FLAGLER COUNTY TECHNICAL REVIEW COMMITTEE

GOVERNMENT SERVICES BUILDING
First Floor Conference Room B108
1769 EAST MOODY BOULEVARD BUILDING 2, BUNNELL FL 32110

AGENDA

DATE – MAY 17, 2017

TIME – 9:00 A.M.

1. Application #3073 – PUBLIC USE IN THE R-1 (RURAL RESIDENTIAL) AND PUD (PLANNED UNIT DEVELOPMENT) DISTRICTS – request for a passive park and beach access at 30 Bay Drive; Parcel Numbers: 17-10-31-0000-04090-0000, 20-10-31-0000-01010-0000 and 20-10-31-1750-00010-0020; Owner: Flagler County Board of County Commissioners / Applicant: Paul Ina, P.E.
   Project # 20170040018
   (TRC, PDB, BOCC)

2. Application #3074 – SPECIAL EXCEPTION FOR A RESTAURANT IN THE R/C (RESIDENTIAL/LIMITED COMMERCIAL) DISTRICT – request for a Special Exception at 5115 North Ocean Shore Blvd (Lots 28, 29 and 30, Unit 2 Magnolia Manor, Map Book 5, Page 71, Public Records of Flagler County, Florida); Parcel Number: 40-10-31-4100-00000-0280; Owner: Shirley McCoy and Chester Lee Boggs / Applicant: William R. Odom.
   Project # 2017040023
   (TRC, PDB)

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. 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.
## APPLICATION FOR PUBLIC USE

**FLAGLER COUNTY, FLORIDA**

1769 E. Moody Blvd, Suite 105
Bunnell, FL 32110
Telephone: (386) 313-4009  Fax: (386) 313-4109

Application/Project #: 3073/2017040018

### PROPERTY OWNER(S)

<table>
<thead>
<tr>
<th>Name(s):</th>
<th>Flagler County, Flagler County, and BOCC of Flagler County</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mailing Address:</td>
<td>1769 E Moody Blvd, Bldg 2</td>
</tr>
<tr>
<td>City:</td>
<td>Bunnell</td>
</tr>
<tr>
<td>State:</td>
<td>Florida</td>
</tr>
<tr>
<td>Zip:</td>
<td>32110</td>
</tr>
<tr>
<td>Telephone Number:</td>
<td>(386) 313-4001</td>
</tr>
<tr>
<td>Fax Number:</td>
<td>(386) 313-4101</td>
</tr>
</tbody>
</table>

### APPLICANT/AGENT

| Name(s): | Paul Ina, P.E. |
| Mailing Address: | 7400 Baymeadows Way, Suite 220 |
| City: | Jacksonville |
| State: | Florida |
| Zip: | 32256 |
| Telephone Number: | (904) 448-5300 |
| Fax Number: | (904) 448-0401 |
| E-Mail Address: | pina@stonejocadc.com |

### SITE LOCATION (street address): 30 Bay Drive, Palm Coast, Florida 32137

### LEGAL DESCRIPTION:

(briefly describe, do not use "see attached")

South 220.19' of lot 1 (OR 1722/1035), part of lot 1 (OR 1722/1035), exc 20.6' See Cobey Homeowners Assoc (OR 5691/1013)

### Parcel # (tax ID #):

17-10-31-0000-04090-0000, 20-10-31-0000-01010-0000, and 20-10-31-1750-00010-0020

### Parcel Size:

8.53 acres, 4.41 acres, and 4.18 acres; total 17.12 acres

### Current Zoning Classification:

R-1, R-1, and PUD

### Current Future Land Use Designation:

Mixed Use : Low Intensity, Mixed Use : Low Intensity, and Recreation & Open Space

### Description of Use:

Passive park and beach access

**Signature of Owner(s) or Applicant/Agent if Owner Authorization form attached**

**OFFICIAL USE ONLY**

**PLANNING BOARD RECOMMENDATION/ACTION:**

- APPROVED [ ]
- *APPROVED WITH CONDITIONS [ ]
- DENIED [ ]

**Signature of Chairman:**

Date: 6APR2017

**BOARD OF COUNTY COMMISSIONERS ACTION:**

- APPROVED [ ]
- *APPROVED WITH CONDITIONS [ ]
- DENIED [ ]

**Signature of Chairman:**

Date: *approved with conditions, see attached.

**BOCC ACTION:**

- APPROVED [ ]
- *APPROVED WITH CONDITIONS [ ]
- DENIED [ ]

**Signature of Chairman:**

Date: *approved with conditions, see attached.
Required Attachments for Semi-Public Use Application:

1.) Copy of Owner(s) recorded Warranty Deed;

2.) Application fee $320.00 plus cost of newspaper ad(s) and postage at prevailing rates and $50 for each notification of public hearing (posting of sign). Make check payable to BOCC.
   Fee amount per Resolution 2008-31.

3.) 33" sets of complete site plan meeting all requirements of Flagler County Land Development Code.

* 10 sets of plans for the Technical Review Committee due upon submittal of application, 13 sets of plans for Planning Board, and 10 sets of plans for the BCC.

NOTE: All applicants are requested to provide at least one set of documents/plans in a size no larger than 11” x 17” plus one electronic submittal in PDF format is preferred.

NOTE: Pursuant to Section 286.0105 of Florida Statutes, the Flagler County Planning Board hereby notifies all interested persons that if a person decides to appeal any decision made by the Planning Board with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and for such purpose, he or she 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.

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.
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.**
REVIEWING DEPARTMENT: ENVIRONMENTAL HEALTH DEPT

1. An application for new septic system construction is required. System design flow estimated by proposed number of attendees (4gpd per person), and an additional 100gpd for the residence.

2. Septic tank and drainfield to be setback 75ft from Mean Annual Flood Line of stormwater pond, and setback 75ft from Mean High Water Line of Tidally influenced water.

3. If any part of the septic system is installed seaward of the Coastal Construction Control Line, a CCCL permit or exemption from The Department of Environmental Protection will be required prior to permit issuance.

REVIEWING DEPARTMENT: DEVELOPMENT ENGINEERING

This office has no objection to the Public Use application.

With regard to the layout of the park, I would only add that there should be a back up added to the two areas with dead end parking.

Further comments will be forthcoming when the site plan application is submitted.

REVIEWING DEPARTMENT: ENVIRONMENTAL PLANNER

No comments at this time.

REVIEWING DEPARTMENT: FIRE INSPECTOR

What About water supply at the End?

Is it going to connect to Rollin Dunes? I understand it is not cost effective to loop the water system to Rollins Dunes or too Sea Colony. With that being said, I dont want to depend on a stormwater pond for fire suppression of the bathrooms, the citizens vehicals that will be down in the parking lot, or all of the dead dry brush that was left after Hurrracaine Mathew. So with That being said. What is the plan for water for fire protection? What size water main is being brought
to the bathrooms?

REVIEWING DEPARTMENT: PLANNING DEPARTMENT

1. Please provide measurements of proposed improvements ie: horse shoe and bocci courts, over looks etc.  
2. Will all proposed parking be paved?  
3. Will there be additional landscaping proposed beyond retaining the existing trees?  
4. Fire truck turn around please provide detail and identify materials to be used for stabilization.  
5. Will fencing be provided along edge of ponds if so pleased note on plan.  
6. Truncated domes/ detectable warings will be required at all identified road crossings at entrance and internal to the park.  

   Additional comments will be made at time of site plan application.
APPLICATION FOR SPECIAL EXCEPTION

FLAGLER COUNTY, FLORIDA
1769 E. Moody Boulevard, Suite 105
Bunnell, FL 32110
Telephone: (386) 313-4009 Fax: (386) 313-4109

Application/Project #: 3074/2017040023

PROPERTY OWNER(S):
Name(s): Shirley McCoy, Chester Lee Buss
Mailing Address: 46 Teaberry Ln 590 Little Kemah Blvd
City: Ethel State: WV Zip: 26143
Telephone Number: (304) 271-1139 (304) 275-8400 Email Address:
Fax Number:

APPLICANT/AGENT:
Name(s): William L. Odum
Mailing Address: 30 Carolina Hwy
City: Palm Coast State: FL Zip: 32137
Telephone Number: 612-810-4035 Fax Number
Email Address: rodiey@gmail.com

SITE LOCATION (street address):
5115 N. Ocean Shore Blvd

LEGAL DESCRIPTION:
(briefly describe, do not use "see attached")
Mydelia Maino Unit 2 Unit 28, 9, 30

Parcel #: (tax ID #):
40-10-31-4100-0000-0250

Parcel Size:
19,400 sq ft

Current Zoning Classification:
RC

Current Future Land Use Designation:
MV

Subject to A1A Scenic Corridor IDO?
YES NO

Requested Use: Restaurant

Signature of Owner(s) or Applicant/Agent if Owner Authorization form attached:

Date: 3/30/17

**OFFICIAL USE ONLY**

PLANNING BOARD RECOMMENDATION/ACTION:
APPROVED

APPROVED WITH CONDITIONS

DENIED

Signature of Chairman:

Date:

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. 08/14
Personal Representative's Deed

This Indenture made this 31st day of May, 2016 between SHIRLEY MCCOY, as PERSONAL REPRESENTATIVE OF THE ESTATE OF CORA JEAN BOGGS, DECEASED, whose post office address is 46 Teaberry Lane, Elizabeth, West Virginia 26143, as GRANTOR and Shirley McCoy, whose address is 46 Teaberry Lane, Elizabeth, West Virginia 26143 and Chester Lee Boggs, whose address is 590 Little Kanawha Blvd., Elizabeth, West Virginia 26143 as GRANTEES.

WITNESSETH:

That the GRANTOR, by virtue of the power and authority to be given in and by Last Will and Testament of Cora J. Boggs, Deceased and in consideration of the sum of Ten Dollars ($10.00) to be paid by the GRANTEE, the receipt of which is hereby acknowledged, has granted, bargained, sold, released, conveyed, and confirmed and by these presents does grant, bargain, sell, alien, remise, release, convey, and confirm unto the GRANTEE, its successors forever, the following described land, situate, lying and being in the County of Flagler and State of Florida:

Lots 28, 29 and 30, Unit 2, Magnolia Manor, as per plat in plat book 5 page 71, public records of Flagler County, Florida on file in the office of the Clerk of the Circuit Court, Flagler County, Florida.

together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or appertaining; and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and also all the estate, right, title, interest, property, possession, claim, and demand whatsoever, both in law and equity, which the Testator had in his lifetime, and at the time of his decease, and which the GRANTORS have, individually and by virtue of the said Last Will and Testament, or otherwise, of, in, and to the above granted premises, and every part and parcel thereof, with the appurtenances.

To have and to hold all and singular the above granted premises, together with the appurtenances and every part thereof, unto the GRANTEES, its successors or assigns forever.

Reference is hereby made to the Letters of Administration dated January 29, 2016 filed in the Probate Division, in and for Flagler County, Florida in the matter of the Estate of Cora Jean Boggs, Deceased, file number: 2015 CP 279 and this Deed is given pursuant to said proceedings.

Grantor warrants that at the time of this conveyance, the subject property is not homestead real property within the meaning set forth in the constitution of the state of Florida, nor is it contiguous to or a part of homestead property.

Subject to taxes for 2016 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

And said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.
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:

[Signature]
Witness Name: [Name]

[Signature]
Witness Name: [Name]

Shirley McCoy, Personal Representative
of the Estate of Cora Jean Boggs, Deceased

State of West Virginia
County of Wirt

The foregoing instrument was acknowledged before me this 31st day of May, 2016 by Shirley McCoy, as Personal Representative of the Estate of Cora Jean Boggs, Deceased, who [ ] is personally known to me or [ ] has produced a driver's license as identification.

[Notary Seal]

Vicki Nestor
Notary Public
Printed Name: Vicki Nestor
My Commission Expires: March 8, 2023
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 # 2017/2017040823

William R. Odom is hereby authorized TO ACT ON BEHALF
OF Shirley McCoy and Chester Lee Boggs, 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 _________________________________.

(ALL PERSONS WHO'S NAMES APPEAR ON THE DEED MUST SIGN)

By: ________________________________

Signature of Owner

Printed Name of Owner / Title (if owner is corporation or partnership)

________________________________________

Signature of Owner

________________________________________

Printed Name of Owner

Address of Owner: ________________________________

Telephone Number (incl. area code) ________________________________

Mailing Address

1. 46 Teaberry Ln  2. 590 Little Kanawha Blvd.

City State Zip

STATE OF ______________  COUNTY OF ______________

The foregoing was acknowledged before me this __________ day of ______________, 201________ by Shirley McCoy and Chester Lee Boggs, who is/are personally known to me or who has produced Drivers License as identification, and who did (did not) take an oath.

________________________________________

Signature of Notary Public


Revised 5/08
Rodie’s Place

I live in the Hammock and will be owner / operator of Rodie’s Place. 5115 N. Oceanshore Blvd a ½ acre lot with 150 feet of A1A frontage and a 1,200 square foot cement block building will be converted into a single room residence and a small restaurant serving breakfast and lunch to the people that live, work and vacation in the Hammock. The structure will be getting a facelift both inside and out. The natural setting will be maintained and enhanced meeting and exceeding the Scenic A1A criteria. I am working with CPH to provide engineering guidance in CAD, surveys, septic design and engineering, parking design and working with DOT to meet all of those criteria.
re: 5115 N. Oceanshore Blvd - special exception for a restaurant in R/C district

Dear Adam,

At the April 28 meeting of Scenic A1A PRIDE, Mr. Randy Odom made a verbal presentation of his plans to convert the existing house at 5115 North Oceanshore Blvd into a breakfast/lunch restaurant. He stated that the property was zoned R/C and he will be reviewing his plans with Flagler County in May. Mr. Odom plans to meet all Scenic Corridor requirements but was not prepared to share a site plan or tree survey with the group. The Board members ask that he return with his plans after the Flagler County review.

Mr. Odom suggested that since this property has been idle for so many years that it would be good to have it brought up to code and create another food service along the highway.

Sincerely,

Dennis Clark, Chair
SCENIC A1A PRIDE

Cc: Randy Odom (rodie4@gmail.com)
    Gina Lemon (glemon@flaglercounty.org)
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

1. Please provide a proposed landscaping plan.

2. Will there be a sign for the business if so, please identify the proposed location on the site plan.

3. What is the proposed seating for the restaurant?

4. Will the proposed patio area on the north side of the property be covered?

5. What material will be used for the proposed parking area?

6. Will the existing carport in the rear of the property remain?

7. Driveway access must be applied for and permitted through FDOT.

8. Based on the interior plan provided there no access route shown between behind the counter and the customer seating area without exiting the building.

REVIEWING DEPARTMENT: DEVELOPMENT ENGINEERING

This office has no comments regarding the special exception.

REVIEWING DEPARTMENT: FIRE INSPECTOR

Fire Suppression and hood vent for stove?

Additional comments may be generated at the meeting.
REVIEWING DEPARTMENT: ENVIRONMENTAL HEALTH DEPT

1. An application for new septic system construction is required. Estimated sewage flow will be based on 40gpd/per seat for a full service restaurant or 20 gpd/per seat for restaurant using single service articles.

2. Aluminum carport with concrete may need to be removed to prove room for system installation or to obtain required unobstructed area.

3. Authorized lot flow for this property is 1100 gpd if utilizing public water system.

REVIEWING DEPARTMENT: COUNTY ATTORNEY

No Comments at this time