FLAGLER COUNTY TECHNICAL REVIEW COMMITTEE

GOVERNMENT SERVICES BUILDING
First Floor Conference Room B108

1769 EAST MOODY BOULEVARD BUILDING 2, BUNNELL FL 32110

AGENDA

DATE – October 17, 2018 TIME – 9:00 A.M.

1. Application #3154 – APPLICATION FOR A SITE DEVELOPMENT PLAN UNDER 5 ACRES IN THE I (INDUSTRIAL) DISTRICT – request for review of a site development plan in the I (Industrial) District at 11 Enterprise Drive. Parcel Number: 22-11-30-5780-00000-0060; 0.54+/- acres. Owner/ Applicant: Ruth & Michael Kumka.
   Project #2018090021
   (TRC)

2. Application #3150 – APPLICATION FOR REZONING FROM R/C (RESIDENTIAL/LIMITED COMMERCIAL) DISTRICT TO PUD (PLANNED UNIT DEVELOPMENT) DISTRICT – request for rezoning from R/C (Residential/Limited Commercial) District to PUD (Planned Unit Development) District located at 4931 North Oceanshore Boulevard; Parcel Number: 40-10-31-5137-000H0-0000; 11.57+/- acres. Owner: LRA RIO, LLC/Applicant: Atlee Development Group, Inc.
   Project #2018080036
   (TRC, PDB, BCC)

3. Application #3158 – APPLICATION FOR SITE DEVELOPMENT PLAN IN PUD (PLANNED UNIT DEVELOPMENT) DISTRICT – request for review of a PUD Site Development Plan in the PUD (Planned Unit Development) District for Beachwalk PUD located at 4931 North Oceanshore Boulevard; Parcel Number: 40-10-31-5137-000H0-0000; 11.57+/- acres. Owner: LRA RIO, LLC/Applicant: Atlee Development Group, Inc.
   Project 2018100011
   (TRC, PDB, BCC)
4. Application #3156 – APPLICATION FOR SITE DEVELOPMENT PLAN FOR A PUBLIC USE IN C-2 (GENERAL COMMERCIAL AND SHOPPING CENTER) DISTRICT – request for review of a Site Development Plan in the C-2 (General Commercial and Shopping Center) District located at 5862 North Oceanshore Blvd; Parcel Number: 40-10-31-3150-00000-0180; 7.45+/- acres: Owner: Flagler County Board of County Commissioners/Applicant: Captains Bait, Tackle & BBQ, LLC
Project #2018090035

Project #2018090038

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.
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: BUILDING DEPARTMENT

No comments.

REVIEWING DEPARTMENT: E-911 STAFF

No Comments

REVIEWING DEPARTMENT: FIRE INSPECTOR

No comments at this time

REVIEWING DEPARTMENT: DEVELOPMENT ENGINEERING

The parking spaces must be paved or concrete, LDC, Sec. 3.06.04 B2.

The driveway can be stone, gravel with the exception of the driveway apron must be concrete.

REVIEWING DEPARTMENT: COUNTY ATTORNEY

No Comments at this time

REVIEWING DEPARTMENT: PLANNING DEPARTMENT

1. Provide address and legal description of subject property on site plan.
   Provide property dimensions along all lot lines;

2. At address references for adjacent properties, provide site addresses not owner address;

3. Recommend locating gate at entrance/exit sufficient distance from front property line to allow vehicle length to enter/exit without blocking Enterprise Drive while gate closed;

4. Front landscape buffer to be 10' average width, only 5' as shown;

5. Provide a 5' wide side perimeter landscape buffer along vehicular use area (left side);

6. Include in Site Data Table at parking calculation, 1 space/300 sf of office;

7. In Site Data Table provide square footage of proposed office;

8. In front perimeter buffer, minimum of 1 tree/25 linear feet is required (50% of planted trees
to be native shade trees);

9. In side perimeter buffer, minimum of 1 tree/50 linear feet is required (50% of planted trees to be native shade trees);

10. Minimum of 1 - 250 sf interior planting area required for each 5,000 sf of vehicular use area. Recommend including planting along left side of building in 5’ wide area between building and driveway.

Additional comments may be provided following review of resubmittal.

REVIEWING DEPARTMENT: ENVIRONMENTAL HEALTH DEPT

1 - An Onsite Sewage Treatment and Disposal System (OSTDS) Construction Permit will be required for this project. System sizing will be based on 15 gallons of estimated sewage flow for every 100 sq.ft. of office space, or 15 gallons per employee, per 8 hour shift –whichever is greater, and number of warehouse bays (100 gal/bay). Please note that system may not fit as proposed due to mound requirements. System components must be setback 100ft from any Limited Use Water System in the area and 15 from swales. The swale setback does not appear to be met.

2- An Annual Operating Permit and annual routine inspection of the septic system will be required due to the Industrial Zoning of the property. Application and issuance of an Annual Operating permit is required prior to operation.

3- An approved potable water system will be required to provide water service. Application for a Limited Use Commercial Water System shall be made through the Florida Department of Health in Flagler County prior to construction. The system shall be set back a minimum of 100ft from any septic system, and also setback 100ft from surface water (Drainage canal at rear of property. The 100ft surface water setback is not met.
**APPLICATION FOR SITE DEVELOPMENT PLAN**

**RECEIVED** LESS THAN 5 ACRES

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

**SEP 13 2018**

**PLANNING** Application/Project #: 3154/2018090081

<table>
<thead>
<tr>
<th>PROPERTY OWNER(S)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name(s): Kumka, Ruth &amp; Michael W&amp;H</td>
</tr>
<tr>
<td>Mailing Address: 102 Breeze Hill Lane</td>
</tr>
<tr>
<td>City: Palm Coast  State: FL  Zip: 32137</td>
</tr>
<tr>
<td>Telephone Number 201-799-1930  Fax Number</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>APPLICANT - AGENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name(s): Kumka, Ruth &amp; Michael W&amp;H</td>
</tr>
<tr>
<td>Mailing Address: 102 Breeze Hill Lane</td>
</tr>
<tr>
<td>City: Palm Coast  State: FL  Zip: 32137</td>
</tr>
<tr>
<td>Telephone Number 201-799-1930 - <strong>CELL</strong> Home: 386-627-8990  Fax Number</td>
</tr>
<tr>
<td>Email Address <a href="mailto:rkumka@aol.com">rkumka@aol.com</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SITE LOCATION (street address):</th>
</tr>
</thead>
<tbody>
<tr>
<td>11 Enterprise Drive</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>LEGAL DESCRIPTION: (briefly describe, do not use &quot;see attached&quot;)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Town &amp; Country Business Park Lot 6 OR 529 PG 942 OR691/905-QC OR 2292/363</td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th>Parcel # (tax ID #):</th>
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<tbody>
<tr>
<td>22-11-30-5780-00000-0060</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Parcel Size:</th>
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<tbody>
<tr>
<td>0.538 Acres</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>SUBJECT PROPERTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Zoning Classification:</td>
</tr>
<tr>
<td>I - Industrial</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Current Future Land Use Designation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Industrial</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Subject to A1A Scenic Corridor IDO?</th>
</tr>
</thead>
<tbody>
<tr>
<td>[ ] YES  [X] NO</td>
</tr>
</tbody>
</table>

**PROJECT DATA:**

__________________________

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

09-11-18

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. 05/08

Page 1 of 1
THIS WARRANTY DEED made the 6 day of July, 2018 by

Salud G. Gaoot and Melanie C. Gaoot, wife and husband

whose street address is P.O. Box 354222, Palm Coast, FL 32135

hereinafter called the grantor*, to

Ruth Kumka and Michael Kumka, wife and husband

whose street address is 102 Breeze Hill Lane, Palm Coast, FL 32137

hereinafter called the grantee*:

(*)Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH, that the grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other valuable considerations to said grantors in hand paid by said grantees, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, remised, released, conveyed and confirmed unto the grantee and grantee's heirs forever the following described land situate in County of Flagler, State of Florida, to wit:

Lot 6, Subdivision Plat for Town and Country Business Park, according to the plat thereof, as recorded in Plat Book 30, Pages 13 and 14, of the Public Records of Flagler County, Florida.

GRANTOR WARRANTS THAT THIS IS NOT HOMESTEAD PROPERTY.

Together, with all the tenements, hereditaments and appurtenances thereto belonging or in otherwise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with the 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, and hereby 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 31ST, 2017. FURTHER SUBJECT TO Restrictions, Reservations, Covenants, Dedications, Resolutions, Conditions and Easements of record, if any, however this reference shall not operate to re impose same.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness 1 Signature

[Signature]

Printer or Typed Name

[Name]

Witness 2 Signature

[Signature]

Printer or Typed Name

[Name]

Salud G. Gaoot

Melanie C. Gaoot

STATE OF FLORIDA
The foregoing instrument was acknowledged before me this 6 day of July, 2018, by Salud G. Gaoat and Melanio C. Gaoat, wife and husband who is personally known to me or who produced FL DC as identification and who did/did not take an oath.

Notary Public
My Commission Expires:

[seal]

ROBIN M. AMMANN
Commission # GG 048898
Expires November 14, 2020
Bonded thru Troy Paine Insurco 800-385-7019
THIS WARRANTY DEED made the 6th day of July, 2018 by

Salud G. Gaoat and Melanie C. Gaoat, wife and husband

whose street address is P.O. Box 354222, Palm Coast, FL 32135

hereinafter called the grantor*, to

Ruth Kumka and Michael Kumka, wife and husband

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Signed, sealed and delivered in the presence of:

[Signatures]

Witness 1 Signature

Printed or Typed Name

Witness 2 Signature

Printed or Typed Name

Salud G. Gaoat

Melanie C. Gaoat

STATE OF FLORIDA
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[seal]

ROBIN M. AMMANN
Commission # GG 046898
Expires November 14, 2020
Bonded thru Troy Fire Insurance 800-385-7019

Notary Public
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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
This project must be presented to A1A PRIDE for its recommendation.

The high density appears incompatible with nearby parcels that have been developed. There should be some comparative analysis of nearby densities. Ultimately, the proposed PUD must comply with the purposes of Zoning District Regulations and the Comp Plan. A PUD cannot be used as a vehicle to bypass density regulations otherwise required by zoning regulations or the Comp Plan. See Land Development Code, Sections 3.04.01.B and 3.04.02.E.

REVIEWING DEPARTMENT: PLANNING DEPARTMENT

1. Mixed Use: Low Intensity, Low- to Medium-Density Future Land Use designation requires designation of 25% of the development site as open space; please demonstrate how this requirement is being met (Future Land Use Element Policy A.1.1.3(2)(a)).
2. Add signage to PUD agreement in rezoning and depict on site plan: typical standard is a monument sign at the project entrance (to be located within a common area/signage tract) with an overall sign height no greater than six feet and a maximum sign area of 32 square feet.
September 28, 2018

Adam,

Please see the information that I have included in response to the TRC comments to the Beachwalk PUD submittal.

1) I have included the required application fee in the amount of $510.75.

2) In response to the LDC Section 3.04.02 items
   A.(4) Our LLC or assigns shall, as owner of Beachwalk commit to:
   a. Proceed to develop Beachwalk in accordance with the adopted PUD ordinance as approved by the Flagler County Commission
   b. Beachwalk should be developed according to the PUD and approved civil Engineering plans, all components of the development not accepted for maintenance by the City of Palm Coast or Flagler County shall be maintained by the development’s home owners association.
   c. All of the above shall be applicable to buyer or assigns of Beachwalk Development.

B. 1 Written description of the intended plan of the development:

Future occupants of our new community, Beachwalk will enjoy many attributes of this well located development. The site is 2/3 of a mile North of the primary road to I-95 and just a few minutes South of Publix for ease of access and shopping. The site is within walking distance of the Beach and the beach access has parking, bathroom facilities and a walkway as well as drive access to the beach itself. The site is also on the North side of Jungle Hut Drive which is bounded on the South by Jungle Hut Park. This is a beautiful preservation area of pristine woods and walking trails. The primary access is directly across the street from our development for the enjoyment of our residents. The parkway running north and south on our East border has a sidewalk on the West side and is a magnificent tree canopied parkway. Residents of Beachwalk will therefore have access to all of the amenities at our property boundary and be well protected visually with our preserve buffers on our West and South boundaries.

We have also included a site plan that is in compliance with LDC Section 3.04.03B based upon the information that is currently available. The topography and tree surveys will be complete early next week and can be provided to your office electronically as soon as they are available. A Geotech will begin mid October and the Cultural Resources Study (findings are: DHR won't require preservation or additional work) should be completed in the next few days.
Section 3.04.03

2. (h) is as follows: The Beachwalk property is a proposed single family residential subdivision within unincorporated Flagler County with a PUD zoning. The project is located at the northeast corner of the intersection of Jungle Hut Road and A1A, west of Hammock Dunes Pkwy and encompasses roughly 12.4 acres. Trip generation calculations have been conducted according to the ITE 8th Edition. A land use designation for single family homes used for the calculations which is equivalent to an ITE Code of 210. As demonstrated in the table below, the project proposes to generate a total of 517 daily trips, of which 55 of those are projected to be during the PM Peak Hour. Access to the sight will be provided via a new driveway of Jungle Hut Road with an emergency access location being provided to A1A near the northwest corner of the project site.

<table>
<thead>
<tr>
<th>Description / ITE Code</th>
<th>Units</th>
<th>Rate Weekday Traffic</th>
<th>PM Peak Period Rate</th>
<th>% PM In</th>
<th>% PM Out</th>
<th>Expected Units</th>
<th>Calculated Daily Trips</th>
<th>PM Peak Trips - Total</th>
<th>PM In</th>
<th>PM Out</th>
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</thead>
<tbody>
<tr>
<td>Single Family Home - 210</td>
<td>DU</td>
<td>9.57</td>
<td>1.01</td>
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<td>37%</td>
<td>54</td>
<td>517</td>
<td>55</td>
<td>34</td>
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</tr>
</tbody>
</table>

2. (k) is as follows: The Westerly boundary is A1A which is protected by the required 20' wide Scenic Highway designation as shown on the site plan. This area is densely vegetated with large trees and undergrowth. Jungle Hut Road is also included in the required buffer area. To the North is a stagnant commercial project. To the East is a parkway with sidewalk and tree canopy that helps protect the subject site from viewing the WWTP directly to the East of the site.

3) Attached to this letter is the requested availability letter from the City of Palm Coast. The project Engineer, Brett Witte from Singhoffen is working with our office and the City of Palm Coast on the Application package for the service extension. The offsite southerly 3600' right-of-way surveying is being finished now and we should be able to complete the offsite Engineering and submit the application package to the City of Palm Coast within the next 2 weeks. The City of Palm Coast has expressed a willingness to cost share on the additional expenses associated with upsizing from a 4"-6" line to a 12" line and the upsizing of the force main. Others will have the availability to tie in later. We bear the cost of surveying and Engineering now and The City will work out terms once the completed application package is submitted and reviewed.

4) The size of the new homes by Richmond American Homes will be from 1800-2600 sf with attached garages. Sample floorplans with elevation are included. The estimated pricing will be from the mid $300's to low $400 range.

5) There will not be a community clubhouse, due to the limited number of homes. We will make a contribution towards new playground or workout equipment for the Jungle Hut
park across the street in lieu of onsite recreation due to the small number of homes and proximity to the existing Jungle Hut park.

6) The pond sizes will be verified by our Engineer to be adequate to serve the proposed development as required by SJRWMD.

7) There are less than .5 acre of wetlands onsite and no mitigation will be required I have provided a color wetlands map and elevation map for your reference.

8) There is a tree survey being prepared by Arc Surveying that should be completed within the next 10 days. The boundary survey is complete and the topo should be completed by Friday September 28.

9) The proposed Beachwalk community will not be a vacation rental community.

10) The Developer can install a sidewalk if there is sufficient room within the right of way and if it will be possible since there is a swale running along the road at this time. We request a review to see if the current sidewalk running East and West on the South side of the road would in fact be sufficient as it accomplished the requirement of this item.

11) The development will be single family detached units with no phasing. A Home Owners Association will be responsible for the areas that are designated as common areas within the development. The common area parcels will be deeded to the Owners Association, after the plat is recorded. Covenants and Restrictions will be recorded for the development and the Association will be managed by a Community Association Management Company.

12) Additional Information: The subdivision will have city water with the required fire hydrants spaced in accordance with County code. The fire protection will be provided by Flagler County. The roads will be dedicated to Flagler County as public right- of-ways and the lift station will be dedicated to the City of Palm Coast.

Thank you,

Kenyon S. Atlee
President
Beachwalk Soils map

Legend

Parcels

Soil Types

- 02 Riviera fine sand
- 03 Samsula and Hontoon soils, depressional
- 04 Wabasso fine sand
- 05 Pineda-Wabasso complex
- 06 Faveretta clay
- 07 Faveretta, Chobe, and Winder soils, frequently flooded
- 08 Hicoria, Riviera, and Gator soils, depressional
- 09 Eau Gallie fine sand
- 10 Winder fine sand
- 11 Myakka fine sand
- 12 Placid, Basinger, and St Johns soils, depressional
- 13 Immokalee fine sand
- 14 Pineda fine sand
- 15 Pomello fine sand, 0 to 5% slope
- 16 Malabar fine sand
- 17 Holopaw fine sand
- 18 Valkaria-Smyrn Complex
- 19 Valkaria fine sand
- 20 Orsino fine sand, 0 to 5% slopes
- 21 Smyrna fine sand
- 22 Astatula fine sand, 0 to 8% slope
- 23 Adamsville fine sand, 0 to 3% slope
- 24 Samsula and Placid soils, frequently flooded
- 25 Tavares fine sand, 0 to 5% slopes
- 27 Cassia Fine Sand
(OFFICIAL RECORDS BOOK 1341, PAGE 1867)

PARCEL 1

THE SOUTH 200 FEET, WHEN MEASURED AT RIGHT ANGLES TO SOUTH LINE THEREOF, OF THAT PART OF SECTION 40, TOWNSHIP 10 SOUTH OF RANGE 31 EAST, LYING EAST OF THE RIGHT OF WAY OF THE OCEAN SHORE BOULEVARD NOW DESIGNATED AS STATE ROAD A1A.

PARCEL 2

BEING A PART OF SECTION 40, TOWNSHIP 10 SOUTH OF RANGE 31 EAST, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT THE SOUTHEAST CORNER OF THE SAID SECTION 40, AS A POINT OF REFERENCE AND RUNNING THENCE NORTH 19°57'45" WEST, ALONG THE EASTERLY BOUNDARY OF THE SAID SECTION 40, A DISTANCE OF 211.71 FEET, TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 89°11' WEST AND PARALLEL WITH THE SOUTH BOUNDARY OF SAID SECTION 40, A DISTANCE OF 1049.54 FEET, TO AN INTERSECTION WITH THE EASTERLY BOUNDARY OF THE 50 FOOT RIGHT OF WAY OF STATE ROAD NO. A1A; THENCE NORTH 16°17'27" WEST, ALONG SAID EASTERLY RIGHT OF WAY BOUNDARY, A DISTANCE OF 362.74 FEET; THENCE NORTH 89°11' EAST, A DISTANCE OF 1024.95 FEET, TO AN INTERSECTION WITH THE EASTERLY BOUNDARY OF SAID SECTION 40; THENCE SOUTH 19°57'45" EAST, A DISTANCE OF 370.06 FEET, TO THE POINT OF BEGINNING OF THIS DESCRIPTION.

LESS AND EXCEPT FROM THE FOREGOING ANY PORTION OF THE ABOVE DESCRIBED PROPERTY LYING WITHIN THE ROAD RIGHTS-OF-WAY OF STATE ROAD A1A AND HAMMOCK DUNES PARKWAY, AS REFLECTED ON SURVEY BY AMERICAN SURVEYING & MAPPING, JOB NO. ASM49885, DATED AUGUST 9, 2005, AS REVISED.

(SURVEYOR'S DESCRIPTION)

THE SAME LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1341, PAGE 1867 BEING MORE ACCURATELY DESCRIBED AS FOLLOWS:

A PORTION OF SECTION 40, TOWNSHIP 10 SOUTH, RANGE 31 EAST, FLAGLER COUNTY FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID SECTION 40; THENCE SOUTH 89°17'23" WEST, ALONG THE SOUTH LINE OF SAID SECTION 40 ALSO BEING THE NORTH LINE OF JUNGLE HUT ROAD, A DISTANCE OF 1001.92 FEET TO THE INTERSECTION WITH THE CURRENT EASTERLY RIGHT OF WAY LINE OF STATE ROAD A1A (FORMERLY KNOWN AS OCEAN SHORE BOULEVARD) PER FLORIDA DEPARTMENT OF TRANSPORTATION MAP SECTION 73030-MISC; THENCE NORTH 16°41'58" WEST, ALONG SAID CURRENT EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 572.03 FEET TO THE SOUTHWEST CORNER OF THE HAMMOND COMMERCIAL PARK AS RECORDED IN MAP BOOK 37, PAGES 10 THROUGH 11 OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; THENCE NORTH 89°17'23" EAST, ALONG THE SOUTH LINE THEREOF, A DISTANCE OF 968.83 FEET TO THE SOUTHEAST CORNER THEREOF, SAID CORNER LYING ON THE EAST LINE OF SAID SECTION 40; THENCE SOUTH 19°49'56" EAST, ALONG LAST SAID EAST LINE, ALSO BEING THE WEST LINE OF TRACT "E", OCEAN RIDGE AS RECORDED IN MAP BOOK 30, PAGES 91 AND 92 OF SAID PUBLIC RECORDS, A DISTANCE OF 582.02 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED LANDS CONTAIN 12.44 ACRES, MORE OR LESS.
August 24, 2018

John L. Kiddy, Associate
Attlee Development Group
5851 Timuquana Road #301
Jacksonville, Florida 32210

Re: Service Availability for Jungle Jut Road/SR A1A 11.5 Acres, Palm Coast, Florida
City of Palm Coast, Flagler County

This letter confirms that City of Palm Coast is the water service provider to the referenced property in Flagler County, Florida. Enclosed are copies of the system maps of the City’s utility system showing existing water mains in the area, as the City believes that they exist for your use in project design. No representation is made as to the precise location of facilities. It is your responsibility to ensure that utility lines and other facilities are located at locations and in a sufficient condition to meet the requirements of your proposed development and the requirements of the City.

If a main extension is required, the design, permitting, and construction of the extension are your responsibility. Plan review by the City is required for all commercial projects and those projects involving a main extension. Construction must meet City Standards and Specifications. The Standards and Specifications Manual, with Standard Details, is available to you via City website or regular mail. All such matters must be memorialized by written City approvals.

When you are ready to proceed, provide all required City application forms, the annexation petition required by section 49-53 (e) of the City Code along with one copy of the FDEP Permit Applications (fax, or include with plan submittal.) The City will redline the Operating Utility information, and return it to you, for you to incorporate onto the Applications. Upon completion, provide the number of completed, signed, scaled original Applications required by FDEP, plus one original for the City’s files.

Please note that all applicable fees must be paid to the City, and plans must be stamped “Authorized For Construction,” before the FDEP permit applications will be returned for your submittal to FDEP. Upon plan approval, the City will conduct construction inspection. Also, legal documents as necessary to convey the new facilities to the City must be completed and approved by the City, and FDEP/HRS clearance must be received prior to service being provided. Sample legal documents will be provided to you by the City to assist you during this phase of the project. The City will implement the annexation petition in accordance with its terms.

If you have any questions please feel free to contact me at (386) 986-2355

Sincerely,

Irma Velez
City of Palm Coast Construction Management & Engineering Division (ivelez@palmcoastgov.com)
The City of Palm Coast prepares and uses this map/map data for its own purposes. This map/map data displays general boundaries and may not be appropriate for site specific uses. The City uses data believed to be accurate; however, a degree of error is inherent in all maps. This map/map data is distributed AS-IS without warranties of any kind, either expressed or implied including, but not limited to, warranties of suitability to a particular purpose or use. This map/map data is intended for use only at the published scale. Detailed on-the-ground surveys and historical analyses of sites may differ substantially from this map/map data. Print Date: Thu Jul 26 2018 09:27:12 AM.
Arlington
Landmark Collection

Features:
- 1810 Sq. Ft.
- 1 Story Home
- 3 to 4 Bedrooms
- 2 Baths
- 2 Car Garage
- Opt. 3 Car Garages
- Opt. Gourmet Kitchen
- Opt. Study BR4 (~140 SQ FT)

Main Level
- Master Bedroom
- Great Room
- Dining
- Master Bath
- Study/Opt. BR4
- 2 Car Garage
- Bedroom 2
- Bath 2
- Bedroom 3
- Entry
- Porch
- Laundry
- Kitchen

Optional Areas:
- Deluxe Master Bath
- Optional MBA Walk-in Shower
- Optional Gourmet Kitchen
- Optional Kitchen #2
- Optional Study
- Optional Bedroom 4

RICHMOND
AMERICAN HOMES

SEP 28 2018
FLAGLER COUNTY
PLANNING & ZONING DEPT
J721

11/7/2016
Augusta

Features:
- 1967 Sq. Ft.
- 1 Story Home
- 3 to 4 Bedrooms
- 2 Baths
- 2 Car Garage with Storage
- Optional Gourmet Kitchen
- Optional Kitchen #2
- Optional 3 Car Garage

Main Level:
- Master Bedroom
- Master Bath
- Great Room
- Kitchen
- Laundry
- Storage/Optional BR #4
- Entry
- Covered Patio
- Bedroom 2
- Optional Study
- Bath 2
- 2 Car Garage
- Optional Club Room

Optional:
- Optional Deluxe Master Bath
- Opt. MBA Walk-in Shower
- Optional Study
- Optional Kitchen #2
- Optional Gourmet Kitchen
- Optional Bedroom 4

Flagler County
Planning & Zoning Dept.

Received SEP 28, 2018

RICHMOND American Homes
Features:
- 2222 Sq. Ft.
- 1 Story Home
- 3 to 5 Bedrooms
- 2 Baths
- 2 CAR GARAGE W/ STORAGE
- OPT. GOURMET KITCHEN
- OPT. 3 CAR GARAGE
- OPT. GUEST SUITE

Optional Bedroom 4/Bath 3
- Optional Dining
- Optional Guest Suite
- Optional Tech
- Optional Butler's Pantry

Gourmet Kitchen
Optional Powder
Optional Gourmet Kitchen
Optional Deluxe Master Bath
Optional Bedroom 5
Optional MBA Walk-in Shower
Optional Master Bath
Optional Bathroom 2
Optional Bathroom 3
Optional Bath 3
Optional Bedroom 4
Optional Dining
Optional Guest Suite
Optional Tech
Optional Butler's Pantry

Richmond American Homes

V7/2017
Hawthorne

Features:
- 2,472 Sq. Ft.
- Ranch Home
- 3 to 4 Bedrooms
- 3 Baths
- Bonus Room
- 2 Car Garage
- Opt. 3-Car Garage
- Opt. Gourmet Kitchen
- Opt. Sunroom
- 204 SQ. FT.
- Opt. Study

Main Level
- Entry
- 2 Car Garage
- Master Bedroom
- Bedroom 2
- Bedroom 3
- BA2
- Laundry
- Dining
- Great Room
- Kitchen
- Sunroom
- Opt. Sunroom
- Opt. Gourmet Kitchen

Bonus Room
- Opt. Deluxe Master Bath
- Deluxe MBA
- Master Bedroom
- Bedroom 4
- Opt. Bedroom 4
- Study
- Opt. Study
- Opt. MBA Walk-in Shower
- Opt. MBA Walk-in Shower
Appleby

Features:
- 2453 Sq. Ft.
- 2 Story Home
- 3 to 4 Bedrooms
- 3 Baths
- 2 Car Garage
- Opt. 3 Car Garage
- Opt. Gourmet Kitchen

Main Level

Bonus Room/ Opt. BR5/ BA3

Upper Level Bonus Room

RICHMOND AMERICAN HOMES

Opt. Bedroom 5/ Bath 3

Opt. Deluxe Master Bath

Opt. MBA Walk-in Shower

Opt. Gourmet Kitchen

Opt. Bedroom 4

Bedroom 4

Bedroom 5

Storage

Bedroom 4

Master Bath

Laundry

Great Room

Nook

Bath 2

Bedroom 2

Ex. Entry

Covered Entry

Bedroom 3

Opt. Study

Entrance

Covered Patio

Master Bedroom

Opt. Fan Ceiling

Master Bath

2 Car Garage

UP

2 Car Garage

30-3'
Appleby

Elevation K

Elevation L

Elevation M

RICHMOND
AMERICAN HOMES
BRONSON

35' x 60' 208

Features:
- 2588 Sq. Ft.
- 2 Story Home
- 4 Bedrooms
  (Std. MBR 2)
- 3 1/2 Baths
- 2 Car Garage
- Opt. 3 Car Garage

Main Level

Optional Gourmet Kitchen

Optional Deluxe Master Bath

Optional MBA Walk-In Shower

Upper Level
FLAGLER COUNTY

TECHNICAL REVIEW COMMITTEE COMMENTS

MEETING DATE: 9/19/2018

APP #3150 - REZONING TO PUD - BEACHWALK PUD

APPLICANT: ATLEE DEVELOPMENT GROUP, INC.
OWNER:LRA RIO, LLC

Distribution date:  Friday, September 14, 2018

Project #: 2018080036
Application #: 3150

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: DEVELOPMENT ENGINEERING

Provide a survey to scale that is legible.

Provide a site plan that is to scale and dimensioned.

Has the City of Palm Coast reviewed this plan?

Where will the outfall be for the stormwater.

Finished floor elevation must meet the LDC requirements.

The west access access must match the access on the south side of Jungle Hut Road.

Roads must be built per County standards.

Based on the sketch submitted, there will not be sufficient area in the side yards for drainage, no mechanical equipment will be permitted in the side yard.

No further comments at this time.

REVIEWING DEPARTMENT: COUNTY ATTORNEY

No comments at this time.

REVIEWING DEPARTMENT: E-911 STAFF

No comments at this time.

REVIEWING DEPARTMENT: FIRE INSPECTOR

No Comments at this time.
REVIEWING DEPARTMENT: PLANNING DEPARTMENT

1. Additional application fees are due; application submitted based on fees due for rezoning, not the fees due for rezoning to Planned Unit Development. The balance due for application fees is $410.75, with $100.00 due for posting of public notice signs. Total amount remaining due is $510.75. The remaining public notice fees will be invoiced at a later date for reimbursement following legal advertisements and mailing of letters to surrounding owners.

2. Per Flagler County Land Development Code, Section 3.04.02(A)(1), provide boundary survey of the property to be classified as PUD. The copy of survey provided is not legible and not to scale.

3. Based on the graphic submitted, central water and sewer will be required for the proposed development. Provide service letter from utility provider.

4. Per Section 3.04.02 submit Draft PUD Agreement, including statements demonstrating that:
   - The proposed PUD does not affect adversely the orderly development of Flagler County and complies with the comprehensive plan adopted by the Flagler County Board of County Commissioners.
   - The proposed PUD will not affect adversely the health and safety of residents or workers in the area and will not be detrimental to the use of adjacent properties or the general neighborhood.
   - Provide a written statement of a proposal for completion of such development according to plans approved by such ordinance, and for continuing operating and maintenance of such areas, functions, and facilities as are not to be provided, operated, or maintained by Flagler County pursuant to written agreement; and,
   - Is binding to successors to title to any commitments made in the application.

5. Provide sketch plan, to scale, with proper orientation, including number and type residential units with topo.

6. This property is subject to Section 3.06.11, A1A Scenic corridor overlay district. Sketch plan required above is to include project perimeter consistent with A1A Scenic corridor overlay criteria.

REVIEWING DEPARTMENT: ENVIRONMENTAL HEALTH DEPT

No comments or objections providing that development will not be serviced by individual septic systems.
**APPLICATION FOR REZONING**

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

Application/Project #: Beachwalk 3/58/2018 080836

<table>
<thead>
<tr>
<th>PROPERTY OWNER(S)</th>
<th></th>
</tr>
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<tbody>
<tr>
<td>Name(s):</td>
<td>LRA Rio, LLC</td>
</tr>
<tr>
<td>Mailing Address:</td>
<td>8390 Champions Gate Blvd</td>
</tr>
<tr>
<td>City: Champions Gate</td>
<td>State: FL</td>
</tr>
<tr>
<td>Telephone Number</td>
<td>c/o Daniel Baker (386)246-5845</td>
</tr>
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<tbody>
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<td>Name(s):</td>
<td>Atlee Development Group, Inc.</td>
</tr>
<tr>
<td>Mailing Address:</td>
<td>5851 Timuquana Rd #301</td>
</tr>
<tr>
<td>City: Jacksonville</td>
<td>State: FL</td>
</tr>
<tr>
<td>Telephone Number</td>
<td>(904)384-6964</td>
</tr>
<tr>
<td>Fax Number</td>
<td>(904)384-3889</td>
</tr>
<tr>
<td>Email Address</td>
<td><a href="mailto:kelly@atleegegroup.net">kelly@atleegegroup.net</a></td>
</tr>
</tbody>
</table>

<table>
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<tr>
<th>SUBJECT PROPERTY</th>
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<tbody>
<tr>
<td>SITE LOCATION (street address):</td>
<td>4931 N Ocean Shore Blvd</td>
</tr>
<tr>
<td>LEGAL DESCRIPTION: (briefly describe, do not use “see attached”)</td>
<td>a part of S40,T10S, R 30E meets &amp; bounds desc</td>
</tr>
<tr>
<td>Parcel # (tax ID #):</td>
<td>40-10-31-5137-000H0-0000</td>
</tr>
<tr>
<td>Parcel Size:</td>
<td>11.57 ac</td>
</tr>
<tr>
<td>Subject to A1A Scenic Corridor IDO?</td>
<td><strong>YES</strong></td>
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<table>
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<tr>
<th>ZONING</th>
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<tbody>
<tr>
<td>PRESENT Zoning Classification:</td>
<td>RC</td>
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<tr>
<td>Present Future Land Use Designation:</td>
<td>11.57</td>
</tr>
<tr>
<td>PROPOSED ZONING CLASSIFICATION:</td>
<td>PUD</td>
</tr>
</tbody>
</table>

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

Signature of Chairman: ________________ Date: ________________

**OFFICIAL USE ONLY**

PLANNING BOARD RECOMMENDATION/ACTION:

*APPROVED with conditions |

Signature of Chairman: ________________ Date: ________________ *approved with conditions, see attached.

BOARD OF COUNTY COMMISSIONERS ACTION:

*APPROVED with conditions |

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. 05/08

Page 1 of 4
SPECIAL WARRANTY DEED

This Special Warranty Deed made the 24th day of October, A.D. 2005, by Victor Galeone, as Bishop of the Diocese of St. Augustine, a corporation sole, whose address is 11625 Old St. Augustine Road, Jacksonville, Florida 32258, hereinafter called grantor, to GINN-LA RIO LTD., L.L.C., a Georgia limited liability limited partnership, whose address is 215 Celebration Place, Suite 200, Celebration, FL 34747, hereinafter called the grantee:

(Wherever used herein the term “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 corporation).

Witnesseth: That the grantor, for and in consideration of TEN DOLLARS ($10.00), and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, that certain land situate in St. Johns County, Florida, viz:

SEE EXHIBIT "A", ATTACHED HERETO AND MADE A PART HEREOF

except taxes accruing subsequent to December 31, 2004.

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 an undivided interest in said land in fee simple; that the grantor has good right and lawful authority to sell and convey its undivided interest in said land; that the grantor hereby fully warrants the title to its undivided interest in said land and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but against none other; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2004.
EXHIBIT "A"

PARCEL 1

THE SOUTH 200 FEET, WHEN MEASURED AT RIGHT ANGLES TO SOUTH LINE THEREOF, OF THAT PART OF SECTION 40, TOWNSHIP 10 SOUTH OF RANGE 31 EAST, LYING EAST OF THE RIGHT OF WAY OF THE OCEAN SHORE BOULEVARD NOW DESIGNATED AS STATE ROAD A1A.

PARCEL 2

BEING A PART OF SECTION 40, TOWNSHIP 10 SOUTH OF RANGE 31 EAST, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT THE SOUTHEAST CORNER OF THE SAID SECTION 40, AS A POINT OF REFERENCE AND RUNNING THENCE NORTH 19°57'45" WEST, ALONG THE EASTERLY BOUNDARY OF THE SAID SECTION 40, A DISTANCE 211.71 FEET, TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 89°11' WEST AND PARALLEL WITH THE SOUTH BOUNDARY OF SAID SECTION 40, A DISTANCE 1049.54 FEET, TO AN INTERSECTION WITH THE EASTERLY BOUNDARY OF THE 50 FOOT RIGHT OF WAY OF STATE ROAD NO. A1A; THENCE NORTH 16°17'27" WEST, ALONG SAID EASTERLY RIGHT OF WAY BOUNDARY, A DISTANCE OF 362.74 FEET; THENCE NORTH 89°11' EAST, A DISTANCE OF 1024.95 FEET, TO AN INTERSECTION WITH THE EASTERLY BOUNDARY OF SAID SECTION 40, THENCE SOUTH 19°57'45" EAST, A DISTANCE OF 370.06 FEET, TO THE POINT OF BEGINNING OF THIS DESCRIPTION.

LESS AND EXCEPT FROM THE FOREGOING ANY PORTION OF THE ABOVE DESCRIBED PROPERTY LYING WITHIN THE ROAD RIGHTS-OF-WAY OF STATE ROAD A1A AND HAMMOCK DUNES PARKWAY, AS REFLECTED ON SURVEY BY AMERICAN SURVEYING & MAPPING, JOB NO. ASM49885, DATED AUGUST 9, 2005. AS REVISED.
Flagler County Board of County Commission  
1769 East Moody Boulevard, Suite 105  
Bunnell, Florida 32110

Agency Authorization Agreement

With respect to the real property described in Exhibit A ("Property"), owned by LRA Rio, LLC ("Grantor"), exercising proper authority, Grantor hereby authorizes Atlee Development Group ("Agent") to act as limited agent on Grantor's behalf, for the sole purposes of making application and processing petitions as specified below (collectively, the "Submissions"): 

a) Planned Unit Development Rezoning  
b) Site Development Plan  
c) Preliminary Plat

Grantor shall be provided with a copy of all applications, correspondence, and communications related to the Submissions. This Agency Authorization Agreement may be terminated by Grantor at its sole discretion at any time. Agent shall have the authority to negotiate and develop agreements related to the Submissions for Grantor’s consideration, but does not have authority to execute orders, agreements, or binding letters on behalf of Grantor, which authority shall at all times remain with Grantor.

Date of execution: August 31, 2018

Printed name of executing party: ACP-Communities, LLC, its Authorized Representative  
By: Daniel Baker

Signature of executing party: [Signature]

Grantor name and address: LRA Rio, LLC  
200 Ocean Crest Drive, Suite 31  
Palm Coast, FL 32137

State of Florida  
County of Flagler

This Agreement was executed on this 31st day of August, 2018 by Daniel Baker, as VP of ACP-Communities, LLC, Authorized Representative of LRA Rio, LLC.

Latisha Jackson  
Notary Public

Name: Latisha Jackson  
My commission expires: 12/22/20  
Affix stamp or seal: [Stamp]
PARCEL 1
THE SOUTH 200 FEET, WHEN MEASURED AT RIGHT ANGLES TO SOUTH LINE THEREOF, OF THAT PART OF
SECTION 40, TOWNSHIP 10 SOUTH OF RANGE 31 EAST, LYING EAST OF THE RIGHT OF WAY OF THE OCEAN
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REFLECTED ON SURVEY BY AMERICAN SURVEYING & MAPPING, JOB NO. ASM49885, DATED AUGUST 9,
2005, AS REVISED.
Distribution date:  Friday, October 12, 2018

Project #: 2018100011

Application #: 3158

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: FIRE INSPECTOR

No comments at this time

REVIEWING DEPARTMENT: PLANNING DEPARTMENT

1. There is a discrepancy in total project acreage between Property Appraiser records, submitted survey information, and the site plan: please verify and correct as needed.

2. Label open space areas on PUD site development plan.

3. Identify location of signs/entry feature on PUD site development plan.

4. Roadway tract should be privately maintained; as proposed, roadway is intended to be public with public maintenance. Acceptance of public maintenance requires Board approval at time of platting.

5. Remove reference to flag lots in Notes: minimum lot width to be measured at minimum front setback line (not based on roadway frontage).

6. Is the intended maximum height two stories above a garage? Typical height limit is 35 feet. If intent is to limit height to not more than two stories, the text should be something similar to: maximum height: two stories above garage, not to exceed 35 feet in height.

7. A five-foot wide sidewalk should be shown on the PUD site development plan along the South portion of the project boundary running within the Jungle Hut Road right-of-way from the multiuse path along the East side of State Road A1A and connecting to the multiuse path along the West side of Hammock Dunes Parkway, to be installed as part of the Beachwalk subdivision improvements.

REVIEWING DEPARTMENT: ENVIRONMENTAL HEALTH DEPT

No comments or objections providing that development will not be serviced by individual septic systems.

REVIEWING DEPARTMENT: DEVELOPMENT ENGINEERING

Development Engineer review comments on Site Dev Plan in PUD
TRC Comments 10/11/18 - SDP in a PUD

Beachwalk

1. The property area on the survey appears to include the excluded areas on the east and west side. Verify the acreage of the property shown on the survey is just the property owned.

2. There is a watermain inside the property that will need to be relocated.

3. The plan indicates that the stormwater will discharge onto the adjacent property. The survey indicates that the property drains to the east not onto the property to the north. It seems that
the pond would serve better if it were located at the discharge point.

4. Has the City of Palm Coast approved this plan?  If tract A could be relocated to along the west property line it would save running FM down Jungle Hut road.

Provide site grading plans.

5. Finished floor elevation must meet the LDC requirements.

6. Roads must be built per County standards.

7. Based on the plans submitted, there will not be sufficient area in the side yards for drainage, no mechanical equipment will be permitted in the side yard.

Further comments may be generated with future submittals.

REVIEWING DEPARTMENT: COUNTY ATTORNEY

County Attorney review comments on Site Dev Plan in a PUD

This project must be presented to A1A PRIDE for its recommendation.

The high density appears incompatible with nearby parcels that have been developed. There should be some comparative analysis of nearby densities. Ultimately, the proposed PUD must comply with the purposes of Zoning District Regulations and the Comp Plan. A PUD cannot be used as a vehicle to bypass density regulations otherwise required by zoning regulations or the Comp Plan. See Land Development Code, Sections 3.04.01.B and 3.04.02.E.

REVIEWING DEPARTMENT: E-911 STAFF

Site Development Plan Review PUD by E-911 addressing

1.) Please correct the parcel number for the project. I believe it should be 40-10-31-5137-000H0-0000, not 5167.

2.) The Heritages Services Report has inconsistencies in the geographic location of the surrounding roads. Probably does not matter.

3.) Will the developer be submitting a road name request or will the county be naming it? Typically NENA standards want a new road name with a 90 degree turn. Will they be naming each segment differently or is this proposed to be a loop?

4.) The drainage in the northeast corner of the property, is that flowing into Pond 1 on Tract B or out of? If out, where is it flowing to?
## APPLICATION FOR SITE DEVELOPMENT

**PLAN REVIEW IN A PUD**

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

Application/Project #: 3158 / 2018/00 011

<table>
<thead>
<tr>
<th>PROPERTY OWNER(S)</th>
<th>Name(s): LRA Rio, LLC</th>
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<tbody>
<tr>
<td>Mailing Address:</td>
<td>8390 Champions Gate Blvd</td>
</tr>
<tr>
<td>City: Gate</td>
<td>State: FL Zip: 33896</td>
</tr>
<tr>
<td>Telephone Number</td>
<td>c/o Daniel Baker 386-246-5845 Fax Number</td>
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<th>APPLICANT / AGENT</th>
<th>Name(s): Atlee Development Group, Inc.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mailing Address:</td>
<td>5851 Timuquana Rd # 301</td>
</tr>
<tr>
<td>City: Jacksonville</td>
<td>State: FL Zip: 32210</td>
</tr>
<tr>
<td>Telephone Number</td>
<td>904-384-6964 Fax Number</td>
</tr>
<tr>
<td>Email Address:</td>
<td><a href="mailto:kelly@atleevelopment.net">kelly@atleevelopment.net</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SITE LOCATION (street address):</th>
<th>4931 N Ocean Shore Blvd.</th>
</tr>
</thead>
<tbody>
<tr>
<td>LEGAL DESCRIPTION: (briefly describe, do not use &quot;see attached&quot;)</td>
<td>a part of S40, T10S R30E meets &amp; bounds description</td>
</tr>
<tr>
<td>Parcel # (tax ID #):</td>
<td>40-10-31-577-000H0-0000</td>
</tr>
<tr>
<td>Parcel Size:</td>
<td>12.44 acres</td>
</tr>
<tr>
<td>Current Zoning Classification:</td>
<td>RC</td>
</tr>
<tr>
<td>Current Future Land Use Designation:</td>
<td>Mixed use low density</td>
</tr>
<tr>
<td>Subject to A1A Scenic Corridor IDO?</td>
<td>☑ YES ☐ NO</td>
</tr>
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</table>

### PURPOSE OF SUBMISSION / PROJECT DATA:

To obtain a PUD that allows the lot sizes and setbacks requested since there is no current zoning to accommodate the minor variances requested.

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

10/02/18 Date

**OFFICIAL USE ONLY**

<table>
<thead>
<tr>
<th>PLANNING BOARD RECOMMENDATION/ACTION:</th>
<th>APPROVED [ ] *APPROVED WITH CONDITIONS [ ] DENIED [ ]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Signature of Chairman:</td>
<td></td>
</tr>
<tr>
<td>Date:</td>
<td>*approved with conditions, see attached.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>BOARD OF COUNTY COMMISSIONERS ACTION:</th>
<th>APPROVED [ ] *APPROVED WITH CONDITIONS [ ] DENIED [ ]</th>
</tr>
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<td>Signature of Chairman:</td>
<td></td>
</tr>
<tr>
<td>Date:</td>
<td>*approved with conditions, see attached.</td>
</tr>
</tbody>
</table>

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. 05/08

Page 1 of 3
SPACIAL WARRANTY DEED

This Special Warranty Deed made the 14th day of October, A.D. 2005, by Victor Galeone as Bishop of the Diocese of St. Augustine, a corporation sole, whose address is 11625 Old St. Augustine Road, Jacksonville, Florida 32258, hereinafter called grantor, to GINN-LA RIO LTD., LLC, a Georgia limited liability limited partnership, whose address is 215 Celebration Place, Suite 200, Celebration, FL 34747, hereinafter called the grantee:

(Wherever used herein the term "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 corporation).

Witnesseth: That the grantor, for and in consideration of TEN DOLLARS ($10.00), and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, that certain land situate in St. Johns County, Florida, viz:

SEE EXHIBIT "A", ATTACHED HERETO AND MADE A PART HEREOF

except taxes accruing subsequent to December 31, 2004.

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 and agrees said grantee that the grantor is lawfully seized of an undivided interest in said land in fee simple, that the grantor has good right and lawful authority to sell and convey its undivided interest in said land; that the grantor hereby fully warrants the title to its undivided interest in said land and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but against none other; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2004.
IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered
in our presence:

Judy T. Pinson  
Witness

Print Name

Nancy G. Madden  
Witness

Print Name

Victor Galeone, as Bishop of  
The Diocese of St. Augustine

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 14th day of October, 2005, by Victor Galeone as Bishop of the Diocese of St. Augustine, a corporation sole, who is personally known to me or who produced as identification and who did/did not take an oath.

Judy T. Pinson  
Notary Public

(Seal)

UNOFFICIAL DOCUMENT
EXHIBIT "A"

PARCEL 1

THE SOUTH 260 FEET, WHEN MEASURED AT RIGHT ANGLES TO SOUTH LINE THEREOF, OF THAT PART OF SECTION 40, TOWNSHIP 10 SOUTH OF RANGE 31 EAST, LYING EAST OF THE RIGHT OF WAY OF THE OCEAN SHORE BOULEVARD NOW DESIGNATED AS STATE ROAD A1A.

PARCEL 2

BEING A PART OF SECTION 40, TOWNSHIP 10 SOUTH OF RANGE 31 EAST, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT THE SOUTHEAST CORNER OF THE SAID SECTION 40, AS A POINT OF REFERENCE AND RUNNING THENCE NORTH 19°57'45" WEST, ALONG THE EASTERLY BOUNDARY OF THE SAID SECTION 40, A DISTANCE 211.71 FEET, TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 89'11" WEST AND PARALLEL WITH THE SOUTH BOUNDARY OF SAID SECTION 40, A DISTANCE 1049.94 FEET, TO AN INTERSECTION WITH THE EASTERLY BOUNDARY OF THE 50 FOOT RIGHT OF WAY OF STATE ROAD NO. A1A; THENCE NORTH 16°17'27" WEST, ALONG SAID EASTERLY RIGHT OF WAY BOUNDARY, A DISTANCE OF 362.74 FEET, THENCE NORTH 89'11" EAST, A DISTANCE OF 1024.95 FEET, TO AN INTERSECTION WITH THE EASTERLY BOUNDARY OF SAID SECTION 40, THENCE SOUTH 19°57'45" EAST, A DISTANCE OF 370.06 FEET, TO THE POINT OF BEGINNING OF THIS DESCRIPTION.

LESS AND EXCEPT FROM THE FOREGOING, ANY PORTION OF THE ABOVE DESCRIBED PROPERTY LYING WITHIN THE ROAD RIGHTS-OF-WAY OF STATE ROAD A1A AND HAMMOCK DUNES PARKWAY, AS REFLECTED ON SURVEY BY AMERICAN SURVEYING & MAPPING, JOB NO. ASM49885, DATED AUGUST 9, 2005, AS REVISED.
Flagler County Board of County Commission  
1769 East Moody Boulevards, Suite 105  
Bunnell, Florida 32110

Agency Authorization Agreement

With respect to the real property described in Exhibit A ("Property"), owned by LRA Rio, LLC ("Grantor"), exercising proper authority, Grantor hereby authorizes Atlee Development Group ("Agent") to act as limited agent on Grantor's behalf, for the sole purposes of making application and processing petitions as specified below (collectively, the "Submissions"):

a) Planned Unit Development Rezoning  
b) Site Development Plan  
c) Preliminary Plat

Grantor shall be provided with a copy of all applications, correspondence, and communications related to the Submissions. This Agency Authorization Agreement may be terminated by Grantor at its sole discretion at any time. Agent shall have the authority to negotiate and develop agreements related to the Submissions for Grantor's consideration, but does not have authority to execute orders, agreements, or binding letters on behalf of Grantor, which authority shall at all times remain with Grantor.

Date of execution:  
August 4, 2018

Printed name of executing party:  
ACP-Communities, LLC,  
its Authorized Representative

By: Daniel Baker

Signature of executing party:

Grantor name and address:  
LRA Rio, LLC  
200 Ocean Crest Drive, Suite 31  
Palm Coast, FL 32137

State of Florida  
County of Flagler

This Agreement was executed on this 14th day of August, 2018 by Daniel Baker, as VP of ACP-Communities, LLC, Authorized Representative of LRA Rio, LLC.

Latisha Jackson  
Notary Public

Name: Latisha Jackson

My commission expires: 12/22/20  
Affix stamp or seal: Latisha Jackson  
Commission # GG175165  
Expires: December 22, 2020  
Bonded thru Aaron Notary
PARCEL 1
THE SOUTH 200 FEET, WHEN MEASURED AT RIGHT ANGLES TO SOUTH LINE THEREOF, OF THAT PART OF SECTION 40, TOWNSHIP 10 SOUTH OF RANGE 31 EAST, LYING EAST OF THE RIGHT OF WAY OF THE OCEAN SHORE BOULEVARD NOW DESIGNATED AS STATE ROAD A1A.

PARCEL 2
BEING A PART OF SECTION 40, TOWNSHIP 10 SOUTH OF RANGE 31 EAST, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT THE SOUTHEAST CORNER OF THE SAID SECTION 40, AS A POINT OF REFERENCE AND RUNNING THENCE NORTH 19°57'45" WEST, ALONG THE EASTERLY BOUNDARY OF THE SAID SECTION 40, A DISTANCE 211.71 FEET, TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 89°11' WEST AND PARALLEL WITH THE SOUTH BOUNDARY OF SAID SECTION 40, A DISTANCE 1049.54 FEET, TO AN INTERSECTION WITH THE EASTERLY BOUNDARY OF THE 50 FOOT RIGHT OF WAY OF STATE ROAD NO. A1A; THENCE NORTH 16°17'27" WEST, ALONG SAID EASTERLY RIGHT OF WAY BOUNDARY, A DISTANCE OF 362.74 FEET; THENCE NORTH 89°11' EAST, A DISTANCE OF 1024.95 FEET, TO AN INTERSECTION WITH THE EASTERLY BOUNDARY OF SAID SECTION 40; THENCE SOUTH 19°57'45" EAST, A DISTANCE OF 370.06 FEET, TO THE POINT OF BEGINNING OF THIS DESCRIPTION.

LESS AND EXCEPT FROM THE FOREGOING ANY PORTION OF THE ABOVE DESCRIBED PROPERTY LYING WITHIN THE ROAD RIGHTS-OF-WAY OF STATE ROAD A1A AND HAMMOCK DUNES PARKWAY, AS REFLECTED ON SURVEY BY AMERICAN SURVEYING & MAPPING, JOB NO. ASM49885, DATED AUGUST 9, 2005, AS REVISED.
Phase I Cultural Resource Assessment Survey of the Beachwalk Development Parcel
Flagler County, Florida

Executive Summary

Heritage Cultural Services, LLC, an archaeological consulting firm located in St. Augustine, Florida, is currently completing a comprehensive Phase I cultural resource assessment survey of the 12.51-acre Beachwalk development parcel located in northeast Flagler County, Florida. The survey is being conducted for and at the request of the Atlee Development Group, Inc., Jacksonville, Florida.

The archaeological survey is being performed in anticipation of permitting agency requirements set forth in State cultural resource provisions contained in Section 380.06, Chapters 267 and 373, Florida Statutes. The purpose of the archaeological investigations is to locate any archaeological and/or historical sites within the project area and to assess their potential eligibility for nomination to the National Register of Historic Places. The authority for this procedure is Section 106 of the National Historic Preservation Act of 1966 (Public Law 89-665) as amended, and 36 CFR Part 800: Protection of Historic Properties. The resulting report of investigations is designed to provide the Division of Historical Resources, Florida Department of State, and, if necessary, Flagler County, with information resulting from the subject cultural resource assessment survey for their review in regard to potential impact of the proposed development on historical and archaeological sites. The State Historic Preservation Office (SHPO) advises Federal agencies as they identify historic properties (listed or eligible for listing in the National Register of Historic Places), assess effects upon them, and consider alternatives to avoid or minimize adverse effects.

The 12.51-acre Beachwalk development parcel is located at 4951 North Oceanshore Boulevard (Highway A1A) just north of the city limits of Palm Coast in Section 37, Township 11 South, Range 31 East. In general, the parcel is bounded to the east by North Oceanshore Boulevard, to the north by Hammock Commercial Drive, to the west by Hammock Dunes Parkway, and to the south by Jungle Hut Road. These project perimeters bound the Area of Potential Effect (APE) as defined by Section 106 of the National Historic Preservation Act of 1966 (Public Law 89-665) as amended.

A search of the Florida Master Site File (FMSF), Florida Division of Historical Resources, Tallahassee (August 29, 2018), revealed the presence of archaeological and historical sites in and around the Beachwalk development parcel. For reference, the FMSF provides rosters of archaeological and historical sites, as well as previous cultural resource assessment surveys conducted in the surrounding areas. This database was examined thoroughly to identify any cultural resources that may be located in the study area and to develop a project-specific site predictive model as part of a comprehensive research design.
The background research for the project included the examination of topographic, survey, tax appraiser, early county maps and historic aerals for evidence of historic activity. In particular, no historic structures or related sites could be discerned from 1943 and 1952 aerial photographs. The Hernandez Grant documents were examined for possible on-site structures and activity in that the subject parcel is located approximately two miles south of Mala Compra at Bing’s Landing.

Archaeological investigations across the 12.51 Beachwalk development parcel thus far have identified one new site, the Jungle Hut Roadside Attraction (8FL0970), and reexamined an existing site, the Jungle Hut prehistoric shell midden (8FL24). The Jungle Hut attraction site is evidenced by the remnants of a concrete foundation and pump reservoir that were once part of a popular roadside attraction that operated in the late 1950s and 1960s. It was abandoned sometime in the 1970s.

The prehistoric shell midden was recorded by state archaeologist James Miller in 1979 as part of a comprehensive survey for Palm Coast. The coquina midden measures ca. 70 north-south by 60 meters east-west and is located in the southwest corner of the property. A good part of the original site was destroyed when A1A and Jungle Hut Road were constructed. The midden is approximately 60 centimeters deep and is composed almost entirely of coquina shell. Few artifacts and pieces of animal bone were observed during test excavations.

Neither site retains the archaeological integrity to make it eligible for listing on the National Register of Historic Places, the criteria by which site significance is measured by the Florida Division of Historical Resources.

Archaeological investigations and a final report will be completed by the first part of October 2018.
### Archaeological Site Form

**FLORIDA MASTER SITE FILE**

**Version 4.0 1/07**

**Site Name(s):** Jungle Hut Roadside Attraction  
**Multiple Listing (DHR only):**

**Project Name:** Beachwalk Development  
**CRAS** Survey (DHR only)

**Ownership:**
- [ ] private-profit
- [ ] private-nonprofit
- [ ] private-individual
- [ ] private-non-specific
- [ ] state
- [ ] native
- [ ] federal
- [ ] native-american
- [ ] foreign
- [ ] unknown

**LOCATION & MAPPING**

- **USGS 7.5 Map Name:** BEVERLY BEACH  
- **USGS Date:** 1970

<table>
<thead>
<tr>
<th>City/Town (within 3 miles)</th>
<th>Palm Coast</th>
</tr>
</thead>
</table>
| In City Limits? | [ ] Yes  
- [ ] No  
- [ ] Unknown |
| County | Flagler |

- **Township:** 118  
- **Range:** 31E  
- **Section:** 37  
- **Quarter section:** NW  
- **SW  
- [ ] SE  
- [ ] NE  
- [ ] Irregular-name

- **Land Grant:**  
- **Tax Parcel #:**

- **UTM Coordinates:**  
  - **Zone:** 16E  
  - **Easting:**  
  - **Northing:**

- **Other Coordinates:** X Y  
  - **Coordinate System & Datum:**

- **Address / Vicinity / Route to:**  
  - 4931 North Ocean Shore Boulevard (Highway A1A)

**Name of Public Tract (e.g. park):** Jungle Hut Trail Loop to immediate north

### TYPE OF SITE (select all that apply)

| Land (terrestrial) | Wetland (palustrine) |
| Lake/Pond (lacustrine) | Usually flooded |
| River/Stream/Creek (rivers) | Usually dry |
| Tidal (estuarine) | Cave/Sink (subterranean) |
| Saltwater (marine) | Terrestrial |
| Aquatic |

**FUNCTION**
- [ ] log boat  
- [ ] fort  
- [ ] road segment  
- [ ] port  
- [ ] midden  
- [ ] shell midden  
- [ ] shell mound  
- [ ] building remains |
| [ ] burial mound  
- [ ] mill |
| [ ] building remains  
- [ ] mission  
- [ ] shipwreck  
- [ ] mound, non-specific |
| [ ] cemetery/grave  
- [ ] surface features  
- [ ] surface scatter  
- [ ] well |
| [ ] monument  
- [ ] cultivation  
- [ ] town historic  
- [ ] quarry |

### CULTURE PERIODS (select all that apply)

- [ ] Aboriginal  
- [ ] Euro-American  
- [ ] Native American  
- [ ] Foreign

**ABORIGINAL**
- [Englewood]  
- [Manasota]  
- [St Johns (non-specific)]  
- [St Johns I]  
- [Swift Creek (non-specific)]  
- [St Johns II]  
- [Swift Creek Early]  
- [Transitional]  
- [Weeden Island (non-specific)]  
- [Weeden Island I]  
- [Weeden Island II]  
- [Prehistoric (non-specific)]  
- [Prehistoric non ceramic]  
- [Prehistoric ceramic]

**NON-ABORIGINAL**
- [First Spanish 1513-99]  
- [First Spanish 1800-99]  
- [First Spanish 1700-1783]  
- [First Spanish 1783-1821]  
- [American 1821-1861]  
- [American 1861-1900]  
- [American 19th Century]  
- [American 20th Century]

**Other Cultures (Choose from the list or type a response):**

1. Sawmill, c. 1950
2.  
3.  
4.  

### OPINION OF RESOURCE SIGNIFICANCE

- [ ] Potentially eligible individually for National Register of Historic Places?  
- [ ] Yes  
- [ ] No  
- [ ] Insufficient information

- [ ] Potentially eligible as a contributor to a National Register district?  
- [ ] Yes  
- [ ] No  
- [ ] Insufficient information

**Explanation of Evaluation (required if evaluated; use separate sheet if needed):**

Jungle Hut was a roadside attraction that operated in the 1950s and 1960s. It was abandoned in the early 1970s. Remnants include a concrete slab and a sump pump reservoir. Site integrity has been greatly compromised.

**Recommendations for Owner or SHPO Action:** No further action

### DHR USE ONLY

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<tr>
<th>DHR USE ONLY</th>
<th>OFFICIAL EVALUATION</th>
<th>DHR USE ONLY</th>
</tr>
</thead>
</table>
| SHPO - Appears to meet criteria for NR listing | [ ] Yes  
- [ ] No  
- [ ] Insufficient info |
| KEEPER - Determined eligible | [ ] Yes  
- [ ] No |
| NR Criterias for Evaluation: |  
- [ ] a  
- [ ] b  
- [ ] c  
- [ ] d |
| [ ] Owner Objection |

**Date**

HRSE045R0107 Florida Master Site File / Div. of Historical Resources / R. A. Gray Bldg / 500 S Bronough St., Tallahassee, FL 32399-0250  
Phone (850) 245-6440 / Fax (850) 245-6439 / E-mail Sitefile@dos.state.fl.us
ARCHAEOLOGICAL SITE FORM
Site #8 FL0970

FIELD METHODS (select all that apply)

- no field check
- literature search
- informant report
- remote sensing
- exposed ground
- posthole tests
- auger tests
- exposed shovel
- screened shovel-1/4" screen
- screened shovel-1/8"
- informant report
- shallow test pits (screened through 1/4" mesh);
  intensive surface investigation and collection

SITE DESCRIPTION

Extent Size (m²) 5
Depth stratigraphy of cultural deposit Surface

Temporal Interpretation - Components (check one):
- single component
- multiple component
- uncertain

Describe each occupation in plan (refer to attached large scale map) and stratigraphically discuss temporal and functional interpretations:
Mid 20th century operation

Integrity - Overall disturbance
- none seen
- minor
- substantial
- minor or redeposited
- destroyed-document
- unknown

Disturbances / threats / protective measures
Attraction abandoned in the 1970s and had since disappeared. Remnants include concrete foundations and pumped reservoir.

Surface collection area collected 40 m²
# collection units 5
Excavation # noncontiguous blocks

ARTIFACTS

Total Artifacts # 7
Count Estimate

COLLECTION SELECTIVITY
- unknown
- unselective (all artifacts)
- selective (some artifacts)
- mixed selectivity

SPATIAL CONTROL
- uncollected
- general (not by subarea)
- unknown
- controlled (by subarea)
- variable spatial control
- other (describe in comments below)

ARTIFACT CATEGORIES and DISPOSITIONS

A - Glass
A - Nonaboriginal ceramics
0 - Building materials/brick
A - Metal

 select a disposition from the list below for each artifact category selected at left
A - category always collected
S - some items in category collected
O - observed first hand, but not collected
R - collected and subsequently lost at site
I - informant reported category present
U - unknown

Artifact Comments: Five artifacts (two ironstone fragments, three glass sherds) observed on surface of area.

DIAGNOSTICS (type or mode, and frequency: e.g., Suwanee ppk, heat-treated chert, Depford Check-stamped, ironstone/whiteware)

1 20th century metal building material N= 12
2 Glass N= 7
3 Ceramics N= 6

ENVIRONMENT

Nearest fresh water Type River Name Intracoastal Distance from site (m) 200
Natural community SHORELINE HAMMOCK Topography Dune coastal Elevation Min m Max 20 m
Local vegetation Coastal Hardwood/Palm Hammock
Present land use None
SCS soil series Pomello, Myakka
Soil association

DOCUMENTATION

Accessible Documentation Not Filed with the Site File - including field notes, analysis notes, photos, plans and other important documents

1) Document type All materials at one location Maintaining organization Heritage Services, Inc.
   Document description File or accession #5

2) Document type Maintaining organization
   Document description File or accession #5

RECORDER & INFORMANT INFORMATION

Informant Information
Name Dana Ste. Claire
Address/Phone/E-mail 904.669.5318

Recorder Information
Name Dana Ste. Claire, M.A., RPA
Affiliation Heritage Services, Inc.
Address/Phone/E-mail 820 Turtle Lake Ct., Ponte Vedra, FL 32082; heritage@rrvcs@aol.com; 904.669.5318

Required Attachments
1) PHOTOCOPY OF 7.5' USGS QUAD MAP WITH SITE BOUNDARIES MARKED and SITE PLAN
Plan at 1:3,600 or larger. Show boundaries, scale, north arrow, test/collection units, landmarks and date.
Site Development Plan Review in a PUD
Attachment

3.04.03 B. Submittal requirements

2.(h) The Beachwalk property is a proposed single family residential subdivision within unincorporated Flagler County with a PUD zoning. The project is located at the northeast corner of the intersection of Jungle Hut Road and A1A, west of Hammock Dunes Pkwy and encompasses roughly 12.4 acres. Trip generation calculations have been conducted according to the ITE 8th Edition. A land use designation for single family homes used for the calculations which is equivalent to an ITE Code of 210. As demonstrated in the table below, the project proposes to generate a total of 517 daily trips, of which 55 of those are projected to be during the PM Peak Hour. Access to the sight will be provided via a new driveway of Jungle Hut Road with an emergency access location being provided to A1A near the northwest corner of the project site.

<table>
<thead>
<tr>
<th>Description / ITE Code</th>
<th>Units</th>
<th>Rate Weekday Traffic</th>
<th>PM Peak Period Rate</th>
<th>% PM In</th>
<th>% PM Out</th>
<th>Expected Units</th>
<th>Calculated Daily Trips</th>
<th>PM Peak Trips Total</th>
<th>PM In</th>
<th>PM Out</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family Home - 210</td>
<td>DU</td>
<td>9.57</td>
<td>1.01</td>
<td>63%</td>
<td>37%</td>
<td>54</td>
<td>517</td>
<td>55</td>
<td>34</td>
<td>20</td>
</tr>
</tbody>
</table>

(k) The Westerly boundary is A1A which is protected by the required 20' wide Scenic Highway designation as shown on the site plan. This area is densely vegetated with large trees and undergrowth. Jungle Hut Road is also included in the required buffer area. To the North is a stagnant commercial project. To the East is a parkway with sidewalk and tree canopy that helps protect the subject site from viewing the WWTP directly to the East of the site.

3. In addition to what is shown on the utility plan, the project Engineer, Brett Witte from Singhoffen is working with our office and the City of Palm Coast on the application package for the service extension. The offsite southerly 3600’ right-of-way surveying is being finished this week and we should be able to complete the off-site Engineering and submit the application package to the City of Palm Coast within the next 2 weeks. The City of Palm Coast has expressed a willingness to cost share on the additional expenses associated with upsizing from a 4”-6” line to a 12” line and the upsizing of the force main. Others will have the availability to tie in later. Atlee Development Group and/or its assigns bears the cost of surveying and engineering now and the City will work out terms once the completed application package is submitted and reviewed.
4 and 5. The development will be single family detached units all developed in one phase. A Home Owners Association will be responsible for the areas that are designated as common areas within the development. The common area parcels will be deeded to the Association, after the plat is recorded. Covenants and Restrictions will be recorded for the development and the Association will be managed by a Community Association Management Company to maintain community standards.

6. Fire protection will be provided by City of Palm Coast via city water with the required fire hydrants spaced in accordance with code. The roads will be constructed to required standards, accepted and dedicated as public right-of-ways. The lift station will be dedicated to the City of Palm Coast.

7. The Developer shall contribute towards new playground or work out equipment to the Jungle Hut park across the street. The Developer is contributing to the community in cost sharing with the City of Palm Coast is providing availability of sewer to others along the 3600’ of sewer line extension.

8. The new homes will range from 1800 – 2600+ square feet to maintain high community standards. Currently there is one builder for all fifty-four single family homesites to maintain community aesthetics. Floorplans are provided for your reference. Community pricing shall range from the high $300’s to the mid $400’s.

9. I have attached a copy of the Executive Summary from the Cultural Resource Study which will be completed within the next week or so.
FEATURES:

- **1810 Sq. Ft.**
- 1 Story Home
- 3 to 4 Bedrooms
- 2 Baths
- 2 Car Garage
- Opt. 3 Car Garage
- Opt. Gourmet Kitchen
- Opt. Study/BR4 (± 140 SQ. FT.)

---

**Main Level**

- Master Bedroom
- Great Room
- Dining
- Study/BR4
- Kitchen
- 2 Car Garage
- Bath
- Bedroom 2
- Bedroom 3
- Entry
- Porch

---

**Optional**

- Deluxe Master Bath
- MBA Walk-in Shower
- Gourmet Kitchen
- Optional Kitchen #2
- Laundry
- Study
- Optional Bedroom 4

---

**Arlington**

Landmark Collection

---

**Prices will range from High $300's to Mid $400's**

1800-2600 sf.

---

**RICHMOND AMERICAN HOMES**

11/7/2016
Augusta

Features:
- 1967 Sq. Ft.
- 1 Story Home
- 3 to 4 Bedrooms
- 2 Baths
- 2 CAR GARAGE W/ STORAGE
- OPT GOURMET KITCHEN
- OPT KITCHEN #2
- OPT 3 CAR GARAGE

Main Level
- Master Bedroom
- Master Bath
- Covered Patio
- Dining
- Great Room
- Kitchen
- Laundry
- Bedroom 3/ Opt. Study
- Entry
- Bath 2
- Bedroom 2
- Cov. Entry

Optional Study
- Optional Kitchen #2
- Optional Gourmet Kitchen

Optional Club Room
- Optional Bedroom 4

Optional Deluxe Master Bath
- Opt. MBA Walk-in Shower
- Coverd Patio
- Club Room
- Dining

Optional Bedroom 4

4/26/2017
Features:

- 2222 Sq. Ft.
- 1 Story Home
- 3 to 5 Bedrooms
- 2 Baths
- 2 Car Garage w/ Storage
- Opt. Gourmet Kitchen
- Opt. 3 Car Garage
- Opt. Guest Suite

Optional Bedroom 4/Bath 3

Optional Dining

Optional Guest Suite

Optional Tech

Optional Butler's Pantry
Raleigh
Landmark Series

Elevation A

Elevation B

Elevation C

Elevation K

Elevation L

Elevation M

RICHMOND
AMERICAN HOMES
Hawthorne

Features:
- 2,472 Sq. Ft.
- Ranch Home
- 3 to 4 Bedrooms
- 3 Baths
- Bonus Room
- 2 Car Garage
- Opt. 3-Car Garage
- Opt. Gourmet Kitchen
- Opt. Sunroom
  - 204 SQ. FT
- Opt. Study

Main Level
- Master Bedroom
- Kitchen
- Dining
- Bedroom 3
- Bedroom 2
- Entry
- Cov'd Entry
- 2 Car Garage

Sunroom
- Opt. Sunroom

Opt. Gourmet Kitchen
- Opt. Gourmet Kitchen

Study
- Opt. Study

Bedroom 4
- Opt. Bedroom 4

Master Bedroom
- Opt. Deluxe Master Bath

Opt. MBA Walk-in Shower
- Opt. MBA Walk-in Shower

RICHMOND
AMERICAN HOMES
Appleby

Features:
- 2453 Sq. Ft.
- 2 Story Home
- 3 to 4 Bedrooms
- 3 Baths
- 2 Car Garage
- Opt. 3 Car Garage
- Opt. Gourmet Kitchen

Main Level
- Master Bedroom
- Great Room
- Nook
- Covered Entry
- Bedroom 2
- Bath Entry
- Ext. Entry
- Laundry

Upper Level Bonus Room
- Bonus Room/Opt. BR5/Opt. BA3
- Bedroom 4
- Bath 3

Upper Level
- Bedroom 5
- Bath 3
- Storage
- Opt. Bedroom 5/Bath 3

Gourmet Kitchen
- Opt. Gourmet Kitchen
- Opt. MBA Walk-in Shower
- Opt. Deluxe Master Bath

RICHMOND
AMERICAN HOMES

2/20/2018
BRONSON

Features:
- 2588 Sq. Ft.
- 2 Story Home
- 4 Bedrooms
  (Std. MBR 2)
- 3 1/2 Baths
- 2 Car Garage
- Opt. 3 Car Garage

Main Level

Optional Gourmet Kitchen

Optional Deluxe Master Bath

Optional MBA Walk-In Shower

Upper Level
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: BUILDING DEPARTMENT
At least 2 accessible parking spaces will be required per section 208.2 Florida Building Code - Accessibility. Please clarify the total number of parking spaces to be utilized.

REVIEWING DEPARTMENT: E-911 STAFF
No comments at this time.

REVIEWING DEPARTMENT: DEVELOPMENT ENGINEERING
Captains Bait Tackle & BBQ
Comments 10/10/18

1. Provide a demo plan.
2. Provide a proposed site development plan that depicts any existing features that will be incorporated into the plan as well as all of the proposed improvements.
3. Identify the building entrances and which will be ADA compliant.
4. Confirm that the City of Palm Coast has been notified that these changes are going to be made.
5. Will you be connecting to the existing septic system or is a new one planned?
6. Define all of the existing and proposed parking spaces on a table.
7. All Handicap spaces that are required for the building will need to be concrete and have accessibility to the building.
8. Specifically define the building and what the square footage called out on the plan is defining.
9. Provide the square footage of the existing building.
10. Provide the proposed finished floor elevation for the building.
11. Provide a grading and dimensioning plan.
12. What will be the proposed pervious surface in the parking area.

Further comments may be provided upon receipt of revised plans.

REVIEWING DEPARTMENT: COUNTY ATTORNEY
No comments at this time.

REVIEWING DEPARTMENT: FIRE INSPECTOR
No comments at this time.

REVIEWING DEPARTMENT: PLANNING DEPARTMENT
1. The site plan submittal should include as part of its data table: current and proposed impervious areas (as best these can be calculated); the square footage of the current building and the square footage of the proposed building, including the square footage of the present seating area and proposed seating area; the number of current and the number of proposed seats; and the number of current parking spaces (including those parking spaces at the North end of the Park) and the number of proposed parking spaces.

2. Provide square footage of proposed porch.

3. Label dimensions of building.

4. Provide dimensions of parking spaces (can be depicted on one space as typical).

5. Handicapped-accessible parking spaces should be located along the closest accessible route to the building entrance.

6. Are parking spaces intended to be pervious? Label proposed surface treatment for parking.

7. Verify the aisle width of the new 16 space parking area South of the proposed building: minimum aisle width should be 24 feet, but this width appears to scale at 20 feet.

8. Identify the solid line to the right of the South entrance of the proposed building; is this a sign? If so, provide dimensions and maximum sign copy area.

9. Depending on the finished floor elevation of the proposed building (requiring elevation of the finished floor to be a minimum of one foot above the base flood elevation), a ramp meeting the requirements of Section 405 of the 2017 Florida Building Code - Accessibility, Sixth Edition, may be needed.

10. Proposed signs should be depicted on the site plan, along with proposed refuse areas.

11. An index tree data table should be provided for index trees within the development area, identifying the current and proposed tree tabulation by type and diameter of each tree and the proposed post-construction tabulation of index trees to be removed. If any trees are to be added, provide the number and type in a data table, along with depicting the planting location on the site plan.

12. Site plan requires review and comment by Scenic A1A PRIDE Committee.

REVIEWING DEPARTMENT: ENVIRONMENTAL HEALTH DEPT
1- Existing septic system currently at maximum capacity. If seating capacity increases, a new septic system meeting current 64E-6 FAC code requirements will be required.

2- An Annual Operating Permit will continue to be required due to the generation of commercial wastewater.
APPLICATION FOR SITE DEVELOPMENT PLAN
5 ACRES OR LARGER

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

Application/Project #: 3156 / 2018090035

PROPERTY OWNER(S)
Name(s): 1769 E. Moody Blvd., Bldg. 2, Suite 302
Mailing Address: 1769 E. Moody Blvd., Bldg. 2, Suite 302
City: Bunnell State: Florida Zip: 32110
Telephone Number (386) 313-4001 Fax Number (386) 313-4104

APPLICANT - AGENT
Name(s): Captain's Bait, Tackle & BBQ, LLC C/O Jay W. Livingston, Esq., Livingston & Sword P
Mailing Address: 393 Palm Coast Parkway SW #1
City: Palm Coast State: Florida Zip: 32137
Telephone Number (386) 439-2945 Fax Number (866) 896-5573
Email Address jay.livingston314@gmail.com

SITE LOCATION (street address):
5862 N. Ocean Shore Blvd., Palm Coast, Florida 32137

LEGAL DESCRIPTION:
Jose Park Sub - Lots 18 thru 23

Parcel # (tax ID #):
40-10-31-3150-00000-0180

Parcel Size:
Area impacted by new site plan 2 acres

Current Zoning Classification:
C-2

Current Future Land Use Designation:
Recreation & Open Space

Subject to A1A Scenic Corridor IDO? [ ] YES [ ] NO

PROJECT DATA:
Replacement of existing building at Bings Landing where Captain's Bait, Tackle & BBQ is located with new building

Signature of Owner(s) or Applicant/Agent

Date: 9/24/2016

Signature of Chairman: [ ]*APPROVED WITH CONDITIONS
[ ] DENIED

"OFFICIAL USE ONLY"

PLANNING BOARD RECOMMENDATION/ACTION:

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. 08/06

Page 1 of 2
September 24, 2018

Gina Lemon
Flagler County
Planning Services
1769 E. Moody Blvd., Building 2, Suite 105
Bunnell, FL 32110

Subject: Captain’s BBQ Site Plan Application Greater than 5 Acres

Dear Ms. Lemon:

Please find enclosed 10 copies of the proposed site plan for the new building along with an application for Site Plan Application Greater than 5 Acres, which Adam Mengel advised we use for this matter. A list of all the enclosures are below. I did not include an owners’ authorization because Flagler County is the owner of Bings Landing as shown in the enclosed Warranty Deed.

Included with this resubmittal are the following:

1. Application for Site Development Plan 5 Acres or Larger
2. Area Calculation Map showing the portion of the park affected by the site plan (2 acres)
3. Ten (10) 24” x 36” copies of the conceptual site plan.
4. One (1) 11” x 17” copy of the conceptual site plan.
5. One (1) copy of the County’s Warranty Deed.
6. One (1) thumb drive containing copies of the above.

The application fee will be hand delivered to you before the close of business on Wednesday, September 26, 2018.

Please contact me if you have any questions, comments or require additional information.

Sincerely,

Jay W. Livingston

Enclosures
WARRANTY DEED

THIS INDENTURE, MADE THIS 25th DAY OF October, 1989 A.D.,

BETWEEN Charles Yant, joined by his wife, and Dolores Yant, as to a one-half interest and John Hesselden, a single man, as to a one-half interest

OF THE COUNTY OF Flagler, STATE OF FL, GRANTORS,

AND Flagler County Board of County Commissioners

GRANTORS ID:

whose address is:

P.O. BOX 97
Bunnell, FL 32110

OF THE COUNTY OF Flagler, STATE OF FL, GRANTEES.

WITNESSETH THAT THE GRANTORS, FOR AND IN CONSIDERATION OF THE SUM OF $10,000.00 AND OTHER GOOD AND VALUABLE CONSIDERATION TO GRANTEE, IN HAND PAID BY GRANTEE, THE RECEIPT WHEREOF IS HEREBY ACKNOWLEDGED HAVING BEEN GIVEN, BARGAINED AND SOLD TO THE SAID GRANTEES AND GRANTEES, HEIRS AND assigns FOREVER. THE FOLLOWING DESCRIBED LAND, SITUATED AND BEING IN THE COUNTY OF Flagler, STATE OF FLORIDA TO WIT:

Tracts 18, 19, 20, 21, 22, and 23, Jose Park, Unit No. 1, according to the plat of said subdivision on file in the office of the clerk of the Circuit Court of Flagler County, Florida in Plat Book 3, Page 29. The above-described property located in Section 40, Township 10 South, Range 31 East.

TAX PARCEL ID: #40-10-31-1500-00000-180/0200/0230

SUBJECT TO THE FOLLOWING: Taxes for the year 1989 and subsequent years. Restrictions, covenants, conditions, reservations and conditions of record, if any. Balances due on utility assessments, if any.

GRANTOR WARRANTS THAT THIS IS NOT HOMESTEAD PROPERTY.

AND THE GRANTORS DO HEREBY FULLY WARRANT THE TITLE TO SAID LAND AND WILL DEFEND THE SAME AGAINST LAWFUL CLAIMS OF ALL PERSONS WHOMSOEVER.

IN WITNESS WHEREOF THE GRANTORS HAVE HERETO SET THEIR HAND AND SEAL THE DAY AND YEAR FIRST ABOVE WRITTEN. SIGNED, SEALED AND DELIVERED IN OUR PRESENCE:

[Signature]

[Signature]

[Signature]

(Witness)

[Signature]

[Signature]

[Signature]

(Witness)

I HEREBY CERTIFY THAT ON THIS DAY BEFORE ME, AN OFFICER DULY QUALIFIED TO TAKE ACKNOWLEDGEMENTS PERSONALLY APPEARED Charles Yant, joined by his wife, and Dolores Yant, as to a one-half interest.

TO ME KNOWN TO BE THE PERSON(S) DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND THEY ACKNOWLEDGED BEFORE ME THAT THEY EXECUTED THE SAME.

WITNESSES MY HAND AND OFFICIAL SEAL IN THE COUNTY AND STATE LAST SEEN:

[Signature]

(SEAL)

[Signature]

[Signature]

(MY COMMISSION EXPIRES)

[Signature]

[Signature]

[Signature]

STATE OF FLORIDA

[Signature]

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Note: Zoom in, or enter the address of your target start point. Then click on your start point on the map, followed by all the subsequent points along the outside edge of the shape you want to calculate the area of. As you add points the area will be updated below and converted into several measurements.
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: BUILDING DEPARTMENT
No comments.

REVIEWING DEPARTMENT: E-911 STAFF
Please advise this office if you would like to vacate the addresses of 5863 & 5867 N Ocean Shore Blvd Palm Coast FL.

REVIEWING DEPARTMENT: FIRE INSPECTOR
No comments at this time

REVIEWING DEPARTMENT: DEVELOPMENT ENGINEERING
Saltwater A1A Property
Comments 10/10/18

1. Provide a grading and dimension plan complete with stormwater retention.

2. Minimum drive aisle width 24ft.

3. Parking is required to be paved per Sec. 3.04.06 of the LDC.

4. Has the City of Palm Coast approved the project for water and sewer.

5. The dumpster will be required to be on-site not within the County Right-of-way.

6. Clearly show on the plan the existing vs. proposed.

7. Define all of the existing and proposed parking spaces on a table.

8. All Handicap spaces that are required for the building will need to be concrete and have accessibility to the building.

9. Specifically define the building and what the square footage called out on the plan is defined.

10. What will be the proposed pervious surface in the parking area.

Further comments may be provided upon the receipt of revised plans.

REVIEWING DEPARTMENT: COUNTY ATTORNEY
No comments at this time
REVIEWING DEPARTMENT: PLANNING DEPARTMENT

1. The three parcels - Parcel #s 40-10-31-3100-00120-0010, 40-10-31-3100-00120-0030, and 40-10-31-3100-00120-0040 - will need to be combined in the County's public records into a single parcel for purposes of the Special Exception use approval. The combination will be completed through a Declaration of Unity of Title or similar instrument recorded in the public records attesting to the combination of the parcels for development purposes.

2. The existing dumpster - located outside of the parcel limits in the Malacompra Road right-of-way - should be relocated onsite and enclosed or screened (LDC Sec. 3.06.11.C).

3. Will the area at the rear (East) of the existing building be utilized as the loading dock/area? Please refer to LDC Section 3.06.11.D for reference.

4. The applicant should contact FDOT requiring driveway modifications to the existing residential driveways for Lots 3 and 4 for their conversion to commercial use. Modifications should include the addition of paved aprons subject to FDOT requirements.

5. Due to limited width, will the existing residential driveways along North Oceanshore Boulevard/State Road A1A be one-way driveways? If so, please identify on the site plan.

6. A cross-access easement or future connection point for the parcel to the North should be depicted on the site plan (LDC Sec. 3.06.11.E.4).

7. Uses with 10 or more parking spaces require paved parking. Up to 20 percent of required minimum parking spaces may be porous (LDC Sec. 3.06.11.F.2).

8. Hammerheads should be provided where parking spaces would be required to back into an area at the end of an aisle (parking space number 1, 7, and 10), with a minimum aisle width of 24 feet between spaces where two-way traffic is provided.

9. Parking spaces are to be delineated with painted lines or other markings (LDC Sec. 3.06.04.B.9) and may encroach into landscaped areas by not more than two feet where wheel stops or curbs are provided (LDC Sec. 3.06.04.B.1).

10. Based on 120 feet of lot depth, the front perimeter landscape area for Lots 3 and 4 (LDC Sec. 5.01.04(5)(a)1a.) should be a minimum average of 30 feet (25% of the 120-foot lot depth) with no buffer less than 25 feet in width; parking and solid waste facilities including dumpsters (along with other similar features or structures) are not allowed in perimeter landscape buffers. It appears that parking space number 14 (in part), 15, 16 and 17 are located within the required 30-foot wide front perimeter landscape buffer. Please show the landscape buffer lines on the plan.

11. The 15-foot wide landscape buffer along the North property line appears to be drawn as a
25-foot wide buffer. The minimum side perimeter landscape buffer width is 15 feet and the minimum rear perimeter landscape buffer is 20 feet where both adjoin residential uses or zoning (LDC Sec. 5.01.04(5)(a)2a.).

12. Existing signs located within adjacent right-of-ways should be removed as part of this Special Exception application.

13. As depicted on the site plan, the parking for the residential use is located within the right-of-way of Malacompra Road. This parking should be relocated as part of this Special Exception application. Off-street parking for the on-site residential use can be accommodated within the proposed parking lot.

14. Will a bike rack be added to the project? If so, depict the location of the bike rack on the subject parcel.

REVIEWING DEPARTMENT: ENVIRONMENTAL HEALTH DEPT
1- An application for new septic system construction is required. Estimated sewage flow will be based on 20 gpd/per seat for restaurant using single service articles, along with 100gpd for each apartment on the system (assuming apartment or no more than 1 bedroom and 750sqft or less. Sewage flow based on 50 single service seats, and 3 apartments is 1300 gallons per day.

2-Existing restaurant system and system for apartments to be abandoned and all structures to be tied to a single system, as both existing systems are occupying the area needed for new system.

3- System will require a low pressure dosed network designed by a Professional Engineer.

4- Lots must be bound together or a utility easement must be executed across all lots to obtain authorized lot flow allowance and due to system crossing property lines.
# 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 #: 3157 / 2018090038

## PROPERTY / OWNER(S)

<table>
<thead>
<tr>
<th>Name(s):</th>
<th>Saltwater A1A Property LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mailing Address:</td>
<td>240 Huntington Road NE</td>
</tr>
<tr>
<td>City:</td>
<td>Atlanta</td>
</tr>
<tr>
<td>State:</td>
<td>Georgia</td>
</tr>
<tr>
<td>Zip:</td>
<td>30309</td>
</tr>
<tr>
<td>Telephone Number</td>
<td>(404) 483-1469</td>
</tr>
</tbody>
</table>

## APPLICANT / AGENT

<table>
<thead>
<tr>
<th>Name(s):</th>
<th>Michael Goodman / Jay W. Livingston, Esq.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mailing Address:</td>
<td>393 Palm Coast Parkway SW #1</td>
</tr>
<tr>
<td>City:</td>
<td>Palm Coast</td>
</tr>
<tr>
<td>State:</td>
<td>FL</td>
</tr>
<tr>
<td>Zip:</td>
<td>32137</td>
</tr>
<tr>
<td>Telephone Number</td>
<td>(386) 439-2945</td>
</tr>
<tr>
<td>Fax Number</td>
<td>(866) 896-5573</td>
</tr>
<tr>
<td>Email Address</td>
<td><a href="mailto:MikeCheesecake1@gmail.com">MikeCheesecake1@gmail.com</a></td>
</tr>
</tbody>
</table>

## SITE LOCATION / ADDRESS

| 5861, 5863, and 5867 N. Ocean Shore Blvd., Palm Coast, FL 32137 |

## LEGAL DESCRIPTION

| First Add. to Johnson Beach Lots 1, 2, 3, 4 & the Southern 360 ft. of Lot 5, Block 12 |
| Parcel #: (tax ID #): |
| Parcel Size: | 0.62 acres (2,700 SF) |

## SUBJECT PROPERTY

| Current Zoning Classification: | R/C |
| Current Future Land Use Designation: | Mixed Use: Low Intensity |

## Requested Use

50 seat dine-in / dine-out restaurant in the R/C zoning district

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

**Date:** 9/24/2018

**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  
Page 1 of 1
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 #: 3157/2018090038

Michael Goodman / Jay W. Livingston, Esq., is hereby authorized TO ACT ON BEHALF OF Saltwater A1A Property, 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 Special Exception for a 50 seat dine-in/dine-out restaurant in the R/C zoning district.

ALL PERSONS, WHO'S NAMES APPEAR ON THE DEED MUST SIGN.

By: ____________________________

Signature of Owner

Sole Member/Manager of Saltwater A1A Property, LLC

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

Signature of Owner

Printed Name of Owner

Address of Owner:

240 Huntington Road NE

Mailing Address

Atlanta  Georgia  30309

City  State  Zip

STATE OF Florida

COUNTY OF Flagler

The foregoing was acknowledged before me this 24th day of September 2018 by Scott Jackson 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

http://www.flaglercounty.org/doc/dpt/centprmt/landdev/ownerform.html

Revised 5/08
September 24, 2018

Gina Lemon  
Flagler County  
Planning Services  
1769 E. Moody Blvd., Building 2, Suite 105  
Bunnell, FL 32110

Subject: Application for Special Exception  
5861, 5863 & 5867 N. Oceanshore Blvd., Palm Coast, FL 32137

Dear Ms. Lemon:

Please find enclosed 10 copies of the proposed conceptual site plan for an Application for Special Exception for a 50 seat dine-in/dine-out restaurant in the R/C zoning district at the above described addresses. A list of all the enclosures are below.

Included with this resubmittal are the following:

1. Application for Special Exception  
2. Ten (10) 24” x 36” copies of the conceptual site plan.  
3. One (1) 11” x 17” copy of the conceptual site plan.  
4. One (1) copy each of the Owner’s two Warranty Deeds.  
5. One (1) thumb drive containing copies of the above, except for the Owner’s Authorization (see below).  
6. Application Fee Check in the amount of $300.00 payable to BOCC

The Owner’s Authorization will be hand delivered to you before the close of business on Wednesday, September 26, 2018. I will send you an electronic copy of it as well as soon as I have a copy scanned to provide.

Please contact me if you have any questions, comments or require additional information.

Sincerely,

Jay W. Livingston

Enclosures

393 Palm Coast Parkway SW #1  
Palm Coast, Florida 32137  
T 386.439.2945  
F 866.896.5573  
jay.livingston314@gmail.com
Warranty Deed

This Warranty Deed made this 14th day of July, 2015, between

Thomas E. Baber and Joan W. Lyns, husband and wife
whose post office address is 5861 N Oceanshore Blvd., Palm Coast, FL 32137,
Grantor, and

Saltwater A1A Property, LLC, a Georgia limited liability company
whose post office address is 240 Huntingdon Rd. NE, Atlanta, GA 30309,
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 Four Hundred Sixty-Eight Thousand Five Hundred and 00/100 Dollars ($468,500.00) 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 Flagler County, Florida to-wit:

See attached Exhibit "A"

Parcel Identification Number: 401031-3100-00120-0010

and

Parcel Identification Number: 401031-3100-00120-0020

Subject to taxes for the year 2015 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, 2014.
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: Kelly Devere

[Signature] (Seal)
Thomas E. Baber

[Signature]
Witness Name: Maryanne Micek

[Signature] (Seal)
Joan W. Lyns

State of Florida
County of Flagler

The foregoing instrument was acknowledged before me this 14th day of July, 2015 by Thomas E. Baber and Joan W. Lyns, who [ ] are personally known or [X] have produced a driver's license as identification.

[Notary Seal]

Notary Public

Printed Name: ________________________________

My Commission Expires: ________________________
EXHIBIT "A"

Being a part of Section 40, Township 10 South, Range 31 East and more particularly described as follows: Beginning at the Northeasterly corner of the said Section 40, Township 10 South, Range 31 East, as a point of reference and running thence South 19°57'45" East along the Easterly line of the said Section 40, a distance of 2322.44 feet to the Northerly boundary of the 100 foot right of way of Malacompra Road; thence South 71°03'03" West along the Northerly boundary of Malacompra Road, a distance of 1025.46 feet to the Point of Beginning of this description; thence South 71°03'03" West along the said Northerly right of way boundary, a distance of 120.0 feet to the Easterly boundary of the 100 foot right of way of State Road No. A1A; thence North 18°56'57" West along said right of way boundary, a distance of 100.0 feet; thence North 71°03'03" East, a distance of 120.0 feet; thence South 18°56'57" East, a distance of 100.0 feet to the Point of Beginning of this description. Bearings are referred to the True Meridian.

Also Lot 3, Block 12, First Addition to Johnson Beach, Plat Book 5, pages 58 and 59, public records of Flagler County, Florida.
THIS WARRANTY DEED made the ___ day of September, 2017 by

Roy C. Waldhauser, II

whose street address is 4996 Palm Coast Parkway NW, #7, Palm Coast, Florida 32137

hereinafter called the grantor*, to

Salwater AIA Property, LLC, a Georgia Limited Liability Company

whose street address is 240 Hampton Road NE, Atlanta, Georgia 30309

hereinafter called the grantee*.

(Wherever used herein the terms “grantor” and “grantee” include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH, that the grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other valuable considerations to said grantor in hand paid by said grantees, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, remised, released, conveyed and confirmed unto the grantee and grantee’s heirs forever the following described land situate in County of Flagler, State of Florida, to wit:

Lot 4 and the Southerly 25 feet of Lot 5, Block 12, First Addition to Johnson Beach, according to the map or plat thereof, as recorded in Map Book 5, Page 58 and 59, of the Public Records of Flagler County, Florida.

Together with 1984 THOM Doublewide, Title #: 40572494 & 40577931 and Vins #: TH1GA24X56646557A & B

Lot 24, Block 12, First Addition to Johnson Beach, according to the map or plat thereof, as recorded in Plat Book 5, Page(s) 58 and 59, of the Public Records of Flagler County, Florida.

Together with 1972 WICKL Singlewide, Title #: 4875719, Vin #: WL5072

Lots 25 and 26, Block 12, First Addition to Johnson’s Beach, according to the map or plat thereof, as recorded in Plat Book 5, Page(s) 58 and 59, of the Public Records of Flagler County, Florida.

GRANTOR WARRANTS THAT THIS IS NOT HOMESTEAD PROPERTY.

Together, with all the tenements, hereditaments and appurtenances thereto belonging or in otherwise appurtenant.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with the 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, and hereby 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 31st, 2016. FURTHER SUBJECT TO Restrictions, Reservations, Covenants, Dedications, Resolutions, Conditions and Easements of record, if any, however this reference shall not operate to re impose same.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Roy C. Waldhauser, II

Witness 1 Signature

Witness 2 Signature

Printed or Typed Name

Printed or Typed Name

STATE OF FLORIDA
COUNTY OF Flagler
The foregoing instrument was acknowledged before me this 26th day of September, 2017, by Roy C. Waldhauser, II who is personally known to me or whose production has been demonstrated as identification and who did, did not take an oath.

Notary Public
My Commission Expires:

[seal]