1. Roll Call.

2. Pledge to the Flag.

3. Approval of April 11, 2017 meeting minutes.

4. CONTINUED FROM APRIL 11, 2017 MEETING
   Quasi-judicial requiring disclosure of ex parte communication:
   Application #3070 – APPLICATION FOR REZONING TO PUD (PLANNED UNIT
   DEVELOPMENT) – request for rezoning from C-1 (Commercial Low-Intensity) to PUD (Planned
   Unit Development); Parcel Number 27-11-31-4892-00000-00R0; Parcel size: 5.63 acres.
   Owner: Gurell Land Management, LLC/ Applicant: Timothy J. Conner.
   Project # 2017020018 (TRC, PDB, BOCC)

5. Staff Comments.

6. Board Comments.

7. Public Comments – Each speaker will be allowed up to three minutes to address the
   Planning and Development Board on any item or topic not on the agenda.

8. Adjournment
PLEASE TAKE NOTICE THAT INDIVIDUAL COMMISSIONERS OF THE BOARD OF COUNTY COMMISSIONERS MAY ATTEND THIS EVENT. THE COMMISSIONERS WHO ATTEND WILL NOT TAKE ANY ACTION OR TAKE ANY VOTE AT THIS MEETING. THIS IS NOT AN OFFICIAL MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF FLAGLER COUNTY. THIS NOTICE IS BEING PROVIDED TO MEET THE SPIRIT OF THE SUNSHINE LAW TO INFORM THE PUBLIC THAT COMMISSIONERS MAY BE PRESENT AT THESE DISCUSSIONS.

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES STATES THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY A BOARD AGENCY, OR COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT A MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, HE MAY NEED 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 THIS MEETING SHOULD CONTACT THE PLANNING & ZONING DEPARTMENT AT (386) 313-4009 AT LEAST 48 HOURS PRIOR TO THE MEETING.
MEMBERS PRESENT: Chairman Robert Dickinson, Arthur Barr, Michael Boyd, Michael Duggins, Laureen Kornel, and Mark Langello

MEMBERS ABSENT: Troy Dubose

STAFF PRESENT: Sally Sherman, Deputy County Administrator; Adam Mengel, Planning Director; Wendy Hickey, Planner; Gina Lemon Development Planner III

BOARD COUNSEL: Albert Hadeed, County Attorney

Chairman Dickinson called the meeting to order at 6:00 p.m.

1. Roll Call.
   Attendance was confirmed by Ms. Lemon and a quorum was present.

2. Pledge of Allegiance.
   Chairman Dickinson led the Pledge of Allegiance to the Flag.

3. Approval of Minutes.
   Minutes of the March 14, 2017 regular meeting

   Mr. Barr advised the board a scrivener’s error on page 5 line 3 should be count not county.

   Motion to approve with the correction made by Mr. Boyd and seconded by Ms. Kornel.
   Approved unanimously

4. Quasi-judicial requiring disclosure of ex parte communication:
   Application #3069 – VARIANCE IN THE R1 (RURAL RESIDENTIAL) DISTRICT –
   request for a 5 foot side yard setback variance at 15 Bay Drive; Parcel Number 39-10-31-4250-00140-0170; Owner: Sandy Rayl / Applicant: John Quattrochi, P.E.

   Chairman Dickinson asked if anyone had any disclosures seeing none.

   Mr. Mengel Planning Director presented the staff report noting that this parcel is part of
   Marineland Acres and giving a detailed history of the area and the Marineland Acres stormwater
   overlay district he continued with his presentation displaying maps and proposed site plan
   depicting the improvements.

   After concluding his presentation he gave the staff recommendation as follows; Based on the
   provided application and supplement information, the Planning Department recommends that
the Planning and Development Board make a finding that all criteria as listed in the guidelines at LDC Section 3.07.03.E have not been met and therefore recommends denial of a 5 foot side yard setback variance for Lot 17, Block 14, Marineland Acres Second Addition as recorded at Map Book 5, Pages 60 to 62, Public Records of Flagler County, Florida.

Chairman Dickinson asked the applicant to step forward.

John Quattrochi P.E. applicant, 4624 Pecos Court St. Johns, Fl 32259; stated the location for the deck is limited due to a garage on the opposite side of the home, additionally the septic and drain field is in the backyard, as well as storage for the drainage, and the impervious being added. The existing deck along the side is about 7 ½ feet. The reason we are putting in a retaining wall is because the hurricane took away both sides and the slab is exposed, to shore up the foundation of the building. The first concern is that there is no other place to put a deck of that size for an outdoor kitchen and it will be made of fiber so it will last for years and in the back there is a shower and she was going to build a serpentine wall that is rock finish so over all the improvements are about $100,000.00, making the property more valuable. It will also shore up the foundation. There is no one living next door and the lot is for sale so there is no disturbance and she is willing to put up a fence along that side with the deck.

Sandra Rayl, property owner/applicant, 15 Bay Drive Palm Coast, Fl 32137; stated what precipitated the project was Hurricane Matthew and it caused a lot of damage to the house, the foundation was compromised basically a slab on elevated fill. The fill is starting to erode and deteriorate and that has to be addressed and with the deck there will be a retaining wall with a concrete surface on top and a deck on top of that it will be bolted into the slab itself to support the foundation of the home. The main issues we were trying to take care of was the structural damage of the home and secondly the area is poorly drained and I know the County currently has some plans to address draining within the subdivision. We are trying to be responsible for our drainage from day one because the drainage goes towards Surf Drive. The way it should have gone is toward Bay Drive. The runoff on Surf Drive comes towards Bay Drive so it is the reverse. So as part of this project we are going to be building additional drainage capacity in the back yard around the septic system. It is to accommodate and collect from my property and maybe also help some of the Surf Drive issues. I have discussed this with my neighbor to the north about the impediment to flow I also discussed this project with them and they are in favor of it they recognize the benefits to the drainage situation. The reason for wanting the west deck and future kitchen is because the entire backyard was taken up by septic, drainfield and retention this was the prime place where you could elevate the kitchen and the air-conditioning unit which during Hurricane Matthew was not elevated and therefore was under water. I have a temporary platform built right now but that will be prior to this project so that it would not be affected by any storm surge because it would now be high enough.
Chairman Dickinson Opened the Public Hearing to Public Comments

Sarah Hample 150 Fernwood Dr Clinton PA; stated she has similar issues. We have a house on Ocean Street that was damaged by Matthew and we are considering building on our lot on Surf noting she asked if she decided to build would she have the same opportunity like the neighbors have or if it’s the one time approval.

Carlos Medina local property owner of a lot on Surf Dr.; stated he is about to build and is trying to comply with the stormwater requirements with swales and setbacks. He questioned what was the purpose of the 10 foot setback in terms of water management? He stated he is required to have 2 foot swales in the front and have 10 foot setbacks on the sides and certain distances on the back for the actual footprint of the house. So on terms of water management what would it do if we change that setback for future water drainage or things like that.

Dan Rayl applicant’s son, stated when Hurricane Matthew hit my mother was on Active Duty back in the Army. I was the one who had to go in and see the damage, at one point that backyard was under water there was 28 inches of water that flowed through the garage. In the front yard my full size truck I had water through the bottom of my door. There is no possible way I can see to build anywhere in the back without compromising putting that water from the very back of the house anywhere but into the existing house. The only two areas that would not be of use and that is why we are trying to so along the side of the house and extend out by 5 feet. I saw the damage I watched the retaining wall collapse over several days and I watched that soil that the pad is sitting on slowly wash away and since then it has even eroded a little farther that is our biggest concern. What we are trying to do and maintain that drainage that is there.

Kristina Hample, local property owner; I have property out there and I am planning to build. What I want to know is what I am being told is you are not going to fix the drainage problem which may not even help her. So why aren’t you doing more for the drainage and when you complete the project are you going to lift these restrictions that you have put on only 6 streets in the entire county for building which she is on there and all the existing homes are on there and the restrictions you put on the new homes I can understand why but you restrict the homes to a ridicles percentage is that going to go away once you put some kind of drainage in and will paving the road help it and if so why don’t they. Those are my questions.

Chairman Dickinson closed the Public Hearing and opened Board Comments.

Mr. Mengel, First; the variance for all the answer is no. A variance is addressed on a case by case basis. Second; the justification for the 10 feet, it was for the additional space to the retention of stormwater. Third; will the overlay go away? No, the overlay will stay in place.
Mr. Barr asked if the individual lots have drainage within the 10 feet to the property line.

Mr. Mengel responded that is the eventual goal.

Mr. Barr acknowledged the applicant stated they needed to use the side because it was not available in the back. I am seeing a hot tub area and another deck there is a lot of usable space. There are also stone retention walls so my question to Mr. Mengel is it appears to be reducing the amount of overall pervious area of the property significantly. I understand you are trying to protect the foundation and that can be done by sloping away from it or some reasonable slope as opposed to go out 10 feet. Is there is minimum pervious/impervious ratio that we need to keep on this property.

Mr. Mengel responded the minimum is 60% pervious is the overlay requirement.

Mr. Barr said if there is a compromise like keeping that retaining wall at 10 feet and cantilever out 2 and ½ feet giving them 7 ½ feet. I am not for reducing the drainage area 10 feet.

Mr. Quattrochi, stated I did the calculations of the lot and the owner decided to take the driveway out so turn that back into pervious area. The deck basically sits on a concrete slab the house is only 1600 square feet and 40% would be 3400 square feet something like that, so I kept my impervious area to 3400 square feet.

Mr. Langello thanked Ms. Rayl for her service and noted the last speaker seemed imply that this Board had anything to do with making the regulations or the stormwater stuff but we are just the Planning Board and that is the County Commission but you should speak to them about your concerns we do not have that authority. I agree with a lot of what Mr. Barr had brought up. I do understand the need for retention but retention does not have to be 15 feet away from the house. It could be whatever distance the need to put up the retaining wall to save the foundation can be handled elsewhere but not necessarily here. What I did not see on the survey was the actual distance the house is from the property line.

Mr. Mengel, it is the sum of 6.9 and 5 feet.

Mr. Langello I see that there is 10 feet from the property line to the existing deck. What if you stayed within 10 feet? In the rear of the house some of that deck could be beyond the retention wall and be over that drainfield.

Mr. Quattrochi the existing deck is 7 ½ feet from the property line and when I compute the swale calculation I actually came up with a pipe system to go from the front of the house to the
back of the house I makes more sense to catch the drainage so it can be spread around the yard so it is easier to carry it through a pipe than a drainage swale.

Mr. Langello responded so you can still go out on that west side 10 feet.

Mr. Quattrochi well looking at it we are only asking to encroach about 20 feet with the 5 foot setback.

Mr. Langello I am struggling with this one. I can almost look at the property and say each one of those lots are different in shape, and moreover you have a drainage and topography issue I can almost go along with number one but the initial variance criteria which says number two is the one that this not created by the applicant and that all the criteria listed have been found in favor of the applicant and literal enforcement of this article would create unnecessary hardship. I am just trying to see where the real hardship is. If you can only go out 10 feet instead of going out the amount you want and it has to be a different shape does that stop the applicant in enjoying her property and using the property as it was intended. To what some of the neighbors were saying and Mr. Mengel is correct every variance is approved individually but just to say someone wants to have a bigger yard. So, if that is the standard we start to adopt then there is no more standard.

Mr. Quattrochi, this is not a new home but an existing home.

Mr. Langello, there is the saying buyers beware and the zoning is what you can and can’t do so that can swing both ways.

Mr. Quattrochi, The existing deck is 7 ½ feet from the property line

Mr. Langello I am designing a house right now in Flagler Beach and it is a 50 by 100 foot lot and that is the property I have to deal with. I thought the existing deck was 10 feet from the property line

Mr. Quattrochi, no it is 7 ½ feet the set back is shown.

Mr. Langello asked can you show me the actual hardship and how the property cannot be enjoyed by the property owner. To get a variance you have to show the hardship of why you can’t enjoy the property. You have to show how enforcement of this regulation would mean that your client won’t be able to enjoy her property as she should in that neighborhood.

Mr. Quattrochi, if that means not having a kitchen or a patio table outside on a 10 foot deck verses a 14 foot deck. We are only asking for the portion of the deck that is sticking out a 5 foot
variance I did stipulate that it’s adjacent to the house. I have all the drainage going around and if
I have a 5 foot swale I would pipe it through back off of the front. We are willing to
compromise we are will to put up a fence.

Mr. Barr asked the applicant if your retaining wall were built at the 10 foot line and you
cantilever out the deck 2 ½ feet giving you 12 ½ feet that would preserve the sanctity of that 10
foot drainage swale and you would build the swale as opposed to piping it and losing that
impervious area is that something you can live with? I am not saying any other Board Member
would go along with that but I am just asking.

Mr. Quattrochi responded yes, we can do that. I can’t see having it sticking out 2 ½ feet would
help that pervious surface.

Mr. Barr stated if it is cantilevered it is hanging over the dirt therefore you still have the 10 feet
of dirt and a pervious area and you can construct your drainage swale as originally intended

Chairman Dickinson responded a creative solution I think.

Mr. Mengel I think we have had second story decks over ground below no impervious surfaces
below not a problem. So to be clear here there will be no vertical support as to accommodate the
swale.

Chairman Dickinson asked if it is cantilevered there no need for a variance.

Mr. Mengel responded for comfort especially of there is a plan for a summer kitchen over a
portion of that to allow for them to come in later and if that is a goal I would rather have that
included in a variance.

Chairman Dickinson so include this in the variance as a condition.

Mr. Duggins asked Mr. Quattrochi you are going to put a drainage system now under the deck if
we approve this am I correct, that is going to toward the street.

Mr. Quattrochi yes, he is looking more for a swale instead of a pipe so we will have a drainage
swale.

Mr. Duggins asked that will all be done before you cover it all up.

Mr. Quattrochi responded yes.
Mr. Duggins asked Mr. Mengel if the applicant does this will he need to have our engineering department make sure it is going to drain towards the street for this new multimillion dollar system we are putting in.

Mr. Mengel any permit we would have reviewed by our Development Engineer It would not be necessary that all the onsite stormwater be toward the front it would just be accommodated on the parcel

Mr. Langello, I agree that we should do something here so it is not confusing to the Building Department also it would not be a variance and if it is not a variance how are we phrasing it.

Mr. Mengel what I am thinking is that if you have a future kitchen that is what I am worried about then will be some sort of impervious that will be housed on the deck potentially a roof over a portion of that summer kitchen but then the area below accommodating the swale so that part or maybe even the ability to screen in that deck in the future for a successive owner, I would want you to still grant the variance with the condition of whatever the portion either 21/2 or 5 foot western most portion of that decking be cantilevered.

Mr. Langello, so it would be a variance for an encroachment into the side setback only for the cantilevered deck.

Chairman Dickinson we are really looking at stormwater retention area. The impervious is what it is so you can picture the cantilever that Mr. Barr is describing there is retention area under the cantilever a pipe does not provide storage the swale provides storage so that is the beauty of the cantilever.

Mr. Langello I guess we were going to allow encroachment into the setback as long as it is done this way.

Mr. Dickinson asked Mr. Barr mentioned 2 1/2 feet cantilever but if we do that there is still a 2 1/2 foot variance or a 5 foot cantilever I don’t know which one. I want to go back to Mr. Barr for clarification on what he originally stated.

Mr. Barr responded you stated it correctly I am going to quote Mr. Mengel “that cantilever areas are allowed within a setback.” The criteria I am not exactly sure what that is since this is a 10 foot side yard setback. If the house is at the 10 feet and you have your normal overhang soffit it could be easily 2 to 2 1/2 feet so you are over there clearly this is not part of the roof system it is a deck but how would you word that.
Mr. Mengel if it is ok with the applicant it was suggested to ask staff if they wanted to table this for us to do some of the math not table it but continue the discussion to the May 9\textsuperscript{th} meeting if they are alright with that and we could go through some analysis on how this would play out and come back rather than do this on the fly, for all of us involved so we are not going to come up with an incorrect analysis and variance decision so it may be incorrectly pro or incorrectly con so let’s see if we can figure it out if this is feasible.

Chairman Dickinson asked the applicants if they felt comfortable with the discussion or would they like to continue the discussion to the May 9\textsuperscript{th} meeting.

Mr. Quattrochi responded we are comfortable with the 7 ½ foot concrete with the 2 ½ cantilevered

Mr. Langello stated what he felt was comfortable and fair that the structure end at 10 feet and go 2 ½ feet more so you are still 7 ½ feet from the structure to the property line that is where I thought we were. That is a 12 ½ foot wide deck. How do we draw this line coming from me that is a bit unusual? I just see a lot of potential and I am wondering where we draw the line.

\textit{Motion made by Mr. Barr stating that there shall be a continuous swale from front to back along the property line and that any cantilevered decking be allowed no closer than 7 ½ feet to the property line}

\textit{Seconded by Mr. Langello}

\textit{Motion carries unanimously}

5. Quasi-judicial requiring disclosure of ex parte communication:
Application \#3070 – APPLICATION FOR REZONING TO PUD (PLANNED UNIT DEVELOPMENT) – request for rezoning from C-1 (Commercial Low-Intensity) to PUD (Planned Unit Development); Parcel Number 27-11-31-4892-00000-00R0; Parcel size: 5.63 acres. Owner: Gurell Land Management, LLC/ Applicant: Timothy J. Conner.

\textit{This item was discussed prior to item \# 4}

Mr. Mengel stated that this item was noticed to be heard this evening but at staffs request it is being tabled to a time and date certain which is the May 9\textsuperscript{th}, 2017 regular Planning and Development Board Meeting at 6 pm. In order to allow the public whom may be in attendance tonight to speak we ask the Board to open the Hearing to make their comments on the record.

Chairman Dickinson Opened the Public Hearing to public comments seeing none he close the Public Hearing. He then asked for a motion for the postponement.
Draft

Motion Made by Mr. Langello seconded by Ms. Kornel

Motion carries unanimously

6. Quasi-judicial requiring disclosure of ex parte communication:
   Application #3071 – VARIANCE IN THE C-2 (GENERAL COMMERCIAL AND
   SHOPPING CENTER) DISTRICT – request for a variance of the sign height and setback
   requirements in the C-2 (General Commercial and Shopping Center) District; Parcel Number

   Chairman Dickinson asked if anyone had any disclosures seeing none.

   Mr. Mengel presented the staff report noting that this is also storm related this variance is for
   sign height and setback. Adding this monument sign would replace the storm damaged pole sign
   for the Oceanshore Villa Motel. Continuing the report he noted the location and the ownership
   of the motel along with a brief history of the site. He also noted that the Scenic A1A Pride group
   reviewed the application and had proposed a 1 ½ foot increase in height instead of the requested
   2 feet and a 1 foot front setback instead of a 3 inch front setback from the property line. He
   concluded his presentation and presented the staff recommendation. Based on the provided
   application and supplemental information, the Planning Department recommends that the
   Planning and Development Board make a finding that all criteria listed in the guidelines at LDC
   Section 3.07.03. E have been met and therefore recommends approval of a 2 foot sign height
   and 9 foot 8 inch front yard sign setback variance for Lots 1 and 2, Block 1, of Marineland
   Acres subdivision, Map Book 5, Pages 49 and 50, Public Records of Flagler County, Florida.

   Mr. Michael Murphy applicant representative 6287 North Oceanshore Blvd. Palm Coast FL
   32137 explained the reasoning behind the need for the additional height and reduction of front
   setback for the proposed sign.

   Chairman Dickinson opened the Public Hearing to Public Comment seeing no one he closed the
   Public Hearing and opened Board Comments.

   Mr. Langello stated we have an ordinance that talks about having landscape across the front of
   the property and keeping the sign low and pushed back it is defeating the purpose of having a
   sign; that is a key element in business you need to have a sign. I have no problem
   accommodating the applicant’s proposal I would not have a problem with having it 8 feet high.

   Ms. Kornel added that 8 feet is typical for a monument sign.
Chairman Dickinson the base height extension of 1½ feet is going to get it over the top of the landscape. Looking at the artist rendition of the sign I think it is going to give adequate exposure.

Mr. Langello the total height of the sign would not be the 6 feet as shown.

Chairman Dickinson we are looking at a variation to this plan by 2 feet to the base of the sign 7½ is the recommendation of Scenic A1A

Mr. Barr asked how do you decide the base elevation, where is the ground.

Chairman Dickinson the base elevation in the illustration provided in the Board packet is 1 foot 10 inches.

Mr. Barr I mean the elementary base is the ground level you build on.

Chairman Dickinson it is natural grade, existing grade. In a situation like this you don’t want them to artificially mound to create height.

Mr. Murphy stated that area is a small strip and is paved on both sides.

Motion made by Mr. Boyd as recommended by staff
Mr. Barr offered an amended recommendation of 2 foot height and a 9 foot front setback variance.
Mr. Boyd amended his motion to reflect Mr. Barr’s recommendation seconded by Ms. Kornel

Motion carried unanimously

7. Legislative not requiring disclosure of ex parte communication:
   Application #3072 – FUTURE LAND USE MAP AMENDMENT LESS THAN TEN ACRES –request for a Future Land Use Map Amendment for less than ten acres from Mixed Use Low Intensity to Residential Medium Density; Parcel Number 37-10-31-1550-00000-0153; Parcel size: 1.01 acres; Owner: R.J., D.D., J.J. and Robert John Falconetti / Applicant: Sidney F. Ansbacher Esq.

Mr. Mengel Planning Director presented the staff report noting that the project is considered a legislative action; it is small scale, less than 10 acres in size. He went on giving detailed historic information about this site and the proposed future plans for this site. Maps were displayed showing the location, Land Use and Zoning and Mr. Mengel continued discussing the staff report and staff recommendation. The Planning Department recommends that the Planning and
Draft

Development Board recommend to the Board of County Commissioners approval of the Small Scale Future Land Use Map Amendment for Parcel # 37-10-31-1550-00000-0153 from Mixed Use: Low Intensity/Low Medium Density to Residential Medium Density based on the findings that the requested amendment is consistent with Florida Statutes and the adopted Comprehensive Plan and implemented through the Land Development Code.

Chairman Dickinson asked if the applicant would like to speak.

Mr. Sid Ansbacher, 780 Ponce De Leon Blvd. St. Augustine, Fl for the applicant, I want to prefect this just to remind you that at this time what we are asking you to recommend is transmittal to the state. What we are seeking is the opportunity for DEO and other state agencies to make whatever comments they may have. This is the essentially the same application that had been proposed six years ago at that time they were seeking 6 units and a rezoning. While Mr. Mengel is not a fan of site specific Land Use Amendments state statues does allow for it as an allowable limitation of use and we really are looking at this as a kindred application with the downed density of the properties to the west. The properties across the way Los Lagos and Las Casitas currently have a total vested number of units of 433. We negotiated with the master association in order to get their approval for our proposed use and across the way and what ultimately came down was going from 433 total residential to 225 which is a reduction of 208 and of the 225, 5 would slide over to this parcel. As Mr. Mengel had discussed at 1.01 acre and losing about a third of an acre with all the limitations on a commercial tract what you could put as a commercial use could be depending on where you are from Skinners, Cumberland Farms, something of that nature and little more. At TRC we were asked to update listed species analysis we did so and found nothing of significance on the property. We spoke with 911 staff and as it has been pointed out we were given the option of either limited access for police and fire at the northern most point of the property along A1A or sprinkling the buildings. We were aiming toward sprinkling because we have already met with and have gotten preliminary approval from the Scenic A1A Pride committee and that was based in part for us to have a continuous buffer along A1A with a spike strip that would preclude access along the A1A corridor for any new access. We have essentially explained to them that this FLUM amendment will be implemented by a site plan modification across the way and the companion site plan application we will seek to obtain at the same time because they are all absolutely have to be done together. So, however you all wish to handle this procedurally we are alright with having the site specific 5 units as opposed to the maximum of 7 and whatever else within reason it sits there at the transmittal level you all want to handle it what we want tonight is clearly within your prefer.

Chairman Dickinson then opened the Public Hearing to Public Comment. Hearing none he closed the Public Hearing and opened Board Comments.
Mr. Mengel stated there were some inquiries from the public asking what was the difference between the previous applicant the application today beyond that we did not receive neither pro nor con comments from the public.

Mr. Langello the land to the east who owns that property?

Mr. Mengel that is a buffer parcel that is owned by Matanzas Shores HOA

Mr. Langello asked Mr. Ansbacher if they were the people he was negotiating with.

Mr. Ansbacher replied yes

Mr. Langello asked is there a buffer requirement between the east side of the subject parcel and the west side of the buffer property buffer to buffer?

Mr. Mengel responded no and I think the buffer Mr. Ansbacher is talking about is along A1A.

Mr. Langello I actually remember this item and I don’t have a problem with this.

Mr. Barr what is the instrument that allows the shared driveway with the club house

Mr. Ansbacher responded what we have is a master agreement that gives us certain rights and I have told both Scenic A1A and the County that we will provide that when we come back for the site plan approval. So you can see the private access rights are and even though it tends to mix apples and ocean liners essentially our conditions of approval from the HOA and what we are committing to such as stormwater and such like that.

Mr. Barr asked why in the world would you give up 200 units?

Mr. Ansbacher to convince a master association to approve it and finely based on projections that this will work I will tell you but it is a public record what I have is a client that is very sophisticated but has four heads and has seemingly by the month another potential use until they finally landed on this works and it satisfies the Association. I can also tell you that there were mid-rise ALF’s there were all sorts of things that involved greater height and there was enough pushback that I think the most approvable use by the HOA was reducing the residential density.

Chairman Dickinson asked for a motion

Motion to approve made by Mr. Langello seconded by Ms. Kornel
Draft

Motion carries unanimously

8. Staff Comments.

Mr. Mengel discussed the forms that were distributed last meeting and requested the completed forms be brought to the next meeting.

9. Board Comments.

10. Public Comments – Each speaker will be allowed up to three minutes to address the Planning and Development Board on any item or topic not on the agenda.

11. Adjournment

Motion to adjourn at 7:45 p.m. made by Mr. Langello

Drafted by: Wendy Hickey
Reviewed by: Adam Mengel
TO: Chairman and Planning Board Members

FROM: Planning and Zoning Department

DATE: May 9, 2017

SUBJECT: Application #3070, REZONING FROM C-1 (NEIGHBORHOOD COMMERCIAL) TO PUD (PLANNED UNIT DEVELOPMENT) DISTRICT

I. Requested Action & Purpose: This item was continued from the April 11, 2017 regular meeting. The request is for recommendation for approval of a Rezoning from C-1 (Neighborhood Commercial) to PUD (Planned Unit Development) for Gurell Land Management, LLC

II. Location and Legal Description: lying on the east side of Colbert Lane within Tract R, Palm Coast Plantation PUD Unit 2, in Section 27, Township 11 South, Range 31 East, Flagler County, Florida; Parcel #27-11-31-4892-00000-00R0; total project area is approximately 5.63 acres.

III. Owner and Applicant/Agent:
Owner: Gurell Land Management, LLC
Applicant: Timothy J Conner

IV. Existing Zoning and Land Use Classification:
Zoning: C-1 (Neighborhood Commercial) District
Land Use: Commercial Low Intensity

V. Future Land Use Map Classification/Zoning of Surrounding Land:
North: Commercial Low Intensity/C-1 (Neighborhood Commercial) District
East: Residential Rural Estate/PUD (Planned Unit Development) District
South: Residential Rural Estate/PUD (Planned Unit Development) District
West: Agriculture & Timberlands/PRS (Preservation) District (City of Palm Coast)

VI. Land Development Code Sections Affected: Land Development Code subsection 2.02.05.2: “The Planning and Development Board shall review and act upon applications for development review pursuant to the County Land Development Code and other applicable county ordinances.” And Section 3.03.20.A, Purpose and intent of the PUD (Planned Unit Development) district: “The purpose and intent of the planned unit development (PUD) is to provide an opportunity for innovative urban design techniques, improved use of land, protection of valuable natural features in the community, desirable land use mix,
open space, and more economical public services. The purpose of this provision is to encourage the unified development of large tracts of land using more creative and flexible concepts in site planning than would otherwise be possible through the strict application of minimum and maximum requirements of conventional land use districts established in this article. The proposed PUD must be in harmony with the general purpose of the article and the county's comprehensive plan. The design and construction of a PUD project shall follow a carefully devised plan of development which must be prepared in accordance with the requirements, procedures and approvals herein prescribed.”

VII. Report in Brief: This property was originally part of the Palm Coast Plantation PUD and was originally necessary to establish the density for Unit 2. This parcel and the adjacent two acre parcel were together originally known as Tract R. In 2004, the Future Land Use designation for Tract R was changed from Residential Rural Estate to Commercial Low Intensity. Tract R was subsequently rezoned to C-1 (Neighborhood Commercial) on August 2, 2004. A restrictive covenant limiting access to Tract R was recorded at Official Records Book 830, Page 74; this restriction was partially released (for this portion of Tract R) on July 6, 2015 (Official Records Book 2073, Page 520, Public Records of Flagler County, Florida). The applicant acquired the property on May 18, 2016 through the warranty deed recorded at Official Records Book 2130, Page 1368, Public Records of Flagler County, Florida.

On February 20, 2017, the applicant submitted a rezoning application to change the zoning from the current designation of C-1 (Neighborhood Commercial) to PUD (Planned Unit Development). This change is to allow for the property to be used as an owner-occupied recreation vehicle park to supplement residential accommodations and promote ecotourism. In previous discussions with staff, the applicant noted the proposed location proximate to the Graham Swamp trail head and the relative lack of proximate similar facilities except for at Bulow Plantation to the West or on the beachside to the East.

Utility service from the City of Palm Coast is presently not available to this parcel, with water and sewer mains running through Palm Coast Plantation to the East, but excluding this 0.80 mile stretch of Colbert Lane lying South of the Palm Coast Plantation main entrance (a/k/a Palm Coast Plantation Parkway) and North of Lakeview Drive. Extension of these systems from the North – a 2,550 foot distance – or from the South – a 1,340 foot distance – would anticipate extension for future connections, although no other connections other than the two acre Colbert Plaza outparcel are contemplated: there would be no development surrounding this parcel since these are platted common areas and no development across Colbert Lane since this land is part of Graham Swamp. Cost estimates to extend these utilities, according to the applicant, are not feasible.
Ultimate development of this parcel as proposed will also include consideration and approval by the Board of County Commissioners of relief from the conditions included in the Board's 2015 Agreement for Release:

“a. Tract R shall have only one access point on Colbert Lane;
b. Access to Tract R shall be limited to right turn in, right turn out with acceleration and deceleration lanes provided as required;
c. When Colbert Lane is four-laned, no median opening will be provided for Tract R;
d. A fair share contribution in the amount of $2,469.55 ($8.70 per linear feet of parcel frontage) for the future signalization of the Colbert Lane/Palm Coast Plantation Parkway intersection shall be paid by EAGLE [Eagle FL VI SPE, LLC, then-owner of the subject parcel], their successors or assigns, upon execution of this Agreement.”

Of the four conditions in the 2015 Agreement, only the fair share contribution has been satisfied. Shared access was contemplated through the Board’s 2015 Agreement, as a common easement running through the center of the former Tract R, along the South parcel line of the two acre Colbert Plaza parcel and the northwest line of the subject parcel. The proposed driveway for the subject parcel is not within this easement. Further, the applicant has requested that access for the subject parcel not be restricted to right in, right out only and that the median cut restriction be similarly released. The Board of County Commissioners will ultimately review these requests for relief as part of its consideration of the PUD request as it proceeds to the Board for review.

These conditions were included in a similar Agreement for Release prepared for Colbert Plaza, the owner of the two acre cut-out parcel; however, as of the date of this staff report, Colbert Plaza has not executed the Agreement or made its fair share contribution, despite verbal assurance from the owner in 2015 that they would do so.

VIII. Staff Analysis: The PUD and site plan provides for a two phase development. Phase one consists of construction of the infrastructure, the access road bed, the residential structure, and the detached garage. Phase two will add twelve improved RV sites, retention ponds, an entrance gate, landscaping, and additional infrastructure improvements to support the commercial use on the site. Upon approval of the rezoning, a formal engineered site plan submittal and review is required prior to any land development permit being issued.

Rezoning considerations
LDC Section 3.07.05 Rezoning - action by the Planning Board and Board of County Commissioners. The Flagler County Planning Board may recommend and the Flagler County Commission may enact an ordinance amending the zoning
classification of the subject parcel. The adopted Flagler County Land Development Code is void of specific standards for review of a rezoning request in this instance; however, generally a request should be consistent with the adopted Comprehensive Plan and the following suggested standards:

A. For all rezoning requests, the requested zoning designation must be consistent with the Future Land Use designation of the parcel as depicted on the adopted Future Land Use Map and as described in the Future Land Use Element of the adopted Flagler County Comprehensive Plan.

The related Future Land Use Map amendment Application #2336 approved in 2004 for Commercial Low Intensity provides the consistency with the proposed PUD zoning. In staff’s opinion, the area within the limits of the PUD is appropriate and consistent with the Commercial Low Intensity Future Land Use.

Commercial campgrounds had been historically considered both commercial and high-density residential in Flagler County, with the Holiday Travel Park – previously a transient commercial campground, now operating as a residential co-op – designated as Commercial High Intensity Future Land Use. Elsewhere in zoning the MH-3 (Mobile Home Park) zoning district permits recreational vehicle parks provided that certain requirements are met. At the proposed intensity of use, staff asserts that the PUD is appropriate within the Commercial Low Intensity Future Land Use.

B. The requested zoning designation must be consistent with the goals, objectives, and policies of the Flagler County Comprehensive Plan.

Consistent with Table A.1 from Policy A.1.1.2, development on this parcel would be limited to a maximum Floor Area Ratio (FAR) of 0.30 and maximum impervious area of 60%; proposed development is well below these limits, with a majority of the project area remaining as open space at full build out. A review of relevant Goals, Objectives, and Policies of the Comprehensive Plan demonstrates that the requested rezoning to PUD is appropriate and generally consistent with the Comprehensive Plan and specifically consistent with Future Land Use Policy A.1.1.1(9).

C. The requested zoning designation must be compatible with the adjacent and surrounding land uses. Land uses shall include, but not be limited to permitted uses, structures, and activities allowed within the Future Land Use category and zoning district. Compatibility shall be based on characteristics which can impact adjacent or surrounding uses including type of use, height, appearance, aesthetics, odors, noise, smoke, dust, vibration, traffic, sanitation, drainage, fire risk, environmental impacts, maintenance of public infrastructure, availability of potable water and sanitary sewer, and other necessary public services.
The proposed use as a resort-style, high-end owner-occupied recreation vehicle park is consistent with the Comprehensive Plan and the County's unified Land Development Code. Compatibility has been demonstrated through the proposed site plan depicting the single family residence with detached garage along with twelve improved recreational vehicle sites as a low impact use. The PUD agreement and site development plan remain compatible with the adjacent and surrounding land uses.

D. The requested zoning will not adversely impact or exceed the capacity or the fiscal ability of Flagler County to provide available public facilities, including transportation, water and sewer, solid waste, drainage, recreation, education, fire protection, library service and other similar public facilities.

Should the request be approved, the proposed development will be on a private potable well and private septic system. As this is a transient type of use, there will be no impacts to schools, and it is anticipated that this use will not impact or exceed the public facilities necessary to support the proposed development.

E. The requested zoning shall not be approved if any of the proposed permitted uses or activities result in a public nuisance.

The PUD development agreement and PUD site development plan reduce – through buffering and limitations on the intensity of the use – the potential for a public nuisance. Any negative effects would be addressed through the code enforcement process.

F. The requested zoning shall not be approved if any of the proposed traffic flow of the permitted uses have an unreasonable impact on the contiguous and surrounding area; or if the proposed traffic has an unreasonable impact upon the projected wear and tear of any public roadway designed to carry lighter traffic than proposed with the rezoning; or if the proposed traffic results in an unreasonable danger to the safety of other traffic, pedestrians, and bicyclists.

The requested zoning will have a de minimis impact on traffic flow: the proposed use generates 84 daily trips which is less than a 2,000 sq ft. hardware store at 103 daily trips, arguably the most intense currently allowable retail use. The proposed driveway connects to Colbert Lane, a classified Major Collector Road with minimal adjacent driveways and a semi-straight road alignment. Traffic conflicts should be minimal.

This request complies with the requirement on the siting of travel trailer parks along major roadways (where adequate transportation facilities exist):
“No travel trailer park shall be located, except with direct access to a county, state or federal highway with a minimum lot width of not less than fifty (50) feet for the portion used for entrance or exit shall be through a residential district.” (Sec. 3.06.01.A, FCLDC).

Overall, the requested rezoning to PUD provides the certainty of the use and development of the parcel

TRC review
Staff presented the applicant with comments as part of the March 15, 2017 Technical Review Committee meeting; as of the date of this report, all staff comments have been satisfactorily addressed.

This agenda item is:

X quasi-judicial, requiring disclosure of ex-parte communication; or

___ legislative, not requiring formal disclosure of ex-parte communication.

IX. Staff Recommendation: Staff recommends that the Planning and Development Board recommend to the Board of County Commissioners, approval of Application #3070 a rezoning from C-1 (Neighborhood Commercial) to PUD (Planned Unit Development) District, finding that the requested change is consistent with the Comprehensive Plan and the Land Development Code.

X. Suggested Recommendation Language: The Planning and Development Board recommends approval to the Board of County Commissioners for Application #3070 a rezoning from C-1 (Neighborhood Commercial) to PUD (Planned Unit Development) District, finding that the requested change is consistent with the Comprehensive Plan and the Land Development Code.

Attachments
1. Notification list and map
2. Application and supporting documents
Future Land Use Map
Application For Rezoning
Application Project # 3070
Rezoning To A PUD
Timothy J Conner
Parcel # 27-11-31-4892-00000-00R0

Legend
- Subject Parcel
- Streets

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.
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I hereby affirm mailed notice to each owner on March 23, 2017 for the Planning & Development meeting on April 11, 2017 at 6:00 pm.

[Signature]
Wendy Hickey, Planner

Hasler
03/23/2017
011D11646866
## Application for Rezoning to A Planned Unit Development

**Flagler County, Florida**

1739 E. Moody Boulevard, Suite 105
Bunnell, FL 32110

Telephone: (386) 313-4009  Fax: (386) 313-4109

### Property Owner(s)

<table>
<thead>
<tr>
<th>Name(s):</th>
<th>Gurell Land Management, LLC</th>
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</thead>
<tbody>
<tr>
<td>Mailing Address:</td>
<td>250 Palm Coast Pkwy., Ste. 607, Box 343</td>
</tr>
<tr>
<td>City: Palm Coast</td>
<td>State: FL</td>
</tr>
<tr>
<td>Zip: 32137</td>
<td>Telephone Number: 386-445-9322</td>
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<tr>
<td>Fax Number: 386-446-4951</td>
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### Applicant/Agent

<table>
<thead>
<tr>
<th>Name(s):</th>
<th>Timothy J. Conner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mailing Address:</td>
<td>4488 N. Oceanshore Blvd.</td>
</tr>
<tr>
<td>City: Palm Coast</td>
<td>State: FL</td>
</tr>
<tr>
<td>Zip: 32137</td>
<td>Telephone Number: 386-445-9322</td>
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<td>Fax Number: 386-446-4951</td>
<td></td>
</tr>
<tr>
<td>Email Address:</td>
<td><a href="mailto:tjconner@cblpa.com">tjconner@cblpa.com</a></td>
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### Subject Property

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<td>Legal Description:</td>
<td>Tract R, Palm Coast Plantation Unit 2</td>
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<td>Parcel # (tax ID #):</td>
<td>27-11-31-4892-00000-0080</td>
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<td>Parcel Size:</td>
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### Zoning

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<td>Present Future Land Use Designation:</td>
<td>Commercial Low Intensity</td>
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<td>Proposed Zoning Classification:</td>
<td>PUD</td>
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**Signature of Owner(s) or Applicant/Agent**

**Signifies that Owner Authorization form attached**

**Date:** 2/17/2017

---

**OFFICIAL USE ONLY**

**Planning Board Recommendation/Action:**

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<th>Approved</th>
<th>Approved with Conditions</th>
<th>Denied</th>
</tr>
</thead>
</table>

**Signature of Chairman:**

**Date:**

*approved with conditions, see attached.

**Board of County Commissioners Action:**

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<tr>
<th>Approved</th>
<th>Approved with Conditions</th>
<th>Denied</th>
</tr>
</thead>
</table>

**Signature of Chairman:**

**Date:**

*approved with conditions, see attached.

**Note:** The applicant or a representative, must be present at the Public Hearing since the Board, at its discretion, may defer action, table, or take decisive action on any application.

**Rev:** 03/06

Page 1 of 4
Owner's Authorization for Applicant/Agent
FLAGLER COUNTY, FLORIDA
1769 E. Moody Boulevard, Suite 105
Bunnell, FL 32110
Telephone: (386) 313-4009 Fax: (386) 313-4109

Application/Project #

Timothy J. Conner, is hereby authorized TO ACT ON BEHALF OF Gurell Land Management, LLC, the owner(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 County, Florida for an application for rezoning to a Planned Unit Development (ALL PERSONS, WHO'S NAMES APPEAR ON THE DEED MUST SIGN)

By:

Signature of Owner

Richard G. Gurell, Manager
Printed Name of Owner / Title (if owner is corporation or partnership)

Signature of Owner

Printed Name of Owner

Address of Owner: 250 Palm Coast Pkwy., Ste. 607, Box 343
Mailing Address

Palm Coast, FL 32137
City State Zip

Telephone Number (incl. area code) 386-445-9322

STATE OF FLORIDA

COUNTY OF FLAGLER

The foregoing was acknowledged before me this 10th day of February, 2017 by Richard G. Gurell and who is/are personally known to me or who has produced as identification, and who (did) / (did not) take an oath.

Signature of Notary Public


Revised 5/08
February 10, 2017

Adam Mengel, Planning Director
City Hall
160 Lake Avenue
Palm Coast, FL 32164

Re: Gurell PUD Tract R, Palm Coast Plantation

Dear Mr. Mengel:

Enclosed please find the original Application and ten (10) copy sets of my client’s request for Rezoning the above-referenced parcel from C-1 to PUD, together with a check made payable to the “BOCC” for $970.00 (representing the application fee and the cost for two signs). My client proposes to occupy the parcel in an owner occupied primary residence and develop the balance in a park like setting with twelve improved recreational vehicle sites.

The recreational vehicle lots will be transient rental only with no long-term rentals and no on-site recreational vehicle storage except for the owner’s vehicle which will be stored in a garage.

The parcel is nearly six acres and will be well buffered from Colbert Lane with natural vegetation enhanced with road frontage landscaping. The project will be private and gated.

In order to accommodate the project we expect the restrictive covenants that limit access to the parcel to be lifted by Flagler County to allow both right and left turn ingress and egress and a median cut when Colbert Lane is improved to a four lane divided roadway.
The Developer proposes the project in two phases with the road bed, primary residence, garage, and small pond constructed during Phase One. It is our understanding these improvements will not need formal site plan approval and we will not need a St. John’s River Water Management District permit. Phase Two will follow where the roadway will be topped with asphalt milling or other suitable material, the recreational vehicle lots will be improved and the gate, landscaping and other details will be submitted for site plan approval prior to construction.

The Developer proposes to maintain and preserve as much of the existing vegetation and trees as possible, provide shuttle access to the nearby parks and possibly Flagler Beach, and to provide bike rentals and other eco-friendly amenities.

I understand we will be scheduled on the TRC Agenda for March 15, 2017.

Please contact me if additional information is needed to process this application. We look forward to bringing another quality small development to Flagler County.

Sincerely,

[Signature]

Timothy J. Conner
Attorney

TJC:rg
Enclosures
Special Warranty Deed

This Special Warranty Deed made this 18th day of May, 2016, between Eagle FL VI SPE, LLC, a North Carolina Limited Liability Company whose post office address is 2000 Interstate Park Drive, Montgomery, AL 36109, grantor, and Curell Land Management, a Florida Limited Liability Company, whose post office address is 250 Palm Coast Parkway NE, Palm Coast, FL 32137, grantee:

(Whenever used hereinafter 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 NINETY NINE THOUSAND FIVE HUNDRED AND 00/100 DOLLARS ($99,500.00) 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 the Flagler County, Florida, to wit:

Tract R, PALM COAST PLANTATION PUD UNIT 2, as per the map thereof recorded in the Map Book 33, Page(s) 54 through 61, inclusive, of the Public Records of Flagler County, Florida, less and except the Northerly 291 feet of the Westerly 300 feet of said Tract R. Together with an easement for ingress and egress over the Southerly 30 feet of the Northerly 291 feet of the Westerly 300 feet of Tract R and Subject to a 30 foot easement for ingress and egress over the following described property: Commence at the Northwest corner of Tract R, PALM COAST PLANTATION PUD UNIT 2 as aforesaid, thence South 18 degrees 24' 09" East along the East R/W line of Colbert Lane, a distance of 291 feet to the Point of Beginning of this easement description; thence depart the East R/W line of Colbert Lane North 71 degrees 35' 51" East a distance of 300 feet; thence South 18 degrees 24' 09" East a distance of 30 feet; thence South 71 degrees 35' 51" West a distance of 300 feet to the East R/W line of Colbert Lane; thence Northerly along the East R/W line of Colbert Lane a distance of 30 feet, more or less, to the Point of Beginning of this easement description.

Parcel Identification Number: 27-11-31-4892-00000-00R0

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 claiming by, through or under grantors.

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 Name: Victoria Costa

Witness Name: Gracien Daugherty

Eagle FL VI SPE, LLC, a North Carolina Limited Liability Company

By: Charles S. Giel, Vice President

State of Florida
County of BREVARD

The foregoing instrument was acknowledged before me this 16th day of May, 2016, by Charles S. Giel, as Vice President of EAGLE FL VI SPE, LLC, A NORTH CAROLINA LIMITED LIABILITY COMPANY, on behalf of the Corporation, she (X) is personally known to me or ( ) has produced ___________________ as identification.

Victoria Costa
Notary Public
Printed Name: VICTORIA COSTA
My Commission Expires: 2-1-2018

[Notary Seal]

Special Warranty Deed - Page 2
DESCRIPTION OF INTENDED PLAN OF DEVELOPMENT

The Owner proposes a mixed use resort style high end Owner occupied recreational vehicle park to supplement residential accommodations for and promote ECO tourism in Flagler County.

Entrances to Graham Swamp Park and the Rail to Trails Park are located on Colbert Lane across from the proposed development. The Hershel King Park and boat launch are to the north and the recreation and sport fields in Wadsworth Park are to the south of the proposed development.

The proposed site is located on 5.63 acres on the east side of Colbert Lane and abutted by a large conservation area of the Palm Coast Plantation Development on the north, east and south and a smaller commercial property owned by Colbert Plaza which is adjacent to and north of the subject parcel (also abutting Colbert Lane).

The project will be developed in two phases with Phase 1 comprising the construction of the access road bed, residential structure and detached garage. Phase 2 will add twelve improved RV sites, wet retention, entrance gate and landscaping and related infra-structure improvements.

PROPOSED OCCUPANCY

The proposed land uses and occupancy are twelve short term rental sites, related recreational facilities, garage and one on-site residential structure to be owned and occupied by the Owner. Unit/lot rentals will be only for transient rental use and occupancy.

The proposed plan is designed and intended to augment the ECO recreational uses in the general vicinity of the park and to provide a convenient and affordable alternative to hotel occupancy for visiting families to enable them to enjoy the sport facilities, bike trails, hiking opportunities, and myriad other eco-friendly activities offered in eastern Flagler County.
UTILITIES AND PUBLIC DEDICATIONS

FPL will supply electrical power with water and waste disposal by well and approved septic system. Each improved RV site will be well buffered with natural vegetation as will the property frontage on Colbert Lane. The entrance, gate and access point from Colbert Lane will be augmented with landscaping. No public dedications of utilities or roadways are anticipated.

To accommodate the proposed development and promote orderly traffic flow, the access restrictions set out in the Agreement for Release of Restrictive Covenant Tract R, Palm Coast Plantation PUD Unit 2, recorded July 6, 2015 at Book 2073, Page 520, in the Public Records of Flagler County, Florida, will be amended to allow right turn or left turn ingress and egress to the property.

STATEMENT OF MAINTENANCE AND OWNERSHIP

The property is owned by Gurell Land Management, LLC, a Florida Limited Liability Company, who will be responsible for maintenance of the infrastructure and other improvements.

ABUTTING PROPERTY OWNERS

Colbert Plaza, LLC
Atrium Suite
1 Florida Park Drive, South
Palm Coast, FL 32137

Palm Coast Plantation Homeowners Association, Inc.
c/o May Management
5455 A1A South
St. Augustine, FL 32080
EXACT LOCATION OF RV SITES TO BE DETERMINED BASED UPON SELECT CLEARING TO BE DONE BY OWNER.
Attached are departmental comments regarding your submittal to Flagler County for the above referenced project. Any questions regarding any of the comments should be addressed to the department providing the comment.

Flagler County Building Department  386-313-4002
Flagler County Planning Department  386-313-4009
Flagler County Development Engineering  386-313-4082
Flagler County General Services (Utilities)  386-313-4184
County Attorney  386-313-4005
Flagler County Fire Services  386-313-4258
E-911 GIS Specialist  386-313-4274
Environmental Health Department  386-437-7358
Flagler County School Board  386-586-2386
REVIEWING DEPARTMENT: PLANNING DEPARTMENT

No comments at this time

REVIEWING DEPARTMENT: DEVELOPMENT ENGINEERING

Please clarify if the Phase 2 lots will owner and rented out by the owner of the residence on the property or will be individually owned and the residence on the property will manage the rental of the lots.

The phase 1 construction will need to include the construction of a paved driveway connection to Colbert Lane as well as all utilities for the residence.

Additional comments may be provided upon further submittals.

REVIEWING DEPARTMENT: FIRE INSPECTOR

No comments at this time

REVIEWING DEPARTMENT: ENVIRONMENTAL HEALTH DEPT

- Phase 1 would require residential septic system and private potable well for Single Family Residence. Applications for well and septic can be obtained at the Florida Department of Health in Flagler County Environmental Health Office.

- Phase 2 would require an engineered designed commercial system with low pressure dosing. Water systems providing drinking water to 25 or more people per day, for 60 or more days per year, and having 15 or more service connections shall be permitted by the Department of Environmental Protection. Water systems providing drinking water to less than 25 people per day, and having <15 service connections shall be permitted as a Limited Use Commercial Public Water System through the Department of Health.

REVIEWING DEPARTMENT: COUNTY ATTORNEY

No comments at this time

REVIEWING DEPARTMENT: UTILITIES

No comments at this time