

**FLAGLER COUNTY PLANNING AND DEVELOPMENT BOARD  
GOVERNMENT SERVICES BUILDING  
BOARD CHAMBERS  
1769 EAST MOODY BOULEVARD, BUILDING 2, BUNNELL, FL 32110**

**MEETING  
A G E N D A**

**DATE – JUNE 11, 2024**

**TIME – 6:00 P.M.**

1. Roll Call
2. Pledge to the Flag
3. Approval of May 14, 2024 regular meeting minutes.

**Quasi-Judicial Process:** The audience should refrain from clapping, booing or shouts of approval or disagreement. To avoid potential legal ramification and possible overturning of a decision by the Courts, a public hearing must be fair in three respects: form, substance and appearance.

Time limits will be observed:

*Staff – 10 minute presentation.*

*Applicant – 15 minute presentation (unless time extended by consensus of Board).*

*Public Comment – 3 minutes per speaker, 5 minutes if speaking on behalf of a group.*

*Applicant Rebuttal and Closing Staff Comments – 10 minutes each.*

4. Quasi-judicial requiring disclosure of ex parte communication:  
Project No. 2024040017 – **VARIANCE IN THE PUD (PLANNED UNIT DEVELOPMENT)  
DISTRICT** – request for a Variance in the PUD (Planned Unit Development) District at 272 Stirling Bridge Dr.; Parcel No. 10-13-31-5120-2AF06-0200; 10,400+/- square feet. Owner: Wesley A. and Deborah A. Tackett, H&W/Applicant: Myrick Pools. (TRC, PDB)

5. Quasi-judicial requiring disclosure of ex parte communication:  
Project No. 2024040019 – **VARIANCE IN THE PUD (PLANNED UNIT DEVELOPMENT) DISTRICT** – request for a variance in the PUD (Planned Unit Development) District at 268 Stirling Bridge Dr.; Parcel No. 10-13-31-5120-2AF06-0180; 10,400+/- square feet. Owner: Amethyst Properties, LLC/Applicant: Myrick Pools. *(TRC, PDB)*
6. Staff Comments.
7. Board Comments.
8. Public Comments – Each speaker will be allowed up to three minutes to address the Planning and Development Board on any item or topic not on the agenda.
9. Adjournment.

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

# FLAGLER COUNTY PLANNING AND DEVELOPMENT BOARD REGULAR MEETING

Flagler County Government Services Building,  
1769 East Moody Blvd., Board Chambers, Bunnell, FL

## MEETING MINUTES

**Tuesday, May 14, 2024, at 6:00 PM**

1. **Roll Call:** The meeting was called to order by the Chair and a quorum was present.

**Members Present:** Michael Boyd (Interim Chair), Jack Corbett, Timothy Conner, Michael Goodman, and Anthony Lombardo (Interim Vice-Chair).

**Members Absent:** Mark Langelo (Chair, excused) and Dan Wilcox (excused)

**Staff Present:** Adam Mengel, Growth Management Director; Chuck Merenda, Assistant Director; Simone Kenny, Planner; and Hannah Lademann, Land Development Technician.

**Board Counsel:** Sean Moylan, Deputy County Attorney.

2. Pledge to the Flag.
3. Approval of April 9, 2024 minutes.

**Motion to approve by:** Anthony Lombardo

**Seconded by:** Timothy Conner

**Motion carried unanimously.**

Chair Boyd read the Quasi-Judicial Process and Time limits:

**Quasi-Judicial Process:** The audience should refrain from clapping, booing or shouts of approval or disagreement. To avoid potential legal ramification and possible overturning of a decision by the Courts, a public hearing must be fair in three respects: form, substance and appearance.

Time limits will be observed:

*Staff – 10 minute presentation.*

*Applicant – 15 minute presentation (unless time extended by consensus of Board).*

*Public Comment – 3 minutes per speaker, 5 minutes if speaking on behalf of a group.*

*Applicant Rebuttal and Closing Staff Comments – 10 minutes each.*

4. Quasi-judicial requiring disclosure of ex parte communication:  
Project No. 2023090012 – **PRELIMINARY PLAT IN THE C-2 (GENERAL COMMERCIAL AND SHOPPING CENTER) AND R-3B (MULTIFAMILY RESIDENTIAL) DISTRICTS** – request for a Preliminary Plat in the C-2 (General Commercial and Shopping Center) and R-3b (Multifamily Residential) Districts for Flagler Landing at 5615 Highway 100 East; Parcel No. 08-12-31-0650-000B0-0070. Parcel size 38.77+/- acres. Owner: Flagler Pines

Properties, LLC/Applicant: Alann Engineering Group, Inc.

(TRC, PBD, BCC)

**Board Member Disclosures:** Michael Goodman stated that he was approached by Jay Gardner, County Property Appraiser, when reappointed to the board and they briefly spoke of the potential development. He states that the conversation will have no influence on his decisions today.

**Staff Presentation:** by Adam Mengel, Growth Management Director.

**Applicant Presentation:** Kimberly Buck, Alann Engineering Group, Inc., and Ken Atlee, Developer.

**Public Comment:**  
No Public Comment

**MOTION: The Planning and Development Board recommends to the Board of County Commissioners APPROVAL of the preliminary plat for the Flagler Landing Subdivision, subject to:**

- a. no construction to commence prior to issuance of a county land development permit;
- b. no final plat approval to occur until extension of potable water and sanitary sewer is installed and approved by the City of Palm Coast as the utility provider, and;
- c. any subdivision improvements not completed by the developer to be bonded or other surety provided consistent with the requirements of the Land Development Code.

**Motion to approve by:** Timothy Conner

**Seconded by:** Jack Corbett

**Motion carried unanimously.**

5. Legislative not requiring disclosure of ex parte communication:

**AMENDMENT TO LAND DEVELOPMENT CODE RELATED TO INDEX TREE PROTECTION** – consideration of an ordinance amending the Flagler County Land Development Code regarding index tree protection and titled similar to:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF FLAGLER COUNTY, FLORIDA, AMENDING APPENDIX C, LAND DEVELOPMENT CODE, OF THE FLAGLER COUNTY CODE OF ORDINANCES; AMENDING LAND DEVELOPMENT CODE SECTION 4.05.01, SKETCH PLAT REVIEW; AMENDING LAND DEVELOPMENT CODE SECTION 5.01.09, FLAGLER COUNTY SHADE TREES; AMENDING LAND DEVELOPMENT CODE SECTIONS 6.01.00 THROUGH 6.01.05 RELATED TO INDEX TREE REMOVAL AND PROTECTION; CREATING LAND DEVELOPMENT CODE SECTION 6.01.09, INDEX TREE PROTECTION TRUST FUND; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

(TRC, PDB, BCC)



6. Staff Comments.  
Per Adam Mengel, Item #5 regarding the amendment to the Land Development Code has been postponed indefinitely. The item will not be heard prior to the necessary renotification.
7. Board Comments.  
No comments.
8. Public Comments – Each speaker will be allowed up to three minutes to address the Planning and Development Board on any item or topic not on the agenda.
  - a. Lea Groom, Hammock Resident. Shared concerns on changing index tree protection, especially as it pertains to the Hammock Resident
  - b. Vanessa Nixon and Kameran Gordon, Flagler Palm Coast High School students. Shared their research and opinions on tree conservation efforts as part of their senior project. They presented the Board with their Flagler County’s Protected Trees poster.

Chair Boyd thanked them for their presentation.

9. Adjournment.

**Motion to adjourn by:** Timothy Conner

**Seconded by:** Michael Goodman

Meeting adjourned at 6:35 p.m.

**FLAGLER COUNTY PLANNING AND DEVELOPMENT BOARD  
PUBLIC HEARING/AGENDA ITEM #4**

**SUBJECT: QUASI-JUDICIAL** – Project No. 2024040017 – Request for a 0.3 Foot Rear (East) Yard Setback Variance from the Minimum Required 5 Foot Rear Yard Setback for a Pool Deck and Screenroom in the PUD (Planned Unit Development) District at 272 Stirling Bridge Drive; Parcel No. 10-13-31-5120-2AF06-0200; 10,400+/- square feet. Owners: Wesley A. and Deborah A. Tackett, H&W/Applicant: Myrick Pools.

**DATE OF MEETING:** June 11, 2024

**OVERVIEW/SUMMARY:** This request is quasi-judicial in nature and requires disclosure of ex parte communication. The request is for approval of a rear yard setback variance in the PUD (Planned Unit Development) District. This parcel is 10,400+/- square feet in size, identified as Parcel No. 10-13-31-5120-2AF06-0200:



Myrick Pools submitted the application for a variance. This is an after-the-fact variance request, following construction of a single-family dwelling, and a pool and pool deck.

**FLAGLER COUNTY PLANNING AND DEVELOPMENT BOARD  
PUBLIC HEARING/AGENDA ITEM #4**

The subject property is described as Lot 20, Plantation Bay Section 2A-F, Unit 6 Subdivision, as recorded in Plat Book 38, Pages 57 through 61 of the Public Records of Flagler County, Florida. Minimum setbacks for Lots 9 through 23 and Lots 46 through 67 in Unit 6 are: 20 foot front yard setback; 20 foot rear yard; 5 foot side yard setback (and 20 foot for side street); and 5 foot to the rear for the pool deck/screenroom.

This application was reviewed by the Technical Review Committee (TRC) agenda at its May 15, 2024 regular meeting. The applicant has satisfactorily addressed the TRC comments.

Public notice has been provided for this application according to Flagler County Land Development Code Section 2.07.00.

This agenda item is:

quasi-judicial, requiring disclosure of ex-parte communication; or  
 legislative, not requiring formal disclosure of ex-parte communication.

**OPTIONS FOR THE BOARD:**

**APPROVAL:** The Planning and Development Board finds that all the variance criteria as listed in the guidelines at Land Development Code Section 3.07.03.E have been met and therefore approves Project No. 2024040017 for a 0.3 foot rear (East) yard setback variance from the minimum required 5 foot rear yard setback at 272 Stirling Bridge Drive (Parcel No. 10-13-31-5120-2AF06-0200).

**DENIAL:** The Planning and Development Board finds that all the variance criteria as listed in the guidelines at Land Development Code Section 3.07.03.E have not been met and therefore denies Project No. 2024040017 for a 0.3 foot rear (East) yard setback variance from the minimum required 5 foot rear yard setback at 272 Stirling Bridge Drive (Parcel No. 10-13-31-5120-2AF06-0200).

**CONTINUANCE:** The Planning and Development Board continues the variance request on the basis that additional information is needed from staff or the applicant. Based on the presentation and the public hearing, the Board does not have sufficient information to be able to render a decision on the variance request. Continuing the variance request to a time and date certain will preserve public notice and provide an opportunity for staff or the applicant to provide additional information.

**ATTACHMENTS:**

1. Technical Staff Report
2. Application and supporting documents
3. TRC comments
4. Public notice

**PROJECT NO. 2024040017**  
**REAR (EAST) SETBACK VARIANCE IN THE PUD DISTRICT**  
**272 STIRLING BRIDGE DRIVE**  
**TECHNICAL STAFF REPORT**

Project No.: 2024040017

Address: 272 Stirling Bridge Drive

Owner: Wesley A. and Deborah A. Tackett, H&W

Applicant: Myrick Pools

Parcel No.: 10-13-31-5120-2AF06-0200

Parcel Size: 10,400+/- square feet

**Legal Description:**

Lot 20, Plantation Bay Section 2A-F, Unit 6 Subdivision, as recorded in Plat Book 38, Pages 57 through 61 of the Public Records of Flagler County, Florida

**Existing Zoning and Land Use Classification:**

Zoning: PUD (Planned Unit Development) District

Land Use: Mixed Use: Low Intensity, Low- to Medium-Density

**Future Land Use Map Classification/Zoning of Surrounding Land:**

North: MUL (Mixed Use: Low Intensity)/PUD (Planned Unit Development) District

East: MUL (Mixed Use: Low Intensity)/PUD (Planned Unit Development) District

South: MUL (Mixed Use: Low Intensity)/PUD (Planned Unit Development) District

West: Stirling Bridge Drive; MUL (Mixed Use: Low Intensity)/PUD (Planned Unit Development) District

Flagler County Land Development Code (FCLDC) Sections Affected: Section 3.03.20, *PUD – Planned Unit Development District*; Section 3.07.03, *Procedure for variances and special exceptions*; and Section 3.07.03.E, *Variance guidelines*.

The Specific Development Standards (as listed in Exhibit C to Ordinance No. 2022-08) for Unit 6 (for Lots 9 through 23 and 46 through 67) states:

**Minimum Setbacks:**

Front: 20 feet

Side: 5 feet

Side Street (a/k/a street side or side corner): 20 feet

Rear: 20 feet

Rear Pool Deck/Screenroom: 5 feet

### Summary of the Request:

The subject parcel is 10,400 +/- square feet (0.24+/- acres) in size, and is described as Lot 20 in Plantation Bay Unit 6. The Tacketts purchased the subject parcel through the Special Warranty Deed dated November 30, 2023 and recorded on December 15, 2023 at Official Records Book 2833, Page 525, Public Records of Flagler County, Florida.

A County building permit (Permit No. 202200400) was issued to Volusia Residential Construction, LLC, for a single-family residence on the subject parcel on July 7, 2022. The site plan submittal on July 11, 2022 – by Gregg Cullum, PSM, with Cullum Land Surveying Inc., and bearing a June 7, 2022 signature and seal date – depicts a 20.5 foot front (West) yard setback, a 6.2 foot left (North) side yard setback, a 21.0 foot rear (East) yard setback, and a 6.2 foot right (South) side yard setback.

The foundation survey submittal on July 12, 2023 – by Robert Evers, PSM, with Blackwell & Associates Land Surveyors, Inc., and bearing an April 18, 2023 signature and seal date – depicts a 20.3 foot front (West) yard setback, a 6.2 foot left (North) side yard setback, a 20.9 foot rear (East, as measured from the Northeast corner of the foundation) yard setback, a 20.8 foot rear (East, as measured from the Southeast corner) yard setback, and a 6.2 foot right (South) side yard setback.

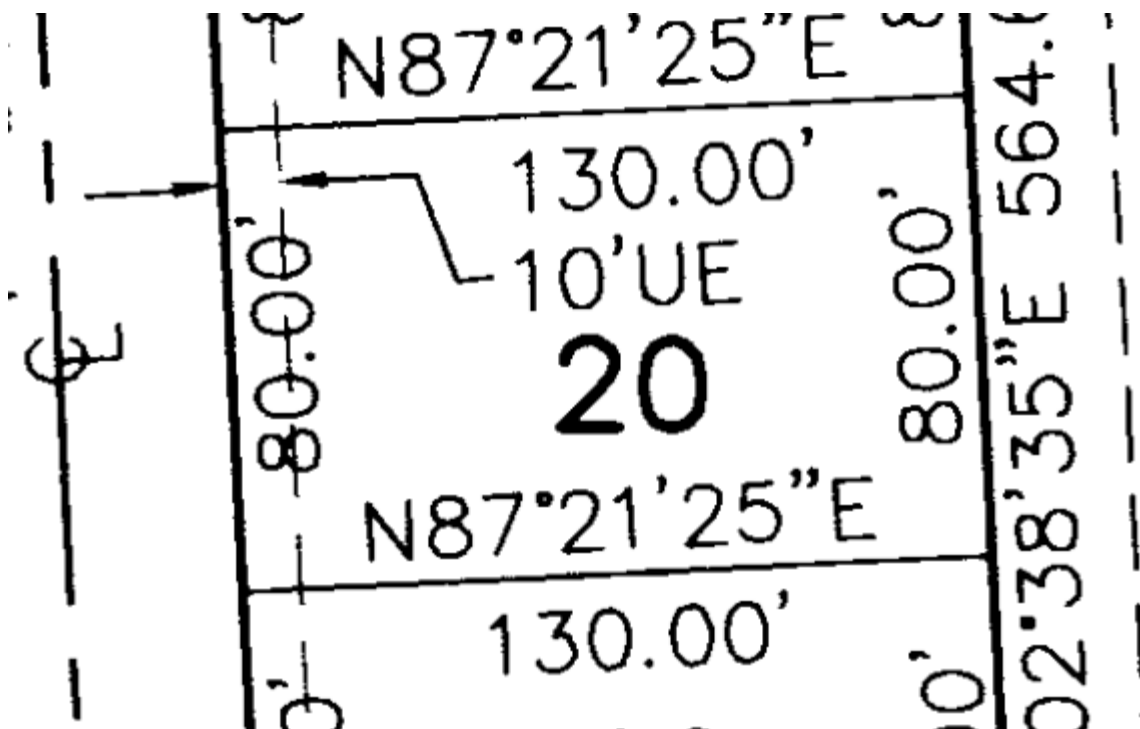
The final survey submittal on November 21, 2023 – by Robert Evers, PSM, with Blackwell & Associates Land Surveyors, Inc., and bearing a November 21, 2023 signature and seal date – depicts a 20.5 foot front (West) yard setback, a 6.2 foot left (North) side yard setback, a 4.7 foot rear (East, as measured from the Northeast corner of the pool deck, and adjacent to the 16.5 foot wide pool deck for a rear setback from the residence of 21.2 feet) yard setback, a 4.7 foot rear (East, as measured from the Southeast corner of the pool deck, and adjacent to the 16.15 foot wide pool deck for a rear setback from the residence of 20.85 feet) yard setback, a 6.0 foot right (South, as measured from the Southeast corner of the residence) side yard setback, and a 6.2 foot right (South, as measured from the Southwest corner of the residence) side yard setback.

The single-family residence received its Certificate of Occupancy on November 28, 2023.

The pool permit (Permit No. 2023060048) was issued to Myrick Pools on June 7, 2023, and a screen pool enclosure permit (Permit No. 2023060045) was issued to Millers Screen and Repair Consulting, Inc., on October 24, 2023. The site plan submittal on June 5, 2023 for the pool permit – based on the June 7, 2022 Cullum Land Surveying Inc. survey – depicted the proposed pool area with dimensions of 16 feet (wide, measured East-to-West) by 67 feet, 8 inches (long, measured North-to-South), and with side setbacks of 6.2 feet and a rear setback of 5 feet.

The final survey for the pool permit is the November 21, 2023 Blackwell survey, which depicts the final dimensions of the pool area as 16.5 feet (wide, measured East-to-West) at the pool deck's North side, 16.15 feet (wide, measured East-to-West) at the pool deck's South side, by 68 feet (long, measured North-to-South), and with side setbacks of 6.2 feet and a rear setback of 4.7 feet. While the pool deck is shown as wider at its North end than its South end, there appears to be an overlap of the deck westward and above the Northeast corner of the residence (and also being the Northeast corner of the rear screened porch). As additionally depicted on the final survey, the pool appears to be slightly offset Eastward at its North end as compared to the rearward extent of the screened porch. It is also noted that the rearmost (East) edge of the pool deck is close to the top of bank such that the two rear corners of the deck and the top of bank coincide.

The plat for Plantation Bay Section 2A-F, Unit 6 depicts Lot 20 as:



Lot 20 is not particularly unique due to its size (all the lots adjoining Lot 20 are 80 feet wide by 130 feet deep), and no easements – other than the 10 foot wide Utility Easement across the front (West) of the lot adjoining Stirling Bridge Drive – are shown or listed within the Plat's General Notes.

It should also be noted that the administrative variance is not available in this instance since the requested relief is greater than 5 percent of the setback (see LDC Sec. 3.07.03.D.1.). At 0.3 feet (or 3.6 inches), the requested variance exceeds 3 inches which is 5 percent of the 5 foot minimum rear setback.

Variance Guideline Analysis:

LDC Section 3.07.03.E, *Variance guidelines*, states that a variance may be granted only upon a finding by the Planning and Development Board that all of the criteria listed in the guidelines have been found in favor of the applicant and that a literal enforcement of the provisions of this article will result in an unnecessary hardship. These criteria are listed followed by the applicant's statements (included below and attached in their entirety) and staff's analysis:

1. *There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, topography, or other unique features that, when considered in whole or in part, creates an unnecessary hardship; and*

Applicant's response: We did not create the hardship ourselves. The pool was designed off the survey provided to us by the house contractor. The contractor submitted a revised survey to the building department 7/2023 that was never provided to us in which the house had been pushed back and was submitted after pool permit was approved and we had dug the pool.

Staff analysis: There are no particular extraordinary or exceptional conditions that affect the subject parcel. The lot is similar to other lots within this portion of Unit 6. The coordination between the contractor for the home and the pool contractor may have been limited, and staff does acknowledge that the surveyor changed after the initial site plan submittal. However, the July 12, 2023 foundation survey does not show an appreciable shifting of the home rearward. Instead, it appears that the pool deck was widened from its original 16 foot width to 16.15 feet at its South end and 16.5 feet (and potentially slightly narrower than the measurement due to the overlap of the deck) at its North end.

2. *Such conditions were not created by the affirmative actions of the applicant and the applicant has acted at all times in good faith; and*

Applicant's response: We need the variance due to a conflict on the documentation that was provided to us by the contractor. We built the pool off the survey provided to us by the contractor not knowing the house had been moved.

Staff analysis: Everyone involved – inclusive of the home contractor, the pool contractor, and the homeowner – are all assumed to have acted at all times in good faith. The pool contractor would not have knowingly increased the size of the pool deck: the measurements for the setbacks were limited such that there was no margin for error.

3. *The variance, if granted, would not cause substantial detriment to the public health, welfare, safety, and morals of the community or impair the purpose and intent of this article; and*

Applicant's response: The pool is located on the back of the lot, there is a conservation easement directly behind this lot and no one can build there behind it.

Staff analysis: The variance would not cause substantial detriment to the public health, welfare, safety, and morals of the community or impair the purpose and intent of this article. Behind (East of) the subject parcel is Parcel "F", a common area tract, which coincides with a Conservation Easement as recorded in Official Records Book 1368, Page 1770, Public Records of Flagler County, Florida. With the Conservation Easement, the land in Parcel "F" immediately adjacent to the rear lot line for Lot 20 is a 25 foot wide upland buffer area.

4. *No variance may be granted for a use of land or building that is not permitted by this article.*

Applicant's response: The pool is permitted and pools are permitted use in Plantation Bay.

Staff Analysis: Plantation Bay Unit 6 allows single-family dwellings as a permitted principal use and structure, and allows accessory uses including pools. The Unit 6 criteria provide separate setbacks for pool decks and screenrooms. The requested variance is not for a use of land or building that is not permitted within this zoning district.

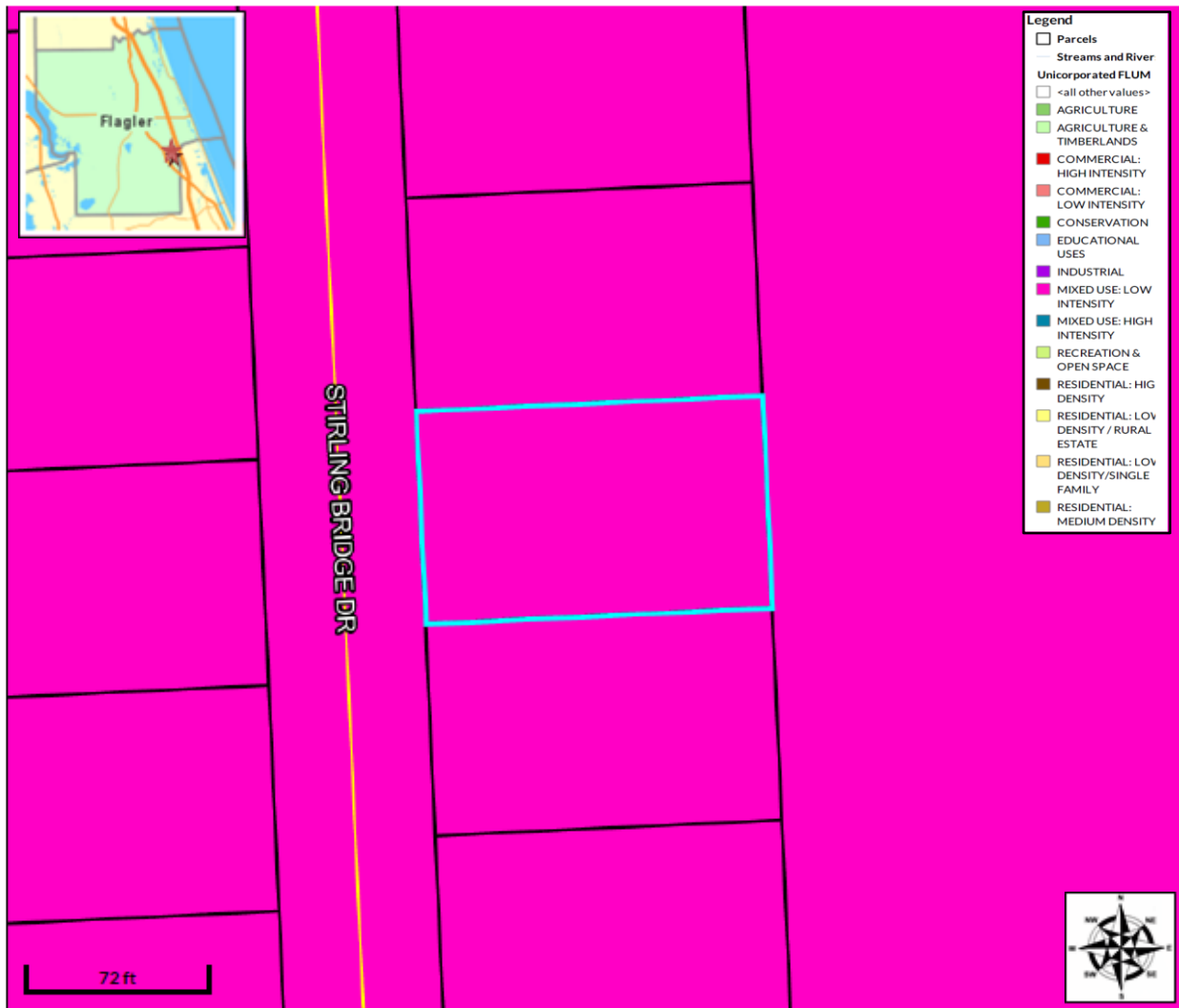
A variance, if granted, shall be the minimum variance necessary to alleviate the hardship. For purposes of this section, an unnecessary hardship shall mean that without the granting of the variance the owner will be deprived of all reasonable use of the property as allowed in the zoning district.

Applicant response: [No response.]

Staff Analysis: The requested variance is the minimum relief necessary to alleviate the hardship.



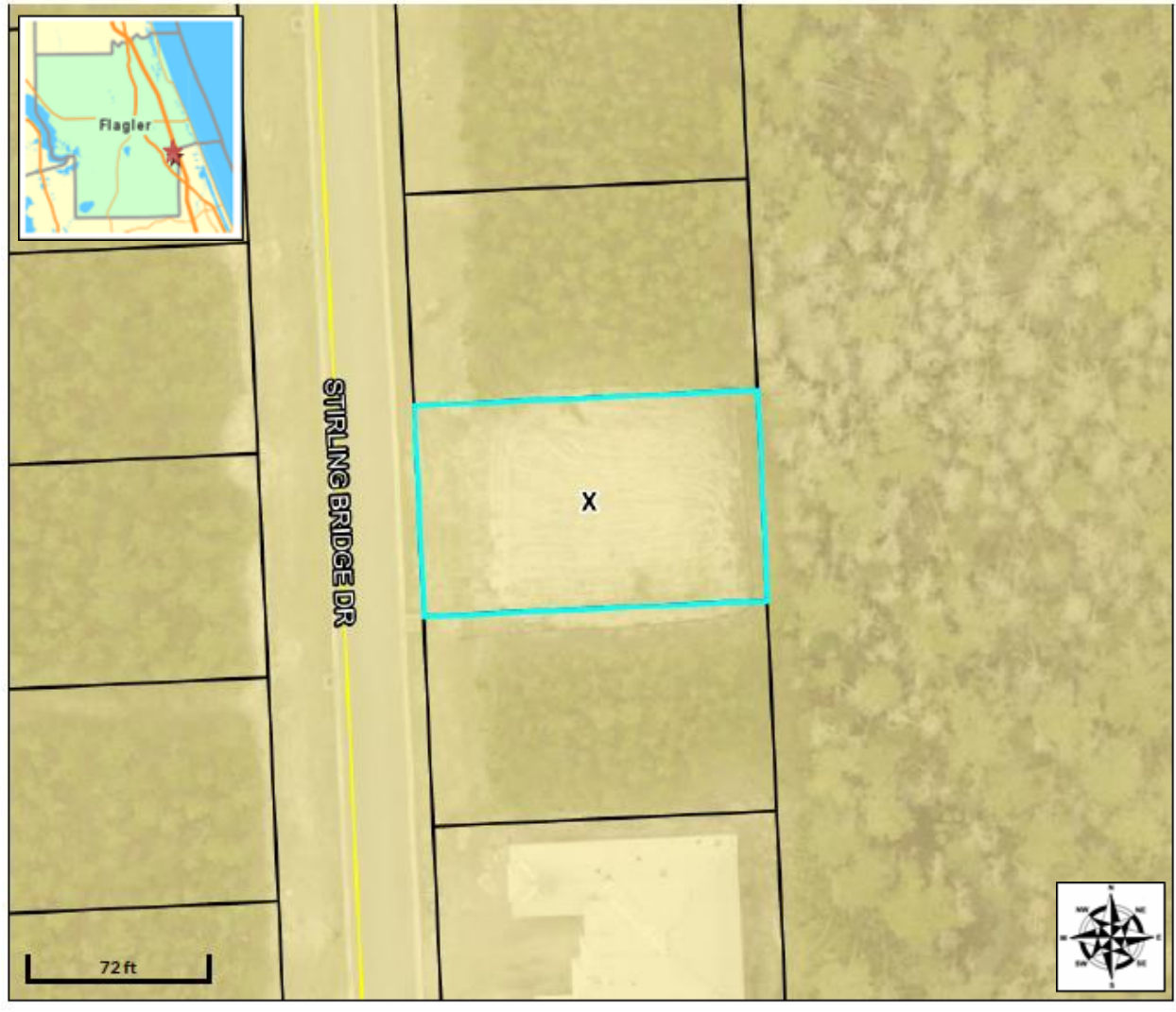
# Future Land Use Map



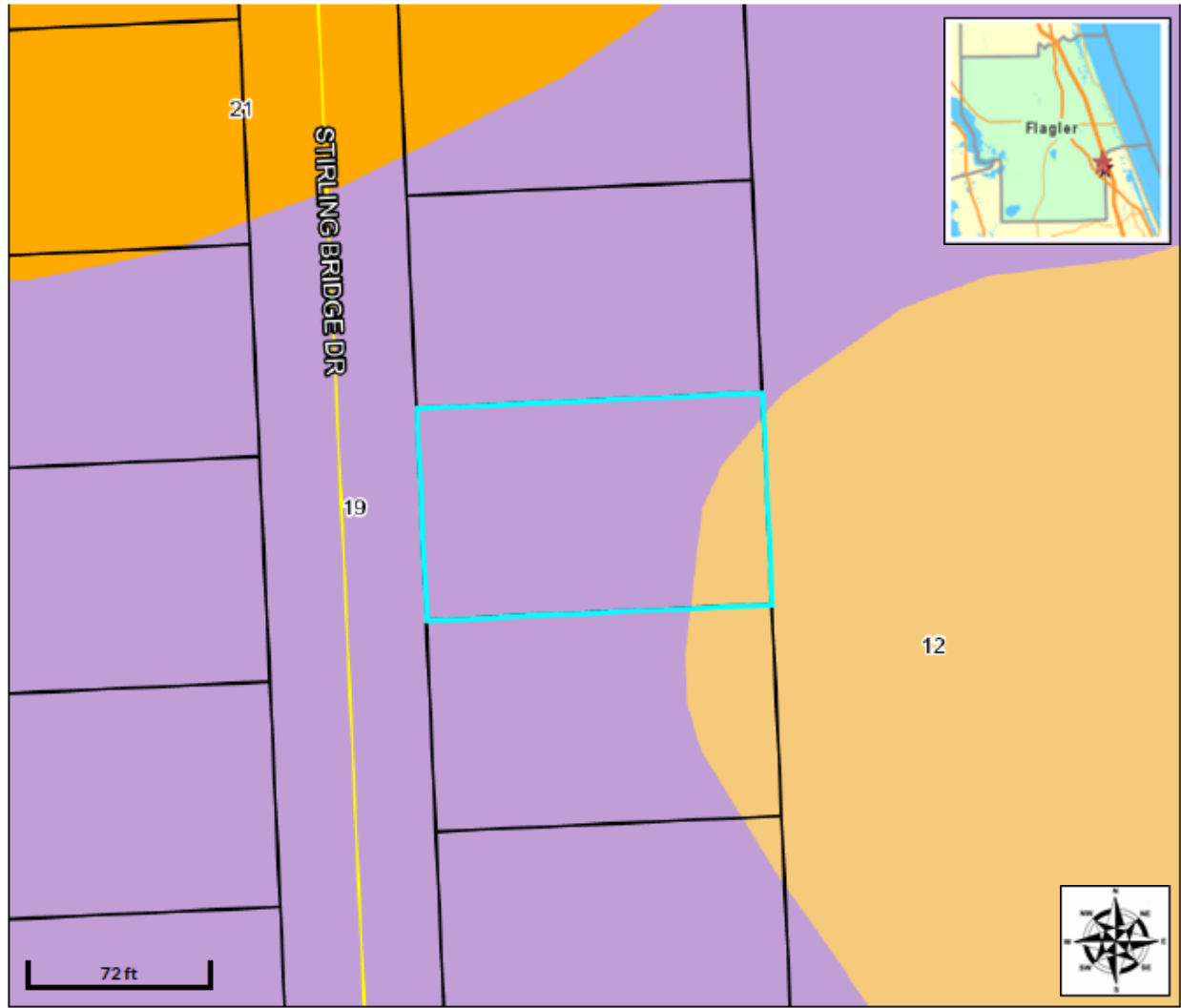
# Zoning Map



# Flood Zone Map



# Soils



12	Placid, Basinger, and St. Johns soils, depressional
13	Immokalee fine sand
21	Smyrna fine sand

# Wetlands





# APPLICATION FOR VARIANCE

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

Application/Project #: \_\_\_\_\_

<b>PROPERTY OWNER(S)</b>	Name(s): Tackett Wesley A & Deborah A H&W		
	Mailing Address: 272 Stirling Bridge Drive		
	City: Ormond Beach	State: FL	Zip: 32174
	Telephone Number	Fax Number	

<b>APPLICANT/AGENT</b>	Name(s): Myrick Pools		
	Mailing Address: 1457 N US 1 Ste 23		
	City: Ormond Beach	State: FL	Zip: 32174
	Telephone Number 386-795-6098	Fax Number	
	E-Mail Address: customerservice@myrickpools.me		

<b>SUBJECT PROPERTY</b>	SITE LOCATION ( <i>street address</i> ):	272 Stirling Bridge Dr, Ormond Beach FL, 32174	
	LEGAL DESCRIPTION: <i>(briefly describe, do not use "see attached")</i>	PLANTATION BAY SEC 2AF, UNIT 6 MB 38 PG 57 LOT 20	
	Parcel # ( <i>tax ID #</i> ):	10-13-31-5120-2AF06-0200	
	Parcel Size:	10,399.970	
	Current Zoning Classification:		
	Current Future Land Use Designation	SINGLE FAMILY (000100)	
	Subject to A1A Scenic Corridor IDO?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO

**Relief Requested:** Variance due to pool encroaching the rear setback.

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

\_\_\_\_\_  
 Date

**\*\*OFFICIAL USE ONLY\*\***

PLANNING BOARD RECOMMENDATION/ACTION:

APPROVED [ ]  
 \*APPROVED WITH CONDITIONS [ ]  
 DENIED [ ]

Signature of Chairman: \_\_\_\_\_

Date: \_\_\_\_\_ \*approved with conditions, see attached.

NOTE: The applicant or a representative, must be present at the Public Hearing since the Board, at its discretion, may defer action, table, or take decisive action on any application. Rev. 09/16





# APPLICATION FOR VARIANCE

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

Subject Property: 272 Stirling Bridge Dr

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

1. There are extraordinary and exceptional conditions pertaining to particular piece of property in question because of its size, shape, topography, or other unique features that, when considered in whole or part, creates an unnecessary hardship; and

We did not create the hardship ourselves. The pool was designed off the survey provided to us by the house contractor. The contractor submitted a revised survey to the building department 7/2023 that was never provided to us in which the house had been pushed back and was submitted after pool permit was approved and we had dug the pool.

2. Such conditions were not created by the affirmative actions of the applicant and the applicant has acted at all times in good faith; and

We need the variance due to a conflict on the documentation that was provided to us by the contractor. We built the pool off the survey provided to us by the contractor not knowing the house had been moved.

3. The variance, if granted, would not cause substantial detriment to the public health, welfare, safety, and morals of the community or impair the purpose and intent of this article; and

The pool is located on the back of the lot, there is a conservation easement directly behind this lot and no one can build there behind it.

4. No variance may be granted for a use of land or building that is not permitted by this article.

The pool is permitted and pools are permitted use in Plantation Bay.

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



# APPLICATION FOR VARIANCE

FLAGLER COUNTY, FLORIDA  
1769 E. Moody Blvd, Bldg 2  
Bunnell, FL 32110  
Telephone: (386) 313-4009 Fax: (386) 313-4109

Application/Project #: \_\_\_\_\_

## **Required Attachments for Variance Application:**

- 1.) Copy of Owner(s) recorded Warranty Deed;
- 2.) Application fee \$345.00 plus postage and \$50 for notification of public hearing (posting of sign). Make check payable to BOCC. Fee amount per Resolution 2008-31 as amended.
- 3.) 10 sets of complete application and site plan meeting all requirements of Flagler County Land Development Code.

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

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





# APPLICATION FOR VARIANCE

FLAGLER COUNTY, FLORIDA

1769 E. Moody Blvd, Suite 105

Bunnell, FL 32110

Telephone: (386) 313-4009 Fax: (386) 313-4109

## 3.07.03. Procedure for variances and special exceptions.

- A. *Request application.* A request for a hearing before the planning board for a variance or special exception shall be made as follows:
1. A completed application form shall be filed with the planning and zoning director. Such application shall state the pertinent facts on which the request is based. The planning and zoning director may assist the applicant in preparing the application.
  2. An application shall be accompanied by an acceptable site plan with such reasonable information shown thereon as may be required by the planning and zoning director. Such site plan shall include, as a minimum, the following:
    - (a) Lot dimensions with property line monuments located thereon.
    - (b) Location and size of existing and proposed structures.
    - (c) Easements (public and private), water courses, and if existing and proposed, fences, street names, and street right-of-way lines and such information regarding abutting property, as directly affects the application.
- B. *Planning board hearing.*
1. The planning and zoning director shall schedule a hearing before the planning board to consider the application. Scheduling of this hearing shall provide ample time for the planning and zoning director to provide notice to surrounding property owners as set forth in subsection 3.07.03. In no event shall such hearing be scheduled more than forty-five (45) days from the date of application.
  2. The hearing provided for under this section shall be for the purpose of reviewing relevant information from the applicant regarding the requested variance and/or special exception. The planning board shall also review written and/or oral comments from the public in accordance with its established procedures.
  3. The planning board shall determine whether sufficient factual data was presented in order to render a decision. If the planning board determines that sufficient factual data was presented, then it shall render a decision to either:
    - a. Approve the request as submitted;
    - b. Approve the request with conditions;
    - c. Disapprove the request.
- If the planning board determines that sufficient factual data was not presented, the planning board may continue the hearing until the next scheduled meeting to allow for the preparation of such factual data. Only one (1) such continuation shall be allowed for each requested variance and/or special exception.
- C. *Appeal of planning board decision.*
1. Within thirty (30) days of the rendering of a decision by the planning board regarding a requested variance and/or special exception, an appeal may be filed with the board of county commissioners. Such appeal may be filed by the original applicant, the planning and zoning director, other county staff as authorized, and a surrounding property owner, as defined in subsection 3.07.03.
  2. The application for appeal shall be filed with the planning and zoning director who shall schedule a hearing on the appeal with the board of county commissioners. Scheduling of this hearing shall provide ample time for the applicant to provide notice to surrounding property owners, as set forth in subsection 3.07.03.
  3. The appeal hearing provided for under this section shall be for the purpose of reviewing all pertinent information regarding the appeal. The applicant shall provide all relevant factual data, materials and/or oral testimony to support the appeal. The board of county

NOTE: The applicant or a representative, must be present at the Public Hearing since the Board, at its discretion, may defer action, table, or take decisive action on any application. Rev. 09/16



# APPLICATION FOR VARIANCE

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

commissioners shall also review written and/or oral comments from the public in

accordance with its established procedures.

4. At the conclusion of the appeals hearing provided for under this section, the board of county commissioners shall render a decision on the appeal. Any decision rendered by the board of county commissioners under this section shall be deemed final.

## D. *Reserved*

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

1. There are extraordinary and exceptional conditions pertaining to particular piece of property in question because of its size, shape, topography, or other unique features that, when considered in whole or part, creates an unnecessary hardship; and
2. Such conditions were not created by the affirmative actions of the applicant and the applicant has acted at all times in good faith; and
3. The variance, if granted, would not cause substantial detriment to the public health, welfare, safety, and morals of the community or impair the purpose and intent of this article; and
4. No variance may be granted for a use of land or building that is not permitted by this article.

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

Record and Return to:  
Southern Title Holding Company, LLC  
2335 Beville Road  
Daytona Beach, Florida 32119  
Prepared by:  
Southern Title Holding Company, LLC  
Karen Magee  
2335 Beville Road  
Daytona Beach, FL 32119

File Number: DB235750

(Space Above This Line For Recording Data)

### Special Warranty Deed

This Special Warranty Deed made this 30 day of November, 2023, between Volusia Residential Construction, LLC, a Florida Limited Liability Company, whose post office address is 2379 Beville Road Daytona Beach, FL 32119, Grantor, to Wesley A. Tackett and Deborah A. Tackett, husband and wife whose post office address is 272 Stirling Bridge Drive, Ormond Beach, FL 32174, Grantee:

(Whenever used herein the terms Grantor and Grantee include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts, and trustees).

Witnesseth, that said Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in the Flagler County, Florida, to-wit:

LOT 20, PLANTATION BAY SECTION 2A-F, UNIT 6, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 38, PAGES 57 THROUGH 61, INCLUSIVE, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

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

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

Subject to (a) zoning and/or other restrictions and prohibitions imposed by governmental authority; (b) easements, covenants and restrictions of record, including but not limited to those appearing on the recorded plat of the subdivision and any Owner's Association documents; (c) real estate taxes for the year of the closing; and (d) any other matters of record that do not materially restrict the use of the property for residential purposes.

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey this land, that the Grantor hereby specially warrants that title to the land is free from all encumbrances made by Grantor, and Grantor will defend the same against the lawful claims of all persons claiming by, through, or under Grantor, but against none other.

In Witness Whereof, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed, and delivered in our presence:

**SOUTHERN TITLE**

Christine K. Muller  
First Witness Signature

Christine K. Muller

Jennifer M. Hayden  
Second Witness Signature

Jennifer M. Hayden

Second Witness Printed Name

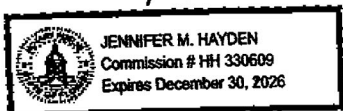
Volusia Residential Construction, LLC,  
a Florida Limited Liability Company  
By: ICI Homes Residential Holdings, LLC,  
a Florida Limited Liability Company  
its Authorized Member

Kimberly A. Newkirk  
By: Kimberly A. Newkirk  
Assistant Vice President

State of FLORIDA, County of VOLUSIA

The foregoing instrument was acknowledged before me by means of ( X ) physical presence or (    ) online notarization, this 30 day of November, 2023, by Kimberly A. Newkirk, Assistant Vice President of ICI Residential Holdings, LLC, a Florida Limited Liability Company, as Authorized Member of Volusia Residential Construction, LLC, a Florida Limited Liability Company who ( X ) is personally known to me or (    ) has produced Driver(s) License as identification.

Jennifer M. Hayden  
Notary Public Signature  
Printed Name: Jennifer M. Hayden  
My Commission Expires: 12/30/26  
SEAL:





CLIENT SUPPLIED SETBACKS  
 FRONT 25'  
 SIDE (LOTS 1-23 AND 46-73) - 7.5'  
 SIDE (LOTS 24-45) - 5'  
 SIDE CORNER 20'  
 REAR 20'  
 POOL DECK 5'

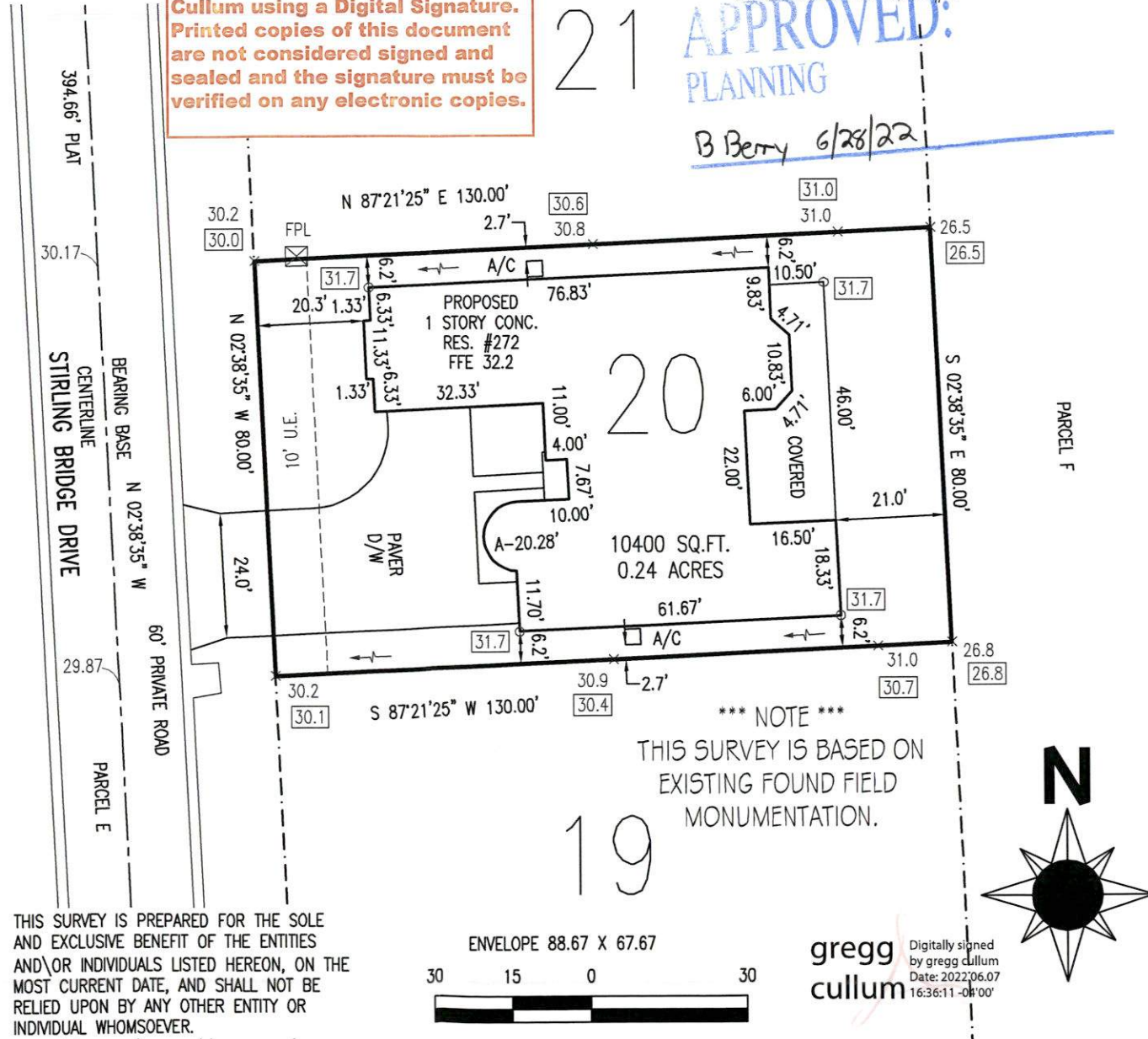
S.P.S. - SITE PLAN

NEW FRONT SETBACK AND LAYOUT PER CLIENT

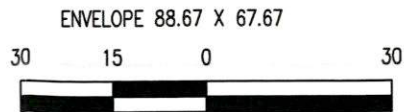
This item has been electronically signed and sealed by Gregg Cullum using a Digital Signature. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

21 APPROVED: PLANNING  
 B Berry 6/28/22

STORM WATER (DRAINAGE) NOTES:  
 1. THIS PROPOSED SITE PLAN SHOWS THE REQUIRED DRAINAGE PATTERN PER ENGINEERING PLANS.  
 2. THIS PROPOSED SITE PLAN IS INTENDED TO BE USED AS A GUIDE FOR THE FINAL GRADES.  
 3. THE FINAL SURVEY WILL SHOW THAT THE REQUIRED DRAINAGE PATTERN AND GRADES WERE CONSTRUCTED PER NOTE #1.



THIS SURVEY IS PREPARED FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE ENTITIES AND/OR INDIVIDUALS LISTED HEREON, ON THE MOST CURRENT DATE, AND SHALL NOT BE RELIED UPON BY ANY OTHER ENTITY OR INDIVIDUAL WHOMSOEVER.



gregg cullum  
 Digitally signed by gregg cullum  
 Date: 2022.06.07 16:36:11 -0400

REVISIONS  
 06-07-2022 DIFFERENT FLOOR PLAN SUPPLIED BY CLIENT

ELEVATIONS REFER TO ENGINEERING SITE PLANS.  
 MINIMUM F.F.E. = BASED ON APPROVED ENGINEERING PLANS BY FLAGLER COUNTY.  
 FLOOD ZONE "X" COMMUNITY 120085 PANEL 12035C0245E, EFF. 06/06/18

GENERAL NOTES:  
 1. DATE OF FIELD SURVEY: 04-19-2022  
 2. DIMENSIONS SHOWN ARE IN FEET AND DECIMALS THEREOF.  
 3. THIS SURVEY IS BASED ON EXISTING FIELD MONUMENTATION.  
 4. NO UNDERGROUND FOUNDATIONS WERE LOCATED.  
 5. NO UNDERGROUND UTILITIES WERE LOCATED EXCEPT AS SHOWN.  
 6. BEARINGS REFERENCED TO THE CENTERLINE OF STIRLING BRIDGE DRIVE, BEING N 02°38'35" W  
 7. NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER.  
 8. THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF AN ABSTRACT. THERE MAYBE ADDITIONAL EASEMENTS, RESTRICTIONS AND/OR OTHER MATTERS NOT SHOWN THAT COULD AFFECT THIS PROPERTY THAT MAYBE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.  
 9. LEGAL DESCRIPTION FURNISHED BY CLIENT.

LEGAL DESCRIPTION (AS FURNISHED):  
 LOT NUMBER: 20 PLANTATION BAY SECTION 2A-F, UNIT 6  
 MAP BOOK: 38 PAGES: 57-61 PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.  
 ADDRESS: 272 STIRLING BRIDGE DRIVE FLAGLER COUNTY, FLORIDA.

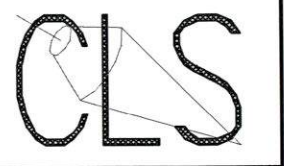
PROPOSED DRAINAGE FLOW ALONG BNDY. LINE		LEGEND / ABBREVIATIONS:			
D.E. - DRAINAGE EASEMENT	ASPH. ASPHALT	O.R.B.	OFFICIAL RECORDS BOOK		
U.E. - UTILITY EASEMENT	A/C AIR CONDITIONER	P.C.P.	PERMANENT CONTROL POINT		
Δ N.D. #7991 (FND.)	CALC. CALCULATED	PG.	PAGE		
XX.X PROPOSED ELEVATION	CONC. CONCRETE	PLAT	PLAT DATA		
XX.X EXISTING ELEVATION	EASE. EASEMENT	PRO.	PROPOSED		
	F.F.E. FINISHED FLOOR ELEVATION	R/W	RIGHT OF WAY		
	F.M. FIELD MEASURED	(R)	RADIAL		
	FND. FOUND	RES.	RESIDENCE		
	I.P. IRON PIPE	S/W	SIDEWALK		
	I.R. IRON ROD	TYP.	TYPICAL		
	M.B. MAP BOOK	D/W	DRIVEWAY		
	N.D. NAIL & DISC				
	(N.R.) NON-RADIAL				38-59

SPECIFIC PURPOSE SURVEY - S.P.S.  
 SURVEYOR'S CERTIFICATION:  
 I HEREBY CERTIFY THAT THIS SURVEY OF THE SUBJECT PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, AS SURVEYED IN THE FIELD UNDER MY SUPERVISION ON THE DATES SHOWN HEREON. I FURTHER CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH IN FLORIDA ADMINISTRATIVE CODE CHAPTER 5J17, ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS, PURSUANT TO FLORIDA STATUTES SECTION 472.027, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

GREGG CULLUM PSM 5095 06-07-2022 D.S.

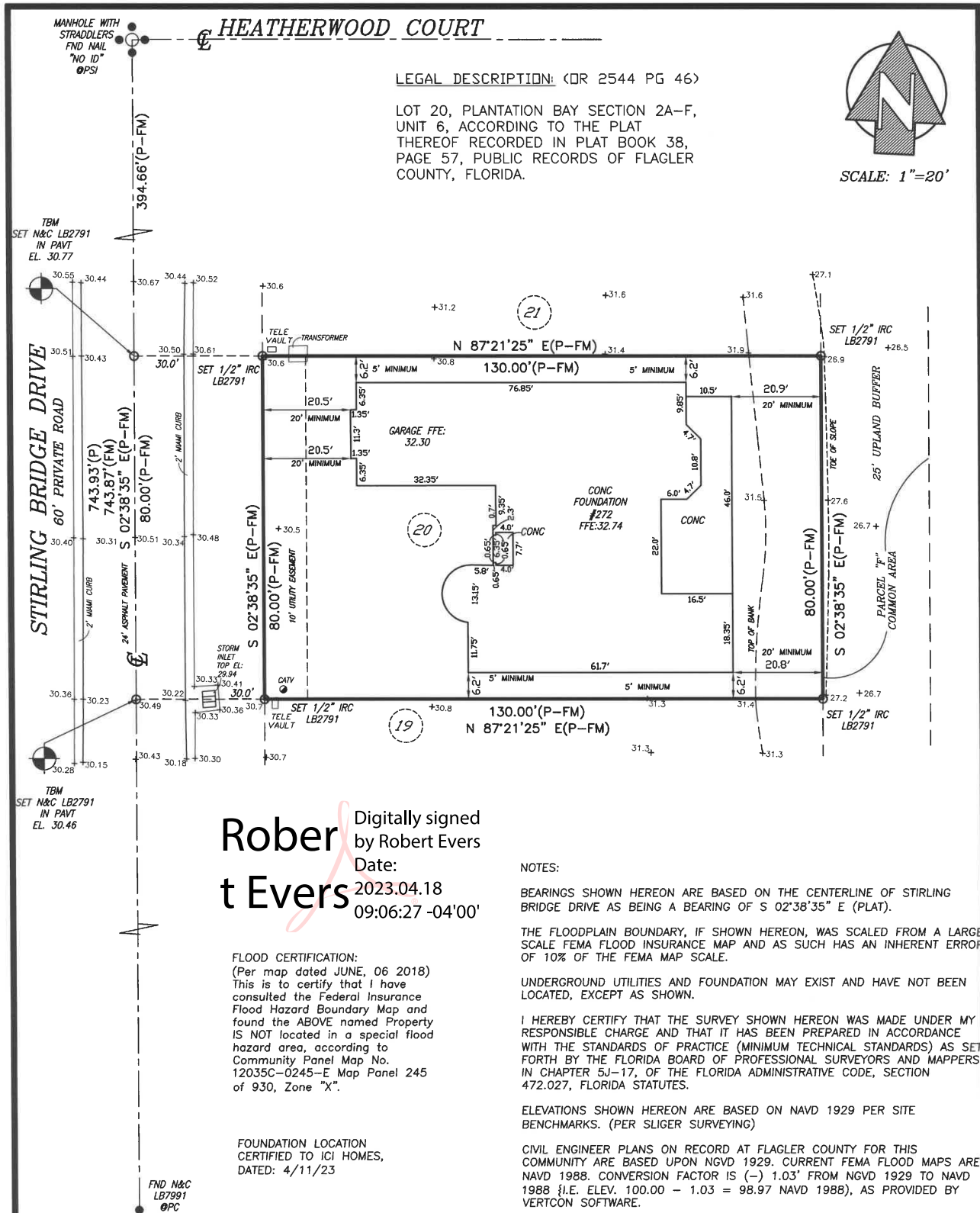
GREGG S. CULLUM P.S.M. #5095 DATE:

CULLUM LAND SURVEYING INC.  
 GREGG S. CULLUM  
 PROFESSIONAL SURVEYOR & MAPPER #5095  
 LICENSED BUSINESS #7129  
 5889 S. WILLIAMSON BLVD.  
 SUITE 205  
 PORT ORANGE, FLORIDA 32128  
 386-761-7666  
 (FAX) 386-761-7909



PREPARED FOR: i.c.i.  
 NOT VALID UNLESS SIGNED BY A PROFESSIONAL SURVEYOR AND MAPPER AND SEALED WITH AN EMBOSSED SEAL

JOB #:	2022-047
DATE:	04-19-2022
SCALE:	1" = 30'
DRAWN BY:	GSC
CHECKED BY:	GSC
FIELD BOOK/PAGE:	LOOSE
SHEET	1 OF 1



Digitally signed  
by Robert Evers  
Date: 2023.04.18  
09:06:27 -04'00'

**FLOOD CERTIFICATION:**  
(Per map dated JUNE, 06 2018)  
This is to certify that I have consulted the Federal Insurance Flood Hazard Boundary Map and found the ABOVE named Property IS NOT located in a special flood hazard area, according to Community Panel Map No. 12035C-0245-E Map Panel 245 of 930, Zone "X".

**FOUNDATION LOCATION**  
CERTIFIED TO ICI HOMES,  
DATED: 4/11/23

**NOTES:**

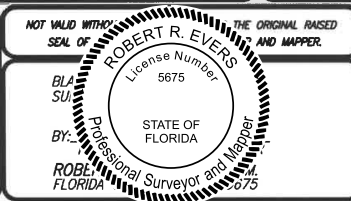
- BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF STIRLING BRIDGE DRIVE AS BEING A BEARING OF S 02°38'35" E (PLAT).
- THE FLOODPLAIN BOUNDARY, IF SHOWN HEREON, WAS SCALED FROM A LARGE SCALE FEMA FLOOD INSURANCE MAP AND AS SUCH HAS AN INHERENT ERROR OF 10% OF THE FEMA MAP SCALE.
- UNDERGROUND UTILITIES AND FOUNDATION MAY EXIST AND HAVE NOT BEEN LOCATED, EXCEPT AS SHOWN.
- I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON WAS MADE UNDER MY RESPONSIBLE CHARGE AND THAT IT HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE (MINIMUM TECHNICAL STANDARDS) AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, OF THE FLORIDA ADMINISTRATIVE CODE, SECTION 472.027, FLORIDA STATUTES.
- ELEVATIONS SHOWN HEREON ARE BASED ON NAVD 1929 PER SITE BENCHMARKS. (PER SLIGER SURVEYING)
- CIVIL ENGINEER PLANS ON RECORD AT FLAGLER COUNTY FOR THIS COMMUNITY ARE BASED UPON NGVD 1929. CURRENT FEMA FLOOD MAPS ARE NAVD 1988. CONVERSION FACTOR IS (-) 1.03' FROM NGVD 1929 TO NAVD 1988  $i.e.$  ELEV. 100.00 - 1.03 = 98.97 NAVD 1988), AS PROVIDED BY VERTCON SOFTWARE.

LEGEND AND ABBREVIATIONS	
A/C	Air Conditioning Unit
APN	Apical
BM	Benchmark
CLC	Calculated
CTV	Cable TV Service
CB	Concrete Block
CL	Center Line
CLF	Chainlink Fence
CM	Concrete Monument
CMF	Corrugated Metal Pipe
CONC	Concrete
CCR	Corner
CUP	Concrete Utility Pole
(D)	Deed Call
EL	Elevation
FTE	Finish Floor Elevation
(FM)	Field Measurement
FNC	Fence
FND	Found
FH	Fire Hydrant
INV	Invert
IR	Iron Rod
IRC	Iron Rod & Cap
LB	Land Surveying Business
M.B.	Map Book
MES	Mitered End Section
MON	Monument
N&C	Nail & Cap
NO ID	No Identity
OR	Official Record Book
(P)	Plat
PC	Point of Curve
PCM	Permanent Control Point
PRC	Point of Reverse Curve
PRM	Permanent Reference Monument
PSI	Point of Street Intersection
PSM	Professional Surveyor & Mapper
PCV	Polymethyl Chloride Pipes
R	Radius of Curve or Road Line
RP	Radius Point
RLS	Registered Land Surveyor
T	Tangent
TBM	Temporary Benchmark
Typ	Typical
WPP	Wood Privacy Fence
WUP	Wood Utility Pole

**BLACKWELL & ASSOCIATES**  
**LAND SURVEYORS, INC**  
995 W. VOLUSIA AVE. \* DELAND, FL. \* PH: (386)-734-8050  
WWW.BLACKWELLSURVEYING.COM

**BOUNDARY SURVEY CERTIFIED TO:**  
ICI HOMES

**NOTE:**  
This Plat of Survey is certified to and prepared for the sole and exclusive benefit of the entities and/or individuals shown hereon, valid on the most current date shown hereon, and shall not be relied upon by any other entity or individual whatsoever.  
This Survey / Sketch has been prepared without benefit of abstract or title search unless otherwise noted hereon.  
There may be additional restrictions and/or other matters of record not shown on this Survey / Sketch that may be found in the Public Records of the county or contained within the Title Commitment.



LOT 20, 272 STIRLING BRIDGE DRIVE  
DATE: 07/18/2022  
W.O. No. 7-421-22  
DRAWN BY: KCB  
FIELD BOOK: 753-23  
CADD FILE: 07-421-22



MANHOLE WITH STRADDLERS FND NAIL "NO ID" OPSI

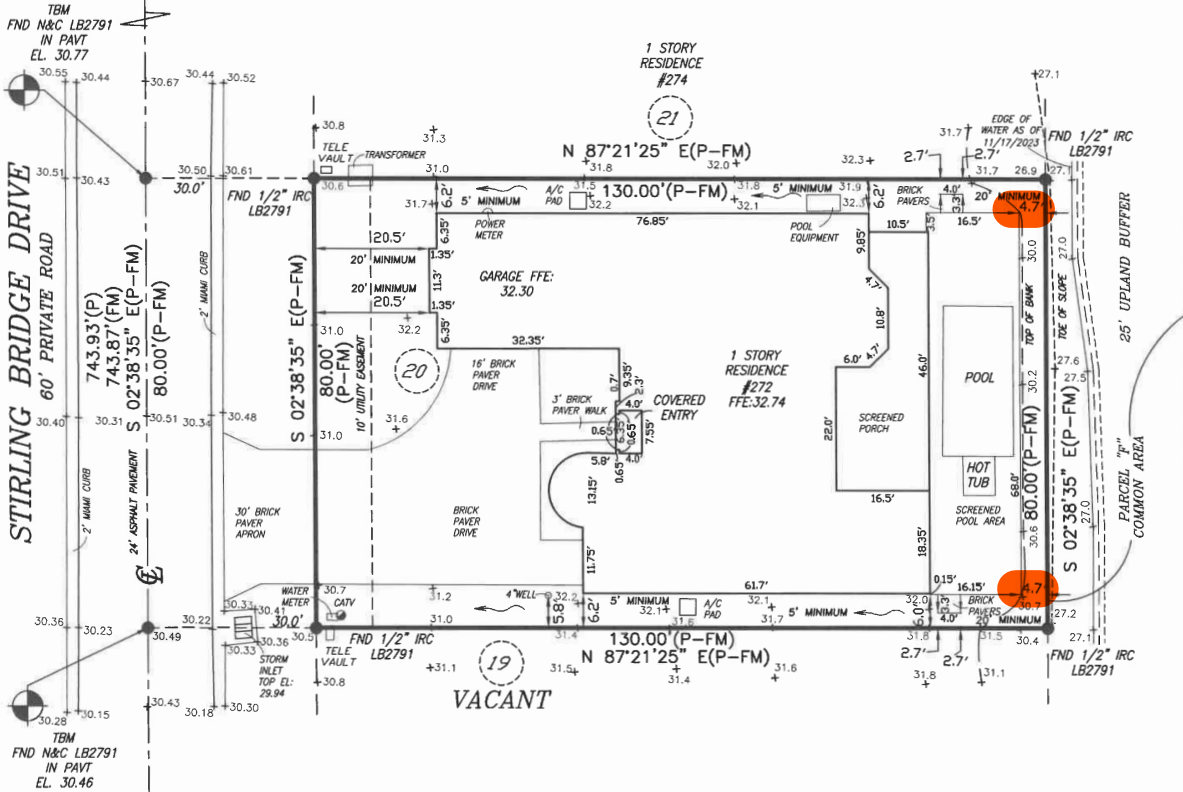
# HEATHERWOOD COURT

LEGAL DESCRIPTION: (OR 2544 PG 46)

LOT 20, PLANTATION BAY SECTION 2A-F, UNIT 6, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 38, PAGE 57, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.



SCALE: 1"=20'



**Robert Evers**  
 Digitally signed by Robert Evers  
 Date: 2023.11.21 13:35:43 -05'00'

ASBUILT SURVEY CERTIFIED TO:  
 VOLUSIA RESIDENTIAL CONSTRUCTION, LLC.  
 SOUTHERN TITLE HOLDING COMPANY, LLC.  
 OLD REPUBLIC NATIONAL TITLE INSURANCE CO., INC.  
 THE MORTGAGE FIRM, INC.  
 WESLEY A. TACKETT & DEBORAH A. TACKETT  
 DATED: 11/17/23

FOUNDATION LOCATION  
 CERTIFIED TO ICI HOMES,  
 DATED: 4/11/23

FLOOD CERTIFICATION:  
 (Per map dated JUNE, 06 2018)  
 This is to certify that I have consulted the Federal Insurance Flood Hazard Boundary Map and found the ABOVE named Property IS NOT located in a special flood hazard area, according to Community Panel Map No. 12035C-0245-E Map Panel 245 of 930, Zone "X".

FND N&C LB7991 @PC

**NOTES:**

BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF STIRLING BRIDGE DRIVE AS BEING A BEARING OF S 02°38'35" E (PLAT).

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CIVIL ENGINEER PLANS ON RECORD AT FLAGLER COUNTY FOR THIS COMMUNITY ARE BASED UPON NGVD 1929. CURRENT FEMA FLOOD MAPS ARE NAVD 1988. CONVERSION FACTOR IS (-) 1.03' FROM NGVD 1929 TO NAVD 1988 [I.E. ELEV. 100.00 - 1.03 = 98.97 NAVD 1988], AS PROVIDED BY VERTCON SOFTWARE.

**LEGEND AND ABBREVIATIONS**

A/C	Air Conditioning Unit	M.B.	Map Book
ASH	Asphalt	MES	Mitered End Section
B	Benchmark	MON	Monument
CLC	Calculated	N&C	Nail & Cap
DNV	Table IV Service	NO ID	No Identify
CB	Concrete Block	OR	Official Record Book
CL	Center Line	(P)	Plat
CLF	Chainlink Fence	PC	Point of Curve
CM	Concrete Monument	POC	Point of Compositi
CMP	Corrugated Metal Pipe	PCP	Permanent Control Point
CONC	Concrete	PG	Page
COR	Corner	PRC	Point of Reverse Curve
CUP	Concrete Utility Pole	PRM	Permanent Reference Monument
DS	Dredged Soil	PSI	Point of Street Intersection
EL	Elevation	PSM	Professional Surveyor & Mapper
FFE	Finish Floor Elevation	PVC	Poly-Vinyl-Chloride Pipe
FM	Field Measurement	R	Radius of Curve or Radial Line
FNC	Fence	RP	Radius Point
FND	Found	RLS	Registered Land Surveyor
FI	Fire Hydrant	RLS	Registered Land Surveyor
INV	Invert	TBM	Temporary Benchmark
IR	Iron Rod	TYP	Typical
IRC	Iron Rod & Cap	WPF	Wood Privacy Fence
LB	Land Surveying Business	WUP	Wood Utility Pole

## BLACKWELL & ASSOCIATES LAND SURVEYORS, INC

995 W. VOLUSIA AVE. • DELAND, FL • PH: (386)-734-8050  
 WWW.BLACKWELLSURVEYING.COM

BOUNDARY SURVEY CERTIFIED TO:  
 ICI HOMES

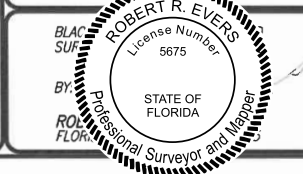
**NOTE:**

This Plat of Survey is certified to and prepared for the sole and exclusive benefit of the entities and/or individuals shown hereon, valid on the most current date shown hereon, and shall not be relied upon by any other entity or individual whomsoever.

This Survey / Sketch has been prepared without benefit of abstract or title search unless otherwise noted hereon.

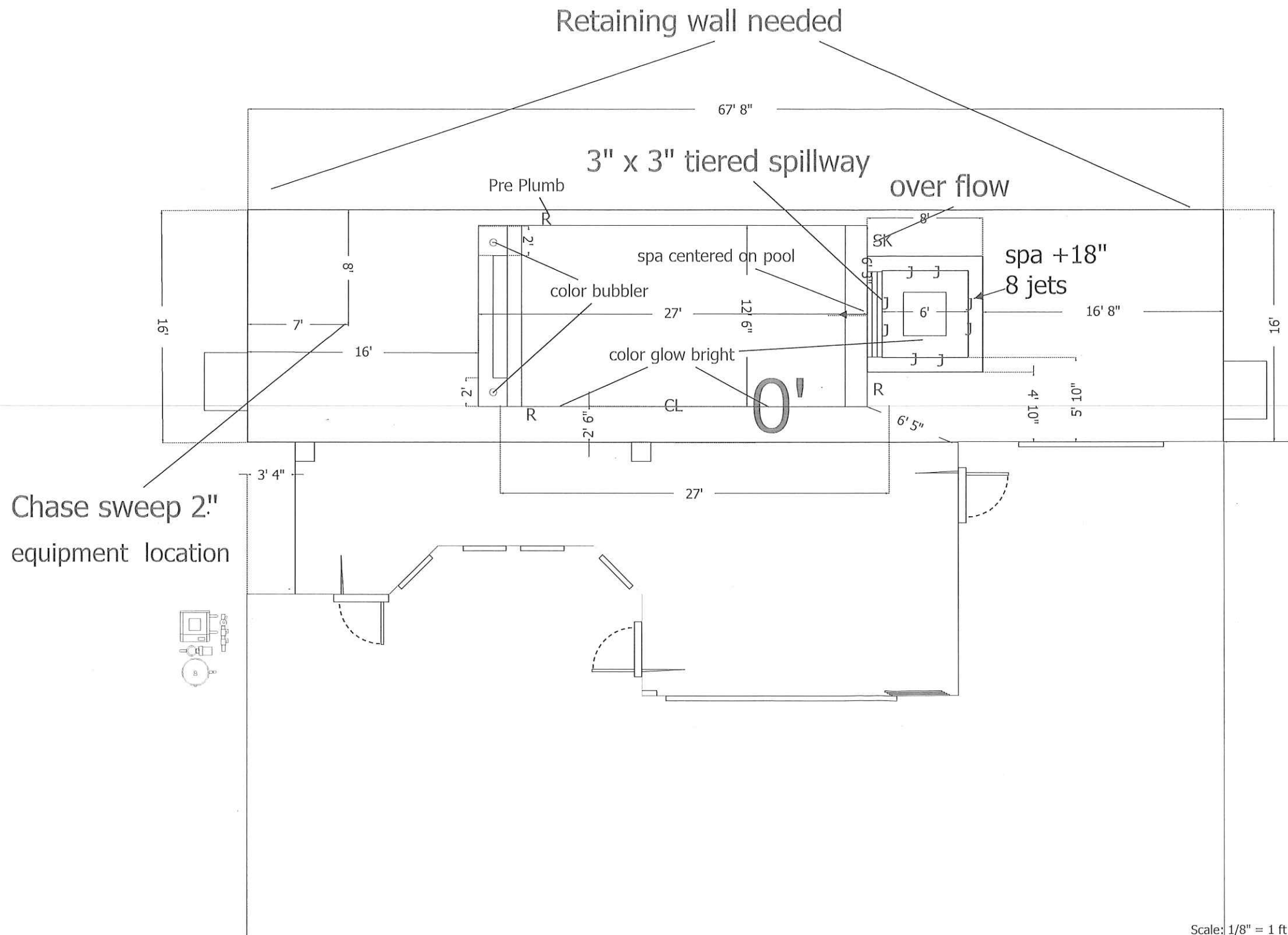
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NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA SURVEYOR AND MAPPER.



LOT 20, 272 STIRLING BRIDGE DRIVE

DATE: 07/18/2022  
 W.O. No. 7-421-22  
 DRAWN BY: KCB  
 FIELD BOOK: 753-23  
 CADD FILE: 07-421-22



**POOL SPECS**

SIZE: 12'6" x 27' SQFT: 337  
 DEPTH: 3' x 5' PERIMETER: 81  
 EST TOTAL GALLONS: 10083 SKIMMERS: 1  
 RETURNS: INTERIOR MATERIAL: Aqua Pearl  
 SPECIAL: TILE: opt-azure 1x1/opl-azure 1x2  
 NOTES:

**SPA SPECS**

SIZE: 6' SQFT: 36  
 DEPTH: PERIMETER:  
 EST TOTAL GALLONS: SPILLWAY:  
 RAISED HEIGHT: +18" SKIMMERS:  
 RETURNS: 8 TILE:  
 INTERIOR MATERIAL:  
 SPECIAL:  
 NOTES:

**PLUMBING**

RETURNS: SKIMMERS:  
 POOL MAIN DRAINS: 2 SPA MAIN DRAINS: see mark/shon  
 CLEANING SYSTEM: HEADS:  
 VAC LINES: 2 ROBOT VAC:  
 WATER FEATURES: SPA SPILLWAY:  
 LIGHTS IN POOL: 2 color glow brights LIGHTS IN SPA: 1 color glow bright  
 TOTAL PIPE:  
 SPECIAL: 2 color bubblers in stpes  
 NOTES:

**DECK**

DECK TYPE: ivory light ashlr Porch 589  
 TOTAL DECK SQFT: 691 PERIMETER:  
 RAISED BEAM: LIP STYLE:  
 MATERIAL 1: MATERIAL 2:  
 SPECIAL:  
 NOTES:

**EQUIPMENT**

POOL PUMP: intelliflo 3HP variable speed 2ND PUMP:  
 FILTRATION: Clean & Clear **RP Plus** FILTER SIZE: ~~150~~ **CCP240**  
 HEATER: master temp 400 INLINE: salt IC 40  
 TIMER: intelli center automation GAS:  
 SPECIAL:  
 NOTES:

Owner: Tackett State: FL  
 Address: 272 stirling bridge drive Zip: 32174  
 City: Ormond Beach  
 Phone:

Scale: 1/8" = 1 ft

Growth Management Department  
Planning & Zoning  
1769 E. Moody Blvd, Bldg. 2  
Bunnell, FL 32110

[www.flaglercounty.org](http://www.flaglercounty.org)

Phone: (386)313-4009

Fax: (386)313-4109



## TECHNICAL REVIEW COMMITTEE COMMENTS

**DATE: May 09, 2024**

Project #: 2024040017 / AR #4789

Attached are departmental comments regarding your submittal to Flagler County for the above referenced project. **Any questions regarding any of the comments should be addressed to the department providing the comment.**

Flagler County Building Department	386-313-4002
Flagler County Planning Department	386-313-4009
Flagler County Development Engineering	386-313-4082
Flagler County General Services (Utilities)	386-313-4184
County Attorney	386-313-4005
Flagler County Fire Services	386-313-4258
E-911 GIS Specialist	386-313-4274
Environmental Health Department	386-437-7358
Flagler County School Board	386-586-2386

Attachment: Staff Comments



**Reviewing Department Comments**

**ZON - ZONING (386-313-4009)**

Comments:

Rejected By: SIMONE KENNY - - SKENNY@FLAGLERCOUNTY.GOV

1.) Please provide the signed owner's authorization form.

2) Please provide an explanation as to why the northern side of the pool deck is 6 inches wider than was approved.

# FLAGLER COUNTY PROPERTY APPRAISER



## Overview



## Legend

- Parcels
- Roads
- Streams and Rivers

Date created: 6/6/2024  
Last Data Uploaded: 6/6/2024 8:11:58 AM

Developed by  Schneider  
GEO SPATIAL

ParcelId	OwnerName	OwnerAddress1	OwnerAddress2	OwnerAddress3	OwnerCityStZip
10-13-31-5120-2AF06-00C0	TOMOKA COMMUNITY DEVELOPMENT	DISTRICT	3501 QUADRANGLE BOULEVARD SUITE 270		ORLANDO, FL 32817
10-13-31-5120-2AF06-0260	HUBBARD-SZALA NICOLE LYNN	& ANNE AMC	206 HEATHERWOOD COURT		ORMOND BEACH, FL 32174
10-13-31-5120-2AF06-0270	HAGIN MATTHEW JR	& CHARLENE B SMITH H&W LIFE ESTATE	208 HEATHERWOOD COURT		ORMOND BEACH, FL 32174
10-13-31-5120-2AF06-0590	VOLUSIA RESIDENTIAL CONSTRUCTION LLC		2379 BEVILLE ROAD		DAYTONA BEACH, FL 32119
10-13-31-5120-2AF06-0580	VOLUSIA RESIDENTIAL CONSTRUCTION LLC		2379 BEVILLE ROAD		DAYTONA BEACH, FL 32119
10-13-31-5120-2AF06-0570	VOLUSIA RESIDENTIAL CONSTRUCTION LLC		2379 BEVILLE ROAD		DAYTONA BEACH, FL 32119
10-13-31-5120-2AF06-0560	VOLUSIA RESIDENTIAL CONSTRUCTION LLC		2379 BEVILLE ROAD		DAYTONA BEACH, FL 32119
10-13-31-5120-2AF06-0210	VOLUSIA RESIDENTIAL CONSTRUCTION LLC		2379 BEVILLE ROAD		DAYTONA BEACH, FL 32119
10-13-31-5120-2AF06-0220	VOLUSIA RESIDENTIAL CONSTRUCTION LLC		2379 BEVILLE ROAD		DAYTONA BEACH, FL 32119
10-13-31-5120-2AF06-0230	VOLUSIA RESIDENTIAL CONSTRUCTION LLC		2379 BEVILLE ROAD		DAYTONA BEACH, FL 32119
10-13-31-5120-2AF06-0240	VOLUSIA RESIDENTIAL CONSTRUCTION LLC		2379 BEVILLE ROAD		DAYTONA BEACH, FL 32119
10-13-31-5120-2AF06-0250	RUSIECKI MARY K & RONALD S W&H	TRUSTEES	215 HEATHERWOOD CT		ORMOND BEACH, FL 32174
10-13-31-5120-2AF06-0640	VOLUSIA RESIDENTIAL CONSTRUCTION LLC		2379 BEVILLE ROAD		DAYTONA BEACH, FL 32119
10-13-31-5120-2AF06-0160	HENDRICKS LORIE		1224 US HWY 377 #303-60		ROANOKE, TX 76262
10-13-31-5120-2AF06-0630	VOLUSIA RESIDENTIAL CONSTRUCTION LLC		2379 BEVILLE ROAD		DAYTONA BEACH, FL 32119
10-13-31-5120-2AF06-0170	VOLUSIA RESIDENTIAL CONSTRUCTION LLC		2379 BEVILLE ROAD		DAYTONA BEACH, FL 32119
10-13-31-5120-2AF06-0620	VOLUSIA RESIDENTIAL CONSTRUCTION LLC		2379 BEVILLE ROAD		DAYTONA BEACH, FL 32119
10-13-31-5120-2AF06-0180	AMETHYST PROPERTIES LLC		101 S PHILLIPS AVE STE 509		SIOUX FALLS, SD 57104
10-13-31-5120-2AF06-0610	VOLUSIA RESIDENTIAL CONSTRUCTION LLC		2379 BEVILLE ROAD		DAYTONA BEACH, FL 32119
10-13-31-5120-2AF06-0190	VOLUSIA RESIDENTIAL CONSTRUCTION LLC		2379 BEVILLE ROAD		DAYTONA BEACH, FL 32119
10-13-31-5120-2AF06-0600	VOLUSIA RESIDENTIAL CONSTRUCTION LLC		2379 BEVILLE RD		DAYTONA BEACH, FL 32119
10-13-31-5120-2AF06-0200	TACKETT WESLEY A & DEBORAH A H&W		272 STIRLING BRIDGE DRIVE		ORMOND BEACH, FL 32174
10-13-31-5120-2AF06-00F0	TOMOKA COMMUNITY DEVELOPMENT	DISTRICT	3501 QUADRANGLE BOULEVARD SUITE 270		ORLANDO, FL 32817
10-13-31-5120-2AF06-00E0	WESTLAKE AT PLANTATION BAY	PROPERTY OWNERS ASSC, INC	103A NORTH LAKE DRIVE		ORMOND BEACH, FL 32174
10-13-31-5120-2AF06-00G0	TOMOKA COMMUNITY DEVELOPMENT	DISTRICT	3501 QUADRANGLE BOULEVARD SUITE 270		ORLANDO, FL 32817
09-13-31-5120-2AF09-00B0	TOMOKA COMMUNITY DEVELOPMENT DISTRICT		3501 QUADRANGLE BOULEVARD SUITE 270		ORLANDO, FL 32817
09-13-31-5120-2A12B-00C0	TOMOKA COMMUNITY DEVELOPMENT DISTRICT		3501 QUADRANGLE BLVD STE 270		ORLANDO, FL 32817

**Growth Management Department**  
**Planning & Development**  
**1769 E. Moody Blvd, Bldg. 2**  
**Bunnell, FL 32110**



[www.flaglercounty.org](http://www.flaglercounty.org)  
Phone: (386)313-4009  
Fax: (386)313-4109

May 24, 2024

«OwnerName»  
«OwnerAddress1»  
«OwnerAddress2»  
«OwnerCityStZip»

RE: Project No. 2024040017 – Rear Setback Variance in the PUD (Planned Unit Development) District

Dear Property Owner,

As owner of property within 300' of the property referenced herein, the Flagler County Planning Department, in accordance with Section 2.07.00 of the Flagler County Land Development Code, advises you that:

A request has been by applicant Myrick Pools for owners Tackett Wesley and Deborah A H&W for a 0.3-foot Rear Setback Variance from the minimum required 5-foot Rear Setback located at 272 Stirling Bridge Drive; on a 10,400 ± square foot lot identified as Parcel Number: 10-13-31-5120-2AF06-0200.

You are hereby notified that a public hearing before the **Flagler County Planning and Development Board**, required by law, will be held in the Flagler County Government Services Building, Board Chambers, at 1769 East Moody Boulevard, Building 2, Bunnell Florida, on **June 11**, beginning at **6:00 p.m.** or as soon thereafter as possible. You are welcome to attend and express your opinion.

Sincerely,

A handwritten signature in cursive script that reads "Simone Kenny".

Simone Kenny  
Development Review Planner

**NOTE: PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF A PERSON DECIDED TO APPEAL CONSIDERED AT SUCH MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS AND THAT, FOR SUCH PURPOSE, HE OR SHE WILL NEED TO ENSURE THAT A VERBATUM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTAMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED.**

**Andy Dance**  
District 1

**Greg Hansen**  
District 2

**David Sullivan**  
District 3

**Leann Pennington**  
District 4

**Donald O'Brien, Jr.**  
District 5





APPLICATION # 2024040017

**NOTICE OF PUBLIC HEARING**

THE FLAGLER COUNTY PLANNING AND DEVELOPMENT BOARD WILL HOLD A PUBLIC HEARING AT:

FLAGLER COUNTY GOVERNMENT SERVICES BUILDING BOARD CHAMBERS  
 1769 E. MOODY BOULEVARD, BLDG 2;  
 BUNNELL, FL 32110

JUNE 11, 2024 @ 6:00 P.M.

REQUEST: VARIANCE  
 APPLICANT: MYRICK POOLS

Parcel Number: 10-13-31-5120-2AFO60200  
 Zoning District: PUB (PLANNED UNIT DEVELOPMENT)

THE PUBLIC HEARING IS BEING HELD FOR THE PURPOSE OF HEARING ANY AND ALL INTERESTED PARTIES AND PERSONS WHO MAY BE FOR OR AGAINST THE APPLICATION RELATIVE TO THE PROPERTY WHEREON THIS NOTICE IS POSTED.

For additional information visit web page at: [www.flaglercounty.gov](http://www.flaglercounty.gov) or call Flagler County Planning & Zoning Department at (386) 375-4000

**DO NOT REMOVE THIS NOTICE PRIOR TO THE PUBLIC HEARING DATE ABOVE**



**FLAGLER COUNTY PLANNING AND DEVELOPMENT BOARD  
PUBLIC HEARING/AGENDA ITEM #5**

**SUBJECT: QUASI-JUDICIAL** – Project No. 2024040019 – Request for a 0.5 Foot Rear (East) Yard Setback Variance from the Minimum Required 5 Foot Rear Yard Setback for a Pool Deck and Screenroom in the PUD (Planned Unit Development) District at 268 Stirling Bridge Drive; Parcel No. 10-13-31-5120-2AF06-0180; 10,400+/- square feet. Owner: Amethyst Properties, LLC/Applicant: Myrick Pools.

**DATE OF MEETING:** June 11, 2024

**OVERVIEW/SUMMARY:** This request is quasi-judicial in nature and requires disclosure of ex parte communication. The request is for approval of a rear yard setback variance in the PUD (Planned Unit Development) District. This parcel is 10,400+/- square feet in size, identified as Parcel No. 10-13-31-5120-2AF06-0200:



Myrick Pools submitted the application for a variance for before the final survey was submitted. This is an after-the-fact variance request, following construction of a single-family dwelling, and a pool and pool deck.

**FLAGLER COUNTY PLANNING AND DEVELOPMENT BOARD  
PUBLIC HEARING/AGENDA ITEM #5**

The subject property is described as Lot 28, Plantation Bay Section 2A-F, Unit 6 Subdivision, as recorded in Plat Book 38, Pages 57 through 61 of the Public Records of Flagler County, Florida. Minimum setbacks for Lots 9 through 23 and Lots 46 through 67 in Unit 6 are: 20 foot front yard setback; 20 foot rear yard; 5 foot side yard setback (and 20 foot for side street); and 5 foot to the rear for the pool deck/screenroom.

This application was reviewed by the Technical Review Committee (TRC) agenda at its May 15, 2024 regular meeting. The applicant has satisfactorily addressed the TRC comments.

Public notice has been provided for this application according to Flagler County Land Development Code Section 2.07.00.

This agenda item is:

quasi-judicial, requiring disclosure of ex-parte communication; or  
 legislative, not requiring formal disclosure of ex-parte communication.

**OPTIONS FOR THE BOARD:**

**APPROVAL:** The Planning and Development Board finds that all the variance criteria as listed in the guidelines at Land Development Code Section 3.07.03.E have been met and therefore approves Project No. 2024040019 for a 0.5 foot rear (East) yard setback variance from the minimum required 5 foot rear yard setback at 268 Stirling Bridge Drive (Parcel No.10-13-31-5120-2AF06-0180).

**DENIAL:** The Planning and Development Board finds that all the variance criteria as listed in the guidelines at Land Development Code Section 3.07.03.E have not been met and therefore approves Project No. 2024040019 for a 0.5 foot rear (East) yard setback variance from the minimum required 5 foot rear yard setback at 268 Stirling Bridge Drive (Parcel No.10-13-31-5120-2AF06-0180).

**CONTINUANCE:** The Planning and Development Board continues the variance request on the basis that additional information is needed from staff or the applicant. Based on the presentation and the public hearing, the Board does not have sufficient information to be able to render a decision on the variance request. Continuing the variance request to a time and date certain will preserve public notice and provide an opportunity for staff or the applicant to provide additional information.

**ATTACHMENTS:**

1. Technical Staff Report
2. Application and supporting documents
3. TRC comments
4. Public notice

**PROJECT NO. 2024040019**  
**REAR (EAST) SETBACK VARIANCE IN THE PUD DISTRICT**  
**268 STIRLING BRIDGE DRIVE**  
**TECHNICAL STAFF REPORT**

Project No.: 2024040019

Address: 268 Stirling Bridge Drive

Owner: Amethyst Properties, LLC

Applicant: Myrick Pools

Parcel No.: 10-13-31-5120-2AF06-0180

Parcel Size: 10,400+/- square feet

**Legal Description:**

Lot 18, Plantation Bay Section 2A-F, Unit 6, According to the Map or Plat Thereof, as Recorded in Map Book 38, Pages 57 through 61, Inclusive, of the Public Records of Flagler County, Florida.

**Existing Zoning and Land Use Classification:**

Zoning: PUD (Planned Unit Development) District

Land Use: Mixed Use - Low Intensity – Low Density

**Future Land Use Map Classification/Zoning of Surrounding Land:**

North: Mixed Use – Low Intensity – Density/PUD (Planned Unit Development District)

East: Mixed Use – Low Intensity – Density/PUD (Planned Unit Development District)

South: Mixed Use – Low Intensity – Density/PUD (Planned Unit Development District)

West: Stirling Bridge Dr; Mixed Use – Low Intensity – Density/PUD (Planned Unit Development District)

Flagler County Land Development Code (FCLDC) Sections Affected: Section 3.03.20, *PUD – Planned Unit Development District*; Section 3.07.03, *Procedure for variances and special exceptions*; and Section 3.07.03.E, *Variance guidelines*.

FCLDC Sec. 3.03.20.D.2. – The Development Agreement for Plantation Bay Section 2A-F Unit 6, call for;

Front yard — Twenty-five (25) feet.

Rear yard — Twenty (20) feet.



Rear to pool deck – Five (5) feet.  
Side yard interior lot — Seven and one-half (7.5) feet.

#### Summary of the Request:

The subject parcel is 10,400 +/- square feet in size, and is describes as Lot 18 in Plantation Bay Section 2A-F, Unit 6 subdivision (a/k/a Westlake). The property was purchased by Amethyst Properties, LLC through a Special Warranty Deed dated February 15, 2024 and recorded on February 22, 2024 in Official Records Book 2847, Page 1037, Public Records of Flagler County, Florida. A County building permit (Permit No. 2022100129) was issued for an in-ground pool on the subject property on February 9, 2023.

The initial site plan submittal on October 18, 2022 by Myrick Pools depicts a hand drawn pool plan based on a building site plan prepared by Cullum Land Surveying INC and dated February 28, 2022. The originally proposed rear (East) building setback was 27 feet. The proposed pool setbacks were a 5 foot left (North) side setback, a 5 foot right (South) side setback and a 5.5 foot rear (East) setback. There were no relevant staff review comments on the location of the pool.

However, a final survey completed by Blackwell & Associated Land Surveyors, INC signed and dated July 17, 2023, revealed that the rear (East) building setback was only 26.1 feet and that the rear (East) setback to the pool deck was 4.5 feet – an encroachment of 6 inches.

A formboard survey submitted on the home building permit (Permit No. 104771) completed by Blackwell & Associated Land Surveyors, INC signed and dated July 17, 2022 depicted the building setback as 26.2 feet.

The pool contractors, Myrick Pools, designed and built the pool based on the initial building site plan dated February 28, 2022 and not the more recent formboard survey dated July 17, 2022 which revealed that the building had shifted rearward (East) approximately 9.6 inches.

#### Variance Guideline Analysis:

LDC Section 3.07.03.E, *Variance guidelines*, states that a variance may be granted only upon a finding by the Planning and Development Board that all of the criteria listed in the guidelines have been found in favor of the applicant and that a literal enforcement of the provisions of this article will result in an unnecessary hardship. These criteria are listed followed by the applicant's statements (included below and attached in their entirety) and staff's analysis:

1. *There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, topography, or other unique features that, when considered in whole or in part, creates an unnecessary hardship; and*

Applicant's response: We did not create the hardship ourselves. The pool was designed off the survey provided to us by the house contractor. Based on the survey we were provided with, the pool was 5'6" off the rear property line which the scaled survey and drawing showed.

Staff analysis: The size of the house compared to the size of the lot leaves little room for error. Additionally, the top of bank for drainage in the rear does not run parallel to the rear property line, which would be the most standard.

2. *Such conditions were not created by the affirmative actions of the applicant and the applicant has acted at all times in good faith; and*

Applicant's response: We need the variance do to a conflict on the documentation that was provided to us by the contractor. We designed the pool to be an additional 6" away from the rear setback and built the deck accordingly.

Staff analysis: The original pool site plan was approved based on the information provided. The applicant sought to meet the requirements, and acted at all times in good faith.

3. *The variance, if granted, would not cause substantial detriment to the public health, welfare, safety, and morals of the community or impair the purpose and intent of this article; and*

Applicant's response: The pool is located on the back of the lot, there is a conservation easement directly behind this lot and no one can build there behind it.

Staff analysis: The variance would not cause substantial detriment to the public health, welfare, safety, and morals of the community or impair the purpose and intent of this article.

4. *No variance may be granted for a use of land or building that is not permitted by this article.*

Applicant's response: The pool is permitted and pools are permitted use in Plantation Bay.

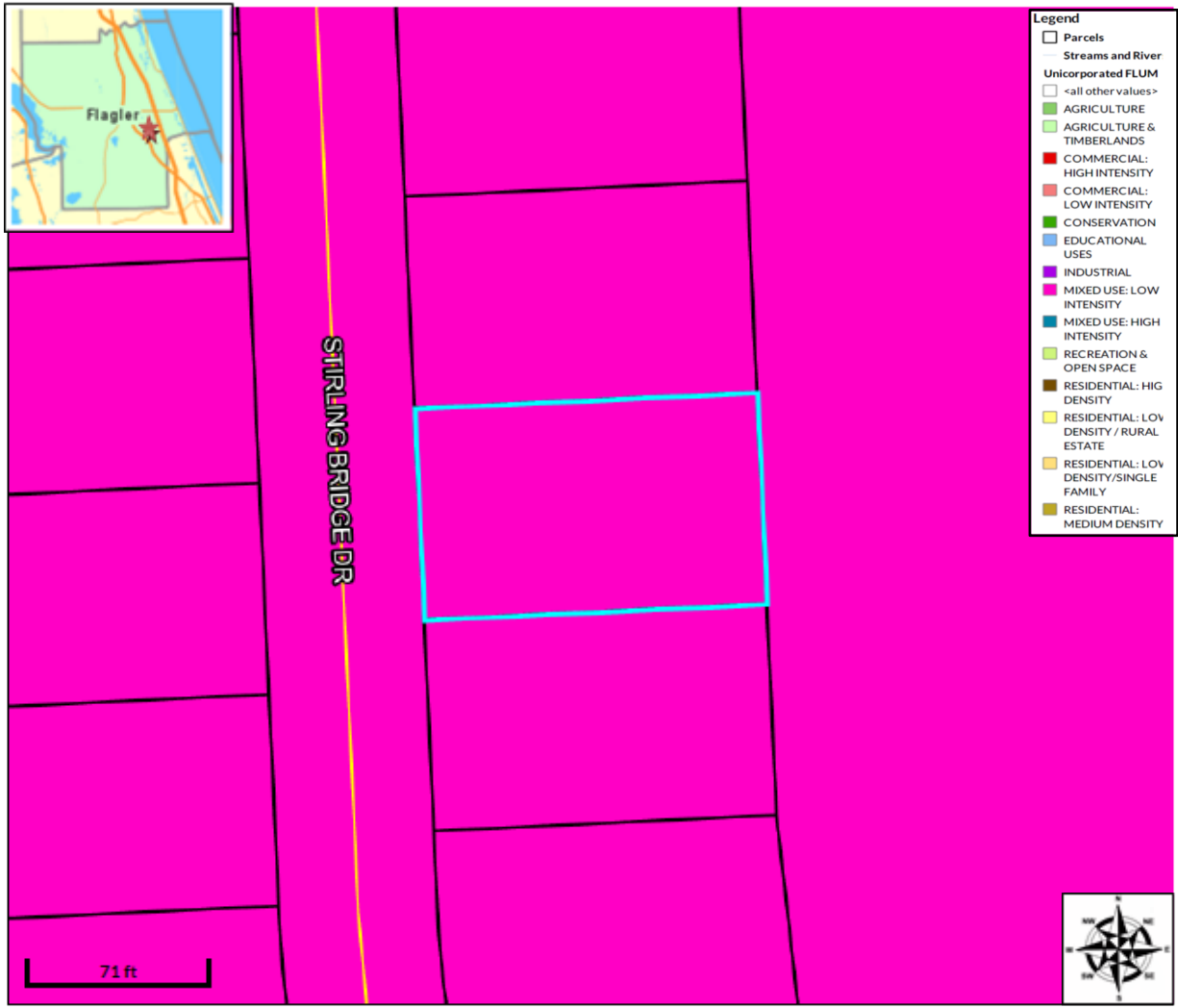
Staff Analysis: The Plantation Bay Section 2A-F, Unit 6 Development Agreement allows pool and pools decks as an accessory use. The requested variance is not for a use of land or building that is not permitted within this zoning district.

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

Applicant response: [No response.]

Staff Analysis: The requested variance is the minimum relief necessary to alleviate the hardship.

# Future Land Use Map



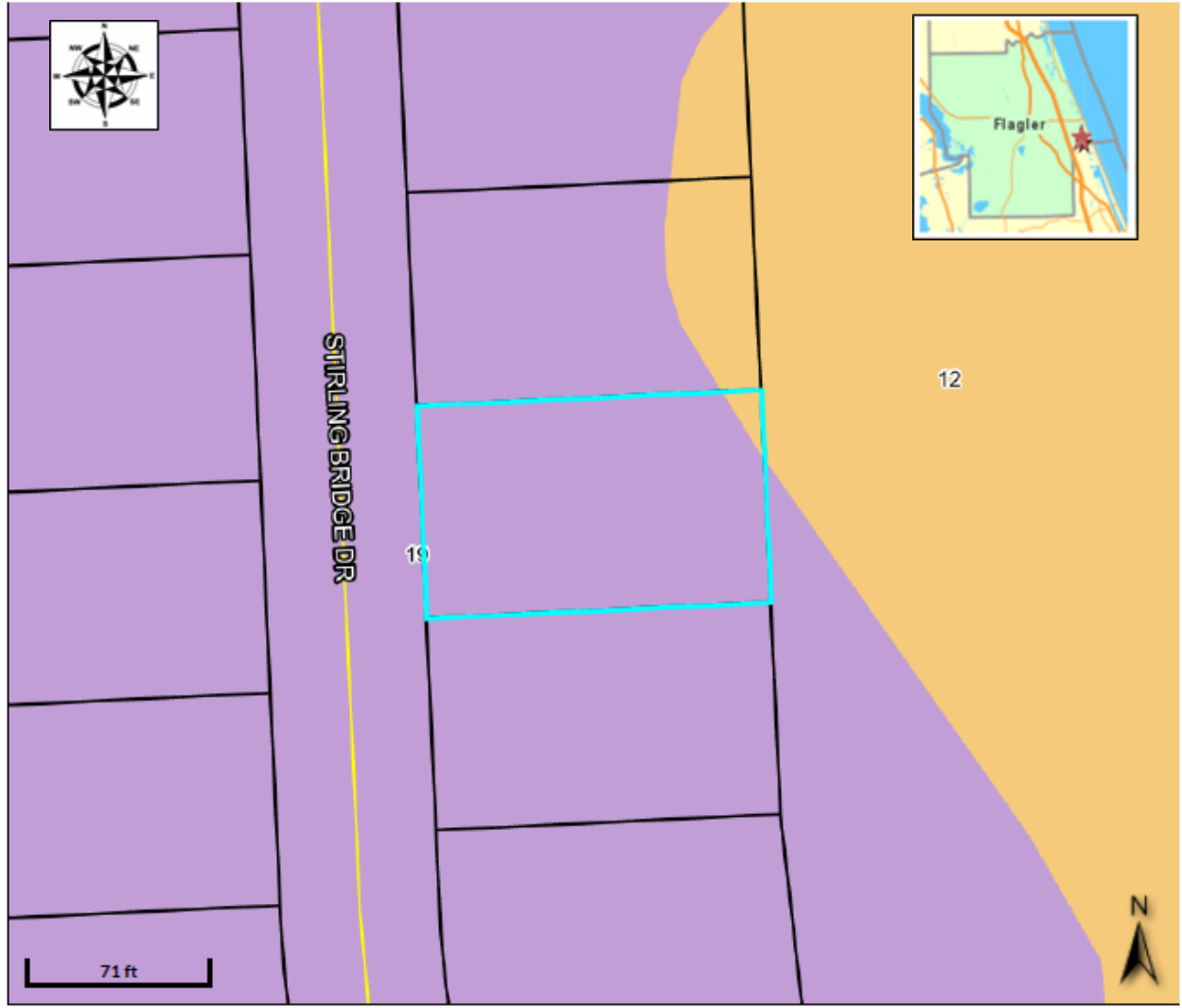
# Zoning Map



# Flood Zone Map



# Soils

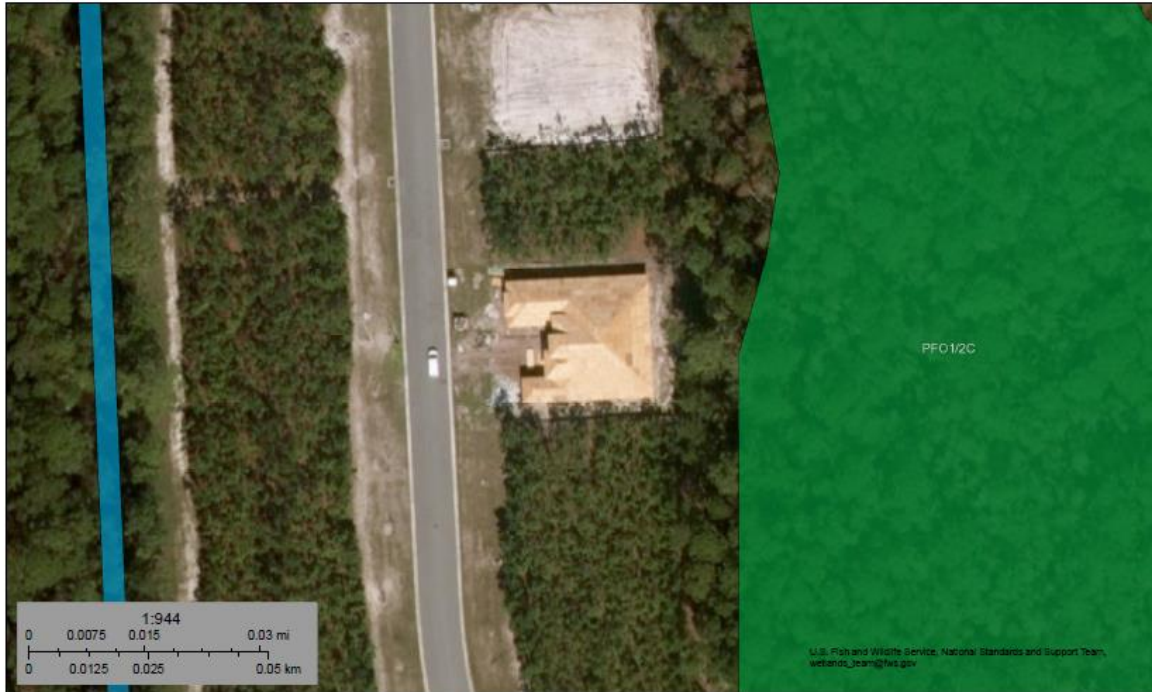


19	Valkarie fine sand
12	Placid, Basinger, and St. Johns soils, depressional

# Wetlands



268 Stirling Bridge Dr



June 5, 2024

**Wetlands**

- |   |                                |   |                                   |   |          |
|---|--------------------------------|---|-----------------------------------|---|----------|
|  | Estuarine and Marine Deepwater |  | Freshwater Emergent Wetland       |  | Lake     |
|  | Estuarine and Marine Wetland   |  | Freshwater Forested/Shrub Wetland |  | Other    |
|   |                                |  | Freshwater Pond                   |  | Riverine |

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Wetlands Inventory (NWI)  
This page was produced by the NWI mapper





# APPLICATION FOR VARIANCE

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

Application/Project #: \_\_\_\_\_

<b>PROPERTY OWNER(S)</b>	Name(s): Volusia Residential Construction LLC		
	Mailing Address: 2379 Beville Rd		
	City: Daytona Beach	State: FL	Zip: 32119
	Telephone Number 386-788-0820	Fax Number	

<b>APPLICANT/AGENT</b>	Name(s): Myrick Pools		
	Mailing Address: 1457 N US 1 Ste 23		
	City: Ormond Beach	State: FL	Zip: 32174
	Telephone Number 386-795-6098	Fax Number	
	E-Mail Address: customerservice@myrickpools.me		

<b>SUBJECT PROPERTY</b>	SITE LOCATION ( <i>street address</i> ):	268 Stirling Bridge Dr, Ormond Beach FL, 32174	
	LEGAL DESCRIPTION: <i>(briefly describe, do not use "see attached")</i>	PLANTATION BAY SEC 2AF, UNIT 6 MB 38 PG 57 LOT 18	
	Parcel # ( <i>tax ID #</i> ):	10-13-31-5120-2AF06-0180	
	Parcel Size:	10,400.002	
	Current Zoning Classification:		
	Current Future Land Use Designation	SINGLE FAMILY (000100)	
	Subject to A1A Scenic Corridor IDO?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO

**Relief Requested:** Variance due to pool deck encroaching the rear setback.

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

\_\_\_\_\_  
 Date

**\*\*OFFICIAL USE ONLY\*\***

PLANNING BOARD RECOMMENDATION/ACTION:

APPROVED [ ]  
 \*APPROVED WITH CONDITIONS [ ]  
 DENIED [ ]

Signature of Chairman: \_\_\_\_\_

Date: \_\_\_\_\_ \*approved with conditions, see attached.

NOTE: The applicant or a representative, must be present at the Public Hearing since the Board, at its discretion, may defer action, table, or take decisive action on any application. Rev. 09/16



# APPLICATION FOR VARIANCE

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

Subject Property: 268 Stirling Bridge Dr

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

1. There are extraordinary and exceptional conditions pertaining to particular piece of property in question because of its size, shape, topography, or other unique features that, when considered in whole or part, creates an unnecessary hardship; and

*we did not create the hardship ourselves. The pool was designed off the survey provided to us by the house contractor. Based on the survey we were provided with, the pool was 5'6" off the rear property line which the scaled survey and drawing showed.*

2. Such conditions were not created by the affirmative actions of the applicant and the applicant has acted at all times in good faith; and

*We need the variance due to a conflict on the documentation that was provided to us by the contractor. We designed the pool to be an additional 6" away from the rear setback and built the deck accordingly.*

3. The variance, if granted, would not cause substantial detriment to the public health, welfare, safety, and morals of the community or impair the purpose and intent of this article; and

*the pool is located on the back of the lot, there is a conservation easement directly behind this lot and no one can build there behind it.*

4. No variance may be granted for a use of land or building that is not permitted by this article.

*The pool is permitted and pools are permitted use in Plantation Bay.*

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



## APPLICATION FOR VARIANCE

FLAGLER COUNTY, FLORIDA  
1769 E. Moody Blvd, Bldg 2  
Bunnell, FL 32110  
Telephone: (386) 313-4009 Fax: (386) 313-4109

Application/Project #: \_\_\_\_\_

### **Required Attachments for Variance Application:**

- 1.) Copy of Owner(s) recorded Warranty Deed;
- 2.) Application fee \$345.00 plus postage and \$50 for notification of public hearing (posting of sign). Make check payable to BOCC. Fee amount per Resolution 2008-31 as amended.
- 3.) 10 sets of complete application and site plan meeting all requirements of Flagler County Land Development Code.

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

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



# APPLICATION FOR VARIANCE

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

## 3.07.03. Procedure for variances and special exceptions.

- A. *Request application.* A request for a hearing before the planning board for a variance or special exception shall be made as follows:
1. A completed application form shall be filed with the planning and zoning director. Such application shall state the pertinent facts on which the request is based. The planning and zoning director may assist the applicant in preparing the application.
  2. An application shall be accompanied by an acceptable site plan with such reasonable information shown thereon as may be required by the planning and zoning director. Such site plan shall include, as a minimum, the following:
    - (a) Lot dimensions with property line monuments located thereon.
    - (b) Location and size of existing and proposed structures.
    - (c) Easements (public and private), water courses, and if existing and proposed, fences, street names, and street right-of-way lines and such information regarding abutting property, as directly affects the application.
- B. *Planning board hearing.*
1. The planning and zoning director shall schedule a hearing before the planning board to consider the application. Scheduling of this hearing shall provide ample time for the planning and zoning director to provide notice to surrounding property owners as set forth in subsection 3.07.03. In no event shall such hearing be scheduled more than forty-five (45) days from the date of application.
  2. The hearing provided for under this section shall be for the purpose of reviewing relevant information from the applicant regarding the requested variance and/or special exception. The planning board shall also review written and/or oral comments from the public in accordance with its established procedures.
  3. The planning board shall determine whether sufficient factual data was presented in order to render a decision. If the planning board determines that sufficient factual data was presented, then it shall render a decision to either:
    - a. Approve the request as submitted;
    - b. Approve the request with conditions;
    - c. Disapprove the request.
- If the planning board determines that sufficient factual data was not presented, the planning board may continue the hearing until the next scheduled meeting to allow for the preparation of such factual data. Only one (1) such continuation shall be allowed for each requested variance and/or special exception.
- C. *Appeal of planning board decision.*
1. Within thirty (30) days of the rendering of a decision by the planning board regarding a requested variance and/or special exception, an appeal may be filed with the board of county commissioners. Such appeal may be filed by the original applicant, the planning and zoning director, other county staff as authorized, and a surrounding property owner, as defined in subsection 3.07.03.
  2. The application for appeal shall be filed with the planning and zoning director who shall schedule a hearing on the appeal with the board of county commissioners. Scheduling of this hearing shall provide ample time for the applicant to provide notice to surrounding property owners, as set forth in subsection 3.07.03.
  3. The appeal hearing provided for under this section shall be for the purpose of reviewing all pertinent information regarding the appeal. The applicant shall provide all relevant factual data, materials and/or oral testimony to support the appeal. The board of county

NOTE: The applicant or a representative, must be present at the Public Hearing since the Board, at its discretion, may defer action, table, or take decisive action on any application. Rev. 09/16



# APPLICATION FOR VARIANCE

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

commissioners shall also review written and/or oral comments from the public in

accordance with its established procedures.

4. At the conclusion of the appeals hearing provided for under this section, the board of county commissioners shall render a decision on the appeal. Any decision rendered by the board of county commissioners under this section shall be deemed final.

## D. *Reserved*

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

1. There are extraordinary and exceptional conditions pertaining to particular piece of property in question because of its size, shape, topography, or other unique features that, when considered in whole or part, creates an unnecessary hardship; and
2. Such conditions were not created by the affirmative actions of the applicant and the applicant has acted at all times in good faith; and
3. The variance, if granted, would not cause substantial detriment to the public health, welfare, safety, and morals of the community or impair the purpose and intent of this article; and
4. No variance may be granted for a use of land or building that is not permitted by this article.

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

Prepared by, Record and Return to:  
Southern Title Holding Company, LLC  
Karen Magee  
2335 Beville Road  
Daytona Beach, FL 32119

File Number: DB248853

(Space Above This Line for Recording Data)

### Special Warranty Deed

This Special Warranty Deed made this 15 day of February, 2024, between Volusia Residential Construction, LLC, a Florida Limited Liability Company, whose post office address is 2379 Beville Road Daytona Beach, FL 32119, Grantor, to Amethyst Properties, LLC a Nevada Limited Liability Company, whose post office address is 101 S. Phillips Ave Ste 509, Sioux Falls, SD 57104, Grantee:

(Whenever used herein the terms Grantor and Grantee include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts, and trustees).

Witnesseth, that said Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in the Flagler County, Florida, to-wit:

LOT 18, PLANTATION BAY SECTION 2A-F, UNIT 6, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 38, PAGES 57 THROUGH 61, INCLUSIVE, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

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

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

Subject to (a) zoning and/or other restrictions and prohibitions imposed by governmental authority; (b) easements, covenants and restrictions of record, including but not limited to those appearing on the recorded plat of the subdivision and any Owner's Association documents; (c) real estate taxes for the year of the closing; and (d) any other matters of record that do not materially restrict the use of the property for residential purposes.

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey this land, that the Grantor hereby specially warrants that title to the land is free from all encumbrances made by Grantor, and Grantor will defend the same against the lawful claims of all persons claiming by, through, or under Grantor, but against none other.

In Witness Whereof, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed, and delivered in our presence:

Christine K. Muller  
First Witness Signature  
Christine K. Muller

First Witness Printed Name  
2379 Beville Rd., Daytona Beach, FL 32119

Jennifer M. Hayden  
First Witness Address  
Second Witness Signature  
Jennifer M. Hayden

Second Witness Printed Name  
2379 Beville Rd., Daytona Beach, FL 32119  
Second Witness Address

Volusia Residential Construction, LLC,  
a Florida Limited Liability Company  
By: ICI Homes Residential Holdings, LLC,  
a Florida Limited Liability Company  
its Authorized Member

Kimberly A. Newkirk  
By: Kimberly A. Newkirk  
Assistant Vice President

2379 Beville Road  
Daytona Beach, FL 32119

State of FLORIDA, County of VOLUSIA

The foregoing instrument was acknowledged before me by means of (X) physical presence or (  ) online notarization, this 15 day of February, 2024, by Kimberly A. Newkirk, Assistant Vice President of ICI Residential Holdings, LLC, a Florida Limited Liability Company, as Authorized Member of Volusia Residential Construction, LLC, a Florida Limited Liability Company who (X) is personally known to me or (  ) has produced Driver(s) License as identification.

Christine K. Muller  
Notary Public Signature  
Printed Name: Christine K. Muller  
My Commission Expires: 11/15/2027  
SEAL:



CHRISTINE K. MULLER  
Notary Public  
State of Florida  
Comm# HH464850  
Expires 11/15/2027

SOUTHERN TITLE®



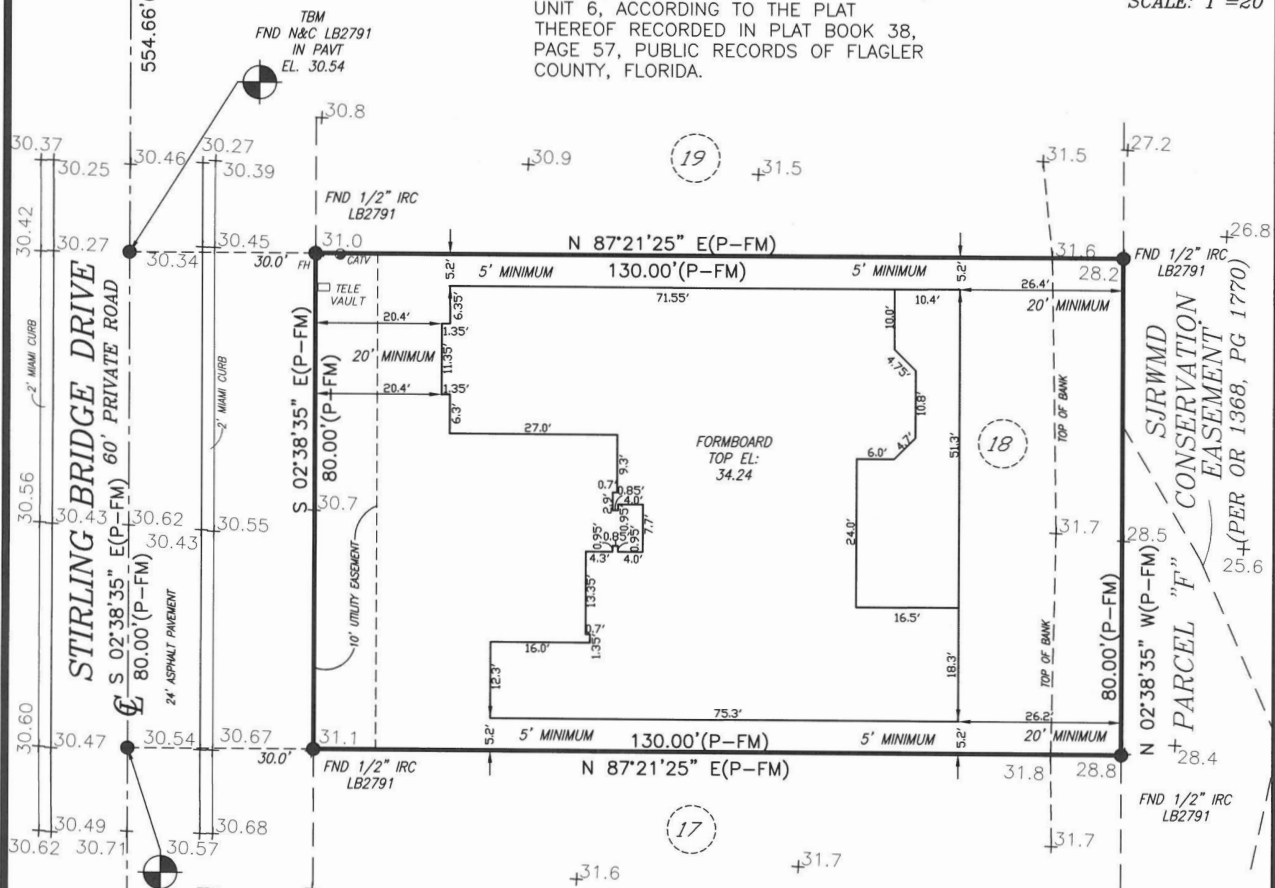
# HEATHERWOOD COURT



SCALE: 1"=20'

LEGAL DESCRIPTION: (OR 2544 PG 44)

LOT 18, PLANTATION BAY SECTION 2A-F, UNIT 6, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 38, PAGE 57, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.



**FLOOD CERTIFICATION:**  
(Per map dated JUNE, 06 2018)  
This is to certify that I have consulted the Federal Insurance Flood Hazard Boundary Map and found the ABOVE named Property IS NOT located in a special flood hazard area, according to Community Panel Map No. 12035C-0245-E Map Panel 245 of 930, Zone "X".

**FORMBOARD LOCATION CERTIFIED TO:**  
ICI HOMES  
DATED: 07/17/2022

**NOTES:**

BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF STIRLING BRIDGE DRIVE AS BEING A BEARING OF S 02°38'35" E (PLAT).

THE FLOODPLAIN BOUNDARY, IF SHOWN HEREON, WAS SCALED FROM A LARGE SCALE FEMA FLOOD INSURANCE MAP AND AS SUCH HAS AN INHERENT ERROR OF 10% OF THE FEMA MAP SCALE.

UNDERGROUND UTILITIES AND FOUNDATION MAY EXIST AND HAVE NOT BEEN LOCATED, EXCEPT AS SHOWN.

I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON WAS MADE UNDER MY RESPONSIBLE CHARGE AND THAT IT HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE (MINIMUM TECHNICAL STANDARDS) AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, OF THE FLORIDA ADMINISTRATIVE CODE, SECTION 472.027, FLORIDA STATUTES.

ELEVATIONS SHOWN HEREON ARE BASED ON NAVD 1929 PER SITE BENCHMARKS. (PER SLIGER SURVEYING)

CIVIL ENGINEER PLANS ON RECORD AT FLAGLER COUNTY FOR THIS COMMUNITY ARE BASED UPON NGVD 1929. CURRENT FEMA FLOOD MAPS ARE NAVD 1988. CONVERSION FACTOR IS (-) 1.03' FROM NGVD 1929 TO NAVD 1988 {I.E. ELEV. 100.00 - 1.03 = 98.97 NAVD 1988}, AS PROVIDED BY VERTCON SOFTWARE.

LEGEND AND ABBREVIATIONS	
AC In Condition	M.E. Map Book
BM Bench Mark	MES Mitered End Section
BN Benchmark	MON Monument
CAV Calculated	N&C Nail & Cap
CLV Cable TV Service	NO ID/No Identify
CB Concrete Block	OR Official Record Book
CL Center Line	PI Pit
CF Chainlink Fence	PC Point of Curve
CM Concrete Monument	PCC Point of Compound Curve
CMP Corrugated Metal Pipe	PCP Permanent Control Point
CON Concrete	PG Page
COR Corner	PRC Point of Reverse Curve
CUP Concrete Utility Pole	PRM Permanent Reference Monument
DC Deed Call	PSI Point of Street Intersection
EL Elevation	PSM Professional Surveyor & Mapper
FFE Finish Floor Elevation	PVC Poly-Vinyl-Chloride Pipe
FM Field Measurement	R Radius of Curve or Radial Line
FV Fence	RP Radius Point
FND Found	RS Registered Land Surveyor
FH Fire Hydrant	T Tangent
INV Invert	TBM Temporary Benchmark
IR Iron Rod	TYP Typical
IRC Iron Rod & Cap	WPF Wood Privacy Fence
LD Land Surveying Business	WUP Wood Utility Pole

**BLACKWELL & ASSOCIATES**  
**LAND SURVEYORS, INC**  
995 W. VOLUSIA AVE. \* DELAND, FL \* PH: (386)-734-8050  
WWW.BLACKWELLSURVEYING.COM

**BOUNDARY SURVEY CERTIFIED TO:**  
ICI HOMES

**NOTE:**  
This Plat of Survey is certified to and prepared for the sole and exclusive benefit of the entities and/or individuals shown hereon, valid on the most current date shown hereon, and shall not be relied upon by any other entity or individual whosever.

This Survey / Sketch has been prepared without benefit of abstract or title search unless otherwise noted hereon.

There may be additional restrictions and/or other matters of record not shown on this Survey / Sketch that may be found in the Public Records of the county or contained within the Title Commitment.

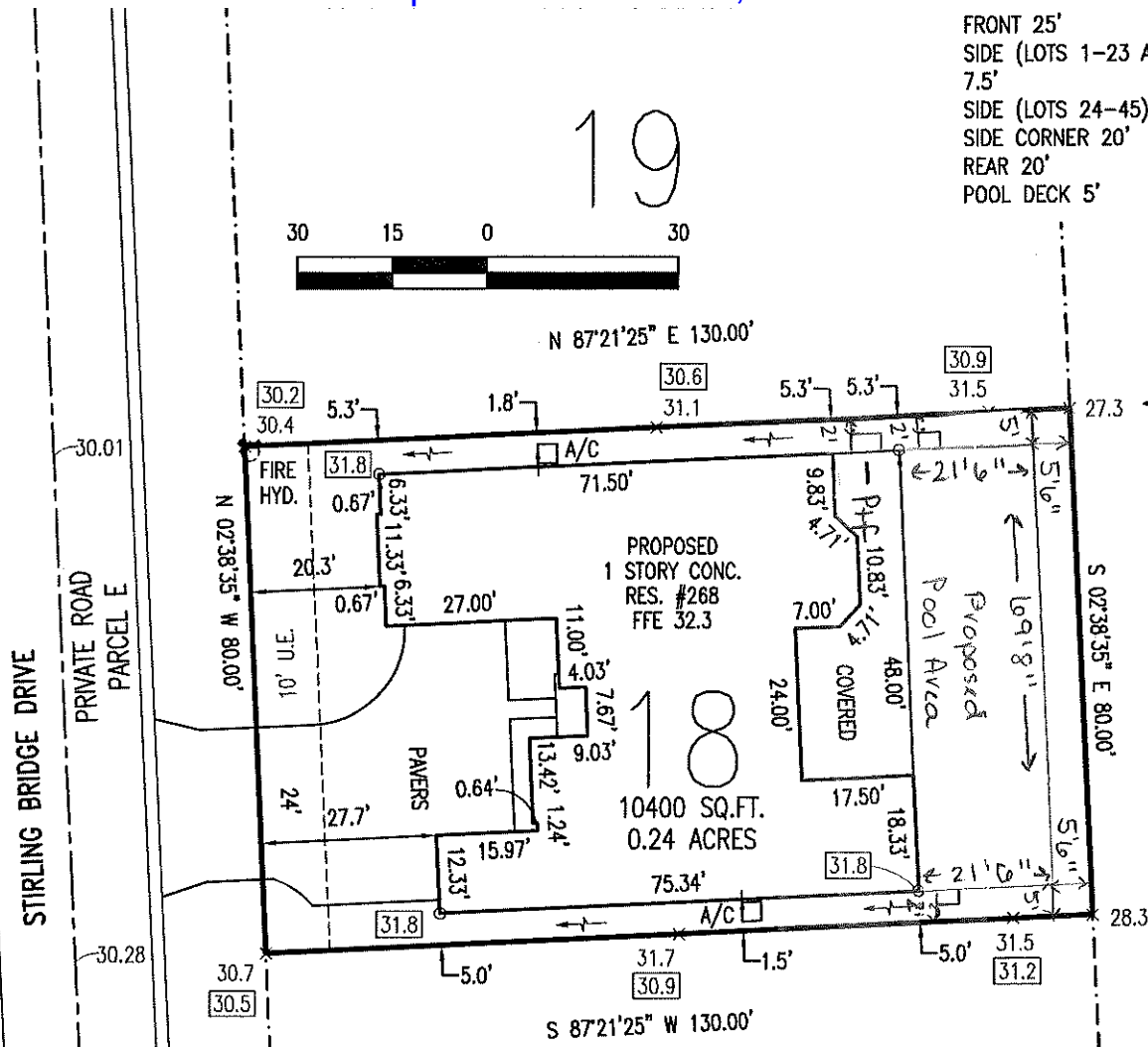
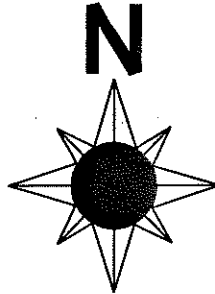
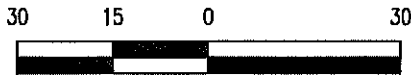
NOT VALID WITHOUT THE SEAL OF A FLORIDA PROFESSIONAL SURVEYOR AND MAPPER.

**ROBERT R. EVERS**  
License Number: 5675  
STATE OF FLORIDA  
Professional Surveyor and Mapper

LOT 18, 268 STIRLING BRIDGE DRIVE

DATE: 06/16/2022  
W.O. No. 06-344-22  
DRAWN BY: KCB  
FIELD BOOK #: 752-34  
CADD FILE #: 06-344-22

FRONT 25'  
 SIDE (LOTS 1-23 AND 46-73) - 7.5'  
 SIDE (LOTS 24-45) - 5'  
 SIDE CORNER 20'  
 REAR 20'  
 POOL DECK 5'



Digitally signed  
 by gregg cullum  
 Date: 2022.05.03  
 15:36:42 -04'00'

ENVELOPE 82.67 X 69.67

\*\*\* NOTE \*\*\*  
 THIS SURVEY IS BASED ON  
 EXISTING FOUND FIELD  
 MONUMENTATION.

STORM WATER (DRAINAGE) NOTES:  
 1. THIS PROPOSED SITE PLAN SHOWS THE  
 REQUIRED DRAINAGE PATTERN PER  
 ENGINEERING PLANS.  
 2. THIS PROPOSED SITE PLAN IS INTENDED TO  
 BE USED AS A GUIDE FOR THE FINAL GRADES.  
 3. THE FINAL SURVEY WILL SHOW THAT THE  
 REQUIRED DRAINAGE PATTERN AND GRADES  
 WERE CONSTRUCTED PER NOTE #1.

THIS SURVEY IS PREPARED FOR THE SOLE  
 AND EXCLUSIVE BENEFIT OF THE ENTITIES  
 AND/OR INDIVIDUALS LISTED HEREON, ON THE  
 MOST CURRENT DATE, AND SHALL NOT BE  
 RELIED UPON BY ANY OTHER ENTITY OR  
 INDIVIDUAL WHOMSOEVER.

05-03-2022 FOOTPRINT CONFIGURATION PER CLIENT

ELEVATIONS REFER TO ENGINEERING SITE PLANS.  
 MINIMUM F.F.E. = BASED ON APPROVED ENGINEERING PLANS BY FLAGLER COUNTY.  
 FLOOD ZONE "X" COMMUNITY 120085 PANEL 12035C0245E, EFF. 06/06/18

- GENERAL NOTES:
1. DATE OF FIELD SURVEY: 02-28-2022
  2. DIMENSIONS SHOWN ARE IN FEET AND DECIMALS THEREOF.
  3. THIS SURVEY IS BASED ON EXISTING FIELD MONUMENTATION.
  4. NO UNDERGROUND FOUNDATIONS WERE LOCATED.
  5. NO UNDERGROUND UTILITIES WERE LOCATED EXCEPT AS SHOWN.
  6. BEARINGS REFERENCED TO THE CENTERLINE OF STIRLING BRIDGE DRIVE, BEING N 02°38'35" W.
  7. NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER.
  8. THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF AN ABSTRACT. THERE MAYBE ADDITIONAL EASEMENTS, RESTRICTIONS AND/OR OTHER MATTERS NOT SHOWN THAT COULD AFFECT THIS PROPERTY THAT MAYBE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
  9. LEGAL DESCRIPTION FURNISHED BY CLIENT.

LEGAL DESCRIPTION (AS FURNISHED):

LOT NUMBER: 18 PLANTATION BAY SECTION 2A-F, UNIT 6  
 MAP BOOK: 3B PAGES: 57-61 PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.  
 ADDRESS: 268 STIRLING BRIDGE DRIVE FLAGLER COUNTY, FLORIDA.

PROPOSED DRAINAGE FLOW	LEGEND / ABBREVIATIONS:			
D.E. - DRAINAGE EASEMENT	ASPH. ASPHALT	O.R.B. OFFICIAL RECORDS BOOK		
U.E. - UTILITY EASEMENT	A/C AIR CONDITIONER	P.C.P. PERMANENT CONTROL POINT		
△ N.D. #7991 (FND.)	CALC. CALCULATED	PG. PAGE		
XX.X PROPOSED ELEVATION	CONC. CONCRETE	PLAT. PLAT DATA		
XX.X EXISTING ELEVATION	EASE. EASEMENT	PRO. PROPOSED		
	F.F.E. FINISHED FLOOR ELEVATION	R/W RIGHT OF WAY		
	F.M. FIELD MEASURED	(R) RADIAL		
	FND. FOUND	RES. RESIDENCE		
	I.P. IRON PIPE	S/W SIDEWALK		
	I.R. IRON ROD	TYP. TYPICAL		
	M.B. MAP BOOK	D/W DRIVEWAY		
	N.D. NAIL & DISC			
	(N.R.) NON-RADIAL			

SPECIFIC PURPOSE SURVEY - S.P.S.

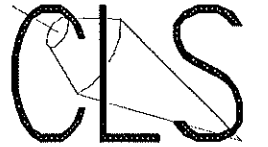
SURVEYOR'S CERTIFICATION:  
 I HEREBY CERTIFY THAT THIS SURVEY OF THE SUBJECT PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, AS SURVEYED IN THE FIELD UNDER MY SUPERVISION ON THE DATES SHOWN HEREON. I FURTHER CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH IN FLORIDA ADMINISTRATIVE CODE CHAPTER 5J17, ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS, PURSUANT TO FLORIDA STATUTES SECTION 472.027, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

GREGG CULLUM PSM 5095 05-03-2022 D.S.

GREGG S. CULLUM P.S.M. #5095

DATE:

**CULLUM LAND SURVEYING INC.**  
 GREGG S. CULLUM  
 PROFESSIONAL SURVEYOR & MAPPER #5095  
 LICENSED BUSINESS #7129  
 5889 S. WILLIAMSON BLVD.  
 SUITE 205  
 PORT ORANGE, FLORIDA 32128  
 386-761-7666  
 (FAX) 386-761-7909



PREPARED FOR: I.C.I.

NOT VALID UNLESS SIGNED BY A PROFESSIONAL SURVEYOR AND MAPPER AND SEALED WITH AN EMBOSSED SEAL

JOB #:	2022-025
DATE:	02-28-2022
SCALE:	1" = 30'
DRAWN BY:	GSC
CHECKED BY:	GSC
FIELD BOOK/PAGE:	LOOSE
SHEET	1 OF 1



# HEATHERWOOD COURT

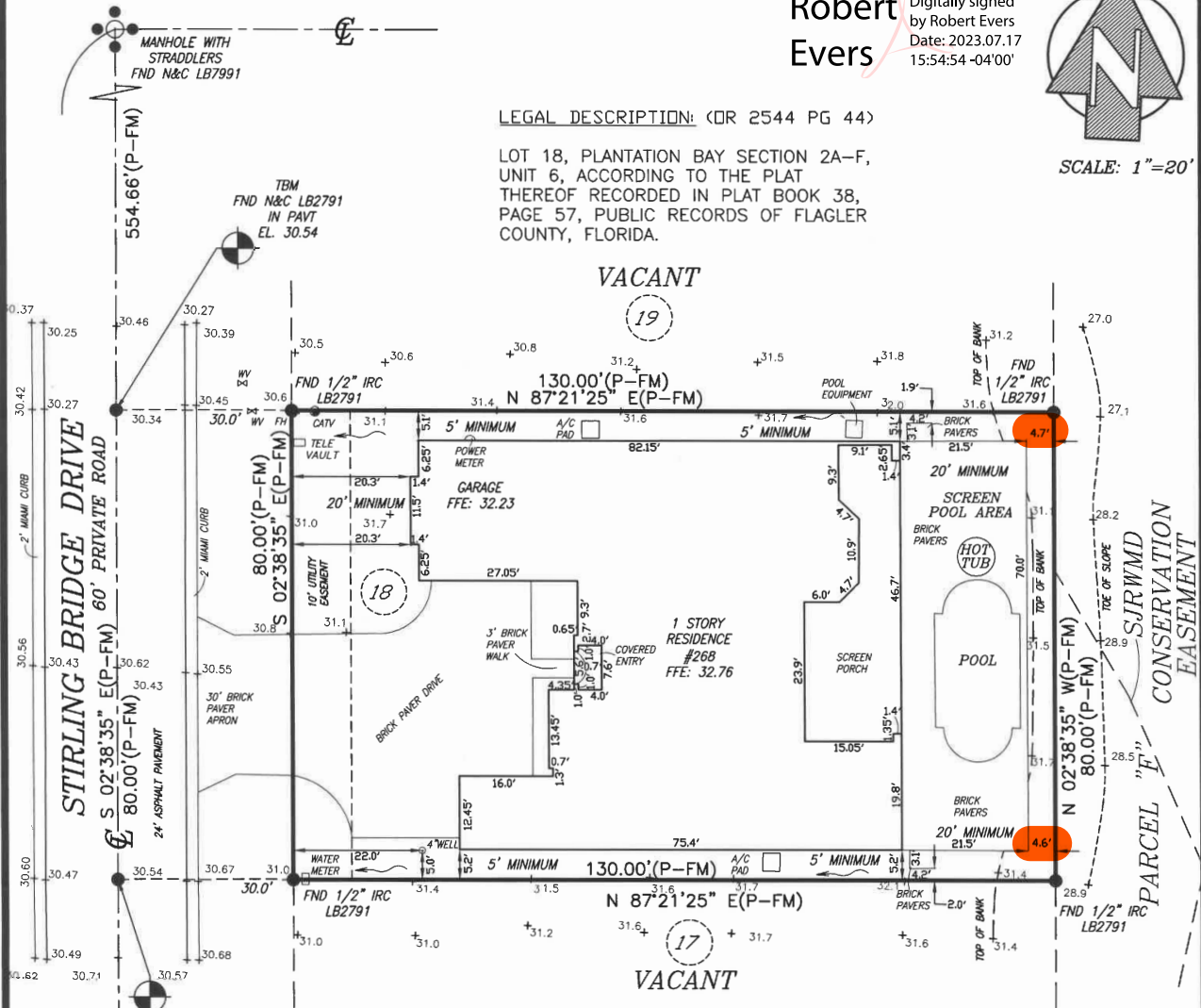
Robert Evers  
Digitally signed by Robert Evers  
Date: 2023.07.17 15:54:54 -04'00'



SCALE: 1"=20'

LEGAL DESCRIPTION: (OR 2544 PG 44)

LOT 18, PLANTATION BAY SECTION 2A-F, UNIT 6, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 38, PAGE 57, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.



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(Per map dated JUNE, 06 2018)  
This is to certify that I have consulted the Federal Insurance Flood Hazard Boundary Map and found the ABOVE named Property IS NOT located in a special flood hazard area, according to Community Panel Map No. 12035C-0245-E Map Panel 245 of 930, Zone "X".

**NOTES:**  
BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF STIRLING BRIDGE DRIVE AS BEING A BEARING OF S 02°38'35" E (PLAT).  
THE FLOODPLAIN BOUNDARY, IF SHOWN HEREON, WAS SCALED FROM A LARGE SCALE FEMA FLOOD INSURANCE MAP AND AS SUCH HAS AN INHERENT ERROR OF 10% OF THE FEMA MAP SCALE.

DRAWING REVISED TO UPDATE ELEVATIONS  
DATED: 07/13/2023

UNDERGROUND UTILITIES AND FOUNDATION MAY EXIST AND HAVE NOT BEEN LOCATED, EXCEPT AS SHOWN.

FORMBOARD LOCATION CERTIFIED TO:  
ICI HOMES  
DATED: 07/17/2022

I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON WAS MADE UNDER MY RESPONSIBLE CHARGE AND THAT IT HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE (MINIMUM TECHNICAL STANDARDS) AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, OF THE FLORIDA ADMINISTRATIVE CODE, SECTION 472.027, FLORIDA STATUTES.

ASBUILT SURVEY CERTIFIED TO:  
VOLUSIA RESIDENTIAL CONSTRUCTION, LLC.  
SOUTHERN TITLE HOLDING COMPANY, LLC.  
OLD REPUBLIC NATIONAL TITLE INSURANCE CO., INC.  
DATED: 06/30/2023

ELEVATIONS SHOWN HEREON ARE BASED ON NAVD 1929 PER SITE BENCHMARKS. (PER SLIGER SURVEYING)

CIVIL ENGINEER PLANS ON RECORD AT FLAGLER COUNTY FOR THIS COMMUNITY ARE BASED UPON NGVD 1929. CURRENT FEMA FLOOD MAPS ARE NAVD 1988. CONVERSION FACTOR IS (-) 1.03' FROM NGVD 1929 TO NAVD 1988 (I.E. ELEV. 100.00 - 1.03 = 98.97 NAVD 1988), AS PROVIDED BY VERTCON SOFTWARE.

LEGEND AND ABBREVIATIONS	
AC Asphalt	M.B.I. Map Book
BM Benchmark	MES Mitered End Section
CA Concrete	MON Monument
CATV Cable TV Service	N&C Nail & Cop
CE Concrete E-Bolt	NO ID No Identity
CL Center Line	OR Official Record Book
CU Chainlink Fence	P Plat
CM Concrete Monument	PC Point of Curve
CMP Corrugated Metal Pipe	PCC Point of Compound Curve
CON Concrete	PCP Permanent Control Point
COR Corner	PG Pipe
CUP Concrete Utility Pole	PRC Point of Reverse Curve
DE Dered Call	PRM Permanent Reference Monument
EL Elevation	PSI Point of Street Intersection
FFE Finish Floor Elevation	PSM Professional Surveyor & Mapper
FM Field Measurement	PRC Poly - Vinyl - Chloride Pipe
PNC Fence	R Road Use of Curve or Road Line
FND Foundation	RP Radius Point
FR Fire Hydrant	RLS Registered Land Surveyor
IR Iron Rod	T Tangent
IRC Iron Rod & Cap	TBM Temporary Benchmark
LS Land Surveyor License	TYP Typ ICA
	WPF Wood Privacy Fence
	WUP Wood Utility Pole

## BLACKWELL & ASSOCIATES LAND SURVEYORS, INC

995 W. VOLUSIA AVE. \* DELAND, FL \* PH: (386)-734-8050  
WWW.BLACKWELLSURVEYING.COM

BOUNDARY SURVEY CERTIFIED TO:  
ICI HOMES

**NOTE:**  
This Plat of Survey is certified to and prepared for the sole and exclusive benefit of the entities and/or individuals shown hereon, valid on the most current date shown hereon, and shall not be relied upon by any other entity or individual whatsoever.  
This Survey / Sketch has been prepared without benefit of abstract or title search unless otherwise noted hereon.  
There may be additional restrictions and/or other matters of record not shown on this Survey / Sketch that may be found in the Public Records of the county or contained within the Title Commitment.

NOT VALID WITHOUT THE ORIGINAL RAISED SEAL OF A PROFESSIONAL SURVEYOR AND MAPPER.

ROBERT R. EVERS  
License Number 5675  
STATE OF FLORIDA  
Professional Surveyor and Mapper

LOT 18, 268 STIRLING BRIDGE DRIVE

DATE: 06/16/2022  
W.O. No. 06-344-22  
DRAWN BY: KCB  
FIELD BOOK: 752-34  
CADD FILE: 06-344-22

Growth Management Department  
Planning & Zoning  
1769 E. Moody Blvd, Bldg. 2  
Bunnell, FL 32110

[www.flaglercounty.org](http://www.flaglercounty.org)

Phone: (386)313-4009

Fax: (386)313-4109



## TECHNICAL REVIEW COMMITTEE COMMENTS

**DATE: May 09, 2024**

Project #: 2024040019 / AR #4791

Attached are departmental comments regarding your submittal to Flagler County for the above referenced project. **Any questions regarding any of the comments should be addressed to the department providing the comment.**

Flagler County Building Department	386-313-4002
Flagler County Planning Department	386-313-4009
Flagler County Development Engineering	386-313-4082
Flagler County General Services (Utilities)	386-313-4184
County Attorney	386-313-4005
Flagler County Fire Services	386-313-4258
E-911 GIS Specialist	386-313-4274
Environmental Health Department	386-437-7358
Flagler County School Board	386-586-2386

Attachment: Staff Comments

**Reviewing Department Comments**

**ZON - ZONING (386-313-4009)**

Comments:

Rejected By: SIMONE KENNY - - SKENNY@FLAGLERCOUNTY.GOV

1) Please provide the signed owner's authorization form.



# FLAGLER COUNTY PROPERTY APPRAISER



## Overview



## Legend

- Parcels
- Roads
- Streams and Rivers

Date created: 6/6/2024  
Last Data Uploaded: 6/6/2024 8:11:58 AM

Developed by  Schneider  
GEOSPATIAL



ParcelId	ParcelId	ParcelId	ParcelId	ParcelId	ParcelId	ParcelId
10-13-31-5120-2AF06-0590	VOLUSIA RESIDENTIAL CONSTRUCTION LLC		2379 BEVILLE ROAD		DAYTONA BEACH, FL 32119	
10-13-31-5120-2AF06-0580	VOLUSIA RESIDENTIAL CONSTRUCTION LLC		2379 BEVILLE ROAD		DAYTONA BEACH, FL 32119	
10-13-31-5120-2AF06-0210	VOLUSIA RESIDENTIAL CONSTRUCTION LLC		2379 BEVILLE ROAD		DAYTONA BEACH, FL 32119	
10-13-31-5120-2AF06-0220	VOLUSIA RESIDENTIAL CONSTRUCTION LLC		2379 BEVILLE ROAD		DAYTONA BEACH, FL 32119	
10-13-31-5120-2AF06-0660	VOLUSIA RESIDENTIAL CONSTRUCTION LLC		2379 BEVILLE ROAD		DAYTONA BEACH, FL 32119	
10-13-31-5120-2AF06-0140	WEBB STEPHEN D & SHANNAN K H&W		260 STIRLING BRIDGE DRIVE		ORMOND BEACH, FL 32174	
10-13-31-5120-2AF06-0150	VOLUSIA RESIDENTIAL CONSTRUCTION LLC		2379 BEVILLE ROAD		DAYTONA BEACH, FL 32119	
10-13-31-5120-2AF06-0640	VOLUSIA RESIDENTIAL CONSTRUCTION LLC		2379 BEVILLE ROAD		DAYTONA BEACH, FL 32119	
10-13-31-5120-2AF06-0160	HENDRICKS LORIE		1224 US HWY 377 #303-60		ROANOKE, TX 76262	
10-13-31-5120-2AF06-0630	VOLUSIA RESIDENTIAL CONSTRUCTION LLC		2379 BEVILLE ROAD		DAYTONA BEACH, FL 32119	
10-13-31-5120-2AF06-0170	VOLUSIA RESIDENTIAL CONSTRUCTION LLC		2379 BEVILLE ROAD		DAYTONA BEACH, FL 32119	
10-13-31-5120-2AF06-0620	VOLUSIA RESIDENTIAL CONSTRUCTION LLC		2379 BEVILLE ROAD		DAYTONA BEACH, FL 32119	
10-13-31-5120-2AF06-0180	AMETHYST PROPERTIES LLC		101 S PHILLIPS AVE STE 509		SIOUX FALLS, SD 57104	
10-13-31-5120-2AF06-0610	VOLUSIA RESIDENTIAL CONSTRUCTION LLC		2379 BEVILLE ROAD		DAYTONA BEACH, FL 32119	
10-13-31-5120-2AF06-0190	VOLUSIA RESIDENTIAL CONSTRUCTION LLC		2379 BEVILLE ROAD		DAYTONA BEACH, FL 32119	
10-13-31-5120-2AF06-0600	VOLUSIA RESIDENTIAL CONSTRUCTION LLC		2379 BEVILLE RD		DAYTONA BEACH, FL 32119	
10-13-31-5120-2AF06-0200	TACKETT WESLEY A & DEBORAH A H&W		272 STIRLING BRIDGE DRIVE		ORMOND BEACH, FL 32174	
10-13-31-5120-2AF06-0130	VOLUSIA RESIDENTIAL CONSTRUCTION LLC		2379 BEVILLE ROAD		DAYTONA BEACH, FL 32119	
10-13-31-5120-2AF06-00F0	TOMOKA COMMUNITY DEVELOPMENT	DISTRICT	3501 QUADRANGLE BOULEVARD SUITE 270		ORLANDO, FL 32817	
10-13-31-5120-2AF06-00E0	WESTLAKE AT PLANTATION BAY	PROPERTY OWNERS ASSC, INC	103A NORTH LAKE DRIVE		ORMOND BEACH, FL 32174	
10-13-31-5120-2AF06-00G0	TOMOKA COMMUNITY DEVELOPMENT	DISTRICT	3501 QUADRANGLE BOULEVARD SUITE 270		ORLANDO, FL 32817	
09-13-31-5120-2AF09-00B0	TOMOKA COMMUNITY DEVELOPMENT DISTRICT		3501 QUADRANGLE BOULEVARD SUITE 270		ORLANDO, FL 32817	

**Growth Management Department**  
**Planning & Development**  
**1769 E. Moody Blvd, Bldg. 2**  
**Bunnell, FL 32110**



[www.flaglercounty.org](http://www.flaglercounty.org)  
Phone: (386)313-4009  
Fax: (386)313-4109

May 24, 2024

«OwnerName»  
«OwnerAddress1»  
«OwnerAddress2»  
«OwnerCityStZip»

RE: Project No. 2024040019 – Rear Setback Variance in the PUD (Planned Unit Development) District

Dear Property Owner,

As owner of property within 300' of the property referenced herein, the Flagler County Planning Department, in accordance with Section 2.07.00 of the Flagler County Land Development Code, advises you that:

A request has been by applicant Myrick Pools for owners Volusia Residential Construction, LLC for a 0.3-foot Rear Setback Variance from the minimum required 5-foot Rear Setback located at 268 Stirling Bridge Drive; on a 10,400 ± square foot lot identified as Parcel Number: 10-13-31-5120-2AF06-0180.

You are hereby notified that a public hearing before the **Flagler County Planning and Development Board**, required by law, will be held in the Flagler County Government Services Building, Board Chambers, at 1769 East Moody Boulevard, Building 2, Bunnell Florida, on **June 11**, beginning at **6:00 p.m.** or as soon thereafter as possible. You are welcome to attend and express your opinion.

Sincerely,

A handwritten signature in cursive script that reads "Simone Kenny".

Simone Kenny  
Development Review Planner

**NOTE: PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF A PERSON DECIDED TO APPEAL CONSIDERED AT SUCH MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS AND THAT, FOR SUCH PURPOSE, HE OR SHE WILL NEED TO ENSURE THAT A VERBATUM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTAMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED.**

**Andy Dance**  
District 1

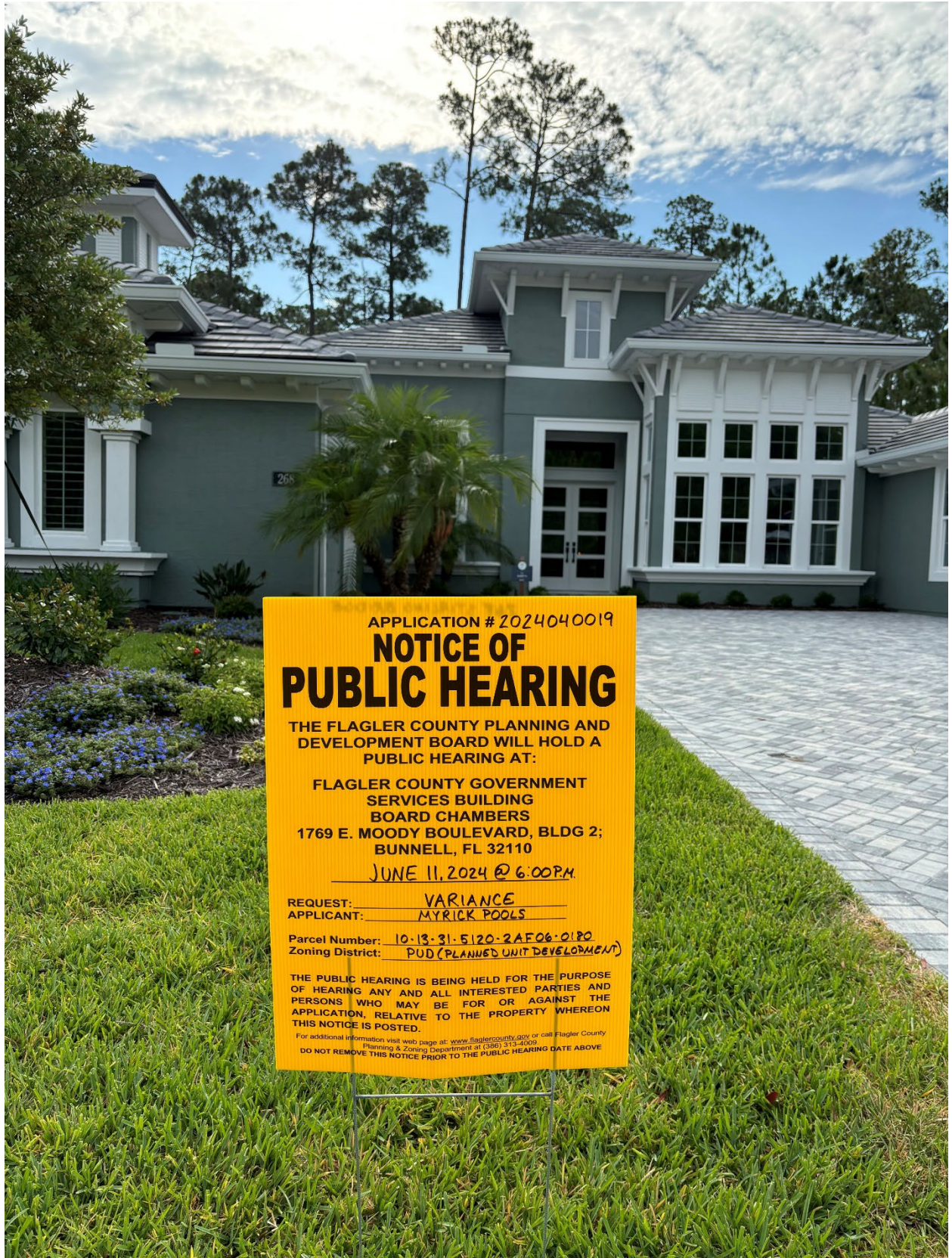
**Greg Hansen**  
District 2

**David Sullivan**  
District 3

**Leann Pennington**  
District 4

**Donald O'Brien, Jr.**  
District 5





APPLICATION # 2024040019

# NOTICE OF PUBLIC HEARING

THE FLAGLER COUNTY PLANNING AND DEVELOPMENT BOARD WILL HOLD A PUBLIC HEARING AT:

FLAGLER COUNTY GOVERNMENT SERVICES BUILDING BOARD CHAMBERS  
1769 E. MOODY BOULEVARD, BLDG 2;  
BUNNELL, FL 32110

JUNE 11, 2024 @ 6:00P.M.

REQUEST: VARIANCE  
APPLICANT: MYRICK POOLS

Parcel Number: 10-13-31-5120-2A06-0180  
Zoning District: PUD (PLANNED UNIT DEVELOPMENT)

THE PUBLIC HEARING IS BEING HELD FOR THE PURPOSE OF HEARING ANY AND ALL INTERESTED PARTIES AND PERSONS WHO MAY BE FOR OR AGAINST THE APPLICATION, RELATIVE TO THE PROPERTY WHEREON THIS NOTICE IS POSTED.

For additional information visit web page at: [www.flaglercounty.gov](http://www.flaglercounty.gov) or call Flagler County Planning & Zoning Department at (386) 313-4609

**DO NOT REMOVE THIS NOTICE PRIOR TO THE PUBLIC HEARING DATE ABOVE**