

Crossroads of Flagler County

Board Members:
Carl Lilavois, Chair
Gary Masten, Co-Chair
Nealon Joseph
Manuel Madaleno
Lyn Lafferty

PLANNING, ZONING AND APPEALS BOARD AGENDA

LOCATION CHANGE: Versie Lee Mitchell Community Center 405 E. Drain St.

AMENDED AGENDA 10/05/2022

Tuesday, October 11, 2022

6:00 PM

1769 East Moody Boulevard (GSB),

First Floor Conference Room

Bunnell, FL 32110

-
- 1. Call Meeting to Order for Planning and Zoning Meeting and Roll Call**
 - 2. Disclosure of Ex-Parte communications.**
 - 3. Approval of Minutes**
 - a. September 06, 2022 Planning, Zoning and Appeals Board Minutes
 - New Business:**
 - 4. Public Hearing: Ordinance 2022-XX Amending the Capital Improvements Element of the 2035 Comprehensive Plan.**
 - 5. Ordinance 2022-XX Repealing Land Development Code Section 30-9 Rural Developments and Section 34-190 Rural Subdivisions**
 - 6. PZA 2022-69 Allen Lands Rural Subdivision**
 - Old Business: None**
 - 7. Public Comment**

Comments regarding items not on the agenda. Citizens are encouraged to speak; however, comments should be limited to three minutes.
 - 8. Board comment**
 - 9. Adjournment of Planning and Zoning Meeting**

NOTICE: If any person decides to appeal any decision made by the Planning, Zoning and Appeals Board with respect to any item considered at any meeting of this board; He or She will need a record of the proceedings, and for this purpose, He or She may need to ensure that a verbatim record of the proceedings is made, which record is to include the testimony and evidence upon which the appeal is based. (286.0105 Florida Statutes). Any person requiring a special accommodation at this meeting because of disability or physical impairment should contact the City Clerk at (386) 437-7500 at least 48 hours prior to the meeting date.



City of Bunnell, Florida

Agenda Item No. a.

ATTACHMENTS:

Description

2022 09 06 PZA Board Minutes

Recusal Form- L Lafferty

Type

Minutes

Exhibit



Crossroads of Flagler County

Board Members:
Carl Lilavois, Chair
Gary Masten, Co-Chair
Nealon Joseph
Manuel Madaleno
Lyn Lafferty

PLANNING, ZONING AND APPEALS BOARD MINUTES

**Tuesday, September 6, 2022
6:00 PM**

1769 East Moody Boulevard (GSB),
First Floor Conference Room
Bunnell, FL 32110

1. Call Meeting to Order for Planning and Zoning Meeting and Roll Call

Chair Lilavois called the meeting to order at 6:00 PM and led the Pledge of Allegiance.

Present: Carl Lilavois, Chair; Gary Masten, Co-Chair; Manuel Madaleno; Nealon Joseph; Lyn Lafferty

Excused: N/A

Absent: N/A

Non-Voting: City Attorney John Cary; City Planner Mark Karet; Permit Technician Adrian Calderin; Community Development Coordinator Christine Hancock; City Engineer/Flood Plain Manager Marcus DePasquale; Community Development Director Bernadette Fisher

2. Disclosure of Ex-Parte communications.

None

3. Approval of Minutes

a. July 7, 2022, Planning, Zoning and Appeals Board Minutes

Motion: Approve the July 7, 2022, Planning, Zoning and Appeals Board Meeting Minutes.

Moved By: Nealon Joseph

Seconded By: Gary Masten

Board Discussion: None

Public Discussion: None

Roll Call Vote:

Carl Lilavois – Yes

Gary Masten – Yes

Manuel Madaleno – Yes

Nealon Joseph – Yes

Lyn Lafferty – Yes

Vote: Motion carried by unanimous vote

New Business:

4. PZA Case 2022-67 Request for Site Plan Approval for New Construction at 3290 Steel Rail Drive

City Planner Karet introduced the item. He explained the applicant is proposing to build a 3,000 ft² metal building. A site plan was previously approved for the site, but it has expired. The proposed site plan is a renewal of the previously approved site plan with a modification. The applicant has all required outside agency permits. Staff recommended approval of the proposed site plan.

Motion: Approve PZA Case 2022-67 Request for Site Plan Approval for New Construction at 3290 Steel Rail Drive.

Moved By: Manny Madaleno

Seconded By: Gary Masten

Board Discussion: Chair Lilavois asked if there is anything specific for that site plan approval that the applicant is requesting. City Planner Karet answered it is just for approval of the site plan.

Public Discussion: None

Roll Call Vote:

Carl Lilavois – Yes

Gary Masten – Yes

Manuel Madaleno – Yes

Nealon Joseph – Yes

Lyn Lafferty – Yes

Vote: Motion carried by unanimous vote

5. PZA 2022-78: Variance from Section 4.R322.2.1.4, of the City of Bunnell, Land Development Code, two feet (2') above base flood elevation as required by the Federal Emergency Management Agency's (FEMA's) One Foot (1') above the based flood elevation

Community Development Director Fisher introduced the item. She explained the subject property, located at 2563 Old Haw Creek Rd, is in the AE flood zone and per the City's Land Development Code is required to be two feet above the base flood elevation. The applicant has already poured the slab at one foot above the base flood elevation which meets FEMA's requirements and as was listed in the permit documents.

Motion: Approve PZA 2022-78: Variance from Section 4.R322.2.1.4, of the City of Bunnell, Land Development Code, two feet (2') above base flood elevation as required by the Federal Emergency Management Agency's (FEMA's) One Foot (1') above the based flood elevation.

Moved By: Nealon Joseph

Seconded By: Gary Masten

Board Discussion: Co-Chair Masten asked if construction had started prior to this request. Community Development Director Fisher confirmed the construction had started. It was asked why the City didn't pick up on the elevation prior to issuing the building permit. City Engineer DePasquale explained the City is developing new processes after hiring new staff- the Engineer and Community Development Director. The elevation certificate was provided after some inspections were already completed. He further explained this is for the national

flood insurance program and they require the elevation to be one foot above. The City's regulations exceed what is required by FEMA. The applicants have agreed to sign a hold harmless agreement. Staff advised variances are recorded with the property and it will transfer over if the applicant ever decide to sell the property. Member Joseph asked how the AE flood zone in that area compares to the 100-year flood plan. The City Engineer explained the FEMA maps show that being a flood way area and on the elevation certificate, which is signed and sealed by the surveyor, indicates the base flood elevation. It was asked if there are any other mitigation efforts being done for the project. Staff was not aware of any other mitigation efforts. Chair Lilavois asked if this is a residential property; this was confirmed by staff. Member Lafferty asked the City Attorney since the construction was already permitted does the variance have to be awarded due to construction law; Attorney Cary explained the general rule is a stopple doesn't attach unless the permit was granted lawfully; however, if staff issued a permit when it shouldn't have, and the applicant relied on that permit being correct when doing the work, then it would be considered inappropriate to revoke the permit if such a case was denied before the Board. He further explained additional consequences the City could face. Chair Lilavois asked the applicant, Mr. Barner, if he looked into pouring another slab on top of the existing slab. Mr. Barner answered he bought the property with the slab existing and with all the inspections done for it.

Public Discussion: None

Roll Call Vote:

Carl Lilavois – Yes
Gary Masten – Yes
Manuel Madaleno – Yes
Nealon Joseph – Yes
Lyn Lafferty – Yes

Vote: Motion carried by unanimous vote

6. PZA 2022-79: Variance from Section 4.R322.2.1.4, of the City of Bunnell, Land Development Code, two feet (2') above base flood elevation as required by the Federal Emergency Management Agency's (FEMA's) One Foot (1') above the based flood elevation

Community Development Director Fisher introduced the item. She explained this item is similar in circumstances and conditions as presented in PZA case 2022-78. The property is located at 2585 Old Haw Creek Rd.

Motion: Approve PZA 2022-79: Variance from Section 4.R322.2.1.4, of the City of Bunnell, Land Development Code, two feet (2') above base flood elevation as required by the Federal Emergency Management Agency's (FEMA's) One Foot (1') above the based flood elevation.

Moved By: Gary Masten

Seconded By: Lyn Lafferty

Board Discussion: Member Lafferty asked if the applicant has permits for the other pieces of land surrounding the subject property and if he will be getting variances for them. Mr. Lyden provided some background information regarding the properties and stated no other variances will be needed.

Public Discussion: None.

Roll Call Vote:

Carl Lilavois – Yes
Gary Masten – Yes
Manuel Madaleno – Yes
Nealon Joseph – Yes
Lyn Lafferty – Yes

Vote: Motion carried by unanimous vote

7. PZA 2022-80: Variance in the AG&S (Agricultural and Silvicultural) Zoning District for the construction of a single-family residence

Member Lyn Lafferty announces she had to recuse herself from voting on this item due to possible personal financial gain or loss

This item was introduced by Community Development Director Fisher. The subject property is located at 1037 Old Haw Creek Rd. The property was established earlier this year through a lot split, but it does not meet the lot size requirements for the current AG&S, Agriculture and Silviculture zoning designation. The minimum lot size for this zoning is five (5) acres while the subject property is about 4± acres. The applicant, Kenny Goncalves, is planning to build a single-family residence on the lot.

Motion: Approve PZA 2022-80: Variance in the AG&S (Agricultural and Silvicultural) Zoning District for the construction of a single-family residence.

Moved By: Manny Madaleno

Seconded By: Gary Masten

Board Discussion: Co-Chair Masten asked if there are other properties in the general area that have a similar situation. Community Development Director Fisher answered there were a few properties that have houses built on them along Old Haw Creek Rd that are below the 5-acre requirement. Member Lafferty provided historical information on those properties, advising they are old and were platted and subdivided back in the day.

Public Discussion: Tommy Bratcher said that it's been a county rule for quite some time that to build on those lots, they must be 5 acres. The applicants, Kenny Goncalves and Cindy Goncalves, explained their case to the Board. When they bought the property, it was already this size; they did not create the non-conformity. It was created by the previous owner(s) of the property who then sold it to them. They were not aware the lot did not meet the lot size requirements.

Roll Call Vote:

Carl Lilavois – Yes
Gary Masten – Yes
Manuel Madaleno – Yes
Nealon Joseph – Yes
Lyn Lafferty – Recused self from voting

Vote: Motion carried 4-0

Old Business: None

8. Public Comment

None

9. Board comment

None

10. Adjournment of Planning and Zoning Meeting

Motion: Adjourn

Moved By: Gary Masten

Seconded By: Nealon Joseph

Roll Call Vote:

Carl Lilavois – Yes

Gary Masten – Yes

Manuel Madaleno – Yes

Nealon Joseph – Yes

Lyn Lafferty – Yes

Vote: Motion carried by unanimous vote.

PZA Chair

*****The City adopts summary minutes. Audio files in official City records are retained according to the Florida Department of State GS1-SL records retention schedule*****

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Lafferty Gwendolyn J</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Bunnell Planning Zoning & Appeals</i>
MAILING ADDRESS <i>PO Box 1398</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY <i>Bunnell Fl 32110</i>	NAME OF POLITICAL SUBDIVISION: <i>Bunnell</i>
DATE ON WHICH VOTE OCCURRED <i>09/06/2022</i>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTEE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Owendolyn Lafferty, hereby disclose that on September 6th, 2022:

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

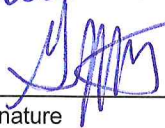
(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Agenda Item 7. Request for variance for Construction of Single family residence. I own the property surrounding the subject property. I recently owned the property jointly with the person who sold this property to the applicant. If approval of the variance were rejected, the applicant may sue seller, my relative, George Allen, for representing the property as a buildable lot. Additionally, one of the persons who opposed this item publicly is one of my business vendors and I feel that if I were to support the variance, it may have impact in my business dealings with this individual and others in our small farming community.

Date Filed

9/6/2022

Signature



NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.



City of Bunnell, Florida

Agenda Item No. 4.

Document Date: 9/10/2022
Department: Community Development
Subject: Public Hearing: Ordinance 2022-XX Amending the Capital Improvements Element of the 2035 Comprehensive Plan.

Property Address:
Zoning Designation:
Future Land Use Designation:
Agenda Section: New Business:

ATTACHMENTS:

Description	Type
Ord 2022-XX Proposed Capital Improvement Element Update	Cover Memo
Capital Improvement Element GOPs 2022	Cover Memo
Capital Improvements Schedule Fiscal Yr 2021-2022 (Strikethrough)	Cover Memo

Summary/Highlights:

This is a request to amend the City's Capital Improvement Element Schedule of the 2035 Comprehensive Plan.

Background:

This is the 2022 annual update to the Capital Improvement Element Schedule of the City of Bunnell 2033 Comprehensive Plan.

Per Florida Statute 163.3177(3)(b), the City of Bunnell is required to review and amend its 5-Year Schedule of Capital Improvements of the Comprehensive Plan on an annual basis. Amendments shall be done by Ordinance and shall be based on capital outlay required to meet existing deficiencies and to maintain the adopted level of service standards planned for public facilities as identified and adopted within the Capital Improvements Element of the City of Bunnell's 2030 Comprehensive Plan.

A capital improvement is defined as a project or study that is self-contained, has a useful life of at least 10 years, and involves a cost of at least \$10,000.00, per CIE Policy 1.1.3 of the Capital Improvements Element of the 2035 Comprehensive Plan.

The proposed ordinance updates the 5-year schedule for capital improvements, facility analysis and capital construction expenditures for the City from 2021 through 2025 as defined in the 2035 Comprehensive Plan.

Staff Recommendation:

Approve Ordinance 2022-XX Amending the Capital Improvements Element of the 2035 Comprehensive Plan and forwarded to the City Commission for First Reading.

City Attorney Review:

Approved as to form and legality.

ORDINANCE 2022-XX

AN ORDINANCE OF THE CITY OF BUNNELL, FLORIDA AMENDING THE CAPITAL IMPROVEMENTS ELEMENT OF THE 2030 COMPREHENSIVE PLAN PURSUANT TO CHAPTER 163.3177 F.S.; PROVIDING FOR FINDINGS OF CONSISTENCY; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY AND APPLICABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The City of Bunnell is authorized to amend the Capital Improvements Element of the City of Bunnell Comprehensive Plan in the manner set forth herein; and

WHEREAS, the City provided legal notice in accordance with Chapter 166.041(3)(c) F.S. and the City of Bunnell Land Development Code; and

WHEREAS, The Planning, Zoning and Appeals Board recommend approval of the amendment at the October 4, 2022 meeting; and

WHEREAS, for purposes of this Ordinance, underlined type shall constitute additions to the original text, *** shall constitute ellipses to the original text and ~~strikethrough~~ shall constitute deletions to the original text.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSIO OF THE CITY OF BUNNELL:

Section 1. FINDINGS.

Pursuant to 163.3177(3)(b) F.S. the capital improvements element must be reviewed by the local government on an annual basis. Modifications to update the 5-year capital improvement schedule may be accomplished by ordinance and may not be deemed to be amendments to the local comprehensive plan.

Section 2. CITY OF BUNNELL COMPREHENSIVE PLAN AMENDMENT.

The Capital Improvements Element of the City of Bunnell Comprehensive Plan shall be amended as indicated in Appendix A.

Section 3. CONFLICTING PROVISIONS.

All conflicting Ordinances and Resolutions, or parts thereof in conflict with this Ordinance, are hereby superseded by this Ordinance to the extent of such conflicts.

Section 4. SEVERABILITY AND APPLICABILITY.

If any portion of this Ordinance is for any reason held or declared to be unconstitutional, inoperative, or void, such holding shall not affect the remaining portions of this Ordinance. If this Ordinance or any provisions thereof shall be held to be inapplicable to any person, property, or circumstance, such holding shall not affect its applicability to any other person, property, or circumstance.

Section 5. EFFECTIVE DATE.

That this Ordinance shall become effective upon its final adoption.

First Reading: approved on this _____ day of _____ 2022.

Second Reading: adopted on this _____ day of _____ 2022.

CITY COMMISSION, City of Bunnell, Florida.

By: _____
Catherine D. Robinson, Mayor

Approved for form and content by:

Vose Law Firm, City Attorney

Attest:

Kristen Bates, City Clerk, CMC

Seal:

Appendix A

Capital Improvements Element Goals, Objectives & Policies

Capital Improvements Element

Goals, Objectives, and Policies

163.3177(3)(a)

Overall Goal

The City of Bunnell shall ensure capital facilities are provided to all residents and service areas of the City in a manner which protects the health, safety, and welfare of the public through use of existing facilities and the timely and efficient provision of new and expanded facilities.

CIE Objective 1.1 Capital Facility Planning

To use the Capital Improvements Element as a planning tool to correct existing deficiencies, replace obsolete or worn-out facilities, and to accommodate desired future growth.

Monitoring and Evaluation of Objective 1.1.

Whether Bunnell updates its Capital Improvement Element and the corresponding Schedule of Capital Improvements (SCI) on an annual basis.

CIE Policy 1.1.1:

As part of the City's annual budget cycle, the Bunnell Community Development Department shall prepare an inventory of concurrency related facilities for the purposes of establishing a five-year SCI.

CIE Policy 1.1.2:

The Schedule of Capital Improvements (SCI) shall be a five-year schedule of capital improvements needed to ensure that Bunnell maintains its adopted level of service standards for all concurrency related facilities.

CIE Policy 1.1.3:

All construction projects in excess of \$10,000 and any study which is expected to result in the determination of capital construction needs shall be included in the Schedule of Capital Improvements.

CIE Policy 1.1.4:

Bunnell may schedule and fund the capital improvements listed in the SCI in the City's Capital Improvement Program and update the Capital Improvement Element annually, by December 1, to ensure that the capital improvements scheduled will maintain or exceed adopted LOS standards over at least the five-year planning horizon.

CIE Policy 1.1.5:

After the adoption of the Capital Improvement Program (CIP), Bunnell shall make any changes necessary to update the Capital Improvements Element (CIE).

CIE Policy 1.1.6:

Bunnell shall annually adopt a capital budget that includes the projects listed in the first year of the Capital Improvement Program and Schedule of Capital Improvements.

CIE Policy 1.1.7:

Bunnell shall make the necessary amendments to the CIE, CIP, and SCI if the date of construction for a project that is relied upon to satisfy adopted LOS standards is changed.

CIE Policy 1.1.8:

Bunnell shall include externally funded projects in its CIE if the projects are relied upon to satisfy adopted LOS standards.

CIE Policy 1.1.9:

To the extent that it helps facilitate capital facility planning, the City's budgeting office shall continue the practice of distributing and collecting department project request forms.

CIE Policy 1.1.10:

Capital improvements shall be evaluated and prioritized according to the following guidelines:

1. Does the capital improvement eliminate possible hazards or protect the health, safety, and welfare of the public or provide the necessary infrastructure as part of a legal requirement or prior commitment?
2. Will the improvement eliminate or correct existing deficiencies, help achieve full use of existing facility, increase capacity of existing facilities to meet future demand, or reduce the necessity for or cost of future improvements?
3. Will or can funds be available for the project? Can operating and maintenance costs associated with the improvement be provided from the annual operating budget?
4. Does the project contribute to or further the achievement of goals, objectives, and policies contained in the elements of this Plan?
5. Will the project provide services to developed areas lacking services, or be a logical extension or expansion of facilities or services within designated service areas?
6. Will the project provide the necessary supporting infrastructure for existing and proposed school facilities in coordination with the Flagler County School Board and the Interlocal Agreement for Public School Facility Planning?

CIE Policy 1.1.11:

The City of Bunnell hereby adopts by reference the following documents and plans:

1. City of Bunnell Schedule of Capital Improvements as included herein.
2. Saint Johns Water Management District's North Florida Regional Water Supply Plan, adopted by the boards of the Saint Johns and Suwanee River Water Management Districts on January 17, 2017.
3. Flagler County School District 2016-2020 Work Plan, adopted by the Flagler County School Board in October, 2015.

CIE Policy 1.1.12:

Flagler Central Commerce Parkway shall not be funded from ad valorem taxes, fees, assessments, or other local tax payer funds.

CIE Objective 1.2 Coordination with Land Uses

To better coordinate land use decisions with available and committed funding sources as identified in capital facility budgets and plans.

Monitoring and Evaluation of Objective 1.2.

Whether the policies adopted under this objective were successfully implemented by the City of Bunnell.

CIE Policy 1.2.1:

Bunnell shall maintain an up-to-date Concurrency Management System (CMS) and implementing provisions in its land development regulations in order to evaluate whether sufficient capacity exists to serve new development and redevelopment.

CIE Policy 1.2.2:

Bunnell shall only issue development orders in accordance with the City's Concurrency Management System in order to ensure that the development will not cause the adopted level of service standard of facilities to not be met.

CIE Policy 1.2.3:

The City shall ensure through its concurrency management system established in the Land Development Regulations that any increase in the demand on the infrastructure generated by the proposed development or redevelopment would not reduce the level of service of such facilities below the adopted standards, or that any infrastructure improvements needed to maintain the adopted level of service will be in place in accordance with the following:

For sewer, solid waste, drainage, and potable water facilities, the facilities must be in place no later than the issuance of the certificate of occupancy.

For parks and recreation facilities, the facilities must be in place no later than one year after the issuance of the certificate of occupancy; however, prior to issuance of the certificate of occupancy either a.) the acreage for such facilities shall be dedicated or acquired; or b.) equivalent funds shall be committed for such purpose.

For all transportation facilities, the facilities needed to serve the new development shall be in place or under actual construction within three years after the local government approves a building permit or its functional equivalent that results in traffic generation.

CIE Policy 1.2.4:

The City shall ensure that adequate water supplies and facilities are available and in place prior to issuing a certificate of occupancy or its functional equivalent.

CIE Policy 1.2.5:

Bunnell shall coordinate proposed land use changes and development with projected fiscal resources and planned capital improvements.

CIE Policy 1.2.6:

The City shall aggressively seek all grant opportunities to fund Capital Improvement Program projects tied to desired land use patterns.

CIE Policy 1.2.7:

Bunnell shall coordinate planning for city improvements with the plans of state agencies, the Saint Johns River Water Management District (SJRWMD), Flagler County and adjacent municipalities when applicable.

CIE Policy 1.2.8:

Bunnell shall construct public facility improvements in a manner that supports efficient, compact, and desirable land development patterns.

CIE Objective 1.3 Level of Service Standards

To ensure that all concurrency related facilities are being maintained at the adopted level of service standard.

Monitoring and Evaluation of Objective 1.3.

Whether all concurrency related facilities are being maintained at the adopted level of service standard.

CIE Policy 1.3.1:

Bunnell shall periodically evaluate its adopted level of service standards to determine if the standards are consistent with the desires of the community and make revisions to the standards as necessary.

CIE Policy 1.3.2:

The City adopts the following minimum peak-hour level of service standards for its roadway network:

- Rural Principal Arterial - LOS standard C
- Rural Minor Arterial - LOS standard D
- Rural Minor Collector (Local & County) – LOS standard C
- Emerging SIS Facilities – LOS standard C.

CIE Policy 1.3.3:

The City's central potable water system shall be capable of distributing 120 gallons per capita per day for those connected to the system (Adopted by Ordinance 2013-09).

CIE Policy 1.3.4:

The City's central sanitary sewer system shall be capable of treating 102.3 gallons per capita per day for those connected to the system (Adopted by Ordinance 2013-09).

CIE Policy 1.3.5:

The City's solid waste system shall be capable of collecting and disposing 9.3 pounds per capita per day.

CIE Policy 1.3.6:

The City's parks and recreation system shall provide at least 3.0 acres of park land per 1,000 residents.

CIE Policy 1.3.7:

The City's stormwater management system shall adequately operate under the conditions of a storm with a 24-hour, 25 year frequency.

CIE Policy 1.3.8:

The City of Bunnell shall utilize the following LOS standards in coordination with the School District to implement School concurrency:

1. Elementary: one hundred percent (100%) of permanent Florida Inventory of School Houses (FISH) capacity with State Requirements for Educational Facilities (SREF) utilization factor;
2. Middle: one hundred percent (100%) of permanent FISH capacity with SREF utilization factor;
3. K-8: one hundred percent (100%) of permanent FISH capacity with SREF utilization factor;
4. High: one hundred percent (100%) of permanent FISH capacity with SREF utilization factor; and
5. Special Purpose: one hundred percent (100%) of permanent FISH capacity with SREF utilization factor.

CIE Policy 1.3.9:

The City, in coordination with the School District, shall allow relocatables to be utilized to maintain the LOS standards on a temporary basis when construction to increase capacity is planned and in process. The temporary capacity provided by relocatables shall not exceed twenty (20%) of the permanent FISH capacity and shall be used for a period not to exceed five (5) years. Relocatables may also be used to accommodate capacity utilized for any specific education/development programs as required by law and/or adopted by the School Board.

CIE Objective 1.4 Proportionate Fair Share Payments and Impact Fees

To maintain a fair system where developers/land owners will bear a proportionate cost of facility improvements necessitated by proposed development in order to adequately maintain adopted level of service standards.

Monitoring and Evaluation of Objective 1.4.

1. Whether the City of Bunnell maintains a proportionate fair share system in its Land Development Code which allows developers to proceed under certain conditions, notwithstanding the failure of concurrency, by contributing their proportionate fair-share of the cost of the facility.
2. Whether the City continues to maintain impact fees which are adequate to pay for its existing capital facilities.

CIE Policy 1.4.1:

Bunnell shall use capital facility cost estimates and/or city-adopted or state approved development impact methodologies to determine and assess proportionate fair share payments and dedications.

CIE Policy 1.4.2:

Bunnell shall periodically evaluate its impact fees to determine if collections are adequate to pay for its existing capital facilities.

CIE Policy 1.4.3:

Bunnell shall continue to support the Flagler County Recreation Impact Fee by verifying that the required fee has been paid prior to the issuance of a development order by the City.

CIE Objective 1.5 Financial Controls

To exercise sound fiscal management practices to ensure the long-term health of the community and to ensure the necessary capital facility improvements are provided for existing and future development.

Monitoring and Evaluation of Objective 1.5.

Whether the City has adopted a financially feasible five-year Capital Improvements Program (Adopted by Ordinance 2013-09).

CIE Policy 1.5.1:

The City shall issue municipal bonds or borrow funds for municipal purposes only to the extent authorized by and subject to the limitations provided for in Florida Statutes and Municipal Home Rule Law.

CIE Policy 1.5.2:

The Financial Services Director shall review all proposed capital improvement projects and make a recommendation to the City Manager concerning the City’s ability to finance such proposals. The recommendation shall include a review of the following:

1. Ability to use an existing revenue stream.
2. Ability to use impact fees or proportionate share payments.
3. Assessment of whether bonding is appropriate and the likelihood of getting a bond approved by voters of the City.
4. Availability of grant funds.

CIE Policy 1.5.3:

The term for repayment of any debt supporting public capital facility improvements shall not exceed the expected and useful life of the facility.

CIE Policy 1.5.4:

Before funding any public capital facility improvement, the City shall assess the impact of maintenance and operations costs anticipated to be generated by that facility.

CIE Policy 1.5.5:

Bunnell shall maximize its use of grant funds as a supplement to local revenue sources.

CIE Policy 1.5.6:

Prior to funding any public capital improvements, the City shall evaluate what opportunities the improvement may create (e.g., the need for sewer or water main extensions shall be considered when roadway improvements are planned in order to minimize the cost and disruption caused by the construction).

CIE Policy 1.5.7:

The City shall replace or renew capital facilities as necessary to protect the public’s health, safety, and welfare, and to ensure that the adopted level of service standards are maintained.

CIE Objective 1.6 Public Expenditures in Designated Flood Prone Areas

To discourage public capital facility improvements in the designated flood prone areas.

Monitoring and Evaluation of Objective 1.6

Whether the policies adopted under this objective were successfully implemented by the City of Bunnell.

CIE Policy 1.6.1:

Bunnell shall fund and construct public capital facility improvements in the designated flood prone areas only to the extent that it supports existing development patterns and will not encourage additional or more intensive development.

CIE Policy 1.6.2:

The designated flood prone areas shall mean those areas inundated by water during a 100 year flood as depicted on the City's flood prone area map.

CIE Policy 1.6.3:

Public expenditures in the designated flood prone area shall be limited to the following:

1. Maintenance of existing facilities.
2. Improvements designed to improve the efficiency of existing facilities.
3. Replacement of obsolete or worn-out facilities.
4. Limited Recreational Facilities.
5. Water quality and supply improvement facilities.
6. New construction and/or expansion of arterial and collector streets.

CIE Policy 1.6.4:

Construction of all public capital facilities must conform to the floodplain regulations adopted by the City of Bunnell.

Schedule of Capital Improvements, FY2021-2026

	Policy/ Plan Implementation	<u>FY21/22</u>	<u>FY22/23</u>	<u>FY23/24</u>	<u>FY24/25</u>	<u>FY25/26</u>	Proposed funding in:
Water System CIP	Infrastructure Element Policy 4.1.4	\$0	\$0	\$392,341	\$98,796	<u>\$97,568</u>	Enterprise Fund
Water System R&R	Infrastructure Element Policy 4.1.4	\$100,000 <u>\$60,000</u>	\$100,000 <u>\$0</u>	\$100,000 <u>\$0</u>	\$100,000 <u>\$0</u>	<u>\$0</u>	Enterprise Fund
Water Treatment Plant CIP	Infrastructure Element Policy 4.1.4	\$255,000 <u>\$249,500</u>	\$73,333 <u>\$200,000</u>	\$0 <u>\$100,000</u>	\$33,800	<u>\$0</u>	Enterprise Fund
Water Treatment Plant CIP	Infrastructure Element Policy 4.1.4	\$0	\$36,667 <u>\$0</u>	\$0 <u>\$500,000</u>	\$0	<u>\$0</u>	REDI Grant
Sewer System CIP	Infrastructure Element Policy 1.1.8	\$1,283,100 <u>\$100,000</u>	\$840,650 <u>\$60,000</u>	\$0 <u>\$548,000</u>	\$131,000 <u>\$20,000</u>	<u>\$0</u>	Enterprise Fund
<u>Sewer System CIP</u>	<u>Infrastructure Element Policy 1.1.8</u>	<u>\$638,070</u>	<u>\$0</u>	<u>\$0</u>	<u>\$500,000</u>	<u>\$0</u>	<u>REDI & HMGP Grants</u>
Sewer Collection System R&R	Infrastructure Element Policy 1.1.8	\$200,000	\$200,000 <u>\$0</u>	\$200,000 <u>\$0</u>	\$200,000 <u>\$131,000</u>	<u>\$0</u>	Enterprise Fund
Subtotal (this page)		<u>\$1,247,570</u>	<u>\$260,000</u>	<u>\$1,540,341</u>	<u>\$783,596</u>	<u>\$97,568</u>	

City of Bunnell
Capital Improvements Element
Goals, Objectives and Policies Adopted by Ordinance 2022-xx unless Otherwise Indicated

Wastewater Treatment Plant CIP	Infrastructure Element Policy 1.1.8	\$200,000 \$0	\$0 \$6,648,000	\$0 \$4,432,000	\$0	\$0	Enterprise Fund
Wastewater Treatment Plant CIP	Infrastructure Element Policy 1.1.8	\$800,000 \$0	\$15,579,628 \$12,348,000	\$0 \$8,232,000	\$0	\$0	SRF / CDBG-MIT / State Grant / ACOE / SJRWMD
Reclaim Water Line CIP	Infrastructure Element Policy 1.2.10	\$0	\$0	\$800,400 \$0	\$5,521,600 \$800,400	\$0 \$4,535,600	Enterprise Fund
Reclaim Water Line CIP	Infrastructure Element Policy 1.2.10	\$0	\$0	\$640,320 \$0	\$4,417,280 \$640,320	\$3,628,480	USDA / SRF
Stormwater CIP	Infrastructure Element Policy 3.1.1	\$50,000 \$20,000	\$0 \$115,000	\$0	\$0	\$0	General Fund
Stormwater Drainage R&R Hymon Project	Infrastructure Element Policy 3.1.3	\$18,000	\$50,000	\$0	\$0	\$0	General Fund
Stormwater Drainage R&R Hymon Project	Infrastructure Element Policy 3.1.3	\$12,000	\$688,000	\$0	\$0	\$0	CDBG
Stormwater Drainage R&R Phase II	Infrastructure Element Policy 3.1.3	\$0	\$0	\$0	\$0	\$0	General Fund
Subtotal (this page)		\$50,000	\$19,849,000	\$12,664,000	\$1,440,720	\$8,164,080	

City of Bunnell
Capital Improvements Element
Goals, Objectives and Policies Adopted by Ordinance 2022-xx unless Otherwise Indicated

Stormwater Drainage R&R Phase II	Infrastructure Element Policy 3.1.3	\$0	\$0	\$0	\$0	\$0	REDI Grant
Sidewalk Repair & Replacement	Traffic Circulation Element Policy 4.7.8	\$10,000	\$10,000	\$10,000	\$10,000		General Fund
Street Paving/Resurfacing	Traffic Circulation Element Policy 1.1.1	\$90,000 \$0	\$80,000 \$115,000	\$80,000 \$270,000	\$80,000 \$125,000	\$130,000	General Fund
Speed Reduction Devices	Traffic Circulation Element Policy 5.1.3	\$10,000	\$10,000	\$10,000	\$10,000		General Fund
Fiber Optic CIP	N/A	\$10,000	\$30,000	\$30,000	\$30,000	\$30,000	General Fund
Flagler Central Commerce Parkway	Future Land Use Element Policy 10.3	\$4,000,000	\$0 \$1,000,000	\$4,000,000 \$200,000	\$0 \$200,000	\$200,000	General Fund ¹
Flagler Central Commerce Parkway	Future Land Use Element Policy 10.3	\$1,750,000	\$350,000	\$350,000	\$350,000	\$350,000	Impact Fees for Sewer Infrastructure Construction
Flagler Central Commerce Parkway	Future Land Use Element Policy 10.3	\$1,750,000	\$350,000	\$350,000	\$350,000	\$350,000	Impact Fees for Water Infrastructure Construction
Subtotal (this page)		\$7,510,000	\$945,000	\$1,200,000	\$1,055,000	\$1,060,000	

Per Capital Improvements Element Policy 1.1.12, Flagler Central Commerce Parkway shall not be funded from ad valorem taxes, fees, assessments, or other local taxpayer funds. Only pass through funds from Federal Earmark SAFETEA-LU #F172 will be spent by the City on this project.

City of Bunnell
Capital Improvements Element
Goals, Objectives and Policies Adopted by Ordinance 2022-xx unless Otherwise Indicated

Parks and Recreation							
Eddie Johnson Park Upgrade	Recreation & Open Space Element Policy 1.1.2	\$5,000	\$0	\$0	\$0		General Fund
Municipal Park Move	ROS Objective 1.1 Level of Service Standards for Parks	\$19,000	\$1,200				General Fund
JB King Concession Stand Upgrade	ROS Objective 1.1 Level of Service Standards for Parks		\$15,000				General Fund
City Facility/Buildings							
Demolish Old PD Building/Grade & Flatten Lot for subbase parking spaces & fencing	N/A	\$16,000	\$0	\$0	\$0		General Fund
Design Build - New City Hall – 201 W. Moody Blvd	N/A	\$20,000	\$20,000	\$0	\$0		General Fund
Build New City Hall – 201 W. Moody Blvd	N/A	\$0	\$0	\$5,200,000	\$0		General Fund
Subtotal (this page)		\$39,000	\$36,200	\$5,200,000	\$0	\$0	

City of Bunnell
Capital Improvements Element

Goals, Objectives and Policies Adopted by Ordinance 2022-xx unless Otherwise Indicated

Bunnell Administration Complex — Chamber Rehab	N/A	\$80,000	\$0	\$0	\$0		General Fund
Lake Lucille — Total Electrical upgrade/Rehab	N/A	\$0	\$0	\$0	\$0		General Fund
Versie Lee Mitchell	N/A	\$15,000	\$0	\$0	\$0		General Fund
Relocation of City Offices (?)							
Historic Coquina Hall Remediation	FLU Goal 3 Historic Resources	\$101,516					General Fund
Historic Coquina Hall Design	FLU Goal 3 Historic Resources	\$20,000	\$65,000				General Fund
Subtotal (this page)		\$121,516	\$65,000	\$0	\$0	\$0	

City of Bunnell
 Capital Improvements Element
 Goals, Objectives and Policies Adopted by Ordinance 2022-xx unless Otherwise Indicated

<u>Historic Coquina Hall Reconstruction</u>	<u>FLU Goal 3 Historic Resources</u>		<u>\$500,000</u>				<u>Special Category Grant</u>
Public Schools							
<i>No Capacity Improvements Scheduled</i>	N/A	\$0	\$0	\$0	\$0		General Fund
Grand Total		<u>\$8,968,086</u>	<u>\$21,655,200</u>	<u>\$31,404,341</u>	<u>\$3,279,316</u>	<u>\$9,321,648</u>	



City of Bunnell, Florida

Agenda Item No. 5.

Document Date: 10/1/2022
Department: Community Development
Subject: Ordinance 2022-XX Repealing Land Development Code
Section 30-9 Rural Developments and Section 34-190 Rural
Subdivisions

Property Address:
Zoning Designation:
Future Land Use Designation:
Agenda Section: New Business:

ATTACHMENTS:

Description	Type
ORD-- 2022-XX Repealing Rural Developments and Rural Subdivisions	Cover Memo

Summary/Highlights:

The repeal of Section(s) 30-9, Rural Developments and 34-190, Rural Subdivisions of the Land Development Code offers an opportunity to make corrections, provide clarification, and ensure consistency with the adopted Comprehensive Plan.

Background:

In recent times, it has been brought to staff's attention, that Section 30-9, Rural Developments and Section 34-190, Rural Subdivisions has conflicting language that is not being addressed in a clear manner.

Therefore, the repeal is being requested by staff to enable propose amendments that are encouraging quality development as a result of improving the language of land development standards cited in the Code of Ordinances, Land Development Code.

Staff Recommendation:

Staff is Requesting a Recommendation to the City Commission for an Approval to repeal Section 30-9, Rural Developments and Section 34-190, Rural Subdivisions via Ordinance 2022-XX.

City Attorney Review:

Approved as to form and legality.

ORDINANCE 2022-XX

AN ORDINANCE OF THE CITY OF BUNNELL, FLORIDA REPEALING SECTION 30-9 RURAL DEVELOPMENTS FROM THE LAND DEVELOPMENT CODE OF THE CITY OF BUNNELL; REPEALING SECTION 34-190 RURAL SUBDIVISIONS FROM THE LAND DEVELOPMENT CODE OF THE CITY OF BUNNELL; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY AND APPLICABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2, *Constitution of the State of Florida*, authorizes the City of Bunnell to exercise any power for municipal purposes except as otherwise provided by law; and

WHEREAS, the *Bunnell Land Development Code* provides for developments and subdivisions; and

WHEREAS, the City staff has evaluated the Rural Developments ordinance contained in Section 30-9 of the Land Development Code of the City of Bunnell, and the Rural Subdivisions ordinance contained in Section 34-190 of the Land Development Code of the City of Bunnell and determined that these development processes are not in the best interest of the City of Bunnell; and

WHEREAS, repealing these ordinances would require rural developments to follow the normal process for developments and subdivisions but would not reduce or diminish any substantive development rights of rural landowners; and

WHEREAS, Section 163.3174(4)(c), *Florida Statutes*, requires the local planning agency to review proposed land development regulations and amendments, and make recommendations to the governing body as to the consistency of the proposal with the adopted comprehensive plan, or element or portion thereof; and

WHEREAS, the Planning, Zoning and Appeals Board reviewed this Ordinance at its _____ meeting and recommends adoption; and

WHEREAS, the City Commission of the City of Bunnell finds it is in the best interest and welfare of the citizens of the City to repeal these sections of the City Code of the City of Bunnell; and

WHEREAS, the City of Bunnell has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BUNNELL, FLORIDA AS FOLLOWS:

Section 1. Repeal of Section 30-9, Rural Developments. Section 30-9 of the Land Development Code of the City of Bunnell is hereby repealed.

Section 2. Repeal of Section 34-190, Rural Subdivisions. Section 34-190 of the Land Development Code of the City of Bunnell is hereby repealed.

Section 3. Savings.

The prior actions of the City of Bunnell relating to the regulation of landscaping, tree protection, tree removal and related matters are hereby ratified and affirmed.

Section 4. Codification.

The provisions of this Ordinance, including its recitals, shall become and be made a part of the *Bunnell Land Development Code* and the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention and the word "Ordinance", or similar words, may be changed to "Section," "Article", or other appropriate word; provided, however, that Sections 2, 3, 4, 5, 6 and 7 shall not be codified. The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

Section 5. Conflicts.

All ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 6. Severability.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 7. Effective Date. This Ordinance shall take effect immediately upon enactment.

First Reading: approved on this ____ day of _____ 2022.

Second Reading: approved on this ____ day of _____ 2022.

CITY COMMISSION, City of Bunnell, Florida.

By: _____
Catherine D. Robinson, Mayor

Approved for form and content by:

Vose Law Firm, City Attorney

Attest:

Kristen Bates, CMC, City Clerk

Seal:



City of Bunnell, Florida

Agenda Item No. 6.

Document Date: 10/4/2022
Department: Community Development
Subject: PZA 2022-69 Allen Lands Rural Subdivision
Property Address: Parcel Identification Number (PIN): 18-12-30-5550-00040-0020 south of County Road 302
Zoning Designation: AG&S (Agricultural and Silvicultural)
Future Land Use Designation: AG&S (Agricultural and Silvicultural)
Agenda Section: New Business:

ATTACHMENTS:

Description	Type
Attachment A-Location Map	Location Map(s)
Attachment B-Development Application	Exhibit
Attachment C- Survey (Sketch & Description)	Exhibit
Attachment D-Access Easement	Exhibit

Summary/Highlights:

The proposed request entails the subdividing of a 25 ± acre parcel into four (4) lots, with three sized at 5 ± acres and the remaining lot at 9.89 ± acres for purposes of creating a Rural Subdivision.

Background:

On behalf of the owners, Allen Lands LLC of parcel number 18-12-30-5550-00040-0020, represented by Penny Buckles, requests the approval of a subdivision of the subject lot into four (4) parcels. The subject parcel is located approximately 1843 feet west of the intersection of County Road 302 and County Road 65. From which proposed Parcels 1-3 will have direct access to CR 302. In accordance with evidence presented by the applicant, Parcel 4 has right of access via an easement that is dated February 19, 2012 recorded in Book 23, Page 197 (See Attachment D).

The Future Land Use designation of the subject property is AG&S (Agriculture & Silviculture) supports residential uses on the parcel but does not intend for larger development. Due to the parcel size, the subdivision would be considered a rural subdivision as described in FLU Policy 16 of the 2035 Comprehensive Plan, which highlights accommodating Low-Density Residential that entails a maximum density of one (1) dwelling unit per five (5) acres. In concert with the FLU Policy 16, Section 30-3 of the City of Bunnell, Land Development Code gives a more detailed explanation. Specifically, the intent stated in this referenced section of the Code, acknowledges the

findings of fact that the majority of the City's land base is rural in nature, which therefore, will offer supporting agricultural and silvicultural uses with rural subdivision in approved locations. Thus, residential uses would be viable use of the parcels as well as agricultural and silvicultural uses. The request to subdivide the subject property into four (4) lots 3 of the lots being 5 ± acres and 1 lot measured at 9.89 ± acres as stated before, meets the intent that is sought to create and enhance residential areas where agricultural use compatible with a residential use is desired. In this regard, the request is consistent with the zoning district as the Rural Subdivision criteria entails each parcel is adhering to the minimum parcel size of five (5) acres or greater.

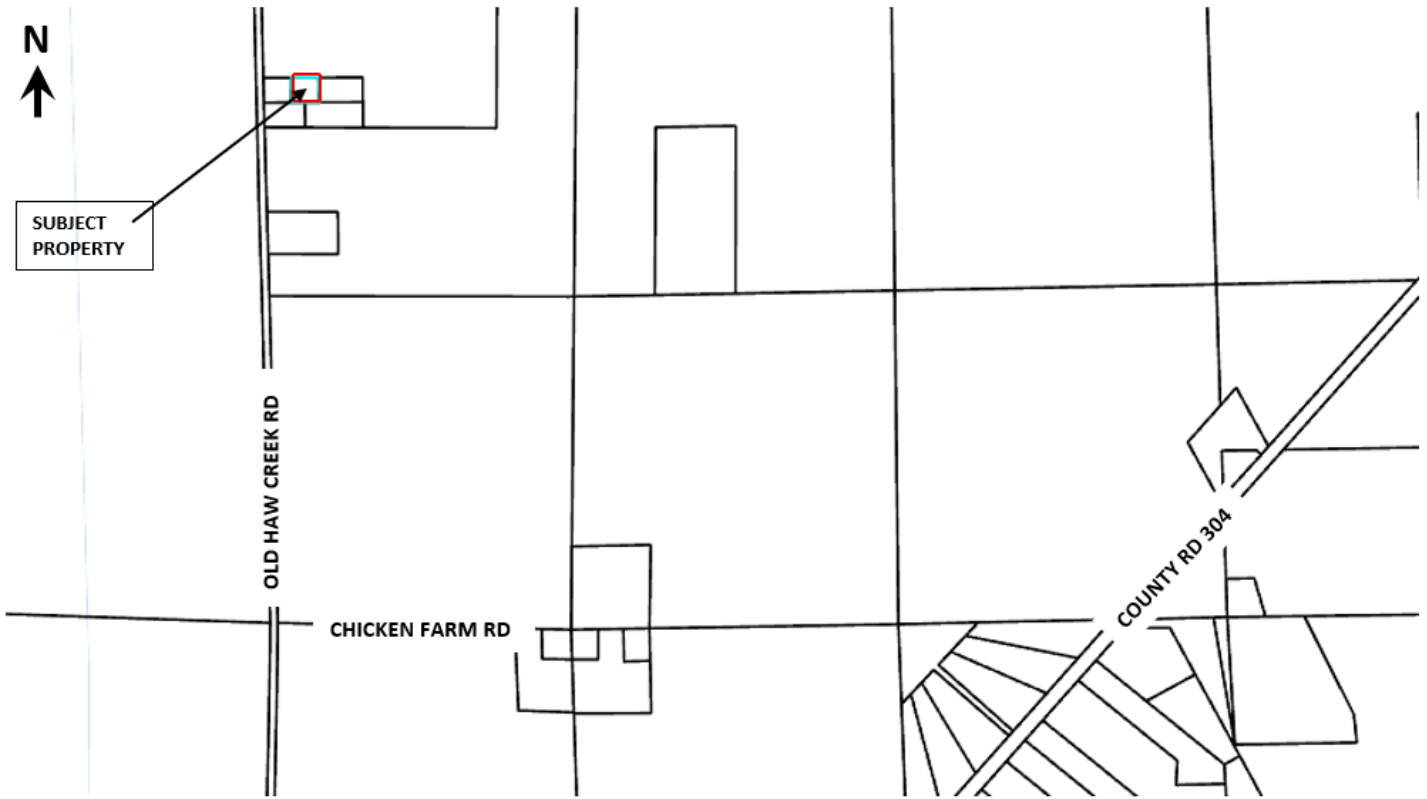
Staff Recommendation:

Staff Recommends the Planning, Zoning and Appeals Board recommend approval of the four (4) lot Rural Subdivision with 3 of the lots measuring at 5 ± acres that abut County Road 302 and 1 measuring at 9.89 ± acres along the rear of the subject property to the City Commission.

City Attorney Review:

Approved as to form and legality.

Location Map



May 19, 2022

City of Bunnell
Community Development Department

REF: Parcel 18-12-30-5550-00040-0020
Allen Lands LLC

To Whom It May Concern,

Attached is the project information for the above referenced parcel. Allen Lands LLC is requesting a rural development change to allow for subdivision of this 25 acre parcel to be divided into three five acre parcels and one 9.89 acre parcel. The property appraiser site states it is 20 acres but after surveying this parcel is actually 25 acres. The survey will be sent to them for correction as well.

All three of the 5 acre parcels have CR302 road frontage. The 9.89 acre parcel borders the dirt road and they will have access from that road. Stephenson Wilcox and Associates has advised us that the dirt road is a platted road. This road also provides access to two other homes (Donald Zimmerle at 465 CR302 and Rhonda Pellicer at 461 CR302) they both have CR302 addresses.

Please let us know what other documents we need to provide to you. We have several other parcels that we want to divide in the future and will have to go through this same process.

Any questions, please call Penny Buckles at 386-931-6597, as she will be assisting me with this process.

Regards,



Lila Allen Pontius

720 CR304

Bunnell, Fl. 32110

<p>APPLICATION FOR REVIEW</p> <p>CITY OF BUNNELL, FLORIDA COMMUNITY</p> <p>DEVELOPMENT DEPARTMENT</p>
<p>PO Box 756, Bunnell, FL 32110 Office: (386) 437-7516 Fax: (386) 437-8253</p>

PROJECT INFORMATION

Parcel ID (required): 18-12-30-5550-00040-0020	
Project Name (required): Allen Lands Subdivision / Rural Development # 1	
Project Address is Known (required): CR302 No address issued yet	
Current Zoning (required): AC(F)	Current Land Use (required): Timberland
Intended Use of Property (required): Single Family Residence on 3-5 acre parcels + one 9+ acre parcel	
Source of Water: <input checked="" type="checkbox"/> well <input type="checkbox"/> city water	Source of Sewer: <input checked="" type="checkbox"/> septic <input type="checkbox"/> city sewer

PROJECT TYPE (Check all that apply to proposed project)

<p>Site Plan Reviews* Land Development Code Chapter 22</p> <p><i>Site plan requirements can be found in Section 22-9.</i></p>	<input type="checkbox"/> Minimal Site Plans (Technical Review Plans Only)	\$ 250.00*
	<input checked="" type="checkbox"/> Minor Site Plans (Technical Review Plans Only)	\$ 800.00*
	<ul style="list-style-type: none"> Residential: < 4 new dwelling units on one parcel not exempted single-family development Non-residential: new < 5000 sqft impervious improvement Non-residential expansion/replacement: > 1000 sqft but < 2000 sqft impervious area 	
	<input type="checkbox"/> Major Site Plans (PZA Approval Required)	\$1,000.00*
	<ul style="list-style-type: none"> Residential: structure having ≥ 4 new dwelling units on one parcel Non-residential: new ≥ 5000 sqft impervious improvement Non-residential expansion/replacement: ≥ 2000 sqft impervious area Any new development requiring special exception approval 	
Site Plan Re-submittals	1 st Resubmittal	No Cost
	2 nd Resubmittal	\$ 100.00
	3 rd Resubmittal	\$ 250.00
	4 th and all subsequent Resubmittals	\$ 500.00 each

*Plus Fire Review Cost: \$ 30.00 first 1000 sq feet, plus \$.03 per square foot over 1000 (Ord 2004-18)

<p>Future Land Use Map (FLUM) Amendments</p>	<input type="checkbox"/> Small Scale Land Use Change (less than 10 acres of property)	From: _____ To: _____	\$ 750.00 + **
	<input type="checkbox"/> Large Scale Land Use Change (ten or more acres of property)	From: _____ To: _____	\$ 1,500.00 **

**the applicant is responsible for costs of required advertising, notifications and recording costs

APPLICATION FOR REVIEW CITY OF BUNNELL, FLORIDA COMMUNITY DEVELOPMENT DEPARTMENT		
PO Box 756, Bunnell, FL 32110 Office: (386) 437-7516 Fax: (386) 437-8253		
<u>APPLICANT INFORMATION</u>		
Applicant: <i>Allen Lands LLC</i>		
Contact: <i>Penny Buckles for Lila Allen Pontius + George Allen</i>		
Address: <i>720 CR 304</i>		
City: <i>Bunnell</i>	State: <i>FL</i>	ZIP: <i>32110</i>
Phone: <i>386-931-6597</i>	Fax:	
Email: <i>pennybucklesraitor@gmail.com</i>		
<u>CONSULTANT INFORMATION</u>		
Engineer / Surveyor:		
Contact:		
Address:		
City:	State:	ZIP:
Phone:	Fax:	
Email:		
<u>PROPERTY OWNER INFORMATION</u>		
Owner: <i>Allen Lands LLC</i>		
Contact: <i>Lila Allen Pontius</i>		
Address: <i>720 CR304</i>		
City: <i>Bunnell</i>	State: <i>FL</i>	ZIP: <i>32110</i>
Phone: <i>386-316-4390</i>	Fax:	
Email: <i>lapontius@qol.com</i>		

- All sections on this page must be completed

PROJECTTYPECON'T			
Zoning Map Amendments	<input type="checkbox"/> ReZoning	From: _____	\$ 750.00 **
	<input type="checkbox"/> Small Scale Land Use Change (less than 10 acres of property)	To: _____	\$ 1,500.00 **
	<input type="checkbox"/> Large Scale Land Use Change (ten or more acres of property)		
	<input type="checkbox"/> PUD Zoning Only (not in conjunction with Agreement)	From: _____ To: _____ PUD	\$ 800.00 + **
Plat/Re-Plat/Subdivision of Property ***	<input type="checkbox"/> Vacation of Plat		\$ 500.00 + **
	<input type="checkbox"/> Preliminary Plat		\$ 1,000 + \$25 each new parcel created + **
	Preliminary Plat Resubmittals	1 st Resubmittal	No Cost
		2 nd and all subsequent Resubmittals	\$ 250.00 per submittal
	<input checked="" type="checkbox"/> Final Plat with Preliminary Plat		\$ 500.00 + \$25 each new parcel created after Prelim Plat approval + **
	<input type="checkbox"/> Final Plat without Preliminary Plat		\$ 1,500.00 + \$25 each new parcel created + **
	Final Plat Resubmittals	1 st Resubmittal	No Cost
		2 nd and all subsequent Resubmittals	\$ 250.00 per submittal
<p>**the applicant is responsible for costs of required advertising, notifications and recording costs</p> <p>***the applicant is responsible for costs for the City Reviewing Surveyor. Plat/Re-plat will not get final approval by the City Commission until all fees are paid. The applicant is to record all Plats/Re-plats and provide the book and page number to the City upon recording.</p>			
<input type="checkbox"/> Development of Regional Impact (DRI)		\$ 1,500.00 plus \$ 25 per acre or fraction thereof plus \$ 5.00 per dwelling unit	
<input type="checkbox"/> DRI Amendment/ Notice of Proposed Change		\$ 500.00 plus \$ 20 per acre or fraction thereof impacted by the proposed change, \$ 5.00 per additional dwelling + **	
<input type="checkbox"/> Development Agreements		\$ 1,500.00	
<input type="checkbox"/> Development Agreement Amendment/Modification/Extension		\$ 300.00	
<input type="checkbox"/> PUD Agreements		\$ 2,500.00	
<input type="checkbox"/> PUD Agreement Amendment		\$ 1,000.00 per agreement	
<input type="checkbox"/> Text Amendment to Comprehensive Plan		\$ 1,000.00 + **	
<p>**the applicant is responsible for costs of required advertising, notifications and recording costs</p>			

APPLICATION FOR ZONING REVIEW
CITY OF BUNNELL, FLORIDA COMMUNITY
DEVELOPMENT DEPARTMENT

PO Box 756, Bunnell, FL 32110 Office: (386) 437-7516 Fax: (386) 437-8253

APPLICANT'S SIGNATURE

I understand that the application for plan review must include all required submittals as specified in the City of Bunnell Code of Ordinances. Submission of incomplete plans may create delays in review and plan approval.

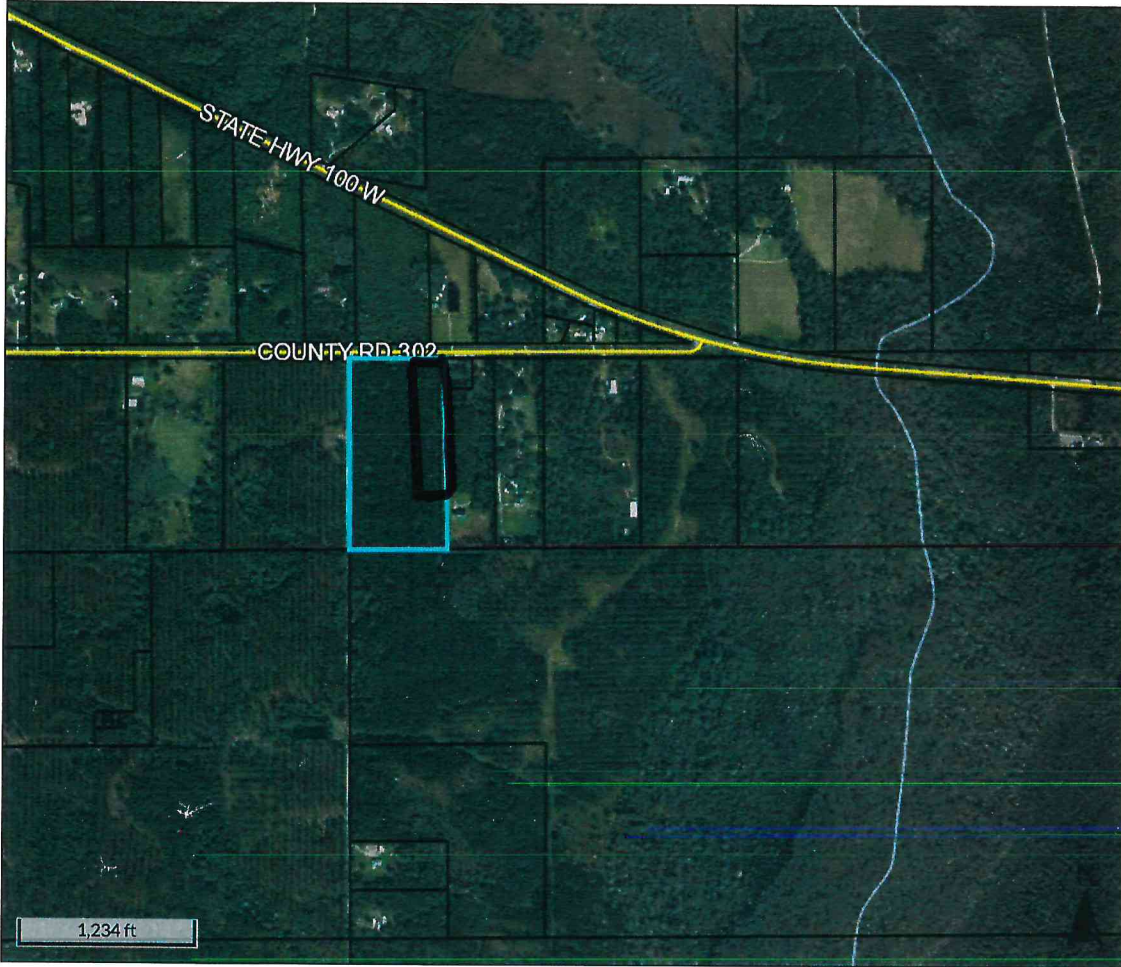
Applicant's Signature: *Lila Pontius*

Printed Name: *Lila Pontius*

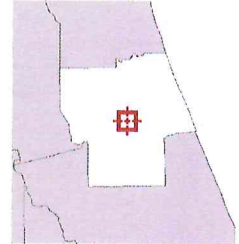
Date: *5/18/22*

FOR OFFICE USE ONLY




ADDITIONAL NOTES



Overview



Legend

-  Parcels
-  Roads
-  Streams and River

Parcel ID	18-12-30-5550-00040-0020	Owner	ALLEN LANDS LLC* C/O TAX DEPT 100 PROFESSIONAL CENTER DR BRUNSWICK, GA 31525	Land Value	\$0	Last 2 Sales							
Prop ID	12058	Physical Address	n/a	Ag Land Value	\$5,405	Date	11/16/2021	Price	0	Reason	V	Qual	U
Class Code	TIMBERLAND 80-89			Building Value	\$0		3/1/1900	\$800		V		U	
Taxing District	13			Misc Value	\$0								
Acres	20			Just Value	\$112,500								
				Assessed Value	\$5,405								
				Exempt Value	\$0								
				Taxable Value	\$5,405								

Date created: 3/17/2022
Last Data Uploaded: 3/17/2022 8:04:47 AM

COUNTY ROAD 302

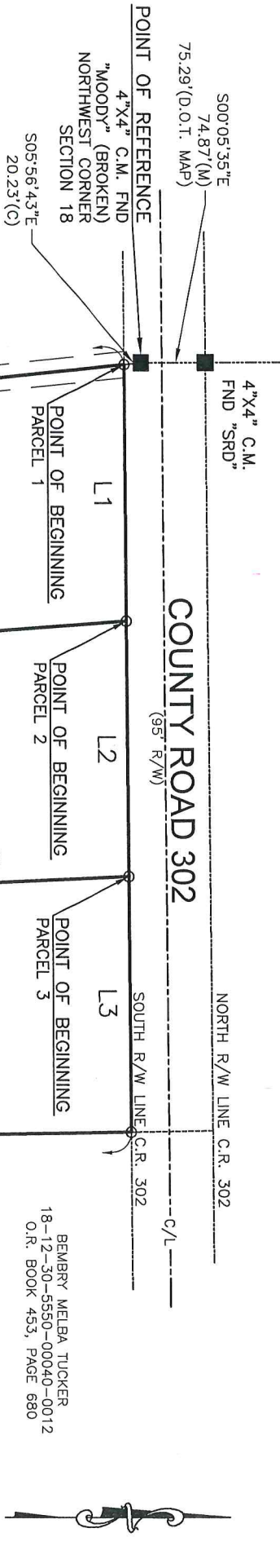
(95' R/W)

C/L

BEARBRY MELBA TUCKER
18-12-30-5550-00040-0012
O.R. BOOK 453, PAGE 680

NORTH
SCALE: 1"=180'

15' EASEMENT EACH SIDE
OF SECTION LINE
ST. JOHNS DEVELOPMENT
COMPANY SUBDIVISION
PER PLAT BOOK 1, PAGE 7



- L1
294.26'(C)
N89°37'36"E
- L2
293.11'(C)
N89°37'36"E
- L3
292.42'(C)
N89°37'36"E

BEARBRY LOYD CHARLES JR
18-12-30-5550-00040-0010
O.R. BOOK 458, PAGE 1529

ALLEN LANDS LLC
18-12-30-5550-00050-0110
O.R. BOOK 2628, PAGE 102

SOUTHWEST CORNER
O.R. BOOK 458, PAGE 1529

TYPE OF SURVEY: SKETCH & DESCRIPTION

PARCEL 1

A PORTION OF THE NORTHWEST 1/4 OF SECTION 18, TOWNSHIP 12 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
FROM A POINT OF REFERENCE BEING A 4"x4" CONCRETE "MOODY" MONUMENT MARKING THE NORTHWEST CORNER OF SECTION 18, BEAR S05°56'43"E ALONG THE WEST LINE OF SECTION 18, A DISTANCE OF 20.23 FEET TO A POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD 302; THENCE N89°37'36"E ALONG SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 587.37 FEET TO THE POINT OF BEGINNING; THENCE S02°35'15"E A DISTANCE OF 775.58 FEET; THENCE N89°37'36"E A DISTANCE OF 269.70 FEET TO THE WEST LINE OF LANDS RECORDED IN O.R. BOOK 458, PAGE 1529, A DISTANCE OF 775.03 FEET TO SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 292.42 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION.

PARCEL 2

A PORTION OF THE NORTHWEST 1/4 OF SECTION 18, TOWNSHIP 12 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
FROM A POINT OF REFERENCE BEING A 4"x4" CONCRETE "MOODY" MONUMENT MARKING THE NORTHWEST CORNER OF SECTION 18, BEAR S05°56'43"E ALONG THE WEST LINE OF SECTION 18, A DISTANCE OF 20.23 FEET TO A POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD 302; THENCE N89°37'36"E ALONG SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 587.37 FEET TO THE POINT OF BEGINNING; THENCE S02°35'15"E A DISTANCE OF 775.58 FEET; THENCE N89°37'36"E A DISTANCE OF 270.34 FEET; THENCE N02°35'15"W A DISTANCE OF 775.58 FEET TO SAID SOUTH RIGHT-OF-WAY LINE; THENCE S89°37'36"W ALONG SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 293.11 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION.

PARCEL 3

A PORTION OF THE NORTHWEST 1/4 OF SECTION 18, TOWNSHIP 12 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
FROM A POINT OF REFERENCE BEING A 4"x4" CONCRETE "MOODY" MONUMENT MARKING THE NORTHWEST CORNER OF SECTION 18, BEAR S05°56'43"E ALONG THE WEST LINE OF SECTION 18, A DISTANCE OF 20.23 FEET TO A POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD 302; THENCE N89°37'36"E ALONG SAID WEST LINE A DISTANCE OF 778.68 FEET TO THE POINT OF BEGINNING; THENCE N89°37'36"E A DISTANCE OF 811.43 FEET TO THE WEST LINE OF LANDS RECORDED IN O.R. BOOK 458, PAGE 1529, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; THENCE S00°54'32"W ALONG SAID WEST LINE OF O.R. BOOK 458, PAGE 1529, A DISTANCE OF 538.12 FEET TO THE SOUTHWEST CORNER OF O.R. BOOK 458, PAGE 1529; THENCE S88°12'58"W A DISTANCE OF 762.37 FEET TO THE WEST LINE OF SECTION 18; THENCE N05°56'43"W ALONG SAID WEST LINE A DISTANCE OF 559.50 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION.

PARCEL 4

A PORTION OF THE NORTHWEST 1/4 OF SECTION 18, TOWNSHIP 12 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
FROM A POINT OF REFERENCE BEING A 4"x4" CONCRETE "MOODY" MONUMENT MARKING THE NORTHWEST CORNER OF SECTION 18, BEAR S05°56'43"E ALONG THE WEST LINE OF SECTION 18, A DISTANCE OF 20.23 FEET TO A POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD 302; THENCE N89°37'36"E ALONG SAID WEST LINE A DISTANCE OF 778.68 FEET TO THE POINT OF BEGINNING; THENCE N89°37'36"E A DISTANCE OF 811.43 FEET TO THE WEST LINE OF LANDS RECORDED IN O.R. BOOK 458, PAGE 1529, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; THENCE S00°54'32"W ALONG SAID WEST LINE OF O.R. BOOK 458, PAGE 1529, A DISTANCE OF 538.12 FEET TO THE SOUTHWEST CORNER OF O.R. BOOK 458, PAGE 1529; THENCE S88°12'58"W A DISTANCE OF 762.37 FEET TO THE WEST LINE OF SECTION 18; THENCE N05°56'43"W ALONG SAID WEST LINE A DISTANCE OF 559.50 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION.

NOTE: PURSUANT TO FLORIDA STATE LAW, THIS SURVEY IS VALID NO MORE THAN 90 DAYS FROM DATE OF LAST FIELD WORK.

PREPARED FOR:

GEORGE ALLEN
P.O. BOX 1145
BUNNELL, FL 32110



STEPHENSON, WILCOX
& ASSOCIATES, INC.
CIVIL ENGINEERS • LAND SURVEYORS • CONSULTANTS • PLANNERS

2729 E. Moody Blvd., Ste. 400
PO Box 186 Bunnell FL 32110
Phone: 386.437.2363 • Email: info.swa@gmail.com

SURVEY TYPE:	FIELD DATE	OFFICE DATE	JOB NO.	BY:
Sketch & Legal	04/21/22	22-0740	NIG	NIG
Revision	05/02/22	22-0740	NIG	
Revision				
Revision				

Revision

I hereby certify that the survey represented herein meets or exceeds the minimum standards established pursuant to Section 472.027, Florida Statutes, and adopted in Chapter 5J-17 Florida Administrative Code.

DAN A. WILCOX Jr., PSM No. 5749, PE No. 57633

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

No.

Grantor *St. Johns Development Co. a Corp.*
By E. F. Warner, Pres and John C Maxwell, Sec'y.

Recorded in		Date of Acknowledgment			
Book	Page	Day	Month	Year	
23	197	19	2	12	
Date of Instrument		Date of Filing			
Day	Month	Year	Day	Month	Year
19	2	12	23	2	12
Consideration		Date of Record			
Kind of Ins.		Day	Month	Year	
\$ 200.					
W. L.					

Grantee *Edward R. Brennan*

Is grantor } recited to be unmarried Does wife } join in execution
Are all grantors } Do wives } separately release dower } convey her estate

Have all named grantors signed *y* and sealed *corporate*
Has each signature two witnesses *y*

Has each grantor duly acknowledged *y* Before what officer *n p* Name of officer _____ Did he properly sign and seal *y*

If wife's acknowledgment in statutory form Witnesses' names *2*

Is grant in fee _____ Covenants contained _____

Description: (if according to plat, identify the plat) *SW⁴ of NW⁴ of SW⁴ of Sec 18-12-30*
being Tract 3 in Block 12 containing 10 acres more
or less, 10-foot is reserved on each side of each section
and half section line for public highway purposes.
Service rights reserved subject to lease of R. J. Squires.