



Planning & Architectural Review Board Regular Meeting Agenda

Tuesday, May 5, 2026 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. April 7, 2026 Meeting Minutes
5. **Old Business**
 - a. Final Site Plan Application PMS26-0002: Flagler Beach Vacation Rentals, 1708 S. Ocean Shore Blvd.; Parcel ID: 18-12-32-2750-00030-0030; Applicant: Theodore Barnhill; Request for final site plan approval to construct a three-story, eight-unit, oceanfront vacation rental apartment building in the Tourist Commercial Zoning District.
6. **New Business**
 - a. Application PCPA26-0002. Ordinance 2026-10. An Ordinance of the City Commission of the City of Flagler Beach, Florida, amending the Comprehensive Plan Future Land Use Map designation for approximately 0.116 acres of certain real property; providing for conflicts; providing for severability; and providing an effective date
 - b. Application PRZ26-0002. Ordinance 2026-11. An Ordinance of the City Commission of the City of Flagler Beach, Florida, amending the Official Zoning Map designation for approximately 0.116 acres of certain real property; providing for conflicts; providing for severability; and providing an effective date
 - c. Site Plan Application PMS26-0003: House of Crego, 2205 N. Ocean Shore Blvd.; Parcel ID: 36-11-31-5630-00020-0110 ; Applicant: Brent and Evelyn Crego; Request for site plan approval to construct a mixed-use building in the Tourist Commercial Zoning District.
7. **Other Business**
8. **City Planner Report**
 - a. Legislative Updates
 - b. Project Updates
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, April 7, 2026 at 5:30 PM

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: Barbara Revels, Scott Chappuis, Suzie Johnston, Joann Soman, Lisa Smith, Rick Belhumeur

Absent: Paul Mykytko

Staff Present: City Attorney Drew Smith, City Planner Lupita McClenning and Secretary Michele Ficocello

4. Approve Minutes

a. March 10, 2026 Meeting Minutes

A motion to approve the meeting minutes was made by Joann Soman, seconded by Rick Belhumeur. The motion carried unanimously.

5. Old Business - None

6. New Business

- a. Ordinance 2026-07. An Ordinance of the City Commission of the City of Flagler Beach, Florida, amending the City of Flagler Beach Code of Ordinances, Chapter 12, Impact Fees, to rename Chapter 12 as Impact and Mobility Fees, to amend Section 12-1 adopting the Mobility Plan and Mobility Fee Technical Report; to amend Section 12-2 Definitions; to amend Sect 12-3 to incorporate Mobility Fee Funds; to establish Sec 12-10 Mobility Fees; to establish Section 12-11 Mobility Fee Determination; providing for codification, conflicts, severability, and an effective date; and for other purposes.

Ms. McClenning welcomed Rick Belhumeur to the PAR Board. City Planner Lupita McClenning presented the item and staff report. Lauren Rushing, NUE Urban Concepts Project Manager, spoke before the Board and provided a PowerPoint presentation. Board discussion ensued and included the history of previous parking initiatives, state road upgrades and funding sources, mixed-use building fee calculator, prohibition for a drive thru on beachside, inquiry related to the inclusion of the recently annexed Veranda Bay and

Summertown Developments in the mobility study, mobility impact fees potentially hindering commercial development, the process for potential future amendments to the impact fees, the length of time for a mobility study to be completed, the importance of fluidity and flexibility in the mobility plan, the applicability of impact fees to additions and redevelopment, how previously paid impact fees are incorporated when calculating the newly adopted impact fees relating to redevelopment. Public comment was opened. Lori Hag, 1702 S. Central Avenue, spoke before the Board related to the revenue fund. No further public comments were received.

Rick Belhumeur made a motion to recommend approval of item 6a.; Lisa Smith seconded. Motion passed unanimously after a roll call vote.

- b. Ordinance 2026-06. Application PCPA26-0001. An Ordinance of the City Commission of the City of Flagler Beach, Florida, amending the Comprehensive Plan Future Land Use Map Designation for approximately 2.943 acres of certain real property with Flagler County Parcel ID 29-12-32-0000-01010-0010 generally located interior to the property known as the Ocean Palm Golf Course; providing for severability; providing for conflicts; and providing for an effective date.

City Planner Lupita McClenning presented the item and staff report. Board discussion was opened. No comments were received. Public comment was opened. No public comments were received.

Rick Belhumeur made a motion to recommend approval of item 6b.; Joann Soman seconded. Motion passed unanimously after a roll call vote.

7. Other Business – None

8. City Planner Report

Ms. McClenning requested the Board consider a workshop before the next meeting to include discussion on grey area ordinances and potential amendments. A consensus was reached by the Board to hold a one-hour workshop prior to the May 5, 2026, meeting. Discussion ensued related to PAR Board Member terms and the Secretary will follow up with the Board to confirm. Lisa Smith inquired if her contact information had been updated and the Secretary will confirm.

9. Board Comments

Board discussion ensued and included the recent Suntrail presentation as it relates to the mobility study, the mobility impact fees become effective ninety (90) days after adoption and fees are collected at the issuance of a building permit.

10. Adjournment

A motion to adjourn the meeting was made by Rick Belhumeur; seconded by Joann Soman. Chair Johnston adjourned the meeting at 6:34pm.



Staff Report

Planning & Architectural Review Board Regular Meeting

May 5, 2026

To: Planning & Architectural Review Board
From: Lupita McClenning, Planner
Meeting Date: May 5, 2026
Item Name: Final Site Plan Application PMS26-0002: Flagler Beach Vacation Rentals, 1708 S. Ocean Shore Blvd.; Parcel ID: 18-12-32-2750-00030-0030; Applicant: Theodore Barnhill; Request for final site plan approval to construct a three-story, eight-unit, oceanfront vacation rental apartment building in the Tourist Commercial Zoning District.

Background:

The applicant made editions to the original site plan design by adding dormers to the design in accordance with Design Guidelines for all new construction, and relocating the parking area from the rear to the front of the lot, with access off A1A. The project includes:

- 3-story, eight (8) one (1) bedroom vacation rental/hotel
- Building 2,558 SQFT.
- Building height 34'1/2"
- Ten (10) 10x20 parking spaces including 1 ADA w/access off A1A
- 24' wide commercial access off A1A

Fiscal Impact:

New Commercial Development with applicable impact, concurrency fees and ad valorem taxes.

Staff Recommendation:

PARB recommend that the City Commission approve the site plan for 1708 S. Flagler Ave., as it's in compliance with permitted uses prescribed in Tourist Commercial. The site plan reflects the installation of all improvements required in Section 8.05.02 Site Plan Approval and in

compliance with the Comprehensive Plan.

Attachments:

1. Staff Report 1708 S. Oceanshore Blvd_Amended Site Plan
2. Amended Site Plan 1708 S. Oceanshore Blvd.
3. Application_1708 S Oceanshore Blvd.



City of Flagler Beach

800 South Daytona Avenue
Flagler Beach, Florida 32136
Phone 386-517-2000 Ext. 257

To: Planning Architectural Review Board, City of Flagler Beach, FL
From: Lupita McClenning, City Planner
Date: April 28, 2026
RE: Staff Report – 1708 S. Oceanshore Blvd – Amended Site Plan

Applicant: Theodore Barnhill
PO Box 390
Flagler Beach, FL 32136

Project
Address: 1708 N. Oceanshore Blvd
Flagler Beach, FL 32136

Parcel ID: 18-12-32-2750-00030-0030
Zoning: Tourist Commercial
FLUM: General Commercial

Overlay: None

Existing
Condition: 8,631 SQFT vacant, undeveloped lot fronting N. Oceanshore Blvd.

Surrounding
Properties: Property to the north is a vacant, undeveloped lot zoned Tourist Comme (TC)
Property to the east is Hwy A1A Oceanfront
Property to the south is zoned TC with adjacent use listed as multi-family
Property to the west is an existing, unimproved right-of-way, alley which abuts single family residential (SFR) district

SUMMARY BACKGROUND SITE PLAN

In accordance with Section 2.02.02, the proposed parking area for guests was originally designed in the rear with access from the unimproved ROW alley; and included two parking spaces for primary access from A1A. The PARB recommended that the City Commission approve the site plan with the condition that the unimproved alley be stabilized and/or meet the City's standards for improved alleys.

The City Commission voted that the applicant return to the PARB Board with an amended design for the parking area to be in the front with access from A1A.



Project Description

The applicant made editions to the design by adding dormers and relocated the parking plan from the rear to the front of the lot, with access off A1A.

- 3-story, eight (8) one (1) bedroom vacation rental/hotel
- Building 2,558 SQFT.
- Building height 34'1/2"
- Ten (10) 10x20 parking spaces including 1 ADA w/access off A1A
- 24' wide commercial access off A1A

Definitions Section 2.02.00

Hotel—Shall mean a public lodging establishment consisting of one (1) or more buildings including accessory uses properly licensed by the State of Florida which offers facilities such as:

- a. Eating and drinking facilities.
- b. One (1) or more recreation facilities.
- c. [Off-street](#) parking for each unit.
- d. Rental units exiting into internal corridors.
- e. Sleeping room with or without cooking facilities.
- f. No intention of long-term occupancy.
- g. Recognized as a [hotel](#) in the community in which it is situated, or by the industry.

Section 2.04.02.8 Tourist Commercial

The proposed project meets the permitted uses in Tourist Commercial as prescribed in Section 2.04.02.8

1. **Motels and hotels.**
2. Bed and breakfast inns.
3. Restaurants.
4. Gift shops.
5. Convenience commercial uses such as:
 - Beauty or barber shops.
 - Laundromat, laundry and dry-cleaning pick-up stations.
 - Newsstands or bookstores.

6. Off-street parking and loading.
7. Commercial recreational entertainment facilities.
8. Boat and marine supply sales.
9. Marinas.
10. Resort dwellings.
11. Resort condominiums.
12. Mixed Use Buildings within the defined Downtown A1A Retail Corridor.
13. All principal uses permitted in MDR District.

Section 8.05.02 Site Plan Approval

A major site plan is required for (c) new non-residential buildings or structures; and (h) parking lots containing more than seven (7) automobile parking spaces.

Section 8.05.05 Minimum Site Improvements

All site development plans shall reflect the installation of all improvements required in this Code, in a manner consistent with standards of this Code.

- A. Improvements include stormwater management systems, utilities, parking, and loading areas, lighting, sidewalks, and landscaping and buffering, and any other facility required by this Code.
- B. Easements and miscellaneous dedications.

Sec. 6.00.11. – Stormwater Management.

Prepared in accordance with the performance and design standards specified in the city's adopted stormwater management ordinance, and in compliance with *Section 9.04.02 Stormwater Design Criteria*, consistent with regulations and policies of the St. Johns River Water Management District (SJRWMD) and the Florida Department of Environmental Protection (FDEP).

Sec. 2.06.06.06 - Site planning design principles.

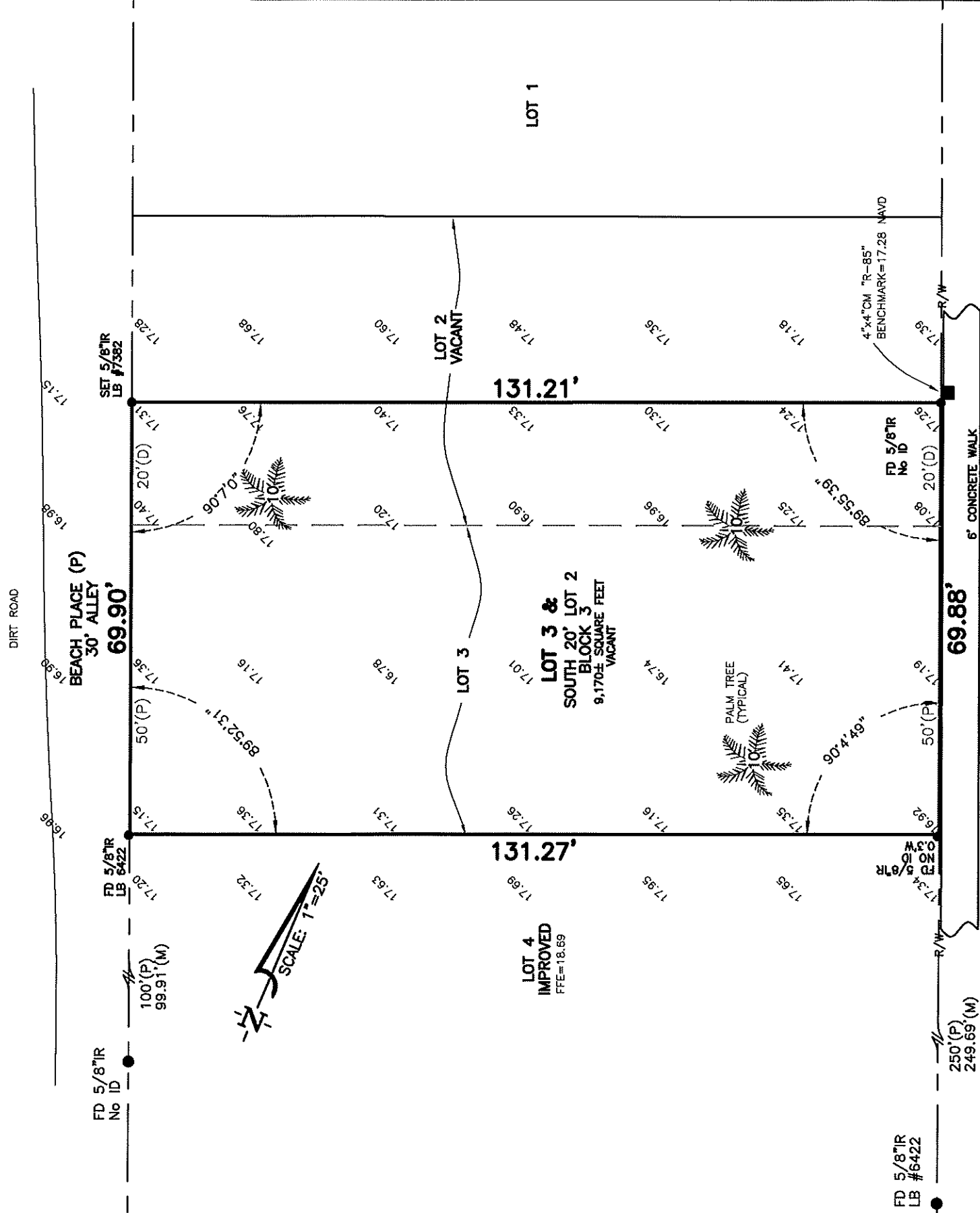
A. Purpose: Site planning and project design shall address the potential impacts on existing and planned adjacent uses. Project designs shall apply best practices as they relate to traffic planning, services (e.g. sanitation) and deliveries (if applicable), access, parking, circulation, traffic and pedestrian safety, light and glare, noise, odors, and security.

Compliance

The proposed vacation rental/hotel is compliant with applicable land development code and meets Policy A.1.1.3 and Policy 1.4.4 of the Comprehensive Plan.

Staff Recommendation

PARB recommend that the City Commission approve the site plan for 1708 S. Flagler Ave as it's in compliance with permitted uses prescribed in Tourist Commercial; and site plan reflects the installation of all improvements required in Section 8.05.02 Site Plan Approval.



OCEAN SHORE BOULEVARD
100' PUBLIC R/W

NOTES:

1. Description furnished by client. No title work provided.
2. Underground improvements and utilities are not located.
3. No bearings are shown on plat.
4. Dimension category is shown in parenthesis (), when they differ from record dimensions. Monuments that fall within the suburban closure of 1:5000 [as per 5J-17.051(3)15bii] are not differentiated.
5. Overhead electric not located unless shown.
6. Flood Zone X, Map Panel No. 12035C 253D, 7/17/06, as best ascertained from the Flood Insurance Rate Map.
7. Elevations are based on the NAVD of 1988. Elevations on natural ground have $\pm 0.1'$ tolerance.

LEGEND:

- | | | | |
|----------|-----------------------------------|------|-------------------|
| FD | Found | LB. | Licensed Business |
| CM | Concrete Monument | LS. | Licensed Surveyor |
| IR | Iron Rod | CONC | Concrete |
| (P) | Plat Bearing & Distance | W/M | Water Meter |
| (M) | Measured Bearing & Distance | OP/P | Power Pole |
| A/C | Air Conditioner | | |
| C/S | Concrete Slab | | |
| R/W | Right of Way | | |
| E/P | Edge of Pavement | | |
| PSM | Professional Surveyor & Mapper | | |
| N.G.V.D. | National Geodetic Vertical Datum | | |
| F.F.E. | Finish Floor Elevation | | |
| CCCL | Coastal Construction Control Line | | |

DESCRIPTION:

LOT 3 AND THE SOUTH 20 FEET OF LOT 2, BLOCK 3, FUQUAY SUBDIVISION, AS RECORDED IN MAP BOOK 1, PAGE 26, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA

PREPARED FOR:

THEODORE M & MARJORIE BARNHILL

EAST COAST LAND SURVEYING

11 Coolidge Ave. Suite-J, Ormond Beach FL 32174

PHONE (386) 672-3633 or (386) 437-0123 FAX (386) 672-3635

THE FOREGOING PLAT MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AS PER CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, AS PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

TYPE SURVEY: DATE OF FIELD-OFFICE WORK ORDER#

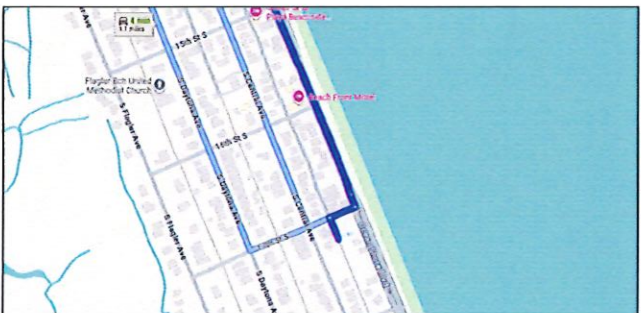
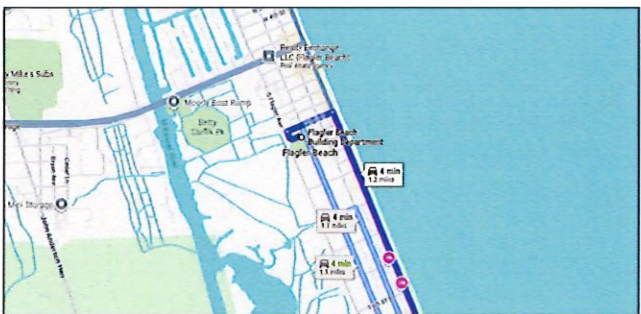
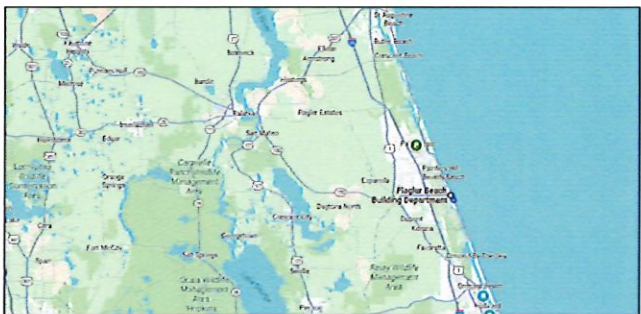
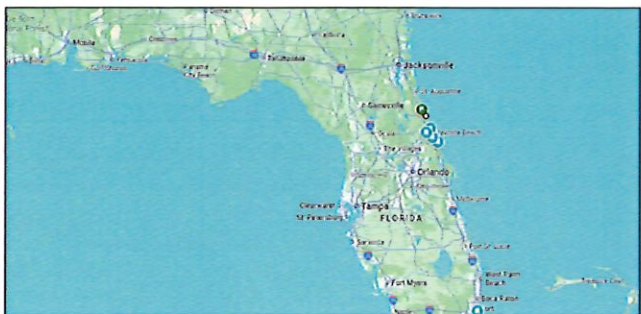
Boundary

ANTHONY SANZONE, PSM# 6309

LB #7382

Not valid without the signature and the original raised seal of a Florida Licensed surveyor and mapper.

LOCATION:



BOX FOR OFFICIALS USE

ALL TEXT REQUESTED TO BE PRESENTED THAT ARE NOT PRESENTED ON THESE DOCUMENTS SHALL BE REGARDED AS PRESENTED IN INITIALLY REQUIRED STATEMENT, "THESE PLANS CONFORM TO THE 2020 FLORIDA BUILDING CODE"

ABBREVIATIONS:

A.B. ANCHOR BOLT	EA. EACH	M. MASTER	REQ'D. REQUIRED
ABV. ABOVE	EB. EYE BROW	MANUF. MANUFACTURER	RM. ROOM
A/C AIR CONDITIONER	ELECT. ELECTRICAL	MAX. MAXIMUM	RND. ROUND
ACI. AMERICAN CONCRETE INSTITUTE	ELEV. ELEVATION	MIN. MINIMUM	S. SHELF
AF. ABOVE FINISHED FLOOR	EMBED. EMBEDMENT	MIRR. MIRROR	SBP. SOIL BEARING PRESSURE
AFI. ARC FAULT INTERRUPT	EW. EACH WAY	MJ. MECHANICAL JOINT	SD. SMOKE DETECTOR
AH. AIR HANDLER	EXT. EXTERIOR	MONO. MONOLITHIC	SECT. SECTION
ALUM. ALUMINUM	FRC. FLORIDA BUILDING CODE	MPH. MILES PER HOUR	SF. SQUARE FOOT
AMP. AMPERE	FIN. FINISH	MWFRS. MAIN WINDS FORCE RESISTING SYSTEM	SGD. SLIDING GLASS DOOR
APA. THE ENGINEERED WOOD ASSOCIATION	FIL. FIXTURE	NA. NOT APPLICABLE	SH. SINGLE HUNG
ASCE. AMERICAN SOCIETY OF CIVIL ENGINEERS	FG. FIXED GLASS	NDS. NATIONAL DESIGN SPECIFICATION	SPEC. SPECIFICATIONS
ATR. ALL THREADED ROD	FIR. FLOOR	NIC. NOT INCLUDED	SPP. SPRUCE PINE FIR
B. BOTTOM	FOUND. FOUNDATION	NO. NUMBER	SQ.FT. SQUARE FOOT
BFF. BELOW FINISH FLOOR	FTG. FOOTING	NTS. NOT TO SCALE	SW. SWITCH
BLC. BLOCK	FWC. FOR WOOD CONSTRUCTION	OBS. OBSERVED	SWC. SHEAR WALL CONNECTOR
BOT. BOTTOM	GAL. GYPSUM ASSOCIATION	OC. ON CENTER	SWS. SHEAR WALL SEGMENT
BRG. BEARING	GALV. GALVANIZED	ORD. OVERHEAD DOOR	SYP. SOUTHERN YELLOW PINE
C+G COMPONENTS AND CLADDING	GB. GLASS BLOCK	OSB. ORIENTED STRAND BOARD	T. TOP
CANT. CANTILEVER	GDR. GIRDER	PRESS. PRESSURE	T&G. TONGUE AND GROOVE
CCR. CIRCLE	GFI. GROUND FAULT INTERRUPT	PARA. PARALLEL	TEMP. TEMPERED
CLG. CEILING	GLS. GLASS	PL. PRECUT LINTEL	THK. THICK
CMU. CONCRETE MASONRY UNIT	GYP. GYPSUM	PED. PEDESTAL	T-NAIL TOENAIL
COL. COLUMN	H.B. HOSE BIB	PERP. PERPENDICULAR	TV. TELEVISION
COMP. COMPACTED	HDR. HEADER	PF. POCKET	TYP. TYPICAL
COND. CONDENSER	HGT. HEIGHT	PLA. PLATE	U. URINAL
CONT. CONTINUOUS	HOR. HORIZONTAL	PB. PLUMBING	UL. UNDERWRITERS LABORATORIES INC.
CPT. CARPET	HT. HEIGHT	PF. PLYWOOD	UNO. UNLESS NOTED OTHERWISE
d. PENNY	HVAC. HEAT, VENT., + COND.	PREF. PREFABRICATED	USG. UNITED STATES GYPSUM COMPANY
DBL. DOUBLE	INCAND. INCANDESCENT	PSF. POUNDS PER SQUARE FOOT	V. VOLTS
DECOR. DECORATIVE	INSUL. INSULATION	PSI. POUNDS PER SQUARE INCH	VENT. VENTILATED
DET. DETAIL	KD. KILN DRIED LUMBER	PVC. POLYVINYL CHLORIDE	VIN. VINYL
DH. DOUBLE HUNG	L. LAVATORY	Q. QUANTITY	VISQUEEN VISQUEEN
DIA. DIAMETER	LBS. POUNDS	R. ROD	VOL. WASHER
DISC. DISCONNECT	LL. LIVE LOAD	RECEPT. RECEPTACLE	W. WITH
DL. DEAD LOAD	LT. LAMINATED VAINER LUMBER	REF. REFERENCE	WC. WATER CLOSET
DR. DOOR		RFD. REINFORCED	WD. WOOD
DRY. DRYER		RES. RESIDENCE	WH. WATER HEATER
			WIF. TANKLESS WATER HEATER
			WIC. WALK-IN CLOSET
			WWF. WELDED WIRE FRAME

LEGEND & SYMBOLS:

■ #5 DIA. ROD IN FILLED CELL	⊕ DUPLEX REC.	⊕ WATER CLOSET
— 2X4 FRAME WALL	⊕ 220 VOLT REC.	⊕ LAVATORY
//// 8" CMU WALL	⊕ WEATHER PROOF REC.	⊕ KITCHEN SINK
----- INTERIOR BEARING WALL	⊕ GROUND FAULT CIRCUITS INTERRUPTER REC.	⊕ LAUNDRY TUB
— PRECAST LINTEL	⊕ SWITCHED REC.	⊕ BATH TUB AND SHOWER
— CARPET TO TILE TRANSITION	⊕ SWITCH	⊕ CORNER TUB
— REFER TO DETAIL SHEET	⊕ 3 WAY SWITCH	⊕ SHOWER
1'-12" PRECAST COMPOSITE LINTEL SIZE	⊕ 4 WAY SWITCH	⊕ WASHING MACHINES
1'-12" FRAME HEADER SIZE	⊕ INCAND. CEILING FIX.	⊕ WATER HEATER
1'-12" LAMINATED VENEER LUMBER SIZE	⊕ INCAND. WALL FIX.	⊕ SHOWER HEAD & VALVE
1'-1 TRUSS I.D.	⊕ FLUORESCENT FIX.	
— WALL FIX.	⊕ CEILING FAN	
— ELECT. PANEL	⊕ 220 VOLT JUNCTION BOX	
— ELECT. METER	⊕ 110 VOLT JUNCTION BOX	
⊕ EMERGENCY LIGHT WITH BATTERY BACKUP	⊕ EXHAUST FAN	
⊕ VAPOR PROOF RECESSED CAN LIGHT	⊕ SMOKE DETECTOR WITH BATTERY BACKUP & CARBON MONOXIDE DETECTOR	
⊕ RECESSED LIGHT	⊕ PHONE JACK	
⊕ EXTERIOR FLOOD LIGHT	⊕ CABLE CONNECTION	

SCOPE OF WORK:

1. CONSTRUCTION OF A MULTI-FAMILY VACATION RENTAL BUILDING

OWNER:
TED
BARNHILL

PLAN DATE:
12/26/2025

"PLANS CONFORM TO"
2023 8TH ED. FL. BUILDING CODE
2022 NATIONAL ELEC. CODE
2024 IFCC DESIGN CRITERIA
2022 ASCE 7-22 DESIGN CRITERIA
STRUCTURALLY ADEQUATE FOR

ALTERATION LEVEL: NEW
RISK CATEGORY: 2
WIND VELOCITY (MPH): 140
EXPOSURE CATEGORY: D
INTERNAL PRESSURE: .18
CONSTRUCTION TYPE: VB

CORY A. BROCKETT, PE
LICENSE #74677

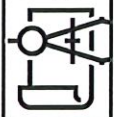
LOCATION:

1708 S. OCEAN
SHORE BLVD.,
FLAGLER BEACH, FL.
32136

PAGE:

1

Cory A. Brockett, PE
License #74677
2839 NW 39th Place
Gainesville, FL 32605
(352) 359-1962



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(ALL CONTRACTORS & SUB-CONTRACTORS)
UNFORESEEN STRUCTURAL ISSUES MUST BE MADE KNOWN TO THE DESIGN PROFESSIONAL OF RECORD AT THE TIME OF DISCOVERY.

FOR PRIORITY ATTENTION
CALL/TEXT 386-561-8209

SEAL BOX (WIND LOADS ONLY)

VACATION RENTAL
MULTI FAMILY
NEW CONSTRUCTION

OWNER:
TED
BARNHILL

PLAN DATE:
3/30/2026

PLANS CONFORM TO
2023 FTH ED. FL. BUILDING CODE
2022 NATIONAL ELEC. CODE
2024 WFCM DESIGN CRITERIA
2022 ASCE 7-22 DESIGN CRITERIA
STRUCTURALLY ADEQUATE FOR

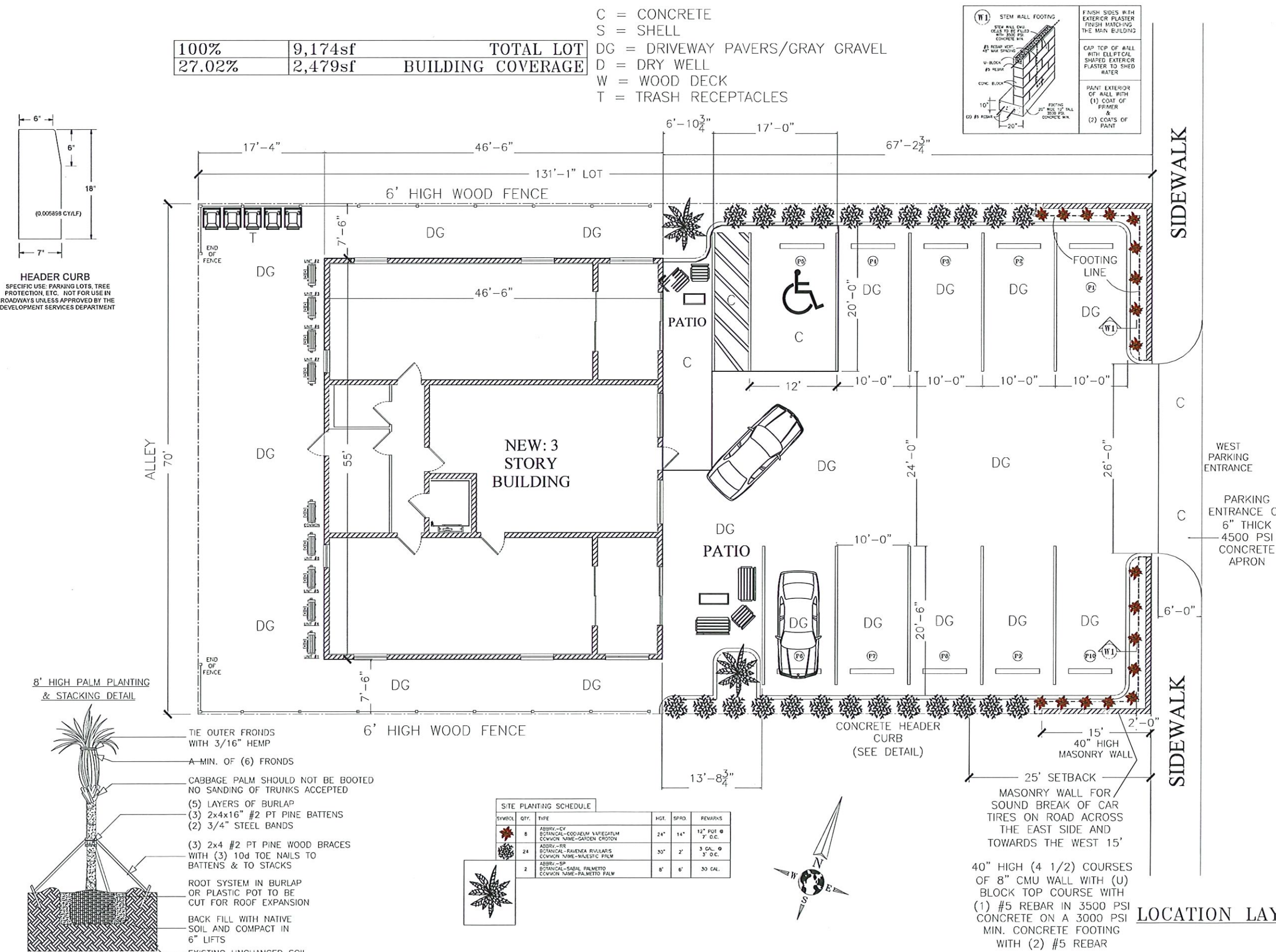
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RISK CATEGORY: 2
WIND VELOCITY (MPH): 140
EXPOSURE CATEGORY: D
INTERNAL PRESSURE: .10
CONSTRUCTION TYPE: VB

CORY A. BROCKETT, PE
LICENSE #74677

LOCATION:

1708 S. OCEAN
SHORE BLVD.,
FLAGLER BEACH, FL.
32136

PAGE:





FRONT
EAST

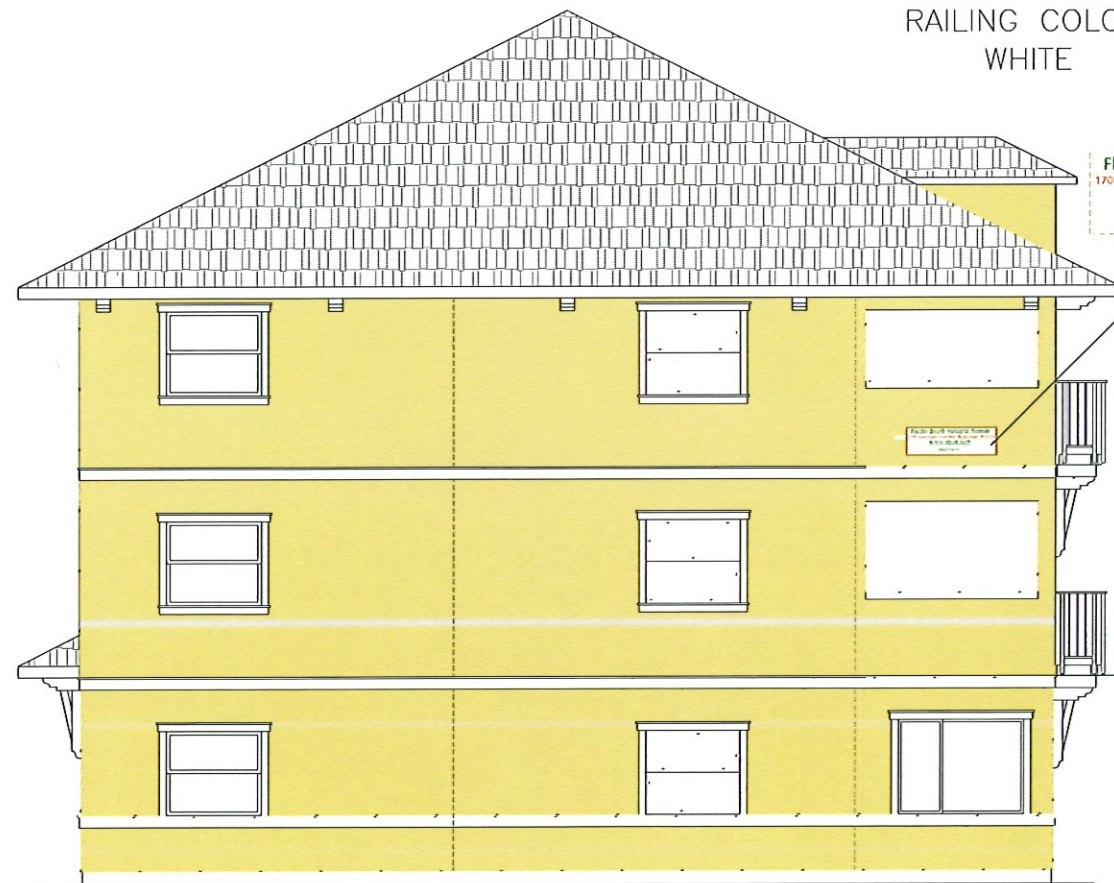
TRIM COLOR
WHITE
RAILING COLOR
WHITE



REAR
WEST

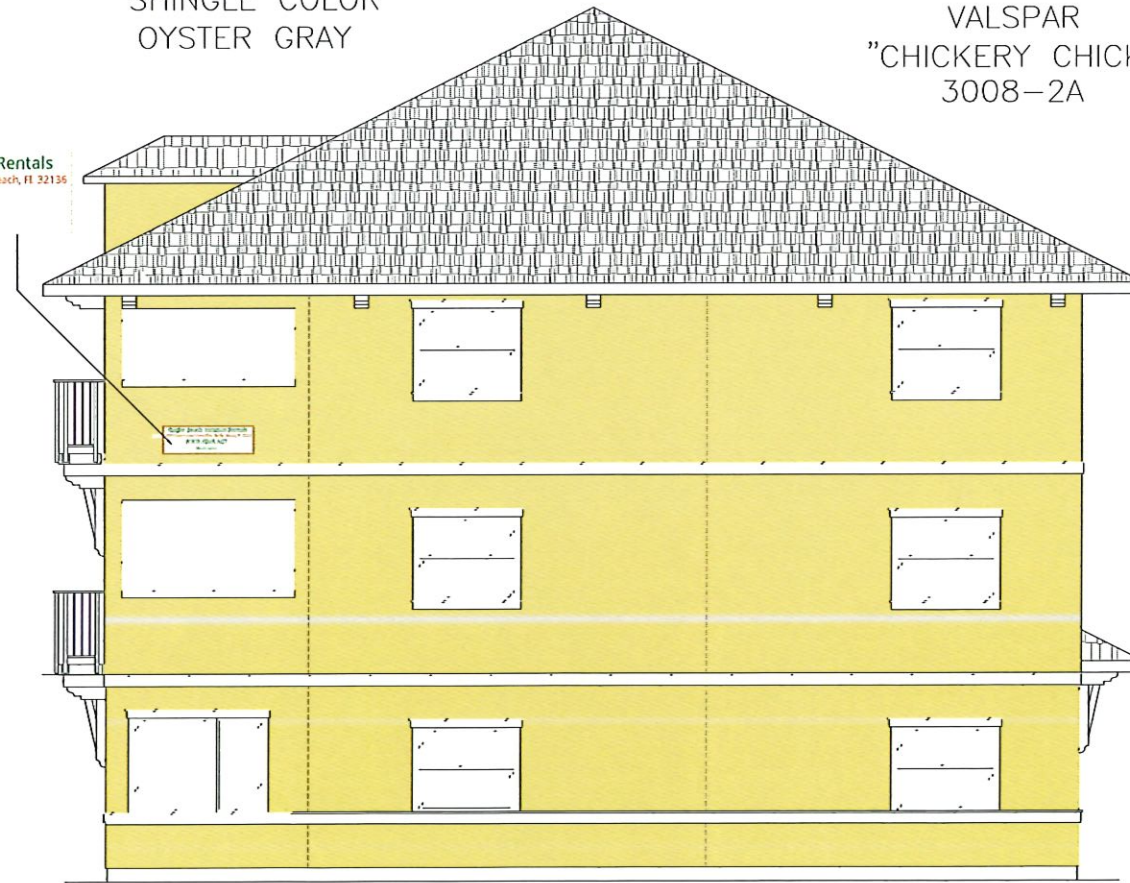
SHINGLE COLOR
OYSTER GRAY

WALL COLOR
VALSPAR
"CHICKERY CHICK"
3008-2A



LEFT
SOUTH

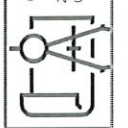
ELEVATION B



RIGHT
NORTH

Flagler Beach Vacation Rentals
1708 South Ocean Shore Blvd., Flagler Beach, FL 32136
WWW.FBVR.NET
385-517-6700

Cory A. Brockett, PE
License #74677
2052 NW 9th Place
Gainesville, FL 32605
(352) 336-1552



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(ALL CONTRACTORS & SUB-CONTRACTORS) UNFORESEEN STRUCTURAL ISSUES MUST BE MADE KNOWN TO THE DESIGN PROFESSIONAL OF RECORD AT THE TIME OF DISCOVERY.

FOR PRIORITY ATTENTION
CALL/TEXT 352-561-6209

SCALE: 1/8" = 1'-0" (WIND LOADS ONLY)

VACATION RENTAL
MULTI FAMILY
NEW CONSTRUCTION

OWNER:

**TED
BARNHILL**

PLAN DATE:

3/16/2026

"PLANS CONFORM TO"
2003 6TH ED. FL. BUILDING CODE
2002 NATIONAL ELEC. CODE
2004 NFPA DESIGN CRITERIA
2002 ASCE 7-02 DESIGN CRITERIA
STRUCTURALLY ADEQUATE FOR

ALTERATION LEVEL: NEW
RISK CATEGORY: 2
WIND VELOCITY (MPH): 140
EXPOSURE CATEGORY: D
INTERNAL PRESSURE: -18
CONSTRUCTION TYPE: VB

CORY A. BROCKETT, PE
LICENSE #74677

LOCATION:

1708 S. OCEAN
SHORE BLVD.,
FLAGLER BEACH, FL.
32136

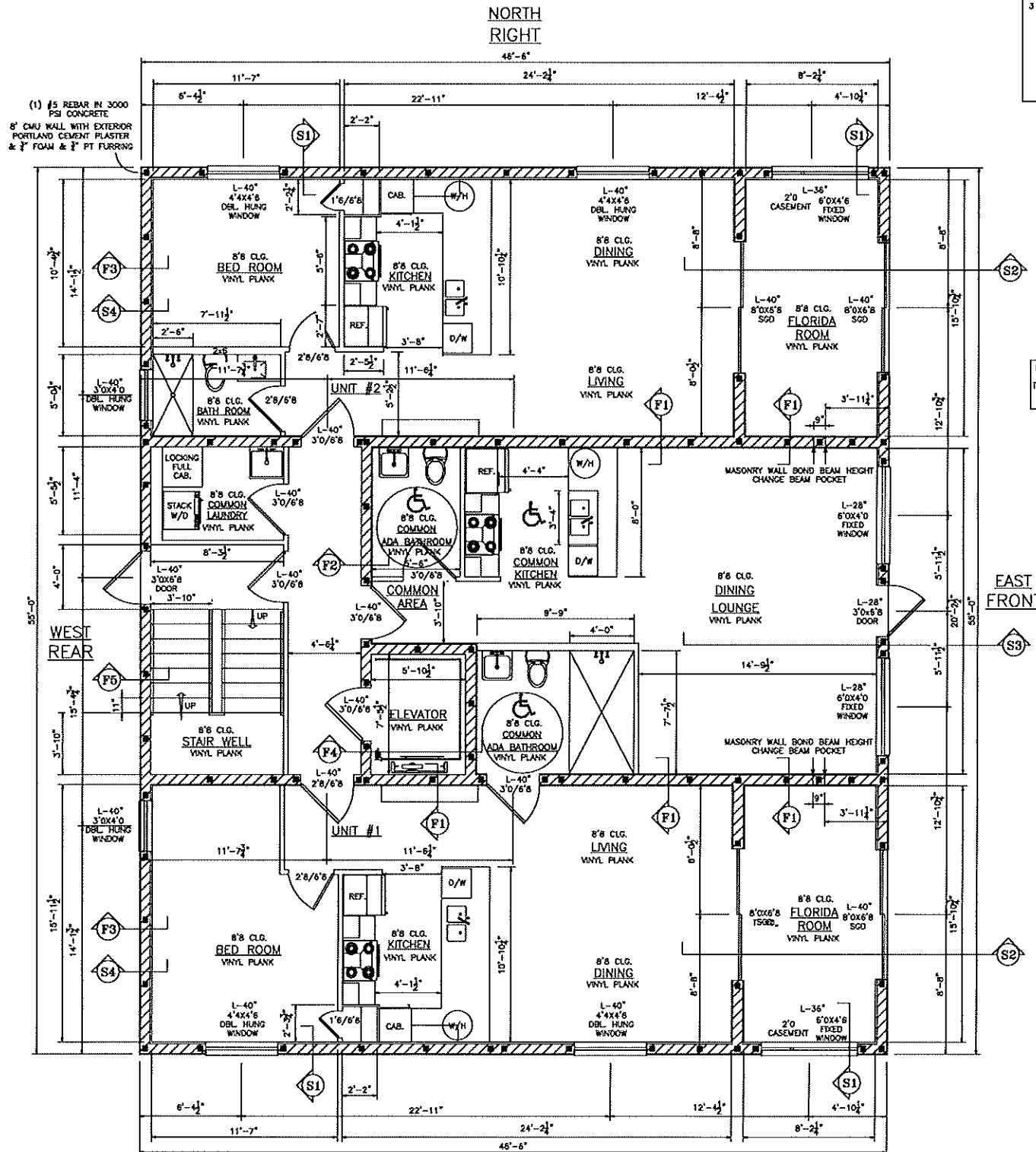
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1ST FLOOR AREA TABULATIONS	
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153sf	UNIT #1 FLORIDA ROOM
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1,850sf	1ST LIVING TOTAL
2,558sf	1ST FLOOR TOTAL

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1,820sf	3RD LIVING TOTAL
2,597sf	3RD FLOOR TOTAL

TOTAL AREA TABULATIONS	
5,490sf	LIVING
7,752sf	TOTAL

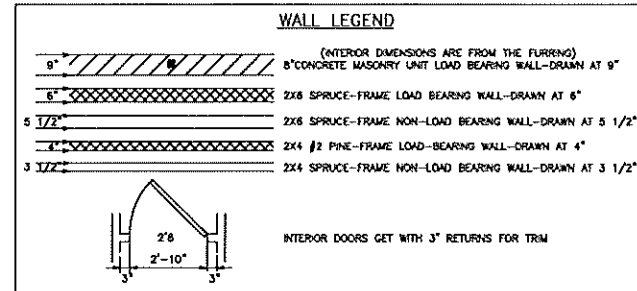


AREA UNDER THE STAIRS SHALL NOT BE USED AS STORAGE

TILE WALLS NOTES
SHOWER AREA TILE BACKER BOARD WITH TILE FASTENED WITH 1" TILE BACKER SCREWS EVERY 5" ON PT. FURRING STRIPS & 2X4 STD. FRAMING

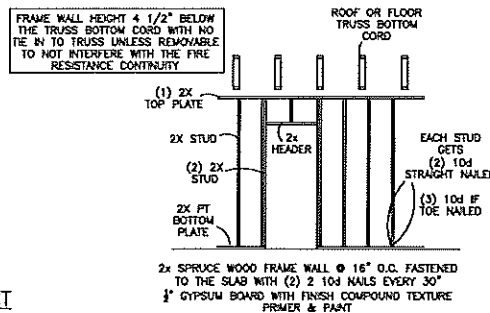
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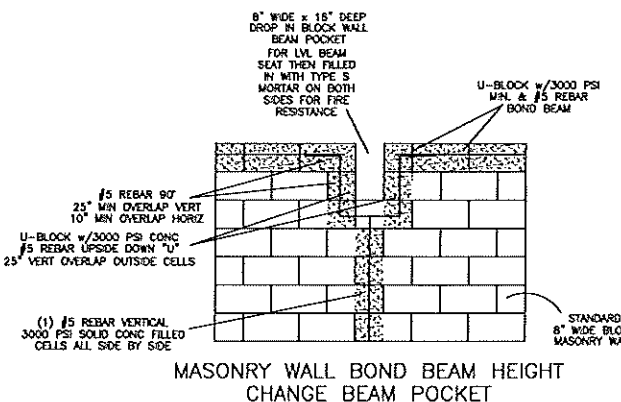
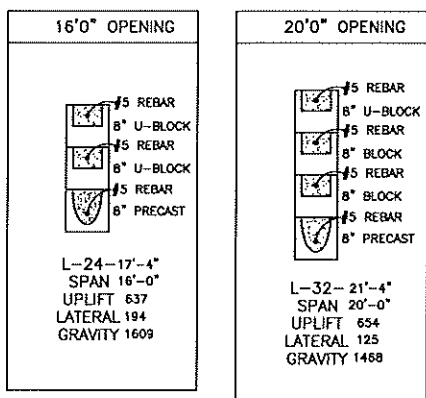


		SIMPSON ANCHOR SYSTEM								
		CATALOG C-2010								
		2500 PSI MIN. CONCRETE STRENGTH								
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			NO EDGE		NEAR EDGE		CORNER			
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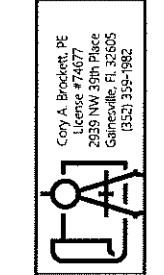
INTERIOR NONE BEARING FRAME WALL DETAIL



BALCONY LINTEL DETAILS



1ST FLOOR PLAN



COPYRIGHT NOTICE
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(ALL CONTRACTORS & SUB-CONTRACTORS) UNFORESEEN STRUCTURAL ISSUES MUST BE MADE KNOWN TO THE DESIGN PROFESSIONAL OF RECORD AT THE TIME OF DISCOVERY
FOR PRIORITY ATTENTION CALL/TEXT 386-561-8209

VACATION RENTAL
MULTI FAMILY
NEW CONSTRUCTION

OWNER:
TED BARNHILL
PLAN DATE:
12/26/2025

"PLANS CONFORM TO"
8053 BTH ED. FL. BUILDING CODE
8052 NATIONAL ELEC. CODE
8054 IFBC DESIGN CRITERIA
8052 ASCE 7-22 MINOR CRITERIA
STRUCTURALLY ADEQUATE FOR
ALTERATION LEVEL: NEW
RISK CATEGORY: 2
WIND VELOCITY (MPH): 140
EXPOSURE CATEGORY: B
INTERNAL PRESSURE: .18
CONSTRUCTION TYPE: TB

CORY A. BROCKETT, PE
LICENSE #74677

LOCATION:
1708 S. OCEAN
SHORE BLVD.,
FLAGLER BEACH, FL.
32136

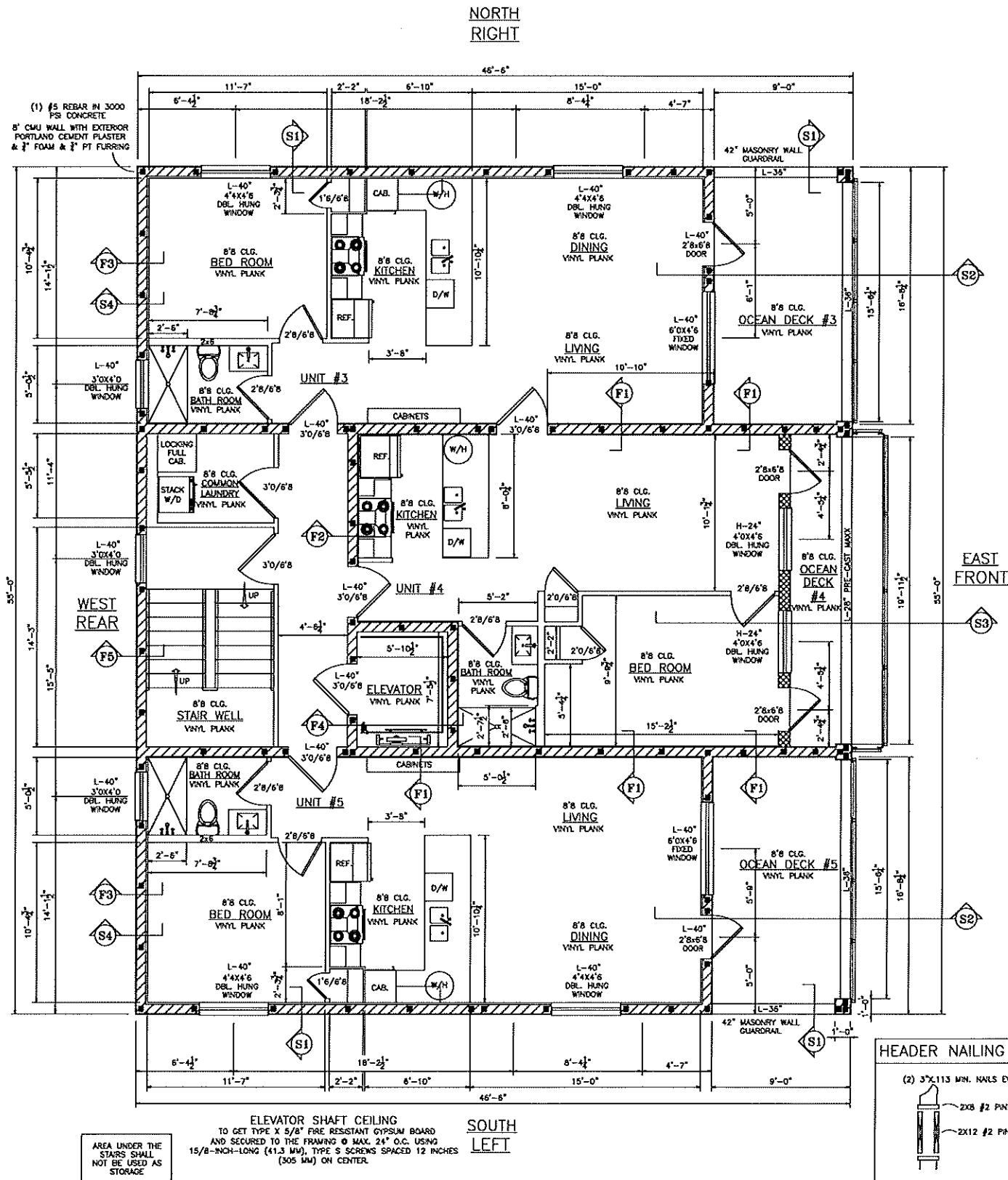
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2ND FLOOR PLAN

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(ALL CONTRACTORS & SUB-CONTRACTORS) UNFORESEEN STRUCTURAL ISSUES "MUST BE MADE KNOWN" TO THE DESIGN PROFESSIONAL OF RECORD AT THE TIME OF DISCOVERY

FOR PRIORITY ATTENTION CALL/TEXT 386-561-8209

VACATION RENTAL MULTI FAMILY NEW CONSTRUCTION

OWNER:
TED BARNHILL

PLAN DATE:
12/26/2025

"PLANS CONFORM TO"
2023 9TH ED. FL. BUILDING CODE
2022 NATIONAL ELEC. CODE
2024 IFCC DESIGN CRITERIA
2022 ASCE 7-22 DESIGN CRITERIA
STRUCTURALLY ADEQUATE FOR

ALTERATION LEVEL: NEW
RISK CATEGORY: 2
WIND VELOCITY (MPH): 140
EXPOSURE CATEGORY: D
INTERNAL PRESSURE: .18
CONSTRUCTION TYPE: VB

CORY A. BROCKETT, PE
LICENSE #74677

LOCATION:
1708 S. OCEAN SHORE BLVD., FLAGLER BEACH, FL 32136

PAGE:
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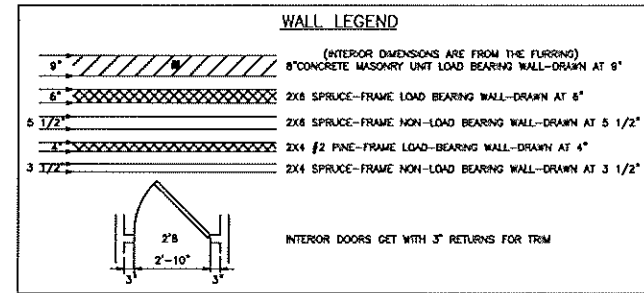
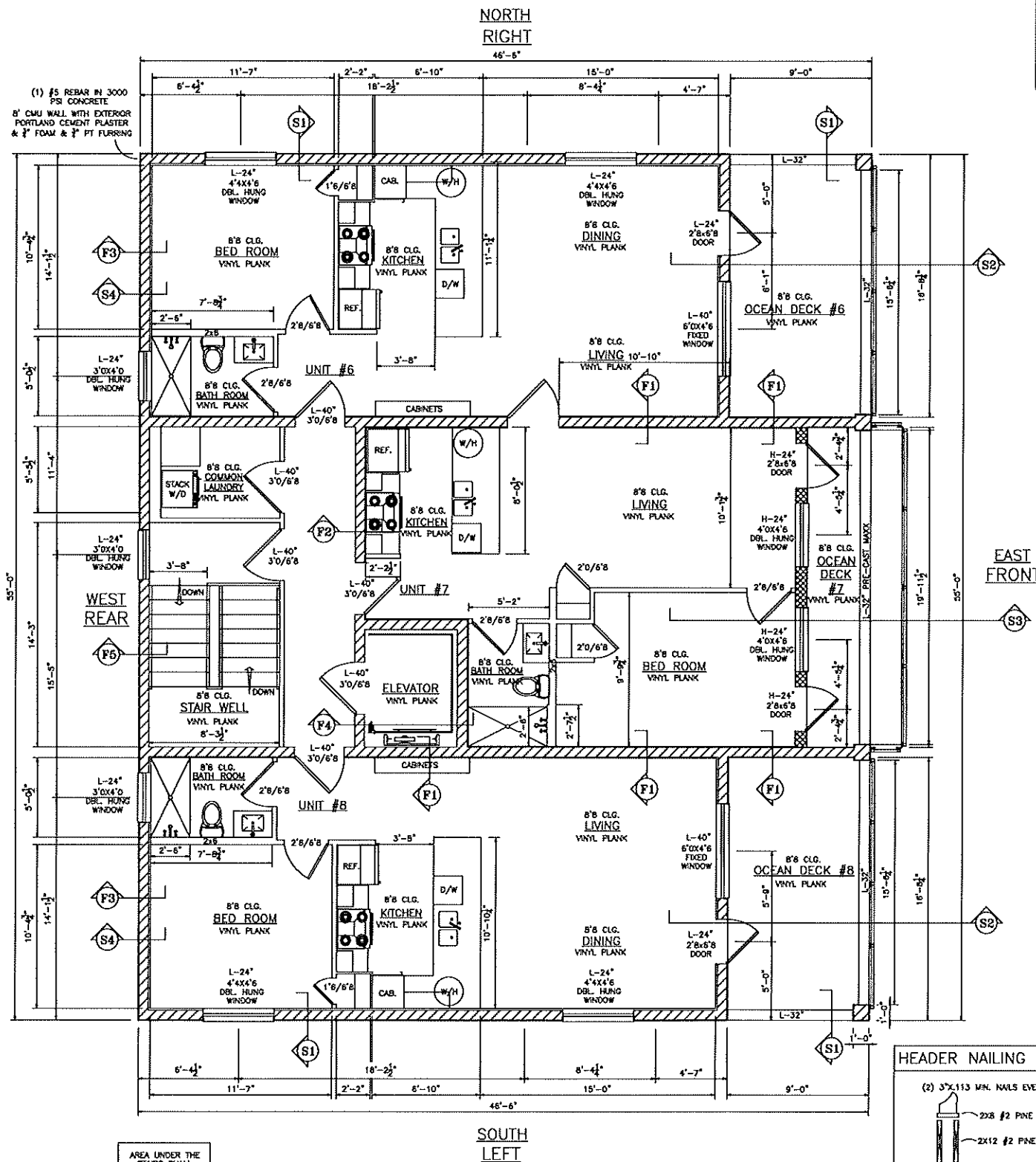
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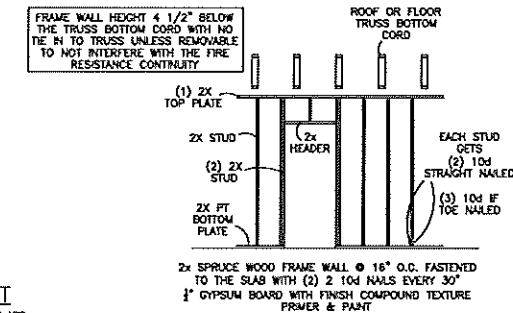
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INTERIOR NON BEARING FRAME WALL DETAIL



BLOCK WALLS NOTES

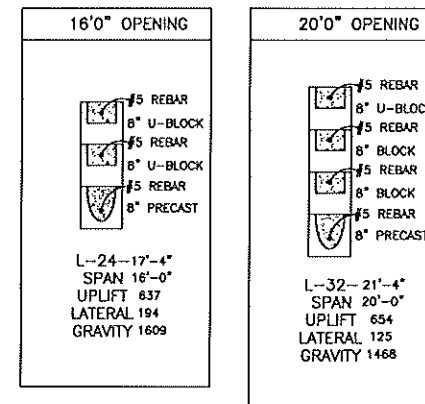
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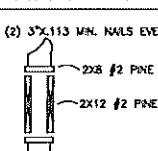
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BALCONY LINTEL DETAILS

UNITLS WITH 1 #5 REBAR TOP AND BOTTOM FILLED WITH GROUT TOTAL SAFE LOADS - POUNDS PER LINEAR FOOT (LBS/FT)



HEADER NAILING DETAIL



3RD FLOOR PLAN

OWNER:
TED BARNHILL
PLAN DATE:
12/26/2025

"PLANS CONFORM TO"
 2020 IBC, FL. BUILDING CODE
 2022 NATIONAL ELEC. CODE
 2024 IFCC DESIGN CRITERIA
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 STRUCTURALLY ADEQUATE FOR

ALTERATION LEVEL: NEW
 RISK CATEGORY: 2
 WIND VELOCITY (MPH): 140
 EXPOSURE CATEGORY: 3
 INTERNAL PRESSURE: 1.0
 CONSTRUCTION TYPE: VB

CORY A. BROCKETT, PE
 LICENSE #74677

LOCATION:
 1708 S. OCEAN SHORE BLVD.,
 FLAGLER BEACH, FL.
 32136

PAGE:
7
 SCALE: 1" = 1 FOOT



CITY OF FLAGLER BEACH

BUILDING AND PLANNING DEPARTMENT

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

Application Submittal Date: _____

Fee Paid: \$_____. Date Received: _____

Employee Accepting Application (print name): _____

Rejected Date: _____. Rejected by: _____

Reason for Rejection: _____

RECEIVED

JAN 05 2026

- A. PROJECT NAME: FLAGLER BEACH VACATION RENTALS
- B. LOCATION OF SUBJECT PROPERTY (PHYSICAL ADDRESS): 1708 S. OCEANSHORE BLVD.
- C. PROPERTY APPRAISER'S PARCEL ID NUMBER(s): 84137
- D. LEGAL DESCRIPTION: _____ Subdivision Name: FUQUAY
- Section: _____ Block(s): _____ Lot(s): B AND SOUTH 20 FT. LOT 2
- E. SUBJECT PROPERTY ACRES / SQUARE FOOTAGE: 9,174 SF
- F. FUTURE LAND USE MAP DESIGNATION: _____ EXISTING ZONING DISTRICT: _____
- OVERLAY DISTRICT: _____
- G. FLOOD ZONE: _____ FEMA COMMUNITY PANEL NUMBER: _____ DATE: _____
- H. CURRENT USE OF PROPERTY: VACANT
- I. DESCRIPTION OF REQUEST/PROPOSED DEVELOPMENT (ATTACH ADDITIONAL SHEETS) THREE STORY, 8 ONE BEDROOM VACATION RENTAL APARTMENTS.
- 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 ☒

OWNER:	APPLICANT/AGENT:
Name: <u>THEODORE BARNHILL</u>	Name:
Mailing Address: <u>P.O. BOX 390, FLAGLER BEACH, FL</u>	Mailing Address:
Phone Number: <u>571-338-9481</u>	Phone Number:
E-mail Address: <u>TEDBARNHILL@HOTMAIL.COM</u>	E-mail Address:

MORTGAGE HOLDER:	ENGINEER OR PROFESSIONAL:
Name:	Name: <u>CORY BROCKETT PE</u>
Mailing Address:	Mailing Address: <u>LIC # 74677</u>
Phone Number:	Phone Number:
E-mail Address:	E-mail Address:

SURVEYOR:	LANDSCAPE ARCHITECT:
Name: <u>DAN RICHARDSON</u>	Name:
Mailing Address:	Mailing Address:
Phone Number: <u>386-561-8200</u>	Phone Number:
E-mail Address: <u>W.HOMES@AOL.COM</u>	E-mail Address:

PLANNER:	TRAFFIC ENGINEER:
Name:	Name:
Mailing Address:	Mailing Address:
Phone Number:	Phone Number:
E-mail Address:	E-mail Address:

ATTORNEY OF RECORD:	DEVELOPER:
Name:	Name: <u>THEODORE BARNHILL</u>
Mailing Address:	Mailing Address: <u>P.O. BOX 390 FLAGLER BEACH, FL</u>
Phone Number:	Phone Number: <u>571-338-9481</u>
E-mail Address:	E-mail Address: <u>TEDBARNHILL@HOTMAIL.COM</u>

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

Signature of owner OR person authorized to represent this application:

Signature(s): Theodore Barnhill

Printed or typed name(s): THEODORE BARNHILL

The foregoing Instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 5th day of January, 2026 by Theodore Barnhill Individual submitted by ☒ Personal Knowledge ☐ Satisfactory Evidence: Type _____

[Signature]
Signature of Notary Public, State of Florida



SPR#: _____ DATE FILED: _____

SITE PLAN REVIEW APPLICATION

PROJECT TITLE: FLAGLER BEACH VACATION RENTALS

PROJECT ADDRESS: 1708 S. OCEANSHORE BLVD.

Subdivision: FUQUAY BL-3 Block: BL-3 Lot(s): 3+ SOUTH 20' LOT 2

TAX MAP NUMBER: _____ ZONING DISTRICT: 21

OWNERS INFORMATION:

OWNERS NAME: THEODORE AND MARJORIE BARNHILL

ADDRESS: 1358 LAMBERT AVE

PHONE NUMBER: 571-338-9481 FAX NUMBER: _____

SIGNATURE OF OWNER: Theodore Barnhill

APPLICANTS INFORMATION:

APPLICANTS NAME (IF OTHER THAN OWNER): _____

ADDRESS: _____

PHONE NUMBER: _____ FAX NUMBER: _____

SIGNATURE OF APPLICANT: _____

REPRESENTATIVE:

NAME: _____

ADDRESS: _____

PHONE NUMBER: _____ FAX NUMBER: _____

SIGNATURE OF REPRESENTATIVE: _____

SITE PLAN REVIEW

PROJECT DESCRIPTION

PRINT OR TYPE INFORMATION

- A. Provide a detailed description of the proposed project:

THREE STORY, 8 ONE BEDROOM,
OCEANFRONT VACATION RENTAL APARTMENTS.

- B. Provide the lot size (parcel) and square footage of all building(s):

LOT SIZE 9,174 SF
BUILDING SIZE 2,558 SF.

- C. Provide the size, height and proposed use of each building:

BUILDING SIZE 5,490 SF (LIVING), 7752 SF (TOTAL)
BUILDING MEAN ROOF HEIGHT 34 1/2 FEET
VACATION RENTAL

- D. Provide a detailed description of the following:

Exterior finish and color: YELLOW
Roof material and color: GRAY

- E. Indicate the project floor area ratio or lot coverage (if applicable):

27.88% COVERAGE

- F. Provide the total number of:

Required on-site parking spaces: 9
Proposed on-site parking spaces: 9
Required on-site Handicapped parking spaces: 1
Proposed on-site Handicapped Parking spaces: 1

- G. Any off-site parking spaces proposed? If yes, describe number, location, and distance from proposed project location:

NO

- H. Will project be accomplished in phases? If Yes, describe phasing plans and timeframe:

NO

- I. Describe the nature of any tree and native vegetation removal, if applicable:

NO TREE REMOVAL

SMALL SHRUBS REMOVED.

- J. If a Commercial use, describe the operational characteristics of the development (proposed hours of operation, any unique characteristics of the proposed use.

VACATION RENTALS

OPERATING HOUR 7 A.M. TO 11 P.M.

- K. Provide other pertinent information regarding the proposed development:

Site Plan Review

Existing Conditions

- A. Describe all previous uses or activities on the site:

NONE

- B. Describe all existing structures on the site in terms of their use, construction type, height, density, and size:

NONE

- C. Describe the project site as it presently exists before the project in terms of:

- Site topography:

FLAT

- Plant life (existing trees, vegetative cover):

NATIVE WILD SHRUBS.

- Soil conditions:

SAND

- Historic or cultural resources (if applicable):

NONE

- D. Describe the land use and zoning of surrounding properties within 200 feet of project location:

North:

VACANT, TOURIST COMMERCIAL

South:

RESIDENTIAL, TOURIST COMMERCIAL

East:

AIA, OCEAN

West:

RESIDENTIAL, RESIDENTIAL



Staff Report

Planning & Architectural Review Board Regular Meeting

May 5, 2026

To: Planning & Architectural Review Board
From: Lupita McClenning, Planner
Meeting Date: May 5, 2026
Item Name: Application PCPA26-0002. Ordinance 2026-10. An Ordinance of the City Commission of the City of Flagler Beach, Florida, amending the Comprehensive Plan Future Land Use Map designation for approximately 0.116 acres of certain real property; providing for conflicts; providing for severability; and providing an effective date

Background:

The applicant requests a small-scale FLUM amendment from Low Density to Commercial to allow for redevelopment of the site as a parking area to support a proposed seafood, steak restaurant and fish market adjacent to the site (108 S. 12th St., and 1104 S. Oceanshore Blvd.). The proposed surface parking area at 1115 S Central Ave yields approximately 12 parking spaces.

Fiscal Impact:

Commercial ad valorem vs residential ad valorem

Staff Recommendation:

Approve the small-scale FLUM amendment from Low Density to Commercial on the condition it will help meet parking requirements for the proposed development; that minimum construction standards for surface parking lots be applied; and neighborhood concerns, if any be mitigated.

Attachments:

1. Staff Report 1115 S. Central Avenue_Amend FLUM from Low Density to Commercial
2. FLUM Amend Ord - Golden Magnolia Marine (04.27.2026)
3. Existing_Proposed FLUM Maps
4. Supporting Maps
5. 1115 S. Central Ave -Boundary Survey
6. Application PCPA26-0002

7. 260423 COFB City of Flagler Beach Notice of Public Hearing-Ordinance 2026-11



City of Flagler Beach

800 South Daytona Avenue
Flagler Beach, Florida 32136
Phone 386-517-2000 Ext. 257

To: Planning Architectural Review Board, City of Flagler Beach, FL
From: Lupita McClenning, City Planner
Date: April 28, 2026
RE: Staff Report – 1115 Central Avenue – Small Scale FLUM Amendment PCPSA 26-0002

Applicant: Zev Cohen & Associates, Inc.
300 Interchange Blvd.
Ormond Beach, FL 32174

Project: 1115 Central Avenue
Address: Flagler Beach, FL 32136

Parcel ID: 12-12-31-4500-00180-0061
Zoning: Single-Family Residential (SFR)
FLUM: Low Density
Overlay: A1A retail corridor
Proposed
FLUM: Commercial

Existing Condition: +/-5,000 SQFT vacant, undeveloped corner lot

Surrounding Properties: Property to the north is zoned Single Family Residential (SFR)
Property to the south abuts ROW 12th St. S.
Property to the east is zoned General Commercial (GC)
Property to the west is ROW Central Ave abutting (SFR) district



Project Description

The applicant requests a small-scale FLUM amendment from Low Density to Commercial to allow for redevelopment of the site as a parking area to support a proposed seafood, steak restaurant and fish market adjacent to the site (108 S. 12th St., and 1104 S. Oceanshore Blvd.).

The proposed surface parking area at 1115 S Central Ave yields approximately 12 parking spaces.

Section 2.04.02.12

Should the small-scale FLUM be approved legislatively, and become part of a future proposed redevelopment project, all new construction shall subscribe to the appropriate adopted character area district development standards extended to S. 13th St. in accordance with Ordinance 2015-05:

- Downtown A1A retail corridor

Additionally, the City has implemented minimum construction standards for surface parking that shall apply.

Potential benefits:

- Helps meet demand-driven parking needs.
- Enables business creation and fosters redevelopment of existing sites.
- Improves a vacant lot already used for surface parking without minimum applicable standards for stormwater runoff, erosion, lighting, landscaping, etc.
- FLUM and Zoning amendments to permit parking allow for optimal land utilization, organized parking, and allow for enhanced drainage or infrastructure.

Neighborhood Considerations

- Encroachment of commercial use on adjacent residential neighborhood can potentially spark strong opposition from neighbors.

Summary

The total SQFT of the proposed seafood steak restaurant is unknown. The formula for required parking based on occupancy and square footage for a restaurant is as follows: $1000 \text{ SQFT} / 15 = 67 \text{ max occupancy} / 4 \text{ people} = 17 \text{ parking spaces}$.

The total SQFT for the fish market is unknown.

On-site parking for the proposed development (including adjacent GC properties) potentially yields 24 parking spaces.

Staff Recommendation

PARB recommend that the City Commission approve the small-scale FLUM amendment from Low Density to Commercial on the condition it will meet parking requirements for the proposed development; that minimum constructions standards for surface parking lots be applied; and neighborhood concerns, if any be mitigated.

ORDINANCE 2026-10

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP DESIGNATION FOR APPROXIMATELY 0.116 ACRES OF CERTAIN REAL PROPERTY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Fla. Stat. § 163.3161 *et seq.*, known as the Community Planning Act, requires municipalities within the State to establish and maintain Comprehensive Plans to guide and manage future development; and

WHEREAS, the City Commission of the City of Flagler Beach adopted the City's 2035 Comprehensive Plan (Ordinance No. 2018-1), which includes a Future Land Use Map ("FLUM"), and has since approved subsequent amendments thereto pursuant to and consist with the procedures set forth in Fla. Stat. § 163.3184; and

WHEREAS, the City of Flagler Beach desires to amend the Future Land Use designation of certain property located within the City's boundaries from Low Density Residential to Commercial; and

WHEREAS, on May 5, 2026, the City of Flagler Beach Planning and Architectural Review Board, acting as the City's Local Planning Agency, conducted a public hearing to consider the proposed FLUM amendment and recommended APPROVAL of same; and

WHEREAS, on [REDACTED], 2026, and [REDACTED], 2026, the City Commission held duly noticed public hearings on the proposed FLUM amendment and, upon thorough and complete consideration and deliberation, approved and adopted said amendment; and

WHEREAS, the FLUM amendment set forth in this Ordinance complies with the requirements of the Community Planning Act, the State Comprehensive Plan as set forth in Fla. Stat. Chapter 187, as well as other applicable law, and is consistent with the goals, objectives, and policies and the overall land use plan outlined in the City's Comprehensive Plan; and

WHEREAS, the City Commission reaffirms the City's commitment to enacting and implementing sound growth management practices within the City of Flagler Beach; and

WHEREAS, the City Commission finds that this Ordinance is in the best interest of the health, safety, and welfare of the citizens of Flagler Beach.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH AS FOLLOWS:

SECTION 1. Legislative and Administrative Findings. The above recitals are hereby adopted as the legislative and administrative findings of the City Commission of the City of Flagler Beach.

SECTION 2. Future Land Use Map Amended. The Future Land Use Map designation for the approximately 0.116-acre subject area generally located 1115 Central Ave S., Flagler Beach, Florida 32136, as legally described in **Exhibit A** and depicted in **Exhibit B**, attached hereto, is amended from Low Density Residential to Commercial.

SECTION 3. Conflicts. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. Severability. If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such unconstitutionality or invalidity shall not be construed as to render unconstitutional or invalid the remaining provisions of this Ordinance.

SECTION 5. Effective Date. In accordance with Fla. Stat. § 163.3184(3)(c)(4), the effective date of the Comprehensive Plan amendment established by this Ordinance shall be thirty-one (31) days after the State land planning agency notifies the City that the Plan amendment package is complete. If timely challenged, the Plan amendment shall become effective on the date the State land planning agency or the Administration Commission, as defined in Fla. Stat. § 163.3164, enters a final order finding the Plan amendment in compliance with Fla. Stat. § 163.3184. No development orders, development permits, or land uses which are dependent on the Plan amendment herein may be issued or commence before the Plan amendment has gone into effect.

APPROVED on first reading after a duly noticed public hearing on the _____ day of _____ 2026.

ADOPTED on second reading after a duly noticed public hearing on this _____ day of _____ 2026.

**CITY OF FLAGLER BEACH, FLORIDA,
CITY COMMISSION**

Patti King, Mayor

ATTEST:

Penny Overstreet, City Clerk

EXHIBIT A
Subject Property

Parcel ID: 12-12-31-4500-00180-0061

Address: 1115 Central Ave S., Flagler Beach, FL 32136

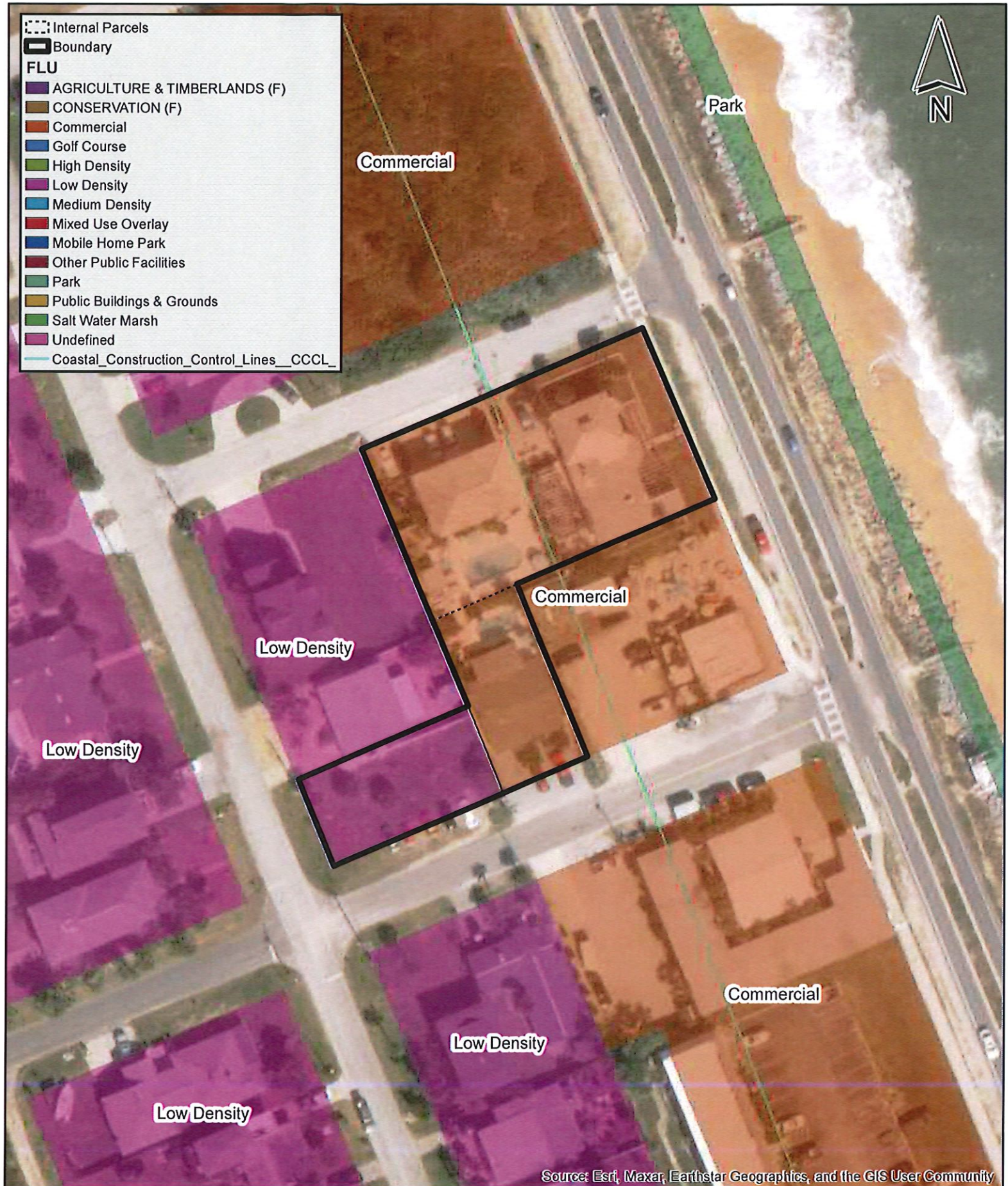
Legal Description:

South ½ of Lot 6 and South 1/2 of Lot 7, Block 18, PLAT OF MOODY'S SUBDIVISION, according to the map or plat thereof, as recorded in Plat Book 1, Page 24, of the Public Records of Flagler County, Florida.

EXHIBIT B
Subject Property



-  Internal Parcels
-  Boundary
- FLU**
-  AGRICULTURE & TIMBERLANDS (F)
-  CONSERVATION (F)
-  Commercial
-  Golf Course
-  High Density
-  Low Density
-  Medium Density
-  Mixed Use Overlay
-  Mobile Home Park
-  Other Public Facilities
-  Park
-  Public Buildings & Grounds
-  Salt Water Marsh
-  Undefined
-  Coastal_Construction_Control_Lines__CCCL_



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

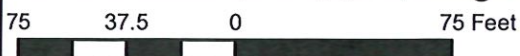
Info:

Date Saved: 3/24/2026 Created by: planigan
 Path: Z:\PROJECTS\2026\26035 Flagler Fish Company\FLU Map.mxd

Existing Future Land Use Map Flagler Beach Fish & Steak Restaurant Flagler Beach, Florida

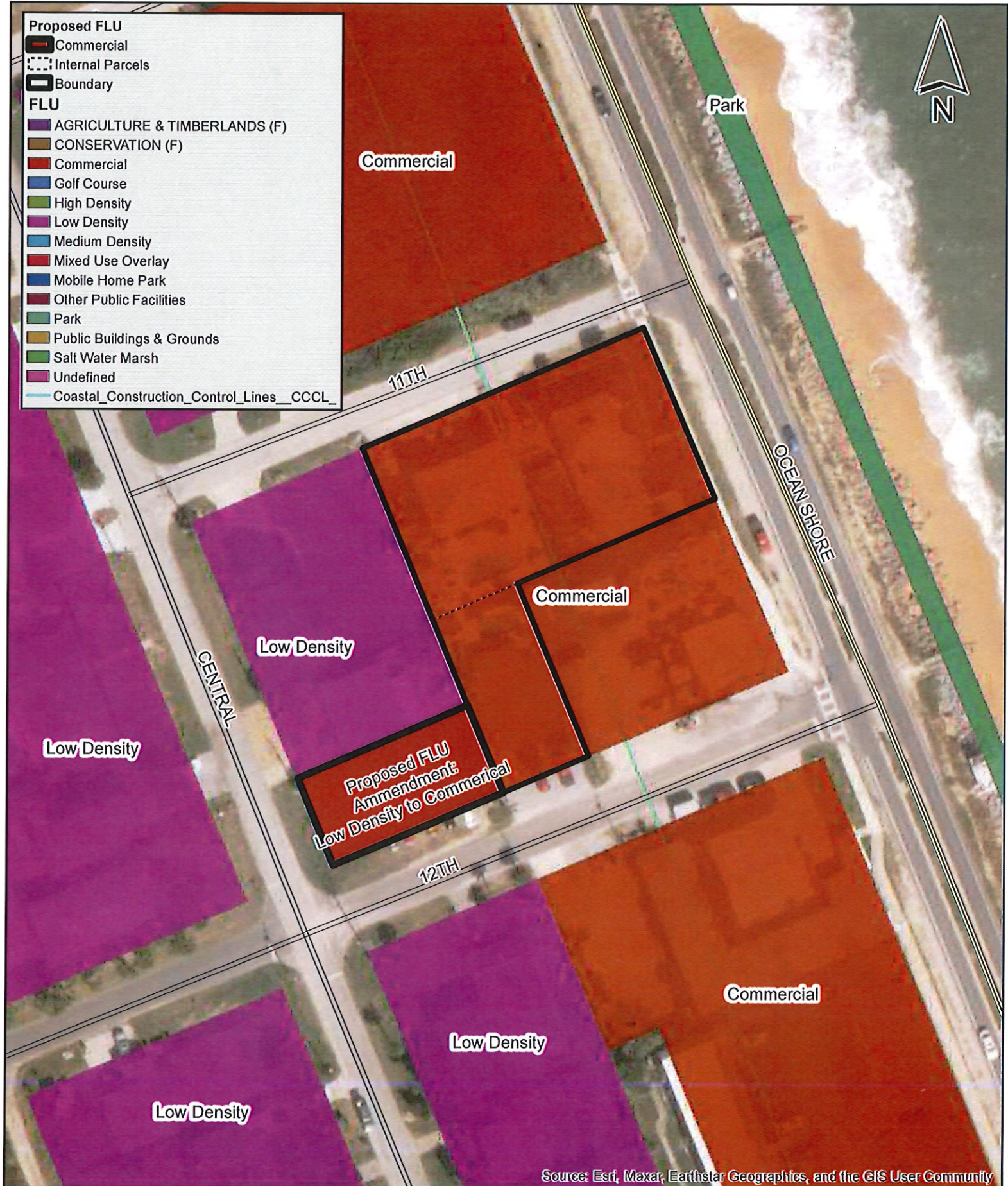


300 Interchange Blvd
 Ormond Beach, FL 32174
 ph 386-677-2482



Proposed FLU
 Commercial
 Internal Parcels
 Boundary

FLU
 AGRICULTURE & TIMBERLANDS (F)
 CONSERVATION (F)
 Commercial
 Golf Course
 High Density
 Low Density
 Medium Density
 Mixed Use Overlay
 Mobile Home Park
 Other Public Facilities
 Park
 Public Buildings & Grounds
 Salt Water Marsh
 Undefined
 Coastal_Construction_Control_Lines_CCCL_



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

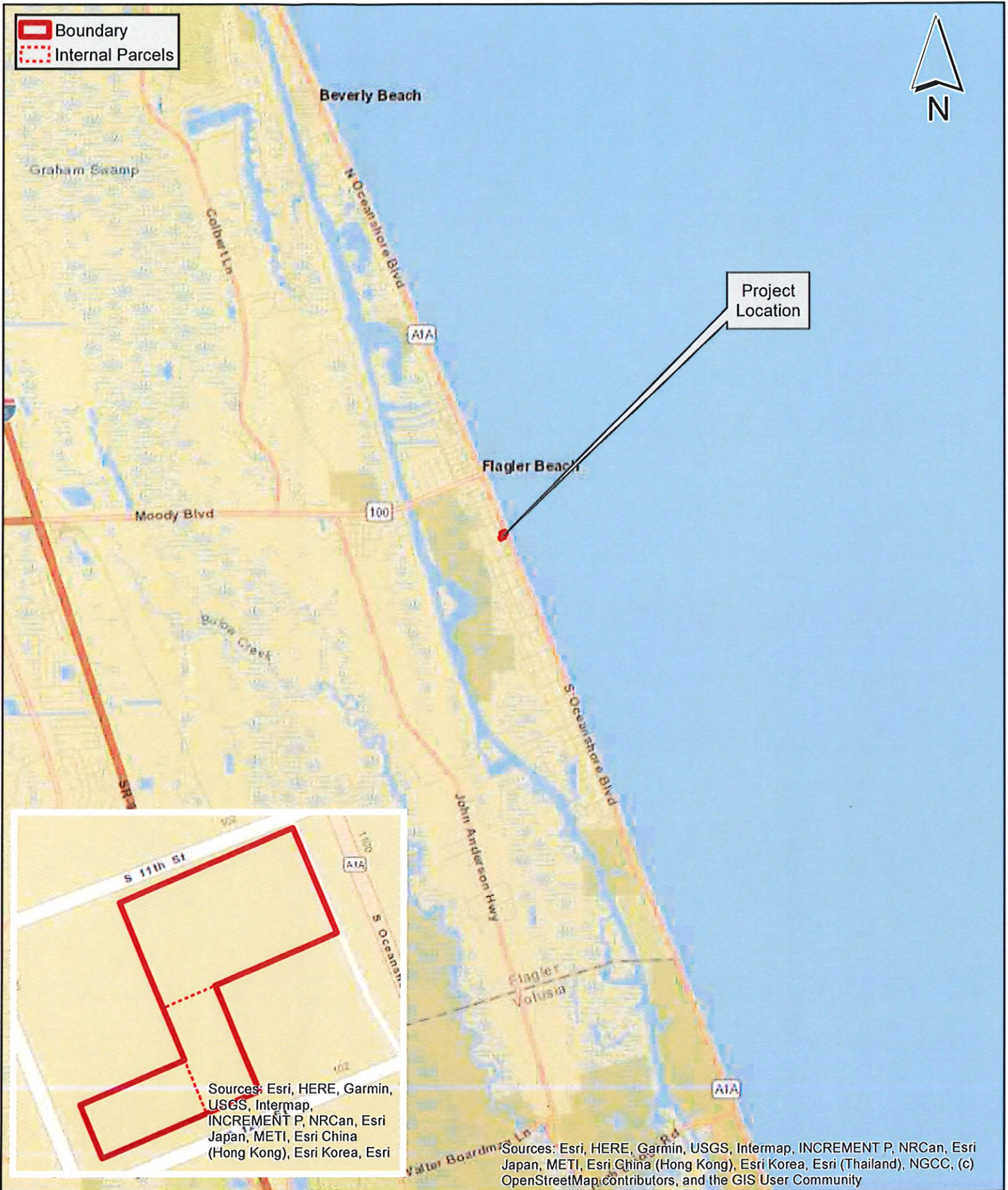
Info:

Date Saved: 3/24/2026 Created by: planigan
 Path: Z:\PROJECTS\2026\26035 Flagler Fish Company\Proposed FLU

Proposed Future Land Use Map
 Flagler Beach Fish & Steak Restaurant
 Flagler Beach, Florida

ZEVC **COHEN**
 ASSOCIATES INC
 300 Interchange Blvd
 Ormond Beach, FL 32174
 ph 386-677-2482

75 37.5 0 75 Feet



Date Saved: 3/25/2026 Created by: planigan
Path: Z:\PROJECTS\2026\26035 Flagler Fish Company\Lo



300 Interchange Blvd
Ormond Beach, FL 32174
ph 386-677-2482

- Boundary
- Internal Parcels
- Streets**
- LOCAL
- MAJOR ARTERIAL



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Info:

Date Saved: 3/24/2026 Created by: planjan
Path: Z:\PROJECTS\2026\26035 Flagler Fish Company\Aerial Map.mxd

75 37.5 0 75 Feet

Aerial Map

Flagler Beach Seafood & Steak Restaurant
Flagler Beach, Florida

ZEVCORHEN
ASSOCIATES INC

300 Interchange Blvd
Ormond Beach, FL 32174
ph 386-677-2482

- Streets**
- AIRPORT
 - DRIVEWAY
 - LOCAL
 - LOCAL UNPAVED
 - MAJOR ARTERIAL
 - MAJOR COLLECTOR
 - MINOR ARTERIAL
 - MINOR COLLECTOR
 - PRINCIPAL ARTERIAL
 - PRIVATE
 - topo2ft_pds_flagler
 - Boundary
 - Internal Parcels



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Info:

Date Saved: 3/24/2026 Created by: planigan
Path: Z:\PROJECTS\2026\26035 Flagler Fish Company\LiDAR Map

75 37.5 0 75 Feet

LiDAR Map

Flagler Beach Seafood & Steak Restaurant
Flagler Beach, Florida

ZEVC COHEN
ASSOCIATES INC

300 Interchange Blvd
Ormond Beach, FL 32174
ph 386-677-2482

Streets

- AIRPORT
- DRIVEWAY
- = LOCAL
- LOCAL UNPAVED
- = MAJOR ARTERIAL
- MAJOR COLLECTOR
- MINOR ARTERIAL
- MINOR COLLECTOR
- PRINCIPAL ARTERIAL
- PRIVATE
- Boundary
- Coastal_Construction_Control_Lines__CCCL__
- - - Internal Parcels
- Soils



33 - BEACHES

33 - BEACHES

OCEAN SHORE

31 - PALM BEACH
GRAVELLY SAND; 0 TO
8 PERCENT SLOPES

12TH

CENTRAL

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Info:

Date Saved: 3/24/2026 Created by: planigan
Path: Z:\PROJECTS\2026\26035 Flagler Fish Company\Soils Map.mxd

75 37.5 0 75 Feet

Soils Map

Flagler Beach Seafood & Steak Restaurant
Flagler Beach, Florida



300 Interchange Blvd
Ormond Beach, FL 32174
ph 386-677-2482

- ▤ Internal Parcels
- ▭ Boundary
- Coastal_Construction_Control_Lines__CCCL__
- 0.2% Annual Chance Flood Hazard
- 1% Annual Chance Flood Hazard
- Future Conditions 1% Annual Chance Flood Hazard
- Regulatory Floodway
- Area with Reduced Risk Due to Levee
- Special Floodway



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Info:

Date Saved: 3/24/2026 Created by: planigan
Path: Z:\PROJECTS\2026\26035 Flagler Fish Company\FEMA Flood Map

FEMA Flood Map
Flagler Beach Seafood & Steak Restaurant
Flagler Beach, Florida



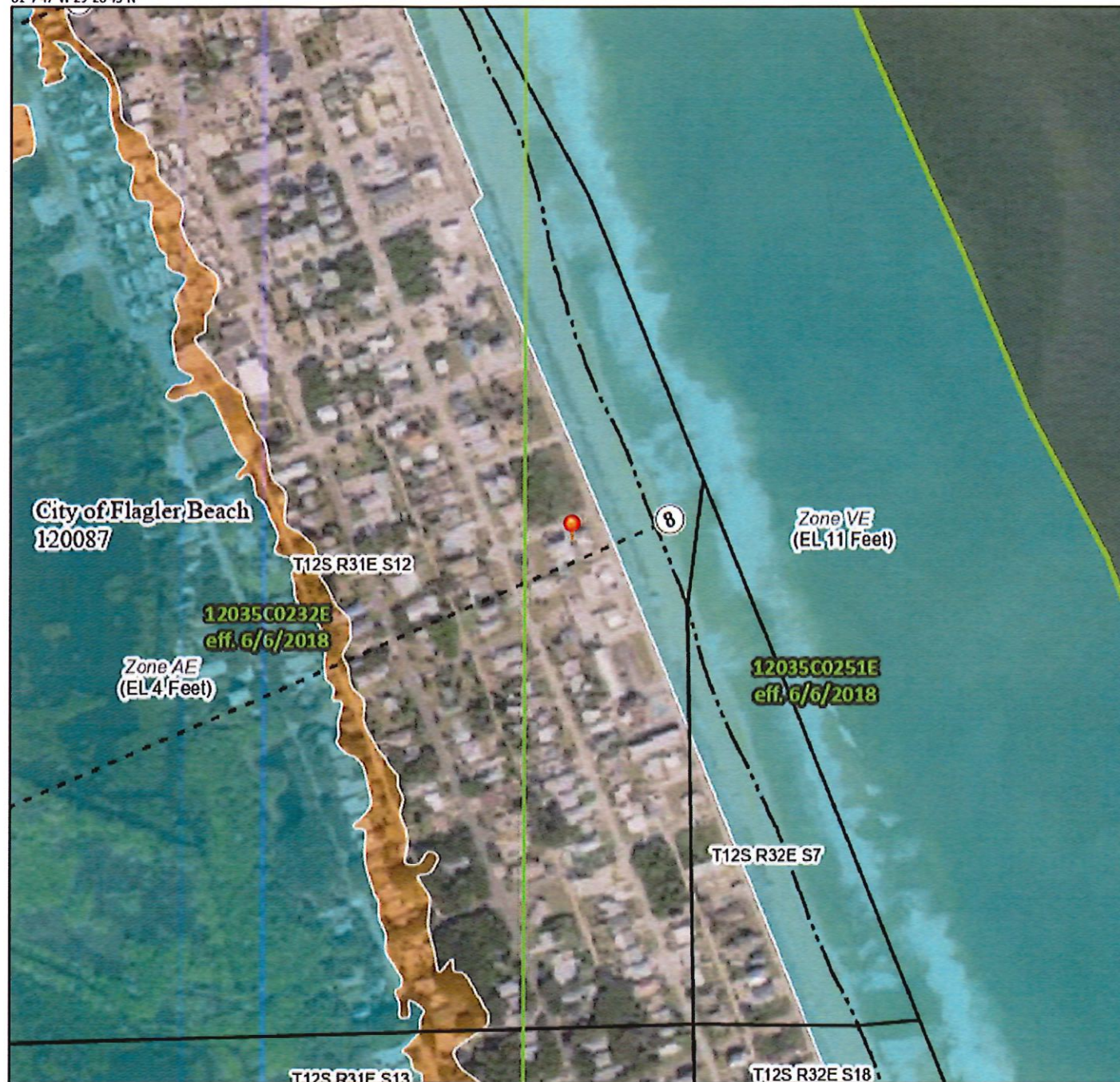
300 Interchange Blvd
Ormond Beach, FL 32174
ph 386-677-2482

75 37.5 0 75 Feet

National Flood Hazard Layer FIRMette



81°7'47"W 29°28'43"N



0 250 500 1,000 1,500 2,000 Feet

1:6,000

81°7'10"W 29°28'12"N

Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped

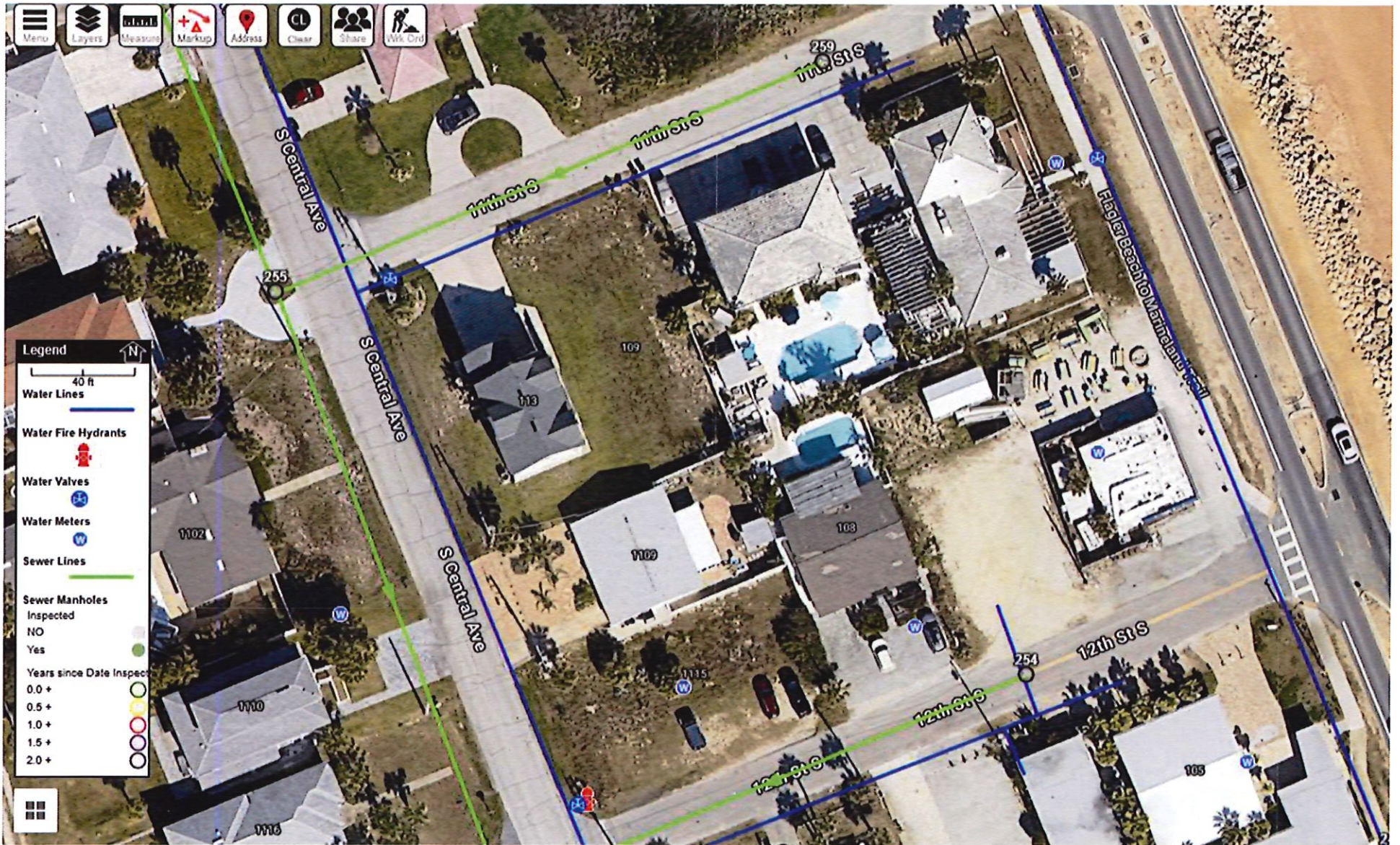


The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 3/19/2026 at 8:52 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



EXISTING UTILITIES MAP

LEGEND

- = SANITARY SEWER MANHOLE
 = LIGHT POLE
 = MITERED END SECTION
 = MAIL BOX
 = FIRE HYDRANT
 = CABLE/INTERNET UTILITIES BOX
 = POWER POLE
 = WATER METER
 = SEWER VALVE
 = FOUND 1/2" IRON ROD LB 7382
 = FOUND 1/2" IRON ROD LS 2379 AT PROPERTY CORNER
 = FOUND 1/2" IRON ROD WITH NO IDENTIFICATION
 6" PVC FENCE

- A/C = AIR CONDITIONER ON PAD
 BRL = BUILDING RESTRICTION LINE (SETBACK) LINE
 CB = CHORD BEARING
 CH = CHORD DISTANCE
 DB = DEED BOOK
 L = ARC LENGTH
 LB = LICENSED SURVEY BUSINESS
 LS = LICENSED SURVEYOR
 OHW = OVERHEAD WIRE/LINE
 ORB = OFFICIAL RECORDS BOOK
 PC = POINT OF CURVATURE
 PG = PAGE
 POB = POINT OF BEGINNING
 POC = POINT OF COMMENCEMENT
 PRM = PERMANENT REFERENCE MONUMENT
 PSM = PROFESSIONAL SURVEYOR AND MAPPER
 R = RADIUS
 RBL = REFERENCE BEARING LINE
 R/W = RIGHT-OF-WAY LINE
 STY = STORY
 TYP = TYPICAL
 (P) = PLAT CALL
 (M) = FIELD MEASURED VALUE
 (D) = DEED CALL
 (C) = CALCULATED VALUE, FROM FIELD MEASUREMENTS
 (R) = RECORD VALUE

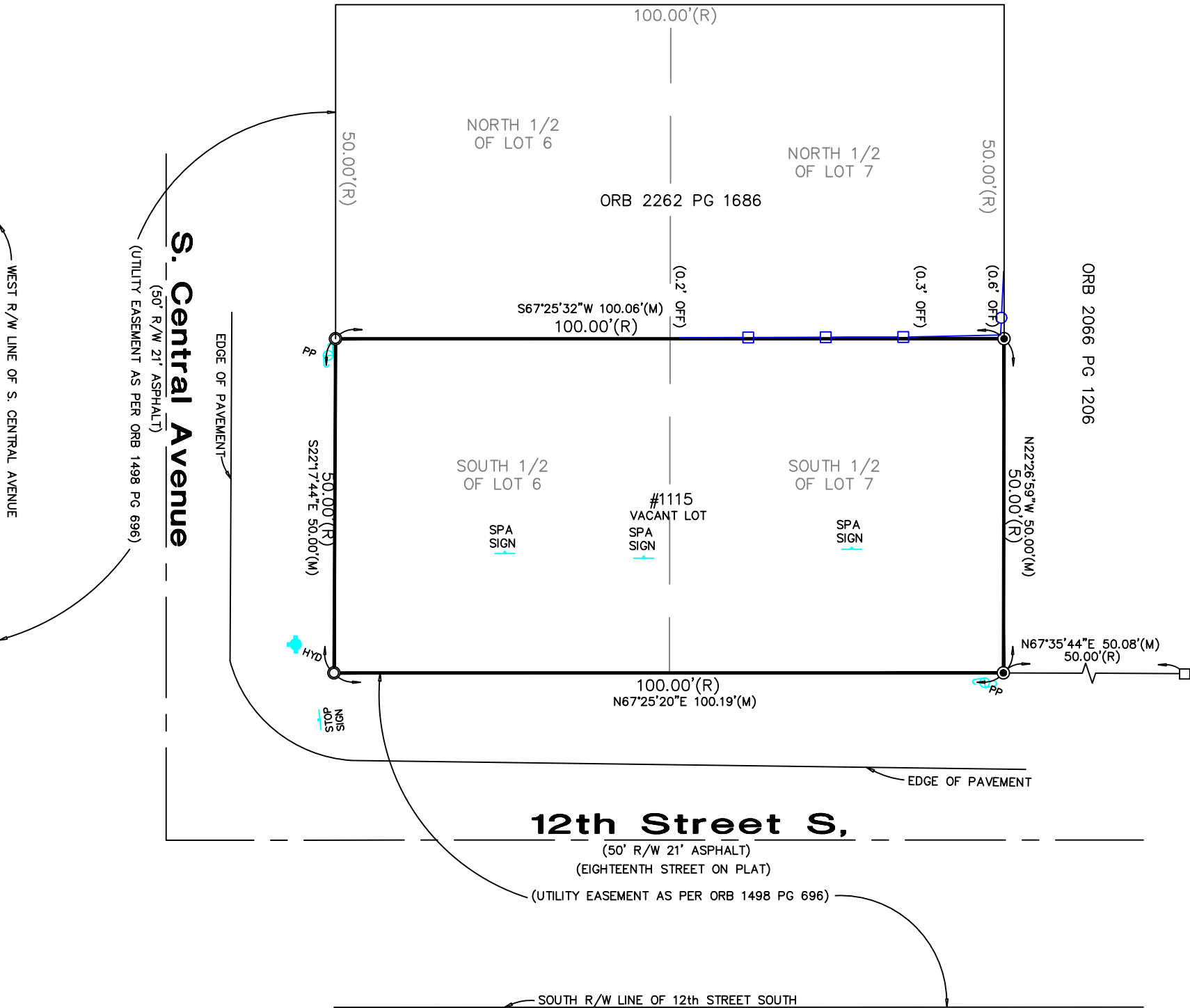
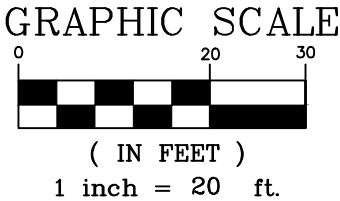
SURVEYOR'S NOTES:

1. Legal Description has been furnished by client and/or his/her agents.
 2. No Title Opinion or Abstract of Matters Affecting the Title or Boundary to the Subject Property have been provided. It is possible that there could exist Deeds of Record, Unrecorded Deeds, Easements (especially any easements/documents recorded AFTER Plat Recordation) or other instruments that could affect this property.
 3. Measurements hereon are in accordance with U.S. Standard Feet, data acquired with Theodolite and Steel Tape, or with Technologically Superior Equipment utilizing Redundant Techniques.
 4. Bearings hereon are based on: RBL as shown or stated hereon.
 5. Contiguous lots lie in same block, unit, phase, section etc. unless noted.
 6. Type of Survey: **BOUNDARY SURVEY**
 7. Stated Legal Purpose of Survey: Acquisition, Sale, Mortgage, Permits, Planning.
 8. No Flood Zone Determination has been made or requested for this property during the course of this Survey.
 9. This Survey is not intended to Locate any subsurface/underground objects, improvements, foundations or encroachments. Survey reflects above-ground features and improvements only.
 10. This Survey Does **NOT** Reflect or Determine Ownership of land or fences.
 11. This Survey is NOT Insured for Multiple uses. Fiduciary and all other obligations are limited to Certifyees listed hereon utilizing Survey for purposes listed in item 7 Above. See Note Above Signature Block.
 12. Construct Improvements to Iron Markers as Described Only. Wooden Stakes/Wire Flags are NOT Property Corners.
 13. All Above-ground Evidences of Utilities lie Within their respective easements unless noted.
 14. Street (s) hereon are centered in R/W unless noted.
 15. Building Dimensions and their ties to adjacent property or other lines are made from exterior load-bearing walls, ignoring overhangs and ancillary attachments unless noted. Ties to structures are made by perpendicular measurement from nearest property or other line.
 16. The Linear Closure of this survey exceeds 1:10,000.
 17. Elevations if shown are based on the North American Vertical Datum of 1988.

MEASURED BEARINGS HEREON ARE BASED ON A FLORIDA DEPARTMENT OF TRANSPORTATION BENCHMARK "BART" AND "PEDR", WHICH WERE DERIVED FROM A GLOBAL POSITIONING SYSTEM (GPS) REAL-TIME KINEMATIC (RTK) SURVEY. A SOKKIA GCX3 GPS RECEIVER WAS USED AS A ROVER, RTK CORRECTIONS WERE OBTAINED FROM THE FLORIDA PERMANENT REFERENCE NETWORK (FPRN), COORDINATES OBTAINED FROM THE GPS SURVEY ARE REFERENCE TO NORTH AMERICAN DATUM OF 1983 (NAD83)-(2011)-(EPOCH 2010.0000).

Special Note - Liability Notice

NOTICE OF LIABILITY: THIS SURVEY IS CERTIFIED TO THOSE INDIVIDUALS SHOWN IN TITLE AND CERTIFICATION BLOCKS BELOW. ANY OTHER USE, BENEFIT OR RELIANCE BY ANY OTHER PARTY IS STRICTLY PROHIBITED AND RESTRICTED. SURVEYOR IS RESPONSIBLE ONLY TO THOSE CERTIFIED AND HEREBY DISCLAIMS ANY OTHER LIABILITY AND HEREBY RESTRICTS THE RIGHTS OF ANY OTHER INDIVIDUAL OR FIRM TO USE THIS SURVEY IN ANY MANNER WHATSOEVER, WITHOUT THE WRITTEN CONSENT OF THE SIGNING SURVEYOR. SEE SURVEYOR'S NOTE #11 HEREON.



LEGAL DESCRIPTION

THE SOUTH 1/2 OF LOT 6 AND THE SOUTH 1/2 OF LOT 7,
BLOCK 18, PLAT OF MOODY'S SUBDIVISION PLAT/MAP
BOOK 1, PAGE 24 PUBLIC RECORDS OF FLAGLER COUNTY,
FLORIDA

MAP OF BOUNDARY SURVEY

IME CIVIL & SURVEYING, LLC
3000 N. PONCE DE LEON BLVD, SUITE C
ST AUGUSTINE, FLORIDA 32084

WWW.IMECIVIL.COM
904-429-7764

Licensed Survey Business #8139
Certificate of Authorization #33025

Copyright
Do not copy or reproduce without permission.

ADDRESS OF PROPERTY SHOWN HEREON:
FOR: **GOLDEN MAGNOLIA MARINE INC**
AT: 1115 S Central Avenue
Flagler Beach, FL 32136

Drawn By: TMR
Field Survey Date: 03/09/2021
FB/PG: 63/45

Scale 1" = 20 Feet
Drawing/File # 030821.1

Additional Information/Certifications:
COLLINS BROWN BARKETT CHARTERED
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
ITHINK FINANCIAL CREDIT UNION

Surveyor's Certification

REPRODUCTIONS OF THIS SKETCH OF SURVEY ARE NOT VALID UNLESS BEARED WITH THE EMBOSSED SEAL OF THE SIGNING SURVEYOR.

THE SKETCH OF SURVEY DEPICTED HEREON CONFORMS TO THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN ACCORDANCE WITH CHAPTER SJ-11(1)(b) (FORMERLY 61G-17), PURSUANT TO CHAPTER 472.007 FLORIDA STATUTES, AND WAS DONE UNDER MY SUPERVISION.

Brandon D. Shugart
STATE OF FLORIDA
Professional Surveyor and Mapper
03/11/2021
Signature Date
Brandon D. Shugart, P.S., #2009
survey@imecivil.com



CITY OF FLAGLER BEACH PLANNING & ZONING DEPARTMENT

INTAKE APPLICATION	
☐ Final Site Plan	☐ Preliminary Plat
☐ Master Site Plan	☐ Final Plat
☐ Site Development Plan(s)	☐ Plat Vacating
☐ Rezoning	☐ Subdivision Master Plan
☐ Comprehensive Plan Amendment	☐ Non-statutory Land Division/Parcel Reconfiguration
☒ Future Land Use Map Amendment	☐ Site Plan Modification (Post approval)
☐ Special Exception	☐ Development Order Modification
☐ Variance	☐ Wireless Communication Facility (new structure)

RECEIVED

MAR 31 2026

DATE RECEIVED: _____ APPLICATION NUMBER: PCPA26-0002

ALL FEES REQUIRED AT INTAKE ARE BASED ON THE APPLICATION TYPE.

CITY STAFF WILL PROVIDE A FEE SCHEDULE TO THE APPLICANT PRIOR TO SUBMISSION.

A. PROJECT NAME: Flagler Beach Seafood & Steak Restaurant
 B. LOCATION OF SUBJECT PROPERTY (PHYSICAL ADDRESS): 1115 Central Ave S., Flagler Beach, Florida 32136
 C. PROPERTY APPRAISER'S PARCEL ID NUMBER(S): 12-12-31-4500-00180-0061

D. LEGAL DESCRIPTION: See Description Below Subdivision Name: George Moody
 S½ of Lots 6 and 7, Block 18, Plat of Moody's Subdivision, according to the map or plat thereof, as recorded in Plat Book 1, Page 24, of the Public Records of Flagler County, Florida

Section; 7 Block(s); 18 Lot(s); S½ of 6 & 7

E. SUBJECT PROPERTY ACRES / SQUARE FOOTAGE: 5,059.112 GIS sqft

F. FUTURE LAND USE MAP DESIGNATION: Low Density EXISTING ZONING DISTRICT: SFR (R1)

OVERLAY DISTRICT: N/A

G. FLOOD ZONE: X FEMA COMMUNITY PANEL NUMBER: 12035C0251E DATE: 6/6/2018

H. CURRENT USE OF PROPERTY: Vacant

I. DESCRIPTION OF REQUEST/PROPOSED DEVELOPMENT (ATTACH ADDITIONAL SHEETS) Request to amend current Future Land Use for Parcel 12-12-31-4500-00180-0061 to a commercial Future Land Use to allow for redevelopment of the site as a parking area, supporting the proposed seafood and steak restaurant and fish market.

J. PROPOSED NUMBER OF LOTS (If Applicable): 1 Development Phasing: Yes ☐ No ☒



CITY OF FLAGLER BEACH PLANNING & ZONING DEPARTMENT

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

L. WATER/SEWER PROVIDER: City of Flagler Beach

M. EXISTING MORTGAGE? Yes ☒ No ☐

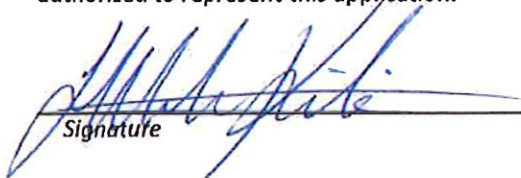
OWNER:	APPLICANT/AGENT:
Name: Golden Magnolia Marine, Inc. / Marianna Gorshelev	Name: Zev Cohen & Associates, Inc. / Haluk "Luke" Kilic, P.E.
Mailing Address: 1 Hargrove Grade, Ste 2	Mailing Address: 300 Interchange Blvd, Ormond Beach, FL 32174
Phone Number: 386-237-0301	Phone Number: 386-677-2482
E-mail Address: 3862370301m@gmail.com	E-mail Address: Hkilic@zevcohen.com

MORTGAGE HOLDER:	ENGINEER OR PROFESSIONAL:
Name: ITHINK Financial Credit Union	Name: Zev Cohen & Associates, Inc. / Haluk "Luke" Kilic, P.E.
Mailing Address: 1000 NW 17th Avenue Delray Beach, FL 33445	Mailing Address: 300 Interchange Blvd, Ormond Beach, FL 32174
Phone Number: 800-873-5100, ext. 8734	Phone Number: 386-677-2482
E-mail Address: mortgage@ithinkfi.org	E-mail Address: Hkilic@zevcohen.com

SURVEYOR:	ATTORNEY OF RECORD:
Name:	Name:
Mailing Address:	Mailing Address:
Phone Number:	Phone Number:
E-mail Address:	E-mail Address:

PLANNER:	TRAFFIC ENGINEER:
Name: Clay Ervin	Name:
Mailing Address: 300 Interchange Blvd, Ormond Beach, FL 32174	Mailing Address:
Phone Number: 386-677-2482	Phone Number:
E-mail Address: Cervin@zevcohen.com	E-mail Address:

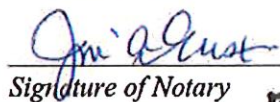
I HEREBY CERTIFY THAT ALL INFORMATION ON THIS APPLICATION IS CORRECT: Signature of owner OR person authorized to represent this application:


Haluk "Luke" Kilic, P.E.
03/30/2020
Signature
Print Name
Date

STATE OF Florida

COUNTY OF Volusia

The foregoing instrument was sworn to or affirmed ☒ in person or ☐ by virtual notarization on the 30 day of March, 2020 by Haluk "Luke" Kilic, P.E. who is personally known to me or who produced _____ as identification.


 Signature of Notary

(SEAL)



INTAKE APPLICATION

Page 2 of 2



City of Flagler Beach
Planning & Zoning Department
P.O. Box 70 * 800 S Daytona Ave.
Flagler Beach, FL 32136
www.cityofflaglerbeach.com

Application for Amendment to the City of Flagler Beach Comprehensive Plan

Small Area Amendment: (Sec. 163.33187.FS) X
Under 1 Acre X Over 1, Under 10 Acres _____ Fees: \$ 2,200
Regular Amendment _____ Number of Acres _____ Fees: \$ _____

Any party requesting a change of land use must provide the city with sufficient information to determine the practicality of effecting such a change. The party making such a request must provide the following information to the city building department, on a form provided by the city and pay a fee established by the city commission which may be amended as experience dictates:

Part I. Applicant / Owner Information

Applicant: Zev Cohen & Associates, Inc. / Haluk "Luke" Kilic, P.E.

Applicant's Address: 300 Interchange Blvd, Ormond Beach, FL 32174

Applicant's Contact Numbers: 386-677-2482 or N/A

Applicant's E-mail: Hkilic@zevcohen.com

If the Owner is different from the Applicant please fill out the following:

Owner's Name: Golden Magnolia Marine, Inc. / Marianna Gorshlev

Owner's Address: 1 Hargrove Grade, Ste 2, Palm Coast, Florida 32137

Owner's Contact Numbers: Home _____ Business 386-237-0301 FAX _____

Owner's E-mail (if applicable): 3862370301m@gmail.com

Part II. Parcel Description

Parcel ID Number: 12-12-31-4500-00180-0061

Legal Description: (Attach if necessary) S½ of Lots 6 and 7, Block 18, Plat of Moody's Subdivision, according to the map or plat thereof, as recorded in Plat Book 1, Page 24, of the Public Records of Flagler County, Florida

Number of Acres or Fraction Thereof: 5,059.112 GIS sqft

Existing Land Use Designation: Low Density

Application for amendment to Comp. Plan

1/25/2026

Proposed Land Use Designation: General Commercial

Number of Units to Be Developed: by type: To be developed into parking lot in support of the proposed seafood and steak restaurant and fish market

Roads Serving Site: Ocean Shore Blvd, S Central Ave, W 11th St S, and W 12th St S

Recreational facilities serving site: Nearby public beach access points along Ocean Shore Blvd and local parks within the surrounding area.

	Yes	No
Will the Site be served by: Central Water?	___	___
Central Sewer?	___	___
Is the Site in 100-year Flood Zone?	___	<u>X</u>
Does Site Contain Critical Habitat for Endangered/Threatened Species?	___	<u>X</u>
Will proposed change affect beach accessibility?	___	<u>X</u>

Please state the reason for the requested change:

Request to amend current Future Land Use for Parcel 12-12-31-4500-00180-0061 to a commercial Future Land Use to allow for redevelopment of the site as a parking area, supporting the proposed seafood and steak restaurant and fish market.

Part III: Attachments Checklist

The information and attachments requested as part of this application are the minimum necessary to determine if the proposed amendment complies with the requirements of the Florida Statutes, Administrative Code, Comprehensive Land Use Plan (CLUP) and the Land Development Code (LDC). The City may require additional information at any time during the application process, depending on the nature of the request.

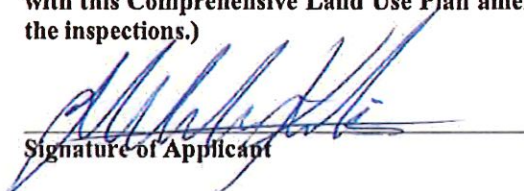
- ___ DEED/AFFIDAVIT OF OWNERSHIP OR CONTRACT FOR PURCHASE (COPY)
- ___ OWNER'S AGENT AUTHORIZATION FORM
- ___ SURVEY (1"=20', With Raised Seal and Signature of Florida Registered Surveyor or Engineer)
- ___ PROVIDE A MAP SHOWING THE PROPOSED FUTURE LAND USE MAP DESIGNATION OF THE SUBJECT PARCEL AND ITS LOCATION IN RELATION TO THE SURROUNDING STREET NETWORK.
- ___ PROVIDE A MAP SHOWING THE CURRENT LAND USE DESIGNATION OF THIS SUBJECT AND ABUTTING PARCELS ON THE FUTURE LAND USE MAP
- ___ PROVIDE A DESCRIPTION OF THE AVAILABILITY OF AND DEMAND ON THE FOLLOWING PUBLIC FACILITIES; SANITARY SEWER, SOLID WASTE, DRAINAGE, POTABLE WATER, TRAFIC CIRCULATION AND RECREATION.
- ___ DESCRIPTION OF HOW THE PROPOSED AMENDMENT IS CONSISTENT WITH THE INTENT AND PURPOSE OF THE CITY OF FLAGLER BEACH COMPREHENSIVE LAND USE PLAN
- ___ DESCRIPTION OF HOW THE PROPOSED AMENDMENT WILL ENCOURAGE THE MOST APPROPRIATE USE OF LAND AND CITY RESOURCES, CONSISTENT WITH THE PUBLIC INTEREST
- ___ PROVIDE AN ANALYSIS, INCLUDING SOILS, TOPOGRAPHY, NATURAL RESOURCES AND HISTORIC RESOURCES OF THE SUBJECT PARCEL
- ___ OTHER INFORMATION REQUIRED FOR COMPLIANCE WITH STATE STATUTES AND CODES AND LDR

NOTE: Approval of an application for a land use change amendment to the comprehensive plan does not reserve infrastructure capacity for future development.

NOTE: Should your request for a Comprehensive Plan Amendment also require a re-zoning, you must submit the requests at the same time. A separate re-zoning application is required.

******* CERTIFICATION *******

I hereby certify that the information contained in this application and the attachments hereto are true and correct to the best of my knowledge and belief. Furthermore, I acknowledge that the City has the right to inspect the property in conjunction with this Comprehensive Land Use Plan amendment application. (Please advise the City of any restrictions or limitations on the inspections.)


Signature of Applicant

03/30/20
Date



City of Flagler Beach
Planning & Zoning Department
P.O. Box 70 • 800 S Daytona Ave.
Flagler Beach, FL 32136
www.cityofflaglerbeach.com

Owner's Authorization Form

Zev Cohen & Associates, Inc. / Haluk "Luke" Kilic, P.E. is hereby authorized TO ACT ON BEHALF OF

Golden Magnolia Marine, Inc. / Marianna Gorshchev

the owners(s) of those lands described within the attached application, and as described in the attached deed or other such proof of ownership as may be required, in applying to Flagler Beach, Florida, for an application related to a development Permit or other action pursuant to a: application for: Flagler Beach Seafood & Steak Restaurant

By signing, I affirm that all legal owners(s), as listed on the Recorded Warranty Deed on file with the Flagler County Clerk of Courts or otherwise stated Recorded Warranty Deed (Instrument No. 2021021411), have *(Identify what document)* been notified of the Future Land Use Map Amendment

I further understand incomplete or false information provided on this form may lead to revocation of permits, termination of development activity.

Marianna Gorshchev
Signature of Owner

Marianna Gorshchev
Print Name

3-25-26
Date

Signature of Owner

Print Name

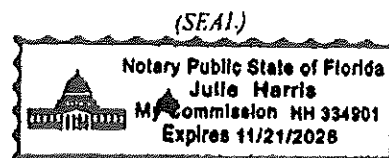
Date

STATE OF Florida

COUNTY OF Flagler

The foregoing instrument was sworn to or affirmed X in person or by virtual notarization on the 25 day of March 2026 by Marianna Gorshchev who is personally known to me or who produced ID as identification.

Julie Harris
Signature of Notary



Electronic Delivery
March 31, 2026

Ms. Lupita McClenning
City of Flagler Beach Planner
800 S. Daytona Avenue
Flagler Beach, Florida 32136

RE: Flagler Beach Seafood & Steak Restaurant
1115 Central Avenue, South
Future Land Use Map and Zoning Map
Amendments
ZCA: 26035

Dear Ms. McClenning,

Zev Cohen and Associates, Inc., on behalf of Golden Magnolia Marine, Inc., respectfully requests approval of an amendment to the City of Flagler Beach Future Land Use Map and Zoning Map for the property located at 1115 Central Avenue South (Parcel 12-12-31-4500-00180-0061). The request includes a change to the Future Land Use designation from Low Density Residential to Commercial and a rezoning from Single-Family Residential (R-1) to General Commercial (GC).

Please find enclosed the following items in support of this application:

1. Future Land Use Map Amendment Application
2. Petition for Rezoning Application
3. Owner's Authorization Form
4. Copy of the Recorded Deed
5. SunBiz Documentation
6. Architectural Site Plan Exhibit
7. Conceptual Rendering
8. FEMA FIRMette
9. Existing Utilities Exhibit
10. Various Map Exhibits

The proposed amendments will allow the subject parcel to be developed as a parking facility supporting the redevelopment of adjacent restaurant and retail uses. This effort will bring the site into compliance with the City's Land Development Regulations while supporting the continued operation and improvement of an established local business.

Background: The subject property is located at the northeast corner of Central Avenue and 12th Street South and contains approximately 5,060 square feet. The site is currently vacant but is being used for off-site parking serving nearby commercial uses. It is unclear whether this parking was formally approved by the City.

The proposed land use and zoning amendments are necessary to allow the continued use of the property for parking in a manner that is compliant with the City's Land Development Regulations and supports the

overall redevelopment plan.

Analysis: The following provides the necessary analysis to support the requested amendments to the Future Land Use Map and Zoning Map:

1. **Provide a description of the availability of and demand on the sanitary sewer, solid waste, drainage, potable water, traffic circulation, and recreation.**

The proposed amendment is necessary for redevelopment of existing commercial uses. If approved, the property will be improved as a parking lot to support nearby restaurant and retail establishments. Development of the site for parking will not result in an increase in demand for sanitary sewer, solid waste, potable water, or recreation.

The parking lot will help address existing parking demand. Stormwater systems will be designed in accordance with City and regulatory requirements. Traffic circulation will be configured to ensure safe ingress and egress.

2. **Description of how the proposed amendment is consistent with the intent and purpose of the City of Flagler Beach Comprehensive Future Land Use Plan.**

The City of Flagler Beach Comprehensive Plan contains goals, objectives, and policies regarding land use and the future vision for the City. The following goals, objectives, and policies support the proposed amendment:

2035 Vision for the City of Flagler Beach: This section of the Future Land Element stresses the following:

- *Small-town appeal:* The proposed amendment allows for reuse of existing buildings for a business that has operated in Flagler Beach for many years, maintaining the City's character.
- *Quality of life:* The current conditions of the existing buildings will be improved and availability of new sources for groceries and a restaurant improves the quality of life for residents and visitors.
- *Valued natural, recreational resources:* The redevelopment plan does not impact natural resources and focuses on development in the commercial corridor of the city.
- *Responsible growth and fiscal planning:* The fact that this is a redevelopment project provides for solid growth management that is fiscally sound.
- *Responsiveness to community needs:* The redevelopment expands the opportunities for dining and shopping of the citizens.
- *Welcoming environment:* The proposed uses will provide an open and welcoming businesses to the residents and visitors to Flagler Beach.

The proposed amendment is also consistent with the City's core planning values, including:

- Preservation of Character
- Community Image
- Public Safety and Health
- Fiscal Planning
- Economic and Community Development Opportunities
- Protection of Natural Resources and Environmental Ecosystems
- Promotion of Mixed Uses in Appropriate Areas
- Maintain and Upgrade Public Facilities
- Protect and maintain Parks, Recreational Facilities, and Open Spaces

- Promote Cultural Opportunities

The following policies further support the proposed amendment:

Policy A.1.1.3

The LDRs shall address the location and extent of land uses in accordance with the categories, densities, and intensities of land uses contained in this Element and depicted on the Future Land Use Map.

Commercial Land Use:

Land designated for commercial use is intended for activities that are predominately associated with the sale, rental, and distribution of products or the performance of service. The Commercial Land Use category may also accommodate residential uses to establish mixed-use neighborhood nodes. Residential uses include mobile and manufactured homes in accordance with Chapter 553.382, F.S., at a density of up to 15 dwelling units per acre and up to 18 units per acre for recreational vehicle use. Commercial land uses should be appropriately buffered (i.e., sight, access, noise) from adjacent land uses of lesser density or intensity of use, as provided in the LDRs.

Objective A.1.2

The City shall regulate the location of future land use and development with regard to appropriate topography and soil conditions.

Policy A.1.2.1

The City shall review all future rezoning applications and subdivisions for development compatibility with topography, soil conditions, and natural resources.

Objective A.1.4

The City shall seek to improve its ad valorem tax base by encouraging development.

Policy A.1.4.3

The City shall encourage the use of innovative LDRs, which may include provisions for master planned developments, mixed land use development techniques, and the clustering of commercial uses in appropriate nodes.

Policy A.1.4.4

The City shall support and encourage redevelopment of the core downtown area in accordance with its Downtown Master Plan, through public investments and the development design elements to guide private development within the Central Business District.

3. Description of how the proposed amendment will encourage the most appropriate use of land and city resources, consistent with public interest.

The amendment allows a vacant parcel to be incorporated into a redevelopment plan that is consistent with the redevelopment goals of the city. It is needed to implement a plan that renovates and improves existing commercial developments that may not fully comply with the City's codes. There will be landscaping and fencing used to screen the proposed parking lot from the residents to the north. Additionally, the design of the proposed parking lot will direct customers to the retail sales or restaurant thereby preventing any impacts on the neighbors. Overall, the redevelopment plan maintains the existing character of the area while allowing for viable reuse and renovation of existing commercial sites.

4. Provide analysis of the soils, topography, natural resources and historic resources.

The subject property is nearly flat and slopes gradually to the east and west. Online LiDAR data shows elevations between 16 and 18 feet NGVD. The site consists of USGS Soils Group 31, Palm Beach Sand, 0 to 8% slope. This is excessively well-drained soil that is well-suited for urban development since there is a low likelihood of seasonal saturation and the reduced need for elevated pads or special drainage systems. The site is vacant and is used for parking for an adjacent commercial use. There does not appear to be any natural resources in need of protection on the site. A review of online records indicates that there are not any historic structures, archaeological sites, or historic district at 1115 Central Avenue. In summary, the site is well suited for development and there are not any natural or historical resources on site.

5. Other information required for compliance with state statutes, codes and land development regulations.

As was previously stated, the map amendments are needed to renovate and improve the existing buildings for a successful, local restaurant and retail sales. The renovations require that the site be brought into compliance with the City's regulation so there is a need for additional parking. Two of the parcels (1104 N. Ocean Shore Blvd. and 108 12th Street South) are developed, non-conforming sites that have commercial land use and zoning designations. Both properties have minimal parking and the conversion to the restaurant and market requires more parking spaces than are currently available. The third parcel (1115 Central Avenue South) provides an opportunity to provide a portion of the required parking in a manner that buffers the restaurant and retail sales from the nearby residential uses. If the applications for the land use map and zoning maps are denied, then the renovation and redevelopment will not be permissible by the city and the project will end.

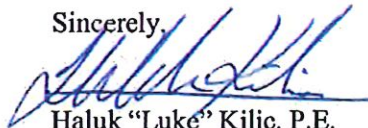
It is important to note that the property at 1104 N Ocean Shore Boulevard is subject to liens stemming from current violations of the code. If the proposed amendment to the land use and zoning maps are approved, then the site will be renovated and improved. Specifically, the proposed redevelopment eliminates blighted property and improves the overall appearance of the A1A Commercial Corridor.

Summary:

The proposed amendment to the Future Land Use Map is necessary for the redevelopment of multiple commercial sites and it is requested that the Planning and Architectural Review Board and City Commission approve the application. The unification of three parcels for a master redevelopment of existing sites is encouraged in the comprehensive plan and other documents, such as the community redevelopment plan. The property will be used for parking and designed to minimize any impacts to surrounding property owners. If the amendment is not approved, then there may not be the ability to reuse these existing buildings in the future, thereby stymieing efforts to improve the area.

Thank you for your consideration. We look forward to working with you on this application, as well as the subsequent site development plan. Please let me know if there are any questions or concerns.

Sincerely,



Haluk "Luke" Kilic, P.E.
Director of Engineering
Zev Cohen & Associates, Inc.

Prepared by and return to:

Kelly Devore
Pioneer Title Services, L.L.C.
145 City Place
Suite 301-A
Palm Coast, FL 32164
(386) 447-7716
File Number: 2021-162
Will Call No.:

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 13th day of April, 2021 between

MR & MRS H ENTERPRISES, INC., a Florida Corporation and **HODOVANCE, LLC,**
a Florida Limited Liability Company,
whose post office address is 1104 S. Oceanshore Blvd., Flagler Beach, FL 32136, Grantor,
and

GOLDEN MAGNOLIA MARINE, INC., a Florida Corporation
whose post office address is 1 Rockefeller Drive, Palm Coast, FL 32164, 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, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of \$3,300,000.00 and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Flagler County, Florida to-wit:

PARCEL 1:

Lots 1, 2 and 3, Block 18, PLAT OF MOODY'S SUBDIVISION, according to the map or plat thereof, as recorded in Plat Book 1, Page 24, of the Public Records of Flagler County, Florida.

AND

PARCEL 2:

Lots 8, Block 18, PLAT OF MOODY'S SUBDIVISION, according to the map or plat thereof, as recorded in Plat Book 1, Page 24, of the Public Records of Flagler County, Florida.

AND

PARCEL 3:

South ½ of Lot 6 and South 1/2 of Lot 7, Block 18, PLAT OF MOODY'S SUBDIVISION, according to the map or plat thereof, as recorded in Plat Book 1, Page 24, of the Public Records of Flagler County, Florida.

Parcel Identification Number: 121231-4500-00180-0010; 121231-4500-00180-0061 and 121231-4500-00180-0080

Subject to taxes for the year 2021 and subsequent years; Assessments of any Homeowner or Community Association, Covenants, Conditions, Restrictions, Easements, 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 **December 31, 2020**.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness

Printed Name: Kelly Devore

Witness

Printed Name: Caroline M. Neil

MR & MRS H ENTERPRISES, INC., a Florida corporation

By: [Signature]

HEATHER HODOVANCE, President

HODOVANCE, LLC, a Florida corporation

By: [Signature]

DEREK HODOVANCE, MEMBER

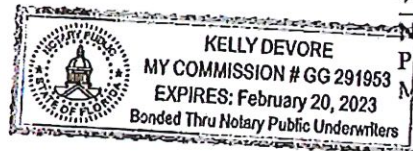
By: [Signature]

HEATHER HODOVANCE, MEMBER

State of Florida
County of Flagler

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 13th day of April, 2021 by HEATHER HODOVANCE, President of MR & MRS H ENTERPRISES, INC., a Florida Corporation, on behalf of said corporation and DEREK HODOVANCE and HEATHER HODOVANCE, AS MEMBERS of HODOVANCE, LLC, who ☐ are personally known or ☐ have produced drivers' licenses as identification.

[Seal]



Notary Public

Print Name: _____

My Commission Expires: _____

City of Flagler Beach

NOTICE OF PUBLIC HEARING

Applications have been submitted to rezone the subject property from Single Family Residential (SFR-R1) Zoning District to the General Commercial (GC) Zoning District, and to amend the Future Land Use Map designation of the property from Low Density to Commercial. The subject property is identified by the Flagler County Property Appraiser as Parcel ID No. 12-12-31-4500-00180-0061 pictured in Exhibit A.

Application PRZ26-0002, ORDINANCE 2026-11: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING THE OFFICIAL ZONING MAP DESIGNATION FOR APPROXIMATELY 0.116 ACRES OF CERTAIN REAL PROPERTY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

Application PCPA26-0002, ORDINANCE 2026-10: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP DESIGNATION FOR APPROXIMATELY 0.116 ACRES OF CERTAIN REAL PROPERTY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

PLANNING AND ARCHITECTURAL REVIEW BOARD: TUESDAY, MAY 5, 2026, AT 5:30 P.M.

FIRST READING CITY COMMISSION: THURSDAY, MAY 14, 2026, AT 5:30 PM OR SOON THEREAFTER.

SECOND READING CITY COMMISSION: THURSDAY, MAY 28, 2026, AT 5:30 PM OR SOON 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 continuances 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 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.

EXHIBIT A





Staff Report

Planning & Architectural Review Board Regular Meeting

May 5, 2026

To: Planning & Architectural Review Board
From: Lupita McClenning, Planner
Meeting Date: May 5, 2026
Item Name: Application PRZ26-0002. Ordinance 2026-11. An Ordinance of the City Commission of the City of Flagler Beach, Florida, amending the Official Zoning Map designation for approximately 0.116 acres of certain real property; providing for conflicts; providing for severability; and providing an effective date

Background:

The applicant requests a zoning amendment from Single Family Residential to General Commercial to allow for redevelopment of the site as a parking area to support a proposed seafood, steak restaurant and fish market adjacent to the site (108 S. 12th St., and 1104 S. Oceanshore Blvd.) The proposed surface parking area at 1115 S Central Ave yields approximately 12 parking spaces.

Fiscal Impact:

Commercial impact fees and ad valorem taxes.

Staff Recommendation:

PARB recommend that the City Commission approve the small-scale FLUM amendment from Single Family Residential to General Commercial on the condition it will meet parking requirements for the proposed development; that minimum constructions standards for surface parking lots be applied; and that neighborhood concerns, if any, be mitigated.

Attachments:

1. Staff Report 1115 S. Central Avenue_Amend Zoning from SFR to GC
2. Rezoning Ord - Golden Magnolia Marine (v1)(04.27.2026)
3. Existing_proposed Zoning Maps
4. Aerial Map
5. Application PRZ26-0002
6. 342640_City of Flagler Beach_Palm Coast Observer_FL_2026-04-13

7. Firmbook_92750901193562000069848642



City of Flagler Beach

800 South Daytona Avenue
Flagler Beach, Florida 32136
Phone 386-517-2000 Ext. 257

To: Planning Architectural Review Board, City of Flagler Beach, FL
From: Lupita McClenning, City Planner
Date: April 28, 2026
RE: Staff Report – 1115 Central Avenue – Small Scale Zoning Amendment PRZ 26-0002

Applicant: Zev Cohen & Associates, Inc.
300 Interchange Blvd.
Ormond Beach, FL 32174

Project: 1115 Central Avenue
Address: Flagler Beach, FL 32136

Parcel ID: 12-12-31-4500-00180-0061
Zoning: Single-Family Residential (SFR)
FLUM: Low Density
Overlay: A1A retail corridor
Proposed
Zoning: General Commercial

Existing Condition: +/-5,000 SQFT vacant, undeveloped corner lot

Surrounding Properties: Property to the north is zoned Single Family Residential (SFR)
Property to the south abuts ROW 12th St. S.
Property to the east is zoned General Commercial (GC)
Property to the west is ROW Central Ave abutting (SFR) district



Project Description

The applicant requests a small-scale zoning amendment from Single Family Residential to General Commercial to allow for redevelopment of the site as a parking area to support a proposed seafood, steak restaurant and fish market adjacent to the site (108 S. 12th St., and 1104 S. Oceanshore Blvd.).

The proposed surface parking area at 1115 S Central Ave yields approximately 12 parking spaces.

Section 2.04.02.12

Should the small-scale zoning be approved legislatively, and become part of a future proposed redevelopment project, all new construction shall subscribe to the appropriate adopted character area district development standards extended to S. 13th St. in accordance with Ordinance 2015-05:

- Downtown A1A retail corridor

Additionally, the City has implemented minimum construction standards for surface parking that shall apply.

Potential benefits:

- Helps meet demand-driven parking needs.
- Enables business creation and fosters redevelopment of existing sites.
- Improves a vacant lot already used for surface parking without minimum applicable standards for stormwater runoff, erosion, lighting, landscaping, etc.
- FLUM and Zoning amendments to permit parking allow for optimal land utilization, organized parking, and allow for enhanced drainage or infrastructure.

Neighborhood Considerations

- Encroachment of commercial use on adjacent residential neighborhood can potentially spark strong opposition from neighbors.

Summary

The total SQFT of the proposed seafood steak restaurant is unknown. The formula for required parking based on occupancy and square footage for a restaurant is as follows: $1000 \text{ SQFT} / 15 = 67 \text{ max occupancy} / 4 \text{ people} = 17 \text{ parking spaces}$.

The total SQFT for the fish market is unknown.

On-site parking for the proposed development (including adjacent GC properties) potentially yields 24 parking spaces.

Staff Recommendation

PARB recommend that the City Commission approve the small-scale zoning amendment from Single Family Residential to General Commercial on the condition it will meet parking requirements for the proposed development; that minimum constructions standards for surface parking lots be applied; and neighborhood concerns, if any be mitigated.

ORDINANCE 2026-11

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING THE OFFICIAL ZONING MAP DESIGNATION FOR APPROXIMATELY 0.116 ACRES OF CERTAIN REAL PROPERTY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Flagler Beach, as the governing body of the City, is authorized and empowered pursuant to the authority vested in Fla. Stat. Chapter 163 and Chapter 166 and the City of Flagler Beach Land Development Regulations, to consider applications relating to zoning and; and

WHEREAS, the City of Flagler Beach is in receipt of a request to amend the City's Official Zoning Map for the property described herein; and

WHEREAS, the above-referenced property is presently zoned Single-Family Residential (SFR) and the request is to have the property rezoned as General Commercial (GC); and

WHEREAS, the request is in accord with the Future Land Use Map designation of the subject property, and is compliant with all applicable Objectives and Policies of the City of Flagler Beach Comprehensive Plan; and

WHEREAS, the Planning and Architectural Review Board has recommended the City Commission change the Official Zoning Map to reflect a new designation for the subject property as General Commercial; and

WHEREAS, the City Commission has considered the findings in the staff report and the following findings of fact:

1. The rezoning is consistent with the purposes, goals, objectives, and policies of the City of Flagler Beach Comprehensive Plan;
2. The rezoning is compatible with the City's Land Development Regulations and is generally consistent with the uses and character of the surrounding land and in the vicinity of the land proposed for rezoning;
3. The rezoning will result in a logical, timely, and orderly development pattern; and
4. The staff report has demonstrated sufficient justification that there are changed circumstances that would require the rezoning request.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH AS FOLLOWS:

SECTION 1. Legislative and Administrative Findings. The above recitals are hereby adopted as the legislative and administrative findings of the City Commission of the City of Flagler Beach.

SECTION 2. Official Zoning Map Amended. The approximately 0.116-acre subject area generally located at 1115 Central Ave S., Flagler Beach, Florida 32136, with Flagler County Tax Parcel ID No. 12-12-31-4500-00180-0061, as legally described in **Exhibit A** attached hereto, is hereby amended from the City of Flagler Beach designation of Single-Family Residential (SFR) to General Commercial (GC).

SECTION 3. Conflicts. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. Severability. If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such unconstitutionality or invalidity shall not be construed as to render unconstitutional or invalid the remaining provisions of this Ordinance.

SECTION 5. Effective Date. This Ordinance shall take effect immediately upon passage as provided by law.

APPROVED on first reading after a duly noticed public hearing on the _____ day of _____ 2026.

ADOPTED on second reading after a duly noticed public hearing on this _____ day of _____ 2026.

**CITY OF FLAGLER BEACH, FLORIDA
CITY COMMISSION**

Patti King, Mayor

ATTEST:

Penny Overstreet, City Clerk

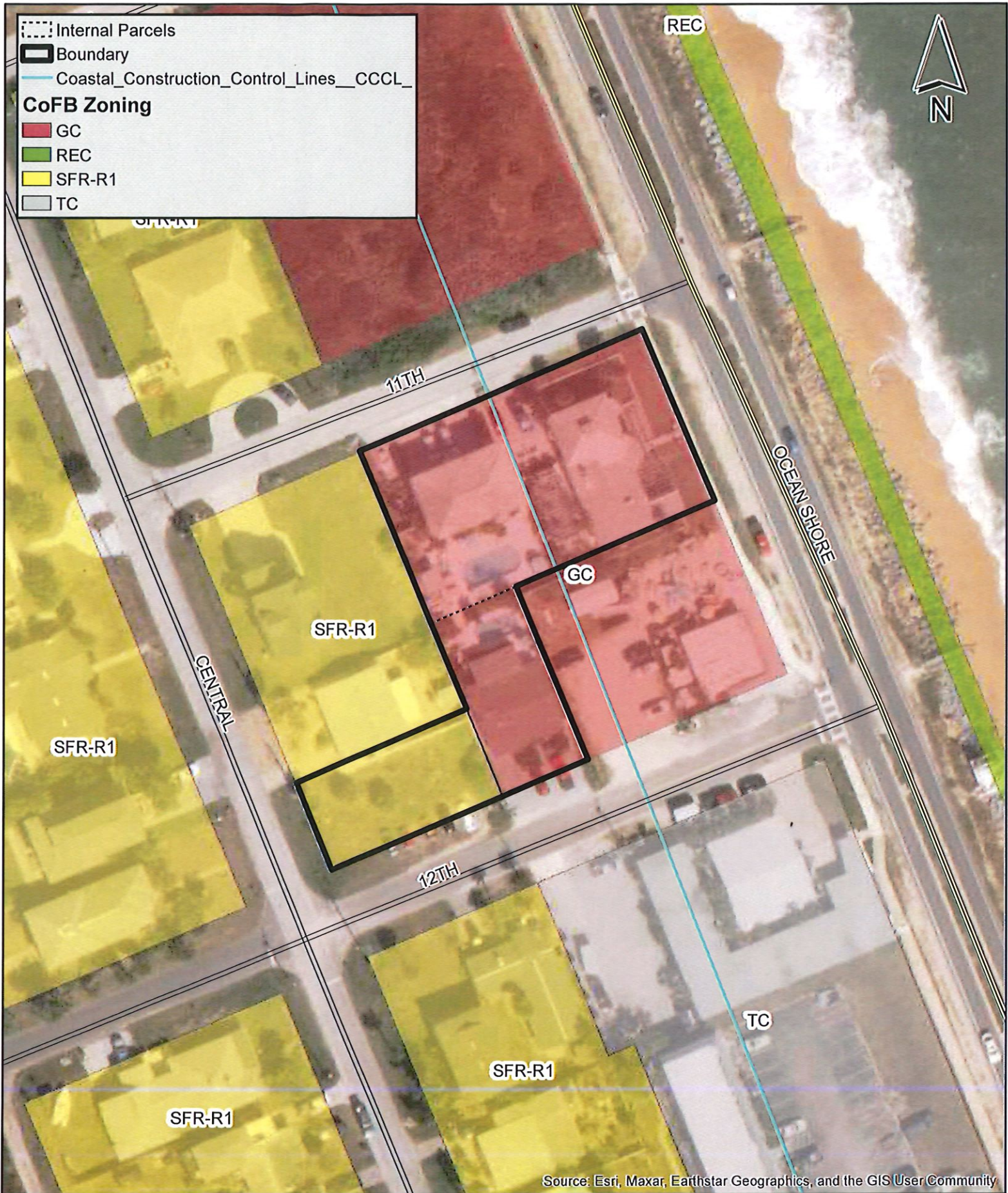
EXHIBIT A
Subject Property

Parcel ID: 12-12-31-4500-00180-0061

Address: 1115 Central Ave S., Flagler Beach, FL 32136

Legal Description:

South ½ of Lot 6 and South 1/2 of Lot 7, Block 18, PLAT OF MOODY'S SUBDIVISION, according to the map or plat thereof, as recorded in Plat Book 1, Page 24, of the Public Records of Flagler County, Florida.



Info:

Date Saved: 3/24/2026 Created by: p.m.
 Path: Z:\PROJECTS\2026\26035 Flagler Fish Company Zoning Map.mxd

75 37.5 0 75 Feet

Existing Zoning Map

Flagler Beach Seafood & Steak Restaurant

Flagler Beach, Florida



300 Interchange Blvd
 Ormond Beach, FL 32174
 ph 386-677-2482

Boundary

Internal Parcels

Coastal_Construction_Control_Lines__CCCL__

CoFB Zoning

GC

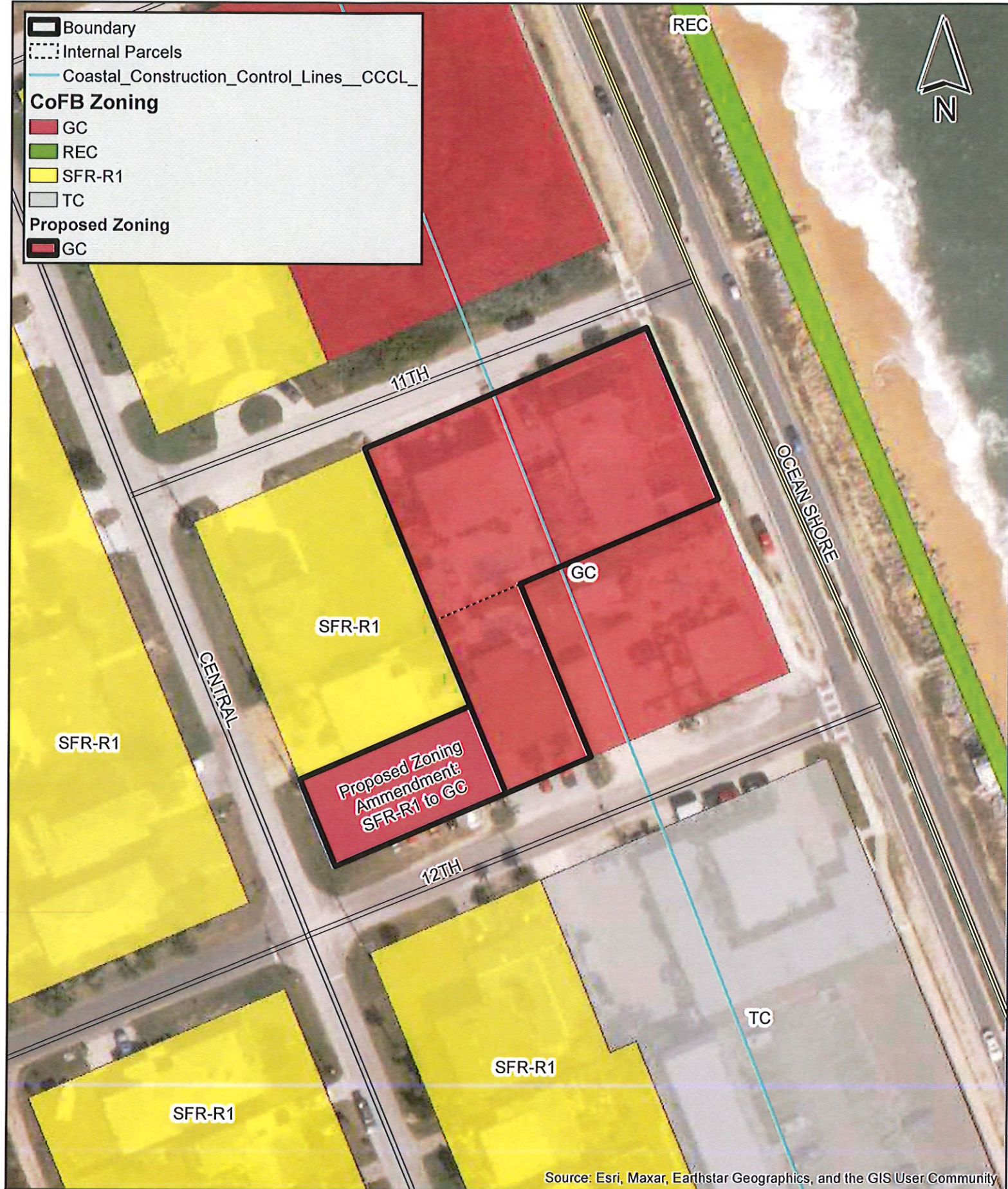
REC

SFR-R1

TC

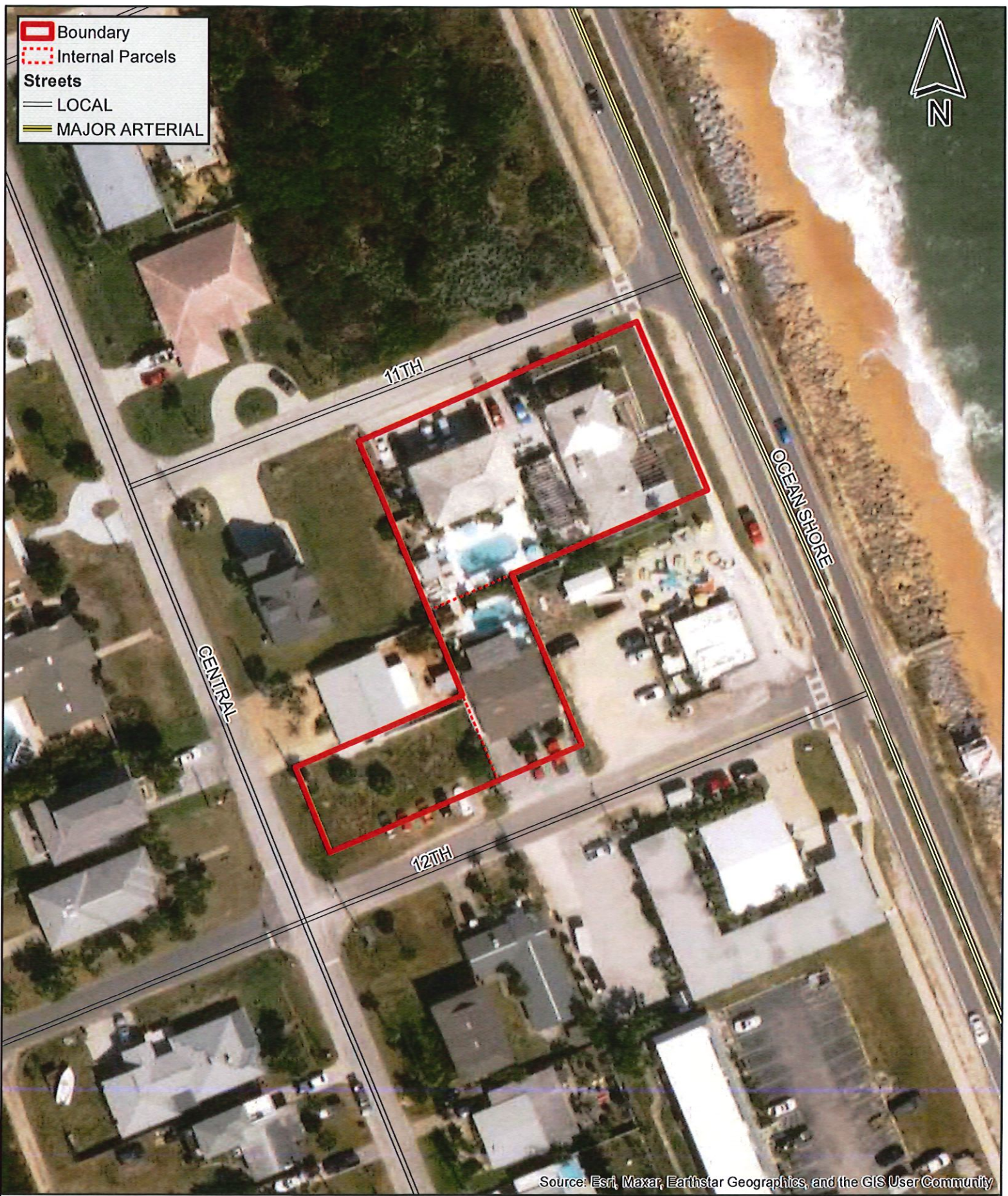
Proposed Zoning

GC



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

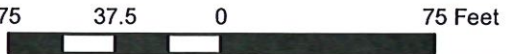
 Boundary
 Internal Parcels
Streets
 LOCAL
 MAJOR ARTERIAL



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Info:

Date Saved: 3/24/2026 Created by: planigan
 Path: Z:\PROJECTS\2026\26035 Flagler Fish Company\Aerial Map



Aerial Map
Flagler Beach Seafood & Steak Restaurant
Flagler Beach, Florida


 300 Interchange Blvd
 Ormond Beach, FL 32174
 ph 386-677-2482
 Page 63 of 189



CITY OF FLAGLER BEACH PLANNING & ZONING DEPARTMENT

INTAKE APPLICATION	
☐ Final Site Plan	☐ Preliminary Plat
☐ Master Site Plan	☐ Final Plat
☐ Site Development Plan(s)	☐ Plat Vacating
☒ Rezoning	☐ Subdivision Master Plan
☐ Comprehensive Plan Amendment	☐ Non-statutory Land Division/Parcel Reconfiguration
☐ Future Land Use Map Amendment	☐ Site Plan Modification (Post approval)
☐ Special Exception	☐ Development Order Modification
☐ Variance	☐ Wireless Communication Facility (new structure)

RECEIVED

DATE RECEIVED: MAR 31 2026 APPLICATION NUMBER: PR226-0002

ALL FEES REQUIRED AT INTAKE ARE BASED ON THE APPLICATION TYPE.

CITY STAFF WILL PROVIDE A FEE SCHEDULE TO THE APPLICANT PRIOR TO SUBMISSION.

A. PROJECT NAME: Flagler Beach Seafood & Steak Restaurant

B. LOCATION OF SUBJECT PROPERTY (PHYSICAL ADDRESS): 1115 Central Ave S., Flagler Beach, Florida 32136

C. PROPERTY APPRAISER'S PARCEL ID NUMBER(s): 12-12-31-4500-00180-0061

D. LEGAL DESCRIPTION: See Description Below Subdivision Name: George Moody
S½ of Lots 6 and 7, Block 18, Plat of Moody's Subdivision, according to the map or plat thereof, as recorded in Plat Book 1, Page 24, of the Public Records of Flagler County, Florida

Section; 7 Block(s); 18 Lot(s); S½ of 6 & 7

E. SUBJECT PROPERTY ACRES / SQUARE FOOTAGE: 5,059.112 GIS sqft

F. FUTURE LAND USE MAP DESIGNATION: Low Density EXISTING ZONING DISTRICT: SFR (R1)

OVERLAY DISTRICT: N/A

G. FLOOD ZONE: X FEMA COMMUNITY PANEL NUMBER: 12035C0251E DATE: 6/6/2018

H. CURRENT USE OF PROPERTY: Vacant

I. DESCRIPTION OF REQUEST/PROPOSED DEVELOPMENT (ATTACH ADDITIONAL SHEETS) Request to rezone Parcel 12-12-31-4500-00180-0061 to a commercial zoning district to allow for redevelopment of the site as a parking area, supporting the proposed seafood and steak restaurant and fish market.

J. PROPOSED NUMBER OF LOTS (If Applicable): 1 Development Phasing: Yes ☐ No ☒



CITY OF FLAGLER BEACH

PLANNING & ZONING DEPARTMENT

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

L. WATER/SEWER PROVIDER: City of Flagler Beach

M. EXISTING MORTGAGE? Yes ☒ No ☐

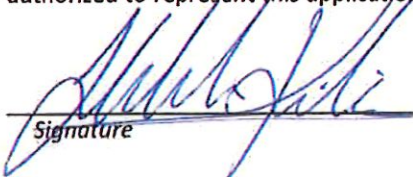
OWNER:	APPLICANT/AGENT:
Name: Golden Magnolia Marine, Inc. / Marianna Gorshelev	Name: Zev Cohen & Associates, Inc. / Haluk "Luke" Kilic, P.E.
Mailing Address: 1 Hargrove Grade, Ste 2	Mailing Address: 300 Interchange Blvd, Ormond Beach, FL 32174
Phone Number: 386-237-0301	Phone Number: 386-677-2482
E-mail Address: 3862370301m@gmail.com	E-mail Address: Hkllc@zevcohen.com

MORTGAGE HOLDER:	ENGINEER OR PROFESSIONAL:
Name: iTHINK Financial Credit Union	Name: Zev Cohen & Associates, Inc. / Haluk "Luke" Kilic, P.E.
Mailing Address: 1000 NW 17th Avenue Delray Beach, FL 33445	Mailing Address: 300 Interchange Blvd, Ormond Beach, FL 32174
Phone Number: 800-873-5100, ext. 8734	Phone Number: 386-677-2482
E-mail Address: mortgage@ithinkfi.org	E-mail Address: Hkllc@zevcohen.com

SURVEYOR:	ATTORNEY OF RECORD:
Name:	Name:
Mailing Address:	Mailing Address:
Phone Number:	Phone Number:
E-mail Address:	E-mail Address:

PLANNER:	TRAFFIC ENGINEER:
Name: Clay Ervin	Name:
Mailing Address: 300 Interchange Blvd, Ormond Beach, FL 32174	Mailing Address:
Phone Number: 386-677-2482	Phone Number:
E-mail Address: Cervin@zevcohen.com	E-mail Address:

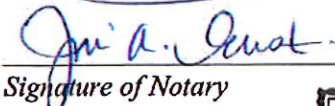
I HEREBY CERTIFY THAT ALL INFORMATION ON THIS APPLICATION IS CORRECT: Signature of owner OR person authorized to represent this application:


Haluk "Luke" Kilic, P.E.
03/30/26
 Signature Print Name Date

STATE OF Florida

COUNTY OF Volusia

The foregoing instrument was sworn to or affirmed ☒ in person or ☐ by virtual notarization on the 30 day of March, 2026 by Haluk "luke" Kilic who is personally known to me or who produced _____ as identification.


 Signature of Notary

(SEAL)



INTAKE APPLICATION

Page 2 of 2



City of Flagler Beach
Planning & Zoning Department
P.O. Box 70 * 800 S Daytona Ave.
Flagler Beach, FL 32136
www.cityofflaglerbeach.com

PETITION FOR REZONING – (ZR)

TITLE CERTIFICATE WILL BE REQUIRED AS PROOF OF OWNERSHIP

PLEASE TYPE OR PRINT THE FOLLOWING INFORMATION:

PETITIONER: Haluk "Luke" Kilic, P.E.

ADDRESS: 300 Interchange Blvd, Ormond Beach, FL 32174

CONTACT NUMBERS: HOME: N/A WORK 386-677-2482 FAX 386-677-2505

PETITIONER'S RELATION TO SUBJECT PROPERTY: Applicant / Agent / Engineer

LEGAL DESCRIPTION OF SUBJECT PROPERTY (Attach if necessary): S½ of Lots 6 and 7, Block 18, Plat of Moody's Subdivision,
according to the map or plat thereof, as recorded in Plat Book 1, Page 24, of the Public Records of Flagler County, Florida

PRESENT ZONING: SFR (R1) REQUESTED ZONING Commercial

(NOTE: IF MORE THAN ONE ZONING CLASSIFICATION IS REQUESTED, ATTACH A COMPLETE LEGAL DESCRIPTION FOR EACH ZONING CLASSIFICATION REQUESTED.)

PROVIDE REASONS AND JUSTIFICATION FOR REQUESTED ZONING (See Item 4 on submittal requirements)
Written Statement, Attached):

Written Statement Attached

STATE OF FLORIDA, County of Flagler

Subscribed and Sworn to (or affirmed) before me by

SIGNATURE OF PETITIONER

Haluk "Luke" Kilic, P.E.

PETITIONER'S NAME (Print/Type)

300 Interchange Boulevard, Suite C, Ormond Beach, FL 32174
ADDRESS (Street, City) & Phone Number

This 30TH day of MARCH, 2026. Who is personally known to me or has produced _____ as
identification.

HH 699723

Commission Number & Expiration

Notary Public



Electronic Delivery
March 31, 2026

Ms. Lupita McClenning
City of Flagler Beach Planner
800 S. Daytona Avenue
Flagler Beach, Florida 32136

RE: Flagler Beach Seafood & Steak Restaurant
1115 Central Avenue, South
Future Land Use Map and Zoning Map
Amendments
ZCA: 26035

Dear Ms. McClenning,

Zev Cohen and Associates, Inc., on behalf of Golden Magnolia Marine, Inc., respectfully requests approval of an amendment to the City of Flagler Beach Future Land Use Map and Zoning Map for the property located at 1115 Central Avenue South (Parcel 12-12-31-4500-00180-0061). The request includes a change to the Future Land Use designation from Low Density Residential to Commercial and a rezoning from Single-Family Residential (R-1) to General Commercial (GC).

Please find enclosed the following items in support of this application:

1. Future Land Use Map Amendment Application
2. Petition for Rezoning Application
3. Owner's Authorization Form
4. Copy of the Recorded Deed
5. SunBiz Documentation
6. Architectural Site Plan Exhibit
7. Conceptual Rendering
8. FEMA FIRMette
9. Existing Utilities Exhibit
10. Various Map Exhibits

The proposed amendments will allow the subject parcel to be developed as a parking facility supporting the redevelopment of adjacent restaurant and retail uses. This effort will bring the site into compliance with the City's Land Development Regulations while supporting the continued operation and improvement of an established local business.

Background: The subject property is located at the northeast corner of Central Avenue and 12th Street South and contains approximately 5,060 square feet. The site is currently vacant but is being used for off-site parking serving nearby commercial uses. It is unclear whether this parking was formally approved by the City.

The proposed land use and zoning amendments are necessary to allow the continued use of the property for parking in a manner that is compliant with the City's Land Development Regulations and supports the

overall redevelopment plan.

Analysis: The following provides the necessary analysis to support the requested amendments to the Future Land Use Map and Zoning Map:

1. **Provide a description of the availability of and demand on the sanitary sewer, solid waste, drainage, potable water, traffic circulation, and recreation.**

The proposed amendment is necessary for redevelopment of existing commercial uses. If approved, the property will be improved as a parking lot to support nearby restaurant and retail establishments. Development of the site for parking will not result in an increase in demand for sanitary sewer, solid waste, potable water, or recreation.

The parking lot will help address existing parking demand. Stormwater systems will be designed in accordance with City and regulatory requirements. Traffic circulation will be configured to ensure safe ingress and egress.

2. **Description of how the proposed amendment is consistent with the intent and purpose of the City of Flagler Beach Comprehensive Future Land Use Plan.**

The City of Flagler Beach Comprehensive Plan contains goals, objectives, and policies regarding land use and the future vision for the City. The following goals, objectives, and policies support the proposed amendment:

2035 Vision for the City of Flagler Beach: This section of the Future Land Element stresses the following:

- *Small-town appeal:* The proposed amendment allows for reuse of existing buildings for a business that has operated in Flagler Beach for many years, maintaining the City's character.
- *Quality of life:* The current conditions of the existing buildings will be improved and availability of new sources for groceries and a restaurant improves the quality of life for residents and visitors.
- *Valued natural, recreational resources:* The redevelopment plan does not impact natural resources and focuses on development in the commercial corridor of the city.
- *Responsible growth and fiscal planning:* The fact that this is a redevelopment project provides for solid growth management that is fiscally sound.
- *Responsiveness to community needs:* The redevelopment expands the opportunities for dining and shopping of the citizens.
- *Welcoming environment:* The proposed uses will provide an open and welcoming businesses to the residents and visitors to Flagler Beach.

The proposed amendment is also consistent with the City's core planning values, including:

- Preservation of Character
- Community Image
- Public Safety and Health
- Fiscal Planning
- Economic and Community Development Opportunities
- Protection of Natural Resources and Environmental Ecosystems
- Promotion of Mixed Uses in Appropriate Areas
- Maintain and Upgrade Public Facilities
- Protect and maintain Parks, Recreational Facilities, and Open Spaces

- Promote Cultural Opportunities

The following policies further support the proposed amendment:

Policy A.1.1.3

The LDRs shall address the location and extent of land uses in accordance with the categories, densities, and intensities of land uses contained in this Element and depicted on the Future Land Use Map.

Commercial Land Use:

Land designated for commercial use is intended for activities that are predominately associated with the sale, rental, and distribution of products or the performance of service. The Commercial Land Use category may also accommodate residential uses to establish mixed-use neighborhood nodes. Residential uses include mobile and manufactured homes in accordance with Chapter 553.382, F.S., at a density of up to 15 dwelling units per acre and up to 18 units per acre for recreational vehicle use. Commercial land uses should be appropriately buffered (i.e., sight, access, noise) from adjacent land uses of lesser density or intensity of use, as provided in the LDRs.

Objective A.1.2

The City shall regulate the location of future land use and development with regard to appropriate topography and soil conditions.

Policy A.1.2.1

The City shall review all future rezoning applications and subdivisions for development compatibility with topography, soil conditions, and natural resources.

Objective A.1.4

The City shall seek to improve its ad valorem tax base by encouraging development.

Policy A.1.4.3

The City shall encourage the use of innovative LDRs, which may include provisions for master planned developments, mixed land use development techniques, and the clustering of commercial uses in appropriate nodes.

Policy A.1.4.4

The City shall support and encourage redevelopment of the core downtown area in accordance with its Downtown Master Plan, through public investments and the development design elements to guide private development within the Central Business District.

3. Description of how the proposed amendment will encourage the most appropriate use of land and city resources, consistent with public interest.

The amendment allows a vacant parcel to be incorporated into a redevelopment plan that is consistent with the redevelopment goals of the city. It is needed to implement a plan that renovates and improves existing commercial developments that may not fully comply with the City's codes. There will be landscaping and fencing used to screen the proposed parking lot from the residents to the north. Additionally, the design of the proposed parking lot will direct customers to the retail sales or restaurant thereby preventing any impacts on the neighbors. Overall, the redevelopment plan maintains the existing character of the area while allowing for viable reuse and renovation of existing commercial sites.

4. Provide analysis of the soils, topography, natural resources and historic resources.

The subject property is nearly flat and slopes gradually to the east and west. Online LiDAR data shows elevations between 16 and 18 feet NGVD. The site consists of USGS Soils Group 31, Palm Beach Sand, 0 to 8% slope. This is excessively well-drained soil that is well-suited for urban development since there is a low likelihood of seasonal saturation and the reduced need for elevated pads or special drainage systems. The site is vacant and is used for parking for an adjacent commercial use. There does not appear to be any natural resources in need of protection on the site. A review of online records indicates that there are not any historic structures, archaeological sites, or historic district at 1115 Central Avenue. In summary, the site is well suited for development and there are not any natural or historical resources on site.

5. Other information required for compliance with state statutes, codes and land development regulations.

As was previously stated, the map amendments are needed to renovate and improve the existing buildings for a successful, local restaurant and retail sales. The renovations require that the site be brought into compliance with the City's regulation so there is a need for additional parking. Two of the parcels (1104 N. Ocean Shore Blvd. and 108 12th Street South) are developed, non-conforming sites that have commercial land use and zoning designations. Both properties have minimal parking and the conversion to the restaurant and market requires more parking spaces than are currently available. The third parcel (1115 Central Avenue South) provides an opportunity to provide a portion of the required parking in a manner that buffers the restaurant and retail sales from the nearby residential uses. If the applications for the land use map and zoning maps are denied, then the renovation and redevelopment will not be permissible by the city and the project will end.

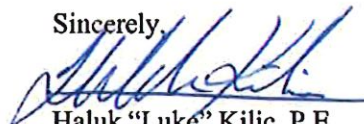
It is important to note that the property at 1104 N Ocean Shore Boulevard is subject to liens stemming from current violations of the code. If the proposed amendment to the land use and zoning maps are approved, then the site will be renovated and improved. Specifically, the proposed redevelopment eliminates blighted property and improves the overall appearance of the A1A Commercial Corridor.

Summary:

The proposed amendment to the Future Land Use Map is necessary for the redevelopment of multiple commercial sites and it is requested that the Planning and Architectural Review Board and City Commission approve the application. The unification of three parcels for a master redevelopment of existing sites is encouraged in the comprehensive plan and other documents, such as the community redevelopment plan. The property will be used for parking and designed to minimize any impacts to surrounding property owners. If the amendment is not approved, then there may not be the ability to reuse these existing buildings in the future, thereby stymieing efforts to improve the area.

Thank you for your consideration. We look forward to working with you on this application, as well as the subsequent site development plan. Please let me know if there are any questions or concerns.

Sincerely,



Haluk "Luke" Kilic, P.E.
Director of Engineering
Zev Cohen & Associates, Inc.

FOR USE WHEN PETITIONER IS THE OWNER OF SUBJECT PROPERTY

This is to certify that I am the owner in fee simple of subject lands described above in the Petition for Rezoning.

STATE OF FLORIDA,
County of Flagler

Subscribed and Sworn to (or affirmed) before me by

Marianna Gorshelev
SIGNATURE OF OWNER

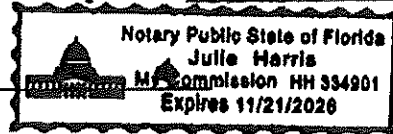
Golden Magnolia Marine, Inc. / Marianna Gorshelev
OWNER'S NAME (Print/Type)

1 Hargrove Grade, Ste 2, Palm Coast, Florida 32137
ADDRESS (Street, City) & Phone Number

This 25 day of March, 2026. Who is personally known to me or has produced 10 as identification.

Commission Number & Expiration

Notary Public



FOR USE WHEN PETITIONER IS THE AGENT OF THE OWNER OF SUBJECT PROPERTY

This is to certify that I am the owner of subject lands described above in the Petition for Rezoning and that I have authorized Zev Cohen & Associates, Inc. / Hakuk Kilic, P.E. to make and file the aforesaid Petition for Rezoning..

STATE OF FLORIDA,
County of Flagler

Subscribed and Sworn to (or affirmed) before me by

Marianna Gorshelev
SIGNATURE OF OWNER

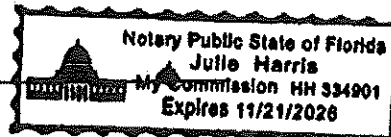
Golden Magnolia Marine, Inc. / Marianna Gorshelev
OWNER'S NAME (Print/Type)

1 Hargrove Grade, Ste 2, Palm Coast, Florida 32137
ADDRESS (Street, City) & Phone Number

This 25 day of March, 2026. Who is personally known to me or has produced 10 as identification.

Commission Number & Expiration

Notary Public



Prepared by and return to:

Kelly Devore
Pioneer Title Services, L.L.C.
145 City Place
Suite 301-A
Palm Coast, FL 32164
(386) 447-7716
File Number: 2021-162
Will Call No.:

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 13th day of April, 2021 between

MR & MRS H ENTERPRISES, INC., a Florida Corporation and **HODOVANCE, LLC,**
a Florida Limited Liability Company,
whose post office address is 1104 S. Oceanshore Blvd., Flagler Beach, FL 32136, Grantor,
and

GOLDEN MAGNOLIA MARINE, INC., a Florida Corporation
whose post office address is 1 Rockefeller Drive, Palm Coast, FL 32164, 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, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of \$3,300,000.00 and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Flagler County, Florida to-wit:

PARCEL 1:

Lots 1, 2 and 3, Block 18, PLAT OF MOODY'S SUBDIVISION, according to the map or plat thereof, as recorded in Plat Book 1, Page 24, of the Public Records of Flagler County, Florida.

AND

PARCEL 2:

Lots 8, Block 18, PLAT OF MOODY'S SUBDIVISION, according to the map or plat thereof, as recorded in Plat Book 1, Page 24, of the Public Records of Flagler County, Florida.

AND

PARCEL 3:

South ½ of Lot 6 and South 1/2 of Lot 7, Block 18, PLAT OF MOODY'S SUBDIVISION, according to the map or plat thereof, as recorded in Plat Book 1, Page 24, of the Public Records of Flagler County, Florida.

Parcel Identification Number: 121231-4500-00180-0010; 121231-4500-00180-0061 and 121231-4500-00180-0080

Subject to taxes for the year 2021 and subsequent years; Assessments of any Homeowner or Community Association, Covenants, Conditions, Restrictions, Easements, 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 **December 31, 2020**.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness

Printed Name:

Witness

Printed Name:

MR & MRS H ENTERPRISES, INC., a Florida corporation

By:

HEATHER HODOVANCE, President

HODOVANCE, LLC, a Florida corporation

By:

DEREK HODOVANCE, MEMBER

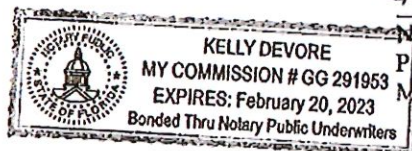
By:

HEATHER HODOVANCE, MEMBER

State of Florida
County of Flagler

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 13th day of April, 2021 by HEATHER HODOVANCE, President of MR & MRS H ENTERPRISES, INC., a Florida Corporation, on behalf of said corporation and DEREK HODOVANCE and HEATHER HODOVANCE, AS MEMBERS of HODOVANCE, LLC, who ☐ are personally known or ☐ have produced drivers' licenses as identification.

[Seal]



Notary Public

Print Name:

My Commission Expires:



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Profit Corporation
GOLDEN MAGNOLIA MARINE, INC

Filing Information

Document Number	P19000047711
FEI/EIN Number	84-2078836
Date Filed	06/03/2019
State	FL
Status	INACTIVE
Last Event	ADMIN DISSOLUTION FOR ANNUAL REPORT
Event Date Filed	09/26/2025
Event Effective Date	NONE

Principal Address

1 HARGROVE GRADE BLVG B
STE 2
Palm Coast, FL 32137

Changed: 07/24/2024

Mailing Address

1 HARGROVE GRADE BLVG B
STE 2
Palm Coast, FL 32137

Changed: 07/24/2024

Registered Agent Name & Address

GORSHLEV, MARIANNA
1272 Palm Coast Pkwy SW
PALM COAST, FL 32137

Address Changed: 03/03/2023

Officer/Director Detail

Name & Address

Title P

GORSCHELEV, MARIANNA
1272 Palm Coast Pkwy SW
PALM COAST, FL 32137

Title VP

TARANNIK, MAXIM
1272 Palm Coast Pkwy SW
PALM COAST, FL 32137

Annual Reports

Report Year	Filed Date
2022	02/02/2022
2023	03/03/2023
2024	03/08/2024

Document Images

03/08/2024 -- ANNUAL REPORT	View image in PDF format
03/03/2023 -- ANNUAL REPORT	View image in PDF format
02/02/2022 -- ANNUAL REPORT	View image in PDF format
01/13/2021 -- ANNUAL REPORT	View image in PDF format
07/14/2020 -- ANNUAL REPORT	View image in PDF format
06/03/2019 -- Domestic Profit	View image in PDF format

Information	
Date Submitted:	4/13/2026
Case Number:	n/a
Defendant:	City of Flagler Beach NOTICE OF PUBLIC HEARING-ORDINANCE 2026-11
ID:	342640
County:	Flagler
Run Dates:	4/23/2026, 5/7/2026, 5/14/2026
Newspaper:	Palm Coast Observer
– Frequency:	Weekly [Thursday]
Sale Date:	
Cost:	\$695.01
Customer Name:	City of Flagler Beach

Notice Text:

City of Flagler Beach NOTICE OF PUBLIC HEARING

Applications have been submitted to rezone the subject property from Single Family Residential (SFR-R1) Zoning District to the General Commercial (GC) Zoning District, and to amend the Future Land Use Map designation of the property from Low Density to Commercial. The subject property is identified by the Flagler County Property Appraiser as Parcel ID No. 12-12-31-4500-00180-0061 pictured in Exhibit A.

Application PRZ26-0002, ORDINANCE 2026-11: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING THE OFFICIAL ZONING MAP DESIGNATION FOR APPROXIMATELY 0.116 ACRES OF CERTAIN REAL PROPERTY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

Application PCPA26-0002, ORDINANCE 2026-10: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP DESIGNATION FOR APPROXIMATELY 0.116 ACRES OF CERTAIN REAL PROPERTY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

PLANNING AND ARCHITECTURAL REVIEW BOARD: TUESDAY, MAY 5, 2026, AT 5:30 P.M.

FIRST READING CITY COMMISSION: THURSDAY, MAY 14, 2026, AT 5:30 PM OR SOON THEREAFTER.

SECOND READING CITY COMMISSION: THURSDAY, MAY 28, 2026, AT 5:30 PM OR SOON 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 continuances 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 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.

EXHIBIT A



7763-342640
Apr. 23, May. 7, 14, 2026



Shipment Confirmation Acceptance Notice

A. Mailer Action

Note to Mailer: The labels and volume associated to this form online, **must** match the labeled packages being presented to the USPS® employee with this form.

Shipment Date: 04/10/2026

Shipped From:

Name: CITY OF FLAGLER BEACH

Address: 105 S 2ND ST

City: FLAGLER BEACH

State: FL ZIP+4® 32136

Type of Mail	Volume
Priority Mail Express®*	
Priority Mail®	
First-Class Package Service®	
Returns	
International*	
Other	64
Total	64

*Start time for products with service guarantees will begin when mail arrives at the local Post Office™ and items receive individual processing and acceptance scans.

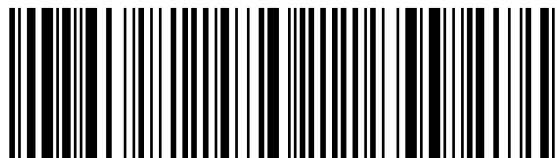
B. USPS Action

Note to RSS Clerk:

1. Home screen > Mailing/Shipping > More
2. Select Shipment Confirm
3. Scan or enter the barcode/label number from PS Form 5630
4. Confirm the volume count message by selecting Yes or No
5. Select Pay and End Visit to complete transaction

USPS EMPLOYEE: Please scan upon pickup or receipt of mail.
Leave form with customer or in customer's mail receptacle.

USPS SCAN AT ACCEPTANCE



9275 0901 1935 6200 0069 8486 42



Name and Address of Sender CITY OF FLAGLER BEACH 105 S 2ND ST FLAGLER BEACH FL 32136		Check type of mail or service ☐ Adult Signature Required ☐ Priority Mail Express ☐ Adult Signature Restricted Delivery ☐ Registered Mail ☒ Certified Mail ☐ Return Receipt for Merchandise ☐ Certified Mail Restricted Delivery ☐ Signature Confirmation ☐ Collect on Delivery (COD) ☐ Signature Confirmation Restricted Delivery ☐ Insured Mail ☐ Priority Mail		Affix Stamp Here (for additional copies of this receipt). Postmark with Date of Receipt.												
USPS Tracking/Article Number	Addressee (Name, Street, City, State, & ZIP Code™)		Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee	
1. 9214 8901 9403 8366 3435 08	12-12-31-4500-00550-0040 1212 SOUTH DAYTONA AVENUE LLC 3699 SE 80TH AVENUE NEWBERRY FL 32669		0.57	5.30	Handling Charge - if Registered and over \$50,000 in value							2.82				
2. 9214 8901 9403 8366 3435 15	12-12-31-4500-00190-0011 A1A OCEANSHORE LLC 5 ST ANDREW COURT PALM COAST FL 32164		0.57	5.30								2.82				
3. 9214 8901 9403 8366 3435 22	12-12-31-4500-00230-0040 AMENDOLA MARINE LIFE ESTATE 1212 S CENTRAL AVENUE FLAGLER BEACH FL 32136		0.57	5.30								2.82				
4. 9214 8901 9403 8366 3435 39	12-12-31-4500-00230-0030 ANDERSON MARK E & JULIE A BRUCE H&W 6132 NORTHRIDGE HILLS DR BRIGHTON MI 48116		0.57	5.30								2.82				
5. 9214 8901 9403 8366 3435 46	12-12-31-4500-00790-0490 ANNIS BETTY H 2826 MONDAUI DR ROCKLEDGE FL 32955		0.57	5.30								2.82				
6. 9214 8901 9403 8366 3435 53	12-12-31-4500-00190-0250 BACK SHARON M TRUSTEE PO BOX 1375 FLAGLER BEACH FL 32136		0.57	5.30								2.82				
7. 9214 8901 9403 8366 3435 60	12-12-31-4500-00180-0090 BCC PROPERTIES LLC PO BOX 418 FLAGLER BEACH FL 32136		0.57	5.30								2.82				
8. 9214 8901 9403 8366 3435 77	12-12-31-4500-00230-0060 BEACHTIME LLC PO BOX 2288 BUNNELL FL 32110		0.57	5.30								2.82				
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9. 9214 8901 9403 8366 3435 84	12-12-31-4500-00230-0051 BLANDFORD JULIE MICKLE 1214 S CENTRAL AVENUE FLAGLER BEACH FL 32136		0.57	5.30	Handling Charge - if Registered and over \$50,000 in value							2.82				
10. 9214 8901 9403 8366 3435 91	12-12-31-4500-00230-0010 BUDMAN ROBERT D & THUY VY NGUYEN H&W 12228 REEDPOND DR W JACKSONVILLE FL 32223		0.57	5.30								2.82				
11. 9214 8901 9403 8366 3436 07	12-12-31-4500-00180-0040 BURBRINK LYNDIA BAND JOSEPH R BURBRINK JTWROS PO BOX 695 FLAGLER BEACH FL 32136		0.57	5.30								2.82				
12. 9214 8901 9403 8366 3436 14	12-12-31-4500-00190-0190 BUTLER MICHAEL L & SANDRA E H&W 1720 S CENTRAL AVE FLAGLER BEACH FL 32136		0.57	5.30								2.82				
13. 9214 8901 9403 8366 3436 21	12-12-31-4500-00230-0230 CLARK LIZBETH A & THOMAS S CLARK W&H 1207 S DAYTONA AVE FLAGLER BEACH FL 32136		0.57	5.30								2.82				
14. 9214 8901 9403 8366 3436 38	12-12-31-4500-00240-0230 COMMUNITY MEMORIAL CHURCH INC PO BOX 1512 FLAGLER BEACH FL 32136		0.57	5.30							2.82					
15. 9214 8901 9403 8366 3436 45	12-12-31-4500-00240-0151 CURRENT OWNER 1111 S DAYTONA AVE FLAGLER BEACH FL 32136		0.57	5.30							2.82					
16. 9214 8901 9403 8366 3436 52	12-12-31-4500-00190-0180 CUSON JOSEPH T & MARGARET J H&W LIFE ESTATE 1221 S CENTRAL AVE FLAGLER BEACH FL 32136		0.57	5.30							2.82					
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17. 9214 8901 9403 8366 3436 69	12-12-31-4500-00540-0080 DALE ALLEN JOHNSON LIFE ESTATE 1012 S DAYTONA AVENUE FLAGLER BEACH FL 32136		0.57	5.30	Handling Charge - if Registered and over \$50,000 in value							2.82				
18. 9214 8901 9403 8366 3436 76	12-12-31-4500-00190-0260 EGGERT IRIS CLAXTON LIFE ESTATE C/O LIZ RUBEIS 2563 SW 87TH DR STE 10 GAINESVILLE FL 32608		0.57	5.30								2.82				
19. 9214 8901 9403 8366 3436 83	12-12-31-4500-00550-0010 GARCIA FRANCISCO J & DAYMARA GOMEZ H&W 12882 SW 184TH TERRACE MIAMI FL 33177		0.57	5.30								2.82				
20. 9214 8901 9403 8366 3436 90	MULTI PARCEL IDS GOLDEN MAGNOLIA MARINE INC 1 HARGROVE GRADE STE 2 PALM COAST FL 32137		0.57	5.30								2.82				
21. 9214 8901 9403 8366 3437 06	12-12-31-4500-00160-0080 HAGMAN THOMAS V & LINDA L H&W 914 S OCEAN SHORE BLVD FLAGLER BEACH FL 32136		0.57	5.30								2.82				
22. 9214 8901 9403 8366 3437 13	12-12-31-4500-00240-0100 HALL LONNIE C JR TRUSTEE 1100 S CENTRAL AVE FLAGLER BEACH FL 32136		0.57	5.30								2.82				
23. 9214 8901 9403 8366 3437 20	12-12-31-4500-00180-0060 HARRELL MICHELLE & REBECCA LYNNE JUSTICE & KRISTINA FOSTER TRUSTEES 106 BARRINGTON COURT FLETCHER NC 28732		0.57	5.30								2.82				
24. 9214 8901 9403 8366 3437 37	12-12-31-4500-00170-0060 HODOVANCE DEREK & HEATHER RAE H&W 112 S 11TH STREET FLAGLER BEACH FL 32136		0.57	5.30								2.82				
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25. 9214 8901 9403 8366 3437 44	12-12-31-4500-00230-0050 HUGHES PAM & DANA E DUNN & JILL A ROGERS MADAMBA JTWROS 1216 SO CENTRAL AVE FLAGLER BEACH FL 32136		0.57	5.30	Handling Charge - if Registered and over \$50,000 in value							2.82				
26. 9214 8901 9403 8366 3437 51	12-12-31-4500-00190-0030 JAI HANUMAAN LLC 1224 S OCEANSHORE BLVD FLAGLER BEACH FL 32136		0.57	5.30								2.82				
27. 9214 8901 9403 8366 3437 68	12-12-31-4500-00230-0200 KELLY DANIEL E & ALBERTA J 1215 S DAYTONA AVE FLAGLER BEACH FL 32136		0.57	5.30								2.82				
28. 9214 8901 9403 8366 3437 75	12-12-31-4500-00240-0110 KIMBLE JOHN & THERESA ANN H&W 1102 SOUTH CENTRAL AVENUE FLAGLER BEACH FL 32136		0.57	5.30								2.82				
29. 9214 8901 9403 8366 3437 82	12-12-31-4500-00240-0200 LAFFERTY GWENDOLYN J 1011 S DAYTONA AVENUE FLAGLER BEACH FL 32136		0.57	5.30								2.82				
30. 9214 8901 9403 8366 3437 99	12-12-31-4500-00190-0230 LAROCHELLE ERIK J 68 HIGH STREET STRATHAM NH 03885		0.57	5.30							2.82					
31. 9214 8901 9403 8366 3438 05	12-12-31-4500-00240-0040 LARSON GLENN M & CHRISTINE J H&W 912 S CENTRAL AVE FLAGLER BEACH FL 32136		0.57	5.30							2.82					
32. 9214 8901 9403 8366 3438 12	12-12-31-4500-00230-0020 LITTLE TYLER F & EVELYN O 1204 S CENTRAL AVE FLAGLER BEACH FL 32136		0.57	5.30							2.82					
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33. 9214 8901 9403 8366 3438 29	12-12-31-4500-00230-0070 LOFTUS KEITH B 1222 S CENTRAL AVE FLAGLER BEACH FL 32136		0.57	5.30	Handling Charge - if Registered and over \$50,000 in value							2.82				
34. 9214 8901 9403 8366 3438 36	12-12-31-4500-00230-0041 LOPER MARK G & CHUNMEI ZHAO TRUSTEES 1210 S CENTRAL AVE FLAGLER BEACH FL 32136		0.57	5.30								2.82				
35. 9214 8901 9403 8366 3438 43	12-12-31-4500-00240-0070 MARIANI FRANK JR 1014 S CENTRAL AVE FLAGLER BEACH FL 32136		0.57	5.30								2.82				
36. 9214 8901 9403 8366 3438 50	12-12-31-4500-00240-0080 MARTIN DALE L 1016 S CENTRAL AVE FLAGLER BEACH FL 32136		0.57	5.30								2.82				
37. 9214 8901 9403 8366 3438 67	12-12-31-4500-00180-0050 MONTGOMERY CALVIN & BRENDA K LIFE ESTATE 12499 OLIVE TRAIL PLYMOUTH IN 46563		0.57	5.30								2.82				
38. 9214 8901 9403 8366 3438 74	12-12-31-4500-00190-0010 OCEANSIDE COTTAGES LLC 1204 S OCEANSHORE BLVD FLAGLER BEACH FL 32136		0.57	5.30								2.82				
39. 9214 8901 9403 8366 3438 81	12-12-31-4500-00800-0510 OCEANSIDE COTTAGES LLC 1204 S OCEANSHORE BLVD FLAGLER BEACH FL 32136		0.57	5.30								2.82				
40. 9214 8901 9403 8366 3438 98	12-12-31-4500-00550-0030 OCONNELL ROBERT J & KAREN J OCONNELL H&W 292 ROUTE 385 CATSKILL NY 12414		0.57	5.30								2.82				
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41. 9214 8901 9403 8366 3439 04		12-12-31-4500-00230-0190 PACE CLARK B & JESSE N H&W 6943 N OCEANSHORE BLVD PALM COAST FL 32137		0.57	5.30	Handling Charge - if Registered and over \$50,000 in value							2.82				
42. 9214 8901 9403 8366 3439 11		12-12-31-4500-00240-0060 PANOS ROSA C & NICOLE M MARCELLI JTWROS 1012 S CENTRAL AVE FLAGLER BEACH FL 32136		0.57	5.30								2.82				
43. 9214 8901 9403 8366 3439 28		12-12-31-4500-00230-0210 PARKER SANDRA L PO BOX 659 FLAGLER BEACH FL 32136		0.57	5.30								2.82				
44. 9214 8901 9403 8366 3439 35		12-12-31-4500-00190-0210 PATEL MANHARLAL 1224 S OCEANSHORE BLVD FLAGLER BEACH FL 32136		0.57	5.30								2.82				
45. 9214 8901 9403 8366 3439 42		12-12-31-4500-00540-0120 RECTOR JACQUELYN M 1104 S DAYTONA AVE FLAGLER BEACH FL 32136		0.57	5.30								2.82				
46. 9214 8901 9403 8366 3439 59		12-12-31-4500-00170-0040 SCHMITTINGER DIANE LIFE ESTATE 111 10TH ST S FLAGLER BEACH FL 32136		0.57	5.30								2.82				
47. 9214 8901 9403 8366 3439 66		12-12-31-4500-00540-0100 SCOTT BOBBY H & DEBORAH G H&W 1020 S DAYTONA AVE FLAGLER BEACH FL 32136		0.57	5.30								2.82				
48. 9214 8901 9403 8366 3439 73		MULTI PARCEL IDS SEAGROVE BEACH INVESTMENTS LLC 2574 S OCEAN SHORE BLVD FLAGLER BEACH FL 32136		0.57	5.30								2.82				
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49.	9214 8901 9403 8366 3439 80	12-12-31-4500-00540-0110 SHONKWILER JEFFERY W & BETH ANN H&W PO BOX 2450 FLAGLER BEACH FL 32136		0.57	5.30	Handling Charge - if Registered and over \$50,000 in value							2.82				
50.	9214 8901 9403 8366 3439 97	12-12-31-4500-00230-0240 SMITH SAMUEL J & KIMBERLY L H&W 1201 S DAYTONA AVE FLAGLER BEACH FL 32136		0.57	5.30									2.82			
51.	9214 8901 9403 8366 3440 00	12-12-31-4500-00540-0140 SPEAR ROBERT W & CECILE M H&W LIFE ESTATE PO BOX 1543 FLAGLER BEACH FL 32136		0.57	5.30								2.82				
52.	9214 8901 9403 8366 3440 17	12-12-31-4500-00240-0170 SPRAGUE KAREN J & JEFFREY GEORGE H&W LIFE ESTATE 1105 S DAYTONA AVENUE FLAGLER BEACH FL 32136		0.57	5.30								2.82				
53.	9214 8901 9403 8366 3440 24	12-12-31-4500-00240-0190 STEFLIK DANIEL M & LAURIE JO TRUSTEES 1010 1/2 SOUTH CENTRAL AVENUE FLAGLER BEACH FL 32136		0.57	5.30								2.82				
54.	9214 8901 9403 8366 3440 31	12-12-31-4500-00240-0050 STEFLIK DANIEL M & LAURIE JO H&W TRUSTEES 1010 1/2 S CENTRAL AVE FLAGLER BEACH FL 32136		0.57	5.30								2.82				
55.	9214 8901 9403 8366 3440 48	12-12-31-4500-00540-0130 SULLIVAN ANNE MARIE 24 MEDWAY AVENUE CONGERS NY 10920		0.57	5.30								2.82				
56.	9214 8901 9403 8366 3440 55	12-12-31-4500-00240-0150 SWEENEY HELEN ANN 1703 LOWER 4TH AVE NORTH JACKSONVILLE BEACH FL 32250		0.57	5.30								2.82				
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57. 9214 8901 9403 8366 3440 62	12-12-31-4500-00230-0090 TIMOTHY M BENNETT AND DEBORAH G BENNETT FAMILY REVOCABLE LIV 1228 S CENTRAL AVENUE FLAGLER BEACH FL 32136		0.57	5.30	Handling Charge - if Registered and over \$50,000 in value							2.82				
58. 9214 8901 9403 8366 3440 79	12-12-31-4500-00160-0060 TJS RENTAL OF FLAGLER LLC PO BOX 1600 FLAGLER BEACH FL 32136		0.57	5.30								2.82				
59. 9214 8901 9403 8366 3440 86	12-12-31-4500-00170-0050 VIDES LOURDES M - TRUSTEE 113 S 10TH ST FLAGLER BEACH FL 32136		0.57	5.30								2.82				
60. 9214 8901 9403 8366 3440 93	12-12-31-4500-00240-0140 WADSWORTH GAIL TRUSTEE PO BOX 838 FLAGLER BEACH FL 32136		0.57	5.30								2.82				
61. 9214 8901 9403 8366 3441 09	12-12-31-4500-00190-0240 WILLISS ADAM J & ELISABETH H&W 1203 S CENTRAL AVENUE FLAGLER BEACH FL 32136		0.57	5.30								2.82				
62. 9214 8901 9403 8366 3441 16	12-12-31-4500-00230-0080 WILSON CHRISTOPHER & JENNIFER H&W 1224 SOUTH CENTRAL AVENUE FLAGLER BEACH FL 32136		0.57	5.30							2.82					
63. 9214 8901 9403 8366 3441 23	12-12-31-4500-00190-0220 WILSON ROBINSON ENTERPRISES LLC 1010 SE 24TH STREET OCALA FL 34471		0.57	5.30							2.82					
64. 9214 8901 9403 8366 3441 30	12-12-31-4500-00240-0130 YORK GENEROSO S & SANDRA L H EDMUNDS JTWROS 1110 S CENTRAL AVENUE FLAGLER BEACH FL 32136		0.57	5.30							2.82					
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Staff Report

Planning & Architectural Review Board Regular Meeting

May 5, 2026

To: Planning & Architectural Review Board
From: Lupita McClenning, Planner
Meeting Date: May 5, 2026
Item Name: Site Plan Application PMS26-0003: House of Crego, 2205 N. Ocean Shore Blvd.; Parcel ID: 36-11-31-5630-00020-0110 ; Applicant: Brent and Evelyn Crego; Request for site plan approval to construct a mixed-use building in the Tourist Commercial Zoning District.

Background:

Project Description from the applicant's submittal includes a site plan for a mixed-use consisting of a +/-600 SQ FT retail shop on the first floor; three (3) +/-813.2 SQFT residential living areas including 3 bedrooms, 4 bath, laundry facilities, kitchen on the 2nd floor; 3rd floor rooftop area w/powder room; a ground level 2-car garage with access from Central Ave; and commercial parking off A1A. The proposed mixed-use project is outside the Downtown Mixed-Use Overlay Boundary Map. The proposed mixed-use project is outside the A1A Retail Corridor Character District Boundary Map and the Mixed-Use Overlay District.

Fiscal Impact:

Upon approval, the City receives relevant impact and building fees and ad valorem taxes.

Staff Recommendation:

The proposed mixed-use project is outside the Downtown Mixed-Use Overlay Boundary Map. The proposed mixed-use project is outside the A1A Retail Corridor Character District Boundary Map and the Mixed-Use Overlay District. Per Section 2.06.05.1, for commercial uses in the TC or MDR districts along A1A which continue through to Central Avenue and face or abut residential districts, the following provision shall apply in accordance with Section 2.06.05.2 — *In no case shall automotive access to such lots be provided from Central Avenue. All automotive access for guests, residents, or customers shall be provided from State Road A1A.* PARB recommend that the City Commission deny the site plan and request the applicant submit plans in compliance with permitted uses in TC or MDR as noted in Section 2.04.02.8.

Attachments:

1. Staff Report 2205 N Oceanshore Blvd

2. 2205 N OCEAN SHORE BLVD_04012026-compressed
3. Digitally S&S Survey
4. APPLICATION_PMS26-0003



City of Flagler Beach

800 South Daytona Avenue
Flagler Beach, Florida 32136
Phone 386-517-2000 Ext. 257

To: Planning Architectural Review Board, City of Flagler Beach, FL
From: Lupita McClenning, City Planner
Date: April 28, 2026
RE: Staff Report – 2205 N. Oceanshore Blvd - Site Plan

Applicant: Brent and Evelyn Crego
133 Bridgeport Rd
Daytona Beach Shores, FL 32118133

Project
Address: 2205 N. Oceanshore Blvd
Flagler Beach, FL 32136

Parcel ID: 36-11-31-5630-00020-0110
Zoning: Tourist Commercial
FLUM: General Commercial

Overlay: None

Existing
Condition: Vacant, undeveloped lot fronting N. Oceanshore Blvd

Surrounding
Properties: Properties to the north include five (5) residential homes; two (2) vacant lots; and one (1) commercial property. Properties abutting the subject property to the south include a multi-tenant commercial building with professional services/office, retail, and a coffee shop.

SITE PLAN

Project Description from the applicant's submittal includes a site plan for a mixed-use consisting of a +/- 600 SQ FT retail shop on the first floor; and three (3) +/-813.2 SQFT residential living areas including 3 bedrooms, 4 bath/ laundry facilities, kitchen on the 2nd floor; and a roof top area with bathroom; and a ground level 2 car garage.

The proposed parking spaces for the residential component are at the rear with access from Central Avenue; and the proposed commercial parking spaces are at the front with access off A1A.

Section 2.04.02.7.1 Downtown Mixed-Use Overlay

The proposed mixed-use project is outside of the Downtown Mixed-Use Overlay Boundary Map. The Downtown Mixed-Use Overlay is defined by the CRA Boundary to the north, South 5th Street to the south, Flagler Avenue to the west, and properties east of Central Avenue, half a block west of A1A form the eastern extent.



Section 2.04.02.12 Mixed-use Building Regulations

The proposed mixed-use project is outside of the A1A Retail Corridor Character District Boundary Map and the Mixed-Use Overlay District.

B. General requirements.

- a. Mixed use building authorization. The city shall permit, as the principal permitted use of a mixed-use building wherein the property of interest exhibits a general commercial or tourist commercial zoning designation, **and lies within the mixed-use district described as follows:**

By the CRA boundary to the north, and having been further **extended to North 11th Street for properties lying within the Tourist Commercial District adjacent to Oceanshore Blvd.**, Flagler Avenue to the west, South 5th Street to the south, and an eastern extent which begins at South 5th Street, extends to South 9th Street along Central Avenue to include all property lying one-half ($\frac{1}{2}$) block west of A1A, and having **been further extended to South 13th Street for properties lying within the general commercial district and tourist commercial district adjacent to Oceanshore Blvd.**

Section 2.06.05.1 Commercial Uses in TC or MDR along A1A

For commercial uses in the TC or MDR districts along A1A which continue through to Central Avenue and face or abut residential districts, the following provisions shall apply:

Section 2.06.05.1 Buffer zone.

Within the rear yard [setback](#), a fifteen-foot [buffer](#) zone shall be provided. Such [buffer](#) zone shall be treated with adequate fencing material and landscaping to block glare from the uses, including lights of automobiles, from reaching the residential areas. In addition, landscaping shall be provided and maintained, which will enhance the character of the residential areas.

Section 2.06.05.2 Automotive access.

In no case shall automotive access to such lots be provided from Central Avenue. All automotive access for guests, residents, or customers shall be provided from State Road A1A.



Section 2.04.02.8 TC - Tourist Commercial

Permitted Uses

1. Motels and hotels.
2. Bed and breakfast inns.
3. Restaurants.
4. Gift shops.
5. Convenience commercial uses such as:
 - a. Beauty or barber shops.
 - b. Laundromat, laundry and dry-cleaning pick-up stations.
 - c. Newsstands or bookstores.
6. [Off-street](#) parking and loading.
7. Commercial recreational entertainment facilities.
8. Boat and marine supply sales.
9. Marinas.
10. Resort dwellings.
11. Resort condominiums.
12. Mixed Use Buildings within the **defined Downtown A1A Retail Corridor** (See Note 11. Section [2.04.02.9](#), Zoning Schedule Two.
13. All principal uses permitted in MDR District.

Section 2.04.02.8 Medium Density Residential

PRINCIPAL USES PERMITTED in MDR District
1. Single-family dwellings. 2. Two-family dwellings. 3. Townhouse dwellings. 4. Multifamily dwellings. 5. Parks and recreational facilities. 6. Essential public services and facilities. 7. Community residential homes in accordance with chapter 419, F.S.

Staff Recommendation

Staff recommends the PARB deny the site plan and request the applicant submit a site plan in accordance with permitted uses for Tourist Commercial, Section 2.04.02.8; and/or submit site plan in accordance with permitted uses in Medium Density Residential as noted in district standards Section 2.04.02.8.

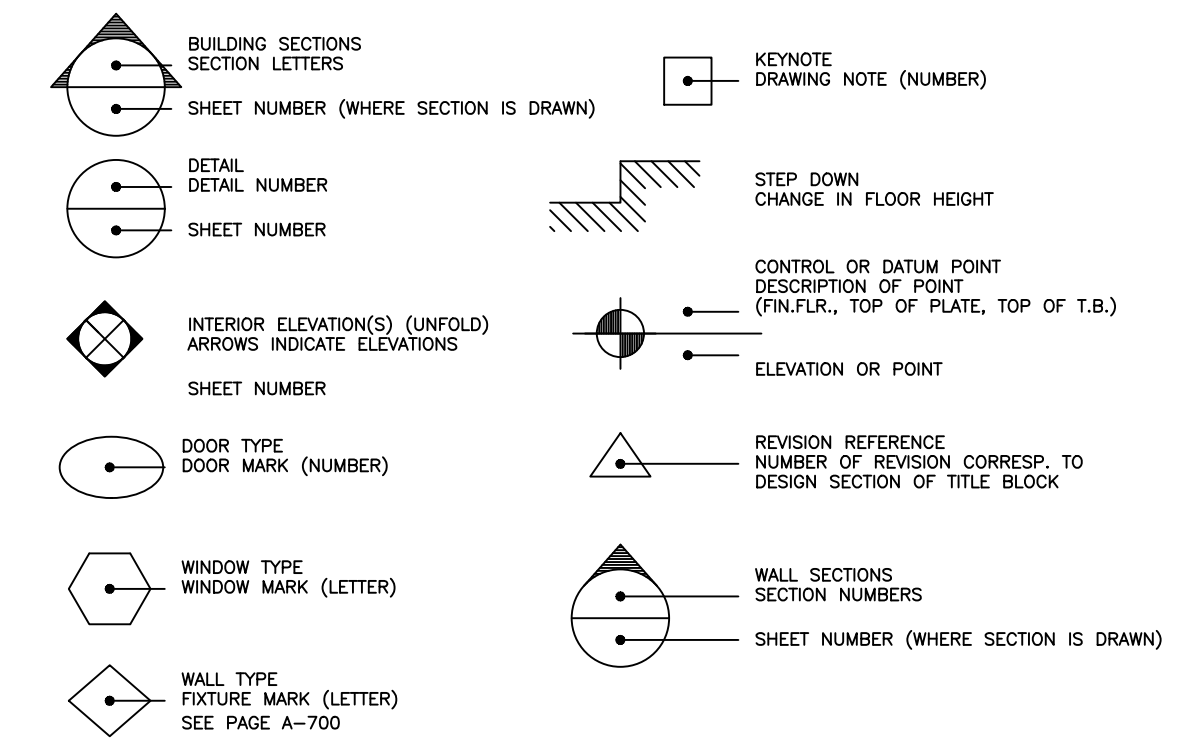
And/or PARB recommend that the City Commission deny the site plan and request that the applicant submit a site plan in accordance with permitted uses as prescribed in Tourist Commercial and/or Medium Density Residential.



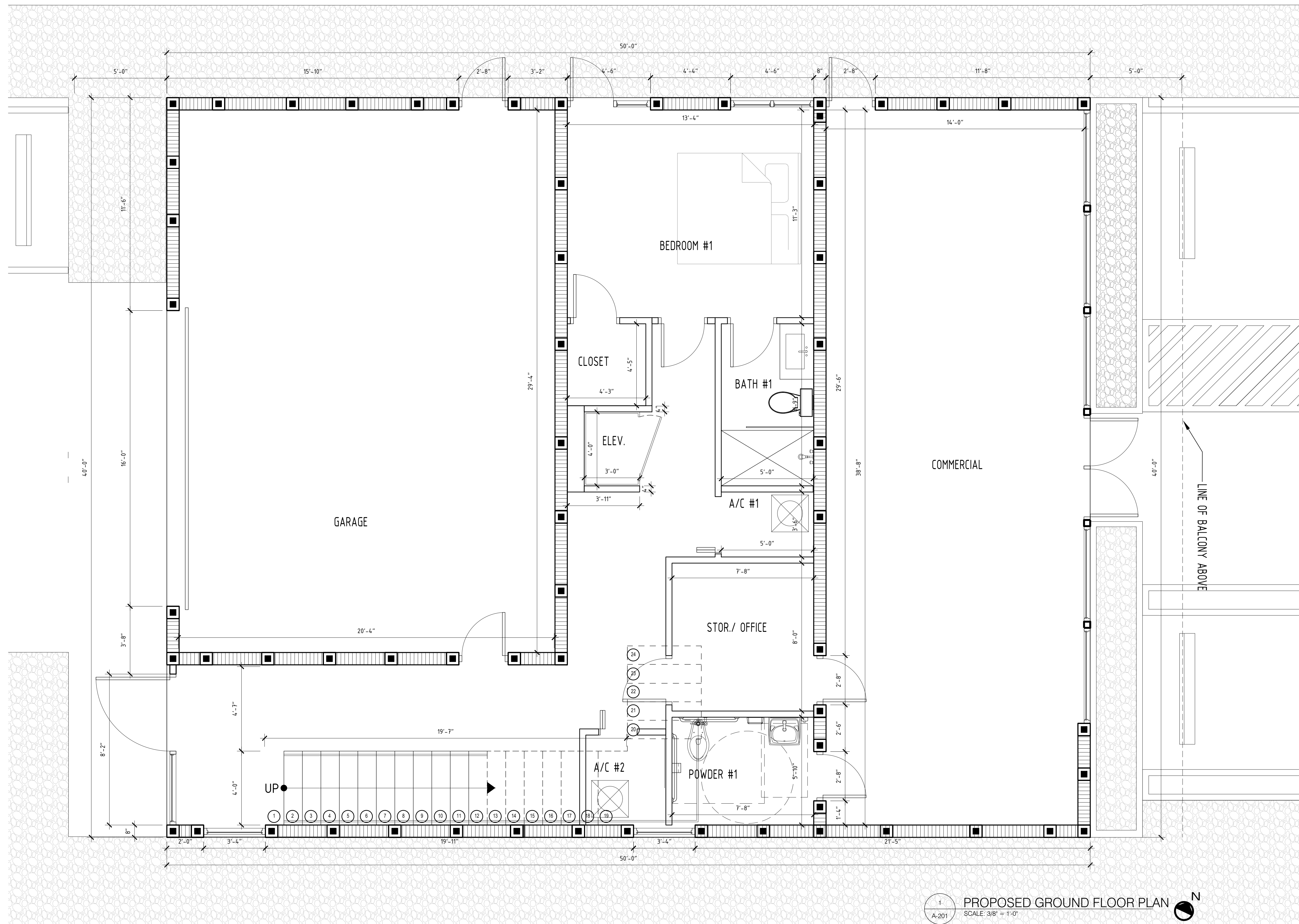
**Adolfo D. Lopez, AIA
Architect**

15388 SW 113th Ter, Miami FL 33196
 Tel. 214-682-9734 danielo.lopez254@gmail.com
 AIA0018093

SYMBOLS:



	EXISTING (CMU) WALL TO REMAIN		BATT INSULATION
	CONCRETE MASONRY		PLYWOOD
	CONCRETE IN SECTION		WOOD BLOCKING
	DRYWALL / STUD PARTITION		WALLS W/ SOUND INSULATION
	RIGID INSULATION INDICATED IN ENLARGED DETAILS / SECTIONS		6" WALLS W/ PLUMBING
	EARTH		



OF SHEET

DOLFO LOPEZ, AIA
C#0016093
SIMJA DESIGNERS

Symbols

SYMBOLS:

BUILDING SECTIONS
SECTION LETTERS
 DETAIL
DETAIL NUMBER
SHEET NUMBER

INTERIOR ELEVATION(S) (UNFOLD)
ARROWS INDICATE ELEVATIONS
SHEET NUMBER

DOOR TYPE
DOOR MARK (NUMBER)

WINDOW TYPE
WINDOW MARK (LETTER)

WALL TYPE
FIXTURE MARK (LETTER)
SEE PAGE A-700

KEYNOTE
DRAWING NOTE (NUMBER)

STEP DOWN
CHANGE IN FLOOR HEIGHT

CONTROL OR DATUM POINT
DESCRIPTION OF POINT
(FIN.FL., TOP OF PLATE, TOP OF T.B.)
ELEVATION OR POINT

REVISION
REFERENCE
NUMBER OF REVISION CORRESP. TO
DESIGN SECTION OF TITLE BLOCK

WALL SECTIONS
SECTION NUMBERS
SHEET NUMBER (WHERE SECTION IS DRAWN)

Legend of Materials

EXISTING (CMU) WALL TO REMAIN

CONCRETE MASONRY

CONCRETE IN SECTION

DRYWALL / STUD PARTITION

RIGID INSULATION INDICATED
IN ENLARGED DETAILS / SECTIONS

EARTH

BATT INSULATION

PLYWOOD

WOOD BLOCKING

WOOD

METAL

METAL LATH

SECOND FLOOR PLAN:	BUILDING AREA
UNDER A/C: 1,800 SQFT BALCONIES: 600 SQFT	FIRST FLOOR: 2,000 SQFT SECOND FLOOR: 2,400 SQFT ROOF TOP PLAN: 352 SQFT
TOTAL SECOND FLOOR: 2,400 SQFT	TOTAL BUILDING AREA: 4,752 SQFT

TERMITE PROTECTION NOTE:

PROVIDE TERMITE PROTECTION PER 2023 F.B.C. 1816
TERMITE PROTECTION SHALL BE PROVIDED BY
REGISTERED TERMITICIDES OR OTHER APPROVED METHODS
OF TERMITES PROTECTION LABELED FOR USE AS A
PREVENTIVE TREATMENT TO THE CONSTRUCTION.
FOLLOWING COMPLETION OF WORK THE COMPANY SHALL
SUBMIT TO THE BUILDING OFFICIAL A LETTER STATING:
THE BUILDING HAS RECEIVED A COMPLETED TREATMENT
FOR THE PREVENTION OF SUBTERRANEAN TERMITES.
TREATMENT IS IN ACCORDANCE WITH RULES AND LAWS
ESTABLISHED BY THE FLORIDA DEPARTMENT OF
AGRICULTURE AND CONSUMER SERVICES.

DAMP-PROOFING AND WATERPROOFING AS PER 2023 F.B.C.
1805 PROVIDE 6-MIL, NON-POLYETHYLENE VAPOR
BARRIER BELOW SLAB ON FILL (LAP SHEETS MINIMUM 6"
AND SEAL WITH MANUFACTURER'S SPECIFIED TAPE, TAPE
ALL PENETRATIONS) ALL SLAB REINFORCEMENT SHALL
BE SUPPORTED ON CHAIRS OR CONCRETE BRICKS.

NOTE:

1) ALL INTERIOR FACE OF C.M.U. WALL TO BE FINISHED
WITH 1/2" G.W.B. ON 7/8" METAL FURRING OR 1x2 P.T.
WOOD FURRING AT 16" O.C.
2) ALL INTERIOR ROOMS FLOOR BASEBOARD SHALL BE
OF WHITE PAINTED WOOD
3) INTERIOR FINISH OF WALLS AND CEILINGS SHALL BE
CLASS A, B, OR C (N.F.P.A.)
4) FLOOR FINISH, BATHROOMS FINISH AND COLORS TO
BE CONSULTED WITH OWNER OR INTERIOR DESIGN.
5) BATHROOM CABINET TO BE SELECTED BY OWNER.
CABINET MANUFACTURER TO COORDINATE WITH
OWNER AND TO SUBMIT SHOP DRAWINGS TO OWNER
FOR APPROVAL.
6) OWNER TO COORDINATE WITH BATHROOM FIXTURES
CONSULTANT FOR FIXTURE SELECTION.
7) KITCHEN CABINETS TO BE SELECTED BY OWNER.
CABINET MANUFACTURER TO COORDINATE WITH
OWNER AND TO SUBMIT SHOP DRAWINGS TO OWNER
FOR APPROVAL.
8) ALL BATHROOMS AND BEDROOMS PARTITIONS SHALL
HAVE 3 1/2" SOUND BATT INSULATION IN CAVITY
BETWEEN STUDS
9) ALL BATHROOMS TOILETS TO BE WALL HUNG

1
A-202
PROPOSED SECOND FLOOR PLAN
SCALE: 3/8" = 1'-0"



2200 N. COMMERCE PARKWAY, SUITE #200
WESTON, FL 33326 (954) 228-2400 (T) (954) 903-7503 (F)

NEW SINGLE FAMILY
CREGO RESIDENCE
2205 N. OCEAN SHORE BLVD
FLAGLER BEACH, FL 32136

REVISIONS

NO. DATE

TITLE OF SHEET

SECOND FLOOR PLAN

ISSUE DATE

03/06/2026

PROJECT NO.

26-100

SEAL

SHEET NUMBER



A-202

OF SHEET

ADOLFO LOPEZ, AIA
LIC#0016093
SIMJA DESIGNERS

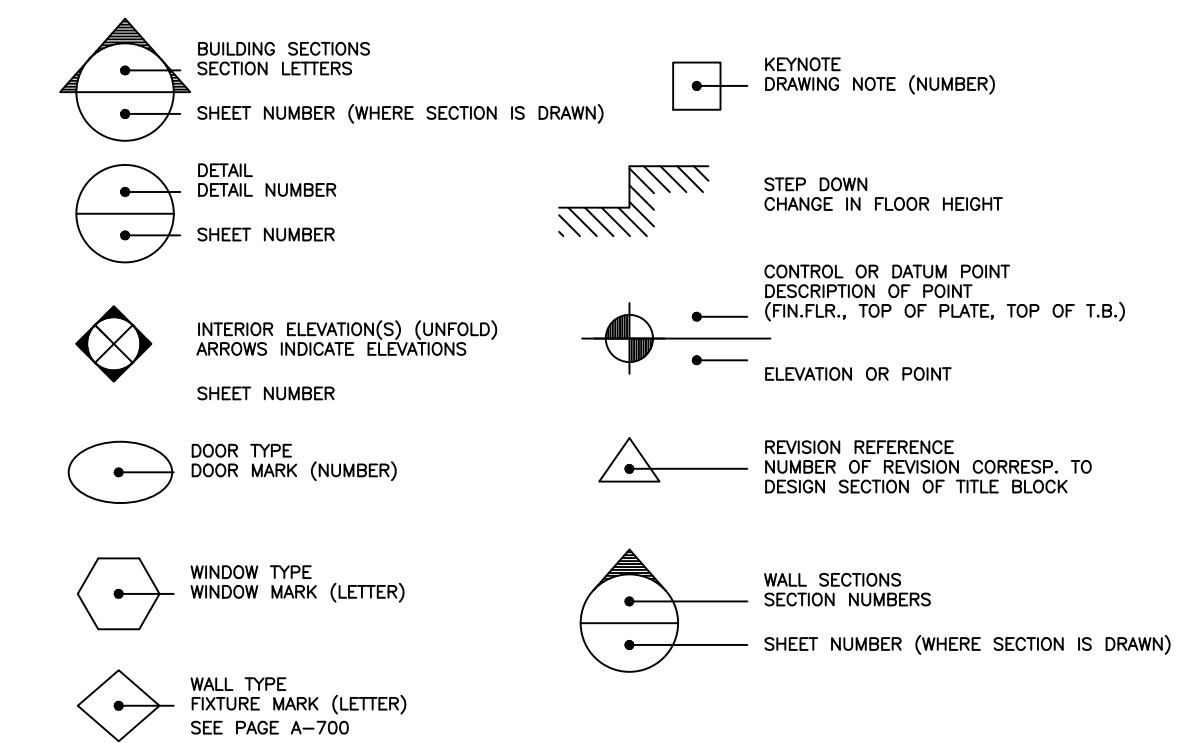


Adolfo D. Lopez, AIA
Architect

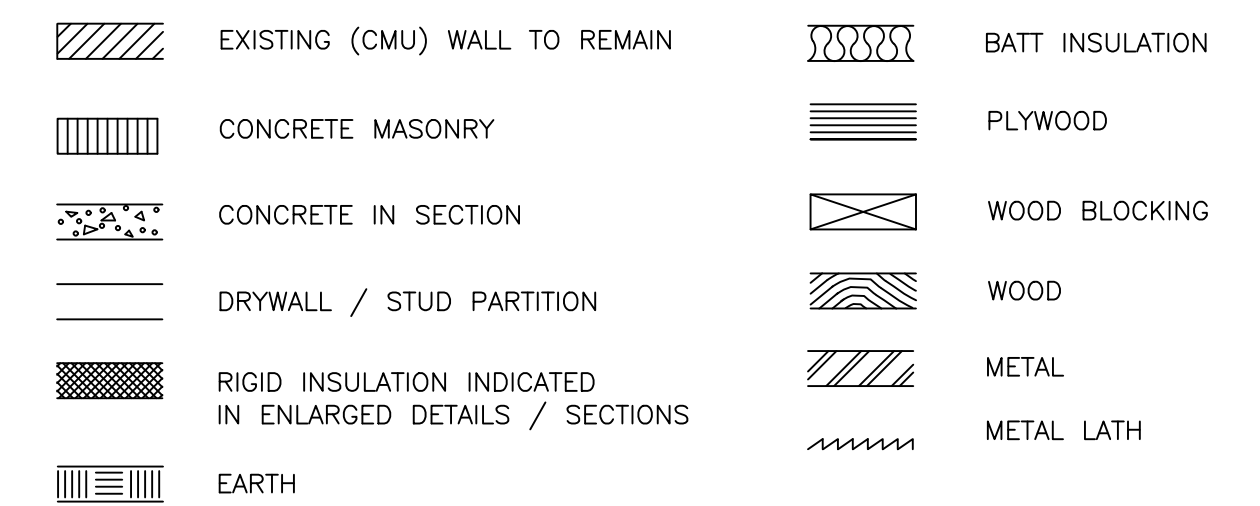
15368 SW 112th Ter, Miami FL 33195
Cell: 214-688-9774, 407-603-9952, 305-451-1111
Aldolopez@aigmail.com
Aldolopez@aigmail.com

Symbols

SYMBOLS:



Legend of Materials



<u>ROOF TOP PLAN:</u> STAIRS: 208 SQFT POWDER: 60 SQFT COVERED BBQ: 84 SQFT TOTAL ROOF TOP: 352 SQFT	<u>BUILDING AREA</u> FIRST FLOOR: 2,000 SQFT SECOND FLOOR: 2,400 SQFT ROOF TOP PLAN: 352 SQFT TOTAL BUILDING AREA: 4,752 SQFT
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TERMITE PROTECTION NOTE:

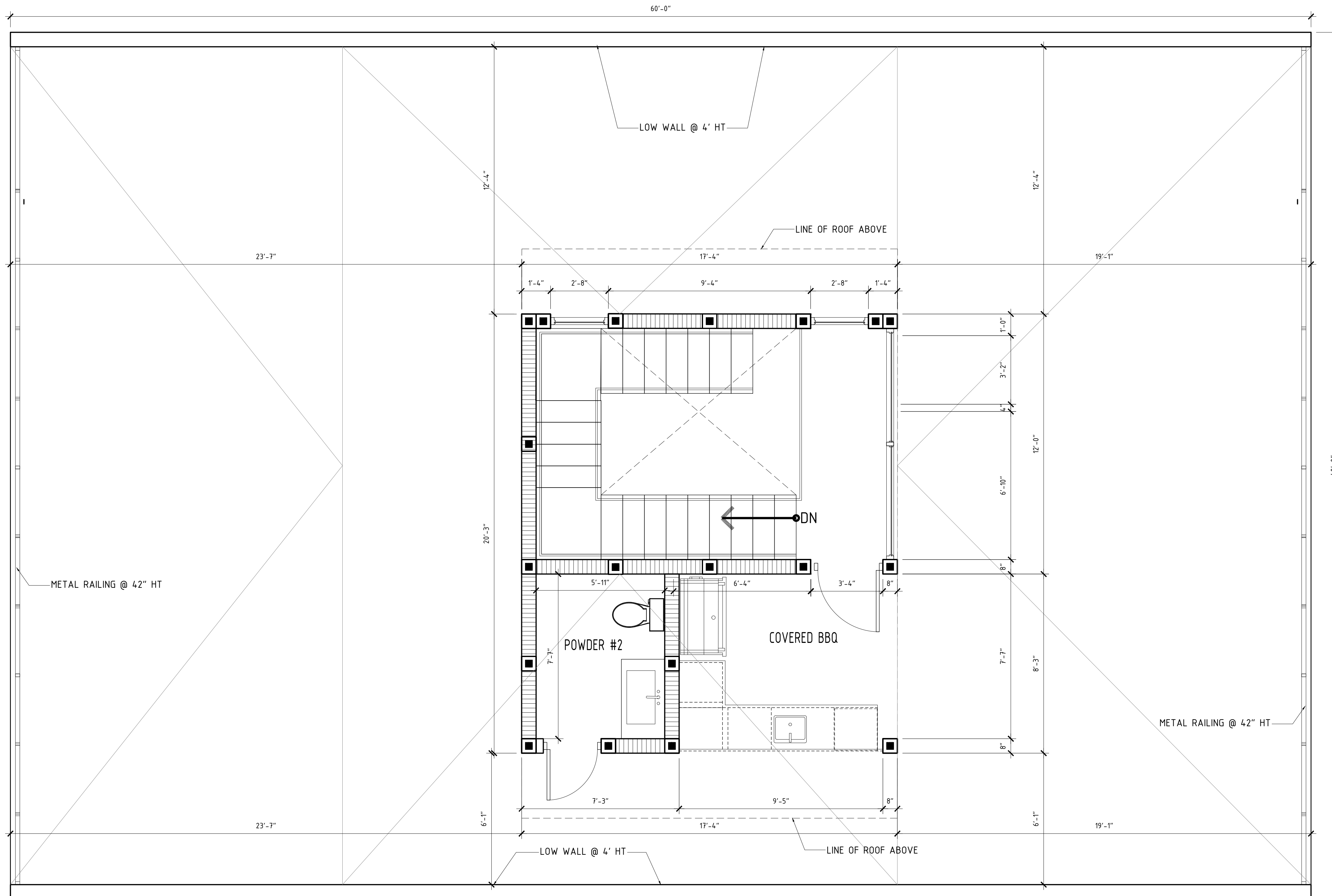
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- 9) ALL BATHROOMS TOILETS TO BE WALL HUNG



1
A-203

PROPOSED ROOF TOP PLAN
SCALE: 3/8" = 1'-0"



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Architect
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Cel. 214-682-9714 adolfo.lopez54@gmail.com
A90016093



A-203

OF SHEET

ADOLFO LOPEZ, AIA
LIC#0016093
SIMJA DESIGNERS

Symbols

SYMBOLS:

BUILDING SECTIONS
SECTION LETTERS

DETAIL
DETAIL NUMBER

INTERIOR ELEVATION(S) (UNFOLD)
ARROWS INDICATE ELEVATIONS

DOOR TYPE
DOOR MARK (NUMBER)

WINDOW TYPE
WINDOW MARK (LETTER)

WALL TYPE
FIXTURE MARK (LETTER)
SEE PAGE A-700

KEYNOTE
DRAWING NOTE (NUMBER)

STEP DOWN
CHANGE IN FLOOR HEIGHT

CONTROL OR DATUM POINT
DESCRIPTION OF POINT
(FIN.FLK., TOP OF PLATE, TOP OF T.B.)

REVISION REFERENCE
NUMBER OF REVISION CORRESP. TO
DESIGN SECTION OF TITLE BLOCK

WALL SECTIONS
SECTION NUMBERS

Legend of Materials

EXISTING (CMU) WALL TO REMAIN

CONCRETE MASONRY

CONCRETE IN SECTION

DRYWALL / STUD PARTITION

RIGID INSULATION INDICATED
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EARTH

BATT INSULATION

PLYWOOD

WOOD BLOCKING

WOOD

METAL

METAL LATH

ROOF TOP PLAN:	BUILDING AREA
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TOTAL ROOF TOP: 352 SQFT	TOTAL BUILDING AREA: 4,752 SQFT

LEGEND

DROPPED CEILING

EXHAUST FAN

JUNCTION BOX

LED STRIP

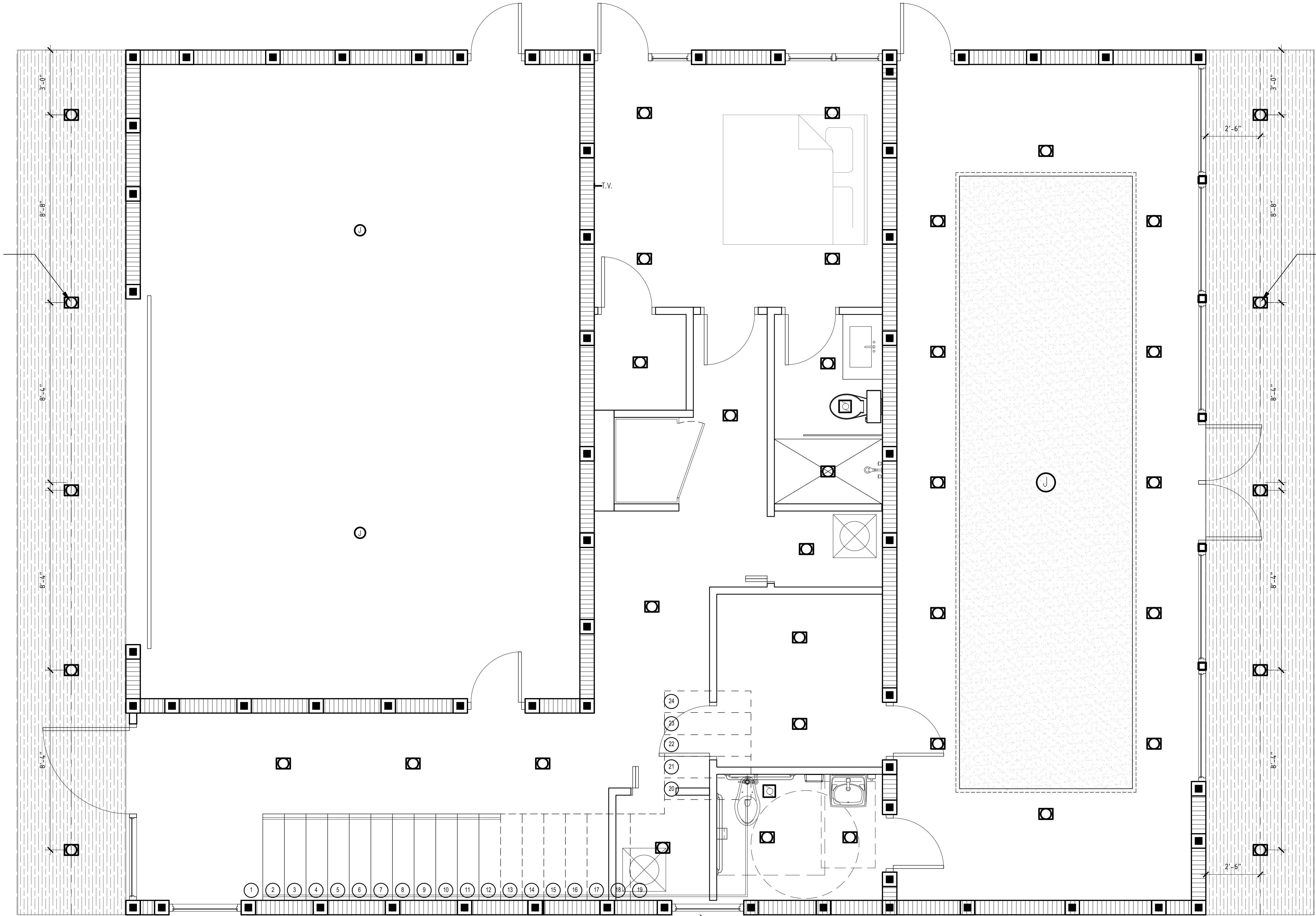
8" CMU WALL

PARTITION

ELECTRICAL PANEL

T.V. OUTLET

CEILING RECESSED SPOTLIGHT



1
A-203
PROPOSED ROOF TOP PLAN
SCALE: 3/8" = 1'-0"



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Cell: 212-688-9774, 407-609-9529
Adbou519@gmail.com



A-203

OF SHEET

ADOLFO LOPEZ, AIA
LIC#0016093
SIMJA DESIGNERS

NEW SINGLE FAMILY

CREGO RESIDENCE
2205 N OCEAN SHORE BLVD
FLAGLER BEACH, FL 32136

REVISIONS

REMARKS

NO. DATE

TITLE OF SHEET

ROOF TOP PLAN

ISSUE DATE

03/06/2026

PROJECT NO.

26-100

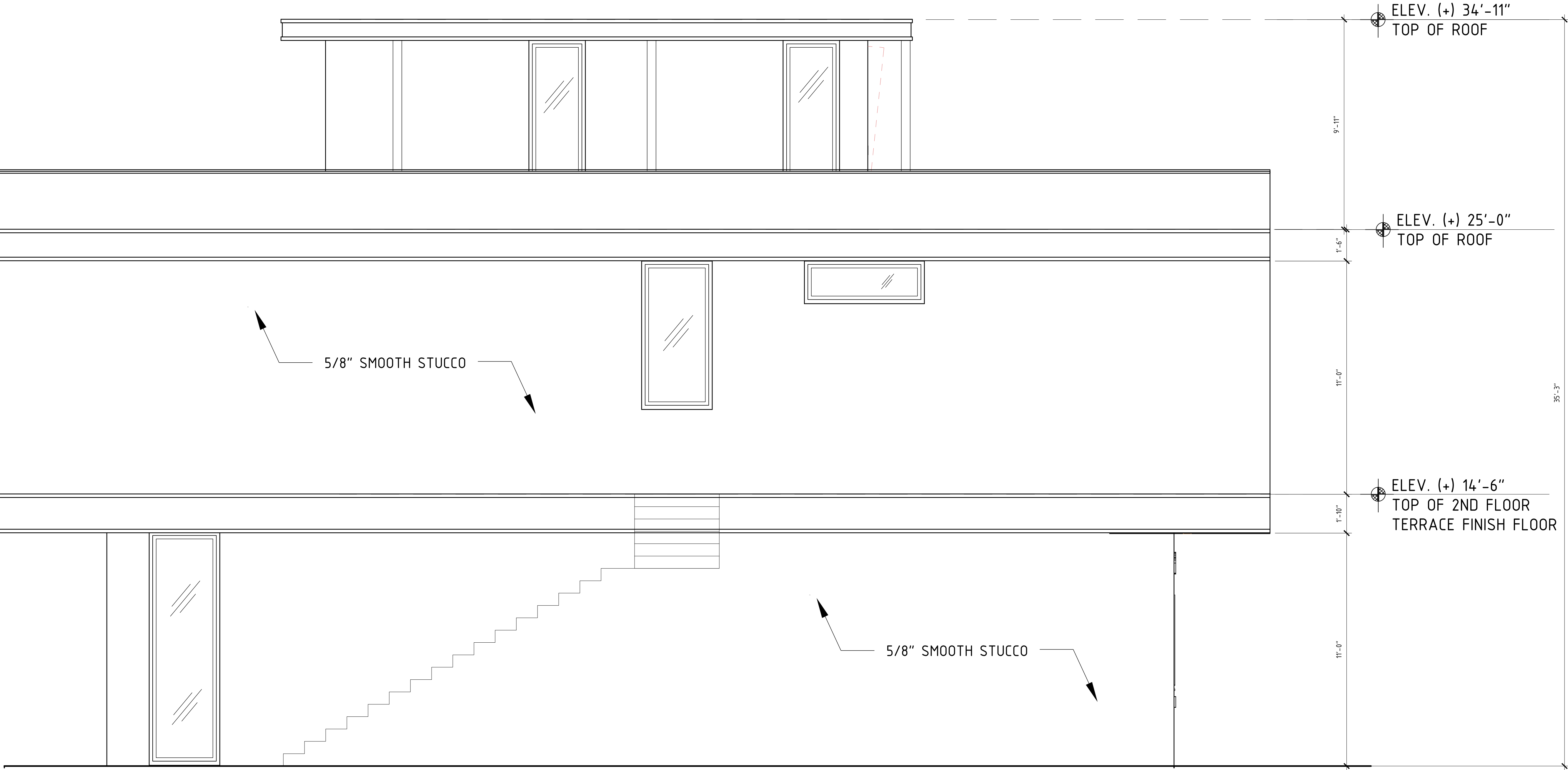
SEAL

SHEET NUMBER

A-203

OF SHEET

ADOLFO LOPEZ, AIA
LIC#0016093
SIMJA DESIGNERS



1
A-402
SIDE (EAST) ELEVATION
SCALE: 3/8" = 1'-0"



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Architect

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Cell: 214-688-9774, Email: adlopedesign@gmail.com
Adlopedesign.com



NEW SINGLE FAMILY
CREGO RESIDENCE
2205 N OCEAN SHORE BLVD
FLAGLER BEACH, FL 32136

REVISIONS

REMARKS

NO. DATE

TITLE OF SHEET

SIDE ELEVATION

ISSUE DATE

03/06/2026

PROJECT NO.

26-100

SEAL

SHEET NUMBER



A-402

OF SHEET

ADOLFO LOPEZ, AIA
LIC#0016093
SIMJA DESIGNERS



2200 N.COMMERCE PARKWAY, SUITE #200
WESTON, FL 33326 (954)228-2400(T) (954)903-7503(F)

NEW SINGLE FAMILY
CREGO RESIDENCE
2205 N OCEAN SHORE BLVD
FLAGLER BEACH, FL 32136

[illegible]

T I T L E O F S H E E T

RENDERING

ISSUE	DATE	PROJECT	N
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03/06/2026	26-100
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SEAL	SHEET NUMBER
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A-402

O F S H E E

ADOLFO LOPEZ, AIA
LIC#0016093
SIMJA DESIGNERS

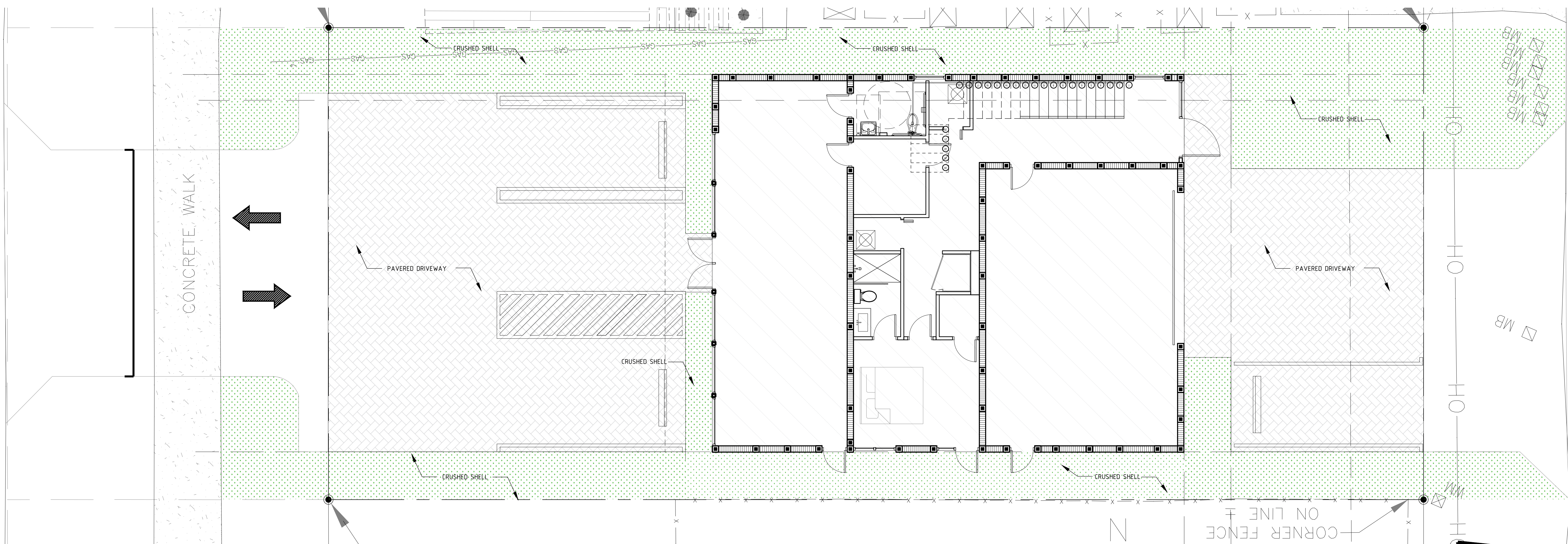


Adolfo D. Lopez, AIA
Architect

15388 SW 113th Ter, Miami FL 33196
 Cel. 214-682-9714 danilo.lopez54@gmail.com
 A90016093

NORTH OCEAN SHORE BOULEVARD

NORTH CENTRAL AVENUE



 *BUILDING*

 *PAVERS*

 *CRUSHED SHELL*

1 LANDSCAPE PLAN
L-100 SCALE: 3/16" = 1'-0"



NEW SINGLE FAMILY
CREGO RESIDENCE
2205 N OCEAN SHORE BLVD
FLAGLER BEACH, FL 32136

[illegible]

TITLE OF SHEET

LANDSCAPE PLAN

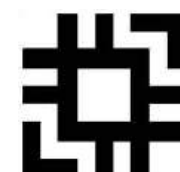
ISSUE DATE	PROJECT NO.
03/06/2026	26-100
SEAL	SHEET NUMBER



L-100

OF SHEET

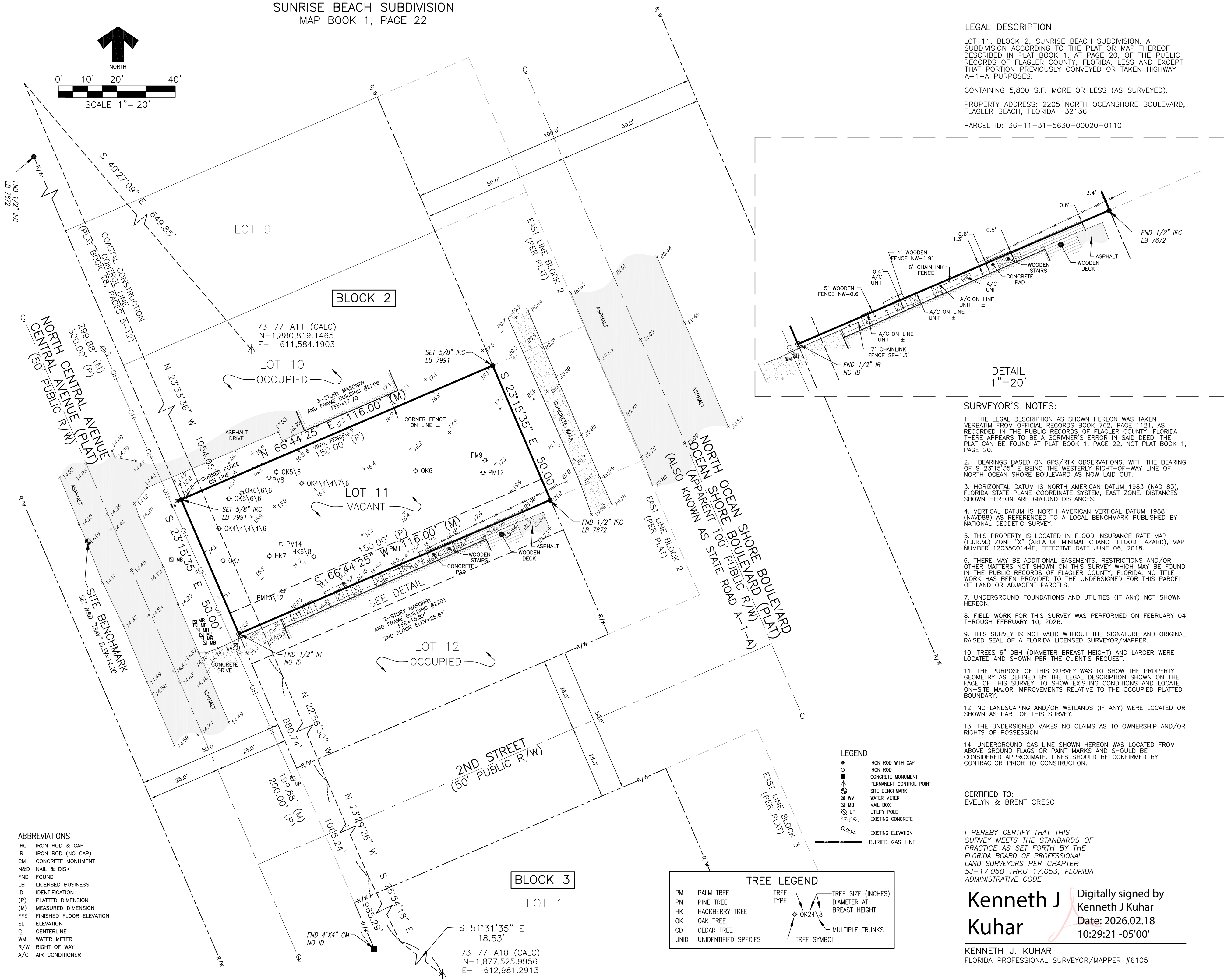
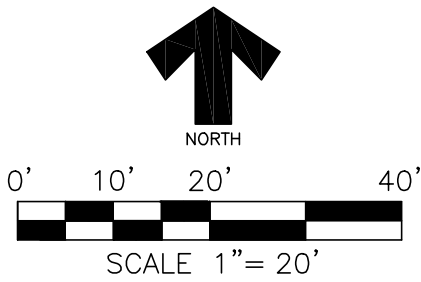
ADOLFO LOPEZ, AIA
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SIMJA DESIGNERS



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AR0016093

SUNRISE BEACH SUBDIVISION
MAP BOOK 1, PAGE 22



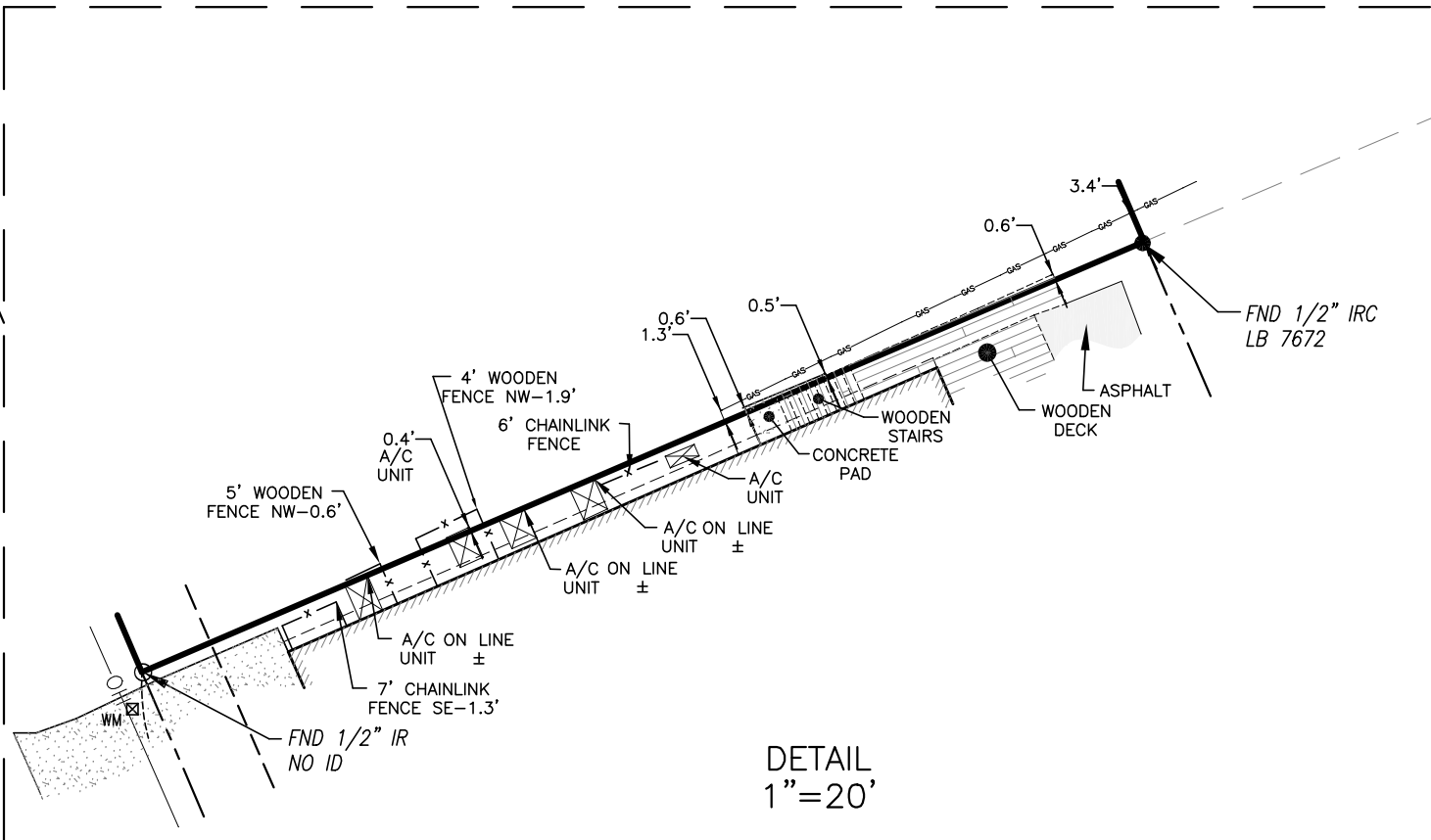
LEGAL DESCRIPTION

LOT 11, BLOCK 2, SUNRISE BEACH SUBDIVISION, A SUBDIVISION ACCORDING TO THE PLAT OR MAP THEREOF DESCRIBED IN PLAT BOOK 1, AT PAGE 20, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, LESS AND EXCEPT THAT PORTION PREVIOUSLY CONVEYED OR TAKEN HIGHWAY A-1-A PURPOSES.

CONTAINING 5,800 S.F. MORE OR LESS (AS SURVEYED).

PROPERTY ADDRESS: 2205 NORTH OCEANSHORE BOULEVARD, FLAGLER BEACH, FLORIDA 32136

PARCEL ID: 36-11-31-5630-00020-0110



SURVEYOR'S NOTES:

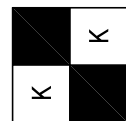
- THE LEGAL DESCRIPTION AS SHOWN HEREON WAS TAKEN VERBATIM FROM OFFICIAL RECORDS BOOK 762, PAGE 1121, AS RECORDED IN THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA. THERE APPEARS TO BE A SCRIVNER'S ERROR IN SAID DEED. THE PLAT CAN BE FOUND AT PLAT BOOK 1, PAGE 22, NOT PLAT BOOK 1, PAGE 20.
- BEARINGS BASED ON GPS/RTK OBSERVATIONS, WITH THE BEARING OF S 23°15'35" E BEING THE WESTERLY RIGHT-OF-WAY LINE OF NORTH OCEAN SHORE BOULEVARD AS NOW LAID OUT.
- HORIZONTAL DATUM IS NORTH AMERICAN DATUM 1983 (NAD 83), FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE. DISTANCES SHOWN HEREON ARE GROUND DISTANCES.
- VERTICAL DATUM IS NORTH AMERICAN VERTICAL DATUM 1988 (NAVD88) AS REFERENCED TO A LOCAL BENCHMARK PUBLISHED BY NATIONAL GEODETIC SURVEY.
- THIS PROPERTY IS LOCATED IN FLOOD INSURANCE RATE MAP (FIRM) ZONE "X" (AREA OF MINIMAL CHANCE FLOOD HAZARD), MAP NUMBER 12035C0144E, EFFECTIVE DATE JUNE 06, 2018.
- THERE MAY BE ADDITIONAL EASEMENTS, RESTRICTIONS AND/OR OTHER MATTERS NOT SHOWN ON THIS SURVEY WHICH MAY BE FOUND IN THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA. NO TITLE WORK HAS BEEN PROVIDED TO THE UNDERSIGNED FOR THIS PARCEL OF LAND OR ADJACENT PARCELS.
- UNDERGROUND FOUNDATIONS AND UTILITIES (IF ANY) NOT SHOWN HEREON.
- FIELD WORK FOR THIS SURVEY WAS PERFORMED ON FEBRUARY 04 THROUGH FEBRUARY 10, 2026.
- THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR/MAPPER.
- TREES 6" DBH (DIAMETER BREAST HEIGHT) AND LARGER WERE LOCATED AND SHOWN PER THE CLIENT'S REQUEST.
- THE PURPOSE OF THIS SURVEY WAS TO SHOW THE PROPERTY GEOMETRY AS DEFINED BY THE LEGAL DESCRIPTION SHOWN ON THE FACE OF THIS SURVEY, TO SHOW EXISTING CONDITIONS AND LOCATE ON-SITE MAJOR IMPROVEMENTS RELATIVE TO THE OCCUPIED PLATTED BOUNDARY.
- NO LANDSCAPING AND/OR WETLANDS (IF ANY) WERE LOCATED OR SHOWN AS PART OF THIS SURVEY.
- THE UNDERSIGNED MAKES NO CLAIMS AS TO OWNERSHIP AND/OR RIGHTS OF POSSESSION.
- UNDERGROUND GAS LINE SHOWN HEREON WAS LOCATED FROM ABOVE GROUND FLAGS OR PAINT MARKS AND SHOULD BE CONSIDERED APPROXIMATE. LINES SHOULD BE CONFIRMED BY CONTRACTOR PRIOR TO CONSTRUCTION.

CERTIFIED TO:
EVELYN & BRENT CREGO

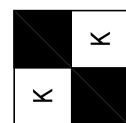
I HEREBY CERTIFY THAT THIS SURVEY MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS PER CHAPTER 5J-17.050 THRU 17.053, FLORIDA ADMINISTRATIVE CODE.

Kenneth J. Kuhar
Digitally signed by
Kenneth J. Kuhar
Date: 2026.02.18
10:29:21 -05'00'

KENNETH J. KUHAR
FLORIDA PROFESSIONAL SURVEYOR/MAPPER #6105



KUHAR SURVEYING & MAPPING, LLC
1501 RIDGEWOOD AVENUE, SUITE 205, HOLLY HILL, FLORIDA 32117
Phone: 386-672-0002 WWW.KUHARSURVEYING.COM



BOUNDARY AND
TOPOGRAPHIC SURVEY

2205 NORTH OCEAN SHORE BOULEVARD, FLAGLER BEACH, FLORIDA 32136

PREPARED FOR: EVELYN & BRENT CREGO

LS (PSM) 6105

LB 7991

© 2023 KUHAR SURVEYING & MAPPING, LLC

PROJECT NO.
K26013

DRAWING REFERENCE NO.
K26013 WORKSHEET.DWG

SCALE
1"=20'

ORIGINAL ISSUE DATE
FEBRUARY 18, 2026

SHEET 1 OF 1



CITY OF FLAGLER BEACH
PLANNING & ZONING DEPARTMENT

INTAKE APPLICATION	
☒ Final Site Plan	☐ Preliminary Plat
☐ Master Site Plan	☐ Final Plat
☐ Site Development Plan(s)	☐ Plat Vacating
☐ Rezoning	☐ Subdivision Master Plan
☐ Comprehensive Plan Amendment	☐ Non-statutory Land Division/Parcel Reconfiguration
☐ Future Land Use Map Amendment	☐ Site Plan Modification (Post approval)
☐ Special Exception	☐ Development Order Modification
☐ Variance	☐ Wireless Communication Facility (new structure)

RECEIVED

DATE RECEIVED: APR 02 2026 APPLICATION NUMBER: PMS26-0003

All fields MUST be completed or indicate not applicable.

ALL FEES REQUIRED AT INTAKE ARE BASED ON THE APPLICATION TYPE.

CITY STAFF WILL PROVIDE A FEE SCHEDULE TO THE APPLICANT PRIOR TO SUBMISSION.

A. PROJECT NAME: HOUSE OF CREGO
B. LOCATION OF SUBJECT PROPERTY (PHYSICAL ADDRESS): 2205 N. OCEAN SHORE BLVD
C. PROPERTY APPRAISER'S PARCEL ID NUMBER(S): 36-11-31-5630-00020-0110

D. LEGAL DESCRIPTION: SUNRISE BEACH Subdivision Name; _____

Section; _____ Block(s); #2 Lot(s); #11

E. SUBJECT PROPERTY ACRES / SQUARE FOOTAGE: 5,784

F. FUTURE LAND USE MAP DESIGNATION: TC EXISTING ZONING DISTRICT: TC

OVERLAY DISTRICT: (DISTRICT 21)

G. FLOOD ZONE: NO FEMA COMMUNITY PANEL NUMBER: _____ DATE: _____

H. CURRENT USE OF PROPERTY: EMPTY LOT

I. DESCRIPTION OF REQUEST/PROPOSED DEVELOPMENT (ATTACH ADDITIONAL SHEETS) TO BUILD A 2 STORY STRUCTURE W/ 15 FT. TO INCLUDE A 600 SQ. FT. BOUTIQUE FACING AIA / 3 BD. / 4 BATHS / 2 CAR GARAGE / LR / KITCHEN W/ A ROOFTOP.

J. PROPOSED NUMBER OF LOTS (If Applicable): 1 Development Phasing: Yes ☐ No ☒



CITY OF FLAGLER BEACH PLANNING & ZONING DEPARTMENT

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

L. WATER/SEWER PROVIDER: CITY

M. EXISTING MORTGAGE? Yes ☐ No ☒

OWNER:	APPLICANT/AGENT:
Name: <u>Brent/Evelyn Crego</u>	Name: <u>RICHARD DANIELS PAUL CULVER CONSTRUCTION</u>
Mailing Address: <u>133 BRIDGE PATH RD DAYTONA</u>	Mailing Address: <u>201 OSCEOLA AVE, DAYTONA 32114</u>
Phone Number: <u>612-991-3016</u>	Phone Number: <u>386-763-4190</u>
E-mail Address: <u>BRENTJCREGO@gmail.com</u>	E-mail Address: <u>RDANIELS@PAULCULVERCONSTRUCTION.COM</u>

MORTGAGE HOLDER:	ENGINEER OR PROFESSIONAL:
Name: <u>N/A</u>	Name: <u>SINJA CONSTRUCTION, ED FORTICH</u>
Mailing Address:	Mailing Address: <u>2200 N. COMMERCE BLVD WEST PALM BEACH 33326</u>
Phone Number:	Phone Number: <u>954-804-7362</u>
E-mail Address:	E-mail Address: <u>ED@SINJA.CONSTRUCTION.COM</u>

SURVEYOR:	ATTORNEY OF RECORD:
Name: <u>KUHAR SURVEYING + MAPPING</u>	Name: <u>N/A</u>
Mailing Address: <u>1501 RIDGEWOOD AVE, HOLLY HILL</u>	Mailing Address:
Phone Number: <u>386-672-0002</u>	Phone Number:
E-mail Address: <u>INFO@KUHASURVEYING.COM</u>	E-mail Address:

PLANNER:	TRAFFIC ENGINEER:
Name: <u>N/A</u>	Name: <u>N/A</u>
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:

Brent Crego BRENTCREGO 3/31/26
Signature Print Name Date

STATE OF Florida

COUNTY OF Volusia

The foregoing instrument was sworn to or affirmed X in person or _____ by virtual notarization on the 3rd day of MARCH, 2026 by Brent Crego who is personally known to me or who produced _____ as identification.

MARY BENSON
Signature of Notary

(SEAL)



MARY BENSON
Commission # HH 664701
Expires April 14, 2029

INTAKE APPLICATION

Page 2 of 2

MAJOR SITE PLAN REVIEW PROJECT DESCRIPTION

PRINT OR TYPE INFORMATION

- A. Provide a detailed description of the proposed project:

TO BUILD A RESIDENTIAL 2 STORY STRUCTURE W/1ST FL. to include
A 600 SQ. FT. BOUTIQUE FACING AIA / 3 BD / 4 BATH / 2 CAR GARAGE
LR / KITCHEN W/ A ROOFTOP

- B. Provide the lot size (parcel) and square footage of all building(s):

50' X 116' = 5,795 SQ. FT. Building Foot Print
IS 2000 SQ. FT.

- C. Provide the size, height and proposed use of each building:

60' X 40' X 34' 11" ONE Building Total with
526.8 Sq. Feet of Retail space AND 3,813.2
OF Residential Living.

- D. Provide a detailed description of the following:

Exterior finish and color: BLUEBELL SW 6793

Roof material and color: MOD Bit Roof Light Grey

- E. Indicate the project floor area, ratio or lot coverage (if applicable):

Building Foot Print 2000 Sq. Feet AND
lot 50' X 116' 5,795 Sq. Feet.

- F. Provide the total number of:

Required on-site parking spaces: 2

Proposed on-site parking spaces: 3

Required on-site Handicapped parking spaces: 1

Proposed on-site Handicapped Parking spaces: 1

- G. Any off-site parking spaces proposed? If yes, describe number, location, and distance from proposed project location:

N/A

- H. Will project be accomplished in phases? If Yes, describe phasing plans and timeframe:

NO

- I. Describe the nature of any tree and native vegetation removal, if applicable:

N/A

- J. If a Commercial use, describe the operational characteristics of the development (proposed hours of operation, any unique characteristics of the proposed use.

BOV-tique TO OPERATE - NORMAL BUSINESS HOURS - 9-5 PM.
AND WEEKENDS FOR TC DISTRICT.

- K. Provide other pertinent information regarding the proposed development:

N/A

Site Plan Review

Existing Conditions

- A. Describe all previous uses or activities on the site:

- VACANT LOT -

- B. Describe all existing structures on the site in terms of their use, construction type, height, density, and size:

- NONE -

- C. Describe the project site as it presently exists before the project in terms of:

- Site topography:

LOT ELEVATION AT AIA IS 18.1 AND THE LOWEST LEVEL AT CENTRAL AVE. WILL BE 15.1 LOT SLOPES FROM AIA TO CENTRAL AVE.

- Plant life (existing trees, vegetative cover):

(2) 12" PALMS (1) 14" PALM (1) 9" TREE. NO OTHER TREES ON LOT WEEDS/SCRUBS.

- Soil conditions:

Clear SAND LOT

- Historic or cultural resources (if applicable):

N/A

- D. Describe the land use and zoning of surrounding properties within 200 feet of project location:

North:

RESIDENTIAL HOMES - TC ZONED

South:

COMMERCIAL BUSINESSES

East:

OCEAN SHORE BVD

West:

RESIDENTIAL HOMES - (CENTRAL AVE)



City of Flagler Beach
 Planning & Zoning Department
 P.O. Box 70 * 800 S Daytona Ave.
 Flagler Beach, FL 32136
www.cityofflaglerbeach.com

Owner's Authorization Form

Richard DANIELS is hereby authorized TO ACT ON BEHALF OF
BRENT AND EVELYN CREGO

the owners(s) of those lands described within the attached application, and as described in the attached deed or other such proof of ownership as may be required, in applying to Flagler Beach, Florida, for an application related to a development Permit or other action pursuant to a: application for: TRC AND Building / construction

By signing, I affirm that all legal owners(s), as listed on the Recorded Warranty Deed on file with the Flagler County Clerk of Courts or otherwise stated WARRANTY DEED, have
(Identify what document)
 been notified of the _____

I further understand incomplete or false information provided on this form may lead to revocation of permits, termination of development activity.

Brent Crego BRENT CREGO 3/31/26
 Signature of Owner Print Name Date

Evelyn Crego EVELYN CREGO 3/31/26
 Signature of Owner Print Name Date

STATE OF Florida

COUNTY OF Volusia

The foregoing instrument was sworn to or affirmed X in person or _____ by virtual notarization on the 31st day of MARCH, 2026 by Brent Crego who is personally known to me or who produced _____ as identification.

Mary Benson
 Signature of Notary

(SEAL)



MARY BENSON
 Commission # HH 664701
 Expires April 14, 2029

PREPARED BY & RETURN TO:

Name: Rhiannon Taylor, an employee of
Veterans Title, LLC
Address: 2561 Moody Blvd
Ste 102
Flagler Beach, FL 32136
File No. WAG-26-0001

Parcel No.: 36-11-31-5630-00020-0110
Sales Price: \$385,000.00
Doc Stamps: \$2,695.00

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

This **WARRANTY DEED**, made the 21st day of January, 2026, by **GEORGE G. SCHAEFFER** and **DIANE L. SCHAEFFER**, husband and wife, hereinafter called the Grantors, to **BRENT J. CREGO** and **EVELYN CREGO**, Husband and wife, whose post office address is 133 Bridgeport Rd., Daytona Beach Shores, FL 32118, hereinafter called the Grantees:

WITNESSETH: That the Grantors, for and in consideration of the sum of \$10.00 and other valuable consideration, receipt whereof is hereby acknowledged, do hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantees all that certain land situate in County of Flagler, State of Florida, viz:

Lot 11, Block 2, Plan of Sunrise Beach, according to the plat thereof recorded in Map Book 1, Page 22, of the Public Records of Flagler County, Florida.

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

THE ABOVE-DESCRIBED PROPERTY IS NOT THE CONSTITUTIONAL HOMESTEAD OF THE GRANTORS, NOR IS IT CONTIGUOUS TO SUCH.

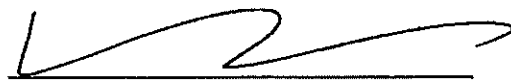
SUBJECT TO TAXES FOR THE YEAR 2026 AND SUBSEQUENT YEARS, RESTRICTIONS, RESERVATIONS, COVENANTS AND EASEMENTS OF RECORD, IF ANY.

TO HAVE AND TO HOLD the same in fee simple forever.

And the Grantors hereby covenant with the Grantees that the Grantors are lawfully seized of said land in fee simple, that the Grantors have good right and lawful authority to sell and convey said land and that the Grantors hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever. Grantors further warrant that said land is free of all encumbrances, except as noted herein and except taxes accruing subsequent to December 31, 2025.

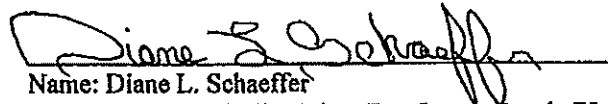
IN WITNESS WHEREOF, the said Grantors have signed and sealed these presents, the day and year first above written.

Signed, sealed and delivered in the presence of:


Witness Signature
Printed Name: **Rosa Barajas**
Address: 10705. 9th St -
Fort Pierce FL 34950


Witness Signature
Printed Name: Diane L. Schaeffer
Address: 10705. 9th St -
Fort Pierce FL 34950

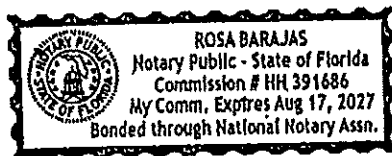

Name: George G. Schaeffer L.S.
Address: 4290 NE Indian River Dr., Jensen Beach, FL 34957


Name: Diane L. Schaeffer L.S.
Address: 4290 NE Indian River Dr., Jensen Beach, FL 34957

STATE OF FLORIDA

COUNTY OF Martin

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 17 day of January, 2026, by George G. Schaeffer and Diane L. Schaeffer, who are personally known to me or who have produced FL Driver License as identification.
physical presence



(Seal)


Signature of Notary **Rosa Barajas,**
Printed Name: **Notary Public**
My commission expires: **8-17-2027**

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2026 Legislature

1
2 An act relating to affordable housing; amending ss.
3 125.01055 and 166.04151, F.S.; requiring counties and
4 municipalities, respectively, to authorize multifamily
5 and mixed-use residential uses as allowable uses for
6 specified property; providing requirements for certain
7 proposed developments; specifying that certain
8 proposed developments shall not exclude an assemblage
9 of certain parcels; providing for the expiration of
10 certain provisions; prohibiting counties and
11 municipalities, respectively, from restricting the
12 height of certain proposed developments through other
13 dimensional means and from requiring certain setbacks
14 or stepbacks; revising the definitions of the terms
15 "commercial use" and "industrial use"; revising
16 applicability; providing retroactive applicability;
17 authorizing applicants for certain proposed
18 developments to notify the county or municipality, as
19 applicable, by a specified date of intent to proceed
20 under certain provisions; requiring counties and
21 municipalities to allow certain applicants to submit
22 revised applications, written requests, and notices of
23 intent to account for changes made by the act;
24 amending s. 196.1978, F.S.; creating a definition for
25 "multifamily project"; revising a specified finding

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb1389-03-er

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CS/CS/HB 1389, Engrossed 1

2026 Legislature

26 that a taxing authority must make in order to elect
27 not to exempt certain property from certain ad valorem
28 taxation; authorizing certain property owners in a
29 multifamily project to apply for and continue to
30 receive an exemption; amending s. 333.03, F.S.;
31 providing an exception to the inapplicability of
32 certain provisions; amending s. 760.22, F.S.; revising
33 the definition of the term "person"; amending s.
34 760.26, F.S.; revising a prohibition on discriminatory
35 practices in land use decisions and in permitting of
36 development to include housing that is affordable;
37 amending s. 760.35, F.S.; waiving the state's
38 sovereign immunity for certain causes of action based
39 upon housing discrimination; providing applicability;
40 amending s. 420.615, F.S.; authorizing a local
41 government to provide a density bonus incentive to
42 landowners who make certain real property donations to
43 assist in the provision of affordable housing for
44 military families; requiring the Office of Program
45 Policy Analysis and Government Accountability to
46 evaluate the efficacy of using mezzanine finance and
47 the potential of tiny homes for specified purposes;
48 requiring the office to consult with certain entities;
49 requiring the office to submit a certain report to the
50 Legislature by a specified date; providing an

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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2026 Legislature

51 effective date.

52
53 Be It Enacted by the Legislature of the State of Florida:

54
55 Section 1. Paragraphs (a), (d), (n), and (o) of subsection
56 (7) of section 125.01055, Florida Statutes, are amended to read:
57 125.01055 Affordable housing.—

58 (7)(a)1. A county must authorize multifamily and mixed-use
59 residential as allowable uses in any area zoned for commercial,
60 industrial, or mixed use;~~and~~ and in portions of any flexibly zoned
61 area such as a planned unit development permitted for
62 commercial, industrial, or mixed use; on property owned by a
63 county, municipality, or school district; and on property that
64 is more than 3 acres in size and owned by a religious
65 institution, as defined in s. 170.201(2), which has contained a
66 house of public worship for at least 10 years before the
67 proposed development, regardless of the underlying zoning, if at
68 least 40 percent of the residential units in a proposed
69 multifamily development are rental units that, for a period of
70 at least 30 years, are affordable as defined in s. 420.0004.
71 Notwithstanding any other law, local ordinance, or regulation to
72 the contrary, a county may not require a proposed multifamily
73 development to obtain a zoning or land use change, special
74 exception, conditional use approval, variance, transfer of
75 density or development units, amendment to a development of

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76 regional impact, or comprehensive plan amendment for the
77 building height, zoning, and densities authorized under this
78 subsection. For mixed-use residential projects, at least 65
79 percent of the total square footage must be used for residential
80 purposes. The county may not require that more than 10 percent
81 of the total square footage of such mixed-use residential
82 projects be used for nonresidential purposes. A proposed
83 development on property owned by a county, municipality, or
84 school district must be within the geographic boundaries of the
85 respective county, municipality, or school district, and the
86 respective county, municipality, or school district must be a
87 party to the application for the proposed development. A
88 proposed development on property owned by a religious
89 institution must be applied for by both the applicant and the
90 religious institution, and the house of public worship must
91 continue to operate on the property after the proposed
92 development is constructed.

93 2. A multifamily or mixed-use residential development
94 proposed under this section shall not exclude an assemblage of
95 parcels under common ownership or control separated by no more
96 than 15 feet of land and limited to public pedestrian access.
97 This subparagraph expires July 1, 2030.

98 (d)1. A county may not restrict the height of a proposed
99 development authorized under this subsection below the highest
100 currently allowed, or allowed on July 1, 2023, height for a

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101 commercial or residential building located in its jurisdiction
102 within 1 mile of the proposed development or three stories,
103 whichever is higher. A county may not restrict height below the
104 height authorized under this paragraph through other dimensional
105 means, such as establishing setbacks or stepbacks by height, or
106 require setbacks or stepbacks that are more restrictive than the
107 minimum permitted in the proposed development. For purposes of
108 this paragraph, the term "highest currently allowed height" does
109 not include the height of any building that met the requirements
110 of this subsection or the height of any building that has
111 received any bonus, variance, or other special exception for
112 height provided in the county's land development regulations as
113 an incentive for development.

114 2. If the proposed development is adjacent to, on two or
115 more sides, a parcel zoned for single-family residential use
116 which is within a single-family residential development with at
117 least 25 contiguous single-family homes, the county may restrict
118 the height of the proposed development to 150 percent of the
119 tallest building on any property adjacent to the proposed
120 development, the highest currently allowed, or allowed on July
121 1, 2023, height for the property provided in the county's land
122 development regulations, or three stories, whichever is higher,
123 not to exceed 10 stories. For the purposes of this paragraph,
124 the term "adjacent to" means those properties sharing more than
125 one point of a property line, but does not include properties

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separated by a public road.

3. If the proposed development is on a parcel with a contributing structure or building within a historic district which was listed in the National Register of Historic Places before January 1, 2000, or is on a parcel with a structure or building individually listed in the National Register of Historic Places, the county may restrict the height of the proposed development to the highest currently allowed, or allowed on July 1, 2023, height for a commercial or residential building located in its jurisdiction within three-fourths of a mile of the proposed development or three stories, whichever is higher. The term "highest currently allowed" in this paragraph includes the maximum height allowed for any building in a zoning district irrespective of any conditions.

(n) As used in this subsection, the term:

1. "Commercial use" means activities associated with the sale, rental, or distribution of products or the performance of services related thereto. The term includes, but is not limited to, such uses or activities as retail sales; wholesale sales; rentals of equipment, goods, or products; offices; restaurants; public lodging establishments as described in s. 509.242(1)(a); food service vendors; sports arenas; theaters; tourist attractions; and other for-profit business activities. A parcel zoned to permit such uses by right without the requirement to obtain a variance or waiver is considered commercial use for the

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151 purposes of this section, irrespective of the local land
152 development regulation's listed category or title. The term does
153 not include home-based businesses or cottage food operations
154 undertaken on residential property, public lodging
155 establishments as described in s. 509.242(1)(c), or uses that
156 are accessory, ancillary, incidental to the allowable uses, or
157 allowed only on a temporary basis. Recreational uses, such as
158 golf courses, tennis courts, swimming pools, and clubhouses,
159 within an area designated for residential use are not commercial
160 use, irrespective of how they are operated. Farms and farm
161 operations as those terms are defined in s. 823.14(3) and uses
162 associated therewith, including the packaging and sale of
163 products raised on the premises, are not commercial use.

164 2. "Industrial use" means activities associated with the
165 manufacture, assembly, processing, or storage of products or the
166 performance of services related thereto. The term includes, but
167 is not limited to, such uses or activities as automobile
168 manufacturing or repair, boat manufacturing or repair, junk
169 yards, ~~meat packing facilities, citrus processing and packing~~
170 ~~facilities, produce processing and packing facilities,~~
171 electrical generating plants, water treatment plants, sewage
172 treatment plants, and solid waste disposal sites. A parcel zoned
173 to permit such uses by right without the requirement to obtain a
174 variance or waiver is considered industrial use for the purposes
175 of this section, irrespective of the local land development

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regulation's listed category or title. The term does not include uses that are accessory, ancillary, incidental to the allowable uses, or allowed only on a temporary basis. Recreational uses, such as golf courses, tennis courts, swimming pools, and clubhouses, within an area designated for residential use are not industrial use, irrespective of how they are operated. Farms and farm operations as those terms are defined in s. 823.14(3) and uses associated therewith, including the packaging and sale of products raised on the premises, are not industrial use.

3. "Mixed use" means any use that combines multiple types of approved land uses from at least two of the residential use, commercial use, and industrial use categories. The term does not include uses that are accessory, ancillary, incidental to the allowable uses, or allowed only on a temporary basis. Recreational uses, such as golf courses, tennis courts, swimming pools, and clubhouses, within an area designated for residential use are not mixed use, irrespective of how they are operated.

4. "Planned unit development" has the same meaning as provided in s. 163.3202(5)(b).

(o) This subsection does not apply to:

1. Airport-impacted areas as provided in s. 333.03.
2. Property defined as recreational and commercial working waterfront in s. 342.201(2)(b) in any area zoned as industrial.
3. The Wekiva Study Area, as described in s. 369.316.
4. The Everglades Protection Area, as defined in s.

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373.4592(2).

5. Areas subject to land development regulations, as defined in s. 163.3164, which are in existence before July 1, 2026, and are intended to retain the open character of land, including, but not limited to, open space districts, open space recreation districts, open use estate districts, open use rural districts, and park and open space districts.

6. Any area of critical state concern, as designated in ss. 380.055, 380.0551, 380.0552, 380.0553, and 380.0555.

7. Any portion of a property encumbered by a recorded conservation easement, as defined in s. 704.06(1).

Section 2. Paragraphs (a), (d), (n), and (o) of subsection (7) of section 166.04151, Florida Statutes, are amended to read:
166.04151 Affordable housing.—

(7)(a)1. A municipality must authorize multifamily and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed use;~~and~~ and in portions of any flexibly zoned area such as a planned unit development permitted for commercial, industrial, or mixed use; on property owned by a county, municipality, or school district; and on property that is more than 3 acres in size and owned by a religious institution, as defined in s. 170.201(2), which has contained a house of public worship for at least 10 years before the proposed development, regardless of the underlying zoning, if at least 40 percent of the residential units in a proposed

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multifamily development are rental units that, for a period of at least 30 years, are affordable as defined in s. 420.0004. Notwithstanding any other law, local ordinance, or regulation to the contrary, a municipality may not require a proposed multifamily development to obtain a zoning or land use change, special exception, conditional use approval, variance, transfer of density or development units, amendment to a development of regional impact, amendment to a municipal charter, or comprehensive plan amendment for the building height, zoning, and densities authorized under this subsection. For mixed-use residential projects, at least 65 percent of the total square footage must be used for residential purposes. The municipality may not require that more than 10 percent of the total square footage of such mixed-use residential projects be used for nonresidential purposes. A proposed development on property owned by a county, municipality, or school district must be within the geographic boundaries of the respective county, municipality, or school district, and the respective county, municipality, or school district must be a party to the application for the proposed development. A proposed development on property owned by a religious institution must be applied for by both the applicant and the religious institution, and the house of public worship must continue to operate on the property after the proposed development is constructed.

2. A multifamily or mixed-use residential development

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251 proposed under this section shall not exclude an assemblage of
252 parcels under common ownership or control separated by no more
253 than 15 feet of land and limited to public pedestrian access.
254 This subparagraph expires July 1, 2030.

255 (d)1. A municipality may not restrict the height of a
256 proposed development authorized under this subsection below the
257 highest currently allowed, or allowed on July 1, 2023, height
258 for a commercial or residential building located in its
259 jurisdiction within 1 mile of the proposed development or three
260 stories, whichever is higher. A municipality may not restrict
261 height below the height authorized under this paragraph through
262 other dimensional means, such as establishing setbacks or
263 stepbacks by height, or require setbacks or stepbacks that are
264 more restrictive than the minimum permitted in the proposed
265 development. For purposes of this paragraph, the term "highest
266 currently allowed height" does not include the height of any
267 building that met the requirements of this subsection or the
268 height of any building that has received any bonus, variance, or
269 other special exception for height provided in the
270 municipality's land development regulations as an incentive for
271 development.

272 2. If the proposed development is adjacent to, on two or
273 more sides, a parcel zoned for single-family residential use
274 that is within a single-family residential development with at
275 least 25 contiguous single-family homes, the municipality may

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276 restrict the height of the proposed development to 150 percent
277 of the tallest building on any property adjacent to the proposed
278 development, the highest currently allowed, or allowed on July
279 1, 2023, height for the property provided in the municipality's
280 land development regulations, or three stories, whichever is
281 higher, not to exceed 10 stories. For the purposes of this
282 paragraph, the term "adjacent to" means those properties sharing
283 more than one point of a property line, but does not include
284 properties separated by a public road or body of water,
285 including manmade lakes or ponds. For a proposed development
286 located within a municipality within an area of critical state
287 concern as designated by s. 380.0552 or chapter 28-36, Florida
288 Administrative Code, the term "story" includes only the
289 habitable space above the base flood elevation as designated by
290 the Federal Emergency Management Agency in the most current
291 Flood Insurance Rate Map. A story may not exceed 10 feet in
292 height measured from finished floor to finished floor, including
293 space for mechanical equipment. The highest story may not exceed
294 10 feet from finished floor to the top plate.

295 3. If the proposed development is on a parcel with a
296 contributing structure or building within a historic district
297 which was listed in the National Register of Historic Places
298 before January 1, 2000, or is on a parcel with a structure or
299 building individually listed in the National Register of
300 Historic Places, the municipality may restrict the height of the

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2026 Legislature

proposed development to the highest currently allowed, or
 allowed on July 1, 2023, height for a commercial or residential
 building located in its jurisdiction within three-fourths of a
 mile of the proposed development or three stories, whichever is
 higher. The term "highest currently allowed" in this paragraph
 includes the maximum height allowed for any building in a zoning
 district irrespective of any conditions.

(n) As used in this subsection, the term:

1. "Commercial use" means activities associated with the
 sale, rental, or distribution of products or the performance of
 services related thereto. The term includes, but is not limited
 to, such uses or activities as retail sales; wholesale sales;
 rentals of equipment, goods, or products; offices; restaurants;
 public lodging establishments as described in s. 509.242(1)(a);
 food service vendors; sports arenas; theaters; tourist
 attractions; and other for-profit business activities. A parcel
 zoned to permit such uses by right without the requirement to
 obtain a variance or waiver is considered commercial use for the
 purposes of this section, irrespective of the local land
 development regulation's listed category or title. The term does
 not include home-based businesses or cottage food operations
 undertaken on residential property, public lodging
 establishments as described in s. 509.242(1)(c), or uses that
 are accessory, ancillary, incidental to the allowable uses, or
 allowed only on a temporary basis. Recreational uses, such as

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326 | golf courses, tennis courts, swimming pools, and clubhouses,
327 | within an area designated for residential use are not commercial
328 | use, irrespective of how they are operated. Farms and farm
329 | operations as those terms are defined in s. 823.14(3) and uses
330 | associated therewith, including the packaging and sale of
331 | products raised on the premises, are not commercial use.

332 | 2. "Industrial use" means activities associated with the
333 | manufacture, assembly, processing, or storage of products or the
334 | performance of services related thereto. The term includes, but
335 | is not limited to, such uses or activities as automobile
336 | manufacturing or repair, boat manufacturing or repair, junk
337 | yards, ~~meat packing facilities, citrus processing and packing~~
338 | ~~facilities, produce processing and packing facilities,~~
339 | electrical generating plants, water treatment plants, sewage
340 | treatment plants, and solid waste disposal sites. A parcel zoned
341 | to permit such uses by right without the requirement to obtain a
342 | variance or waiver is considered industrial use for the purposes
343 | of this section, irrespective of the local land development
344 | regulation's listed category or title. The term does not include
345 | uses that are accessory, ancillary, incidental to the allowable
346 | uses, or allowed only on a temporary basis. Recreational uses,
347 | such as golf courses, tennis courts, swimming pools, and
348 | clubhouses, within an area designated for residential use are
349 | not industrial use, irrespective of how they are operated. Farms
350 | and farm operations as those terms are defined in s. 823.14(3)

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351 and uses associated therewith, including the packaging and sale
352 of products raised on the premises, are not industrial use.

353 3. "Mixed use" means any use that combines multiple types
354 of approved land uses from at least two of the residential use,
355 commercial use, and industrial use categories. The term does not
356 include uses that are accessory, ancillary, incidental to the
357 allowable uses, or allowed only on a temporary basis.

358 Recreational uses, such as golf courses, tennis courts, swimming
359 pools, and clubhouses, within an area designated for residential
360 use are not mixed use, irrespective of how they are operated.

361 4. "Planned unit development" has the same meaning as
362 provided in s. 163.3202(5)(b).

363 (o) This subsection does not apply to:

364 1. Airport-impacted areas as provided in s. 333.03.

365 2. Property defined as recreational and commercial working
366 waterfront in s. 342.201(2)(b) in any area zoned as industrial.

367 3. The Wekiva Study Area, as described in s. 369.316.

368 4. The Everglades Protection Area, as defined in s.
369 373.4592(2).

370 5. Areas subject to land development regulations, as
371 defined in s. 163.3164, which are in existence before July 1,
372 2026, and are intended to retain the open character of land,
373 including, but not limited to, open space districts, open space
374 recreation districts, open use estate districts, open use rural
375 districts, and park and open space districts.

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376 6. Any area of critical state concern, as designated in
377 ss. 380.055, 380.0551, 380.0552, 380.0553, and 380.0555.

378 7. Any portion of a property encumbered by a recorded
379 conservation easement, as defined in s. 704.06(1).

380 Section 3. The amendments made by this act to ss.
381 125.01055(7)(n) and 166.04151(7)(n), Florida Statutes, are
382 intended to be remedial and clarifying in nature and apply
383 retroactively to January 1, 2024.

384 Section 4. An applicant for a proposed development
385 authorized under s. 125.01055(7), Florida Statutes, or s.
386 166.04151(7), Florida Statutes, who submitted an application, a
387 written request, or a notice of intent to use such provisions to
388 the county or municipality and which application, written
389 request, or notice of intent has been received by the county or
390 municipality, as applicable, before July 1, 2026, may notify the
391 county or municipality by July 1, 2026, of its intent to proceed
392 under the provisions of s. 125.01055(7), Florida Statutes, or s.
393 166.04151(7), Florida Statutes, as they existed at the time of
394 submittal. A county or municipality, as applicable, shall allow
395 an applicant who submitted such an application, written request,
396 or notice of intent before July 1, 2026, the opportunity to
397 submit a revised application, written request, or notice of
398 intent to account for the changes made by this act.

399 Section 5. Paragraphs (a) and (o) of subsection (3) of
400 section 196.1978, Florida Statutes, are amended to read:

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196.1978 Affordable housing property exemption.—

(3)(a) As used in this subsection, the term:

1. "Corporation" means the Florida Housing Finance Corporation.

2. "Multifamily project" shall include a development authorized under this subsection that is held under common ownership or control, approved and developed in compliance with the same site plan approval or development agreement or order, but shall exclude individual detached single-family residences, as well as parcels separated by more than 200 feet of land.

~~3.2.~~ "Newly constructed" means an improvement to real property which was substantially completed within 5 years before the date of an applicant's first submission of a request for a certification notice pursuant to this subsection.

~~4.3.~~ "Substantially completed" has the same meaning as in s. 192.042(1).

(o)1. Beginning with the 2025 tax roll, a taxing authority may elect, upon adoption of an ordinance or resolution approved by a two-thirds vote of the governing body, not to exempt property under sub-subparagraph (d)1.a. located in a county specified pursuant to subparagraph 2., subject to the conditions of this paragraph.

2. A taxing authority must make a finding in the ordinance or resolution that annual housing reports ~~the most recently~~ published by the Shimberg Center for Housing Studies ~~Annual~~

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426 ~~Report, prepared~~ pursuant to s. 420.6075, identify ~~identifies~~
427 that a county that is part of the jurisdiction of the taxing
428 authority is within a metropolitan statistical area or region
429 where, for each of the previous 3 years, the number of
430 affordable and available units in the metropolitan statistical
431 area or region is greater than the number of renter households
432 in the metropolitan statistical area or region for the category
433 entitled "0-120 percent AMI."

434 3. An election made pursuant to this paragraph may apply
435 only to the ad valorem property tax levies imposed within a
436 county specified pursuant to subparagraph 2. by the taxing
437 authority making the election.

438 4. The ordinance or resolution must take effect on the
439 January 1 immediately succeeding adoption and shall expire on
440 the second January 1 after the January 1 in which the ordinance
441 or resolution takes effect. The ordinance or resolution may be
442 renewed prior to its expiration pursuant to this paragraph.

443 5. The taxing authority proposing to make an election
444 under this paragraph must advertise the ordinance or resolution
445 or renewal thereof pursuant to the requirements of s. 50.011(1)
446 prior to adoption.

447 6. The taxing authority must provide to the property
448 appraiser the adopted ordinance or resolution or renewal thereof
449 by the effective date of the ordinance or resolution or renewal
450 thereof.

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451 7. Notwithstanding an ordinance or resolution or renewal
452 thereof adopted pursuant to this paragraph, property in a
453 multifamily project that received an exemption pursuant to sub-
454 subparagraph (d)1.a. before the adoption or renewal of such
455 ordinance or resolution may continue to receive such exemption
456 for each subsequent consecutive year that the same owner or each
457 successive owner applies for and is granted the exemption.

458 8. Notwithstanding an ordinance or a resolution or a
459 renewal thereof adopted pursuant to this paragraph, the owner of
460 a property in a multifamily project that was issued a building
461 permit on or after July 1, 2026, for the development of the
462 multifamily project within 4 years before the effective date of
463 such ordinance or resolution may apply for and be granted the
464 exemption under sub-subparagraph (d)1.a. after meeting the
465 requirements of this subsection and may continue to receive such
466 exemption for each subsequent consecutive year that the same
467 owner or each successive owner applies for and is granted the
468 exemption.

469 Section 6. The amendments made by this act to s. 196.1978,
470 Florida Statutes, first apply to the 2027 property tax roll.

471 Section 7. Subsection (5) of section 333.03, Florida
472 Statutes, is amended to read:

473 333.03 Requirement to adopt airport zoning regulations.—

474 (5) Sections 125.01055(7) and 166.04151(7) do not apply to
475 any of the following, unless the respective application is

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476 approved by the governing body of the airport:

477 (a) A proposed development near a runway within one-
478 quarter of a mile laterally from the runway edge and within an
479 area that is the width of one-quarter of a mile extending at
480 right angles from the end of the runway for a distance of 10,000
481 feet of any existing airport runway or planned airport runway
482 identified in the local government's airport master plan.

483 (b) A proposed development within any airport noise zone
484 identified in the federal land use compatibility table or in a
485 land-use zoning or airport noise regulation adopted by the local
486 government.

487 (c) A proposed development that exceeds maximum height
488 restrictions identified in the political subdivision's airport
489 zoning regulation adopted pursuant to this section.

490 Section 8. Subsection (8) of section 760.22, Florida
491 Statutes, is amended to read:

492 760.22 Definitions.—As used in ss. 760.20–760.37, the
493 term:

494 (8) "Person" includes one or more individuals,
495 corporations, partnerships, associations, labor organizations,
496 legal representatives, mutual companies, joint-stock companies,
497 trusts, unincorporated organizations, trustees, trustees in
498 bankruptcy, receivers, ~~and~~ fiduciaries, agencies, governmental
499 entities, and other legal or commercial entities.

500 Section 9. Section 760.26, Florida Statutes, is amended to

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501 read:

502 760.26 Prohibited discrimination in land use decisions and
503 in permitting of development.—It is unlawful to discriminate in
504 land use decisions or in the permitting of development based on
505 race, color, national origin, sex, disability, familial status,
506 or religion, or, except as otherwise provided by law, based on
507 the source of financing of a development or proposed
508 development, including, but not limited to, financing of a
509 development or on a proposed development for housing that is
510 affordable as defined in s. 420.0004.

511 Section 10. Subsection (4) of section 760.35, Florida
512 Statutes, is amended to read:

513 760.35 Civil actions and relief; administrative
514 procedures.—

515 (4) If the court finds that a person has engaged in a
516 discriminatory housing practice ~~has occurred~~, it must ~~shall~~
517 issue an order prohibiting the practice and providing
518 affirmative relief from the effects of the practice, including
519 injunctive and other equitable relief, actual and punitive
520 damages, and reasonable attorney fees and costs. In accordance
521 with s. 13, Art. X of the State Constitution, the state, for
522 itself and its agencies or political subdivisions, waives
523 sovereign immunity for a cause of action based upon the
524 application of this section. Such waiver is limited only to
525 actions brought under this section.

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526 Section 11. Subsection (1) of section 420.615, Florida
527 Statutes, is amended to read:

528 420.615 Affordable housing land donation density bonus
529 incentives.—

530 (1) A local government may provide density bonus
531 incentives pursuant to ~~the provisions of~~ this section to any
532 landowner who voluntarily donates fee simple interest in real
533 property to the local government for the purpose of assisting
534 the local government in providing affordable housing, including
535 housing that is affordable for military families receiving the
536 basic allowance for housing. Donated real property must be
537 determined by the local government to be appropriate for use as
538 affordable housing and must be subject to deed restrictions to
539 ensure that the property will be used for affordable housing.

540 Section 12. The Office of Program Policy Analysis and
541 Government Accountability (OPPAGA) shall evaluate the efficacy
542 of using mezzanine finance, or second-position short-term debt,
543 to stimulate the construction of owner-occupied housing that is
544 affordable as defined in s. 420.0004(3), Florida Statutes, in
545 this state. OPPAGA shall also evaluate the potential of tiny
546 homes in meeting the need for affordable housing in this state.
547 OPPAGA shall consult with the Florida Housing Finance
548 Corporation and the Shimberg Center for Housing Studies at the
549 University of Florida in conducting its evaluation. By December
550 31, 2027, OPPAGA shall submit a report of its findings to the

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551 President of the Senate and the Speaker of the House of
552 Representatives. Such report must include recommendations for
553 the structuring of a model mezzanine finance program.

554 Section 13. This act shall take effect July 1, 2026.

CHAPTER 2026-7

Committee Substitute for Committee Substitute for Committee Substitute for House Bill No. 399

An act relating to land use and development regulations; amending ss. 125.022 and 166.033, F.S.; requiring the amount of application fees associated with development permits or orders to reasonably relate to certain costs; requiring such fees to be published on the county's or municipality's fee schedule, respectively; prohibiting such fees from being based on certain costs or valuations; amending s. 163.31777, F.S.; requiring public schools interlocal agreements to address reasonable access to certain public easements and public rights-of-way; creating s. 163.31803, F.S.; providing legislative intent; defining the term "large destination resort"; requiring local governments to administratively approve applications for minor special exceptions or variances submitted by large destination resorts that meet certain requirements; defining the term "minor special exception or variance"; providing for the expiration of specified provisions; creating s. 163.31804, F.S.; prohibiting the conditioning of a local government permit or other approval for a facility that processes compost on a specified requirement; authorizing a local government to require certain landowners to supply certain turnouts; prohibiting a local government from requiring the purchase of additional property for a specified purpose; prohibiting local governments from revoking existing permits for such facilities under certain circumstances; amending s. 163.3194, F.S.; requiring local government comprehensive plans and land development regulations to include factors for assessing the compatibility of certain residential uses; requiring land development regulations to incorporate measures for mitigating or minimizing potential incompatibility; requiring local government staff to meet certain requirements before recommending denial of certain applications on compatibility grounds; prohibiting a local government from denying certain applications on compatibility grounds if the applicant has proposed certain measures; providing an exception; requiring the denial of an application to specify with particularity certain information; authorizing a local government's approval of an application to include certain requirements or conditions; providing applicability; providing construction; amending s. 553.382, F.S.; prohibiting residential manufactured buildings from being denied a building permit for placement on certain lots; requiring that certain housing units continue to meet certain requirements; requiring housing units located on a mobile home lot to be taxed in a specified manner and be subject to payments to a specified fund; creating s. 553.385, F.S.; defining the terms "local government" and "off-site constructed residential dwelling"; requiring off-site constructed residential dwellings to be permitted as of right in certain zoning districts; prohibiting local governments from adopting or enforcing regulations that treat off-site constructed residential dwellings in a specified manner; providing construction; providing requirements for compatibility and

design standards; prohibiting a local government from regulating or restricting off-site constructed residential dwellings based on certain information; prohibiting a local government from adopting or enforcing certain ordinances, regulations, and policies; requiring local government regulations to be reasonable and uniformly enforced; providing effective dates.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Effective January 1, 2027, subsection (9) of section 125.022, Florida Statutes, is renumbered as subsection (10), and a new subsection (9) is added to that section to read:

125.022 Development permits and orders.—

(9) The amount of any application fee associated with a development permit or development order must reasonably relate to the direct and reasonable indirect costs associated with the review, processing, and final disposition of the application and must be published on the county's fee schedule. The fee may not be based on a percentage of construction costs, site costs, or project valuation.

Section 2. Effective January 1, 2027, subsection (9) of section 166.033, Florida Statutes, is renumbered as subsection (10), and a new subsection (9) is added to that section to read:

166.033 Development permits and orders.—

(9) The amount of any application fee associated with a development permit or development order must reasonably relate to the direct and reasonable indirect costs associated with the review, processing, and final disposition of the application and must be published on the municipality's fee schedule. The fee may not be based on a percentage of construction costs, site costs, or project valuation.

Section 3. Effective January 1, 2027, paragraph (j) is added to subsection (2) of section 163.31777, Florida Statutes, to read:

163.31777 Public schools interlocal agreement.—

(2) At a minimum, the interlocal agreement must address the following issues:

(j) Reasonable access, where available, to public easements and public rights-of-way which may be necessary for the siting, construction, expansion, or improvement of public school facilities, including charter schools, consistent with adopted level-of-service standards, school concurrency requirements, and applicable public facilities planning requirements.

Section 4. Section 163.31803, Florida Statutes, is created to read:

163.31803 Large destination resorts.—

(1) It is the intent of the Legislature to promote and sustain national and international tourism to this state by encouraging the ongoing maintenance, renewal, renovation, and improvement of large destination resorts. The Legislature finds that a uniform, statewide approach is necessary to avoid inconsistent local regulation that impedes improvements and to ensure predictability and timeliness in the development and improvement of qualifying large destination resorts.

(2) As used in this section, the term:

(a) “Large destination resort” means a public lodging establishment as defined in s. 509.013 that is comprised of at least 5 contiguous acres owned and controlled by the same business entity, containing at least 500 guest rooms, and that has had an average occupancy rate of at least 70 percent in the past 3 years.

(b) “Minor” means a special exception or variance that applies to no more than 20 percent of the total area of the parcel.

(3) A local government must administratively approve, without further action by the local government or any quasi-judicial or administrative reviewing body, any application for a minor special exception or variance submitted by a large destination resort for the maintenance, modification, or refurbishment of an existing structure or site that is not a contributing structure which is listed in the National Register of Historic Places, provided such changes are consistent with the existing permitted or accessory uses in the land use category of the local government comprehensive plan or zoning district in which the structure or site is located at the time the large destination resort applies for a building permit or any other permit with respect to the changes.

(4) This section expires July 1, 2031.

Section 5. Section 163.31804, Florida Statutes, is created to read:

163.31804 Permits or other approval for facilities that process compost.

(1) A local government permit or other approval for a facility that processes compost as defined in s. 576.011 may not be conditioned on a requirement to purchase additional property to expand the footprint of an existing privately owned road, but, where possible, the landowner may be required to supply turnouts for emergency vehicles. The local government may not require that additional property be purchased in order to provide such turnouts.

(2) An existing permit for a facility that processes compost as defined in s. 576.011 may not be revoked by the local government if such activity is regulated through and in compliance with applicable implemented best management practices, interim measures, or regulations adopted as rules

under chapter 120 by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, or a water management district as part of a statewide or regional program.

Section 6. Effective January 1, 2027, subsection (7) is added to section 163.3194, Florida Statutes, to read:

163.3194 Legal status of comprehensive plan.—

(7)(a) Local government comprehensive plans and land development regulations must include factors for assessing the compatibility of allowable residential uses within a residential zoning district and future land use category.

(b) Land development regulations must incorporate measures for mitigating or minimizing potential incompatibility.

(c)1. Before recommending denial of an application for rezoning, subdivision, or site plan approval on compatibility grounds, local government staff must identify with specificity each area of incompatibility and may recommend mitigation measures to the applicant.

2. If the applicant has proposed mitigation measures, the local government may not deny an application on compatibility grounds unless the denial includes written findings stating that the proposed mitigation measures are inadequate and that feasible mitigation measures do not exist.

3. A denial of an application on compatibility grounds must specify with particularity the area or areas of incompatibility, including applicable standards and an explanation of any mitigation measures considered and declined by the applicant, or the basis for determining that feasible mitigation measures do not exist. References to “community character” or “neighborhood feel” are not sufficient, in and of themselves, to support a denial of an application on compatibility grounds.

4. A local government’s approval of an application may include requirements or conditions to mitigate or minimize compatibility concerns.

(d) This subsection does not apply to any of the following:

1. Compatibility between uses in different future land use categories, including rural, agricultural, conservation, open space, mixed-use, industrial, or commercial use.

2. Applications for development within planned unit developments or master planned communities.

3. Applications for development within historic districts designated before January 1, 2026.

(e) This subsection does not require approval of an application that is otherwise inconsistent with the applicable local government comprehensive plan or land development regulations.

Section 7. Effective January 1, 2027, section 553.382, Florida Statutes, is amended to read:

553.382 Placement of certain housing.—Notwithstanding any other law or ordinance to the contrary, in order to expand the availability of affordable housing in this state, any residential manufactured building that is certified under this chapter by the department may not be denied a building permit for placement ~~be placed~~ on a mobile home lot in a mobile home park, on any lot in a recreational vehicle park, or in a mobile home condominium, cooperative, or subdivision. Any such housing unit placed on a mobile home lot is a mobile home for purposes of chapter 723 and, therefore, all rights, obligations, and duties under chapter 723 apply, including the specifics of the prospectus. However, a housing unit subject to this section may not be placed on a mobile home lot without the prior written approval of the park owner. Any such housing unit must continue to meet all requirements associated with the permit allocation system of the Florida Keys Area of Critical State Concern designated pursuant to s. 380.0552. Each housing unit located on a mobile home lot and subject to this section shall be taxed as a mobile home under s. 320.08(11) and is subject to payments to the Florida Mobile Home Relocation Fund under s. 723.06116.

Section 8. Effective January 1, 2027, section 553.385, Florida Statutes, is created to read:

553.385 Zoning of off-site constructed residential dwellings; parity.—

(1) As used in this section, the term:

(a) “Local government” means a county or municipality.

(b) “Off-site constructed residential dwelling” means:

1. A manufactured building, as defined in s. 553.36, intended for single-family residential use; or

2. A manufactured home, as defined in s. 320.01(2)(b),

which is constructed, in whole or in part, off site and is treated as real property.

(2)(a) An off-site constructed residential dwelling must be permitted as of right in any zoning district where single-family detached dwellings are allowed.

(b) A local government may not adopt or enforce any zoning, land use, or development regulation that treats an off-site constructed residential

dwelling differently or more restrictively than a single-family, site-built dwelling allowed in the same zoning district.

(c) This section does not prohibit a local government from applying generally applicable architectural, aesthetic, design, setback, height, or bulk standards, provided such standards are applied uniformly to all single-family dwellings in the same zoning district.

(d) Compatibility or design standards must be reasonable, may not have the effect of excluding off-site constructed residential dwellings, and, if adopted, must apply equally to single-family, site-built dwellings. Such standards are limited to:

1. Roof pitch.
2. Minimum square footage of livable space.
3. Type and quality of exterior finishing materials.
4. Foundation enclosure.
5. Existence and type of attached structures.
6. Building setbacks, lot dimensions, and orientation.

(e) A local government may not regulate or restrict an off-site constructed residential dwelling based solely on:

1. The method of construction;
2. The location of construction; or
3. The presence of components constructed off site.

(3) A local government may not adopt or enforce any ordinance, regulation, or policy that conflicts with this section or s. 553.38, or that has the effect of excluding off-site constructed residential dwellings. Any such ordinance, regulation, or policy is void and unenforceable as applied to off-site constructed residential dwellings.

(4) Local government regulations must be reasonable and uniformly enforced without distinction as to housing type.

Section 9. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.

Approved by the Governor March 27, 2026.

Filed in Office Secretary of State March 27, 2026.

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1
2 An act relating to local land planning and
3 development; amending ss. 125.022 and 166.033, F.S.;
4 requiring each county and municipality, respectively,
5 of a specified size to create and implement a program
6 for the purpose of making development preapplication
7 consultation services available at an applicant's
8 request; providing that specified provisions may not
9 be construed to affect or require the modification of
10 certain county or municipality programs that make
11 available the same or substantially similar
12 development preapplication consulting services if such
13 county or municipality's program existed before a
14 specified date; limiting such preapplication
15 consultation services to applications for certain
16 permits; authorizing a county or municipality to use a
17 qualified contractor or qualified contractor firm to
18 fulfill specified preapplication services
19 requirements; specifying minimum requirements for a
20 development preapplication consultation services
21 program; requiring a county or municipality to take
22 certain actions if an applicant chooses to use the
23 development preapplication consultation services
24 program; requiring a county or municipality to
25 approve, approve with conditions, or deny an

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26 applicant's completed application within a specified
27 timeframe; requiring that an application be deemed
28 approved by operation of law without conditions and
29 proceed in a specified manner if a county or
30 municipality fails to make a certain determination
31 within a specified timeframe; providing construction;
32 specifying that certain requirements apply if an
33 applicant for a development permit or development
34 order is not eligible for, does not request, or elects
35 not to use the county's or municipality's
36 preapplication consulting services program; creating
37 s. 163.3169, F.S.; defining terms; requiring a local
38 government to establish a registry of a specified
39 number of qualified contractors or qualified
40 contractor firms to conduct certain preapplication
41 services; prohibiting a qualified contractor or
42 qualified contractor firm from having a conflict of
43 interest; authorizing an applicant to use a qualified
44 contractor that is not on the registry if a conflict
45 of interest exists; authorizing a local government to
46 enter into a certain agreement with another local
47 government under certain circumstances; prohibiting a
48 local government from adding its own employees to the
49 registry; authorizing an applicant to retain a
50 qualified contractor or qualified contractor firm of

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51 his or her choosing for preapplication consultation
52 services under certain circumstances; prohibiting a
53 local government from conditioning, denying, or
54 delaying an applicant's selection or use of a
55 qualified contractor or qualified contractor firm;
56 specifying that the applicant is responsible for all
57 fees and costs associated with using a qualified
58 contractor of his or her choice; requiring a local
59 government to make certain resources available if an
60 applicant uses a qualified contractor or qualified
61 contractor firm of his or her choosing to perform
62 preapplication consultation services; providing an
63 exception; providing construction; providing that
64 specified requirements relating to the use of
65 qualified contractors or qualified contractor firms to
66 perform development preapplication consultation
67 services do not apply to certain property identified
68 within a permit application; providing applicability;
69 providing construction; amending s .177.071, F.S.;
70 authorizing a governing body to use a specified
71 registry to supplement local government staff
72 resources; prohibiting a local government from
73 creating, establishing, or applying any additional
74 local procedure or condition for the administrative
75 approval of a plat or replat which is inconsistent

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76 with specified provisions; authorizing the
77 administrative authority to receive and act upon
78 certain financial assurances; providing requirements
79 for a local government's acceptance of certain
80 financial assurances; amending s. 177.073, F.S.;
81 revising the definition of the term "applicant";
82 requiring the governing body of certain local
83 governments and counties to include certain
84 developments in a program that expedites the process
85 for issuing building permits for planned unit
86 developments or phases of a community or subdivision;
87 specifying automatic actions in the event the local
88 government fails to adopt, update, or modify a certain
89 program by a specified date; defining the term
90 "conflict of interest"; providing construction;
91 requiring a governing body to create a two-step
92 application process for stabilized access roads that
93 can support emergency vehicles; revising requirements
94 for such application process; authorizing an applicant
95 to use a qualified contractor for land use approvals
96 under certain circumstances; authorizing a governing
97 body to use the qualified contractor registry
98 established pursuant to this act to supplement staff
99 resources; deleting provisions prohibiting the use of
100 a qualified contractor with a conflict of interest;

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defining the term "approved plans"; providing construction; prohibiting a local government from conditioning, delaying, withholding, or denying the issuance of certain permits under certain circumstances; providing applicability; providing construction; authorizing a local government to waive a certain bond requirement under certain circumstances; revising the circumstances under which an applicant has a vested right in a preliminary plat; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 125.022, Florida Statutes, is amended to read:

125.022 Development permits and orders; development preapplication consulting services program required.—

(1) (a) By January 1, 2027, each county with a population of 75,000 or greater shall create and implement a program for the purpose of making available development preapplication consultation services at an applicant's request. This subsection may not be construed to affect or require the modification of a county program that makes available the same or substantially similar development preapplication consulting services to an applicant for a development permit or development order,

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126 including a program that requires mandatory preapplication
127 meetings for specified types of developments, if such county
128 program exists on or before July 1, 2026.

129 1. The preapplication consultation services authorized in
130 this subsection are limited to those applications for permits as
131 defined in s. 163.3169.

132 2. The county may use a qualified contractor or a
133 qualified contractor firm as defined in s. 163.3169 to fulfill
134 the preapplication consultation services required in this
135 subsection.

136 (b) A development preapplication consultation services
137 program must, at minimum, provide all of the following:

138 1. The minimum information that must be submitted in an
139 application for a permit as defined in s. 163.3169.

140 2. The review and precertification of completeness of the
141 application and all related documents, including site
142 engineering plans or site plans or their functional equivalent,
143 or plats, and their compliance with all relevant existing land
144 development regulations.

145 (c) If an applicant chooses to use the development
146 preapplication consultation services program, the county, upon
147 receipt of the proposed development application, shall confirm
148 receipt, verify completeness, and issue a written notification
149 to the applicant indicating that all required information has
150 been submitted, or specify in writing with particularity any

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151 deficiencies in the application, within 5 business days. If the
152 application is deficient, the applicant has 30 days to address
153 the deficiencies by submitting the required additional
154 information. If the county fails to issue the written
155 notification within 5 business days, the application is deemed
156 complete by operation of law without conditions, and the county
157 must process the application as required in paragraph (d).

158 (d)1. Upon receipt of the applicant's completed
159 application, the county must process the application for final
160 action and must approve, approve with conditions, or deny the
161 application within 45 days after submission of a complete
162 application, except the county may not review again those plans
163 specified in subparagraph (b)2.

164 2. If the county fails to take final action to approve,
165 approve with conditions, or deny the application within 45 days,
166 the applicant shall notify the county in writing. If the county
167 fails to respond within 10 days, the application is deemed
168 approved by operation of law without conditions, and the
169 applicant is entitled to proceed with the proposed activity or
170 development as though the county had granted unconditional
171 approval. Approval pursuant to this subparagraph may not be
172 construed to relieve the applicant of the obligation to comply
173 with all other applicable federal, state, and local laws,
174 regulations, and ordinances.

175 (2) If an applicant for a development permit or

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176 development order is not eligible, does not request, or elects
177 not to use the county's development preapplication consulting
178 services program pursuant to subsection (1), all of the
179 following requirements shall apply:

180 (a)~~(1)~~ A county shall specify in writing the minimum
181 information that must be submitted in an application for a
182 zoning approval, rezoning approval, subdivision approval,
183 certification, special exception, or variance. A county shall
184 make the minimum information available for inspection and
185 copying at the location where the county receives applications
186 for development permits and orders, provide the information to
187 the applicant at a preapplication meeting, or post the
188 information on the county's website.

189 (b)~~1.(2)~~ Within 5 business days after receiving an
190 application for approval of a development permit or development
191 order, a county shall confirm receipt of the application using
192 contact information provided by the applicant. Within 30 days
193 after receiving an application for approval of a development
194 permit or development order, a county must review the
195 application for completeness and issue a written notification to
196 the applicant indicating that all required information is
197 submitted or specify in writing with particularity any areas
198 that are deficient. If the application is deficient, the
199 applicant has 30 days to address the deficiencies by submitting
200 the required additional information.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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2. For applications that do not require final action through a quasi-judicial hearing or a public hearing, the county must approve, approve with conditions, or deny the application for a development permit or development order within 120 days after the county has deemed the application complete.

3. For applications that require final action through a quasi-judicial hearing or a public hearing, the county must approve, approve with conditions, or deny the application for a development permit or development order within 180 days after the county has deemed the application complete.

4. Both parties may agree in writing or in a public meeting or hearing to an extension of time, particularly in the event of a force majeure or other extraordinary circumstance. An approval, approval with conditions, or denial of the application for a development permit or development order must include written findings supporting the county's decision.

The timeframes contained in this paragraph ~~subsection~~ do not apply in an area of critical state concern, as designated in s. 380.0552. The timeframes contained in this paragraph ~~subsection~~ restart if an applicant makes a substantive change to the application. As used in this paragraph ~~subsection~~, the term "substantive change" means an applicant-initiated change of 15 percent or more in the proposed density, intensity, or square footage of a parcel.

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226 (c) 1.~~(3)(a)~~ When reviewing an application for a
227 development permit or development order that is certified by a
228 professional listed in s. 403.0877, a county may not request
229 additional information from the applicant more than three times,
230 unless the applicant waives the limitation in writing.

231 2.~~(b)~~ If a county makes a request for additional
232 information and the applicant submits the required additional
233 information within 30 days after receiving the request, the
234 county must review the application for completeness and issue a
235 letter indicating that all required information has been
236 submitted or specify with particularity any areas that are
237 deficient within 30 days after receiving the additional
238 information.

239 3.~~(e)~~ If a county makes a second request for additional
240 information and the applicant submits the required additional
241 information within 30 days after receiving the request, the
242 county must review the application for completeness and issue a
243 letter indicating that all required information has been
244 submitted or specify with particularity any areas that are
245 deficient within 10 days after receiving the additional
246 information.

247 4.~~(d)~~ Before a third request for additional information,
248 the applicant must be offered a meeting to attempt to resolve
249 outstanding issues. If a county makes a third request for
250 additional information and the applicant submits the required

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251 additional information within 30 days after receiving the
252 request, the county must deem the application complete within 10
253 days after receiving the additional information or proceed to
254 process the application for approval or denial unless the
255 applicant waived the county's limitation in writing as described
256 in subparagraph 1. ~~paragraph (a).~~

257 5.(e) Except as provided in subsection (4) ~~subsection (7)~~,
258 if the applicant believes the request for additional information
259 is not authorized by ordinance, rule, statute, or other legal
260 authority, the county, at the applicant's request, shall proceed
261 to process the application for approval or denial.

262 (d)(4) A county must issue a refund to an applicant equal
263 to:

264 1.(a) Ten percent of the application fee if the county
265 fails to issue written notification of completeness or written
266 specification of areas of deficiency within 30 days after
267 receiving the application.

268 2.(b) Ten percent of the application fee if the county
269 fails to issue a written notification of completeness or written
270 specification of areas of deficiency within 30 days after
271 receiving the additional information pursuant to subparagraph
272 (c)2. ~~paragraph (3) (b).~~

273 3.(e) Twenty percent of the application fee if the county
274 fails to issue a written notification of completeness or written
275 specification of areas of deficiency within 10 days after

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receiving the additional information pursuant to subparagraph
(c)3. ~~paragraph (3) (e).~~

4.~~(d)~~ Fifty percent of the application fee if the county
fails to approve, approves with conditions, or denies the
application within 30 days after conclusion of the 120-day
timeframe specified in subparagraph (b)2. or the 180-day
timeframe specified in subparagraph (b)3. ~~subsection (2).~~

5.~~(e)~~ One hundred percent of the application fee if the
county fails to approve, approves with conditions, or denies an
application 31 days or more after conclusion of the 120-day
timeframe specified in subparagraph (b)2. or the 180-day
timeframe specified in subparagraph (b)3. ~~subsection (2).~~

A county is not required to issue a refund if the applicant and
the county agree to an extension of time, the delay is caused by
the applicant, or the delay is attributable to a force majeure
or other extraordinary circumstance.

(e)~~(5)~~ When a county denies an application for a
development permit or development order, the county shall give
written notice to the applicant. The notice must include a
citation to the applicable portions of an ordinance, rule,
statute, or other legal authority for the denial of the permit
or order.

(3)~~(6)~~ As used in this section, the terms "development
permit" and "development order" have the same meaning as in s.

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163.3164, but do not include building permits.

(4)~~(7)~~ For any development permit application filed with the county after July 1, 2012, a county may not require as a condition of processing or issuing a development permit or development order that an applicant obtain a permit or approval from any state or federal agency unless the agency has issued a final agency action that denies the federal or state permit before the county action on the local development permit.

(5)~~(8)~~ Issuance of a development permit or development order by a county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. A county shall attach such a disclaimer to the issuance of a development permit and shall include a permit condition that all other applicable state or federal permits be obtained before commencement of the development.

(6)~~(9)~~ This section does not prohibit a county from providing information to an applicant regarding what other state or federal permits may apply.

Section 2. Section 163.3169, Florida Statutes, is created to read:

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326 163.3169 Using qualified contractors in development order
327 preapplication review.-

328 (1) DEFINITIONS.-As used in this section, the term:

329 (a) "Applicant" means a person or legal entity having a
330 legal or equitable ownership interest in real property, or an
331 authorized agent acting on behalf of such person or entity,
332 which applies for a land development approval from the local
333 government pursuant to this section.

334 (b) "Application" means a properly completed and submitted
335 request for a permit, as defined herein, on behalf of an
336 applicant which includes an affidavit from a qualified
337 contractor as required by this section. The term does not
338 include plans or permits as reviewed under s. 553.791.

339 (c) "Conflict of interest" has the same meaning as in s.
340 112.312 and includes conflicts of interest recognized under
341 applicable licensing or certification standards applicable to
342 the qualified contractor.

343 (d) "Development services office" means the entity,
344 office, division, or department of a local government which is
345 responsible for reviewing applications for compliance with the
346 local government's land development regulations and other
347 applicable federal, state, and local requirements. This office
348 may be substantively identical to or housed within the local
349 government's planning and zoning department.

350 (e) "Development services official" means the individual

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in the development services office of the governing jurisdiction
who is responsible for the direct regulatory administration or
supervision of the review and approval process required to
indicate compliance with applicable land development
regulations. The term includes any duly authorized designee of
such person. This individual may be the executive director of
the governing body of a local government or the division
director of the local government's planning and zoning
department.

(f) "Final plat" has the same meaning as in s. 177.073.

(g) "Governing body" has the same meaning as in s.
163.3164.

(h) "Land development regulations" has the same meaning as
in s. 163.3164, but excludes building permits and plans subject
to s. 553.791.

(i) "Local government" means:

1. A county that has 75,000 or more residents, but does
not include a county subject to s. 380.0552; or

2. A municipality that has 10,000 or more residents.

(j) "Permit" means an authorization, approval, or grant by
a local governing body which authorizes the development of land
for any site plan or development plan approval, or any
subdivision approval, as defined in this section.

(k) "Plans" has the same meaning as in s. 177.073.

(l) "Plat or replat" has the same meaning as in s.

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376 177.031(14) .

377 (m) "Preapplication review" means the analysis of a permit
378 conducted by a qualified contractor to ensure compliance with a
379 comprehensive plan, chapter 177, and applicable land development
380 regulations, and which is part of the application as authorized
381 under this section.

382 (n) "Preliminary plat" has the same meaning as in 177.073.

383 (o) "Qualified contractor" means the individual or firm
384 that has demonstrated knowledge of and experience with the types
385 of permits or development approvals specified in this section.
386 The term includes, but is not limited to, any of the following:

387 1. An engineer or engineering firm licensed under chapter
388 471.

389 2. A surveyor or mapper, or a surveyor's or mapper's firm,
390 licensed under chapter 472.

391 3. An architect or architecture firm licensed under part I
392 of chapter 481.

393 4. A landscape architect or a landscape architecture firm
394 registered under part II of chapter 481.

395 5. A planner certified by the American Institute of
396 Certified Planners with at least 5 years of relevant government
397 experience or at least 10 years of experience as an urban
398 planner if not certified.

399 (p) "Qualified contractor firm" means a business
400 organization, including a corporation, partnership, business

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trust, or other legal entity, which offers services under this
section to the public through licensees who act as agents,
employees, officers, or partners of the firm. A person who is
licensed as an engineer under chapter 471; a surveyor or mapper
licensed under chapter 472; an architect licensed under part I
of chapter 481; a landscape architect licensed under part II of
chapter 481; or who is certified by the American Institute of
Certified Planners with at least 5 years of relevant government
experience, or at least 10 years of relevant experience as an
urban planner if not certified, may act as a qualified
contractor for an agent, employee, or officer of the qualified
contractor firm.

(q) "Site plan or development plan approval" means a site
development proposal, or its functional equivalent, including a
modification to an existing development approval, which is
expressly designated by the local government for administrative
review and approval by local government staff or a designated
administrative official, without the requirement of approval by
an appointed review board or a governing body and which does not
materially increase density, intensity, traffic, infrastructure
demand, environmental impacts, or significant offsite impacts,
and therefore does not require full site plan review or
discretionary policy review. The term includes approvals or
permits governed by objective, nondiscretionary standards that
are designated by the local government for administrative

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426 approval by local government staff or an administrative official
427 and which also includes, but is not limited to approvals or
428 permits related to trees, signs, landscaping, and minor
429 modifications.

430 (r) "Subdivision approval" or its functional equivalent,
431 including a modification, means an administrative review process
432 applicable to the division of land into a limited number of lots
433 which does not create new public streets or require significant
434 public infrastructure improvements and does not materially
435 increase development impacts. The term applies only to approvals
436 expressly designated by the local government for administrative
437 review and approval by local government staff or a designated
438 administrator without the requirement of approval by an
439 appointed review board or a governing body. A subdivision
440 qualifies under this definition if it involves a number of lots
441 as specified by the local government, complies with all
442 applicable zoning, dimensional, access utility, and
443 environmental standards, and can be served by existing public
444 facilities or approved private systems, allowing the subdivision
445 to be reviewed for compliance with objective standards of land
446 development code and approved by local government staff or a
447 designated administrative official without requiring
448 discretionary policy determinations.

449 (2) REGISTRY.—

450 (a) By January 1, 2027, a local government shall establish

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451 a registry of at least four qualified contractors or two
452 qualified contractor firms which the governing body shall use to
453 supplement the local government's staff resources in ways
454 determined by the governing body upon the written request by an
455 applicant for fulfilling:

456 1. The preapplication consultation services for permits
457 under s. 125.022(1) and s. 166.033(1);

458 2. The requirements of s. 177.073 for processing and
459 expediting the review of an application for a preliminary plat
460 or any plans related to such application; or

461 3. The requirements of s. 177.071 requiring the
462 administrative approval of a plat or replat.

463 (b) A qualified contractor or a qualified contractor firm
464 on the registry which is hired pursuant to this section may not
465 have a conflict of interest. If a prohibitive conflict of
466 interest exists, the applicant may use an otherwise qualified
467 contractor.

468 (c) A local government may enter into an agreement with
469 another local government for the purpose of using public
470 employees who meet the requirements for a qualified contractor
471 to satisfy the minimum numerical requirements for qualified
472 contractors for the registry. A local government may not add its
473 own employees to its own registry.

474 (d) If a local government fails to establish or maintain
475 the registry, an applicant may, at its sole discretion, retain a

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476 qualified contractor or a qualified contractor firm of the
477 applicant's choosing to provide preapplication consultation
478 services, provided that the selected qualified contractor or
479 qualified contractor firm does not have a conflict of interest.
480 If a conflict of interest is identified after selection, the
481 applicant must promptly replace the qualified contractor or
482 qualified contractor firm with one that has no conflict of
483 interest.

484 (e) The local government may not condition, deny, or delay
485 the applicant's selection or use of such qualified contractor or
486 qualified contractor firm, and the applicant is responsible for
487 all fees and costs associated with the qualified contractor or
488 qualified contractor firm used in this manner.

489 (f) If an applicant uses a qualified contractor or a
490 qualified contractor firm for such purpose, the local government
491 must provide access to public records and information reasonably
492 necessary to perform preapplication consultation services. This
493 paragraph does not authorize the disclosure of records that are
494 confidential or exempt from public inspection or copying under
495 chapter 119 or any other applicable law, and access to such
496 records is provided only to the extent permitted by law. This
497 paragraph may not be construed to require a local government to
498 violate the licensing terms of proprietary software or related
499 vendor agreements.

500 (3) APPLICABILITY; HISTORIC PRESERVATION.—

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501 (a) This section does not apply to an application for a
502 permit if the property that is the subject of the application
503 is:

504 1. Individually listed in the National Register of
505 Historic Places or is a contributing property within a National
506 Register-listed historic district;

507 2. Designated as a local historic landmark, historic
508 resource, or part of a locally designated historic district
509 under a duly adopted local historic preservation ordinance; or

510 3. Subject to binding historic preservation review or
511 approval under federal, state, or local law, including review by
512 a local historic preservation board or commission.

513 (b) If an application encompasses multiple parcels or
514 improvements, this subsection applies only to the portion of the
515 application that relates to property described in paragraph (a).
516 This subsection may not be construed to prohibit the use of a
517 qualified contractor for the portions of an application that do
518 not involve the property listed in paragraph (a).

519 Section 3. Section 166.033, Florida Statutes, is amended
520 to read:

521 166.033 Development permits and orders; development
522 preapplication consulting services program required.—

523 (1)(a) By January 1, 2027, each municipality with a
524 population of 10,000 or greater shall create and implement a
525 program for the purpose of making available development

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526 preapplication consultation services at an applicant's request.
527 This subsection may not be construed to affect or require the
528 modification of a municipal program that makes available the
529 same or substantially similar development preapplication
530 consulting services to an applicant for a development permit or
531 development order, including a program that requires mandatory
532 preapplication meetings for specified types of developments, if
533 such municipal program exists on or before July 1, 2026.

534 1. The preapplication consultation services authorized in
535 this subsection are limited to those applications for permits as
536 defined in s. 163.3169.

537 2. The municipality may use a qualified contractor or a
538 qualified contractor firm as defined in s. 163.3169 to fulfill
539 the preapplication consultation services required in this
540 subsection.

541 (b) A development preapplication consultation services
542 program must, at minimum, provide all of the following:

543 1. The minimum information that must be submitted in an
544 application for a permit as defined in s. 163.3169.

545 2. The review and precertification of completeness of the
546 application and all related documents, including site
547 engineering plans or site plans or their functional equivalent,
548 or plats, and their compliance with all relevant existing land
549 development regulations.

550 (c) If an applicant chooses to use the development

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551 preapplication consultation services program, the municipality,
552 upon receipt of the proposed development application, shall
553 confirm receipt, verify completeness, and issue a written
554 notification to the applicant indicating that all required
555 information has been submitted, or specify in writing with
556 particularity any deficiencies within 5 business days. If the
557 application is deficient, the applicant has 30 days to address
558 the deficiencies by submitting the required information. If the
559 municipality fails to issue the written notification within 5
560 business days, the application is deemed complete by operation
561 of law without conditions, and the municipality must process the
562 application as required in paragraph (d).

563 (d)1. Upon receipt of the applicant's completed
564 application, the municipality must process the application for
565 final action and must approve, approve with conditions, or deny
566 the application within 45 days after submission of a complete
567 application, except the municipality may not review again those
568 plans specified in subparagraph (b)2.

569 2. If the municipality fails to take final action to
570 approve, approve with conditions, or deny the application within
571 the 45 days, the applicant shall notify the municipality in
572 writing. If the municipality fails to respond within 10 days,
573 the application is deemed approved by operation of law without
574 conditions, and the applicant is entitled to proceed with the
575 proposed activity or development as though the municipality had

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576 granted unconditional approval. Approval pursuant to this
577 subparagraph may not be construed to relieve the applicant of
578 the obligation to comply with all other applicable federal,
579 state, and local laws, regulations, and ordinances.

580 (2) If an applicant for a development permit or
581 development order is not eligible, does not request, or elects
582 not to use the municipality's development preapplication
583 consulting services program pursuant to subsection (1), all of
584 the following requirements shall apply:

585 (a)~~(1)~~ A municipality shall specify in writing the minimum
586 information that must be submitted for an application for a
587 zoning approval, rezoning approval, subdivision approval,
588 certification, special exception, or variance. A municipality
589 shall make the minimum information available for inspection and
590 copying at the location where the municipality receives
591 applications for development permits and orders, provide the
592 information to the applicant at a preapplication meeting, or
593 post the information on the municipality's website.

594 (b)1.~~(2)~~ Within 5 business days after receiving an
595 application for approval of a development permit or development
596 order, a municipality shall confirm receipt of the application
597 using contact information provided by the applicant. Within 30
598 days after receiving an application for approval of a
599 development permit or development order, a municipality must
600 review the application for completeness and issue a written

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notification to the applicant indicating that all required information is submitted or specify in writing with particularity any areas that are deficient. If the application is deficient, the applicant has 30 days to address the deficiencies by submitting the required additional information.

2. For applications that do not require final action through a quasi-judicial hearing or a public hearing, the municipality must approve, approve with conditions, or deny the application for a development permit or development order within 120 days after the municipality has deemed the application complete.

3. For applications that require final action through a quasi-judicial hearing or a public hearing, the municipality must approve, approve with conditions, or deny the application for a development permit or development order within 180 days after the municipality has deemed the application complete.

4. Both parties may agree in writing or in a public meeting or hearing to an extension of time, particularly in the event of a force majeure or other extraordinary circumstance. An approval, approval with conditions, or denial of the application for a development permit or development order must include written findings supporting the municipality's decision.

The timeframes contained in this paragraph ~~subsection~~ do not apply in an area of critical state concern, as designated in s.

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380.0552 or chapter 28-36, Florida Administrative Code. The timeframes contained in this paragraph ~~subsection~~ restart if an applicant makes a substantive change to the application. As used in this paragraph ~~subsection~~, the term "substantive change" means an applicant-initiated change of 15 percent or more in the proposed density, intensity, or square footage of a parcel.

(c)1.~~(3)(a)~~ When reviewing an application for a development permit or development order that is certified by a professional listed in s. 403.0877, a municipality may not request additional information from the applicant more than three times, unless the applicant waives the limitation in writing.

2.~~(b)~~ If a municipality makes a request for additional information and the applicant submits the required additional information within 30 days after receiving the request, the municipality must review the application for completeness and issue a letter indicating that all required information has been submitted or specify with particularity any areas that are deficient within 30 days after receiving the additional information.

3.~~(c)~~ If a municipality makes a second request for additional information and the applicant submits the required additional information within 30 days after receiving the request, the municipality must review the application for completeness and issue a letter indicating that all required

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information has been submitted or specify with particularity any areas that are deficient within 10 days after receiving the additional information.

4.~~(d)~~ Before a third request for additional information, the applicant must be offered a meeting to attempt to resolve outstanding issues. If a municipality makes a third request for additional information and the applicant submits the required additional information within 30 days after receiving the request, the municipality must deem the application complete within 10 days after receiving the additional information or proceed to process the application for approval or denial unless the applicant waived the municipality's limitation in writing as described in paragraph (a).

5.~~(e)~~ Except as provided in subsection (4) ~~subsection (7)~~, if the applicant believes the request for additional information is not authorized by ordinance, rule, statute, or other legal authority, the municipality, at the applicant's request, shall proceed to process the application for approval or denial.

(d)~~(4)~~ A municipality must issue a refund to an applicant equal to:

1.~~(a)~~ Ten percent of the application fee if the municipality fails to issue written notification of completeness or written specification of areas of deficiency within 30 days after receiving the application.

2.~~(b)~~ Ten percent of the application fee if the

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municipality fails to issue written notification of completeness or written specification of areas of deficiency within 30 days after receiving the additional information pursuant to subparagraph (c)2. ~~paragraph (3)(b).~~

3.(e) Twenty percent of the application fee if the municipality fails to issue written notification of completeness or written specification of areas of deficiency within 10 days after receiving the additional information pursuant to subparagraph (c)3. ~~paragraph (3)(c).~~

4.(d) Fifty percent of the application fee if the municipality fails to approve, approves with conditions, or denies the application within 30 days after conclusion of the 120-day timeframe specified in subparagraph (b)2. or the 180-day timeframe specified in subparagraph (b)3. ~~subsection (2).~~

5.(e) One hundred percent of the application fee if the municipality fails to approve, approves with conditions, or denies an application 31 days or more after conclusion of the 120-day timeframe specified in subparagraph (b)2. or the 180-day timeframe specified in subparagraph (b)3. ~~subsection (2).~~

A municipality is not required to issue a refund if the applicant and the municipality agree to an extension of time, the delay is caused by the applicant, or the delay is attributable to a force majeure or other extraordinary circumstance.

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701 (e)~~(5)~~ When a municipality denies an application for a
702 development permit or development order, the municipality shall
703 give written notice to the applicant. The notice must include a
704 citation to the applicable portions of an ordinance, rule,
705 statute, or other legal authority for the denial of the permit
706 or order.

707 (3)~~(6)~~ As used in this section, the terms "development
708 permit" and "development order" have the same meaning as in s.
709 163.3164, but do not include building permits.

710 (4)~~(7)~~ For any development permit application filed with
711 the municipality after July 1, 2012, a municipality may not
712 require as a condition of processing or issuing a development
713 permit or development order that an applicant obtain a permit or
714 approval from any state or federal agency unless the agency has
715 issued a final agency action that denies the federal or state
716 permit before the municipal action on the local development
717 permit.

718 (5)~~(8)~~ Issuance of a development permit or development
719 order by a municipality does not create any right on the part of
720 an applicant to obtain a permit from a state or federal agency
721 and does not create any liability on the part of the
722 municipality for issuance of the permit if the applicant fails
723 to obtain requisite approvals or fulfill the obligations imposed
724 by a state or federal agency or undertakes actions that result
725 in a violation of state or federal law. A municipality shall

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attach such a disclaimer to the issuance of development permits and shall include a permit condition that all other applicable state or federal permits be obtained before commencement of the development.

~~(6)(9)~~ This section does not prohibit a municipality from providing information to an applicant regarding what other state or federal permits may apply.

Section 4. Paragraphs (c) and (d) are added to subsection (1) of section 177.071, Florida Statutes, to read:

177.071 Administrative approval of plats or replats by designated county or municipal official.—

(1)

(c) A governing body and its designated administrative authority shall use, upon the written request of the applicant, the registry established in s. 163.3169 to supplement local government staff resources in ways determined by the governing body for processing and expediting the requirements of this section.

(d) A local government may not create, establish, or apply any additional local procedure or condition for the administrative approval of a plat or replat under this section which is inconsistent with this section or s. 177.091. If infrastructure financial assurances are required as a condition of plat or replat approval, the administrative authority designated in paragraph (a) must receive and act upon the

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proposed assurance. The local government shall accept commonly used forms of financial assurance, including performance bonds, letters of credit, and escrow agreements, provided that the assurance is in a form reasonably acceptable to the local government and issued by a financially responsible issuer meeting objective, uniformly applied standards. Local government review of such financial assurance shall be limited to verifying that the amount, form, and issuer satisfy the requirements of s. 177.091(8) and (9) and the local government's uniformly applied standards, and may not be used to unreasonably delay approval. If the assurance is deficient, the local government must provide written notice of deficiencies within 10 business days.

Section 5. Paragraph (a) of subsection (1), paragraphs (a) and (b) of subsection (2), paragraph (a) of subsection (3), subsection (4), paragraphs (b) and (c) of subsection (6), and subsection (8) of section 177.073, Florida Statutes, are amended, and paragraph (d) is added to subsection (2) of that section, to read:

177.073 Expedited approval of residential building permits before a final plat is recorded.—

(1) As used in this section, the term:

(a) "Applicant" means a homebuilder or developer who files an application with the local governing body to identify the percentage of planned homes, or the number of building permits, that the local governing body must issue for a residential

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776 subdivision or one or more phases in a multiphased planned
777 community, subdivision, or planned community.

778 (2)(a) By October 1, 2024, the governing body of a county
779 that has 75,000 residents or more and any governing body of a
780 municipality that has 10,000 residents or more and 25 acres or
781 more of contiguous land that the local government has designated
782 in the local government's comprehensive plan and future land use
783 map as land that is agricultural or to be developed for
784 residential purposes shall create a program to expedite the
785 process for issuing building permits for residential
786 subdivisions or one or more phases in a multiphased planned
787 community, subdivision, or planned communities in accordance
788 with the Florida Building Code and this section before a final
789 plat is recorded with the clerk of the circuit court. The
790 expedited process must include an application for an applicant
791 to identify the percentage of planned homes, not to exceed 50
792 percent of the residential subdivision or a planned community,
793 or the number of building permits that the governing body must
794 issue for the residential subdivision or planned community. The
795 application or the local government's final approval may not
796 alter or restrict the applicant from receiving the number of
797 building permits requested, so long as the request does not
798 exceed 50 percent of the planned homes of the residential
799 subdivision or planned community or the number of building
800 permits. This paragraph does not:

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801 1. Restrict the governing body from issuing more than 50
802 percent of the building permits for the residential subdivision
803 or planned community.

804 2. Apply to a county subject to s. 380.0552.

805 (b) Subject to the requirements under paragraph (6)(b), a
806 governing body that had a program in place before July 1, 2023,
807 to expedite the building permit process, need only update its
808 ~~their~~ program to approve an applicant's written application to
809 issue up to 50 percent of the building permits for the
810 residential subdivision or planned community in order to comply
811 with this section. This paragraph does not restrict a governing
812 body from issuing more than 50 percent of the building permits
813 for the residential subdivision or planned community.

814 (d)1. If a governing body fails to adopt a program under
815 paragraph (a) or paragraph (c), or fails to update or modify an
816 existing program as required under paragraph (b), by the
817 applicable statutory deadline, the following will apply without
818 further action or approval by the governing body and
819 notwithstanding any conflicting local requirement:

820 a. The applicant has an unconditional, self-executing
821 right to use a qualified contractor of the applicant's choosing,
822 within the scope of the contractor's professional licensure and
823 as authorized under this section, to perform technical review
824 and certification necessary to support the issuance of up to 75
825 percent of the building permits for the residential subdivision

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826 or planned community, including one or more phases thereof,
827 before the final plat is recorded, provided the qualified
828 contractor does not have a conflict of interest. For the
829 purposes of this paragraph, the term "conflict of interest" has
830 the same meaning as in s. 112.312.

831 b. The governing body, local building official, and any
832 local government staff may not condition, delay, limit,
833 restrict, obstruct, or deny the applicant's use of a qualified
834 contractor under this paragraph. This paragraph does not
835 prohibit a local government from applying neutral, generally
836 applicable requirements relating to procurement, contracting,
837 insurance, indemnification, conflict-of-interest review,
838 credential verification, recordkeeping, or public safety,
839 provided such requirements do not materially impair or frustrate
840 the applicant's ability to use a qualified contractor as
841 authorized by this paragraph. Any local requirement that
842 directly conflicts with this paragraph is preempted to the
843 extent of the conflict.

844 c. The qualified contractor may perform all technical
845 review services within the scope of his or her licensure and
846 qualifications which are necessary to obtain such building
847 permits as specifically authorized under this section, including
848 preparing, reviewing, and submitting permit applications and
849 supporting plans, specifications, and documents, and providing
850 signed and sealed documents when required by law. The local

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851 building official must accept such submissions when prepared and
852 sealed by the qualified contractor as meeting any local
853 requirement that the submission be prepared or reviewed by local
854 government staff, and must review and issue the permits in
855 accordance with the Florida Building Code and applicable state
856 law. This paragraph does not limit the authority of the local
857 building official to review such submission by a qualified
858 contractor for compliance with the Florida Building Code and
859 applicable state law, to identify deficiencies, or to approve or
860 deny the permit in accordance with the law.

861 d. The governing body and the local building official may
862 not unreasonably require the applicant or the qualified
863 contractor to use a local government registry, rotation, or
864 shortlist, or any other selection or vetting process, which has
865 the effect of denying or materially delaying the applicant's use
866 of a qualified contractor under this section.

867 e. The unconditional right provided by this paragraph
868 becomes effective immediately upon the governing body's failure
869 to meet the applicable deadlines in paragraph (a) or paragraph
870 (c), continues in effect unless and until the governing body has
871 adopted or updated a program fully compliant with this section,
872 and may not be limited, impaired, or applied retroactively to
873 reduce the number or percentage of building permits the
874 applicant may obtain or is eligible to obtain under this
875 paragraph.

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2. This paragraph may not be construed to limit or impair the authority of the local building official to enforce the Florida Building Code, the Florida Fire Prevention Code, or other applicable state laws and local laws of general application in reviewing and issuing building permits; however, the governing body and the local building official may not impose any additional local procedures, prerequisites, or substantive standards on the applicant or the qualified contractor which have the effect of conditioning, delaying, restricting, or denying the use of a qualified contractor as authorized by this paragraph.

(3) A governing body shall create:

(a) A two-step application process for the adoption of a preliminary plat, and for stabilized access roads that can support emergency vehicles, inclusive of any plans, in order to expedite the issuance of building permits under this section. The application must allow an applicant to identify the percentage of planned homes or the number of building permits that the governing body must issue for the residential subdivision, ~~or~~ planned community, or one or more phases of a multiphased planned community or subdivision.

(4) (a) An applicant may use a private provider or qualified contractor in the same manner as provided in ~~pursuant to~~ s. 553.791 to expedite the application process for building permits after a preliminary plat is approved under this section.

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901 (b) A governing body shall, upon the written request of
902 the applicant, use the qualified contractor registry established
903 in s. 163.3169 ~~establish a registry of at least three qualified~~
904 ~~contractors whom the governing body may use~~ to supplement staff
905 resources in ways determined by the governing body for
906 processing and expediting the review of an application for a
907 preliminary plat or any plans related to such application. A
908 ~~qualified contractor on the registry who is hired pursuant to~~
909 ~~this section to review an application, or any part thereof, for~~
910 ~~a preliminary plat, or any part thereof, may not have a conflict~~
911 ~~of interest with the applicant. For purposes of this paragraph,~~
912 ~~the term "conflict of interest" has the same meaning as in s.~~
913 ~~112.312.~~

914 (6) The governing body must issue the number or percentage
915 of building permits requested by an applicant in accordance with
916 the Florida Building Code and this section, provided the
917 residential buildings or structures are unoccupied and all of
918 the following conditions are met:

919 (b) The applicant provides proof to the governing body
920 that the applicant has provided a copy of the approved
921 preliminary plat, along with the approved plans, to the relevant
922 electric, gas, water, and wastewater utilities. For purposes of
923 this paragraph, the term "approved plans" means plans approved
924 for design and permit review and does not include, and may not
925 be construed to require or imply, any certification,

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926 attestation, or confirmation of the completion of construction
927 of any subdivision or planned community infrastructure, or
928 improvements depicted in, referenced by, or required under such
929 plans, except for the construction of the minimum access and
930 roadway improvements required by the Florida Fire Prevention
931 Code for fire department access and operations, such as a
932 stabilized roadway for emergency access. No other subdivision or
933 planned community infrastructure or improvements may be required
934 to be constructed as a condition of building permit issuance or
935 approval authorized under this section.

936 1. A local government may not condition, delay, withhold,
937 or deny the issuance of any building permit authorized under
938 this section on:

939 a. The actual completion, substantial completion, or
940 physical installation of any subdivision or planned community
941 infrastructure, or improvements identified in the approved
942 preliminary plat or approved plans;

943 b. The submission, acceptance, or approval of any
944 certification of completion or similar documentation, including,
945 but not limited to, certificates of completion or substantial
946 completion, engineer's or architect's certifications of
947 completion, as-built or record drawings, pressure or compaction
948 test results, utility acceptance letters, service availability
949 letters, or similar confirmations of finished construction or
950 readiness for service; or

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951 c. Compliance with an environmental condition which is not
952 required by its land development regulations, a local government
953 comprehensive plan, a regulatory covenant or similar recorded
954 instrument, a decision or order by a local zoning board or other
955 quasi-judicial board, or by state law or federal law to obtain a
956 building permit.

957 2. This prohibition applies notwithstanding any ordinance,
958 resolution, policy, practice, permit condition, concurrency or
959 proportionate-share requirement, interlocal agreement, utility
960 policy or standard, or other local requirement to the contrary.

961 3. This paragraph may not be construed to prohibit a local
962 government from requiring documentation strictly necessary to
963 demonstrate compliance with the Florida Fire Prevention Code as
964 a condition of issuing building permits; however, such
965 documentation may not require the physical completion of the
966 subdivision or planned community infrastructure, or improvements
967 beyond what is expressly required to satisfy the Florida Fire
968 Prevention Code.

969
970 This paragraph may not be construed to relieve an applicant from
971 completing or installing any infrastructure or improvements as a
972 condition of issuance of a certificate of occupancy.

973 (c) The applicant holds a valid performance bond for up to
974 130 percent of the necessary improvements, as defined in s.
975 177.031(9), that have not been completed upon submission of the

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976 application under this section. For purposes of a master planned
977 community as defined in s. 163.3202(5)(b), a valid performance
978 bond is required on a phase-by-phase basis. For purposes of this
979 section, a local government may waive the bond requirement in
980 this paragraph through its program or on a case-by-case basis
981 upon request of the applicant.

982 (8) For purposes of this section, an applicant has a
983 vested right in a preliminary plat that has been approved by a
984 governing body for the earlier of at least 5 years or if all of
985 the following conditions are met:

986 (a) The applicant relies in good faith on the approved
987 preliminary plat or any amendments thereto.

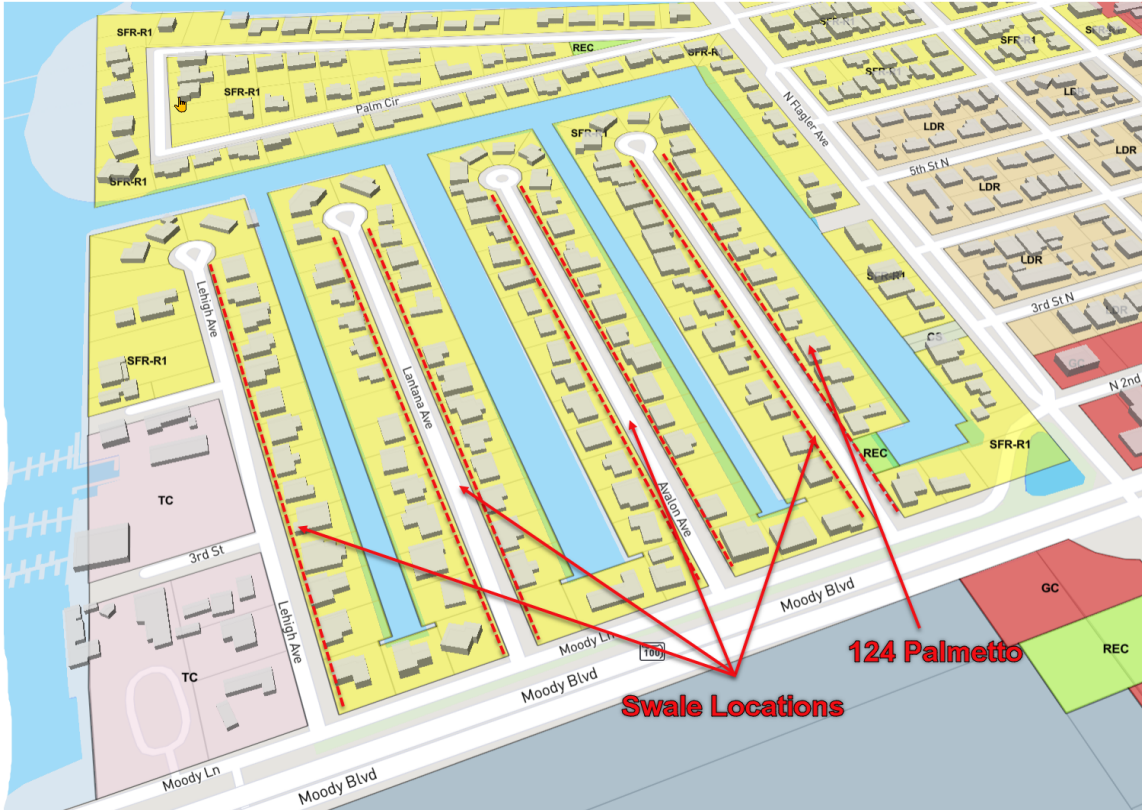
988 (b) The applicant incurs obligations and expenses,
989 commences construction of the residential subdivision or planned
990 community, and is continuing in good faith with the development
991 of the property.

992 Section 6. This act shall take effect July 1, 2026.



CITY OF
FLAGLER BEACH
FLORIDA

The City of Flagler Beach requires excavation and regrading of approximately 3,000 linear feet of roadside swales within the public right-of-way along Palmetto Avenue, Avalon Avenue, Lantana Avenue, and Lehigh Avenue to restore positive drainage flow. Additionally, the project includes demolition and reconstruction of the driveway at 124 Palmetto Avenue, including installation of a 6-inch trench drain and construction of a Type B concrete driveway.



Notice to Proceed:
04/27/2026

Period of Performance:
xxxx calendar days.

Cost of Project:
\$105,632



Estimated Cost: \$2,985,000 10% Cost Share to City

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