRAINAGE AND STORMWATER SYSTEM WITHIN THE AREA WITHIN THE BOUNDARIES
 OF THIS PLAT, PURSUANT TO THE STORMWATER MANAGEMENT PLAN APPROVED FOR
 THE PROJECT BY THE CITY OF PORT ORANGE. THE CITY OF PORT ORANGE SHALL NOT
 BE RESPONSIBLE FOR THE COST OF THE SUBSTANTIAL REPAIRS OR REPLACEMENT OF LOT 1 FAIL
 TO PERFORM MAINTENANCE REPAIRS, AND REPLACEMENT OF THE DRAINAGE AND
 STORMWATER SYSTEM, THE CITY OF PORT ORANGE SHALL BE ENTITLED TO ENTER UPON THE
 COMMON AREAS AND DESIGNATED EASEMENT AREAS TO PERFORM NECESSARY MAINTENANCE
 REPAIRS, AND REPLACEMENTS OF THE DRAINAGE AND STORMWATER SYSTEM, THE CITY'S
 RIGHTS AS SET FORTH HEREIN DOES NOT IMPOSE ANY OBLIGATION, BURDEN, RESPONSIBILITY
 OR LIABILITY ON THE CITY OF PORT ORANGE OR THE CITY OF PORT ORANGE TO MAINTAIN, REPAIR,
 OR REPLACE THE PRIVATE DRAINAGE & STORM-WATER SYSTEM. FURTHER, THE CITY OF
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SHOPPES AT SUMMER TREES

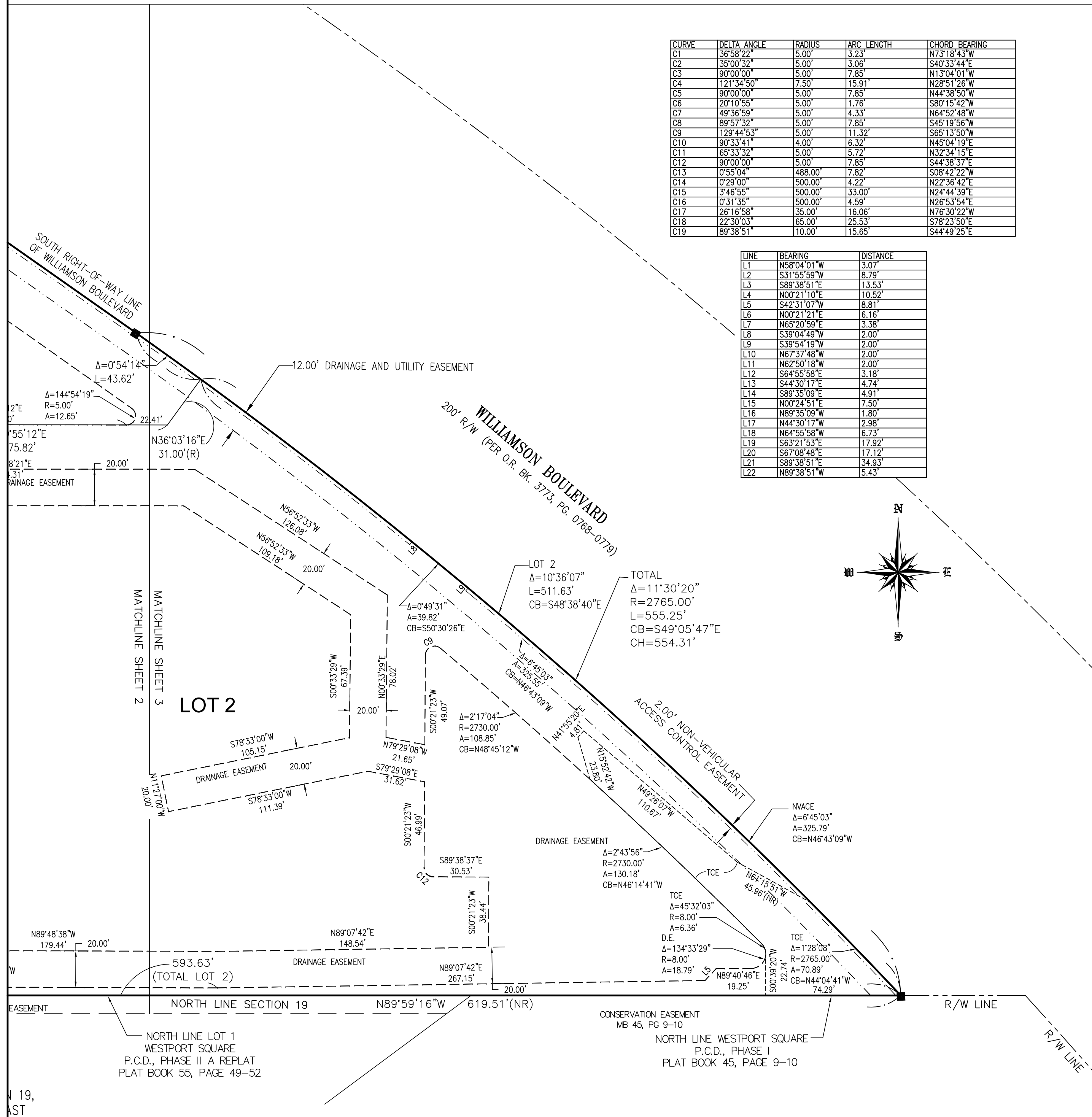
A PORTION OF SECTION 18, TOWNSHIP 16 SOUTH, RANGE 33 EAST, LOCATED IN THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA

MAP BOOK: __ PAGE: __



CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD BEARING
C1	36°58'22"	5.00'	1.23'	N73°18'43"W
C2	35°00'32"	5.00'	3.06'	S40°33'44"E
C3	90°00'00"	5.00'	7.85'	N13°04'01"W
C4	121°34'50"	7.50'	15.91'	N08°51'29"W
C5	90°00'00"	5.00'	7.85'	N44°38'50"W
C6	20°10'55"	5.00'	1.76'	S80°15'42"W
C7	49°36'59"	5.00'	4.33'	N64°52'48"W
C8	88°57'32"	5.00'	7.85'	S45°19'56"W
C9	129°44'53"	5.00'	11.32'	S65°13'50"W
C10	90°33'41"	4.00'	6.32'	N45°04'19"E
C11	65°33'32"	5.00'	5.72'	N32°34'15"E
C12	90°00'00"	5.00'	7.85'	S44°38'37"E
C13	0°55'04"	488.00'	7.82'	S08°42'22"W
C14	0°29'00"	500.00'	4.22'	N22°36'42"E
C15	5°46'55"	500.00'	33.02'	N04°44'39"E
C16	0°31'35"	500.00'	4.59'	N26°53'54"E
C17	26°16'58"	35.00'	16.06'	N76°30'22"W
C18	22°30'03"	65.00'	25.53'	S78°23'50"E
C19	88°38'51"	10.00'	15.65'	S44°49'29"E

LINE	BEARING	DISTANCE
L1	N58°04'01"W	3.07'
L2	S31°55'59"W	8.79'
L3	S89°38'51"E	13.53'
L4	N00°21'10"E	10.52'
L5	S42°31'07"W	8.81'
L6	N00°21'12"E	6.16'
L7	N65°20'59"E	3.38'
L8	S39°04'49"W	2.00'
L9	S39°54'19"W	2.00'
L10	N67°37'48"W	2.00'
L11	N62°50'18"W	2.00'
L12	S64°55'58"E	3.18'
L13	S44°30'17"E	4.74'
L14	S89°35'09"E	4.91'
L15	N00°24'51"E	7.50'
L16	N89°35'59"W	1.80'
L17	N44°30'17"W	2.98'
L18	N64°55'58"W	6.73'
L19	S63°21'53"E	17.92'
L20	S67°08'49"E	17.12'
L21	S89°38'51"E	34.93'
L22	N89°38'51"W	5.43'



- GENERAL NOTES
- MONUMENTATION
□ DENOTES PERMANENT REFERENCE MONUMENT FOUND STAMPED AS NOTED.
■ DENOTES PERMANENT REFERENCE MONUMENT SET
4X4 CONCRETE MONUMENT STAMPED PRM LB 3019
 - (R) - DENOTES A LINE RADIAL RELATIVE TO ADJACENT CURVE.
(NR) - DENOTES A LINE NOT RADIAL RELATIVE TO ADJACENT CURVE.
 - DIMENSIONS SHOWN ARE IN FEET AND DECIMALS THEREOF.
 - ACCURACY
THE BOUNDARY LINEAR ERROR OF CLOSURE DOES NOT EXCEED 1:10,000.
THE BOUNDARY ANGULAR ERROR OF CLOSURE DOES NOT EXCEED 15 SECONDS MULTIPLIED BY THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.
 - BEARING STRUCTURE BASED ON NAD 83 FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, ALONG THE SOUTHERLY LINE OF THE SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 16 SOUTH, RANGE 33 EAST BEING N87°39'02"W.
 - NOTE: ALL MEASUREMENTS REFER TO HORIZONTAL PLANE IN ACCORDANCE WITH THE DEFINITION OF THE U.S. SURVEY FOOT OR METER ADOPTED BY THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY. ALL MEASUREMENTS SHALL USE THE 36.57728/3.2808333333 EQUATION FOR CONVERSION FROM A U.S. FOOT TO METERS.
 - NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL, IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
 - THIS PLAT IS SUBJECT TO ALL EASEMENTS OF RECORD AND RESERVATIONS OF EASEMENTS, INCLUDING BUT NOT LIMITED TO DRAINAGE, UTILITY, AND ACCESS. EASEMENTS GRANTED HEREON WHICH SHALL BE LOCATED AS FOLLOWS EXCEPT AS OTHERWISE NOTED ON THE PLAT:
ENTIRE STREET FRONTS OF LOTS AND COMMON AREAS: 12.00 FEET WIDE
 - UTILITIES INCLUDE BUT ARE NOT LIMITED TO SANITARY SEWER, POTABLE WATER, RECLAIMED WATER, STORM DRAINAGE, ELECTRIC, TELEPHONE, CABLE TELEVISION, SECURITY, NATURAL GAS, FIBER OPTIC, TELECOMMUNICATION.
 - ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.
 - ALL OTHER EASEMENTS ARE SUBORDINATE TO ANY CONSERVATION EASEMENTS DEDICATED HEREON. THERE SHALL BE NO REMOVAL OR DISTURBANCE OF ANY VEGETATION WITHIN SUCH CONSERVATION EASEMENTS. ANY PROPOSED CONSTRUCTION OR OTHER USE WITHIN A CONSERVATION EASEMENT MUST BE REVIEWED AND APPROVED BY THE CITY OF PORT ORANGE AND ANY OTHER AUTHORITY HAVING JURISDICTION OVER THE CONSERVATION EASEMENT.
 - THE TREE CONSERVATION EASEMENT AS DEFINED ON THIS PLAT IS INTENDED TO MEET THE TREE PRESERVATION REQUIREMENTS FOR LOTS 1 AND 2, AND IS FOR THE EXPRESS PURPOSE OF THE PRESERVATION AND LONGEVITY OF THE TREES THEREIN. ACTIONS DETRIMENTAL TO TREE HEALTH SURVIVAL WITHIN THE BOUNDARIES OF THE DRUPLINE ARE PROHIBITED WITHOUT THE EXPRESS PERMISSION OF THE CITY OF PORT ORANGE AND ANY OTHER AUTHORITY HAVING JURISDICTION OVER THE CONSERVATION EASEMENT. NOTHING HEREIN SHALL, HOWEVER, BE CONSTRUCTED TO PREVENT NATURAL VEGETATION WITHIN THE EASEMENT AREA FROM BEING CLEARED BY HAND TO PROVIDE A NEAT, MANICURED APPEARANCE. IN ADDITION, NOTHING HEREIN SHALL BE CONSTRUED TO PREVENT THE PLACEMENT OF SOIL, IRRIGATION AND LANDSCAPE PLANTS OR TO PREVENT NORMAL LAWN MAINTENANCE SUCH AS MOWING, EDGING AND WEEDING NOT HARMFUL TO THE OBJECTIVE OF TREE PRESERVATION WITHIN THE EASEMENT AREA. ANY PROPOSED CONSTRUCTION OR OTHER USE WITHIN A CONSERVATION EASEMENT MUST BE REVIEWED AND APPROVED BY THE CITY OF PORT ORANGE, AND ANY OTHER AUTHORITY HAVING JURISDICTION OVER THE CONSERVATION EASEMENT.
 - THE OWNER OF LOT 1, SHALL BE RESPONSIBLE FOR THE OPERATION AND MAINTENANCE OF THE DRAINAGE AND STORMWATER SYSTEM SERVING THE AREA WITHIN THE BOUNDARIES OF THIS PLAT, PURSUANT TO THE STORMWATER MANAGEMENT PLAN APPROVED FOR DEVELOPMENT BY THE CITY OF PORT ORANGE, FLORIDA. SHOULD THE OWNER OF LOT 1 FAIL TO PERFORM MAINTENANCE REPAIRS, AND REPLACEMENT OF THE DRAINAGE AND STORMWATER SYSTEM, THE CITY OF PORT ORANGE SHALL BE ENTITLED TO ENTER UPON THE COMMON AREAS AND DESIGNATED EASEMENT AREAS TO PERFORM NECESSARY MAINTENANCE, REPAIRS, AND REPLACEMENTS OF THE DRAINAGE AND STORMWATER SYSTEM. THE CITY'S RIGHTS AS SET FORTH HEREIN DOES NOT IMPOSE ANY OBLIGATION, BURDEN, RESPONSIBILITY OR LIABILITY UPON THE CITY TO ENTER UPON THE SUBJECT PROPERTY AND TAKE ANY ACTION TO MAINTAIN, REPAIR, OR REPLACE THE PRIVATE DRAINAGE & STORM-WATER SYSTEM. FURTHERMORE, THE CITY SHALL HAVE THE RIGHT TO LIEN ALL OWNERS OF RECORD IN PROPERTY FOR THE COST OF ANY NECESSARY MAINTENANCE AND REPAIRS MADE IN FURTHERANCE OF PROTECTING PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE. IN THE EVENT OF TERMINATION OR DISSOLUTION OR FINAL LIQUIDATION OF THE OWNER OF LOT 1, THE RESPONSIBILITY FOR THE OPERATION AND MAINTENANCE OF THE DRAINAGE AND STORMWATER MANAGEMENT SYSTEM WILL BE TRANSFERRED TO AND ACCEPTED BY AN ENTITY APPROVED BY THE SAINT JOHNS RIVER WATER MANAGEMENT DISTRICT PRIOR TO SUCH TERMINATION, DISSOLUTION, OR LIQUIDATION.
 - THE OWNER OF LOT 1 SHALL BE THE ENTITY RESPONSIBLE FOR THE OPERATION AND MAINTENANCE OF THE PRIVATELY OWNED SANITARY SEWER SYSTEM AND WATER LINE SYSTEM SERVING THE AREA WITHIN THE BOUNDARIES OF THIS PLAT. THE OWNER OF LOT 1 MAY ENTER INTO SEPARATE AGREEMENTS REGARDING THE MAINTENANCE OF SUCH UTILITIES WITH THE LOT OWNERS WITHIN THE PLAT.
 - THE LANDS SHOWN HEREON ARE SUBJECT TO THE CROSS ACCESS AND UTILITY EASEMENTS AND MAINTENANCE OBLIGATIONS SET FORTH IN THE DECLARATION OF RECIPROCAL EASEMENT AGREEMENT WITH COVENANTS, CONDITIONS, AND RESTRICTIONS RECORDED IN OFFICIAL RECORDS BOOK __, PAGE __, PUBLIC RECORDS, VOLUSIA COUNTY, FLORIDA.
 - THE OWNER OF LOT 1 HEREBY DECLARES A PERPETUAL NON-EXCLUSIVE EASEMENT IN FAVOR OF THE OWNER OF LOT 2 FOR DRAINAGE PURPOSES, INCLUDING THE CONTINUED COLLECTION, RETENTION, AND TRANSPORTATION OF STORMWATER.

PREPARED BY:

SLIGER & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS

3921 NOVA ROAD
PORT ORANGE, FL 32127
(386) 761-5385
LICENSED BUSINESS CERTIFICATION NO. 3019



STAFF REPORT

1st Amendment to Madeline Commons Master Development Agreement
CASE NO. PRZA-24-0009

REQUEST:	Approve the 1st amendment to the Madeline Commons Master Development Agreement to remove the requirement to install a fence adjacent to Sugar Mill Elementary School and for Safety Flashing Beacon and Stop signs at the Sugar Mill Elementary parent drop off/pick-up driveway at Charles Street.
LOCATION:	964 Commons Way (Figure 1 - Location Map)
OWNER:	Campbell Crossing Owners Association Inc.
STAFF CONTACT:	Penelope Cruz, Planning Manager (386) 506-5671
STAFF RECOMMENDATION:	Approval
PLANNING COMMISSION:	January 23, 2025

PROPOSED AMENDMENT

The proposed 1st Amendment to the Madeline Commons Master Development Agreement (MDA) is to modify the MDA to require the developer to install Rapid Flashing Beacon signs and a flashing Stop sign (signs) as a safety improvement at Sugar Mill Elementary's parent pick-up/drop-off driveway at Charles Street instead of installing a 6-foot privacy fence between the PUD and Sugar Mill Elementary School. The signs are positioned at the intersection of the parent pick-up/drop-off driveway at Charles Street to alert drivers entering and exiting the school of the pedestrian crossing. **The proposed amendment does not change any other requirements in the MDA.**

Figure 1. Location Map



In 2021, Volusia County School District (VCSD) staff requested a requirement be added to the Madeline Commons MDA to provide a privacy fence along the north and east sides of Sugar Mill Elementary School to provide a buffer between the proposed development and the school. According to the Land Development Code, a 6-foot privacy fence is **NOT** required along the boundary of the PUD adjacent to Sugar Mill Elementary School. However, the developer agreed to provide the privacy fence as requested by the school district staff.

During the construction of the subdivision, it was determined that installation of the 6-foot privacy fence would create impacts on a protected wetland area located in the subdivision and could create a security concern by restricting visibility into the school property from the perimeter. The developer met with staff from the VCSD, and it was agreed that the developer could install the signs at the Sugar Mill Elementary pick-up/drop-off driveway on Charles Street instead of installing the 6-foot privacy fence. According to VCSD staff, it was determined that retention areas, wetlands, landscape buffers, and tree conservation areas along the perimeter of the subdivision, as well as the existing 6-tall chain link fence on the school property that will remain, provide sufficient security and buffer between the school and the subdivision. Since the requirement to install the fence is listed in the Madeline Commons MDA, an amendment to the MDA is needed to remove the requirement to install the 6-foot privacy fence. If the Amendment is not approved, then the developer will be required to install the 6-foot privacy fence.



Picture of existing 6-foot chain link fence and existing vegetation buffer adjacent to the subdivision

The signs are directed at motorists and pedestrians at the intersection. City staff has worked with staff from the Volusia County School District, Port Orange Police Department, and Volusia County Sheriff's Office to ensure the location of the signs will

enhance visibility and warning at the school pick-up/drop-off driveway on Charles Street. The timer on the flashing Stop sign will be set for active flashing from 6:00 am – 9:00 am and 1:00 pm – 5:00 pm, unless it is determined that the timeframes need to be adjusted; all other times it will just be a regular stop sign. The timers on pedestrian signs will be button-activated 24 hours/day.



Picture of a Rapid Flashing Beacon sign and Flashing Stop sign installed at Sugar Mill Elementary pick-up/drop-off driveway on Charles Street

CONSISTENCY WITH COMPREHENSIVE PLAN

The subject property is designated *Urban Medium Density Residential* (4-8 units/acre) on the City's Future Land Use (FLU) Map. The Madeline Commons PUD was found to be consistent with the Comprehensive Plan when it was approved in 2021. The proposed amendment does not change the FLU designation or density allowed for the subject property and is consistent with the general intent of the Comprehensive Plan.

RECOMMENDATION

Staff recommends **approval** of the First Amendment to the Madeline Commons PUD Master Development Agreement.

ATTACHMENT

Exhibit 1 – First Amendment to the Madeline Commons PUD Master Development Agreement

EXHIBIT 1

FIRST AMENDMENT TO THE MADELINE COMMONS PLANNED UNIT DEVELOPMENT MASTER DEVELOPMENT AGREEMENT

THIS FIRST AMENDMENT TO THE MADELINE COMMONS PLANNED UNIT DEVELOPMENT MASTER DEVELOPMENT AGREEMENT (the "**First Amendment**") is made this _____ day of _____, 2025, by and between the **CITY OF PORT ORANGE, FLORIDA** ("City"), a Florida municipal corporation, and **CAMPBELL CROSSING OWNERS ASSOCIATION, INC.**, a Florida not for profit corporation, in its capacity as the owner of the Property ("Owner"), hereby agree and covenant, and bind their heirs, successors, and assigns, as follows:

WHEREAS, the Owner is the owner of the property more particularly described in **Exhibit "A"**, attached hereto, ("**Property**"), which is the only property impacted by this First Amendment; and

WHEREAS, the City and Madeline Commons LLC, previously entered into the Madeline Commons Planned Unit Development Master Development Agreement, adopted November 9, 2021, and recorded in Official Records Book 8154, Page 833, Public Records of Volusia County, Florida (the "MDA");

WHEREAS, during the review of the proposed MDA, Volusia County School District staff requested the MDA include a requirement for a fence along the PUD property boundary adjacent to Sugar Mill Elementary School;

WHEREAS, during construction of the PUD development it was determined that installation of said fence would create impacts to an on-site protected wetland area;

WHEREAS, the Volusia County School District staff agreed that said fence was no longer desired, and that installation of safety flashing beacons at Sugar Mill Elementary's driveway on Charles Street in lieu of said fence is a more desired improvement;

WHEREAS, the Parties desire to amend the MDA to remove the requirement for a fence along the property boundary adjacent to Sugar Mill Elementary School, subject to installation of safety flashing beacons at Sugar Mill Elementary's driveway on Charles Street, and subject the terms and conditions set forth herein;

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree to amend the MDA as follows:

1. The recitals provided above are recognized as true and correct representations and are incorporated herein.

2. **Section 12. of the MDA is amended in part to read as follows: [additions shown in UNDERLINE, deletions shown in STRIKETHROUGH]**

12. Project Buffers and Landscaping

In order to comply with the requirements of Chapter 13, Sections 3 and 3.5 of the Port Orange LDC, a perimeter buffer shall be provided as shown on the CDP and shall comply with the following standards and requirements. The intent of the landscape buffer is to provide a protected green space separation between the Property and surrounding neighborhoods. There shall be a perimeter buffer with a width of ten (10') feet along the Property boundary adjacent to the City of South Daytona, twenty (20') feet along 5th Street where lots are not present, twenty (20') along Charles Street, twenty (20') feet along McDonald Road, and ten (10') feet along the Property boundary adjacent to Sugar Mill Elementary School. ~~A six (6) foot privacy fence setback a minimum 3 feet from the Property line for maintenance shall also be installed along the Property boundary adjacent to Sugar Mill Elementary School.~~ All buffers will remain as existing conditions or at time of each lot build out shall be required to install minimum landscape requirements for the Port Orange LDC. Landscape buffers and privacy fencing shall be constructed in the initial phase of development. No clearing or altering of the Property shall occur until the phase of that project area has been issued an approved construction plan. Existing vegetation in the perimeter buffer that may remain undisturbed shall count toward the landscaping requirements for the buffer. Existing vegetation that is determined by the City to be invasive exotics, diseased/dying and/or interfering with required extension of utilities may be removed, provided that any viable protected or specimen trees shall be mitigated in accordance with the City of Port Orange LDC. The landscape plans required for the final plat shall account for the removal and mitigation of trees with the perimeter buffers. No structures, primary or accessory, will be allowed within perimeter buffers, except for fencing. The Madeline Commons HOA shall establish maintenance standards in the covenants and restrictions for the landscape/buffer easements. The covenants and restrictions shall provide for procedures to allow the HOA to notice individual lot owners that landscaping is not being maintained in accordance with the standards established in the covenants and restrictions. The covenants and restrictions shall include provisions for the HOA to charge the individual lot owners for the costs of the HOA maintaining the landscape buffer.

3. This First Amendment shall be effective as of the date it is executed by all parties. The MDA, as previously enacted, shall remain in full force and effect except with the respect to those matters specifically amended by this First Amendment.
4. This First Amendment shall be recorded in the Public Records of Volusia County, Florida, at the Developer's expense. The restrictions on use and development imposed by this First Amendment shall be binding upon all successors in interest in the Property.

IN WITNESS WHEREOF, the parties hereto attached their hands and seals on the dates set forth below.

Signed, sealed and delivered in the presence
of:

**THE CITY OF PORT ORANGE,
FLORIDA, a Florida municipal
corporation**

Witness 1

Print Name of Witness 1

By: _____
Scott Stiltner, Mayor

Attest:

Witness 2

Print Name of Witness 2

By: _____
Robin L. Fenwick, MMC, City Clerk

Date: _____

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this _____ day of _____, 2025 by Scott Stiltner, Mayor, and Robin L. Fenwick, City Clerk, both of The City of Port Orange, Florida, a chartered municipal corporation, on behalf of the City. They are personally known to me and did not take an oath.

Notary Public

Commission No: _____

Signed, sealed and delivered in the presence of:

CAMPBELL CROSSING OWNERS ASSOCIATION, INC., a Florida not for profit corporation

Witness 1

Print Name of Witness 1

Witness 2

Print Name of Witness 2

By:

Print Name: Anael Jobalia

Date:

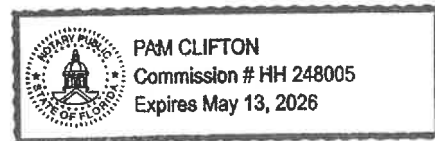
12/19/24

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 19th day of December, 2025, by Anael Jobalia of Campbell Crossing Owners Association, Inc. He or she is ☒ personally known to me or ☐ produced as identification and did not take an oath.

Pam Clifton
Notary Public

Commission No. _____



Approved as to legal form:

By: _____

Shannon K. Balmer, Senior Assistant City Attorney

EXHIBIT "A"

**TRACT B, MADELINE COMMONS SUBDIVISION AS RECORDED IN MAP BOOK
66, PAGES, PUBLIC RECORDS, VOLUSIA COUNTY, FLORIDA.**

PARCEL NO. 6304-10-00-00B0