Planning & Zoning Board
Monday, April 6, 2026 at 5:30 PM

City Commission Chambers
214 Sams Avenue, New Smyrna Beach, Florida 32168

1. CALL TO ORDER

A. Roll Call

2. APPROVAL OF MINUTES

2.A Consider the Approval of the Planning and Zoning Board March 2, 2026, Regular Meeting Minutes.
The meeting minutes for March 2, 2026 will be provided at the May 4, 2026 meeting for approval

3. PUBLIC PARTICIPATION

4. OLD BUSINESS

4.A ZT-12-25: Review and give a recommendation to the City Commission on reproposed zoning text amendments to Land Development Regulations Section 504.02 (Zoning Districts), Section 505.05 (Nonconforming Uses and Structures), and Section 201.00 (General Definitions) that define average daily users, establish use neutral standards including setback requirements and allow the reconstruction of severely damaged nonconforming buildings of special exceptions or conditional uses.

5. NEW BUSINESS

5.A Request to consider Rezoning case PUD-0008-2025, Sprouts Shopping Center, So. Myrtle St. & SR 44, to change existing City zoning from LI, Light Industry to PUD Planned Unit Development

5.B ZT-0001-2026: Conduct a review and provide a recommendation to the City Commission on the following minor text amendments to section 305.05, 504.02, 604.051. 803.03, 803.05, 804.03, 1007.00, 1008.00, and 1009.00 of the Land Development Regulations.

5.C Special Exception 1-26: 505 1st Street, A Special Exception to allow automobile sales in the B-3 Highway Service Business District

5.D Nominate and vote on 2026 Planning and Zoning Board Vice Chairperson.

6. COMMENTS OR STATEMENTS BY MEMBERS OF THE BOARD

7. REPORTS AND COMMUNICATION BY THE STAFF

8. ADJOURNMENT

Pursuant to Florida Statutes 286.0105, if an individual decides to appeal any decision made by the board, agency or commission of the City of New Smyrna Beach with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Such person must provide a method for recording the proceedings.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's office in person or by mail at 210 Sams Avenue, New Smyrna Beach, Florida 32168, (386) 410-2630, prior to the meeting.

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

CONSIDER THE APPROVAL OF THE PLANNING AND ZONING BOARD MARCH 2, 2026, REGULAR MEETING MINUTES.

April 6, 2026

Background:
Florida Statutes require that minutes be prepared and approved for all meetings of the Planning and Zoning Board.

Fiscal Analysis:
N/A

Strategic Plan Item:
No

Staff Report Created By: Stephanie Ferrara - Development Services Coordinator

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

ZT-12-25: REVIEW AND GIVE A RECOMMENDATION TO THE CITY COMMISSION ON REPROPOSED ZONING TEXT AMENDMENTS TO LAND DEVELOPMENT REGULATIONS SECTION 504.02 (ZONING DISTRICTS), SECTION 505.05 (NONCONFORMING USES AND STRUCTURES), AND SECTION 201.00 (GENERAL DEFINITIONS) THAT DEFINE AVERAGE DAILY USERS, ESTABLISH USE NEUTRAL STANDARDS INCLUDING SETBACK REQUIREMENTS AND ALLOW THE RECONSTRUCTION OF SEVERELY DAMAGED NONCONFORMING BUILDINGS OF SPECIAL EXCEPTIONS OR CONDITIONAL USES.

April 6, 2026

Background:

Applicant: City of New Smyrna Beach, Development Services, 214 Sams Avenue, New Smyrna Beach, Florida 32168.

Request: Amend Sections 505.02 Zoning Districts, 505.05 Nonconforming Uses and Structures, and 201.00 General Definitions of the Land Development Regulations.

Exhibits:
Exhibit A: General Definitions
Exhibit B: District Regulation Requirements
Exhibit C: Non-Conforming Structures

Findings:

In September 2025, the Planning and Zoning Board heard a variance request associated with Beachside Baptist Church seeking a reduction in the required side and rear yard building setbacks for a House of Worship located within a residential zoning district. At that time, the City's Land Development Regulations required a 35 foot side and rear yard building setback only for Houses of Worship as special exception uses in their residential zoning district.

The requested amendment was initially scheduled for consideration by the City

Commission on October 14, 2025. Following public comment and discussion regarding potential neighborhood impacts and broader policy considerations, the applicant requested, and the City Commission granted, a continuance of the item. The continuance was intended to allow City staff additional time to evaluate the request in a broader context and to assess potential implications for other similarly situated properties throughout the City.

Following the continuance, City staff initiated a more comprehensive review of the Land Development Regulations as they relate to places of assembly, including houses of worship, schools, and certain public facilities, within residential zoning districts. Staff identified inconsistencies in setback requirements across multiple zoning districts and evaluated potential approaches to address those inconsistencies in a consistent and legally defensible manner. The review also included consideration of the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA), a federal statute governing land use regulations affecting religious institutions. In addition, staff evaluated whether proposed amendments should include provisions allowing nonconforming special exception and conditional uses to rebuild or reinvest when structures were lawfully constructed prior to the adoption of current setback requirements.

Initially, City staff proposed applying a uniform 25 foot setback to all places of assembly as a means of addressing the issue in a manner that was intended to be equitable to all stakeholders. This approach was presented at a public information meeting held on December 9. However, feedback from both residents and representatives of religious institutions indicated limited support for this option. As a result, staff was directed to further evaluate the issue and explore alternative approaches that better address the scale and compatibility of places of assembly within residential zoning districts, while also ensuring the Land Development Code is compliant with the requirements of the RLUIPA.

During the additional review process, staff identified that the Land Development Regulations primarily regulated places of assembly based on building placement and buffering, with limited reference to the intensity of use associated with such facilities. To address this, staff developed proposed revisions that include the addition of a defined term, average daily users, to the Definitions section of the Land Development Regulations. The purpose of this definition is to provide a consistent and objective measure of use intensity that can be applied when evaluating individual places of assembly in residential zoning districts, particularly with respect to transportation

impacts, compatibility, and appropriate review thresholds.

The City initiated amendments were scheduled for review by the Planning and Zoning Board on January 5, 2026. At that meeting, the Board voted to continue the item in order to allow staff additional time to refine the proposed text amendment based on public feedback, legal considerations, and policy direction.

Between January and February 2026, staff continued refining the proposed text amendment. This work included development of a tiered regulatory framework for places of assembly that considers total daily users, transportation impacts, roadway classification, and access, in addition to building setbacks and buffering. The intent of this approach is to provide a consistent, legal, citywide framework that addresses both physical development standards and intensity of use.

A second public informational meeting was held on March 9, 2026. At that meeting, staff presented a refined version of the proposed text amendment, including the proposed definition of average daily users and its application to places of assembly within residential zoning districts. Draft ordinance language and visual exhibits were provided to illustrate how the proposed standards would be applied. Based on the feedback from that meeting and other communications with residents, this tiered approach is reflected in the proposed text amendments.

Below is a timeline of meetings:

ZT-07-25: House of Worship (Public Application)
- P&Z Meeting – September 8, 2025
- City Commission – October 14, 2025 (1st Reading)
- City Commission – October 28, 2026 (2nd Reading Continued to March 10, 2026)
- City Commission – March 10, 2026 (2nd Reading Continued to May 26, 2026)

ZT-12-25: House of Worship (City Proposed)
- Workshop - December 19, 2025
- P&Z Meeting – January 5, 2026 (Cont. February 2, 2026)
- P&Z Meeting – February 2, 2026 (Cont. to March 2, 2026)
- P&Z Meeting – March 2, 2026 (Cont. to April 6, 2026)
- Workshop - March 9, 2026
- P&Z Meeting – April 6, 2026

Recommendation:

Staff finds that the proposed text amendment, which establishes tiered standards based on average daily users, enhances neighborhood compatibility for places of assembly

through increased buffers and transportation impact controls, while maintaining compliance with RILUPA. Staff recommends the Planning and Zoning Board give a positive recommendation to the City Commission for approval the proposed text amendment.

Fiscal Analysis:
N/A

Strategic Plan Item:
No

Staff Report Created By: Shane Corbin - Developmental Services Director

Attachments:

201.00. General definitions
504.00. District regulations and requirements
505.05. Non-Conforming Structures

201.00. General definitions.

The following definitions shall apply to these regulations in general unless superseded by a definition pertaining to a specific article as indicated in sections 202.00 through 207.00 of these regulations:

Timeshare unit. An accommodation of a timeshare plan which is divided into timeshare periods. A room or rooms in any timeshare unit in which a door or doors connecting two or more separate rooms are capable of being locked to create two or more private dwellings shall each constitute a timeshare unit for purposes of this Code.

Total daily users. The total number of people who use a facility or space within a 24-hour period. It is calculated using the National Fire Protection Association's certified occupancy of a facility's largest assembly room or space multiplied by the number of events occurring in any single calendar day. (For Example, if a facility held two meetings a day, and the maximum occupancy if the largest assembly room is 500 people, then the total daily users would be 1000, (500 x 2 = 1000).

Tour boats. A watercraft used for the specific purpose of entertaining people with leisurely cruises and sight-seeing. This definition shall include water taxis and water ferries.

(Ord. No. 40-02, § 1, 8-21-2002; Ord. No. 07-05, § 6, 3-17-2005; Ord. No. 02-06, § 1, 3-27-2006; Ord. No. 121-06, § 1, 12-12-2006; Ord. No. 80-07, § 1, 11-13-2007; Ord. No. 38-08, § 1, 6-10-2008; Ord. No. 53-08, § 1, 9-9-2008; Ord. No. 62-08, § 1, 11-11-2008; Ord. No. 69-08, § 1, 11-25-2008; Ord. No. 72-08, § 1, 12-9-2008; Ord. No. 05-09, § 1, 3-23-2009; Ord. No. 21-10, § 1, 5-11-2010; Ord. No. 22-10, § 1, 5-11-2010; Ord. No. 54-10, § 1, 10-12-2010; Ord. No. 59-10, § 1, 12-14-2010; Ord. No. 08-11, § 1, 2-8-2011; Ord. No. 35-11, § 2, 6-28-2011; Ord. No. 38-11, § 1, 6-28-2011; Ord. No. 60-11, § 1, 8-9-2011; Ord. No. 68-11, § 1, 10-11-2011; Ord. No. 01-12, § 1, 1-24-2012; Ord. No. 62-12, § 1, 8-28-2012; Ord. No. 68-12, § 1, 8-28-2012; Ord. No. 218-13, § 1, 10-10-2013; Ord. No. 56-16, § 1, 9-27-2016; Ord. No. 43-17, § 1, 6-27-2017; Ord. No. 19-19, § 1, 5-14-2019; Ord. No. 77-19, § 1, 12-10-2019; Ord. No. 34-20, § 1, 5-26-2020; Ord. No. 111-20, § 1, 1-12-2021; Ord. No. 22-21, § 1, 5-11-2021; Ord. No. 12-22, § 1, 4-26-2022; Ord. No. 50-22, § 1, 9-27-2022; Ord. No. 43-24, § 1, 8-27-2024)

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504.00. District regulations and requirements.

504.01. *General regulations.*

A

A-2, AGRICULTURE DISTRICT

Intent. The purpose and intent of the A-2, Agriculture District, is to preserve and protect rural areas of the city that have some agricultural value, but which are also suitable for rural single-family living.

Permitted principal uses and structures. In the A-2, Agriculture District, no premises shall be used except for the following uses and their customary accessory uses or structures:

Apiaries

Essential utility service

Fire stations

Fish, hunting, or nonprofit organization camps

Hobby breeder

Home occupation

Houses of worship and cemeteries

Open agricultural uses such as field crops, tree crops, fern crops, grazing land, grass land, and pastures

Parks and recreation areas

Pisciculture

Public uses not listed as a permitted principal use

Public utility uses and structures

Single family standard or manufactured dwelling

Riding stables (minimum parcel size requirement of five acres)

Wormraising

Permitted accessory uses.

Fruit and vegetable stands

Garages

Gazebos

Incidental uses

Nonresidential agricultural buildings and recreation facilities related to the permitted use

Storage sheds

Conditional uses:

Wedding venues subject to the following conditions:

(1) The property shall be at least five acres in size.

(2) Overnight stays or camping activities shall be prohibited.

(3) The hours of operation will be limited to the following periods:

(a) Thursday from 12:00 p.m. to 10:00 p.m.

(b) Friday and Saturday from 4:00 p.m. to Midnight.

(c) Sunday from 2:00 p.m. to 8:00 p.m.

(4) All artificial lights shall be directed away from adjoining properties.

(5) Applicant shall submit a parking plan showing the location of all off-street parking spaces, including information regarding the materials used for the parking spaces and whether any additional landscaping will be installed. The parking plan shall be reviewed and approved by planning and engineering staff.

(6) Venues that provide 25 or fewer parking spaces shall require Major Class I site plan approval. If the number of proposed parking spaces exceeds 25, Class II site plan approval shall be required.

(7) Must meet Florida Fire Prevention Code, unless determined by the fire marshal to be exempt from the fire code by Florida Administrative Code 69A-67. As amended.

Permitted special exceptions.

Animal hospitals, veterinary clinics

Excavations (See [sub]section 801.15 of this part)

Farm supply stores

Farmworker living facility associated with a bona fide agricultural use provided:

(a) The minimum floor area per dwelling shall be 720 square feet.

(b) No detached dwelling used in the farmworker living facility shall be closer than 50 feet to any other detached dwelling.

(c) No dwelling used as a farmworker living facility shall be closer than 100 feet to any property line of the premises on which it is placed.

(d) If not already in existence, a visual screen of natural plant materials meeting the requirements of [sub]section 604.05E.(1) located between the dwellings and all adjoining property lines, shall be constructed and maintained.

(e) Potable water and sewage disposal facilities shall be in compliance with all applicable provisions of Florida law and the city's comprehensive plan.

(f) The area between the ground and the floor of a mobile home dwelling used as a farmworker living facility shall be enclosed with skirting.

(g) No subsequent expansion of a farmworker living facility as shown on the approved site plan for the special exception shall be allowed unless another special exception for the expansion is approved. However, subsequent decrease of the approved sites is permitted.

(h) The applicant shall provide information to the enforcement official as to the kind of agricultural operation existing on the premises at the time of application for the farmworker living facility.

(i) Dwellings may be arranged in a cluster fashion on the premises. The maximum number of dwellings authorized will be based on the size of the premises, as follows:

Size of Premises	Maximum Dwelling

	Units Allowed
5 or more acres but less than 20 acres	1
20 or more acres but less than 30 acres	2
30 or more acres but less than 40 acres	3
40 or more acres but less than 50 acres	4
50 or more acres but less than 60 acres	5
60 or more acres but less than 70 acres	6
70 or more acres but less than 80 acres	7
80 or more acres	8

~~Houses of worship and cemeteries provided no principal or accessory building shall be located less than 50 feet from any property line.~~

Humane Society/animal shelters provided that no building is located closer than 50 feet from the property line.

Kennels

Sawmills and planing mills

Dimensional requirements.

Minimum lot size.

Area: 5 acres

Width: 150 feet

Minimum yard size.

Front: 50 feet

Rear yard: 50 feet

Side yard: 25 feet

Waterfront yard: 50 feet

Maximum building height. 95 feet

Screen enclosures. As an exception to the maximum building coverage provision any parcel may be allowed an additional ten percent building coverage for only a screen pool enclosure if the following conditions are met:

1. A screen pool enclosure shall only cover the swimming pool and surrounding pool deck and shall have a roof and walls consisting entirely of screening; and
2. There shall be no variances granted to exceed the maximum building coverage or additional coverage allowed for screen enclosures.

Maximum lot coverage. The total lot area covered with principal and accessory buildings shall not exceed 35 percent.

Minimum floor area. 750 square feet of livable area

Off-street parking and loading requirements. Off-street parking shall be provided as required in this part.

Skirting requirements for mobile home dwelling. The area between the ground and floor of the mobile home dwelling shall be enclosed with skirting.

RE, RESIDENTIAL ESTATE

Intent. The RE, Residential Estate District is intended to be a single-family residential district for low population densities and relatively large homes.

Permitted principal uses.

Single-family dwelling units

Recreation buildings and complexes for exclusive use by residents and guests of a residential development.

Permitted accessory uses.

Gazebos

Garages

Incidental uses

Permitted home occupations

Storage sheds

Swimming pools, private, provided a principal structure exists and the pool is located behind the front plane of the principal structure. Corner lots will be considered to have two front planes, one on each street. If a structure is not constructed squarely on a parcel, the swimming pool must be located at or behind the most restrictive front plane of the principal structure.

Type 1: Government facilities, schools, and houses of worship excluding country clubs and golf courses subject to the following conditions:

Generating no more than 500 daily users

Uses customarily associated with the permitted principal uses

Conditional Uses

Type 2, Type 3 and Type 4: Government facilities, schools, and houses of worship excluding country clubs and golf courses are allowed at higher intensities subject to subject to the following conditions:

Type 2: Generating no more than 500 daily users

The facility complies with the 15-foot buffer in the Standard Conditional Use Requirements below

Type 3: 500–1,200 daily users

The facility complies with both Standard Conditional Use Requirements below

Type 4: More Than 1,200 daily users

The facility is located on and accessible by an arterial or collector roadway

The facility complies with both Standard Conditional Use Requirements below

Standard Conditional Use Requirements

(1) Traffic Study (Applies to Type 3 and Type 4)

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a. A traffic study meeting the guidelines of this LDR must be completed by a licensed engineer demonstrating that all impacted roads and intersections maintain LOS D during peak operating hours.

(2) Landscape Buffer Adjacent to Residential Property (Applies to Type 2, Type 3 and Type 4)

a. Where such facilities abut residentially zoned or used property, a landscape buffer and opaque fence or wall shall be provided to screen buildings, parking areas, outdoor activity areas, and service areas from view at grade.

(1) Minimum width: 15 feet

(2) Composition: 20% trees, 60% shrubs/hedges, 20% materials from §604.05(B)(2),(3),(4),(6)

(3) No monoculture; no species >50%

(4) Must achieve 80% opacity within 2 years

(5) Plant materials must be Florida-friendly, wind-resistant, and suitable for coastal conditions, emphasizing native species

(6) Continuous maintenance; dead/damaged material replaced within 90 days

(7) Opaque walls/fences must be installed that are a minimum of 6 feet high and located between the primary structure and the required plantings

(8) Shrubs/vines planted ≤10 feet apart

(9) All plantings must be outside utility easements

(10) Buffers must be designed by a professional and approved by the City Manager or their designee

Type	Type 1	Type 2	Type 3	Type 4
Use	Permitted	Conditional	Conditional	Conditional
Daily Users	500	500	500-1,200	>1,200
All Setbacks	45ft.	Base	Base	Base
Additional Requirements	None	Buffers	Traffic Study and Buffers	Traffic Study, Buffers and Access to Collector or Arterial Road

Child day cares on a house of worship properties are subject to the following additional conditions:

(1) The house of worship property shall be located on and be accessible by an arterial or collector roadway.

(2) Play areas shall be fenced and landscaped. The landscaping shall have a vegetative hedge that will reach six feet in height within two years that is planted a minimum of three feet on center.

(3) Play areas shall be located within all applicable setback dimensions.

(4) The house of worship property shall have a vehicular drop off and pickup area with a minimum [of] 100 feet of drive lane outside of the public right-of-way, or sufficient parking area to provide enough space to fit the required parking and provided space for drop off and pick up.

Prohibited uses.

Businesses (except home occupations)

Manufacturing facility

Offices (except home occupations)

Restaurants

Retail activity

Special exceptions.

Country clubs and golf courses

Garden wedding venues, subject to the following:

(1) Applicants for the special exception shall be limited to homesteaded resident(s) living on the premises.

(2) The property shall be at least 1.5 acres in size.

(3) Overnight stays or camping activities associated with the special exception use shall be prohibited.

(4) The hours of operation will be limited to the following periods:

(a) Thursday from 12:00 p.m. to 10:00 p.m.

(b) Friday and Saturday from 4:00 p.m. to 10:00 p.m.

(c) Sunday from 2:00 p.m. to 8:00 p.m.

(5) All artificial lights shall be directed away from adjoining properties.

(6) A plan detailing how off-street parking areas will be provided must be included with the special exception application. The parking plan shall show the location of all off-street parking spaces, and shall include information regarding the materials used for the parking spaces and whether any additional landscaping will be installed. The parking plan shall be reviewed by planning and engineering staff as well as the planning and zoning board. The parking plan must be approved by the city commission. On-street parking shall be prohibited.

(7) Venues that provide 25 or fewer parking spaces shall require Major Class I site plan approval. If the number of proposed parking spaces exceeds 25, Class II site plan approval shall be required.

(8) Covered outdoor patios and decks, gazebos, and other covered areas shall be permitted. However, fully enclosed buildings that have air conditioning and/or heat shall not be permitted as part of the garden wedding venue. Accessory buildings constructed to support the wedding/event shall not exceed 60 percent of the building footprint area of the primary structure.

~~Schools and or a house of worship, provided all structures are located at least 45 feet from all property lines and off-street parking areas abutting residential property are screened by a buffer meeting the requirements of this LDR except that the buffer shall be a minimum of 15 feet in width.~~

Dimensional requirements.

Minimum lot size.

Area: 40,000 square feet*

Width: 100 feet

Depth: 150 feet

*Minimum lot depth multiplied by minimum lot width does not equal the minimum required lot area.

Minimum yard size.

Front: 45 feet or as required per [sub]section 504.01M. of this LDR

Rear: 40 feet

Side: 25 feet

Maximum building coverage. The total area covered with buildings on any lot shall not exceed 20 percent of the total lot area.

Screen enclosures. As an exception to the maximum building coverage provision any parcel may be allowed an additional ten percent building coverage for only a screen pool enclosure if the following conditions are met:

1. A screen pool enclosure shall only cover the swimming pool and surrounding pool deck and shall have a roof and walls consisting entirely of screening; and
2. There shall be no variances granted to exceed the maximum building coverage or additional coverage allowed for screen enclosures.

Maximum impervious coverage. The total area covered with impervious ground cover shall not exceed 40 percent of the total lot area.

Maximum principal building height. 35 feet; three stories.

Minimum floor area requirements. 1,700 square feet of livable area per dwelling unit.

Off-street parking. Parking shall be required entirely on the lot for a minimum of two automobiles. There is no required backup area.

Corner lots.

(1) Parcels which front on two streets shall provide a 45-foot front yard on street frontage with driveway access and a 22.5-foot front yard on the other street, or as required per [sub]section 504.01M. of this LDR.

(2) Parcels fronting on three streets shall provide two 45-foot front yards including one with driveway access and a 22.5-foot front yard on the remaining street, or as required per [sub]section 504.01M. in this LDR.

Through lots. Shall provide a 45-foot front yard on each street, or as required per [sub]section 504.01M. of this LDR.

Atypical lot. Visibility triangles shall be established at the rear corners of an atypical lot. The visibility triangles shall be those areas formed by a line connecting the points 30 feet from the intersection of the side and rear lot line along the side lot line and 30 feet from the intersection of the side and rear lot line along the rear lot line; no principal or accessory structure having a height over four feet, except for incidental uses, shall protrude into the area of a visibility triangle.

Building projections. Except for eaves with a maximum projection of 36 inches, there shall be no building projections into any required yard.

Visibility at intersections. Visibility at intersections shall be provided as required in this LDR.

Site plan approval for special exceptions. Site plans approval for special exceptions is required.

R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT

Intent. The R-1, Single-Family (zero lot line) Residential District is intended to be a single-family residential district for low population densities. Existing development and usage has resulted which is being preserved in order to stabilize the neighborhood. The nature of the residential use of the property throughout the district will enhance the prospects for orderly future residential development.

Permitted uses.

Playfields

Playgrounds

Public parks

Recreation buildings and complexes intended for exclusive use by residents and guests of a residential development.

Single-family dwelling units

Permitted accessory uses.

Garages

Gazebos

Incidental uses

Open front porches, up to ten feet into the district required front yard setback, subject to the following conditions:

Open front porch shall not be enclosed in any manner.

Open front porch must be open wall construction without screen.

Open front porch shall have a similar roofing material as the primary structure.

Open front porch front building line shall be measured from the vertical support column.

Permitted home occupations

Storage sheds

Swimming pools, private, provided a principal structure exists and the pool is located behind the front plane of the principal structure. Corner lots will be considered to have two front planes, one on each street. If a structure is not constructed squarely on a parcel, the swimming pool must be located at or behind the most restrictive front plane of the principal structure.

Type 1: Government facilities, schools, and houses of worship excluding country clubs and golf courses subject to the following conditions:

Generating no more than 500 daily users

Side and rear setbacks of no less than 35 feet

Uses customarily associated with the permitted principal uses

Conditional Uses

Type 2, Type 3 and Type 4: Government facilities, schools, and houses of worship excluding country clubs and golf courses are allowed at higher intensities subject to subject to the following conditions:

Type 2: Generating no more than 500 daily users

Side and rear setbacks are no less than 20 feet

The facility complies with the 15-foot buffer in the Standard Conditional Use Requirements below

Type 3: 500–1,200 daily users

Side and rear setbacks are no less than 20 feet

The facility complies with both Standard Conditional Use Requirements below

Type 4: More Than 1,200 daily users

Side and rear setbacks are no less than 20 feet

The facility is located on and accessible by an arterial or collector roadway

The facility complies with both Standard Conditional Use Requirements below

Standard Conditional Use Requirements

(1) Traffic Study (Applies to Type 3 and Type 4)

b. A traffic study meeting the guidelines of this LDR must be completed by a licensed engineer demonstrating that all impacted roads and intersections maintain LOS D during peak operating hours.

(2) Landscape Buffer Adjacent to Residential Property (Applies to Type 2, Type 3 and Type 4)

b. Where such facilities abut residentially zoned or used property, a landscape buffer and opaque fence or wall shall be provided to screen buildings, parking areas, outdoor activity areas, and service areas from view at grade.

(1) Minimum width: 15 feet

(2) Composition: 20% trees, 60% shrubs/hedges, 20% materials from §604.05(B)(2),(3),(4),(6)

(3) No monoculture; no species >50%

(4) Must achieve 80% opacity within 2 years

(5) Plant materials must be Florida-friendly, wind-resistant, and suitable for coastal conditions, emphasizing native species

(6) Continuous maintenance; dead/damaged material replaced within 90 days

(7) Opaque walls/fences must be installed that are a minimum of 6 feet high and located between the primary structure and the required plantings

(8) Shrubs/vines planted ≤10 feet apart

(9) All plantings must be outside utility easements

(10) Buffers must be designed by a professional and approved by the City Manager or their designee

Type	Type 1	Type 2	Type 3	Type 4
Use	Permitted	Conditional	Conditional	Conditional
Daily Users	500	500	500-1,200	>1,200

Rear and Setbacks	35 ft	20 ft	20 ft	20 ft
Additional Requirements	None	Buffers	Traffic Study and Buffers	Traffic Study, Buffers and Access to Collector or Arterial Road

Child day cares on a house of worship properties are subject to the following additional conditions:

(1) The house of worship property shall be located on and be accessible by an arterial or collector roadway.

(2) Play areas shall be fenced and landscaped. The landscaping shall have a vegetative hedge that will reach six feet in height within two years that is planted a minimum of three feet on center.

(3) Play areas shall be located within all applicable setback dimensions.

(4) The house of worship property shall have a vehicular drop off and pickup area with a minimum [of] 100 feet of drive lane outside of the public right-of-way, or sufficient parking area to provide enough space to fit the required parking and provided space for drop off and pick up.

~~*Special exceptions.*~~

~~Facilities owned and/or operated by federal, state, county or municipal government except country clubs and golf courses~~

~~Schools and or a house of worship, provided all structures are located at least 35 feet from all side or rear property lines and off-street parking areas abutting residential property are screened by a buffer meeting the requirements of this LDR.~~

~~Child day care on a house of worship property, subject to the following additional conditions:~~

~~(1) The house of worship property shall be located on and be accessible by an arterial or collector roadway.~~

~~(2) Play areas shall be fenced and landscaped. The landscaping shall have a vegetative hedge that will reach six feet in height within two years that is planted a minimum of three feet on center.~~

~~(3) Play areas shall be located within all applicable setback dimensions.~~

~~(4) The house of worship property shall have a vehicular drop off and pickup area with a minimum [of] 100 feet of drive lane outside of the public right-of-way, or sufficient parking area to provide enough space to fit the required parking and provided space for drop off and pick up.~~

Dimensional requirements.

Minimum lot size.

Area: 12,000 feet

Depth: 120 feet

Width: 100 feet

Minimum yard size.

Front yard: 35 feet, or as required per [sub]section 504.01M. of this LDR

Rear yard: Ten feet

Side yard: 20 feet total, no side less than 8 feet

Maximum building coverage. The total area covered with buildings on any lot shall not exceed 40 percent of the total lot area.

Screen enclosures. As an exception to the maximum building coverage provision any parcel may be allowed an additional ten percent building coverage for only a screen pool enclosure if the following conditions are met:

1. A screen pool enclosure shall only cover the swimming pool and surrounding pool deck and shall have a roof and walls consisting entirely of screening; and
2. There shall be no variances granted to exceed the maximum building coverage or additional coverage allowed for screen enclosures.

Maximum impervious lot coverage. The total area of the lot that may be covered with impervious material is 60 percent.

Maximum principal building height. 35 feet; three stories.

Minimum floor area requirement. 1,200 square feet per dwelling unit.

Off-street parking. Off-street parking shall be provided as required in this LDR.

Corner lots.

(1) Parcels which front on two streets shall provide a 35-foot front yard on one street frontage and a 17.5-foot front yard on the other street or as required per [sub]section 504.01M. of this LDR.

(2) Parcels fronting on three streets shall provide two 35-foot front yards and a 17.5-foot front yard on the remaining street or as required per [sub]section 504.01M. in this LDR.

Driveway access. the minimum driveway length shall be 20 feet excluding [that] portion of the driveway within the public right-of-way.

Through lots. Shall provide a 35-foot front yard on each street or as required per [sub]section 504.01M. of this LDR.

Atypical lot. Visibility triangles shall be established at the rear corners of an atypical lot. The visibility triangles shall be those areas formed by a line connecting the points 30 feet from the intersection of the side and rear lot line along the side lot line and 30 feet from the intersection of the side and rear lot line along the rear lot line; no principal or accessory structure having a height over four feet, except for incidental uses, shall protrude into the area of a visibility triangle.

Building projections. There shall be no building projections into any required yard except for eaves with a maximum projection of 42 inches, but no closer than five feet to a property line; and those structures allowed in [sub]section 804.03.

Visibility at intersections. Visibility at intersections shall be provided as required in this LDR.

R-2, SINGLE-FAMILY RESIDENTIAL DISTRICT

Intent. The R-2, Single-Family Residential District is intended to be a single-family residential district for low population densities. Existing development and usage has resulted which is being preserved in order to stabilize the neighborhood. The nature of the residential use of the property throughout the district will enhance the prospects for orderly future residential development.

Permitted uses.

Playfields

Playgrounds

Public parks

Recreation buildings and complexes for exclusive use by residents and guests in a residential development

Single-family dwelling units

Permitted accessory uses.

Garages

Gazebos

Incidental uses

Open front porches, up to ten feet into the district required front yard setback, subject to the following conditions:

Open front porch shall not be enclosed in any manner.

Open front porch must be open wall construction without screen.

Open front porch shall have a similar roofing material as the primary structure.

Open front porch front building line shall be measured from the vertical support column.

Permitted home occupations

Storage sheds

Swimming pools, private, provided a principal structure exists and the pool is located behind the front plane of the principal structure. Corner lots will be considered to have two front planes, one on each street. If a structure is not constructed squarely on a parcel, the swimming pool must be located at or behind the most restrictive front plane of the principal structure.

Type 1: Government facilities, schools, and houses of worship excluding country clubs and golf courses subject to the following conditions:

Generating no more than 500 daily users

Side and rear setbacks of no less than 35 feet

Uses customarily associated with the permitted principal uses

Conditional Uses

Type 2, Type 3 and Type 4: Government facilities, schools, and houses of worship excluding country clubs and golf courses are allowed at higher intensities subject to subject to the following conditions:

Type 2: Generating no more than 500 daily users

Side and rear setbacks are no less than 20 feet

The facility complies with the 15-foot buffer in the Standard Conditional Use Requirements below

Type 3: 500–1,200 daily users

Side and rear setbacks are no less than 20 feet

The facility complies with both Standard Conditional Use Requirements below

Type 4: More Than 1,200 daily users

Side and rear setbacks are no less than 20 feet

The facility is located on and accessible by an arterial or collector roadway

The facility complies with both Standard Conditional Use Requirements below

Standard Conditional Use Requirements

(1) Traffic Study (Applies to Type 3 and Type 4)

a. A traffic study meeting the guidelines of this LDR must be completed by a licensed engineer demonstrating that all impacted roads and intersections maintain LOS D during peak operating hours.

(2) Landscape Buffer Adjacent to Residential Property (Applies to Type 2, Type 3 and Type 4)

a. Where such facilities abut residentially zoned or used property, a landscape buffer and opaque fence or wall shall be provided to screen buildings, parking areas, outdoor activity areas, and service areas from view at grade.

(1) Minimum width: 15 feet

(2) Composition: 20% trees, 60% shrubs/hedges, 20% materials from §604.05(B)(2),(3),(4),(6)

(3) No monoculture; no species >50%

(4) Must achieve 80% opacity within 2 years

(5) Plant materials must be Florida-friendly, wind-resistant, and suitable for coastal conditions, emphasizing native species

(6) Continuous maintenance; dead/damaged material replaced within 90 days

(7) Opaque walls/fences must be installed that are a minimum of 6 feet high and located between the primary structure and the required plantings

(8) Shrubs/vines planted ≤10 feet apart

(9) All plantings must be outside utility easements

(10) Buffers must be designed by a professional and approved by the City Manager or their designee

Type	Type 1	Type 2	Type 3	Type 4
Use	Permitted	Conditional	Conditional	Conditional
Daily Users	500	500	500-1,200	>1,200
Side and Rear Setbacks	35 ft	20 ft	20 ft	20 ft
Additional Requirements	None	Buffers	Traffic Study and Buffers	Traffic Study, Buffers and Access to Collector or Arterial Road

Child day cares on a house of worship properties are subject to the following additional conditions:

(1) The house of worship property shall be located on and be accessible by an arterial or collector roadway.

(2) Play areas shall be fenced and landscaped. The landscaping shall have a vegetative hedge that will reach six feet in height within two years that is planted a minimum of three feet on center.

(3) Play areas shall be located within all applicable setback dimensions.

(4) The house of worship property shall have a vehicular drop off and pickup area with a minimum [of] 100 feet of drive lane outside of the public right-of-way, or sufficient parking area to provide enough space to fit the required parking and provided space for drop off and pick up.

~~*Special exceptions.*~~

~~Facilities owned and/or operated by federal, state, county or municipal government except country clubs and golf courses~~

~~Schools and or a house of worship, provided all structures are located at least 35 feet from all side or rear property lines and off-street parking areas abutting residential property are screened by a buffer meeting the requirements of this LDR.~~

~~Child day care on a house of worship property, subject to the following additional conditions:~~

~~(1) The house of worship property shall be located on and be accessible by an arterial or collector roadway.~~

~~(2) Play areas shall be fenced and landscaped. The landscaping shall have a vegetative hedge that will reach six feet in height within two years that is planted a minimum of three feet on center.~~

~~(3) Play areas shall be located within all applicable setback dimensions.~~

~~(4) The house of worship property shall have a vehicular drop off and pickup area with a minimum [of] 100 feet of drive lane outside of the public right-of-way, or sufficient parking area to provide enough space to fit the required parking and provided space for drop off and pick up.~~

Dimensional requirements.

Minimum lot size.

Area: 8,625 square feet

Depth: 115 feet

Width: 75 feet

Minimum yard size.

Front yard: 30 feet or as required per [sub]section 504.01M. of this LDR

Rear yard: 7.5 feet

Side yard: 7.5 feet

Maximum building coverage. The total area covered with buildings on any lot shall not exceed 40 percent of the total lot area.

Screen enclosures. As an exception to the maximum building coverage provision any parcel may be allowed an additional ten percent building coverage for only a screen pool enclosure if the following conditions are met:

1. A screen pool enclosure shall only cover the swimming pool and surrounding pool deck and shall have a roof and walls consisting entirely of screening; and
2. There shall be no variances granted to exceed the maximum building coverage or additional coverage allowed for screen enclosures.

Maximum impervious lot coverage. The total area of the lot that may be covered with impervious material is 60 percent.

Maximum principal building height. 35 feet; three stories.

Minimum floor area requirements. 750 square feet of livable area for one and two-bedroom dwelling units; 1,200 square feet of livable area for a three-bedroom dwelling unit; and 1,300 square feet of livable area for a four-bedroom dwelling unit.

Corner lots.

(1) Parcels which front on two streets shall provide a 30-foot front yard on one street frontage and a 15-foot half depth front yard on the other street, or as required per [sub]section 504.01M. of this LDR.

(2) Parcels fronting on three streets shall provide two 30-foot front yards and a 15-foot half depth front yard on the remaining street or as required per [sub]section 504.01M. of this LDR.

Driveway access. The minimum driveway length shall be 20 feet (excluding [that] portion of a driveway within the public right-of-way).

Through lots. Through lots shall provide a 30-foot front yard on each street, or as required per [sub]section 504.01M. of this LDR.

Atypical lots. Visibility triangles shall be established at the rear corners of an atypical lot. The visibility triangles shall be those areas formed by a line connecting the points 30 feet from the intersection of the side and rear lot line along the side lot line and 30 feet from the intersection of the side and rear lot line along the rear lot line; no principal or accessory structure having a height over four feet, except for incidental uses, shall protrude into the area of a visibility triangle.

Building projections. There shall be no building projections into any required yard except for eaves with a maximum projection of 42 inches, but no closer than five feet to a property line; and those structures allowed in [sub]section 804.03.

Visibility at intersections. Visibility at intersections shall be provided as required in this LDR.

R-2A, SINGLE-FAMILY DETACHED AND SINGLE-FAMILY ATTACHED RESIDENTIAL DISTRICT

Intent. The R-2A, Single-Family Detached and Single-Family Attached Residential District is intended to be a medium density single-family residential district.

Permitted uses.

Attached and detached single-family units

Playfields

Playgrounds

Public parks

Recreation buildings and complexes for exclusive use by residents and guests in a residential development

Permitted accessory uses.

Garages

Gazebos

Incidental uses

Permitted home occupations

Storage sheds

Swimming pools, private, provided a principal structure exists and the pool is located behind the front plane of the principal structure. Corner lots will be considered to have two front planes, one on each street. If a structure is not constructed squarely on a parcel, the swimming pool must be located at or behind the most restrictive front plane of the principal structure.

Type 1: Government facilities, schools, and houses of worship excluding country clubs and golf courses subject to the following conditions:

Generating no more than 500 daily users

Side and rear setbacks of no less than 25 feet

Uses customarily associated with the permitted principal uses

Conditional Uses

Type 2, Type 3 and Type 4: Government facilities, schools, and houses of worship excluding country clubs and golf courses are allowed at higher intensities subject to subject to the following conditions:

Type 2: Generating no more than 500 daily users

Side and rear setbacks are no less than 20 feet

The facility complies with the 15-foot buffer in the Standard Conditional Use Requirements below

Type 3: 500–1,200 daily users

Side and rear setbacks are no less than 20 feet

The facility complies with both Standard Conditional Use Requirements below

Type 4: More Than 1,200 daily users

Side and rear setbacks are no less than 20 feet

The facility is located on and accessible by an arterial or collector roadway

The facility complies with both Standard Conditional Use Requirements below

Standard Conditional Use Requirements

(1) Traffic Study (Applies to Type 3 and Type 4)

b. A traffic study meeting the guidelines of this LDR must be completed by a licensed engineer demonstrating that all impacted roads and intersections maintain LOS D during peak operating hours.

(2) Landscape Buffer Adjacent to Residential Property (Applies to Type 2, Type 3 and Type 4)

b. Where such facilities abut residentially zoned or used property, a landscape buffer and opaque fence or wall shall be provided to screen buildings, parking areas, outdoor activity areas, and service areas from view at grade.

(1) Minimum width: 15 feet

(2) Composition: 20% trees, 60% shrubs/hedges, 20% materials from §604.05(B)(2),(3),(4),(6)

(3) No monoculture; no species >50%

(4) Must achieve 80% opacity within 2 years

(5) Plant materials must be Florida-friendly, wind-resistant, and suitable for coastal conditions, emphasizing native species

(6) Continuous maintenance; dead/damaged material replaced within 90 days

(7) Opaque walls/fences must be installed that are a minimum of 6 feet high and located between the primary structure and the required plantings

(8) Shrubs/vines planted ≤10 feet apart

(9) All plantings must be outside utility easements

(10) Buffers must be designed by a professional and approved by the City Manager or their designee

Type	Type 1	Type 2	Type 3	Type 4
Use	Permitted	Conditional	Conditional	Conditional
Daily Users	500	500	500-1,200	>1,200
All Setbacks	25 ft	20 ft	20 ft	20 ft
Additional Requirements	None	Buffers	Traffic Study and Buffers	Traffic Study, Buffers and Access to Collector or Arterial Road

Child day cares on a house of worship properties are subject to the following additional conditions:

(1) The house of worship property shall be located on and be accessible by an arterial or collector roadway.

(2) Play areas shall be fenced and landscaped. The landscaping shall have a vegetative hedge that will reach six feet in height within two years that is planted a minimum of three feet on center.

(3) Play areas shall be located within all applicable setback dimensions.

(4) The house of worship property shall have a vehicular drop off and pickup area with a minimum [of] 100 feet of drive lane outside of the public right-of-way, or sufficient parking area to provide enough space to fit the required parking and provided space for drop off and pick up.

~~*Special exceptions.*~~

~~Facilities owned and/or operated by federal, state, county or municipal government except country clubs and golf courses~~

~~Off-street parking areas abutting residential property shall be screened by a buffer meeting the requirements of this LDR~~

~~Schools and or a house of worship, churches provided all structures are located at least 25 feet from property lines and 35 feet from project boundary lines.~~

~~Child day care on a house of worship property, subject to the following additional conditions:~~

~~(1) The house of worship property shall be located on and be accessible by an arterial or collector roadway.~~

~~(2) Play areas shall be fenced and landscaped. The landscaping shall have a vegetative hedge that will reach six feet in height within two years that is planted a minimum of three feet on center.~~

~~(3) Play areas shall be located within all applicable setback dimensions.~~

~~(4) The house of worship property shall have a vehicular drop off and pickup area with a minimum [of] 100 feet of drive lane outside of the public right-of-way, or sufficient parking area to provide enough space to fit the required parking and provided space for drop off and pick up.~~

Dimensional requirements.

Single-family detached and single-family attached dwellings.

Minimum project site size. Five acres

Maximum dwelling unit density. Eight dwelling units per gross acre.

Maximum number of attached dwelling units per structure. Four dwelling units.

Minimum building separation. All unattached buildings shall be spaced a minimum of 20 feet apart.

Minimum project boundary line setback distance. 35 feet.

Minimum yard size.

Front yard: 20 feet or as required per [sub]section 504.01M. of this LDR

Side yard: Ten feet.

Rear yard: Ten feet.

Minimum floor area. 650 square feet of livable area for one and two-bedroom dwelling units; 1,200 square feet of livable area for a three-bedroom dwelling unit; and 1,300 square feet of livable area for a four-bedroom dwelling unit.

Maximum principal building height.

Three stories.

Maximum height: 35 feet.

Maximum building coverage. The total area covered with buildings on any lot shall not exceed 40 percent of the total lot area.

Screen enclosures. As an exception to the maximum building coverage provision any parcel may be allowed an additional ten percent building coverage for only a screen pool enclosure if the following conditions are met:

1. A screen pool enclosure shall only cover the swimming pool and surrounding pool deck and shall have a roof and walls consisting entirely of screening; and
2. There shall be no variances granted to exceed the maximum building coverage or additional coverage allowed for screen enclosures.

Maximum impervious lot coverage. The total area of the lot that may be covered with impervious material is 60 percent.

Corner lot.

(1) Parcels which front on two streets shall provide a 20-foot front yard on the street frontage with driveway access and a ten-foot front yard on the other street, or as required per [sub]section 504.01M. of this LDR.

(2) Parcels fronting on three streets shall provide a 20-foot front yard on the street frontage with driveway access and a ten-foot front yard on the remaining streets, or as required per [sub]section 504.01M. of this LDR.

Through lots. Through lots shall provide a 20-foot front yard on each street or as required per [sub]section 504.01M. of this LDR.

Atypical lots. Visibility triangles shall be established at the rear corners of an atypical lot. The visibility triangles shall be those areas formed by a line connecting the points 30 feet from the intersection of the side and rear lot line along the side lot line and 30 feet from the intersection of the side and rear lot line along the rear lot line; no principal or accessory structure having a height over four feet, except for incidental uses, shall protrude into the area of a visibility triangle.

Building projections. There shall be no building projections into any required yard except for eaves with a maximum projection of 42 inches, but no closer than five feet to a property line; and those structures allowed in [sub]section 804.03.

Off-street parking. A minimum of 1.5 parking spaces per dwelling unit.

Buffers. A landscaped buffer shall be provided as required in this LDR along the project boundary line shown on the plat where double frontage lots are served by interior streets and back on adjacent streets.

Landscaping. A landscape plan is required as described in this LDR.

Visibility at intersections. Visibility at intersections shall be provided as required in this LDR.

Deed covenant. The developer shall supply, in writing, all covenants and restrictions that will govern the maintenance of the common open space and other aspects of the single-family detached or attached dwelling project that are necessary for the welfare of the project and consistent with the best interests of New Smyrna Beach. Such legal instruments shall be submitted and approved by the city legal department prior to the issuance of a building permit by the building official.

R-3, SINGLE-FAMILY AND TWO-FAMILY RESIDENTIAL DISTRICT

Intent. The R-3, Single-Family and Two-Family Residential District permits single-family and two-family residences and is intended to provide a choice in medium density residential housing.

Permitted uses.

Playfields

Playgrounds

Public parks

Recreation buildings and complexes for use by residents and guests in a residential development

Single-family and two-family dwellings

Permitted accessory uses.

Garages

Gazebos

Incidental uses

Permitted home occupations

Storage sheds

Swimming pools, private, provided a principal structure exists and the pool is located behind the front plane of the principal structure. Corner lots will be considered to have two front planes, one on each street. If a structure is not constructed squarely on a parcel, the swimming pool must be located at or behind the most restrictive front plane of the principal structure.

Type 1: Government facilities, schools, and houses of worship excluding country clubs and golf courses subject to the following conditions:

Generating no more than 500 daily users

Side and rear setbacks of no less than 25 feet

Uses customarily associated with the permitted principal uses

Conditional Uses

Type 2, Type 3 and Type 4: Government facilities, schools, and houses of worship excluding country clubs and golf courses are allowed at higher intensities subject to subject to the following conditions:

Type 2: Generating no more than 500 daily users

Side and rear setbacks are no less than 20 feet

The facility complies with the 15-foot buffer in the Standard Conditional Use Requirements below

Type 3: 500–1,200 daily users

Side and rear setbacks are no less than 20 feet

The facility complies with both Standard Conditional Use Requirements below

Type 4: More Than 1,200 daily users

Side and rear setbacks are no less than 20 feet

The facility is located on and accessible by an arterial or collector roadway

The facility complies with both Standard Conditional Use Requirements below

Standard Conditional Use Requirements

(1) Traffic Study (Applies to Type 3 and Type 4)

a. A traffic study meeting the guidelines of this LDR must be completed by a licensed engineer demonstrating that all impacted roads and intersections maintain LOS D during peak operating hours.

(2) Landscape Buffer Adjacent to Residential Property (Applies to Type 2, Type 3 and Type 4)

a. Where such facilities abut residentially zoned or used property, a landscape buffer and opaque fence or wall shall be provided to screen buildings, parking areas, outdoor activity areas, and service areas from view at grade.

(1) Minimum width: 15 feet

(2) Composition: 20% trees, 60% shrubs/hedges, 20% materials from §604.05(B)(2),(3),(4),(6)

(3) No monoculture; no species >50%

(4) Must achieve 80% opacity within 2 years

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(5) Plant materials must be Florida-friendly, wind-resistant, and suitable for coastal conditions, emphasizing native species

(6) Continuous maintenance; dead/damaged material replaced within 90 days

(7) Opaque walls/fences must be installed that are a minimum of 6 feet high and located between the primary structure and the required plantings

(8) Shrubs/vines planted ≤10 feet apart

(9) All plantings must be outside utility easements

(10) Buffers must be designed by a professional and approved by the City Manager or their designee

Type	Type 1	Type 2	Type 3	Type 4
Use	Permitted	Conditional	Conditional	Conditional
Daily Users	500	500	500-1,200	>1,200
All Setbacks	25 ft	20 ft	20 ft	20 ft
Additional Requirements	None	Buffers	Traffic Study and Buffers	Traffic Study, Buffers and Access to Collector or Arterial Road

Child day cares on a house of worship properties are subject to the following additional conditions:

(1) The house of worship property shall be located on and be accessible by an arterial or collector roadway.

(2) Play areas shall be fenced and landscaped. The landscaping shall have a vegetative hedge that will reach six feet in height within two years that is planted a minimum of three feet on center.

(3) Play areas shall be located within all applicable setback dimensions.

(4) The house of worship property shall have a vehicular drop off and pickup area with a minimum [of] 100 feet of drive lane outside of the public right-of-way, or sufficient parking area to provide enough space to fit the required parking and provided space for drop off and pick up.

~~*Special exceptions.*~~

~~Facilities owned and/or operated by federal, state, county or municipal government except country clubs and golf courses~~

~~Schools and or a house of worship, provided all structures are located at least 25 feet from all property lines and off-street parking areas abutting residential property are screened by a buffer meeting the requirements of this LDR.~~

~~Child day care on a house of worship property, subject to the following additional conditions:~~

~~(1) The house of worship property shall be located on and be accessible by an arterial or collector roadway.~~

~~(2) Play areas shall be fenced and landscaped. The landscaping shall have a vegetative hedge that will reach six feet in height within two years that is planted a minimum of three feet on center.~~

~~(3) Play areas shall be located within all applicable setback dimensions.~~

~~(4) The house of worship property shall have a vehicular drop off and pickup area with a minimum [of] 100 feet of drive lane outside of the public right-of-way, or sufficient parking area to provide enough space to fit the required parking and provided space for drop off and pick up.~~

Dimensional requirements.

Minimum lot size.

Single-family dwellings (outside Historic Westside Neighborhood).

Area: 5,750 square feet

Depth: 115 feet

Width: 50 feet

Single-family dwellings (within Historic Westside Neighborhood).

Area: 5,000 square feet

Depth: 100 feet

Width: 50 feet

Two-family dwellings (outside Historic Westside Neighborhood).

Area: 11,500 square feet

Depth: 115 feet

Width: 100 feet

Two-family dwellings (within Historic Westside Neighborhood).

Area: 7,500 square feet

Depth: 100 feet

Width: 75 feet

Minimum yard size (outside Historic Westside Neighborhood).

Front yard: 20 feet or as required per [sub]section 504.01N. of this LDR

Rear yard: 7.5 feet

Side yard: 7.5 feet

Minimum yard size (within Historic Westside Neighborhood).

Lots less than 50 feet in width:

Front yard: 20 feet or as required per section 504.01(N) of this LDR; if a front porch covering at least 50 percent of the front facade is provided, the front yard setback may be reduced to five feet

Rear yard: 5 feet

Side yard: 5 feet

Lots 50 feet in width or wider:

Front yard: 20 feet or as required per Section 504.01 N. of this LDR; if a front porch covering at least 50 percent of the front facade is provided, the front yard setback may be reduced to five feet.

Rear yard: 7.5 feet

Side yard: 7.5 feet

Corner lots.

(1) Parcels which front on two streets shall provide a 20-foot front yard on the street frontage with driveway access and a ten foot front yard on the other street or as required per [sub]section 504.01 N. of this LDR. For properties within the Historic Westside Neighborhood, the front yard setback may be reduced to five feet along one street frontage if a front porch covering at least 50 percent of the front facade is provided.

(2) Parcels fronting on three streets shall provide a 20-foot front yard on the street frontage with driveway access and a ten-foot front yard on the remaining street or as required per [sub]section 504.01 N. of this LDR. For properties within the Historic Westside Neighborhood, the front yard setback may be reduced to five feet along one street frontage if a front porch covering at least 50 percent of the front facade is provided.

Minimum floor area. 650 square feet of livable area for one and two-bedroom dwelling units; 1,200 square feet of livable area for a three-bedroom dwelling unit; and 1,300 square feet of livable area for a four-bedroom dwelling unit.

Maximum principal building height.

Three stories.

Maximum height: 35 feet.

Maximum building coverage. The total area covered with buildings on any lot shall not exceed 40 percent of the total lot area.

Screen enclosures. As an exception to the maximum building coverage provision any parcel may be allowed an additional ten percent building coverage for only a screen pool enclosure if the following conditions are met:

1. A screen pool enclosure shall only cover the swimming pool and surrounding pool deck and shall have a roof and walls consisting entirely of screening; and
2. There shall be no variances granted to exceed the maximum building coverage or additional coverage allowed for screen enclosures.

Maximum impervious lot coverage. The total area of the lot that may be covered with impervious material is 60 percent.

Through lots. Through lots shall provide a 20-foot front yard on each street, or as required per [sub]section 504.01 N. of this LDR. For properties within the Historic Westside Neighborhood, the front yard setback may be reduced to five feet along one street frontage if a front porch covering at least 50 percent of the front facade is provided.

Atypical lots. Visibility triangles shall be established at the rear corners of an atypical lot. The visibility triangles shall be those areas formed by a line connecting the points 30 feet from the intersection of the side and rear lot line, along the side lot line, and 30 feet from the intersection of the side and rear lot line; no principal or accessory structure having a height over four feet, except for incidental uses, shall protrude into the area of a visibility triangle.

Building projections. There shall be no building projections into any required yard except for eaves with a maximum projection of 42 inches, but no closer than five feet to a property line; and those structures allowed in [sub]section 804.03.

Off-street parking. Off-street parking shall be provided as required in this LDR.

Visibility at intersections. Visibility at intersections shall be provided as required in this LDR.

R-3A, SINGLE-FAMILY AND TWO-FAMILY (ZERO LOT LINE) RESIDENTIAL DISTRICT

Intent. The R-3A, Single-Family and Two-Family (zero lot line) Residential District is intended to be a medium-density residential district that increases useable lot space by employing zero lot line development and reducing yard sizes. Greater flexibility in building design is permitted.

Permitted uses.

Playfields

Playgrounds

Public parks

Recreation buildings and complexes for residents and guests in a residential development

Single-family and two-family dwellings

Permitted accessory uses.

Garages

Gazebos

Incidental uses

Permitted home occupations

Storage sheds

Swimming pools, private, provided a principal structure exists and the pool is located behind the front plane of the principal structure. Corner lots will be considered to have two front planes, one on each street. If a structure is not constructed squarely on a parcel, the swimming pool must be located at or behind the most restrictive front plane of the principal structure.

Type 1: Government facilities, schools, and houses of worship excluding country clubs and golf courses subject to the following conditions:

Generating no more than 500 daily users

Side and rear setbacks of no less than 25 feet

Uses customarily associated with the permitted principal uses

Conditional Uses

Type 2, Type 3 and Type 4: Government facilities, schools, and houses of worship excluding country clubs and golf courses are allowed at higher intensities subject to subject to the following conditions:

Type 2: Generating no more than 500 daily users

Side and rear setbacks are no less than 20 feet

The facility complies with the 15-foot buffer in the Standard Conditional Use Requirements below

Type 3: 500–1,200 daily users

Side and rear setbacks are no less than 20 feet

The facility complies with both Standard Conditional Use Requirements below

Type 4: More Than 1,200 daily users

Side and rear setbacks are no less than 20 feet

The facility is located on and accessible by an arterial or collector roadway

The facility complies with both Standard Conditional Use Requirements below

Standard Conditional Use Requirements

(3) Traffic Study (Applies to Type 3 and Type 4)

c. A traffic study meeting the guidelines of this LDR must be completed by a licensed engineer demonstrating that all impacted roads and intersections maintain LOS D during peak operating hours.

(4) Landscape Buffer Adjacent to Residential Property (Applies to Type 2, Type 3 and Type 4)

c. Where such facilities abut residentially zoned or used property, a landscape buffer and opaque fence or wall shall be provided to screen buildings, parking areas, outdoor activity areas, and service areas from view at grade.

(1) Minimum width: 15 feet

(2) Composition: 20% trees, 60% shrubs/hedges, 20% materials from §604.05(B)(2),(3),(4),(6)

(3) No monoculture; no species >50%

(4) Must achieve 80% opacity within 2 years

(5) Plant materials must be Florida-friendly, wind-resistant, and suitable for coastal conditions, emphasizing native species

(6) Continuous maintenance; dead/damaged material replaced within 90 days

(7) Opaque walls/fences must be installed that are a minimum of 6 feet high and located between the primary structure and the required plantings

(8) Shrubs/vines planted ≤10 feet apart

(9) All plantings must be outside utility easements

(10) Buffers must be designed by a professional and approved by the City Manager or their designee

Type	Type 1	Type 2	Type 3	Type 4
Use	Permitted	Conditional	Conditional	Conditional
Daily Users	500	500	500-1,200	>1,200
All Setbacks	25 ft	20 ft	20 ft	20 ft

Additional Requirements	None	Buffers	Traffic Study and Buffers	Traffic Study, Buffers and Access to Collector or Arterial Road

Child day cares on a house of worship properties are subject to the following additional conditions:

(1) The house of worship property shall be located on and be accessible by an arterial or collector roadway.

(2) Play areas shall be fenced and landscaped. The landscaping shall have a vegetative hedge that will reach six feet in height within two years that is planted a minimum of three feet on center.

(3) Play areas shall be located within all applicable setback dimensions.

(4) The house of worship property shall have a vehicular drop off and pickup area with a minimum [of] 100 feet of drive lane outside of the public right-of-way, or sufficient parking area to provide enough space to fit the required parking and provided space for drop off and pick up.

Special exceptions.

~~Child day care facilities, subject to the following additional conditions:~~

~~(1) The house of worship property shall be located within 500 feet of an arterial or collector roadway.~~

~~(2) Play areas shall be fenced and landscaped. The landscaping shall have a vegetative hedge that will reach four feet in height within two years. The hedge plants must be planted three fee apart, on center.~~

~~(3) Play areas shall be located outside all applicable setback dimensions.~~

~~(4) The house of worship property shall have a separate vehicular drop off and pickup area with a minimum 100-foot long drive lane outside of the public right-of-way, or sufficient parking area to provide enough space to fit the required parking and provided space for drop off and pick up.~~

~~(5) Play areas shall be located to the side or rear of the building, outside of the required setbacks.~~

~~Facilities owned and/or operated by federal, state, county or municipal government except country clubs and golf courses.~~

Garage apartments on parcels east of Atlantic Avenue.

~~Schools and or a house of worship, provided all structures are located at least 25 feet from all property lines and off-street parking areas abutting residential property are screened by a buffer meeting the requirements of this LDR.~~

Dimensional requirements.

Single-family dwellings.

Minimum lot size.

Area: 5,000 square feet

Depth: 100 feet

Width: 50 feet

Minimum yard size.

Front yard: 20 feet or as required per [sub]section 504.01M. of this LDR

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Rear yard: Ten feet

Side yard: One side yard must be at least ten feet where the residence abuts the zero lot line. Where the residence does not abut the zero lot line, each side yard must be a minimum of five feet and abut another side yard of five feet on the adjoining lot with a residence.

Zero lot line development requirements. Restrictions and covenants based on the following requirements must be recorded on the face of the subdivision plat and on any deed for property delineated in the plat. Final legal form for restrictions and covenants must be approved by the city legal department.

(1) Only one side lot line of the same lot may be used for zero lot line buildings that are built on adjacent lots. See Illustration No. 1.

(2) Windows or doors shall not have direct exposure or access on the zero lot line wall except where recessed within the zero lot line wall. Also, a fence must be erected coterminous with the zero or five-foot setback lot line where the zero or five-foot setback lot line wall has been recessed and such fence shall be no less than five feet in height. See Illustration No. 2 and Exhibit A.

(3) A six-foot maintenance easement shall be provided appurtenant to the adjoining lot on which the residence abuts the zero lot line. No buildings or permanent structures including, but not limited to, permanent barbecue grills, permanent barbecue pits, storage sheds, garages, carports, etc., other than concrete or similar surfaced driveways or patios, shall be located within this easement except for roof eaves not exceeding a maximum projection of 24 inches, and fences, located as shown on Illustration No. 2 and Exhibit A. Roof eaves shall be provided with guttering and downspouts where roofs drain onto the easement. Shrubs, trees, flowers, and other vegetation plantings, may be used for landscaping the easement. Fences are permitted in accordance with [sub]section 803.03, providing no fence is permitted above the height of four feet. In addition, fences erected perpendicular to the zero lot line, on the zero lot line, or on side property lines, if the residence does not abut the zero lot line, shall be constructed as follows:

(a) A lot owner may construct and maintain a fence perpendicular to the zero lot line provided the fence penetrates the maintenance easement at no more than one point and connects two zero lot line residences. Said fence may connect the two residences at a point no closer to the front of a residence than the rear wall of the residences closest to the front setback line. A gate or opening of not less than three feet is required within the section of a fence erected on the maintenance easement to afford maintenance access to the owner of the residence that abuts the zero lot line. See Illustration No. 2 and Exhibit A;

(b) A lot owner may construct a fence on the zero lot line or five-foot setback lot line between the building and the rear property lines. A gate or opening of not less than three feet is required within each section of fence erected on the zero lot line that connects the building and the rear property line to afford maintenance access to the owner of the residence that abuts the zero lot line. See Illustration No. 2 and Exhibit A; and

(c) Where the five-foot side yard setback requirement is used, no fence may be constructed any closer to the front setback of a residence than the rear wall of said residence or adjoining residence, whichever is closer to the front yard setback. See Exhibit B.

(4) No zero lot line development is permitted at the outer perimeter property line shown on the plat. Therefore, single-family zero lot line development is permitted only at the side lot line opposite the outer perimeter property line or two-family dwellings as provided for in this district.

Two-family dwellings.

Minimum lot size.

Area: 10,000 square feet

Depth: 100 feet

Width: 100 feet

Minimum yard size.

Front yard: 20 feet or as required per [sub]section 504.01M. of this LDR

Rear yard: 10 feet

Side yard: 10 feet

Two-family dwellings—East of Atlantic Avenue.

Minimum lot size.

Area: 7,500 square feet

Depth: 100 feet

Width: 75 feet

Minimum yard size.

Front yard: 20 feet or as required per [sub]section 504.01M. of this LDR

Rear yard: 10 feet

Side yard: 7.5 feet

Requirements for single-family and two-family dwellings.

Minimum project site size. Five acres.

Maximum building coverage. The total area covered with buildings on any lot shall not exceed 40 percent of the total lot area.

Screen enclosures. As an exception to the maximum building coverage provision any parcel may be allowed an additional ten percent building coverage for only a screen pool enclosure if the following conditions are met:

1. A screen pool enclosure shall only cover the swimming pool and surrounding pool deck and shall have a roof and walls consisting entirely of screening; and
2. There shall be no variances granted to exceed the maximum building coverage or additional coverage allowed for screen enclosures.

Maximum impervious lot coverage. The total area of the lot that may be covered with impervious material is 60 percent.

Maximum principal building height.

Three stories.

Maximum height: 35 feet.

Minimum floor area requirements. 650 square feet of livable area for one and two-bedroom dwelling units; 1,200 square feet of livable area for a three-bedroom dwelling unit; and 1,300 square feet of livable area for a four-bedroom dwelling unit.

Maximum dwelling unit density. Eight dwelling units per gross acre.

Parking. Parking shall be provided as required in this LDR except that space requirements may be met as follows: On-site parking is permitted in required yards including the maintenance easement area; off-site parking is permitted between the front property line and the edge of pavement or travel lane.

Corner lots.

(1) Parcels which front on two streets shall provide a 20-foot front yard on the street frontage with driveway access and a ten-foot front yard on the other street, or as required per [sub]section 504.01M. of this LDR.

(2) Parcels fronting on three streets shall provide a 20-foot front yard on the street frontage with driveway access and a ten-foot front yard on remaining streets, or as required per [sub]section 504.01M. of this LDR.

Through lots. Through lots shall provide a 20-foot front yard on each street, or as required per [sub]section 504.01M. of this LDR.

Atypical lots. Visibility triangles shall be established at the rear corners of an atypical lot. The visibility triangles shall be those areas formed by a line connecting the points 30 feet from the intersection of the side and rear lot line, along the side lot line, and 30 feet from the intersection of the side and rear lot line along the rear lot line; no principal or accessory structure having a height over four feet, except for incidental uses, shall protrude into the area of a visibility triangle.

Building projections. There shall be no building projections into any required yard except for eaves with a maximum projection of 42 inches, but no closer than five feet to a property line; and those structures allowed in [sub]section 804.03.

Buffers. A landscaped buffer shall be provided as required in this LDR along the outer perimeter property line shown on the plat where double frontage lots are served by interior streets and back on adjacent streets.

Landscaping. A landscape plan is required as described in this LDR.

Visibility at intersections. Visibility at intersections shall be provided as required in this LDR.

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ILLUSTRATION NO. 1

ZERO LOT LINE DEVELOPMENT

Only one side lot line of the same lot may be used for zero lot line buildings that are built on adjacent lots.

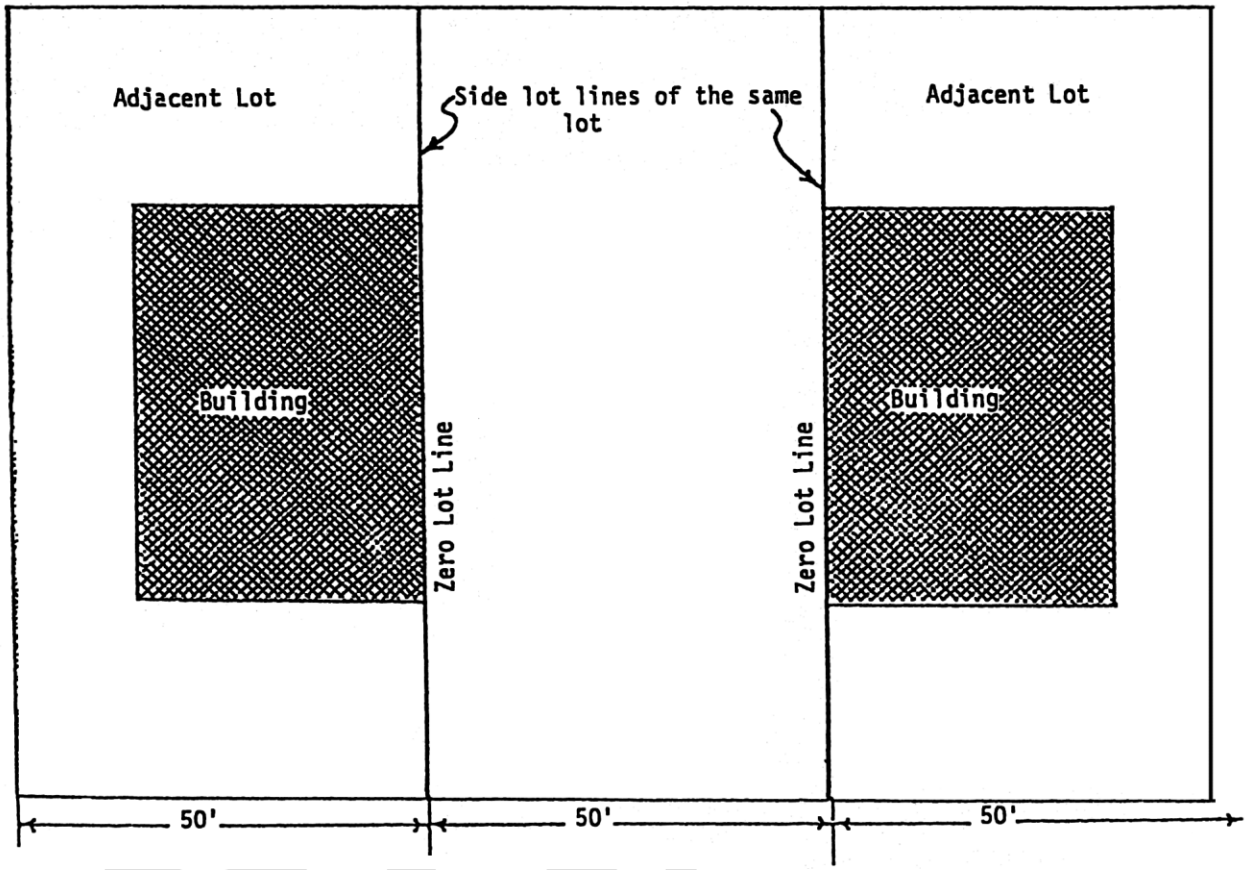
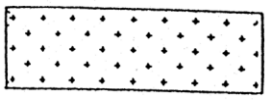


ILLUSTRATION NO. 1 ZERO LOT LINE DEVELOPMENT

ILLUSTRATION NO. 2

ZERO LOT LINE DEVELOPMENT



Maintenance Easement of Six Feet

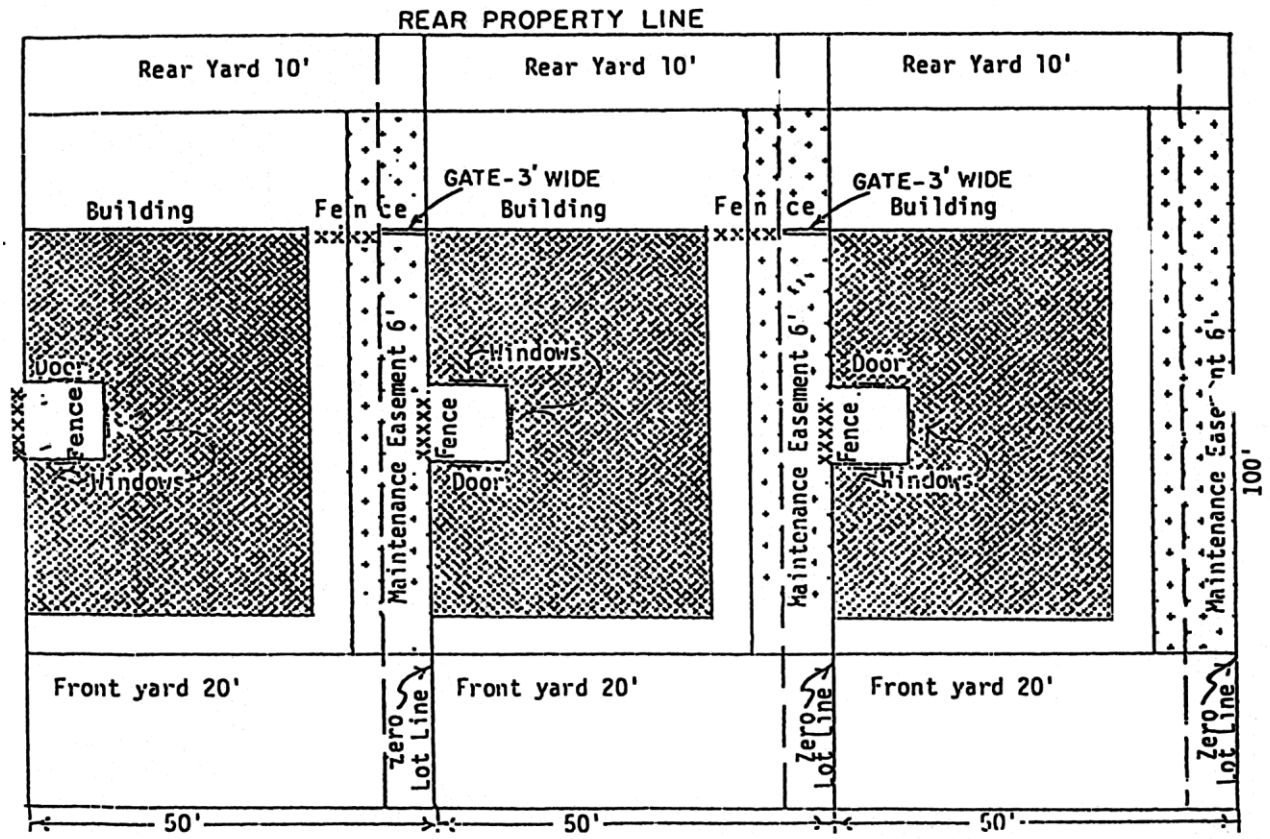


ILLUSTRATION NO. 2

A six-foot maintenance easement shall be provided appurtenant to the adjoining lot on which the residence abuts the zero lot line. No buildings or permanent structures including, but not limited to, permanent barbecue grills, permanent barbecue pits, storage sheds, garages, carports, etc., other than concrete or similar surfaced driveways or patios, shall be located within this easement except for roof eaves not exceeding a maximum projection of 24 inches. Roof eaves shall be provided with guttering and downspouts where roofs drain onto the easement.

EXHIBIT A

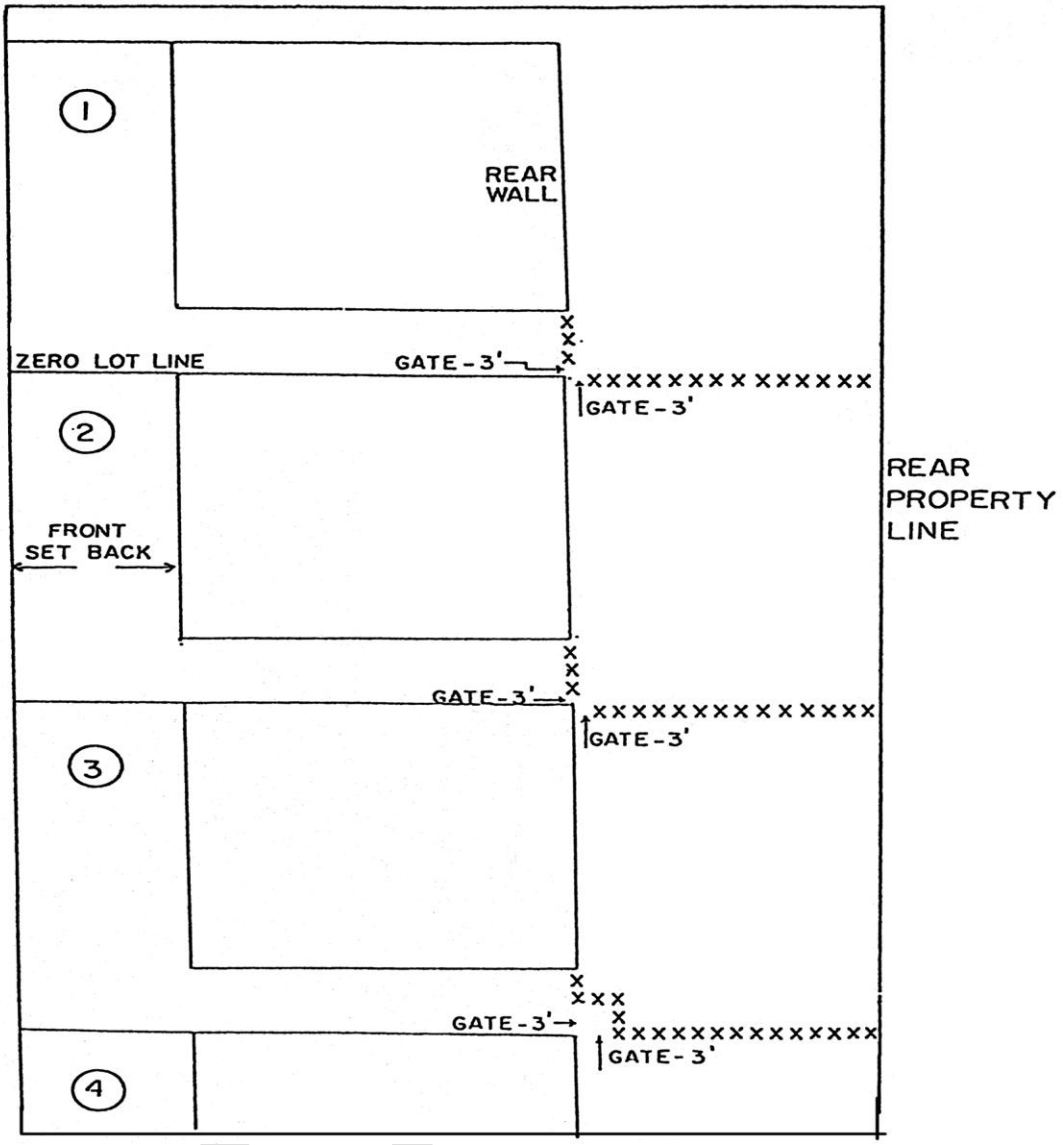


EXHIBIT A ZERO LOT LINE

EXHIBIT B

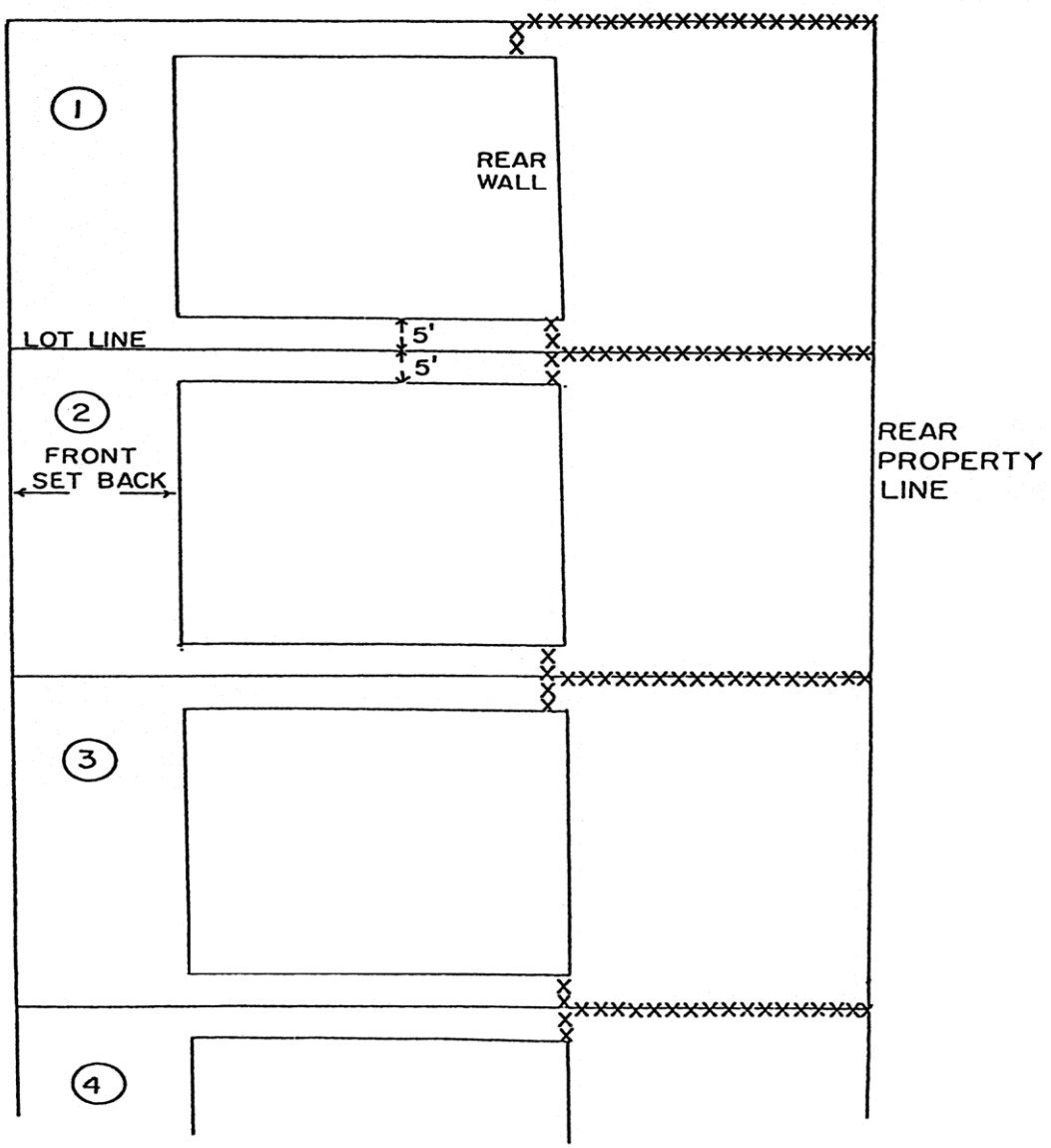


EXHIBIT B ZERO LOT LINE

R-3B, SINGLE-FAMILY RESIDENTIAL DISTRICT

Intent. The R-3B, Single-Family Residential District is intended to allow medium density single-family residences. Lot width is reduced to increase the range of lot width available for single-family residential development.

Permitted uses.

Playfields

Playgrounds

Public parks

Recreation buildings and complexes for residents and guests in a residential development

Single-family dwelling units

Permitted accessory uses.

Garages

Gazebos

Incidental uses

Permitted home occupations

Storage sheds

Swimming pools, private, provided a principal structure exists and the pool is located behind the front plane of the principal structure. Corner lots will be considered to have two front planes, one on each street. If a structure is not constructed squarely on a parcel, the swimming pool must be located at or behind the most restrictive front plane of the principal structure.

Type 1: Government facilities, schools, and houses of worship excluding country clubs and golf courses subject to the following conditions:

Generating no more than 500 daily users

Side and rear setbacks of no less than 25 feet

Uses customarily associated with the permitted principal uses

Conditional Uses

Type 2, Type 3 and Type 4: Government facilities, schools, and houses of worship excluding country clubs and golf courses are allowed at higher intensities subject to subject to the following conditions:

Type 2: Generating no more than 500 daily users

Side and rear setbacks are no less than 20 feet

The facility complies with the 15-foot buffer in the Standard Conditional Use Requirements below

Type 3: 500–1,200 daily users

Side and rear setbacks are no less than 20 feet

The facility complies with both Standard Conditional Use Requirements below

Type 4: More Than 1,200 daily users

Side and rear setbacks are no less than 20 feet

The facility is located on and accessible by an arterial or collector roadway

The facility complies with both Standard Conditional Use Requirements below

Standard Conditional Use Requirements

(1) Traffic Study (Applies to Type 3 and Type 4)

a. A traffic study meeting the guidelines of this LDR must be completed by a licensed engineer demonstrating that all impacted roads and intersections maintain LOS D during peak operating hours.

(2) Landscape Buffer Adjacent to Residential Property (Applies to Type 2, Type 3 and Type 4)

a. Where such facilities abut residentially zoned or used property, a landscape buffer and opaque fence or wall shall be provided to screen buildings, parking areas, outdoor activity areas, and service areas from view at grade.

(1) Minimum width: 15 feet

(2) Composition: 20% trees, 60% shrubs/hedges, 20% materials from §604.05(B)(2),(3),(4),(6)

(3) No monoculture; no species >50%

(4) Must achieve 80% opacity within 2 years

(5) Plant materials must be Florida-friendly, wind-resistant, and suitable for coastal conditions, emphasizing native species

(6) Continuous maintenance; dead/damaged material replaced within 90 days

(7) Opaque walls/fences must be installed that are a minimum of 6 feet high and located between the primary structure and the required plantings

(8) Shrubs/vines planted ≤10 feet apart

(9) All plantings must be outside utility easements

(10) Buffers must be designed by a professional and approved by the City Manager or their designee

Type	Type 1	Type 2	Type 3	Type 4
Use	Permitted	Conditional	Conditional	Conditional
Daily Users	500	500	500-1,200	>1,200
All Setbacks	25 ft	20 ft	20 ft	20 ft
Additional Requirements	None	Buffers	Traffic Study and Buffers	Traffic Study, Buffers and Access to Collector or Arterial Road

Child day cares on a house of worship properties are subject to the following additional conditions:

(1) The house of worship property shall be located on and be accessible by an arterial or collector roadway.

(2) Play areas shall be fenced and landscaped. The landscaping shall have a vegetative hedge that will reach six feet in height within two years that is planted a minimum of three feet on center.

(3) Play areas shall be located within all applicable setback dimensions.

(4) The house of worship property shall have a vehicular drop off and pickup area with a minimum [of] 100 feet of drive lane outside of the public right-of-way, or sufficient parking area to provide enough space to fit the required parking and provided space for drop off and pick up.

~~*Special exceptions.*~~

~~Facilities owned and/or operated by federal, state, county, or municipal government, except country clubs and golf courses~~

~~Schools and or a house of worship, provided all structures are located at least 25 feet from all property lines and off-street parking areas abutting residential property are screened by a buffer meeting the requirements of this LDR.~~

~~Child day care on a house of worship property, subject to the following additional conditions:~~

~~(1) The house of worship property shall be located on and be accessible by an arterial or collector roadway.~~

~~(2) Play areas shall be fenced and landscaped. The landscaping shall have a vegetative hedge that will reach six feet in height within two years that is planted a minimum of three feet on center.~~

~~(3) Play areas shall be located within all applicable setback dimensions.~~

~~(4) The house of worship property shall have a vehicular drop off and pickup area with a minimum [of] 100 feet of drive lane outside of the public right-of-way, or sufficient parking area to provide enough space to fit the required parking and provided space for drop off and pick up.~~

Dimensional requirements.

Single-family dwellings.

Area: 5,750 square feet

Depth: 115 feet

Width: 50 feet

Minimum yard size.

Front yard: 20 feet or as required per [sub]section 504.01M. of this LDR

Rear yard: 7.5 feet

Side yard: 7.5 feet

Corner lots.

(1) Parcels which front on two streets shall provide a 20-foot front yard on the street frontage with driveway access and a ten-foot front yard on the other street, or as required in [sub]section 504.01M. of this LDR.

(2) Parcels fronting on three streets shall provide a 20-foot front yard on the street frontage with driveway access and a ten-foot front yard on the remaining streets, or as required per [sub]section 504.01M. of this LDR.

Minimum floor area. 650 square feet of livable area for one and two-bedroom dwelling units; 1,200 square feet of livable area for a three-bedroom dwelling unit; and 1,300 square feet of livable area for a four-bedroom dwelling unit.

Maximum principal building height.

Three stories.

Maximum height: 35 feet.

Maximum building coverage. The total area covered with buildings on any lot shall not exceed 40 percent of the total lot area.

Screen enclosures. As an exception to the maximum building coverage provision any parcel may be allowed an additional ten percent building coverage for only a screen pool enclosure if the following conditions are met:

1. A screen pool enclosure shall only cover the swimming pool and surrounding pool deck and shall have a roof and walls consisting entirely of screening; and

2. There shall be no variances granted to exceed the maximum building coverage or additional coverage allowed for screen enclosures.

Maximum impervious lot coverage. The total area of the lot that may be covered with impervious material is 60 percent.

Through lots. Through lots shall provide a 20-foot front yard on each street or as required per [sub]section 504.01M. of this LDR.

Atypical lots. Visibility triangles shall be established at the rear corners of an atypical lot. The visibility triangles shall be those areas formed by a line connecting the points 30 feet from the intersection of the side and rear lot line, along the side lot line, and 30 feet from the intersection of the side and rear lot line; no principal or accessory structure having a height over four feet, except for incidental uses, shall protrude into the area of a visibility triangle.

Building projection. There shall be no building projections into any required yard except for eaves with a maximum projections of 42 inches, but no closer than five feet to a property line; and those structures allowed in [sub]section 804.03.

Off-street parking. Off-street parking shall be provided as required in this LDR.

Visibility at intersections. Visibility at intersections shall be provided as required in this LDR.

R-4, MULTIFAMILY RESIDENTIAL DISTRICT

Intent. The R-4, Multifamily Residential District is a high density multiple-family residential district that permits mixed housing and encourages new development concepts. It is appropriate for developing large and small land parcels and as a buffer between single-family and business districts. Building height limitations are imposed to preserve lower building profiles in outlying residential areas.

Permitted uses.

Playfields

Playgrounds

Public parks

Recreation buildings and complexes for residents and guests in a residential development

Single-family dwellings detached and attached

Duplex and multifamily dwellings including townhouses, apartments and condominiums

Permitted accessory uses.

Attached dwelling

Garages

Gazebos

Incidental uses

On-site rental or manager's office for community association members' properties. "Community association" means a residential homeowners association in which membership is a condition of ownership of a unit in a planned unit development, or of a lot for a home or mobile home, or of a townhouse, villa, condominium, cooperative, or other residential unit which is part of a residential development scheme

and which is authorized to impose a fee which may become a lien on the parcel. The following limitations shall be placed on the aforesaid rental or manager's office:

(1) Said rental or manager's office may not be used in any way to promote the rental of or conduct transactions for the rental of noncommunity association members' properties;

(2) The aforesaid rental or manager's office may only be used to rent or manage community association members' properties that are located on the same site that the rental or manager's office is located;

(3) Said rental or manager's office staffing be limited to two persons either working full or part time to handle rental of association members' properties and one person working full or part time to act as clerical assistant;

(4) Said rental or manager's office shall be allowed to erect a sign to comply with F.S. § 475.22.

On-site temporary sales and brokerage offices and display models for residential dwelling units that are newly constructed, that have never been occupied for residential purposes, and have never been sold.

On-site temporary sales and brokerage structures to be used as a sales office for dwelling units planned to be constructed or under construction. The following limitations and regulations shall be placed on the aforedescribed on-site sales and brokerage offices and temporary sales and brokerage structures:

(1) Said sales and brokerage offices shall only be used to promote the sales of newly constructed dwelling units (to wit: units that have never previously been occupied for residential purposes or never sold by the developer) and part of an approved site plan located on the same site as the office;

(2) Said sales and brokerage offices shall only be used to sell residential dwelling units located on the same site as the sales office;

(3) Said sales and brokerage offices shall only have one sign not to exceed ten square feet in area in addition to the allowable signs indicated in [sub]section 604.14 of this LDR;

(4) Said sales and brokerage offices shall be allowed within a development upon issuance of a certificate of occupancy for the offices by the development division director or his/her designee and said sales office must be removed from the site upon the issuance of a certificate of occupancy for the last building to be constructed within a development; and

(5) The following additional limitations and regulations shall be placed on the aforedescribed on-site temporary sales and brokerage structures:

(a) Said sales and brokerage structures shall have a minimum floor area of 300 square feet and shall not have been formerly a travel trailer, camper, recreational vehicle or tractor-trailer trailer;

(b) The perimeter of the area between the ground and floor level of the sales and brokerage structures shall be enclosed with ornamental skirting;

(c) Said sales and brokerage structures must be located on the site such that it meets the minimum setback requirements;

(d) A minimum of three parking spaces must be provided for the sales and brokerage structures or the minimum number of parking spaces required for an office, whichever is greater. Said parking spaces and access aisle must meet the requirements of [sub]section 604.10 within this LDR except an alternate surfacing agent, such as shell or mulch, may be used;

(e) A minimum ten-foot-wide and six-foot-high natural vegetative buffer shall be maintained along the front, side and rear of the sales and brokerage structure, parking area and any accessory structures. Should no buffer exist, a ten-foot-wide buffer, meeting the requirements of [sub]section 604.05 E.(1) must be planted along the front, sides and rear of the sales and brokerage structure, parking area and accessory structures. Buffer areas are not required to be irrigated with an underground automatic system but must be regularly irrigated to maintain the vegetation;

(f) No sales and brokerage structure shall be allowed on a site until all permits as required by all federal, state, and county agencies have been secured and the site plan for the proposed permanent use has been approved and a class I site plan has been approved for the use of a temporary sales and brokerage structure; and

(g) Said sales and brokerage structures shall not remain on a site longer than one year from the date a certificate of occupancy is issued for said sales office or until a certificate of occupancy is issued for the first building within the development, whichever comes first. Upon removal of the sales and brokerage structure, the developer may maintain an on-site temporary sales and brokerage office within the dwelling unit(s).

Permitted home occupations

Storage sheds

Swimming pools, private, provided a principal structure exists and the pool is located behind the front plane of the principal structure. Corner lots will be considered to have two front planes, one on each street. If a structure is not constructed squarely on a parcel, the swimming pool must be located at or behind the most restrictive front plane of the principal structure.

Type 1: Government facilities, schools, and houses of worship excluding country clubs and golf courses subject to the following conditions:

Generating no more than 500 daily users

Side and rear setbacks of no less than 25 feet

Uses customarily associated with the permitted principal uses

Conditional Uses

Type 2, Type 3 and Type 4: Government facilities, schools, and houses of worship excluding country clubs and golf courses are allowed at higher intensities subject to subject to the following conditions:

Type 2: Generating no more than 500 daily users

Side and rear setbacks are no less than 20 feet

The facility complies with the 15-foot buffer in the Standard Conditional Use Requirements below

Type 3: 500–1,200 daily users

Side and rear setbacks are no less than 20 feet

The facility complies with both Standard Conditional Use Requirements below

Type 4: More Than 1,200 daily users

Side and rear setbacks are no less than 20 feet

The facility is located on and accessible by an arterial or collector roadway

The facility complies with both Standard Conditional Use Requirements below

Standard Conditional Use Requirements

(5) Traffic Study (Applies to Type 3 and Type 4)

a. A traffic study meeting the guidelines of this LDR must be completed by a licensed engineer demonstrating that all impacted roads and intersections maintain LOS D during peak operating hours.

(6) Landscape Buffer Adjacent to Residential Property (Applies to Type 2, Type 3 and Type 4)

a. Where such facilities abut residentially zoned or used property, a landscape buffer and opaque fence or wall shall be provided to screen buildings, parking areas, outdoor activity areas, and service areas from view at grade.

(1) Minimum width: 15 feet

(2) Composition: 20% trees, 60% shrubs/hedges, 20% materials from §604.05(B)(2),(3),(4),(6)

(3) No monoculture; no species >50%

(4) Must achieve 80% opacity within 2 years

(5) Plant materials must be Florida-friendly, wind-resistant, and suitable for coastal conditions, emphasizing native species

(6) Continuous maintenance; dead/damaged material replaced within 90 days

(7) Opaque walls/fences must be installed that are a minimum of 6 feet high and located between the primary structure and the required plantings

(8) Shrubs/vines planted ≤10 feet apart

(9) All plantings must be outside utility easements

(10) Buffers must be designed by a professional and approved by the City Manager or their designee

Type	Type 1	Type 2	Type 3	Type 4
Use	Permitted	Conditional	Conditional	Conditional
Daily Users	500	500	500-1,200	>1,200
All Setbacks	25 ft	20 ft	20 ft	20 ft
Additional Requirements	None	Buffers	Traffic Study and Buffers	Traffic Study, Buffers and Access to Collector or Arterial Road

Child day cares on a house of worship properties are subject to the following additional conditions:

(1) The house of worship property shall be located on and be accessible by an arterial or collector roadway.

(2) Play areas shall be fenced and landscaped. The landscaping shall have a vegetative hedge that will reach six feet in height within two years that is planted a minimum of three feet on center.

(3) Play areas shall be located within all applicable setback dimensions.

(4) The house of worship property shall have a vehicular drop off and pickup area with a minimum [of] 100 feet of drive lane outside of the public right-of-way, or sufficient parking area to provide enough space to fit the required parking and provided space for drop off and pick up.

Special exceptions. Special exception uses shall be located at least 25 feet from all property lines, and off-street parking areas abutting residential property, shall be screened by a buffer meeting the requirements of this LDR

Adult congregate living facilities

~~Child day care on house of worship property, subject to the following additional conditions:~~

~~(1) The house of worship property shall be located on and be accessible by an arterial or collector roadway.~~

~~(2) Play areas shall be fenced and landscaped. The landscaping shall have a vegetative hedge that will reach six feet in height within two years that is planted a minimum of three feet on center.~~

~~(3) Play areas shall be located within all applicable setback dimensions.~~

~~(4) The house of worship property shall have a vehicular drop off and pickup area with a minimum [of] 100 feet of drive lane outside of the public right-of-way, or sufficient parking area to provide enough space to fit the required parking and provided space for drop off and pick up.~~

Day care centers subject to compliance with F.A.C. Child Care Standards and any amendments adopted thereto

~~Facilities owned and/or operated by federal, state, county, or municipal government, except country clubs and golf courses~~

~~House of worship~~

Nursing homes

~~Public and private schools~~

Semipublic and public clubs including halls and lodges

Dimensional requirements.

Single-family dwellings detached and duplexes.

Minimum lot size.

Single-family dwellings detached.

Area: 5,000 square feet

Depth: 100 feet

Width: 50 feet

Duplex.

Area: 7,500 square feet

Depth: 100 feet

Width: 75 feet

Minimum yard size.

Front yard: 20 feet or as required per [sub]section 504.01M. of this LDR

Rear yard: 7.5 feet

Side yard: 7.5 feet

Corner lots.

(1) Parcels which front on two streets shall provide a 20-foot front yard on the street frontage with driveway access and a ten-foot front yard on the other street, or as required per [sub]section 504.01M. of this LDR.

(2) Parcels fronting on three streets shall provide a 20-foot front yard on the street frontage with driveway access and a ten-foot front yard on the remaining streets, or as required per [sub]section 504.01M. of this LDR.

Minimum floor area.

600 square feet of liveable area for single-family dwellings detached

1,100 square feet of liveable area for duplexes

Maximum principal building height.

Three stories.

Maximum height: 35 feet.

Maximum building coverage. The total area covered with buildings on any lot shall not exceed 40 percent of the total lot area.

Screen enclosures. As an exception to the maximum building coverage provision any parcel may be allowed an additional ten percent building coverage for only a screen pool enclosure if the following conditions are met:

1. A screen pool enclosure shall only cover the swimming pool and surrounding pool deck and shall have a roof and walls consisting entirely of screening; and
2. There shall be no variances granted to exceed the maximum building coverage or additional coverage allowed for screen enclosures.

Maximum impervious lot coverage. The total area of the lot that may be covered with impervious material is 60 percent.

Multifamily dwellings.

Minimum project site dimensions.

Width: 100 feet

Depth: 100 feet

Maximum dwelling unit density for all dwelling units. Twelve dwelling units per acre beachside and 18 units per acre mainland. No less than 3,630 square feet of lot area for each beachside dwelling unit and 2,420 square feet of lot area for each mainland dwelling unit.

Minimum building separation. Where two or more multifamily dwellings, single-family dwellings attached or detached, duplexes, apartments, condominiums, townhouses are built on one parcel, there shall be a separation of at least 20 feet between the buildings plus 1.5 additional feet for each five feet of building height over 20 feet, when buildings vary in height, said distance to be based on the highest building. (For example: if there is a 20-foot-tall building and a 25-foot-tall building, the separation must be 21.5 feet.)

Streets. Public and private streets shall be constructed in accordance with city subdivision regulations and design standards.

Minimum yard requirements.

Front: 20 feet, plus 1.5 feet for each five feet over 30 feet in building height, or as required per [sub]section 504.01M. of this LDR

Rear: 20 feet, plus 1.5 feet for each five feet for over 30 feet in building height

Side:

(1) For projects with six or fewer units, the minimum side setback shall be ten feet on each side, plus 1.5 feet for each five feet over 30 feet in building height;

(2) For projects with more than six units but fewer than 12, the minimum side setback shall be 15 feet on each side, plus 1.5 feet for each five feet over 30 feet in building height; and

(3) For projects with 12 or more units, the minimum side setback shall be 20 feet on each side, plus 1.5 feet for each five feet over 30 feet in building height.

Waterfront: 20 feet on river or canal measured from bulkhead or mean high water line.

Any yard in project over ten acres: 25 feet plus 1.5 feet for each five feet over 30 feet in building height or as required per [sub]section 504.01M. of this LDR.

Minimum requirements for townhouses and townhouse lots.

1. All lots shall be adjacent to a public right-of-way or common area.
2. Lots shall have a minimum width of 20 feet where a living unit is to be located.
3. Lot frontage along a right-of-way or common area shall be a minimum of ten feet.
4. Front setback shall be 20 feet or as required per [sub]section 504.01M. of this LDR.
5. Side setbacks shall be zero feet.
6. Rear setbacks shall be 20 feet except if there is a landscaped common area behind the townhome and there is a minimum distance of 20 feet from the project boundary line and the dwelling unit or accessory structures.

Minimum floor area for all dwelling units subject to multifamily development requirements.

Single-family dwellings detached. 600 square feet of livable area for one and two-bedroom dwelling units; 1,200 square feet of livable area for a three-bedroom dwelling unit; and 1,300 square feet of livable area for a four-bedroom dwelling unit.

Duplexes (combined units). 1,100 square feet of livable area.

Townhouses, apartments, and condominiums.

450 square feet of livable area for a one-bedroom unit;

550 square feet of livable area for a two-bedroom unit; and

700 square feet of livable area for a three-bedroom unit.

Maximum building length and width. Building facades parallel to the street upon which the building fronts, or parallel to the oceanfront, shall not exceed 150 feet in length. No building constructed after the effective date of this LDR shall have a dimension that exceeds 200 feet.

Maximum principal building height.

Single-family dwellings detached and attached and duplexes.

Three stories.

Maximum height: 35 feet.

Multifamily dwellings.

Four stories.

Maximum height: 45 feet.

Maximum lot coverage by all buildings. The coverage of a lot or total project by all principal and accessory buildings shall not exceed 35 percent.

Maximum impervious lot coverage. The total area of the property that may be covered with impervious material is 60 percent.

Through lots. Through lots shall provide a 20-foot front yard on each street or as required per [sub]section 504.01M. of this LDR.

Atypical lots. Visibility triangles shall be established at the rear corners of an atypical lot. The visibility triangles shall be those areas formed by a line connecting the points 30 feet from the intersection of the side and rear lot line and 30 feet from the intersection of the side and rear lot line along the rear lot line; no principal or accessory structure having a height over four feet, except for incidental uses, shall protrude into the area of a visibility triangle.

Building projections. There shall be no building projections into any required yard except for eaves with a maximum projection of 42 inches, but no closer than five feet to a property line; and those structures allowed in [sub]section 804.03.

Off-street parking. Multifamily projects which include different zoning districts, and where the multifamily portion of the development constitutes the principal use of the overall project, may utilize property in the nonmultifamily zoning district for accessory major recreational equipment parking, as long as such property is located within the project boundaries. The parking shall be developed in accordance with all applicable requirements of the land development regulations.

Covered off-street garage parking. Covered off-street garage parking may be provided either within or outside of the principal building(s). If the entire first story of the principal building(s) is used only for covered off-street garage parking, the principal building(s) may be four stories, but shall not exceed a maximum building height of 45 feet. If covered off-street garage parking is provided outside the outer walls of the principal building(s), it may be considered open landscaped area if it has a landscaped periphery and the roof is used for recreational purposes. Covered off-street garage parking located outside the principal building(s) and considered open landscaped area, is not included in the maximum percentage lot coverage calculation for solid roofed areas. Landscaping shall be provided as required in this LDR.

Visibility at intersections. Visibility at intersections shall be provided as required in this LDR.

Buffers for multifamily development. Landscaped or natural vegetative buffers shall be provided as indicated in [sub]section 604.05 and as follows:

(1) Along front, rear, and side lot lines where off-street parking areas are located, the buffer shall be a minimum of seven feet wide; and

(2) [Adjacent] Accent to or facing a single-family residential district or use, the buffer shall be a minimum of 20 feet wide from the property line.

Landscaping. A landscape plan is required as described in this LDR.

Deed covenants. The developer shall supply in writing all covenants and restrictions that will govern the maintenance of the common open space and other aspects of the project that are necessary for welfare of the project and consistent with the best interest of New Smyrna Beach. Such legal instruments shall be submitted with

the site plan and approved by the city legal department prior to the issuance of a building permit by the chief building official.

Use of recreational amenities and/or commonly-owned facilities incidental to commercial and residential living accommodations. Use of all recreational amenities and/or commonly-owned facilities by the owner, the owner's guests, lessees, or invitees, shall be limited to that period of time concurrent with the owner's exclusive right of use, possession and occupancy of the residential unit. It shall be unlawful for any person to represent by contract for purchase, promotional material, advertising or any other public statement, that amenities and/or commonly-owned facilities may be used contrary to the requirements of the New Smyrna Beach land development regulations. This subsection does not prohibit the establishment of permitted accessory uses at commonly-owned facilities if such uses are in compliance with all the other requisites required by the New Smyrna Beach land development regulations.

R-5, MULTIFAMILY RESIDENTIAL DISTRICT

Intent. The R-5, Multifamily Residential District is a high density multiple-family residential district that permits mixed housing. It is suitable for large and small land parcels and is a buffer between single-family and business districts and for older residential areas. In addition, the district is designed to preserve ocean views and breezes, enhance roadside appearance and encourage well-planned projects.

Permitted uses.

Playfields

Playgrounds

Public parks

Recreation buildings and complexes for residents and guests of a residential development single-family dwellings detached and attached

Duplex and multifamily dwellings including townhouses, apartments, and condominiums

Permitted accessory uses.

Garages

Gazebos

Incidental uses

On-site rental or manager's office for community association members' properties. Community association means a residential homeowners association in which membership is a condition of ownership of a unit in a planned unit development, or of a lot for a home or mobile home, or of a townhouse, villa, condominium, cooperative, or other residential unit which is part of a residential development scheme and which is authorized to impose a fee which may become a lien on the parcel. The following limitations shall be placed on the aforesaid rental or manager's office:

(1) Said rental or manager's office may not be used in any way to promote the rental of or conduct transactions for the rental of noncommunity association members' properties;

(2) The aforesaid rental or manager's office may only be used to rent or manage community association members properties that are located on the same site that the rental or manager's office is located;

(3) Said rental or manager's office staffing be limited to two persons either working full- or part-time to handle rental of association members' properties and one person working full- or part-time to act as clerical assistant;

(4) Said rental or manager's office shall be allowed to erect a sign to comply with F.S. § 475.22.

On-site temporary sales and brokerage offices and display models for residential dwelling units that are newly constructed, that have never been occupied for residential purposes, and have never been sold.

On-site temporary sales and brokerage structures to be used as a sales office for dwelling units planned to be constructed or under construction. The following limitations and regulations shall be placed on the aforedescribed on-site sales and brokerage offices and temporary sales and brokerage structures:

(1) Said sales and brokerage offices shall only be used to promote the sales of newly constructed dwelling units (to wit: units that have never previously been occupied for residential purposes or never sold by the developer) and part of an approved site plan located on the same site as the office;

(2) Said sales and brokerage offices shall only be used to sell residential dwelling units located on the same site as the sales office;

(3) Said sales and brokerage offices may only have one sign not to exceed ten square feet in area in addition to the allowable signs indicated in [sub]section 604.14 of this LDR;

(4) Said sales and brokerage offices shall be allowed within a development upon issuance of a certificate of occupancy for the offices by the development division director or his/her designee and said sales office must be removed from the site upon the issuance of a certificate of occupancy for the last building to be constructed within a development; and

(5) The following additional limitations and regulations shall be placed on the aforedescribed on-site temporary sales and brokerage structures:

(a) Said sales and brokerage structures shall have a minimum floor area of 300 square feet and shall not have been formerly a travel trailer, camper, recreational vehicle or tractor-trailer trailer;

(b) The perimeter of the area between the ground and floor level of the sales and brokerage structures shall be enclosed with ornamental skirting;

(c) Said sales and brokerage structures must be located on the site such that it meets the minimum setback requirements;

(d) A minimum of three parking spaces must be provided for the sales and brokerage structures or the minimum number of parking spaces required for an office, whichever is greater. Said parking spaces and access aisle must meet the requirements of [sub]section 604.10 within this LDR except an alternate surfacing agent, such as shell or mulch, may be used;

(e) A minimum ten-foot-wide and six-foot-high natural vegetative buffer shall be maintained along the front, side and rear of the sales and brokerage structure, parking area and any accessory structures. Should no buffer exist, a ten-foot-wide buffer, meeting the requirements of [sub]section 604.05 E.(1) must be planted along the front, sides and rear of the sales and brokerage structure, parking area and accessory structures. Buffer areas are not required to be irrigated with an underground automatic system but must be regularly irrigated to maintain the vegetation;

(f) No sales and brokerage structure shall be allowed on a site until all permits as required by all federal, state, and county agencies have been secured; and the site plan for the proposed permanent use has been approved; and a class I site plan has been approved for the use of a temporary sales and brokerage structure; and

(g) Said sales and brokerage structures shall not remain on a site longer than one year from the date a certificate of occupancy is issued for said sales office or until a certificate of

occupancy is issued for the first building within the development, whichever comes first. Upon removal of the sales and brokerage structure, the developer may maintain an on-site temporary sales and brokerage office within the dwelling unit(s).

Permitted home occupations

Storage sheds

Swimming pools, private, provided a principal structure exists and the pool is located behind the front plane of the principal structure. Corner lots will be considered to have two front planes, one on each street. If a structure is not constructed squarely on a parcel, the swimming pool must be located at or behind the most restrictive front plane of the principal structure.

Type 1: Government facilities, schools, and houses of worship excluding country clubs and golf courses subject to the following conditions:

Generating no more than 500 daily users

Side and rear setbacks of no less than 25 feet

Uses customarily associated with the permitted principal uses

Conditional Uses

Type 2, Type 3 and Type 4: Government facilities, schools, and houses of worship excluding country clubs and golf courses are allowed at higher intensities subject to subject to the following conditions:

Type 2: Generating no more than 500 daily users

Side and rear setbacks are no less than 20 feet

The facility complies with the 15-foot buffer in the Standard Conditional Use Requirements below

Type 3: 500–1,200 daily users

Side and rear setbacks are no less than 20 feet

The facility complies with both Standard Conditional Use Requirements below

Type 4: More Than 1,200 daily users

Side and rear setbacks are no less than 20 feet

The facility is located on and accessible by an arterial or collector roadway

The facility complies with both Standard Conditional Use Requirements below

Standard Conditional Use Requirements

(7) Traffic Study (Applies to Type 3 and Type 4)

d. A traffic study meeting the guidelines of this LDR must be completed by a licensed engineer demonstrating that all impacted roads and intersections maintain LOS D during peak operating hours.

(8) Landscape Buffer Adjacent to Residential Property (Applies to Type 2, Type 3 and Type 4)

d. Where such facilities abut residentially zoned or used property, a landscape buffer and opaque fence or wall shall be provided to screen buildings, parking areas, outdoor activity areas, and service areas from view at grade.

(11) Minimum width: 15 feet

(12) Composition: 20% trees, 60% shrubs/hedges, 20% materials from §604.05(B)(2),(3),(4),(6)

(13) No monoculture; no species >50%

(14) Must achieve 80% opacity within 2 years

(15) Plant materials must be Florida-friendly, wind-resistant, and suitable for coastal conditions, emphasizing native species

(16) Continuous maintenance; dead/damaged material replaced within 90 days

(17) Opaque walls/fences must be installed that are a minimum of 6 feet high and located between the primary structure and the required plantings

(18) Shrubs/vines planted ≤10 feet apart

(19) All plantings must be outside utility easements

(20) Buffers must be designed by a professional and approved by the City Manager or their designee

Type	Type 1	Type 2	Type 3	Type 4
Use	Permitted	Conditional	Conditional	Conditional
Daily Users	500	500	500-1,200	>1,200
All Setbacks	25 ft	20 ft	20 ft	20 ft
Additional Requirements	None	Buffers	Traffic Study and Buffers	Traffic Study, Buffers and Access to Collector or Arterial Road

Child day cares on a house of worship properties are subject to the following additional conditions:

(1) The house of worship property shall be located on and be accessible by an arterial or collector roadway.

(2) Play areas shall be fenced and landscaped. The landscaping shall have a vegetative hedge that will reach six feet in height within two years that is planted a minimum of three feet on center.

(3) Play areas shall be located within all applicable setback dimensions.

(4) The house of worship property shall have a vehicular drop off and pickup area with a minimum [of] 100 feet of drive lane outside of the public right-of-way, or sufficient parking area to provide enough space to fit the required parking and provided space for drop off and pick up.

Special exceptions. Special exception uses shall be located at least 25 feet from all property lines and off-street parking areas abutting residential property shall be screened by a buffer meeting the requirements of this LDR.

Adult congregate living facilities

~~Child day care on house of worship property, subject to the following additional conditions:~~

~~(1) The house of worship property shall be located on and be accessible by an arterial or collector roadway.~~

~~(2) Play areas shall be fenced and landscaped. The landscaping shall have a vegetative hedge that will reach six feet in height within two years that is planted a minimum of three feet on center.~~

~~(3) Play areas shall be located within all applicable setback dimensions.~~

~~(4) The house of worship property shall have a vehicular drop off and pickup area with a minimum [of] 100 feet of drive lane outside of the public right-of-way, or sufficient parking area to provide enough space to fit the required parking and provided space for drop off and pick up.~~

Day care centers subject to compliance with the F.A.C. Child Care Standards and any amendments adopted thereto

~~Facilities owned and/or operated by federal, state, county or municipal government, except country clubs and golf courses~~

Garage apartments

~~House of worship~~

Nursing homes

~~Public and private schools~~

~~Schools~~

Semipublic and public clubs including halls and lodges.

Dimensional requirements.

Single-family dwellings detached and duplexes.

Minimum lot size.

Single-family dwelling detached.

Area: 5,000 square feet

Depth: 100 feet

Width: 50 feet

Duplex.

Area: 7,500 square feet

Depth: 100 feet

Width: 75 feet

Minimum yard size.

Front yard: 20 feet or as required per [sub]section 504.01M. of this LDR

Rear yard: 7.5 feet

Side yard: 7.5 feet

Corner lots.

(1) Parcels which front on two streets shall provide a 20-foot front yard on the street frontage with driveway access and a ten-foot front yard on the other street or as required per [sub]section 504.01M. of this LDR.

(2) Parcels fronting on three streets shall provide a 20-foot front yard on the street frontage with driveway access and a ten-foot front yard on the remaining streets or as required per [sub]section 504.01M. of this LDR.

Minimum floor area.

600 square feet of livable area for single-family dwellings detached.

1,100 square feet of livable area for duplexes.

Maximum principal building height.

Three stories.

Maximum height: 35 feet.

Maximum building coverage. The total area covered with buildings on any lot shall not exceed 40 percent of the total lot area.

Screen enclosures. As an exception to the maximum building coverage provision any parcel may be allowed an additional ten percent building coverage for only a screen pool enclosure if the following conditions are met:

1. A screen pool enclosure shall only cover the swimming pool and surrounding pool deck and shall have a roof and walls consisting entirely of screening; and
2. There shall be no variances granted to exceed the maximum building coverage or additional coverage allowed for screen enclosures.

Maximum impervious lot coverage. The total area of the lot that may be covered with impervious material is 60 percent.

Multifamily dwelling.

Minimum project site dimensions.

Width: 100 feet

Depth: 100 feet

Maximum dwelling unit density for all dwelling units. Twelve dwelling units per acre beachside and 18 units per acre mainland. No less than 3,630 square feet of lot area for each beachside dwelling unit and 2,420 square feet for each mainland dwelling unit.

Minimum building separation. Where two or more multifamily dwellings, single-family dwellings attached or detached, duplexes, apartments, condominiums, [or] townhouses are built on one parcel there shall be a separation of at least 20 feet between the buildings plus 1.5 additional feet for each five feet of building height over 20 feet. When buildings vary in height, said distance to be based on the highest building. (For example: The distance between a 20-foot-tall and 25-foot-tall building shall be 21.5 feet.)

Streets. Public and private streets shall be constructed in accordance with city subdivision regulations.

Minimum yard requirements.

Front: 20 feet, plus 1.5 feet for every five feet over 30 feet in building height, or as required per [sub]-section 504.01M. of this LDR

Rear: 20 feet, plus 1.5 feet for every five feet over 30 feet in building height

Side:

(1) For projects with six or fewer units, the minimum side setback shall be ten feet on each side, plus 1.5 feet for each five feet over 30 feet in building height;

(2) For projects with more than six units but fewer than 12, the minimum side setback shall be 15 feet on each side, plus 1.5 feet for each five feet over 30 feet in building height; and

(3) For projects with 12 or more units, the minimum side setback shall be 20 feet on each side, plus 1.5 feet for each five feet over 30 feet in building height.

Waterfront: 20 feet on river or canal measured from bulkhead or mean high water line

Any yard in 25 in project over ten acres: 25 feet plus 1.5 feet for each five feet over 30 feet in building height or as required per [sub]section 504.01M. of this LDR

Minimum requirements for townhouses and townhouse lots.

All lots shall be adjacent to a public right-of-way or common area.

Lots shall have a minimum width of 20 feet where a living unit is to be located.

Lot frontage along a right-of-way or common area shall be a minimum of ten feet.

Front setback shall be 20 feet or as required per [sub]section 504.01M. of this LDR.

Side setbacks shall be zero feet.

Rear setbacks shall be 20 feet except if there is a landscaped common area behind the townhome and there is a minimum distance of 20 feet from the project boundary line and the dwelling unit or accessory structures.

Minimum floor area for all dwelling units subject to multifamily development requirements.

Single-family dwellings detached. 600 square feet of livable area for one and two-bedroom single-family dwelling units; 1,200 square feet of livable area for a three-bedroom single-family dwelling unit; and 1,300 square feet of livable area for a four-bedroom single-family dwelling unit.

Duplexes (combined units). 1,100 square feet of livable area.

Townhouses, apartments, and condominiums.

450 square feet of livable area for a one-bedroom unit;

550 square feet of livable area for a two-bedroom unit; and

700 square feet of livable area for a three-bedroom unit.

Maximum building length and width. Building facades parallel to the street upon which the building fronts, or parallel to the oceanfront, shall not exceed 150 feet in length. No building constructed after the effective date of this LDR shall have a dimension which exceeds 200 feet.

Maximum principal building height.

Eight stories.

Maximum building height: 80 feet.

Nine stories, provided all of the first story of the building, or that portion of the first story of a building containing nine stories, is used for off-street parking, excluding elevator shafts; maintenance, and utility equipment rooms; laundry rooms; and storage rooms, restricted to owner or tenant usage.

Maximum building height with garage parking: 95 feet.

Maximum lot coverage by all buildings.

Height of Buildings (stories)	Maximum percentage of covered [area] (includes all solid roofed areas)
1	35
2	30
3	28
4	26
5	24
6	21
7	18
8	15
9	15

Maximum impervious lot coverage. The total area of the lot that may be covered with impervious material is 60 percent.

Through lots. Through lots shall provide a 20-foot front yard on each street or as required per [sub]section 504.01M. of this LDR.

Atypical lots. Visibility triangles shall be established at the rear corners of an atypical lot. The visibility triangles shall be those areas formed by a line connecting the points 30 feet from the intersection of the side and rear lot line, along the side lot line, and 30 feet from the intersection of the side and rear lot line along the rear lot line; no principal or accessory structure having a height over four feet, except for incidental uses, shall protrude into the area of a visibility triangle.

Building projections. There shall be no building projections into any required yard except for eaves with a maximum projection of 42 inches, but no closer than five feet to a property line; and those structures allowed in [sub]section 804.03.

Off-street parking. Multifamily projects which include different zoning districts, and where the multifamily portion of the development constitutes the principal use of the overall project, may utilize property in the nonmultifamily zoning district for accessory major recreational equipment parking, as long as such property is located within the project boundaries. The parking shall be developed in accordance with all applicable requirements of the land development regulations.

Covered off-street garage parking. Covered off-street garage parking may be provided either within or outside of the principal building(s). If the entire first story of the principal building(s) is used only for covered off-street garage parking, the principal building(s) may be nine stories but shall not exceed a maximum building height of 95 feet. If covered off-street garage parking is provided outside the outer walls of the principal building(s), it may be considered open landscaped area if it has a landscaped periphery and the roof is used for recreation purposes. Covered off-street garage parking located outside the principal building(s) and considered open landscaped area is not included in the maximum percentage lot coverage calculation for solid roofed areas. Landscaping shall be provided as required in this LDR.

Visibility at intersections. Visibility at intersections shall be provided as required in this LDR.

Buffers for multifamily development. Landscaped or natural vegetative buffers shall be provided as indicated in [sub]section 604.05 and as follows:

(1) Along the front, rear, and side lot lines where off-street parking areas are located, the buffer shall be a minimum of seven feet wide; and

(2) Adjacent to or facing a single-family residential district or use, the buffer shall be a minimum of 20 feet wide from the property line.

Landscaping. A landscape plan is required as described in this LDR.

Deed covenants. The developer shall supply, in writing, all covenants and restrictions that will govern the maintenance of the common open space and other aspects of the project that are necessary for welfare of the project and consistent with the best interest of New Smyrna Beach. Such legal instruments shall be submitted with the site plan and approved by the city legal department prior to the issuance of a building permit by the chief building official.

Use of recreational amenities and/or commonly-owned facilities incidental to commercial and residential living accommodations. Use of all recreational amenities and/or commonly-owned facilities by the owner, the owner's guests, lessees, or invitees, shall be limited to that period of time concurrent with the owner's exclusive right of use, possession, and occupancy of the residential unit. It shall be unlawful for any person to represent by contract for purchase, promotional material, advertising, or any other public statement that amenities and/or commonly-owned facilities, may be used contrary to the requirements of the New Smyrna Beach Land Development Regulations. This subsection does not prohibit the establishment of permitted accessory uses at commonly owned facilities if such uses are in compliance with all the other requisites required by the New Smyrna Beach land development regulations.

R-6, MULTIFAMILY RESIDENTIAL DISTRICT

Intent. The R-6, Multifamily Residential District is a high density residential district with ocean frontage. Density requirements permit intermixing of dwelling types and considerable flexibility in project design. Innovative site planning is essential to assure buildings are placed in such a manner that maximum benefits are derived from ocean views and breezes.

Permitted uses.

Playfields

Playgrounds

Public parks

Recreation buildings and complexes for residents and guests of a residential development

Single-family dwellings detached and attached

Duplex and multifamily dwellings including townhouses, apartments, and condominiums

Permitted accessory uses.

Garages

Gazebos

Incidental uses

On-site rental or manager's office for community association members' properties. Community association means a residential homeowners association in which membership is a condition of ownership of a unit in a planned unit development, or of a lot for a home or mobile home, or of a townhouse, villa, condominium, cooperative, or other residential unit which is part of a residential development scheme and which is authorized to impose a fee which may become a lien on the parcel. The following limitations shall be placed on the aforesaid rental or manager's office:

(1) Said rental or manager's office may not be used in any way to promote the rental of or conduct transactions for the rental of noncommunity association members' properties;

(2) The aforesaid rental or manager's office may only be used to rent or manage community association members' properties that are located on the same site that the rental or manager's office is located;

(3) Said rental or manager's office staffing be limited to two persons either working full- or part-time to handle rental of association members' properties and one person working full- or part-time to act as clerical assistant;

(4) Said rental or manager's office shall be allowed to erect a sign to comply with F.S. § 475.22.

On-site temporary sales and brokerage offices and display models for residential dwelling units that are newly constructed, that have never been occupied for residential purposes, and have never been sold.

On-site temporary sales and brokerage structures to be used as a sales office for dwelling units planned to be constructed or under construction. The following limitations and regulations shall be placed on the aforedescribed on-site sales and brokerage offices and temporary sales and brokerage structures:

(1) Said sales and brokerage offices shall only be used to promote the sales of newly constructed dwelling units (to wit: units that have never previously been occupied for residential purposes or never sold by the developer) and part of an approved site plan located on the same site as the office;

(2) Said sales and brokerage offices shall only be used to sell residential dwelling units located on the same site as the sales office;

(3) Said sales and brokerage offices may only have one sign not to exceed ten square feet in area in addition to the allowable signs indicated in [sub]section 604.14 of this LDR;

(4) Said sales and brokerage offices shall be allowed within a development upon issuance of a certificate of occupancy for the offices by the development division director or his/her designee and said sales office must be removed from the site upon the issuance of a certificate of occupancy for the last building to be constructed within a development; and

(5) The following additional limitations and regulations shall be placed on the aforedescribed on-site temporary sales and brokerage structures:

(a) Said sales and brokerage structures shall have a minimum floor area of 300 square feet and shall not have been formerly a travel trailer, camper, recreational vehicle or tractor-trailer trailer;

(b) The perimeter of the area between the ground and floor level of the sales and brokerage structures shall be enclosed with ornamental skirting;

(c) Said sales and brokerage structures must be located on the site such that it meets the minimum setback requirements;

(d) A minimum of three parking spaces must be provided for the sales and brokerage structures or the minimum number of parking spaces required for an office, whichever is greater. Said parking spaces and access aisle must meet the requirements of [sub]section 604.10 within this LDR except an alternate surfacing agent, such as shell or mulch, may be used;

(e) A minimum ten-foot-wide and six-foot-high natural vegetative buffer shall be maintained along the front, side and rear of the sales and brokerage structure, parking area and any accessory structures. Should no buffer exist, a ten-foot-wide buffer, meeting the requirements of [sub]section 604.05 E.(1) must be planted along the front, sides and rear of the sales and brokerage structure, parking area and accessory structures. Buffer areas are not required to be irrigated with an underground automatic system but must be regularly irrigated to maintain the vegetation;

(f) No sales and brokerage structure shall be allowed on a site until all permits as required by all federal, state, and county agencies have been secured; and the site plan for the

proposed permanent use has been approved; and a class I site plan has been approved for the use of a temporary sales and brokerage structure; and

(g) Said sales and brokerage structures shall not remain on a site longer than one year from the date a certificate of occupancy is issued for said sales office or until a certificate of occupancy is issued for the first building within the development, whichever comes first. Upon removal of the sales and brokerage structure, the developer may maintain an on-site temporary sales and brokerage office within the dwelling unit(s).

Permitted home occupations

Storage sheds

Swimming pools, private, provided a principal structure exists and the pool is located behind the front plane of the principal structure. Corner lots will be considered to have two front planes, one on each street. If a structure is not constructed squarely on a parcel, the swimming pool must be located at or behind the most restrictive front plane of the principal structure.

Type 1: Government facilities, schools, and houses of worship excluding country clubs and golf courses subject to the following conditions:

Generating no more than 500 daily users

Side and rear setbacks of no less than 25 feet

Uses customarily associated with the permitted principal uses

Conditional Uses

Type 2, Type 3 and Type 4: Government facilities, schools, and houses of worship excluding country clubs and golf courses are allowed at higher intensities subject to subject to the following conditions:

Type 2: Generating no more than 500 daily users

Side and rear setbacks are no less than 20 feet

The facility complies with the 15-foot buffer in the Standard Conditional Use Requirements below

Type 3: 500–1,200 daily users

Side and rear setbacks are no less than 20 feet

The facility complies with both Standard Conditional Use Requirements below

Type 4: More Than 1,200 daily users

Side and rear setbacks are no less than 20 feet

The facility is located on and accessible by an arterial or collector roadway

The facility complies with both Standard Conditional Use Requirements below

Standard Conditional Use Requirements

(9) Traffic Study (Applies to Type 3 and Type 4)

e. A traffic study meeting the guidelines of this LDR must be completed by a licensed engineer demonstrating that all impacted roads and intersections maintain LOS D during peak operating hours.

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(10) Landscape Buffer Adjacent to Residential Property (Applies to Type 2, Type 3 and Type 4)

e. Where such facilities abut residentially zoned or used property, a landscape buffer and opaque fence or wall shall be provided to screen buildings, parking areas, outdoor activity areas, and service areas from view at grade.

(21) Minimum width: 15 feet

(22) Composition: 20% trees, 60% shrubs/hedges, 20% materials from §604.05(B)(2),(3),(4),(6)

(23) No monoculture; no species >50%

(24) Must achieve 80% opacity within 2 years

(25) Plant materials must be Florida-friendly, wind-resistant, and suitable for coastal conditions, emphasizing native species

(26) Continuous maintenance; dead/damaged material replaced within 90 days

(27) Opaque walls/fences must be installed that are a minimum of 6 feet high and located between the primary structure and the required plantings

(28) Shrubs/vines planted ≤10 feet apart

(29) All plantings must be outside utility easements

(30) Buffers must be designed by a professional and approved by the City Manager or their designee

Type	Type 1	Type 2	Type 3	Type 4
Use	Permitted	Conditional	Conditional	Conditional
Daily Users	500	500	500-1,200	>1,200
All Setbacks	25 ft	20 ft	20 ft	20 ft
Additional Requirements	None	Buffers	Traffic Study and Buffers	Traffic Study, Buffers and Access to Collector or Arterial Road

Child day cares on a house of worship properties are subject to the following additional conditions:

(1) The house of worship property shall be located on and be accessible by an arterial or collector roadway.

(2) Play areas shall be fenced and landscaped. The landscaping shall have a vegetative hedge that will reach six feet in height within two years that is planted a minimum of three feet on center.

(3) Play areas shall be located within all applicable setback dimensions.

(4) The house of worship property shall have a vehicular drop off and pickup area with a minimum [of] 100 feet of drive lane outside of the public right-of-way, or sufficient parking area to provide enough space to fit the required parking and provided space for drop off and pick up.

Special exceptions. Special exception uses shall be located at least 25 feet from all property lines and off-street parking areas abutting residential property shall be screened by a buffer meeting the requirements of this LDR.

Adult congregate living facilities

~~Child day care on house of worship property, subject to the following additional conditions:~~

~~(1) The house of worship property shall be located on and be accessible by an arterial or collector roadway.~~

~~(2) Play areas shall be fenced and landscaped. The landscaping shall have a vegetative hedge that will reach six feet in height within two years that is planted a minimum of three feet on center.~~

~~(3) Play areas shall be located within all applicable setback dimensions.~~

~~(4) The house of worship property shall have a vehicular drop off and pickup area with a minimum [of] 100 feet of drive lane outside of the public right-of-way, or sufficient parking area to provide enough space to fit the required parking and provided space for drop off and pick up.~~

~~Facilities owned and/or operated by federal, state, county, or municipal government, except country clubs and golf courses.~~

Garage apartments

~~House of worship~~

Nursing homes

Rooming houses, provided, that no more than 60 percent of the total floor area in one dwelling is devoted to guest occupancy

Semipublic and public clubs, including halls and lodges

Dimensional requirements.

Single-family dwellings detached and duplexes.

Minimum lot size.

Single-family dwelling detached.

Area: 5,000 feet

Depth: 100 feet

Width: 50 feet

Duplex.

Area: 7,500 feet

Depth: 100 feet

Width: 75 feet

Minimum yard size.

Front yard: 20 feet or as required per [sub]section 504.01M. of this LDR

Rear yard: 7.5 feet

Side yard: 7.5 feet

Corner lots.

(1) Parcels which front on two streets shall provide a 20-foot front yard on the street frontage with driveway access and a ten-foot front yard on the other street or as required per [sub]section 504.01M. of this LDR.

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(2) Parcels fronting on three streets shall provide a 20-foot front yard on the street frontage with driveway access and a ten-foot front yard on the remaining streets or as required per [sub]section 504.01M. of this LDR.

Minimum floor area.

600 square feet of livable area for single-family dwellings detached.

1,100 square feet of livable area for duplexes.

Maximum principal building height.

Three stories.

Maximum height: 35 feet.

Maximum building coverage. The total area covered with buildings on any lot shall not exceed 40 percent of the total lot area.

Screen enclosures. As an exception to the maximum building coverage provision any parcel may be allowed an additional ten percent building coverage for only a screen pool enclosure if the following conditions are met:

1. A screen pool enclosure shall only cover the swimming pool and surrounding pool deck and shall have a roof and walls consisting entirely of screening; and
2. There shall be no variances granted to exceed the maximum building coverage or additional coverage allowed for screen enclosures.

Maximum impervious lot coverage. The total area of the lot that may be covered with impervious material is 60 percent.

Multifamily.

Minimum project site dimensions.

Width: 100 feet

Depth: 100 feet

Maximum dwelling unit density for all dwelling units. 12 dwelling units per acre. No less than 3,630 square feet of lot area for each dwelling unit.

Minimum building separation. Where two or more multifamily dwellings, single-family dwellings attached or detached, duplexes, apartments, condominiums, [or] townhouses are built on one parcel, there shall be a separation of at least 20 feet between the buildings plus 1.5 additional feet for each five feet of building height over 20 feet. When buildings vary in height, said distance shall be based on the tallest building. (For example. The distance required between a 20-foot-[high] and 25-foot-high building is 21.5 feet.)

Minimum yard requirements.

Front: 20 feet, plus 1.5 feet for each five feet of building height over 30 feet

Side:

(1) For projects with six or fewer units, the minimum side setback shall be ten feet on each side, plus 1.5 feet for each five feet over 30 feet in building height;

(2) For projects with more than six units but fewer than 12, the minimum side setback shall be 15 feet on each side, plus 1.5 feet for each five feet over 30 feet in building height; and

(3) For projects with 12 or more units, the minimum side setback shall be 20 feet on each side, plus 1.5 feet for each five feet over 30 feet in building height.

Rear: 20 feet, plus 1.5 feet for each five feet of building height over 30 feet. However, buildings may be built to the City Coastal Construction Setback Line where property ownership extends east of City Coastal Construction Setback Line.

Any yard in project over ten acres: 25 feet plus 1.5 feet for each five feet over 30 feet in building height or as required per [sub]section 504.01M. of this LDR.

Streets. Public and private streets shall be constructed in accordance with city regulations and design standards.

Minimum requirements for townhouses and townhouse lots.

1. All lots shall be adjacent to a public right-of-way or common area.
2. Lots shall have a minimum width of 20 feet where a living unit is to be located.
3. Lot frontage along a right-of-way or common area shall be a minimum of ten feet.
4. Front setback shall be 20 feet or as required per [sub]section 504.01M. of this LDR.
5. Side setbacks shall be zero feet.
6. Rear setbacks shall be 20 feet except if there is a landscaped common area behind the townhome and there is a minimum distance of 20 feet from the project boundary line and the dwelling unit or accessory structures.

Minimum floor area for all dwelling units subject to multifamily development requirements.

Single-family dwellings detached. 600 square feet of livable area.

Duplexes (combined units). 1,100 square feet of livable area.

Townhouses, apartments, and condominiums.

450 square feet of livable area for a one-bedroom unit;

550 square feet of livable area for a two-bedroom unit; and

700 square feet of livable area for a three-bedroom unit.

Maximum building length and width. Building facades parallel to the street upon which the building fronts, or parallel to the oceanfront, shall not exceed 150 feet in length. No building constructed after the effective date of this LDR shall have a dimension which exceeds 200 feet.

Maximum principal building height.

Eight stories.

Maximum building height: 80 feet.

Nine stories, provided, all of the first story of the building, or that portion of the first story of a building containing nine stories, is used for off-street parking, excluding elevator shafts; maintenance, and utility equipment rooms; laundry rooms; and storage rooms, restricted to owner or tenant usage. Maximum building height with garage parking: 95 feet.

Maximum lot coverage by all buildings.

Height of Buildings (stories)	Maximum Percentage of Coverage (includes all solid roofed areas)
1	35
2	30
3	28

4	26
5	24
6	21
7	18
8	15
9	15

Maximum impervious lot coverage. The total area of the lot that may be covered with impervious material is 60 percent.

Through lots. Through lots shall provide a 20-foot front yard on each street or as required per [sub]section 504.01M. of this LDR.

Atypical lots. Visibility triangles shall be established at the rear corners of an atypical lot. The visibility triangles shall be those area[s] formed by a line connecting the points 30 feet from the intersection of the side and rear lot line along the side lot line and 30 feet from the intersection of the side and rear lot line along the rear lot line; no principal or accessory structure having a height over four feet, except incidental uses, shall protrude into the area of a visibility triangle.

Building projections. There shall be no building projections into any required yard except for eaves with a maximum projection of 42 inches, but no closer than five feet to a property line; and those structures allowed in [sub]section 804.03 there shall be no building projections into any required yard.

Off-street parking. Multifamily projects which include different zoning districts, and where the multifamily portion of the development constitutes the principal use of the overall project, may utilize property in the nonmultifamily zoning district for accessory major recreational equipment parking, as long as such property is located within the project boundaries. The parking shall be developed in accordance with all applicable requirements of the land development regulations.

Covered off-street garage parking. Covered off-street garage parking may be provided either within or outside of the principal building(s). If the entire first story of the principal building(s)is used only for covered off-street garage parking, the principal building(s) may be nine stories but shall not exceed a maximum building height of 95 feet. If covered off-street garage parking is provided outside the outer walls of the principal building(s), it may be considered open landscaped area if it has a landscaped periphery and the roof is used for recreational purposes. Covered off-street garage parking located outside the principal building(s) and considered open landscaped area if not included in the maximum percentage lot coverage calculation for solid roofed areas. Landscaping shall be provided as required in this LDR.

Visibility at intersections. Visibility at intersections shall be provided as required in this LDR.

Buffers for multifamily development. Landscaped or natural vegetative buffers shall be provided as indicated in [sub]section 604.05, and as follows:

(1) Along the front, rear, and side lot lines where off-street parking areas are located, the buffer shall be a minimum of seven feet wide; and

(2) Adjacent to or facing a single-family residential district or use, the buffer shall be a minimum of 20 feet wide from the property line.

Landscaping. A landscape plan is required as described in this LDR.

Deed covenants. The developer shall supply in writing all covenants and restrictions that will govern the maintenance of the common open space and other aspects of the project that are necessary for the welfare of the project and consistent with the best interest of New Smyrna Beach. Such legal instruments shall be submitted with

the site plan and approved by the city legal department prior to the issuance of a building permit by the chief building official.

Use of recreational amenities and/or commonly-owned facilities incidental to commercial and residential living accommodations. Use of all recreational amenities and/or commonly-owned facilities by the owner, the owner's guests, lessees, or invitees, shall be limited to that period of time concurrent with the owner's exclusive right of use, possession and occupancy of the residential unit. It shall be unlawful for any person to represent by contract for purchase, promotional material, advertising, or any other public statement, that amenities and/or commonly-owned facilities may be used contrary to the requirements of the New Smyrna Beach Land Development Regulations. This subsection does not prohibit the establishment of permitted accessory uses at commonly-owned facilities if such uses are in compliance with all the other requisites required by the New Smyrna Beach land development regulations.

MH-2, MANUFACTURED HOUSING SUBDIVISION DISTRICT

Intent. The MH-2, Manufactured Housing Subdivision District permits subdivisions for manufactured housing. It provides an opportunity for people to enjoy the comforts of single-family home ownership at a modest cost.

Permitted uses.

Playfields

Playgrounds

Public parks

Recreation buildings and complexes for residents and guests

Single-family detached manufactured dwellings (structures with F.S. ch. 553, Florida Department of Community Affairs Manufactured Housing Insignia)

Single-family doublewide mobile homes (any double-wide mobile home that meets the definition of F.A.C. 9B-1.002(21) and that consists of two or more sections which, when assembled, create a living area with a combined width of at least 24 feet)

Permitted accessory uses and accessory structures.

Garages

Incidental uses

Permitted home occupations

Storage sheds

Swimming pools, private, provided a principal use exists and the pool is located to the rear of the principal structure and out of required rear and side yards

Type 1: Government facilities, schools, and houses of worship excluding country clubs and golf courses subject to the following conditions:

Generating no more than 500 daily users

Side and rear setbacks of no less than 35 feet

Uses customarily associated with the permitted principal uses

Conditional Uses

Type 2, Type 3 and Type 4: Government facilities, schools, and houses of worship excluding country clubs and golf courses are allowed at higher intensities subject to subject to the following conditions:

Type 2: Generating no more than 500 daily users

Side and rear setbacks are no less than 20 feet

The facility complies with the 15-foot buffer in the Standard Conditional Use Requirements below

Type 3: 500–1,200 daily users

Side and rear setbacks are no less than 20 feet

The facility complies with both Standard Conditional Use Requirements below

Type 4: More Than 1,200 daily users

Side and rear setbacks are no less than 20 feet

The facility is located on and accessible by an arterial or collector roadway

The facility complies with both Standard Conditional Use Requirements below

Standard Conditional Use Requirements

(1) Traffic Study (Applies to Type 3 and Type 4)

a. A traffic study meeting the guidelines of this LDR must be completed by a licensed engineer demonstrating that all impacted roads and intersections maintain LOS D during peak operating hours.

(2) Landscape Buffer Adjacent to Residential Property (Applies to Type 2, Type 3 and Type 4)

a. Where such facilities abut residentially zoned or used property, a landscape buffer and opaque fence or wall shall be provided to screen buildings, parking areas, outdoor activity areas, and service areas from view at grade.

(1) Minimum width: 15 feet

(2) Composition: 20% trees, 60% shrubs/hedges, 20% materials from §604.05(B)(2),(3),(4),(6)

(3) No monoculture; no species >50%

(4) Must achieve 80% opacity within 2 years

(5) Plant materials must be Florida-friendly, wind-resistant, and suitable for coastal conditions, emphasizing native species

(6) Continuous maintenance; dead/damaged material replaced within 90 days

(7) Opaque walls/fences must be installed that are a minimum of 6 feet high and located between the primary structure and the required plantings

(8) Shrubs/vines planted ≤10 feet apart

(9) All plantings must be outside utility easements

(10) Buffers must be designed by a professional and approved by the City Manager or their designee

Type	Type 1	Type 2	Type 3	Type 4

Use	Permitted	Conditional	Conditional	Conditional
Daily Users	500	500	500-1,200	>1,200
All Setbacks	35 ft	20 ft	20 ft	20 ft
Additional Requirements	None	Buffers	Traffic Study and Buffers	Traffic Study, Buffers and Access to Collector or Arterial Road

Child day cares on a house of worship properties are subject to the following additional conditions:

(1) The house of worship property shall be located on and be accessible by an arterial or collector roadway.

(2) Play areas shall be fenced and landscaped. The landscaping shall have a vegetative hedge that will reach six feet in height within two years that is planted a minimum of three feet on center.

(3) Play areas shall be located within all applicable setback dimensions.

(4) The house of worship property shall have a vehicular drop off and pickup area with a minimum [of] 100 feet of drive lane outside of the public right-of-way, or sufficient parking area to provide enough space to fit the required parking and provided space for drop off and pick up.

~~*Special exceptions.*~~

~~Facilities owned and/or operated by federal, state, county or municipal government except country clubs and golf courses.~~

~~Schools, private, provided all structures are located at least 35 feet from all property lines. Off-street parking areas abutting residential property shall be screened with plant materials as described in [sub]sections 604.05 D.—F. Plant materials shall be maintained in accordance with [sub]section 604.05.~~

Dimensional requirements.

Minimum site size. Ten acres.

Minimum lot size.

Lot area: 5,000 [square] feet

Lot width: 50 feet

Lot length: 100 feet

Minimum livable area. 600 square feet excluding accessory structures.

Maximum principal building height. 25 feet from finished grade.

Minimum yard requirements.

Front: 20 feet, or as required per [sub]section 504.01M. of this LDR.

Side: Five feet

Rear: Five feet

Corner lots.

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(1) Parcels which front on two streets shall provide a 20-foot front yard on the street frontage with driveway access and a ten-foot front yard on the other street or as required per [sub]section 504.01M. of this LDR.

(2) Parcels fronting on three streets shall provide a 20-foot front yard on the street frontage with driveway access and a ten-foot front yard on the remaining streets or as required per [sub]section 504.01M. of this LDR.

Through lots. Through lots shall provide a 20-foot front yard on each street, or as required per [sub]section 504.01M. of this LDR.

Atypical lots. Visibility triangles shall be established at the rear corners of an atypical lot. The visibility triangles shall be those areas formed by a line connecting the points 30 feet from the intersection of the side and rear lot lines, along the side lot line, and 30 feet from the intersection of the side and rear lot line along the rear lot line; no principal or accessory structure having a height over four feet, except incidental uses, shall protrude into the area of a visibility triangle.

Maximum building coverage. The coverage of a lot, or total project site by all principal and permitted accessory uses, shall not exceed 40 percent. Awnings, other than window awnings, cabanas, utility sheds, carports, roofed porches, stairways, or similar type uses under roof, shall be considered when calculating maximum building coverage.

Screen enclosures. As an exception to the maximum building coverage provision any parcel may be allowed an additional ten percent (10%) building coverage for only a screen pool enclosure if the following conditions are met:

1. A screen pool enclosure shall only cover the swimming pool and surrounding pool deck and shall have a roof and walls consisting entirely of screening; and

2. There shall be no variances granted to exceed the maximum building coverage or additional coverage allowed for screen enclosures.

Maximum impervious lot coverage. The total area of the lot that may be covered with impervious material is 60 percent.

Exceptions to minimum yard or lot coverage requirements. Window awnings, roof overhangs, and unenclosed stairways may project into any yard for 3½ feet. Driveways, sidewalks, incidental uses, and utility installations such as poles, transformers, and meters, are permitted in any yard.

Perimeter enclosure requirements. The perimeter of the area between the ground and floor level of the manufactured dwelling shall be enclosed with ornamental block skirting, or the same exterior wall surfacing, as on the dwelling. Such skirting shall be appropriately ventilated.

Building projections. There shall be no building projections into any required yard except for eaves with a maximum projection of 42 inches, but no closer than five feet to a property line; and those structures allowed in [sub]section 804.03.

Off-street parking. Two off-street parking spaces shall be provided for each manufactured dwelling. Said parking spaces need not have backup areas, however, all required parking shall be on a driveway within property boundaries.

Visibility at intersections. Visibility at intersections shall be provided as required in this LDR.

Manufactured home hitch and wheels. Manufactured dwelling shall be installed on each lot in accordance with the following Florida requirements and any amendments thereto:

(1) F.S. § 320.8285 (on-site inspection).

(2) F.S. § 320.823 (establishment of uniform mobile home standards).

(3) F.S. § 320.8325 (mobile home tiedown requirements).

(4) Chapter 15C-1 (rule of Department of Highway Safety and Motor Vehicles).

(5) All wheels, axles, and hitches, shall be removed from the dwelling when it is placed on the permanent site.

(6) Dwellings shall be permanently affixed to the land as improvements thereon and "RP" series stickers attached thereto as prescribed by F.S. § 320.0815.

A certificate of occupancy will be issued for a manufactured dwelling only after the building department has determined that all of the above requirements have been complied with.

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505.00. Nonconformance.

505.05. *Nonconforming structures.* Where a lawful permitted structure exists at the effective date of adoption or amendment of this LDR that could not be built under the terms of this LDR by reason of restrictions on area, lot coverage, height, yards, its location on the lot, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

B. Should such nonconforming structure, or nonconforming portion of structure, be destroyed by any means other than deterioration through time, to an extent of more than 50 percent of its appraised value at time of destruction, it shall not be reconstructed except in conformity with the provisions of this LDR~~.~~ , except that for uses located in a residential zoning districts, constructed prior to January 22, 1991, and classified as a special exception or conditional use which is nonconforming as it relates to required setbacks/yards or its location on the lot, such building with that special exception or conditional use may be reconstructed so long as the reconstruction does not modify the square footage or position on the property that existed prior to such destruction, except as may be provided for herein.

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

REQUEST TO CONSIDER REZONING CASE PUD-0008-2025, SPROUTS SHOPPING CENTER, SO. MYRTLE ST. & SR 44, TO CHANGE EXISTING CITY ZONING FROM LI, LIGHT INDUSTRY TO PUD PLANNED UNIT DEVELOPMENT

April 6, 2026

Background:

Applicant: Scott Cole, Development Manager, GBT Realty Corporation, 9010 Overlook Blvd., Brentwood, TN 37027

Property Owner: NSB 103 Development LLC, 1215 Gessner Drive, Houston TX 77055

Request: Rezoning from City Light Industrial (LI) to City PUD, to allow for development of a Shopping Center facility with two Outparcels for future development.

Site Information: 11.37 acres that are currently undeveloped and located on the East side of South Myrtle Avenue and immediately South of the State Road 44/Martin Luther King overpass. The 11 acre area is now part of a 103 acre Parent parcel that stretches from SR 44 South to 10th St., all on the Eastern side of So. Myrtle and abutting the FEC RR yard/tracks to the East. The requested 11 acre PUD parcel area will be subdivided out of the 103 acre Parent parcel along with this rezoning process. The subject property is shown on the **Exhibits A** and **B** Location and Aerial Maps.

Tax I.D. Number: 7419-23-00-0041 (entire 103 acre Parent parcel)

Exhibits Provided:
Exhibit A - Location Map
Exhibit B - Aerial Map
Exhibit C - Existing Zoning Map
Exhibit D - Proposed Zoning Map
Exhibit E - City Industrial Mixed Use FLU
Exhibit F - Proposed PUD MDA, with all proposed attachments
Exhibit G - Survey (Exhibit A of MDA)
Exhibit H - Proposed Conceptual Development Plan (CDP), 7 sheets (Exhibit B of MDA)
Exhibit I - Proposed Architectural Renderings, 11 Sheets total (Exhibit C of MDA)
Exhibit J - Landscape Plan, 1 Sheet (Exhibit D of MDA)
Exhibit K - Signage Plan, 4 Sheets (Exhibit E of MDA)
Exhibit L - Sketch Plat (Exhibit F of MDA)

Findings:

A. This rezoning application seeks to create a new Planned Unit Development (PUD) Master Development Agreement (MDA) and Conceptual Development Plan (CDP) for this site, to allow for a new commercial Shopping Center facility on an 11.37 acre undeveloped and wooded site proposed to be subdivided out of an existing 103 acre Parent parcel. The MDA and CDP propose development in two Phases, with the first Phase to contain two buildings, one large one for two "Anchor" stores and smaller retail space, and a second stand-alone small retail space building. The second Phase would consist of two proposed one-acre Outparcels along the Northern Property Line (PL), and to be accessed from within the site only.

B. The existing 103 acre parcel site is shown on the **Exhibits C** and **D** Existing and Proposed Zoning Maps as being currently zoned City LI, Light Industrial, with the 11 acre subject/proposed parcel proposed in this application to be rezoned to PUD, in accordance with its Future Land Use (FLU) of Industrial Mixed Uses (IMU). The IMU FLU allows for a wide range of uses at its most intensive maximum capacities (as listed in the attached **Exhibit E** IMU FLU Section of the City Comprehensive Plan), for up to 40 dwelling units per acre and a Maximum Floor Area Ratio (FAR) of 6.5. This proposed 11 acre PUD has no residential component proposed, and with a Maximum 0.5 FAR proposed in the MDA and CDP, will not remotely approach that maximum IMU FAR. The larger remaining portion of the 103 acre IMU parcel to the South would still keep its current Light Industrial (LI) zoning. Any other portions of that area that would be proposed for development in the future would similarly also be required to request PUD zoning, in compliance with the provisions of the attached **Exhibit E** IMU text excerpt from the City Comprehensive Plan.

C. The total 103 acre IMU property from which this proposed rezoning area would be split out is now undeveloped and wooded, and was formerly owned by the Florida East Coast Railroad (FEC RR), which still maintains its working tracks and railyard separately from and along the eastern boundary of this total site. The site is similarly bounded by other distinct transportation routes on all other sides, with the primary one being the SR 44 four-lane highway to the north, which in this section is the Martin Luther King Overpass over the FEC RR tracks and its side slopes leading to that overpass bridge immediately adjacent and north of this site. Bordering to the south is 10th Street, a collector roadway maintained by Volusia County that extends from US 1 to the west and carries volumes of school traffic to the Middle and High Schools just west of this subject property. South Myrtle Avenue is the western boundary of this property, is maintained by the City, and also carries significant volumes of school and other traffic as a north-south roadway connection between SR 44 and 10th St. In addition, the South Myrtle Avenue route now contains a new 10' wide paved Trail funded by FDOT on its east side, the northern portion of which is actually contained within a public easement inside the

boundaries of the 11 acre proposed PUD rezoning site. While the majority of the west/opposite side of South Myrtle Avenue now consists primarily of single family residences, the northern portion opposite the subject site is developed more intensely, with a commercial structure fronting SR 44 and a Multi-Family residential development now being constructed just south of that.

D. The proposed PUD Development Plan, as outlined in the MDA text and CDP Plans, is for a small retail shopping center of less than 85,000 SF of total Gross Leasable Area (GLA), with a proposed central parking lot of just over 300 spaces. This development is proposed to be separated into two Phases, with the primary development occurring for the main Phase 1 area, and Phase 2 consisting of two separate Outparcels of just over an acre each within the northwestern portion of the property. The Phase 1 area will contain the two primary "anchor " stores, for a Sprouts grocery store proposed at 22,970 SF GLA, and a similar retail "dry goods" store proposed at 25,000 GLA (shown in the Exhibit I Building Elevations as being a TJ Maxx). Two smaller Retail space areas are also proposed within this first Phase, for a 9,000 SF GLA building extension attached to these two "anchor" stores at their west side and closer to South Myrtle Avenue. A separate and free-standing 7,000 SF Retail building is proposed within this first Phase at the northeastern corner of the 11 acre PUD property.

E. The two Phase 2 Outparcels are proposed to each be permitted a maximum building size of 11,325 SF, and 80% for all proposed Impervious surfaces within their outparcel boundaries. Stormwater Management for those two outparcels is proposed to be provided for within the central stormwater system proposed within Phase 1, and parking for each would be provided within the two outparcels, according to the proposed use and applicable LDR minimum parking requirements. Given the scale of the total proposed development plan, a City Class III Site Plan approval would also be required for the attached CDP if this PUD application is approved, which would then entail full plans for engineering, utilities, stormwater management, landscaping, etc., to be reviewed by City Staff, and come before the City Planning and Zoning Board at a future date for final review and approval prior to construction.

F. The MDA and CDP provide the Minimum Required Building Setbacks for this proposed PUD rezoning, which in this case would be a 50’ Minimum Setback from So. Myrtle Avenue at the west PL, and Minimum 35’ wide Minimum Building setbacks from all other existing or proposed Exterior PL (North, East, and South). Landscape Buffer Areas and their minimum widths are also proposed and shown on the CDP and MDA text for the perimeter of the site, with those being 25’ wide on all site Perimeters, (North, East, West, and South). Also listed within the MDA text (in Section 5) are those Uses proposed by the Applicant, including both Permitted and Prohibited Uses, with those taken by the Applicant for the most part from the Permitted Uses listed in the City LDR for the B-5

Shopping Center Zoning District.

G. The 11 acre subject property area proposed for PUD rezoning has been surveyed for trees, and found to contain 8 trees large enough to be considered Historic (with trunks over 36" DBH). Six of those Historic Trees are proposed to remain on-site with the development of the CDP (as shown on the **Exhibit J** Landscape Plan). The Applicant sought permission from the City Commission to remove the other two Historic Trees at the February 24, 2026 Meeting (as Case HTR-1-26). Those two trees were then determined by an Arborist's field review to be in "poor" health, and a third Historic Tree (# 7) considered "healthy" in that report was then also requested to be removed. The Commission voted at that meeting 4-1 to allow removal of the two trees in "poor" condition, and according to the text of the Result Letter, for Tree #7's protection requirements to "be unrestricted. Meaning, no limitations to buffering or encroachment into the root zone will be required in order to preserve this tree." Accordingly, that Tree # 7 is now shown on the CDP Plans within a parking lot landscape island between the two driveway connections to So. Myrtle Avenue.

H. As shown on the **Exhibit H** Conceptual Development Plans (CDP), the proposed access to the site will be from the three proposed driveway connections to South Myrtle Avenue, subject to future review and permitting through the following Site Plan processes, and would then consider associated roadway impacts and/or improvements needed to resolve those, modifications for turn lanes, etc. The proposed MDA text specifically addresses this in its Section 6.C. text, that "A full TIA in conformance with City LDR and TPO Guidelines shall be submitted for review with the first Site Plan application, considering development of the attached CDP and future Parent Tract projections, to be reviewed by the City, Volusia County, and FDOT for impacts to the surrounding road network."

I. Staff has reviewed the development plan proposed in this application, along with the proposed site location and configuration, and feels the proposed commercial uses are both appropriate for this site, and consistent with its Industrial Mixed Use Future Land Use designation. The proposed site is also separated from any possible conflicting neighboring uses and has proposed various methods to screen and buffer its proposed uses, including the sizes and locations of the two proposed buildings. Associated and Projected Traffic Impacts will be inventoried and reviewed during the more detailed Site Plan processes to follow, to incorporate City roadways such as So. Myrtle Avenue, Volusia County roadways such as 10th St., and FDOT roadways such as SR 44 immediately to the north and US Highway 1 to the east.

RECOMMENDATION

Based on the Findings listed above, the Planning Department advises the Planning and Zoning Board to vote in favor of recommending the City Commission **approve the proposed rezoning to City Planned Unit Development (PUD) zoning,** and its associated Master Development Agreement and Conceptual Development Plan.

Fiscal Analysis:
N/A

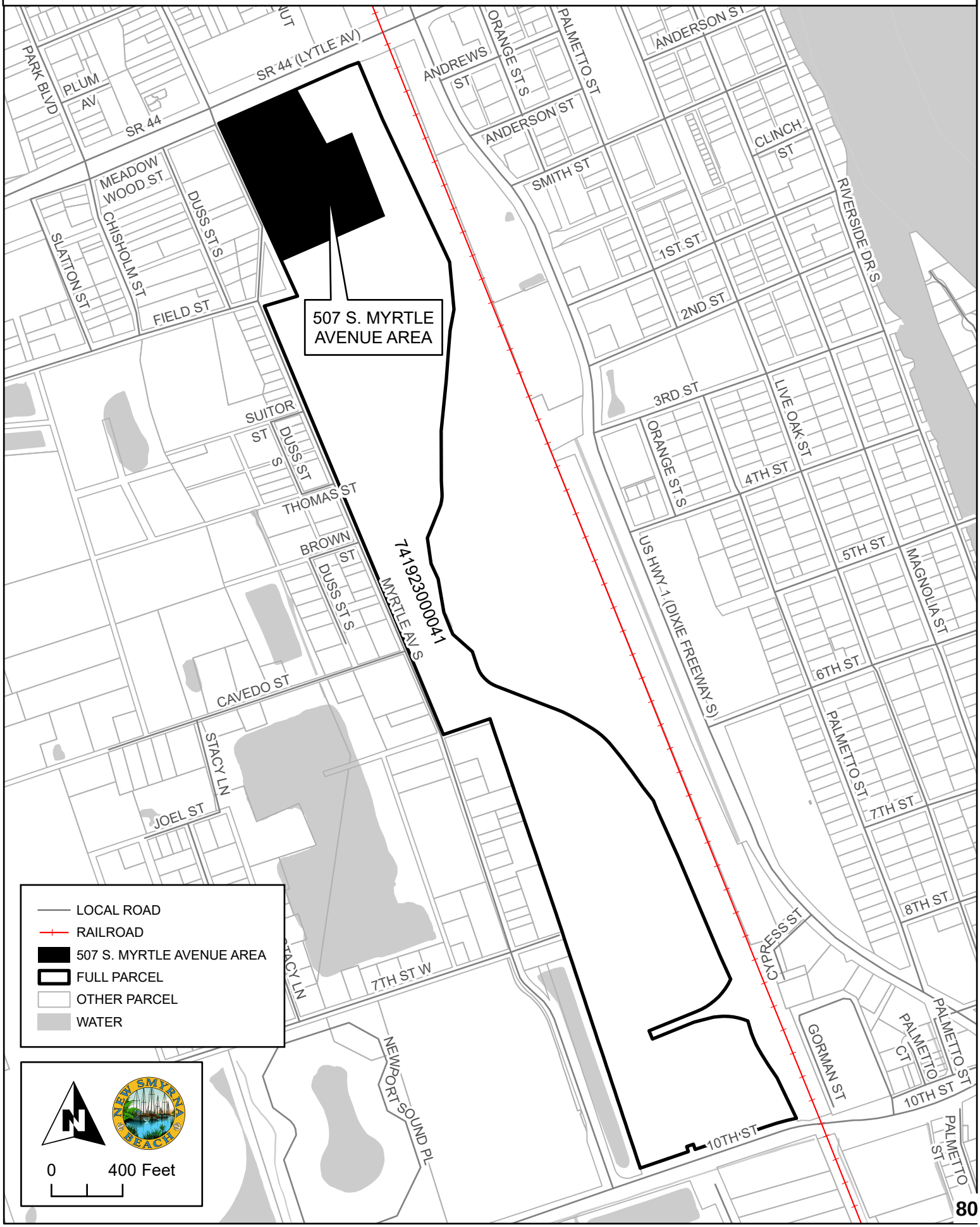
Strategic Plan Item:
No

Staff Report Created By: Jeff Gove - Chief Planner

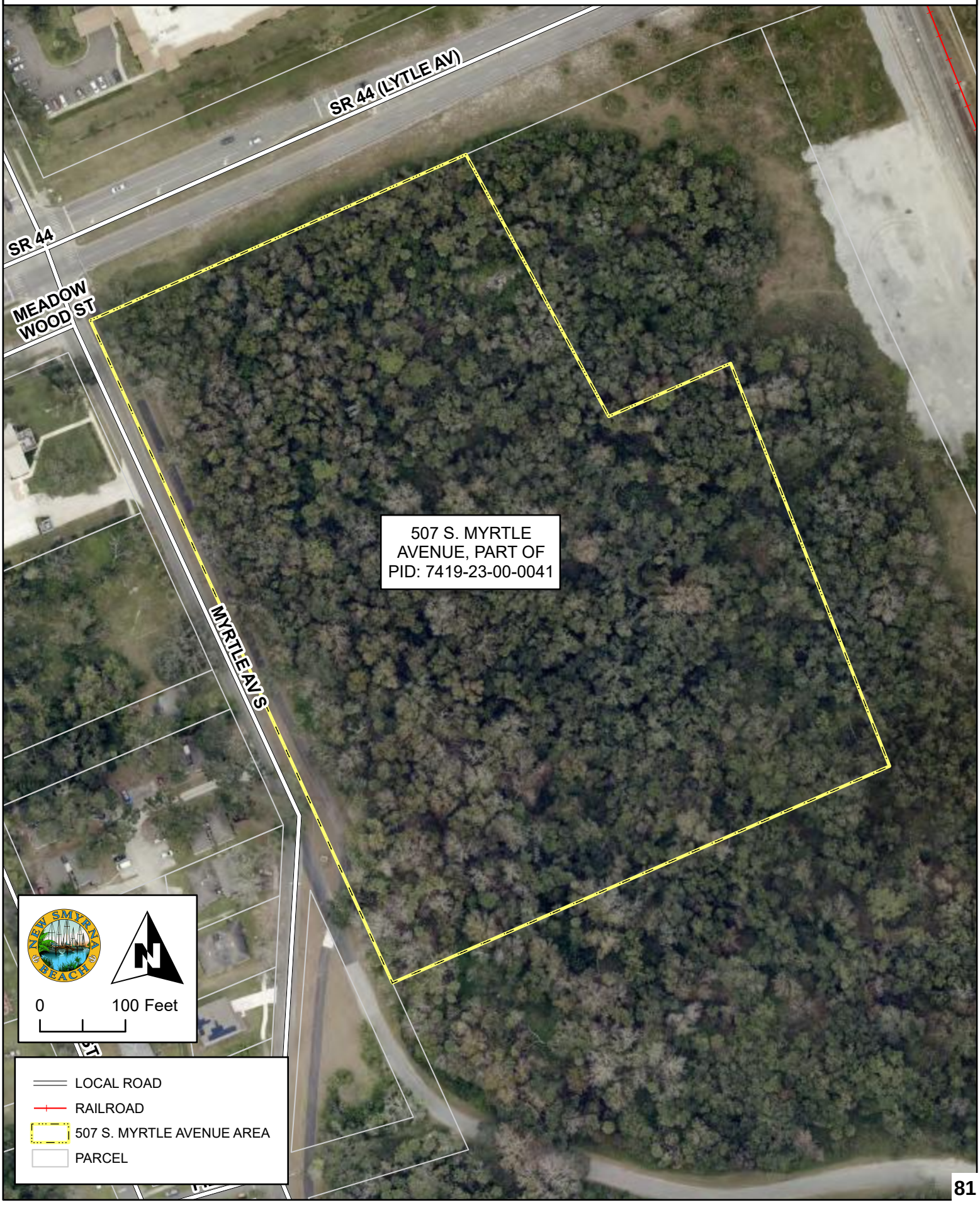
Attachments:

Exhibit A - Location Map PUD-08-25.pdf
Exhibit B - Aerial Map PUD-08-25.pdf
Exhibit C -Existing Zoning Map PUD-08-25.pdf
Exhibit D - Proposed Zoning Map PUD-08-25.pdf
Exhibit E - City Industrial Mixed Use FLU.pdf
Exhibit F - MDA Master Development Agreement with all attached internal Exhibits
Exhibit G - Survey 3-19-26.pdf
Exhibit H - Conceptual Development Plan 3-27-26.pdf
Exhibit I - Proposed Architectural Renderings.pdf
Exhibit J - Landscape Plan.pdf
Exhibit K - Signage Exhibit 032726.pdf
Exhibit L -Sketch Plat.pdf

PUD-8-25: SPROUTS SHOPPING CENTER
507 S. MYRTLE AVENUE, PARCEL: 7419-23-00-0041 LOCATION MAP

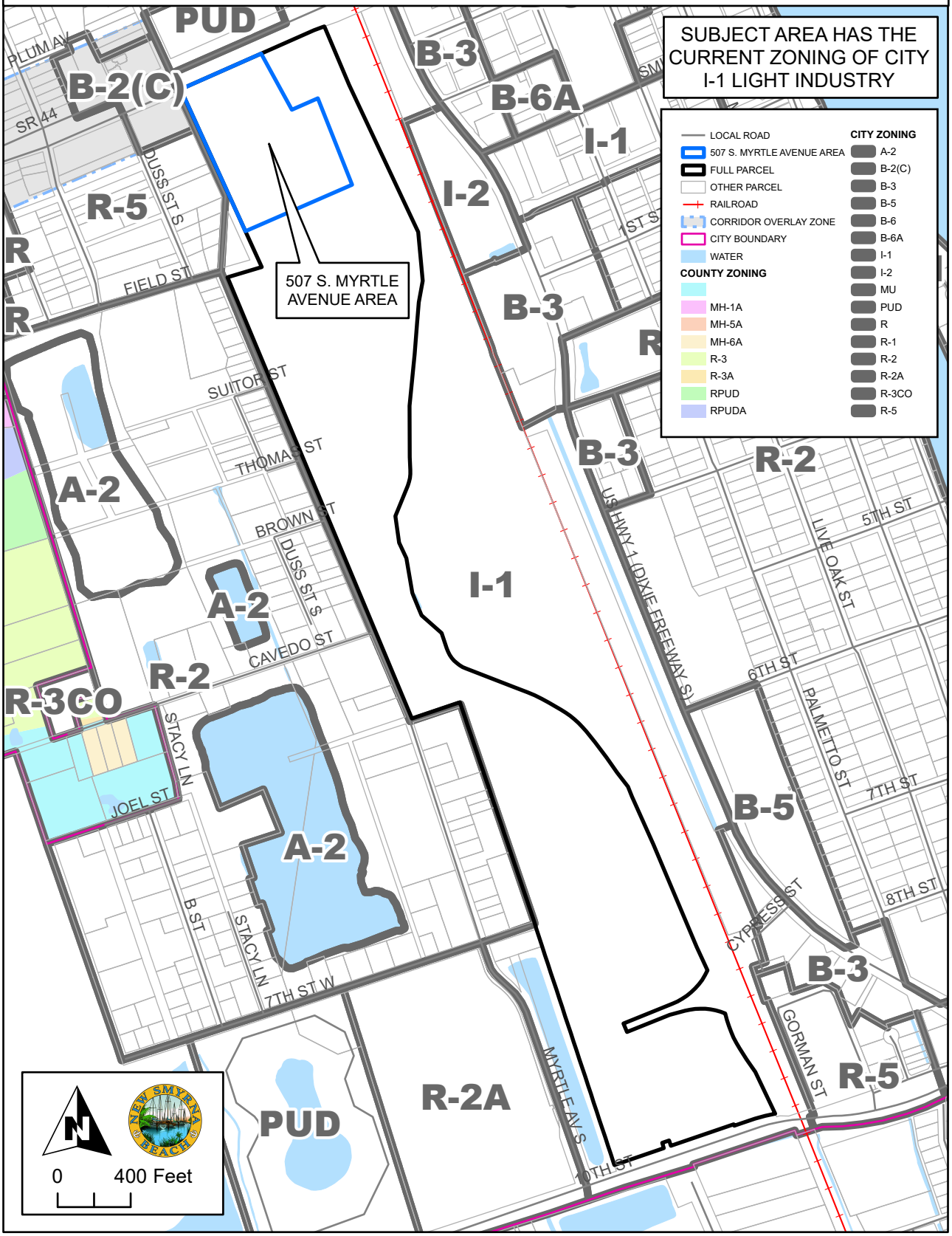


PUD-8-25: SPROUTS SHOPPING CENTER
507 S. MYRTLE AVENUE, PARCEL: 7419-23-00-0041 AERIAL MAP



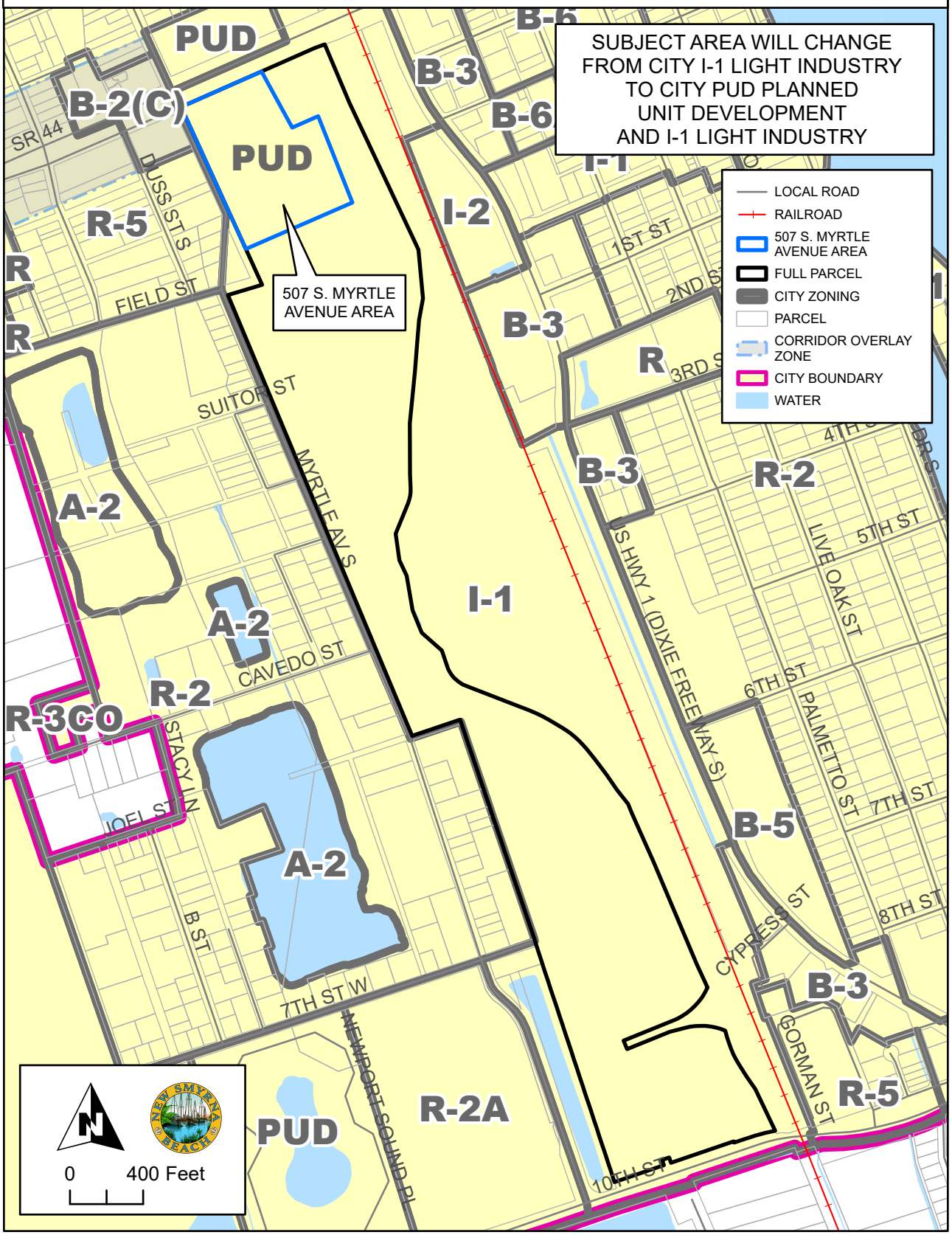
EXISTING ZONING

PUD-8-25



PROPOSED ZONING

PUD-8-25



INDUSTRIAL MIXED USE

Maximum allowed density:

Up to 40 dwelling units per acre
Up to 75 transient lodging units per acre

Maximum allowed Floor Area Ratio (FAR): 6.50

Maximum Allowable Percentage of Uses for Developments Using the Planned Unit Development format:

Retail: 65%
Office: 75%
Residential: 65%
Industrial: 65%

Intent: The purpose of this land use designation is to promote the sustainable development or redevelopment land near railways and/or major highways and in close proximity to the Canal Downtown Neighborhood, and also within the Deering Park Innovation Center at New Smyrna Beach on approximately 1,618 acres west of I-95 and south of SR 44 between areas designated as Sustainable Community Development and Activity Center, by providing maximum opportunity for innovative site planning for living, shopping, and working environments. Areas designated as Industrial Mixed Use are intended to accommodate a mix of light industrial/research, office, retail and medium- to high-density residential uses. Areas designated as Industrial Mixed Use are required to develop using the planned unit development format. The Deering Park Innovation Center at New Smyrna Beach is restricted to a total of six million square feet of non-residential uses and 2,150 residential units within the entirety of the 1,618 acres, and requiring at least 400 of those acres to be designated Natural Vegetation Area in the planned unit development agreement.

Document prepared by:
Scott Cole
Development Manager GBT Realty Corporation
9010 Overlook Blvd Brentwood, TN, 37027

Return recorded document to:
City of New Smyrna Beach Records
Clerk 210 Sams Avenue
New Smyrna Beach, FL 32168

Shops of New Smyrna Beach

The CITY OF NEW SMYRNA BEACH, FLORIDA, a Florida municipal corporation located in Volusia County, Florida ("City"), and NSB 103 Development LLC, the record title property owner ("Owner"), and GBT Realty Corporation ("Developer"), hereby agree and covenant, and bind their heirs, successors, and assigns, as follows:

1. PROPERTY DESCRIPTION AND OWNERSHIP.

A. The property subject to this Agreement consists of approximately 11.37 acres of real property ("Property") and is described in Exhibit "A", attached hereto and by reference made a part hereof.

B. The Property is currently under the sole ownership of Owner, but is under contract for purchase by Developer.

2. EXHIBITS.

The Exhibits listed below are by reference made a part hereof, and copies or reduced size copies are attached hereto. Full-sized copies of the Exhibits shall be retained by the City Clerk and shall be controlling in case of any ambiguity in the Exhibits. In the event of a conflict between the graphic illustrations of any Exhibit and the textual provisions of this Agreement, the textual provisions shall control

Exhibit A: Property legal description and survey rev. date 3/19/26, prepared by Sliger
Exhibit B: Conceptual Development Plan, rev. date 3/27/26, prepared by Kimley Horn.
Exhibit C: Architectural Elevations, rev. date 3/27/26, prepared by Cuhaci Peterson.
Exhibit D: Landscape Plan, rev. date 3/18/26, prepared by Kimley Horn,
Exhibit E: Sign Plan, rev. date 3/19/26, prepared by GBT Realty.
Exhibit F: Sketch Plat prepared by Sliger.

3. DEVELOPMENT PLAN.

A. Developer has designated the Property as The Shops of New Smyrna Beach.

B. The Property will be developed as a Planned Unit Development (PUD) pursuant to the City's Land Development Regulations (LDRs). Development shall be controlled by the LDRs and the terms and provisions of this Agreement. In the event of a conflict between this Agreement and the LDRs or other ordinances, this Agreement shall control. If this Agreement fails to address a particular subject or requirement, the applicable requirements of the LDRs or other City ordinance shall control.

C. Development of the Property shall be consistent with Exhibit B (Conceptual Development Plan)**.** Exhibit B generally depicts the planned layout of buildings, parking areas, driveways, common areas, and other planned features or improvements to the Property.

D. SITE DEVELOPMENT CRITERIA. The following development criteria shall apply to the Property:

Phase 1

(1) Minimum lot size: 43,560 SF (1.0 Acres)

(2) Maximum building height: 45 feet

(3) Maximum individual building size: 25,000 sq. ft.

(4) Minimum building separation: 0 feet

(5) Setbacks: North 35 ft.; east 35 ft.; west 50.; South 35 ft.

- The portion of Phase 1 that abuts Out parcel 1's eastern property line shall have a 10 ft setback.

(6) FAR: 0.5

(7) Maximum density: N/A (du/ac)

(8) Maximum building coverage: 25%

(9) Minimum open space: 20 %

Common open space: N/a % of open space

(10) Maximum impervious surface area; 80 %

(11) Natural vegetation: 15 %

(12) Off-street parking: 4/1000 minimum not to exceed 120% minimum parking requirement.

(13) Off-street parking area minimum interior landscaping: 10 %

(14) Minimum interior landscaping: 10%

(15) Landscape buffers: only along the North side of phase 1 abutting Lytle Avenue 25 ft.; East N/A ft.; west 25.; South 25 ft.

(16) Wetland buffer: 25 feet

Phase 2

(1) Minimum lot size: 21,780 SF (0.5 Acres)

(2) Maximum building height: 45 feet

(3) Maximum individual building size: 11,325 sq. ft.

(4) Minimum building separation: 20 feet

(5) Setbacks: Out Parcel 1 North 35 ft.; East 10 ft.; West 10 ft.; South 10 ft.
Out Parcel 2 North 35 ft.; East.; 10 ft.; West 50ft.; South 10ft.

(6) FAR: 0.5

(7) Maximum density: N/A (du/ac)

(8) Maximum building coverage: 25%

(9) Minimum open space: 20 %
Common open space: N/a % of open space

(10) Maximum impervious surface area; 80 %

(11) Natural vegetation: 15 %

(12) Off-street parking: Minimum parking required for phase 2 is to be provided per the LDR and the proposed use.

(13) Off-street parking area minimum interior landscaping: 10 %

(14) Minimum interior landscaping: 10%

(15) Landscape buffers: Out Parcel 1: North 25 ft.;
Out Parcel 2: North 25.; West 25 ft.; South 5 ft

(16) Wetland buffer: 25 feet

E. PHASING. Development may be completed in multiple phases as shown on the Conceptual Development Plan.

Phase 1. Phase 2 Phase2.
Construction and installation of all common areas and common facilities within each phase shall be completed or bonded prior to final plat approval or issuance of the first certificate of occupancy for that phase as provided in paragraph 7.C.

F. Developer will subdivide the Property in accordance with the requirements of the LDRs. Exhibit D is the preliminary plat for purposes of complying with the preliminary plat requirements of the LDRs. As part of the subdivision process, Developer will be responsible for ensuring that the Property will be serviced with public utilities and right-of-way access, and for providing an on-site detention/retention facility. Site development approval is contingent upon approval of the final plat of the property.

4. CONFORMANCE WITH COMPREHENSIVE PLAN; CONCURRENCY; PERMITS.

A. The City has determined that the Property is suitable in size, location, and character for the uses proposed, and that the uses proposed are consistent with the City's comprehensive plan.

B. Developer shall be responsible for obtaining all development permits required by the LDRs and applicable federal and state laws. Developer specifically acknowledges that approval of this Agreement does not constitute a Concurrency Certificate as required by the LDRs, and that Developer will be required to separately obtain a Concurrency Certificate or, where applicable, to enter into proportionate fair share agreement. Approval of this agreement and exhibits is not a permit to begin clearing, to begin site work, or to begin construction without necessary permits.

C. The City agrees to issue the required permits for development of the Property in the manner set forth in this Agreement and the LDRs.

5. PERMITTED USES.

The following uses are permitted within the Property, subject to compliance with the standards set forth in the LDRs for such uses, except to the extent specifically provided otherwise herein: **Uses shall comply with the listed uses listed below:**

RETAIL USES

- Apparel shops
- Barbershops
- Book stores
- Banks
- Camera supply and photography shops
- Cosmetic shops
- Delicatessens
- Department stores
- Electronic and phone stores
- Entertainment concepts
- Furniture and appliance stores
- Garden supplies and equipment stores
- Gift shops

- Hair salons
- Hobby stores
- Home improvement supply stores (no outside storage)
- Ice cream and/or yogurt shops
- Indoor health and fitness studios, defined as indoor facilities providing physical conditioning, personal training, group exercise, or wellness services to individual members or small groups
- Interior decoration shops
- Jewelry shops
- Key and lock shops
- Music supply stores
- Mattress stores
- Massage/spa
- Nail salons
- Office supply and business machines
- Paint stores
- Pastry stores
- Personal enrichment establishments
- Pet shops
- Pharmacy
- Physical therapy center
- Restaurants, Type A, B, C, and D further defined as:
    - Type A - Restaurants with dining tables and counter stools having all service indoors and providing no service to persons in vehicles or at walkup windows.
    - Type B - Restaurants dispensing food from service windows for consumption on or off of the premises which specializes in short order foods and beverages.
    - Type C - Restaurants serving food and/or beverages to persons in their vehicles for consumption in their vehicles on the premises.
    - Type D - Restaurants serving food and beverages to persons sitting at tables or bars which are located outside of the principal structure. Type D restaurants may also serve to persons inside the principal or accessory structure.
- Retail sales and services
- Service stations, Class A and B, as defined below:
  Service station, Type A: A business primarily engaged in servicing motor vehicles, but limited to:
    Sales of automotive fuels, lubricants, and accessories
    Sales, service, and maintenance of spark plugs and batteries
    Maintenance of lubrication systems, including replacement of lubricants and filters
    Replacement of minor parts such as light bulbs, fuses, floor mats, seat covers, windshield wipers, and wiper blades
    Washing, polishing, and detailing services, and sales of automotive washing and polishing materials, but not including car washes
- Service station, Type B: A business primarily engaged in servicing motor vehicles, but limited to:
    All activities allowed by a Type A service station
    Tire servicing, installation, and repair, but not recapping or regrooving

Windshield repair and replacement
Mechanical repair not involving removal of the transmission, engine, heads, or crankcase, including but not limited to engine tune-ups and repairs to exhaust, HVAC, brakes, cooling system, alignment, electrical systems, and fueling systems

- Shoe stores
- Specialty food shops
- Sporting goods stores
- Tutoring centers
- Grocery stores
- Variety stores

OFFICE USES

- Financial institutions
- Professional offices, including accountants, consultants, engineers, financial advisors, insurance providers, lawyers, dentists, medical professionals, real estate brokers, and stock brokers

MEDICAL USES

Medical clinics or medical offices (except that the Shopping Center may contain no more than one (1) of each of the following occupying no more than four thousand (4,000) square feet of ground floor area shall be permitted: (a) a medical clinic or medical office, including an urgent care facility, , (b) optical or vision center, (c) a dental office or clinic, and (d) a veterinary office and/or clinic).

The list prohibited uses are as follows:

1. **Any establishment which sells or displays pornographic material.**

2. **Any establishment which sells or dispenses marijuana or drug related paraphernalia provided this shall not prohibit the sale of CBD products in the Shopping Center.**

3. **Any establishment which primarily sells or displays used merchandise or second hand goods including, without limitation, a flea market or a pawn shop or thrift shop, such as Salvation Army or Goodwill, but this restriction shall not prohibit concepts like Plato's Closet, Gamestop, etc.**

4. **Central laundry, dry cleaning store or laundromat (except drop off and pickup facilities or environmentally friendly (green) dry cleaners shall not be restricted hereby).**

5. **Funeral home or casket sales.**

6. **Church, chapel or other place for religious worship.**

7. **Catering or banquet hall.**

8. **Check cashing service (except as incidental to another permitted primary use in the Shopping Center such as a bank).**

9. **School, conference facility or training or education facility provided this shall not be applicable to on-site employee training by an occupant incidental to the conduct of its business in the Shopping Center. Additionally, this shall not be apply to (i) up to one (1) use in the Shopping Center for a learning center or tutoring center including or similar to Kumon Learning Center, Mathnasium, etc. operating in no more than 2,000 square feet, (ii) a daycare located on an Outparcel.**

10. **Tattoo parlor.**

11. **Gun Shop.**

12. **Service station, Type C:** A business primarily engaged in servicing motor vehicles, but limited to:
    - Tire servicing including recapping and regrooving
    - Transmission repair involving the removal, disassembly, or reassembly of the transmission
    - Engine rebuilding, reconditioning, or repair involving the removal of the engine, heads, or crankcase
    - Collision service including body, frame, or fender straightening or repair
    - Painting or paint shop
    - Repairs requiring welding
    - Work involving undue noise, vibration, glare, fumes, and smoke

13. **Day care center, unless located on Phase 2**

14. **Community center or teen center.**

15. **Employment agency.**

16. **Fortune teller, palm reader or card reader or other spiritualist service.**

17. **Laboratory (except as an incidental part of a permitted medical clinic or medical office use, but subject to the terms of #13 above).**

18. **Agency, department or bureau of any governmental authority.**

19. **Ticket sales.**

20. **Fulfillment centers (whether all or more than twenty percent (20%) of any premises).**

6. INFRASTRUCTURE.

A. Storm water retention and drainage facilities. An on-site storm water retention facility will be constructed in conjunction with the development. The storm water retention facility will be maintained at a level consistent with the standards of the St. Johns River Water Management District. The stormwater management system shall provide for both phase 1 and phase 2. Collection and transmission facilities shall be located pursuant to the approved site plan, or site plans approved for individual lots or structures.

B. Utilities and utility easements. All utilities will be installed underground and constructed to NSBU standards A minimum twelve (12) foot wide Utility Easement (UE) Shall be provided adjacent to and running parallel with all public right of way frontages. The required UE shall be located immediately adjacent to the right of way line, as established by final engineering plans, roadway improvements, and/or right of way dedications approved by the city. The exact location and width of the UE shall be reflected on final constructions plans and recorded plats and may be adjusted as necessary to accommodate roadway improvements, including but not limited to turn lanes, subject to review and approval by the NSBU.

C. Access easements and right-of-way. Access easements and right-of-way will be as depicted on the Conceptual Development Plan. A Full TIA in conformance with City LDR and TPO Guiedelines shall be submitted for review with the first Site Plan application, considering development of the attached CDP and future Parent Tract projects, to be reviewed by the City, Volusia County, and FDOT for impacts to the surrounding road network.

7. PROPERTY OWNERS' ASSOCIATION AND COMMON AREA MAINTENANCE.

A. As used in this section, "common areas" and "common facilities" refer to all lands and all facilities that are intended to be set aside for common ownership, use, or benefit, whether or not identified as common areas on Exhibit B, such as conservation easements,

retention ponds, subdivision entry walls, and passive recreational areas.

B. Prior to final plat approval or prior to issuance of the first certificate of occupancy within the development, whichever is earlier, Developer will form and incorporate a non-profit property owners' association. The final plat shall include such language as the City may deem necessary to reflect the association's responsibilities. The association shall be responsible for operation, maintenance, and control of all common areas and common facilities, including signage, landscaping, and detention pond. The association shall have authority to establish and assess dues and fees upon its members in order to recoup the cost of maintenance, and the power to impose and enforce liens against those members who fail to pay such assessments. All persons purchasing property within the project shall be members of the property owners' association. Developer may from time to time add additional covenants and restrictions or make changes in association by-laws as may be required to guarantee that the project will be developed in accordance with the policies outlined in this Agreement.

C. Prior to final plat approval or prior to issuance of the first certificate of occupancy within the development or phase, whichever is earlier, Developer shall complete construction and installation of all common areas and common facilities within the development or phase; or, for those common facilities within a phase that may be susceptible to damage due to remaining construction, the City may allow postponement of this requirement subject to Developer's provision of adequate assurances that the work will be done. For example, the City may require Developer to post a bond sufficient to cover 120% of the cost of such facilities according to certified estimates. Any bond shall be in a form approved by the City Attorney.

8. ARCHITECTURAL AND DESIGN STANDARDS.

A. All buildings and accessory structures constructed within the Property shall be developed in compliance with the requirements of this section, and with the applicable provisions of the LDRs relating to architectural standards where they do not conflict with the provisions of this section.

B. All of the following requirements shall be met within the Property:

(1) All buildings and accessory structures shall be consistent with a common architectural theme. The theme shall be established by harmoniously coordinating the general appearance of all buildings and accessory structures, including but not limited to: exterior wall finishes or materials; roof styles, slopes, and materials; colors; and architectural details and ornamentation.

(2) All structures shall complement one another and shall convey a sense of quality and permanence. Lower grade materials, such as unfinished concrete and pre-fabricated metal, shall be prohibited.

(3) Corporate prototype design and materials shall be permitted provided they comply with the provisions of this section.

(4) False or real windows shall be provided on all elevations visible from public right of way in sufficient size and number to complement the proportions of the building.

(5) All buildings and accessory structures shall generally be consistent with the Exhibit C (Architectural Elevations).

(6) Through the LDR site plan review process, the City reserves the right to review the proposed construction of all buildings and structures, to recommend the substitution or inclusion of colors, materials, architectural details, and ornamentation, and to require or prohibit the use of the same to ensure compliance with the requirements of this section.

(1) No outside display or storage shall be permitted., except for the outdoor display of Anchor Tenant A and Anchor Tenant B merchandise that shall be kept orderly and maintained at all times along the sidewalk of its frontage,

(2) No vending machines shall be permitted on outside walkways or other outdoor pedestrian areas.

(3) The physical appearance of all parking lot lighting fixtures shall be consistent.

9. ENVIRONMENTAL CONSIDERATIONS.

Development of the Property shall comply with the LDR tree preservation requirements. Developer shall comply with all rules, statutes, and regulations pertaining to protected wildlife species, including but not limited to the rules and permitting requirements of the Florida Game and Freshwater Fish Commission concerning gopher tortoises.

No burning of land clearing materials will be allowed onsite.

10. SIGNAGE.

1. The PUD shall have a uniform sign program, as follows: **Freestanding ground sign with a max height of 15 feet and a maximum square footage of 62sf on the western side of Phase 1 as Shown on Exhibit B as Sign type B.**

2. **Freestanding ground sign with a max height of 15 feet and a maximum square footage of 90sf on the northwest corner of Outparcel 2 as shown on Exhibit B as Sign Type A.**

3. **Freestanding ground sign with a max height of 8 feet and a maximum square footage of 46 on the northwestern side of Outparcel 1 and North western side of Phase 1 shown on Exhibit B as Sign type C**

4. **Anchor Tenant B shall be permitted 200 square feet of wall signage.**

5. **Anchor Tenant A shall be permitted 200 Square feet of wall signage in addition to 4 Secondary wall signs that total 69.2 square feet each and specifically referenced in Exhibit C architectural elevations.**

11. VARIANCES GRANTED.

A. The Planning and Zoning Board has granted the following variances for this development:

(1) _____

(2) _____

B. The City Commission has granted the following variances for this development:

(1) _____

(2) _____

12. EFFECTIVE DATE; COMPLETION SCHEDULE.

A. This Agreement shall be effective upon execution by all parties. The restrictions on use and development imposed by this Agreement shall be binding upon all successors in interest in the Property, unless and until the City alters or eliminates such restrictions in the course of its actions as zoning authority.

B. Application shall be submitted for all construction permits for the development, or for the phase 1A and Phase 1B phased development, within 12 months of the approval of this
Agreement by the City Commission. The filing of an appeal of the land development order by any person shall toll the time for permitting until final resolution of the appeal. If development is phased, application for construction permits for subsequent phases shall be submitted within months from the date of initial approval.

C. Construction of Phase 1 and Phase 2 shall be substantially complete within 60 months of the approval of this Agreement. Construction of all other phases must be substantially complete within 5 years of the initial approval of this Agreement.

D. One 12-month extension of the scheduled application or completion dates may be permitted as a minor modification to this Agreement.

E. Failure to comply with the schedule set out above shall cause the development rights granted pursuant to this Agreement to lapse.

13. MINOR MODIFICATIONS.

A. The following may be administratively authorized as minor modifications to this Agreement:

(1) Amendments to an Exhibit that are necessary for compliance with the provisions of this Agreement, the LDRs, or extra-jurisdictional permitting requirements, and address technical considerations that could not reasonably be anticipated during the Planned Unit Development approval process;

(2) Have no material effect on the character of the approved PUD district, the basic concept and terms of the PUD Master Development Agreement. These may include, but are not limited to, the following:

a) Structural alterations that do not significantly affect the basic size, form, style, and appearance of principal structures;

b) Minor changes in the location and configuration of streets and driveways that do not adversely affect vehicular access and circulation on or off the site;

c) Minor changes in the location or configuration of buildings, parking areas, landscaping, or other site features;

d) Minor changes in the location and configuration of public infrastructure facilities that do not have a significant impact on the City's utility and storm water management systems;

e) Increases of five percent or less in the total number of parking spaces.

(3) Modifications of up to 10% to any of the lot dimensional requirements and associated Exhibit revisions, where such modifications are necessary to address minor Exhibit errors or unanticipated conditions that reasonably need to be addressed to ensure the development plan can be implemented, EXCEPT:

a) Modifications, such as to floor area ratios, that increase intensity or density of the entire project or any phase by more than 2%;

b) Modifications that increase building height or decrease setbacks, yards, or landscaping along the perimeter of the Property by more than 5%;

c) Modifications that, when combined with previously approved minor and substantial modifications, would result in a cumulative change of more than 10% of the original requirement for the area in question; and

d) Modifications that would unduly impact public utilities.

B. Requests for minor modifications shall be submitted in writing on forms provided by the City. Requests shall be reviewed pursuant to the general technical review process described in the LDRs.

C. Denial of a requested minor modification shall be issued in writing to the applicant. Upon denial, or if more than 60 days elapses after the submittal of a completed application without a decision by the City, the applicant may apply for an amendment to the Agreement.

D. Approved modifications shall be noted on the official plan documents.

14. AMENDMENTS.

A. Any revision to this Agreement other than a minor modification as described above shall require an amendment approved by the City Commission after review and recommendation by the Planning and Zoning Board. Requests for an amendment must be submitted in writing and, except as otherwise provided herein, shall be processed in accordance with the LDRs. Notice of public hearings shall be provided as if the application is one to rezone property.

B. In recognition of the City's general authority to rezone and legislate land uses and zoning requirements, all signatories to this Agreement and all individual lot owners, fee titleholders, mortgagees, or lien holders who now or hereafter own property subject to the this Agreement, agree as follows:

(1) The property owners association established pursuant to Section 7 above shall be authorized to represent and execute amendments to the Agreement on behalf of all lot owners other than the owners of lots directly impacted by the amendment.

(2) If the property owners association fails to retain its corporate status, then all directly impacted owners shall be authorized to represent and execute an amendment on behalf of all owners not directly impacted who have received notice of the proposed amendment as required by this Agreement or applicable law.

(3) For purposes of this section, a lot is "directly impacted" by an amendment to this Agreement only where the amendment would revise the listed uses, dimensional requirements, architectural requirements, or sign requirements for that lot.

C. No property owner other than one who actually executes an amendment shall be deemed to have waived his or her right to challenge a proposed or executed amendment in the same manner that an affected property owner may challenge zoning or related lot specific changes for property which is not subject to a planned development agreement. Such challenges include: (i) objections to a proposed amendment before the City Planning and Zoning Board or City Commission, (ii) seeking certiorari review or injunctive action in relation to the adoption of such amendment as provided by law, or (iii) consistency challenges as provided for in Section 163.3215, Fla. Stat., or any successor provision.

15. VARIANCES.

This Agreement shall not be deemed to prohibit any owner of property within the planned development from seeking or obtaining one or more variances from the requirements of this Agreement pursuant to the LDRs. In addition to those entitled to notice pursuant to the LDRs, notice of any public hearing to consider a proposed variance shall be provided to all persons owning property within the planned development. No such variance shall be deemed to require formal amendment to this Agreement.

16. POLICE POWER AND SOVEREIGN IMMUNITY NOT WAIVED.

Nothing contained in this Agreement shall be construed as a waiver of or contract with respect to the regulatory and permitting authority of the City as it now or hereafter exists under applicable laws, rules, and regulations. Further, nothing contained in this Agreement shall be construed as a waiver of or attempted waiver by the City of its sovereign immunity under the constitution and laws of the State of Florida.

17. COMPLETE AGREEMENT; AGREEMENT TO BE RECORDED.

A. This Agreement represents the complete understanding by and between the parties with respect to the development and use of the Property. Any and all prior agreements between the parties with respect to any subject comprehended by this Agreement is hereby voided and superseded by this Agreement.

B. This Agreement shall be recorded in the Public Records of Volusia County, Florida, at Developer's expense. The restrictions on use and development imposed by this Agreement shall be binding upon all successors in interest in the Property.

18. VENUE AND SEVERABILITY.

A. In the event of any claim, action, litigation, or proceeding under this Agreement, venue shall be in Volusia County, Florida.

B. If any provision of this Agreement is held by a court of competent jurisdiction to be invalid or otherwise unenforceable, such holding shall not affect the validity or enforceability of any other provision of this Agreement unless the holding so states.

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

[Signature pages following]

Signed, sealed and delivered in the presence of:

THE CITY OF NEW SMYRNA BEACH, FLORIDA, a Florida municipal corporation

_____
Witness 1

By: _____
Fred E. Cleveland, Mayor

_____
Print Name of Witness 1

Attest:

By: _____
Sharon Taylor-Harding
City Clerk

_____
Print Name of Witness 2

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_____, 202__ by **Fred E. Cleveland** and **Sharon Taylor Harding**, Mayor and City Clerk, respectively, of The City of New Smyrna Beach, 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:

[OWNER]

By:_____
Name:
Title:

_____
Witness 1

_____
Print Name of Witness 1

Date: _____

[Corporate Seal]

_____
Witness 2

_____
Print Name of Witness 2

Signed, sealed and delivered in the presence of:

[DEVELOPER, IF DIFFERENT FROM OWNER]

By:_____
Name:
Title:

_____
Witness 1

_____
Print Name of Witness 1

Date: _____

[Corporate Seal]

_____
Witness 2

_____
Print Name of Witness 2

STATE OF
_____COUNTY
OF _____

The foregoing instrument was acknowledged before me by means of [ ] physical presence or [ ] online notarization this _____ day of_____, 202__, by _____as _____of_____, referred to in this agreement as "**Owner**." He or she is [_] personally known to me or [_] produced as identification and did not take an oath.

_____
Notary Public
Commission No. _____

[Exhibit pages attached:]

EXHIBIT A

Legal Description of the Property

ALTA / NSPS LAND TITLE & TOPOGRAPHIC SURVEY

FOR

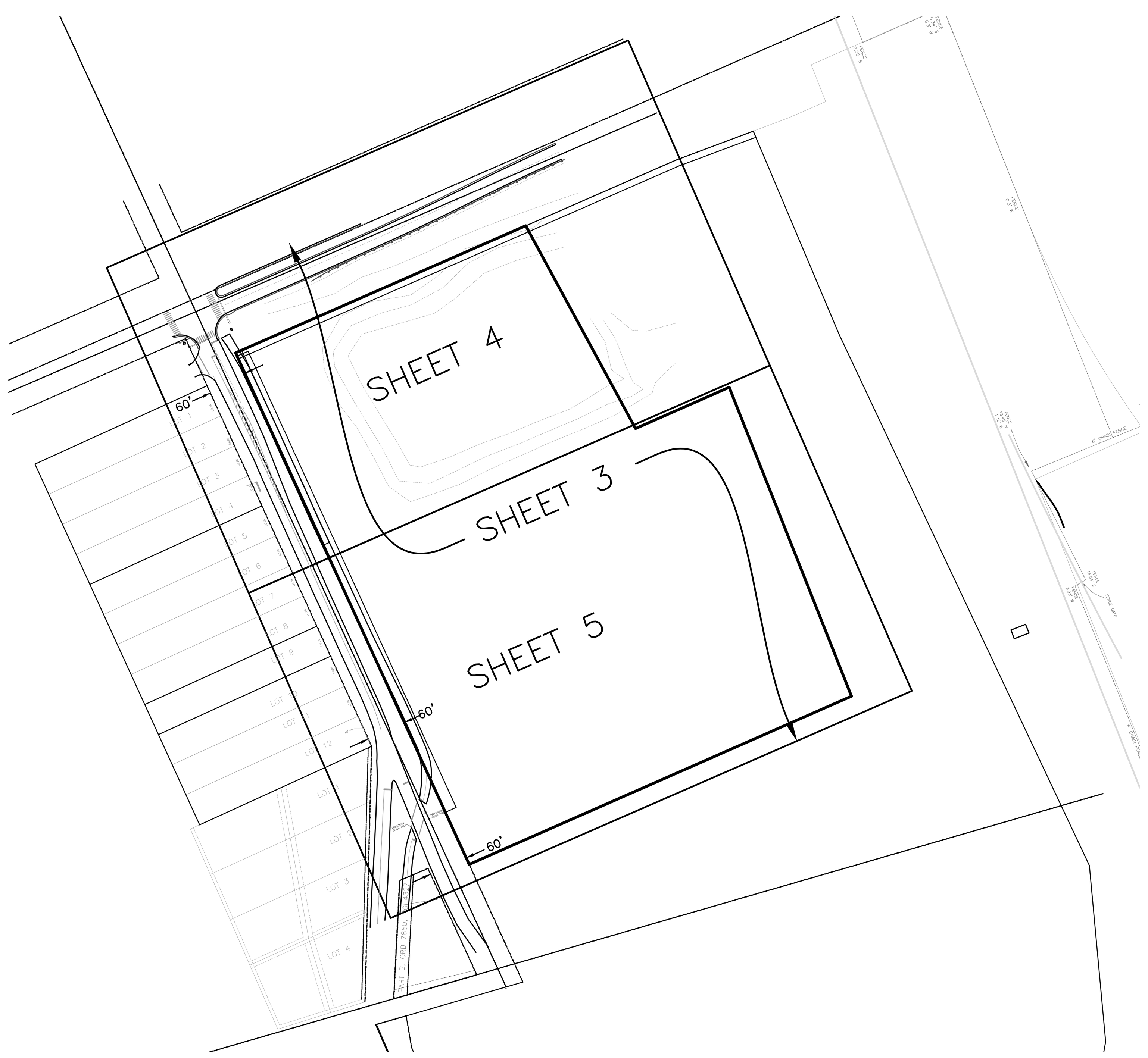
GBT REALTY CORPORATION

A PORTION OF

SECTION 41, 44, 46, 47 AND 49–
TOWNSHIP 17 SOUTH–RANGE 34 EAST
VOLUSIA COUNTY, FLORIDA

LOCATION

507 MYRTLE AVENUE, NEW SMYRNA BEACH, FL.



KEY SHEET
NOT TO SCALE

NOTE:
THIS SURVEY IS NOT VALID WITHOUT SHEETS 1 TO 5

DESCRIPTION:

BEING A PORTION OF THE HEIRS OF AMBROSE HULL GRANT, SECTION 41, TOWNSHIP 17 S, RANGE 34 E, VOLUSIA COUNTY, FLORIDA, A PORTION OF LOT 9, ALL OF LOTS 10 THROUGH 27, A PORTION OF LOT 28, A PORTION OF LOT 45, ALL OF LOTS 45 [SIC] 46 THROUGH 53, A PORTION OF LOT 54, ALONG WITH ADJACENT STREETS AND ALLEYS, SKIPPER AND SHRYOCK, AS RECORDED IN MAP BOOK 2, PAGE 170 ALSO RECORDED IN MAP BOOK 12, PAGE 10, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, ALL LYING SOUTHERLY OF STATE ROAD 44 (LYTLE AVENUE) PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT–OF–WAY MAP SECTION 79070–2516, AND EASTERLY OF SOUTH MYRTLE AVENUE (A RIGHT–OF–WAY THAT VARIES). BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY RIGHT–OF–WAY LINE OF SAID STATE ROAD 44 AND THE WESTERLY [SIC] EASTERLY RIGHT–OF–WAY LINE OF SAID MYRTLE AVENUE, THENCE RUN N66°20'46"E ALONG THE SAID SOUTHERLY RIGHT–OF–WAY LINE, 479.00 FEET; THENCE DEPART SAID SOUTHERLY RIGHT–OF–WAY LINE, S28°26'03"E, 349.00 FEET; THENCE N66°14'25"E, 155.00 FEET; THENCE S21°34'14"E, 502.83 FEET; THENCE S66°14'27"W, 632.11 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SOUTH MYRTLE AVENUE (60' R/W); THENCE N24°31'22"W ALONG SAID EASTERLY RIGHT–OF–WAY LINE, 851.25 FEET TO THE POINT OF BEGINNING.

CONTAINING 495136 SQ.FT. OR 11.37 ACRES MORE OR LESS.

REFERENCE MATERIAL:

STATE OF FLORIDA STATE ROAD DEPARTMENT RIGHT–OF–WAY MAP SECTION NO. 79070–2516 STATE ROAD NO. 44 (LYTLE AVENUE).

PLAT OR MAP OF TOWNSHIP 17 SOUTH, RANGE 34 EAST.

PLAT OF SKIPPER & SHYROCK, MAP BOOK 2, PAGE 170.

OFFICIAL RECORDS BOOK 7143, PAGE 4734.

BOUNDARY SURVEY PREPARED BY GEO POINT SURVEYING, INC., DATED: 05/23/2023.

INDEX OF SHEETS:

	COVER SHEET (CURRENT), KEY SHEET,
1	SURVEYOR'S NOTES AND CERTIFICATIONS.
2	SCHEDULE B (EXCEPTIONS)
3	BOUNDARY SURVEY
4 & 5	TOPOGRAPHIC SURVEY

ADDITIONAL SURVEY NOTES:

A. THERE ARE NO GAPS, GORES, OVERLAPS OR HIATUS INHERENT TO THE SURVEYED PROPERTIES.

B. THE SURVEYED PROPERTY HAS DIRECT PEDESTRIAN AND VEHICULAR ACCESS TO S. MYRTLE AVENUE.

C. THERE IS NO OBSERVABLE EVIDENCE OF CEMETERIES, BURIAL GROUNDS, OR INDIVIDUAL GRAVESITES.

D. THERE ARE NO DIVISION OR PARTY WALLS DESIGNATED BY THE CLIENT OR LOCATED BY THE SURVEYOR WITH RESPECT TO ADJOINING PROPERTIES.

E. NO OFFSITE EASEMENTS OR SERVITUDE BENEFITTING THE SURVEYED PROPERTIES WERE DISCLOSED IN THE RECORD DOCUMENTS PROVIDED TO THE SURVEYOR OR OBSERVED IN THE PROCESS OF CONDUCTING THE SURVEY.

F. AT THE TIME OF SURVEY, THE SURVEYOR WAS NOT AWARE OF ANY PROPOSED CHANGES IN THE STREET RIGHT OF WAY LINES OR OBSERVABLE EVIDENCE OF STREET OR SIDEWALK REPAIRS.

G. THE SUBJECT PROPERTY DOES NOT CONTAIN ANY VISIBLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP, OR SANITARY LANDFILL.

H. NOTE THAT THE TITLE LINES AND ACTUAL POSSESSION LINES ARE THE SAME.

I. THERE IS NO OBSERVABLE EVIDENCE OF RECENT EARTHWORK.

J. REVISE SURVEY TO ADD WETLAND FLAGS AND LINES AS LOCATED BY OTHERS. NO ADDITIONAL FIELD WORK THIS DATE. (12/15/2025)(JM).

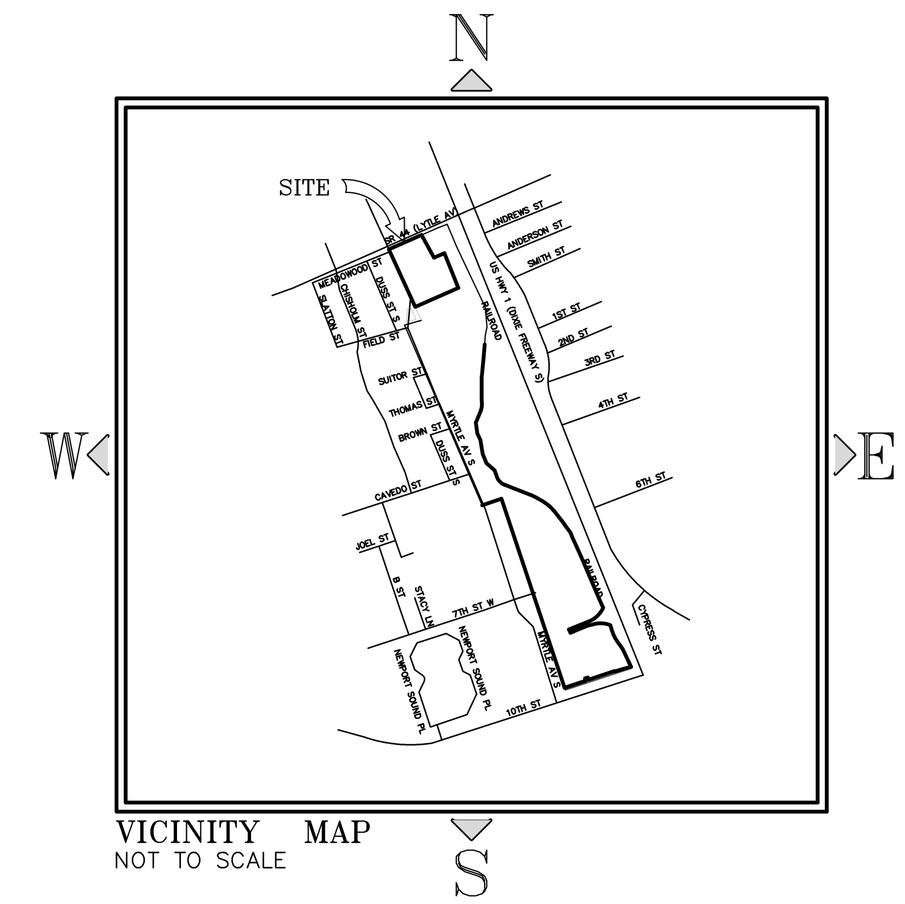
K. REVISE SURVEY TO ADDRESS CITY OF NEW SMYRNA BEACH COMMENTS RECEIVED MACH 16, 2026. ADD UTILITY STRUCTURE TABLE TO SHEET 4 OF 5. REVISE NOTE "D". NO ADDITIONAL FIELD WORK THIS DATE. (03/17/2026)(JM).

WETLAND NOTES:

1. THIS SURVEYOR IS NOT QUALIFIED TO MAKE WETLAND DETERMINATIONS. WETLANDS SHOWN HEREON WERE PROVIDED TO THIS SURVEYOR BY OTHERS. THE WETLAND BOUNDARY IS APPROXIMATE AND NOT SURVEYED, PENDING CONFIRMATION OF RESPECTIVE AGENCIES.

2. WETLAND BOUNDARIES HAVE BEEN PREVIOUSLY DELINEATED AND APPLICABLE STATE, FEDERAL PERMITS WILL BE OBTAINED PRIOR TO ALTERATIONS OR IMPACTS OF WATERCOURSES AND/OR WETLANDS.

3. WETLAND BOUNDARIES HAVE BEEN PREVIOUSLY DELINEATED AS PART OF A PRIOR ENVIRONMENTAL ASSESSMENT. THE WETLAND BOUNDARIES ARE PRESENTLY BEING CONFIRMED BASED ON CURRENT EXISTING SITE CONDITIONS AND TO ASSESS JURISDICTIONAL OPINIONS. APPLICABLE STATE AND FEDERAL PERMITS WILL BE OBTAINED PRIOR TO ANY IMPACTS TO WATERCOURSES AND OR WETLANDS. SHOULD MITIGATION BE REQUIRED, IT IS PLANNED TO BE ADDRESSED THROUGH THE PURCHASE OF MITIGATION BANK CREDITS. AT THIS TIME, WE ANTICIPATE THAT A STATE ENVIRONMENTAL RESOURCE PERMIT (ERP) WILL BE REQUIRED.



VICINITY MAP
NOT TO SCALE

SURVEY NOTES:

1. *THIS SURVEY HAS BEEN PREPARED WITH BENEFIT OF A COMMITMENT FOR TITLE INSURANCE ISSUED BY: FIDELITY NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NUMBER: 16–25–0191 COMMITMENT DATE: JULY 07, 2025 AT 8:00 AM.*

2. *THE MEASURED BEARINGS SHOWN HEREON ARE (GRID BEARINGS) BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, 1983 NORTH AMERICAN DATUM, 2007 ADJUSTMENT, DERIVING A BEARING OF N66°20'42"E, ALONG SOUTHERLY LINE OF STATE ROAD 44 (LYTLE AVENUE).*

3. *UNLESS OTHERWISE SHOWN, RECORD DISTANCES AND DIRECTIONS AND FIELD MEASURED DISTANCES AND DIRECTIONS ARE THE SAME.*

4. *DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.*

5. *UNDERGROUND FOUNDATIONS, IF ANY HAVE NOT BEEN LOCATED OR SHOWN AS A PART OF THIS SURVEY.*

6. *ELEVATIONS REFER TO NAVD 1988 DATUM, UNITED STATES COAST & GEODETIC SURVEY BENCHMARK MONUMENT M–212, HAVING A PUBLISHED ELEVATION 6.31 FEET.*

7. *THIS PROPERTY IS LOCATED IN FLOOD INSURANCE RATE MAP (F.I.R.M.) ZONE X. F.I.R.M. MAP NO. 12127C0543 J. MAP EFFECTIVE DATE: SEPTEMBER 29, 2017. PER FEMA.GOV WEBSITE.*

8. *REVISED TO ADD ELEVATIONS, REVISE CONTOURS AND SURFACE. NOVEMBER 24, 2025. (JM)*

9. *REVISED TO ADD RIGHT OF WAY WIDTH LABELS AT KEY POINTS PER CITY OF NEW SMYRNA BEACH COMMENTS, DATE NOVEMBER 11, 2025. NO ADDITIONAL FIELD WORK THIS DATE. (12/10/2025)(JM).*

NOTICE:

THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR A VALID ELECTRONIC SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SURVEYOR'S CERTIFICATION:

TO: GBT REALTY CORPORATION;
FIRST AMERICAN TITLE INSURANCE COMPANY;

I HEREBY CERTIFY THAT THIS SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J–17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

JEFFREY S. HATTENDORF DATE:
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA LICENSE NUMBER 6193

NOTICE:

THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR A VALID ELECTRONIC SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SURVEYOR'S CERTIFICATION:

CERTIFIED TO AND FOR THE BENEFIT OF:
GBT REALTY CORPORATION; FIRST AMERICAN TITLE INSURANCE COMPANY;

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDE ITEMS 1, 2, 3, 4, 5, 11b, 13 OF TABLE A THEREOF.

THE FIELDWORK WAS COMPLETED ON JULY 30, 2025.
DATE OF PLAT OR MAP: MARCH 19, 2026.

DATE:
JEFFREY S. HATTENDORF
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA LICENSE NUMBER 6193

LEGEND:

●		IRON ROD WITH CAP
○		IRON ROD
◉		IRON PIPE WITH CAP
◎		IRON PIPE
o		NAIL & DISK
		FD "X"/CUT IN CONCRETE
□		CONCRETE MONUMENT
△		DENOTES PC / PT
■		PERMANENT CONTROL POINT
		SITE BENCHMARK
	FH	FIRE HYDRANT
⊗	GV	GAS VALVE
⊗	RUV	REUSE VALVE
⊗	SSV	SANITARY SEWER VALVE
⊗	HHE	HAND HOLE (ELECTRIC)
▭	WM	WATER METER
⊠	GM	GAS METER
	TB	TELEPHONE BOX
	MB	MAIL BOX
	TV	CABLE TELEVISION BOX
	TSB	TRAFFIC SIGNAL BOX
⋈	WV	WATER VALVE
	FOCB	FIBER OPTIC CABLE BOX
	FOCV	FIBER OPTIC CABLE VAULT
	ELP	ELECTRIC PANEL
	FOCM	FIBER OPTIC CABLE MARKER
	TPM	TELEPHONE CABLE MARKER
		SIGN
☼	LP	LIGHT POLE
	YL	YARD LIGHT
	PP	POWER / UTILITY POLE
	GA	GUY ANCHOR
	EB	ELECTRIC SERVICE BOX
Ⓢ	SSMH	SANITARY SEWER MANHOLE
Ⓓ	SDMH	STORM DRAIN MANHOLE
Ⓖ	GTMH	GREASE TRAP MANHOLE
Ⓔ	EMH	ELECTRIC MANHOLE
Ⓤ	UMH	UTILITY MANHOLE
◎	CO	CLEAN OUT
Ⓕ	FOC	FIBER OPTIC CABLE MANHOLE
⋈	RBO	REUSE BLOWOFF ASSEMBLY
▲		WETLANDS LOCATION
		EXISTING CONCRETE
0.00		EXISTING ELEVATION
–FO–		BURIED FIBER OPTIC CABLE
–T–		BURIED TELEPHONE CABLE
–W–		BURIED WATER LINE
–E–		BURIED ELECTRIC LINE
–G–		BURIED GAS LINE
–TV–		BURIED TELEVISION LINE
–FM–		BURIED FORCEMAIN
–OH–		AERIAL UTILITY LINE
–ST–		STORM WATER LINE
—		CHANGE OF DIRECTION
		BACKFLOW PREVENTER

ABBREVIATIONS:

Δ	CENTRAL ANGLE
A/C	AIR CONDITIONER
A.E.	ACCESS EASEMENT
CB	CHORD BEARING
CH	CHORD DISTANCE
CLS	CENTERLINE OF SWALE
CO	CLEANOUT
CONC	CONCRETE
℄	CENTERLINE
CM	CONCRETE MONUMENT
CMP	CORRUGATED METAL PIPE
CPP	CORRUGATED PLASTIC PIPE
CV	CHECK VALVE
(C)	CALCULATED DIMENSION
DIP	DUCTILE IRON PIE
DW	DRIVEWAY
(D)	DEED DIMENSION
EL	ELEVATION
ECMP	ELLIPTICAL CORRUGATED METAL PIPE
EOP	END OF PIPE
EOW	EDGE OF WATER
ES	ELECTRIC SERVICE
FH	FIRE HYDRANT
FNC	FENCE
FND	FOUND
FDOT	FLORIDA DEPARTMENT OF TRANSPORTATION
FDNR	FLORIDA DEPARTMENT OF NATURAL RESOURCES
FP&L CO	FLORIDA POWER & LIGHT COMPANY
GA	GUY ANCHOR
GEN	GENERATOR
GLM	GAS LINE MARKER
HDPE	HIGH DENSITY POLYETHYLENE PIPE
ID	IDENTIFICATION
ILLEG.	ILLEGIBLE
INV	INVERT
IRC	IRON ROD & CAP
IR	IRON ROD (NO CAP)
IPC	IRON PIPE & CAP
IP	IRON PIPE (NO CAP)
IV	IRRIGATION VALVE
Δ	ARC LENGTH
LB	LICENSED BUSINESS
LP	LIGHT POLE
(M)	MEASURED DIMENSION
MB	MAP BOOK
MES	MITERED END SECTION
MH	MANHOLE
MW	MONITORING WELL
N&D	NAIL & DISK
(NR)	NON RADIAL
NAVD	NORTH AMERICAN VERTICAL DATUM
NGVD	NATIONAL GEODETIC VERTICAL DATUM
ORB	OFFICIAL RECORDS BOOK
(P)	PLATTED DIMENSION
PG	PAGE
PP	POWER POLE
PVC	POLYVINYL CHLORIDE
PRV	PRESURE REDUCING VALVE
(R)	RADIAL
	RADIUS
RCP	REINFORCED CONCRETE PIPE
RES	RESIDENCE
RGE	RANGE
RV	REUSE VALVE
R/W	RIGHT OF WAY
SAN	SANITARY
SEC	SECTION
STA	STATION
TC	TOP COVER
TOB	TOP OF BANK
TOE	TOE OF SLOPE
TSP	TRAFFIC SIGNAL POLE
TWP	TOWNSHIP
(TYP)	TYPICAL
U.E.	UTILITY EASEMENT
USC & GS	UNITED STATES COAST & GEODETIC SURVEY
VCP	VITREOUS CLAY PIPE
WM	WATER METER
WV	WATER VALVE
W/	WITH

FILE: K:/ 25/ 250655 SPROUTS ALTA/ 250655 ALTA.DWG

SLIGER & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
3921 NOVA ROAD
(386) 761–5385
PORT ORANGE, FL. 32127
LICENSED BUSINESS CERTIFICATION NUMBER 3019
www.sligerassociates.com

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TYPE OF SURVEY	SURVEY DATE	JOB NUMBER	CHECKED BY
SPECIFIC PURPOSE			
ALTA/ NSPS SURVEY	JULY 30, 2025	25–0655	J. HATTENDORF
TOPOGRAPHIC SURVEY	JULY 30, 2025	25–0655	J. HATTENDORF
FOUNDATION LOCATION			
FINAL IMPROVEMENTS			
RECERTIFICATION			

FIELD BOOK:1558 PAGE (S): 47, 50, 51, 55
FIELD BOOK:1560 PAGE (S): 16–18, 24, 26–28

FIELD DATE: JULY 30, 2025
PARTY CHIEF: J. PENFIELD K. HELMICK
DRAWN BY: J. MOLLER
CHECKED BY: J. HATTENDORF

ALTA/NSPS LAND TITLE SURVEY AND TOPOGRAPHIC SURVEY
507 MYRTLE STREET, NEW SMYRNA BEACH, FLORIDA
CLIENT: GBT REALTY CORPORATION

PROJECT: 07104
JOB: 25–0655
SCALE: N/A
SHEET: 1 OF 5

SCHEDULE "B" - EXCEPTIONS

1. DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, CREATED, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES FOR VALUE OF RECORD THE ESTATE OR INTEREST OR MORTGAGE THEREON COVERED BY THIS FORM.

2. TAXES AND ASSESSMENTS FOR THE YEAR 2025 AND SUBSEQUENT YEARS, WHICH ARE NOT YET DUE AND PAYABLE.

3. STANDARD EXCEPTIONS:

   A. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND.

   B. RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS.

   C. ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR, OR MATERIALS HERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS.

   D. TAXES OR ASSESSMENTS WHICH ARE NOT SHOWN AS EXISTING LIENS IN THE PUBLIC RECORDS.

4. ANY CLAIM THAT ANY PORTION OF THE INSURED LAND IS SOVEREIGN LANDS OF THE STATE OF FLORIDA, INCLUDING SUBMERGED, FILLED OR ARTIFICIALLY EXPOSED LANDS ACCRETED TO SUCH LAND.
   NO SUBMERGED LANDS INCLUDED IN PROJECT.

5. ANY LIEN PROVIDED BY COUNTY ORDINANCE OR BY CHAPTER 159, FLORIDA STATUTES, IN FAVOR OF ANY CITY, TOWN, VILLAGE OR PORT AUTHORITY FOR UNPAID SERVICE CHARGES FOR SERVICE BY ANY WATER, SEWER OR GAS SYSTEM SUPPLYING THE INSURED LAND.
   ITEMS #1 THRU 5 STANDARD EXCEPTIONS.

   A. RIGHTS OF TENANTS OCCUPYING ALL OR PART OF THE INSURED LAND UNDER UNRECORDED LEASES OR RENTAL AGREEMENTS.
   NOT A SURVEY MATTER.

6. GRANT OF EASEMENT BY AND BETWEEN FLORIDA EAST COAST RAILWAY COMPANY, GRANTOR, AND CITY OF NEW SMYRNA BEACH, A MUNICIPAL CORPORATION, GRANTEE, RECORDED APRIL 24, 1978, IN OFFICIAL RECORDS BOOK 1977, PAGE 85.
   DOES NOT AFFECT SUBJECT PROPERTY. NOT GRAPHICALLY DEPICTED.

7. QUITCLAIM DEED AND GRANT OF EASEMENT BY AND BETWEEN FLORIDA EAST COAST RAILWAY, L.L.C., GRANTOR, AND FDG RAIL HOLDINGS 8 LLC, GRANTEE, RECORDED DECEMBER 28, 2007, IN OFFICIAL RECORDS BOOK 6173, PAGE 3151; AS AFFECTED BY THAT CERTAIN SUBORDINATION AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 7860, PAGE 4327.
   SUBJECT PROPERTY A PORTION OF PROPERTY DESCRIBED IN ORB 6173, PG 3151.
   ORB 7860, PG 4327, AFFECTS SUBJECT PROPERTY. SHOWN HEREON.

8. TWENTY FOOT (20') EASEMENT IN FAVOR OF THE CITY OF NEW SMYRNA AFFECTING A PORTION OF THE WESTERLY BOUNDARY OF PARCEL A AS DISCLOSED BY RIGHT-OF-WAY AND TRACT MAP DATED JUNE 30, 1916; AS AFFECTED BY FLORIDA EAST COAST RAILWAY COMPANY STATION MAP V.2/S.T. 1C, DATED SEPTEMBER 18, 1945; REDRAWN AND CORRECTED OCTOBER 12, 1970; AND A WILLIAM E. SWOOPE JR. SKETCH AND LEGAL DATED SEPTEMBER 14, 1975 SHOWING A 30 FOOT EASEMENT; AS DISCLOSED BY UPHAM, INC., PROFESSIONAL SURVEYORS, WORK ORDER #071206 DATED DECEMBER 14, 2007, WHICH IS RECORDED AS EXHIBIT A TO EASEMENT DEED RECORDED OCTOBER 19, 2009 IN OFFICIAL RECORDS BOOK 6407, PAGE 4943.
   DOES NOT AFFECT SUBJECT PROPERTY. OFF SITE, NOT GRAPHICALLY DEPICTED.

9. UNRECORDED LICENSES REFERRED TO IN, AND EASEMENT IN FAVOR OF PI LAND HOLDINGS, LLC, A DELAWARE LIMITED LIABILITY COMPANY BY EASEMENT AGREEMENT RECORDED APRIL 17, 2014 IN OFFICIAL RECORDS BOOK 6979, PAGE 4629; SUBORDINATION AGREEMENT RECORDED JUNE 5, 2020, IN OFFICIAL RECORDS BOOK 7860, PAGE 4343; AS AFFECTED BY THAT CERTAIN SUBORDINATION OF UTILITY INTERESTS RECORDED IN OFFICIAL RECORDS BOOK 8135, PAGE 768.
   ORB 6979, PG 4629, AFFECTS SUBJECT PROPERTY. SHOWN HEREON.
   ORB 7860, PG 4327, AFFECTS SUBJECT PROPERTY. SHOWN HEREON.
   ORB 8135, PG 768, DOES NOT AFFECT SUBJECT PROPERTY. OFF SITE, NOT GRAPHICALLY DEPICTED.

10. ASSIGNMENT OF DEVELOPMENT RIGHTS RECORDED IN OFFICIAL RECORDS BOOK 7143, PAGE 4645.
    ORB 7143, PG 4645, DOES NOT AFFECT SUBJECT PROPERTY. OFF SITE, NOT GRAPHICALLY DEPICTED.

11. ASSIGNMENT OF DEVELOPMENT RIGHTS RECORDED IN OFFICIAL RECORDS BOOK 7143, PAGE 4654.
    ORB 7143, PG 4654, PARENT TRACT OF SUBJECT PROPERTY. AFFECTS SUBJECT PROPERTY.
    BLANKET IN NATURE NOT GRAPHICALLY DEPICTED.

12. EASEMENT AGREEMENT BY AND BETWEEN FDG RAIL HOLDINGS 8 LLC, A DELAWARE LIMITED LIABILITY COMPANY, GRANTOR, AND FDG FLAGER STATION II LLC, A DELAWARE LIMITED LIABILITY COMPANY, GRANTEE, RECORDED JULY 28, 2015, IN OFFICIAL RECORDS BOOK 7143, PAGE 4717; AS AFFECTED BY THAT CERTAIN SUBORDINATION AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 7860, PAGE 4359.
    ORB 7143, PG 4717, AFFECTS SUBJECT PROPERTY. SHOWN HEREON.
    ORB 7860, PG 4359, SAME AS ITEM #7, ORB ORB 7860 PG 4327, AFFECTS SUBJECT PROPERTY.
    SHOWN HEREON.

13. PERPETUAL EASEMENT BY AND BETWEEN NSB 103 DEVELOPMENT LLC, A FLORIDA LIMITED LIABILITY COMPANY, GRANTOR, AND CITY OF NEW SMYRNA BEACH, A FLORIDA SUBDIVISION, GRANTEE, RECORDED JUNE 5, 2020, IN OFFICIAL RECORDS BOOK 7860, PAGE 4311.
    AFFECTS SUBJECT PROPERTY. SHOWN HEREON.

14. RESTRICTIONS, COVENANTS, AND CONDITIONS AS SET FORTH IN THAT CERTAIN DECLARATION OF RESTRICTIVE COVENANT RECORDED APRIL 25, 2022 IN OFFICIAL RECORDS BOOK 8242, PAGE 1411, AS MAY BE SUBSEQUENTLY AMENDED.
    DOES NOT AFFECT SUBJECT PROPERTY. OFF SITE, NOT GRAPHICALLY DEPICTED.

15. RESTRICTIONS, COVENANTS, AND CONDITIONS AS SET FORTH IN THAT CERTAIN DECLARATION OF RESTRICTIVE COVENANT RECORDED MAY 24, 2022 IN OFFICIAL RECORDS BOOK 8259, PAGE 882, AS MAY BE SUBSEQUENTLY AMENDED.
    SAME AS # 14 ABOVE.
    DOES NOT AFFECT SUBJECT PROPERTY. OFF SITE, NOT GRAPHICALLY DEPICTED.

    FOR 2024 TAX YEAR PARCEL/ID # 741923000041, GROSS TAX AMOUNT IS $31,909.53, EXEMPTION TYPE IS NONE, AND PAYMENT STATUS IS PAID.
    NOT A SURVEY MATTER.

UTILITY CONTACTS:

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

-UTILITY COMPANIES HAVE BEEN CONTACTED THROUGH "CALL SUNSHINE"
(UNDERGROUND CABLE LOCATING SERVICE) 1-800-432-4770
TICKET No. 202507569 (S.R. 44) AS PER THE "UNDERGROUND FACILITY DAMAGE PREVENTION ACT".

-THE FOLLOWING UTILITIES RESPONDED AFTER NOTIFICATION BY "CALL SUNSHINE".

TICKET 202507569
FL : VOLUSIA COUNTY, NEW SMYRNA BEACH
SR 44

AT&T NATIONAL DAMAGE PREVENTION:
*** NOTIFICATION OF HIGH PRIORITY FACILITIES ONSITE ***
THIS LOCATE REQUEST IS NEAR AN AT&T HIGH PROFILE FACILITY. BEFORE DIGGING IN THIS AREA WAIT ON LOCATES TO BE PERFORMED. TAKE CARE TO OBSERVE SITE MARKINGS SUCH AS PAINT AND FLAGS. HAND DIGGING IS MANDATORY WITHIN THE STATUTORY TOLERANCE ZONE.

A T & T/ DISTRIBUTION
- NO CONFLICT - UTILITY IS OUTSIDE OF THE REQUESTED WORK SITE

CHARTER COMMUNICATIONS
- NO CONFLICT - UTILITY IS OUTSIDE OF THE REQUESTED WORK SITE

COGENT COMMUNICATIONS
- CLEAR NO FACILITIES

FLORIDA POWER & LIGHT - NORTH FIBER
- CLEAR NO FACILITIES

FLORIDA PUBLIC UTILITIES CO.
- MARKED

UNITI FIBER LLC
- CLEAR NO FACILITIES

UTILITIES COMMISSION CITY OF NEW SMYRNA BEACH - ELECTRIC
- NO CONFLICT - UTILITY IS OUTSIDE OF THE REQUESTED WORK SITE

UTILITIES COMMISSION, CITY OF NEW SMYRNA BEACH - WATER
- MARKED

WIRE 3, LLC
- NO CONFLICT - UTILITY IS OUTSIDE OF THE REQUESTED WORK SITE

USSP01:
- SPRINT FIBER OPTIC CABLE, WITH COGENT COMMUNICATIONS, WILL NOT BE IMPACTED BY THE WORK AS DESCRIBED ON THIS ONE-CALL CENTER TICKET. IF YOU HAVE ANY QUESTIONS OR CONCERNS, PLEASE CALL THE COGENT'S CALL BEFORE YOU DIG GROUP AT 1-800-521-0579.

CHARTER-TIME WARNER CAB
- NOT MARKED EXCAVATION SITE CLEAR*

FPL FIBER
- NOT MARKED EXCAVATION SITE CLEAR*

UTILITY CONTACTS:

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

-UTILITY COMPANIES HAVE BEEN CONTACTED THROUGH "CALL SUNSHINE"
(UNDERGROUND CABLE LOCATING SERVICE) 1-800-432-4770
TICKET No.'S 202507664, 202507569, AND 202507664 AS PER THE "UNDERGROUND FACILITY DAMAGE PREVENTION ACT".

-THE FOLLOWING UTILITIES RESPONDED AFTER NOTIFICATION BY "CALL SUNSHINE".

TICKET 202507664
FL : VOLUSIA COUNTY, NEW SMYRNA BEACH
ENDSLEY LN

AT&T NATIONAL DAMAGE PREVENTION:
*** NOTIFICATION OF HIGH PRIORITY FACILITIES ONSITE ***
THIS LOCATE REQUEST IS NEAR AN AT&T HIGH PROFILE FACILITY. BEFORE DIGGING IN THIS AREA WAIT ON LOCATES TO BE PERFORMED. TAKE CARE TO OBSERVE SITE MARKINGS SUCH AS PAINT AND FLAGS. HAND DIGGING IS MANDATORY WITHIN THE STATUTORY TOLERANCE ZONE.

A T & T/ DISTRIBUTION
- NO CONFLICT - UTILITY IS OUTSIDE OF THE REQUESTED WORK SITE

CHARTER COMMUNICATIONS
- CLEAR NO FACILITIES

FLORIDA PUBLIC UTILITIES CO.
- MARKED

UTILITIES COMMISSION CITY OF NEW SMYRNA BEACH - ELECTRIC
- CLEAR NO FACILITIES

UTILITIES COMMISSION, CITY OF NEW SMYRNA BEACH - WATER
- CLEAR NO FACILITIES

CHARTER-TIME WARNER CAB
- MARKED 4 - EXCAVATION SITE CLEAR

UTILITY CONTACTS:

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

-UTILITY COMPANIES HAVE BEEN CONTACTED THROUGH "CALL SUNSHINE"
(UNDERGROUND CABLE LOCATING SERVICE) 1-800-432-4770
PER THE "UNDERGROUND FACILITY DAMAGE PREVENTION ACT".

-THE FOLLOWING UTILITIES RESPONDED AFTER NOTIFICATION BY "CALL SUNSHINE".

TICKET No. 202507604
FL : VOLUSIA COUNTY, NEW SMYRNA BEACH
S MYRTLE AVE

A T & T/ DISTRIBUTION
- MARKED

CHARTER COMMUNICATIONS
- MARKED

COGENT COMMUNICATIONS
- CLEAR NO FACILITIES

FLORIDA POWER & LIGHT - NORTH FIBER
- CLEAR NO FACILITIES

FLORIDA PUBLIC UTILITIES CO.
- MARKED

UNITI FIBER LLC
- CLEAR NO FACILITIES

UTILITIES COMMISSION CITY OF NEW SMYRNA BEACH - ELECTRIC
- NO CONFLICT - UTILITY IS OUTSIDE OF THE REQUESTED WORK SITE

UTILITIES COMMISSION, CITY OF NEW SMYRNA BEACH - WATER
- MARKED

WIRE 3, LLC
- NO CONFLICT - UTILITY IS OUTSIDE OF THE REQUESTED WORK SITE

USSP01:
- SPRINT FIBER OPTIC CABLE, WITH COGENT COMMUNICATIONS, WILL NOT BE IMPACTED BY THE WORK AS DESCRIBED ON THIS ONE-CALL CENTER TICKET. IF YOU HAVE ANY QUESTIONS OR CONCERNS, PLEASE CALL THE COGENT'S CALL BEFORE YOU DIG GROUP AT 1-800-521-0579.

FPL FIBER
- NOT MARKED EXCAVATION SITE CLEAR*

NOTE:
THIS SURVEY IS NOT VALID WITHOUT SHEETS 1 TO 5

SLIGER & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
3921 NOVA ROAD
PORT ORANGE, FL 32127
(386) 756-0371
LICENSED BUSINESS CERTIFICATION NUMBER 3019
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4 3 2

TYPE OF SURVEY	SURVEY DATE	JOB NUMBER	CHECKED BY
SPECIFIC PURPOSE			
ALTA/ NSPS SURVEY	JULY 30, 2025	25-0655	J. HATTENDORF
TOPOGRAPHIC SURVEY	JULY 30, 2025	25-0655	J. HATTENDORF
FOUNDATION LOCATION			
FINAL IMPROVEMENTS			
RECERTIFICATION			

FIELD BOOK:1558	PAGE (S): 47, 50, 51, 55	FIELD BOOK:1560
FIELD DATE: JULY 30, 2025	PARTY CHIEF: J. PENFIELD K. HELMICK	DRAWN BY: J. MOLLER
		PAGE (S): 16-18, 24, 26-28
		CHECKED BY: J. HATTENDORF

ALTA/NSPS LAND TITLE SURVEY AND TOPOGRAPHIC SURVEY

507 MYRTLE STREET,
NEW SMYRNA BEACH, FLORIDA

CLIENT: GBT REALTY CORPORATION

PROJECT: 07104
JOB: 25-0655
SCALE: N/A
SHEET: 2 OF 5

FILE: K:/ 25/ 250655 SPROUTS ALTA/ 250655 ALTA.DWG

ALTA / NSPS LAND TITLE
& TOPOGRAPHIC SURVEY

FOR

GBT REALTY CORPORATION



NOTE:
THIS SURVEY IS NOT VALID WITHOUT SHEETS 1 TO 5

FILE: K:/ 25/ 250655 SPROUTS ALTA/ 250655 ALTA.DWG

SLIGER & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
3921 NOVA ROAD
SUITE 101
PORT ORANGE, FL. 32127
LICENSED BUSINESS CERTIFICATION NUMBER 3019

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TYPE OF SURVEY	SURVEY DATE	JOB NUMBER	CHECKED BY
SPECIFIC PURPOSE			
ALTA/ NSPS SURVEY	JULY 30, 2025	25-0655	J. HATTENDORF
TOPOGRAPHIC SURVEY	JULY 30, 2025	25-0655	J. HATTENDORF
FOUNDATION LOCATION			
FINAL IMPROVEMENTS			
RECERTIFICATION			

	FIELD BOOK:1558	FIELD BOOK:1560
FIELD DATE: JULY 30, 2025	PAGE (S): 47, 50, 51, 55	PAGE (S): 16-18, 24, 26-28
PARTY CHIEF: J. PENFIELD K. HELMICK		
DRAWN BY: J. MOLLER		
CHECKED BY: J. HATTENDORF		

ALTA/NSPS LAND TITLE SURVEY AND TOPOGRAPHIC SURVEY

507 MYRTLE STREET,
NEW SMYRNA BEACH, FLORIDA

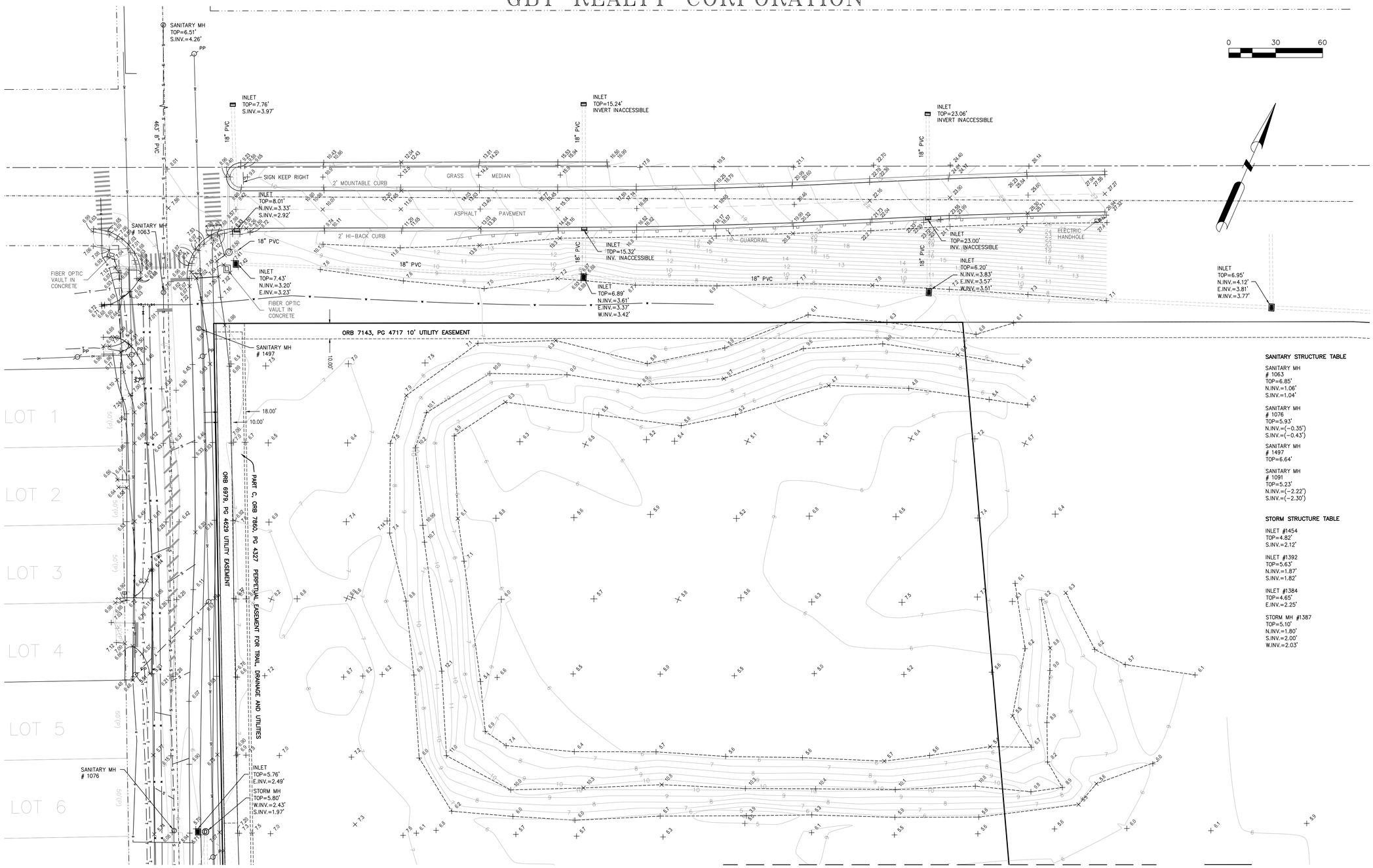
CLIENT: GBT REALTY CORPORATION

PROJECT: 07104
JOB: 25-0655
SCALE: 1"=100'
SHEET: 3 OF 5

ALTA / NSPS LAND TITLE
& TOPOGRAPHIC SURVEY

FOR

GBT REALTY CORPORATION



SANITARY STRUCTURE TABLE

SANITARY MH
1063
TOP=6.85'
N.INV.=1.06'
S.INV.=1.04'

SANITARY MH
1076
TOP=5.93'
N.INV.=(-0.35')
S.INV.=(-0.43')

SANITARY MH
1497
TOP=6.64'

SANITARY MH
1091
TOP=5.23'
N.INV.=(-2.22')
S.INV.=(-2.30')

STORM STRUCTURE TABLE

INLET #1454
TOP=4.82'
S.INV.=2.12'

INLET #1392
TOP=5.63'
N.INV.=1.87'
S.INV.=1.82'

INLET #1384
TOP=4.65'
E.INV.=2.25'

STORM MH #1387
TOP=5.10'
N.INV.=1.80'
S.INV.=2.00'
W.INV.=2.03'

NOTE:
THIS SURVEY IS NOT VALID WITHOUT SHEETS 1 TO 5

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PROFESSIONAL LAND SURVEYORS
3921 NOVA ROAD
PORT ORANGE, FL. 32127
LICENSED BUSINESS CERTIFICATION NUMBER 3019

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TYPE OF SURVEY	SURVEY DATE	JOB NUMBER	CHECKED BY
SPECIFIC PURPOSE			
ALTA/ NSPS SURVEY	JULY 30, 2025	25-0655	J. HATTENDORF
TOPOGRAPHIC SURVEY	JULY 30, 2025	25-0655	J. HATTENDORF
FOUNDATION LOCATION			
FINAL IMPROVEMENTS			
RECERTIFICATION			

FIELD DATE: JULY 30, 2025	FIELD BOOK: FIELD BOOK#1558
PARTY CHIEF: J. PENFIELD K. HELMICK	PAGE (S): 47, 50, 51, 55
DRAWN BY: J. MOLLER	FIELD BOOK: FIELD BOOK#1560
CHECKED BY: J. HATTENDORF	PAGE (S): 16-18, 24, 26-28

ALTA/NSPS LAND TITLE SURVEY
AND TOPOGRAPHIC SURVEY

507 MYRTLE STREET,
NEW SMYRNA BEACH, FLORIDA

CLIENT: GBT REALTY CORPORATION

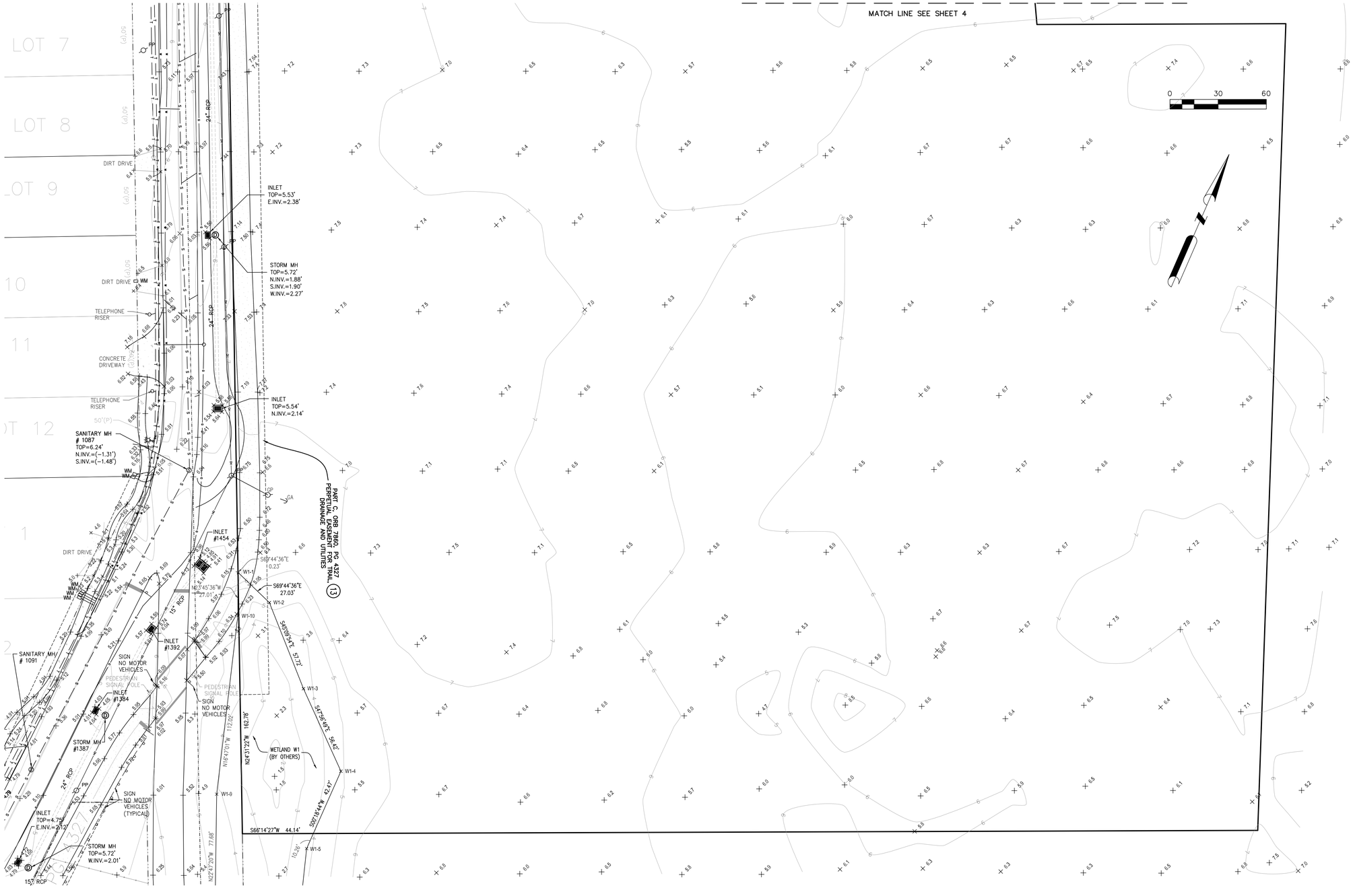
PROJECT: 07104
JOB: 25-0655
SCALE: 1"=30'
SHEET: 4 OF 5

FILE: K:/ 25/ 250655 SPROUTS ALTA/ 250655 ALTA.DWG

ALTA / NSPS LAND TITLE
& TOPOGRAPHIC SURVEY

FOR

GBT REALTY CORPORATION



NOTE:
THIS SURVEY IS NOT VALID WITHOUT SHEETS 1 TO 5

SLIGER & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
3921 NOVA ROAD
PORT ORANGE, FL. 32127
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FIELD DATE: JULY 30, 2025	FIELD BOOK:1558
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CHECKED BY: J. HATTENDORF	PAGE (S): 16-18, 24, 26-28

ALTA / NSPS LAND TITLE SURVEY
AND TOPOGRAPHIC SURVEY

507 MYRTLE STREET,
NEW SMYRNA BEACH, FLORIDA

CLIENT: GBT REALTY CORPORATION

PROJECT: 07104
JOB: 25-0655
SCALE: 1"=30'
SHEET: 5 OF 5

FILE: K:/ 25/ 250655 SPROUTS ALTA/ 250655 ALTA.DWG

EXHIBIT B

Site Plan



MASTER DEVELOPMENT PLANS

FOR

SPROUTS SHOPPING CENTER

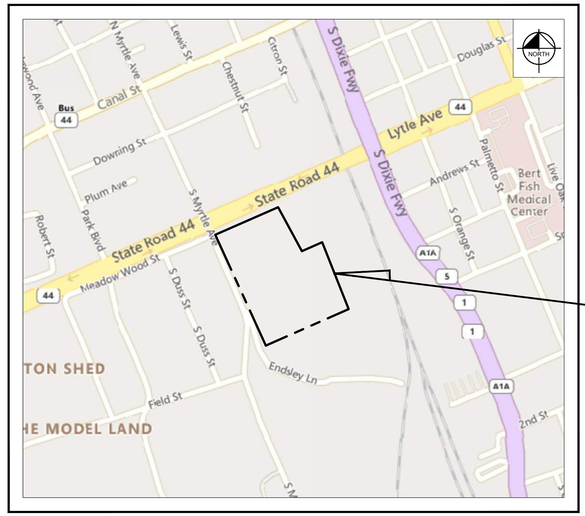
PARCEL ID NUMBER: 741923000041

507 S. MYRTLE AVE.
NEW SMYRNA BEACH, FLORIDA
03-27-2026



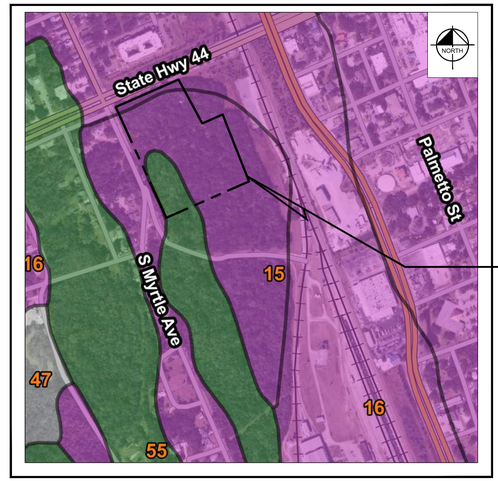
AERIAL PHOTOGRAPH
N.T.S.

SCALE: 1" = 2000'



SECTION 11 , TOWNSHIP 26, RANGE 16

LOCATION MAP
N.T.S.



SOILS MAP
N.T.S.

15 - COCOA SAND
16 - COCOA - URBAN LAND COMPLEX
55 - RIVIERA FINE SAND

PROJECT TEAM

OWNER

NSB 103 DEVELOPMENT LLC
1215 GESSNER DR
HOUSTON TX, 77055

SURVEYOR:

SLIGER & ASSOCIATES, INC.
3921 NOVA ROAD
PORT ORANGE, FLORIDA 32127
JEFF HOFIUS
(386) 761 - 5385

DEVELOPER:

GBT REALTY CORPORATION
9010 OVERLOOK BOULEVARD
BRENTWOOD, TN 37027
SCOTT COLE
(615) 505-3101
SCOLE@GBTREALTY.COM

LANDSCAPE ARCHITECT:

KIMLEY-HORN AND ASSOCIATES, INC.
200 S. ORANGE AVENUE, SUITE 600
ORLANDO, FL 32801
ZACK HALL, PLA
(407) 768-3222
ZACK.HALL@KIMLEY-HORN.COM

CIVIL ENGINEER:

KIMLEY-HORN AND ASSOCIATES, INC.
200 S. ORANGE AVENUE, SUITE 600
ORLANDO, FL 32801
BRENT LENZEN, P.E.
(407) 427-1610
BRENT.LENZEN@KIMLEY-HORN.COM

INDEX OF SHEETS

MP0.0	COVER
MP4.1	COMMERCIAL SITE PLAN
MP4.2	OPEN SPACE PLAN
MP4.3	TREE CANOPY EXHIBIT
MP4.4	PHASING PLAN
MP5.0	OVERALL UTILITY PLAN
MP5.1	UTILITY PLAN

PREPARED BY

Kimley»Horn

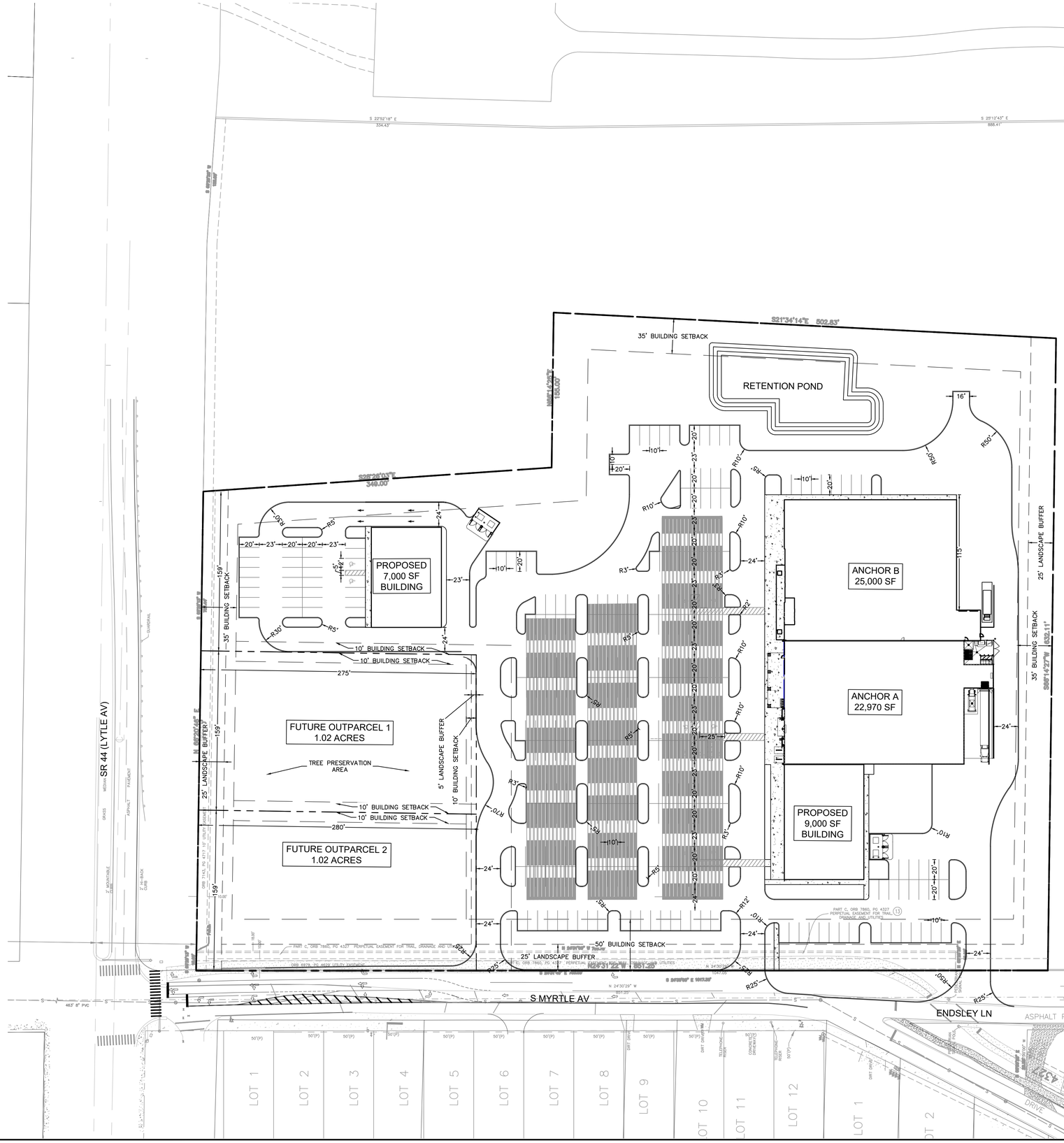
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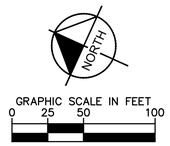
200 S. ORANGE AVENUE, SUITE 600, ORLANDO, FL
PHONE: (407) 898-1511
WWW.KIMLEY-HORN.COM REGISTRY No. 35106

No.	REVISIONS	DATE	BY

SHEET NUMBER
MP0.0

Drawing name: K:\orl_civil\249631001-new smyrna beach sprouts\CADD\master development\plansheets\MP0.0-COVR.dwg CO.0 Mar 27, 2026 9:14am by: Dorian.Niranjan
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SITE DATA

		PH 1: 9.33 AC	PH 2: 2.04 AC
TOTAL SITE AREA:	11.37 AC (495,135.80 SF)		
EXISTING ZONING:	LIGHT INDUSTRY (I-1)		
FUTURE LAND USE:	INDUSTRIAL MIXED USE (IMU)		
EXISTING USE:	VACANT (WOODED)		
PROPOSED USE:	COMMERCIAL RETAIL		
REQD MAX BUILDING HEIGHT:		45 FT	45 FT
REQD MIN LOT SIZE:		1.00 AC	0.5 AC
REQD. MIN BUILDING SEPARATION:		0 FT	20 FT
REQD. MAX INDIVIDUAL BLDG SIZE:		25,000 SF	11,325 SF
REQD. MAX BLDG COVERAGE:	25%	2.33 AC	0.26 AC
REQD. MIN OPEN SPACE:	20%	1.87 AC	0.41 AC
REQD. MIN NATURAL VEGETATION:	15%	1.40 AC	0.31 AC
REQD. MIN INTERIOR LANDSCAPING:	10%	0.28 AC	
MAX IMPERVIOUS:	80%	7.46 AC	1.63 AC

OPEN SPACE PROVIDED PH-1: 3.31 AC / 35.48%

PROPOSED IMPERVIOUS PH-1:

SIDEWALK	0.23 AC
ASPHALT	4.31 AC
BUILDING	1.47 AC
TOTAL:	6.01 AC / 64.42%

PARKING REQUIRED:	PH 1:	PH 2:
RETAIL 4/SP/1,000 SF (63,970 SF)		
REGULAR 10' X 20'	249 SPACES	
ADA SPACES (201-300 PROVIDED)	7 SPACES	
TOTAL:	263 SPACES	MINIMUM PARKING REQUIRED FOR PHASE 2 TO BE PROVIDED PER THE LDR AND THE PROPOSED USE
PARKING PROVIDED:		
STANDARD SPACES	293 SPACES	
ADA SPACES	11 SPACES	
TOTAL:	304 SPACES	
NOT TO EXCEED 120% OF MINIMUM REQUIREMENT		

BUILDING SETBACKS:	REQUIRED PH 1:	PH 2: *
NORTH	35 FT	35 FT
EAST	35 FT	10 FT
WEST	50 FT	50 FT
SOUTH	35 FT	10 FT
LANDSCAPE BUFFERS		
NORTH	25 FT	25 FT
EAST	N/A	N/A
WEST	25 FT	25 FT
WEST	25 FT	25 FT
SOUTH	25 FT	5 FT

*REQUIRED 10 FT INTERIOR SETBACK BETWEEN OUTPARCELS

PH-1 INTERIOR LANDSCAPING CALCS:

REGULAR PARKING SPACES - 293	293 X 20' X 10' = 58,600 SF / 1.35 AC
ADA PARKING SPACES - 11	11 X 20' X 17' = 3,740 SF/ 0.08 AC
PARKING AISLE PAVEMENT	58,333 SF / 1.34 AC
TOTAL:	120,673 SF / 2.77 AC

10% OF PARKING = 0.28 AC OF INTERIOR LANDSCAPE ISLANDS REQUIRED

FLOOR AREA RATIO

MAXIMUM ALLOWABLE F.A.R.: 0.5

PROPOSED UTILITIES

SANITARY SEWER: CONNECTION TO EXISTING GRAVITY SEWER ALONG S MYRTLE AV
POTABLE WATER: CONNECTION TO EXISTING WATER MAIN ALONG S MYRTLE AV
RECLAIMED WATER: CONNECTION TO EXISTING RECLAIM WATER MAIN ACROSS SR 44

GENERAL NOTES:

1. ALL MEASUREMENTS TO FACE OF CURB UNLESS OTHERWISE NOTED.

2. FIRE PROTECTION WATER SUPPLY TO BE AVAILABLE PRIOR TO AND DURING CONSTRUCTION.

2. ALL AFFECTED SIDEWALKS, RAMPS, AND CROSSWALKS, WILL BE BUILT AND INSPECTED TO MEET CURRENT ADA REQUIREMENTS.

4. ALL FUTURE DEVELOPMENTS WILL NEED TO APPLY FOR PERMIT PRIOR TO CONSTRUCTION.

5. SITE SHALL COMPLY WITH THE FLORIDA BUILDING CODE 8TH EDITION (2023) ACCESSIBILITY

6. FINAL SITE SHALL BE GRADED TO PROVIDE PEDESTRIAN AND PARKING ADA ACCESSIBILITY

7. SEPARATE PERMITS ARE REQUIRED FOR THE FOLLOWING IF APPLICABLE CONSTRUCTION TRAILERS, SALES CENTERS, DUMPSTER ENCLOSURES, LIFT STATIONS, SWIMMING POOLS, PLAYGROUND EQUIPMENT, WALL SIGNS, MONUMENT SIGNS, RETAINING/LANDSCAPE WALLS, ENTRY WALL FEATURES, SITE LIGHTING, GENERATORS, STORAGE SHEDS, STORAGE BUILDINGS, LIGHTNING PROTECTION SYSTEMS, BULK OXYGEN STORAGE TANKS, FENCES, AWNINGS, GREASE TRAPS, PAINT SPRAY BOOTHS, UNDERGROUND AND ABOVE GROUND FUEL STORAGE TANKS, HELIPADS, EV CHARGING STATIONS ETC.

8. STORMWATER MANAGEMENT FOR THE ENTIRE 11.37 ACRES, INCLUDING OUTPARCELS WILL BE PROVIDED FOR WITHIN THE CENTRAL SYSTEM.

LEGEND:

PROPOSED STORMWATER EXFILTRATION PIPE

Always call 811 two full business days before you dig to have underground utilities located and marked.

Sunshine811.com

No.	REVISIONS	DATE	BY

Kimley»Horn
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200 S. ORANGE AVENUE, SUITE 800, ORLANDO, FL 32801
PHONE: 407-898-1511
WWW.KIMLEY-HORN.COM REGISTRY No. 35106

LICENSED PROFESSIONAL
BRENT A. LENZEN P.E.
FLORIDA LICENSE NUMBER 78537
DATE: 02/09/2026

KHA PROJECT 249631001
DATE 02/09/2026
SCALE AS SHOWN
DESIGNED BY DRN
DRAWN BY DRN
CHECKED BY BAL

COMMERCIAL SITE PLAN

MASTER DEVELOPMENT PLANS

NEW SMYRNA BEACH FLORIDA

SHEET NUMBER
MP4.1

Posted By:Nicholas Dorion Street Set:Master Plan Layout:C4.1 March 27, 2026 11:25:23am K:\orl_civil\249631001-new smyrna beach sprouts\CADD\master development\sheets\MP4.0 - SITE PLAN.dwg
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NORTH

GRAPHIC SCALE IN FEET
0 30 60 120

PHASE 1: – 9.33 ACRES

SITE DATA	REQUIRED	PROVIDED
OPEN SPACE:	1.87AC / 20%	3.31 AC / 35.48%
VEGETATIVE SPACE	1.40 AC / 15%	3.02 AC / 32.37%
PARKING AREA		
SPACES		1.43 AC
PARKING AISLES		1.34 AC
INTERIOR LANDSCAPING	10% OF PARKING = 0.28 AC	0.39 AC

LEGEND

- OPEN SPACE
- VEGETATIVE SPACE
- PARKING AISLES
- LIMITS OF INTERIOR LANDSCAPING

Always call 811 two full business days before you dig to have underground utilities located and marked.

Sunshine811.com

No.	REVISIONS	DATE	BY

Kimley»Horn
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200 S. ORANGE AVENUE, SUITE 600, ORLANDO, FL 32801
PHONE: 407-898-1511
WWW.KIMLEY-HORN.COM REGISTRY No. 35106

LICENSED PROFESSIONAL
BRENT A. LENZEN P.E.
FLORIDA LICENSE NUMBER
78537
DATE 02/09/2026

KHA PROJECT	249631001
DATE	02/09/2026
SCALE	AS SHOWN
DESIGNED BY	–
DRAWN BY	VOP
CHECKED BY	BAL

OPEN SPACE PLAN

MASTER DEVELOPMENT PLANS

NEW SMYRNA BEACH FLORIDA

SHEET NUMBER
MP4.2

Plotted By:Nicanjon, Dorion Sheet Set:Master Plan Layout:C4.2 March 27, 2026 11:19:29am K:\orl_civil\249631001-new smyrna beach sprouts\CADD\master development\pronsheets\MP4.0 – SITE PLAN.dwg
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KEY

HISTORIC TREE TO BE PRESERVED (6 TOTAL)

SPECIMEN TREE TO BE PRESERVED (45 TOTAL)

HISTORIC TREE TO BE REMOVED (2 TOTAL)



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Sunshine811.com

No.	REVISIONS	DATE	BY

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PHONE: 407-898-1511
WWW.KIMLEY-HORN.COM REGISTRY No. 35106

LICENSED PROFESSIONAL
BRENT A. LENZEN P.E.
FLORIDA LICENSE NUMBER
78537
DATE: 03/27/2026

KHA PROJECT	249631001
DATE	03/27/2026
SCALE	AS SHOWN
DESIGNED BY	–
DRAWN BY	VQP
CHECKED BY	BAL

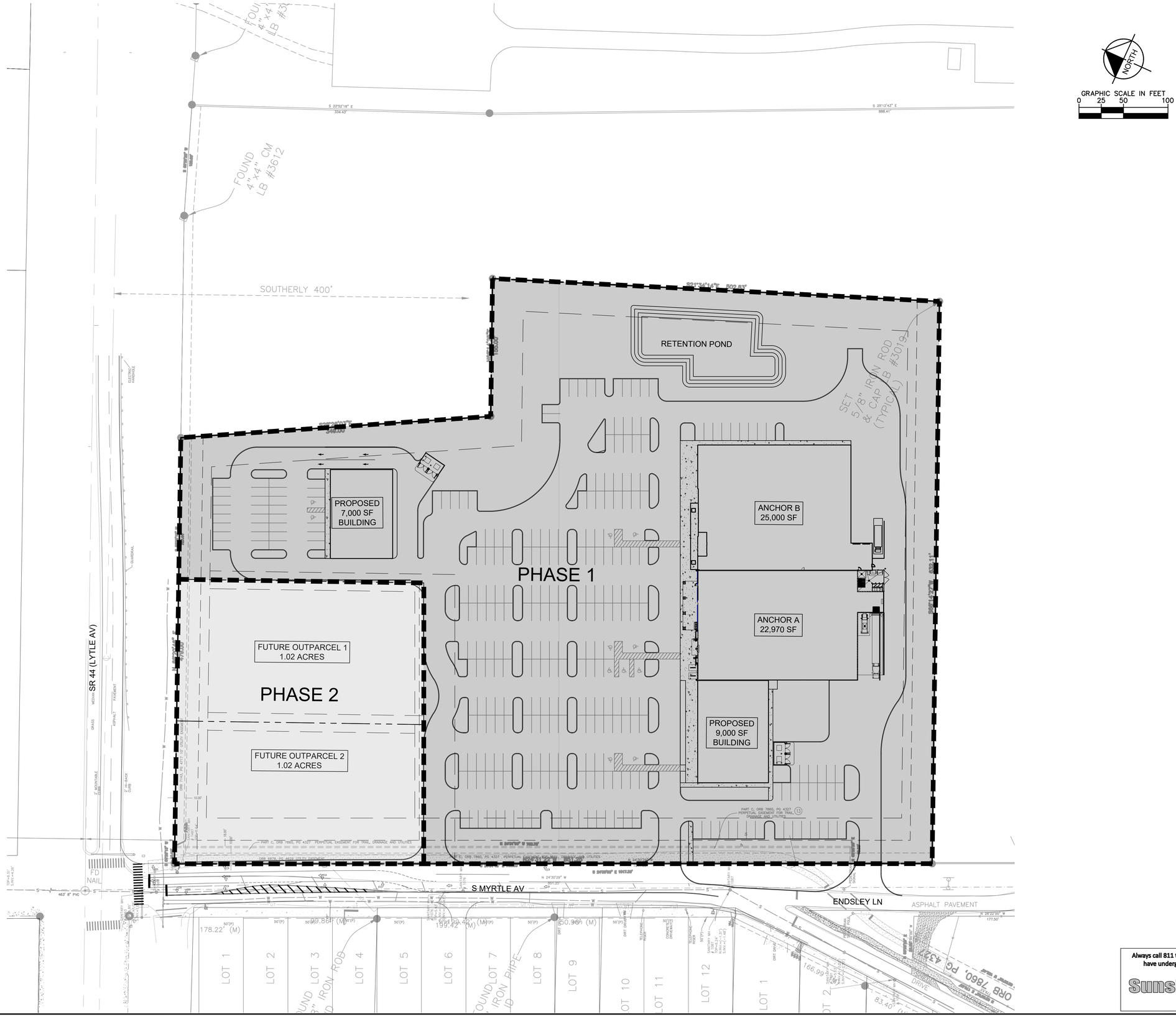
TREE CANOPY EXHIBIT

MASTER DEVELOPMENT PLANS

NEW SMYRNA BEACH FLORIDA

SHEET NUMBER
MP4.3

Plotted By:Noranjha, Dorian Sheet Set:Master Plan Layout:MP4.3 March 27, 2026 11:19:52am K:\orl_civil\249631001-new smyrna beach sprouts\CAD\EXHIBITS\CANOPY COVERAGE\NSB CANOPY COVERAGE.dwg
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FLORIDA LICENSE NUMBER
78537
DATE: 02/09/2026

KHA PROJECT	249631001
DATE	02/09/2026
SCALE	AS SHOWN
DESIGNED BY	–
DRAWN BY	VOP
CHECKED BY	BAL

PHASING PLAN

MASTER DEVELOPMENT PLANS

NEW SMYRNA BEACH FLORIDA

SHEET NUMBER
MP4.4

Plotted By:Nranjan, Dorian Sheet Set:Master Plan Layout:MP4.4 March 27, 2026 11:20:14am K:\orl_civil\249631001-new smyrna beach sprouts\CAD\master development\plansheets\MP4.0 – SITE PLAN.dwg
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GRAPHIC SCALE IN FEET
0 125 250 500

NORTH

PROPOSED USES:

INDUSTRIAL	± 91.33 AC
COMMERICAL	± 11.37 AC

LEGEND

- PROPERTY LINE (TYP.)
- PROPOSED SANITARY SEWER LINE
- PROPOSED WATER LINE
- PROPOSED FIRE LINE
- PROPOSED FIRE HYDRANT
- PROPOSED SANITARY SEWER MANHOLE
- EXISTING SANITARY SEWER LINE
- EXISTING FORCE MAIN
- EXISTING WATER LINE
- EXISTING RECLAIM WATER LINE
- EXISTING STORM PIPE
- EXISTING GAS LINE
- EXISTING OVERHEAD ELECTRIC
- EXISTING UNDERGROUND ELECTRIC
- EXISTING UNDERGROUND COMMUNICATION
- EXISTING UNIDENTIFIED UTILITY
- EXISTING STORM MANHOLE
- EXISTING SANITARY SEWER MANHOLE
- EXISTING FIRE HYDRANT

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BRENT A. LENZEN P.E.
FLORIDA LICENSE NUMBER
78537
DATE 02/09/2026

KHA PROJECT 249631001			
DATE 02/09/2026	SCALE	AS SHOWN	
	DESIGNED BY		
	DRAWN BY		VOP
	CHECKED BY		BAL

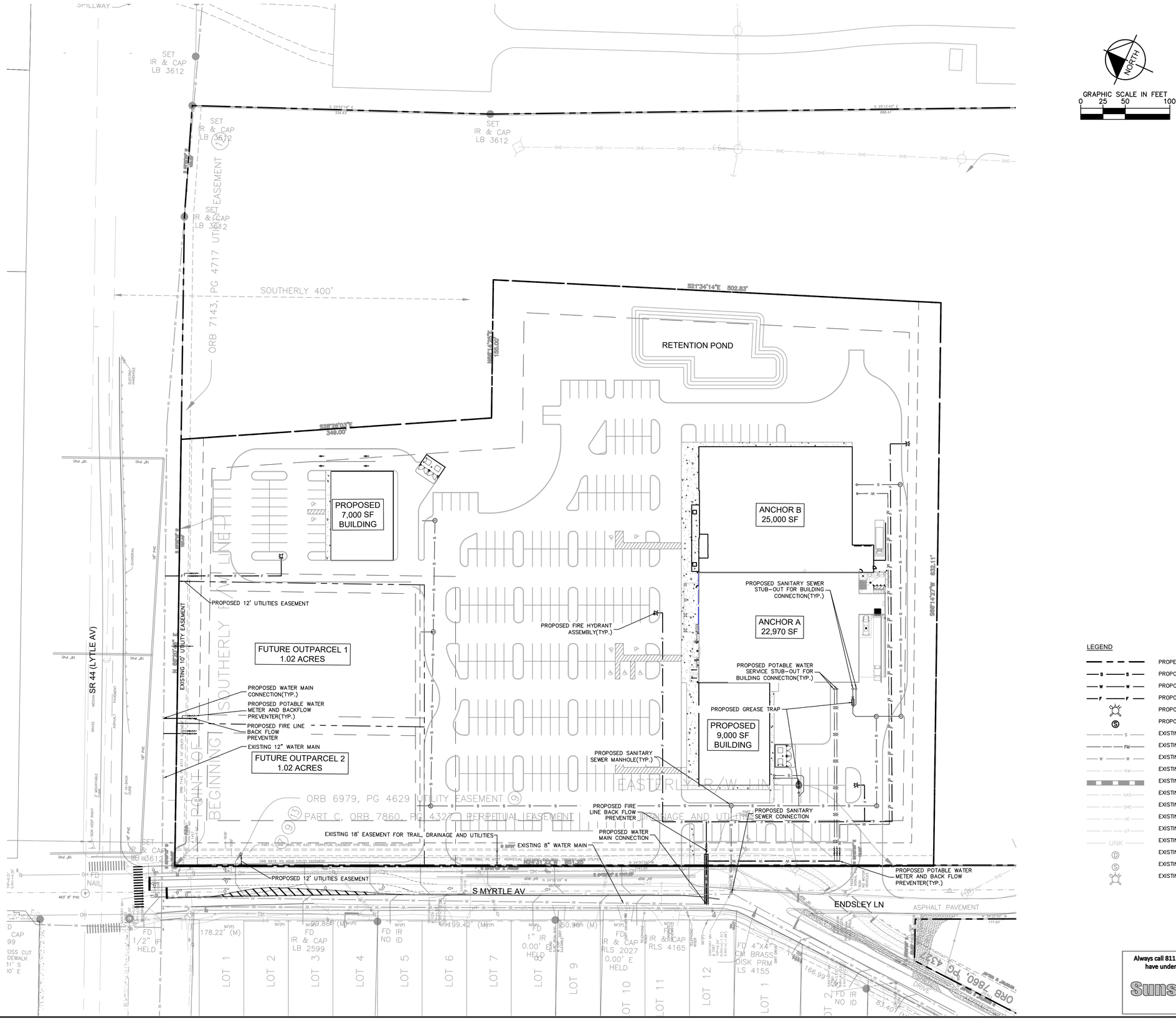
UTILITY PLAN

MASTER DEVELOPMENT PLANS

NEW SMYRNA BEACH FLORIDA

SHEET NUMBER
MP5.0

Plotted By:Niranjan, Durjan Sheet Set:Master Plan Layout:MP5.0 March 27, 2026 11:20:43am K:\orl_civil\249631001-new smyrna beach sprouts\CADD\master development\plansheets\MP5.0 - UTILITY PLAN.dwg
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LEGEND

- PROPERTY LINE (TYP.)
- PROPOSED SANITARY SEWER LINE
- PROPOSED WATER LINE
- PROPOSED FIRE LINE
- PROPOSED FIRE HYDRANT
- PROPOSED SANITARY SEWER MANHOLE
- EXISTING SANITARY SEWER LINE
- EXISTING FORCE MAIN
- EXISTING WATER LINE
- EXISTING RECLAIM WATER LINE
- EXISTING STORM PIPE
- EXISTING GAS LINE
- EXISTING OVERHEAD ELECTRIC
- EXISTING UNDERGROUND ELECTRIC
- EXISTING UNDERGROUND COMMUNICATION
- EXISTING UNIDENTIFIED UTILITY
- EXISTING STORM MANHOLE
- EXISTING SANITARY SEWER MANHOLE
- EXISTING FIRE HYDRANT

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LICENSED PROFESSIONAL
BRENT A. LENZEN P.E.
FLORIDA LICENSE NUMBER
78537
DATE: 02/09/2026

KHA PROJECT	249631001
DATE	02/09/2026
SCALE	AS SHOWN
DESIGNED BY	-
DRAWN BY	VOP
CHECKED BY	BAL

UTILITY PLAN

MASTER DEVELOPMENT PLANS

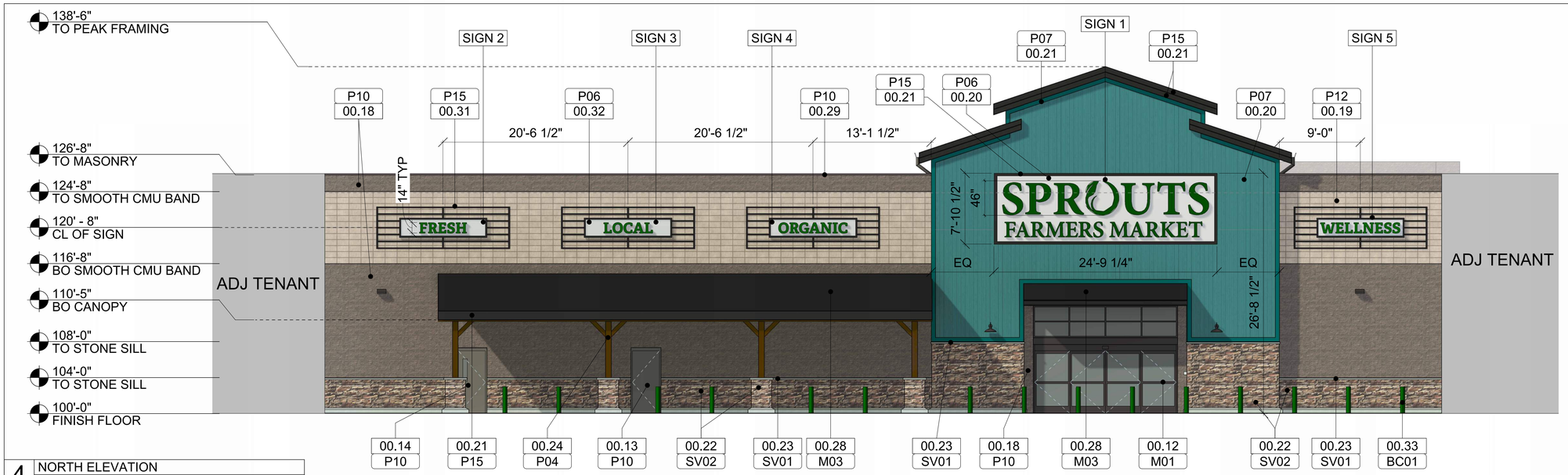
NEW SMYRNA BEACH FLORIDA

SHEET NUMBER
MP5.1

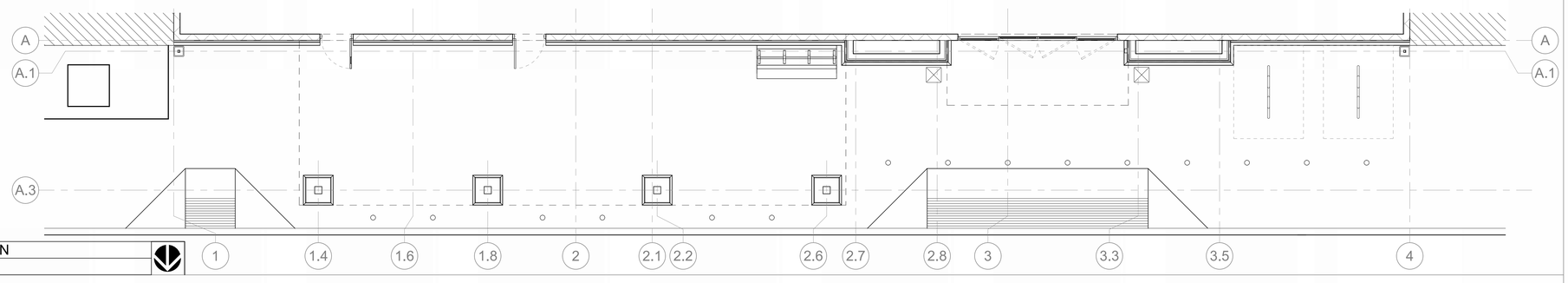
Plotted By: Nirajan Dorjee Sheet Set: Master Plan Layout: MP5.1 March 27, 2026 11:20:50am K:\orl_civil\249631001-new smyrna beach sprouts\CADD\master development\plansheets\MP5.0 - UTILITY PLAN.dwg
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EXHIBIT C

Architectural Elevations



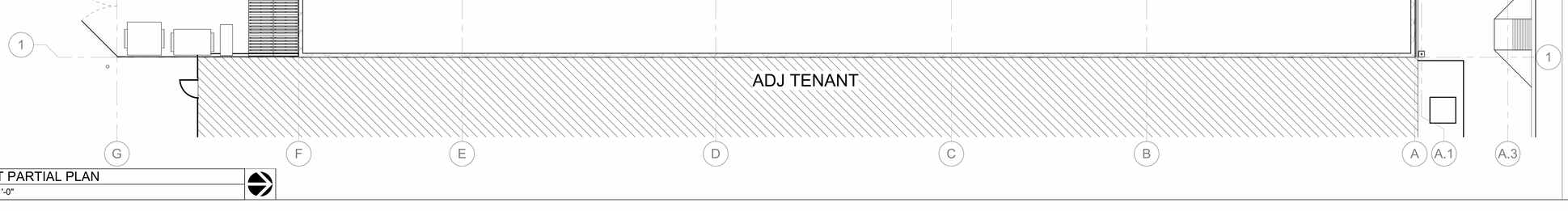
4 NORTH ELEVATION
3/16" = 1'-0"



3 NORTH PARTIAL PLAN
3/16" = 1'-0"



2 EAST ELEVATION
1/8" = 1'-0"



1 EAST PARTIAL PLAN
1/8" = 1'-0"

ALL ASPECTS OF THE SIGNAGE, BOTH BUILDING AND SITE, SHALL BE GOVERNED BY SPROUTS' MOST CURRENT PROTOTYPE SIGN STANDARDS MANUAL AND CODE REQUIREMENTS.

FOR MATERIAL AND FINISH DETAILS SEE SHEET C-1D MATERIAL BOARD

FOR SIGN DESCRIPTIONS SEE SHEET C-1A SIGNAGE SITE PLAN

ACCENT COLOR FOR ADDITIONAL STRUCTURES: P15

FOR CLARITY OUTDOOR FIXTURES ARE NOT SHOWN

KEYNOTES

00.09	SUSTAINABILITY AREA WITH CHAIN LINK FENCE AND GATE
00.12	AUTOMATIC SLIDING ENTRY DOOR
00.13	HOLLOW METAL EGRESS DOOR
00.14	CLICK & COLLECT DOOR
00.18	SPLIT FACE CMU, RUNNING BOND
00.19	SMOOTH FACE CMU, STACKED BOND
00.20	JAMES HARDIE FIBER CEMENT SIDING
00.21	JAMES HARDIE FIBER CEMENT TRIM
00.22	MANUFACTURED STONE VENEER SYSTEM
00.23	MANUFACTURED STONE SILL
00.24	WOOD POST WITH KICKER
00.28	STANDING SEAM METAL ROOF
00.29	METAL PARAPET CAP
00.31	ALUMINUM "PASTURE GATE" FRAMEWORK FOR SECONDARY SIGN BY SIGNAGE VENDOR
00.32	BACKGROUND PANEL FOR SECONDARY SIGN BY SIGNAGE VENDOR
00.33	IDEALSHIELD BOLLARD

KEYNOTES - SIGNAGE

SIGN 1	ILLUMINATED CHANNEL LETTERS, FLUSH MOUNTED
SIGN 2	ILLUMINATED CHANNEL LETTERS ON PASTURE GATE
SIGN 3	ILLUMINATED CHANNEL LETTERS ON PASTURE GATE
SIGN 4	ILLUMINATED CHANNEL LETTERS ON PASTURE GATE
SIGN 5	ILLUMINATED CHANNEL LETTERS ON PASTURE GATE

CLIENT
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PHOENIX, AZ 85054
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Florida Corporate Certificate #AA C000526

ISSUES AND REVISIONS

NUMBER	DATE	DESCRIPTION

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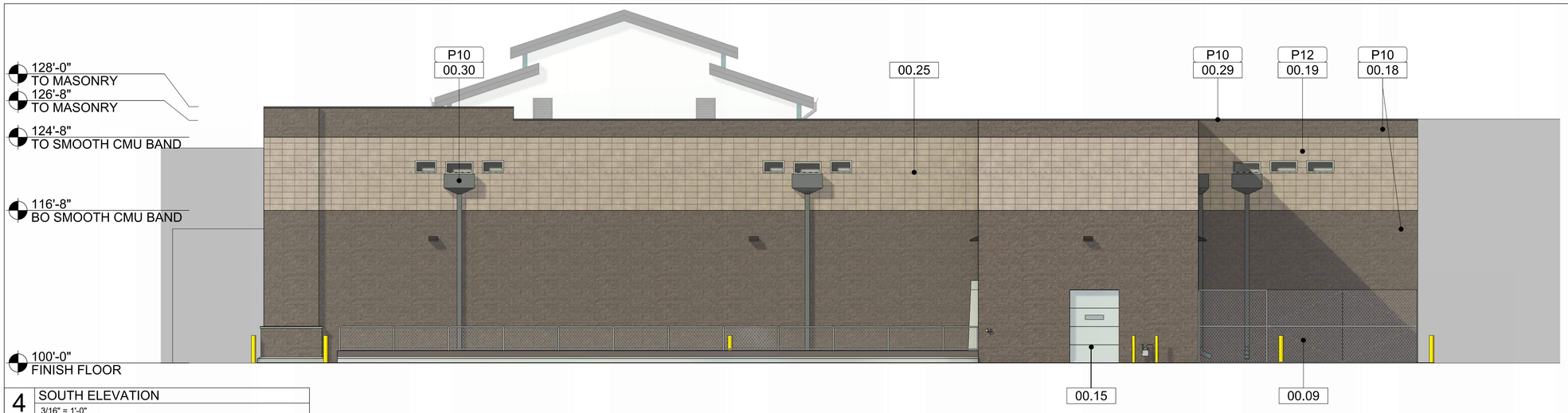
STORE INFORMATION
SPROUTS FARMERS MARKET
0678
LYTLE AVE & S MYRTLE AVE
NEW SMYRNA BEACH, FL

SHEET NAME
PREMISES ELEVATION AND TENANT'S BUILDING AND SITE SIGNAGE

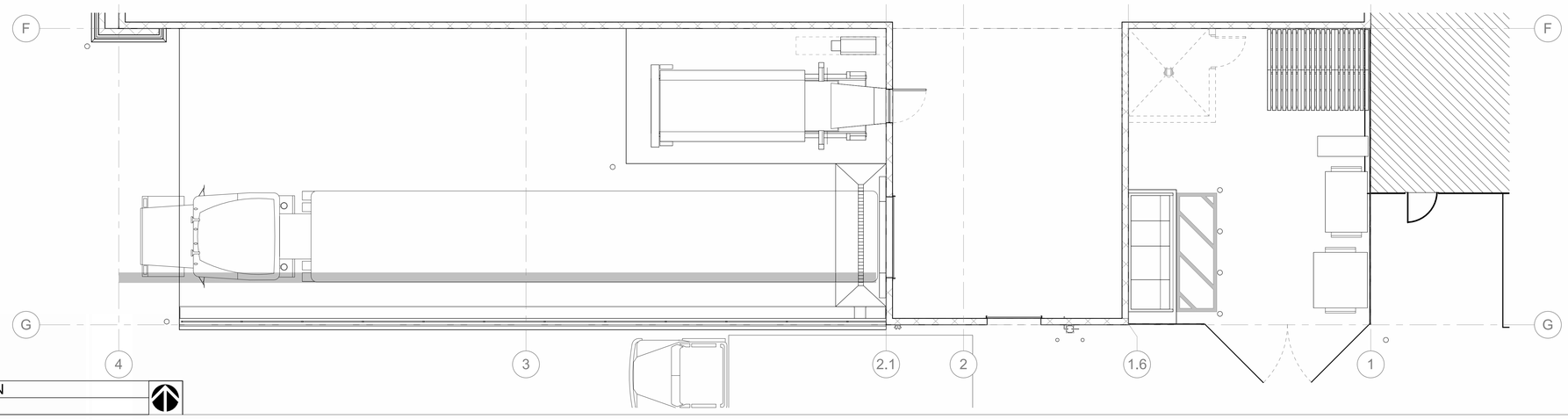
DATE:	03/20/26
DRAWN BY:	JS/CH
CHECKED BY:	ED
BUILD TYPE:	NBTS
PROTOTYPE VERSION:	V6.2.9.1_20250305
PROJECT NUMBER:	20250170

SHEET NUMBER
C-1C

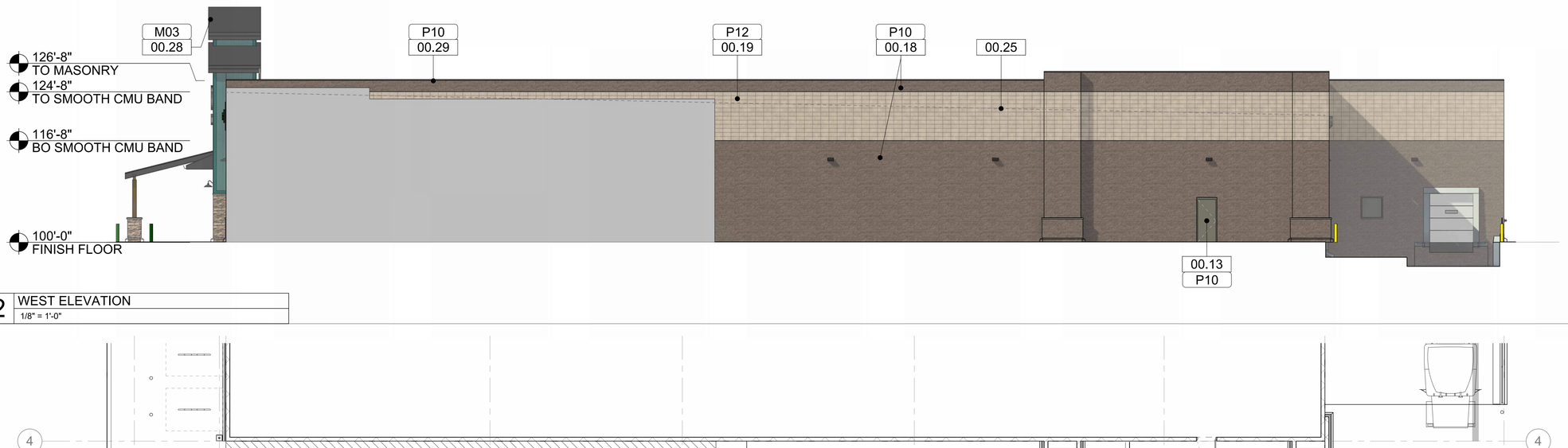
0678 NEW SMYRNA BEACH, FL NBTS EXHIBIT C-1C PREMISES ELEVATION AND TENANTS BUILDING AND SITE SIGNAGE



4 SOUTH ELEVATION
3/16" = 1'-0"



3 SOUTH PARTIAL PLAN
3/16" = 1'-0"



2 WEST ELEVATION
1/8" = 1'-0"

1 WEST PARTIAL PLAN
1/8" = 1'-0"

ALL ASPECTS OF THE SIGNAGE, BOTH BUILDING AND SITE, SHALL BE GOVERNED BY SPROUTS' MOST CURRENT PROTOTYPE SIGN STANDARDS MANUAL AND CODE REQUIREMENTS.

FOR MATERIAL AND FINISH DETAILS SEE SHEET C-1D MATERIAL BOARD

FOR SIGN DESCRIPTIONS SEE SHEET C-1A SIGNAGE SITE PLAN

ACCENT COLOR FOR ADDITIONAL STRUCTURES: P15

FOR CLARITY OUTDOOR FIXTURES ARE NOT SHOWN

KEYNOTES

00.09	SUSTAINABILITY AREA WITH CHAIN LINK FENCE AND GATE
00.13	HOLLOW METAL EGRESS DOOR
00.15	DAILY STORE DELIVERY (DSD) OVERHEAD DOOR
00.18	SPLIT FACE CMU, RUNNING BOND
00.19	SMOOTH FACE CMU, STACKED BOND
00.25	LINE OF ROOF BEYOND
00.28	STANDING SEAM METAL ROOF
00.29	METAL PARAPET CAP
00.30	METAL DOWNSPOUT

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NEW SMYRNA BEACH, FL

SHEET NAME
PREMISES ELEVATION AND TENANT'S BUILDING AND SITE SIGNAGE

DATE:	03/20/26
DRAWN BY:	JS
CHECKED BY:	ED
BUILD TYPE:	NBTS
PROTOTYPE VERSION:	V6.2.9.1_20250305
PROJECT NUMBER:	20250170

SHEET NUMBER
C-1D

0678 NEW SMYRNA BEACH, FL NBTS EXHIBIT C-1D PREMISES ELEVATION AND TENANT'S BUILDING AND SITE SIGNAGE

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STANDING SEAM METAL ROOFING

BERRIDGE
"AGED BRONZE"
(M03)

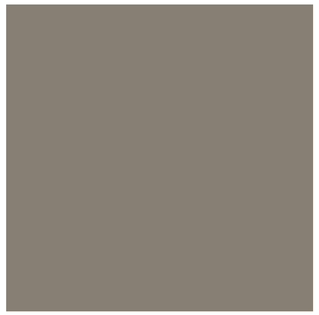
PAINT

PPG 1009-1
"TUNDRA FROST"
(P06)



PAINT

PPG 1142-6
"JERICHO JADE"
(P07)



PAINT

PPG 1000-5
"BEAR CUB"
(P10)



PAINT

PPG 1024-4
"MOTH GRAY"
(P12)



PAINT

PPG 1006-7
"METROPOLIS"
(P15)



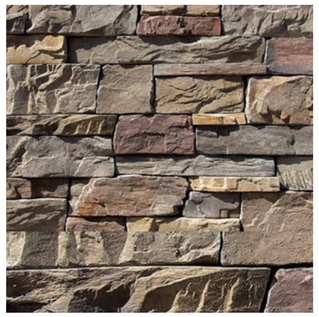
WOOD POST

STAINED FLOOD
SEMI TRANSPARENT
"707 TABACCO"
(P04)



STOREFRONT

STOREFRONT MANUFACTURER
DARK BRONZE
(M01)



STONE VENEER

CORONADO STONE
OLD WORLD LEDGE
"MONARCH"
(SV02)



SILL

CORONADO STONE
900 SERIES
"GREY"
(SV01)



BOLLARD COVER

CUSTOM
PMS-2465
(BC01)

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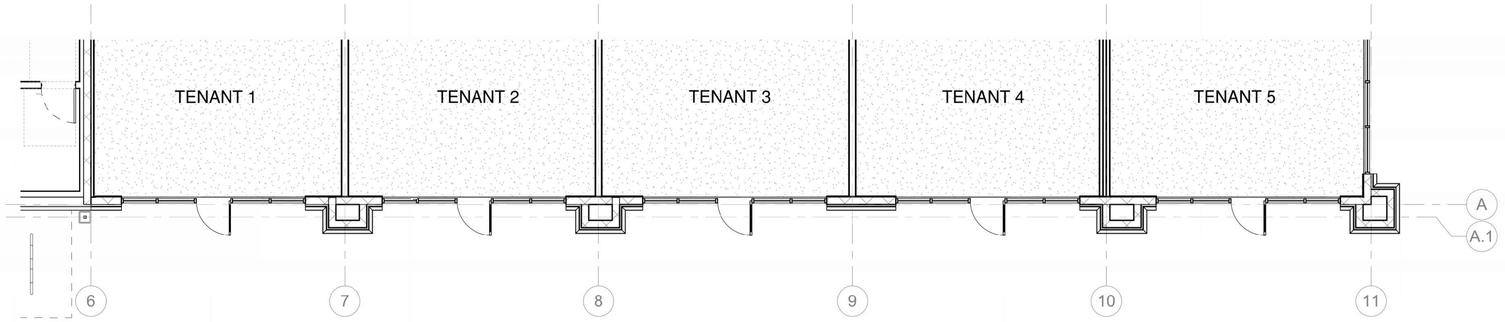
SHEET NAME
PREMISES ELEVATION AND TENANT'S BUILDING AND SITE SIGNAGE

DATE:	03/20/26
DRAWN BY:	CH
CHECKED BY:	Checker
BUILD TYPE:	NBTS
PROTOTYPE VERSION:	V6.2.9.1_20250305
PROJECT NUMBER:	20250170

SHEET NUMBER

C-1E

0678 NEW SMYRNA BEACH, FL NBTS EXHIBIT C-1E PREMISES ELEVATION AND TENANT'S BUILDING AND SITE SIGNAGE

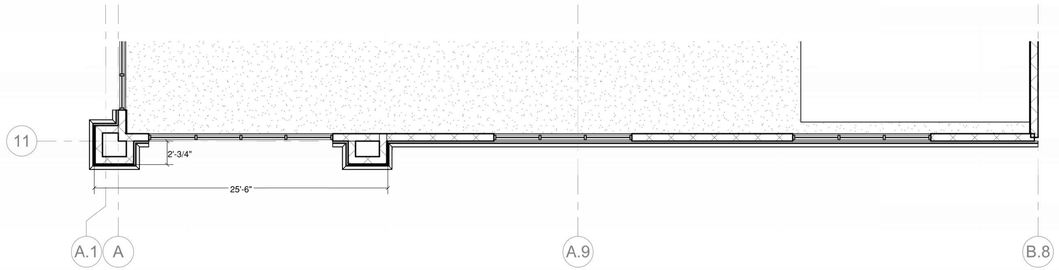


1 NORTHWEST PLAN
3/16" = 1'-0"



2 NORTHWEST ELEVATION
3/16" = 1'-0"

NOTES:
SIGNAGE AREA PER PAGE 18 (33 OF 57). SECTION 604.12 SIGNS.G.b WALL SIGNS SHALL GOVERN THE REMAINING TENANTS. MAX. 100 SQ.FT. PER TENANT PREMISE.



3 SOUTHWEST PLAN
3/16" = 1'-0"

Material & Color Schedule

TYPE	MATERIAL	FINISH	COLOR	NOTES
G-1	ALUMINUM GUTTER & DOWNSPOUT		BRONZE	PROVIDE SPALSH BLOCK
SF-1	STOREFRONT MEDIUM-STILE	ALUMINUM		KAWNEER OR EQUAL
HMD-1	HOLLOW METAL DOOR	PAINT (PPG 1000-5)	BEAR CUB - P10	
M-1	METAL PARAPET CAP	PAINT (PPG 1000-5)	BEAR CUB - P10	
C-1	CANVAS AWNING		BLACK	SUNBRELLA
CMU-1	SMOOTH FACE CMU	PAINT (PPG 1024-4)	MOTH GRAY - P12	STACKED BOND
CMU-2	SPLIT FACE CMU	PAINT (PPG 1000-5)	BEAR CUB - P10	RUNNING BOND
ST-1	DIRECT APPLIED STUCCO	PAINT (PPG 1024-4)	MOTH GRAY - P12	SANDED TEXTURE - PAINTED SYNTHETIC TOP COAT - MATTE FINISH
SV-1	MANUFACTURED STONE SILL	900 SERIES	GREY	CORONADO STONE
SV-2	MANUFACTURED STONE VENEEW	OLD WORLD LEDGE	MONARCH	CORONADO STONE

FOR MATERIAL AND FINISH DETAILS SEE SHEET C-1D MATERIAL BOARD



4 SOUTHWEST ELEVATION
3/16" = 1'-0"

CUHACI PETERSON

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Suite #200
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ARCHITECT/ENGINEER SEAL

CONSULTANT

GBT REALTY CORPORATION

REVISION / ISSUE HISTORY

REV	DATE	REVISION / ISSUE NAME

PROJECT NO 20250502	DRAWN BY JS
PERMIT SUB DATE -	CHECKED BY ED

PROJECT
NEW SMYRNA BEACH RETAIL

US 44 & MYRTLE AVE
NEW SMYRNA BEACH, FL

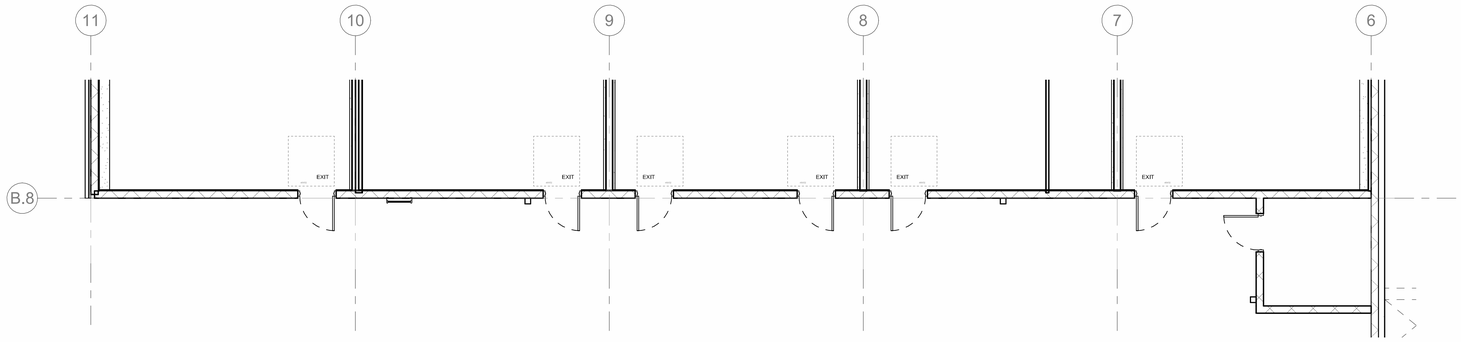
CLIENT
GBT REALTY CORPORATION

9010 OVERLOOK BOULEVARD
BRENTWOOD, TN 37027

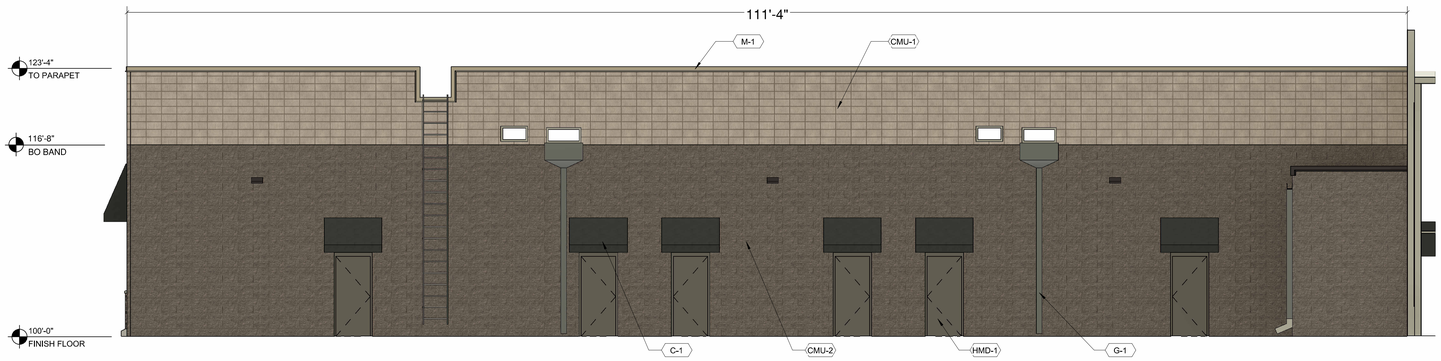
SHEET TITLE
PHASE 1 - INLINE RETAIL SHOPS ELEVATIONS

SHEET NO C-1B

REV



1 SOUTHEAST PLAN
3/16" = 1'-0"



2 SOUTHEAST ELEVATION
3/16" = 1'-0"

Block Type	Area(sq ft)	Percentage (%)
Smooth-Face	702	27.46%
Split-Face	1854	72.54%
Total	2556	100.00%

Material & Color Schedule

TYPE	MATERIAL	FINISH	COLOR	NOTES
G-1	ALUMINUM GUTTER & DOWNSPOUT		DARK BRONZE	PROVIDE SPALSH BLOCK
SF-1	STOREFRONT MEDIUM-STILE	ALUMINUM		KAWNEER OR EQUAL
HMD-1	HOLLOW METAL DOOR	PAINT (PPG 1000-5)	BEAR CUB - P10	
M-1	METAL PARAPET CAP	PAINT (PPG 1000-5)	BEAR CUB - P10	
C-1	CANVAS AWNING		BLACK	SUNBRELLA
CMU-1	SMOOTH FACE CMU	PAINT (PPG 1024-4)	MOTH GRAY - P12	STACKED BOND
CMU-2	SPLIT FACE CMU	PAINT (PPG 1000-5)	BEAR CUB - P10	RUNNING BOND
ST-1	DIRECT APPLIED STUCCO	PAINT (PPG 1024-4)	MOTH GRAY - P12	SANDED TEXTURE - PAINTED SYNTHETIC TOP COAT - MATTE FINISH
SV-1	MANUFACTURED STONE SILL	900 SERIES	GREY	CORONADO STONE
SV-2	MANUFACTURED STONE VENEEW	OLD WORLD LEDGE	MONARCH	CORONADO STONE

FOR MATERIAL AND FINISH DETAILS SEE SHEET C-1D MATERIAL BOARD

CUHACI PETERSON

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REVISION / ISSUE HISTORY

REV	DATE	REVISION / ISSUE NAME

PROJECT NO 20250502	DRAWN BY Author
PERMIT SUB DATE -	CHECKED BY Checker

PROJECT
NEW SMYRNA BEACH RETAIL

US 44 & MYRTLE AVE
NEW SMYRNA BEACH, FL

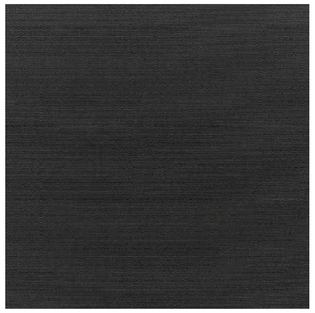
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GBT REALTY CORPORATION

9010 OVERLOOK BOULEVARD
BRENTWOOD, TN 37027

SHEET TITLE
PHASE 1 - INLINE RETAIL SHOPS ELEVATIONS - REAR

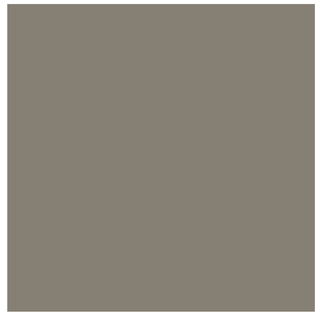
SHEET NO
C-1C

REV



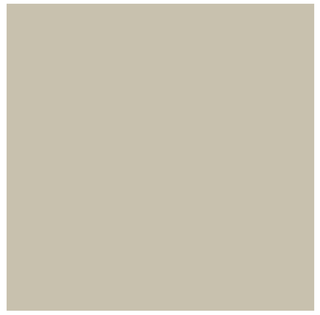
CANVAS AWNING

SUNBRELLA
"BLACK"
(C-1)



PAINT

PPG 1000-5
"BEAR CUB"
(P10)



PAINT

PPG 1024-4
"MOTH GRAY"
(P12)



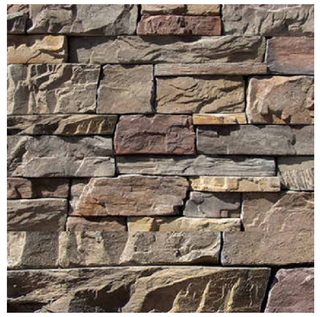
STOREFRONT FINISH

"DARK BRONZE"
(SF-1)



SILL

CORONADO STONE
900 SERIES
"GREY"
(SV-1)



STONE VENEER

CORONADO STONE
OLD WORLD LEDGE
"MONARCH"
(SV-2)

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AR0016440
ARRON WADE ARNOLD

CONSULTANT

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REVISION / ISSUE HISTORY

REV	DATE	REVISION / ISSUE NAME

PROJECT NO 20250502	DRAWN BY JS
PERMIT SUB DATE -	CHECKED BY ED

PROJECT

NEW SMYRNA BEACH RETAIL

US 44 & MYRTLE AVE
NEW SMYRNA BEACH, FL

CLIENT

GBT REALTY CORPORATION

9010 OVERLOOK BOULEVARD
BRENTWOOD, TN 37027

SHEET TITLE

PHASE 1 - EXTERIOR BUILDING MATERIALS

SHEET NO

C-1D

REV



1 OVERALL ELEVATION - TJ-MAXX - SPROUTS - RETAIL SHOPS
N.T.S.

TJ-MAXX TOTAL SIGNAGE AREA:
(7'-5" x 27'-0") = 200sf.



2 PARTIAL FRONT ELEVATION - TJ-MAXX & SPROUTS
N.T.S.

SPROUTS MAIN SIGNAGE AREA: (8'-0" x 25'-0") = 200sq.ft.

SPROUTS SECONDARY SIGNAGE AREA: 276.8sq.ft.
FREASH: 69.2sq.ft.
LOCAL: 69.2 sq.ft.
ORGANIC: 69.2 sq.ft.
WELLNESS: 69.2 sq.ft.



3 PARTIAL FRONT ELEVATION - SPROUTS & RETAIL SHOPS
N.T.S.

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PROJECT
NEW SMYRNA BEACH RETAIL
US 44 & MYRTLE AVE
NEW SMYRNA BEACH, FL

CLIENT
GBT REALTY CORPORATION
9010 OVERLOOK BOULEVARD
BRENTWOOD, TN 37027

SHEET TITLE
PHASE 1 - OVERALL BUILDING FRONT ELEVATIONS

SHEET NO C-2 REV



1 REAR PARTIAL ELEVATION - RETAIL, SPROUTS & TJ-MAX
N.T.S.



2 REAR PARTIAL ELEVATION - RETAIL & SPROUTS
N.T.S.



3 REAR PARTIAL ELEVATION - SPROUTS & TJ-MAXX
N.T.S.

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20250502	Author
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-	Checker

PROJECT
NEW SMYRNA BEACH RETAIL

US 44 & MYRTLE AVE
NEW SMYRNA BEACH, FL

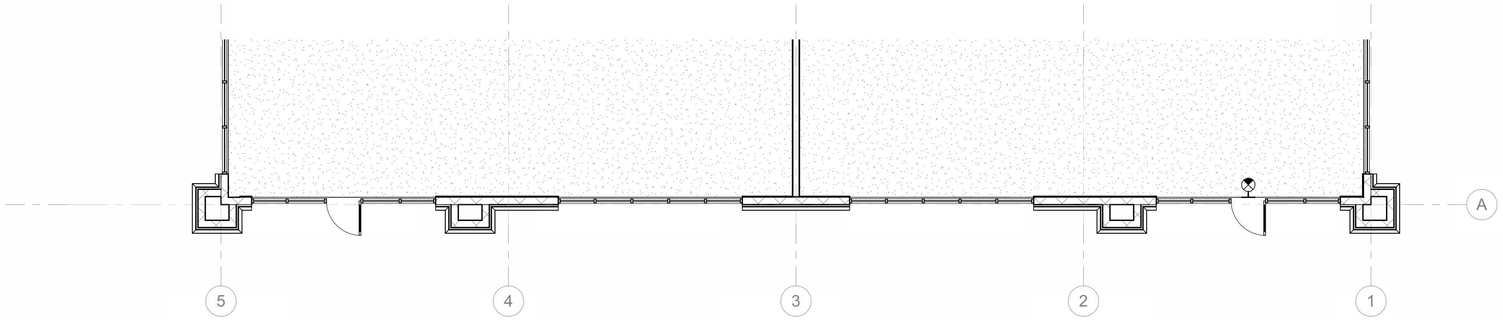
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GBT REALTY CORPORATION

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BRENTWOOD, TN 37027

SHEET TITLE
PHASE 1 - OVERALL
BUILDING REAR ELEVATIONS

SHEET NO
C-3

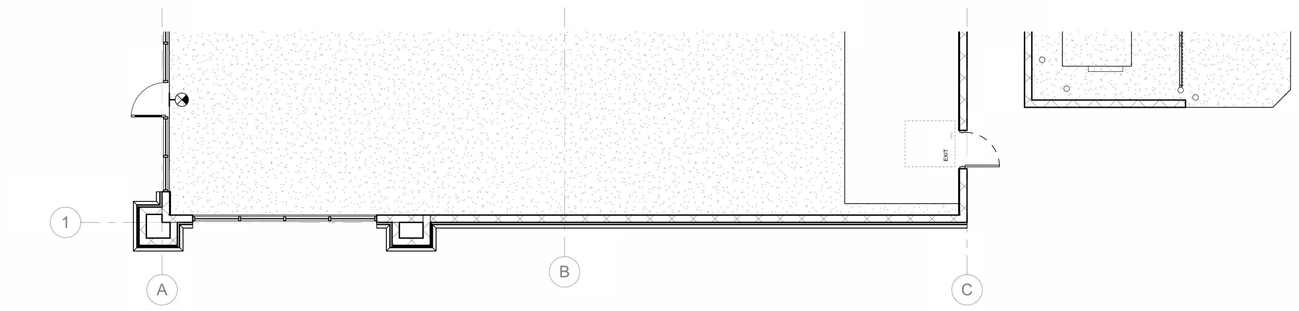
REV



1 NORTHWEST PLAN
3/16" = 1'-0"



2 NORTHWEST ELEVATION
3/16" = 1'-0"

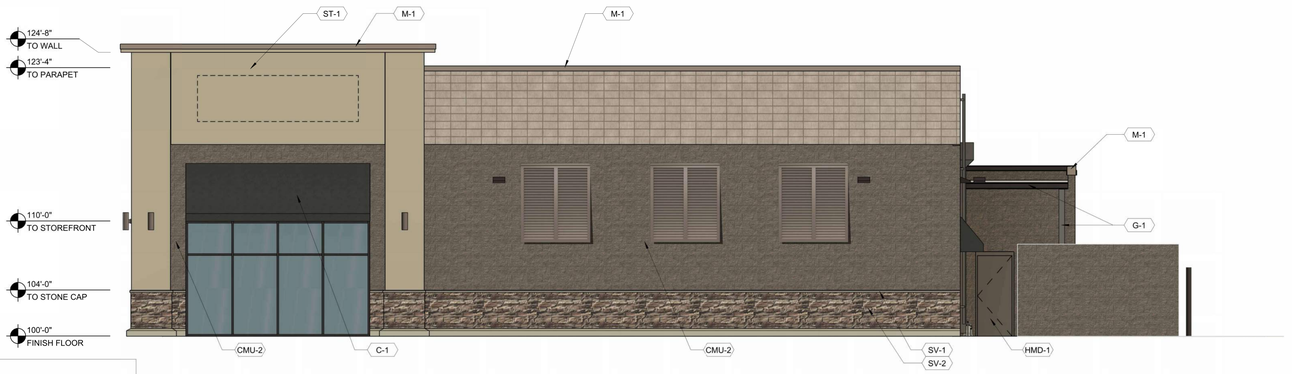


3 SOUTHWEST PLAN
3/16" = 1'-0"

Material & Color Schedule

TYPE	MATERIAL	FINISH	COLOR	NOTES
G-1	ALUMINUM GUTTER & DOWNSPOUT		DARK BRONZE	PROVIDE SPALSH BLOCK
SF-1	STOREFRONT MEDIUM-STILE	ALUMINUM		KAWNEER OR EQUAL
HMD-1	HOLLOW METAL DOOR	PAINT (PPG 1000-5)	BEAR CUB - P10	
M-1	METAL PARAPET CAP	PAINT (PPG 1000-5)	BEAR CUB - P10	
C-1	CANVAS AWNING		BLACK	SUNBRELLA
CMU-1	SMOOTH FACE CMU	PAINT (PPG 1024-4)	MOTH GRAY - P12	STACKED BOND
CMU-2	SPLIT FACE CMU	PAINT (PPG 1000-5)	BEAR CUB - P10	RUNNING BOND
ST-1	DIRECT APPLIED STUCCO	PAINT (PPG 1024-4)	MOTH GRAY - P12	SANDED TEXTURE - PAINTED SYNTHETIC TOP COAT - MATTE FINISH
SV-1	MANUFACTURED STONE SILL	900 SERIES	GREY	CORONADO STONE
SV-2	MANUFACTURED STONE VENEEW	OLD WORLD LEDGE	MONARCH	CORONADO STONE

FOR MATERIAL AND FINISH DETAILS SEE SHEET C-1D MATERIAL BOARD



4 SOUTHWEST ELEVATION
3/16" = 1'-0"

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ARRON WADE ARNOLD

CONSULTANT

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REVISION / ISSUE HISTORY

REV	DATE	REVISION / ISSUE NAME

PROJECT NO	DRAWN BY
20250502	JS
PERMIT SUB DATE	CHECKED BY
-	ED

PROJECT
NEW SMYRNA BEACH RETAIL

US 44 & MYRTLE AVE
NEW SMYRNA BEACH, FL

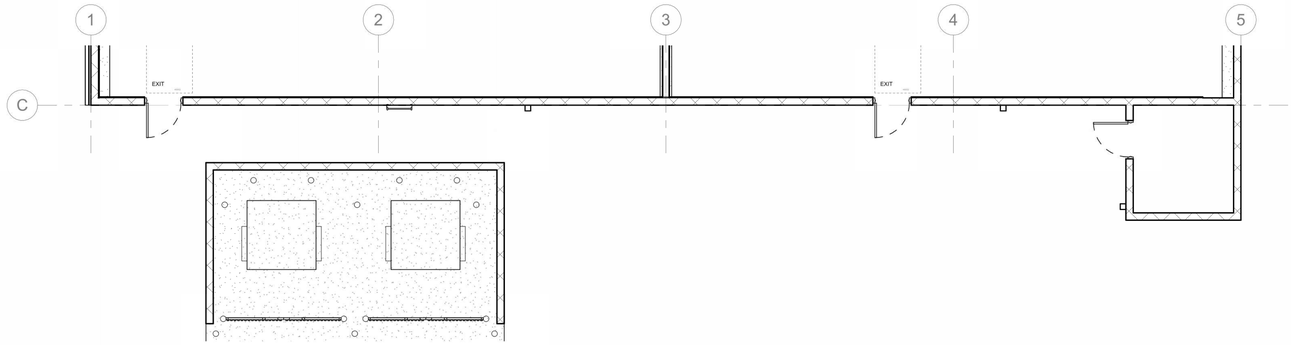
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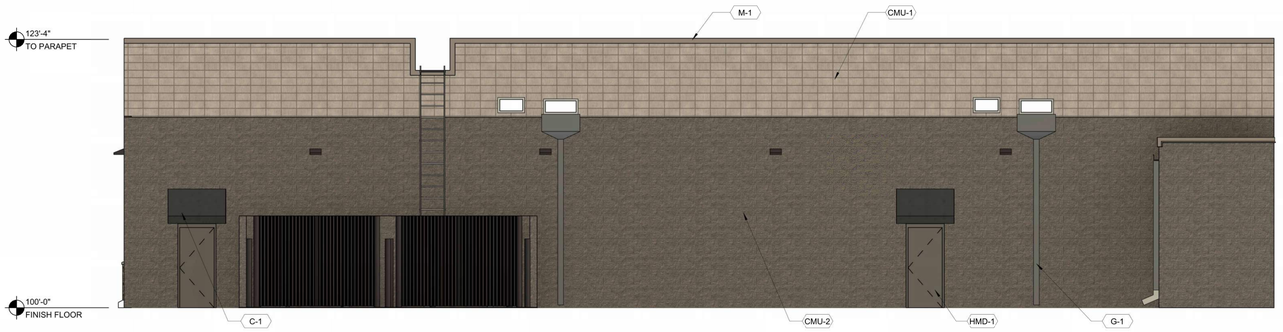
SHEET TITLE
PHASE 1 - PAD RETAIL
SHOPS ELEVATIONS

SHEET NO
C-1B

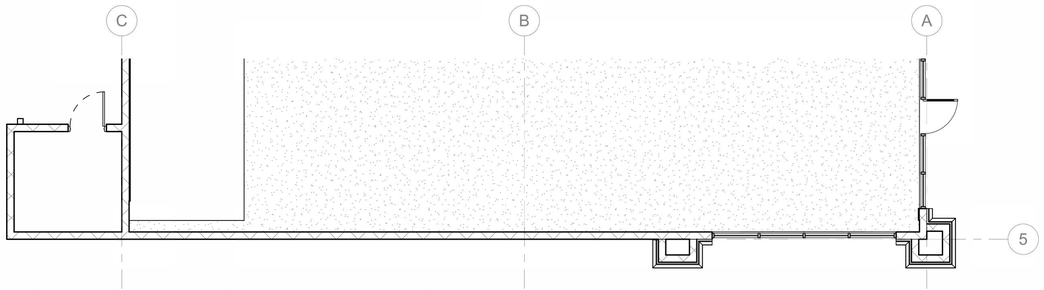
REV



1 SOUTHEAST PLAN
3/16" = 1'-0"



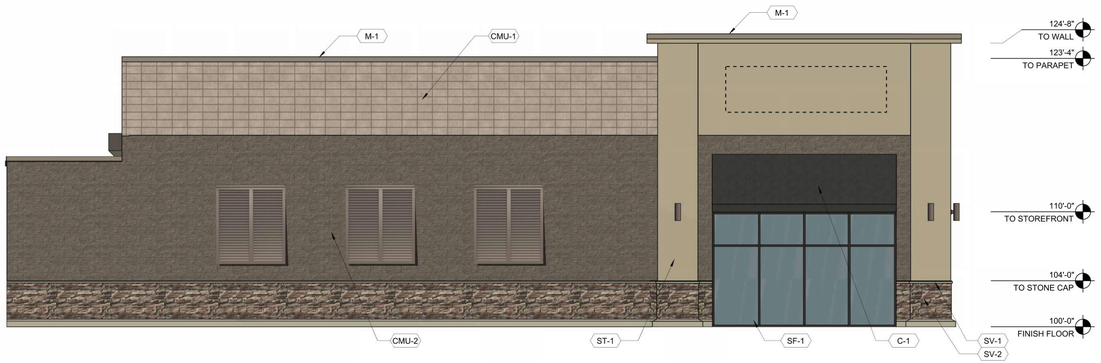
2 SOUTHEAST ELEVATION
3/16" = 1'-0"



3 NORTHEAST PLAN
3/16" = 1'-0"

Material & Color Schedule				
TYPE	MATERIAL	FINISH	COLOR	NOTES
G-1	ALUMINUM GUTTER & DOWNSPOUT		DARK BRONZE	PROVIDE SPALSH BLOCK
SF-1	STOREFRONT MEDIUM-STILE	ALUMINUM		KAWNEER OR EQUAL
HMD-1	HOLLOW METAL DOOR	PAINT (PPG 1000-5)	BEAR CUB - P10	
M-1	METAL PARAPET CAP	PAINT (PPG 1000-5)	BEAR CUB - P10	
C-1	CANVAS AWNING		BLACK	SUNBRELLA
CMU-1	SMOOTH FACE CMU	PAINT (PPG 1024-4)	MOTH GRAY - P12	STACKED BOND
CMU-2	SPLIT FACE CMU	PAINT (PPG 1000-5)	BEAR CUB - P10	RUNNING BOND
ST-1	DIRECT APPLIED STUCCO	PAINT (PPG 1024-4)	MOTH GRAY - P12	SANDED TEXTURE - PAINTED SYNTHETIC TOP COAT - MATTE FINISH
SV-1	MANUFACTURED STONE SILL	900 SERIES	GREY	CORONADO STONE
SV-2	MANUFACTURED STONE VENEEW	OLD WORLD LEDGE	MONARCH	CORONADO STONE

FOR MATERIAL AND FINISH DETAILS SEE SHEET C-1D MATERIAL BOARD



4 NORTHEAST ELEVATION
3/16" = 1'-0"

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20250502	Author
PERMIT SUB DATE	CHECKED BY
-	Checker

PROJECT
NEW SMYRNA BEACH RETAIL

US 44 & MYRTLE AVE
NEW SMYRNA BEACH, FL

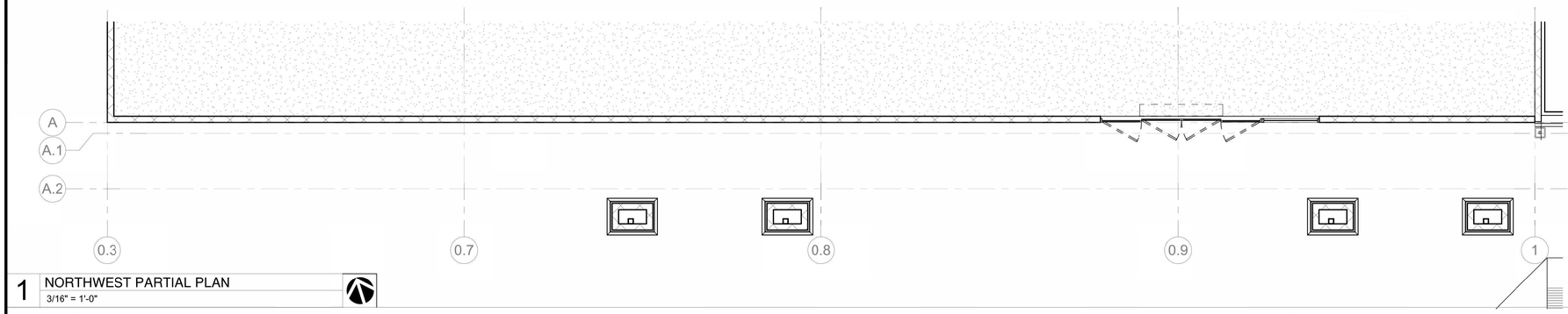
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BRENTWOOD, TN 37027

SHEET TITLE
PHASE 1 - PAD RETAIL SHOPS ELEVATIONS

SHEET NO
C-1C

REV



1 NORTHWEST PARTIAL PLAN
3/16" = 1'-0"

Material & Color Schedule

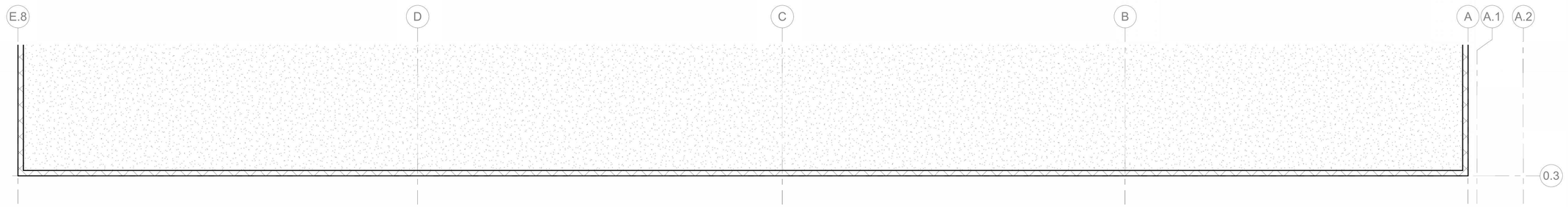
TYPE	MATERIAL	FINISH	COLOR	NOTES
G-1	ALUMINUM GUTTER & DOWNSPOUT		DARK BRONZE	PROVIDE SPALSH BLOCK
SF-1	STOREFRONT MEDIUM-STILE	ALUMINUM	DARK BRONZE	KAWNEER OR EQUAL
HMD-1	HOLLOW METAL DOOR	PAINT (PPG 1000-5)	BEAR CUB - P10	
M-1	METAL PARAPET CAP	PAINT (PPG 1000-5)	BEAR CUB - P10	
CMU-1	SMOOTH FACE CMU	PAINT (PPG 1024-4)	MOTH GRAY - P12	STACKED BOND
CMU-2	SPLIT FACE CMU	PAINT (PPG 1000-5)	BEAR CUB - P10	RUNNING BOND
P-1	PAINT	PAINT (BM2087-10)	NEON RED	
ST-1	DIRECT APPLIED STUCCO	PAINT	DRYVIT #310 CHINA WHITE	SANDED TEXTURE - PAINTED SYNTHETIC TOP COAT - MATTE FINISH
ST-2	DIRECT APPLIED STUCCO	PAINT	DRYVIT #110 VAN DYKE	SANDED TEXTURE - PAINTED SYNTHETIC TOP COAT - MATTE FINISH
SV-1	MANUFACTURED STONE SILL	900 SERIES	GREY	CORONADO STONE
SV-2	MANUFACTURED STONE VENEEW	OLD WORLD LEDGE	MONARCH	CORONADO STONE

FOR MATERIAL AND FINISH DETAILS SEE SHEET C-1C MATERIAL BOARD

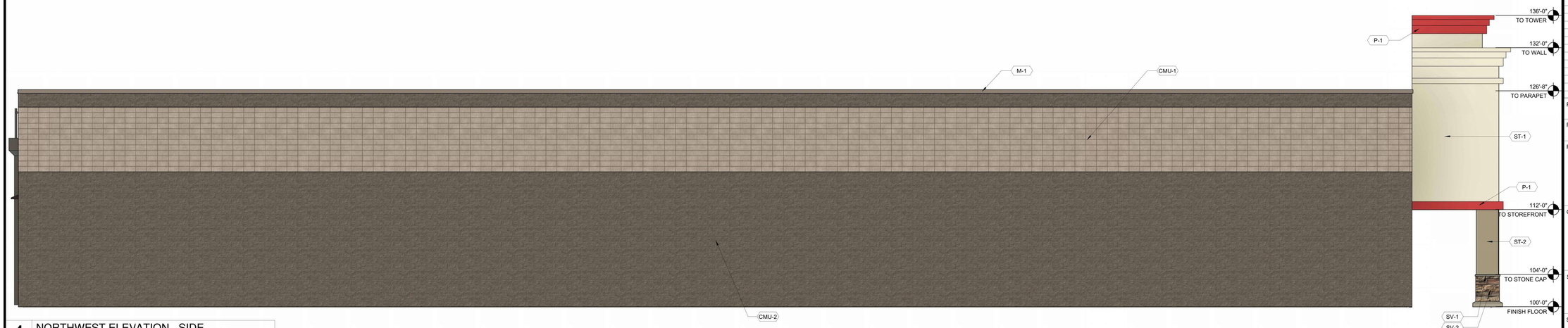


2 NORTHWEST ELEVATION - FRONT
3/16" = 1'-0"

TJ-MAXX TOTAL SIGNAGE AREA:
(7'-5" x 27'-0") = 200sf.



3 NORTHEAST PARTIAL PLAN
3/16" = 1'-0"



4 NORTHWEST ELEVATION - SIDE
3/16" = 1'-0"

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20250501	JS
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-	ED

PROJECT
NEW SMYRNA BEACH RETAIL
US 44 & MYRTLE AVE
NEW SMYRNA BEACH, FL

CLIENT
GBT REALTY CORPORATION
9010 OVERLOOK BOULEVARD
BRENTWOOD, TN 37027

SHEET TITLE
PHASE 1 - TJ-MAXX FRONT /SIDE ELEVATIONS

SHEET NO: C-1B
REV:

EXHIBIT D

Landscape Plan

Plotted By:Noranjha, Dorian Sheet Set:Master Plan Layout:MP4.3 March 27, 2026 11:19:52am K:\orl_civil\249631001-new smyrna beach sprouts\CAD\EXHIBITS\CANOPY COVERAGE\NSB CANOPY COVERAGE.dwg
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KEY

HISTORIC TREE TO BE PRESERVED (6 TOTAL)

SPECIMEN TREE TO BE PRESERVED (45 TOTAL)

HISTORIC TREE TO BE REMOVED (2 TOTAL)



GRAPHIC SCALE IN FEET
0 25 50 100

NORTH

No.	REVISIONS	DATE	BY

Kimley»Horn
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200 S. ORANGE AVENUE, SUITE 800, ORLANDO, FL 32801
PHONE: 407-898-1511
WWW.KIMLEY-HORN.COM REGISTRY No. 35106

LICENSED PROFESSIONAL
BRENT A. LENZEN P.E.
FLORIDA LICENSE NUMBER
78537
DATE: 03/27/2026

KHA PROJECT	249631001
DATE	03/27/2026
SCALE	AS SHOWN
DESIGNED BY	–
DRAWN BY	VQP
CHECKED BY	BAL

TREE CANOPY EXHIBIT

MASTER DEVELOPMENT PLANS

NEW SMYRNA BEACH FLORIDA

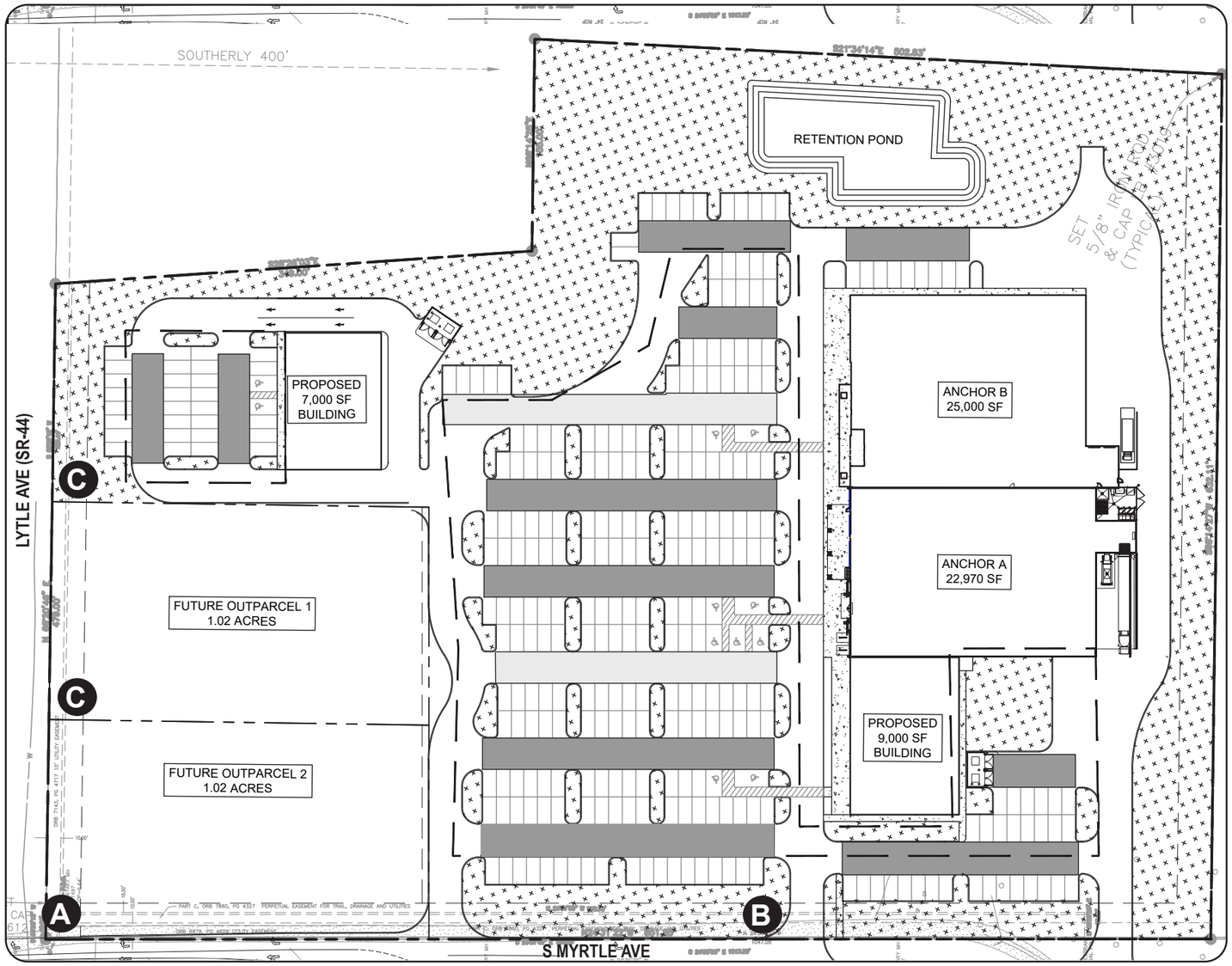
SHEET NUMBER
MP4.3

Always call 811 two full business days before you dig to have underground utilities located and marked.
Sunshine811.com

EXHIBIT E

Sign Plan

SIGNAGE EXHIBIT - LOCATION OVERVIEW

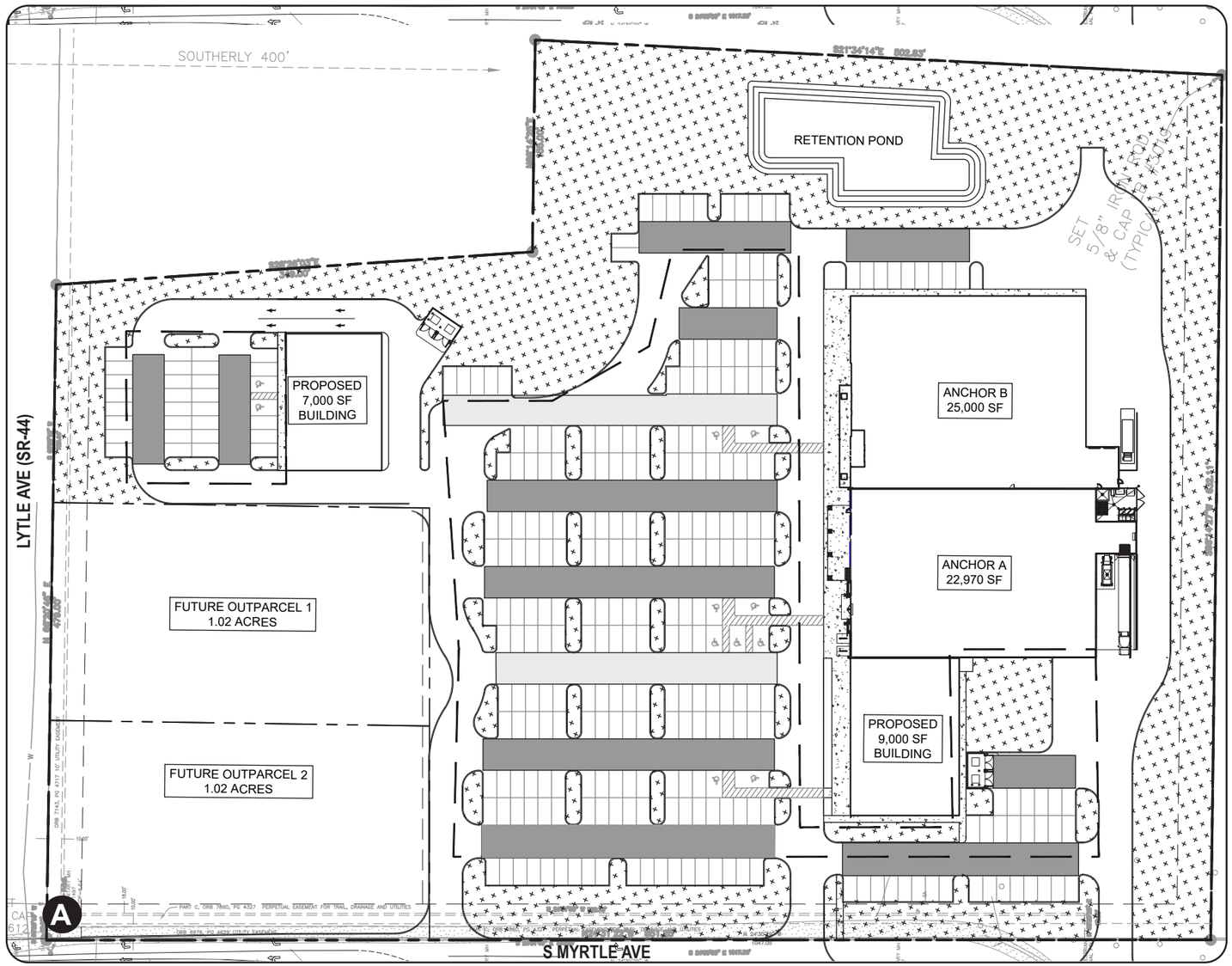


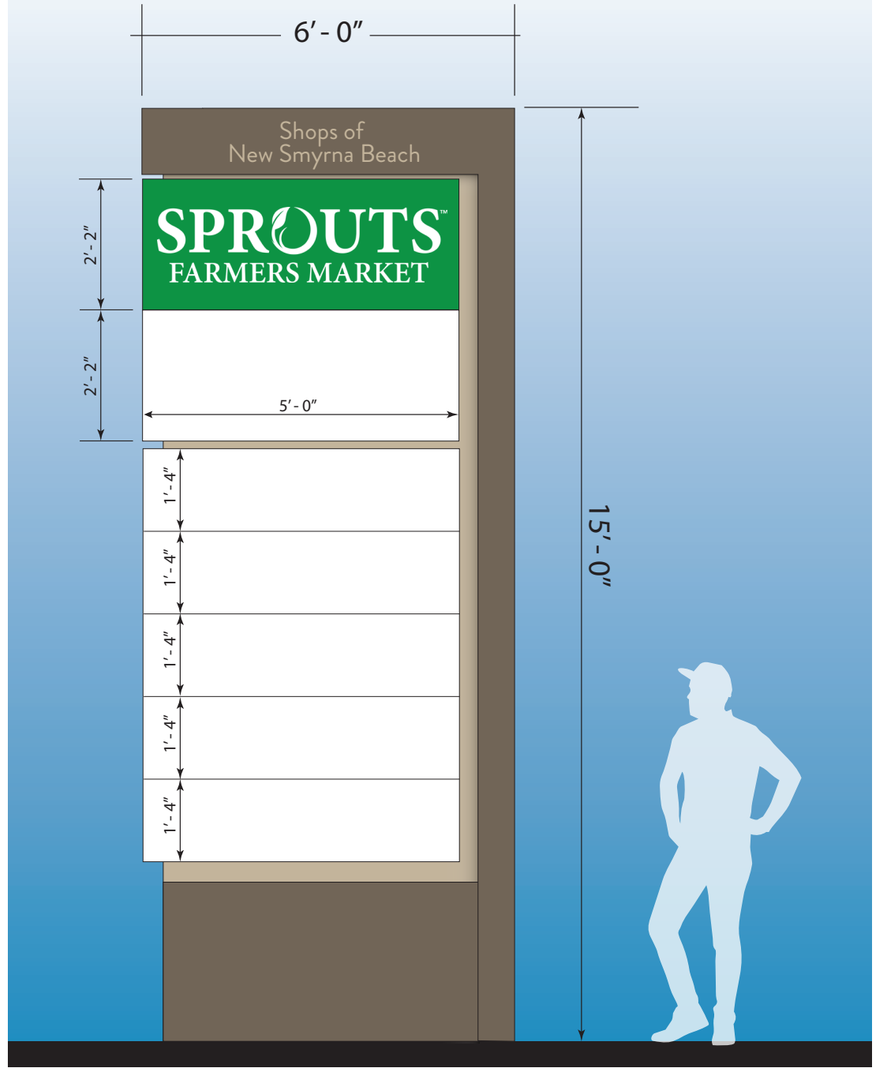
A = SHOPPING CTR SIGN (15’ TALL / 90 SF)

B = MONUMENT (15’ TALL / 62 SF)

C = MONUMENT (8’ TALL / 46 SF)

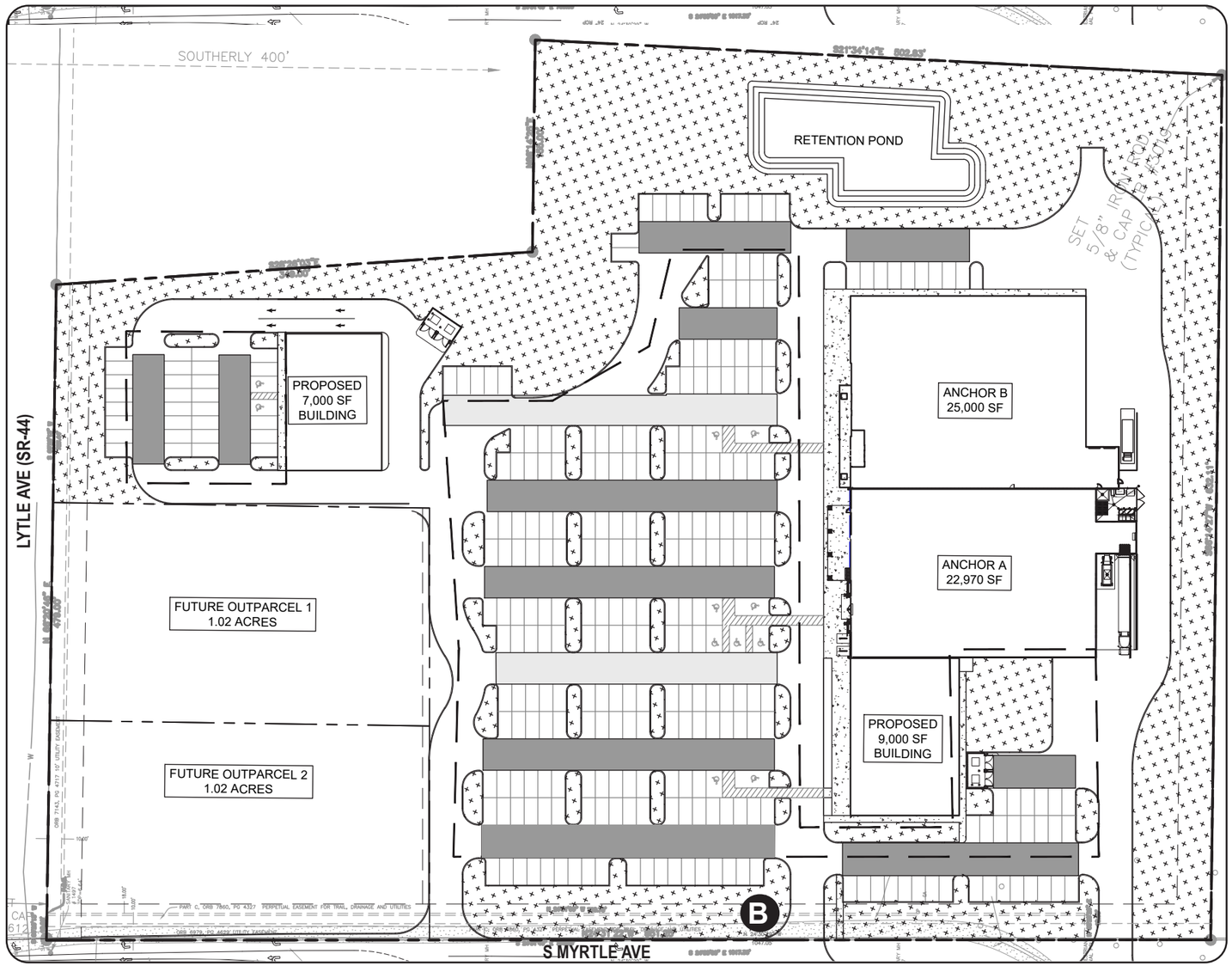
SIGNAGE EXHIBIT - SHOPPING CENTER SIGN (A)

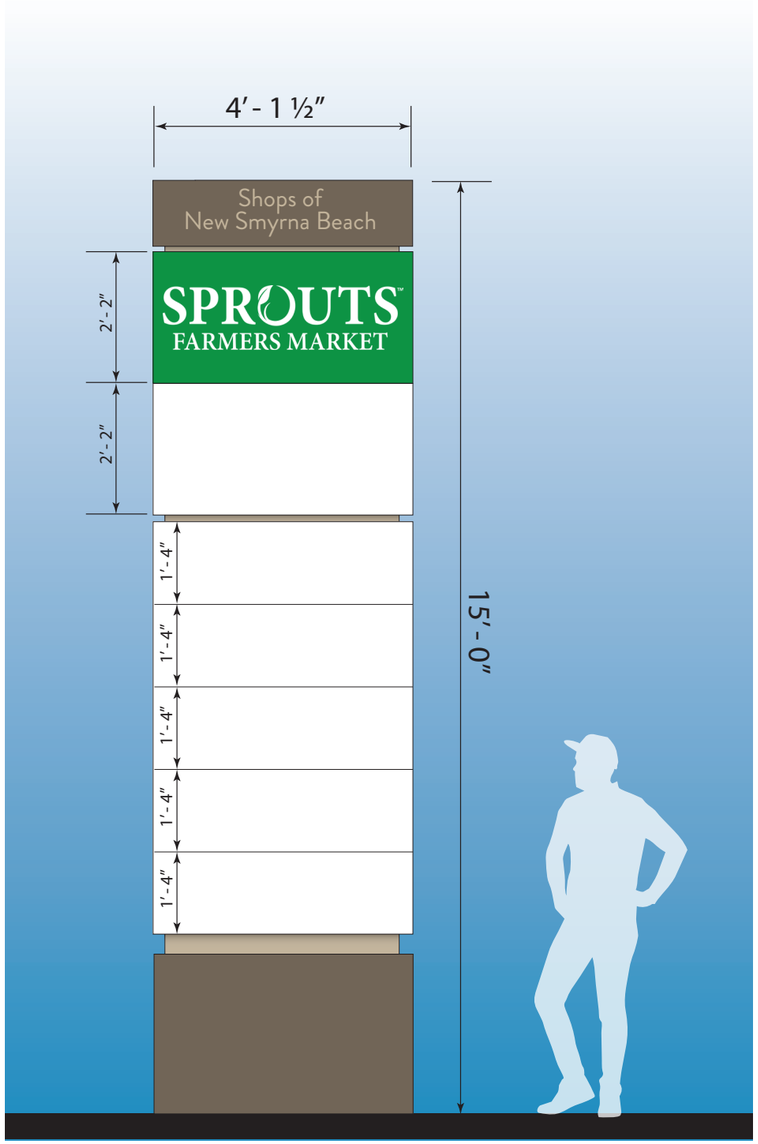




(Sign A: 90 SF)

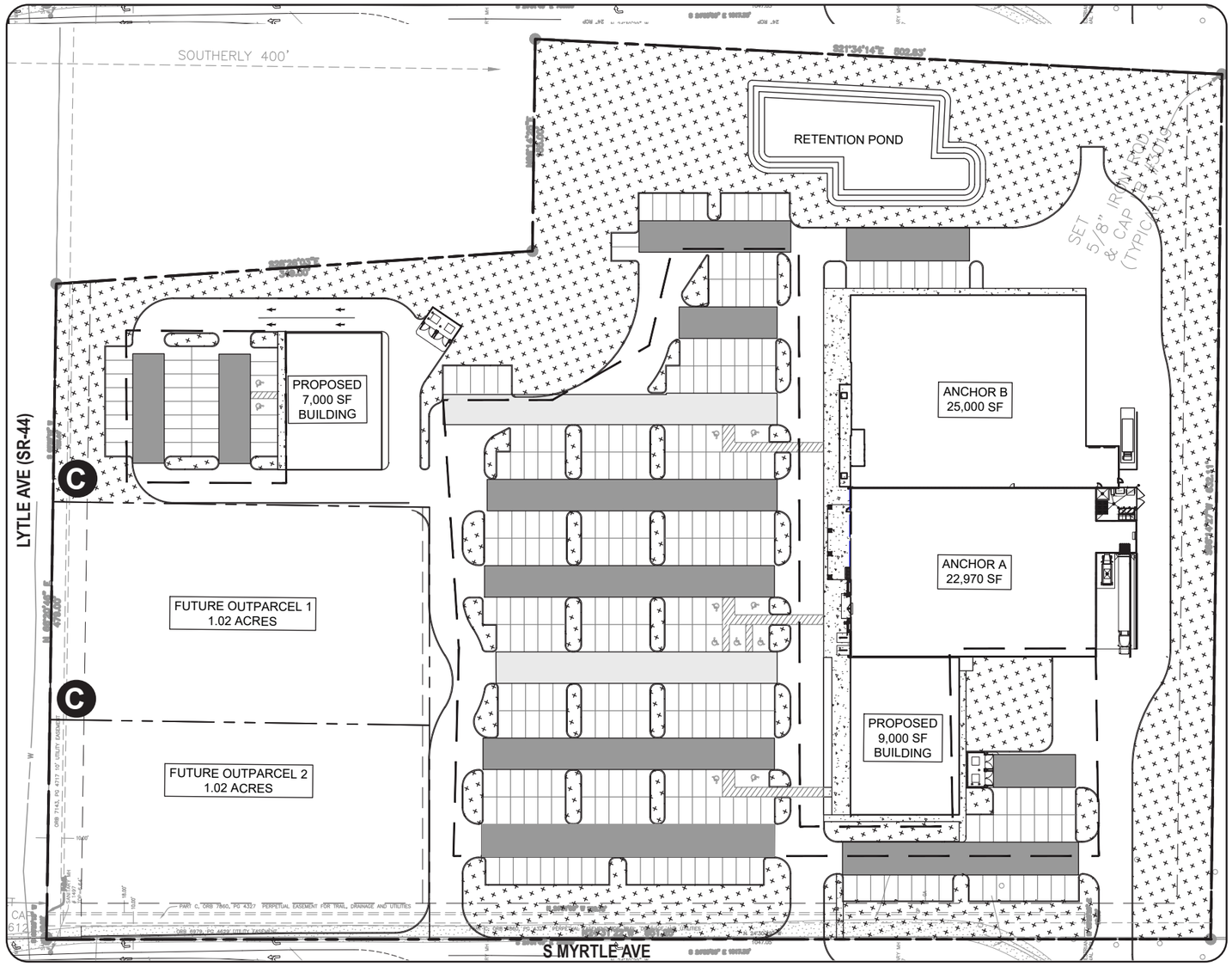
SIGNAGE EXHIBIT - SHOPPING CENTER SIGN (B)

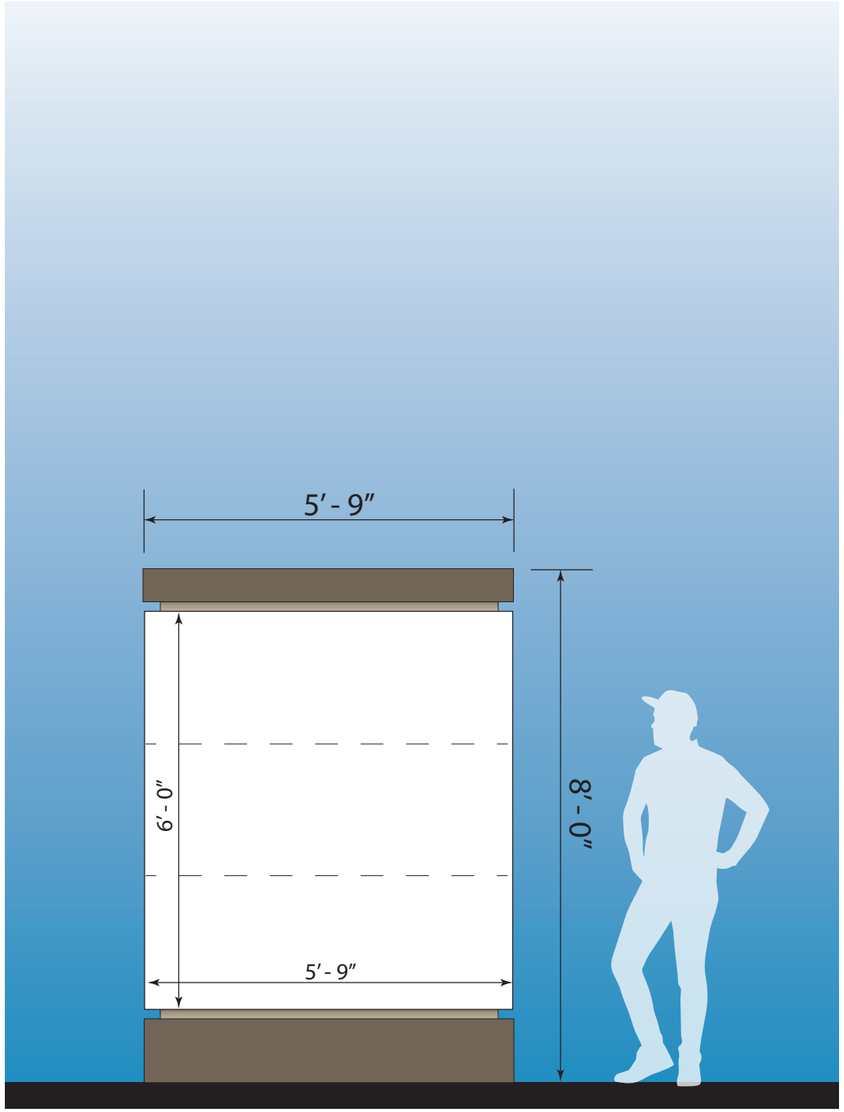




(Sign B: 62 SF)

SIGNAGE EXHIBIT - OUTPARCEL MONUMENT (C)





(Sign C: 46 SF)

EXHIBIT F

Sketch Plat

ALTA / NSPS LAND TITLE
& TOPOGRAPHIC SURVEY

FOR

GBT REALTY CORPORATION



NOTE:
THIS SURVEY IS NOT VALID WITHOUT SHEETS 1 TO 5

FILE: K:/ 25/ 250655 SPROUTS ALTA/ 250655 ALTA.DWG

SLIGER & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
3921 NOVA ROAD
SUITE 101
PORT ORANGE, FL. 32127
LICENSED BUSINESS CERTIFICATION NUMBER 3019

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TYPE OF SURVEY	SURVEY DATE	JOB NUMBER	CHECKED BY
SPECIFIC PURPOSE			
ALTA/ NSPS SURVEY	JULY 30, 2025	25-0655	J. HATTENDORF
TOPOGRAPHIC SURVEY	JULY 30, 2025	25-0655	J. HATTENDORF
FOUNDATION LOCATION			
FINAL IMPROVEMENTS			
RECERTIFICATION			

FIELD DATE: JULY 30, 2025	FIELD BOOK:1558	
PARTY CHIEF: J. PENFIELD K. HELMICK	PAGE (S): 47, 50, 51, 55	FIELD BOOK:1560
DRAWN BY: J. MOLLER	FIELD BOOK:1560	PAGE (S): 16-18, 24, 26-28
CHECKED BY: J. HATTENDORF		

ALTA/NSPS LAND TITLE SURVEY AND TOPOGRAPHIC SURVEY

507 MYRTLE STREET,
NEW SMYRNA BEACH, FLORIDA

CLIENT: GBT REALTY CORPORATION

PROJECT: 07104
JOB: 25-0655
SCALE: 1"=100'
SHEET: 3 OF 5

ALTA / NSPS LAND TITLE & TOPOGRAPHIC SURVEY

FOR

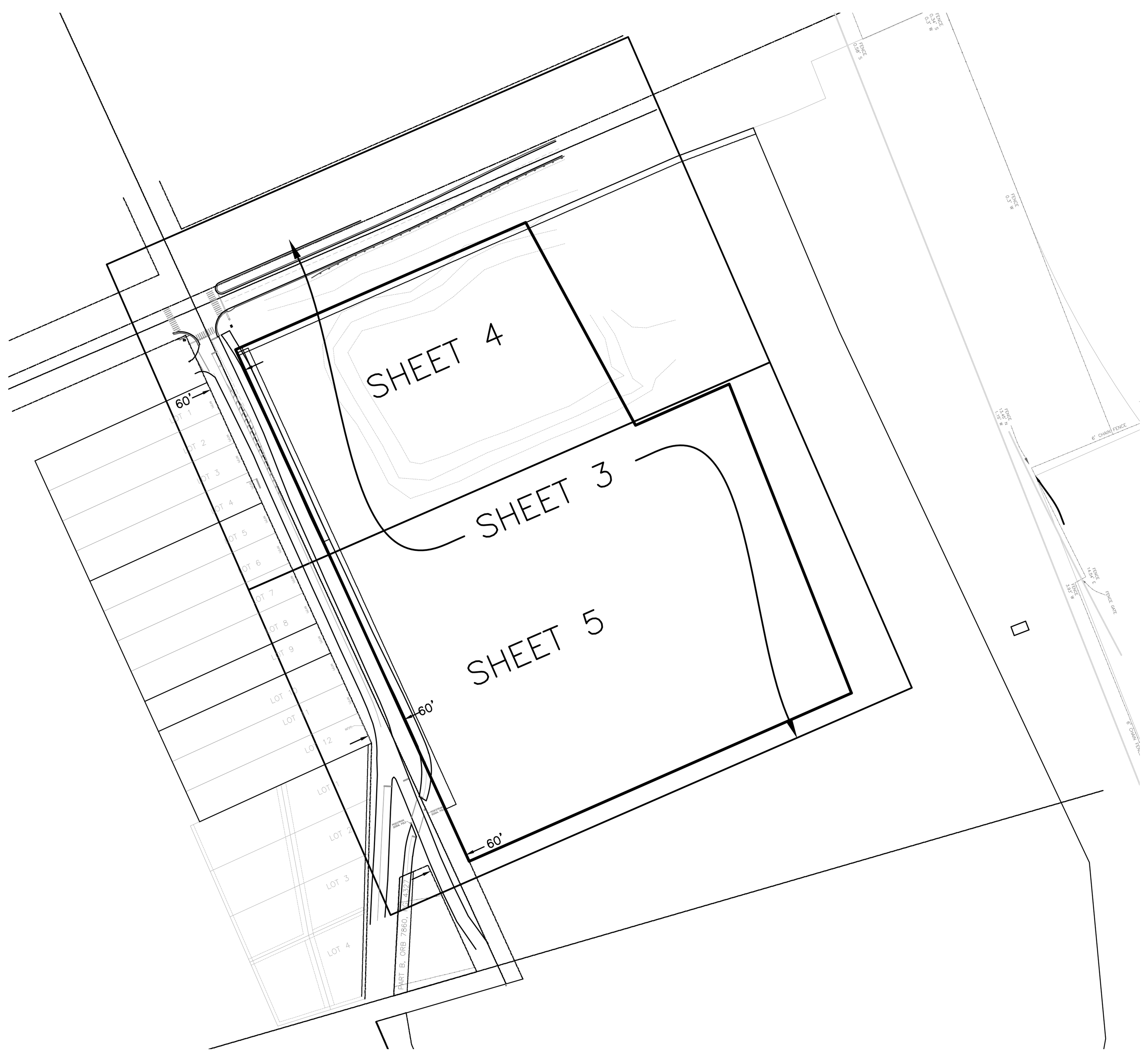
GBT REALTY CORPORATION

A PORTION OF

SECTION 41, 44, 46, 47 AND 49–
TOWNSHIP 17 SOUTH–RANGE 34 EAST
VOLUSIA COUNTY, FLORIDA

LOCATION

507 MYRTLE AVENUE, NEW SMYRNA BEACH, FL.



KEY SHEET NOT TO SCALE

NOTE:
THIS SURVEY IS NOT VALID WITHOUT SHEETS 1 TO 5

DESCRIPTION:

BEING A PORTION OF THE HEIRS OF AMBROSE HULL GRANT, SECTION 41, TOWNSHIP 17 S, RANGE 34 E, VOLUSIA COUNTY, FLORIDA, A PORTION OF LOT 9, ALL OF LOTS 10 THROUGH 27, A PORTION OF LOT 28, A PORTION OF LOT 45, ALL OF LOTS 45 [SIC] 46 THROUGH 53, A PORTION OF LOT 54, ALONG WITH ADJACENT STREETS AND ALLEYS, SKIPPER AND SHRYOCK, AS RECORDED IN MAP BOOK 2, PAGE 170 ALSO RECORDED IN MAP BOOK 12, PAGE 10, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, ALL LYING SOUTHERLY OF STATE ROAD 44 (LYTLE AVENUE) PER FLORIDA DEPARTMENT (PER TITLE COMMITMENT NO. 16-25-0191) OF TRANSPORTATION RIGHT–OF–WAY MAP SECTION 79070–2516, AND EASTERLY OF SOUTH MYRTLE AVENUE (A RIGHT–OF–WAY THAT VARIES). BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY RIGHT–OF–WAY LINE OF SAID STATE ROAD 44 AND THE WESTERLY [SIC] EASTERLY RIGHT–OF–WAY LINE OF SAID MYRTLE AVENUE, THENCE RUN N66°20'46"E ALONG THE SAID SOUTHERLY RIGHT–OF–WAY LINE, 479.00 FEET; THENCE DEPART SAID SOUTHERLY RIGHT–OF–WAY LINE, S28°26'03"E, 349.00 FEET; THENCE N66°14'25"E, 155.00 FEET; THENCE S21°34'14"E, 502.83 FEET; THENCE S66°14'27"W, 632.11 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SOUTH MYRTLE AVENUE (60' R/W); THENCE N24°31'22"W ALONG SAID EASTERLY RIGHT–OF–WAY LINE, 851.25 FEET TO THE POINT OF BEGINNING.

CONTAINING 495136 SQ.FT. OR 11.37 ACRES MORE OR LESS.

REFERENCE MATERIAL:

STATE OF FLORIDA STATE ROAD DEPARTMENT RIGHT–OF–WAY MAP SECTION NO. 79070–2516 STATE ROAD NO. 44 (LYTLE AVENUE).

PLAT OR MAP OF TOWNSHIP 17 SOUTH, RANGE 34 EAST.

PLAT OF SKIPPER & SHYROCK, MAP BOOK 2, PAGE 170.

OFFICIAL RECORDS BOOK 7143, PAGE 4734.

BOUNDARY SURVEY PREPARED BY GEO POINT SURVEYING, INC., DATED: 05/23/2023.

INDEX OF SHEETS:

	COVER SHEET (CURRENT), KEY SHEET,
1	SURVEYOR'S NOTES AND CERTIFICATIONS.
2	SCHEDULE B (EXCEPTIONS)
3	BOUNDARY SURVEY
4 & 5	TOPOGRAPHIC SURVEY

ADDITIONAL SURVEY NOTES:

A. THERE ARE NO GAPS, GORES, OVERLAPS OR HIATUS INHERENT TO THE SURVEYED PROPERTIES.

B. THE SURVEYED PROPERTY HAS DIRECT PEDESTRIAN AND VEHICULAR ACCESS TO S. MYRTLE AVENUE.

C. THERE IS NO OBSERVABLE EVIDENCE OF CEMETERIES, BURIAL GROUNDS, OR INDIVIDUAL GRAVESITES.

D. THERE ARE NO DIVISION OR PARTY WALLS DESIGNATED BY THE CLIENT OR LOCATED BY THE SURVEYOR WITH RESPECT TO ADJOINING PROPERTIES.

E. NO OFFSITE EASEMENTS OR SERVITUDE BENEFITTING THE SURVEYED PROPERTIES WERE DISCLOSED IN THE RECORD DOCUMENTS PROVIDED TO THE SURVEYOR OR OBSERVED IN THE PROCESS OF CONDUCTING THE SURVEY.

F. AT THE TIME OF SURVEY, THE SURVEYOR WAS NOT AWARE OF ANY PROPOSED CHANGES IN THE STREET RIGHT OF WAY LINES OR OBSERVABLE EVIDENCE OF STREET OR SIDEWALK REPAIRS.

G. THE SUBJECT PROPERTY DOES NOT CONTAIN ANY VISIBLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP, OR SANITARY LANDFILL.

H. NOTE THAT THE TITLE LINES AND ACTUAL POSSESSION LINES ARE THE SAME.

I. THERE IS NO OBSERVABLE EVIDENCE OF RECENT EARTHWORK.

J. REVISE SURVEY TO ADD WETLAND FLAGS AND LINES AS LOCATED BY OTHERS. NO ADDITIONAL FIELD WORK THIS DATE. (12/15/2025)(JM).

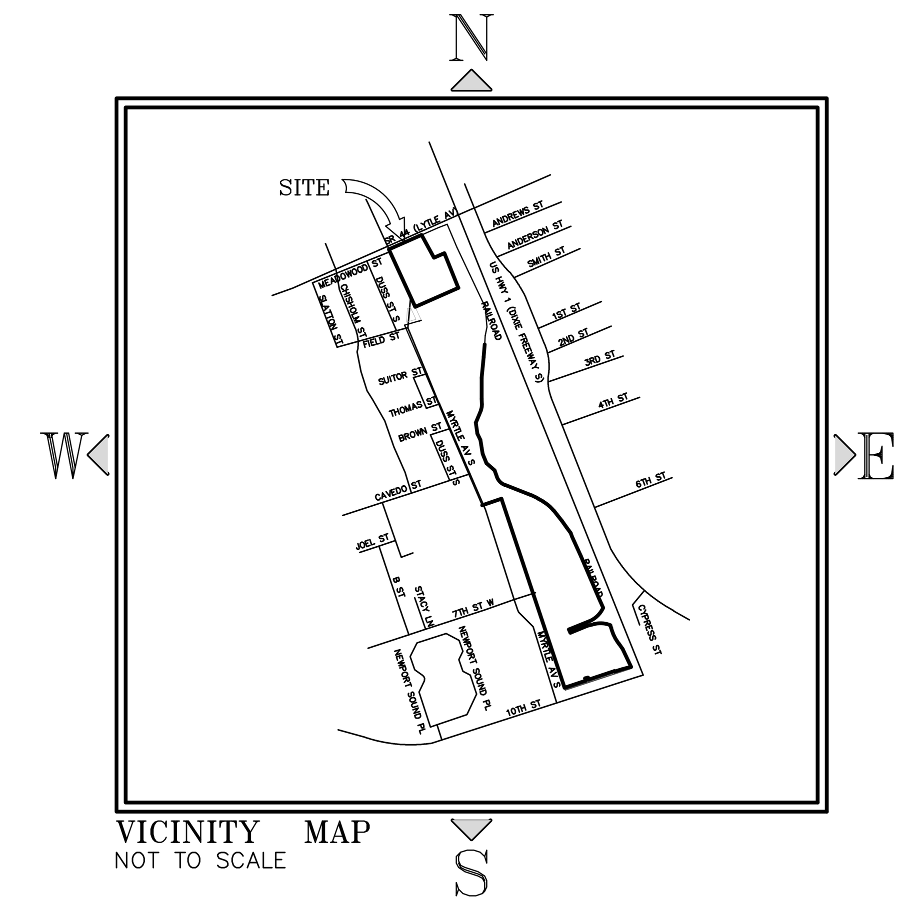
K. REVISE SURVEY TO ADDRESS CITY OF NEW SMYRNA BEACH COMMENTS RECEIVED MACH 16, 2026. ADD UTILITY STRUCTURE TABLE TO SHEET 4 OF 5. REVISE NOTE "D". NO ADDITIONAL FIELD WORK THIS DATE. (03/17/2026)(JM).

WETLAND NOTES:

1. THIS SURVEYOR IS NOT QUALIFIED TO MAKE WETLAND DETERMINATIONS. WETLANDS SHOWN HEREON WERE PROVIDED TO THIS SURVEYOR BY OTHERS. THE WETLAND BOUNDARY IS APPROXIMATE AND NOT SURVEYED, PENDING CONFIRMATION OF RESPECTIVE AGENCIES.

2. WETLAND BOUNDARIES HAVE BEEN PREVIOUSLY DELINEATED AND APPLICABLE STATE, FEDERAL PERMITS WILL BE OBTAINED PRIOR TO ALTERATIONS OR IMPACTS OF WATERCOURSES AND/OR WETLANDS.

3. WETLAND BOUNDARIES HAVE BEEN PREVIOUSLY DELINEATED AS PART OF A PRIOR ENVIRONMENTAL ASSESSMENT. THE WETLAND BOUNDARIES ARE PRESENTLY BEING CONFIRMED BASED ON CURRENT EXISTING SITE CONDITIONS AND TO ASSESS JURISDICTIONAL OPINIONS. APPLICABLE STATE AND FEDERAL PERMITS WILL BE OBTAINED PRIOR TO ANY IMPACTS TO WATERCOURSES AND OR WETLANDS. SHOULD MITIGATION BE REQUIRED, IT IS PLANNED TO BE ADDRESSED THROUGH THE PURCHASE OF MITIGATION BANK CREDITS. AT THIS TIME, WE ANTICIPATE THAT A STATE ENVIRONMENTAL RESOURCE PERMIT (ERP) WILL BE REQUIRED.



VICINITY MAP
NOT TO SCALE

SURVEY NOTES:

1. *THIS SURVEY HAS BEEN PREPARED WITH BENEFIT OF A COMMITMENT FOR TITLE INSURANCE ISSUED BY: FIDELITY NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NUMBER: 16–25–0191 COMMITMENT DATE: JULY 07, 2025 AT 8:00 AM.*

2. *THE MEASURED BEARINGS SHOWN HEREON ARE (GRID BEARINGS) BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, 1983 NORTH AMERICAN DATUM, 2007 ADJUSTMENT, DERIVING A BEARING OF N66°20'42"E, ALONG SOUTHERLY LINE OF STATE ROAD 44 (LYTLE AVENUE).*

3. *UNLESS OTHERWISE SHOWN, RECORD DISTANCES AND DIRECTIONS AND FIELD MEASURED DISTANCES AND DIRECTIONS ARE THE SAME.*

4. *DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.*

5. *UNDERGROUND FOUNDATIONS, IF ANY HAVE NOT BEEN LOCATED OR SHOWN AS A PART OF THIS SURVEY.*

6. *ELEVATIONS REFER TO NAVD 1988 DATUM, UNITED STATES COAST & GEODETIC SURVEY BENCHMARK MONUMENT M–212, HAVING A PUBLISHED ELEVATION 6.31 FEET.*

7. *THIS PROPERTY IS LOCATED IN FLOOD INSURANCE RATE MAP (F.I.R.M.) ZONE X. F.I.R.M. MAP NO. 12127C0543 J. MAP EFFECTIVE DATE: SEPTEMBER 29, 2017. PER FEMA.GOV WEBSITE.*

8. *REVISED TO ADD ELEVATIONS, REVISE CONTOURS AND SURFACE. NOVEMBER 24, 2025. (JM)*

9. *REVISED TO ADD RIGHT OF WAY WIDTH LABELS AT KEY POINTS PER CITY OF NEW SMYRNA BEACH COMMENTS, DATE NOVEMBER 11, 2025. NO ADDITIONAL FIELD WORK THIS DATE. (12/10/2025)(JM).*

NOTICE:

THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR A VALID ELECTRONIC SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SURVEYOR'S CERTIFICATION:

TO: GBT REALTY CORPORATION;
FIRST AMERICAN TITLE INSURANCE COMPANY;

I HEREBY CERTIFY THAT THIS SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J–17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

Jeffrey S Hattendorf
Digitally signed by Jeffrey S Hattendorf
Date: 2026.03.19 11:58:31 -04'00'

JEFFREY S. HATTENDORF DATE:
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA LICENSE NUMBER 6193

NOTICE:

THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR A VALID ELECTRONIC SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SURVEYOR'S CERTIFICATION:

CERTIFIED TO AND FOR THE BENEFIT OF:
GBT REALTY CORPORATION; FIRST AMERICAN TITLE INSURANCE COMPANY;

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDE ITEMS 1, 2, 3, 4, 5, 11b, 13 OF TABLE A THEREOF.

THE FIELDWORK WAS COMPLETED ON JULY 30, 2025.
DATE OF PLAT OR MAP: MARCH 19, 2026.

Jeffrey S Hattendorf
Digitally signed by Jeffrey S Hattendorf
Date: 2026.03.19 11:58:58 -04'00'
DATE:

JEFFREY S. HATTENDORF
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA LICENSE NUMBER 6193

LEGEND:

Symbol	Description
●	IRON ROD WITH CAP
○	IRON ROD
◉	IRON PIPE WITH CAP
◎	IRON PIPE
o	NAIL & DISK
	FD "X"/CUT IN CONCRETE
□	CONCRETE MONUMENT
△	DENOTES PC / PT
■	PERMANENT CONTROL POINT
	SITE BENCHMARK
FH	FIRE HYDRANT
GV	GAS VALVE
RUV	REUSE VALVE
SSV	SANITARY SEWER VALVE
HHE	HAND HOLE (ELECTRIC)
WM	WATER METER
GM	GAS METER
TB	TELEPHONE BOX
MB	MAIL BOX
TV	CABLE TELEVISION BOX
TSB	TRAFFIC SIGNAL BOX
WV	WATER VALVE
FOCB	FIBER OPTIC CABLE BOX
FOCV	FIBER OPTIC CABLE VAULT
ELP	ELECTRIC PANEL
FOCM	FIBER OPTIC CABLE MARKER
TPM	TELEPHONE CABLE MARKER
	SIGN
LP	LIGHT POLE
YL	YARD LIGHT
PP	POWER / UTILITY POLE
GA	GUY ANCHOR
EB	ELECTRIC SERVICE BOX
SSMH	SANITARY SEWER MANHOLE
SDMH	STORM DRAIN MANHOLE
GTMH	GREASE TRAP MANHOLE
EMH	ELECTRIC MANHOLE
UMH	UTILITY MANHOLE
CO	CLEAN OUT
FOC	FIBER OPTIC CABLE MANHOLE
RBO	REUSE BLOWOFF ASSEMBLY
▲	WETLANDS LOCATION
	EXISTING CONCRETE
0.00	EXISTING ELEVATION
–FO–	BURIED FIBER OPTIC CABLE
–T–	BURIED TELEPHONE CABLE
–W–	BURIED WATER LINE
–E–	BURIED ELECTRIC LINE
–G–	BURIED GAS LINE
–TV–	BURIED TELEVISION LINE
–FM–	BURIED FORCEMAIN
–OH–	AERIAL UTILITY LINE
–ST–	STORM WATER LINE
—	CHANGE OF DIRECTION
	BACKFLOW PREVENTER

ABBREVIATIONS:

Abbr.	Meaning
Δ	CENTRAL ANGLE
A/C	AIR CONDITIONER
A.E.	ACCESS EASEMENT
CB	CHORD BEARING
CH	CHORD DISTANCE
CLS	CENTERLINE OF SWALE
CO	CLEANOUT
CONC	CONCRETE
℄	CENTERLINE
CM	CONCRETE MONUMENT
CMP	CORRUGATED METAL PIPE
CPP	CORRUGATED PLASTIC PIPE
CV	CHECK VALVE
(C)	CALCULATED DIMENSION
DIP	DUCTILE IRON PIE
DW	DRIVEWAY
(D)	DEED DIMENSION
EL	ELEVATION
ECMP	ELLIPTICAL CORRUGATED METAL PIPE
EOP	END OF PIPE
EOW	EDGE OF WATER
ES	ELECTRIC SERVICE
FH	FIRE HYDRANT
FNC	FENCE
FND	FOUND
FDOT	FLORIDA DEPARTMENT OF TRANSPORTATION
FDNR	FLORIDA DEPARTMENT OF NATURAL RESOURCES
FP&L CO	FLORIDA POWER & LIGHT COMPANY
GA	GUY ANCHOR
GEN	GENERATOR
GLM	GAS LINE MARKER
HDPE	HIGH DENSITY POLYETHYLENE PIPE
ID	IDENTIFICATION
ILLEG.	ILLEGIBLE
INV	INVERT
IRC	IRON ROD & CAP
IR	IRON ROD (NO CAP)
IPC	IRON PIPE & CAP
IP	IRON PIPE (NO CAP)
IV	IRRIGATION VALVE
Δ	ARC LENGTH
LB	LICENSED BUSINESS
LP	LIGHT POLE
(M)	MEASURED DIMENSION
MB	MAP BOOK
MES	MITERED END SECTION
MH	MANHOLE
MW	MONITORING WELL
N&D	NAIL & DISK
(NR)	NON RADIAL
NAVD	NORTH AMERICAN VERTICAL DATUM
NGVD	NATIONAL GEODETIC VERTICAL DATUM
ORB	OFFICIAL RECORDS BOOK
(P)	PLATTED DIMENSION
PG	PAGE
PP	POWER POLE
PVC	POLYVINYL CHLORIDE
PRV	PRESURE REDUCING VALVE
(R)	RADIAL
	RADIUS
RCP	REINFORCED CONCRETE PIPE
RES	RESIDENCE
RGE	RANGE
RV	REUSE VALVE
R/W	RIGHT OF WAY
SAN	SANITARY
SEC	SECTION
STA	STATION
TC	TOP COVER
TOB	TOP OF BANK
TOE	TOE OF SLOPE
TSP	TRAFFIC SIGNAL POLE
TWP	TOWNSHIP
(TYP)	TYPICAL
U.E.	UTILITY EASEMENT
USC & GS	UNITED STATES COAST & GEODETIC SURVEY
VCP	VITREOUS CLAY PIPE
WM	WATER METER
WV	WATER VALVE
W/	WITH

FILE: K:/ 25/ 250655 SPROUTS ALTA/ 250655 ALTA.DWG

SLIGER & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
3921 NOVA ROAD
(386) 761-5385
PORT ORANGE, FL. 32127
LICENSED BUSINESS CERTIFICATION NUMBER 3019
www.sligerassociates.com

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TYPE OF SURVEY	SURVEY DATE	JOB NUMBER	CHECKED BY
SPECIFIC PURPOSE			
ALTA/ NSPS SURVEY	JULY 30, 2025	25–0655	J. HATTENDORF
TOPOGRAPHIC SURVEY	JULY 30, 2025	25–0655	J. HATTENDORF
FOUNDATION LOCATION			
FINAL IMPROVEMENTS			
RECERTIFICATION			

FIELD BOOK:1558 **PAGE (S): 47, 50, 51, 55**
FIELD BOOK:1560 **PAGE (S): 16–18, 24, 26–28**

FIELD DATE: JULY 30, 2025
PARTY CHIEF: J. PENFIELD K. HELMICK
DRAWN BY: J. MOLLER
CHECKED BY: J. HATTENDORF

ALTA/NSPS LAND TITLE SURVEY AND TOPOGRAPHIC SURVEY
507 MYRTLE STREET, NEW SMYRNA BEACH, FLORIDA
CLIENT: GBT REALTY CORPORATION

PROJECT: 07104
JOB: 25–0655
SCALE: N/A
SHEET: 1 OF 5

SCHEDULE "B" - EXCEPTIONS

1. DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, CREATED, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES FOR VALUE OF RECORD THE ESTATE OR INTEREST OR MORTGAGE THEREON COVERED BY THIS FORM.

2. TAXES AND ASSESSMENTS FOR THE YEAR 2025 AND SUBSEQUENT YEARS, WHICH ARE NOT YET DUE AND PAYABLE.

3. STANDARD EXCEPTIONS:

   A. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND.

   B. RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS.

   C. ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR, OR MATERIALS HERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS.

   D. TAXES OR ASSESSMENTS WHICH ARE NOT SHOWN AS EXISTING LIENS IN THE PUBLIC RECORDS.

4. ANY CLAIM THAT ANY PORTION OF THE INSURED LAND IS SOVEREIGN LANDS OF THE STATE OF FLORIDA, INCLUDING SUBMERGED, FILLED OR ARTIFICIALLY EXPOSED LANDS ACCRETED TO SUCH LAND.
   NO SUBMERGED LANDS INCLUDED IN PROJECT.

5. ANY LIEN PROVIDED BY COUNTY ORDINANCE OR BY CHAPTER 159, FLORIDA STATUTES, IN FAVOR OF ANY CITY, TOWN, VILLAGE OR PORT AUTHORITY FOR UNPAID SERVICE CHARGES FOR SERVICE BY ANY WATER, SEWER OR GAS SYSTEM SUPPLYING THE INSURED LAND.
   ITEMS #1 THRU 5 STANDARD EXCEPTIONS.

   A. RIGHTS OF TENANTS OCCUPYING ALL OR PART OF THE INSURED LAND UNDER UNRECORDED LEASES OR RENTAL AGREEMENTS.
   NOT A SURVEY MATTER.

6. GRANT OF EASEMENT BY AND BETWEEN FLORIDA EAST COAST RAILWAY COMPANY, GRANTOR, AND CITY OF NEW SMYRNA BEACH, A MUNICIPAL CORPORATION, GRANTEE, RECORDED APRIL 24, 1978, IN OFFICIAL RECORDS BOOK 1977, PAGE 85.
   DOES NOT AFFECT SUBJECT PROPERTY. NOT GRAPHICALLY DEPICTED.

7. QUITCLAIM DEED AND GRANT OF EASEMENT BY AND BETWEEN FLORIDA EAST COAST RAILWAY, L.L.C., GRANTOR, AND FDG RAIL HOLDINGS 8 LLC, GRANTEE, RECORDED DECEMBER 28, 2007, IN OFFICIAL RECORDS BOOK 6173, PAGE 3151; AS AFFECTED BY THAT CERTAIN SUBORDINATION AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 7860, PAGE 4327.
   SUBJECT PROPERTY A PORTION OF PROPERTY DESCRIBED IN ORB 6173, PG 3151.
   ORB 7860, PG 4327, AFFECTS SUBJECT PROPERTY. SHOWN HEREON.

8. TWENTY FOOT (20') EASEMENT IN FAVOR OF THE CITY OF NEW SMYRNA AFFECTING A PORTION OF THE WESTERLY BOUNDARY OF PARCEL A AS DISCLOSED BY RIGHT-OF-WAY AND TRACT MAP DATED JUNE 30, 1916; AS AFFECTED BY FLORIDA EAST COAST RAILWAY COMPANY STATION MAP V.2/S.T. 1C, DATED SEPTEMBER 18, 1945; REDRAWN AND CORRECTED OCTOBER 12, 1970; AND A WILLIAM E. SWOOPE JR. SKETCH AND LEGAL DATED SEPTEMBER 14, 1975 SHOWING A 30 FOOT EASEMENT; AS DISCLOSED BY UPHAM, INC., PROFESSIONAL SURVEYORS, WORK ORDER #071206 DATED DECEMBER 14, 2007, WHICH IS RECORDED AS EXHIBIT A TO EASEMENT DEED RECORDED OCTOBER 19, 2009 IN OFFICIAL RECORDS BOOK 6407, PAGE 4943.
   DOES NOT AFFECT SUBJECT PROPERTY. OFF SITE, NOT GRAPHICALLY DEPICTED.

9. UNRECORDED LICENSES REFERRED TO IN, AND EASEMENT IN FAVOR OF PI LAND HOLDINGS, LLC, A DELAWARE LIMITED LIABILITY COMPANY BY EASEMENT AGREEMENT RECORDED APRIL 17, 2014 IN OFFICIAL RECORDS BOOK 6979, PAGE 4629; SUBORDINATION AGREEMENT RECORDED JUNE 5, 2020, IN OFFICIAL RECORDS BOOK 7860, PAGE 4343; AS AFFECTED BY THAT CERTAIN SUBORDINATION OF UTILITY INTERESTS RECORDED IN OFFICIAL RECORDS BOOK 8135, PAGE 768.
   ORB 6979, PG 4629, AFFECTS SUBJECT PROPERTY. SHOWN HEREON.
   ORB 7860, PG 4327, AFFECTS SUBJECT PROPERTY. SHOWN HEREON.
   ORB 8135, PG 768, DOES NOT AFFECT SUBJECT PROPERTY. OFF SITE, NOT GRAPHICALLY DEPICTED.

10. ASSIGNMENT OF DEVELOPMENT RIGHTS RECORDED IN OFFICIAL RECORDS BOOK 7143, PAGE 4645.
    ORB 7143, PG 4645, DOES NOT AFFECT SUBJECT PROPERTY. OFF SITE, NOT GRAPHICALLY DEPICTED.

11. ASSIGNMENT OF DEVELOPMENT RIGHTS RECORDED IN OFFICIAL RECORDS BOOK 7143, PAGE 4654.
    ORB 7143, PG 4654, PARENT TRACT OF SUBJECT PROPERTY. AFFECTS SUBJECT PROPERTY.
    BLANKET IN NATURE NOT GRAPHICALLY DEPICTED.

12. EASEMENT AGREEMENT BY AND BETWEEN FDG RAIL HOLDINGS 8 LLC, A DELAWARE LIMITED LIABILITY COMPANY, GRANTOR, AND FDG FLAGER STATION II LLC, A DELAWARE LIMITED LIABILITY COMPANY, GRANTEE, RECORDED JULY 28, 2015, IN OFFICIAL RECORDS BOOK 7143, PAGE 4717; AS AFFECTED BY THAT CERTAIN SUBORDINATION AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 7860, PAGE 4359.
    ORB 7143, PG 4717, AFFECTS SUBJECT PROPERTY. SHOWN HEREON.
    ORB 7860, PG 4359, SAME AS ITEM #7, ORB ORB 7860 PG 4327, AFFECTS SUBJECT PROPERTY.
    SHOWN HEREON.

13. PERPETUAL EASEMENT BY AND BETWEEN NSB 103 DEVELOPMENT LLC, A FLORIDA LIMITED LIABILITY COMPANY, GRANTOR, AND CITY OF NEW SMYRNA BEACH, A FLORIDA SUBDIVISION, GRANTEE, RECORDED JUNE 5, 2020, IN OFFICIAL RECORDS BOOK 7860, PAGE 4311.
    AFFECTS SUBJECT PROPERTY. SHOWN HEREON.

14. RESTRICTIONS, COVENANTS, AND CONDITIONS AS SET FORTH IN THAT CERTAIN DECLARATION OF RESTRICTIVE COVENANT RECORDED APRIL 25, 2022 IN OFFICIAL RECORDS BOOK 8242, PAGE 1411, AS MAY BE SUBSEQUENTLY AMENDED.
    DOES NOT AFFECT SUBJECT PROPERTY. OFF SITE, NOT GRAPHICALLY DEPICTED.

15. RESTRICTIONS, COVENANTS, AND CONDITIONS AS SET FORTH IN THAT CERTAIN DECLARATION OF RESTRICTIVE COVENANT RECORDED MAY 24, 2022 IN OFFICIAL RECORDS BOOK 8259, PAGE 882, AS MAY BE SUBSEQUENTLY AMENDED.
    SAME AS # 14 ABOVE.
    DOES NOT AFFECT SUBJECT PROPERTY. OFF SITE, NOT GRAPHICALLY DEPICTED.

    FOR 2024 TAX YEAR PARCEL/ID # 741923000041, GROSS TAX AMOUNT IS $31,909.53, EXEMPTION TYPE IS NONE, AND PAYMENT STATUS IS PAID.
    NOT A SURVEY MATTER.

UTILITY CONTACTS:

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

-UTILITY COMPANIES HAVE BEEN CONTACTED THROUGH "CALL SUNSHINE"
(UNDERGROUND CABLE LOCATING SERVICE) 1-800-432-4770
TICKET No. 202507569 (S.R. 44) AS PER THE "UNDERGROUND FACILITY DAMAGE PREVENTION ACT".

-THE FOLLOWING UTILITIES RESPONDED AFTER NOTIFICATION BY "CALL SUNSHINE".

TICKET 202507569
FL : VOLUSIA COUNTY, NEW SMYRNA BEACH
SR 44

AT&T NATIONAL DAMAGE PREVENTION:
*** NOTIFICATION OF HIGH PRIORITY FACILITIES ONSITE ***
THIS LOCATE REQUEST IS NEAR AN AT&T HIGH PROFILE FACILITY. BEFORE DIGGING IN THIS AREA WAIT ON LOCATES TO BE PERFORMED. TAKE CARE TO OBSERVE SITE MARKINGS SUCH AS PAINT AND FLAGS. HAND DIGGING IS MANDATORY WITHIN THE STATUTORY TOLERANCE ZONE.

A T & T/ DISTRIBUTION
- NO CONFLICT - UTILITY IS OUTSIDE OF THE REQUESTED WORK SITE

CHARTER COMMUNICATIONS
- NO CONFLICT - UTILITY IS OUTSIDE OF THE REQUESTED WORK SITE

COGENT COMMUNICATIONS
- CLEAR NO FACILITIES

FLORIDA POWER & LIGHT - NORTH FIBER
- CLEAR NO FACILITIES

FLORIDA PUBLIC UTILITIES CO.
- MARKED

UNITI FIBER LLC
- CLEAR NO FACILITIES

UTILITIES COMMISSION CITY OF NEW SMYRNA BEACH - ELECTRIC
- NO CONFLICT - UTILITY IS OUTSIDE OF THE REQUESTED WORK SITE

UTILITIES COMMISSION, CITY OF NEW SMYRNA BEACH - WATER
- MARKED

WIRE 3, LLC
- NO CONFLICT - UTILITY IS OUTSIDE OF THE REQUESTED WORK SITE

USSP01:
- SPRINT FIBER OPTIC CABLE, WITH COGENT COMMUNICATIONS, WILL NOT BE IMPACTED BY THE WORK AS DESCRIBED ON THIS ONE-CALL CENTER TICKET. IF YOU HAVE ANY QUESTIONS OR CONCERNS, PLEASE CALL THE COGENT'S CALL BEFORE YOU DIG GROUP AT 1-800-521-0579.

CHARTER-TIME WARNER CAB
- NOT MARKED EXCAVATION SITE CLEAR*

FPL FIBER
- NOT MARKED EXCAVATION SITE CLEAR*

UTILITY CONTACTS:

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

-UTILITY COMPANIES HAVE BEEN CONTACTED THROUGH "CALL SUNSHINE"
(UNDERGROUND CABLE LOCATING SERVICE) 1-800-432-4770
TICKET No.'S 202507664, 202507569, AND 202507664 AS PER THE "UNDERGROUND FACILITY DAMAGE PREVENTION ACT".

-THE FOLLOWING UTILITIES RESPONDED AFTER NOTIFICATION BY "CALL SUNSHINE".

TICKET 202507664
FL : VOLUSIA COUNTY, NEW SMYRNA BEACH
ENDSLEY LN

AT&T NATIONAL DAMAGE PREVENTION:
*** NOTIFICATION OF HIGH PRIORITY FACILITIES ONSITE ***
THIS LOCATE REQUEST IS NEAR AN AT&T HIGH PROFILE FACILITY. BEFORE DIGGING IN THIS AREA WAIT ON LOCATES TO BE PERFORMED. TAKE CARE TO OBSERVE SITE MARKINGS SUCH AS PAINT AND FLAGS. HAND DIGGING IS MANDATORY WITHIN THE STATUTORY TOLERANCE ZONE.

A T & T/ DISTRIBUTION
- NO CONFLICT - UTILITY IS OUTSIDE OF THE REQUESTED WORK SITE

CHARTER COMMUNICATIONS
- CLEAR NO FACILITIES

FLORIDA PUBLIC UTILITIES CO.
- MARKED

UTILITIES COMMISSION CITY OF NEW SMYRNA BEACH - ELECTRIC
- CLEAR NO FACILITIES

UTILITIES COMMISSION, CITY OF NEW SMYRNA BEACH - WATER
- CLEAR NO FACILITIES

CHARTER-TIME WARNER CAB
- MARKED 4 - EXCAVATION SITE CLEAR

UTILITY CONTACTS:

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

-UTILITY COMPANIES HAVE BEEN CONTACTED THROUGH "CALL SUNSHINE"
(UNDERGROUND CABLE LOCATING SERVICE) 1-800-432-4770
PER THE "UNDERGROUND FACILITY DAMAGE PREVENTION ACT".

-THE FOLLOWING UTILITIES RESPONDED AFTER NOTIFICATION BY "CALL SUNSHINE".

TICKET No. 202507604
FL : VOLUSIA COUNTY, NEW SMYRNA BEACH
S MYRTLE AVE

A T & T/ DISTRIBUTION
- MARKED

CHARTER COMMUNICATIONS
- MARKED

COGENT COMMUNICATIONS
- CLEAR NO FACILITIES

FLORIDA POWER & LIGHT - NORTH FIBER
- CLEAR NO FACILITIES

FLORIDA PUBLIC UTILITIES CO.
- MARKED

UNITI FIBER LLC
- CLEAR NO FACILITIES

UTILITIES COMMISSION CITY OF NEW SMYRNA BEACH - ELECTRIC
- NO CONFLICT - UTILITY IS OUTSIDE OF THE REQUESTED WORK SITE

UTILITIES COMMISSION, CITY OF NEW SMYRNA BEACH - WATER
- MARKED

WIRE 3, LLC
- NO CONFLICT - UTILITY IS OUTSIDE OF THE REQUESTED WORK SITE

USSP01:
- SPRINT FIBER OPTIC CABLE, WITH COGENT COMMUNICATIONS, WILL NOT BE IMPACTED BY THE WORK AS DESCRIBED ON THIS ONE-CALL CENTER TICKET. IF YOU HAVE ANY QUESTIONS OR CONCERNS, PLEASE CALL THE COGENT'S CALL BEFORE YOU DIG GROUP AT 1-800-521-0579.

FPL FIBER
- NOT MARKED EXCAVATION SITE CLEAR*

NOTE:
THIS SURVEY IS NOT VALID WITHOUT SHEETS 1 TO 5

SLIGER & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
3921 NOVA ROAD
PORT ORANGE, FL 32127
(386) 756-0371
LICENSED BUSINESS CERTIFICATION NUMBER 3019
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4 3 2

TYPE OF SURVEY	SURVEY DATE	JOB NUMBER	CHECKED BY
SPECIFIC PURPOSE			
ALTA/ NSPS SURVEY	JULY 30, 2025	25-0655	J. HATTENDORF
TOPOGRAPHIC SURVEY	JULY 30, 2025	25-0655	J. HATTENDORF
FOUNDATION LOCATION			
FINAL IMPROVEMENTS			
RECERTIFICATION			

FIELD BOOK:1558	PAGE (S): 47, 50, 51, 55	FIELD BOOK:1560
FIELD DATE: JULY 30, 2025	PARTY CHIEF: J. PENFIELD K. HELMICK	DRAWN BY: J. MOLLER
		PAGE (S): 16-18, 24, 26-28
		CHECKED BY: J. HATTENDORF

ALTA/NSPS LAND TITLE SURVEY AND TOPOGRAPHIC SURVEY

507 MYRTLE STREET,
NEW SMYRNA BEACH, FLORIDA

CLIENT: GBT REALTY CORPORATION

PROJECT: 07104
JOB: 25-0655
SCALE: N/A
SHEET: 2 OF 5

FILE: K:/ 25/ 250655 SPROUTS ALTA/ 250655 ALTA.DWG

ALTA / NSPS LAND TITLE
& TOPOGRAPHIC SURVEY

FOR

GBT REALTY CORPORATION



NOTE:
THIS SURVEY IS NOT VALID WITHOUT SHEETS 1 TO 5

SLIGER & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
3921 NOVA ROAD
SUITE 100
PORT ORANGE, FL. 32127
LICENSED BUSINESS CERTIFICATION NUMBER 3019

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TYPE OF SURVEY	SURVEY DATE	JOB NUMBER	CHECKED BY
SPECIFIC PURPOSE			
ALTA/ NSPS SURVEY	JULY 30, 2025	25-0655	J. HATTENDORF
TOPOGRAPHIC SURVEY	JULY 30, 2025	25-0655	J. HATTENDORF
FOUNDATION LOCATION			
FINAL IMPROVEMENTS			
RECERTIFICATION			

FIELD DATE: JULY 30, 2025	FIELD BOOK:1558	FIELD BOOK:1560
PARTY CHIEF: J. PENFIELD K. HELMICK	PAGE (S): 47, 50, 51, 55	PAGE (S): 16-18, 24, 26-28
DRAWN BY: J. MOLLER		
CHECKED BY: J. HATTENDORF		

ALTA/NSPS LAND TITLE SURVEY AND TOPOGRAPHIC SURVEY

507 MYRTLE STREET,
NEW SMYRNA BEACH, FLORIDA

CLIENT: GBT REALTY CORPORATION

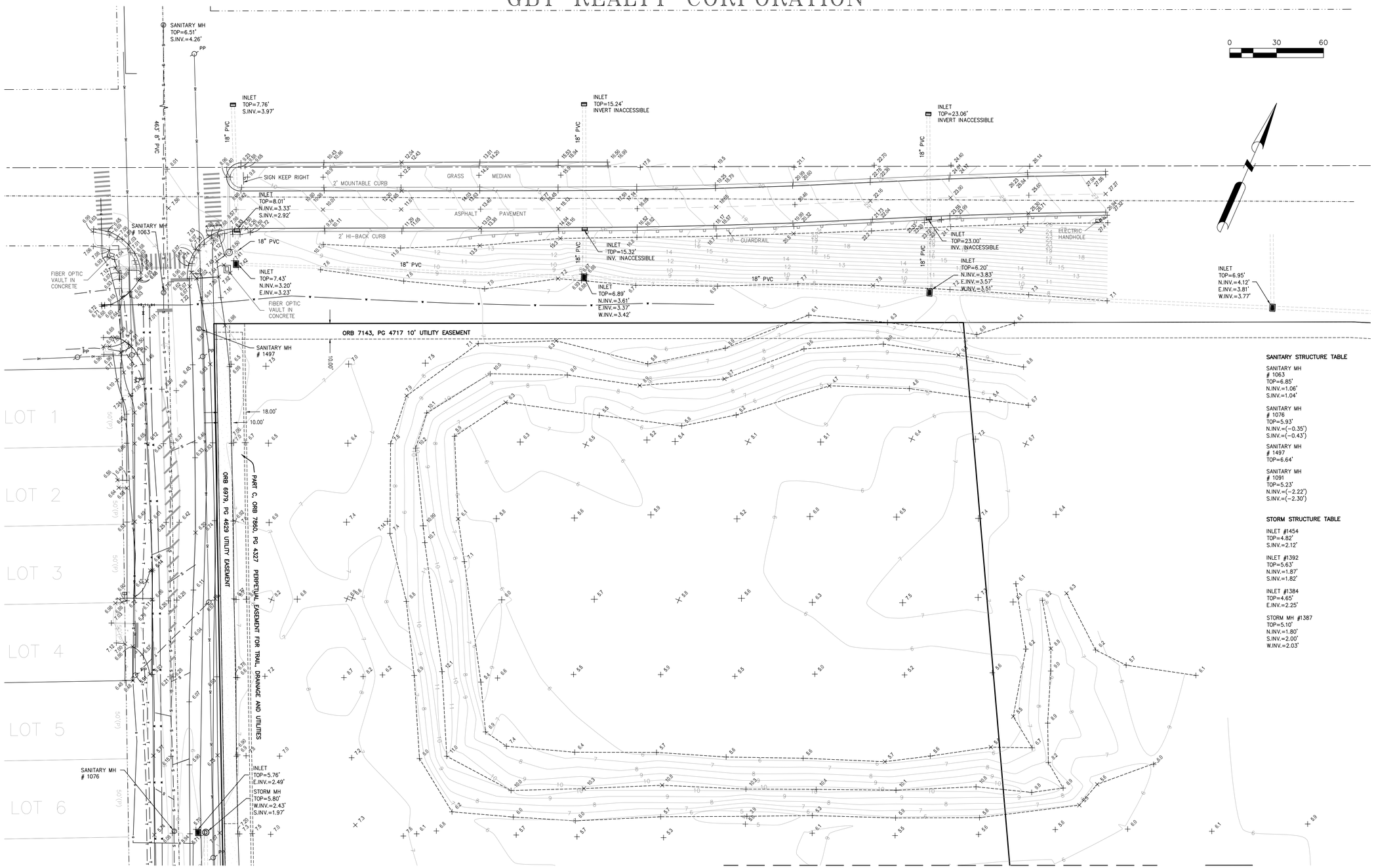
PROJECT: 07104
JOB: 25-0655
SCALE: 1"=100'
SHEET: 3 OF 5

FILE: K:/ 25/ 250655 SPROUTS ALTA/ 250655 ALTA.DWG

ALTA / NSPS LAND TITLE
& TOPOGRAPHIC SURVEY

FOR

GBT REALTY CORPORATION



SANITARY STRUCTURE TABLE

SANITARY MH
1063
TOP=6.85'
N.INV.=1.06'
S.INV.=1.04'

SANITARY MH
1076
TOP=5.93'
N.INV.=(−0.35')
S.INV.=(−0.43')

SANITARY MH
1497
TOP=6.64'

SANITARY MH
1091
TOP=5.23'
N.INV.=(−2.22')
S.INV.=(−2.30')

STORM STRUCTURE TABLE

INLET #1454
TOP=4.82'
S.INV.=2.12'

INLET #1392
TOP=5.63'
N.INV.=1.87'
S.INV.=1.82'

INLET #1384
TOP=4.65'
E.INV.=2.25'

STORM MH #1387
TOP=5.10'
N.INV.=1.80'
S.INV.=2.00'
W.INV.=2.03'

NOTE:
THIS SURVEY IS NOT VALID WITHOUT SHEETS 1 TO 5

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PROFESSIONAL LAND SURVEYORS
3921 NOVA ROAD
PORT ORANGE, FL. 32127
LICENSED BUSINESS CERTIFICATION NUMBER 3019

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TYPE OF SURVEY	SURVEY DATE	JOB NUMBER	CHECKED BY
SPECIFIC PURPOSE			
ALTA/ NSPS SURVEY	JULY 30, 2025	25-0655	J. HATTENDORF
TOPOGRAPHIC SURVEY	JULY 30, 2025	25-0655	J. HATTENDORF
FOUNDATION LOCATION			
FINAL IMPROVEMENTS			
RECERTIFICATION			

FIELD BOOK:	FIELD BOOK:1558
FIELD DATE: JULY 30, 2025	PAGE (S): 47, 50, 51, 55
PARTY CHIEF: J. PENFIELD K. HELMICK	FIELD BOOK:1560
DRAWN BY: J. MOLLER	PAGE (S): 16-18, 24, 26-28
CHECKED BY: J. HATTENDORF	

ALTA/NSPS LAND TITLE SURVEY
AND TOPOGRAPHIC SURVEY

507 MYRTLE STREET,
NEW SMYRNA BEACH, FLORIDA

CLIENT: GBT REALTY CORPORATION

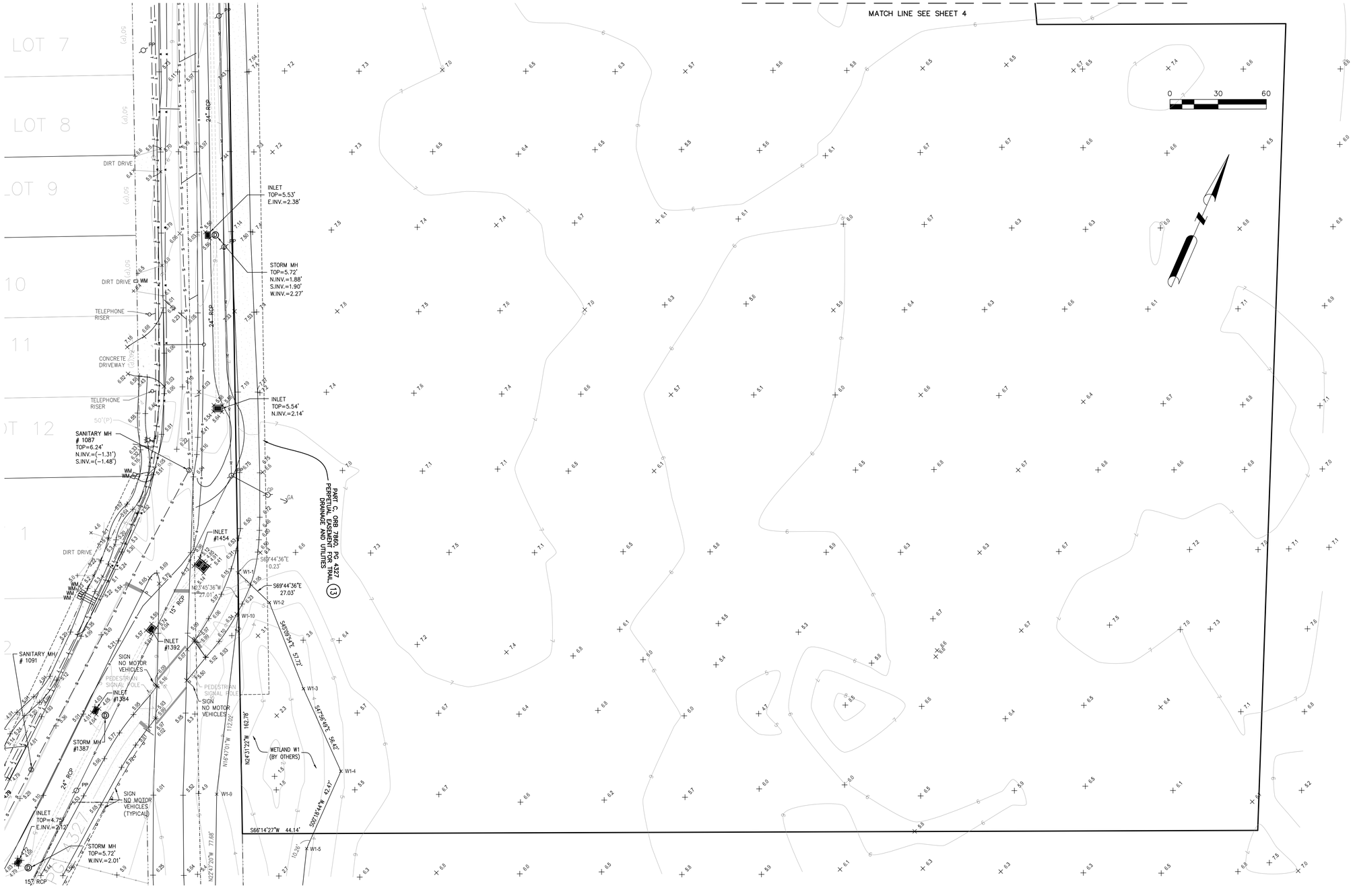
PROJECT: 07104
JOB: 25-0655
SCALE: 1"=30'
SHEET: 4 OF 5

FILE: K:/ 25/ 250655 SPROUTS ALTA/ 250655 ALTA.DWG

ALTA / NSPS LAND TITLE
& TOPOGRAPHIC SURVEY

FOR

GBT REALTY CORPORATION



NOTE:
THIS SURVEY IS NOT VALID WITHOUT SHEETS 1 TO 5

SLIGER & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
3921 NOVA ROAD
PORT ORANGE, FL. 32127
(386) 756-0575
LICENSED BUSINESS CERTIFICATION NUMBER 3019

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TYPE OF SURVEY	SURVEY DATE	JOB NUMBER	CHECKED BY
SPECIFIC PURPOSE			
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TOPOGRAPHIC SURVEY	JULY 30, 2025	25-0655	J. HATTENDORF
FOUNDATION LOCATION			
FINAL IMPROVEMENTS			
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FIELD DATE: JULY 30, 2025	FIELD BOOK:1558	PAGE (S): 47, 50, 51, 55
PARTY CHIEF: J. PENFIELD / K. HELMICK	FIELD BOOK:1560	PAGE (S): 16-18, 24, 26-28
DRAWN BY: J. MOLLER	CHECKED BY: J. HATTENDORF	

ALTA/NSPS LAND TITLE SURVEY
AND TOPOGRAPHIC SURVEY

507 MYRTLE STREET,
NEW SMYRNA BEACH, FLORIDA

CLIENT: GBT REALTY CORPORATION

PROJECT: 07104
JOB: 25-0655
SCALE: 1"=30'
SHEET: 5 OF 5

FILE: K:/ 25/ 250655 SPROUTS ALTA/ 250655 ALTA.DWG



MASTER DEVELOPMENT PLANS

FOR

SPROUTS SHOPPING CENTER

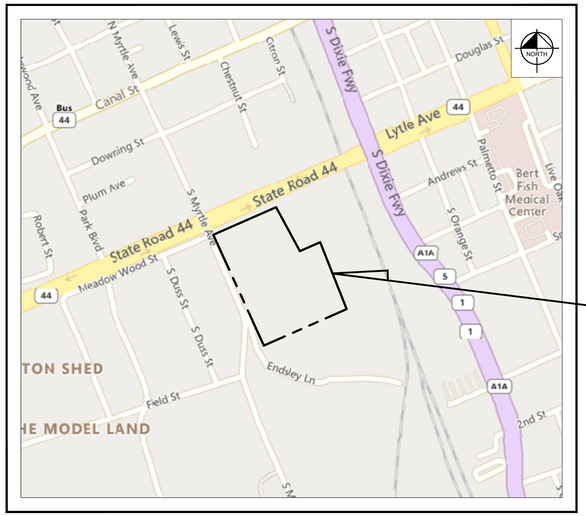
PARCEL ID NUMBER: 741923000041

507 S. MYRTLE AVE.
NEW SMYRNA BEACH, FLORIDA
03-27-2026



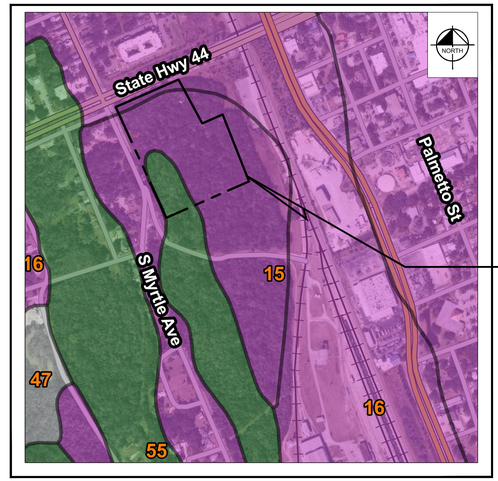
AERIAL PHOTOGRAPH
N.T.S.

SCALE: 1" = 2000'



SECTION 11 , TOWNSHIP 26, RANGE 16

LOCATION MAP
N.T.S.



SOILS MAP
N.T.S.

15 - COCOA SAND
16 - COCOA - URBAN LAND COMPLEX
55 - RIVIERA FINE SAND

PROJECT TEAM

OWNER

NSB 103 DEVELOPMENT LLC
1215 GESSNER DR
HOUSTON TX, 77055

SURVEYOR:

SLIGER & ASSOCIATES, INC.
3921 NOVA ROAD
PORT ORANGE, FLORIDA 32127
JEFF HOFIUS
(386) 761 - 5385

DEVELOPER:

GBT REALTY CORPORATION
9010 OVERLOOK BOULEVARD
BRENTWOOD, TN 37027
SCOTT COLE
(615) 505-3101
SCOLE@GBTREALTY.COM

LANDSCAPE ARCHITECT:

KIMLEY-HORN AND ASSOCIATES, INC.
200 S. ORANGE AVENUE, SUITE 600
ORLANDO, FL 32801
ZACK HALL, PLA
(407) 768-3222
ZACK.HALL@KIMLEY-HORN.COM

CIVIL ENGINEER:

KIMLEY-HORN AND ASSOCIATES, INC.
200 S. ORANGE AVENUE, SUITE 600
ORLANDO, FL 32801
BRENT LENZEN, P.E.
(407) 427-1610
BRENT.LENZEN@KIMLEY-HORN.COM

INDEX OF SHEETS

MP0.0	COVER
MP4.1	COMMERCIAL SITE PLAN
MP4.2	OPEN SPACE PLAN
MP4.3	TREE CANOPY EXHIBIT
MP4.4	PHASING PLAN
MP5.0	OVERALL UTILITY PLAN
MP5.1	UTILITY PLAN

PREPARED BY

Kimley»Horn

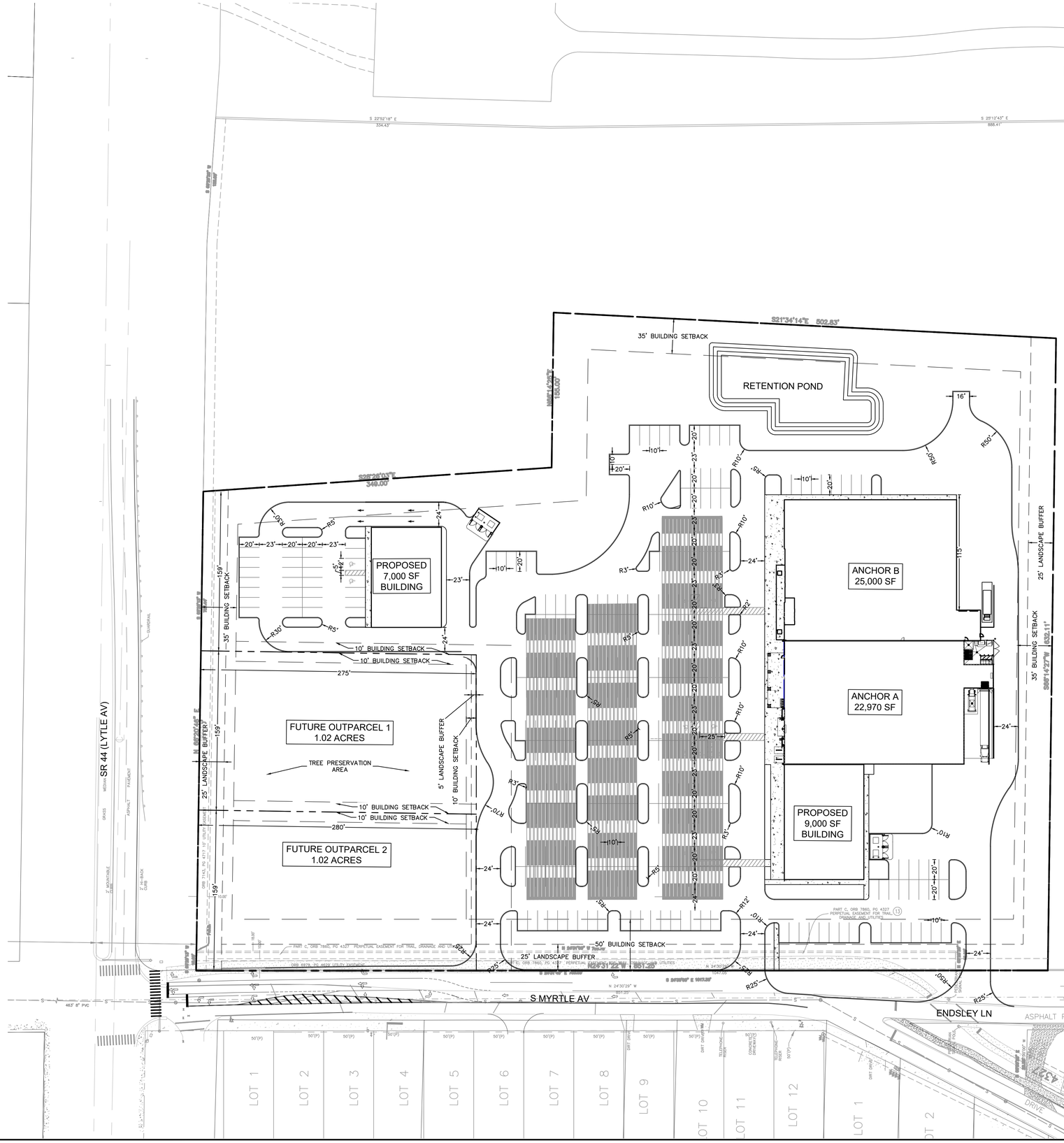
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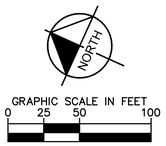
200 S. ORANGE AVENUE, SUITE 600, ORLANDO, FL
PHONE: (407) 898-1511
WWW.KIMLEY-HORN.COM REGISTRY No. 35106

No.	REVISIONS	DATE	BY

SHEET NUMBER
MP0.0

Drawing name: K:\orl_civil\249631001-new smyrna beach sprouts\CADD\master development\plansheets\MP0.0-COVR.dwg CO.0 Mar 27, 2026 9:14am by: Dorian.Niranjan
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SITE DATA

		PH 1: 9.33 AC	PH 2: 2.04 AC
TOTAL SITE AREA:	11.37 AC (495,135.80 SF)		
EXISTING ZONING:	LIGHT INDUSTRY (I-1)		
FUTURE LAND USE:	INDUSTRIAL MIXED USE (IMU)		
EXISTING USE:	VACANT (WOODED)		
PROPOSED USE:	COMMERCIAL RETAIL		
REQD MAX BUILDING HEIGHT:		45 FT	45 FT
REQD MIN LOT SIZE:		1.00 AC	0.5 AC
REQD. MIN BUILDING SEPARATION:		0 FT	20 FT
REQD. MAX INDIVIDUAL BLDG SIZE:		25,000 SF	11,325 SF
REQD. MAX BLDG COVERAGE:	25%	2.33 AC	0.26 AC
REQD. MIN OPEN SPACE:	20%	1.87 AC	0.41 AC
REQD. MIN NATURAL VEGETATION:	15%	1.40 AC	0.31 AC
REQD. MIN INTERIOR LANDSCAPING:	10%	0.28 AC	
MAX IMPERVIOUS:	80%	7.46 AC	1.63 AC

OPEN SPACE PROVIDED PH-1: 3.31 AC / 35.48%

PROPOSED IMPERVIOUS PH-1:

SIDEWALK	0.23 AC
ASPHALT	4.31 AC
BUILDING	1.47 AC
TOTAL:	6.01 AC / 64.42%

PARKING REQUIRED:	PH 1:	PH 2:
RETAIL 4/SP/1,000 SF (63,970 SF)		
REGULAR 10' X 20'	249 SPACES	
ADA SPACES (201-300 PROVIDED)	7 SPACES	
TOTAL:	263 SPACES	MINIMUM PARKING REQUIRED FOR PHASE 2 TO BE PROVIDED PER THE LDR AND THE PROPOSED USE
PARKING PROVIDED:		
STANDARD SPACES	293 SPACES	
ADA SPACES	11 SPACES	
TOTAL:	304 SPACES	
NOT TO EXCEED 120% OF MINIMUM REQUIREMENT		

BUILDING SETBACKS:	REQUIRED PH 1:	PH 2: *
NORTH	35 FT	35 FT
EAST	35 FT	10 FT
WEST	50 FT	50 FT
SOUTH	35 FT	10 FT
LANDSCAPE BUFFERS		
NORTH	25 FT	25 FT
EAST	N/A	N/A
WEST	25 FT	25 FT
WEST	25 FT	25 FT
SOUTH	25 FT	5 FT

*REQUIRED 10 FT INTERIOR SETBACK BETWEEN OUTPARCELS

PH-1 INTERIOR LANDSCAPING CALCS:

REGULAR PARKING SPACES - 293	293 X 20' X 10' = 58,600 SF / 1.35 AC
ADA PARKING SPACES - 11	11 X 20' X 17' = 3,740 SF / 0.08 AC
PARKING AISLE PAVEMENT	58,333 SF / 1.34 AC
TOTAL:	120,673 SF / 2.77 AC

10% OF PARKING = 0.28 AC OF INTERIOR LANDSCAPE ISLANDS REQUIRED

FLOOR AREA RATIO

MAXIMUM ALLOWABLE F.A.R.: 0.5

PROPOSED UTILITIES

SANITARY SEWER: CONNECTION TO EXISTING GRAVITY SEWER ALONG S MYRTLE AV
POTABLE WATER: CONNECTION TO EXISTING WATER MAIN ALONG S MYRTLE AV
RECLAIMED WATER: CONNECTION TO EXISTING RECLAIM WATER MAIN ACROSS SR 44

GENERAL NOTES:

1. ALL MEASUREMENTS TO FACE OF CURB UNLESS OTHERWISE NOTED.

2. FIRE PROTECTION WATER SUPPLY TO BE AVAILABLE PRIOR TO AND DURING CONSTRUCTION.

2. ALL AFFECTED SIDEWALKS, RAMPS, AND CROSSWALKS, WILL BE BUILT AND INSPECTED TO MEET CURRENT ADA REQUIREMENTS.

4. ALL FUTURE DEVELOPMENTS WILL NEED TO APPLY FOR PERMIT PRIOR TO CONSTRUCTION.

5. SITE SHALL COMPLY WITH THE FLORIDA BUILDING CODE 8TH EDITION (2023) ACCESSIBILITY

6. FINAL SITE SHALL BE GRADED TO PROVIDE PEDESTRIAN AND PARKING ADA ACCESSIBILITY

7. SEPARATE PERMITS ARE REQUIRED FOR THE FOLLOWING IF APPLICABLE CONSTRUCTION TRAILERS, SALES CENTERS, DUMPSTER ENCLOSURES, LIFT STATIONS, SWIMMING POOLS, PLAYGROUND EQUIPMENT, WALL SIGNS, MONUMENT SIGNS, RETAINING/LANDSCAPE WALLS, ENTRY WALL FEATURES, SITE LIGHTING, GENERATORS, STORAGE SHEDS, STORAGE BUILDINGS, LIGHTNING PROTECTION SYSTEMS, BULK OXYGEN STORAGE TANKS, FENCES, AWNINGS, GREASE TRAPS, PAINT SPRAY BOOTHS, UNDERGROUND AND ABOVE GROUND FUEL STORAGE TANKS, HELIPADS, EV CHARGING STATIONS ETC.

8. STORMWATER MANAGEMENT FOR THE ENTIRE 11.37 ACRES, INCLUDING OUTPARCELS WILL BE PROVIDED FOR WITHIN THE CENTRAL SYSTEM.

LEGEND:

PROPOSED STORMWATER EXFILTRATION PIPE

Always call 811 two full business days before you dig to have underground utilities located and marked.

Sunshine811.com

No.	REVISIONS	DATE	BY

Kimley»Horn
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200 S. ORANGE AVENUE, SUITE 800, ORLANDO, FL 32801
PHONE: 407-898-1511
WWW.KIMLEY-HORN.COM REGISTRY No. 35106

LICENSED PROFESSIONAL
BRENT A. LENZEN P.E.
FLORIDA LICENSE NUMBER 78537
DATE: 02/09/2026

KHA PROJECT	249631001
DATE	02/09/2026
SCALE	AS SHOWN
DESIGNED BY	DRN
DRAWN BY	DRN
CHECKED BY	BAL

COMMERCIAL SITE PLAN

MASTER DEVELOPMENT PLANS

NEW SMYRNA BEACH FLORIDA

SHEET NUMBER
MP4.1

Posted By:Nicholas Dorion Street Set:Master Plan Layout:C4.1 March 27, 2026 11:25:23am K:\orl_civil\249631001-new smyrna beach sprouts\CADD\master development\sheets\MP4.0 - SITE PLAN.dwg
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NORTH

GRAPHIC SCALE IN FEET
0 30 60 120

PHASE 1: – 9.33 ACRES

SITE DATA	REQUIRED	PROVIDED
OPEN SPACE:	1.87AC / 20%	3.31 AC / 35.48%
VEGETATIVE SPACE	1.40 AC / 15%	3.02 AC / 32.37%
PARKING AREA		
SPACES		1.43 AC
PARKING AISLES		1.34 AC
INTERIOR LANDSCAPING	10% OF PARKING = 0.28 AC	0.39 AC

LEGEND

- OPEN SPACE
- VEGETATIVE SPACE
- PARKING AISLES
- LIMITS OF INTERIOR LANDSCAPING

Always call 811 two full business days before you dig to have underground utilities located and marked.

Sunshine811.com

No.	REVISIONS	DATE	BY

Kimley»Horn
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200 S. ORANGE AVENUE, SUITE 800, ORLANDO, FL 32801
PHONE: 407-898-1511
WWW.KIMLEY-HORN.COM REGISTRY No. 35106

LICENSED PROFESSIONAL
BRENT A. LENZEN P.E.
FLORIDA LICENSE NUMBER
78537
DATE 02/09/2026

KHA PROJECT	249631001
DATE	02/09/2026
SCALE	AS SHOWN
DESIGNED BY	-
DRAWN BY	VOP
CHECKED BY	BAL

MASTER DEVELOPMENT PLANS

NEW SMYRNA BEACH FLORIDA

OPEN SPACE PLAN

SHEET NUMBER
MP4.2

Plotted By:Nicanjon Dorion Sheet Set:Master Plan Layout:C4.2 March 27, 2026 11:19:29am K:\orl_civil\249631001-new smyrna beach sprouts\CADD\master development\pronsheets\MP4.0 – SITE PLAN.dwg
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Plotted By:Noranjha, Dorian Sheet Set:Master Plan Layout:MP4.3 March 27, 2026 11:19:52am K:\orl_civil\249631001-new smyrna beach sprouts\CAD\EXHIBITS\CANOPY COVERAGE\NSB CANOPY COVERAGE.dwg
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KEY

HISTORIC TREE TO BE PRESERVED (6 TOTAL)

SPECIMEN TREE TO BE PRESERVED (45 TOTAL)

HISTORIC TREE TO BE REMOVED (2 TOTAL)



GRAPHIC SCALE IN FEET
0 25 50 100

NORTH

No.	REVISIONS	DATE	BY

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200 S. ORANGE AVENUE, SUITE 800, ORLANDO, FL 32801
PHONE: 407-898-1511
WWW.KIMLEY-HORN.COM REGISTRY No. 35106

LICENSED PROFESSIONAL
BRENT A. LENZEN P.E.
FLORIDA LICENSE NUMBER
78537
DATE: 03/27/2026

KHA PROJECT	249631001
DATE	03/27/2026
SCALE	AS SHOWN
DESIGNED BY	–
DRAWN BY	VQP
CHECKED BY	BAL

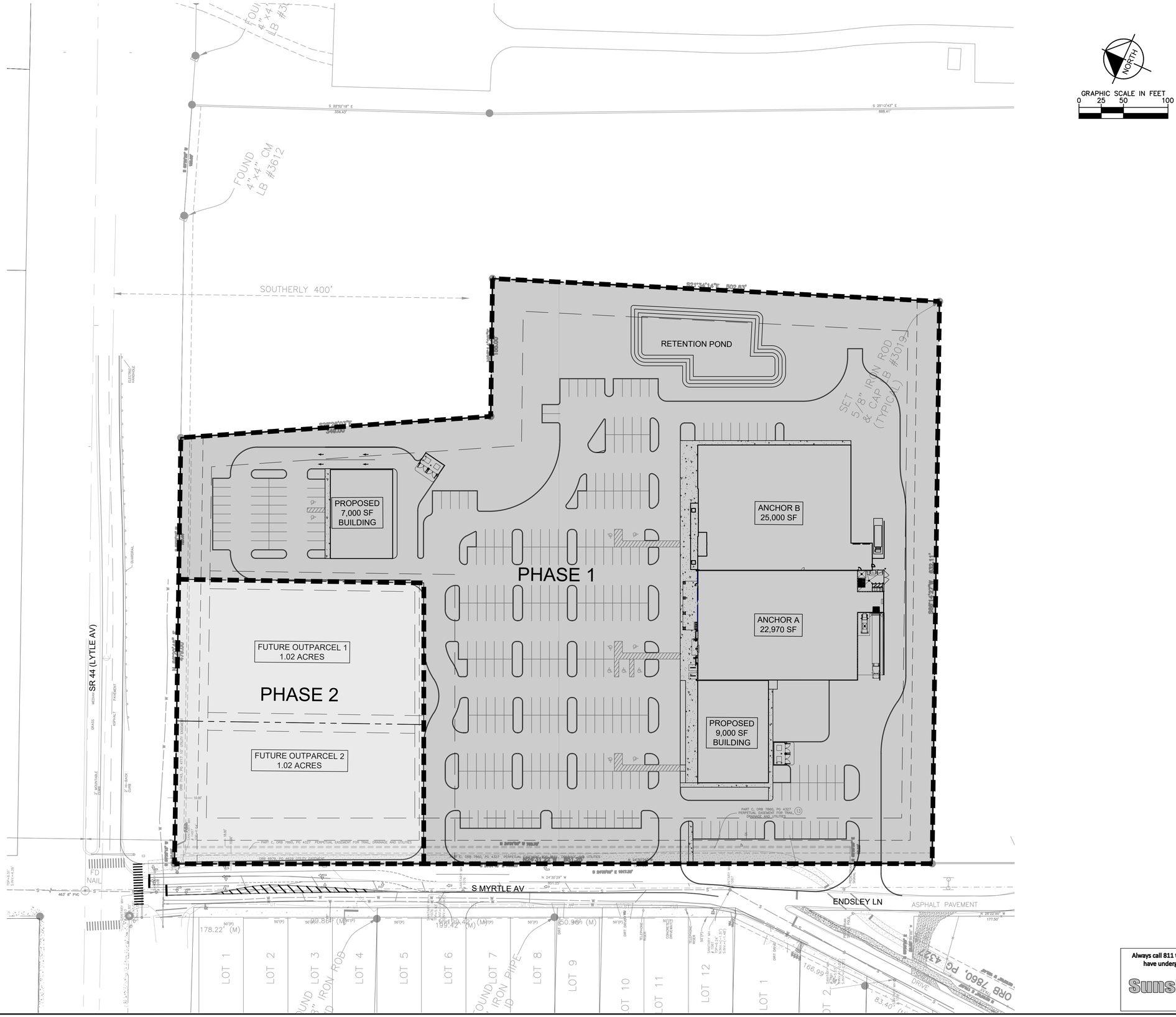
TREE CANOPY EXHIBIT

MASTER DEVELOPMENT PLANS

NEW SMYRNA BEACH FLORIDA

SHEET NUMBER
MP4.3

Always call 811 two full business days before you dig to have underground utilities located and marked.
Sunshine811.com



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FLORIDA LICENSE NUMBER
78537
DATE: 02/09/2026

KHA PROJECT	249631001
DATE	02/09/2026
SCALE	AS SHOWN
DESIGNED BY	–
DRAWN BY	VDP
CHECKED BY	BAL

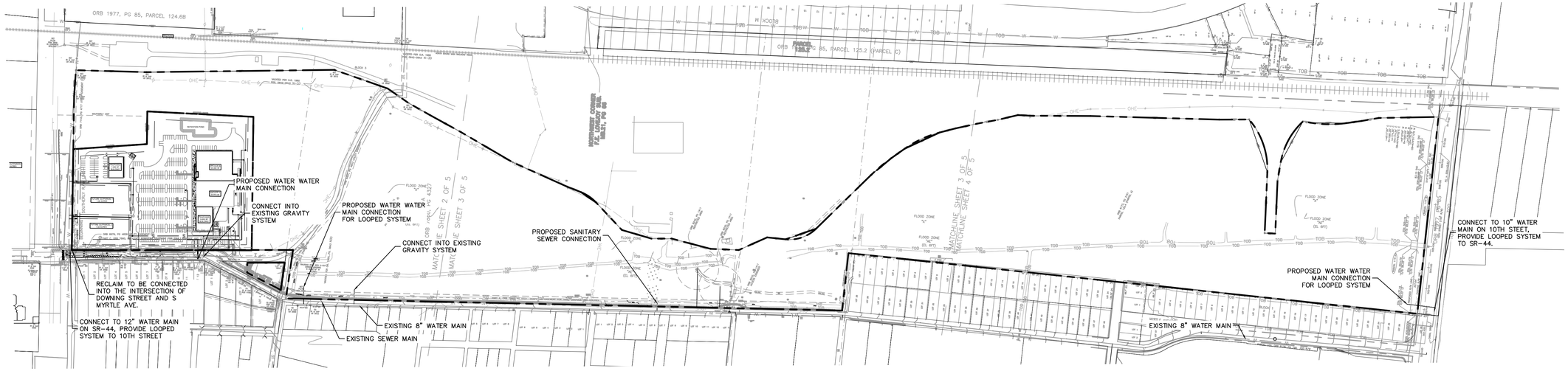
PHASING PLAN

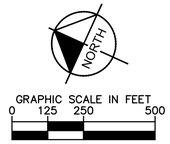
MASTER DEVELOPMENT PLANS

NEW SMYRNA BEACH FLORIDA

SHEET NUMBER
MP4.4

Plotted By:Nranjan, Dorian Sheet Set:Master Plan Layout:MP4.4 March 27, 2026 11:20:14am K:\orl_civil\249631001-new smyrna beach sprouts\CAD\master development\plansheets\MP4.0 – SITE PLAN.dwg
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GRAPHIC SCALE IN FEET
0 125 250 500

PROPOSED USES:

INDUSTRIAL	± 91.33 AC
COMMERICAL	± 11.37 AC

LEGEND

- PROPERTY LINE (TYP.)
- PROPOSED SANITARY SEWER LINE
- PROPOSED WATER LINE
- PROPOSED FIRE LINE
- PROPOSED FIRE HYDRANT
- PROPOSED SANITARY SEWER MANHOLE
- EXISTING SANITARY SEWER LINE
- EXISTING FORCE MAIN
- EXISTING WATER LINE
- EXISTING RECLAIM WATER LINE
- EXISTING STORM PIPE
- EXISTING GAS LINE
- EXISTING OVERHEAD ELECTRIC
- EXISTING UNDERGROUND ELECTRIC
- EXISTING UNDERGROUND COMMUNICATION
- EXISTING UNIDENTIFIED UTILITY
- EXISTING STORM MANHOLE
- EXISTING SANITARY SEWER MANHOLE
- EXISTING FIRE HYDRANT

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FLORIDA LICENSE NUMBER
78537
DATE 02/09/2026

KHA PROJECT 249631001	DATE 02/09/2026	SCALE AS SHOWN	DESIGNED BY -
DRAWN BY VOP	CHECKED BY BAL		

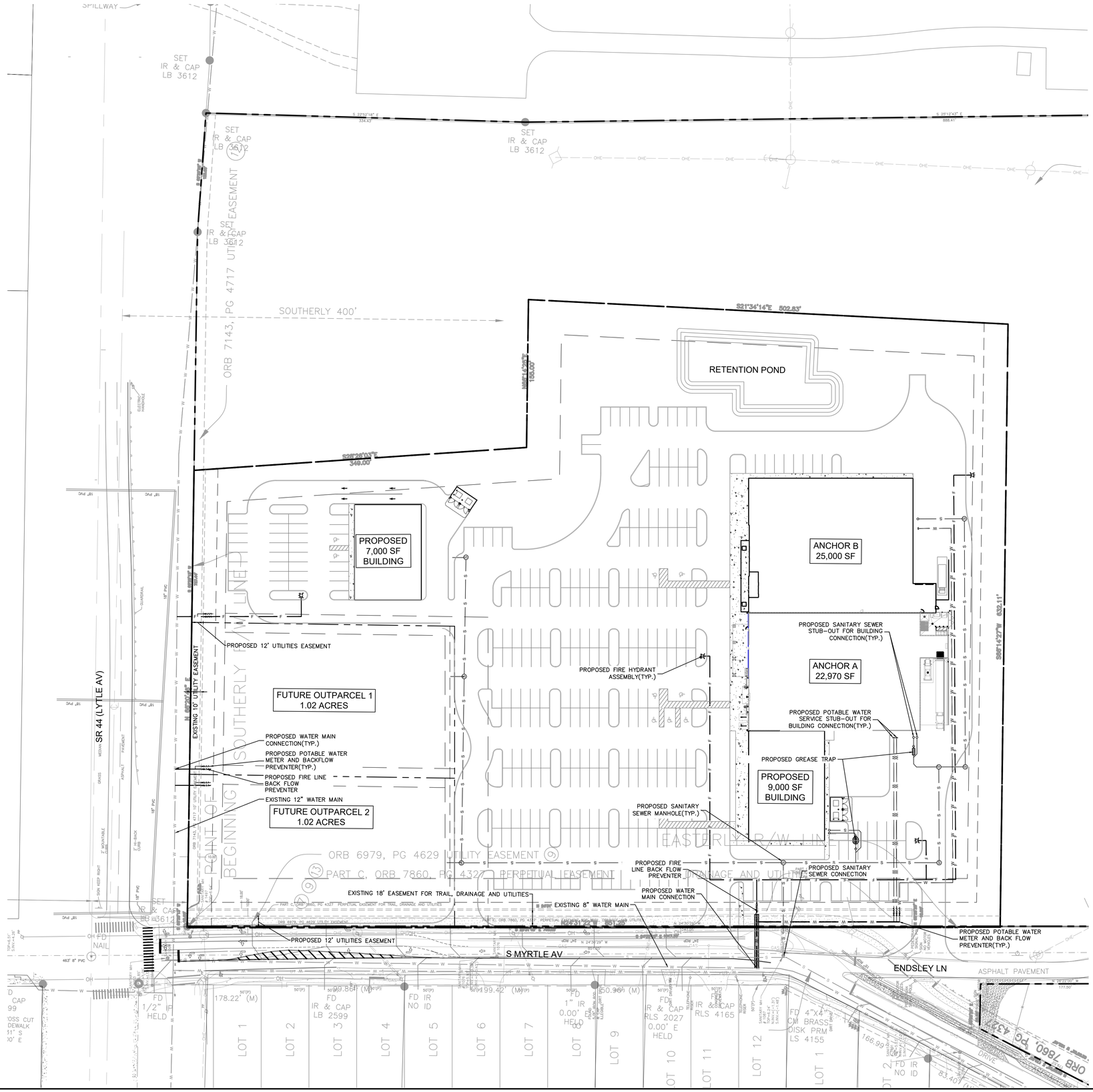
UTILITY PLAN

MASTER DEVELOPMENT PLANS

NEW SMYRNA BEACH FLORIDA

SHEET NUMBER
MP5.0

Plotted By:Niranjan, Durjan Sheet Set:Master Plan Layout:MP5.0 March 27, 2026 11:20:43am K:\orl_civil\249631001-new smyrna beach sprouts\CADD\master development\plansheets\MP5.0 - UTILITY PLAN.dwg
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LEGEND

- PROPERTY LINE (TYP.)
- PROPOSED SANITARY SEWER LINE
- PROPOSED WATER LINE
- PROPOSED FIRE LINE
- PROPOSED FIRE HYDRANT
- PROPOSED SANITARY SEWER MANHOLE
- EXISTING SANITARY SEWER LINE
- EXISTING FORCE MAIN
- EXISTING WATER LINE
- EXISTING RECLAIM WATER LINE
- EXISTING STORM PIPE
- EXISTING GAS LINE
- EXISTING OVERHEAD ELECTRIC
- EXISTING UNDERGROUND ELECTRIC
- EXISTING UNDERGROUND COMMUNICATION
- EXISTING UNIDENTIFIED UTILITY
- EXISTING STORM MANHOLE
- EXISTING SANITARY SEWER MANHOLE
- EXISTING FIRE HYDRANT

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FLORIDA LICENSE NUMBER
78537
DATE: 02/09/2026

KHA PROJECT	249631001
DATE	02/09/2026
SCALE	AS SHOWN
DESIGNED BY	-
DRAWN BY	VOP
CHECKED BY	BAL

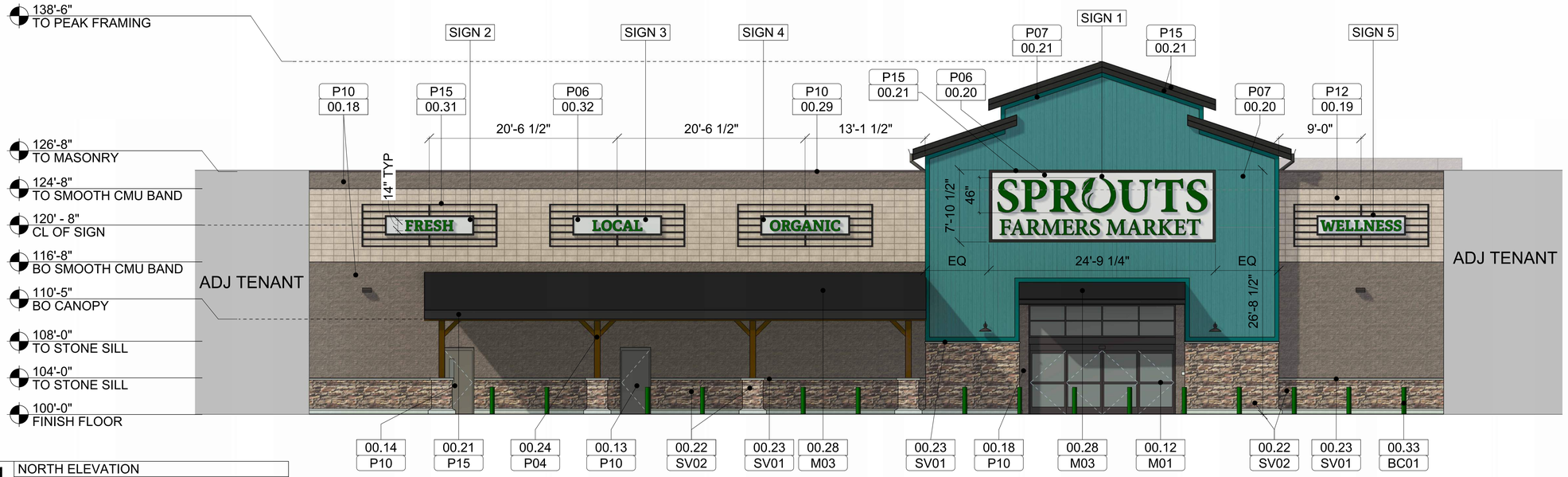
UTILITY PLAN

MASTER DEVELOPMENT PLANS

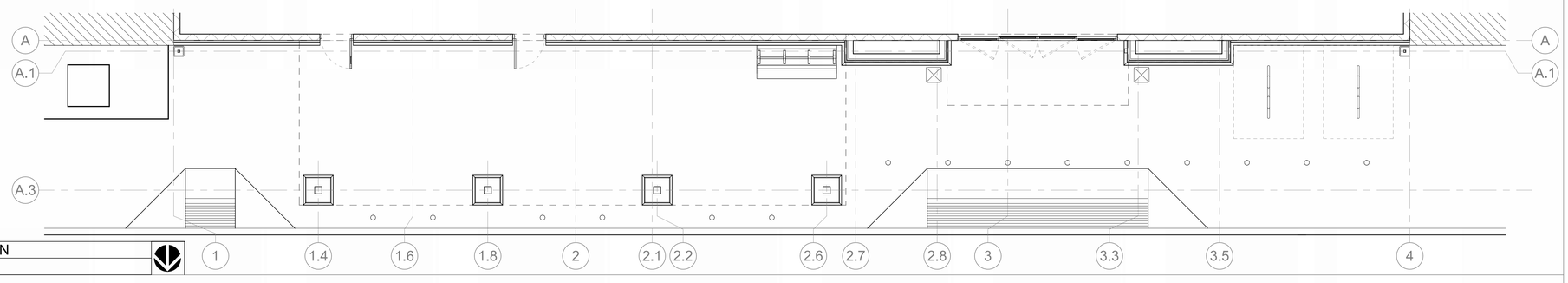
NEW SMYRNA BEACH FLORIDA

SHEET NUMBER
MP5.1

Plotted By: Nirajan Dorjee Sheet Set: Master Plan Layout: MP5.1 March 27, 2026 11:20:50am K:\orl_civil\249631001-new smyrna beach sprouts\CADD\master development\plansheets\MP5.0 - UTILITY PLAN.dwg
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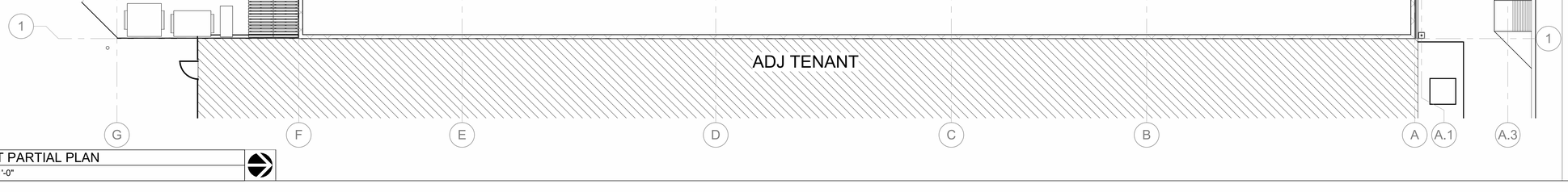
4 NORTH ELEVATION
3/16" = 1'-0"



3 NORTH PARTIAL PLAN
3/16" = 1'-0"



2 EAST ELEVATION
1/8" = 1'-0"



1 EAST PARTIAL PLAN
1/8" = 1'-0"

ALL ASPECTS OF THE SIGNAGE, BOTH BUILDING AND SITE, SHALL BE GOVERNED BY SPROUTS' MOST CURRENT PROTOTYPE SIGN STANDARDS MANUAL AND CODE REQUIREMENTS.

FOR MATERIAL AND FINISH DETAILS SEE SHEET C-1D MATERIAL BOARD

FOR SIGN DESCRIPTIONS SEE SHEET C-1A SIGNAGE SITE PLAN

ACCENT COLOR FOR ADDITIONAL STRUCTURES: P15

FOR CLARITY OUTDOOR FIXTURES ARE NOT SHOWN

KEYNOTES

00.09	SUSTAINABILITY AREA WITH CHAIN LINK FENCE AND GATE
00.12	AUTOMATIC SLIDING ENTRY DOOR
00.13	HOLLOW METAL EGRESS DOOR
00.14	CLICK & COLLECT DOOR
00.18	SPLIT FACE CMU, RUNNING BOND
00.19	SMOOTH FACE CMU, STACKED BOND
00.20	JAMES HARDIE FIBER CEMENT SIDING
00.21	JAMES HARDIE FIBER CEMENT TRIM
00.22	MANUFACTURED STONE VENEER SYSTEM
00.23	MANUFACTURED STONE SILL
00.24	WOOD POST WITH KICKER
00.28	STANDING SEAM METAL ROOF
00.29	METAL PARAPET CAP
00.31	ALUMINUM "PASTURE GATE" FRAMEWORK FOR SECONDARY SIGN BY SIGNAGE VENDOR
00.32	BACKGROUND PANEL FOR SECONDARY SIGN BY SIGNAGE VENDOR
00.33	IDEALSHIELD BOLLARD

KEYNOTES - SIGNAGE

SIGN 1	ILLUMINATED CHANNEL LETTERS, FLUSH MOUNTED
SIGN 2	ILLUMINATED CHANNEL LETTERS ON PASTURE GATE
SIGN 3	ILLUMINATED CHANNEL LETTERS ON PASTURE GATE
SIGN 4	ILLUMINATED CHANNEL LETTERS ON PASTURE GATE
SIGN 5	ILLUMINATED CHANNEL LETTERS ON PASTURE GATE

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Florida Corporate Certificate #AA C000526

ISSUES AND REVISIONS

NUMBER	DATE	DESCRIPTION

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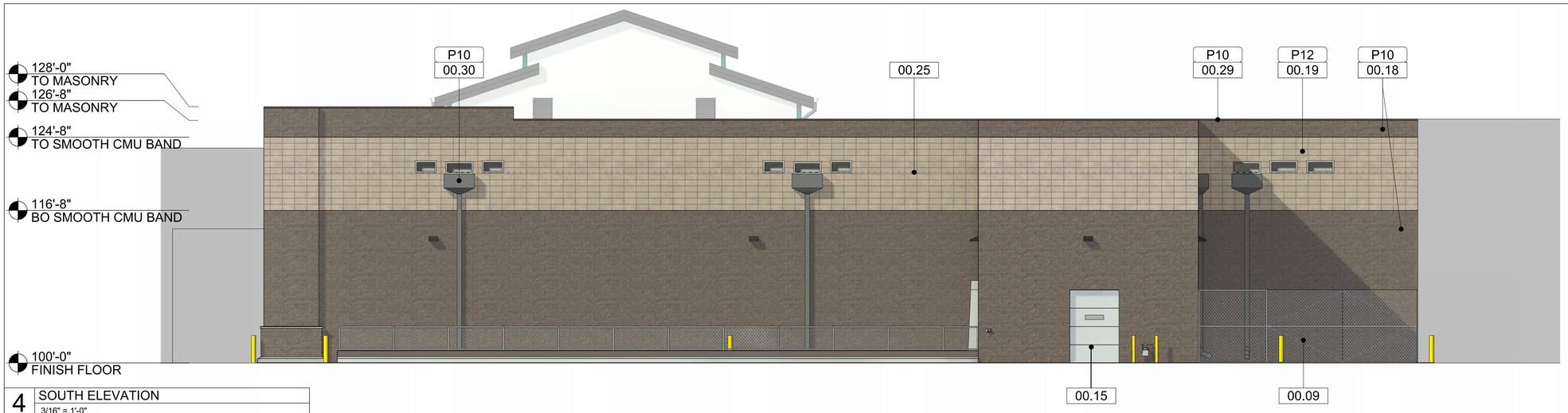
STORE INFORMATION
SPROUTS FARMERS MARKET
0678
LYTLE AVE & S MYRTLE AVE
NEW SMYRNA BEACH, FL

SHEET NAME
PREMISES ELEVATION AND TENANT'S BUILDING AND SITE SIGNAGE

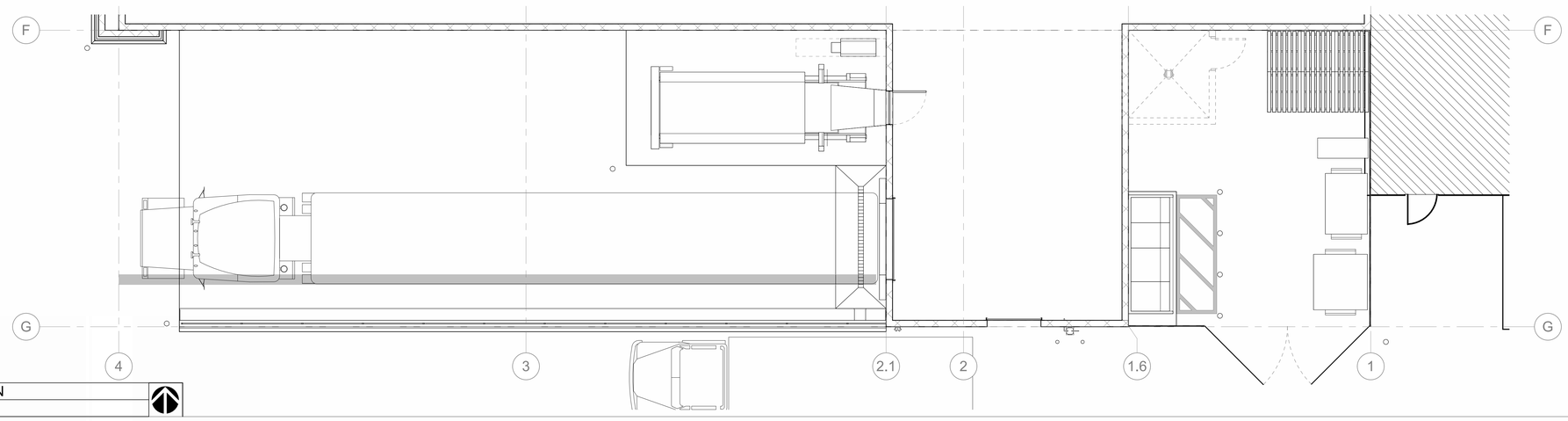
DATE:	03/20/26
DRAWN BY:	JS/CH
CHECKED BY:	ED
BUILD TYPE:	NBTS
PROTOTYPE VERSION:	V6.2.9.1_20250305
PROJECT NUMBER:	20250170

SHEET NUMBER
C-1C

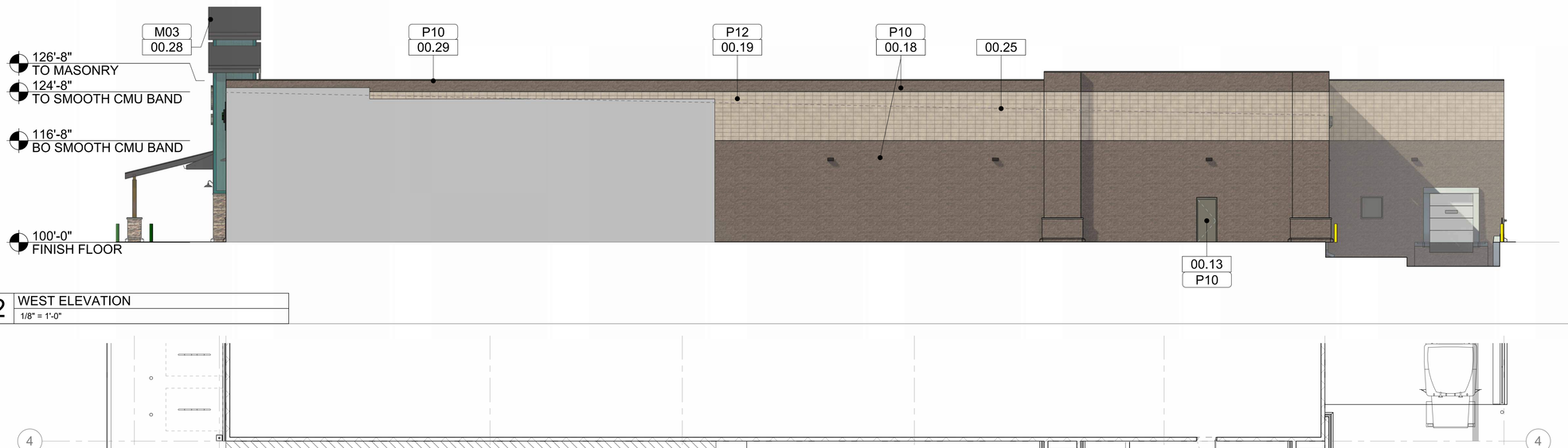
0678 NEW SMYRNA BEACH, FL NBTS EXHIBIT C-1C PREMISES ELEVATION AND TENANTS BUILDING AND SITE SIGNAGE



4 SOUTH ELEVATION
3/16" = 1'-0"



3 SOUTH PARTIAL PLAN
3/16" = 1'-0"



2 WEST ELEVATION
1/8" = 1'-0"

1 WEST PARTIAL PLAN
1/8" = 1'-0"

ALL ASPECTS OF THE SIGNAGE, BOTH BUILDING AND SITE, SHALL BE GOVERNED BY SPROUTS' MOST CURRENT PROTOTYPE SIGN STANDARDS MANUAL AND CODE REQUIREMENTS.

FOR MATERIAL AND FINISH DETAILS SEE SHEET C-1D MATERIAL BOARD

FOR SIGN DESCRIPTIONS SEE SHEET C-1A SIGNAGE SITE PLAN

ACCENT COLOR FOR ADDITIONAL STRUCTURES: P15

FOR CLARITY OUTDOOR FIXTURES ARE NOT SHOWN

KEYNOTES

00.09	SUSTAINABILITY AREA WITH CHAIN LINK FENCE AND GATE
00.13	HOLLOW METAL EGRESS DOOR
00.15	DAILY STORE DELIVERY (DSD) OVERHEAD DOOR
00.18	SPLIT FACE CMU, RUNNING BOND
00.19	SMOOTH FACE CMU, STACKED BOND
00.25	LINE OF ROOF BEYOND
00.28	STANDING SEAM METAL ROOF
00.29	METAL PARAPET CAP
00.30	METAL DOWNSPOUT

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LYTLE AVE & S MYRTLE AVE
NEW SMYRNA BEACH, FL

SHEET NAME
PREMISES ELEVATION AND TENANT'S BUILDING AND SITE SIGNAGE

DATE:	03/20/26
DRAWN BY:	JS
CHECKED BY:	ED
BUILD TYPE:	NBTS
PROTOTYPE VERSION:	V6.2.9.1_20250305
PROJECT NUMBER:	20250170

SHEET NUMBER
C-1D

0678 NEW SMYRNA BEACH, FL NBTS EXHIBIT C-1D PREMISES ELEVATION AND TENANT'S BUILDING AND SITE SIGNAGE

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STANDING SEAM METAL ROOFING

BERRIDGE
"AGED BRONZE"
(M03)

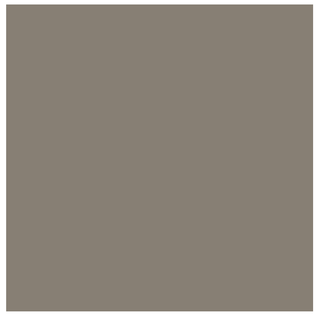
PAINT

PPG 1009-1
"TUNDRA FROST"
(P06)



PAINT

PPG 1142-6
"JERICHO JADE"
(P07)



PAINT

PPG 1000-5
"BEAR CUB"
(P10)



PAINT

PPG 1024-4
"MOTH GRAY"
(P12)



PAINT

PPG 1006-7
"METROPOLIS"
(P15)



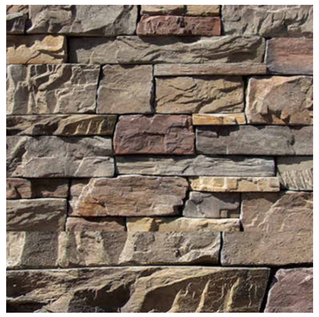
WOOD POST

STAINED FLOOD
SEMI TRANSPARENT
"707 TABACCO"
(P04)



STOREFRONT

STOREFRONT MANUFACTURER
DARK BRONZE
(M01)



STONE VENEER

CORONADO STONE
OLD WORLD LEDGE
"MONARCH"
(SV02)



SILL

CORONADO STONE
900 SERIES
"GREY"
(SV01)



BOLLARD COVER

CUSTOM
PMS-2465
(BC01)

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NEW SMYRNA BEACH, FL

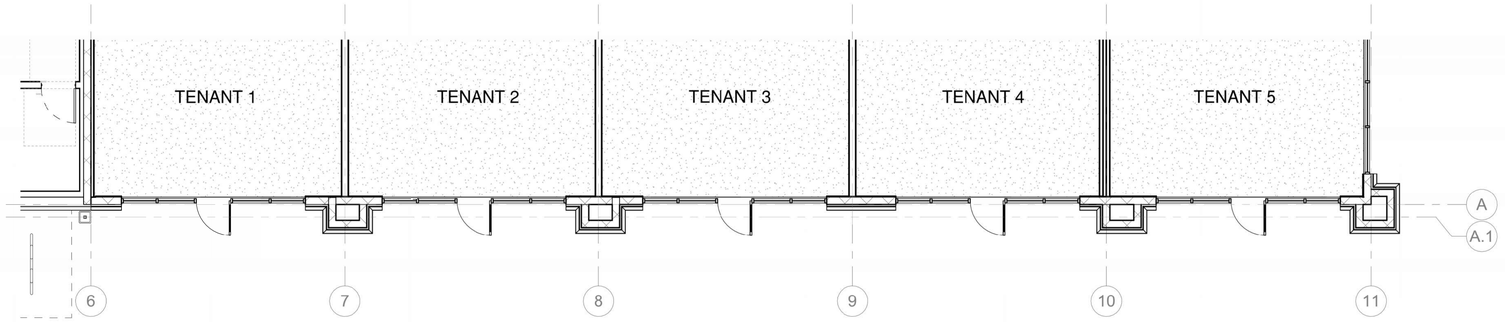
SHEET NAME
PREMISES ELEVATION AND TENANT'S BUILDING AND SITE SIGNAGE

DATE:	03/20/26
DRAWN BY:	CH
CHECKED BY:	Checker
BUILD TYPE:	NBTS
PROTOTYPE VERSION:	V6.2.9.1_20250305
PROJECT NUMBER:	20250170

SHEET NUMBER

C-1E

0678 NEW SMYRNA BEACH, FL NBTS EXHIBIT C-1E PREMISES ELEVATION AND TENANT'S BUILDING AND SITE SIGNAGE

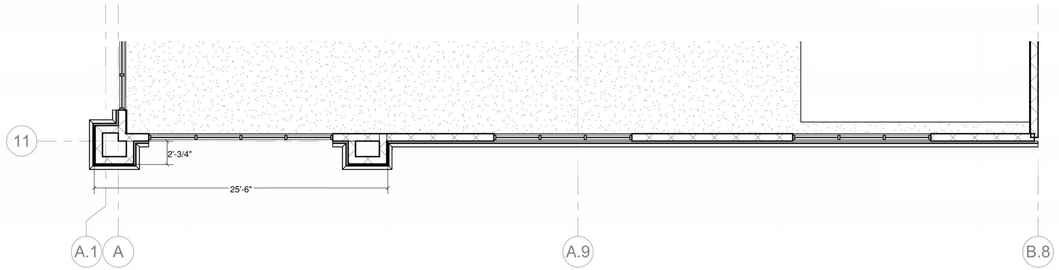


1 NORTHWEST PLAN
3/16" = 1'-0"



2 NORTHWEST ELEVATION
3/16" = 1'-0"

NOTES:
SIGNAGE AREA PER PAGE 18 (33 OF 57). SECTION 604.12 SIGNS.G.b WALL SIGNS SHALL GOVERN THE REMAINING TENANTS. MAX. 100 SQ.FT. PER TENANT PREMISE.



3 SOUTHWEST PLAN
3/16" = 1'-0"

Material & Color Schedule

TYPE	MATERIAL	FINISH	COLOR	NOTES
G-1	ALUMINUM GUTTER & DOWNSPOUT		BRONZE	PROVIDE SPALSH BLOCK
SF-1	STOREFRONT MEDIUM-STILE	ALUMINUM		KAWNEER OR EQUAL
HMD-1	HOLLOW METAL DOOR	PAINT (PPG 1000-5)	BEAR CUB - P10	
M-1	METAL PARAPET CAP	PAINT (PPG 1000-5)	BEAR CUB - P10	
C-1	CANVAS AWNING		BLACK	SUNBRELLA
CMU-1	SMOOTH FACE CMU	PAINT (PPG 1024-4)	MOTH GRAY - P12	STACKED BOND
CMU-2	SPLIT FACE CMU	PAINT (PPG 1000-5)	BEAR CUB - P10	RUNNING BOND
ST-1	DIRECT APPLIED STUCCO	PAINT (PPG 1024-4)	MOTH GRAY - P12	SANDED TEXTURE - PAINTED SYNTHETIC TOP COAT - MATTE FINISH
SV-1	MANUFACTURED STONE SILL	900 SERIES	GREY	CORONADO STONE
SV-2	MANUFACTURED STONE VENEEW	OLD WORLD LEDGE	MONARCH	CORONADO STONE

FOR MATERIAL AND FINISH DETAILS SEE SHEET C-1D MATERIAL BOARD



4 SOUTHWEST ELEVATION
3/16" = 1'-0"

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CONSULTANT

GBT REALTY CORPORATION

REVISION / ISSUE HISTORY

REV	DATE	REVISION / ISSUE NAME

PROJECT NO 20250502	DRAWN BY JS
PERMIT SUB DATE -	CHECKED BY ED

PROJECT
NEW SMYRNA BEACH RETAIL

US 44 & MYRTLE AVE
NEW SMYRNA BEACH, FL

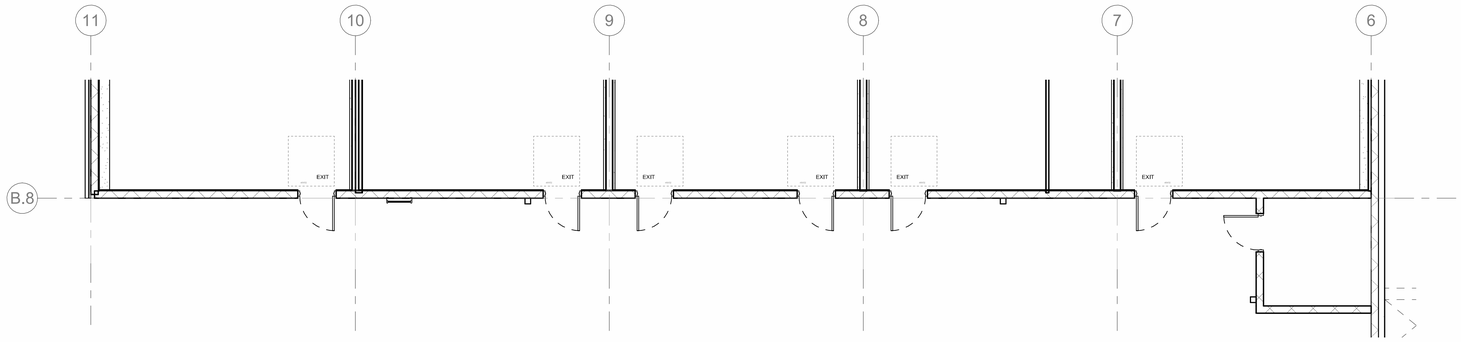
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GBT REALTY CORPORATION

9010 OVERLOOK BOULEVARD
BRENTWOOD, TN 37027

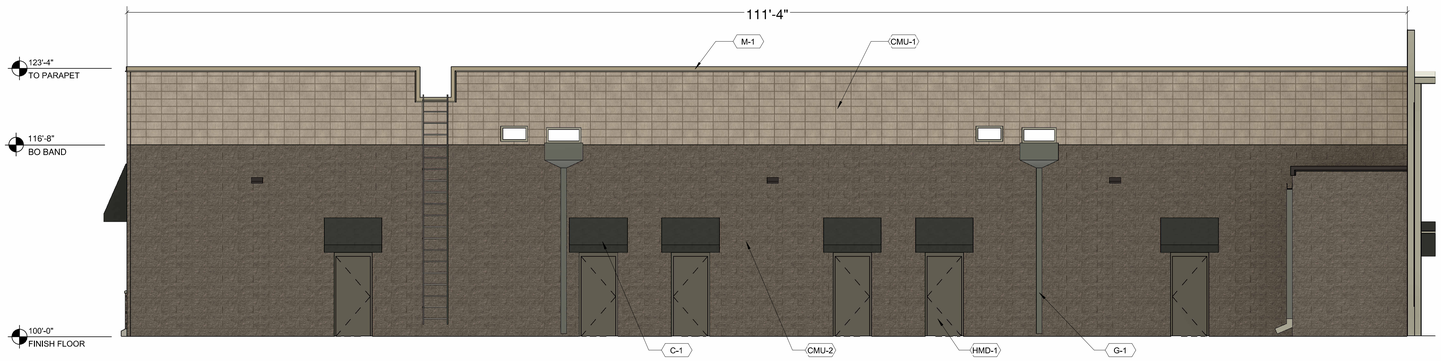
SHEET TITLE
PHASE 1 - INLINE RETAIL SHOPS ELEVATIONS

SHEET NO C-1B

REV



1 SOUTHEAST PLAN
3/16" = 1'-0"



2 SOUTHEAST ELEVATION
3/16" = 1'-0"

Block Type	Area(sq ft)	Percentage (%)
Smooth-Face	702	27.46%
Split-Face	1854	72.54%
Total	2556	100.00%

Material & Color Schedule

TYPE	MATERIAL	FINISH	COLOR	NOTES
G-1	ALUMINUM GUTTER & DOWNSPOUT		DARK BRONZE	PROVIDE SPALSH BLOCK
SF-1	STOREFRONT MEDIUM-STILE	ALUMINUM		KAWNEER OR EQUAL
HMD-1	HOLLOW METAL DOOR	PAINT (PPG 1000-5)	BEAR CUB - P10	
M-1	METAL PARAPET CAP	PAINT (PPG 1000-5)	BEAR CUB - P10	
C-1	CANVAS AWNING		BLACK	SUNBRELLA
CMU-1	SMOOTH FACE CMU	PAINT (PPG 1024-4)	MOTH GRAY - P12	STACKED BOND
CMU-2	SPLIT FACE CMU	PAINT (PPG 1000-5)	BEAR CUB - P10	RUNNING BOND
ST-1	DIRECT APPLIED STUCCO	PAINT (PPG 1024-4)	MOTH GRAY - P12	SANDED TEXTURE - PAINTED SYNTHETIC TOP COAT - MATTE FINISH
SV-1	MANUFACTURED STONE SILL	900 SERIES	GREY	CORONADO STONE
SV-2	MANUFACTURED STONE VENEEW	OLD WORLD LEDGE	MONARCH	CORONADO STONE

FOR MATERIAL AND FINISH DETAILS SEE SHEET C-1D MATERIAL BOARD

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GBT REALTY CORPORATION

REVISION / ISSUE HISTORY

REV	DATE	REVISION / ISSUE NAME

PROJECT NO 20250502	DRAWN BY Author
PERMIT SUB DATE -	CHECKED BY Checker

PROJECT
NEW SMYRNA BEACH RETAIL

US 44 & MYRTLE AVE
NEW SMYRNA BEACH, FL

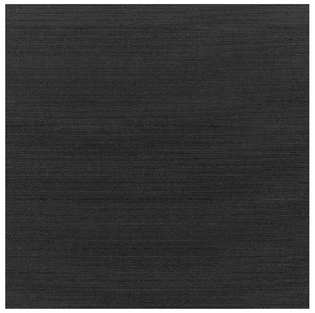
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SHEET TITLE
PHASE 1 - INLINE RETAIL SHOPS ELEVATIONS - REAR

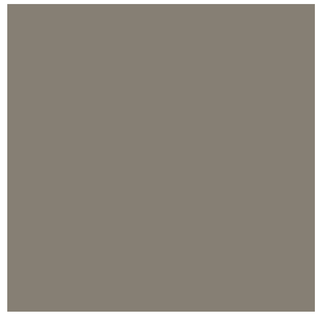
SHEET NO
C-1C

REV



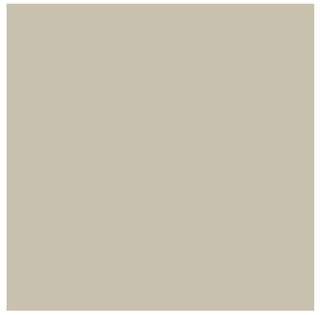
CANVAS AWNING

SUNBRELLA
"BLACK"
(C-1)



PAINT

PPG 1000-5
"BEAR CUB"
(P10)



PAINT

PPG 1024-4
"MOTH GRAY"
(P12)



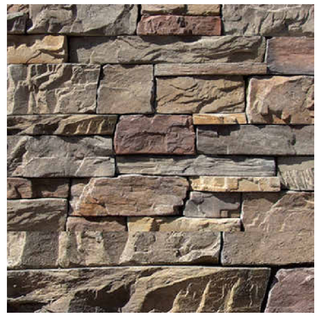
STOREFRONT FINISH

"DARK BRONZE"
(SF-1)



SILL

CORONADO STONE
900 SERIES
"GREY"
(SV-1)



STONE VENEER

CORONADO STONE
OLD WORLD LEDGE
"MONARCH"
(SV-2)

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AR0016440
ARRON WADE ARNOLD

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REVISION / ISSUE HISTORY

REV	DATE	REVISION / ISSUE NAME

PROJECT NO 20250502	DRAWN BY JS
PERMIT SUB DATE -	CHECKED BY ED

PROJECT

NEW SMYRNA BEACH RETAIL

US 44 & MYRTLE AVE
NEW SMYRNA BEACH, FL

CLIENT

GBT REALTY CORPORATION

9010 OVERLOOK BOULEVARD
BRENTWOOD, TN 37027

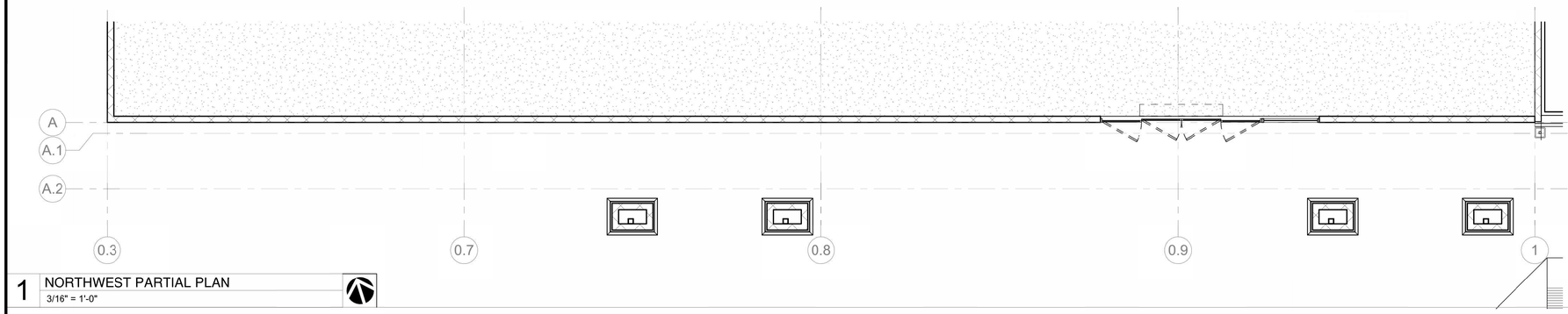
SHEET TITLE

PHASE 1 - EXTERIOR BUILDING MATERIALS

SHEET NO

C-1D

REV



1 NORTHWEST PARTIAL PLAN
3/16" = 1'-0"

Material & Color Schedule

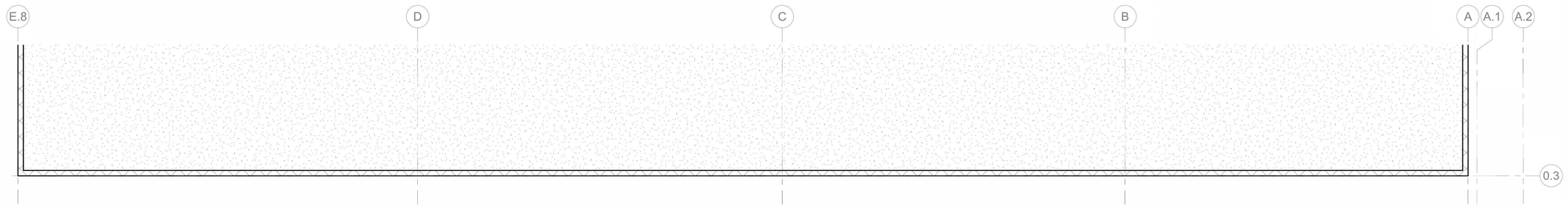
TYPE	MATERIAL	FINISH	COLOR	NOTES
G-1	ALUMINUM GUTTER & DOWNSPOUT		DARK BRONZE	PROVIDE SPALSH BLOCK
SF-1	STOREFRONT MEDIUM-STILE	ALUMINUM	DARK BRONZE	KAWNEER OR EQUAL
HMD-1	HOLLOW METAL DOOR	PAINT (PPG 1000-5)	BEAR CUB - P10	
M-1	METAL PARAPET CAP	PAINT (PPG 1000-5)	BEAR CUB - P10	
CMU-1	SMOOTH FACE CMU	PAINT (PPG 1024-4)	MOTH GRAY - P12	STACKED BOND
CMU-2	SPLIT FACE CMU	PAINT (PPG 1000-5)	BEAR CUB - P10	RUNNING BOND
P-1	PAINT	PAINT (BM2087-10)	NEON RED	
ST-1	DIRECT APPLIED STUCCO	PAINT	DRYVIT #310 CHINA WHITE	SANDED TEXTURE - PAINTED SYNTHETIC TOP COAT - MATTE FINISH
ST-2	DIRECT APPLIED STUCCO	PAINT	DRYVIT #110 VAN DYKE	SANDED TEXTURE - PAINTED SYNTHETIC TOP COAT - MATTE FINISH
SV-1	MANUFACTURED STONE SILL	900 SERIES	GREY	CORONADO STONE
SV-2	MANUFACTURED STONE VENEEW	OLD WORLD LEDGE	MONARCH	CORONADO STONE

FOR MATERIAL AND FINISH DETAILS SEE SHEET C-1C MATERIAL BOARD

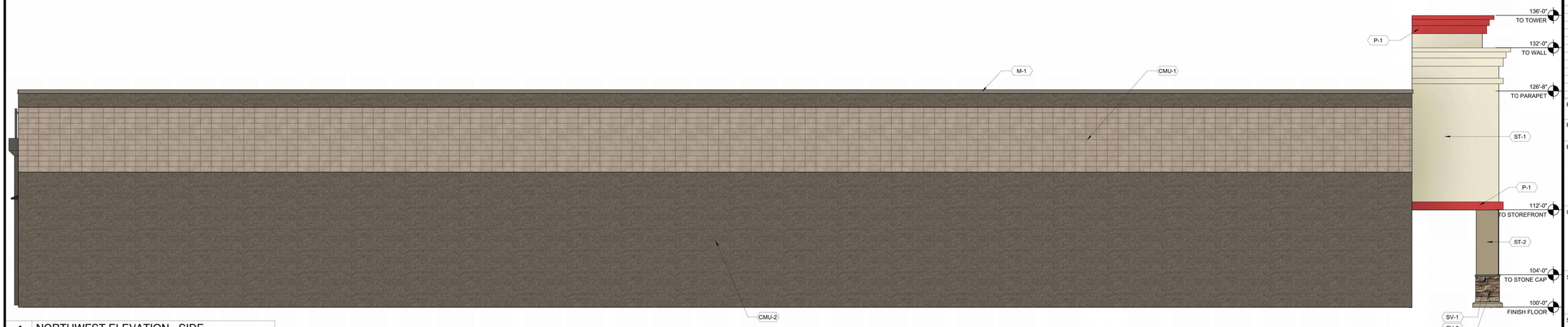


2 NORTHWEST ELEVATION - FRONT
3/16" = 1'-0"

TJ-MAXX TOTAL SIGNAGE AREA:
(7'-5" x 27'-0") = 200sf.



3 NORTHEAST PARTIAL PLAN
3/16" = 1'-0"



4 NORTHWEST ELEVATION - SIDE
3/16" = 1'-0"

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REVISION / ISSUE HISTORY

REV	DATE	REVISION / ISSUE NAME

PROJECT NO	DRAWN BY
20250501	JS
PERMIT SUB DATE	CHECKED BY
-	ED

PROJECT
NEW SMYRNA BEACH RETAIL
US 44 & MYRTLE AVE
NEW SMYRNA BEACH, FL

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BRENTWOOD, TN 37027

SHEET TITLE
PHASE 1 - TJ-MAXX FRONT /SIDE ELEVATIONS

SHEET NO
C-1B

REV



1 OVERALL ELEVATION - TJ-MAXX - SPROUTS - RETAIL SHOPS
N.T.S.

TJ-MAXX TOTAL SIGNAGE AREA:
(7'-5" x 27'-0") = 200sf.



2 PARTIAL FRONT ELEVATION - TJ-MAXX & SPROUTS
N.T.S.

SPROUTS MAIN SIGNAGE AREA: (8'-0" x 25'-0") = 200sq.ft.

SPROUTS SECONDARY SIGNAGE AREA: 276.8sq.ft.
FREASH: 69.2sq.ft.
LOCAL: 69.2 sq.ft.
ORGANIC: 69.2 sq.ft.
WELLNESS: 69.2 sq.ft.



3 PARTIAL FRONT ELEVATION - SPROUTS & RETAIL SHOPS
N.T.S.

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PROJECT NO 20250502	DRAWN BY Author
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PROJECT
NEW SMYRNA BEACH RETAIL
US 44 & MYRTLE AVE
NEW SMYRNA BEACH, FL

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BRENTWOOD, TN 37027

SHEET TITLE
PHASE 1 - OVERALL BUILDING FRONT ELEVATIONS

SHEET NO C-2 REV



1 REAR PARTIAL ELEVATION - RETAIL, SPROUTS & TJ-MAX
N.T.S.



2 REAR PARTIAL ELEVATION - RETAIL & SPROUTS
N.T.S.



3 REAR PARTIAL ELEVATION - SPROUTS & TJ-MAXX
N.T.S.

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PROJECT
NEW SMYRNA BEACH RETAIL

US 44 & MYRTLE AVE
NEW SMYRNA BEACH, FL

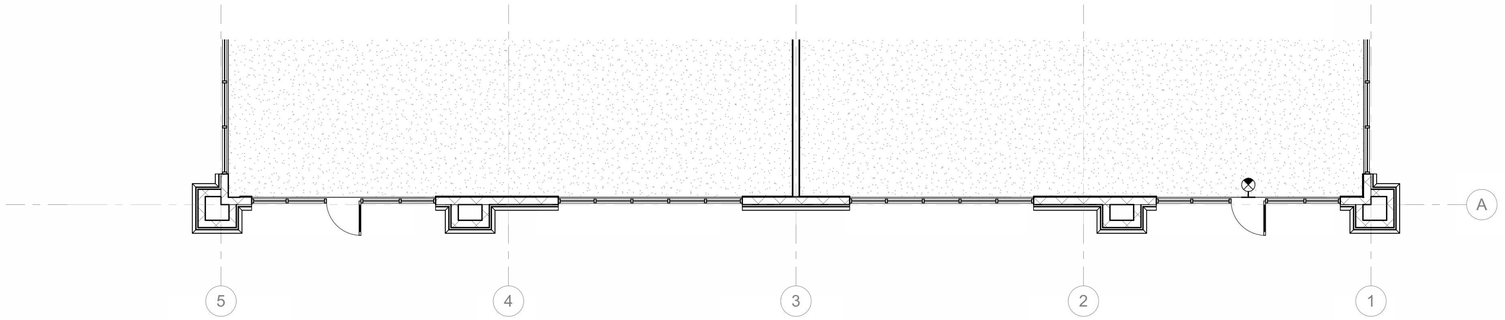
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SHEET TITLE
PHASE 1 - OVERALL
BUILDING REAR ELEVATIONS

SHEET NO
C-3

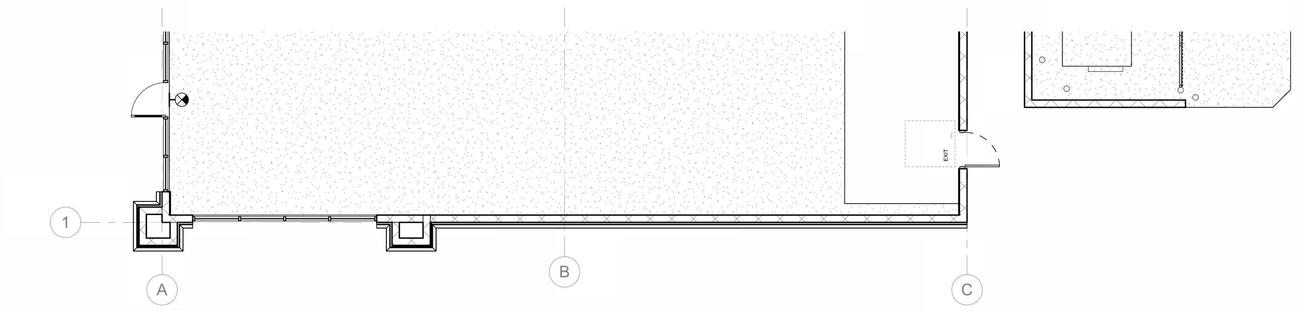
REV



1 NORTHWEST PLAN
3/16" = 1'-0"



2 NORTHWEST ELEVATION
3/16" = 1'-0"

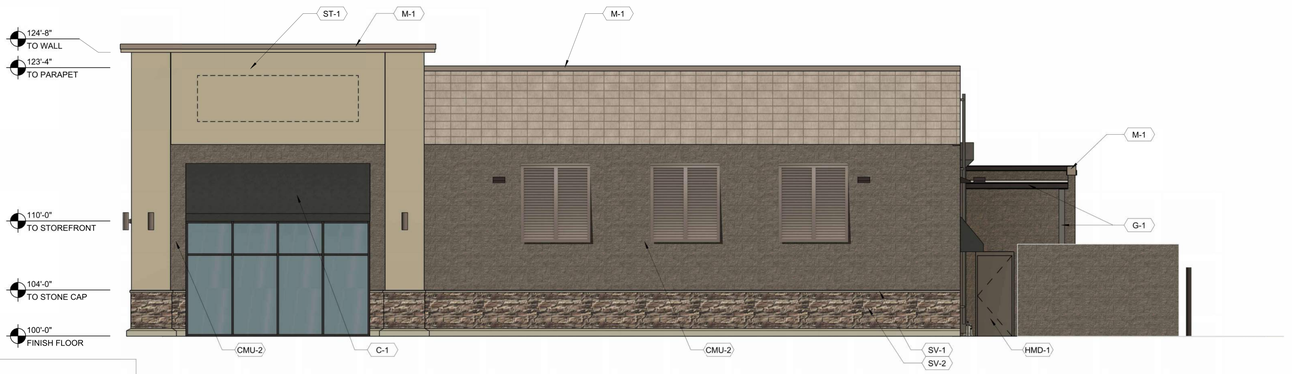


3 SOUTHWEST PLAN
3/16" = 1'-0"

Material & Color Schedule

TYPE	MATERIAL	FINISH	COLOR	NOTES
G-1	ALUMINUM GUTTER & DOWNSPOUT		DARK BRONZE	PROVIDE SPALSH BLOCK
SF-1	STOREFRONT MEDIUM-STILE	ALUMINUM		KAWNEER OR EQUAL
HMD-1	HOLLOW METAL DOOR	PAINT (PPG 1000-5)	BEAR CUB - P10	
M-1	METAL PARAPET CAP	PAINT (PPG 1000-5)	BEAR CUB - P10	
C-1	CANVAS AWNING		BLACK	SUNBRELLA
CMU-1	SMOOTH FACE CMU	PAINT (PPG 1024-4)	MOTH GRAY - P12	STACKED BOND
CMU-2	SPLIT FACE CMU	PAINT (PPG 1000-5)	BEAR CUB - P10	RUNNING BOND
ST-1	DIRECT APPLIED STUCCO	PAINT (PPG 1024-4)	MOTH GRAY - P12	SANDED TEXTURE - PAINTED SYNTHETIC TOP COAT - MATTE FINISH
SV-1	MANUFACTURED STONE SILL	900 SERIES	GREY	CORONADO STONE
SV-2	MANUFACTURED STONE VENEEW	OLD WORLD LEDGE	MONARCH	CORONADO STONE

FOR MATERIAL AND FINISH DETAILS SEE SHEET C-1D MATERIAL BOARD



4 SOUTHWEST ELEVATION
3/16" = 1'-0"

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AR0016440
ARRON WADE ARNOLD

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REVISION / ISSUE HISTORY

REV	DATE	REVISION / ISSUE NAME

PROJECT NO	DRAWN BY
20250502	JS
PERMIT SUB DATE	CHECKED BY
-	ED

PROJECT
NEW SMYRNA BEACH RETAIL

US 44 & MYRTLE AVE
NEW SMYRNA BEACH, FL

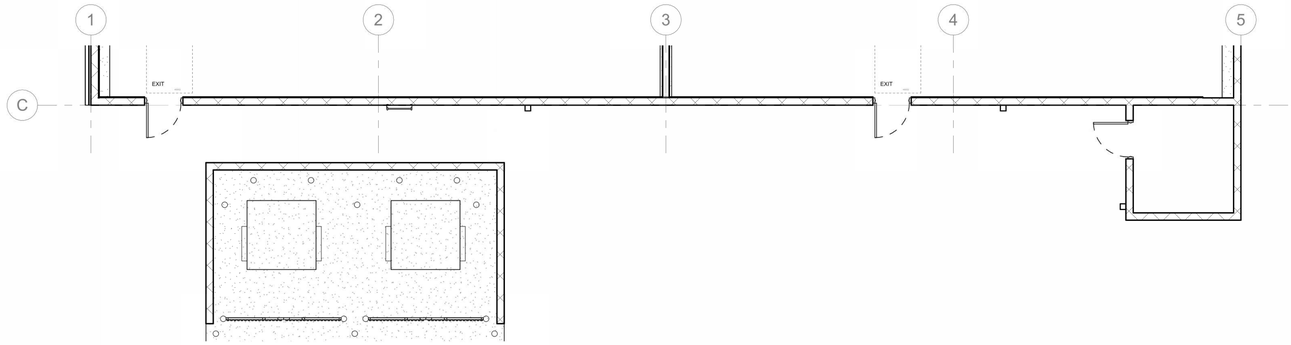
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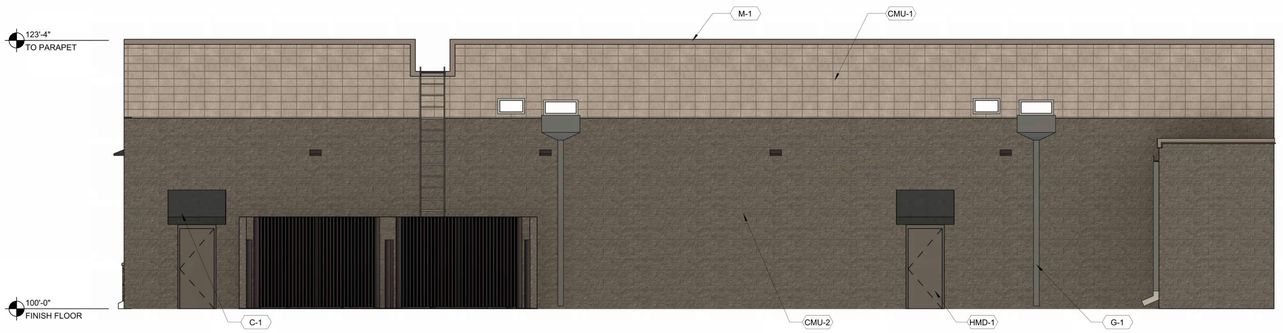
SHEET TITLE
PHASE 1 - PAD RETAIL
SHOPS ELEVATIONS

SHEET NO
C-1B

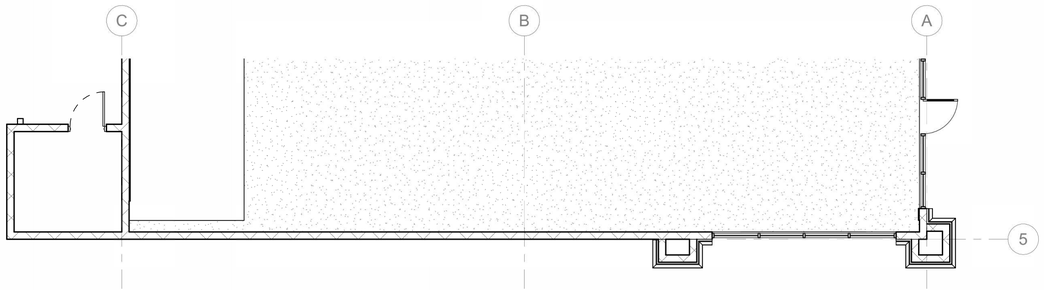
REV



1 SOUTHEAST PLAN
3/16" = 1'-0"



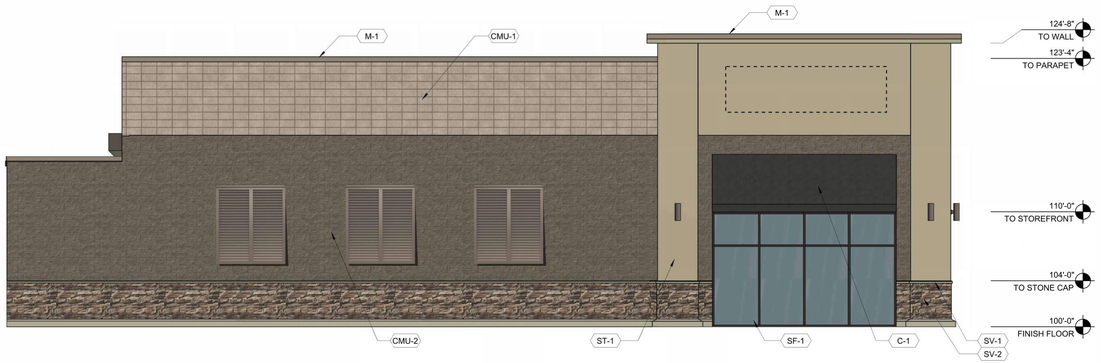
2 SOUTHEAST ELEVATION
3/16" = 1'-0"



3 NORTHEAST PLAN
3/16" = 1'-0"

Material & Color Schedule				
TYPE	MATERIAL	FINISH	COLOR	NOTES
G-1	ALUMINUM GUTTER & DOWNSPOUT		DARK BRONZE	PROVIDE SPALSH BLOCK
SF-1	STOREFRONT MEDIUM-STILE	ALUMINUM		KAWNEER OR EQUAL
HMD-1	HOLLOW METAL DOOR	PAINT (PPG 1000-5)	BEAR CUB - P10	
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CMU-1	SMOOTH FACE CMU	PAINT (PPG 1024-4)	MOTH GRAY - P12	STACKED BOND
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FOR MATERIAL AND FINISH DETAILS SEE SHEET C-1D MATERIAL BOARD



4 NORTHEAST ELEVATION
3/16" = 1'-0"

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CONSULTANT

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PROJECT NO	DRAWN BY
20250502	Author
PERMIT SUB DATE	CHECKED BY
-	Checker

PROJECT
NEW SMYRNA BEACH RETAIL

US 44 & MYRTLE AVE
NEW SMYRNA BEACH, FL

CLIENT
GBT REALTY CORPORATION

9010 OVERLOOK BOULEVARD
BRENTWOOD, TN 37027

SHEET TITLE
PHASE 1 - PAD RETAIL SHOPS ELEVATIONS

SHEET NO
C-1C

REV



Kimley»Horn

No.	REVISIONS	DATE	BY

KHA PROJECT 249631001
DATE 03/27/2026
SCALE AS SHOWN
DESIGNED BY –
DRAWN BY VDP
CHECKED BY BAL

LICENSED PROFESSIONAL
BRENT A. LENZEN P.E.
FLORIDA LICENSE NUMBER 78537
DATE 03/27/2026

TREE CANOPY EXHIBIT

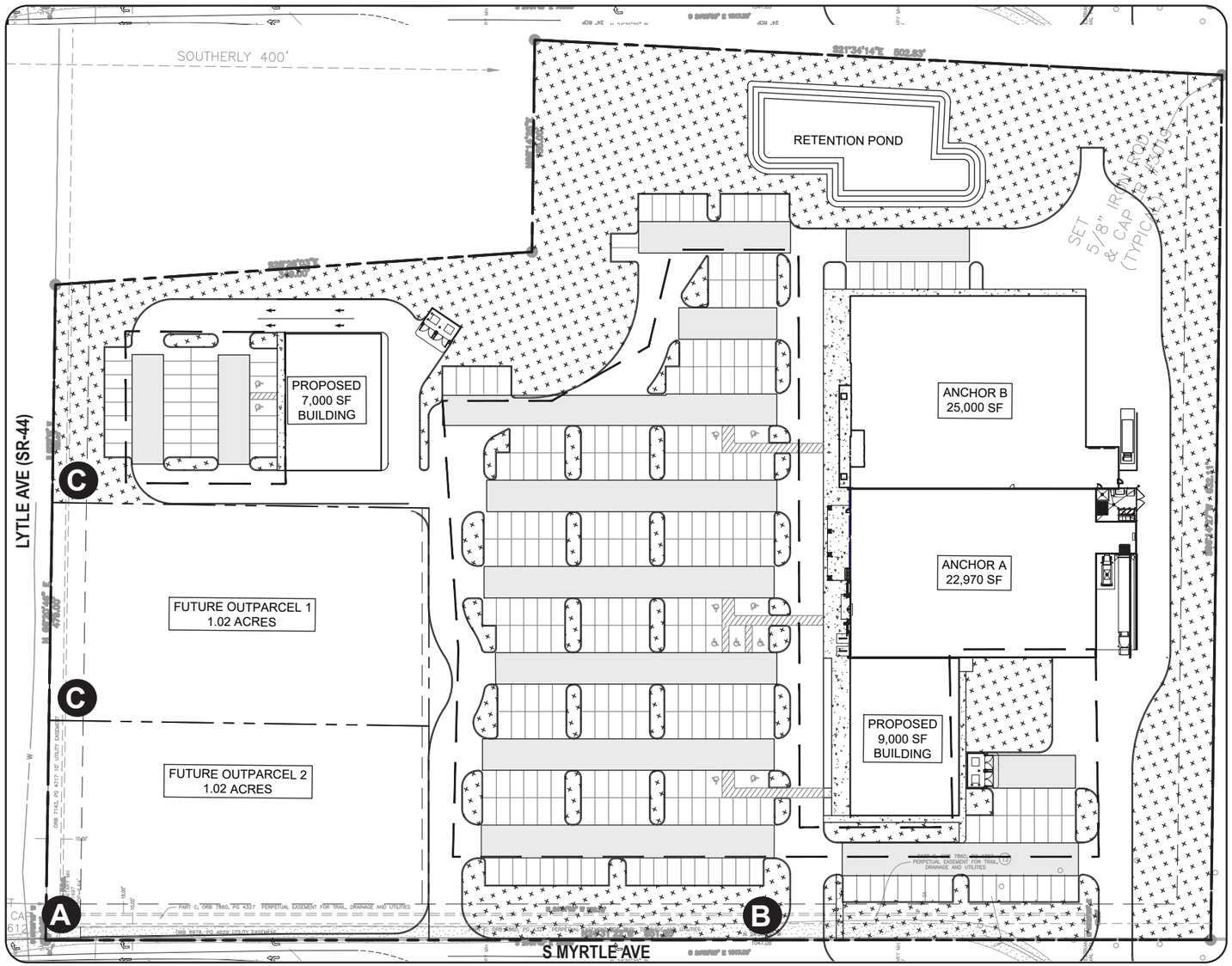
MASTER DEVELOPMENT PLANS

NEW SMYRNA BEACH FLORIDA

SHEET NUMBER MP4.3

Plotted By:Nilanjan Dutta Sheet Set:Master Plan Layout:MP4.3 March 27, 2026 11:19:53am K:\Jax
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SIGNAGE EXHIBIT - LOCATION OVERVIEW

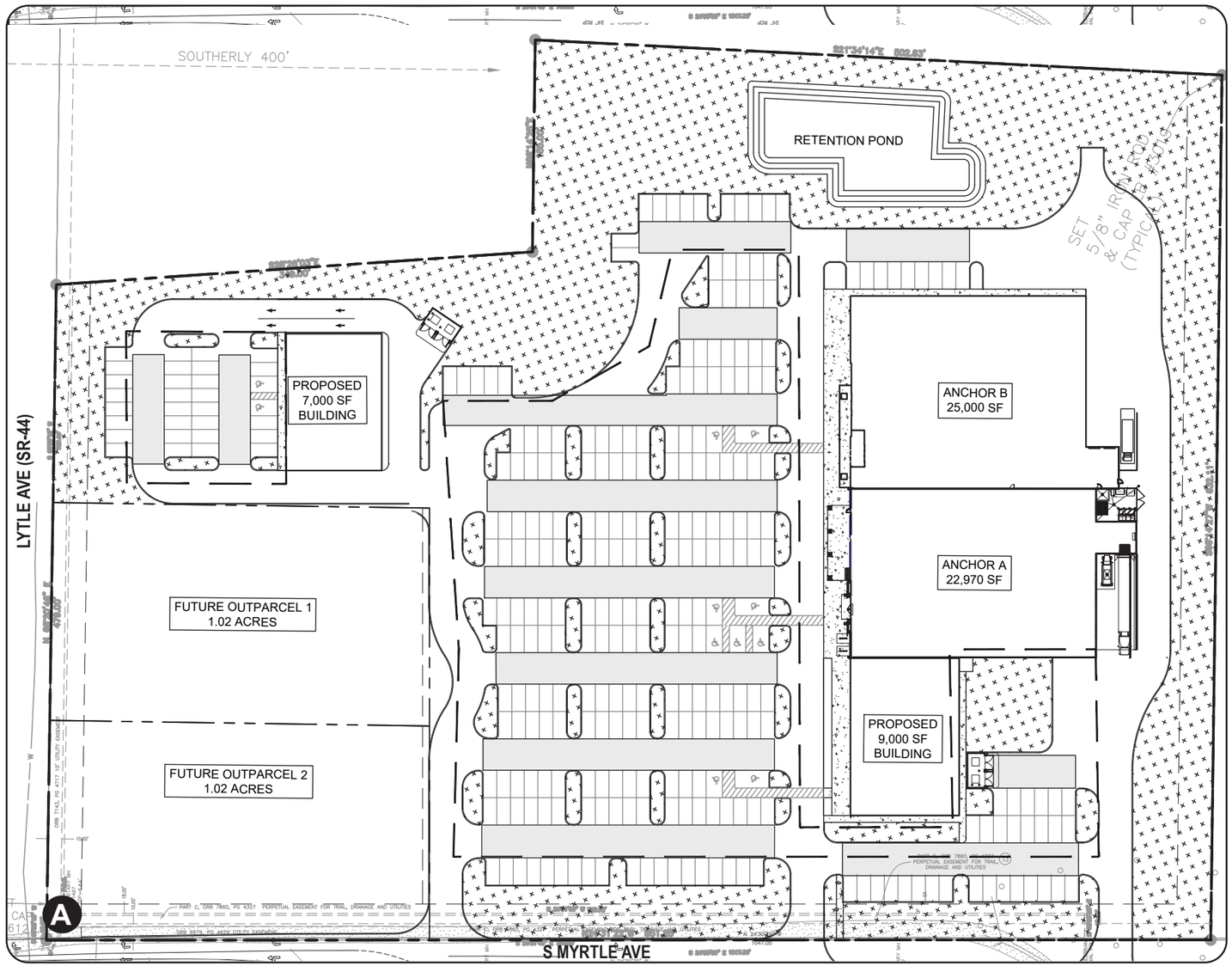


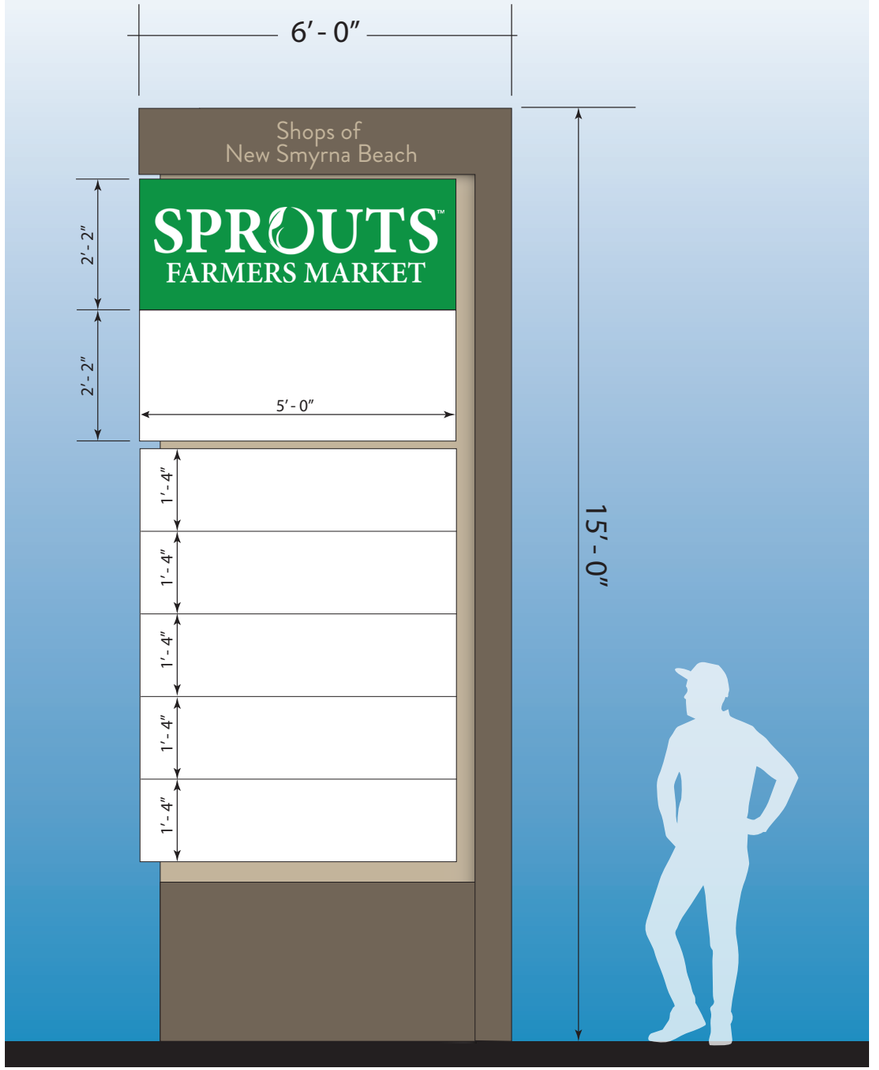
A = SHOPPING CTR SIGN (15’ TALL / 90 SF)

B = MONUMENT (15’ TALL / 62 SF)

C = MONUMENT (8’ TALL / 46 SF)

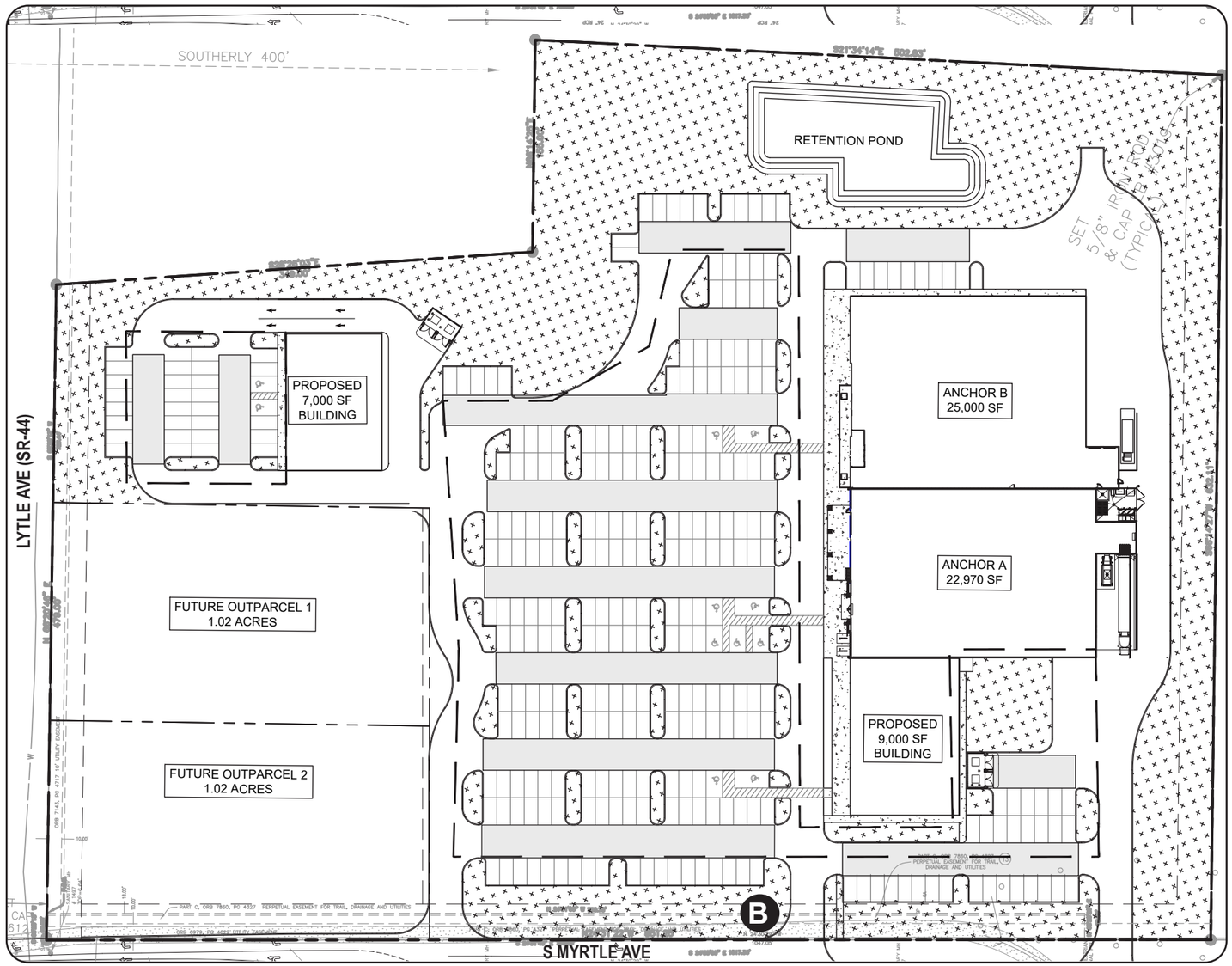
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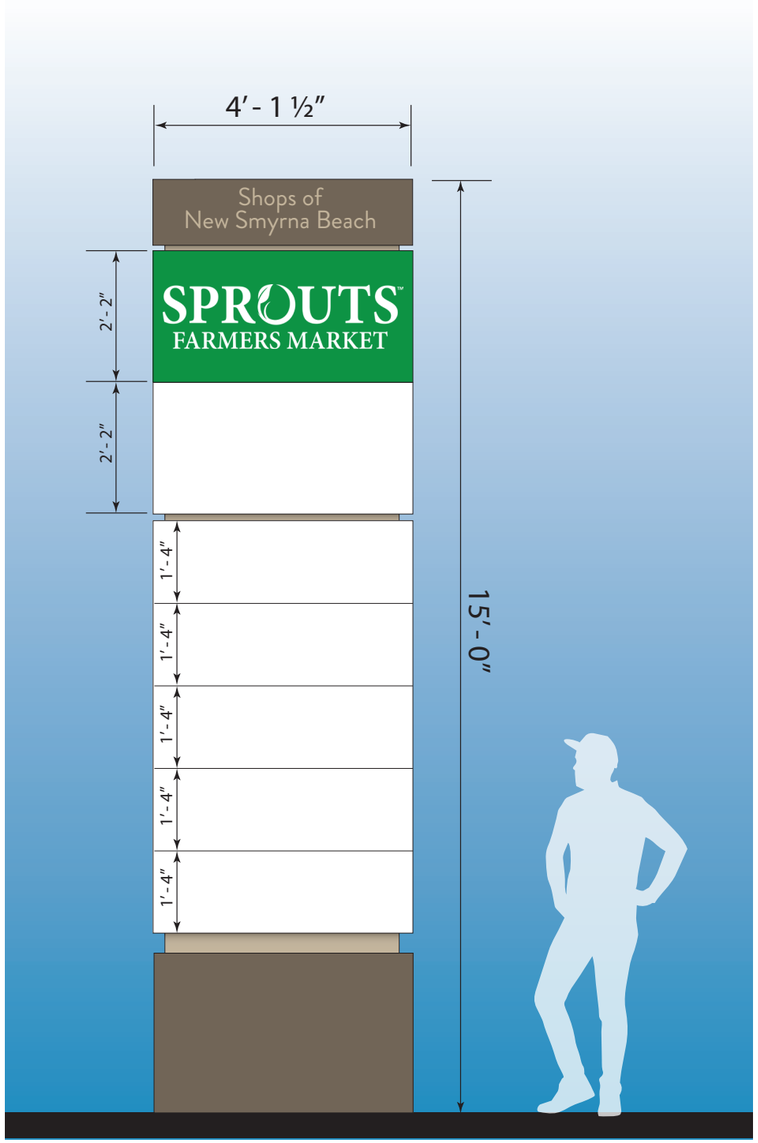




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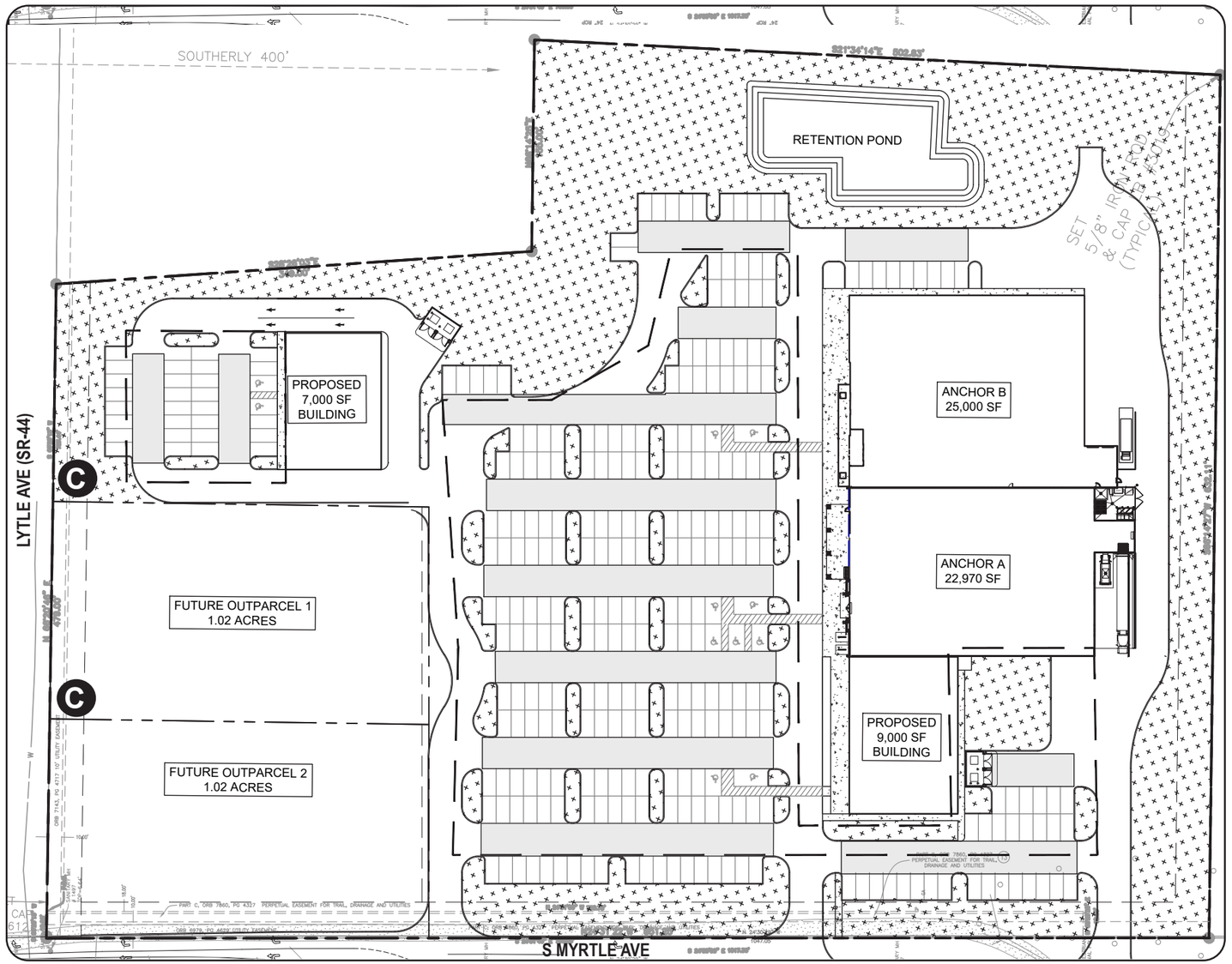
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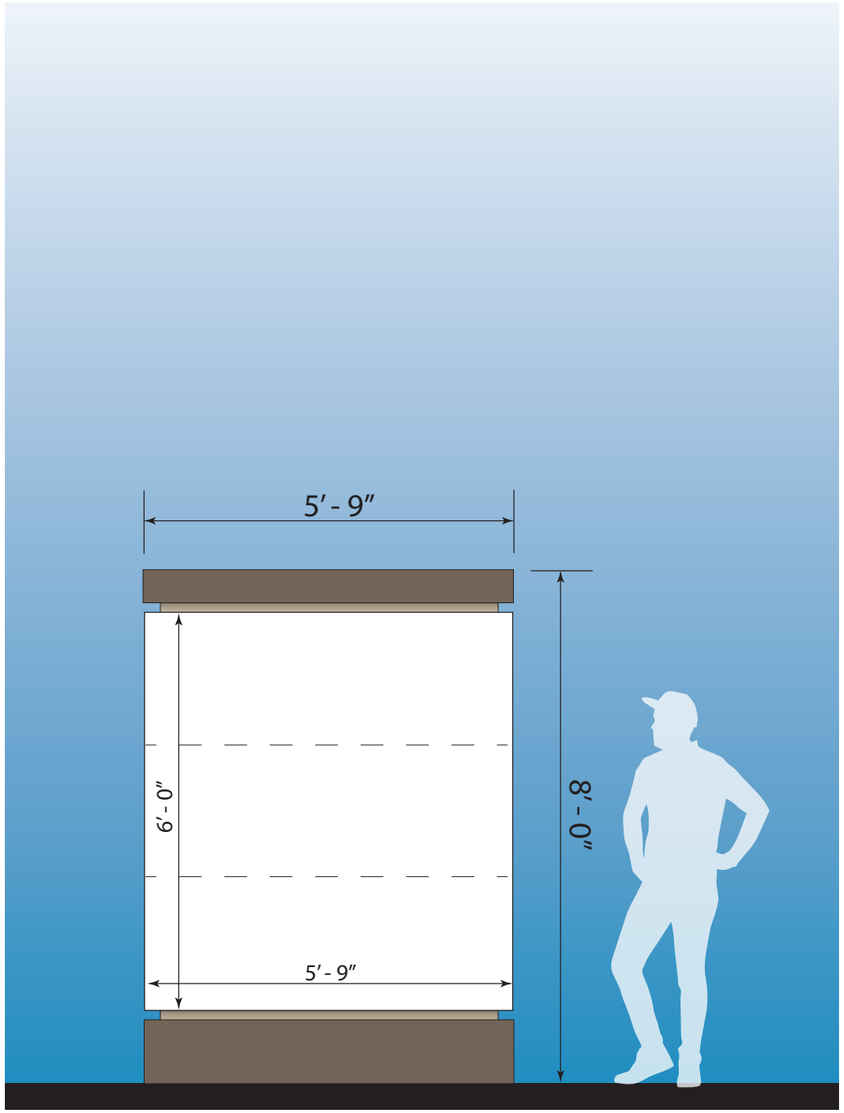




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SIGNAGE EXHIBIT - OUTPARCEL MONUMENT (C)





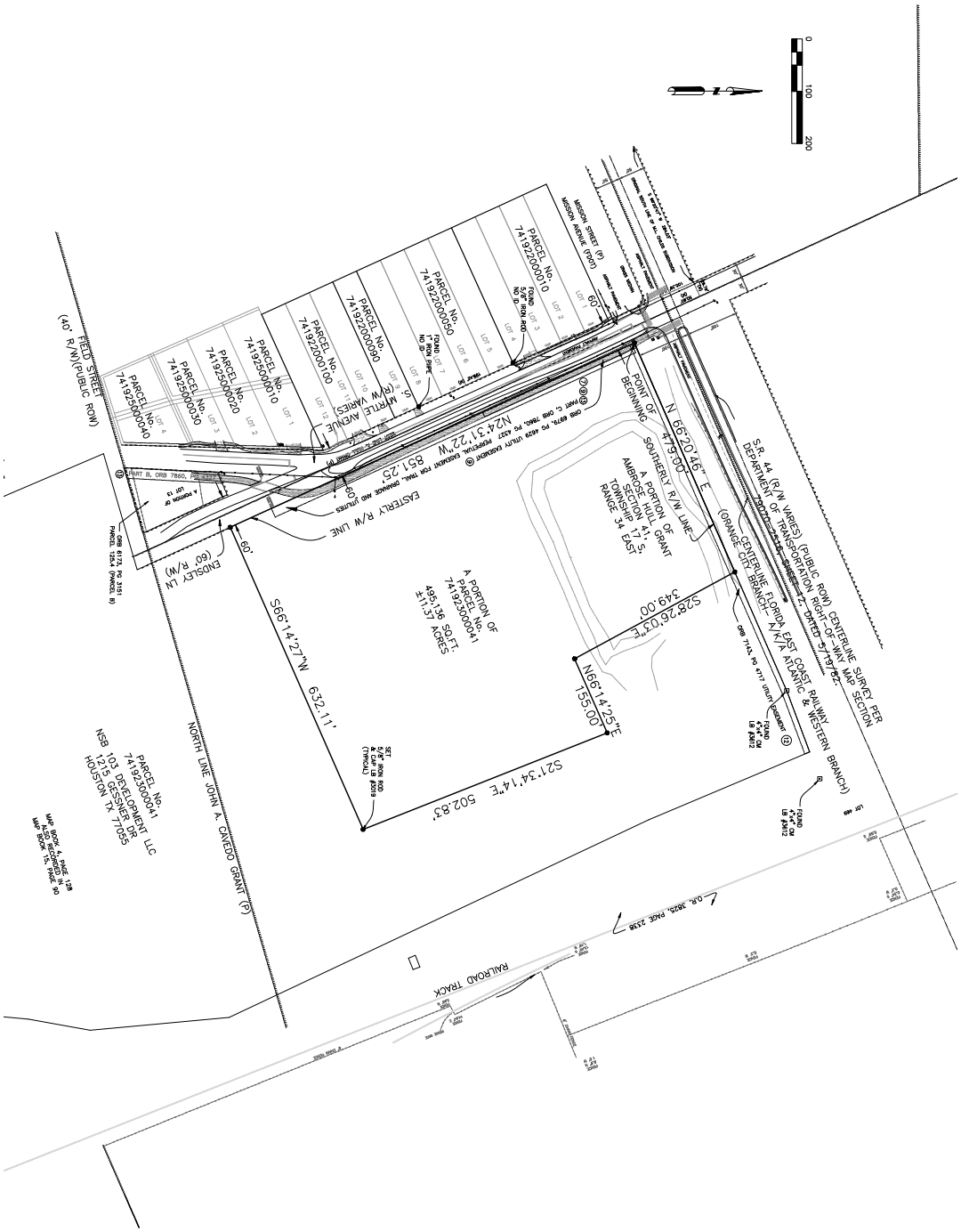
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FILE: K:/ 25/ 250655 SPROUTS ALTA/ 250655 ALTA.DWG

ALTA / NSPS LAND TITLE & TOPOGRAPHIC SURVEY

FOR

GBT REALTY CORPORATION



NOTE:
THIS SURVEY IS NOT VALID WITHOUT SHEETS 1 TO 5

PROJECT: 07104	ALTA/NSPS LAND TITLE SURVEY AND TOPOGRAPHIC SURVEY	FIELD DATE: JULY 30, 2025	FIELD BOOK:1558	TYPE OF SURVEY	SURVEY DATE	JOB NUMBER	CHECKED BY	SLIGER & ASSOCIATES, INC.
JOB: 25-0655	507 MYRTLE STREET, NEW SMYRNA BEACH, FLORIDA	PARTY CHIEF: J. PENFIELD K. HELMICK	PAGE (S): 47, 50, 51, 55	SPECIFIC PURPOSE				PROFESSIONAL LAND SURVEYORS
SCALE: 1"=100'		DRAWN BY: J. MOLLER	FIELD BOOK:1560	ALTA/ NSPS SURVEY	JULY 30, 2025	25-0655	J. HATTENDORF	3921 NOVA ROAD (386) 761-5385 PORT ORANGE, FL. 32127
SHEET: 3 OF 5	CLIENT: GBT REALTY CORPORATION	CHECKED BY: J. HATTENDORF	PAGE (S): 16-18, 24, 26-28	TOPOGRAPHIC SURVEY	JULY 30, 2025	25-0655	J. HATTENDORF	LICENSED BUSINESS CERTIFICATION NUMBER 3019
				FOUNDATION LOCATION				www.sligerassociates.com
				FINAL IMPROVEMENTS				Copyright © 2025 Sliger & Associates, Inc.
				RECERTIFICATION				

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

ZT-0001-2026: CONDUCT A REVIEW AND PROVIDE A RECOMMENDATION TO THE CITY COMMISSION ON THE FOLLOWING MINOR TEXT AMENDMENTS TO SECTION 305.05, 504.02, 604.051. 803.03, 803.05, 804.03, 1007.00, 1008.00, AND 1009.00 OF THE LAND DEVELOPMENT REGULATIONS.

April 6, 2026

Background:

Applicant: City of New Smyrna Beach, Development Services, 214 Sams Avenue, New Smyrna Beach, Florida 32168.

Request: The following amendment to the City Land Development Regulations:

1. Update Section 305.05.E Administrative variances. To increase the allowable setback from ten percent to fifteen percent to match the administrative variance definition in section 201.00, general Definitions.
2. Update Section 504.02, I-1, Light Industrial District. To add parking lots as a permitted use.
3. Update Section 604.051, Tree Preservation. Update language to the Tree Mitigation Fund and remove the requirement to remove a dead historic tree to be approved by the City Commission.
4. Update Section 803.03, Regulations to fences, walls, and hedges. To remove hedges and add walls to multiple sections.
5. Update Section 803.05, Air conditioners/heating, ventilation equipment, generators and irrigation pumps. To add pool pumps and pool heaters to the list of special setbacks.
6. Update Section 804.03, Structures in required yard areas. To remove swimming pools from the reduced building setback list.
7. Update Section 1007.00, Administrative Authority for Plat and Replat Approval. To remove scrivener's error removing the period from paragraphs numbers.
8. Update Section 1008.00, Sketch plat and plan approval. To remove preliminary and add sketch.
9. Update Section 1009.00, Preliminary plat and development plan approval. to remove city commission and city commission conditions for approval.

Exhibits used in the Report:

Exhibit A: Proposed regulations

Findings:

The purpose of the proposed update is to request the City Commission to approve the minor amendments to the Land Development Regulations, (LDR) to improve clarity, consistency, and administrative efficiency.

Over time, the Planning Department has identified small inconsistencies and unclear provisions within the LDR that create operational inefficiencies or uncertainty for applicants, developers, or the department reviewing permit applications. These updates are consistent with best practices for maintaining user friendly development regulations.

The Planning Department has proposed to amend Section 305.05.E, Administrative Variances. Under Section 201.00 General Definitions under Administrative variance, the definition allows for a deviation up to 15% but under Section 305.05.E, that regulation only allows up to 10% of a building setback. The department is requesting this change to 15% to be consistent with the definition.

The Planning Department has proposed to amend Section 504.02, I-1, Light Industrial District to add parking lots as a permitted use. By adding parking lots to the I-1, Light Industrial District, this would allow property owners to construct parking lots in area of the city that have a deficiency in parking.

The Planning Department has proposed to amend Section 604.051, Tree Preservation. This action will expand the City's ability to responsibly manage its tree canopy, maintain compliance with environmental goals, and ensure long term stewardship of preserved lands.

The Planning Department has proposed to amend Section 803.03, Regulations to fences, walls, and hedges. By removing hedges from the height restriction, outside of the visibility triangle, should allow for property owners to have more choices on landscaping. Hedges offer a softer and more natural visual boundary. It would better enhance curb appeal rather than creating a "walled-in" or fortress look. It could complement traditional residential styles and coastal environments. A hedge would provide possible habitat for birds and improve stormwater absorption.

The Planning Department has proposed to amend Section 803.05, Air conditioners/heating, ventilation equipment, generators, and irrigation pumps. This proposal would apply building setbacks to pool pumps and pool heaters to align with existing standards for air conditioners, generators, and well pumps. The changes aim to reduce noise impacts and to minimize conflicts between residential neighbors.

The Planning Department has proposed to amend Section 804.03, Structures in required yard areas. This proposal would remove swimming pools from the list of reduced building setbacks. The Planning Department has received many inquires over the years for variances for pool screen enclosures because pool screen enclosures have to meet the regular building setback based on the minimum building setback for each district and swimming pools can be as close as 5 feet. By increasing the side and rear building setback for swimming pools would reduce visibility into adjacent yards, support resident privacy, and reduce glare from pool lighting. By requiring a greater building setback to match pool screen enclosures, the greater pervious surface would allow for proper stormwater drainage and reduce possible runoff onto adjacent lots.

The Planning Department has proposed to amend land development regulation section 1007.00 Administrative Authority for Plat and Replat Approval, 1008.00 Sketch plat and plan review, and section 1009.00 Preliminary plat and development plan approval. These three sections were amended and approved by the City Commission on February 10, 2026. Since that approved amendment, some scrivener's errors and minor language was left out of the original ordinance.

Recommendation:

The Planning Department has outlined the reasons to support each proposed amendment to the City's Land Development Regulations. The department would recommend the Planning and Zoning Board to give a positive recommendation the City Commission, to approve the requested amendments.

Fiscal Analysis:
N/A

Strategic Plan Item:
No

Staff Report Created By: Robert Mathen - Senior Planner

Attachments:

Exhibit A Proposed Amendments v6.pdf

Exhibit A

305.00. Amendment application procedures for zoning future land use map, land development regulations, comprehensive plan, street and alley vacations, special exceptions review and approval, variances, and annexations.

305.05. *Variance.* The following are the procedural requirements to obtain a variance from the land development regulations:

E. *Administrative variances.* The following are the procedural requirements to obtain an administrative variance from the land development regulations:

(3) *Review process.*

(a) Upon receipt of a completed application package in the planning and engineering department the planning manager or his/her designee shall review the application package for consistency with the city comprehensive plan and land development regulations. In addition, the planning manager or his/her designee shall determine whether the following criteria for granting an administrative variance have been met:

i. The applicant has demonstrated that a hardship related to the land or structure exists. Economic considerations shall not be a reason to justify granting a variance.

ii. The request does not exceed ~~ten~~fifteen percent of the required setback.

iii. Special circumstances exist which are peculiar to the subject property owner's land, structure, or building, and do not generally apply to the neighboring lands, structures, or buildings, in the same district or vicinity.

iv. Strict application of the provisions of this LDR would deprive the subject property owner of reasonable rights commonly applicable to other properties in the same district or may preclude a benefit to the community in general.

v. The special circumstances and conditions exist that do not result from the direct or indirect actions of the present property owner(s) or past property owner(s). This criterion shall not be satisfied if the present or past property owner created, to any degree, the hardship that is the subject of the variance request.

vi. That granting of the variance will not cause substantial detriment to the public welfare or impair the purposes and intent of this ordinance.

vii. That granting of the variance will not constitute a grant of special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.

504.00. District regulations and requirements.

504.02. *Specific regulations by district.* The regulations for each zoning district are set forth in the following schedule. No lot shall be developed except to conform to the respective district requirements unless a variance has been granted in conformance with this LDR.

I-1, LIGHT INDUSTRIAL DISTRICT

Intent. This district is intended for light manufacturing, assembly, processing raw materials, repairing, research, storage, wholesaling and distribution, retail associated with a principal manufacturing use, and closely related light industrial uses in which all operations other than transportation are performed entirely within enclosed buildings, and are not obnoxious because of dirt, smoke, odor, vibration, radio-activity, or explosive capability. Light manufacturing and light industrial uses are compatible one to another and industrially compatible with nearby residential districts. This district also includes uses that are not compatible with residential or commercial uses.

Permitted uses.

Adult entertainment establishment (subject to restrictions herein)

Animal hospitals, kennels, provided that no hospitals, structures, pens or kennels are located closer than 50 feet to any residential property line.

Automobile leasing and rentals

Automobile repair (indoors only)

Banks or related banking facilities

Boat building, repair and sales

Building material sales for buildings and yards

Cabinet, woodworking shops

Ceramic shops

Cold storage and freezer locker plants

Contractor and construction offices and equipment storage

Farm machinery sales and services

Food and beverage processing and distribution, except the slaughter of animals

Heating, air-conditioning, plumbing equipment

Hydroponic gardening

Industry, light

Machine shops

Medical or dental laboratories

Mobile food dispensing vehicles, located on private property

Mobile homes for security and/or office purposes

Municipal or governmental buildings

Paint and body shops

Parking Lots

Printing, photoengraving, photostating, blueprinting, bookbinding, and publishing establishments

604.04 Landscaping Requirements

604.051. *Tree preservation.*

A. *In general—Tree removal*. It is unlawful for any person to cut down, move, remove or destroy any tree in violation of the rules of this section. It is unlawful for any person to cut down, move, remove or destroy any tree without first obtaining a tree removal permit (if a permit is required) from the city's development services department. No permit to cut down, move, remove or destroy any tree (if a permit is required) shall be issued for any property unless the property owner has an active building permit or land clearing and water management permit. Fees to cut down, move, remove or destroy any tree shall be as established by resolution of the city commission. Removal of mangrove trees shall require a permit from the Florida Department of Environmental Protection (if a permit is required). West of the Indian River, this section shall apply to trees that are six inches or greater in diameter measuring four feet above ground level and trees with a multi-stem trunk system with a well developed crown at least 15 feet high as measured from its base shall be subject to the provisions of this section. East of the Indian River, this section shall apply to trees that are four inches or greater measured four feet above ground level. Trees smaller than the aforesaid trees (to wit: saplings) are specifically excluded and shall not be subject to the provisions of this section. The tree regulations for the city shall be generally in three groups: residential, commercial and industrial, and agriculture zoning classifications. The specific zoning classifications that are covered within each of these groups are set forth in each individual group.

(10) Except as exempted in [sub]section 604.051(B)(9), above, tree replacement shall occur on-site, if there is adequate space to plant the replacement trees. If there is not sufficient space on-site, the developer shall then plant replacement trees within public rights-of-way immediately adjacent to the property owner's property, or on the publicly-owned neighborhood park or recreation area servicing the property owner's property, provided such park is within the incorporated boundaries of the city. If replacement trees cannot be placed within public rights-of-way or parks, the developer shall provide a payment to the city for the cost of the remaining replacement trees. The developer shall pay these fees into the city Tree Mitigation Fund.

The cost of replacement trees shall be $500.00 per 2.5-inch caliper hardwood tree, measured six inches above grade level or 8-inch caliper palm tree measured four feet above grade. The cost per tree shall be reviewed beginning January 1st of each calendar year. Costs shall be based upon average costs per tree as established by local nurseries selling trees that meet the minimum size requirements outlined in this section. If needed, an amendment to the Code will be brought to the planning and zoning board in February of each calendar year.

Funds deposited into the Tree Mitigation Fund shall be appropriated in accordance with the annual adopted budget of the city for, but not limited to, the following projects:

- Planting native trees, shrubs and plants on city-owned property.
- Purchasing and management of environmentally sensitive land for permanent preservation.
- Land management staffing and equipment cost associated with the management of city-owned property in preservation.
- Purchasing a vacant parcel that could be planted with replacement trees.
- Removing invasive species from city-owned property.
- Raising community awareness about the care of the natural environment.
- Funding of matching grants for projects involving vegetative plantings.
- Designing and planting right-of-way beautification projects.

F. *Permitting.* The tree removal application shall be made in the following manner:

(6) Historic trees in all zoning districts shall be removed only upon a tree removal permit granted by the city commission at a quasi-judicial public hearing, after a finding that the evidence presented is more compelling for the removal of the historic tree than for it to remain.

a. Petitioners wishing to obtain a permit must show:

i. The tree is currently damaging or is posing an imminent danger to an existing structure; or

ii. The tree is damaging and/or interfering with the installation. operation, and/or maintenance of existing or proposed public infrastructure; or

iii. The tree is ~~dead,~~ diseased, structurally unsound, or severely injured such that the tree is likely to die within two years; or

iv. Other extraordinary circumstance or hardship where the applicant has demonstrated that no other feasible option exists to preserve the tree.

b. Applications for historic tree removals shall be accompanied by a written tree evaluation report prepared by an ISA certified arborist which identifies the tree's location, size, species, condition, and basis for meeting one or more of the listed removal conditions.

803.00. Regulations pertaining to accessory buildings and incidental uses.

803.03. *Regulations pertaining to fences and, walls, and hedges.*

A. *Typical lots.*

Properties zoned residential.

Maximum height:

- Within required front yard setback: Four feet. See illustration 803.03A and 803.03B.
- Outside required front yard setback: Six feet. See illustration 803.03A and 803.03B.
- Corner lots: On corner lots, fences can be six foot tall within the secondary front property setback, provided that property frontage does not have a driveway. Six foot tall fences along property frontages with driveway are prohibited.
- Tennis court fences taller than four feet in height may be permitted within the required front yard setback by special exception, as outlined in [sub]section 801.17.
- Fences, walls, and hedges shall conform to visibility triangle requirements for corner lots, as outlined in [sub]section 804.01.

Properties zoned non-residential.

Maximum height: Six feet.

- Fences, walls and hedges shall conform to visibility triangle requirements for commercial and industrial lots as outlined in [sub]section 804.01;
- Chain link and wire fences taller than three feet in height may be allowed in the visibility triangle, provided that slats or other opaque materials are not inserted in or placed on the fence; and
- Tennis court fences taller than four feet in height may be permitted within the required front yard setback by special exception, as outlined in [sub]section 801.17.

Illustration 803.03A

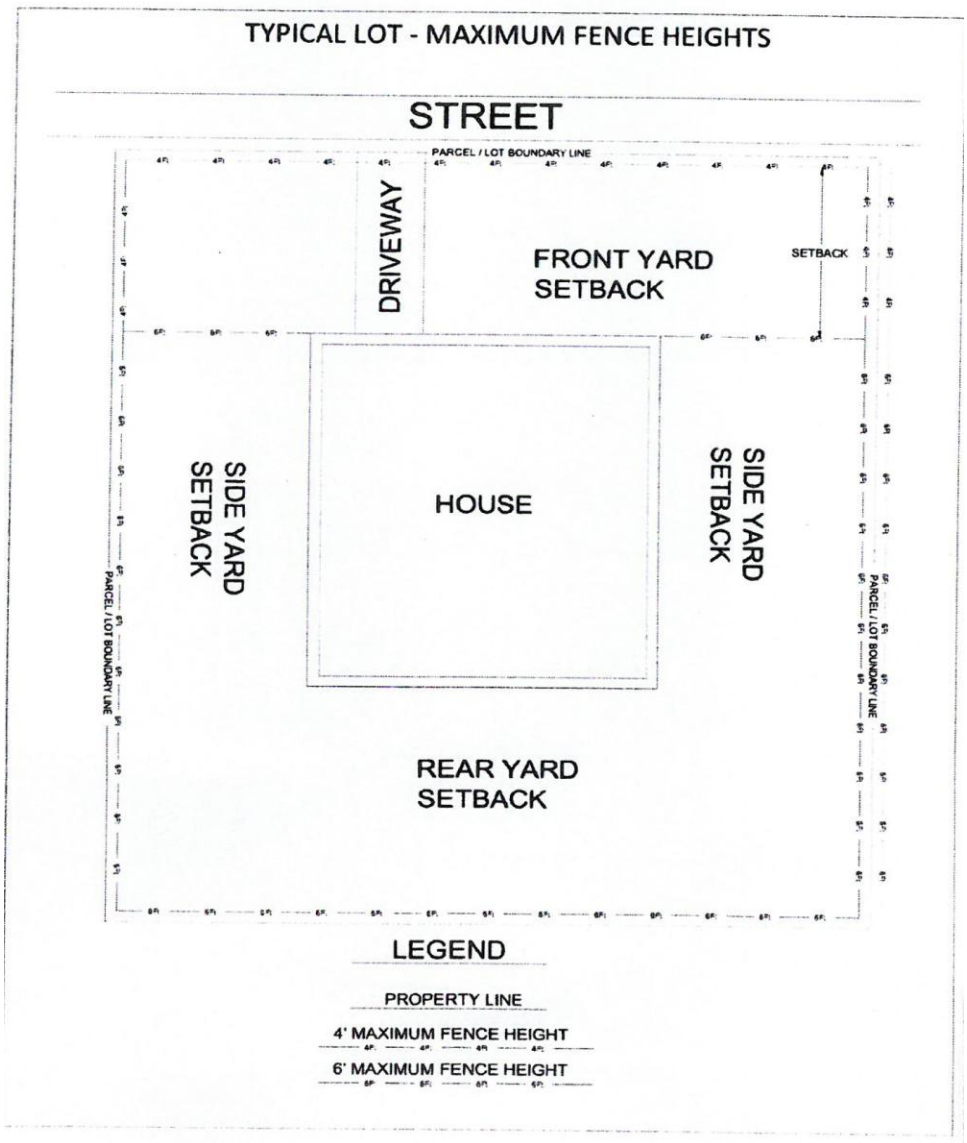
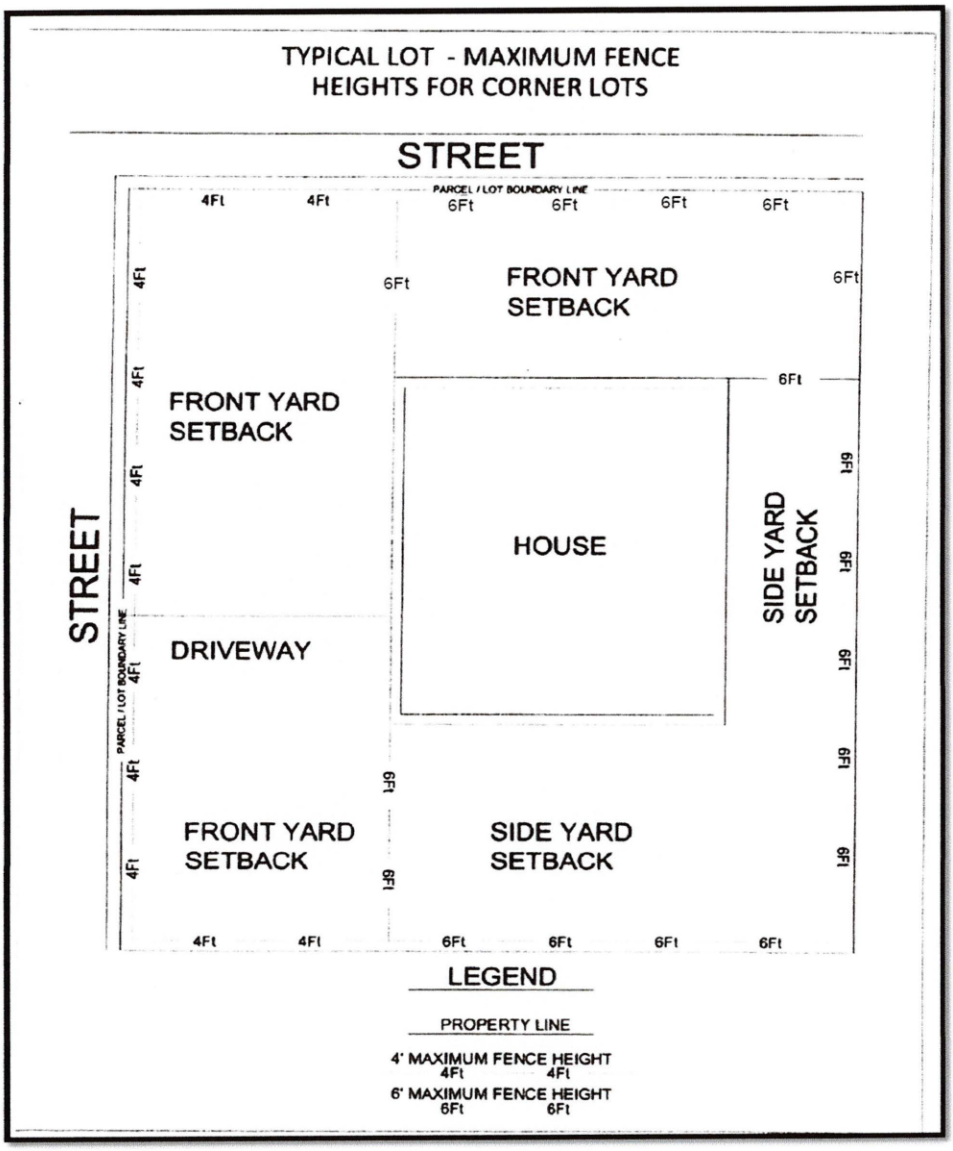


Illustration 803.03B

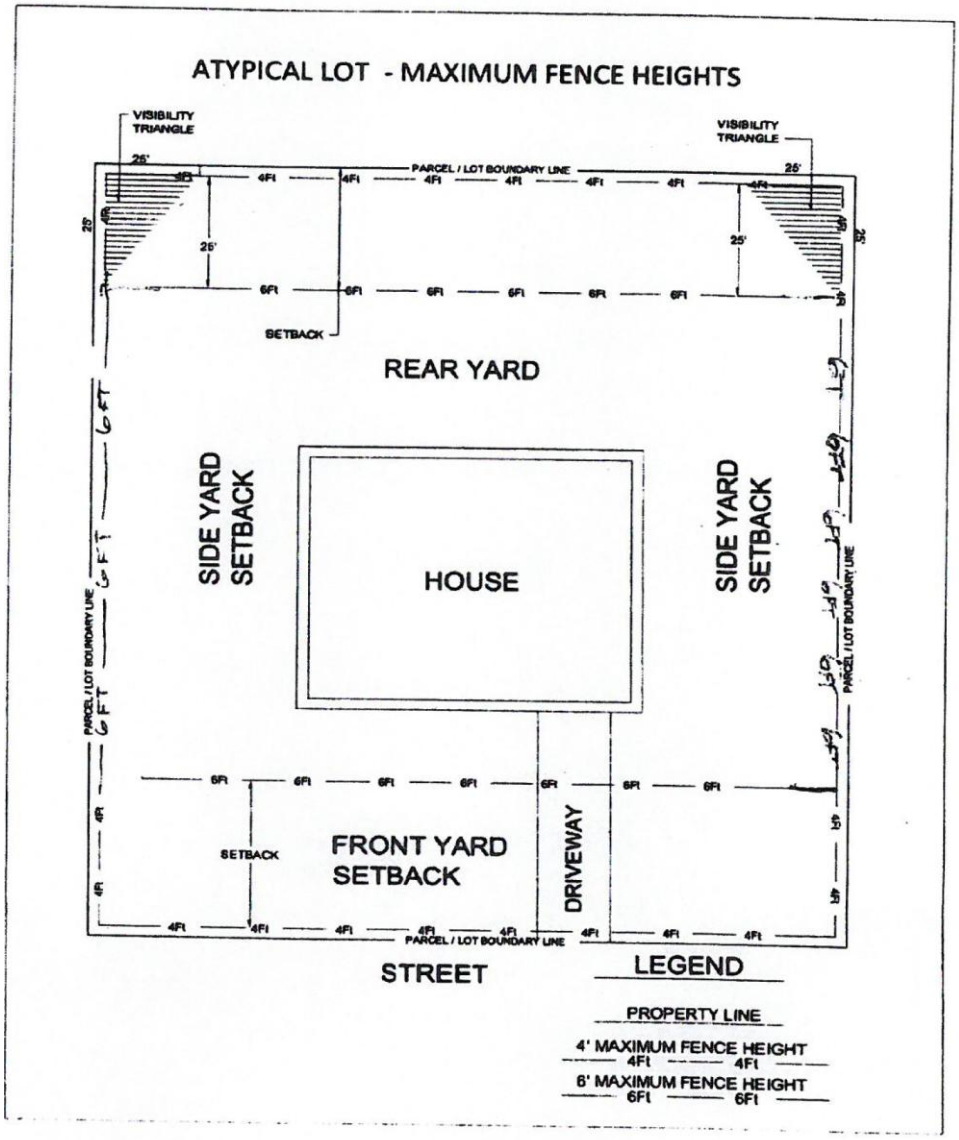


B. *Atypical lots.*

Maximum height:

- Within required front or rear setback: Four feet see illustration 803.03C.
- Outside required front or rear setback: Six feet see illustration 803.03C.
- Tennis courts fences taller than four feet in height may be permitted within the required front or rear setbacks by special exception, as outlined in [sub]section 801.17.
- Fences, walls, and hedges shall conform to visibility triangle requirements on corner and commercial lots as outlined in [sub]section 804.01.

Illustration 803.03C



C. *Through lots.*

Properties zoned residential.

Maximum height:

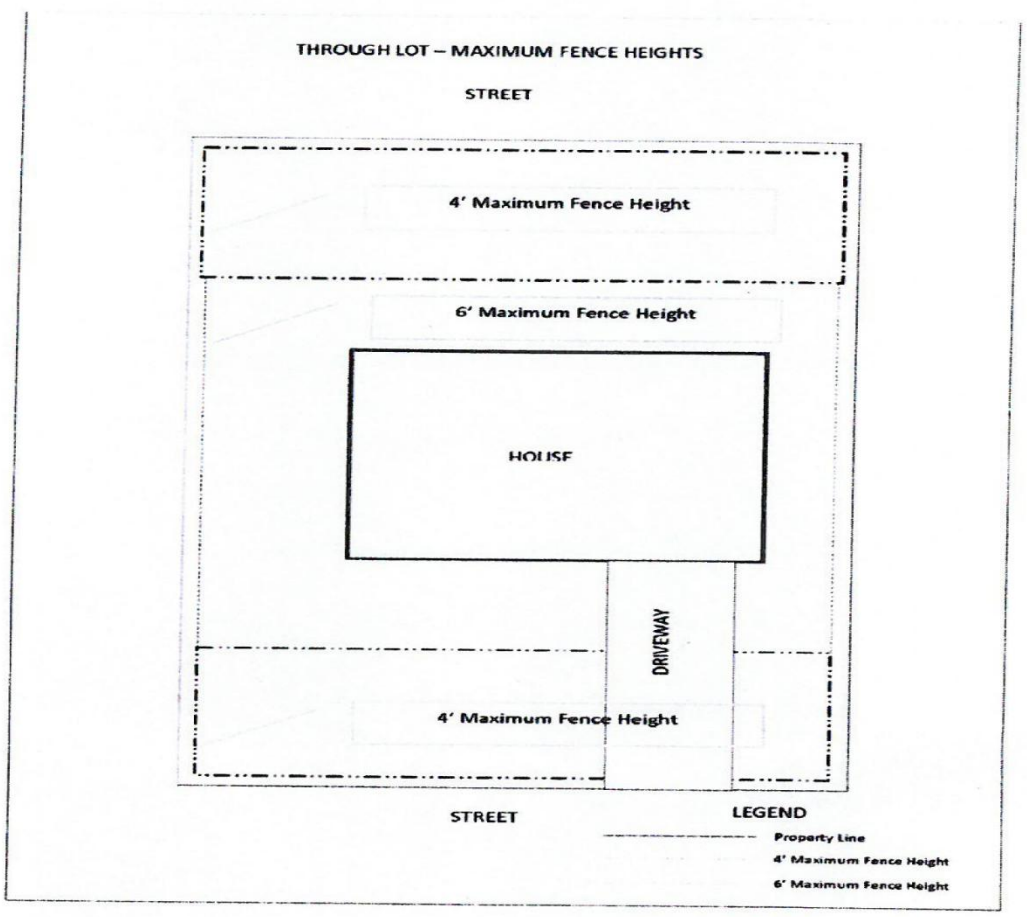
- Within required front setbacks: Four feet see illustration 803.03D.
- Outside required front setbacks: Six feet see illustration 803.03D.
- Tennis courts fences taller than four feet in height may be permitted within the required front setbacks by special exception, as outlined in section 801.17.
- Fences, walls, and hedges shall conform to visibility triangle requirements on corner and commercial lots as outlined in section 804.01.

Properties zoned non-residential.

Maximum height: Six feet.

- Fences, walls, and hedges shall conform to visibility triangle requirements for commercial and industrial lots as outlines in subsection 804.01;
- ~~Chain link and wire~~Picket fences taller than three feet in height may be allowed in the visibility triangle~~, provided that slats or other opaque materials are not inserted in or placed on the fence~~; and
- Tennis court fences taller than four feet in height may be permitted within the required front yard setbacks by special exception, as outlined in subsection 801.17.

Illustration 803.03D



803.05. *Air conditioners/heating, ventilation equipment, generators, pool pumps and pool heaters, and irrigation pumps.*

A. Air conditioning/heating ventilation components, generators, pool pumps and pool heaters, and irrigation pumps are not allowed to the side or rear of a dwelling opposite habitable portions of adjacent property owner's dwelling, such as a bedroom, dining room, or living room, unless the component is set back from the opening of the habitable areas a minimum distance of twice the required yard width. Such equipment must be placed as close to the outer wall of the dwelling as possible. Air conditioning/heating, ventilation components, generators, pool pumps and pool heaters, and irrigation pumps may be placed in required yard areas opposite non habitable portions of the adjacent property owner's dwelling, such as a garage, a carport or a storage area provided the component is as close to the outer wall of the dwelling as possible. This provision does not apply to replacement air conditioner/heating, and ventilation components, generators, pool pumps and pool heaters, and irrigation pumps for equipment placed or installed prior to the effective date of the new land development regulations.

B. Air conditioning/heating, ventilation components, generators, pool pumps and pool heaters, and irrigation pumps which create noise, are located within 100 feet of residential property and are located on commercial or multi-family zoned property shall be baffled so as to reduce noise.

C. Air conditioners, heating, ventilation, pool pumps and pool heaters, irrigation pumps, and generators or other accessory equipment located on the roof of buildings shall be screened from view.

804.00. Miscellaneous supplemental regulations.

804.03. *Structures in required yard areas.*

A. No structures shall be allowed in the required yard area except as follows:

(1) A reduced side and rear setback of five feet is established for the following accessory structures:

i. Patios;
~~ii. Swimming pools;~~
~~iii. Pool Decks~~
iii~~v~~. Gazebos;
iii~~v~~. Sheds; and
iv~~i~~. Porches

However, accessory structures shall not be allowed within visibility triangles on atypical lots, as detailed in [sub]section 804.02 herein.

1007.00. Administrative Authority for plat and Replat Approval

B. *Delegation of Authority*

(1) The City Manager is hereby designated as the "administrative authority" for purposes of Section 177.071, Florida Statutes, as amended.

(2) The City Manager may delegate, in writing, the duties and responsibilities set forth in this section to one or more employees of the City possessing the requisite qualifications, including but not limited to the Director of Development Services or other appropriate staff or consultants.

(3) Any such designee shall have the same authority and responsibility as the City Manager to review, approve, approve with conditions, or deny plats and replats in accordance with this section.

C. *Review Procedure*

(1) Upon receipt of an application for a plat or replat, the administrative authority shall within seven (7) business days:

a. Acknowledge receipt of the application in writing to the applicant;

b. Notify the applicant of any missing or incomplete required materials; and

c. Provide the applicant with the expected timeframe for review and decision. The review period shall commence only when all materials in the application packet are complete.

(2) Within the stated timeframe, the administrative authority shall issue a written decision to approve, approve with conditions (required corrections or modifications), or deny the application.

(3) Any denial shall state with specificity the requirements of law, regulation, or technical standard not met by the application.

1008.00. Sketch plat and plan approval.

B. *Application.* Application for sketch plat and plans approval shall be made to the planning and engineering department utilizing the form provided by the department for that purpose, and accompanied by the appropriate review fee as adopted by resolution of the city commission. Initial applications shall be accompanied by the required number of signed and sealed plat and development plans, including electronic copies, as determined by the administrative official.

~~(1)~~

C. *Sketch plat and plans and exhibits.* The following information shall be shown on or enclosed with the ~~preliminary~~ sketch plat and plans submitted for approval unless specifically waived by the city technical review staff member responsible for review of that item. The sketch plat itself shall be drawn at a scale of no smaller than 1" = 100'.

1009.00. Preliminary plat and development plan approval.

B. *Application for development plan approval.* Application for development plan approval shall be made to the planning and engineering department utilizing the form provided by the department for that purpose, and accompanied by the appropriate review fee. Application shall be accompanied by the required number of signed and sealed plat and development plans, including electronic copies, as determined by the administrative official. Plans shall be signed and sealed by a registered engineer or architect where required by this Code. Plans shall be prepared according to the standards of this Code.

~~(1)~~

D. *Issuance of development order.* The planning and engineering department shall issue a development order within five working days of unconditional ~~city commission~~ approval~~., or verification that city commission conditions for approval have been met.~~

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

SPECIAL EXCEPTION 1-26: 505 1ST STREET, A SPECIAL EXCEPTION TO ALLOW AUTOMOBILE SALES IN THE B-3 HIGHWAY SERVICE BUSINESS DISTRICT

April 6, 2026

Background:

A. Applicant: David Shrader, 1502 Industrial Drive, Suite A004, Edgewater, FL 32132

B. Property Owner: R&S McHenry LLC, 701 N. Atlantic Avenue, New Smyrna Beach, FL 32169
C. Request: Special Exception approval to allow automobile sales in the B-3 Highway Service Business District.
D. Subject Parcel: The parcel is located on the east side of S. Dixie Freeway (US 1), north of 1st Street, with frontage on US 1 and 1st Street, and contains 1.58 acres. Parcel I.D. # 7444-01-00-0800
E. Exhibits:

Exhibit A: Location Map

Exhibit B: Aerial Map

Exhibit C: Site Plan

Exhibit D: Pictures

Findings:
1. The subject parcel fronts on both US 1 and 1st Street. At the corner of South Dixie Freeway and 1st Street is New Smyrna Glass and Design Center, which is addressed as 823 South Dixie Freeway. The subject parcel surrounds the Glass Center building. The property's driveway is off 1st Street. The US 1 frontage has a large number of trees, and the buildings are mostly obscured by the trees. The property was most recently used as a business, Local Lift and Dock Supply, Inc., and was previously the home of the New Smyrna Observer, a local newspaper. The building has a loading dock for the trucks that used to drop off and deliver the paper around New Smyrna Beach.

2. The applicant proposes to use the already improved area of the parcel for displaying vehicles for sale, which requires Special Exception approval, and using the existing bays

for what the Land Development Regulations classifies as Service Stations Type A and B, which is limited to:

Type A.

(1) Sales of automotive fuels, lubricants, and accessories.
(2) Sales, service and maintenance of spark plugs and batteries.
(3) Maintenance of lubrication systems including replacement of lubricants and filters.
(4) Replacement of minor part items such as light bulbs, fuses, floor mats, seat covers, windshield wipers and wiper blades.
(5) Washing, polishing, and detailing services, sales of automotive washing and polishing materials, but not car washes.

Type B.

A business primarily engaged in servicing motor vehicles, but limited to:
(1) All activities allowed by a type A service station.
(2) Tire servicing, installation and repair, but not recapping or regrooving.
(3) Windshield repair and replacement.
(4) Mechanical repair that does not require the removal of the transmission, engine, heads, or crankcase. This includes, but is not limited to, engine tune ups and repairs to: exhaust, HVAC, brakes, cooking system, alignment, electrical system, and fueling systems.

Service Stations Type A and B are permitted uses in the B-3 Highway Service Business District and do *not* require Special Exception approval.

2. The applicant's have been working on cleaning up the property, which has been left relatively unkempt.

3. The area that is proposed for sales is already improved and relatively located on the east portion of the property with access from 1st Street. The area along US 1 is not being touched and will remain natural. The dock and boat displays, left behind by the previous tenant, will be removed.

4. The B-3 allows automobile sales (as well as Recreation Vehicle sales, Trailer Sales- new and used- and all two wheel vehicles) with Special Exception approval with a required recommendation from the Planning and Zoning Board and approval from the City Commission, with the following conditions
a. Windows shall maintain a minimum transparent area of 65%. **The applicant has**

agreed to meet this requirement.
b. Sales display area is required to provide a lighting plan that meets Section 604.13.**The applicant's hours of operation are limited by the state of Florida to 9 a.m. to 6 p.m., Monday through Friday. While there would be a brief period of time in which natural lighting would not be sufficient, there does not appear to be any plans currently to install lighting.**
c. If temporary shell parking lot is proposed, City Commission approval is required by separate application. **A temporary shell parking lot is not necessary on this site.**
d. Site plan shall be submitted as per Article XI of the City Land Development Regulation to City Planning (Development Services) Director for review. **Acknowledged.**
e. Must meet all other City Land Development Regulations. **Acknowledged.**

5. In addition to the requirements in the B-3 zoning district regulations, there are also three criteria that must be met for all Special Exceptions. They are included below (staff response is in **bold**):

a. The requested uses are listed among the special exceptions permitted in the district for which the application is made;

Auto sales is listed as a Special Exception use in the B-3 zoning district. This criterion has been met.

b. The requested use will not impair the character of the surrounding or adjoining district, nor be detrimental to the public health, morals, or welfare; and
The auto sales area is on an improved area of the parcel. To the south is a commercial building which houses a doctor's office and a retail store. To the east is an alley. The auto sales area is on the south side of the buildings and will have little to no impact to the north, and the sales area will be over 100 feet from the US 1 right-of-way. The impact on the public will be relatively minor.
c. Adequate utilities, access roads, drainage, sanitation, and/or other necessary services and facilities are, or will be, available or provided for the proposed use.

The subject property is within an established portion of the City and is served by adequate utilities, access roads, drainage, sanitation and other necessary services. This criterion has been met.

Recommendation:

Given the limited nature of the sales area, only eight spaces shown on the site plan, the recommendation is for the Planning and Zoning Board to recommend the City Commission **approve** the Special Exception.

Fiscal Analysis:
N/A

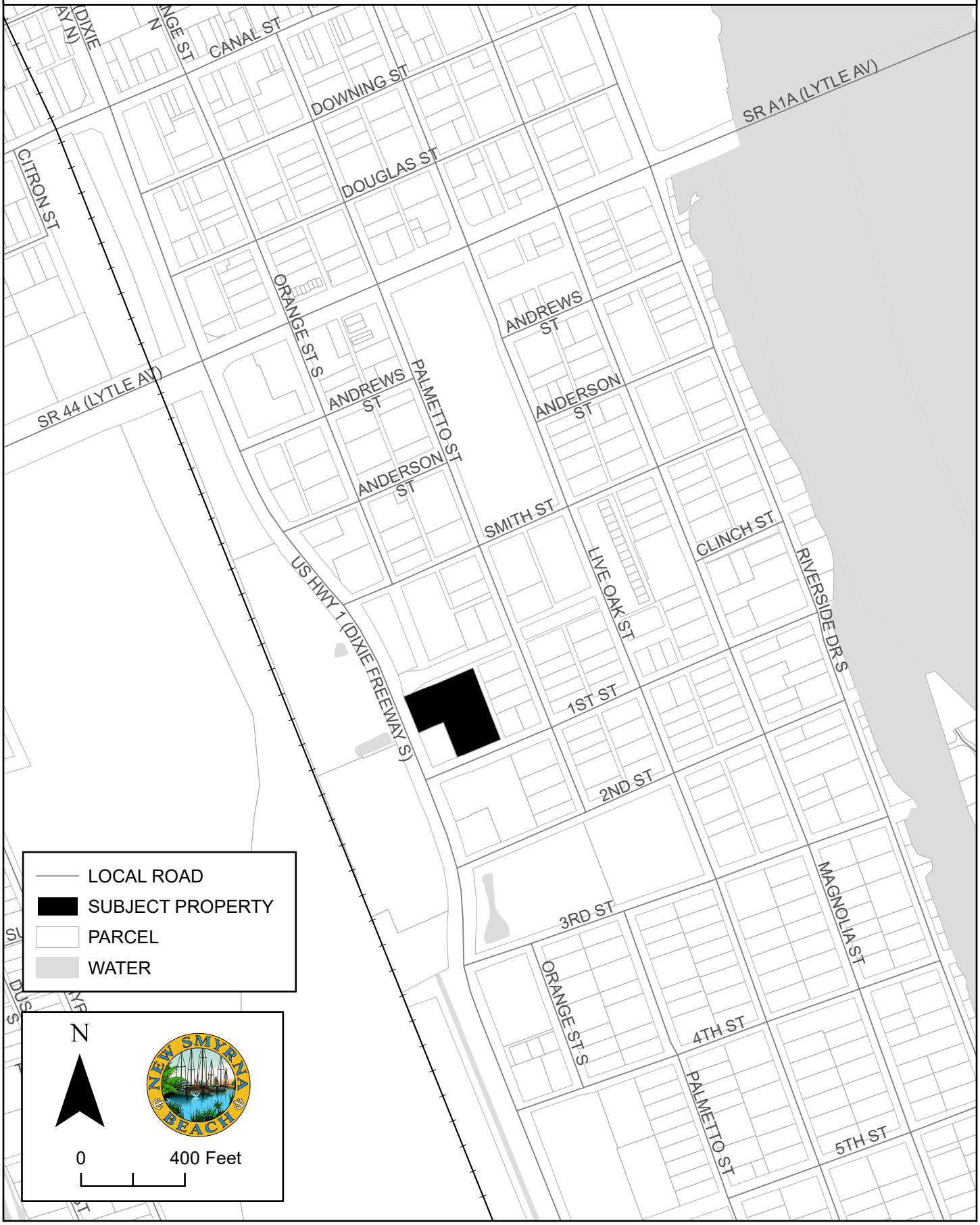
Strategic Plan Item:
No

Staff Report Created By: Jake Baker - Senior Planner

Attachments:

Exhibit A Location Map.pdf
Exhibit B Aerial Map.pdf
Exhibit C Site Plan.pdf
Exhibit D Pictures.pdf

SE-01-2026: 505 1ST STREET
PARCEL: 7444-01-00-0800 LOCATION MAP



SE-01-2026: 505 1ST STREET
PARCEL: 7444-01-00-0800 AERIAL MAP



24

32

40

48

56

(NOT INCLUDED)

N 21°24'29"W 149.80' (M)

SOUTH ORANGE STREET

Display of auto sales

OFFICE

SHOP

Service Parking

S 21°26'39"E 299.59' (M)

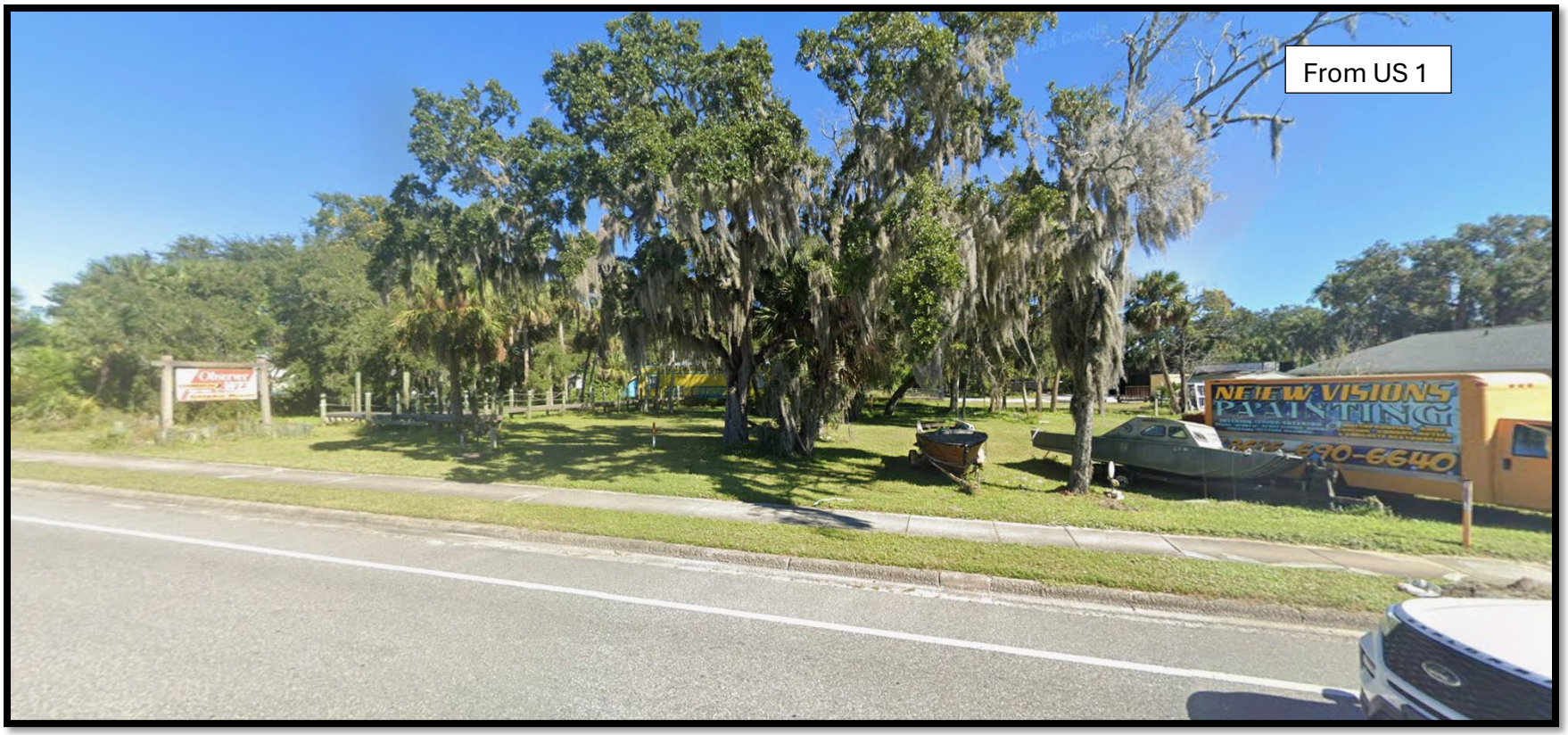
15' ALLEY

15' ALLEY

Exhibit D






From US 1
NEW VISIONS
PAINTING
690-6640

THE CITY OF NEW SMYRNA BEACH - PLANNING DEPARTMENT

NOMINATE AND VOTE ON 2026 PLANNING AND ZONING BOARD VICE CHAIRPERSON.

April 6, 2026

Background:

Planning and Zoning board members shall make nomination and vote on the 2026 Vice Chairperson.

Fiscal Analysis:

N/A

Strategic Plan Item:

No

Staff Report Created By: Stephanie Ferrara - Development Services Coordinator

ALTA / NSPS LAND TITLE & TOPOGRAPHIC SURVEY

FOR

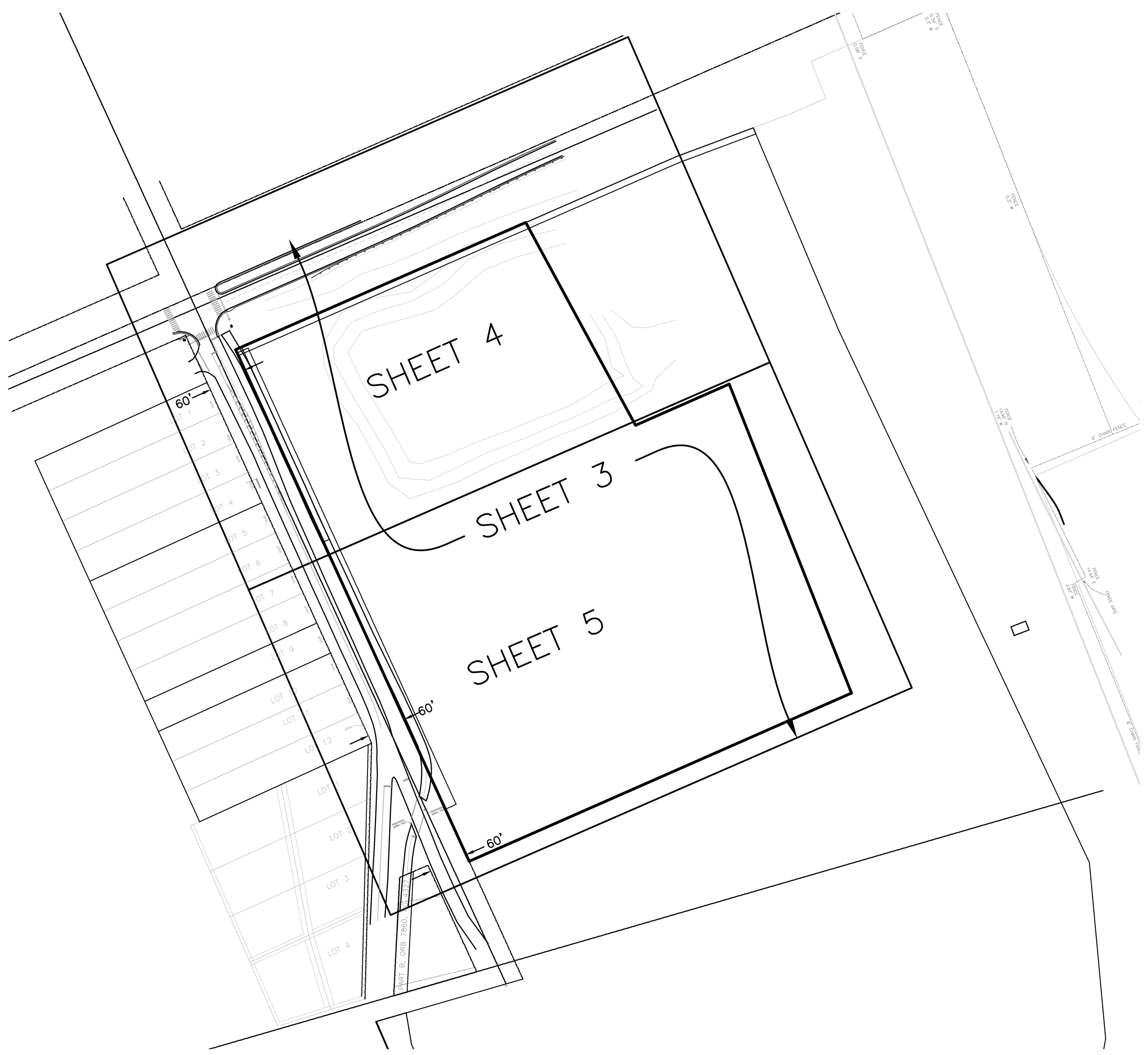
GBT REALTY CORPORATION

A PORTION OF

SECTION 41, 44, 46, 47 AND 49–
TOWNSHIP 17 SOUTH–RANGE 34 EAST
VOLUSIA COUNTY, FLORIDA

LOCATION

507 MYRTLE AVENUE, NEW SMYRNA BEACH, FL.



KEY SHEET NOT TO SCALE

NOTE:
THIS SURVEY IS NOT VALID WITHOUT SHEETS 1 TO 5

DESCRIPTION:

BEING A PORTION OF THE HEIRS OF AMBROSE HULL GRANT, SECTION 41, TOWNSHIP 17 S, RANGE 34 E, VOLUSIA COUNTY, FLORIDA, A PORTION OF LOT 9, ALL OF LOTS 10 THROUGH 27, A PORTION OF LOT 28, A PORTION OF LOT 45, ALL OF LOTS 45 [SIC] 46 THROUGH 53, A PORTION OF LOT 54, ALONG WITH ADJACENT STREETS AND ALLEYS, SKIPPER AND SHRYOCK, AS RECORDED IN MAP BOOK 2, PAGE 170 ALSO RECORDED IN MAP BOOK 12, PAGE 10, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, ALL LYING SOUTHERLY OF STATE ROAD 44 (LYTLE AVENUE) (PER TITLE COMMITMENT 16-25-0191) PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT–OF–WAY MAP SECTION 79070–2516, AND EASTERLY OF SOUTH MYRTLE AVENUE (A RIGHT–OF–WAY THAT VARIES). BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY RIGHT–OF–WAY LINE OF SAID STATE ROAD 44 AND THE WESTERLY [SIC] EASTERLY RIGHT–OF–WAY LINE OF SAID MYRTLE AVENUE, THENCE RUN N66°20'46"E ALONG THE SAID SOUTHERLY RIGHT–OF–WAY LINE, 479.00 FEET; THENCE DEPART SAID SOUTHERLY RIGHT–OF–WAY LINE, S28°26'03"E, 349.00 FEET; THENCE N66°14'25"E, 155.00 FEET; THENCE S21°34'14"E, 502.83 FEET; THENCE S66°14'27"W, 632.11 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SOUTH MYRTLE AVENUE (60' R/W); THENCE N24°31'22"W ALONG SAID EASTERLY RIGHT–OF–WAY LINE, 851.25 FEET TO THE POINT OF BEGINNING.

CONTAINING 495136 SQ.FT. OR 11.37 ACRES MORE OR LESS.

REFERENCE MATERIAL:

STATE OF FLORIDA STATE ROAD DEPARTMENT RIGHT–OF–WAY MAP SECTION NO. 79070–2516 STATE ROAD NO. 44 (LYTLE AVENUE).

PLAT OR MAP OF TOWNSHIP 17 SOUTH, RANGE 34 EAST.

PLAT OF SKIPPER & SHYROCK, MAP BOOK 2, PAGE 170.

OFFICIAL RECORDS BOOK 7143, PAGE 4734.

BOUNDARY SURVEY PREPARED BY GEO POINT SURVEYING, INC., DATED: 05/23/2023.

INDEX OF SHEETS:

	COVER SHEET (CURRENT), KEY SHEET,
1	SURVEYOR'S NOTES AND CERTIFICATIONS.
2	SCHEDULE B (EXCEPTIONS)
3	BOUNDARY SURVEY
4 & 5	TOPOGRAPHIC SURVEY

ADDITIONAL SURVEY NOTES:

A. THERE ARE NO GAPS, GORES, OVERLAPS OR HIATUS INHERENT TO THE SURVEYED PROPERTIES.

B. THE SURVEYED PROPERTY HAS DIRECT PEDESTRIAN AND VEHICULAR ACCESS TO S. MYRTLE AVENUE.

C. THERE IS NO OBSERVABLE EVIDENCE OF CEMETERIES, BURIAL GROUNDS, OR INDIVIDUAL GRAVESITES.

D. THERE ARE NO DIVISION OR PARTY WALLS DESIGNATED BY THE CLIENT OR LOCATED BY THE SURVEYOR WITH RESPECT TO ADJOINING PROPERTIES.

E. NO OFFSITE EASEMENTS OR SERVITUDE BENEFITTING THE SURVEYED PROPERTIES WERE DISCLOSED IN THE RECORD DOCUMENTS PROVIDED TO THE SURVEYOR OR OBSERVED IN THE PROCESS OF CONDUCTING THE SURVEY.

F. AT THE TIME OF SURVEY, THE SURVEYOR WAS NOT AWARE OF ANY PROPOSED CHANGES IN THE STREET RIGHT OF WAY LINES OR OBSERVABLE EVIDENCE OF STREET OR SIDEWALK REPAIRS.

G. THE SUBJECT PROPERTY DOES NOT CONTAIN ANY VISIBLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP, OR SANITARY LANDFILL.

H. NOTE THAT THE TITLE LINES AND ACTUAL POSSESSION LINES ARE THE SAME.

I. THERE IS NO OBSERVABLE EVIDENCE OF RECENT EARTHWORK.

J. REVISE SURVEY TO ADD WETLAND FLAGS AND LINES AS LOCATED BY OTHERS. NO ADDITIONAL FIELD WORK THIS DATE. (12/15/2025)(JM).

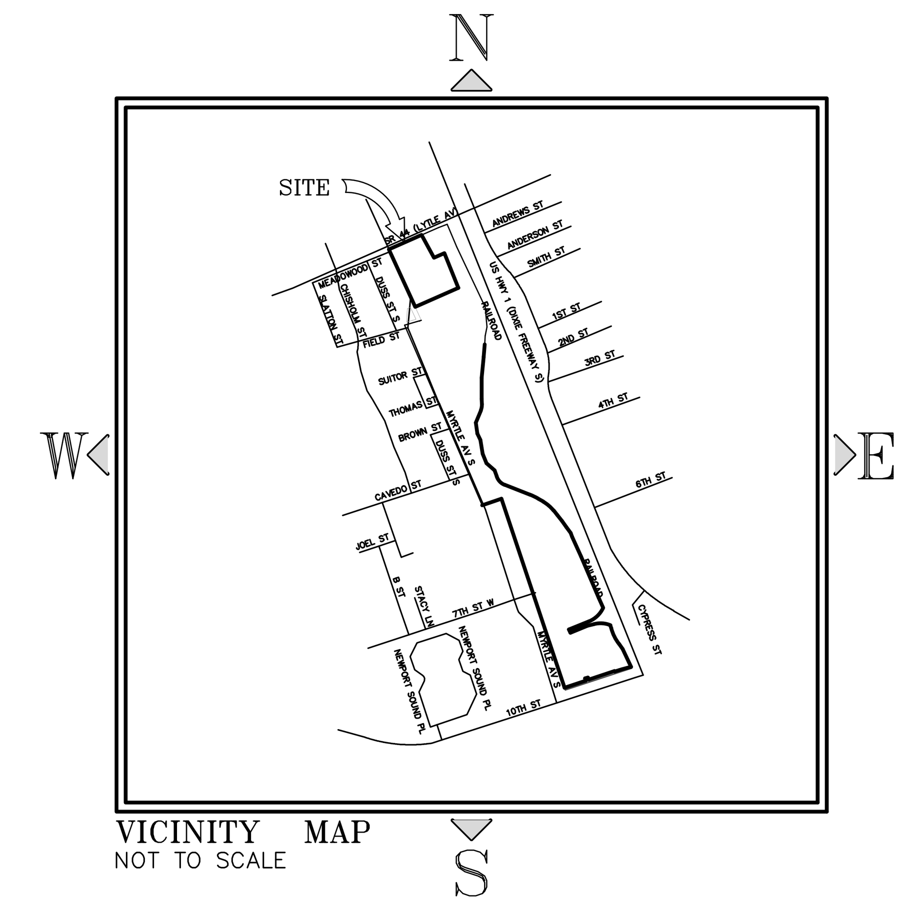
K. REVISE SURVEY TO ADDRESS CITY OF NEW SMYRNA BEACH COMMENTS RECEIVED MACH 16, 2026. ADD UTILITY STRUCTURE TABLE TO SHEET 4 OF 5. REVISE NOTE "D". NO ADDITIONAL FIELD WORK THIS DATE. (03/17/2026)(JM).

WETLAND NOTES:

1. THIS SURVEYOR IS NOT QUALIFIED TO MAKE WETLAND DETERMINATIONS. WETLANDS SHOWN HEREON WERE PROVIDED TO THIS SURVEYOR BY OTHERS. THE WETLAND BOUNDARY IS APPROXIMATE AND NOT SURVEYED, PENDING CONFIRMATION OF RESPECTIVE AGENCIES.

2. WETLAND BOUNDARIES HAVE BEEN PREVIOUSLY DELINEATED AND APPLICABLE STATE, FEDERAL PERMITS WILL BE OBTAINED PRIOR TO ALTERATIONS OR IMPACTS OF WATERCOURSES AND/OR WETLANDS.

3. WETLAND BOUNDARIES HAVE BEEN PREVIOUSLY DELINEATED AS PART OF A PRIOR ENVIRONMENTAL ASSESSMENT. THE WETLAND BOUNDARIES ARE PRESENTLY BEING CONFIRMED BASED ON CURRENT EXISTING SITE CONDITIONS AND TO ASSESS JURISDICTIONAL OPINIONS. APPLICABLE STATE AND FEDERAL PERMITS WILL BE OBTAINED PRIOR TO ANY IMPACTS TO WATERCOURSES AND OR WETLANDS. SHOULD MITIGATION BE REQUIRED, IT IS PLANNED TO BE ADDRESSED THROUGH THE PURCHASE OF MITIGATION BANK CREDITS. AT THIS TIME, WE ANTICIPATE THAT A STATE ENVIRONMENTAL RESOURCE PERMIT (ERP) WILL BE REQUIRED.



VICINITY MAP
NOT TO SCALE

SURVEY NOTES:

1. *THIS SURVEY HAS BEEN PREPARED WITH BENEFIT OF A COMMITMENT FOR TITLE INSURANCE ISSUED BY: FIDELITY NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NUMBER: 16–25–0191 COMMITMENT DATE: JULY 07, 2025 AT 8:00 AM.*

2. *THE MEASURED BEARINGS SHOWN HEREON ARE (GRID BEARINGS) BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, 1983 NORTH AMERICAN DATUM, 2007 ADJUSTMENT, DERIVING A BEARING OF N66°20'42"E, ALONG SOUTHERLY LINE OF STATE ROAD 44 (LYTLE AVENUE).*

3. *UNLESS OTHERWISE SHOWN, RECORD DISTANCES AND DIRECTIONS AND FIELD MEASURED DISTANCES AND DIRECTIONS ARE THE SAME.*

4. *DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.*

5. *UNDERGROUND FOUNDATIONS, IF ANY HAVE NOT BEEN LOCATED OR SHOWN AS A PART OF THIS SURVEY.*

6. *ELEVATIONS REFER TO NAVD 1988 DATUM, UNITED STATES COAST & GEODETIC SURVEY BENCHMARK MONUMENT M–212, HAVING A PUBLISHED ELEVATION 6.31 FEET.*

7. *THIS PROPERTY IS LOCATED IN FLOOD INSURANCE RATE MAP (F.I.R.M.) ZONE X. F.I.R.M. MAP NO. 12127C0543 J. MAP EFFECTIVE DATE: SEPTEMBER 29, 2017. PER FEMA.GOV WEBSITE.*

8. *REVISED TO ADD ELEVATIONS, REVISE CONTOURS AND SURFACE. NOVEMBER 24, 2025. (JM)*

9. *REVISED TO ADD RIGHT OF WAY WIDTH LABELS AT KEY POINTS PER CITY OF NEW SMYRNA BEACH COMMENTS, DATE NOVEMBER 11, 2025. NO ADDITIONAL FIELD WORK THIS DATE. (12/10/2025)(JM).*

NOTICE:

THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR A VALID ELECTRONIC SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SURVEYOR'S CERTIFICATION:

TO: GBT REALTY CORPORATION;
FIRST AMERICAN TITLE INSURANCE COMPANY;

I HEREBY CERTIFY THAT THIS SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J–17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

Jeffrey S Hattendorf
Digitally signed by Jeffrey S Hattendorf
Date: 2026.03.19 11:58:31 -04'00'

JEFFREY S. HATTENDORF DATE:
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA LICENSE NUMBER 6193

NOTICE:

THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR A VALID ELECTRONIC SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SURVEYOR'S CERTIFICATION:

CERTIFIED TO AND FOR THE BENEFIT OF:
GBT REALTY CORPORATION; FIRST AMERICAN TITLE INSURANCE COMPANY;

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDE ITEMS 1, 2, 3, 4, 5, 11b, 13 OF TABLE A THEREOF.

THE FIELDWORK WAS COMPLETED ON JULY 30, 2025.
DATE OF PLAT OR MAP: MARCH 19, 2026.

Jeffrey S Hattendorf
Digitally signed by Jeffrey S Hattendorf
Date: 2026.03.19 11:58:58 -04'00'
DATE:

JEFFREY S. HATTENDORF
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA LICENSE NUMBER 6193

LEGEND:

Symbol	Description
●	IRON ROD WITH CAP
○	IRON ROD
◉	IRON PIPE WITH CAP
◎	IRON PIPE
o	NAIL & DISK
◬	FD "X"/CUT IN CONCRETE
□	CONCRETE MONUMENT
△	DENOTES PC / PT
■	PERMANENT CONTROL POINT
	SITE BENCHMARK
FH	FIRE HYDRANT
⊗ GV	GAS VALVE
⊗ RUV	REUSE VALVE
⊗ SSV	SANITARY SEWER VALVE
⊗ HHE	HAND HOLE (ELECTRIC)
WM	WATER METER
⊠ GM	GAS METER
TB	TELEPHONE BOX
MB	MAIL BOX
TV	CABLE TELEVISION BOX
TSB	TRAFFIC SIGNAL BOX
WV	WATER VALVE
FOCB	FIBER OPTIC CABLE BOX
FOCV	FIBER OPTIC CABLE VAULT
ELP	ELECTRIC PANEL
FOCM	FIBER OPTIC CABLE MARKER
TPM	TELEPHONE CABLE MARKER
	SIGN
LP	LIGHT POLE
YL	YARD LIGHT
PP	POWER / UTILITY POLE
GA	GUY ANCHOR
EB	ELECTRIC SERVICE BOX
Ⓢ SSMH	SANITARY SEWER MANHOLE
Ⓓ SDMH	STORM DRAIN MANHOLE
Ⓖ GTMH	GREASE TRAP MANHOLE
Ⓔ EMH	ELECTRIC MANHOLE
Ⓤ UMH	UTILITY MANHOLE
◎ CO	CLEAN OUT
Ⓕ FOC	FIBER OPTIC CABLE MANHOLE
RBO	REUSE BLOWOFF ASSEMBLY
▲	WETLANDS LOCATION
	EXISTING CONCRETE
0.00	EXISTING ELEVATION
–FO–	BURIED FIBER OPTIC CABLE
–T–	BURIED TELEPHONE CABLE
–W–	BURIED WATER LINE
–E–	BURIED ELECTRIC LINE
–G–	BURIED GAS LINE
–TV–	BURIED TELEVISION LINE
–FM–	BURIED FORCEMAIN
–OH–	AERIAL UTILITY LINE
–ST–	STORM WATER LINE
—	CHANGE OF DIRECTION
	BACKFLOW PREVENTER

ABBREVIATIONS:

Abbr.	Meaning
Δ	CENTRAL ANGLE
A/C	AIR CONDITIONER
A.E.	ACCESS EASEMENT
CB	CHORD BEARING
CH	CHORD DISTANCE
CLS	CENTERLINE OF SWALE
CO	CLEANOUT
CONC	CONCRETE
℄	CENTERLINE
CM	CONCRETE MONUMENT
CMP	CORRUGATED METAL PIPE
CPP	CORRUGATED PLASTIC PIPE
CV	CHECK VALVE
(C)	CALCULATED DIMENSION
DIP	DUCTILE IRON PIE
DW	DRIVEWAY
(D)	DEED DIMENSION
EL	ELEVATION
ECMP	ELLIPTICAL CORRUGATED METAL PIPE
EOP	END OF PIPE
EOW	EDGE OF WATER
ES	ELECTRIC SERVICE
FH	FIRE HYDRANT
FNC	FENCE
FND	FOUND
FDOT	FLORIDA DEPARTMENT OF TRANSPORTATION
FDNR	FLORIDA DEPARTMENT OF NATURAL RESOURCES
FP&L CO	FLORIDA POWER & LIGHT COMPANY
GA	GUY ANCHOR
GEN	GENERATOR
GLM	GAS LINE MARKER
HDPE	HIGH DENSITY POLYETHYLENE PIPE
ID	IDENTIFICATION
ILLEG.	ILLEGIBLE
INV	INVERT
IRC	IRON ROD & CAP
IR	IRON ROD (NO CAP)
IPC	IRON PIPE & CAP
IP	IRON PIPE (NO CAP)
IV	IRRIGATION VALVE
Δ	ARC LENGTH
LB	LICENSED BUSINESS
LP	LIGHT POLE
(M)	MEASURED DIMENSION
MB	MAP BOOK
MES	MITERED END SECTION
MH	MANHOLE
MW	MONITORING WELL
N&D	NAIL & DISK
(NR)	NON RADIAL
NAVD	NORTH AMERICAN VERTICAL DATUM
NGVD	NATIONAL GEODETIC VERTICAL DATUM
ORB	OFFICIAL RECORDS BOOK
(P)	PLATTED DIMENSION
PG	PAGE
PP	POWER POLE
PVC	POLYVINYL CHLORIDE
PRV	PRESURE REDUCING VALVE
(R)	RADIAL
	RADIUS
RCP	REINFORCED CONCRETE PIPE
RES	RESIDENCE
RGE	RANGE
RV	REUSE VALVE
R/W	RIGHT OF WAY
SAN	SANITARY
SEC	SECTION
STA	STATION
TC	TOP COVER
TOB	TOP OF BANK
TOE	TOE OF SLOPE
TSP	TRAFFIC SIGNAL POLE
TWP	TOWNSHIP
(TYP)	TYPICAL
U.E.	UTILITY EASEMENT
USC & GS	UNITED STATES COAST & GEODETIC SURVEY
VCP	VITREOUS CLAY PIPE
WM	WATER METER
WV	WATER VALVE
W/	WITH

FILE: K:/ 25/ 250655 SPROUTS ALTA/ 250655 ALTA.DWG

SLIGER & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
3921 NOVA ROAD
(386) 761-5385
PORT ORANGE, FL. 32127
LICENSED BUSINESS CERTIFICATION NUMBER 3019
www.sligerassociates.com
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TYPE OF SURVEY	SURVEY DATE	JOB NUMBER	CHECKED BY
SPECIFIC PURPOSE			
ALTA/ NSPS SURVEY	JULY 30, 2025	25–0655	J. HATTENDORF
TOPOGRAPHIC SURVEY	JULY 30, 2025	25–0655	J. HATTENDORF
FOUNDATION LOCATION			
FINAL IMPROVEMENTS			
RECERTIFICATION			

FIELD BOOK:1558 PAGE (S): 47, 50, 51, 55
FIELD BOOK:1560 PAGE (S): 16–18, 24, 26–28

FIELD DATE: JULY 30, 2025
PARTY CHIEF: J. PENFIELD K. HELMICK
DRAWN BY: J. MOLLER
CHECKED BY: J. HATTENDORF

ALTA/NSPS LAND TITLE SURVEY AND TOPOGRAPHIC SURVEY
507 MYRTLE STREET, NEW SMYRNA BEACH, FLORIDA
CLIENT: GBT REALTY CORPORATION

PROJECT: 07104
JOB: 25–0655
SCALE: N/A
SHEET: 1 OF 5

SCHEDULE "B" - EXCEPTIONS

1. DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, CREATED, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES FOR VALUE OF RECORD THE ESTATE OR INTEREST OR MORTGAGE THEREON COVERED BY THIS FORM.

2. TAXES AND ASSESSMENTS FOR THE YEAR 2025 AND SUBSEQUENT YEARS, WHICH ARE NOT YET DUE AND PAYABLE.

3. STANDARD EXCEPTIONS:

   A. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND.

   B. RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS.

   C. ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR, OR MATERIALS HERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS.

   D. TAXES OR ASSESSMENTS WHICH ARE NOT SHOWN AS EXISTING LIENS IN THE PUBLIC RECORDS.

4. ANY CLAIM THAT ANY PORTION OF THE INSURED LAND IS SOVEREIGN LANDS OF THE STATE OF FLORIDA, INCLUDING SUBMERGED, FILLED OR ARTIFICIALLY EXPOSED LANDS ACCRETED TO SUCH LAND.
   NO SUBMERGED LANDS INCLUDED IN PROJECT.

5. ANY LIEN PROVIDED BY COUNTY ORDINANCE OR BY CHAPTER 159, FLORIDA STATUTES, IN FAVOR OF ANY CITY, TOWN, VILLAGE OR PORT AUTHORITY FOR UNPAID SERVICE CHARGES FOR SERVICE BY ANY WATER, SEWER OR GAS SYSTEM SUPPLYING THE INSURED LAND.
   ITEMS #1 THRU 5 STANDARD EXCEPTIONS.

   A. RIGHTS OF TENANTS OCCUPYING ALL OR PART OF THE INSURED LAND UNDER UNRECORDED LEASES OR RENTAL AGREEMENTS.
   NOT A SURVEY MATTER.

6. GRANT OF EASEMENT BY AND BETWEEN FLORIDA EAST COAST RAILWAY COMPANY, GRANTOR, AND CITY OF NEW SMYRNA BEACH, A MUNICIPAL CORPORATION, GRANTEE, RECORDED APRIL 24, 1978, IN OFFICIAL RECORDS BOOK 1977, PAGE 85.
   DOES NOT AFFECT SUBJECT PROPERTY. NOT GRAPHICALLY DEPICTED.

7. QUITCLAIM DEED AND GRANT OF EASEMENT BY AND BETWEEN FLORIDA EAST COAST RAILWAY, L.L.C., GRANTOR, AND FDG RAIL HOLDINGS 8 LLC, GRANTEE, RECORDED DECEMBER 28, 2007, IN OFFICIAL RECORDS BOOK 6173, PAGE 3151; AS AFFECTED BY THAT CERTAIN SUBORDINATION AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 7860, PAGE 4327.
   SUBJECT PROPERTY A PORTION OF PROPERTY DESCRIBED IN ORB 6173, PG 3151.
   ORB 7860, PG 4327, AFFECTS SUBJECT PROPERTY. SHOWN HEREON.

8. TWENTY FOOT (20') EASEMENT IN FAVOR OF THE CITY OF NEW SMYRNA AFFECTING A PORTION OF THE WESTERLY BOUNDARY OF PARCEL A AS DISCLOSED BY RIGHT-OF-WAY AND TRACT MAP DATED JUNE 30, 1916; AS AFFECTED BY FLORIDA EAST COAST RAILWAY COMPANY STATION MAP V.2/S.T. 1C, DATED SEPTEMBER 18, 1945; REDRAWN AND CORRECTED OCTOBER 12, 1970; AND A WILLIAM E. SWOOPE JR. SKETCH AND LEGAL DATED SEPTEMBER 14, 1975 SHOWING A 30 FOOT EASEMENT; AS DISCLOSED BY UPHAM, INC., PROFESSIONAL SURVEYORS, WORK ORDER #071206 DATED DECEMBER 14, 2007, WHICH IS RECORDED AS EXHIBIT A TO EASEMENT DEED RECORDED OCTOBER 19, 2009 IN OFFICIAL RECORDS BOOK 6407, PAGE 4943.
   DOES NOT AFFECT SUBJECT PROPERTY. OFF SITE, NOT GRAPHICALLY DEPICTED.

9. UNRECORDED LICENSES REFERRED TO IN, AND EASEMENT IN FAVOR OF PI LAND HOLDINGS, LLC, A DELAWARE LIMITED LIABILITY COMPANY BY EASEMENT AGREEMENT RECORDED APRIL 17, 2014 IN OFFICIAL RECORDS BOOK 6979, PAGE 4629; SUBORDINATION AGREEMENT RECORDED JUNE 5, 2020, IN OFFICIAL RECORDS BOOK 7860, PAGE 4343; AS AFFECTED BY THAT CERTAIN SUBORDINATION OF UTILITY INTERESTS RECORDED IN OFFICIAL RECORDS BOOK 8135, PAGE 768.
   ORB 6979, PG 4629, AFFECTS SUBJECT PROPERTY. SHOWN HEREON.
   ORB 7860, PG 4327, AFFECTS SUBJECT PROPERTY. SHOWN HEREON.
   ORB 8135, PG 768, DOES NOT AFFECT SUBJECT PROPERTY. OFF SITE, NOT GRAPHICALLY DEPICTED.

10. ASSIGNMENT OF DEVELOPMENT RIGHTS RECORDED IN OFFICIAL RECORDS BOOK 7143, PAGE 4645.
    ORB 7143, PG 4645, DOES NOT AFFECT SUBJECT PROPERTY. OFF SITE, NOT GRAPHICALLY DEPICTED.

11. ASSIGNMENT OF DEVELOPMENT RIGHTS RECORDED IN OFFICIAL RECORDS BOOK 7143, PAGE 4654.
    ORB 7143, PG 4654, PARENT TRACT OF SUBJECT PROPERTY. AFFECTS SUBJECT PROPERTY.
    BLANKET IN NATURE NOT GRAPHICALLY DEPICTED.

12. EASEMENT AGREEMENT BY AND BETWEEN FDG RAIL HOLDINGS 8 LLC, A DELAWARE LIMITED LIABILITY COMPANY, GRANTOR, AND FDG FLAGER STATION II LLC, A DELAWARE LIMITED LIABILITY COMPANY, GRANTEE, RECORDED JULY 28, 2015, IN OFFICIAL RECORDS BOOK 7143, PAGE 4717; AS AFFECTED BY THAT CERTAIN SUBORDINATION AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 7860, PAGE 4359.
    ORB 7143, PG 4717, AFFECTS SUBJECT PROPERTY. SHOWN HEREON.
    ORB 7860, PG 4359, SAME AS ITEM #7, ORB ORB 7860 PG 4327, AFFECTS SUBJECT PROPERTY.
    SHOWN HEREON.

13. PERPETUAL EASEMENT BY AND BETWEEN NSB 103 DEVELOPMENT LLC, A FLORIDA LIMITED LIABILITY COMPANY, GRANTOR, AND CITY OF NEW SMYRNA BEACH, A FLORIDA SUBDIVISION, GRANTEE, RECORDED JUNE 5, 2020, IN OFFICIAL RECORDS BOOK 7860, PAGE 4311.
    AFFECTS SUBJECT PROPERTY. SHOWN HEREON.

14. RESTRICTIONS, COVENANTS, AND CONDITIONS AS SET FORTH IN THAT CERTAIN DECLARATION OF RESTRICTIVE COVENANT RECORDED APRIL 25, 2022 IN OFFICIAL RECORDS BOOK 8242, PAGE 1411, AS MAY BE SUBSEQUENTLY AMENDED.
    DOES NOT AFFECT SUBJECT PROPERTY. OFF SITE, NOT GRAPHICALLY DEPICTED.

15. RESTRICTIONS, COVENANTS, AND CONDITIONS AS SET FORTH IN THAT CERTAIN DECLARATION OF RESTRICTIVE COVENANT RECORDED MAY 24, 2022 IN OFFICIAL RECORDS BOOK 8259, PAGE 882, AS MAY BE SUBSEQUENTLY AMENDED.
    SAME AS # 14 ABOVE.
    DOES NOT AFFECT SUBJECT PROPERTY. OFF SITE, NOT GRAPHICALLY DEPICTED.

    FOR 2024 TAX YEAR PARCEL/ID # 741923000041, GROSS TAX AMOUNT IS $31,909.53, EXEMPTION TYPE IS NONE, AND PAYMENT STATUS IS PAID.
    NOT A SURVEY MATTER.

UTILITY CONTACTS:

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

-UTILITY COMPANIES HAVE BEEN CONTACTED THROUGH "CALL SUNSHINE"
(UNDERGROUND CABLE LOCATING SERVICE) 1-800-432-4770
TICKET No. 202507569 (S.R. 44) AS PER THE "UNDERGROUND FACILITY DAMAGE PREVENTION ACT".

-THE FOLLOWING UTILITIES RESPONDED AFTER NOTIFICATION BY "CALL SUNSHINE".

TICKET 202507569
FL : VOLUSIA COUNTY, NEW SMYRNA BEACH
SR 44

AT&T NATIONAL DAMAGE PREVENTION:
*** NOTIFICATION OF HIGH PRIORITY FACILITIES ONSITE ***
THIS LOCATE REQUEST IS NEAR AN AT&T HIGH PROFILE FACILITY. BEFORE DIGGING IN THIS AREA WAIT ON LOCATES TO BE PERFORMED. TAKE CARE TO OBSERVE SITE MARKINGS SUCH AS PAINT AND FLAGS. HAND DIGGING IS MANDATORY WITHIN THE STATUTORY TOLERANCE ZONE.

A T & T/ DISTRIBUTION
- NO CONFLICT - UTILITY IS OUTSIDE OF THE REQUESTED WORK SITE

CHARTER COMMUNICATIONS
- NO CONFLICT - UTILITY IS OUTSIDE OF THE REQUESTED WORK SITE

COGENT COMMUNICATIONS
- CLEAR NO FACILITIES

FLORIDA POWER & LIGHT - NORTH FIBER
- CLEAR NO FACILITIES

FLORIDA PUBLIC UTILITIES CO.
- MARKED

UNITI FIBER LLC
- CLEAR NO FACILITIES

UTILITIES COMMISSION CITY OF NEW SMYRNA BEACH - ELECTRIC
- NO CONFLICT - UTILITY IS OUTSIDE OF THE REQUESTED WORK SITE

UTILITIES COMMISSION, CITY OF NEW SMYRNA BEACH - WATER
- MARKED

WIRE 3, LLC
- NO CONFLICT - UTILITY IS OUTSIDE OF THE REQUESTED WORK SITE

USSP01:
- SPRINT FIBER OPTIC CABLE, WITH COGENT COMMUNICATIONS, WILL NOT BE IMPACTED BY THE WORK AS DESCRIBED ON THIS ONE-CALL CENTER TICKET. IF YOU HAVE ANY QUESTIONS OR CONCERNS, PLEASE CALL THE COGENT'S CALL BEFORE YOU DIG GROUP AT 1-800-521-0579.

CHARTER-TIME WARNER CAB
- NOT MARKED EXCAVATION SITE CLEAR*

FPL FIBER
- NOT MARKED EXCAVATION SITE CLEAR*

UTILITY CONTACTS:

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

-UTILITY COMPANIES HAVE BEEN CONTACTED THROUGH "CALL SUNSHINE"
(UNDERGROUND CABLE LOCATING SERVICE) 1-800-432-4770
TICKET No.'S 202507664, 202507569, AND 202507664 AS PER THE "UNDERGROUND FACILITY DAMAGE PREVENTION ACT".

-THE FOLLOWING UTILITIES RESPONDED AFTER NOTIFICATION BY "CALL SUNSHINE".

TICKET 202507664
FL : VOLUSIA COUNTY, NEW SMYRNA BEACH
ENDSLEY LN

AT&T NATIONAL DAMAGE PREVENTION:
*** NOTIFICATION OF HIGH PRIORITY FACILITIES ONSITE ***
THIS LOCATE REQUEST IS NEAR AN AT&T HIGH PROFILE FACILITY. BEFORE DIGGING IN THIS AREA WAIT ON LOCATES TO BE PERFORMED. TAKE CARE TO OBSERVE SITE MARKINGS SUCH AS PAINT AND FLAGS. HAND DIGGING IS MANDATORY WITHIN THE STATUTORY TOLERANCE ZONE.

A T & T/ DISTRIBUTION
- NO CONFLICT - UTILITY IS OUTSIDE OF THE REQUESTED WORK SITE

CHARTER COMMUNICATIONS
- CLEAR NO FACILITIES

FLORIDA PUBLIC UTILITIES CO.
- MARKED

UTILITIES COMMISSION CITY OF NEW SMYRNA BEACH - ELECTRIC
- CLEAR NO FACILITIES

UTILITIES COMMISSION, CITY OF NEW SMYRNA BEACH - WATER
- CLEAR NO FACILITIES

CHARTER-TIME WARNER CAB
- MARKED 4 - EXCAVATION SITE CLEAR

UTILITY CONTACTS:

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

-UTILITY COMPANIES HAVE BEEN CONTACTED THROUGH "CALL SUNSHINE"
(UNDERGROUND CABLE LOCATING SERVICE) 1-800-432-4770
PER THE "UNDERGROUND FACILITY DAMAGE PREVENTION ACT".

-THE FOLLOWING UTILITIES RESPONDED AFTER NOTIFICATION BY "CALL SUNSHINE".

TICKET No. 202507604
FL : VOLUSIA COUNTY, NEW SMYRNA BEACH
S MYRTLE AVE

A T & T/ DISTRIBUTION
- MARKED

CHARTER COMMUNICATIONS
- MARKED

COGENT COMMUNICATIONS
- CLEAR NO FACILITIES

FLORIDA POWER & LIGHT - NORTH FIBER
- CLEAR NO FACILITIES

FLORIDA PUBLIC UTILITIES CO.
- MARKED

UNITI FIBER LLC
- CLEAR NO FACILITIES

UTILITIES COMMISSION CITY OF NEW SMYRNA BEACH - ELECTRIC
- NO CONFLICT - UTILITY IS OUTSIDE OF THE REQUESTED WORK SITE

UTILITIES COMMISSION, CITY OF NEW SMYRNA BEACH - WATER
- MARKED

WIRE 3, LLC
- NO CONFLICT - UTILITY IS OUTSIDE OF THE REQUESTED WORK SITE

USSP01:
- SPRINT FIBER OPTIC CABLE, WITH COGENT COMMUNICATIONS, WILL NOT BE IMPACTED BY THE WORK AS DESCRIBED ON THIS ONE-CALL CENTER TICKET. IF YOU HAVE ANY QUESTIONS OR CONCERNS, PLEASE CALL THE COGENT'S CALL BEFORE YOU DIG GROUP AT 1-800-521-0579.

FPL FIBER
- NOT MARKED EXCAVATION SITE CLEAR*

NOTE:
THIS SURVEY IS NOT VALID WITHOUT SHEETS 1 TO 5

SLIGER & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
3921 NOVA ROAD
PORT ORANGE, FL 32127
(386) 756-0371
LICENSED BUSINESS CERTIFICATION NUMBER 3019
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4 3 2

TYPE OF SURVEY	SURVEY DATE	JOB NUMBER	CHECKED BY
SPECIFIC PURPOSE			
ALTA/ NSPS SURVEY	JULY 30, 2025	25-0655	J. HATTENDORF
TOPOGRAPHIC SURVEY	JULY 30, 2025	25-0655	J. HATTENDORF
FOUNDATION LOCATION			
FINAL IMPROVEMENTS			
RECERTIFICATION			

FIELD BOOK:1558	PAGE (S): 47, 50, 51, 55	FIELD BOOK:1560
FIELD DATE: JULY 30, 2025	PARTY CHIEF: J. PENFIELD K. HELMICK	DRAWN BY: J. MOLLER
		PAGE (S): 16-18, 24, 26-28
		CHECKED BY: J. HATTENDORF

ALTA/NSPS LAND TITLE SURVEY AND TOPOGRAPHIC SURVEY

507 MYRTLE STREET,
NEW SMYRNA BEACH, FLORIDA

CLIENT: GBT REALTY CORPORATION

PROJECT: 07104
JOB: 25-0655
SCALE: N/A
SHEET: 2 OF 5

FILE: K:/ 25/ 250655 SPROUTS ALTA/ 250655 ALTA.DWG

ALTA / NSPS LAND TITLE
& TOPOGRAPHIC SURVEY

FOR

GBT REALTY CORPORATION



NOTE:
THIS SURVEY IS NOT VALID WITHOUT SHEETS 1 TO 5

SLIGER & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
3921 NOVA ROAD
SUITE 100
PORT ORANGE, FL. 32127
LICENSED BUSINESS CERTIFICATION NUMBER 3019

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TYPE OF SURVEY	SURVEY DATE	JOB NUMBER	CHECKED BY
SPECIFIC PURPOSE			
ALTA/ NSPS SURVEY	JULY 30, 2025	25-0655	J. HATTENDORF
TOPOGRAPHIC SURVEY	JULY 30, 2025	25-0655	J. HATTENDORF
FOUNDATION LOCATION			
FINAL IMPROVEMENTS			
RECERTIFICATION			

FIELD DATE: JULY 30, 2025	FIELD BOOK:1558	FIELD BOOK:1560
PARTY CHIEF: J. PENFIELD K. HELMICK	PAGE (S): 47, 50, 51, 55	PAGE (S): 16-18, 24, 26-28
DRAWN BY: J. MOLLER		
CHECKED BY: J. HATTENDORF		

ALTA/NSPS LAND TITLE SURVEY AND TOPOGRAPHIC SURVEY

507 MYRTLE STREET,
NEW SMYRNA BEACH, FLORIDA

CLIENT: GBT REALTY CORPORATION

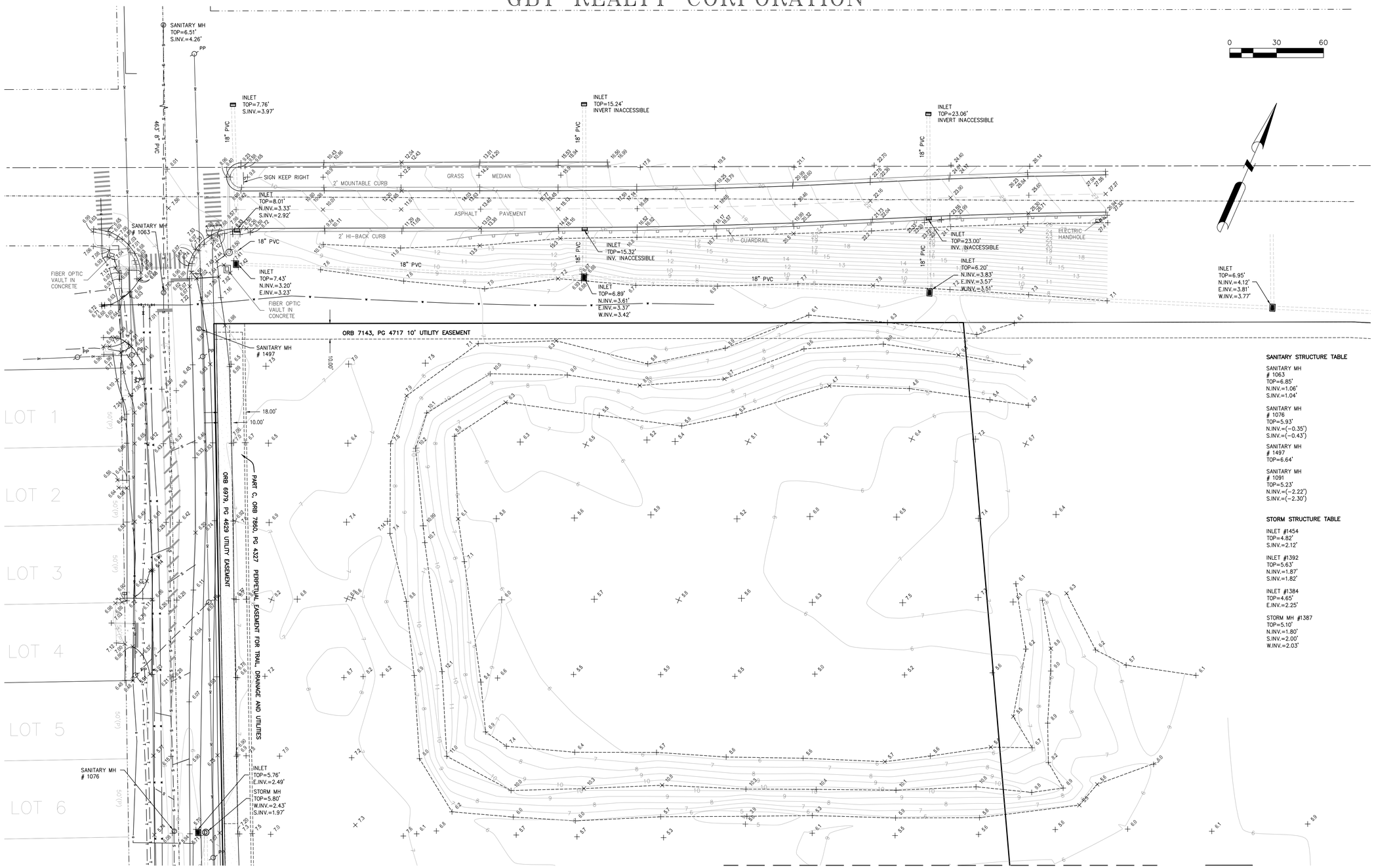
PROJECT: 07104
JOB: 25-0655
SCALE: 1"=100'
SHEET: 3 OF 5

FILE: K:/ 25/ 250655 SPROUTS ALTA/ 250655 ALTA.DWG

ALTA / NSPS LAND TITLE
& TOPOGRAPHIC SURVEY

FOR

GBT REALTY CORPORATION



SANITARY STRUCTURE TABLE

SANITARY MH
1063
TOP=6.85'
N.INV.=1.06'
S.INV.=1.04'

SANITARY MH
1076
TOP=5.93'
N.INV.=(−0.35')
S.INV.=(−0.43')

SANITARY MH
1497
TOP=6.64'

SANITARY MH
1091
TOP=5.23'
N.INV.=(−2.22')
S.INV.=(−2.30')

STORM STRUCTURE TABLE

INLET #1454
TOP=4.82'
S.INV.=2.12'

INLET #1392
TOP=5.63'
N.INV.=1.87'
S.INV.=1.82'

INLET #1384
TOP=4.65'
E.INV.=2.25'

STORM MH #1387
TOP=5.10'
N.INV.=1.80'
S.INV.=2.00'
W.INV.=2.03'

NOTE:
THIS SURVEY IS NOT VALID WITHOUT SHEETS 1 TO 5

SLIGER & ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS
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PORT ORANGE, FL. 32127
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TOPOGRAPHIC SURVEY	JULY 30, 2025	25-0655	J. HATTENDORF
FOUNDATION LOCATION			
FINAL IMPROVEMENTS			
RECERTIFICATION			

FIELD BOOK:	FIELD BOOK:1558
FIELD DATE: JULY 30, 2025	PAGE (S): 47, 50, 51, 55
PARTY CHIEF: J. PENFIELD K. HELMICK	FIELD BOOK:1560
DRAWN BY: J. MOLLER	PAGE (S): 16-18, 24, 26-28
CHECKED BY: J. HATTENDORF	

ALTA/NSPS LAND TITLE SURVEY
AND TOPOGRAPHIC SURVEY

507 MYRTLE STREET,
NEW SMYRNA BEACH, FLORIDA

CLIENT: GBT REALTY CORPORATION

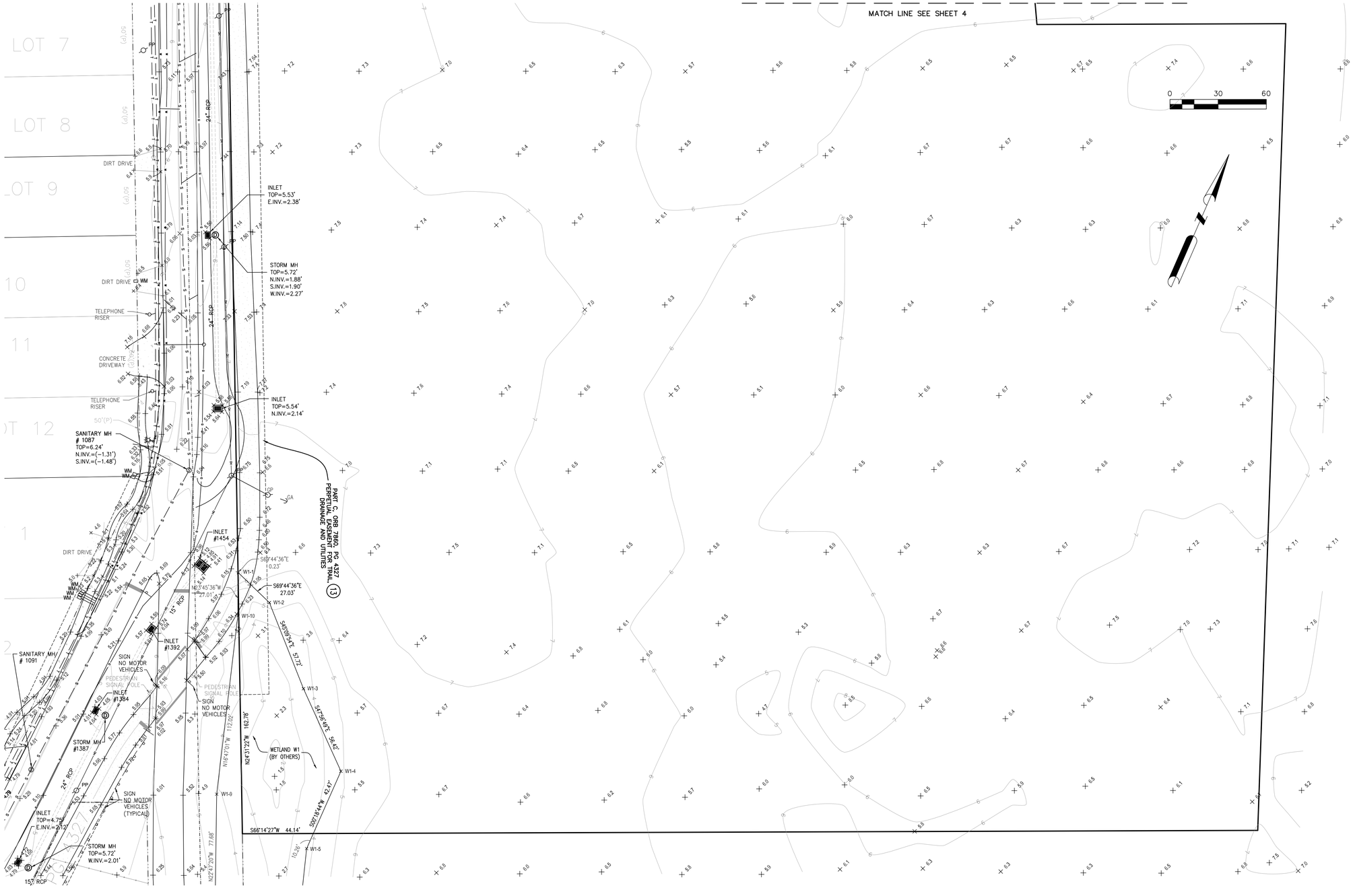
PROJECT: 07104
JOB: 25-0655
SCALE: 1"=30'
SHEET: 4 OF 5

FILE: K:/ 25/ 250655 SPROUTS ALTA/ 250655 ALTA.DWG

ALTA / NSPS LAND TITLE
& TOPOGRAPHIC SURVEY

FOR

GBT REALTY CORPORATION



NOTE:
THIS SURVEY IS NOT VALID WITHOUT SHEETS 1 TO 5

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TOPOGRAPHIC SURVEY	JULY 30, 2025	25-0655	J. HATTENDORF
FOUNDATION LOCATION			
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FIELD DATE: JULY 30, 2025	FIELD BOOK:1558	PAGE (S): 47, 50, 51, 55
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ALTA / NSPS LAND TITLE SURVEY
AND TOPOGRAPHIC SURVEY

507 MYRTLE STREET,
NEW SMYRNA BEACH, FLORIDA

CLIENT: GBT REALTY CORPORATION

PROJECT: 07104
JOB: 25-0655
SCALE: 1"=30'
SHEET: 5 OF 5

FILE: K:/ 25/ 250655 SPROUTS ALTA/ 250655 ALTA.DWG