

ORDINANCE NO. 2021 - 24

AN ORDINANCE OF THE CITY COMMISSION OF DELAND, FLORIDA, CHANGING THE ZONING FROM OAK HAMMOCK RESERVE PD TO OAK HAMMOCK RESERVE 2021 PD, ON PROPERTY LOCATED ON THE NORTHWEST CORNER OF SOUTH SPRING GARDEN AVENUE AND WEST BERESFORD ROAD; APPROVING A PLANNED DEVELOPMENT PLAN CONSISTING OF APPROXIMATELY 40.37 ACRES OF PROPERTY; MAKING FINDINGS OF CONSISTENCY WITH THE COMPREHENSIVE LAND USE PLAN FOR THE CITY OF DELAND; DIRECTING CHANGE IN THE COMPREHENSIVE ZONING MAP; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the applicant, A. Joseph Posey, Esq., on behalf of owner, Oak Hammock Holdings, LLC (hereinafter referred to as "Applicant"), owns approximately 40.37 acres of land located on the northwest corner of South Spring Garden Avenue and West Beresford Road, which is more particularly described in the legal description attached hereto as Exhibit "A" and by this reference made a part hereof; and

WHEREAS, the Applicant has applied for a change of zoning designation from Oak Hammock PD, which was approved by the City Commission in 2006 to Oak Hammock Reserved 2021 PD; and

WHEREAS, a rezoning from the original PD to a new Planned Development will allow for 110 lots; and

WHEREAS, said rezoning is consistent with both the Comprehensive Plan and the purpose and intent of Section 33-32 of the Code of Ordinances of the City of DeLand (the "Code"); and

WHEREAS, the applicant has submitted an application for the approval of a development plan in order to amend the property zoning designation so as to change certain development standards for the property described in Exhibit "A" (hereinafter the "Property" or the "Project"); and

WHEREAS, the proposed development plan meets or exceeds the minimum conditions and standards for the PD District with respect to minimum development size, perimeter setbacks, comprehensive plan consistency, internal compatibility, external compatibility, open spaces, sidewalks, environmental constraints, internal access and circulation, external transportation access, off-street parking, public facilities and unified control; and

WHEREAS, the proposed development plan is consistent with the Urban Low Intensity land use designation.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF DELAND, FLORIDA:

Section 1. The City Commission has held a public hearing to approve the change of zoning from Oak Hammock Reserve PD to Oak Hammock Reserve 2021 PD, Planned Development District, on the property located on the northwest corner of South Spring Garden Avenue and West Beresford Road.

Section 2. Pursuant to the determination made at public hearing, the City Commission hereby amends the Comprehensive Zoning Map of the City to include the land described in Exhibit "A" as Oak Hammock Reserve 2021 PD, Planned Development District.

Section 3. The zoning of the Property as PD, Planned Development District, is made pursuant to Section 33-32 of the Code and the development of the Property shall take place in accordance with that Section and in substantial compliance with the Development Plan Agreement, Maps and other supporting documentation submitted by Applicant which shall be filed and retained for public inspection in the office of the City Planning Department and constitute a supplement to the official Zoning Map of the City.

Section 4. The approved Development Plan for Oak Hammock Reserve 2021 PD, Planned Development District, including the Development Plan Agreement, Map and other supporting documentation (on file with the City Planning Department), are attached hereto as Exhibit "B" and by this reference made a part hereof.

Section 5. The failure of the approved Development Plan to address a particular permit, condition, term or restriction shall not relieve the Applicant of the necessity of complying with any law governing said permitting requirements, conditions, terms or restrictions, as same may be amended or enacted from time to time in the future. All current land development regulations of the City are applicable to the PD District except to the extent that they conflict with a specific provision of the approved Development Plan.

Section 6. At the time of development, the Applicant shall comply with all relevant building codes and development standards contained in the City's Code of Ordinances or in the Development Plan; provided, however, that the development standards contained in the adopted Development Plan shall supersede comparable standards contained in the Code of Ordinances.

Section 7. The City Commission may rezone any portion of the Project which has not obtained a site plan approval within five years from the date of adoption of this Ordinance.

Section 8. Prior to the issuance of a building permit, Applicant shall submit an easement document, acceptable to the City of DeLand, permitting additions to shared access, parking, utilities, and stormwater.

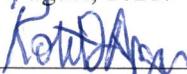
Section 9. Pursuant to Article 5 of the City's Land Development Regulations, the Applicant shall comply with all applicable infrastructure regulations.

Section 10. The City Engineer, Planning Director, and Building Department are hereby directed to change the Comprehensive Zoning Map of the City of DeLand to conform with the change of zoning enacted in this Ordinance.

Section 11. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, that holding shall in no way affect the validity of the remaining portions of this Ordinance.

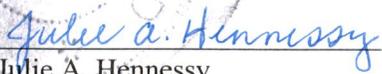
Section 12. This Ordinance shall become effective immediately upon its adoption.

PASSED AND DULY ADOPTED this 2nd day of August, 2021.



Robert F. Apgar
Mayor - Commissioner

ATTEST:

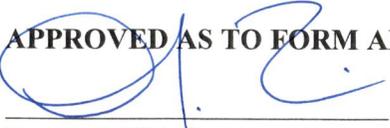



Julie A. Hennessy
City Clerk - Auditor

Passed on first reading: July 19, 2021

Adopted on second reading: August 02, 2021

APPROVED AS TO FORM AND LEGALITY:



Darren J. Elkind
City Attorney

EXHIBIT A
Oak Hammock Reserve
Legal Description

PARCEL A:

THE NORTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 19,
TOWNSHIP 17 SOUTH, RANGE 30 EAST, VOLUSIA COUNTY, FLORIDA,

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING, SAID POINT BEING A NAIL AND DISK STAMPED "PLS 3736" MARKING THE EAST 1/4 CORNER OF SAID SECTION 19; RUN THENCE SOUTH 01°11'14" EAST, ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 19, A DISTANCE OF 670.57 FEET, TO THE SOUTHEAST CORNER OF THE NORTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 19; THENCE SOUTH 88°28'36" WEST, ALONG THE SOUTH LINE OF SAID NORTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4, A DISTANCE OF 2637.88 FEET, TO THE SOUTHWEST CORNER OF SAID NORTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4; THENCE NORTH 01°04'28" WEST, ALONG THE WEST LINE OF SAID NORTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4, A DISTANCE OF 662.93 FEET, TO THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 19, SAID POINT ALSO BING THE CENTER OF SAID SECTION 19; THENCE NORTH 88°18'39" EAST, ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 19, A DISTANCE OF 2636.63 FEET, TO THE POINT OF BEGINNING.

40.37 ACRES

1 "EXHIBIT B"

2 PD PLANNED DEVELOPMENT AGREEMENT

3 THE CITY COMMISSION OF THE

4 CITY OF DELAND, FLORIDA

5 IN RE: Application of

6 SARASEA, LLC

7 ORDINANCE # 2021-24

8
9 ORDER AND RESOLUTION

10 GRANTING A REQUEST FOR CHANGE OF ZONING FROM OAK HAMMOCK

11 RESERVE PD (PLANNED DEVELOPMENT) TO

12 OAK HAMMOCK RESERVE 2021 PD (PLANNED DEVELOPMENT)

13
14 The application of Sarasea, LLC, a Florida limited liability company, hereinafter
15 "Applicant", for rezoning was heard by and before the City Commission, DeLand Florida,
16 on August 2, 2021. Based upon the verified Application and other supporting documents,
17 maps, charts, overlays, other evidence and instruments; the advice, report, and
18 recommendations of the Community Development Department, and other Departments
19 and agencies of DeLand, Florida; and the testimony adduced and evidence received at
20 the Public Hearing on this Application by the Planning Board on March 17, 2021, and
21 otherwise being fully advised, the City Commission does hereby find and determine as
22 follows:
23

FINDINGS REGARDING REZONING

1
2
3 A. That the Applicant has applied for a change of zoning from the present
4 zoning classification of the parcel described in Exhibit "A" from Oak Hammock Reserve
5 PD (Planned Development) to Oak Hammock Reserve 2021 PD (Planned Development).
6

7 B. That the said rezoning to a PD is consistent with both the City of DeLand
8 Comprehensive Plan Ordinance # 1990-04, as amended, and the intent and purpose of
9 the City of DeLand Land Development Regulations Ordinance #2013-11, as amended,
10 and does promote the public health, safety, morals, general welfare and orderly growth
11 of the area affected by the rezoning request.
12

13 NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY OF
14 DELAND, FLORIDA, IN OPEN MEETING DULY ASSEMBLED IN THE CITY
15 COMMISSION CHAMBERS, 120 SOUTH FLORIDA AVENUE, DELAND, FLORIDA,
16 THIS 2nd DAY OF AUGUST, 2021, AS FOLLOWS:
17

18 A. That the Application of Sarasea, LLC, a Florida limited liability company, for
19 the rezoning of the subject parcel is hereby granted.
20

21 B. That the zoning classification of the subject parcel described in Exhibit "A"
22 attached hereto is hereby amended from Oak Hammock Reserve PD to the Oak
23 Hammock Reserve 2021 PD as described in Article VII of the City of DeLand, Land
24 Development Regulations Ordinance #2013-11, as amended.
25

1 C. That the Official Zoning Map of the City of DeLand, is hereby amended to
2 show the rezoning of said parcel to the Oak Hammock Reserve 2021 PD.

3
4 D. That the City of DeLand Land Development Regulations Ordinance #2013-
5 11, as amended, is consistent with the provisions of the "Development Agreement" as
6 hereinafter set forth in this Ordinance and with respect to any conflict between Land
7 Development Regulations Ordinance #2013-11, as amended, and the "Development
8 Agreement", the provisions of the "Development Agreement" shall govern. The City of
9 DeLand Land Development Regulations Ordinance #2013-11, as amended, shall govern
10 with respect to any matter not covered by the "Development Agreement." The City of
11 DeLand, will ensure overall compliance with this Ordinance.

12
13 E. Unless otherwise provided for herein the City of DeLand, Land
14 Development Regulations Ordinance #2013-11, as amended, shall apply to the PD in the
15 same manner as the R-1 zoning classification.

16
17 F. Further, except as otherwise stated herein, nothing in the Development
18 Agreement is intended to abridge the requirements of Land Development Regulations
19 Ordinance #2013-11, as amended, and any other City Ordinances.

20
21 DEVELOPMENT AGREEMENT

22 A. Development Concept. The property shall be developed as a PD
23 substantially in accordance with the Planned Development Plan. The Planned
24 Development Plan shall govern the development of the property as a PD and shall
25 regulate the future land use of this parcel.

1 1. Planned Development Plan. The Planned Development Plan shall
2 consist of the Development Plan Map prepared by Dewberry Engineers, Inc. and dated
3 June 30, 2021 and this Development Agreement. The Development Plan Map is hereby
4 approved and incorporated in this Development Agreement by reference as Exhibit "B".
5 The Planned Development Plan shall be filed and retained for public inspection in the
6 Planning Department and it shall constitute a supplement to the Official Zoning Map of
7 the City of DeLand.

8 2. Amendments. All amendments of the Planned Development Plan,
9 other than those deemed by the Planning Department to be minor amendments as set
10 out in Land Development Regulations Ordinance #2013-11, as amended, shall require
11 the review and recommendation of the Planning Board and action by the City Commission
12 in the same manner as a rezoning of the parcel.

13 3. Subdivision Approval. After the Planned Development Plan is
14 recorded, and prior to any construction, including clearing and landfill, a preliminary
15 and/or final plat of the area to be subdivided, whether a single phase or multiple phases,
16 shall be submitted for review and approval in the manner required by Article XIII of the
17 City of DeLand Land Development Regulations Ordinance #2013-11, as amended.

18
19 B. Unified Ownership. The Applicant or his successors shall maintain unified
20 ownership of the individual phases of the subject parcel until after issuance of the Final
21 Subdivision Plat Development Order for each particular phase.

22
23 C. Phases of Development. Development of the Property can be accomplished
24 in multiple phases and the ordering of specific phases are depicted on Exhibit "C", with
25 required easements for development and infrastructure servicing the phases, including

1 shared facilities such as stormwater systems and internal driveways, being constructed
2 as required for each phase. Individual phases may be developed and constructed
3 simultaneously and/or in any order, however, Final Subdivision Plat Development Order
4 shall be required for each phase and the restrictions of this Development Agreement shall
5 apply to each phase of development. Construction of the initial phase shall be
6 substantially completed within 5 years of the approval of this Agreement. Construction of
7 any other phase must be substantially completed within 3 years of completion of the prior
8 phase of development. There shall be no clearing or other development activity on any
9 phase which is not subject to a preliminary plat development order, it being the intent of
10 this Agreement that there not be large areas of cleared land which are not actively under
11 construction.

12

13 D. Land Uses Within the PD. The development of the parcel shall be
14 consistent with the uses prescribed for each area within the proposed Oak Hammock
15 Reserve 2021 PD. The location and size of said land use areas are shown on the
16 Development Plan Map, Exhibit "B". The following land uses shall be allowed as
17 permitted principal uses and structures along with their customary accessory uses and
18 structures:

- 19 1. Residential - Single-Family Dwellings
- 20 2. Parks
- 21 3. Amenities / facilities associated with single-family dwellings
- 22 4. Common accessory uses associated with single-family dwellings

23

24 E. Development Standards. All development for the property shall rely upon
25 the standards set forth below. The maximum number of units permitted for all Phases

1 shall be 110 units.

2 1. Classification Requirements.

- 3 a. Minimum Lot Area: 5,750 sq. ft.
- 4 b. Minimum Lot Width: 60 ft. (at least 25% of all lots)
- 5 50 ft. (maximum of 70% of all lots)
- 6 c. Minimum Lot Depth; 115 ft.
- 7 d. Minimum Setbacks
- 8 1. Front: 15 ft. (to Structure)
- 9 25 ft. (to Garage)
- 10 2. Rear: 20 ft.
- 11 3. Side: 5 ft.
- 12 4. Side Street: 15 ft.
- 13 e. Building Height: 35 ft. (2 stories)
- 14 f. Maximum Impervious Coverage: 65% (Per Lot)
- 15 45% (Entire
- 16 Development)
- 17 g. Minimum Floor Area: 850 sq. ft.

19 2. Accessory Structures.

- 20 a. Permitted Accessory Uses
- 21 1. Swimming pools, screened porch and enclosures, hot
- 22 tubs, cabanas and similar structures
- 23 a. Front: not permitted
- 24 b. Side: 5 ft.
- 25 c. Rear: 5 ft.

1 d. Side Street: not permitted

2 2. Storage sheds

3 a. Front: not permitted

4 b. Side: 5 ft.

5 c. Rear: 5 ft.

6 d. Side Street: not permitted

7 b. Unless otherwise stated herein, all accessory structures and
8 fences shall meet the development standards of Section 33-28 of the Land
9 Development Regulations Ordinance #2013-11, as amended.

10 3. Open Space. Open Space and/or Common Area shall meet the
11 requirements of the Land Development Regulations Ordinance #2013-11.

12 4. Parking. Parking shall be provided in accordance with the Land
13 Development Regulations Ordinance #2013-11, as amended. Each residential lot shall
14 have adequate space to park two standard size vehicles within a garage and two standard
15 size vehicles on a driveway. Driveways shall be a minimum of eighteen feet (18') wide.
16 The homeowners association shall ensure that an individual lot owner seeking building
17 permits shall demonstrate compliance with this paragraph as part of the construction
18 permit submittal for a lot.

19 No on-street parking in excess of two (2) hours shall be permitted and the
20 homeowners association for the subdivision shall adopt rules prohibiting on-street parking
21 in excess of two (2) hours and shall institute a process within its governing documents to
22 allow the homeowners association to fine residents for on-street parking. Cutouts shall
23 be provided for parallel parking adjacent to the streets in locations disbursed throughout
24 the development.

25 5. Design. Single-family homes within the development shall avoid a

1 repeating sequence of designs and shall not utilize the same façade design on lots within
2 3 single-family lots of each other on the same side of the street. Homes within the
3 development shall generally be consistent with the architectural style and quality
4 represented in the attached Exhibit "D". The homeowners association for the
5 development shall ensure that an individual lot owner seeking building permits shall
6 demonstrate compliance with this Section as part of the construction permit submittal for
7 a lot.

8 6. Model Homes and Temporary Sales Offices. The Developer may
9 designate and construct up to four (4) lots as model homes and one (1) lot as the
10 temporary sales office. Construction of a model home and/or temporary sales office for a
11 particular phase may commence in conjunction with the construction of infrastructure
12 improvements for said phase, however, a final certificate of occupancy for said model
13 home and/or temporary sales office shall not be issued until the recording of the final plat
14 for said phase.

15
16 7. Recreation. The open space area identified as "Park" on the Planned
17 Development Plan shall be provided within the initial phase of development. The Park
18 shall at a minimum include a gazebo, playground, benches, and passive recreation. A
19 homeowners association shall be responsible for the on-going maintenance of the Park.

20
21 F. Environmental Considerations. Tree preservation shall be provided in
22 accordance with the Land Development Regulations Ordinance #2013-11, as amended;
23 however, a minimum of 15% of the Property shall be designated tree protection area.
24 Natural perimeter buffers shall be maintained along the south, east and west property
25 boundaries excluding those areas necessary for stormwater system and utility installation,

1 as depicted on the Planned Development Plan. The natural buffer along the southern
2 boundary shall be a minimum of 50-feet and is designed to preserve the existing tree
3 canopy along Beresford Road. A 40-foot minimum natural buffer shall be maintained
4 along the western property boundary. The natural buffer along the eastern property
5 boundary shall be a minimum of 40 feet. All landscape buffers noted on the Planned
6 Development Plan as natural must contain an amount of plant material for the
7 corresponding buffer width as provided for Buffer Standard "D" as provided for in Table
8 33-92.02(b) of the Land Development Regulations Ordinance #2013-11 as amended. If
9 landscape buffers in their natural condition contain insufficient plant material to meet the
10 visual screening standard, appropriate Florida-friendly landscaping, as that term is
11 defined in Section 373.185, Fla. Stat. (2020) and in accordance with best Florida-friendly
12 landscape practices in the West Volusia area and berming will be utilized. Said plantings
13 and berms shall be installed at the time of infrastructure construction within that phase of
14 the development. Florida-friendly plantings shall also be utilized for all plantings on lots
15 and within retention areas and common areas, and remaining mature trees shall be
16 protected within open space areas. The property owner association for the development
17 shall ensure compliance with this Section.

18 It is recognized that the development site has outstanding natural beauty and that
19 the City and Owner desire mutual cooperation to preserve the natural vegetation of the
20 area. The Planned Development Plan shows several passive parks and recreational trails
21 which will be incorporated as part of the development to encourage the enjoyment of the
22 natural outdoor amenities of the site. The approximately 196-foot wildlife corridor along
23 the western property boundary as shown as the Planned Development Plan shall be
24 preserved through a conservation easement in favor of the City of DeLand. The only
25 permitted development within said conservation easement shall be passive trails limited

1 to an unpaved, natural surface and the homeowners association shall be responsible for
2 the maintenance of same. Low Impact Development shall be required in accordance with
3 sound engineering and site design principles. The Planned Development Plan shall be
4 interpreted and enforced so as to meet the minimum environmental standards of the Land
5 Development Regulations Ordinance #2013-11, as amended and the intent of this
6 Section F.

7
8 G. Sewage Disposal and Potable and Reclaimed Water. Provision for sewage
9 disposal and potable and reclaimed water needs of the PD will be provided in accordance
10 with the Comprehensive Plan, Ordinance No.1990-04, as amended, the Land
11 Development Regulations Ordinance No. 2013-11, as amended, and State of Florida
12 Administrative Code 64E-6.

13
14 H. Stormwater Drainage. Provision for stormwater retention shall be in
15 accordance with the Land Development Regulations Ordinance #2013-11, as amended.

16
17 I. Access and Transportation System Improvements. Unless otherwise
18 stated in this Agreement, all access and transportation system improvements shall be
19 provided in accordance with the Land Development Regulations Ordinance #2013-11, as
20 amended. The parcel shall be developed in substantial accordance with the following
21 access and transportation system improvements:

22 1. Access. Unless otherwise stated in this Agreement, all access and
23 transportation system improvements shall be provided in accordance with the Land
24 Development Regulations Ordinance #2013-11, as amended.

1 J. Internal Roadways. Internal roadways for the property shall be provided in
2 accordance with the Land Development Regulations Ordinance #2013-11, as amended,
3 and the northerly roadway connection with Beresford Woods, as show on the Planned
4 Development Plan, shall be provided as part of the first phase of development. All local
5 streets within the property shall be public and dedicated to the City of DeLand as part of
6 Final Subdivision Plat Development Order.

7
8 K. Building or Property Owners Association. The applicant shall form a
9 homeowners association for the property, and the charter and by-laws of said association
10 and any other agreements, covenants, easements or restrictions shall be furnished to the
11 City of DeLand at the time of creation. The applicant shall be responsible for recording
12 said information in the Public Records of Volusia County, Florida. Also, the applicant
13 shall bear and pay all costs for recording all of the aforementioned documents.

14 With respect to the enforcement of said agreements, covenants, easements or
15 restrictions entered into between the applicant and the owners or occupiers of property
16 within the Oak Hammock Reserve 2021 PD, the City of DeLand shall only enforce the
17 provisions of the "Development Agreement", the City of DeLand Land Development
18 Regulations Ordinance #2013-11, as amended, whichever is applicable, and the
19 conservation easement in Section F above, but not the private agreements entered into
20 between the aforementioned parties.

21
22 L. Reverter Provision: The City Commission may rezone the project in the
23 event a Final Subdivision Plat Development Order is not obtained for the initial phase of
24 development on or before 5 years from the effective date of this Development Agreement,
25 or if each subsequent phase (if the project is constructed in more than one phase) is not

1 completed as required by Section C of this Development Agreement, if necessary or
2 appropriate to protect adjoining properties or the public health, safety and welfare, unless
3 the City Commission, for good cause shown, extends the time period indicated in this
4 paragraph.

5
6 M. Binding Effect of Plans; Recording; and Effective Date. The Planned
7 Development Plan, including any and all amendments shall bind and inure to the benefit
8 of the Applicant and his successor in title or interest. The Oak Hammock Reserve 2021
9 PD zoning, provisions of the "Development Agreement," and all approved plans shall run
10 with the land and shall be administered in a manner consistent with Article 12 of the City
11 of DeLand Land Development Regulations Ordinance #2013-11, as amended.

12
13 This Ordinance and all subsequent amendments shall be filed with the Clerk of the
14 Court and recorded within forty-five (45) days following execution of the document by the
15 City Commission, in the Official Records of Volusia County, Florida. One copy of the
16 document, bearing the book and page number of the Official Record in which the
17 document was recorded, shall be submitted to the Planning Department for placement in
18 the public file. The date of recording of this document shall constitute the effective date
19 of the Oak Hammock Reserve 2021 PD or its subsequent amendments. The applicant
20 shall pay all filing costs for recording documents.

21 DONE and ORDERED by the City Commission, City of DeLand, Florida, this 2nd day of
22 August, 2021.

23
24

1 ATTEST:

City Commission of DeLand Florida

2
3 Michael Pleus

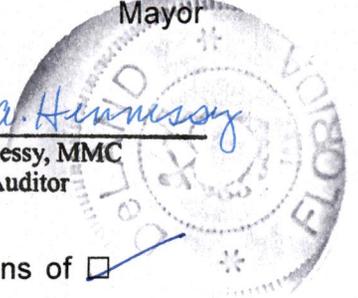
4
5 Michael P. Pleus
6 City Manager

Robert F. Apgar

7 Robert F. Apgar
8 Mayor

9 ATTEST:

10 Julie A. Hennessy
11 Julie A. Hennessy, MMC
12 City Clerk - Auditor



13 STATE OF FLORIDA
14 CITY OF DELAND

15 The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 16th day of November, 2021 by Michael P. Pleus and Robert F. Apgar, as City Manager and Mayor, City of DeLand, respectively, on behalf of the City of DeLand, and who are personally known to me.



16 NOTARY PUBLIC, STATE OF FLORIDA

17 Type or Print Name:

18 Julie M. Hewitt
19 Commission No.: _____

20 My Commission Expires: _____

1
2 WITNESSES:

OAK HAMMOCK RESERVE HOLDINGS, LLC
a/k/a OAK HAMMOCK HOLDINGS LLC

3
4
5 Yeshaya Steinberg

By:

Moishe Goldshmidt

Moishe Goldshmidt, Manager

6
7
8 Lea Steinberg

9
10
11
12 The foregoing instrument was acknowledged before me by means of
13 physical presence or online notarization this 30th day of
14 August 2021, by Moishe Goldschmidt, Manager of
15 OAK HAMMOCK RESERVE HOLDINGS, LLC, a foreign limited liability
16 company also known as OAK HAMMOCK HOLDINGS LLC, who is
17 personally known to me or who has produced
18 a Drivers License as identification.
19

20
21
22 NOTARY PUBLIC, STATE OF ~~FLORIDA~~ FLORIDA

Type or Print Name:

Yeshaya Steinberg

23
24 YESHAYA B. STEINBERG
Commission # 50141163
Notary Public, State of New Jersey
My Commission Expires
October 20, 2025

25 Commission No.:

50141163

26 My Commission Expires:

Oct 20 2025

EXHIBIT A
Oak Hammock Reserve
Legal Description

PARCEL A:

THE NORTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 19,
TOWNSHIP 17 SOUTH, RANGE 30 EAST, VOLUSIA COUNTY, FLORIDA,

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

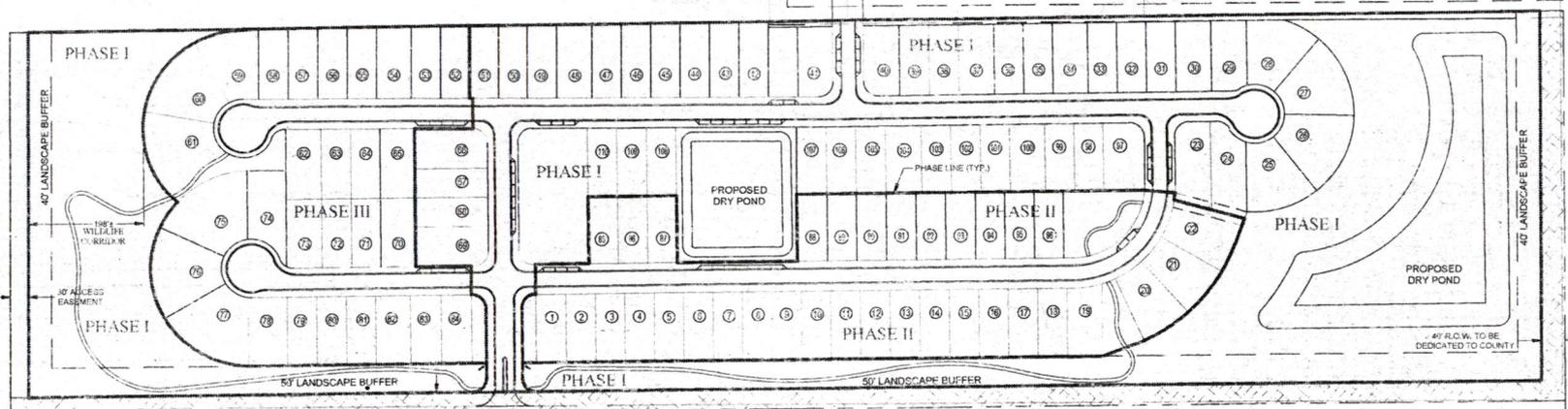
FOR A POINT OF BEGINNING, SAID POINT BEING A NAIL AND DISK STAMPED "PLS 3736" MARKING THE EAST 1/4 CORNER OF SAID SECTION 19; RUN THENCE SOUTH 01°11'14" EAST, ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 19, A DISTANCE OF 670.57 FEET, TO THE SOUTHEAST CORNER OF THE NORTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 19; THENCE SOUTH 88°28'36" WEST, ALONG THE SOUTH LINE OF SAID NORTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4, A DISTANCE OF 2637.88 FEET, TO THE SOUTHWEST CORNER OF SAID NORTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4; THENCE NORTH 01°04'28" WEST, ALONG THE WEST LINE OF SAID NORTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4, A DISTANCE OF 662.93 FEET, TO THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 19, SAID POINT ALSO BING THE CENTER OF SAID SECTION 19; THENCE NORTH 88°18'39" EAST, ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 19, A DISTANCE OF 2636.63 FEET, TO THE POINT OF BEGINNING.

40.37 ACRES

Exhibit "C"
Phasing Plan

BERESFORD WOODS P.U.D.

LOT 6
LOT 7
FRANKLIN HEIGHTS
P.L.U. 6, PG 590



PHASES	NO. OF LOTS	AREA (AC.)
I	47	24.10
II	34	6.66
III	29	6.47
TOTAL:		110



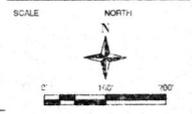
Dewberry Engineers Inc.
110 WEST NOKANA AVENUE
SUITE 200
DELAND, FLORIDA 32720
PHONE: 386.760.0400
ENGINEERING BUSINESS #714

OAK HAMMOCK
RESERVE

SPRING GARDEN AVE. S. (CR. 4127)
& W. BERESFORD RD.
DELAND, FLORIDA 32728

SEAL
FRANKLIN HEIGHTS
P.L.U. 6, PG 590
JUL 30 2021

KEY PLAN



REVISIONS

NO.	DATE	BY	DESCRIPTION

DRAWN BY TZ
APPROVED BY RM
CHECKED BY DC
DATE 6/30/2021
TITLE

PHASING
PLAN

PROJECT NO. 50131479

SHEET NO.

Exhibit D
Sample Architectural Design Elements

