



# Planning & Architectural Review Board Regular Meeting Agenda

Tuesday, September 2, 2025 at 5:30 PM

City Commission Chambers – 105 S. 2ND Street, Flagler Beach, FL 32136



All meeting items will be continued until meeting is complete.

- 1. **Call the meeting to order**
- 2. **Pledge of Allegiance**
- 3. **Roll Call / Determination of Quorum**
- 4. **Approve Minutes**
  - a. August 5, 2025 Meeting Minutes
- 5. **Old Business**
- 6. **New Business**
  - a. **Application PVAR25-0003:** Variance - Legacy Pointe Cottages, 2401 Leslie Street. Applicant is requesting a variance related to Appendix A - Land Development Regulations, Article VIII, Section. 8.05.08. The request is to maintain the 40-foot (40') platted right-of-way (ROW) in lieu of a 50-foot right-of-way (ROW) required by the City of Flagler Beach's Standard Construction Details Index R-2  
**Parcel ID No.:** 11-12-31-0650-000D0-0050  
**FLUM:** Medium Density Residential (MDR)  
**Zoning District:** General Commercial (GC)  
**Owner:** ALT Homes LLC, T.J. McNitt - 3371 N State St, Unit 1, Bunnell, FL 32110  
**Applicant:** ALT Homes LLC , Katie Crooke, Representative - 3371 N State St, Unit 1, Bunnell, FL 32110
  - b. ORDINANCE NO. 2025-16: AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING ARTICLE VI OF THE LAND DEVELOPMENT REGULATIONS RELATED TO SUBDIVISIONS AND PLATTING IN ORDER TO CONFORM TO FLORIDA STATE LAW AMENDMENTS REQUIRING ADMINISTRATIVE APPROVAL OF PLATS; PROVIDING FOR CONFLICTS AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE
  - c. ORDINANCE NO. 2025-17: AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES RELATED TO SIGNS; AMENDING THE METHOD OF CALCULATION COPY AREA OF WINDOW SIGNS; CLARIFYING PROVISIONS RELATED TO EVENT SIGNAGE IN PUBLIC PARKS; PROVIDING ALLOWANCE FOR CERTAIN EVENT SIGNAGE IN CITY RIGHTS-OF-WAY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE
  - d. FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT FOR PUBLIC SCHOOL FACILITY PLANNING
- 7. **Other Business**
- 8. **City Planner Report**
- 9. **Board Comments**
- 10. **Adjournment**  
RECORD REQUIRED TO APPEAL: In accordance with Florida Statute 286.0105 if you should decide to appeal any decision the Commission makes about any matter at this meeting, you will need a record of the proceedings. You are responsible for providing this record. You may hire a court reporter to make a verbatim transcript. The City is not responsible for any mechanical failure of the recording equipment. In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk at (386) 517-2000 ext 233 at least 72 hours prior to the meeting. The City Commission reserves the right to request that all written material be on file with the City Clerk when the agenda item is submitted.



# Planning & Architectural Review Board Regular Meeting Minutes

Tuesday, August 5, 2025 at 5:30 PM

City Commission Chambers – 105 S. 2ND Street, Flagler Beach, FL 32136



## 1. Call the meeting to order

Chair Suzie Johnston called the meeting to order at 5:30 p.m.

## 2. Pledge of Allegiance

Chair Suzie Johnston led the Pledge of Allegiance.

## 3. Roll Call / Determination of Quorum

Present: Paul Mykytka, Barbara Revels, Scott Chappuis, Suzie Johnston, Lisa Smith, Boudie Estberg

Absent: Joann Soman

Staff Present: City Attorney Drew Smith, City Engineer Bill Freeman and Secretary Michele Ficocello

## 4. Approve Minutes

### a. July 15, 2025 Meeting Minutes

A motion to approve the meeting minutes was made by Barbara Revels, seconded by Scott Chappuis. The motion carried unanimously.

## 5. Old Business

None

## 6. New Business

- a. **Application PCON25-0002:** Conceptual Site Plan – A proposed, 2513 SQFT two-story, mixed-use building. The ground floor proposes two (2) retail spaces ~686 SQ FT per commercial space; a 2-car garage with exterior stairs that lead to a three (3) bedroom, two (2) bath dwelling unit. **Parcel ID No.:** 01-12-31-1100-00050-0050; **FLUM:** Commercial; **Zoning District:** Tourist Commercial; **Owner:** Gaspar Family Holding Three LLC, 908 N Central Avenue, Flagler Beach, FL 32136; **Applicant:** Gaspar Family Holding Three LLC, 908 N Central Avenue, Flagler Beach, FL 32136; **Representative:** Joseph Pozzuoli Architect, P.A., 314 Moody Boulevard, Flagler Beach, FL 32136.

The City Attorney Drew Smith presented the item and explained that no formal action is taken on conceptual site plan applications. Barbara Revels inquired as to why the conceptual site plan is on the agenda before item 6b. Secretary Michele Ficocello explained the agenda order was set due to the relationship between agenda items. Representatives for the applicant, Joseph Pozzuoli and Deborah Bird, were present and spoke before the Board. Mr. Pozzuoli outlined the conceptual site plan. Mr. Pozzuoli's comments included hardships with the design due to the setback requirements and fire safety, a description of parking availability, a history of the property ownership and surrounding properties, a shared driveway with the property on northside, the design follows the mixed-use guidelines, low impact

commercial businesses on ground floor with 686 square feet for each of the two units. Boards discussion ensued and included parking ingress/egress, a confirmation that ten feet of the easterly lot was deeded to the subject property, the distance between the subject property and the existing building to the south, fire safety and fire department access, an existing southern building and compliance with the City Code, handicap parking and ADA compliance, parking space size and allowance for backing out, existing guidelines in the City's Code for the mixed-use district, existing lot size and challenges, previous City Staff approval recommendation on a similar project submitted to the PAR Board related to the subject property, the amount of lots remaining to be developed in the mixed-use district, parking pool availability, parking requirements based on the overlay district and challenges with similar projects. No public comment was received. No formal action taken.

- b. **Application PVAR25-0002:** Variance – Applicant is requesting a variance from the Land Development Code, Article II, Section 2.04.02. Design Guidelines, Location (2) and (5). Applicant requests relief from the land development code minimum standards for a two-way drive requiring eighteen feet (18') for a two-way drive for commercial use to a twelve-foot (12') lane for a two-way commercial use drive. **Parcel ID No.:** 01-12-31-1100-00050-0050; **FLUM:** Commercial; **Zoning District:** Tourist Commercial; **Owner:** Gaspar Family Holding Three LLC, 908 N Central Avenue, Flagler Beach, FL 32136; **Applicant:** Gaspar Family Holding Three LLC, 908 N Central Avenue, Flagler Beach, FL 32136; **Representative:** Joseph Pozzuoli Architect, P.A., 314 Moody Boulevard, Flagler Beach, FL 32136.

The City Attorney Drew Smith presented the item. The City Planner Lupita McClenning was not present, but her staff findings are included in the agenda packet. The City Engineer Bill Freeman was present to answer technical questions. Attorney Smith directed the Board to page 55 of the agenda packet which outlines the six criteria required and staff findings. Attorney Smith outlined the requirements needed for recommendation to the City Commission. Representatives for the applicant, Joseph Pozzuoli and Deborah Bird, were present and spoke before the Board. Mr. Pozzuoli outlined his response to the six requirements needed for the variance to be approved. Mr. Pozzuoli's comments included the conditions related to the existing development surrounding the subject property created a hardship for the applicant to include a shared driveway, a building to the south and the size of the lot (applicant provided a printout from the Land Development Code section 2.02.04 which is attached to the minutes). Board discussion ensued and comments included the square footage of the proposed project and changing the building footprint, FDOT requirements, Ocean Shore Boulevard regulations in Land Development Code, shared driveway challenges, an existing development with similar challenges, travel trips, the width of the city streets, the minimum width for a two-way driveway, frontage guidelines, creating a handicap parallel parking space in front of the building and a possible state handicap parking variance through the Florida Building Code, the mixed-use district parking regulations, the challenges with an existing non-conforming lot, the existing city streets do not conform to the standards and concerns with future development, Discussion ensued with Attorney Smith related to amending the variance request. Paul Mykytka expressed his concerns and would like to see a wider driveway. Barbara Revels made a motion to recommend approval of item 7b. with the condition the applicant remove the handicap space in the back of the building and place it in the front of the building providing for a sixteen (16) foot wide driveway. Attorney Smith expressed concern about including moving the parking space in the motion and whether moving the parking space is allowable. Attorney Smith advised the motion should include only the recommendation for approval with the condition of the applicant meeting a sixteen (16) foot wide driveway. Barbara Revels amended her motion to recommend approval with the condition of requiring a sixteen (16) foot wide driveway. Paul Mykytka inquired with the City Engineer if the sixteen (16) foot wide driveway is sufficient. The City Engineer Bill Freeman stated the sixteen feet would be tight, but sufficient. Further discussion ensued related to the challenges with meeting the requirements of the City Code and allowing development. Scott Chappuis seconded the motion. Attorney Smith stated for the record there was no public present, and no public comment was received.

Roll Call: Boudie Estberg, Nay; Lisa Smith: Yea; Scott Chappuis, Yea; Barbara Revels, Yea; Paul Mykytka, Yea; Chair Suzie Johnston, Yea. Motion passed five (5) to one (1).

**7. Other Business**

None

**8. City Planner Report**

None

**9. Board Comments**

Barbara Revels commented on the changes in the Land Development Code for commercial zoning setbacks.

**10. Adjournment**

A motion to adjourn the meeting was made by Scott Chappuis, seconded by Lisa Smith. The motion carried unanimously. Chair Johnston adjourned the meeting at 6:43pm.

2. *Minimum Lot Size:* None3. *Build-To Line*

Build-to lines are established for each property to ensure that building placements clearly define street edges and corners. The build-to line is the line parallel to the property line along which the facade of the building must be located. The maximum front build-to line requirements shall apply to the first story of the building, and higher portions of the building maybe stepped back further from the front property line.

*Interior Lot*

Front Line: Five (5) feet or ten (10) feet

Side Line: Build-to property line on one (1) side.

Rear Line: Build-to determined by building location and arrangement of parking.

*Corner Lot*

Front Line: Five (5) feet or ten (10) feet

Side Line facing street: Five (5) feet or ten (10) feet

Rear setback facing street: Build-to determined by building location and arrangement of parking.

4. *Frontage Guidelines*

Front: Minimum of sixty (60) percent of the property line to-be building; minimum of seventy-five (75) percent frontage if shared access

Side frontage (not facing street): Minimum of seventy (70) percent of the side property line to be building

Side frontage facing street: Minimum of sixty (60) percent of the side property line to be building

Rear frontage (not facing residential street): Maximum forty (40) percent of the rear property line may contain building

*Barriers and Buffers:*

- There should be no barriers between properties within the Downtown Mixed-Use Overlay District

5. *Parking*

Refer to Chapter 2, Area Wide Guidelines, VI Intersection Design Parking, for parking design guidelines.

Maximum amount of off-street parking permitted for all uses in the proposed Mixed-Use Districts shall be as follows:

Residential Uses: On-site two (2) spaces per unit as per Section 2.06.02.1 Schedule of Off-Street Parking Requirements.

Commercial Uses: 1.33 spaces per eight hundred (800) square feet to be provided on-site.



# Staff Report

## Planning & Architectural Review Board Regular Meeting



September 2, 2025

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**To:** Planning & Architectural Review Board

**From:**

**Meeting Date:** September 2, 2025

**Item Name:** **Application PVAR25-0003:** Variance - Legacy Pointe Cottages, 2401 Leslie Street. Applicant is requesting a variance related to Appendix A - Land Development Regulations, Article VIII, Section. 8.05.08. The request is to maintain the 40-foot (40') platted right-of-way (ROW) in lieu of a 50-foot right-of-way (ROW) required by the City of Flagler Beach's Standard Construction Details Index R-2.  
**Parcel ID No.:** 11-12-31-0650-000D0-0050  
**FLUM:** Medium Density Residential (MDR)  
**Zoning District:** General Commercial (GC)  
**Owner:** ALT Homes LLC, T.J. McNitt - 3371 N State St, Unit 1, Bunnell, FL 32110  
**Applicant:** ALT Homes LLC , Katie Crooke, Representative - 3371 N State St, Unit 1, Bunnell, FL 32110

### Background:

#### *Project Overview*

- The applicant proposes to develop small cottages with access from Leslie Street and exiting on Joyce Street. Both Leslie and Joyce Streets have only a 40' right of way. Leslie Street is currently paved and has utilities within the right of way.
- Joyce Street is a graded road with no utilities and located within a 40' right of way.
- Roadway improvements are required along Joyce Street to provide egress to John Anderson Rd.

#### *Applicant's Request*

- The applicant requests a variance from the ROW width standard.
- Specifically, the applicant seeks to allow improvements to proceed within the existing 40-foot ROW, without requiring dedication of additional right-of-way.
- Applicant justification provided: No work will occur outside the 40 right of way, Leslie Street is an existing improved roadway with only a 40 foot right of way, impacts of acquiring ROW would make the project no longer viable.

### Fiscal Impact:

N/A

**Staff Recommendation:**

This engineering review finds that the applicant's request for a 40-foot ROW variance would be acceptable, especially considering Leslie Street, to the south, is already improved and only has a 40 foot right of way. The improvements on Joyce Street would be mutually beneficial to both the applicant and the city.

**Attachments:**

1. Staff Findings
2. Application\_Variance
3. Legacy Cottages Plans\_Variance
4. 25-00308F Affidavit
5. Modified Mailing List\_PA



# City of Flagler Beach

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## Engineering— Roadway Improvement & Right-of-Way Variance Request for Joyce Street

**Project Name:** Legacy Point Cottages

**Applicant:** Alt Homes LLC

**Date:** 8/25/25

**Prepared By:** Bill Freeman

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### 1. Project Overview

- The applicant proposes to develop small cottages with access from Leslie Street and exiting on Joyce Street. Both Leslie and Joyce Streets have only a 40' right of way. Leslie Street is currently paved and has utilities within the right of way.
  - Joyce Street is a graded road with no utilities and located within a 40' right of way.
  - Roadway improvements are required along Joyce Street to provide egress to John Anderson Rd.
- 

### 2. Land Development Code Requirements

- Per Flagler Beach's Standard Drawings and per section 6.00.04 (b), the minimum required ROW for local roads serving new development is **50 feet**.
  - The purpose of this requirement is to provide adequate space for:
    - Travel lanes
    - Shoulders/bicycle lanes
    - Utilities (above and below ground)
    - Drainage facilities
    - Sidewalks and pedestrian amenities
    - Future roadway expansion, if needed
- 

### 3. Applicant's Request

- The applicant requests a **variance** from the ROW width standard.
- Specifically, the applicant seeks to allow improvements to proceed within the existing **40-foot ROW**, without requiring dedication of additional right-of-way.

- Applicant justification provided: No work will occur outside the 40 right of way, Leslie Street is an existing improved roadway with only a 40 foot right of way, impacts of acquiring ROW would make the project no longer viable.
- 

#### 4. Engineering Review Findings

##### a. Existing Conditions

- Current ROW width: **40 feet**
- Roadway condition: unpaved with no sidewalk and limited drainage.
- Adjacent land use: residential on the south and commercial on the north, with no access.
- Utilities: Overhead electrical lines are present on Joyce Street, but no underground utilities except a 2" water line.

##### b. Constraints with 40-Foot ROW

- Limited space for standard cross-section design.
- May result in reduced or eliminated features, such as:
  - Sidewalks on both sides
  - Standard width travel lanes or bike lanes
  - Adequate stormwater management swales or underground facilities
  - Utility corridors (may require future relocation)
  - Limited room for maintenance.

##### c. Potential Impacts

- **Public Safety:** Reduced ROW may limit safe pedestrian and vehicle separation.
- **Utilities:** Possible conflicts with placement/maintenance.
- **Drainage:** Insufficient ROW may require non-standard or more costly stormwater solutions.
- **Future Expansion:** No allowance for widening if traffic volumes increase.

##### d. Possible Mitigation Options

If the Board considers recommending approval of the variance, staff recommend requiring mitigation such as:

- Dedication of additional easements outside the ROW for utilities/drainage.
-

## **5. Staff Recommendation**

This engineering review finds that the applicant's request for a 40-foot ROW variance would be acceptable, especially considering Leslie Street, to the south, is already improved and only has a 40 foot right of way. The improvements on Joyce Street would be mutually beneficial to both the applicant and the city.



# CITY OF FLAGLER BEACH BUILDING AND PLANNING DEPARTMENT

GENERAL APPLICATION	
<input type="checkbox"/> Final Site Plan	<input type="checkbox"/> Preliminary Plat
<input type="checkbox"/> Master Site Plan	<input type="checkbox"/> Final Plat
<input type="checkbox"/> Site Development Plan(s)	<input type="checkbox"/> Plat Vacating
<input type="checkbox"/> Rezoning	<input type="checkbox"/> Subdivision Master Plan
<input type="checkbox"/> Comprehensive Plan Amendment	<input type="checkbox"/> Non-statutory Land Division/Parcel Reconfiguration
<input type="checkbox"/> Future Land Use Map Amendment	<input type="checkbox"/> Site Plan Modification (Post approval)
<input type="checkbox"/> Special Exception	<input type="checkbox"/> Development Order Modification
<input checked="" type="checkbox"/> Variance	<input type="checkbox"/> Wireless Communication Facility (new structure)

Application Submittal Date: \_\_\_\_\_

PVAR25-0003

Fee Paid: \$ \_\_\_\_\_ Date Received: \_\_\_\_\_

Employee Accepting Application (print name): \_\_\_\_\_

Rejected Date: \_\_\_\_\_ Rejected by: \_\_\_\_\_

Reason for Rejection: \_\_\_\_\_

\_\_\_\_\_

A. PROJECT NAME: LEGACY COTTAGES

B. LOCATION OF SUBJECT PROPERTY (PHYSICAL ADDRESS): LESLIE ST FLAGLER BEACH FL 32136

C. PROPERTY APPRAISER'S PARCEL ID NUMBER(S): 11-12-31-0650-000D0-0050

D. LEGAL DESCRIPTION: \_\_\_\_\_ Subdivision Name: \_\_\_\_\_

3.16 AC BUNNELL DEV CO SUBD BLOCK D PARCEL 350 FT ALONG NORTH PROJECTION OF JOYCE STREET, 267.29 FT DEEP ON WEST, 331.10 FT ON SOUTH BEING ALONG NORTH BDRY OF ACCESS ESMT, 320 FT ON EAST ALONG WEST BDRY OF HILLCREST SUBD & INC ACCESS ESMT OR 637 PG 899 OR 646 PG 506 OR 676 PG 1394 OR 993/550 OR 1814/1479 OR 2328/1146

Section: 11 Block(s): 000D0 Lot(s): 0050

E. SUBJECT PROPERTY ACRES / SQUARE FOOTAGE: 3.16

F. FUTURE LAND USE MAP DESIGNATION: MD EXISTING ZONING DISTRICT: GC

OVERLAY DISTRICT: \_\_\_\_\_

G. FLOOD ZONE:  FEMA COMMUNITY PANEL NUMBER: 12035C0232E DATE: 6/6/2018

H. CURRENT USE OF PROPERTY: Vacant Land

I. DESCRIPTION OF REQUEST/PROPOSED DEVELOPMENT (ATTACH ADDITIONAL SHEETS) \_\_\_\_\_

Requesting a variance to maintain the existing 40-foot utility easement along Joyce Street in lieu of the newly required 50-foot width. This request is being made in conjunction with the applicant's agreement to improve Joyce Street for the City, which will enhance public infrastructure and accessibility without necessitating the additional easement width. The proposed 40-foot easement is sufficient to accommodate necessary utilities while preserving the project's approved design and commitments

J. PROPOSED NUMBER OF LOTS (If Applicable): \_\_\_\_\_ Development Phasing: Yes  No



# CITY OF FLAGLER BEACH BUILDING AND PLANNING DEPARTMENT

K. LIST BELOW ANY APPLICATIONS CURRENTLY UNDER REVIEW OR RECENTLY APPROVED ASSOCIATED WITH THIS APPLICATION:

L. WATER/SEWER PROVIDER: CITY OF FLAGLER BEACH

M. EXISTING MORTGAGE? Yes  No

<b>OWNER:</b>	<b>APPLICANT/AGENT:</b>
Name: ALT Homes LLC - Terry M McNitt Jr	Name: Katie Crooke
Mailing Address: PO Box 503 Bunnell, FL 32110	Mailing Address: PO Box 503 Bunnell, FL 32110
Phone Number: 904.710.2397	Phone Number: 904.710.2397
E-mail Address: katie@thetrilegacygroup.com	E-mail Address: katie@thetrilegacygroup.com

<b>MORTGAGE HOLDER:</b>	<b>ENGINEER OR PROFESSIONAL:</b>
Name:	Name: Newkirk Engineering
Mailing Address:	Mailing Address: 1230 US Rte 1 STE 3 Ormond beach 32174
Phone Number:	Phone Number: 386-872-7794
E-mail Address:	E-mail Address:

<b>SURVEYOR:</b>	<b>LANDSCAPE ARCHITECT:</b>
Name:	Name:
Mailing Address:	Mailing Address:
Phone Number:	Phone Number:
E-mail Address:	E-mail Address:

<b>PLANNER:</b>	<b>TRAFFIC ENGINEER:</b>
Name:	Name:
Mailing Address:	Mailing Address:
Phone Number:	Phone Number:
E-mail Address:	E-mail Address:

<b>ATTORNEY OF RECORD:</b>	<b>DEVELOPER:</b>
Name:	Name:
Mailing Address:	Mailing Address:
Phone Number:	Phone Number:
E-mail Address:	E-mail Address:

I HEREBY CERTIFY THAT ALL INFORMATION ON THIS APPLICATION IS CORRECT:

Signature of owner OR person authorized to represent this application:

Signature(s): [Handwritten Signature]

Printed or typed name(s): Terry M McNitt Jr

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this 12 day of August 2021 by Terry M McNitt Jr. individual submitted by  Personal Knowledge  Satisfactory Evidence: Type \_\_\_\_\_

[Handwritten Signature]  
Signature of Notary Public, State of Florida

(SEAL)



**KATHERINE D. CROOKE**  
Notary Public  
State of Florida  
Comm# HH455358  
Expires 10/18/2027

11.22.21

GENERAL APPLICATION

## REQUIREMENTS

The following provides the requirements involving a variance request

### 1. Application Checklist

Information needed to complete the variance application includes:

- A. A description of the variance request. [See Attached](#)
- B. The property owner's name, address, telephone number and email address.  
[ALT Homes LLC: Terry M McNitt Jr, 3371 N State St Unit 1 Bunnell FL 32110, 386.931.6018, althomesllc@gmail.com](#)
- C. If the owner is not the applicant, the applicants name, address, telephone number and email address.
- D. Tax parcel number and address of parcel.     [11-12-31-0650-000D0-0050](#)
- E. Parcel size.   [3.16](#)

### 2. ADDITIONAL REQUIRMENTS CHECKLIST

The completed application must be returned to the Planning and Building Department with the following:

- A. A filing fee of \$700.00 plus \$35.00 Intake Fee. Additional fees for mailing notifications to adjoining property owners and public notices in newspaper. **All of these fees are non-refundable.**
- B. A notarized authorization form from the owner or the attorney representing the owner.
- C. A copy of the legal description.
- D. A signed and sealed survey of the property prepared by a Florida Registered Land Surveyor that shows the location and dimensions of existing and proposed structure(s) and distances of existing and proposed structure(s) from all lot lines and proposed improvement for which the variance is requested.
- E. A completed signed written petition for a variance.

**Description of Request:**

The applicant respectfully requests a variance to maintain the existing 40-foot utility easement along Joyce Street, rather than the newly required 50-foot width. This request is made in consideration of the applicant's agreement to fully improve Joyce Street for the City, which will significantly enhance public infrastructure, safety, and accessibility.

For nearly nine months, the applicant has made repeated efforts to secure the additional 10 feet of easement from adjacent property owners, but despite extensive outreach, these attempts have been unsuccessful and received no meaningful support.

Importantly, the City's previously approved plans for the project already locate all necessary utilities within the existing 40-foot easement, demonstrating that the width is sufficient to meet service and access requirements without the need for additional dedication.

The proposed 40-foot easement will avoid unnecessary delays, preserve the approved project design, and fully meet the intent of the easement requirement. By coupling this request with substantial roadway improvements at no cost to the City, the applicant is providing a clear public benefit that offsets the need for the additional easement width, thereby achieving the underlying goals of the code without requiring a full 50-foot dedication.

**Legal Description**

3.16 AC BUNNELL DEV CO SUBD BLOCK D PARCEL 350 FT ALONG NORTH PROJECTION OF JOYCE STREET, 267.29 FT DEEP ON WEST, 331.10 FT ON SOUTH BEING ALONG NORTH BDRY OF ACCESS ESMT, 320 FT ON EAST ALONG WEST BDRY OF HILLCREST SUBD & INC ACCESS ESMT OR 637 PG 899 OR 646 PG 508 OR 676 PG 1394 OR 993/550 OR 1814/1479 OR 2328/1146



City of Flagler Beach  
P.O. Box 70 \*800 S Daytona Avenue  
Flagler Beach, Florida 32136  
Phone (386) 517-2000 Fax (386) 517-2016

## Zoning Variance Application

Date:

Applicant: ALT Homes LLC - TJ McNitt Email: katie@thetrilegacygroup.com

Address: 3371 N State St Unit 1 Bunnell Fl 32110 Phone#: 904-710-2397

Owner of Subject Property: ALT Homes LLC: Terry M McNitt Jr

Address: 3371 N State St Unit 1 Bunnell Fl 32110 Email: althomesllc@gmail.com OR katie@thetrilegacygroup.com  
Phone#: 904-710-2397

Applicant Status:  Owner  Agent for Owner  Attorney for Owner  Contract Purchaser

This is a request for a Variance for a to maintain the current 40ft easement too allow for the improvements on Joyce St

on GC zoned property. The Comprehensive Plan Future Land Use designation is MD

Size or Parcel 3.16 Tax Parcel# 11-12-31-0650-000D0-0050

Address of Property 2401 Leslie St Flagler Beach Fl 32136

APPLICATION WILL NOT BE ACCEPTED UNLESS ALL OF THE FOLLOWING ARE ATTACHED:

- A. A filing fee of \$700.00 + \$35.00 intake fee, plus additional fees for mailing notifications to adjoining property owners and public notices in newspaper. All of these fees are non-refundable.
- B. A notarized authorization form from the owner or the attorney representing the owner.
- C. A copy of the legal description.
- D. A signed and sealed survey of the property prepared by a Florida Registered Land Surveyor that shows the location and dimensions of existing and proposed structure(s) and distances of existing and proposed structure(s) from all lot lines and proposed improvement for which the variance is requested.
- E. A completed signed written petition for a variance.

THIS IS TO CERTIFY THAT I AM THE OWNER OF THE SUBJECT PROPERTY DESCRIBED IN THIS VARIANCE PETITION. I HAVE READ THIS PETITION AND THE STATEMENTS CONTAINED HEREIN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.  
 SIGNATURE OF PETITIONER: [Signature] DATE: 8.12.25

### Owner Authorization

Property Address: 2401 Leslie St  
Flagler Beach FL 32136

Parcel Id: 11-12-31-0650-0050

AS OWNER, I AUTHORIZE \_\_\_\_\_ TO ACT AS MY AGENT IN THIS MATTER.  
 PRINT NAME, ADDRESS AND PHONE NUMBER OF REPRESENTATIVE, IF APPLICABLE.

NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_

STATE OF FLORIDA,  
 County of Flagler

Subscribed and Sworn to (or affirmed) before me by  
 \_\_\_\_\_

SIGNATURE OF OWNER

\_\_\_\_\_  
 OWNER'S NAME (Print/Type)

\_\_\_\_\_  
 ADDRESS (Street, City) & Phone Number

This \_\_\_ day of \_\_\_\_\_, 20\_\_ . Who is personally known to me or has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
 Commission Number & Expiration

\_\_\_\_\_  
 Notary Public

## VARIANCE APPLICATION -ATTACHMENT A

### VARIANCE STANDARDS

**The Planning and Architectural Review Board may grant variances only upon finding that the request meets the six standards set forth in Appendix A, Land Development Regulations, Section 8.05.13. Describe how your request meets each requirement.**

1. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other structures or buildings in the same zoning district;
2. That the special conditions and circumstances do not result from the actions of the applicant;
3. That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, buildings or structures in the same zoning district;
4. That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the applicant;
5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;
6. That the grant of the variance will be in harmony with the general intent and purpose of this ordinance, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

In advocating any variance, the planning and Architectural Review Board may prescribe appropriate conditions and safeguards in conformity with this ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the variance is advocated, shall be deemed a violation of this ordinance. The Planning and Architectural Review Board may prescribe a reasonable time limit within which the action for which the variance is required shall be begun or completed or both. Under no circumstances except as permitted above shall the Planning and Architectural Review board advocate a variance to permit use not generally or by special exception permitted in the zoning district involved or any use expressly or by implication prohibited by the terms of this ordinance in the zoning district. No nonconforming use of neighboring lands, structures or buildings in the same zoning district and no permitted use of lands, structures or buildings in other zoning districts shall be considered grounds for the advocacy of a variance.

## CHECKLIST OF REQUIRED ITEMS

The information and attachments requested as part of this application are the minimum necessary to determine compliance with the requirements of the City of Flagler Beach Zoning Ordinance. The City may require additional information, or waive certain requirements, at any time during the application process depending upon the nature of the variance request.

### ATTACHMENTS CHECKLIST:

DESCRIPTION OF HOW THIS APPLICATION MEETS THE SIX VARIANCE STANDARDS (Complete Attachment A, "Variance Standards")

WARRANTY DEED

OWNER'S AUTHORIZATION

OTHER AGENCY PERMITS (Certified statement re: required permits and copy of applications/ permits)

LOCATION MAP

SITE DEVELOPMENT PLAN (1"=20')

CURRENT SURVEY - To include:

- Wetlands jurisdiction line and wetlands buffer delineation (if applicable)
- Elevations relative to the National Geodetic Vertical Datum (NGVD)
- Spot elevations at property corners, and at least two intermediate points along side property lines and the high & low points along centerline of the property
- Proposed finished floor elevation
- Finished floor elevation of adjacent residences (if applicable)

DRAINAGE PLAN OR VERIFICATION OF EXISTING DRAINAGE IMPROVEMENTS (Wetlands, Mirror Lake Overlay District, Coastal Construction Zone (Additional Information as applicable or required)

BUILDING ELEVATIONS (Front, back, and side, showing height and setback compliance)

EXISTING / PROPOSED PLAN

12 COMPLETE SETS OF ALL REQUESTED MATERIALS

## Attachment A: Variance Standards

### Response to Variance Standards – Joyce Street Easement (Legacy Cottages)

1. **Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other structures or buildings in the same zoning district:**

The subject property is constrained by existing development patterns and adjacent privately owned parcels along Joyce Street. For nearly nine months, the applicant has made repeated efforts to obtain the additional 10 feet of easement required by current standards, but adjacent property owners have not granted consent. This condition is unique to this location and does not apply to other sites where full easement widths can be obtained through willing participation of neighboring owners.

2. **The special conditions and circumstances do not result from the actions of the applicant:**

The applicant does not require Joyce Street for project access but has voluntarily agreed to improve it as a public benefit to the City. The inability to obtain the additional 10 feet of easement results solely from adjacent property owners' refusal to grant it, despite the applicant's repeated efforts over the past nine months.

3. **Granting the variance will not confer on the applicant any special privilege denied to other lands, buildings, or structures in the same zoning district:**

Approval of the variance will not allow any use or development intensity beyond what was already contemplated and approved under the project's existing plans. The requested easement width of 40 feet is consistent with existing conditions in similar developments and does not provide the applicant with a competitive or development advantage over others in the district.

4. **Literal interpretation of the ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would cause unnecessary and undue hardship:**

Strict application of the 50-foot easement requirement would prevent the project from incorporating the planned Joyce Street improvements, despite the fact that all utilities are already designed and located within the existing 40-foot easement. This would create an undue hardship by requiring redesign, delays, and potential loss of public benefit, without any tangible gain to the City or the public.

5. **The variance requested is the minimum variance necessary to make possible the reasonable use of the land, building, or structure:**

The applicant is not seeking to eliminate the easement or reduce it below the existing 40 feet. The request is limited to maintaining the current width, which is already sufficient to accommodate utilities and meet operational needs, while still allowing the roadway improvements to move forward.

6. **The grant of the variance will be in harmony with the general intent and purpose of the ordinance and will not be injurious to the area or detrimental to public welfare:**

The variance aligns with the ordinance's intent to ensure adequate public infrastructure, as the existing 40-foot easement fully serves its purpose. Additionally, the applicant is committing to improve Joyce Street at no cost to the City, resulting in a direct public benefit. The variance will

DocuSign Envelope ID: 96A80185-A1D1-42C3-8076-A58445C64EDF

**Prepared By:**  
Olde Florida Title, LLC  
2561 Moody Blvd., Suite A-213 , PO BOX 813  
Flagler Beach, FL 32136

**Return To:**  
ALT HOMES LLC  
PO Box 789  
Bunnell, FL 32110

Order No.: FN210432

Property Appraiser's Parcel I.D. (folio) Number:  
11-12-31-0650-000D0-0050

**WARRANTY DEED**

THIS WARRANTY DEED dated November 2nd, 2021, by NuView Ira Inc., FBO Terri L. Speaks Ira, whose post office address is 280 Ronald Reagan Blvd, Suite 200, Longwood, Florida 32750 (the "Grantor"), to ALT HOMES LLC, a Florida Limited Liability Company whose post office address is PO Box 789, Bunnell, Florida, 32110 (the "Grantee").

(Whenever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the Grantor, for and in consideration of the sum of Ten And No/100 Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto the Grantee, all that certain land situated in County of Flagler, State of Florida, viz:

**PARCEL 1:**

A parcel of land lying South of State Road 100 within Government Section 11, Township 12 South, Range 31 East, Flagler County, Florida, being more particularly described as follows:

A POINT OF BEGINNING being the Northwest Corner of the South Half (1/2) of Tract 4, Block D, according to the Plat Bunnell Development Company, recorded in Map Book 1, Page 1, of the Public Records of Flagler County, Florida, said Northwest Corner being the northwest corner of Hillcrest Unrecorded Subdivision; thence South 01°20'27" East along the West line of Tract 4, Block D, a distance of 320.00 feet; thence departing Tract 4, Block D, South 88°39'33" West a distance of 331.10 feet; thence North 01°20'27" West a distance of 64.70 feet to a point on the boundary of lands recorded in Official Records Book 244, Page 576 through 578; thence North 05°21'24" West a distance of 287.29 feet; thence South 89°29'02" East along the south line of said lands recorded in Official Records Book 244, Pages 576 through 578, a distance of 350.00 feet to the POINT OF BEGINNING.

**PARCEL 2**

A parcel of land lying South of State Road 100 within Government Section 11, Township 12 South, Range 31 East, Flagler County, Florida, being more particularly described as follows:

A POINT OF REFERENCE being the Northwest corner of the South Half (1/2) of Tract 4, Block D, according to the Plat Bunnell Development Company, recorded in Map Book 1, Page 1, of the Public Records of Flagler County, Florida, said Northwest Corner being the northwest corner of Hillcrest Unrecorded Subdivision; thence South 01°20'27" East along the West line of Tract 4, Block D, a distance of 320.00 feet to the POINT OF BEGINNING of this description; thence continue South 01°20'27" East a distance of 80.00 feet; thence departing Tract 4, Block D, South 88°39'33" West a distance of 391.10 feet; thence North 01°20'27" West a distance of 128.86 feet to a point on the boundary of lands recorded in Official Records Book 244, Page 576 through 578; thence South 89°29'02" East along the south boundary line of said lands recorded in Official Records Book 244, Pages 576 through 578, a distance of 80.03 feet; thence departing said boundary South 01°20'27" East, a distance of 64.70 feet; thence North 88°39'33" east a distance of 331.10 feet to the POINT OF BEGINNING.

DS  


TS

Excepting herefrom any road right of way as now established

Grantor Warrants That Property Does Not Constitute Their Homestead Property

Subject to easements, restrictions, reservations and limitations of record, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in Fee Simple forever.

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to: 2021.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in presence of:

NuView Ira Inc., FBO Terri L. Speaks Ira

BY: [Signature]  
Its: Authorized Representative

Grantor Address:  
280 Ronald Reagan Blvd, Suite 200  
Longwood, FL 32750

[Signature]  
Witness Signature

Megan Brown  
Printed Name of First Witness

[Signature]  
Witness Signature

Vicente Antonorsi  
Printed Name of Second Witness

STATE OF FLORIDA

COUNTY OF Seminole

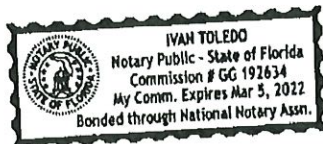
The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, 2nd of November, 2021, by Jason DeBord as Authorized Representative of NuView Ira Inc., FBO Terri L. Speaks Ira who is personally known to me or who has produced \_\_\_\_\_ as identification.

Witness my hand and official seal, this the 2nd of November, 2021.

[Signature]  
Notary Public:

My Commission Expires: 3/5/22

(SEAL) [Signature]



DB  
[Signature]

71

---

## RECORDED NOTICE OF ENVIRONMENTAL RESOURCE PERMIT

---

**Document Prepared By:**

St. Johns River Water Management District (SJRWMD)

**Return to:**

<b>Name</b>	<b>Office of Records &amp; Regulatory Support</b>
<b>Agency Name</b>	St. Johns River Water Management District
<b>Street Address</b>	4049 Reid Street
<b>City, State Zip</b>	Palatka, FL 32177

RE: Permit No.:	199375-1
Grantee:	Terry McNitt Alt Homes LLC
Parcel ID:	11-12-31-0650-000D0-0050
County:	Flagler

**Notice**

The SJRWMD hereby gives notice that Environmental Resource Permit No 199375-1 has been issued to authorize the construction or modification of a stormwater management system, works or other activities to serve the real-property described on Exhibit "A" attached hereto and made a part hereof ("Premises"). This property is subject to the requirements and restrictions set forth in Chapter 373, Florida Statutes and Rule 62-330, Florida Administrative Code.

Within thirty (30) days of any transfer of interest or control of that portion of the premises containing the stormwater management system, works or other activities (or any portion thereof), the permittee must notify the Agency in writing of the property transfer. Notification of the transfer does not by itself constitute a permit transfer. Therefore, purchasers of that portion of the premises containing the stormwater management system, works or other activities regulated by the Agency (or any portion thereof) are notified that it is unlawful for any person to construct, alter, operate, maintain, remove or abandon any stormwater management system, dam, impoundment, reservoir, appurtenant work, works, or other activities, including dredging or filling, (or any combination thereof), without first having obtained an environmental resource permit from the Agency in the purchaser's name.

Within thirty (30) days of the completion of construction of the stormwater management system, works or other activities regulated by the Agency, a signed and sealed construction completion certification must be submitted to Agency pursuant to the requirements of Rule 62-330.090(5), Florida Administrative Code.

This notice is applicable to property containing the regulated stormwater management system, works or other activities. For purposes of this notice only, these facilities include lakes, canals, swales, ditches, berms, retention or detention areas, water control structures, pumps, culverts, inlets, roads, and wetland mitigation areas, buffers and upland compensation areas, and docking facilities.

**Conditions**

The Permit is subject to the General Conditions set forth in Rule- 62-330.350, Florida Administrative Code. The Permit also contains additional Special Conditions. Accordingly, interested parties should closely examine the entire Permit, all associated applications, and any subsequent modifications.

**Conflict Between Notice And Permit**

This Notice of Permit is not a complete summary of the Permit. Provisions in this Notice of Permit shall not be used in interpreting the Permit provisions. In the event of conflict between this Notice of Permit and the Permit, the Permit shall control.

**This Notice Is Not An Encumbrance**

This Notice is for informational purposes only. It is not intended to be a lien, encumbrance, or cloud on the title of the premises.

**Release**

This Notice may not be released or removed from the public records without the prior written consent of the Agency.

This Notice of Permit is executed on this 1st day of April, 2024

Heather Middleton  
For Agency

Agency Contact: Office of Records and Regulatory Support (ORRS) Office Director

STATE OF: Florida

COUNTY OF: Putnam

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 1st day of April, 2024 by Heather Middleton, Records manager (name and title), of the St. Johns River Water Management District, who is personally known to me.

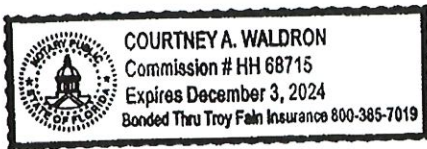
Courtney A. Waldron  
Notary Public Signature

[Notary Seal]

Courtney A. Waldron  
Printed/Typed Name

Commission Number: HH68715

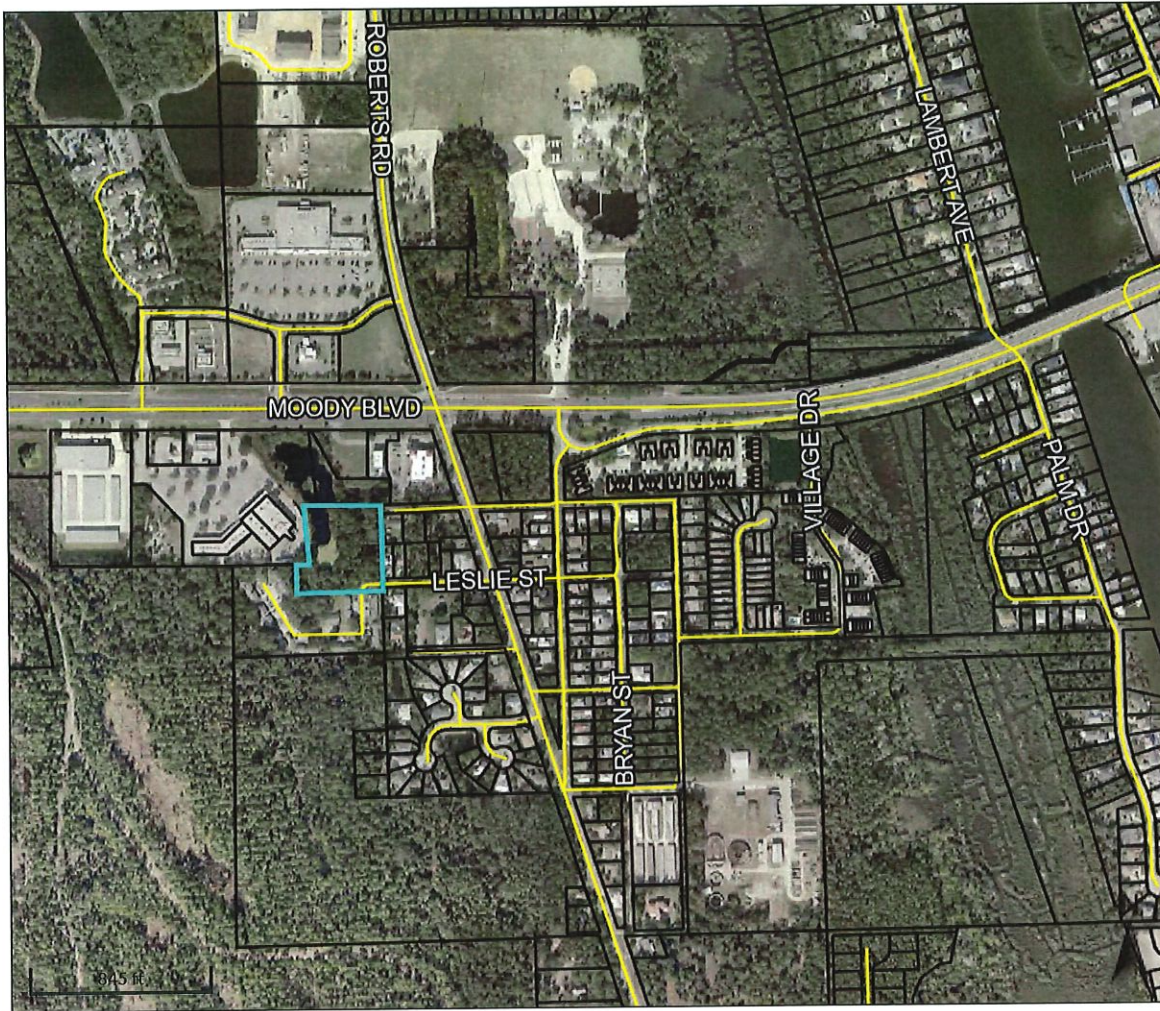
My Commission Expires: December 3, 2024



3.16 AC BUNNELL DEV CO SUBD BLOCK D PARCEL 350 FT ALONG NORTH PROJECTION OF JOYCE STREET,  
267.29 FT DEEP ON WEST, 331.10 FT ON SOUTH BEING ALONG NORTH BDRY OF ACCESS ESMT, 320 FT ON  
EAST ALONG WEST BDRY OF HILLCREST SUBD & INC ACCESS ESMTOR 637 PG 899 OR 646

Unofficial Copy

# FLAGLER COUNTY PROPERTY APPRAISER



## Overview



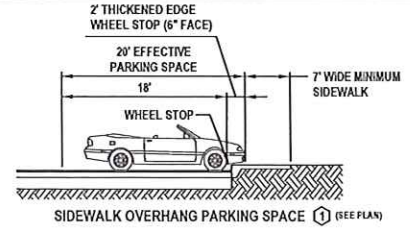
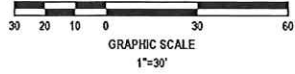
## Legend

- Parcels
- Roads
- Streams and Rivers

Parcel ID	11-12-31-0650-000D0-0050	Owner	ALT HOMES LLC 39 AUDUBON LANE FLAGLER BEACH, FL 32136	Land Value	\$393,970	Last 2 Sales							
Prop ID	78097			Ag Land Value	\$0	Date	11/22/2021	Price	\$425000	Reason	I	Qual	Q
Class Code	VACANT COMMERCIAL			Building Value	\$0	Date	12/27/2018	Price	\$240000	Reason	V	Qual	U
Taxing	21	Physical Address	2401 LESLIE ST	Misc Value	\$0								
District				Just Value	\$393,970								
GIS sqft	137,812.959			Assessed Value	\$318,811								
				Exempt Value	\$0								
				Taxable Value	\$318,811								

Date created: 8/12/2025  
Last Data Uploaded: 8/12/2025 11:18:33 AM

Developed by SCHNEIDER  
GEOSPATIAL



**PAVING LEGEND**

- ASPHALT PAVEMENT**
  - 1.5" SP-12.5 (TL-C) WITH TACK COAT PER FDOT SPECIFICATIONS
  - 6" CRUSHED CONCRETE (LBR-130) MIN OF 98% MODIFIED PROCTOR MAX DENSITY PER AASHTO T-100 (4" MAX LIFTS)
  - 12" STABILIZED SUBBASE (LBR 40) MIN OF 98% MODIFIED PROCTOR MAX DENSITY PER AASHTO T-100 (TYPE B STABILIZATION)
  - \*ALTERNATE 12" STABILIZED SUBBASE: 6.5" CRUSHED CONCRETE (LBR-130) MIN OF 98% MODIFIED PROCTOR MAX DENSITY PER AASHTO T-100 (4" MAX LIFTS) (TYPE B STABILIZATION)
  - \*ALTERNATE PAVEMENT TO ASPHALT IS CONCRETE PAVEMENT
- CONCRETE PAVEMENT**
  - 6" CONCRETE (4,000 P.S.I. @ 28 DAYS)
  - 12" STABILIZED SUBGRADE (LBR 40) MIN OF 98% MODIFIED PROCTOR MAX DRY DENSITY PER ASTM D1557, AASHTO T-100 (6" LIFTS) (TYPE B STABILIZATION). SEE DETAIL, SHEET No. 21 & 24
- CONCRETE SIDEWALK**
  - 4" THICK CLASS I CONCRETE (3,000 P.S.I. @ 28 DAYS)
  - PER FDOT INDEX 522-001 (SEE DETAIL, SHEET No. 20, 24 & 25)
- ARTIFICIAL TURF**
  - ARTIFICIAL TURF (INSTALL PER MANUFACTURER SPECIFICATIONS)

**LEGEND**

- TYPE 'F' CURB
- TYPE 'C' CURB
- MIAMI CURB
- 24" DETECTABLE WARNING MAT
- TRANSITION FROM 'F' CURB ENVIRONMENTAL CURB
- SITE LIGHTING
- SEE SITE LIGHTING PLAN FOR COMPLETE SPECIFICATIONS (SITE LIGHTING SHALL NOT EXCEED MORE THAN 0.5 FOOT-CANDLES AT THE PROPERTY LINE. ADD GLARE GUARDS IF REQUIRED.) (SEE SHEET, No. 29-30)
- FLOATING FOUNTAIN
- FOUNTAIN SPECIFICATIONS: MANUFACTURER - EAGLE FOUNTAINS MODEL - EFS-3000 (BIG FOUNTAIN) MOTOR - 230V, 1 PHASE
- 5' BENCH
- SEE DETAIL, SHEET No. 9

**SIDEWALK RAMP KEYNOTES:**

- (A) SIDEWALK CURB RAMP C (SEE DETAIL, SHEET No. 25)
- (B) SIDEWALK CURB RAMP E (SEE DETAIL, SHEET No. 25)
- (C) SIDEWALK CURB RAMP G (SEE DETAIL, SHEET No. 25)

**GENERAL NOTES:**

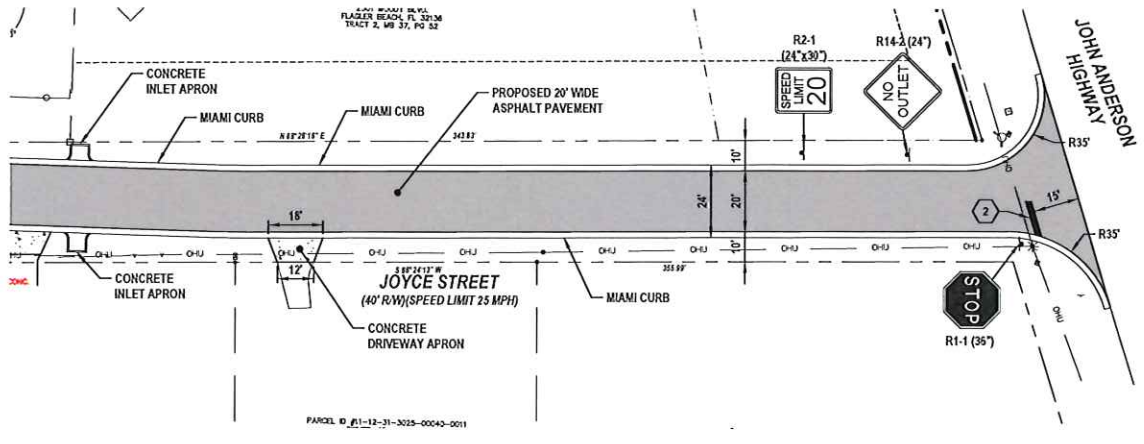
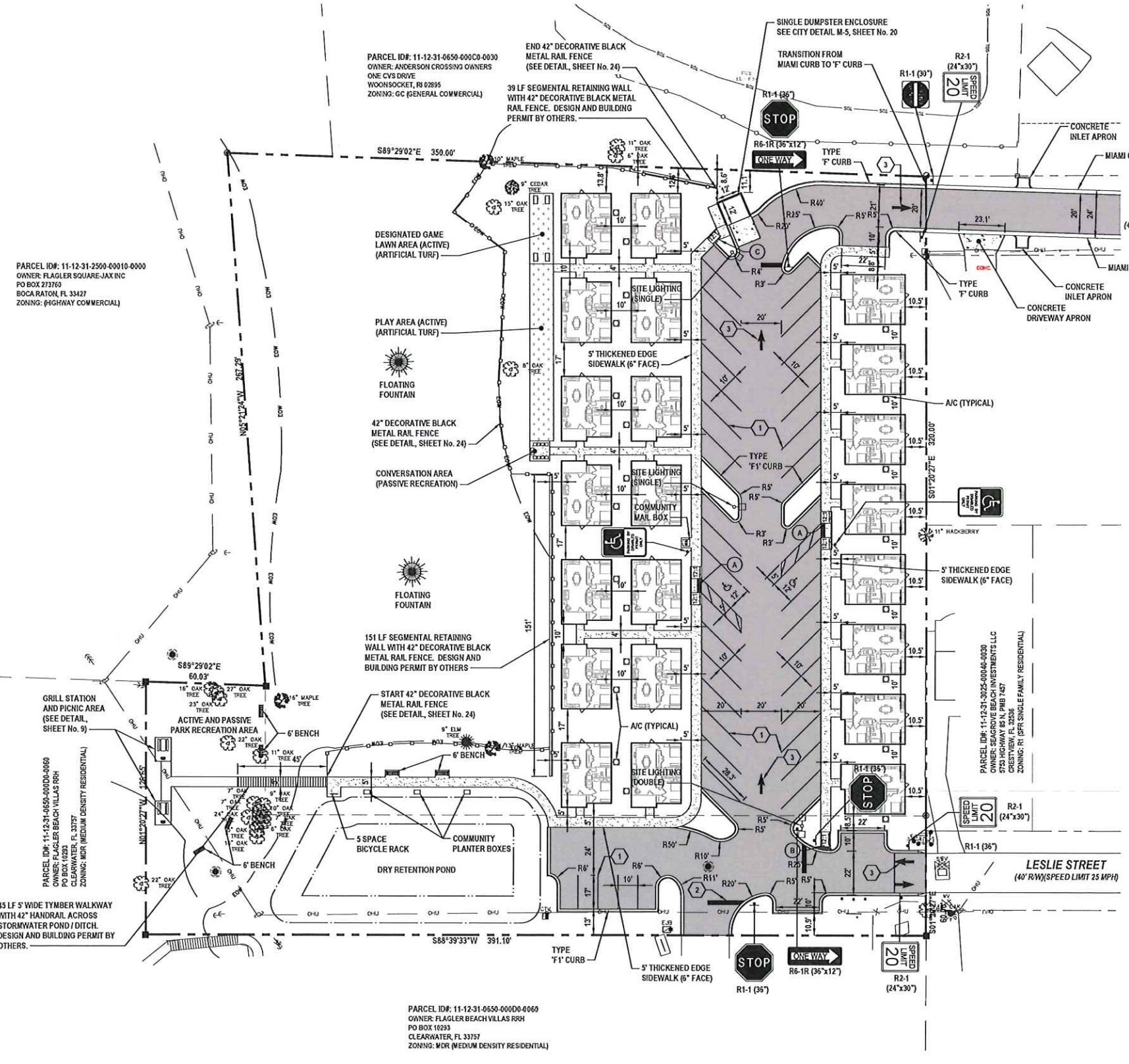
- CITY OF FLAGLER BEACH BUILDING PERMITS ARE REQUIRED FOR BUILDING, CANOPIES, DUMPSTER ENCLOSURE, LIGHT POLES, FENCE AND SIGNS. CONTRACTOR SHALL BE RESPONSIBLE FOR SUBMITTING APPROPRIATE INFORMATION (ENGINEERING, SPECIFICATIONS, ETC.) AT TIME OF BUILDING PERMIT.
- ALL CONSTRUCTION IN THE FDOT ROW SHALL CONFIRM TO THE LATEST EDITIONS OF THE FOOT DESIGN STANDARDS [INDEXES], THE FOOT STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION AND THE FOOT UTILITY ACCOMMODATION MANUAL.
- ALL DIMENSIONS AND TIES ARE TO THE EDGE OF PAVEMENT AND OUTSIDE FACE OF BUILDING.
- ALL IMPROVEMENTS SHALL BE STAKED FOR CONSTRUCTION BY MEANS OF DIGITAL COORDINATES BY SURVEYOR UTILIZING GEODETIC TOTAL STATION OR GPS. SCALING OF DRAWINGS FOR PURPOSES OF STAKING ARE AT THE SURVEYOR'S RISK.
- THE CONTRACTOR SHALL COORDINATE WITH THE EXISTING ADJACENT BUSINESSES TO ENSURE THERE IS NO DISRUPTION TO THEIR RESPECTIVE OPERATIONS.
- THE CONTRACTOR AT ITS OWN DISCRETION SHALL MAINTAIN THE CONSTRUCTION SITE SECURE FROM TRESPASS.
- SOD ALL DISTURBED AREAS IN RIGHT-OF-WAY WITH BAHIA SOD.
- ALL CURB RAMPS SHALL COMPLY WITH SECTION 408 OF FLORIDA ACCESSIBILITY CODE FOR BUILDING CONSTRUCTION (FACBC).
- ALL PAVEMENT EDGE SHALL HAVE TYPE 'F'-1" CURB UNLESS OTHERWISE NOTED ON THESE PLANS.
- ALL WALL-MOUNTED EQUIPMENT SUCH AS ELECTRICAL METERS, IRRIGATION METERS, PHONE/CABLE BOXES, EXTERNAL VENTS AND LOUVERS, ETC., SHALL BE PAINTED TO MATCH THE WALL ON WHICH IT IS MOUNTED OR OTHERWISE CONSISTENT WITH THE COLOR(S) OF THE BUILDING.
- ALL MATERIALS, MACHINERY AND VEHICLES SHALL BE STORED ON-SITE IN AN ORDERLY ORGANIZED FASHION.
- COMMERCIAL IMPACT FEE SHALL BE CALCULATED, DUE AND PAYABLE WITHIN 30 DAYS OF INITIATION OF PERMANENT ELECTRIC SERVICE.
- CONTRACTOR TO PROVIDE PREMISE IDENTIFICATION FOR BUILDING DURING CONSTRUCTION.
- THE PROPOSED FIVE FOOT SIDEWALK THAT CONNECTS TO THE EXISTING SIDEWALK ALONG SR-109 SHALL BE MAINTAINED BY THE PROPERTY OWNER.
- ALL PROPOSED CURBING SHALL BE TYPE 'F'.
- ALL COMPACTION SHALL BE 98% OF THE MODIFIED PROCTOR MAXIMUM DENSITY (AASHTO T-100).
- THE USES PROPOSED AS PART OF THIS SITE PLAN DO NOT REQUIRE A SUBMITAL OF A RISK MANAGEMENT PLAN (RMP) PURSUANT TO U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) REGULATIONS AND SHALL NOT EXCEED EPA'S RMP THRESHOLD QUANTITIES OF LISTED SUBSTANCES.
- THE SIGN PERMIT WILL BE UNDER SEPARATE APPLICATION TO BE REVIEWED BY THE CITY'S PLANNING AND ZONING DEPARTMENT.

**PAVEMENT MARKING NOTES:**

- PARKING STALL LINES AND LOADING ZONE PAVEMENT MARKINGS COMPLY WITH THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD), LATEST EDITION, AND MAINTAINED IN A CLEAR AND VISIBLE CONDITION.
- PAINTED PAVEMENT MARKINGS SHALL BE APPLIED AFTER PAVEMENT SURFACE HAS CURED. SURFACE SHALL BE FREE OF FINE SAND AND DEBRIS PRIOR TO APPLICATIONS.
- APPLY PAINTED PAVEMENT MARKINGS AT LAST STAGE OF CONSTRUCTION AFTER LANDSCAPE PLANTINGS ARE INSTALLED.
- PAINT SHALL BE SHERWIN WILLIAMS LOW-VOC ACRYLIC PRO PARK PAINT, APPLY PER MANUFACTURER'S RECOMMENDATIONS. REFER TO DRAWINGS FOR LOCATIONS OF SPECIFIC COLORS.
- ALL STOP BARS SHALL BE THERMOPLASTIC.
- ALL REFLECTIVE PAVEMENT MARKERS ARE TO BE PLACED IN ACCORDANCE WITH FDOT STANDARD INDEX NO. 706-101.
- LOCATION OF SIGNS IS APPROXIMATE ONLY AND IS SUBJECT TO CHANGE AS DIRECTED BY THE ENGINEER.
- FOR ADDITIONAL DETAILS SEE INDEX NO. 700-610, 700-101 AND 711-001.

**STRIPING KEYNOTES: (PER FDOT INDEX No. 711-001, ONLY THERMOPLASTIC IN RW)**

- (1) 6" SOLID WHITE LINE
- (2) 24" WHITE STOP BAR
- (3) WHITE DIRECTIONAL ARROW



**REVISIONS**

DATE	DESCRIPTION
12/10/24	CITY COMMENTS
12/19/24	CITY COMMENTS

1230 North US1, Suite 3  
Ormond Beach, Florida 32174  
Phone (386) 872-7794  
www.Newkirk-Engineering.com  
C.A. # 93209  
L.C. # 25000594  
C 2013  
Civil Engineering, CEI & Transportation  
Landscape Architecture



**SITE LAYOUT PLAN**  
**LEGACY POINTE COTTAGES**  
LESLIE STREET  
FLAGLER BEACH, FL 32136

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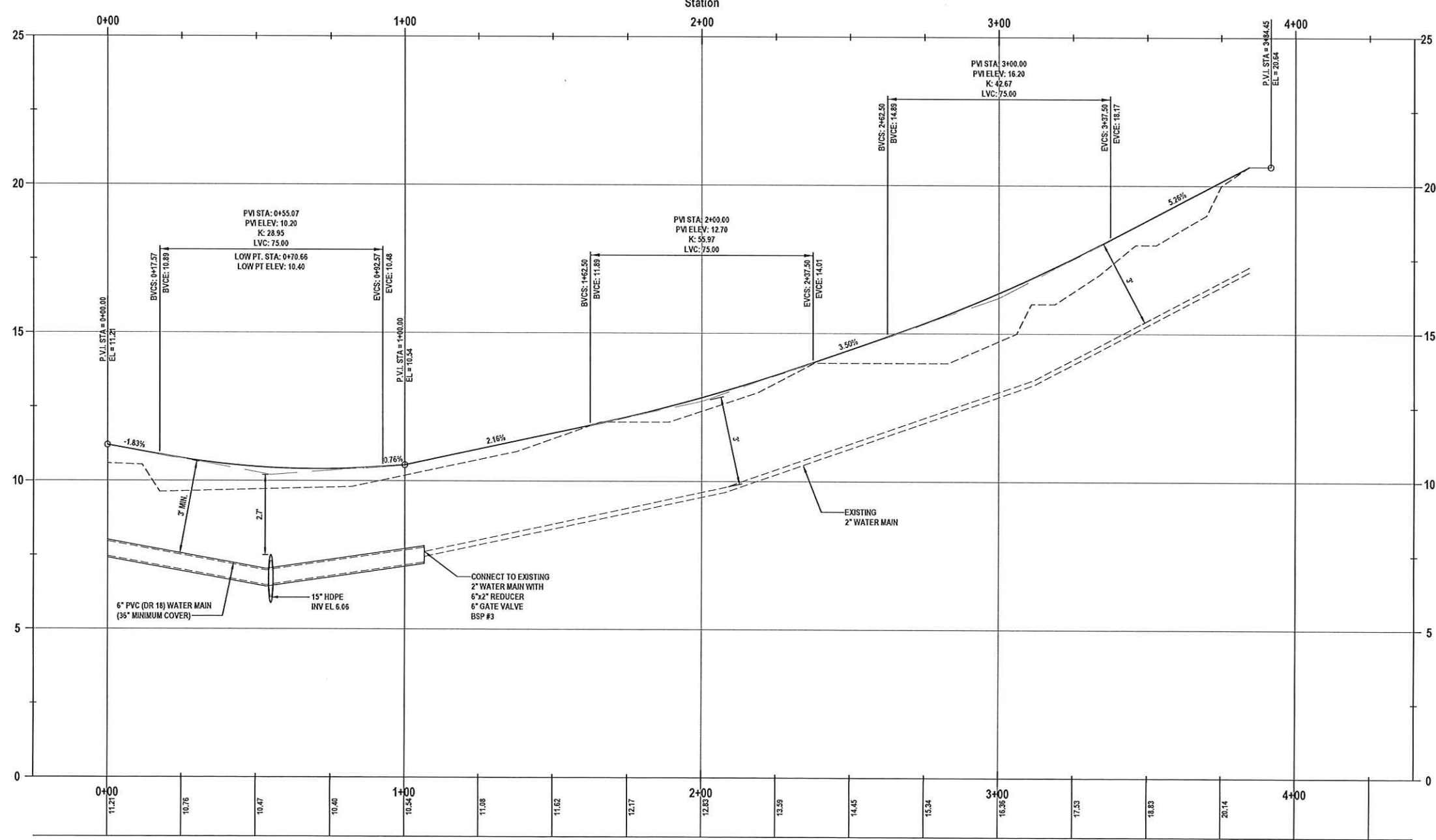
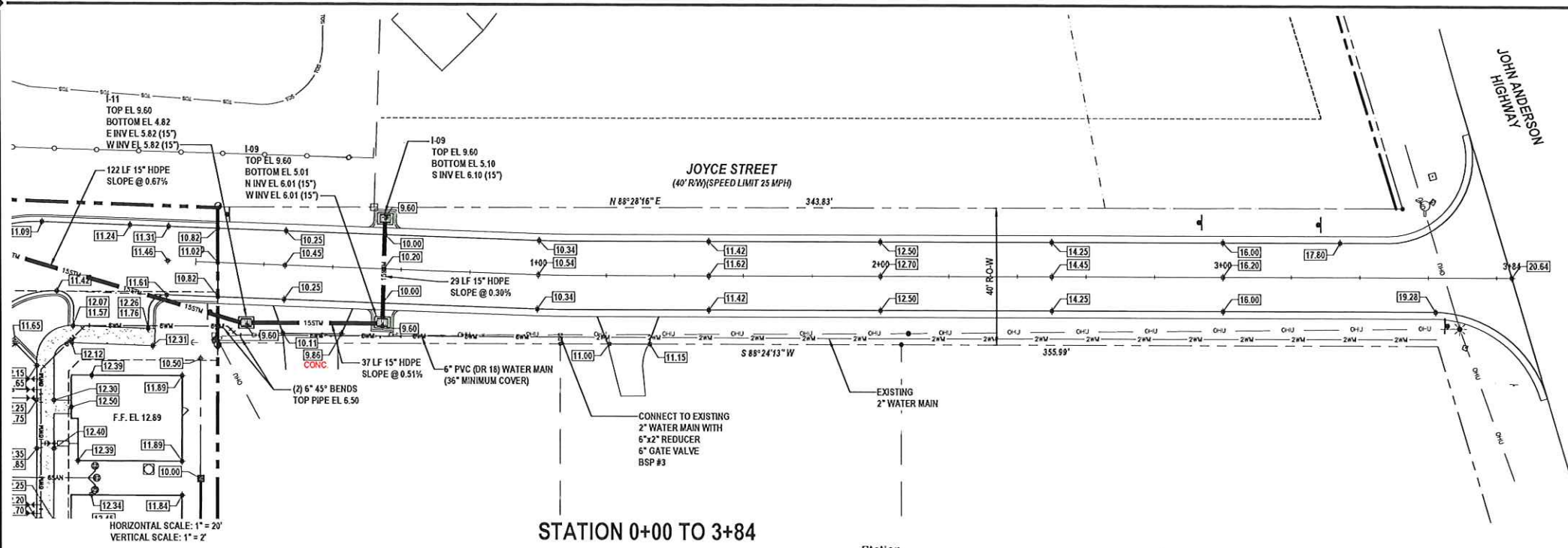
THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY HARRY NEWKIRK, PE # 62971 ON



PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

PROJECT No: 2023-17  
DATE: OCTOBER 2024  
DESIGN BY: HHN  
DRAWN BY: NWS  
CHECKED BY: HHN  
SCALE: 1" = 30'

DRAWING NUMBER



**UTILITY LEGEND**

- 11 PROPOSED 11.25" BEND
- 22 PROPOSED 22.5" BEND
- 45 PROPOSED 45° BEND
- 90 PROPOSED 90° BEND
- TEE PROPOSED TEE
- GV PROPOSED GATE VALVE
- FHA PROPOSED FIRE HYDRANT ASSEMBLY
- RPZ REDUCED PRESSURE BACKFLOW PREVENTER
- 1" x 1" PROPOSED 6"x1" SERVICE SADDLE, 1" CORPORATION STOP, 1" PE 3408 (SDR 9), 3/8" WATER METER. SEE CITY DETAIL W-3 ON SHEET 23.
- SSM PROPOSED SANITARY SEWER MANHOLE
- 6" W.M. PROPOSED 6" PVC CLASS 159 (DR-18) WATER MAIN (36" MIN. COVER)
- 6" S.M. PROPOSED 6" PVC SDR 26 SANITARY MAIN SLOPE @ 0.50% MIN.
- 6" S.S. PROPOSED 6" PVC SDR 26 SANITARY SERVICE WITH 2.0% MIN. SLOPE



**WARNING !!**  
CONTRACTOR SHALL TAKE ALL PRECAUTIONS DURING CONSTRUCTION TO AVOID CONTACT WITH EXISTING UNDERGROUND UTILITIES, GAS MAINS AND OVERHEAD ELECTRIC IN THE RIGHT-OF-WAY.

**REVISIONS**

DATE	DESCRIPTION

1239 North US1, Suite 3  
Ormond Beach, Florida 32174  
Phone (386) 872-7794  
www.NewKirkEngineering.com  
C.A. # 90209  
L.C. # 2600384  
C 2013  
Civil Engineering & Transportation CEI  
Landscape Architecture

**NEWKIRK ENGINEERING INC.**

**PLAN AND PROFILE**  
STA. 0+00 - 3+84  
**LEGACY POINTE APARTMENTS**  
LESLIE STREET  
FLAGLER BEACH, FL 32136

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PROJECT No: 2023-17  
DATE: OCTOBER 2024  
DESIGN BY: HHN  
DRAWN BY: NWS  
CHECKED BY: HHN  
SCALE: AS SHOWN

DRAWING NUMBER  
**18**  
Page 27 of 54

Serial Number  
25-00308F

# Observer

You. Your Neighbors. Your Neighborhood.  
**PalmCoastObserver.com**

Palm Coast Observer  
Published Weekly  
Palm Coast, Flagler County, Florida

COUNTY OF FLAGLER

STATE OF FLORIDA

Before the undersigned authority personally appeared Nancy Kay Raymond who on oath says that he/she is Publisher's Representative of the Palm Coast Observer a weekly newspaper published at Palm Coast, Flagler County, Florida; that the attached copy of advertisement,

being a Notice of Public Hearing

in the matter of September 2nd and September 11th

in the Court, was published in said newspaper by print in the

issues of 8/21/2025

Affiant further says that the Palm Coast Observer complies with all legal requirements for publication in chapter 50, Florida Statutes.

\*This Notice was placed on the newspaper's website and floridapublicnotices.com on the same day the notice appeared in the newspaper.

*N. Kay Raymond*  
Nancy Kay Raymond

Sworn to and subscribed, and personally appeared by physical presence before me,

21st day of August, 2025 A.D.

by Nancy Kay Raymond who is personally known to me.

*Sara Hubert*

Notary Public, State of Florida  
(SEAL)



### CITY OF FLAGLER BEACH PUBLIC HEARING NOTICE

Variance Application FVAR25-0003 - Legacy Pointe Cottages Development, 2401 Leslie Street. An application has been submitted requesting a variance related to Appendix A - Land Development Regulations, Article VIII, Section, 8.05.08. The request is to maintain the 40-foot (40') platted right-of-way (ROW) in lieu of a 50-foot right-of-way (ROW) required by the City of Flagler Beach's Standard Construction Details Index R-2.

The subject property is identified as Parcel ID No. 11-12-31-0650-000D0-0050 OR Legal Description 3.16 AC BUNNELL DEV CO SUBD BLOCK D PARCEL 350 FT ALONG NORTH PROJECTION OF JOYCE STREET, 267.29 FT DEEP ON WEST, 331.10 FT ON SOUTH BEING ALONG NORTH BDRY OF ACCESS ESMT, 320 FT ON EAST ALONG WEST BDRY OF HILLCREST SUBD & INC ACCESS ESMTOR 637 PG 899 OR 646 PG 508 OR 676 PG 1394 OR 993/550 OR 1814/1479 OR 2328/1146

A PUBLIC HEARING IS SCHEDULED TO BE HELD AT CITY HALL, 105 S. 2ND STREET, FLAGLER BEACH, FLORIDA AS FOLLOWS:

PLANNING AND ARCHITECTURAL REVIEW BOARD: TUESDAY, SEPTEMBER 2, 2025, AT 5:30 PM.

CITY COMMISSION: THURSDAY, SEPTEMBER 11, 2025, AT 5:30PM OR AS SHORTLY THEREAFTER.

ALL INTERESTED PARTIES ARE INVITED TO ATTEND.

PLEASE DIRECT ANY QUESTIONS TO THE CITY OF FLAGLER BEACH AT 386-517-2000 EXT. 231.

The public hearings may be continued to a future date or dates. The times and dates of any continuance of a public hearing shall be announced during the public hearing without any further published notice. The request will be heard at 5:30 PM, or as soon thereafter as possible, in the City Commission Chambers located at 105 South Second Street, Flagler Beach, Florida.

If a person decides to appeal against any decision made with respect to any matter considered at the above referenced hearings, he/she will need a record of the proceedings. For such purposes, it may be necessary to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

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 at 386-517-2000 Ext. 233 at least 48 hours prior to the meeting.

For further information about this request, please call the Planning & Zoning Department at (386) 517-2000 Ext. 231. More detailed information may be inspected by the public at the Planning & Zoning Department, 800 S. Daytona Avenue, Flagler Beach, during office hours.

Aug. 21 25-00308F

ParcelId	OwnerName	OwnerAddress1	OwnerAddress2	OwnerCityStZip	Country
11-12-31-3025-00040-0010	PARKER PAL JR		PO BOX 218	FLAGLER BEACH, FL 32136	
11-12-31-3025-00040-0030	SANTANA JUAN CARLOS	& NIURKA ROLO JTWROS	6001 SOUTHWEST 70TH STREET 445	SOUTH MIAMI, FL 33143	
11-12-31-3025-00080-0010	MIKLOS UTE & GIORGIO	SAURGNANI JTWROS	PO BOX 1276	FLAGLER BEACH, FL 32136	
11-12-31-3025-00080-0050	RICKE JOSEPH P		2323 MARLIN LANE	FLAGLER BEACH, FL 32136	
11-12-31-3025-00040-0040	CARUSO ALBERTA D LIFE ESTATE		2341 LESLIE STREET	FLAGER BEACH, FL 32136	
11-12-31-3025-00040-0011	BRADLEY K K	TRUSTEE	PO BOX 338	FLAGLER BEACH, FL 32136	
11-12-31-3025-00040-0050	GOBLER GWENDOLYN		PO BOX 2014	FLAGLER BEACH, FL 32136	
11-12-31-3025-00040-0012	BRADLEY K K	TRUSTEE	PO BOX 338	FLAGLER BEACH, FL 32136	
11-12-31-3025-00040-0060	KENNEDY RUTH J	LIFE ESTATE	2329 LESLIE ST	FLAGLER BEACH, FL 32136	
11-12-31-3025-00080-0070	NOLLMAN SCOTT B		2315 MARLIN LANE	FLAGLER BEACH, FL 32136	
11-12-31-3025-00040-0070	WOLFE EARL MACK		204 JOHN ANDERSON HWY	FLAGLER BEACH, FL 32136	
11-12-31-3025-00040-0080	BELHUMEUR RICHARD D		1015 S FLAGLER AVENUE	FLAGLER BEACH, FL 32136	
11-12-31-0650-000D0-0011	PALM COAST INTRACOASTAL LLC		3129 SPRINGBANK LANE	CHARLOTTE, NC 28226	
11-12-31-0650-000D0-0060	FLAGLER BEACH VILLAS RRH LTD		P.O. BOX 10293	CLEARWATER, FL 33757	
11-12-31-0650-000D0-0050	ALT HOMES LLC		39 AUDUBON LANE	FLAGLER BEACH, FL 32136	
11-12-31-2500-00010-0020	FLAGLER SQUARE-JAX INC		PO BOX 273760	BOCA RATON, FL 33427	
11-12-31-0650-000C0-0037	HIGHWAY 100 LLC		8051 N TAMIAMI TRAIL SUITE E6	SARASOTA, FL 34243	
11-12-31-0260-00000-0020	SCP 2009-C32-008 LLC	C/O CVS #7964-02/STORE ACCT	C/O CVS PO BOX 1610	COCKEYSVILLE, MD 21030	
11-12-31-0650-000C0-0030	ANDERSON CROSSING OWNERS	ASSOCIATION INC CVS PROPERTY TAX DEPT	ONE CVS DRIVE	WOONSOCKET, RI 02895	
11-12-31-0260-00000-0010	PRIMO WATERFRONT PROPERTIES	LLC	8838 WELLINGTON VIEW DR	WEST PALM BEACH, FL 33411	
11-12-31-2500-00010-0010	YOUNG & PATE II INC		1515 HWY 17 N	EAGLE LAKE, FL 33839	
11-12-31-2500-00010-0030	FLAGLER SQUARE-JAX INC		PO BOX 273760	BOCA RATON, FL 33427	
11-12-31-2500-00010-0000	FLAGLER SQUARE-JAX INC		PO BOX 273760	BOCA RATON, FL 33427	
13-12-31-0000-01010-0000	VERANDA BAY INVESTMENTS, LLC		3129 SPRINGBANK LN 201	CHARLOTTE, NC 28226	



# Staff Report

## Planning & Architectural Review Board Regular Meeting



September 2, 2025

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**To:** Planning & Architectural Review Board  
**From:** Lupita McClenning, Planner  
**Meeting Date:** September 2, 2025  
**Item Name:** ORDINANCE NO. 2025-16: AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING ARTICLE VI OF THE LAND DEVELOPMENT REGULATIONS RELATED TO SUBDIVISIONS AND PLATTING IN ORDER TO CONFORM TO FLORIDA STATE LAW AMENDMENTS REQUIRING ADMINISTRATIVE APPROVAL OF PLATS; PROVIDING FOR CONFLICTS AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

### Background:

Senate Bill 784, effective July 1, 2025, requires that a plat or replat submitted under "the Act," be administratively approved if the plat or replat complies with the requirements of s. 177.091, *Florida Statutes*. As such, Article VI, "Subdivisions," of Appendix "A," "Land Development Regulations," of the City of Flagler Beach Code of Ordinances is hereby amended in accordance with governing Florida Statutes and designates, and appoints the City Engineer as the administrative oversight for final plats.

### Fiscal Impact:

None

### Staff Recommendation:

Staff recommends that the PARB send Ordinance 2025-16 for City Commission approval requiring that a plat or replat be administratively approved if compliant with S. 177.091, Florida Statutes.

### Attachments:

1. Ordinance re platting\_DRAFT
2. 25-00309F Affidavit



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**ARTICLE VI. SUBDIVISIONS**

**Sec. 6.00.00. General.**

**Sec. 6.00.01. Compliance.**

No subdivision of land within the city shall be approved excepting in full compliance with the provisions of Sections 6.00.01 through 6.00.06 of this article.

**Sec. 6.00.02. Definitions.**

When used in Sections 6.00.01 through 6.00.06 the following terms shall have the meaning indicated:

*Building setback line:* A line within a lot or other parcel of land, so designated on the plat of the proposed subdivision, between which, and the adjacent boundary of the street upon which the lot abuts, the erection of an enclosed structure or portion thereof is prohibited.

*Building site:* That portion of a lot or parcel embracing a building foundation.

*City:* The City of Flagler Beach, Florida.

*Collector street:* A street which carries traffic from minor streets to the major street system, including the principal entrance streets or residence development and the primary circulating streets within such a development.

*Cul-de-sac:* A minor street having one (1) open end and being terminated at the other by a vehicular turnaround.

*Easement:* The quantity of land set aside or over which a liberty, privilege, or advantage in land without profit, existing distinct from the ownership of the land, is granted to the public or some particular person or part of the public.

*Final plat:* ~~A map or chart of a subdivision which has been accurately surveyed, and such survey marked on the ground so that streets, alleys, blocks, lots and other divisions thereof can be identified.~~ A map or delineated representation of the subdivision of lands, being a complete exact representation of the subdivision and other information in compliance with the requirement of all applicable sections of this part and of any local ordinances.

*Lot width:* The width of the lot measured along the minimum building setback line, except for lots which front on the concave side of a curving street, where the width of lot shall be measured sixty (60) feet back from the front lot line.

*Major street:* A public thoroughfare with a high degree of traffic continuity having a width established at seventy (70) feet or more by the thoroughfare plan established in the official plan of the city.

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75        *Owner:* Includes the plural as well as the singular and may mean either a natural person,  
76 firm, association, partnership, private corporation, public or quasi-public corporation or any  
77 combination of any of them.

78        *Planning commission:* The Planning and Architectural Review Board.

79        *Preliminary plat*~~Subdivision Plan~~: A map ~~or~~ and related documents describing a plan ~~of~~ for  
80 a proposed division or subdivision.

81        *Street:* A public or private thoroughfare which affords primary access by pedestrians and  
82 vehicles to abutting property.

83        *Subdivision* is a division of a lot, tract, or parcel of land into five (5) or more lots, or other  
84 divisions of land for the purpose; whether immediate or future, of transfer of ownership, building  
85 development, or redevelopment, including all changes in street or lot lines; provided, however,  
86 that divisions of land for agricultural purposes, in parcels of five (5) acres or more not involving  
87 any new street or easement of access, shall be exempted.

88        **Sec. 6.00.03. Lot design standards.**

89        The following standards shall apply to subdivisions within the city:

- 90        (1) Lot Standards and Building Setbacks shall be in accordance with Section 2.04.02.9,  
91        Zoning Schedule Two; Lot, Yard and Bulk Regulations.
- 92        (2) All public utility easements shall be a minimum of fifteen (15) feet in width.
- 93        (3) All street blocks shall be a minimum of four hundred (400) feet in length.

94        **Sec. 6.00.04. Subdivision improvements.**

- 95        (a) All street markers shall be in place showing plainly the names of the streets. Where such  
96 markers are placed at intersections, the name of each intersecting street shall be displayed  
97 on said marker.
- 98        (b) The minimum width of right-of-way for subdivision streets in the city shall be as follows:  
99 Fifty (50) feet for secondary streets; sixty (60) feet for collectors; seventy (70) feet for  
100 thoroughfares. All streets shall be paved by the owners, and the minimum width of the  
101 paving shall be as follows: twenty-eight (28) feet for secondary streets; thirty-two (32) feet  
102 for collectors; forty-two (42) feet for thoroughfares. The owners shall also install curbs and  
103 gutters along said streets, and the minimum paved area as described above shall be  
104 measured from the back of one (1) curb to the back of the opposite curb. Paving shall  
105 consist of a six-inch base and a double surface treatment.
- 106        (c) When required by the state board of health the owner shall install a sanitary sewage  
107 collection system that will serve all building sites as shown upon the subdivision plat. The  
108 plans for such sanitary sewage system shall be submitted to and approved by the state board  
109 of health and by the city prior to the commencement of the construction of such system.
- 110        (d) The owner shall install a water distribution system including fire hydrants. Said system shall  
111 meet the engineering requirements and specifications required by the city for the municipal  
112 water distribution system. The plans and specifications of such water distribution system

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113 shall be submitted to and approved by the city prior to the commencement of construction  
114 of said system.

115 **Sec. 6.00.05. Minimum elevation.**

116 The minimum average elevation of any building site in any subdivision in the city shall be  
117 in accordance with the requirements of Sections 4.05.00 Flood Damage Prevention through  
118 Section 4.06.05, Standards for areas of shallow flooding. The owner is hereby required to see  
119 that this minimum elevation is attained before any construction is commenced.

120 **Sec. 6.00.06. Waterway subdivision improvements.**

- 121 (a) In the event that the owner places any covenants or restrictions on the construction of  
122 boathouses, docks and/or the development of beach property within the subdivision, such  
123 covenants and restrictions must be on the plat of record.
- 124 (b) The minimum waterway width for waterways within the subdivision shall be seventy (70)  
125 feet from sea wall to sea wall for waterways. All waterways and adjoining "finger fills"  
126 shall be so designated and constructed as to prevent stagnation in said waterways and to  
127 enhance tidal action. If sea walls are required, the plans and specifications for the  
128 construction of said sea walls shall be submitted to and approved by the city before the  
129 commencement of said construction, and said sea walls shall be constructed along the entire  
130 length of the proposed waterway.
- 131 (c) The maximum projection of boathouses, docks, or other projections into the waterway shall  
132 be ten (10) feet.
- 133 (d) In the event that waterfront property is developed without the use of sea walls, then in that  
134 event the election of the property shall descend to the water level at the rate of one (1) foot  
135 of vertical descent for each twelve (12) feet of horizontal distance from the lot line to a  
136 minimum depth of five (5) feet of water at mean low water level.

137 Methods of enhancing tidal flow. Dead-end canals which connect to the Intracoastal  
138 Waterway or the saltwater marshes shall be prohibited. The subdivider shall indicate on the  
139 paving and drainage plans any proposed methods to augment tidal action to prevent stagnation in  
140 canals.

141 **Sec. 6.00.07. Submission of ~~preliminary and final plans~~ subdivision plans to planning and  
142 architectural review board.**

- 143 (a) Under the existing subdivision ordinances of the city, it shall be required that an applicant,  
144 at least thirty (30) days prior to such time as such plan shall be submitted to the city  
145 commission, submit preliminary plans of the proposed subdivision to the planning and  
146 architectural review board and to the city clerk for review by the city attorney, city engineer  
147 and city building official for their comments and recommendations to the city commission.  
148 After the city commission has reviewed comments and recommendations on the preliminary  
149 plans and has made its comments and recommendations on the preliminary plans, final  
150 plans ~~for plat approval~~ shall be likewise submitted thirty (30) days prior to the time such

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151 final plant approval is to be considered by the city commission, to the planning and  
152 architectural review board for comments and recommendations and to the city clerk for  
153 review by the city attorney, city engineer and city planning and zoning director for  
154 comments and recommendations to the city commission. Based on competent substantial  
155 evidence received during public hearing, the city commission may approve, approve with  
156 conditions, or deny the final plan.

157 (b) Approval of the preliminary plans shall be construed as authority for submitting a final  
158 plans. The final plans shall conform substantially to the preliminary plans as approved, and  
159 may constitute only that portion of the approved preliminary plans which the subdivider  
160 proposes to record and develop at the time, provided that such portion conforms to all  
161 requirements of this chapter.

162 (c) Approval of the final plans shall be construed as authority for submitting a final plat. The  
163 final plat shall conform to the final plan as approved by the city commission.

164 (d) Final plats shall be approved in accordance with governing Florida Statutes. In accordance  
165 with governing statutes, the city engineer is designated the

166 ~~The commission hearing for final plat approval shall be a public hearing with notice duly~~  
167 ~~published ten (10) days prior to such meeting.~~

168 **Sec. 6.00.08. Final plat procedure. RESERVED.**

169 ~~(a) *Acquisition of certificate of concurrency.* Prior to submission of the final plan for review~~  
170 ~~and approval, the owner or his agent must acquire a "certificate of concurrency" from the~~  
171 ~~city planning and zoning director. This certificate must be submitted with the final plat~~  
172 ~~before a review will be conducted by the city engineer.~~

173 ~~(b) *Submission of final plat for approval.* Whenever the provisions of these regulations have~~  
174 ~~been complied with and while the approval of the preliminary plat is in effect, the applicant~~  
175 ~~shall submit the final plat for approval.~~

176 ~~(c) *Step 1: Submission of final plat for review.* The city clerk will be responsible for securing~~  
177 ~~the signatures of the city attorney and the city commissioners. It will be the applicant's~~  
178 ~~responsibility to submit the final plat to the city engineer no later than three (3) weeks prior~~  
179 ~~to the regularly scheduled meeting of the city commission at which it is to be considered.~~  
180 ~~The final plat shall conform essentially to the preliminary plat as approved and, at the~~  
181 ~~option of the subdivider, may constitute only that portion of the approved preliminary plat~~  
182 ~~which he proposes to record and/or develop at the time; provided, however, that such~~  
183 ~~portion conforms to all requirements of these regulations.~~

184 ~~(d) *Step 2: City commission action.* Whenever a final plat has been submitted to the city~~  
185 ~~commission and is in conformance with an approved preliminary plat and the provisions of~~  
186 ~~article 7.2, the city commission shall consider and take action on the plat. Final approval by~~  
187 ~~the city commission shall not be shown on the final plat until all requirements of these rules~~  
188 ~~and regulations have been met, the city engineer has certified that:~~

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- 189           ~~(1) All improvements and installations to the subdivision required for its approval under~~  
190           ~~the terms of these rules and regulations have been completed in accordance with the~~  
191           ~~appropriate specifications; or~~
- 192           ~~(2) A surety has been provided by the subdivider or developer to satisfy the requirements~~  
193           ~~of article 6.1(3). Approval by city commission shall appear on the original tracing.~~
- 194           ~~(e) *Step 3: Submission of final plat for recording.* Upon final plat approval by the city~~  
195           ~~commission, the applicant shall submit the original and one (1) copy of the approved final~~  
196           ~~plat to the clerk of the circuit court for recording.~~
- 197           ~~(f) *Effect of approval.* Approval of the final plat by the city commission shall, upon completion~~  
198           ~~of work by the subdivider or developer, be deemed an acceptance of the dedication of the~~  
199           ~~streets and other public land as shown upon said plat on behalf of the public, unless~~  
200           ~~otherwise indicated. However, nothing herein shall be construed as creating an obligation~~  
201           ~~upon the city commission to perform any act of construction or maintenance within such~~  
202           ~~dedicated area.~~

203           **Sec. 6.00.09. Period of validation.**

204           An approved final subdivision plat shall be considered valid so long as:

- 205           (1) Development has commenced and is continuing in good faith; or
- 206           (2) Development is progressing in accordance with a schedule specified as part of the
- 207           development approval; or
- 208           (3) A period of inactivity has not occurred in excess of three (3) years.

209           **Sec. 6.00.10. Conformance to Comprehensive Plan.**

210           All proposed subdivisions shall conform to the City of Flagler Beach Comprehensive Plan  
211           2000, its associated Future Land Use Map, the City Concurrency Management Plan and pertinent  
212           land development regulations.

213           **Sec. 6.00.11. Stormwater management.**

214           A stormwater management plan shall be provided for the subdivision. This plan shall be  
215           prepared in accordance with the interim performance and design standards specified in the city's  
216           adopted stormwater management ordinance.

217           **Sec. 6.00.12. Planned Unit Development.**

218           The standards and requirements of this ordinance may be modified by the city commission  
219           after recommendation by the planning and architectural review board when a plan and program  
220           is submitted for a planned unit development. This shall include innovations such as cluster  
221           housing and mixed land use communities. The plan and program for such development shall, in  
222           the opinion of the planning commission, provide adequate open spaces and improvements for the  
223           circulation, recreation, light, air and service needs of the tract when fully developed and  
224           populated and shall also provide such covenants, restrictions, financial guarantees and other legal  
225           assurances as determined necessary by the city attorney to guarantee conformity and

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226 achievement of the plan. Such a development may increase the density of the area affected, as  
227 permitted by applicable policies of the Comprehensive Plan Future Land Use element and  
228 associated Zoning Code.

229 **Sec. 6.00.13. Internal circulation.**

230 Dedicated roads within subdivisions must meet the city's paving standards. Subdivisions of  
231 mixed-use land uses must provide for bicycle paths and pedestrian walkways between housing  
232 and on-site commercial/recreation locations.

233 **Sec. 6.00.14. Provision for facility sites.**

234 Where the demands placed upon infrastructure by the subdivision will require land upon  
235 which to construct supporting infrastructure facilities (example: fire station, school, etc.), the  
236 subdivision may be required to provide a parcel of land sufficient to support the subject  
237 infrastructure facility.

238 **Sec. 6.00.15. Demonstration that development meets land regulations.**

- 239 (a) Any subdivision that currently exists within the City of Flagler Beach which has not been  
240 developed and is not currently under construction in accordance with the city's current land  
241 development regulations, and where roadways and utilities have not been constructed, is  
242 declared by the city commission to be un-developable unless within six (6) months of the  
243 effective date of this section, the developer of such a subdivision demonstrates by  
244 competent, substantial evidence to the city commission's satisfaction that development of  
245 the subdivision can meet all the land development regulations currently in effect. Unless  
246 actual construction begins within one (1) year of a favorable determination by the  
247 commission, the city's determination will expire and be of no further force nor effect.
- 248 (b) Anyone seeking a building permit in those undeveloped paper subdivisions may not rely  
249 upon the City of Flagler Beach to provide any infrastructure such as roadways and utilities.

250 **Secs. 6.00.16—6.00.20. Reserved.**

251 **Sec. 6.01.00. Minor Subdivision and Platting.**

252 **Sec. 6.01.01. Purpose.**

253 Minor subdivision and platting or re-platting requirements are established in order to ensure  
254 that adequate infrastructure is installed and available for development to prevent hazards due to  
255 traffic, flooding, unsanitary conditions, or other causes, permit development in an orderly  
256 physical pattern, and prevent undue burdens or cost to the public.

257 **Sec. 6.01.02. Definitions.**

258 "Minor subdivision" shall be the division of a parcel of land into four (4) or less parcels.

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259 **Sec. 6.01.03. Procedure.**

260 Minor subdivision plans shall be subject to review by the planning and architectural review  
261 board and approval by the city commission in a public hearing.

262 **Sec. 6.01.04. Criteria.**

263 Minor subdivisions shall be reviewed and approved in accordance with the minimum lot  
264 requirements, infrastructure, access of a minimum twenty (20) feet abutting a dedicated public  
265 street and utility requirements of this Code of Ordinances. Nothing in this article shall permit the  
266 creation of any new lots which are in violation of the subdivision covenants or deed restrictions.

267 **Sec. 6.01.05. Effect of approval.**

268 No sale or contract for sale of lots shall be made, no dedication of streets shall be accepted,  
269 and no building permit shall be issued for construction on any parcel until a minor subdivision  
270 plan has been approved, ~~and the final plat or deed has been recorded in the public records of the~~  
271 ~~county.~~

272 **Sec. 6.01.06. Amendment of map.**

273 The official map of the city will be amended to reflect the new lots if a new plat is recorded.

274 **Secs. 6.01.07—6.01.27. Reserved.**

275 **Sec. 6.02.00. Subdivision Control for Manufactured and Conventional Dwellings.**

276 **Sec. 6.02.01. Definitions.**

277 The following definitions shall apply to this article:

278 *Conventional dwelling:* A dwelling unit constructed on the site where it is to be occupied  
279 and constructed to the Standard Building Code promulgated by the Southern Building Code  
280 Congress and as adopted by the City Commission of the City of Flagler Beach, Florida.

281 *Manufactured dwelling:* A dwelling unit fabricated in a manufacturing facility and bearing a  
282 seal certifying that it is constructed to standards as adopted under the authority of F.S. Ch. 553  
283 and the rules adopted by the Florida Department of Community Affairs. The manufactured  
284 dwelling shall be governed by the same requirements and regulations imposed on site built  
285 conventional dwellings including but not limited to: local land use and zoning requirements, fire  
286 zones, property line requirements, subdivision control, on-site installation, site preparation,  
287 clearing, grading, swales, driveways, footings/foundations, electric service installation,  
288 mechanical installation, water and sewer line installation, building setbacks, building height,  
289 minimum square footage of living area, tree protection requirements and other  
290 architectural/aesthetic requirements identified in this article.

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291 **Sec. 6.02.02. Installation, architectural and aesthetic regulations applicable to the city.**

- 292 (a) All structures shall at a minimum be designed and constructed in accordance with section  
293 1606 of the 1994 edition of the Standard Building Code, as published by the Southern  
294 Building Code Congress International, Inc.
- 295 (b) All conventional and manufactured dwellings within the City of Flagler Beach shall be  
296 erected with continuous perimeter stem wall foundations or monolithic foundation floor slab  
297 systems that meet all criteria of the Standard Building Code as adopted by Flagler Beach.  
298 Exterior walls of dwellings shall bear directly on the foundation. Isolated elevated pier  
299 foundations are not permitted. Interior load bearing foundations and/or walls shall be  
300 continuous.
- 301 (c) All dwellings within the City of Flagler Beach shall have the electrical service entrance  
302 located on the dwelling.
- 303 (d) The exterior face of all foundation of stem wall and/or monolithic design within the City of  
304 Flagler Beach shall be architecturally finished. Examples of acceptable finishes are Portland  
305 cement stucco, brick, stone, siding materials or other durable material approved by the  
306 building department.
- 307 (e) If the exterior face, the distance between the adjacent exterior grade and the finished floor,  
308 of any exposed foundation exceeds eighteen (18) inches in the vertical direction, landscape  
309 screening is required for foundations fronting public streets.

310 **Sec. 6.02.03. Permits and inspections.**

- 311 (a) All dwelling units within the City of Flagler Beach must obtain a building permit from  
312 Flagler Beach prior to any site preparation, start of construction or being located on site.
- 313 (b) All dwelling units within the City of Flagler Beach must be inspected for compliance with  
314 Flagler Beach rules and regulations and must obtain a certificate of occupancy.
- 315 (c) Plans and specifications for manufactured dwelling units within the City of Flagler Beach  
316 must be approved by the Florida Department of Community Affairs and comply with all  
317 Flagler Beach requirements.
- 318 (d) Plans and specifications for conventionally constructed dwelling units within the City of  
319 Flagler Beach must comply with the requirements of the Standard Building Code and all  
320 Flagler Beach regulations.

321 \* \* \*

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323 **SECTION 3. Severability.** If any section, sentence, phrase, word or portion of this  
324 Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not  
325 be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase,  
326 word or portion of this Ordinance not otherwise determined to be invalid, unlawful or  
327 unconstitutional.

328



Serial Number  
25-00309F

# Observer

You. Your Neighbors. Your Neighborhood.  
**PalmCoastObserver.com**

Palm Coast Observer  
Published Weekly  
Palm Coast, Flagler County, Florida

COUNTY OF FLAGLER

STATE OF FLORIDA

Before the undersigned authority personally appeared Nancy Kay Raymond who on oath says that he/she is Publisher's Representative of the Palm Coast Observer a weekly newspaper published at Palm Coast, Flagler County, Florida; that the attached copy of advertisement,

being a Public Announcement

in the matter of Ordinances 2025-16 and 2025-17

in the Court, was published in said newspaper by print in the

issues of 8/21/2025

Affiant further says that the Palm Coast Observer complies with all legal requirements for publication in chapter 50, Florida Statutes.

\*This Notice was placed on the newspaper's website and floridapublicnotices.com on the same day the notice appeared in the newspaper.

*N. Kay Raymond*  
Nancy Kay Raymond

Sworn to and subscribed, and personally appeared by physical presence before me,

21st day of August, 2025 A.D.

by Nancy Kay Raymond who is personally known to me.

*Sara Hubert*

Notary Public, State of Florida  
(SEAL)



### PUBLIC NOTICE

The City of Flagler Beach proposes to adopt the following ordinances entitled:  
Ordinance 2025-16

An Ordinance by the City Commission of the City of Flagler Beach, Florida, amending Article VI of the Land Development Regulations related to subdivisions and platting in order to conform to Florida state law amendments requiring administrative approval of plats; providing for conflicts and severability; and providing an effective date.

### Ordinance 2025-17

An Ordinance of the City of Flagler Beach, Florida, amending the Code of Ordinances related to signs; amending the method of calculation copy area of window signs; clarifying provisions related to event signage in public parks; providing allowance for certain event signage in city rights-of-way; providing for conflicts; providing for severability; and providing for an effective date.

Public Hearings will be conducted to consider the amendments as follows:

Planning & Architectural Review Board  
Tuesday, September 2, 2025 @ 5:30 p.m. or soon thereafter.

City Commission: Thursday, September 11, 2025 @ 5:30 p.m. or soon thereafter & Thursday, September 25, 2025 @ 5:30 p.m. or soon thereafter

The public hearings may be continued to a future date or dates. The times and dates of any continuance of a public hearing shall be announced during the public hearing without any further published notice. The request will be heard at 5:30 PM, or as soon thereafter as possible, in the City Commission Chambers located at 105 South Second Street, Flagler Beach, Florida. If a person decides to appeal against any decision made with respect to any matter considered at the above referenced hearings, he/she will need a record of the proceedings. For such purposes, it may be necessary to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. 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 at 386-517-2000 Ext. 233 at least 48 hours prior to the meeting.

Aug. 21 25-00309F



# Staff Report

## Planning & Architectural Review Board Regular Meeting



September 2, 2025

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**To:** Planning & Architectural Review Board  
**From:** Lupita McClenning, Planner  
**Meeting Date:** September 2, 2025  
**Item Name:** ORDINANCE NO. 2025-17: AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES RELATED TO SIGNS; AMENDING THE METHOD OF CALCULATION COPY AREA OF WINDOW SIGNS; CLARIFYING PROVISIONS RELATED TO EVENT SIGNAGE IN PUBLIC PARKS; PROVIDING ALLOWANCE FOR CERTAIN EVENT SIGNAGE IN CITY RIGHTS-OF-WAY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

### Background:

Sections of Article VII of the Land Development Code are amended following business owners' input specifically for the calculation of copy area; and input from the public related to temporary signage at public parks for public events; and for temporary signs includes a definition, size, placement, number of signs allowed, and length of time before and after an event.

### Fiscal Impact:

None

### Staff Recommendation:

Staff recommends the PARB send to the City Commission for approval Ordinance 2025-17 amending certain sections Article VII, Signage as described in the ordinance.

### Attachments:

1. Sign Ordinance (081825)
2. 25-00309F Affidavit



46 \* \* \*

47 **Sec. 7.06.10. Signs on or over public property.**

48 A. Except as otherwise provided herein, no person except the governmental entity owning the  
49 property shall erect a sign on or over any public right-of-way or public property.

50 B. Temporary signs in city public parks shall be allowed for events to be held at the public  
51 park which are open to the public upon application for a permit, pursuant to this article.  
52 Applicants shall not be required to provide a bond or public liability insurance unless a  
53 temporary sign is associated with a special event required to be permitted under the city's  
54 Code of Ordinances. Standards for such signs in city parks are governed by Section 7.07.03.

55 \* \* \*

56 D. Temporary signs in city rights-of-way shall be allowed for public events that have been  
57 specifically approved by the city to occur within a public park. Such signs shall be located  
58 no more than one mile from the event, shall not exceed four square feet in sign copy area,  
59 and shall not exceed thirty-six (36) inches in total height. Such signs shall be separated  
60 from each other by at least 100 yards. No sign shall be placed in a manner to create a  
61 pedestrian or vehicular hazard. Such signs shall placed no earlier than twenty four (24)  
62 hours prior to the event and shall be removed no later than twenty-four (24) hours after the  
63 event. Prior to placing any signs, the applicant shall obtain written administrative approval  
64 from the City for the sign placement.

65

66 **SECTION TWO. Ordinances in Conflict.** All ordinances or parts thereof, which may be  
67 determined to be in conflict herewith, are hereby repealed and superseded by this Ordinance, to  
68 the extent of such conflict.

69 **SECTION THREE. Severability.** If any section, sentence, phrase, word or portion of this  
70 Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not  
71 be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase,  
72 word or portion of this Ordinance not otherwise determined to be invalid, unlawful or  
73 unconstitutional.

74 **SECTION FOUR. Codification.** It is the intent of the City Commission of the City of Flagler  
75 Beach that the provisions of this Ordinance shall be codified. The codifier is granted broad and  
76 liberal authority in codifying the provisions of this Ordinance.

77 **SECTION FIVE. Effective Date.** This Ordinance shall become effective immediately upon its  
78 passage and adoption.

79 PASSED ON FIRST READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2025.

80 PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.

81 CITY OF FLAGLER BEACH, FLORIDA  
82 CITY COMMISSION

83

84

85

---

Patti King, Mayor

86 ATTEST:

87

---

Penny Overstreet, City Clerk

Serial Number  
25-00309F

# Observer

You. Your Neighbors. Your Neighborhood.  
**PalmCoastObserver.com**

Palm Coast Observer  
Published Weekly  
Palm Coast, Flagler County, Florida

COUNTY OF FLAGLER

STATE OF FLORIDA

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*N. Kay Raymond*  
Nancy Kay Raymond

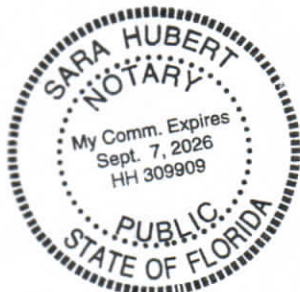
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21st day of August, 2025 A.D.

by Nancy Kay Raymond who is personally known to me.

*Sara Hubert*

Notary Public, State of Florida  
(SEAL)



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Aug. 21 25-00309F



# Staff Report

## Planning & Architectural Review Board Regular Meeting



September 2, 2025

---

**To:** Planning & Architectural Review Board  
**From:** Lupita McClenning, Planner  
**Meeting Date:** September 2, 2025  
**Item Name:** FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT FOR PUBLIC SCHOOL FACILITY PLANNING

### Background:

School Concurrency ensures that public school capacity keeps pace with residential development, and is coordinated through an Interlocal Agreement on Public School Facility Planning. The oversight committee directed the working group to amend the ILA to change the frequency of establishing the Student Generation Rate from an annual to a bi-annual (every two-year) cycle for cost-efficiency purposes. In addition to Flagler County, local jurisdictions signing the ILA include the City of Bunnell, the City of Flagler Beach, and the City of Palm Coast.

### Fiscal Impact:

None

### Staff Recommendation:

The City Attorney reviewed the DRAFT First Amendment to the ILA on Public School Facility Planning on 08.06.2025, and the final version on 08.19.2025 with no comments or edits. Staff recommends PARB send ILA to the City Commission for approval of the ILA for Public School Facility Planning. The ILA becomes effective upon its full execution and filing with the Clerk of the Circuit Court.

### Attachments:

1. 07.31.25 (CLEAN) DRAFT First Amendment with Flagler County Comments\_ (002) (002)

**FIRST AMENDMENT TO THE INTERLOCAL  
AGREEMENT FOR PUBLIC SCHOOL FACILITY  
PLANNING**

**THIS FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT FOR PUBLIC SCHOOL FACILITY PLANNING** (the “First Amendment”) is entered into as of the Effective Date (as defined below) by and between the School District of Flagler County, an agency of the Florida State government, acting through its School Board (“School Board”); Flagler County, a political subdivision of the State of Florida, acting through the Flagler County Board of County Commissioners (“County”); the City of Palm Coast, a Florida municipal corporation, acting through the Council of the City of Palm Coast (“Palm Coast”); the City of Flagler Beach, a Florida municipal corporation, acting through the Commission of the City of Flagler Beach (“Flagler Beach”); and the City of Bunnell, a Florida municipal corporation, acting through the Commission of the City of Bunnell (“Bunnell”), all collectively referred to as “Parties” and individually referred to as “Party”. The County, Palm Coast, Flagler Beach, and Bunnell are sometimes referred to herein singularly as “Local Government” or collectively as “Local Governments.”

**RECITALS**

**WHEREAS**, the Parties entered into that certain Interlocal Agreement for Public School Facility Planning, on October 20, 2022, recorded as Instrument No. 2022050857 in the Official Public Records of Flagler County, Florida, Book 2729, page 1233 (the “ILA”); and

**WHEREAS**, the Parties, pursuant to the Section 9.6 of that ILA, desire to amend the ILA to modify the Capacity Reporting timing and method to determine the student generation rate; and

**WHEREAS**, except as provided herein, the terms and conditions of the ILA are not further amended, and shall remain unchanged and in full effect.

**NOW, THEREFORE**, be it mutually agreed by and among the Parties as follows:

1. Recitals. The recitals stated above are true and correct and are incorporated herein by this reference.
2. Defined Terms. Capitalized terms used in this First Amendment and not otherwise defined herein shall have the meanings ascribed to them in the ILA.
3. Effective Date. The Effective Date of this First Amendment shall be the date when the fully executed First Amendment is filed with the Clerk of the Circuit Court.
4. Capacity Reporting. Section 5.2, entitled Capacity Reporting Flagler of the ILA is amended by deleting the last sentence of the first paragraph in its entirety and replacing with the following:

The School Board's capacity reporting must be based on Permanent FISH Capacity, the student demand portion of which shall be calculated by multiplying the number of proposed residential units by the Student Generation Rate, defined below. The Student Generation Rate shall mean that number which is to be obtained by the School Board through a consultant of its choice at least every two years and shall provide a student generation rate broken down by housing type and by grade distribution, all based on actual data from Flagler County, Florida, such data including, but not limited to, birth rate, mobility factors, GIS data, school enrollment and forecast population growth.

5. Effect of this First Amendment. Except as modified by this First Amendment, the ILA remains unmodified, and in full force and effect. In the event of any inconsistency or conflict between the terms of this First Amendment and the terms of the ILA, the terms of this First Amendment shall control only as necessary to resolve any such inconsistency or conflict.

6. Counterparts. This First Amendment may be executed in several counterparts, each of which may be deemed an original, and all the counterparts together shall constitute one and the same instrument.

[SIGNATURE PAGES TO FOLLOW.]

IN WITNESS WHEREOF, this First Amendment to the Interlocal Agreement for Public School Facility Planning has been executed by the Parties hereto on the dates indicated below.

SCHOOL DISTRICT

Signed, witnessed, executed, and acknowledged on this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_.

WITNESS:

Print Name: \_\_\_\_\_  
Address \_\_\_\_\_

SCHOOL DISTRICT OF FLAGLER COUNTY, FLORIDA, a body corporate and politic existing under the laws of the State of Florida

Print Name: \_\_\_\_\_  
Address \_\_\_\_\_

By: \_\_\_\_\_  
Will Furry  
Title: School Board Chair

Date: \_\_\_\_\_

ATTEST

By: \_\_\_\_\_  
LaShakia Moore  
Title: Superintendent of Schools

Approved as to form and legality by legal counsel to The School District of Flagler County, Florida, exclusively for its use and reliance.  
C.J. Wilson Law, P.A., Counsel

By: \_\_\_\_\_  
Christopher Wilson, Esq.

Date: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF FLAGLER}

The foregoing instrument was acknowledged before me by means of  physical present or  online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_, by \_\_\_\_\_.

{AFFIX NOTARY STAMP}

Notary Public of Florida

PRINT, TYPE OR STAMP NAME OF NOTARY

Personally known \_\_\_\_\_  
OR Produced Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_  
**LOCAL GOVERNMENT  
CITY OF PALM COAST**

Signed, witnessed, executed, and acknowledged on this \_\_\_ day of \_\_\_\_\_, 202\_\_.

**WITNESS:**

Print Name: \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
Mike Norris  
Title: Mayor

Print Name: \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_

*ATTEST*  
By: \_\_\_\_\_  
Kelly Cook  
Title: City Clerk

Approved as to form and legality.

\_\_\_\_\_  
Marcus Duffy  
City Attorney

**STATE OF FLORIDA  
COUNTY OF FLAGLER}**

The foregoing instrument was acknowledged before me by means of  physical present or  online notarization, this \_\_\_ day of \_\_\_\_\_, 202\_\_, by \_\_\_\_\_,

{AFFIX NOTARY STAMP}

Notary Public of Florida

\_\_\_\_\_  
PRINT, TYPE OR STAMP NAME OF  
NOTARY

Personally known \_\_\_\_\_  
OR Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_

**FLAGLER COUNTY BOARD OF COUNTY  
COMMISSIONERS**

Signed, witnessed, executed, and acknowledged on this \_\_\_ day of \_\_\_\_\_, 202\_\_.

**WITNESS:**

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
Andrew S. Dance  
Title: Chair

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_

*ATTEST*  
By: \_\_\_\_\_  
Tom Bexley  
Title: Clerk of the Circuit Court and  
Comptroller

Approved as to form and legality.

\_\_\_\_\_  
Sean S. Moylan  
Deputy County Attorney

**STATE OF FLORIDA  
COUNTY OF FLAGLER}**

The foregoing instrument was acknowledged before me by means of  physical present this  
\_\_\_\_ day of \_\_\_\_\_, 202\_\_, by Andrew S. Dance as Chair of the Flagler County Board  
of County Commissioners.

{AFFIX NOTARY STAMP}

Notary Public of Florida

\_\_\_\_\_  
PRINT, TYPE OR STAMP NAME OF  
NOTARY

Personally known \_\_\_\_\_  
OR Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_

**LOCAL GOVERNMENT CITY  
OF FLAGLER BEACH**

Signed, witnessed, executed, and acknowledged on this \_\_\_ day of \_\_\_\_\_, 202\_\_.

**WITNESS:**

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
Patti King  
Title: Mayor

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_

*ATTEST*  
By: \_\_\_\_\_  
Penny Overstreet  
Title: City Clerk

Approved as to form and legality.

\_\_\_\_\_  
Drew Smith  
City Attorney

**STATE OF FLORIDA  
COUNTY OF FLAGLER}**

The foregoing instrument was acknowledged before me by means of  physical present or  online notarization, this \_\_\_ day of \_\_\_\_\_, 202\_\_, by \_\_\_\_\_.

{AFFIX NOTARY STAMP}

Notary Public of Florida

\_\_\_\_\_  
PRINT, TYPE OR STAMP NAME OF  
NOTARY

Personally known \_\_\_\_\_  
OR Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_

**LOCAL GOVERNMENT  
CITY OF BURNELL**

Signed, witnessed, executed, and acknowledged on this \_\_\_ day of \_\_\_\_\_, 202\_\_.

**WITNESS:**

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
Catherine Robinson  
Title: Mayor

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_

*ATTEST*  
By: \_\_\_\_\_  
Kristen Bates  
Title: City Clerk

Approved as to form and legality.

\_\_\_\_\_  
Paul Waters  
City Attorney

**STATE OF FLORIDA  
COUNTY OF FLAGLER}**

The foregoing instrument was acknowledged before me by means of  physical present or  online notarization, this \_\_\_ day of \_\_\_\_\_, 202\_\_, by \_\_\_\_\_,

{AFFIX NOTARY STAMP}

Notary Public of Florida

\_\_\_\_\_  
PRINT, TYPE OR STAMP NAME OF  
NOTARY

Personally known \_\_\_\_\_  
OR Produced Identification \_\_\_\_\_  
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