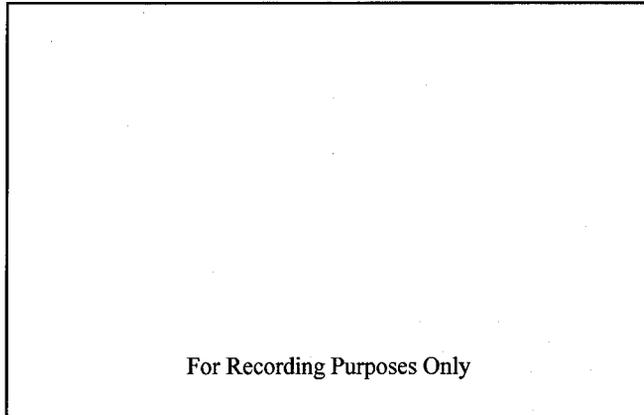


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5 This instrument was prepared by:
6 Virginia Cassady, Attorney at Law
7 Shepard, Smith and Cassady, P.A.
8 2300 Maitland Center Parkway, Ste. 100
9 Maitland, FL 32751
10 407-622-1772

11
12 Please return to:
13 Aref Joulani
14 Director, Planning and Development
15 4300 S. Atlantic Avenue
16 Ponce Inlet, FL 32127
17 386-236-2184



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21 **PONCE INLET, FLORIDA FINAL DEVELOPMENT ORDER**
22 **Final Development Plan Approval**

23
24 **APPLICANT:** Ponce Inlet Veterans Association on behalf of the Town of Ponce
25 Inlet

26
27 **DEVELOPMENT PLAN #:** FDP 11-01

28
29 **OWNER(s):** Town of Ponce Inlet

30
31 **ADDRESS OF PROPERTY:** 4931 South Peninsula Drive
32 Ponce Inlet, Florida 32127

33
34 **PARCEL ID #:** 6437-01-00-0110

35
36 **LEGAL DESCRIPTION:** LOT 12 EXC 1704 SQ FT TRI IN SW COR MEAS 71.5 FT ON
37 W/L & 41.2 FT ON S/L & LOTS 11 & 13 & THAT PART OF
38 LOT 7 E OF PENINSULA DR & RIP RTS A PONS GRANT MB
39 22 PG 25 PER OR 3352 PG 0022, Public Records, Volusia Coun-
40 ty.

41
42 **ZONING CLASSIFICATION:** P/S (Public/Institutional)

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44
45 THIS MATTER came before the Town Council on the 21ST day of April, 2011, pursuant
46 to Section 3.4.3 of the Land Use and Development Code (LUDC), upon the Applicant's request
47 for approval of a final development plan to construct a Veteran's Memorial at Kay & Ayres Da-
48 vies Lighthouse Park ("Davies Park"). At a duly noticed public hearing, after having considered
49 the recommendation of the Planning Board and the Parks, Recreation and Tree Advisory Board,
50 Applicant's proposed development and engineering plans, and Staff Report, having heard testi-
51 mony, and being otherwise advised on the matter, the following findings of fact and conclusions
52 of law are made pursuant to Section 3.4.6 of the LUDC:
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1. The Parks, Recreation and Tree Advisory Board held a meeting on March 28, 2011, on the Applicant's proposed landscape plan pursuant to Section 8.5.A.1.b and recommended approval of the landscape plan with conditions.
2. The Planning Board held a hearing on April 5, 2011, on the Applicant's request for approval of a final development plan to construct and maintain a Veteran's Memorial at Davies Park, which is property owned by the Town of Ponce Inlet.
3. The Planning Board recommended approval of the final development plan with specific conditions.
4. The Applicant has addressed and met all of the criteria set forth in Section 3.4.2.D. and 3.4.3.E. of the LUDC for approval of a final development plan.
5. The final development plan is consistent with the Comprehensive Plan and zoning classification of Public Institutional (P/S).
6. The final development plan is consistent with the goals, objectives, and policies of the Comprehensive Plan.
7. The project meets the Town's concurrency requirements.
8. The bond requirements of Section 3.4.6.A.6 are inapplicable.
9. All other requirements of the Town's LUDC and Code of Ordinances have been satisfied.

NOW THEREFORE, BASED UPON THE FOREGOING FINDINGS OF FACT, IT IS CONCLUDED AND ORDERED that:

10. The Applicant is hereby granted approval of the final development plan attached hereto as Exhibit A, made a part hereof, and incorporated herein by reference. Town Council specifically approves the construction of 3 flag poles. This approval is subject to the following conditions:
 - a. The landscape plan attached as part of Exhibit A is approved, with the modified conditions that Ligustrum *or* Florida Privet shall be planted for the hedge; the sod shall be placed only on the perimeter of the project; and 4 live oak trees shall be planted rather than laurel oak.
 - b. If the use of the site changes or intensifies beyond what is being currently proposed, additional review and approval shall be required.
 - c. The Town and the Veteran's Association shall enter into a license and non-exclusive easement agreement to permit the Association the necessary access to the site for the purposes of constructing and maintaining the Memorial.

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11. Pursuant to Sec. 3.4.7, if development and construction of the Memorial Park has not been completed within 18 months from the date of issuance of this Development Order, this Order shall expire. Upon written application submitted to the Planning and Development Department at least 45 days prior to expiration, the Town Council may grant one or more time-certain extension(s) not to exceed six months in length per extension.

12. Construction and development may commence immediately upon execution of this Development Order. This Development Order shall remain valid so long as construction of the Veteran's Memorial commences and continues in good faith according to the terms and conditions of approval set forth in this Order.

13. This Development Order may be recorded by the Town in the Public Records of Volusia County by the Town within fourteen (14) days of its execution.

DONE AND ORDERED this 10 day of JUNE, 2011.



Town of Ponce Inlet
[Signature]
by: Tom Rutledge, Mayor
Town of Ponce Inlet
4300 S. Atlantic Avenue
Ponce Inlet, FL 32127

Attest:
[Signature]
Jeaneen P. Clauss,
Town Manager/Town Clerk

I HEREBY CERTIFY that a copy of the foregoing has been sent via U.S. Mail to the Applicant, Ed Jackson on behalf of the Ponce Inlet Veterans Association at 4299 South Atlantic Avenue, Ponce Inlet, Florida 32127 on this 17th day of June, 2011.

[Signature]
Signature

FINAL DEVELOPMENT PLAN

VETERANS MEMORIAL

DAVIES LIGHTHOUSE PARK

PONCE INLET, FLORIDA 32712

FEBRUARY, 2011

ENGINEER

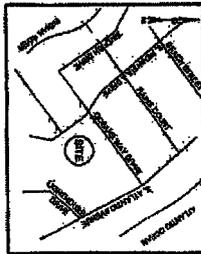
KENNETH H. EHLERS, P.E.
PROFESSIONAL ENGINEERING SERVICES
8034 FALCONBRIDGE PLACE
MOUNT DORA, FLORIDA 32708
(352) 383-2397; FAX (352) 383-9850

OWNER

TOWN OF PONCE INLET
ATTN: ARIEF JOULANI
PLANNING AND DEVELOPMENT DIRECTOR
4300 S. ATLANTIC AVENUE
PONCE INLET, FLORIDA 32127
(386) 286-2181, FAX (386) 382-6717

SURVEYOR

ACURRITE SURVEYS OF ORLANDO, INC.
ATTN: FRANK RAYMOND, PSJM
2012 E. ROBINSON STREET
ORLANDO, FLORIDA 32803
(407) 864-6314, FAX (407) 897-3777



LOCATION MAP
SITE TO BE SURVEYED

INDEX OF DRAWINGS:

1. GENERAL NOTES
2. SITE GEOMETRY PLAN
3. GRADING AND DRAINAGE PLAN
4. FOUNDATION DETAILS
5. PLAN VIEW AND ELEVATION
6. VETERANS MONUMENT
7. LANDSCAPE AND IRRIGATION PLAN
8. BOUNDARY AND TOPOGRAPHICAL SURVEY

State of Florida
 Planning & Development Department
 1000
 DATE: 2/10/11 BY: KHE
 ADDRESS: 5600
 COUNTY: Volusia
 PROJECT: 2110/11

PROJECT UPDATE: 2/20/11

2/10/11
 Kenneth H. Ehlers, P.E.
 ENGINEER'S PROSELYT (JACKSON)

Exhibit "A"

