FLAGLER COUNTY TECHNICAL REVIEW COMMITTEE
GOVERNMENT SERVICES BUILDING
First Floor Conference Room B108
1769 EAST MOODY BOULEVARD BUILDING 2, BUNNELL FL 32110
AGENDA
DATE – JUNE 19, 2019
TIME – 9:00 A.M.

1. Application #3182 – APPLICATION FOR A VARIANCE IN THE AC (AGRICULTURE) DISTRICT – request for a 17 foot side yard setback variance for a garage at 2727 County Road 304; Parcel Number: 02-13-30-0650-000C0-0072; 6.369+/- acres. Owner/Applicant: Christopher Barney.
Project #VAR-000003-2019 (TRC, PDB)

PLEASE TAKE NOTICE THAT INDIVIDUAL COMMISSIONERS OF THE BOARD OF COUNTY COMMISSIONERS MAY ATTEND THIS EVENT. THE COMMISSIONERS WHO ATTEND WILL NOT TAKE ANY ACTION OR TAKE ANY VOTE AT THIS MEETING. THIS IS NOT AN OFFICIAL MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF FLAGLER COUNTY. THIS NOTICE IS BEING PROVIDED TO MEET THE SPIRIT OF THE SUNSHINE LAW TO INFORM THE PUBLIC THAT COMMISSIONERS MAY BE PRESENT AT THESE DISCUSSIONS. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN THIS MEETING SHOULD CONTACT THE PLANNING & ZONING DEPARTMENT AT (386) 313-4009 AT LEAST 48 HOURS PRIOR TO THE MEETING.
Flagler County

Technical Review Committee Comments

Meeting Date: 6/19/19

#3182 Barney- Setback Variance

Applicant/Owner: Christopher Barney

Distribution date: Friday, June 14, 2019

Project #: VAR-000003-2019

Application #: 3182

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

REVIEWING DEPARTMENT: DEVELOPMENT ENGINEERING

Please provide a survey depicting all improvements to the property. Survey provided does not include all buildings.

REVIEWING DEPARTMENT: BUILDING DEPARTMENT

No comment

REVIEWING DEPARTMENT: PLANNING DEPARTMENT

1. Please provide a survey depicting all improvements to the property. Survey provided does not include all buildings.

2. Based on current aerial map located at FCPA web site there is an existing building located near the site of the proposed building, with the assumption that this building meets the minimum side setback explain why the proposed building cannot be placed along the north side of this existing building.

3. Based on responses given to variance criteria questions this request would not meet the minimum requirement for a variance.

REVIEWING DEPARTMENT: ENVIRONMENTAL HEALTH DEPT

No comments if it is used as a storage building with no wastewater generated.

REVIEWING DEPARTMENT: COUNTY ATTORNEY

This application does not present enough evidence of extraordinary and exception conditions necessitating a variance. At the TRC meeting, the applicant should expound upon his justifications.
APPLICATION FOR VARIANCE

FLAGLER COUNTY, FLORIDA
1769 E. Moody Blvd, Suite 105
Bunnell, FL 32110
Telephone: (386) 313-4009 Fax: (386) 313-4109
Application/Project #: 3182/VAR-600603-2019

PROPERTY

Name(s): Christopher Barney
Mailing Address: PO Box 2682
City: Bunnell State: FL Zip: 32110
Telephone Number 386 437 1257 Fax Number 386 437 4468

APPLICATION/AGENT

Name(s): Christopher Barney
Mailing Address: PO Box 2682
City: Bunnell State: FL Zip: 32110
Telephone Number 386 437 1257 Fax Number 386 437 4468
E-Mail Address: chris@4csconstruction.com

SITE LOCATION (street address): 2727 CR 304 • Bunnell FL 32110
LEGAL DESCRIPTION:
(briefly describe, do not use "see attached")
Parcel # (tax ID #): 021330-0050-000C0-0076
Parcel Size: 3.369 Acres
Current Zoning Classification: Unincorporated Area (District 5)
Current Future Land Use Designation
Subject to A1A Scenic Corridor IDO? YES ☒ NO ☐

Relief Requested:

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

Date: 5-14-19

**OFFICIAL USE ONLY**

PLANNING BOARD RECOMMENDATION/ACTION:

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. 09/16
E. Variance guidelines. A variance may be granted, upon application, from the terms and provisions of this article as will not be contrary to the public health, safety, welfare and morals where, owing to special conditions, a literal enforcement of the provisions of this article will, in an individual case, result in unnecessary hardship. Such variances may be granted by the planning board in such individual case of unnecessary hardship upon a written finding that:

1. There are extraordinary and exceptional conditions pertaining to particular piece of property in question because of its size, shape, topography, or other unique features that, when considered in whole or part, creates an unnecessary hardship; and the building cannot feasibly be built elsewhere on the property due to multiple reasons: other locations would impede on pasture needed for livestock, would impede on the driveway access of the home, not allow for adequate turning radii.

2. Such conditions were not created by the affirmative actions of the applicant and the applicant has acted at all times in good faith; and all other location options have been exhausted to be compliant with the setback requirements without a variance.

3. The variance, if granted, would not cause substantial detriment to the public health, welfare, safety, and morals of the community or impair the purpose and intent of this article; and would not create any impact for the immediately adjacent neighbor. Would also not adversely affect the general public.

4. No variance may be granted for a use of land or building that is not permitted by this article. The building shall be used for storage of personal items such as a boat and/or RV, which is accessory to the single family dwelling.

A variance, if granted, shall be the minimum variance necessary to alleviate the hardship. For purposes of this section, an unnecessary hardship shall mean that without the granting of the variance the owner will be deprived of all reasonable use of the property as allowed in the zoning district.

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. 09/16
QUIT CLAIM DEED

On May 29, 2013 THE GRANTOR(S),
-Christopher M. Barney and Christine M. Barney, husband and wife, for and in consideration of: One Dollar ($1.00) and other good and valuable considerations convey, releases, and quit claims to the GRANTEE(S):

-Christopher M. Barney, a married man, residing at 2727 County Road 304 in Bunnell, Flagler County, Florida 32110

the following described real estate, situated in an unincorporated area in the County of Flagler, State of Florida:

Legal Description: Parcel 4 (South) A part of Tracts 7, 8, 9, Block C, Section 2, Township 13
South, Range 30 East, Bunnell Development Company Subdivision, as recorded in Map Book 1,
Page 1, Public Records of Flagler County, Florida, and being more particularly describes as follows: From a point of References being the Southwest corner of said Section 2, run N.89° –12’
–20” E. along the South line of said Section 2 a distance of 866.60 feet to the Point of Beginning of this description: thence N.36° –21’ – 35” W. a distance of 1026.31 feet to the Southeasterly right of-way of State Road 304: thence N. 41° –27’ –55” E. along said right-of-way a distance of 353.96 feet: thence S.27° –05’ –05” E. a distance of 1223.38 feet to the South line of said Section 2: thence N.89° –12’ –20” W. along said South line a distance of 182.95 feet to the Point of Beginning. Parcel contains 6.3796 acres more or less. Note: Bearings refer to the South line of said Section 2. Description created by undersigned as request of client. Property is located in Flood Zone ”C”
Grantor does hereby convey, release and quitclaim all of the Grantor's rights, title, and interest in and to the above described property and premises to the Grantee(s), and to the Grantee(s) heirs and assigns forever, so that neither Grantor(s) nor Grantor's heirs, legal representatives or assigns

This is a Transfer of Assets between spouses.

Tax Parcel Number: 021330-0650-000C0-0072

Mail Tax Statements To:
Christopher M. Barney
2727 County Road 304
Bunnell, Florida 32110

[SIGNATURE PAGE FOLLOWS]
Grantor Signatures:

DATED: 05/29/2013

Christine M. Barney
2727 County Road 304
Bunnell, Florida
32110

Christopher M. Barney
2727 County Road 304
Bunnell, Florida
32110

In Witness Whereof,

Witness

Carla S. Sobotka
701 E. Palm Street
Bunnell
Florida
32110

Witness

Chelsea M. Barney
2727 County Road 304
Bunnell
Florida
32110

STATE OF FLORIDA, COUNTY OF FLAGLER, ss:

The foregoing instrument was acknowledged before me this 29 day of

May, 2013, by Christine M. Barney and Christopher M. Barney, who are

personally known to me or who have produced ___________________ as

identification.

________________________________________

Signature of person taking acknowledgment

Brenda McGowen

Name typed, printed, or stamped

________________________________________

Title or rank

________________________________________

Serial number (if applicable)
THIS WARRANTY DEED made the 4th day of October, 2002 by

Wayne Vick and Margaret M. Vick, husband and wife

whose street address is 123 Westchester Lane, Palm Coast, Florida 32164

hereinafter called the grantor, to

Christopher M. Barney and Christine M. Barney, husband and wife

whose street address is 1210 N State Street P.O. Box 2682, Bunnell, Florida 32110

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:

Parcel 4 (South): A part of Tracts 7, 8, and 9, Block C, Section 2, Township 13 South, Range 30 East, BUNNELL DEVELOPMENT COMPANY SUBDIVISION, as recorded in Map Book 1, Page 1, of the Public Records of Flagler County, Florida and more particularly described in attached EXHIBIT "A"

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 whatever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31st, 2002. FURTHER SUBJECT TO Restrictions, Reservations, Covenants, Dedication, Resolutions, Conditions and Easements of record, if any, however this reference shall not operate to reimburse 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:

Wayne Vick

Margaret M. Vick

STATE OF FLORIDA
COUNTY OF Flagler

The foregoing instrument was acknowledged before me this 4th day of October, 2002, by Wayne Vick and Margaret M. Vick, husband and wife who is personally known to me or who produced a certified copy of their Homeowner's License as identification and who did not take an oath.

Notary Public
My Commission Expires:
DESCRIPTION PARCEL 4 (South)

A part of Tracts 7, 8, 9, Block C, Section 2, Township 13 South, Range 30 East, "BUNNELL DEVELOPMENT COMPANY SUBDIVISION," as recorded in Map Book 1, Page 1, Public Records of Flagler County, Florida, and being more particularly described as follows:

From a Point of Reference being the Southwest corner of said Section 2, run N.89°-12'10"E., along the south line of said Section 2 a distance of 866.60 feet to the Point of Beginning of this description; thence N.36°-21'35"W., a distance of 1026.31 feet to the Southeasterly right-of-way of State Road 304; thence N.41°-27'-55"E., along said right-of-way a distance 353.96 feet; thence S.27°-05'-05"E., a distance of 1223.36 feet to the South line of said Section 2; thence N.09°-12'-20"W., along said south line a distance of 102.95 feet to the Point of Beginning.

Parcel contains 6.279 acres more or less.

NOTE: Bearings refer to the South line of said Section 2. Description created by undersigned at request of client. Property is located in Flood Zone C.