

Reserved for Recording Information:

Prepared By:
Community Development Department
City of Palm Coast
160 Lake Avenue, Suite 135
Palm Coast, FL 32164

Return To:
City Clerk
City of Palm Coast
160 Lake Avenue, Suite 225
Palm Coast, FL 32164

CITY OF PALM COAST

DEVELOPMENT ORDER APPROVAL

SUBDIVISION MASTER PLAN, THE TRAILS AT PALM COAST PARK TRACT 22

On 8/19/2020, The City of Palm Coast issued this Development Order relating to and touching and concerning the following described property:

Tract 22, A Parcel of Land Located in Government Section 34, Township 10 South,
Range 30 East, Flagler County, Florida.

(The aforementioned property description has been provided to the City of Palm Coast by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: BYRND OG PCP LLC
180 BROOKHAVEN COURT S
PALM COAST, FL 32164

Project Name: THE TRAILS AT PALM COAST PARK TRACT 22

Application: SUBDIVISION MASTER PLAN

Project No. 2018030052

Application No. 4410

Subdivision Master Plan Approval:
Parcel Nos: Portion of 34-10-30-0000-01010-0000
Acreage: 231.01
Zoning: Master Planned Development Approval

Proposed Use: Town Homes
 Proposed Number of Lots/Units: 274

The Development Approval sought is consistent with the *City of Palm Coast Comprehensive Plan* and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances as set forth in the *Code of Ordinances of the City of Palm Coast*.

The Owners have expressly agreed to be bound by and subject to the development conditions and commitments stated below and have covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

ORDER

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

- (1) The aforementioned application for Development Approval is **GRANTED**.
- (2) All development of the property shall fully comply with all of the codes and ordinances in effect in the City of Palm Coast at the time of issuance of a development order and/or development permit, including but not limited to, all impact fee ordinances.
- (3) The conditions upon this development approval and the commitment made as to this development approval, which have been accepted by and agreed to by the Owner of the property, is as follows:
 - a. *Expand the townhome lots backing up to Belle Terre Parkway so they meet the minimum 2,000 sq. ft. area requirements. This may be accomplished by vacating the drainage easement along Belle Terre Parkway and then overlapping the 25' wide Landscape Buffer G by 8.14 feet with the existing utility easement so the lots can be expanded eastward by 8.14 feet.*
 - b. *There is not enough information/drawings provided to complete an initial architectural review. Provide dimensional elevations of all 4 sides of the 4 unit, 6 unit and 8 unit townhomes. All elevations shall be rendered and all finishes and color selections noted with associated LRV to ensure they meet Chapter 13 standards in the LDC.*
 - c. *UMAM scores need to be provided for the wetlands to remain so that appropriate sized buffers can be applied per 10.01.08 in the LDC. Only scores for the proposed impacts were provided. Please update the Environmental report to include the requested scores.*
 - d. *Show, label and dimension landscape buffers on north and south property lines of Landscape Plans.*
 - e. *Extend line of Belle Terre Landscape Buffer G to the south property line. Please note that it may only overlap the Utility Easement 8.33', so adjust as needed.*
 - f. *The buffer line has been removed since the last submission. All landscape buffer lines must be shown on Landscape Plans.*
 - g. *Pond 1 has also been altered since the last submission. Shift the Pond out of the landscape buffer per Section 11.03.05.C.6.c of the LDC.*
 - h. *Provide wildfire hazard assessment with Preliminary Plat submittal.*

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden,

Development Order Affidavit**OWNER'S/APPLICANT'S CONSENT AND COVENANT:**

Project Name: THE TRAILS AT PALM COAST PARK TRACT 22
 Application Type: SUBDIVISION MASTER PLAN
 Application No.: 4410
 Parcel No.: Portion of 34-10-30-0000-01010-0000

COMES NOW, BYRND OG PCP LLC , the Owner on behalf of itself and its successors, assigns and transferees of any nature, whatsoever, and consents to and agrees with the covenants to perform and fully abide by the provisions, terms, and conditions, and commitments set forth in this Development Order. Affiant states that he/she accepts the findings, as outlined in this Development Order, and further states that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission, or refund for the purpose of securing the said Development Order for THE TRAILS AT PALM COAST PARK TRACT 22 :

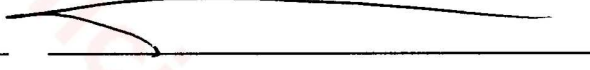
ATTEST:

BYRND OG PCP LLC

180 BROOKHAVEN COURT S
 PALM COAST, FL 32164



Attesting Corporate Official



Authorized Signer

ACKNOWLEDGEMENT

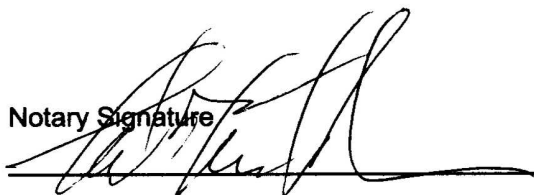
STATE OF MAINE
 COUNTY OF KOEN

The foregoing instrument was acknowledged before me, by means of ☒ physical presence or ☐ online notarization, this 17th day of SEPTEMBER, 2020, by JEFFREY DOUGLAS of BYRND OG PCP LLC who is personally known to me or has produced FLD 0242-436-62-137-0 (type of identification) as identification and did/did not take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this 17th day of SEPTEMBER, 2020.



Notary Signature



LINCOLN TREVOR CHELIDONA
 Notary Public - Maine
 My Commission Expires
 August 01, 2026

run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of the City of Palm Coast by virtue of a document of equal dignity herewith. The Owners have expressly covenanted and agreed to the provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Development Order shall be found to be invalid or illegal then the entire Development Order shall be null and void.

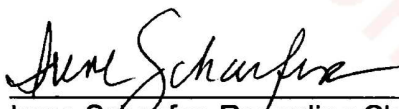
Done and Ordered on the date first written above.

As approved and authorized for execution by the

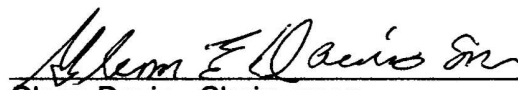
Planning and Land Development Regulation Board of the City of Palm Coast, at their regularly scheduled meeting of August 19, 2020.

Attest:

CITY OF PALM COAST, FLORIDA



Irene Schaefer, Recording Clerk



Glenn Davis, Chairperson

____ Sign and Record