

Crossroads of Flagler County

Board Members:
Carl Lilavois, Chair
Gary Masten, Co-Chair
Lyn Lafferty
Gary Garner
Janice Catoggio

PLANNING, ZONING AND APPEALS BOARD AGENDA

Thursday, April 11, 2024

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. March 5, 2024 Planning, Zoning and Appeals Board Minutes

New Business:

4. SE 2023-02 Requesting approval of a special exception use for a concrete batch and asphalt plant located at 3060 Steel Rail Dr.
5. SE 2024-01 Requesting approval of a special exception to allow a landscaping business to operate and park/store/maintain commercial vehicles on property zoned AG, Agricultural District.
6. SE 2024-02 Requesting approval of a special exception to allow the use of an interactive pet daycare and boarding facility, located at 3363 North State Street.
7. MJSP 2023-01 Requesting approval of the major site plan for Bunnell Shade and Shelter located at 1225 W Moody Blvd.
8. MJSP 2023-05 Requesting approval of the major site plan for Sparks Concrete Inc. located at 3060 Steel Rail Dr.
9. FLUMA 2024-01 Requesting to amend the Future Land Use Map in the Comprehensive Plan by Ordinance for 2,787+/- acres of land within the City of Bunnell, owned by JM Properties X LLC and Wayerhaeuser Company.

Old Business: None

10. Public Comment

Comments regarding items not on the agenda. Citizens are encouraged to speak; however, comments should be limited to three minutes.

11. Board comment

12. 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

March 5, 2024 Planning, Zoning and Appeals Board Minutes

Chair Lilavois Recusal from Voting Form 8

Exhibit A - SE 2023-06 Items Presented by Applicant

Type

Minutes

Exhibit

Exhibit



Crossroads of Flagler County

Board Members:
Carl Lilavois, Chair
Gary Masten, Co-Chair
Lyn Lafferty
Gary Garner
Janice Catoggio

PLANNING, ZONING AND APPEALS BOARD MINUTES

Tuesday, March 5, 2024

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: Chair Carl Lilavois; Co-Chair Gary Masten; Board Member Janice Catoggio;
Board Member Gary Garner; Board Member Lyn Lafferty

Non-Voting: Community Development Coordinator Adrian Calderin; Interim Community
Development Director Joe Parsons; City Attorney Paul Waters; Infrastructure Director
Dustin Vost

2. Disclosure of Ex-Parte communications.

None

3. Approval of Minutes

a. February 6, 2024 Planning, Zoning and Appeals Board Minutes

Motion: Approve the February 6, 2024 Planning, Zoning and Appeals Board Meeting
Minutes.

Moved By: Gary Masten

Seconded By: Gary Garner

Board Discussion: None

Public Discussion: None

Vote: motion carried by unanimous vote.

New Business:

**4. MJSP 2024-01 Request approval of the major site plan for the Wastewater
Treatment Facility Expansion Project.**

Community Development Coordinator Calderin introduced and explained the
item. He stated this expansion will cater to the future growth of the City; Staff
recommended approval of the major site plan.

Co-Chair Masten asked what the time frame is from start to finish. Infrastructure
Director Vost answered it will be 24 months from groundbreaking.

Motion: Approve the major site plan for the Wastewater Treatment Facility Expansion
Project.

Moved By: Gary Masten

Seconded By: Gary Garner

Vote: motion carried by unanimous vote.

Old Business:

5. SE 2023-06 Request approval of the special exception to store commercial vehicles and equipment on 105 North Forsyth Street

Chair Lilavois recused himself from voting and passed the gavel to Co-Chair Masten

Community Development Coordinator Calderin introduced and explained the item. He stated what the surrounding area consists of and what the nature of the request is. He further said this is an after-the-fact request. Staff recommended approval with conditions.

Board Member Lafferty asked if the request involves a rezoning of the property. City Attorney Olsen said this is not a rezoning and only a request for a use that is not otherwise allowed for the current zoning district.

Board Members Lafferty and Catoggio discussed the implications on property taxes if a commercial use for a residentially zoned property were allowed.

City Attorney Olsen reminded the Board the request is for a special exception and not a rezoning. The request does not have precedential value as every request is unique.

Board Member Lafferty asked what would happen if the applicant does not follow through with the conditions placed upon the request. Community Development Coordinator Calderin said code enforcement would be started if any of the conditions are violated, and if in the future the applicant decides to expand his business, then he will need to come back to the Board.

Co-Chair Masten asked if the requested use has been in place since 2021 and if there are any documented complaints. Community Development Coordinator Calderin stated the use has been in place since 2021 and affirmed there are no documented complaints.

The applicant, Corey Udell and Michelle Udell, explained their reason for the request and what their intent is for the property. They presented items to the Board (shown in Exhibit A).

Board Member Garner asked the applicant if the only equipment being stored on the property is the truck, trailer, and the equipment on the trailer. The applicant confirmed this is true and plans to build a carport to store the equipment and vehicles under.

Francine Lilavois and Carl Lilavois expressed their concerns with granting the use to the applicant.

Motion: Approve the special exception request with the following conditions:

1. The property must adhere to the noise limitations for commercial use outlined in Section 26-199 of the Code of Ordinances. Any violation of these limitations will adhere to Section 26-203 of the Code of Ordinances.
2. All proposed Parking for the storage of the company's vehicles and/or trailers shall be that of a sealed surface according to Section 34-202(7) in the Land Development Code.
3. The special exception use shall remain incidental and accessory to the existing residential building.

4. Commercial vehicles permitted to park overnight on the property shall be small in nature such as pickup trucks and associated light duty single axle landscape trailers. Trailers used for hauling small lawn mowers, edgers, weed eaters, and associated small equipment shall be allowed as well. No more than five (5) company vehicles and/or trailers shall be stored on site at any given time.
5. Heavy duty trucks and trailers shall be prohibited on the property. These will include, but are not limited to, dump trucks, industrial vehicles, and tow trucks.
6. Storage of any landscaping materials and/or supplies on the subject property, such as sod, pavers, stones, concrete, mulch, fill material, soil, and other materials considered to be used by the landscaping company shall be prohibited.
7. Storage of any debris collected through business operations, such as, but not limited to, tree and landscape debris, shall be prohibited on site.
8. This special exception use shall only be effective for the current owner of the property, Udell's Landscaping Services LLC, and will not be transferable should the ownership of the property ever change. If under any circumstance the ownership of the property changes, this special exception shall become null and void.
9. The business will be required to obtain a business tax receipt with the City to operate their business out of this site and within the City limits.

Moved By: Gary Garner

Seconded By: Gary Masten

Roll Call Vote:

Gary Masten – Yes

Gary Garner – Yes

Janice Catoggio – No

Lyn Lafferty – Yes

Carl Lilavois - Recused

Vote: motion carried by 3-1 vote.

6. Public Comment

None

7. Board Comment

None

8. Adjournment of Planning and Zoning Meeting

Motion: Adjourn

Moved By: Gary Masten

Seconded By: Gary Garner

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>L. LAYTON CALL E</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>PLANNING BOARD</i>	
MAILING ADDRESS <i>19 EASTWOOD DR</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>PALEMBUCH</i>	COUNTY	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <i>3-5-24</i>		NAME OF POLITICAL SUBDIVISION: <i>Bunnell</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, CARLE LIAVOIS, hereby disclose that on 3-5-, 20 24.

(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:

We own Property Next Door & Are not sure the request will hurt or ~~make~~ make our Business more difficult.

Date Filed

3-27-24

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.

Exhibit “A”

Items presented to the Board by Applicant

Roosevelt C. & Diann Brown

102 North Forsyth Street - Bunnell, Florida 32110

March 5, 2024

**City of Bunnell
Planning, Zoning and Appeals Board
604 East Moody Blvd. Unit 6
Bunnell, Florida 32110**

RE: Udell's Landscaping Services LLC, request to utilize the property at 105 North Forsyth Street for the storage of commercial vehicles and equipment.

Udell's Landscaping Services have been an excellent neighbor for approximately 2 years. The business and entrance are located approximately 60 ft. from my front door and master bedroom window. The workers pickup and load equipment at approximately 7:30 am – 8am each day. The sounds that are made are very minor for approximately 15min. The only types of equipment I have noticed on the property are pickup trucks, small trailers carrying lawn mowing equipment.

My property, located at 102 North Forsyth Street is the last parcel of property on North Forsyth Street that the City of Bunnell hasn't commercialized. I built my home on North Forsyth Street when the entire street was multifamily/residential in 1988.

The Following is a list of disruptive things occurring on North Forsyth Street, far beyond what Udell's landscaping could ever accomplish:

- The City of Bunnell Solid Wasted Management garbage pick-up truck picks up garbage/recycling material between 12:30 am and 1:30 am on Tuesday, Wednesday and Friday also a commercial dumpster directly next door on Thursday. The City empties 7 trash containers approximately 30 ft. outside my bedroom window with loud banging annoying noise. Udell's Landscape Services have never been as disturbing as the City of Bunnell garbage collecting service.
- Directly next door (south side) to my home the City of Bunnell approved converting a single family home into a commercial business. On a weekly basis large tractor trailers load and unload equipment.
- Directly next door (north side) to my home the City of Bunnell approve a commercial business and allowed them to park approximately 15-20 vehicles on the small lot with vehicles extending so close to North Forsyth Street, when approaching the stop sign on West Lambert Street, the vehicles and trash dumpster is a traffic hazard and view obstruction.
- During the approximately 2 years Udell's Landscaping service have been a 105 North Forsyth Street, no one in the neighborhood have complained to me about them parking their vehicles and equipment or loud noise at the current location.

As a longtime resident on North Forsyth Street I approve of Udell's Landscaping Service to continue parking vehicles and equipment at 105 North Street. In the last few years, the City of Bunnell Have allowed approximately 90% of North Forsyth Street to become a commercial area.

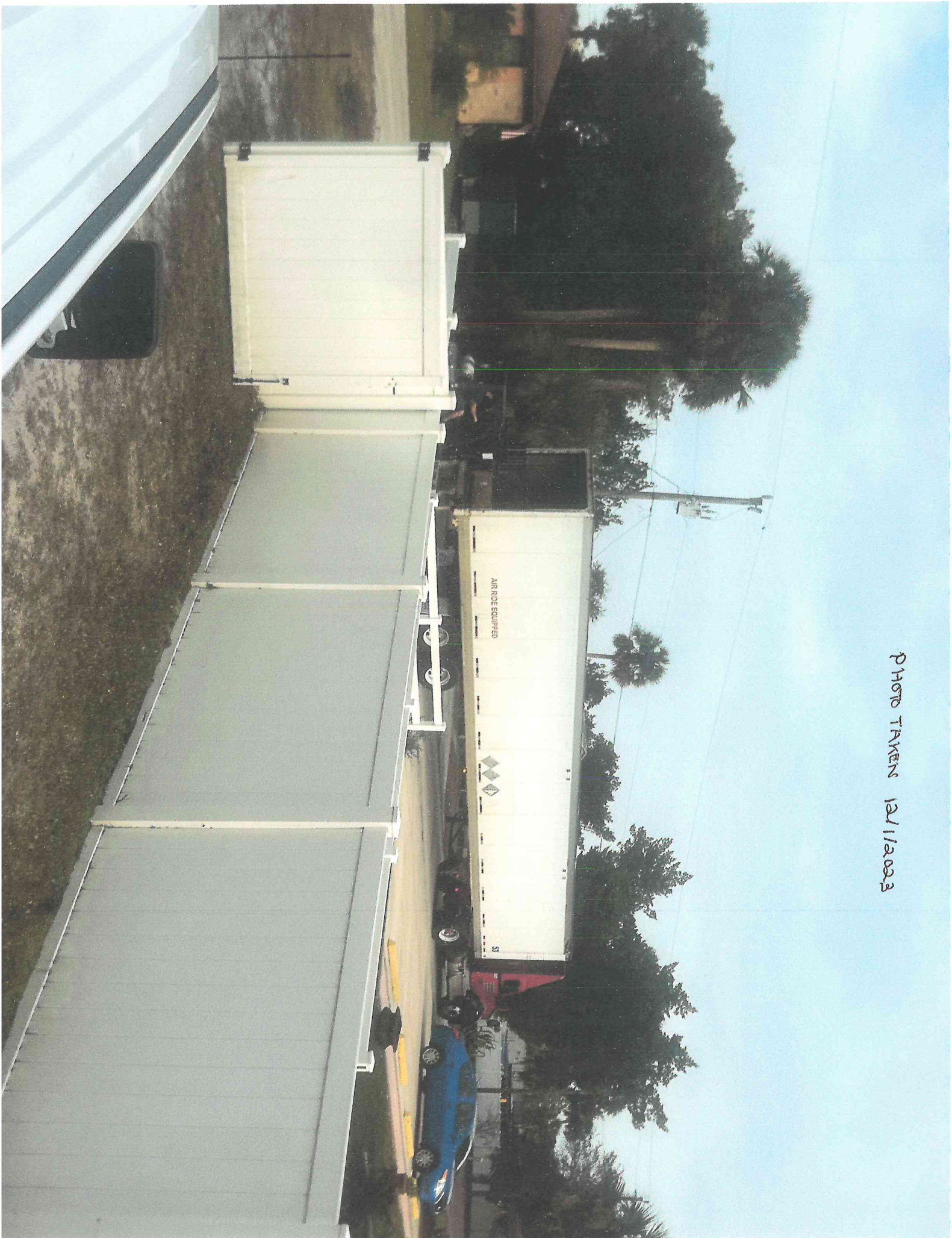
Sincerely,



Roosevelt & Diann Brown



PHOTO TAKEN 12/1/2023





City of Bunnell, Florida

Agenda Item No. 4.

Document Date: 3/18/2024
Department: Community Development
Subject: SE 2023-02 Requesting approval of a special exception use for a concrete batch and asphalt plant located at 3060 Steel Rail Dr.
Property Address: 3060 Steel Rail Dr
Zoning Designation: L-1, Light Industrial
Future Land Use Designation: Industrial
Agenda Section: New Business

ATTACHMENTS:

Description	Type
To view a copy of the proposed site plan	Exhibit

Summary/Highlights:

This is a request for a special exception use for a concrete batch and asphalt plant on property within the Steel Rail Industrial Park and zoned L-1, Light Industrial District.

There is a companion major site plan approval (Case No. MJSP 2023-05) for the development of the concrete batch and asphalt plant.

In accordance with local notification requirements, notice was provided in the Observer Local News on March 28, 2024; letters providing notice of the hearing date, time, and location were sent to adjacent property owners within 300 feet of the subject property in the City of Bunnell limits on March 21, 2024.

Background:

The applicant, Sparks Concrete Inc., has applied for special exception approval alongside major site plan approval in February 2023. The proposed development will entail operations for a concrete and asphalt plant such as the creation for new concrete and asphalt for roads and other commercial developments through the neighboring areas.

The current zoning of the subject property is L-1, Light Industrial. Within the permitted principal and accessory uses of the zoning district, the requested use is not listed as permitted outright. The nature of the requested use is more of what you would typically see in the L-2, Heavy Industrial zoning district; however, under permitted special exceptions for the L-1, Light Industrial District, it

states "other uses and structures not listed above that with certain restrictions can be compatible with the permitted uses of the district as determined by the Planning, Zoning and Appeals Board.

The proposed use would fit into the character of the surrounding area. It is located within an industrial park that hosts many industrial-styled uses but none of which are similar in intensity, but the location is secluded from main thoroughfares and residential uses. The subject property is at the back of the industrial park and is heavily buffered by vegetation from US Hwy 1.

The companion major site plan meets all of the requirements listed in the City's Land Development Code along with being consistent with the Comprehensive Plan and meeting other applicable state agency requirements.

Staff Recommendation:

Approve the special exception use for a concrete batch and asphalt plant located at 3060 Steel Rail with the following condition(s):

1. This special exception use shall run with the land and may be transferrable should the ownership of the property ever change so long as the new owner continues to use the property as allowed under this special exception. If under any circumstance the use of the property changes beyond what is allowed within this special exception, this special exception shall become null and void.

If motioned for approval, please state along the lines of **"I make a motion to approve the special exception with staff's conditions."**

If motioned for denial, please state along the lines of **"I make a motion to deny the special exception for the use of a concrete batch and asphalt plant"** and state the reason for denial.

The Planning, Zoning and Appeals Board has the ability and authority to amend the conditions or apply more than what staff has recommended

City Attorney Review:

Approved

**To view a copy of the
proposed Site Plan,
please visit the
Community
Development
Department
at
604 E. Moody Blvd. Unit
6**



City of Bunnell, Florida

Agenda Item No. 5.

Document Date: 2/27/2024
Department: Community Development
Subject: SE 2024-01 Requesting approval of a special exception to allow a landscaping business to operate and park/store/maintain commercial vehicles on property zoned AG, Agricultural District.
Property Address: Parcel ID: 16-13-31-2000-00030-0070
Zoning Designation: AG, Agricultural District
Future Land Use Designation: Agriculture
Agenda Section: New Business

ATTACHMENTS:

Description	Type
Special Exception Application	Exhibit
Location Map	Location Map(s)
Project Narrative	Exhibit
Conceptual site plan	Concept Sketch

Summary/Highlights:

The applicant, Moworks LLC, is requesting special exception approval to use the subject property that is currently zoned agricultural to operate their landscaping business and park/store/maintain their commercial vehicles and equipment.

In accordance with local notification requirements, notice was provided in the Observer local news on March 28, 2024; letters providing notice of the hearing date, time, and location were sent to adjacent property owners within 300 feet of the subject property in the City of Bunnell limits on March 21, 2024.

Background:

The applicant, Moworks LLC, is currently under contract to purchase the subject properties from the owner Dale Boudreaux, being identified by Parcel ID's: 16-13-31-2000-00030-0070 (known herein as "Parcel 1") & 21-13-31-0650-000B0-0021 (known herein as "Parcel 2"). The parcels are currently vacant with Parcel having been annexed into the city limits in 2023.

The property is currently zoned AG, Agricultural with an underlying Future Land Use designation of Agriculture. Within the surrounding area known as the Favoretta community, are a mix of residential

housing and commercial operations; however, not all of the surrounding area is within the City's jurisdiction. The area is very rural in nature. Directly abutting the north of the property is County Road 200. On the other side of the roadway is a property currently being used as a scrap/junk yard. Directly abutting to the southwest is an MRF facility. The rest of the surrounding parcels consists of single-family residences and minor agricultural accessory uses.

According to Sec. 34-107, the use being requested is not listed within the permitted uses or permitted special exceptions; however, subsection (c)(5) states "Other uses and structures not listed above that with certain restrictions can be compatible uses with the other uses in the district as approved by the planning, zoning, and appeals board." The character and intent of the requested use does not appear to have an intense nature and does not pose a nuisance or a detriment to the neighborhood. The applicant does plan to improve the property to accommodate the requested use such as constructing a storage/office building for the vehicles, equipment, and office staff and installing a concrete driveway. There is also the intent to fully fence the property to have minimal impact on the surrounding area.

The applicant has stated the company's employees will only operate on site if there is a need to repair any of the equipment that would be normally stored there. They would be operating normal business hours and access the site only for obtaining and off-loading their vehicles and/or equipment, other than what was previously mentioned along with the day-to-day office procedures. The office will not be open to the public.

The purpose and intent of the Agricultural zoning district is to preserve and enhance an agricultural lifestyle while facilitating orderly and sustainable development. This request is in line for what this district was created for as the proposed use will not be creating any hazards to surrounding residents, will not be inviting commercial traffic beyond the applicant's employees, and the business operations will have very low intensity on the area.

The applicant will be required to obtain site plan approval for any improvements planned for the subject property. The level of approval will depend on how much impervious area they intend to develop on the site.

Staff Recommendation:

Staff is recommending approval of the special exception to allow a landscaping business to operate and park/store/maintain commercial vehicles and equipment, owned by Moworks LLC, on the subject property with the following conditions to ensure the use does not adversely impact the neighborhood:

1. The property must adhere to the noise limitations for a commercial use outlined in Section 26-199 of the Code of Ordinances. Any violation of these limitations will adhere to Section 26-203 of the Code of Ordinances.
2. All proposed parking for the storage of the Company's vehicles, trailers, equipment, and/or employee parking shall be that of a sealed surface per Section 34-207(7) in the Land Development Code or as otherwise stated in Section 34-207(9)g. Handicap Parking must be of a sealed surface.
3. The special exception use shall be classified as the principal use of the property.
4. With the potential of employees working on the property to maintain the applicant's

equipment and vehicles, the proposed building must contain a restroom facility to service any on-site operation that is within the limitations allowed within this special exception.

5. Maintenance of vehicles owned by the applicant, and which are described herein, shall be allowed so long as it does not violate the City's noise ordinance.
6. The commercial vehicles/equipment permitted to be parked/stored overnight on the property shall be a maximum of 30.
7. The property shall be fenced to create a visual buffer from the storage of the commercial vehicles for the neighboring properties.
8. The maximum number of vehicles allowed shall not be exceeded. Any vehicle found exceeding the maximum number allowed provided herein shall be considered as a violation of this special exception.
9. Storage of any landscaping materials and/or supplies on the subject property, such as sod, pavers, stones, concrete, mulch, fill material, soil, and other materials considered to be used by the landscaping company, shall be prohibited.
10. Storage of any debris collected through business operations, such as, but not limited to, tree and landscaping debris, shall be prohibited on site.
11. The two parcels will be required to be combined into one lot/parcel as the proposed development of the building shows to be spanning across both properties on the conceptual plan.
12. This special exception use shall run with the land and may be transferrable should the ownership of the property ever change so long as the new owner continues to use the property as allowed under this special exception. If under any circumstance the use of the property changes beyond what is allowed within this special exception, this special exception shall become null and void.
13. Prior to using the property, the business will be required to obtain a business tax receipt with the City to operate their business out of this site and within the city limits after any required building permits and site plan approvals have been issued and/or finalized.

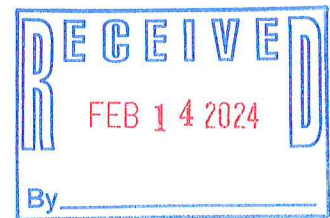
If motioned for approval, please state along the lines of **"I make a motion to approve the special exception with staff's recommendations."**

If motioned for denial, please state along the lines of **"I make a motion to deny the special exception for the landscaping business to operate and store commercial vehicles on the subject property"** and state the reason for denial.

The Planning, Zoning and Appeals Board has the ability and authority to amend the conditions or apply more than what staff has recommended

City Attorney Review:

Approved



Check One: ☒ **SPECIAL EXEPTION APPLICATION**

☐ **VARIANCE APPLICATION**

Name (Applicant): Richard Ault Date: 2/12/2024

Location Address: CR 200 21-13-31-0650-00B-0021 & 16-13-31-2000-00030-0070

Mailing Address (Applicant): Moworks, LLC 1159 Holly Street #100

City: Daytona Beach State: FL Zip: 32117

E-mail Address: richie@mowerks.com

Phone Number(s): 906-399-4302

Describe exact reason for the request and physical nature of the premises:

I would to ask for a special exeption to be permitted to put up a 40X80 building to store my equipment for my business Moworks, LLC. Which is trucks, tractors and mowers. This equipment would also be in use maintaining the agricultural property and any future agricultural use on property. Additionally we would like to become an asset to the community by improving our property and hire from within the community.

Statement of hardship imposed if request is not granted:

We would have to get out of our purchase contract and go through process of finding a suitable situation.

Attach: _____

- ☐ **Non-Refundable** filing fee (Please note all costs of advertising – newspaper & required adjacent property letters will be billed to the applicant.
- ☐ Survey, plot plan, sketches, drawings, or other materials that would be used to assist in reviewing the request. For variances, show the current setback lines and proposed setback lines.
- ☐ If applicable, written permission from the property owner for the applicant to make this request or copy of contract for sale which grants permission to applicant to get City approvals.

Applicant Statement: **I AFFIRM UNDER PENALTY OF PERJURY THAT THE INFORMATION SUBMITTED HERewith IS TRUE AND FACTUAL, TO THE BEST OF MY KNOWLEDGE.**

Note: Fee for Special Exemption \$200.00; Variance \$400.00 (Resolution 2020-30.

Applicant Signature: Richard T Ault Date: 2/12/2024

Location Map



CO ROAD 200, BUNNELL, FL 32110

Moworks, LLC – Mowerks

Richie Ault P: 906-399-4302

richie@mowerks.com

Project Narrative:

As per my request for a special exception application, we are looking to put up a 40X80 building to store and maintain my equipment for my business, Moworks, LLC – Mowerks.

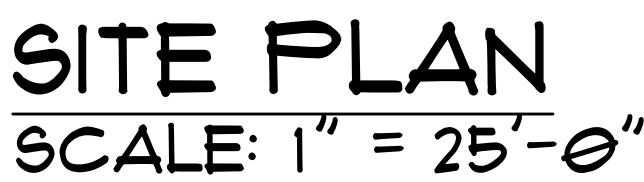
This equipment would also be used to maintain the agricultural property and any future agricultural use on the property.

We also intend to fully fence in the property to have minimal impact on the surrounding area.

Additionally, we would like to become an asset to the community by improving our property and hiring from within the community.

Trucks and equipment:

- 5 Dodge 2500 pick-up trucks
- 10 zero turn mowers
- 3 tractors with batwing mowers
- 3 International flatbed trucks
- 2 Western Star removal trucks



DRAWN BY: J MARSHALL
CHECKED: JAMES WALSH
DATE: MARCH 05 2024
SCALE: AS NOTED
SHEET: C01



City of Bunnell, Florida

Agenda Item No. 6.

Document Date: 2/27/2024
Department: Community Development
Subject: SE 2024-02 Requesting approval of a special exception to allow the use of an interactive pet daycare and boarding facility, located at 3363 North State Street.
Property Address: 3363 N. State St.
Zoning Designation: L-1, Light Industrial
Future Land Use Designation: Industrial
Agenda Section: New Business

ATTACHMENTS:

Description	Type
Proposed Business Floor Plan	Concept Sketch
Special Exception Application	Exhibit
Letter to Board Members	Exhibit
Hounds Town Info Packet	Exhibit

Summary/Highlights:

The applicant, Jacquelyn Rector with Houndstown USA, is requesting a special exception to use four (4) units in the building located at 3363 N. State St. for an interactive pet daycare and boarding facility.

In accordance with local notification requirements, notice was provided in the Observer Local News on March 28, 2024; letters providing notice of the hearing, date, time, and location were sent to adjacent property owners within 300 feet of the subject property in the City of Bunnell limits on March 21, 2024.

Background:

The applicant is wishing to establish a pet daycare and boarding facility in a multi-unit building located at 3363 N. State St and owned by Trilegacy Holdings LLC. The building is currently in the beginning stages of development and has already been issued a building permit. This is building is part of Phase 3 of 3 for the Verdigo site plans that were approved in 2021. The applicant is currently under intent to lease four (4) units for their commercial business.

The property is currently zoned L-1, Light Industrial with an underlying Future Land Use designation of Industrial. Phases 1 and 2 consisted of a storage complex to the rear of the

property and two multi-unit buildings fronting US Highway 1. The property abuts two other properties that have a wholesale business and offices for a landscaping company.

Within the L-1, Light Industrial District, the proposed use is not listed as a permissible use; however, under special exceptions, it states "other uses and structures not listed above that with certain restrictions can be compatible with the permitted uses of the district as determined by the Planning, Zoning and Appeals Board." This use is compatible with the permitted uses in the B-1 zoning district, which are also permitted in the L-1 zoning district.

The applicant has stated the following:

1. There will be no outdoor runs or play areas for the dogs.
2. There will be 24-hour video surveillance and have high technology fire and police notification systems equipped.
3. Boarding operations will involve a pet taxi which would be a Jeep Wrangler wrapped in Hounds town logo and decals for pet pickup.
4. Pet waste will be removed in garbage bags, discarded in a dumpster and removed by a private carter. This has been verified with the Flagler County office of the Florida Department of Health.

Staff Recommendation:

Staff recommends approval of the special exception use with the following conditions:

1. The business must adhere to Code of Ordinances Section 10-14. - Standards of care and inspection of commercial animal establishments.
2. In accordance with Section 50-5. - Franchise fees and agreements in the Code of Ordinances, the applicant must file an application with the Solid Waste Department for a franchise agreement to use solid waste services other than what is provided by the City.

If motioned for approval, please state **"I make a motion to approve the special exception with staff's recommendations."**

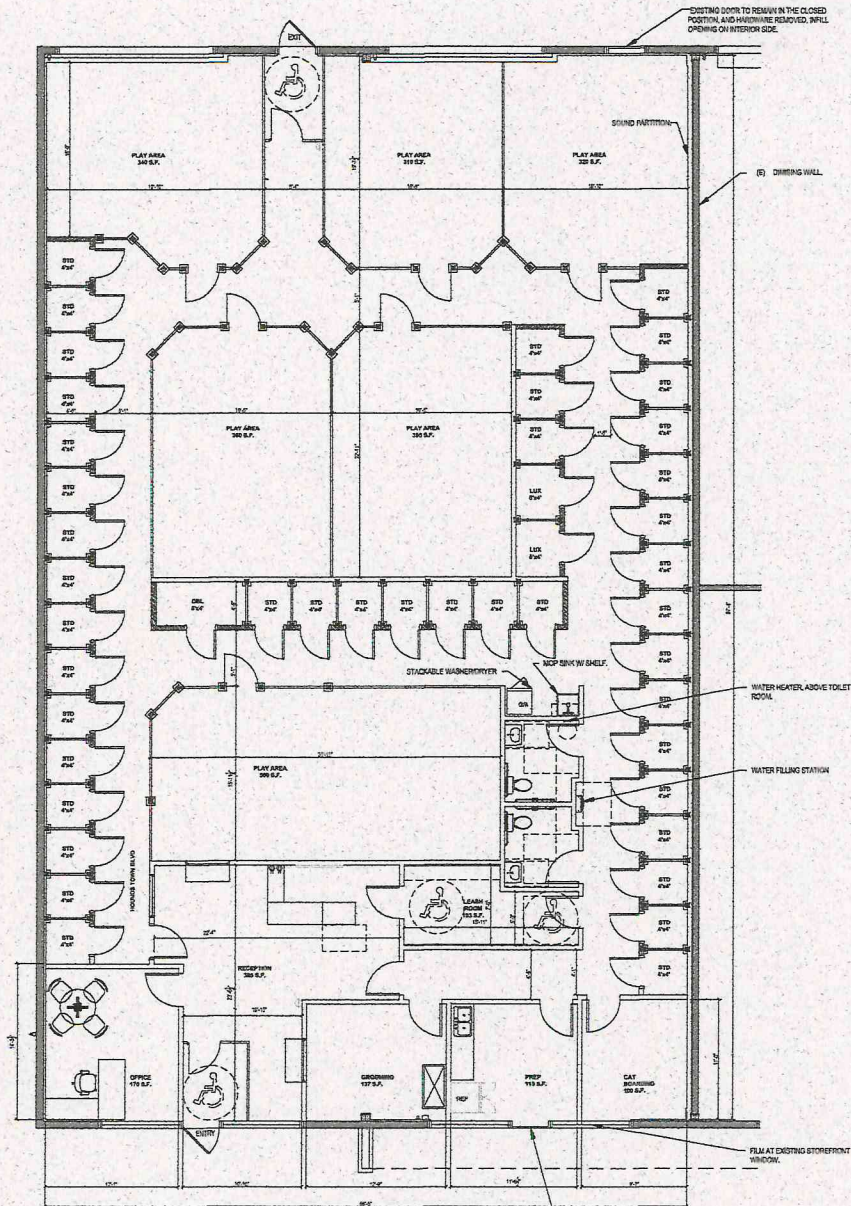
If motioned for denial, please state **"I make a motion to deny the special exception for the use of a interactive pet daycare and boarding facility."**

The Planning, Zoning and Appeals Board has the ability and authority to amend the conditions or apply more than what staff has recommended

City Attorney Review:

Approved

RECEIVED
FEB 16 2024



SUITES	
TYPES	NO.
STD	42
DEL	1
LUX	2

5,940 GROSS SF

ONE!
ARCHITECTURE

8001 N. Central Ave., Suite 101
Phoenix, Arizona 85020

Phone: 602.265.2712
Fax: 602.265.1688

www.ONEArchitecture.us

Principal:
Dustin Curtis
dustin.curtis@onearchitecture.us

Project Manager:
Tara Nordell
tara.nordell@onearchitecture.us

HOUNDS
TOWN
BUNNELL,
FLORIDA

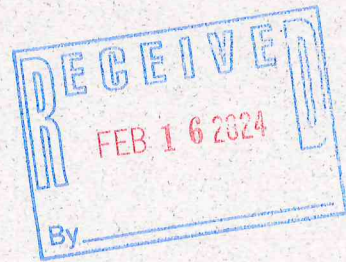
Revisions
1.31.24

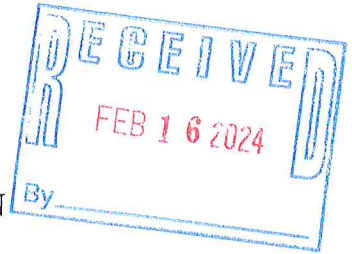
HOUNDS
TOWN USA
3357 N. State Street,
Unit 1
Bunnell, FL 32110
1.28.24
FL-279

SP
Space Plan



Houndstown
3357 N. State ST-
Bunnell, FL 32110
Bldg 4- Unit 1





Check One:

☒ SPECIAL EXCEPTION APPLICATION

☐ VARIANCE APPLICATION

Name (Applicant): Jacquelyn Rector Date: 02/16/2024

Location Address: 3357 N. State St. Bldg. 4- Unit 1

Mailing Address (Applicant): 1104 S Daytona Ave

City: Flagler Beach State: FL Zip Code: 32136

E-mail Address: jackie.rector@houndstownusa.com

Phone Number(s): 386-864-1181

Describe exact reason for the request and physical nature of the premises:
Hounds Town is an interactive pet daycare and boarding facility. Services include boarding, some grooming and spa services as well as retails sales. Customers will have the ability to use our pet taxi to transport their pets for daily boarding and overnight care.

Statement of hardship imposed if request is not granted:

Expenses related to attorney fees, a site survey and lease draft development. (see attached)

Attach:

- ☒ **Non-Refundable** filing fee (*Please note all costs of advertising- newspaper & required adjacent property letters- will be billed to the applicant*)
- ☒ Survey, plot plan, sketches, drawings, or other materials that would be useful to assist in reviewing the request. For variances, show the current setback lines and proposed setback lines.
- ☐ If applicable, written permission from the property owner for the applicant to make this request or copy of contract for sale which grants permission to applicant to get City approvals. (*Lease + LOT Attached*)

Applicant Statement: **I AFFIRM UNDER PENALTY OF PERJURY THAT THE INFORMATION SUBMITTED HERewith IS TRUE AND FACTUAL, TO THE BEST OF MY KNOWLEDGE.**

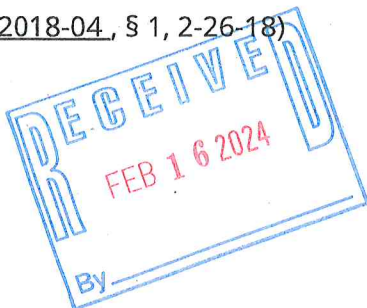
Note: Fees for Special Exception \$200; Variance \$400.00 (Resolution 2020-30)

Applicant Signature: Jacquelyn Rector Date: 2-16-24

Sec. 10-14. - Standards of care and inspection of commercial animal establishments.

- (a) Flagler Humane Society or their designee is granted authority to recommend standards of care for animal related businesses, animal related organizations, commercial breeders, non-commercial breeders and rodeos.
- (b) The owner or operator of any animal related business, animal related organization, commercial breeder, non-commercial breeder or rodeo shall properly feed and care for each animal in their custody or control and otherwise meet all relevant and recommended standards of care, including but not limited to:
 - (1) All animals must be given adequate food, water, shelter and veterinary care;
 - (2) All cages, kennels, stalls or enclosures shall be cleaned daily;
 - (3) In shops or kennels, room temperature shall be maintained at a level that is healthful for every species of animal kept on the premises;
 - (4) Adequate ventilation shall be maintained;
 - (5) All buildings and sheds used for stabling or housing animals shall provide adequate protection from the elements;
 - (6) Each animal shall have sufficient space to stand up, lie down, and turn around in a natural position without touching the sides or top of the cage, stall, kennel or enclosure;
 - (7) Any animal that appears to be sick must be quarantined away from other animals to avoid the spread of disease and be examined by a licensed veterinarian before being placed back with other animals, adopted or sold;
 - (8) Each animal related business shall provide for adequate rodent and insect control.
- (c) Flagler Humane Society or their designee shall have the authority to enter and inspect any commercial animal establishment in the City of Bunnell during reasonable hours.
- (d) Each animal found in violation of the recommended standards of care shall be deemed a separate offense.
- (e) Bonafide commercial agricultural animal establishments which includes livestock are exempt from the provisions of this subsection.

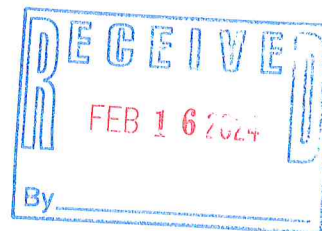
(Ord. No. 2018-04, § 1, 2-26-18)



Jacquelyn Rector
Hounds Town

February 15, 2024

February 15, 2024



To: The City of Bunnell, Zoning, Planning and Appeals Board

From: Jacquelyn Rector, President

Franchisee Hounds Town USA, Bunnell, Florida

Greetings Board Members,

Thank you for giving me this opportunity to introduce myself. I am Jacquelyn Rector, but my friends and business associates call me Jackie. I am a native of Kansas City, Missouri but I have lived and worked in Flagler County since 2008.

I moved to Palm Coast because of a job transfer from a Fortune 500 Company where I worked for over 30 years. I have attached a copy of my resume which will provide you with some additional information about my experience and background in Sales, marketing, and customer service.

Over the past {2} two years I have been vetting the top pet franchises in this industry. In 2022, after months of due diligence, I made an informed decision to become a franchisee for Hounds Town USA. Please know there was an approval process with Hounds Town that involved a great deal of effort on my part, and I was excited to learn that in February of 2023 I was given the opportunity to become a franchisee.

Last March I was awarded the cities of Ormond Beach, Bunnell and Palm Coast as my protected territories. Since that time, I have been working closely with Margaret Sheehan-Jones, CCIM of Parkside Realty in Palm Coast.

Because I am an active resident of Flagler County it was my ardent desire to open my pet business in the county in which I live. Margaret and I have worked for months to find the right location and last summer we were excited to locate this property in Bunnell.

The pet industry is one of the fastest growing industries in the United States. Consumer pet spending has increased each year and in 2023 was projected to hit \$143.6 billion dollars. Most everyone has at least one dog or a cat that is a member of the family.

Because of the growth in our county there is a strong need for a fully interactive pet facility like Hounds Town. There is nothing like it and I am so excited to bring this business to our community not only for my pet, but for all of Flagler County. I know you will agree as you review the information provided in this package.

In closing, I wanted to share with you that last year Hounds Town USA was given recognition by The INC. 5000 class by Franchising.com and ranked #24 out of fifty small businesses in Entrepreneur Magazine.

Jacquelyn M. Rector

Lovedogs2625@gmail.com (386) 864.1181 • 1104 S. Daytona Ave. Flagler Beach, FL 32136



PROFESSIONAL PROFILE

BUSINESS CONSULTANT ~ ACCOUNT MANAGEMENT & DEVELOPMENT ~ FIELD SALES TRAINING

Award-winning Field Sales Leader / Mentor offering extensive experience and success empowering and coaching sales professionals on best-in-breed approaches and marketing/sales tactics.

Background reflects 25+ years of experience within the insurance industry with expertise in sales, marketing, and customer service. Specializations include financial services, life, health, annuities and property and casualty.

SELECTED ACHIEVEMENTS

- Led a territory with over 300 sales agents: managed revenue more than \$4,000,000.
- Known as an expert at turning around under-performing agencies and exceeding aggressive sales goals.
- Proficient as an award- winning leader, having earned some of the most highly recognized and coveted awards given by Allstate Insurance, including the Inner Circle Award, 10- time winner of the Key Manager of the Year Award and Market Distribution Leader Award among many others.
- Ensured agency compliance with SEC and Broker Dealer rules and regulations.

AREAS OF EXPERTISE

- Protecting & Developing Revenue Streams
- Support & Empower Agencies in the Marketplace
- Streamlining Corporate Vision & Values
- Competitive Market Analysis
- Profit Optimization / Sales Strategy Development
- Improving Staff Performance
- Maintaining Staff Morale & Top Talent Retention
- Coaching Performance / Leading Change

HIGHLIGHTED EXPERIENCE

PERSONAL SABBATICAL – Daytona Beach, FL

2010-2015

Board of Directors Member – Symphony Guild of Daytona Beach
Board of Directors Member – Daytona Beach Symphony Society
Vice President of Membership - Symphony Guild of Daytona Beach
Board of Directors Member - Cinematique of Daytona Beach
Murray & Murray Health Agent 2015-2016
Life Agent for MassMutual Financial Group. 2016 -2017
Independent Certified Benefits Advisor-American Family Life Assurance
2018-2023

Worked closely with board members and the fundraising staff to plan and execute events. Leveraged strong business management skills honed over the years to negotiate contracts with vendors, collaborate with internal and external stakeholders, and develop ROI driven strategic plans.

- Involved in all aspects of pre and day of event execution for major fundraisers, including the largest events produced and hosted by the Symphony Guild of Daytona Beach and Daytona Beach Symphony Society.
- Secured ticket sales, identified, and negotiated contracts with event venues and caterers, planned and organized the layout of the events including securing talent, honorees, and in-kind gifts.

Notable Accomplishments

- Assisted in the development of PR plans to secure coverage on prominent radio stations, top print media outlets, television, and social media.
- Set the benchmark and praised for helping both organizations raise the most money at a single event fundraiser in the history of the organization.

ALLSTATE INSURANCE COMPANY., Northbrook, IL

Progressive career marked by a series of promotions with higher levels of responsibility and exposure within the company, background reflects experience in the field as well as at the corporate level. Titles included:

Field Sales Leaders, Florida (2008 – 2010)

Territory Distribution Leader, Virginia (2007 – 2008)

Market Business Consultant, Virginia (2000 – 2007)

Territory Education Manager, Virginia (1992 – 2000)

Home Office Manager, Illinois (1990 – 1992)

Market Sales Manager, Nebraska (1988 – 1990)

In recognition of solid sales and leadership performance, promoted to managerial roles accountable for driving the performance of agencies accountable for maintaining relationships and increasing revenues through the

CERTIFICATE OF COMPLETION

WE HEREBY RECOGNIZE

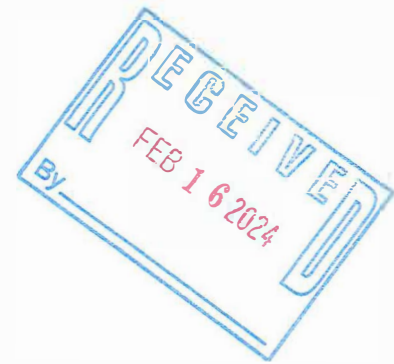
JACKIE RECTOR

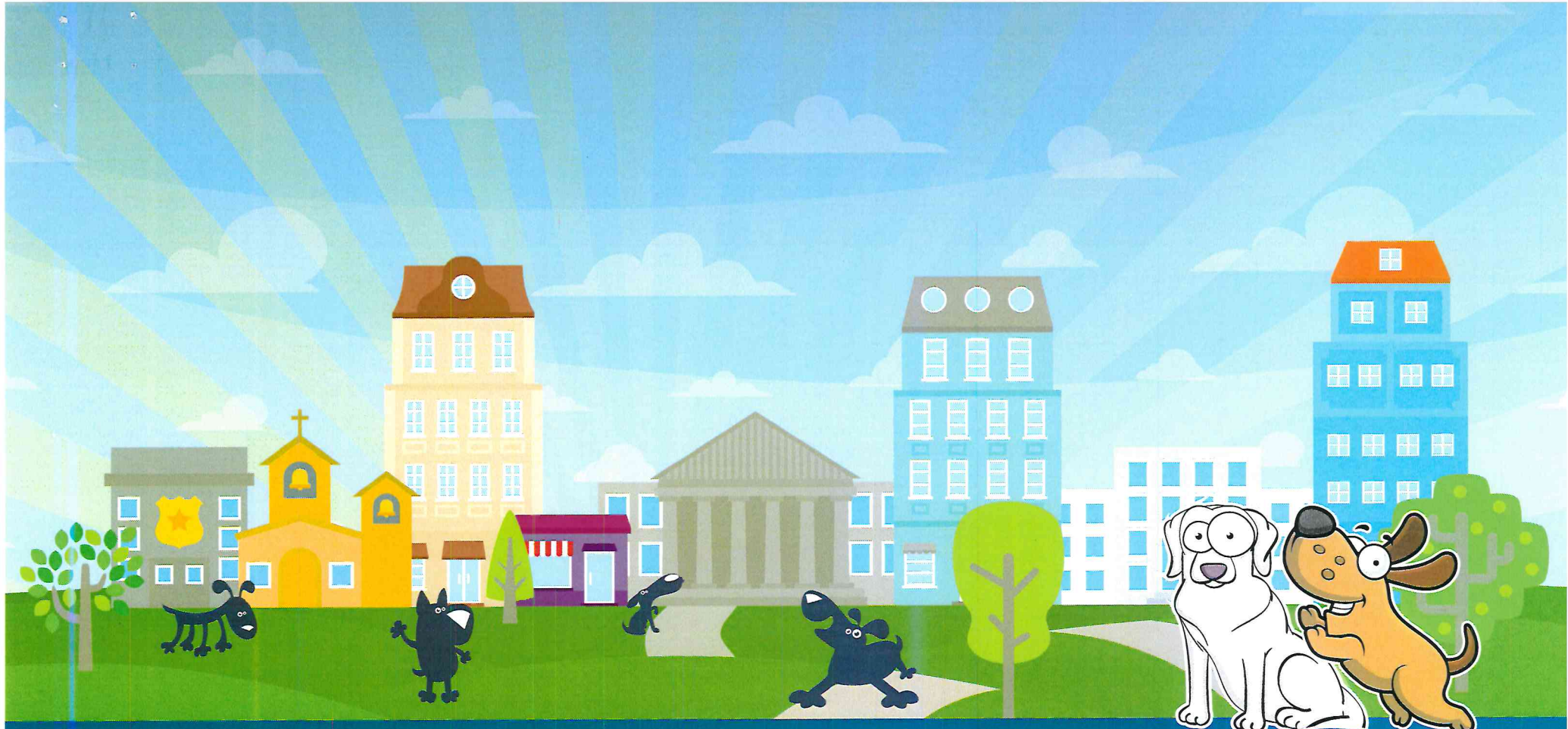
for successful completion of Classroom Training
at Hounds Town University

9/13/2023
DATE



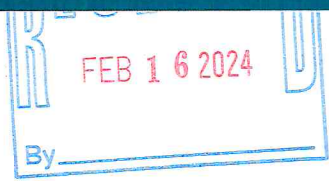
NICOLE HOLLAND
TRAINING MANAGER





HOUNDS TOWN^{USA}

TENANT PACKET



MIKE GOULD | FOUNDER & CEO | 631.873.9486 | Jackie@HoundsTownUSA.com

www.HoundsTownUSA.com | www.HoundsTownFranchise.com | www.MichaelsGould.com

ABOUT US



HOUNDS TOWN USA WAS FOUNDED IN 2001 BY FORMER NYPD CANINE HANDLER, COMMANDING OFFICER OF THE NASSAU COUNTY POLICE DEPARTMENT, AND NAVY VETERAN MICHAEL S. GOULD. HE BRINGS MORE THAN 35 YEARS OF COMMERCIAL CANINE EXPERIENCE TO THE PET CARE INDUSTRY.

Hounds Town USA is a fully interactive daycare, boarding, and grooming pet care facility that offers worry-free, flexible, and reliable service. Since our inception in 2001, we have hosted nearly 1.5 million canine visitors.

Unlike many other pet care facilities, we offer FULLY INTERACTIVE daycare—meaning dogs are placed in play groups by size and temperament, where they interact and play all day long. The psychological structure that natural packs offer helps with

separation anxiety, confidence building, obedience, and many other behavioral issues. It's also peace of mind for our customers, knowing that their dogs have a place to be themselves without having to pay a fortune.

HOUNDS TOWN USA OPERATES ELEVEN LOCATIONS ACROSS TEN STATES.



HOW WE GOT HERE



Mike Gould becomes one of the first members of the NYPD's elite Canine Unit.

1982

Mike opens Canine Consultants International.

1998

Mike begins boarding dogs and Hounds Town USA is born following 9/11.

2001

Hounds Town USA's second location opens.

2004

Third Hounds Town USA location opens.

2012

Hounds Town USA national expansion begins.

2015

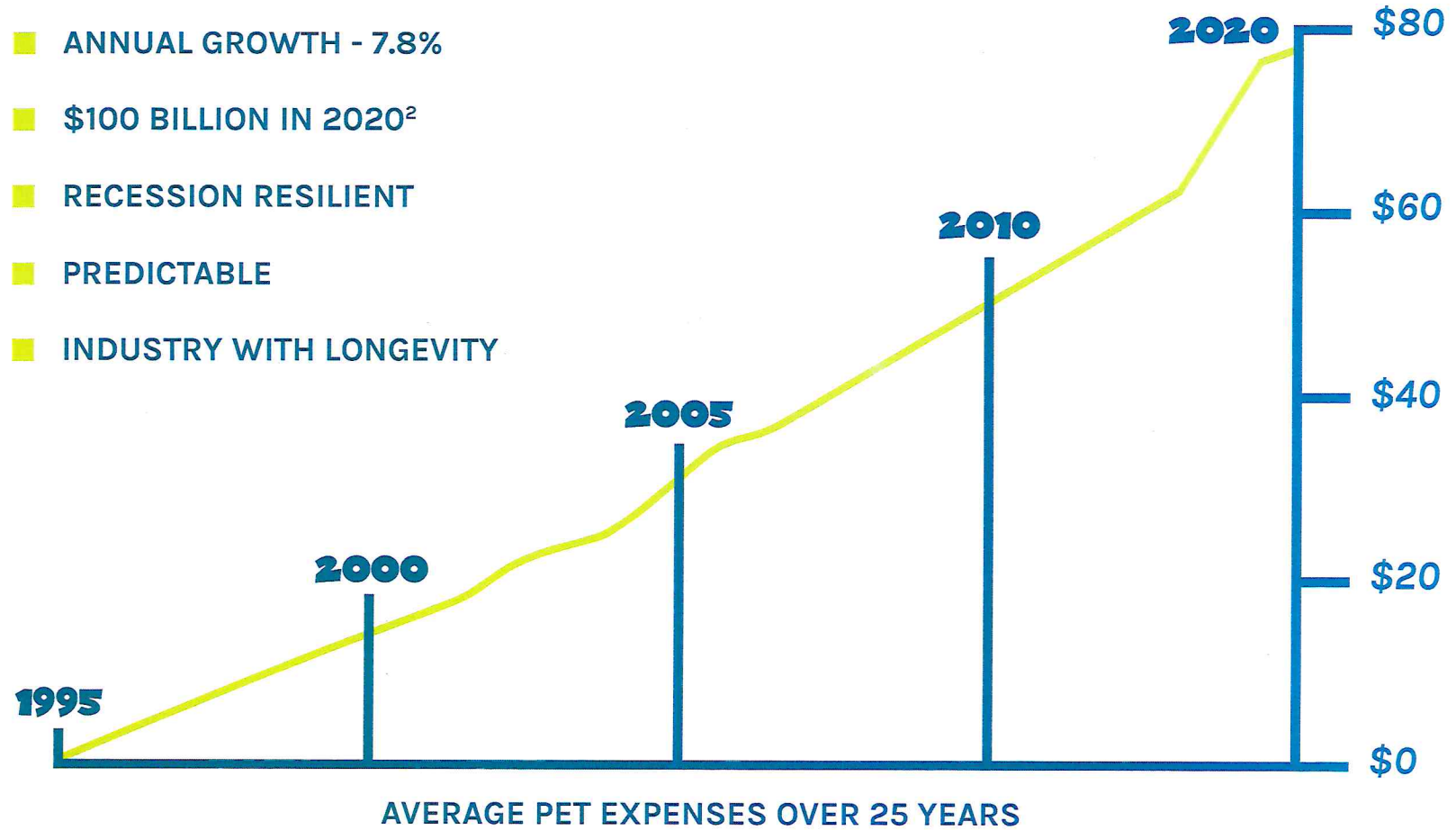
Hounds Town reaches 10 locations across 3 states.

2018

Hounds Town USA set to open 10 new stores.

2019

OUR industry is growing



OUR AWARDS



BEST OF THE BEST



Hounds Town – Port Jefferson once again takes home the gold for North Fork's infamous publication Dan's Papers' annual awards. The contest focuses on identifying the best small businesses on the north shore of Long Island in a variety of categories, including pet care.



BEST OF LONG ISLAND

Hounds Town has been nominated for the best pet care facility on Long Island by Bethpage's Best of Long Island Awards many years in a row!



BEST OF FRANCHISES

Hounds Town USA named 11th in Top 20 franchises of 2019 by Franchisehelp.com.



BEST OF GAME CHANGERS

Hounds Town USA named in Top 100 game-changing emerging brands by Franchise Dictionary.

OUR customers



PASSIONATE PET PARENTS



WORKING INDIVIDUALS & TRAVELERS



We offer an honest and straightforward approach to pet care. We do not upcharge for upgraded services like bottled water or extra walks. We charge one competitively low price that offers customers the chance to have a pet without having to take out a second mortgage on their home. Our customer base is largely school teachers, fireman, police officers, construction workers, and other blue collar members of the workforce.



BRAND

Every Hounds Town USA is designed to look like a town for dogs, complete with a fire station, police station, post office, cinema, spa, and dog hotel, for one stop shopping for pet owners. We also offer a pet taxi service and run a 501(c)3 charity that rescues and rehabilitates local shelter dogs. We have a strong relationship with many public and private shelters across the country.



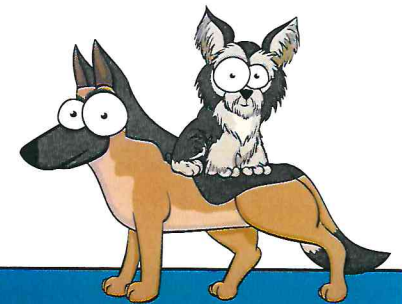
INDUSTRY

More than 70% of all U.S. households own a pet. The pet care industry is growing rapidly and more and more dog owners are in need of reliable pet care. Spending on pets topped \$65 billion in 2015, up 25% from just 5 years ago. With that kind of growth, the demand for brand-recognized pet care services is stronger than it's ever been.

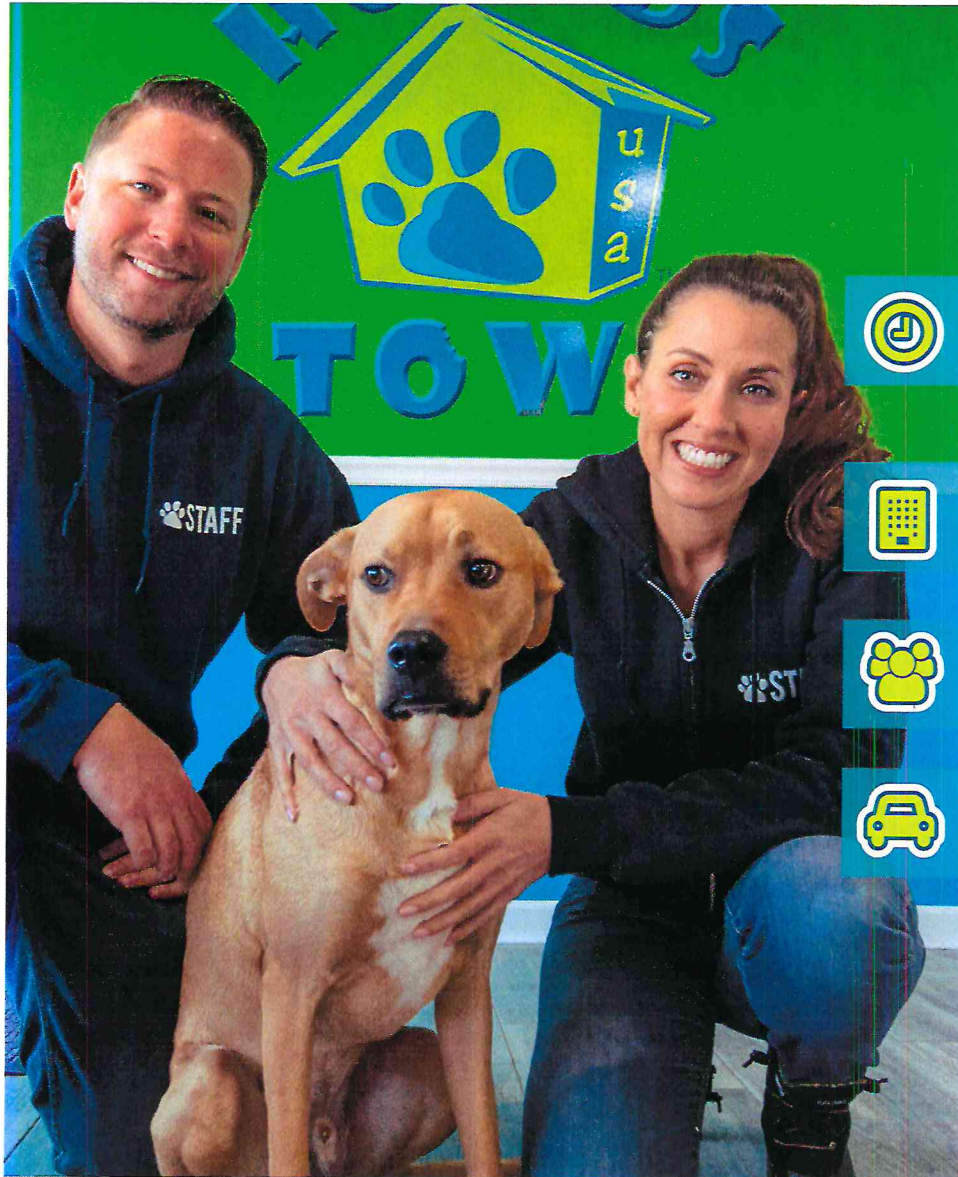


PRICING

Customers spend an average of \$39-\$42 every time they come to a Hounds Town on a variety of pet-related services.



OUR DAILY OPERATIONS



Hounds Town facilities are environmentally friendly in that we use low output energy sources, very little water, and all animal waste is removed from the property daily. Animal waste is never put into the septic or sewage system.

We have 24 hour surveillance and all our facilities are equipped with high technology fire and police notification systems.

Dogs are always kept inside the facility in individual enclosures or play areas.

There are typically no more than 3-4 employees on the premise at any given time.

We do not require excessive parking. Our customers are in our facility for typically no more than 5 minutes to pick up and drop off their dogs, so there is no demand for long-term parking beyond 2-4 spots for employees. Offering valet service to customers to avoid parking issues is also possible.



WHAT WE OFFER TO THE COMMUNITY

In addition to our doggie daycare, overnight camping, training, grooming, and pet taxi services, we also play a significant role in rehabilitating shelter and rescue dogs and educating communities on proper dog management through our charity, Hounds Town Charities, a 501(c)(3).

For the past 10 years, Hounds Town Charities has formed partnerships and relationships with dozens of private and municipal shelters to help bridge the gap between rescue and successful adoption. Through our rehabilitative program, we have helped to adopt dozens of dogs that may have otherwise been euthanized because of a misdiagnosed or misunderstood behavior problem.

Hounds Town Charities has acted as an overflow shelter for various shelters in the areas, and has provided training and rehabilitative services to the following shelters:

- TOWN OF HEMPSTEAD ANIMAL SHELTER
- TOWN OF NORTH HEMPSTEAD ANIMAL SHELTER
- TOWN OF ISLIP ANIMAL SHELTER
- SMITHTOWN ANIMAL SHELTER
- BROOKHAVEN ANIMAL SHELTER
- LITTLE SHELTER

- ALMOST HOME
- LABS FOR RESCUE
- ROAD TO HOME RESCUE
- LONG ROAD HOME
- SUFFOLK COUNTY DEPARTMENT OF SOCIAL SERVICES

... AND MANY MORE.

Through low or no cost rehab program, dozens of dogs have been adopted out to responsible members of the local community. Our charity work has helped to reduce euthanization rates, educate the community, and establish dog handling protocols to make shelters and rescues and their staff safer.





WHAT HOUNDS TOWN CAN DO FOR YOUR TOWN OR MUNICIPALITY



GIVE BACK TO THE COMMUNITY

Our new location will commit to partnering with private and municipal shelters to act as an overflow shelter and to house dogs at a reduced rate. This will allow shelters more time to find homes for dogs and not to be faced with euthanization as an only option for certain dogs.

OFFER NEEDED SERVICES TO TOWN RESIDENTS

Our facilities offers members of the community the opportunity to have pets and still work, go to school, go on vacation, take care of personal and family emergencies, and manage their lives without paying a fortune to do so. Hounds Towns have come to be staples in the communities we are already a part of.

PROVIDE JOBS

Each Hounds Town location employs between 3 and 10+ part- and full-time employees. We offer flexible scheduling for young employees who are in school, training opportunities for those wishing to become vet techs, trainers, or groomers, and more. We have also partnered with BOCES and local colleges in our communities to provide job and internship opportunities.

CONTRIBUTE TO ECONOMIC GROWTH WITHIN THE TOWN

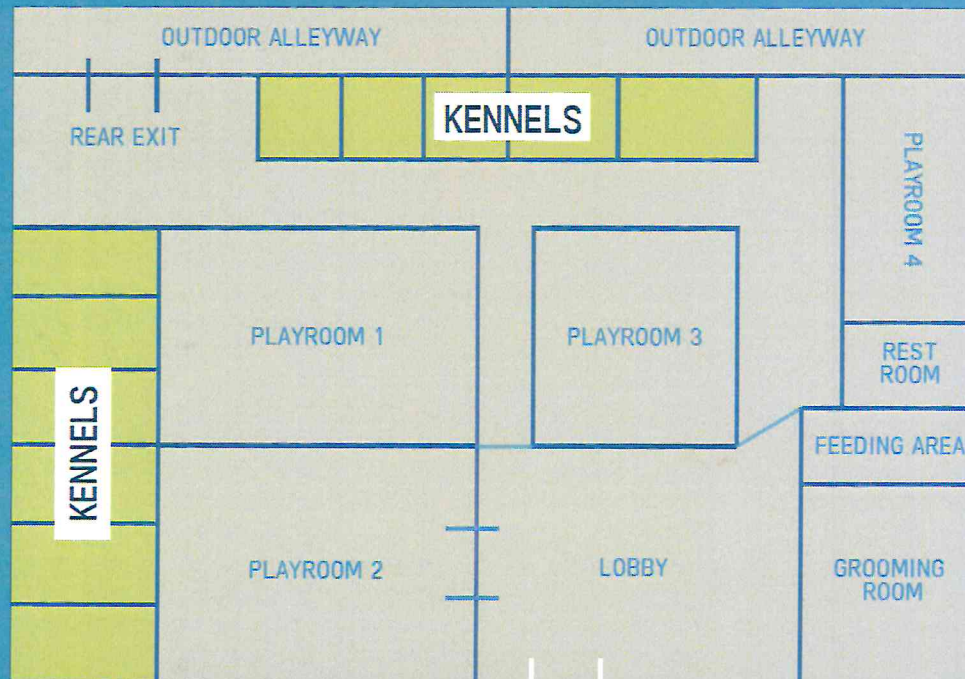
As a small business in your town, we will not only provide jobs and community outreach, but also be a taxpaying member of your town, thus contributing to economic growth.





SAMPLE FLOOR PLAN

- 4000-7000 SQ FT
- TOWN THEMED
- 4-6 PLAY AREAS



HOUNDS TOWN

OUR REQUIREMENTS

TERM OF LEASE

10 year lease

TYPE OF BUILDING

Stand Alone Building/Industrial/Factory/Warehouse. Ideal area is populated with noise-generating businesses such as auto body and repair shops, machine shops, etc. Ideally 10-15% office; 85-90% open warehouse space. In areas where free-standing or warehouse space is not available. Other type buildings of suitable size can be modified for our use, providing proper zoning is obtainable.

LOCATION

Warehouse or industrial within a 5-7 minute drive of main commuting highways.

WATER REQUIREMENTS

Plumbing required, with at least one half bathroom.

SEWER REQUIREMENTS

Required. Dog waste is NOT flushed down the toilets: it's removed in garbage bags, discarded in a dumpster and removed by private carter. Urine diluted with environmentally friendly products and immediately mopped. There are an average of 2-4 employees in the building throughout the day using the facilities.



SPACE SIZE

4,000-7,000+ square feet, preferably a free-standing building or end unit of any industrial/light industrial/warehouse building. Outdoor space preferred, but not required. Facilities where outside areas are present only 5 dogs out under the supervision of staff. Access to outdoor areas such as walkways, alleyways, driveways—any adjoining open space that can be used as potential outdoor play areas. Areas do not need to be large (existing locations have 10-15 feet alleyway/walkway space surrounding certain parts of the building accessible through doors leading in to the warehouse space). Outdoor space can be converted to alleyways/outdoor areas by the use of 6-foot fences (they don't need to exist already).

SECURITY REQUIREMENTS

Although outside space is not a requirement, in locations where an outdoor space is permitted, no more than 5 dogs are allowed outside and must be supervised by an employee.

PROFESSIONAL/LANDLORD REFERENCES
AVAILABLE UPON REQUEST.

 HOUNDS TOWN!

TESTIMONIALS

■ I have been using Hounds Town for about five years now. I've used their day care, boarding and grooming services. All have been exemplary and I can't imagine using any other. Cole, my black lab never hesitates stepping paw onto the premises and eagerly (tail wagging and all) greets the crew. The whole staff is very attentive and loving. I've left Cole on various occasions for many nights and not once had any doubt that they would take the best of care of him. Marianne has trained her employees to be extremely accommodating and professional. Thanks for always being great Hounds Town!!! ■

- **HOUNDS TOWN**
PORT JEFFERSON CUSTOMER

■ When I go on vacation or need a weekend away, I never hesitate to let Molly stay with these friends of both of us. The facility is clean, and everyone is trained and very good with dogs. Mike has worked with us and trained me to help Molly. Just a one-in-a-million Great Place for you and your Dog. Thanks everyone! ■

- **HOUNDS TOWN**
RONKONKOMA CUSTOMER

■ Angel absolutely LOVES it here! She can't wait to get in the car to go and out of the car to get inside the playroom from the minute we pull in the parking lot! The staff is great and gives updates and posts pictures throughout the day which is awesome! Angel has so much fun she can't even keep her eyes open on the ride home. She's out before we hit the red light! ■

- **HOUNDS TOWN**
FARMINGDALE CUSTOMER

■ We are extremely grateful for Mike and Hounds Town Charity's continued support. Our shared passion and common goal, to assist dogs and people in need, enable us to advance a more humane society. ■

- **SUE HANSEN,**
SMITHTOWN ANIMAL SHELTER SUPERVISOR

■ Hounds Town Charities have played an integral part in helping the shelter understand our dogs and what they need to live a stable life filled with mental and physical stimulation. They have taught us so much and continue to offer support even after the board and train has been completed. Together with Hounds Town Charities we can help save the lives of many more animals and help the community. ■

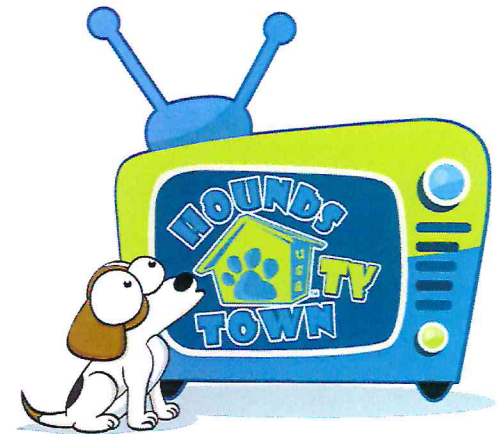
- **ASHLEY BOYD, DIRECTOR,**
BROOKHAVEN ANIMAL SHELTER

■ Mike and his staff have been an asset in not only providing hours of training to staff but also assisting with spreading the word to the public about our dogs that are available for adoption. Hounds Town has played a significant role in helping the Town of Hempstead's shelter dogs and we look forward to continuing this partnership. ■

- **MICHAEL PASTORE, DIRECTOR,**
HEMPSTEAD ANIMAL SHELTER



THE BRAND HAS BEEN FEATURED IN LOCAL AND REGIONAL NEWS MEDIA INCLUDING NEWSDAY, NEWS12, NEWS4, THE CHICAGO TRIBUNE, AND FIOS. HOUNDS TOWN USA ALSO HOSTS A VIDEO PODCAST, HOUNDS TOWN TV, AND A RADIO SHOW ON 103.9 F.M. LI NEWS RADIO.



Chicago Tribune **Newsday**



City of Bunnell, Florida

Agenda Item No. 7.

Document Date: 3/13/2024
Department: Community Development
Subject: MJSP 2023-01 Requesting approval of the major site plan for Bunnell Shade and Shelter located at 1225 W Moody Blvd.
Property Address: 1225 W Moody Blvd
Zoning Designation: B-1, Business District
Future Land Use Designation: Commercial-Medium
Agenda Section: New Business

ATTACHMENTS:

Description	Type
Development Application	Exhibit
To view a copy of the proposed site plan	Exhibit

Summary/Highlights:

The applicant, Shade & Shelter Boat & RV Storage Inc., is requesting major site plan approval for the development of the subject property located at 1225 W Moody Blvd.

Copies of the site plan will be provided to the Board members and will be available to the public upon request.

Background:

The applicant has applied for major site plan approval in December 2022. Their final resubmittal was in February 2024. The site is planned to be developed into a boat and RV storage facility with a total of 68 parking stalls with various lengths to accommodate differing types of boats and recreational vehicles. This facility will only be used for the storing of these vehicles and will not be used in any way for customers to reside on the property. The proposed use is permissible within the B-1 zoning district for which this property is designated as.

This project and the documents submitted meets all of the requirements listed in the City's Land Development Code along with being consistent with the Comprehensive Plan and meeting other applicable state agency requirements. All applicable Technical Review Committee (TRC) members have signed off on this project. This is anticipated to be complete within 10 months after the issuance of permits.

In accordance with Section 22-3(e) in the Land Development Code, the Planning, Zoning and

Appeals Board shall consider each major site plan application and shall base its decision on the use, size and dimension regulations for the respective zoning district, the site review standards established herein and all other applicable land development regulations, and comprehensive plan policies. The planning, zoning, and appeals board may impose conditions on-site plan approvals which ensure compliance with all applicable land development regulations and comprehensive plan policies.

Staff Recommendation:

Staff recommends approval of the major site plan for the Bunnell Shade and Shelter development with the following conditions:

1. Please submit all FDOT permits to the City upon issuance from the state agency.

City Attorney Review:

Approved



Development Application

This is the City development application for most development projects within the City.

Please complete all applicable portions of the application which would apply to your request and check the type of development review being requested.

All application fees are due when plans and applications are submitted. Types of development where additional costs may be incurred will be invoiced to the applicant as established by resolution and identified in the Project Type checklist.

Total Fees Due: _____

Date Received: _____

Fees:

___ Check Number _____

___ Credit Card

___ Cash

Received by: _____

<p style="text-align: center;">APPLICATION FOR REVIEW</p> <p style="text-align: center;">CITY OF BUNNELL, FLORIDA COMMUNITY</p> <p style="text-align: center;">DEVELOPMENT DEPARTMENT</p>			
PO Box 756, Bunnell, FL 32110 Office: (386) 437-7516 Fax: (386) 437-8253			
<u>APPLICANT INFORMATION</u>			
Applicant: Shade & Shelter Boat & RV Storage, Inc.			
Contact: Frank Dudley			
Address: 1150 West Moody Blvd, #101			
City: Bunnell	State: FL	ZIP: 32110	
Phone: 386-437-3068	Fax:		
Email: frank@palmettoelectricinc.com			
<u>CONSULTANT INFORMATION</u>			
Engineer / Surveyor: Alliant Engineering, Inc.			
Contact: Joseph Schofield, P.E.			
Address: 10475 Fortune Pkwy., Suite 101			
City: Jacksonville	State: FL	ZIP: 32256	
Phone: 904-256-4866	Fax:		
Email: jschofield@alliant-inc.com			
<u>PROPERTY OWNER INFORMATION</u>			
Owner: Shade & Shelter Boat & RV Storage, Inc.			
Contact: Frank Dudley for William Dudley			
Address: 1100 CR-302			
City: Bunnell	State: FL	ZIP: 32110	
Phone: 386-437-3068	Fax:		
Email: frank@palmettoelectricinc.com			

- All sections on this page must be completed

<p align="center">APPLICATION FOR REVIEW</p> <p align="center">CITY OF BUNNELL, FLORIDA COMMUNITY</p> <p align="center">DEVELOPMENT DEPARTMENT</p>				
PO Box 756, Bunnell, FL 32110 Office: (386) 437-7516 Fax: (386) 437-8253				
PROJECT INFORMATION				
Parcel ID <i>(required)</i> : 15-12-30-0650-000C0-0180				
Project Name <i>(required)</i> : Shade and Shelter Boat & RV Storage				
Project Address is Known <i>(required)</i> : 1225 W Moody Blvd, Bunnell, FL 32110				
Current Zoning <i>(required)</i> : B-1 Business District		Current Land Use <i>(required)</i> : Commercial-Medium		
Intended Use of Property <i>(required)</i> : Boat and RV storage for personal recreational and non-recreational vehicles.				
Source of Water: <input type="checkbox"/> well <input checked="" type="checkbox"/> city water		Source of Sewer: <input type="checkbox"/> septic <input type="checkbox"/> city sewer		
PROJECTTYPE (Check all that apply to proposed project)				
Site Plan Reviews* Land Development Code Chapter 22 <i>Site plan requirements can be found in Section 22-9.</i>	<input type="checkbox"/> Minimal Site Plans (Technical Review Plans Only)		\$ 250.00*	
	<input type="checkbox"/> Minor Site Plans (Technical Review Plans Only) <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 		\$ 800.00*	
	<input checked="" type="checkbox"/> Major Site Plans (PZA Approval Required) <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 		\$1,000.00*	
	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)				
Future Land Use Map (FLUM) Amendments	<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				

PROJECTTYPECON'T				
Zoning Map Amendments	<input type="checkbox"/> ReZoning <input type="checkbox"/> Small Scale Land Use Change (less than 10 acres of property) <input type="checkbox"/> Large Scale Land Use Change (ten or more acres of property)		From: _____ To: _____	\$ 750.00 ** \$ 1,500.00 **
	<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 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
the applicant is responsible for costs of required advertising, notifications and recording costs *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.				
<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 + **		
**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

CONCURRENCY REVIEW APPLICATION

Applicant's Name: Frank Dudley

Date: 12/12/2022

Applicant's Address: 1150 West Moody Blvd, #101

City: Bunnell

State: FL

Zip: 32110

Phone #: (386) 437-3068 Fax#: ()

Email: frank@palmettoelectricinc.com

Owner's Name:

Owner's Phone#: ()

Owner's Address:

City:

State:

Zip:

Project Name: Shade and Shelter Boat & RV Storage

Project Address: 1225 W Moody Blvd, Bunnell, FL 32110

Project Location: Tract 18, Block "C", in Section 15, Township 12 South, Range 30 East

Property Tax/Parcel ID#: 15-12-30-0650-000C0-0180

Application: (check one) ☐ Submitted in conjunction with a development plan
☐ Inquiry only (Non-binding Site Determination)

If submitted with a Development Application, check the box below for the type of development:

TYPES OF FINAL DEVELOPMENT ORDERS

☐ Development of Regional Impact (DRI)

☒ Preliminary Site Plan

☐ PUD Final Master Plan

☐ Final Site Plan

☐ PID Final Master Plan

☐ Commercial/Industrial Subdivision Final Plat

☐ Single Family Subdivision Final Plat

☐ Other:

☐ Preliminary Plat

☐ Multi-family Residential

CONCURRENCY REVIEW APPLICATION Continued

This proposal is for: (check one) ☒ New Development/Construction
☐ Construction of an expansion/addition
☐ Replace a current use of a _____
☐ Replace a past use of a _____

A signed, sealed Traffic Impact Study is: ☐ Attached ☐ Not Included

Utility Service Provision: ☒ City Water Service ☐ City Sewer Service

Landscape Irrigation System:

Will the project use potable water for landscape irrigation? ☐ Yes ☐ No

Over a landscaped area of _____ square feet,
at the applicable rate of _____ inches/
week, and _____ GDP.

A Water and Sewer Demand Estimate prepared by a Certified Engineer is:
☐ Attached ☐ Not Included

I understand that the City of Bunnell will make an estimate of water and sewer demand based upon the information in this application, but that I am solely responsible for assuring the accuracy of demand calculations for the purposes of paying connection fees. If sufficient data to perform an accurate demand calculation is not provided, the applicant's Engineer will need to meet with the City Utilities Division Director prior to utility agreement and payment of fees, to determine a final demand calculation.

Applicant's Initials: _____

Project Size and Phasing: Below, clearly identify past or existing uses or structures (if applicable) and proposed new development/construction. (Note: Sizes, types, and number of units as filled out below and as indicated on the plans will be assumed as maximum for estimating project demand and the Certificate of Concurrency will be conditioned upon and only valid for such maximums provided on the application.)

PHASE Number of Phases (if applicable)	NUMBER OF ACRES	SPECIFIC USE(S)	BUILDING GROSS SQUARE FEET or NUMBER OF UNITS/LOTS	OPEN SPACE: Total land area, coverage and ratio of coverage to land totals in percentages	DRAINAGE/ STORMWATER CALCULATIONS (both off site and on site)
N/A	4.65	Boat & RV storage	79 Stalls	1.46 AC = 31.40%	0.85 AC = 18.28%

CONCURRENCY REVIEW APPLICATION Continued

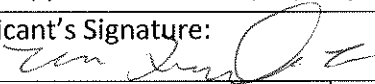
CERTIFICATION AND SIGNATURE

I hereby certify that the information contained herein is true and correct and that I am either the true and sole owner of the subject property, or I am authorized to act on behalf of the true owner(s) in all regards on this matter, pursuant to proof and authorization submitted with the corresponding development application or attached hereto. I hereby represent that I have lawful right and authority to file this application.

I understand that submittal of this form initiates the process and does not imply approval from the City. I further understand that the issuance of the Certificate of Concurrency will require the successful completion of the Development Review and payment of Impact Fees. No final Development Order shall be issued without successful completion of this Concurrency Review.

I further understand that "Inquiry Only" Review will result in no Certificate of Concurrency being issued and therefore, no binding assurance of future capacity, and that a new Concurrency application will be required in conjunction with the first and final development order applied for on this property.

Applicant's Signature:



Date:

12-13-22

FEE ENCLOSED:
(Check one)

☒ Commercial/Industrial
or Multi-family

\$ 200.00 + Legal, Planning,
and Engineering Fees

☐ PUD/IUD/RUD or
modifications

\$ 1,000.00 + Legal, Planning,
and Engineering Fees

Addressing:

The City of Bunnell has an Interlocal Agreement with Flagler County for all addressing issues.

Please ensure your plans include proposed street names. The City will work with Flagler County for the approval of all proposed street names at the appropriate level of plan/development review and will also work on individual addressing as needed.

All codes are online at:

www.bunnellcity.us/ldr

**To view a copy of the
proposed Site Plan,
please visit the
Community
Development
Department
at
604 E. Moody Blvd. Unit
6**



City of Bunnell, Florida

Agenda Item No. 8.

Document Date: 3/18/2024
Department: Community Development
Subject: MJSP 2023-05 Requesting approval of the major site plan for Sparks Concrete Inc. located at 3060 Steel Rail Dr.
Property Address: 3060 Steel Rail Dr
Zoning Designation: L-1, Light Industrial
Future Land Use Designation: Industrial
Agenda Section: New Business

ATTACHMENTS:

Description	Type
Development Application	Exhibit
To view a copy of the proposed site plan	Exhibit

Summary/Highlights:

This is a request for major site plan approval of a concrete batch and asphalt plant on 12.4+/- acres of land.

A copy of the plans will be provided to the Board Members and will be available at the meeting for the public upon request.

Background:

The applicant, Sparks Concrete Inc., has applied for major site plan approval in February 2023. During review, it was determined that the applicant will have to submit an application for a replat of the Steel Rail Industrial Park Subdivision as the project was spanning over two parcels, one of which was not approved to be created in accordance with Section 30-55 in the Land Development Code. This replat was approved in November 2023 and was duly recorded in the Flagler County Public Records. The applicant resubmitted their plans in March 2024 after the TRC provided comments on the initial submittal.

The industrial plant will utilize water for their operations from an industrial well as permitted through FDOH. The site will also have a 1,200 square foot office building for office staff with associated parking.

This project and the documents submitted meets all of the requirements listed in the City's Land Development Code along with being consistent with the Comprehensive Plan and meeting other

applicable state agency requirements, except as stated in staff's conditions. All applicable Technical Review Committee (TRC) members have signed off on this project. This is anticipated to be complete within six (6) months after the issuance of permits.

In accordance with Section 22-3(e) in the Land Development Code, the Planning, Zoning and Appeals Board shall consider each major site plan application and shall base its decision on the use, size and dimension regulations for the respective zoning district, the site review standards established herein and all other applicable land development regulations, and comprehensive plan policies. The planning, zoning, and appeals board may impose conditions on-site plan approvals which ensure compliance with all applicable land development regulations and comprehensive plan policies.

Staff Recommendation:

Staff recommends approval of the Sparks Concrete Inc. major site plan with the following conditions to ensure compliance with all applicable land development regulations:

1. Prior to the issuance of any building permits and development of the site, the following will need to be addressed and/or corrected on the major site plan:
 - The City does not have capacity to provide industrial use potable water for concrete production. As discussed in our preapplication meeting, an Industrial/Commercial well permit must be provided to supply water for the proposed concrete plant/industrial uses on the site.
 - Provide a force main pump out assembly on the force main which equals the size of the proposed force main. See Standard Detail S-13 for layout and requirements. Note: The pump out assembly, valves and check valves are required for all commercial properties and are to protect the property owners from unforeseen force main pressures from other lift stations connected to the force main within Steel Rail Drive and the City.
 - If the force main velocities cannot be met with a 2" force main and the currently proposed pump, kindly increase the pump horsepower such that the DEP minimum 2 ft/s velocity can be met within the minimum required 2" force main. Alternatively, since this is on private property, the originally proposed 1.5" force main can be used, but at the property owners' own risk. Unfortunately, in either case, the City cannot assist with the maintenance of private force mains.
 - On sheet C-102, show the setbacks for the 800 SF storage building.
 - On Sheet C-107, correct the square footage of the office building to be consistent with the other plan sheets. The sheet calls out the office building being 1,250 SF; however, the rest of the plan sheets call out the office building being 1,050 SF.

If motioned for approval, please state along the lines of **"I make a motion to approve the major site plan for Sparks Concrete Inc. located at 3060 Steel Rail Dr. with staff's conditions."**

If motioned for denial, please state along the lines of **"I make a motion to deny the major site plan for Sparks Concrete Inc. located at 3060 Steel Rail Dr."** and state the reason for denial.

The Planning, Zoning and Appeals Board has the ability and authority to amend the conditions or apply more than what staff has recommended

City Attorney Review:

Approved



Development Application

This is the City development application for most development projects within the City.

Please complete all applicable portions of the application which would apply to your request and check the type of development review being requested.

All application fees are due when plans and applications are submitted. Types of development where additional costs may be incurred will be invoiced to the applicant as established by resolution and identified in the Project Type checklist.

Total Fees Due: _____

Date Received: _____

Fees:

___ Check Number _____

___ Credit Card

___ Cash

Received by: _____

<p style="text-align: center;">APPLICATION FOR REVIEW</p> <p style="text-align: center;">CITY OF BUNNELL, FLORIDA COMMUNITY</p> <p style="text-align: center;">DEVELOPMENT DEPARTMENT</p>			
PO Box 756, Bunnell, FL 32110 Office: (386) 437-7516 Fax: (386) 437-8253			
<u>APPLICANT INFORMATION</u>			
Applicant: Sparks Concrete, Inc.			
Contact: Billy Sparks			
Address: 4110 S. Nova Road			
City:	Port Orange	State: FL	ZIP: 32127
Phone:	386.760.1002	Fax:	
Email: sparksconcrete@cfl.rr.com			
<u>CONSULTANT INFORMATION</u>			
Engineer / Surveyor: AMG-ENG Consulting, LLC			
Contact: Andrew M. Giannini, P.E.			
Address: 5789 Heathermere Lane			
City:	Port Orange	State: FL	ZIP: 32127
Phone:	386.547.7328	Fax:	
Email: amgio57@gmail.com			
<u>PROPERTY OWNER INFORMATION</u>			
Owner: Same as Applicant			
Contact:			
Address:			
City:		State:	ZIP:
Phone:		Fax:	
Email:			

- All sections on this page must be completed

<p align="center">APPLICATION FOR REVIEW</p> <p align="center">CITY OF BUNNELL, FLORIDA COMMUNITY</p> <p align="center">DEVELOPMENT DEPARTMENT</p>				
PO Box 756, Bunnell, FL 32110 Office: (386) 437-7516 Fax: (386) 437-8253				
PROJECT INFORMATION				
Parcel ID <i>(required)</i> : 34-11-30-5736-00000-0090				
Project Name <i>(required)</i> : Sparks Concrete and Asphalt Plant				
Project Address is Known <i>(required)</i> : 3060 Steel Rail Drive, Bunnell, FL 32110				
Current Zoning <i>(required)</i> : Light Industrial		Current Land Use <i>(required)</i> : Vacant		
Intended Use of Property <i>(required)</i> : Concrete Batch and Asphalt Plant				
Source of Water: <input type="checkbox"/> well <input checked="" type="checkbox"/> city water		Source of Sewer: <input type="checkbox"/> septic <input checked="" type="checkbox"/> city sewer		
PROJECTTYPE (Check all that apply to proposed project)				
Site Plan Reviews* Land Development Code Chapter 22 <i>Site plan requirements can be found in Section 22-9.</i>	<input type="checkbox"/> Minimal Site Plans (Technical Review Plans Only)		\$ 250.00*	
	<input type="checkbox"/> Minor Site Plans (Technical Review Plans Only) <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 		\$ 800.00*	
	<input checked="" type="checkbox"/> Major Site Plans (PZA Approval Required) <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 		\$1,000.00*	
	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)				
Future Land Use Map (FLUM) Amendments	<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				

PROJECTTYPECON'T				
Zoning Map Amendments	<input type="checkbox"/> ReZoning <input type="checkbox"/> Small Scale Land Use Change (less than 10 acres of property) <input type="checkbox"/> Large Scale Land Use Change (ten or more acres of property)		From: _____ To: _____	\$ 750.00 ** \$ 1,500.00 **
	<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 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
**the applicant is responsible for costs of required advertising, notifications and recording costs				
***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.				
<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 + **		
**the applicant is responsible for costs of required advertising, notifications and recording costs				

<p align="center">APPLICATION FOR ZONING REVIEW</p> <p align="center">CITY OF BUNNELL, FLORIDA COMMUNITY</p> <p align="center">DEVELOPMENT DEPARTMENT</p>		
<p>PO Box 756, Bunnell, FL 32110 Office: (386) 437-7516 Fax: (386) 437-8253</p>		
<p align="center">APPLICANT'S SIGNATURE</p>		
<p>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.</p>		
<p>Applicant's Signature:</p>		
<p>Printed Name: Billy Sparks</p>		
<p>Date:</p>		
<p align="center">FOR OFFICE USE ONLY</p>		
<p align="center">ADDITIONAL NOTES</p>		



APPLICATION FOR REVIEW
CITY OF BUNNELL, FLORIDA
COMMUNITY DEVELOPMENT DEPARTMENT

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

CONCURRENCY REVIEW APPLICATION

Applicant's Name: Sparks Concrete, Inc

Date:

Applicant's Address: 4110 S. Nova Road

City: Port Orange

State: FL

Zip: 32127

Phone #: (386) 760-1002

Fax#: ()

Email: sparksconcrete@cfl.rr.com

Owner's Name: Billy Sparks

Owner's Phone#: (386) 760-1002

Owner's Address: 4110 S. Nova Road

City: Port Orange

State: FL

Zip: 32127

Project Name: Sparks Concrete and Asphalt Plant

Project Address: 3060 Steel Rail Drive, Bunnell, FL 32110

Project Location: Steel Rail Drive

Property Tax/Parcel ID#: 34-11-30-5736-00000-0090

Application: (check one) ☒ Submitted in conjunction with a development plan
☐ Inquiry only (Non-binding Site Determination)

If submitted with a Development Application, check the box below for the type of development:

TYPES OF FINAL DEVELOPMENT ORDERS

☐ Development of Regional Impact (DRI)

☐ Preliminary Site Plan

☐ PUD Final Master Plan

☒ Final Site Plan

☐ PID Final Master Plan

☐ Commercial/Industrial Subdivision Final Plat

☐ Single Family Subdivision Final Plat

☐ Other:

☐ Preliminary Plat

☐ Multi-family Residential

CONCURRENCY REVIEW APPLICATION Continued

This proposal is for: (check one) ☒ New Development/Construction
☐ Construction of an expansion/addition
☐ Replace a current use of a _____
☐ Replace a past use of a _____

A signed, sealed Traffic Impact Study is: ☐ Attached ☒ Not Included

Utility Service Provision: ☒ City Water Service ☒ City Sewer Service

Landscape Irrigation System:

Will the project use potable water for landscape irrigation? ☐ Yes ☐ No

Over a landscaped area of _____ square feet,
at the applicable rate of _____ inches/
week, and _____ GDP.

A Water and Sewer Demand Estimate prepared by a Certified Engineer is:
☒ Attached ☐ Not Included

I understand that the City of Bunnell will make an estimate of water and sewer demand based upon the information in this application, but that I am solely responsible for assuring the accuracy of demand calculations for the purposes of paying connection fees. If sufficient data to perform an accurate demand calculation is not provided, the applicant's Engineer will need to meet with the City Utilities Division Director prior to utility agreement and payment of fees, to determine a final demand calculation.

Applicant's Initials: _____

Project Size and Phasing: Below, clearly identify past or existing uses or structures (if applicable) and proposed new development/construction. (Note: Sizes, types, and number of units as filled out below and as indicated on the plans will be assumed as maximum for estimating project demand and the Certificate of Concurrency will be conditioned upon and only valid for such maximums provided on the application.)

PHASE Number of Phases (if applicable)	NUMBER OF ACRES	SPECIFIC USE(S)	BUILDING GROSS SQUARE FEET or NUMBER OF UNITS/LOTS	OPEN SPACE: Total land area, coverage and ratio of coverage to land totals in percentages	DRAINAGE/ STORMWATER CALCULATIONS (both off site and on site)
N.A.					

CONCURRENCY REVIEW APPLICATION Continued**CERTIFICATION AND SIGNATURE**

I hereby certify that the information contained herein is true and correct and that I am either the true and sole owner of the subject property, or I am authorized to act on behalf of the true owner(s) in all regards on this matter, pursuant to proof and authorization submitted with the corresponding development application or attached hereto. I hereby represent that I have lawful right and authority to file this application.

I understand that submittal of this form initiates the process and does not imply approval from the City. I further understand that the issuance of the Certificate of Concurrency will require the successful completion of the Development Review and payment of Impact Fees. No final Development Order shall be issued without successful completion of this Concurrency Review.

I further understand that "Inquiry Only" Review will result in no Certificate of Concurrency being issued and therefore, no binding assurance of future capacity, and that a new Concurrency application will be required in conjunction with the first and final development order applied for on this property.

Applicant's Signature:

Date:

FEE ENCLOSED:
(Check one)☒ Commercial/Industrial
or Multi-family\$ 200.00 + Legal, Planning,
and Engineering Fees☐ PUD/IUD/RUD or
modifications\$ 1,000.00 + Legal, Planning,
and Engineering Fees

Addressing:

The City of Bunnell has an Interlocal Agreement with Flagler County for all addressing issues.

Please ensure your plans include proposed street names. The City will work with Flagler County for the approval of all proposed street names at the appropriate level of plan/development review and will also work on individual addressing as needed.

All codes are online at:

www.bunnellcity.us/ldr

**To view a copy of the
proposed Site Plan,
please visit the
Community
Development
Department
at
604 E. Moody Blvd. Unit
6**



City of Bunnell, Florida

Agenda Item No. 9.

Document Date: 3/18/2024
Department: Community Development
Subject: FLUMA 2024-01 Requesting to amend the Future Land Use Map in the Comprehensive Plan by Ordinance for 2,787+/- acres of land within the City of Bunnell, owned by JM Properties X LLC and Wayerhaeuser Company.

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

ATTACHMENTS:

Description	Type
Ordinance 2024-XX Reserve at Haw Creek Large-scale FLUM Amendment	Ordinance
Ordinance Exhibit "B" - Parcel Data with Future Land Use Designations	Exhibit
Ordinance Exhibit "C" - Parcel Boundary Legal Description	Exhibit
Business Impact Estimate (Ordinance 2024-XX Reserve at Haw Creek Large-scale FLUM Amendment)	Report

Summary/Highlights:

This is a request to amend the Future Land Use Map in the Future Land Use Element of the 2035 Comprehensive Plan for 2,787+/- acres of land located west of US Hwy 1 and between State Hwy 100 W and State Road 11.

A companion PUD rezoning item will be presented at a later date.

This Future Land Use Map amendment was advertised in the Observer Local News on March 28, 2024.

Background:

The applicant, Northeast Florida Developers, LLC, has applied for a Future Land Use Map amendment for 2,787+/- acres on behalf of the owners, JM Properties X LLC and Wayerhaeuser Company. This large-scale amendment is for the mixed-use development known as the Reserve at Haw Creek.

The developers have been in the talks with the City since late 2022. In May 2023, the development

team met with City staff to formerly introduce the scope and entirety of the proposed development. Since then, staff and the development team have been in constant communication as they prepared to make a formal submittal. The application was submitted in October 2023. After review there were some comments sent back to the applicant. After a few more meetings, they resubmitted the revised plans and applications.

The Reserve at Haw Creek is proposed to be an integrated master planned mixed-use community including residential, commercial, light industrial, emergency support services, parks and recreation, and conservation. The community will include housing types ranging from affordable to market rate housing, consisting of attached and detached single-family residences to townhomes, garden homes and condominiums. A village center is proposed in the eastern portion of the subject development that will provide a mixture of neighborhood and community services, retail and commercial spaces, parks and trails, public services and amenities. The development will be adjacent to and expand the current urban core of the City, thus reducing the effects of urban sprawl as regulated by the City's 2035 Comprehensive Plan.

The existing Future Land Use designations are a mixture of Agriculture and Silviculture (AG&S) and Conservation-1 (CON-1). The proposed Future Land Use designations for the community are Rural Estates (RE), Single Family-Low Density (SF-L), Single Family-Medium Density (SF-M), Multifamily (MF), Commercial-Medium (COM-M), Industrial (IND), and Public (PUB). The subject parcels made part of the Reserve at Haw Creek were included in a City initiative to rezone areas that were annexed into the City in 2007 and currently have a redundant Flagler County zoning. The initiative is currently in the final phase which will amend the Future Land Use and rezone the properties containing a conservation-1 designation and change it to Agriculture and Silviculture designation. The subject parcels have since been removed to allow the applicant's application to move forward. The proposed designations will allow for maximum combined density of 5,833 DU/acre spread across the Reserve at Haw Creek community.

The intent of this large-scale map amendment meets the Goals, Objectives, and Policies of the City's 2035 Comprehensive Plan. The PUD rezoning for this development is nearing final review and will come before the Planning, Zoning and Appeals Board while the land use amendment is transmitted to the State Land Planning Agency.

Staff Recommendation:

Recommend approval to the City Commission for the applicant's request to amend the Future Land Use Map for 2,787+/- acres of land with the City of Bunnell.

City Attorney Review:

Approved

ORDINANCE 2024-XX

AN ORDINANCE OF THE CITY OF BUNNELL, FLORIDA AMENDING THE CITY OF BUNNELL COMPREHENSIVE PLAN, AS PREVIOUSLY AMENDED; PROVIDING FOR THE LARGE-SCALE AMENDMENT TO THE FUTURE LAND USE MAP IN THE FUTURE LAND USE ELEMENT OF THE CITY OF BUNNELL COMPREHENSIVE PLAN RELATIVE TO CERTAIN REAL PROPERTY CONTAINING 2,787± ACRES, OWNED BY JM PROPERTIES X LLC AND WEYERHAEUSER COMPANY, WITHIN THE CITY OF BUNNELL AS SHOWN IN EXHIBIT “B”; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR ASSIGNMENT OF THE LAND USE DESIGNATIONS FOR THE PROPERTIES DESCRIBED HEREIN; PROVIDING FOR SERVERABILITY; PROVIDING FOR RATIFICATION OF PRIOR ACTS OF THE CITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION AND DIRECTIONS TO THE CODE CODIFIER AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the real properties which are the subject of this Ordinance are described in Exhibit “B”, located in the City of Bunnell; and

WHEREAS, the owners of the real properties shown in Exhibit “B”, JM Properties X LLC and Weyerhaeuser Company, have authorized the applicant, Northeast Florida Developers LLC, to apply for an amendment to the Future Land Use Map in the Future Land Use Element of the 2035 Comprehensive Plan; and

WHEREAS, this large-scale Future Land Use Map amendment is to allow for an integrated master planned mixed-use community known as “Reserve at Hawcreek”; and

WHEREAS, this large-scale Future Land Use Map amendment adheres to the City of Bunnell’s 2035 Comprehensive Plan Goals, Objectives, and Policies for future planning and development; and

WHEREAS, the City of Bunnell’s Planning, Zoning and Appeals Board, as the City’s local planning agency, held a public hearing on April 11, 2024 to consider amending the Future Land Use Map of the Future Land Use Element of the *City of Bunnell Comprehensive Plan* and recommended approval of the proposed Future Land Use Map amendment to the *Comprehensive Plan* for the subject properties as requested by the applicant; and

WHEREAS, Section 163.3184, *Florida Statutes*, relates to the amendment of adopted local government comprehensive plans and sets forth certain requirements relating to large-scale amendments and which are related to proposed large-scale development activities and provides, among other things, that such amendments may be approved without regard to statutory limits on the frequency of consideration of amendments to the *City of Bunnell Comprehensive Plan*; and

WHEREAS, the City of Bunnell has complied with all requirements and procedures of Florida law in processing this amendment to the *City of Bunnell Comprehensive Plan* including, but not limited to, Section 163.3184, *Florida Statutes*.

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

Section 1. Legislative Findings and Intent.

(a) The City Commission of the City of Bunnell hereby adopts and incorporates into this Ordinance the City of staff report and City Commission agenda memorandum relating to the application relating to the proposed amendment to the *City of Bunnell 2035 Comprehensive Plan* pertaining to the subject properties and the recitals (whereas clauses).

(b) The City of Bunnell has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.

(c) This Ordinance is internally consistent with the goals, objectives and policies of the *City of Bunnell 2035 Comprehensive Plan*.

(d) The exhibits to this Ordinance are incorporated herein as if fully set forth herein verbatim.

Section 2. Amendment to Future Land Use Map.

(a) The Future Land Use Plan Element of the *City of Bunnell 2035 Comprehensive Plan* and the City's Future Land Use Map are hereby amended by assigning the various Future Land Use designations to the real properties shown in Exhibit "B" which are the subject of this Ordinance as set forth herein.

(b) The parcel boundary legal description of the "Reserve at Hawcreek" mixed-use community is shown in Exhibit "C".

Section 3. Implementing Administrative Actions.

The City Manager, or designee, is hereby authorized to implement the provisions of this Ordinance as deemed appropriate and warranted.

Section 4. Ratification of Prior Actions.

The prior actions of the City Commission and its agencies in enacting and causing amendments to the *2035 Comprehensive Plan of the City of Bunnell*, as well as the implementation thereof, are hereby ratified and affirmed.

Section 5. Severability.

If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful, or unconstitutional, it shall not be held or impair the validity of the ordinance or effect of any other action or part of this Ordinance.

Section 6. Conflicts.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7. Codification/Instructions to Code Codifier.

It is the intention of the City Commission of the City of Bunnell, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the codified version of the City of Bunnell *2035 Comprehensive Plan* and/or the *Code of Ordinances of the City of Bunnell*, Florida in terms of amending the Future Land use Map of the City.

Section 8. Effective Date.

The large-scale Comprehensive Plan amendment set forth herein shall not become effective, in accordance with Section 163.3184(4)(c)4., *Florida Statutes*, until 31 days after the state land planning agency notifies the City that the plan amendment package is complete. If timely challenged, this large-scale amendment shall not become effective until the state land planning agency or the Administrative Commission enters a final order determining the adopted amendment to be in compliance.

First Reading: approved on this _____ day of _____, 2024.

Second Reading/Final Reading: adopted on this _____ day of _____ 2024.

CITY COMMISSION, City of Bunnell, Florida.

By: _____
Catherine D. Robinson, Mayor

Approved for form and content by:

Vose Law Firm, City Attorney

Attest:

Seal: _____
Kristen Bates, CMC, City Clerk

Exhibit "A" Amended Future Land Use Map

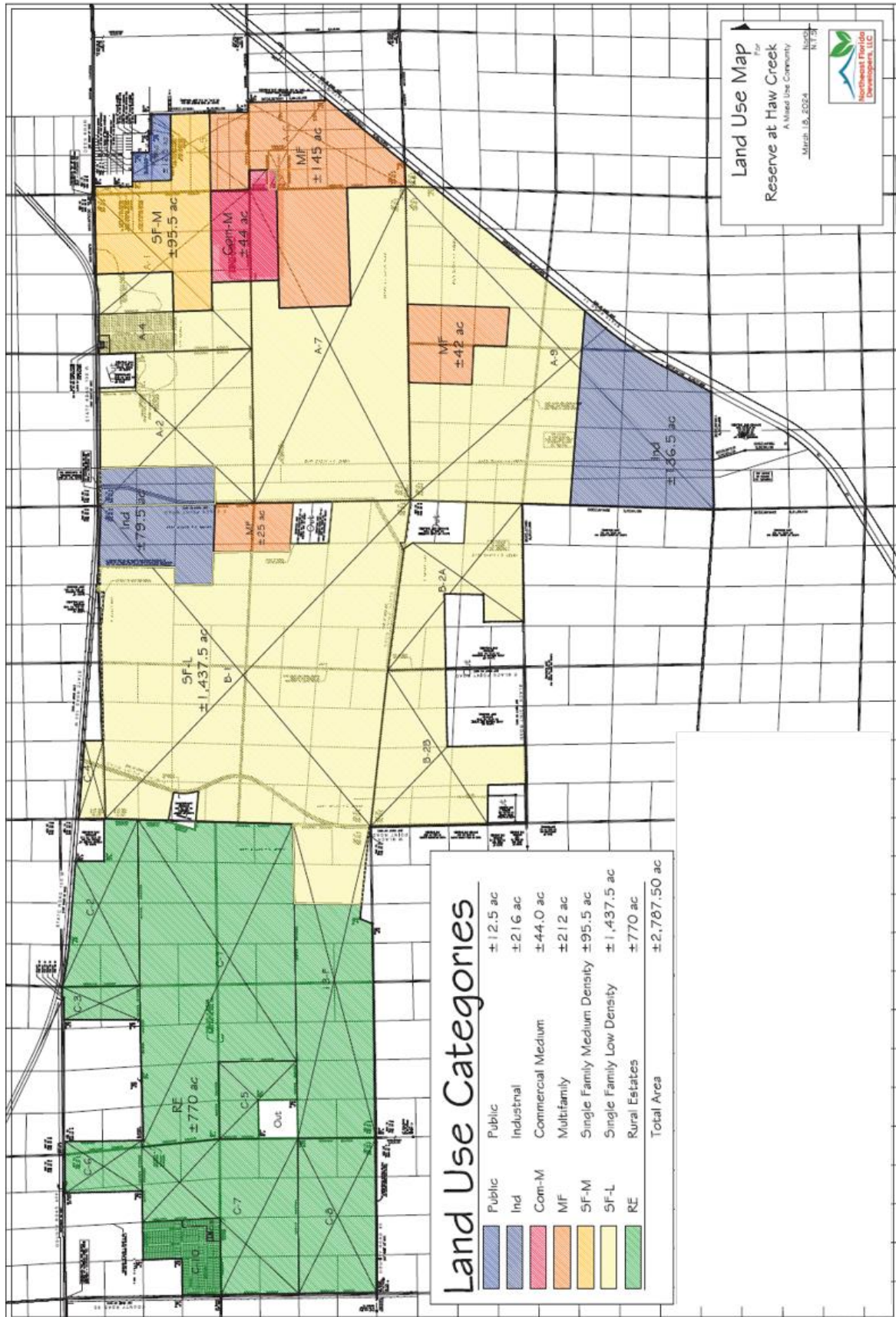


Exhibit "B" - Parcel Data with Future Land Use Designations

Survey Reference	Parcle Number	Acreage by GIS		Acreage by Survey		Existing Land Use	Existing Zoning	Proposed Land Use										
A1	16-12-30-0650-000A0-0010	136.99	ac	141.09	ac	Agriculture & Silviculture; Conservation 1	AG&S / AC(F)	Single Family Low Density (SF-L) / Single Family Medium Density (SF-M) / Commercial - Medium (COM-M)	47.18	ac	SF-L	70.54	ac	SF-M	23.37	AC	COM-M	
A2	16-12-30-0650-000B0-0010	143.36	ac	144.93	ac	Agriculture & Silviculture; Conservation 1	AG&S / AC(F)	Single Family Low Density (SF-L) / Industrial (IND)	116.27	ac	SF-L	28.66	ac	IND				
A3	16-12-30-0750-00010-0010	1.09	ac	1.09	ac	Agriculture & Silviculture	AG&S	Single Family Low Density (SF-L)	1.09	ac	SF-L							
A4	16-12-30-0750-00020-0000	17.60	ac	18.29	ac	Agriculture & Silviculture; Conservation 1	AG&S / AC(F)	Single Family Low Density (SF-L)	18.29	ac	SF-L							
A5	15-12-30-0850-000B0-0040	56.89	ac	57.17	ac	Single Family Low Density	R-1	Single Family Medium Density (SF-M) / Multifamily (MF) / Public (PUBLIC)	24.84	ac	SF-M	19.87	ac	MF	12.46	AC	PUBLIC	
A6	15-12-30-0650-000C0-0042	71.15	ac	68.66	ac	None Assigned by City of Bunnell	R-1	Multifamily (MF) / Commercial-Medium (COM-M)	65.18	ac	MF	3.48	ac	COM-M				
A7	16-12-30-0650-000B0-0000	311.88	ac	321.75	ac	Agriculture & Silviculture	AG&S	Single Family Low Density (SF-L) / Multifamily (MF) / Commercial-Medium (COM-M)	250.11	ac	SF-L	55.16	ac	MF	16.48	ac	COM-M	
Weyerhaeuser	15-12-30-0650-000C0-0070	4.60	ac	4.98	ac	None Assigned by City of Bunnell	R-1	Multifamily (MF) / Commercial-Medium (COM-M)	3.99	ac	MF	0.99	ac	COM-M				
A8	22-12-30-0650-000B0-0011	3.03	ac	2.18	ac	Agriculture & Silviculture	Agriculture & Silviculture	Single Family Low Density (SF-L)	2.18	ac	SF-L							
A9	21-12-30-0000-01010-0010	425.04	ac	431.74	ac	Agriculture & Silviculture; Conservation 1	AG&S / AC(F)	Single Family Low Density (SF-L) / Multifamily (MF) / Industrial (IND)	253.02	ac	SF-L	42.26	ac	MF	136.5	ac	IND	
B1	17-12-30-0650-000D0-0000	590.80	ac	587.38	ac	Agriculture & Silviculture; Conservation 1	AG&S / AC(F)	Single Family Low Density (SF-L) / Multifamily (MF) / Industrial (IND)	511.89	ac	SF-L	24.71	ac	MF	50.78	ac	IND	
B2B	20-12-30-0650-000B0-0010	97.70	ac	99.76	ac	Agriculture & Silviculture	Agriculture & Silviculture	Single Family Low Density (SF-L)	99.76	ac	SF-L							
B2A	20-12-30-0650-000A0-0030	94.07	ac	88.89	ac	Agriculture & Silviculture; Conservation 1	AG&S / AC(F)	Single Family Low Density (SF-L)	88.89	ac	SF-L							
C1	18-12-30-5550-00050-0110	278.93	ac	285.07	ac	Agriculture & Silviculture; Conservation 1	AG&S / AC(F)	Rural Estates (RE)	285.07	ac	RE							
C2	18-12-30-5550-00010-0000	63.26	ac	65.86	ac	Agriculture & Silviculture; Conservation 1	AG&S / AC(F)	Rural Estates (RE)	65.86	ac	RE							
C3	18-12-30-5550-00030-0010	19.75	ac	16.84	ac	Agriculture & Silviculture	AG&S	Rural Estates (RE)	16.84	ac	RE							
C4	08-12-30-5550-00130-0000	9.15	ac	11.72	ac	Agriculture & Silviculture	AG&S	Single Family Low Density (SF-L)	11.72	ac	SF-L							
C5	18-12-30-5550-00120-0010	29.84	ac	29.79	ac	Agriculture & Silviculture	AG&S	Rural Estates (RE)	29.79	ac	RE							
C6	13-12-29-5550-00010-0010	26.34	ac	25.72	ac	Agriculture & Silviculture	AG&S	Rural Estates (RE)	25.72	ac	RE							
C7	13-12-29-5550-00080-0000	119.98	ac	118.98	ac	Agriculture & Silviculture	AG&S	Rural Estates (RE)	118.98	ac	RE							
C8	13-12-29-5550-00150-0000	79.17	ac	79.41	ac	Agriculture & Silviculture	AG&S	Rural Estates (RE)	79.41	ac	RE							
C9	13-12-29-1250-00100-0010	2.85	ac	2.83	ac	Agriculture & Silviculture	AG&S	Rural Estates (RE)	2.83	ac	RE							
C10	13-12-29-1250-00010-0000	26.97	ac	25.83	ac	Agriculture & Silviculture	AG&S	Rural Estates (RE)	25.83	ac	RE							
C11	13-12-29-1250-00100-0380	0.13	ac	0.13	ac	Agriculture (F)	AG (F)	Rural Estates (RE)	0.13	ac	RE							
C12	13-12-29-1250-00100-0360	0.15	ac	0.15	ac	Agriculture (F)	AG (F)	Rural Estates (RE)	0.15	ac	RE							
13F	18-12-30-5550-00130-0000	154.32	ac	155.79	ac	Agriculture & Silviculture; Conservation 1	AG&S / AC(F)	Rural Estates (RE) / Single Family Low Density (SF-L)	118.69	ac	RE	37.1	ac	SF-L				
Requires Annexation				2786.03	ac	Per Survey (Acreage Used for Land Use)			2263.71			282.8			239.6		2786	
		2765.04	ac	Per GIS				Land Use Summary										
Sources: Survey, Flagler County Property Appraiser / GIS									Public	12.46								
								Industrial	215.9									
								Com-M	44.32									
								MF	211.17									
								SF-M	95.38									
								SF-L	1437.5									
								RE	769.3									
								Total	2786.03									

Exhibit "C" - The Reserve at Haw Creek Parcel Boundary Legal Description

A PARCEL OF LAND ENCOMPASSING PORTIONS OF BUNNELL GARDENS (MAP BOOK 2, PAGE 6), CRESCENT SHORES (MAP BOOK 2, PG 17), BUNNELL DEVELOPMENT COMPANYS LAND (MAP BOOK 1, PAGE 1), AND ST JOHNS DEVELOPMENT COMPANYS (MAP BOOK 1, PAGE 7) LYING IN SECTIONS 8, 15, 16, 17, 18, 20, 21, 22, AND 28, ALL IN TOWNSHIP 12 SOUTH, RANGE 30 EAST AND SECTION 13, TOWNSHIP 12 SOUTH, RANGE 29 EAST, FLAGLER COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 15, TOWNSHIP 12 SOUTH, RANGE 30 EAST, THENCE S01°43'06"E ALONG THE WEST LINE OF SECTION 15 A DISTANCE OF 25.01' TO AN INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF DEEN ROAD(50' R/W) ALSO BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE N89°53'29"E ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF DEEN ROAD A DISTANCE OF 132.21' TO THE WESTERLY LINE OF LANDS RECORDED IN OR 1348, PG 712; THENCE DEPARTING DEEN ROAD RIGHT-OF-WAY S01°39'01"E ALONG THE WESTERLY LINE OF THOSE LANDS RECORDED IN OR 1348, PG 712, AND OR 2521, PG 552 A DISTANCE OF 434.34' TO THE NORTHERLY LINE OF LANDS RECORDED IN OR 2643, PG 751 ; THENCE N89°52'35"W ALONG SAID LANDS A DISTANCE OF 17.83'; THENCE S01°38'50"E A DISTANCE OF 200.36'; THENCE N89°42'16"E DISTANCE OF 574.18' TO THE WESTERLY LINE OF THOSE LANDS RECORDED IN OR 2380, PG 1412; THENCE S01°34'38"E ALONG THE WESTERLY LINE OF THOSE LANDS RECORDED IN OR 2380, PG 1412 AND OR 2643, PG 754 A DISTANCE OF 285.74'; THENCE DEPARTING SAID WESTERLY LINE N89°42'16"E A DISTANCE OF 306.03'; THENCE S01°30'16"E A DISTANCE OF 42.66' TO THE NORTH LINE OF TRACT 7, BLOCK B, SECTION 15, BUNNELL DEVELOPMENT COMPANYS LAND; THENCE N89°36'43"E ALONG SAID NORTH LINE A DISTANCE OF 330.97' TO THE EAST LINE OF SAID TRACT 7; THENCE S01°25'57"E ALONG THE EAST LINE OF TRACTS 7, 10, 11, 14, AND 15 A DISTANCE OF 1639.22' TO THE NORTH LINE OF BLOCK C OF SAID SECTION 15; THENCE N89°08'44"E ALONG SAID NORTH LINE OF BLOCK C, A DISTANCE OF 164.44' TO THE EAST LINE OF THE WEST HALF (1/2) OF TRACT 4, BLOCK C; THENCE S01°21'46"E ALONG THE EAST LINE OF THE WEST HALVES OF TRACTS 4 AND 12, BLOCK C A DISTANCE OF 1302.31' TO THE NORTH LINE OF TRACT 19, BLOCK C; THENCE N88°24'21"E ALONG SAID NORTH LINE OF TRACT 19, A DISTANCE OF 44.66' TO THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD HIGHWAY 11 (200' R/W); THENCE S39°21'05"W ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 1742.76' TO AN INTERSECTION WITH THE NORTH LINE OF SECTION 22, TOWNSHIP 12 SOUTH, RANGE 30 EAST, BUNNELL DEVELOPMENT COMPANYS LAND; THENCE CONTINUE S39°21'05"W ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 647.22' TO AN INTERSECTION WITH THE EAST LINE OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 30 EAST, BUNNELL DEVELOPMENT COMPANYS LAND; THENCE CONTINUE ALONG THE WESTERLY RIGHT-OF-WAY LINE OF HIGHWAY 11, S39°21'05"W A DISTANCE OF 3753.88' TO A CURVE CONCAVE SOUTHEASTERLY; THENCE ALONG THE CURVE TO THE LEFT, HAVING A DELTA OF 11°11'00", A RADIUS OF 5807.06, AN ARC LENGTH OF 1133.46', A CHORD BEARING OF S33°45'35"W, AND A CHORD DISTANCE OF 1131.66'; THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINE S28°10'05"W A DISTANCE OF 951.54' TO AN INTERSECTION WITH THE NORTH LINE OF SECTION 28, TOWNSHIP 12 SOUTH, RANGE 30 EAST, BUNNELL DEVELOPMENT COMPANYS LAND;

Exhibit "C" - The Reserve at Haw Creek Parcel Boundary Legal Description

THENCE DEPARTING THE WESTERLY RIGHT-OF-WAY LINE OF HIGHWAY 11, S88°42'07"W ALONG SAID NORTH LINE OF SECTION 28 A DISTANCE OF 1153.01'; THENCE DEPARTING THE NORTH LINE OF SECTION 28, S17°03'30"E A DISTANCE OF 573.61'; THENCE S01°02'20"E A DISTANCE OF 728.84'; THENCE N88°42'09"E A DISTANCE OF 267.08' TO A POINT OF AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF HIGHWAY 11, SAID POINT BEING ON A CURVE CONCAVE NORTHWESTERLY; HAVING A DELTA OF 25°30'53" A RADIUS OF 2787.16, AN ARC LENGTH OF 1241.17, A CHORD BEARING OF S45°23'39"W, AND A CHORD DISTANCE OF 1230.94'; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, S58°09'05"W A DISTANCE OF 424.26'; THENCE DEPARTING WESTERLY RIGHT-OF-WAY LINE, N01°02'12"W A DISTANCE OF 2340.88' TO THE NORTHWEST CORNER OF SECTION 28, ALSO BEING THE SOUTHWEST CORNER OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 30 EAST, BUNNELL DEVELOPMENT COMPANYS LAND; THENCE ALONG THE WESTERLY LINE OF SAID SECTION 21, N01°44'23"E A DISTANCE OF 3242.53' TO THE SOUTHEAST CORNER OF BLOCK A, SECTION 20, TOWNSHIP 12 SOUTH, RANGE 30 EAST, BUNNELL DEVELOPMENT COMPANYS LAND; THENCE DEPARTING THE WESTERLY LINE OF SECTION 21, S89°13'30"W ALONG THE SOUTHERLY LINE OF SAID BLOCK A, SECTION 20, A DISTANCE OF 1994.32'; THENCE DEPARTING SAID SOUTHERLY LINE OF BLOCK A, N00°27'07"W A DISTANCE OF 672.43'; THENCE N88°53'32"E A DISTANCE OF 460.30'; THENCE N00°59'31"E A DISTANCE OF 661.67'; THENCE S88°54'19"W A DISTANCE OF 1266.54' TO THE EAST LINE OF BLOCK B, OF SAID SECTION 20, AND TO THE APPARENT CENTERLINE OF EAST BLACK POINT ROAD; THENCE CONTINUE S88°54'19"W A DISTANCE OF 1315.79'; THENCE S01°06'12"E A DISTANCE OF 1322.07' TO THE SOUTHERLY LINE OF SAID BLOCK B, AND TO THE APPARENT INTERSECTION OF EAST BLACK POINT ROAD; THENCE S89°13'30"W ALONG THE SOUTHERLY LINE OF BLOCK B, A DISTANCE OF 1318.07' TO THE WEST QUARTER SECTION CORNER OF SECTION 20 ALSO BEING THE EAST QUARTER SECTION CORNER OF SECTION 19, TOWNSHIP 12 SOUTH, RANGE 30 EAST, ST JOHNS DEVELOPMENT COMPANYS; THENCE N01°12'21"W ALONG THE WEST LINE OF SECTION 20, A DISTANCE OF 191.69'; THENCE S89°01'18"E A DISTANCE OF 482.19'; THENCE N01°15'35"W A DISTANCE OF 467.36'; THENCE N89°01'18"W A DISTANCE OF 481.75' TO THE WEST LINE OF SECTION 20; THENCE N01°12'21"W A DISTANCE OF 1977.10' TO THE NORTHWEST CORNER OF SECTION 20, ALSO BEING THE SOUTHWEST CORNER OF SECTION 18, TOWNSHIP 12 SOUTH, RANGE 30 EAST, ST JOHNS DEVELOPMENT COMPANYS; THENCE N01°40'51"E ALONG THE EAST LINE OF SAID SECTION 18, A DISTANCE OF 19.90'; THENCE DEPARTING SAID EAST LINE N84°12'43"W A DISTANCE OF 1569.58'; THENCE S22°06'08"W A DISTANCE OF 223.70' TO THE SOUTH LINE OF SECTION 18; THENCE S88°59'14"W ALONG THE SAID SOUTH LINE OF SECTION 18 A DISTANCE OF 986.38'; THENCE CONTINUE S88°59'14"W A DISTANCE OF 2631.80' TO THE SOUTHWEST CORNER OF SECTION 18, ALSO BEING THE SOUTHEAST CORNER OF SECTION 13, TOWNSHIP 12 SOUTH, RANGE 29 EAST, ST JOHNS DEVELOPMENT COMPANYS; THENCE S89°46'37"W A DISTANCE OF 2645.38' TO THE SOUTH QUARTER SECTION CORNER OF SAID SECTION 13; THENCE N00°48'58"W ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 13, A DISTANCE OF 2634.39' TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 13, ALSO BEING THE SOUTHWEST CORNER OF CRESCENT SHORES SUBDIVISION; THENCE N00°50'16"W ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 13, ALSO BEING THE WEST LINE OF CRESCENT SHORES, A DISTANCE OF 654.90'; THENCE DEPARTING THE WEST LINE OF SECTION 13, N89°22'31"E ALONG THE NORTH LINE OF CRESCENT SHORES, A DISTANCE OF 650.87' TO THE WEST LINE OF CRESCENT SHORES; THENCE N02°04'51"W ALONG SAID WEST LINE OF CRESCENT SHORES A DISTANCE OF 656.30' TO THE NORTH LINE OF CRESCENT SHORES; THENCE N89°17'01"E A

Exhibit "C" - The Reserve at Haw Creek Parcel Boundary Legal Description

DISTANCE OF 1162.49'; THENCE N01°21'44"W A DISTANCE OF 1301.16' TO THE SOUTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 302(95' R/W); THENCE N89°32'29"E ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 647.15' TO AN INTERSECTION WITH THE WEST LINE OF SECTION 18, TOWNSHIP 12 SOUTH, RANGE 30 EAST, ST JOHNS DEVELOPMENT COMPANYS; THENCE CONTINUING ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF 302, N89°36'23"E A DISTANCE OF 222.10' TO THE NORTHWEST CORNER OF LANDS RECORDED IN OR 2772, PG 104; THENCE S00°45'47"E ALONG THE WEST LINE OF THOSE LANDS RECORDED IN OR 2772, PG 104 AND OR 2781, PG 1914, A DISTANCE OF 1297.06' TO AN INTERSECTION WITH THE NORTH LINE OF TRACT 1, BLOCK 5, SECTION 18, TOWNSHIP 12 SOUTH, RANGE 30 EAST, ST JOHNS DEVELOPMENT COMPANYS; THENCE CONTINUING ALONG THE WEST LINE OF THE LAND RECORDED IN OR 2781, PG 1914, S00°45'47"E A DISTANCE OF 32.34'; THENCE N88°12'04"E ALONG THE SOUTHERLY LINE OF THOSE LANDS RECORDED IN OR 2781, PG 1914 AND OR 458, PG 1529, A DISTANCE OF 1010.82' TO THE SOUTHEAST CORNER OF SAID LAND RECORDED IN OR 458, PG 1529; THENCE N00°45'26"W ALONG THE EAST LINE OF LANDS RECORDED IN OR 458, PG 1529 A DISTANCE OF 12.66' TO THE NORTH LINE OF TRACT 3, BLOCK 5, SECTION 18, TOWNSHIP 12 SOUTH, RANGE 30 EAST, ST JOHNS DEVELOPMENT COMPANYS; THENCE N89°19'01"E ALONG THE NORTH LINE OF TRACTS 3, OF BLOCK 5, AND TRACT 1 OF BLOCK 6, OF SECTION 18 ALSO BEING THE SOUTHERLY LINES OF THOSE LANDS RECORDED IN OR 1574, PG 144 AND OR 1920, PG 1591, A DISTANCE OF 1025.66' TO THE SOUTHEAST CORNER OF OR 1920, PG 1591; THENCE N00°16'30"E ALONG THE EAST LINE OF THE LAND RECORDED IN OR 1920, PG 1591, A DISTANCE OF 1286.92' TO THE SOUTHERLY RIGHT-OF-WAY LINE OF 302; THENCE N89°36'23"E ALONG THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF 302, A DISTANCE OF 372.75'; THENCE N21°21'23"E A DISTANCE OF 31.98' TO THE NORTH LINE OF SECTION 18; THENCE N89°37'36"E ALONG THE NORTH LINE OF SECTION 18, A DISTANCE OF 158.57' TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 100(100' R/W), SAID POINT BEING ON A CURVE CONCAVE NORTHEASTERLY; THENCE ALONG THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 100, CURVE TO THE LEFT, HAVING A DELTA OF 08°35'47", AN ARC LENGTH OF 867.16', A RADIUS OF 5779.65', A CHORD BEARING OF S81°21'35"E, AND A CHORD DISTANCE OF 866.35'; THENCE CONTINUE ALONG SOUTHERLY RIGHT-OF-WAY LINE OF 100, S85°39'29"E A DISTANCE OF 1284.36' TO AN INTERSECTION WITH THE WEST LINE OF THOSE LANDS OCCUPIED BY POLONIA SOCIETY OF KORONA FL, INC., RECORDED IN OR 1757, PG 110; THENCE S00°09'40"W ALONG THE WEST LINE OF SAID POLONIA SOCIETY LANDS A DISTANCE OF 479.76' TO THE SOUTHWEST CORNER OF THE POLONIA SOCIETY; THENCE S89°45'41"E ALONG THE SOUTHERLY LINE OF THE POLONIA SOCIETY LAND A DISTANCE OF 720.47' TO THE EAST LINE OF THE POLONIA SOCIETY, ALSO BEING THE EAST LINE OF SECTION 18, ALSO BEING THE WEST LINE OF SECTION 8, TOWNSHIP 12 SOUTH, RANGE 30 EAST, BUNNELL DEVELOPMENT COMPANYS LAND; THENCE N00°41'17"W ALONG THE WEST LINE OF SECTION 8 A DISTANCE OF 428.58' TO AN INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF 100; THENCE S85°39'29"E ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF 100 A DISTANCE OF 1326.32' TO THE EAST LINE OF TRACT 3, BLOCK 13, SECTION 8; THENCE DEPARTING SOUTHERLY RIGHT-OF-WAY LINE OF 100, S00°27'15"E ALONG SAID EAST LINE OF TRACT 3, A DISTANCE OF 300.03' TO THE NORTH LINE OF SECTION 17, TOWNSHIP 12 SOUTH, RANGE 30 EAST, BUNNELL DEVELOPMENT COMPANYS LAND; THENCE N87°43'25"E ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 17, A DISTANCE OF 1320.49' TO A 4X4 CONCRETE MONUMENT MARKING THE NORHT QUARTER SECTION CORNER OF SECTION 17; THENCE N89°27'01"E ALONG THE NORTH LINE OF THE NORTHEAST QUARTER

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OF SECTION 17, A DISTANCE OF 662.91' TO AN INTERSECTION WITH THE WEST LINE OF THOSE LANDS RECORDED IN OR 486, PG 1649, DEED BOOK 55, PG 453, AND OR 496, PG 1651; THENCE S00°53'47"E ALONG THE WEST LINE OF OR 486, PG 1649 A DISTANCE OF 44.86' TO THE SOUTHWEST CORNER OF THOSE LANDS RECORDED IN OR 486, PG 1649; THENCE S85°39'50"E ALONG THE SOUTHERLY LINE OF LAND DESCRIBED IN OR 55, PG 453, A DISTANCE OF 525.32' TO THE EASTERLY LINE OF OF THE WEST 523.12 FEET OF TRACT 3, BLOCK 15, AS MEASURED ALONG THE SOUTH LINE OF SECTION 8; THENCE N00°55'58"W ALONG SAID EASTERLY LINE, A DISTANCE OF 135.45' TO THE SOUTHERLY RIGHT-OF-WAY LINE OF 100; THENCE S85°39'29"E ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF 100 A DISTANCE OF 137.38' TO AN INTERSECTION WITH THE WEST LINE OF TRACT 1, BLOCK 16, SECTION 8; THENCE S00°49'08"E ALONG SAID WEST LINE, A DISTANCE OF 34.14' TO THE NORTH LINE OF SECTION 17; THENCE N89°27'01"E ALONG SAID NORTH LINE, A DISTANCE OF 398.73' TO THE SOUTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 100; THENCE S85°39'29"E ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 100, A DISTANCE OF 86.78' TO A CURVE CONCAVE NORTHERLY; THENCE ALONG THE CURVE TO THE LEFT, HAVING A DELTA OF 04°54'50", A RADIUS OF 11509.19, AN ARC LENGTH OF 987.07', A CHORD BEARING OF S88°06'54"E, AND A CHORD DISTANCE OF 986.77'; THENCE CONTINUE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF 100, N89°25'41"E A DISTANCE OF 1778.54' TO AN INTERSECTION WITH THE WEST LINE OF TRACT 2, BLOCK B, SECTION 16, TOWNSHIP 12 SOUTH, RANGE 30 EAST, BUNNELL DEVELOPMENT COMPANYS LAND; THENCE S01°45'35"E ALONG THE WEST LINE OF SAID TRACT 2, A DISTANCE OF 609.42' TO THE SOUTHWEST CORNER OF TRACT 2; THENCE N89°18'38"E A DISTANCE OF 724.82' TO THE SOUTHEAST CORNER OF LANDS OCCUPIED BY DUANE TAYLOR RECORDED IN OR 2650, PG 1753; THENCE N01°43'51"W ALONG THE EAST LINE OF THOSE LANDS OCCUPIED BY DUANE TAYLOR OR 2650, PG 1753, AND JOSEPH WRIGHT OR 2695, PG 1433, A DISTANCE OF 607.92' TO THE SOUTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 100; THENCE N89°25'41"E ALONG SAID SOUTHERLY RIGHT-OF-WAY A DISTANCE OF 19.40' TO AN INTERSECTION WITH THE WEST LINE OF LOT 8, BLOCK 1, BUNNELL GARDENS, MAP BOOK 2, PG 6; THENCE DEPARTING THE SOUTHERLY RIGHT-OF-WAY LINE S01°58'41"E ALONG THE WEST LINE OF SAID LOT 8, A DISTANCE OF 79.38' TO THE SOUTHWEST CORNER OF LOT 8; THENCE N88°57'01"E A DISTANCE OF 102.38' TO THE SOUTHEAST CORNER OF LOT 5, BLOCK 1, BUNNELL GARDENS; THENCE N01°58'01"W ALONG THE EAST LINE OF LOT 5, A DISTANCE OF 78.53' TO THE SOUTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 100; THENCE N89°25'41"E ALONG SAID SOUTHERLY RIGHT-OF-WAY OF 100, A DISTANCE OF 649.02' TO A CURVE IN SAID RIGHT-OF-WAY, CONCAVE NORTHWESTERLY; THENCE ALONG THE CURVE TO THE LEFT, HAVING A DELTA OF 12°21'55", A RADIUS OF 1482.68', AN ARC LENGTH OF 319.98', A CHORD BEARING OF N83°14'43"E, AND A CHORD DISTANCE OF 319.36' TO AN INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF DEEN ROAD(50' R/W); THENCE N88°56'32"E ALONG SAID SOUTHERLY RIGHT-OF-WAY OF DEEN ROAD, A DISTANCE OF 1526.48' TO THE POINT OF BEGINNING AND TO CLOSE.

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LESS AND EXCEPT THE FOLLOWING PARCELS:

THE NORTH 330 FEET OF TRACT 1, BLOCK D, SECTION 17, TOWNSHIP 12 SOUTH, RANGE 30 EAST, BUNNELL DEVELOPMENT COMPANY, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE(S) 1, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

PARCEL ID: 17-12-30-0650-000D0-0010

AND ALSO LESS AND EXCEPT

TRACT 1, BLOCK D, SECTION 17, TOWNSHIP 12 SOUTH, RANGE 30 EAST, ACCORDING TO THE PLAT OF BUNNELL DEVELOPMENT COMPANY'S SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 1, FLAGLER COUNTY, FLORIDA, LESS THE NORTH 330 FEET THEREOF.

COMMONLY KNOWN AS: 680 E BLACK POINT RD., BUNNELL, FL 32110

PARCEL ID: 17-12-30-0650-000D0-0011

AND ALSO LESS AND EXCEPT

OFFICIAL RECORDS BOOK 91, PG 683:

PARCEL OF LAND IN SECTION 17, TOWNSHIP 12 SOUTH, RANGE 30 EAST DESCRIBED AS FOLLOWS:

AS A POINT OF REFERENCE COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 17, THE SAME BEING THE SOUTHWEST CORNER OF SECTION 8; THENCE NORTH 00°41'08" WEST ALONG THE WEST LINE OF SAID SECTION 8 A DISTANCE OF 502.43 FEET TO THE CENTERLINE OF STATE ROAD 100; THENCE SOUTH 85°39'51" EAST ALONG SAID CENTERLINE 1007.31 FEET TO THE CENTERLINE OF AN EXISTING COUNTY ROAD; THENCE SOUTH 18°36'01" WEST ALONG SAID CENTERLINE 1590.90 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 733.60 FEET AND A DELTA ANGLE OF 6°12'49", THENCE ALONG THE ARC OF SAID CURVE 79.56 FEET TO A POINT THEREIN; THENCE NORTH 79°18'59" WEST 25.01 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID COUNTY ROAD AND THE POINT OF BEGINNING;

THENCE NORTH 79°18'59" WEST 508.86 FEET; THENCE SOUTH 16°14'28" WEST 471.08 FEET; THENCE SOUTH 84°28'35" EAST 634.66 FEET TO A POINT IN AFORESAID WESTERLY RIGHT-OF-WAY LINE, BEING A POINT ON A CURVE CONCAVE TO THE EASTERLY, SAID CURVE HAVING A RADIUS OF 758.60 FEET AND A DELTA ANGLE OF 32°35'00", THENCE ALONG THE ARC OF SAID CURVE RUN NORTHWESTERLY A DISTANCE OF 431.41 FEET TO THE POINT OF BEGINNING.

CONTAINNING 5.44 ACRES.

PARCEL ID: 17-12-30-0650-000B0-0000

Exhibit "C" - The Reserve at Haw Creek Parcel Boundary Legal Description

AND ALSO LESS AND EXCEPT

TRACTS 1 AND 2, BLOCK A, IN SECTION 20, TOWNSHIP 12 SOUTH, RANGE 30 EAST, IN THE BUNNELL DEVELOPMENT COMPANY'S ALLOTMENT, ACCORDING TO THE PLAT OR MAP THEREOF DESCRIBED IN PLAT BOOK 1, AT PAGE 1, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

PARCEL ID: 20-12-30-0650-000A0-0010

AND ALSO LESS AND EXCEPT

A PORTION OF SECTIONS 17 AND 20, TOWNSHIP 12 SOUTH, RANGE 30 EAST, ST. JOHNS DEVELOPMENT COMPANYS SUBDIVISION, FLAGLER COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM A POINT OF REFERENCE BEING A "MOODY" 6x6 CONCRETE MONUMENT MARKING THE NORTHEAST CORNER OF SAID SECTION 20, BEAR N82°18'39"W ALONG THE NORTH LINE OF SAID SECTION 20, A DISTANCE OF 725.72 FEET TO THE NORTHWEST CORNER OF TRACT 2, BLOCK A, ALSO BEING THE POINT OF BEGINNING OF THIS DESCRIPTION;

THENCE S00°48'22"W ALONG SAID WEST LINE OF TRACT 2, BLOCK A, A DISTANCE OF 131.57 FEET; THENCE DEPARTING SAID WEST LINE OF TRACT 2, N34°53'40"W A DISTANCE OF 177.40 FEET TO THE SAID NORTH LINE OF SECTION 20, ALSO BEING THE SOUTH LINE OF SAID SECTION 17; THENCE CONTINUE N34°53'40"W A DISTANCE OF 28.55 FEET TO A CURVE, CONCAVE NORTHWESTERLY, IN THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST BLACK POINT ROAD(CR 5 EAST, A 50' MAINTAINED R/W); THENCE ALONG THE CURVE TO THE LEFT, HAVING A DELTA OF 23°47'29", A RADIUS OF 225.00', AN ARC LENGTH OF 93.43', A CHORD BEARING OF N72°44'31"E, AND A CHORD DISTANCE OF 92.76' TO A POINT OF TANGENCY IN THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID BLACK POINT ROAD; THENCE N60°50'46"E ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 34.84' TO THE WESTERLY LINE OF TRACT 11, BLOCK D, OF SAID SECTION 17; THENCE S00°27'45"E ALONG SAID WESTERLY LINE A DISTANCE OF 81.86' TO THE SOUTHWEST CORNER OF SAID TRACT 11, BLOCK D, ALSO BEING THE POINT OF BEGINNING, AND TO CLOSE.

PARCEL CONTAINING 0.2791 ACRES MORE OR LESS.

AND ALSO LESS AND EXCEPT

ST. JOHNS DEVELOPMENT COMPANY SUBDIVISION, SECTION 18, TOWNSHIP 12 SOUTH, RANGE 30 EAST, THE N 1/2 OF TRACT 3, BLOCK 12 AS RECORDED IN THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

PARCEL ID: 18-12-30-5550-00120-0031

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AND ALSO LESS AND EXCEPT

THE SOUTH 1/2 OF TRACT 3, BLOCK 12, ST. JOHNS DEVELOPMENT COMPANY'S SUBDIVISION OF SECTION 18, TOWNSHIP 12 SOUTH, RANGE 30 EAST AS RECORDED IN PLAT BOOK 1, PAGE 1, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

PARCEL ID: 18-12-30-5550-00120-0030

AND ALSO LESS AND EXCEPT

LOTS 40 AND 41, BLOCK 10, CRESCENT SHORES SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN MAP BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

PARCEL ID: 13-12-29-1250-00100-0400

AND ALSO LESS AND EXCEPT ALL LANDS LYING IN ROAD RIGHTS-OF-WAYS: INCLUDING THOSE LANDS LYING IN STATE ROAD HIGHWAY 100; STATE ROAD HIGHWAY 11; COUNTY ROAD 302; COUNTY ROAD 65; COUNTY ROAD 80; ALL ROADS PLATTED IN PLAT BOOK 2, PAGE 17, CRESCENT SHORES; ALL ROADS PLATTED IN PLAT BOOK 2, PAGE 6, BUNNELL GARDENDS; AND ALL OF BLACK POINT ROAD(COUNTY ROAD 5).

SUBJECT TO THE FOLLOWING PARCELS:

300' FPL EASEMENT "F-19" DESCRIBED IN OFFICIAL RECORDS BOOK 224, PAGE 741 AND OFFICIAL RECORDS BOOK 226, PAGE 130, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

AND ALSO SUBJECT TO THOSE LANDS LYING IN ROAD RIGHT-OF-WAYS AND EASEMENTS AS PLATTED AND DESCRIBED IN BUNNELL DEVELOPMENT COMPANY'S SUBDIVISION, PLAT BOOK 1, PAGE 1, AND ST. JOHNS DEVELOPMENT COMPANY'S SUBDIVISION, PLAT BOOK 1, PAGE 7, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

AND ALSO SUBJECT TO THE WOODS ROAD BEING USED FOR INGRESS, EGRESS, AND UTILITIES PURPOSES FOR THOSE PARCELS OF LAND LYING IN TRACT 3, BLOCK 12, SECTION 18, ST. JOHNS DEVELOPMENT COMPANY'S SUBDIVISION, FLAGLER COUNTY, FLORIDA.

OVERALL PARCEL CONTAINING 2,881.6192 ACRES MORE OR LESS.

Business Impact Estimate Form

This Business Impact Estimate Form is provided to document compliance with and exemption from the requirements of Sec. 166.041(4), Fla. Stat. If one or more boxes are checked below under “Applicable Exemptions”, this indicates that the City of Bunnell has determined that Sec. 166.041(4), Fla. Stat., does not apply to the proposed ordinance and that a business impact estimate is not required by law. If no exemption is identified, a business impact estimate required by Sec. 166.041(4), Fla. Stat. will be provided in the “Business Impact Estimate” section below. In addition, even if one or more exemptions are identified, the City of Bunnell may nevertheless choose to provide information concerning the proposed ordinance in the “Business Impact Estimate” section below. This Business Impact Estimate Form may be revised following its initial posting.

Proposed ordinance’s title/reference:

ORDINANCE 2024-XX

AN ORDINANCE OF THE CITY OF BUNNELL, FLORIDA AMENDING THE CITY OF BUNNELL COMPREHENSIVE PLAN, AS PREVIOUSLY AMENDED; PROVIDING FOR THE LARGE-SCALE AMENDMENT TO THE FUTURE LAND USE MAP IN THE FUTURE LAND USE ELEMENT OF THE CITY OF BUNNELL COMPREHENSIVE PLAN RELATIVE TO CERTAIN REAL PROPERTY TOTALING APPROXIMATELY 2,877± ACRES, OWNED BY JM PROPERTIES X LLC AND WEYERHAEUSER COMPANY, WITHIN THE CITY OF BUNNELL AS DESCRIBED IN EXHIBIT “B”; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR ASSIGNMENT OF THE LAND USE DESIGNATIONS FOR THE PROPERTIES DESCRIBED HEREIN; PROVIDING FOR SERVERABILITY; PROVIDING FOR RATIFICATION OF PRIOR ACTS OF THE CITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION AND DIRECTIONS TO THE CODE CODIFIER AND PROVIDING FOR AN EFFECTIVE DATE.

Applicable Exemptions:

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☒ The proposed ordinance is enacted to implement the following:
 - ☒ Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements, and development permits;
 - ☐ Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - ☐ Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - ☐ Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

Business Impact Estimate:

The City of Bunnell hereby publishes the following information:

1. **A summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):**

This ordinance is requested by an applicant to change the Future Land Use for 2,800+/- acres of land for a mixed-use development.

2. **An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the municipality, including the following, if any:**

- (a) **An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted:**

n/a

- (b) **Identification of any new charge or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible:**

n/a

- (c) **An estimate of the municipality's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs:**

n/a

3. **A good faith estimate of the number of businesses likely to be impacted by the ordinance:**

n/a

4. **Additional information the governing body determines may be useful (if any):**

n/a

Note: The City's provision of information in the Business Impact Estimate section above, notwithstanding an applicable exemption, shall not constitute a waiver of the exemption or an admission that a business impact estimate is required by law for the proposed ordinance. The City's failure to check one or more exemptions below shall not constitute a waiver of the omitted exemption or an admission that the omitted exemption does not apply to the proposed ordinance under Sec. 166.041(4), Fla. Stat., Sec. 166.0411, Fla. Stat., or any other relevant provision of law.