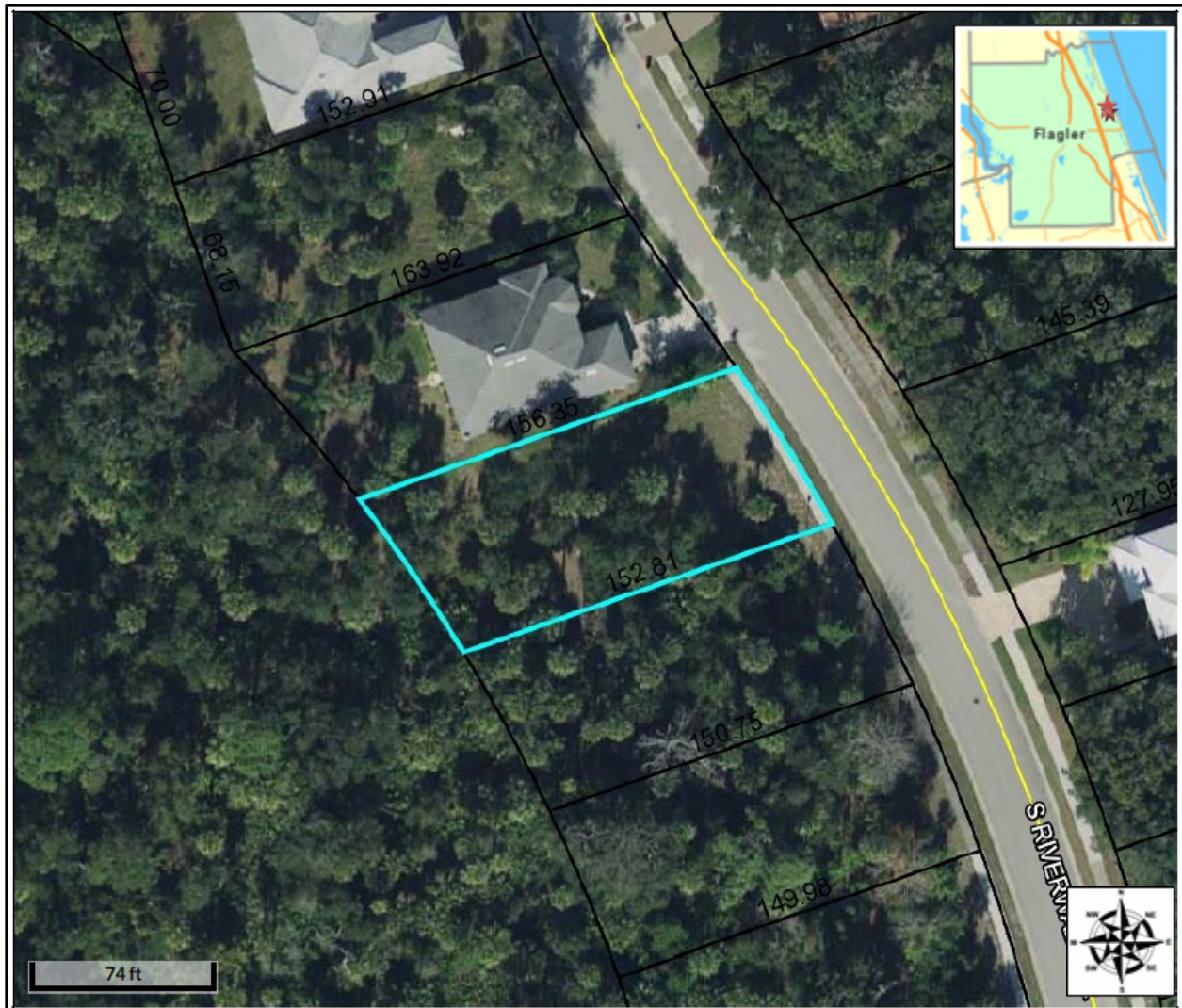


**FLAGLER COUNTY PLANNING AND DEVELOPMENT BOARD**  
**PUBLIC HEARING / AGENDA ITEM #10**

**SUBJECT: QUASI-JUDICIAL** – Application #3326 – Request for a 15 foot front yard setback variance from the 25-foot minimum setback in the PUD (Planned Unit Development) District at 218 South Riverwalk Drive. Parcel #27-11-31-4894-00000-0900; 10,812+/- square feet (0.25+/- acres). Owners/Applicant: Janine and Sebastian D'Amato. (Project #2022080049).

**DATE OF MEETING:** September 13, 2022

**OVERVIEW/SUMMARY:** This request is quasi-judicial in nature and requires disclosure of ex parte communication. The request is for approval of a front yard setback variance in the PUD (Planned Unit Development) District. This parcel is 10,812 square feet (0.25+/- acres) in size, identified as parcel #27-11-31-4894-00000-0900:



A permit (BR-010611-2022) has been applied for and issued for the subject parcel. This permit was issued on May 18, 2022 to Saltwater Homes for the construction of a 3,928 square foot single family dwelling. Upon submittal of the FEMA Elevation Certificate and foundation survey, it was discovered that the rear of the home – as initially approved by the County – extends into the platted Eagle Protection Zone Line as depicted on the recorded plat for Palm Coast Plantation Unit 4. In spite of the eagle nest – identified as FL007 – no longer being utilized as a nesting site, the presence of the Eagle Protection Zone Line on the plat and its stated conditions in the Plat Addendum have proven too formidable to overcome: staff has previously opined based on prevailing legal advice that the only means to eliminate the platted Zone Line would be through the consent of all 157 lot owners within Unit 4, also including all mortgage-holders and others holding any fee interest in the plat for Unit 4.

This request is after issuance of the building permit, with construction of the improvement underway. Due to this lot being within a Special Flood Hazard Area, staff review at the time of the submittal of the FEMA Elevation Certificate for a building under construction – which establishes the finished floor elevation to coincide with the pouring of the foundation slab or the setting of the formboards for the slab – indicated that the proposed home extended within the Zone Line. Review of the building permit file indicated that staff initially approved the plot plan with the encroachment into the Zone Line. There is no explanation of what occurred as part of the staff review that allowed the permit to be issued, and other homes had been permitted – including two others this year – that observe the Zone Line as the furthest rearward extent of construction. The staff member that approved the plot plan had previously required development to conform to the platted Zone Line and has left County employment: the issuance of the building permit with the encroachment was a staff error.

The subject property is described as Lot 90, Palm Coast Plantation Unit 4 subdivision as recorded in Plat Book 34, Pages 5 through 11 of the Public Records of Flagler County, Florida. According to the Plat Addendum for the Palm Coast Plantation Unit 4 Subdivision recorded at Official Records Book 938, Page 1769, Public Records of Flagler County, Florida, the minimum setback for the single family dwelling is 25 feet for the front yard. The Plat Addendum at Section 6 acknowledges that the subdivision is subject to all conditions of the Palm Coast Plantation PUD Development Agreement adopted at Ordinance No. 2003-06, and the PUD Agreement at Section 3 states that the property is subject to the LDC except to the extent that the LDC is preempted by the PUD and the Plat Addendum.

This application was not reviewed by the Technical Review Committee (TRC). Due to concerns related to timing with the building permit underway, staff has opted to forego TRC review and taken the request directly to the Planning and Development Board. County staff is effectively the applicant for this variance due to the error made by staff in the review of the initial permit submittal and its plot plan. The objective of this variance would reduce the front setback down to its minimum, retaining the setback at ten feet to coincide with the ten foot drainage and utility along the front (East) lot line. It should be

noted that no portion of the structure – inclusive of eaves – can extend into an easement, so that actual front setback granted through the variance will likely be offset the width of the eave away from the easement.

The variance – if granted – would shift the proposed limits of development forward on the lot (to the East) so as to reduce – but not eliminate – the impacts occurring from the development within the platted Eagle Buffer. The owners contend that they should be allowed to continue with their plans for development of this lot as approved by the County, inclusive of an as yet not submitted building permit application for a swimming pool at the rear (West) of the dwelling now under construction. The intended construction on the subject lot differs from the extent of construction previously approved on any of the other lots impacted by the Zone Line. When discussed with the owner, they contend that the environmental study they commissioned shows the eagle nest to be vacated and that the platted Zone Line should then by default be considered to be null and void.

The variance if approved may face a challenge based on the Covenants and Restrictions within Palm Coast Plantation. The County does not enforce Covenants and Restrictions, but conflict between the County's regulations and the Covenants and Restrictions is not desired or sought. However, the County's ability to grant a variance is left the prerogative of the Planning and Development Board and is based solely on the findings related to the variance criteria.

Finally, the County Attorney's Office is now considering the release of the Zone Line through Board of County Commissioners action. This variance is intended to be available should the Board of County Commissioners opt not to release the platted Eagle Protection Zone Line. If the variance is not granted by the Planning and Development Board, the options available to the County and the lot owner will be reduced.

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

This agenda item is:

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

**OPTIONS FOR THE BOARD:** The Planning and Development Board may:

Approve: 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 Application #3326 for a 15 foot front (East) yard setback variance from the minimum 25 foot front yard setback for a single family dwelling at 218 South Riverwalk Drive (Parcel # 27-11-31-4894-00000-0900), with the condition that should the Board of County Commissioners take action to eliminate the Eagle Protection Zone Line from the plat for Palm Coast Plantation Unit 4, then this variance shall become null and void and be of no further effect.

Deny: 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 Application #3326 for a 15 foot front (East) yard setback variance from the minimum 25 foot front yard setback for a single family dwelling at 218 South Riverwalk Drive (Parcel # 27-11-31-4894-00000-0900).

Continue: 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. Approved site plan dated May 6, 2022
3. Application and supporting documents
4. Public notice



**APPLICATION #3326  
FRONT SETBACK VARIANCE  
IN THE PUD DISTRICT  
218 SOUTH RIVERWALK DRIVE  
TECHNICAL STAFF REPORT**

Application/Project #: 3326/2022080049

Address: 218 S. Riverwalk Dr.

Owner/Applicant: Janine and Sebastian D'Amato

Parcel #: 27-11-31-4894-00000-0900

Parcel Size: 10,812+/- square feet

**Legal Description:**

Lot 90, Palm Coast Plantation Unit 4 S/D, as recorded in Plat Book 34, Pages 5 through 11 of the Public Records of Flagler County, Florida

**Existing Zoning and Land Use Classification:**

Zoning: PUD (Planned Unit Development) District

Land Use: Residential: Low Density/Rural Estate

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

North: Lot 91 (216 South Riverwalk Drive); RLDRE (Residential: Low Density/Rural Estate)/PUD (Planned Unit Development) District

East: South Riverwalk Drive; RLDRE (Residential: Low Density/Rural Estate)/PUD (Planned Unit Development) District

South: Lot 89 (220 South Riverwalk Drive); RLDRE (Residential: Low Density/Rural Estate)/PUD (Planned Unit Development) District

West: Conservation Area (Eagle Protection Zone Line); RLDRE (Residential: Low Density/Rural Estate)/PUD (Planned Unit Development) District

Flagler County Land Development Code (FCLDC) Sections Affected: Section 3.03.20, *PUD – Planned Unit Development*, Section 3.07.03, *Procedure for variances and special exceptions*, and Section 3.07.03.E, *Variance guidelines* and the Plat Addendum for Palm Coast Plantation Unit 4 Subdivision (Official Records Book 938, Page 1769, Public Records of Flagler County, Florida), with minimum setbacks included in Exhibit “B” to Flagler County Ordinance No. 2003-06.

Regulatory Review: The 157 single family residential lots on 133.66+/- acres within Unit 4 were to conform to the following minimum residential building setbacks:

Side: 7.5 feet from the side property line  
20 feet abutting any street.  
Front: 25 feet  
Rear: 20 feet from rear lot line, or 10 feet from any Conservation Easements  
20 feet from the seasonal high water line (SHWL) of Emerald Lake, or from the mean high water line (MHW) of the Intracoastal Waterway, whichever is greater.  
Ten (10) feet from rear lot line, or from any Upland Buffer (whichever is greater) for swimming pools, screened enclosures, get-wet pools, hot tubs, patios sheds and porches.

The overall gross density of Unit 4 was listed as 1.175 units per acre, with the minimum square footage for each home listed as 1,800 square feet, maximum lot coverage of 65%, maximum building height of 35 feet, minimum separation between buildings on a lot set at 7.5 feet, and a minimum lot size of 7,500 square feet.

The Plat Addendum at Section 3 describes the relationship between the Addendum and the LDC requirements:

“Development is subject to the LDC except to the extent preempted by the Palm Coast Plantation Unit 4 PUD Development Ordinance and this Plat Addendum.”

At Section 6 in the Plat Addendum, setbacks are described as:

“‘Setback Line’ is defined in Section 3.08.02 of the LDC. The minimum setbacks for the subdivision shall be as set forth in the PUD Ordinance for Palm Coast Plantation PUD Unit 4, being Ordinance 2003-06 and its exhibits. No encroachments including roof overhangs, shall be permitted within an easement.

A copy of Flagler County Ordinance 2003-06 with a copy of the fully executed Palm Coast Plantation Unit 4 PUD Development Agreement is attached hereto as Exhibit B, and incorporated herein by reference.”

Ordinance No. 2003-06 lists – at Section 2, Protected Species – the considerations related to construction adjacent to the platted Eagle Protection Zone Line:

“Phase 4 includes both the Seven Hundred Fifty (750) and One Thousand Five Hundred (1500) foot protection zone surrounding a bald eagle nest (FL007) on the Florida Waterway Properties parcel. While the majority of land within the 750 foot radius will be set aside for conservation, *the rear yard of proposed lots within this*

*protection zone will be off limits to construction until FWCC has certified that FL007 has been abandoned.* All areas within the One Thousand Five Hundred (1,500) foot radius of FL007 must remain undisturbed during October 1 through May 15, the eagle-nesting season.

Notwithstanding the enactment of this Ordinance, Flagler County reserves the right to halt excavation, clearing, or earth moving or construction on the site for a period not to exceed forty-eight (48) hours; Saturdays, Sunday's [sic] and legal holidays will not count toward the forty-eight hours. The order to stop work at the site may be issued by the County Administrator or his/her designee only when presented with plausible information that the intended action might result in an action prohibited by the Federal or State government. In such cases, the County Administrator or his/her designee will inform the appropriate Federal or State Government of the action." (emphasis added).

The Eagle Protection Zone Line is depicted on the recorded plat (see Plat Book 34, Page 6, Public Records of Flagler County, Florida), specifically impacting the rear yards (West end) of 12 lots, Lots 82 through 93. While the extent of the lot encumbered by the Zone Line varies – with lots on each end of the arc formed by the Zone minimally impacted – the plat labels the extent of the width of the Zone Line within these lots as no greater than 50 feet. This left the majority of these 12 lots – eight lots, Lots 84 through 91 – with a platted lot depth of approximately 150 feet, but a net usable lot depth of approximately 100 feet as measured from the front lot line to the Zone Line.

To coincide with the depiction of the Eagle Protection Zone Line on the plat, General Note 11 mirrored the text from the PUD Development Agreement:

"The property designated as being within the Eagle Protection Zone is within a radius of 750 feet from Florida Department of Fish and Wildlife Eagle Nest FL007. No removal of trees or construction activity of any kind can take place within the Eagle Protection Zone until the Florida Department of Fish and Wildlife officially determines this nest to be abandoned. No representation is being made as to when, or if, such official determination of abandonment might attach to this nest."

Following platting, the U.S. Fish and Wildlife Service took steps to delist – in August, 2007 – the Bald Eagle (*Haliaeetus leucocephalus*) from the list of federally endangered and threatened species. Guidance followed to reduce the minimum buffer radius down to 660 feet, with the focus remaining on activities which disturb the eagle nest. This was mirrored within the Florida Administrative Code, with the definition of "disturb" provided as:

"To agitate or bother a bald eagle to the degree that causes, or is likely to cause (a) injury to an eagle, (b) a decrease in its productivity, by substantially interfering with

normal breeding, feeding, or sheltering behavior, or (c) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.” (Rule 68A-16.002, Florida Administrative Code).

As the Great Recession began, several lot owners, principally among these the owner of Lots 86 and 87, sought the release of the platted Eagle Protection Zone. County staff followed the plain text of the Plat, Plat Addendum, and the PUD Ordinance, and the requirements of Chapter 177, Florida Statutes, which called for any plat to be amended only through the consent of all record owners and those having a property interest within the area encompassed in the Plat. Despite impassioned arguments regarding the Federal delisting, the County held to the position that the Plat’s 750 foot radius buffer remained the prevailing restriction and would not automatically revert to the now 660 foot buffer. In short, the County’s Plat is more restrictive than the now prevailing Federal requirement, and the County could remain more restrictive without conflicting with its regulatory authority. No one initiated the process to amend the Plat to reduce the buffer due to the onerous consent requirement, and the buffer remains as originally platted at 750 feet. These lots were subsequently reduced in their assessed value by the Property Appraiser because of the roughly one-third lot area that would be required to remain as undeveloped area due to the platted Protection Zone.

At some time believed to be in 2017 or 2018, the nest was vacated and the eagle mating pair have not returned to the nest. As the real estate market has again become more active, public inquiries on the lots impacted by the Protection Zone have taken a different level of inquiry, with the request no longer being made to reduce the buffer as opposed to eliminating the buffer entirely since the nest no longer exists. Staff has again followed the prevailing text and sent inquirers to the Florida Fish and Wildlife Conservation Commission to seek the determination that the nest has been abandoned. In each inquiry over the last several years, Commission staff have responded that while the nest no longer exists, they cannot provide a determination – as required by the County – that the nest has been “abandoned”. Inexplicably, lot owners seeking building permits have presented specific studies (with building permit application packages) reflecting that the nest is not active: this has been well-established, and a study from a local environmental consultant has not been requested by the County, although this may have been a requirement of the Homeowners’ Association. Communication with the staff of the Florida Fish and Wildlife Conservation Commission continues to indicate that they will not make a determination that a Bald Eagle nest has been abandoned.

In addition to the County’s regulations specific to the Palm Coast Plantation development, staff’s proposal of this setback variance has been called into question. While the objective of this request is to correct (or make less impactful) a staff error as described in greater detail below, it has been presented that a variance request is in opposition to the Covenants and Restrictions.

Regarding the enforcement of Covenants and Restrictions, Section 9 (Covenants and Restrictions) of the PUD Development Agreement (Exhibit B to Ordinance No. 2003-06) states (in relevant part):

“With respect to the enforcement of said agreements, covenants, easements or restrictions entered into between the Applicant and the owners or occupiers of property within the PUD, the County of Flagler may only enforce the provisions of the Development Agreement, the Plat, the Plat Addendum, and the Flagler County Zoning Ordinance, whichever is applicable, and is specifically exempt from any requirement to enforce private agreements, covenants, restrictions and easements entered into between subsequent owners of lots. The County may enforce any rights, such as conservation easements, dedicated directly to the County.”

Covenants and Restrictions remain privately enforced singularly through an action by a member of the Homeowners’ Association or collectively through action of the Homeowners’ Association itself. While the County does not seek out conflict with the Homeowners’ Association or its Covenants and Restrictions, any variance action by the County is separate and distinct from the activities of the Homeowners’ Association. A variance approval or denial could result in separate action to enforce any Covenants and Restrictions that are in conflict.

Summary of Request: The subject parcel is 10,812+/- square feet in size. The D’Amato’s purchased the subject parcel through the Warranty Deed dated August 6, 2021, and recorded on August 9, 2021 at Official Records Book 2593, Page 698, Public Records of Flagler County, Florida. According to the subdivision plat, Lot 90 includes a 10 foot wide drainage and utility easement adjacent to South Riverwalk Drive (a 50 foot wide private road tract identified as Tract “A” on the plat) along its front (East) lot line. Along all side lot lines there is a five foot wide drainage and utility easement, providing a 10 foot total width when combined with the adjacent lot.

The owner’s contractor, Saltwater Homes, was issued a permit for construction of a single-family dwelling through Permit No. BR-010611-2022. The approved plot plan survey by Stephenson, Wilcox & Associates, Inc., bearing a May 6, 2022 signature date depicts a 25.0 front setback (East), a 7.50 foot right side setback (North), a 7.50 foot left side setback (South), and a 23.56 foot rear setback to the rear lot line (West). This represents a 28+/- encroachment into the Eagle Protection Zone.

If the variance is approved, the front setback will be reduced and the home will shift forward to the East on the lot. The encroachment into the Zone Line will still exist, but will be reduced. If ultimately a pool is constructed, it too will add to the encroachment into the Zone Line. Finally, while it may be questioned, a variance cannot be issued for the

Eagle Protection Zone Line itself: a variance is available for specific requirements from Article III of the Land Development Code and similar development requirements like minimum setbacks. A variance may not be granted for plat requirements. A plat may only be amended through an action of the Board of County Commissioners.

#### 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 staff's analysis (the owners have consented to the County's application, but are contending that the variance is not needed since the Eagle nest no longer exists and the plat condition is null and void):

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*

Staff analysis: This lot is unique due to the inclusion of the buffer zone from a Bald Eagle nest being included within the lot boundaries. Hindsight would now prevent these lots from being platted in the first place: admittedly shortcuts were allowed at the time of development approval and platting including allowing these lots to include the Zone Line within each lot. The Property Appraiser has previously recognized the limitations on this lot (and others similarly situated) by decreasing the assessed value of these lots as compared to lots which were not encumbered by the Zone Line. The unnecessary hardship comes from the County's approval of the encroaching site plan; however, the owner and the contractor should have also been aware that the extent of development proposed on this lot far exceeded the permitted development allowed on similarly impacted lots.

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*

Staff analysis: It is unclear if the owner was aware of the limitations posed by the Zone Line. The variance request is necessary to alleviate the impacts within the Zone Line through the approved construction. Based on conversations between staff, the contractor, and the owners, it is assumed that the owners have acted in good faith. It remains hard to imagine how – when compared to a lower assessed value and limited development of the adjacent lot – an extensive buildout of this lot would be permitted. All that being said, the error was by the County staff at the time of building permit



review and should have been caught then to restrict development that has now been permitted.

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*

Staff analysis: The variance as presented would not cause substantial detriment to the public health, welfare, safety, and morals of the community. Likewise, granting the variance will not impair the purpose and intent of Article III of the LDC. The relief granted is consistent with the Plat Addendum and the PUD Ordinance for Palm Coast Plantation.

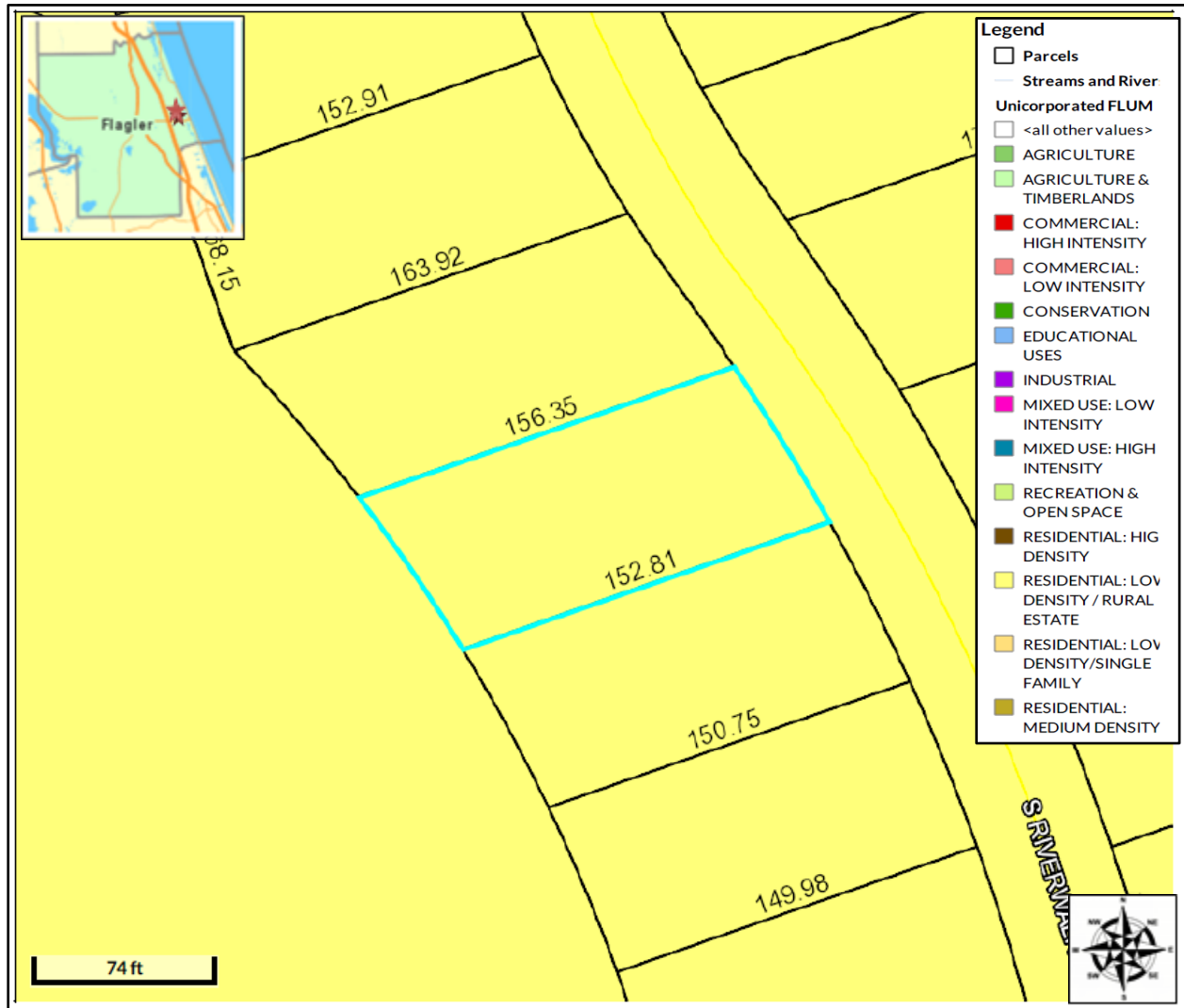
4. *No variance may be granted for a use of land or building that is not permitted by this article.*

Staff analysis: Use of this parcel for a single family dwelling and accessory uses is permitted within the Palm Coast Plantation PUD.

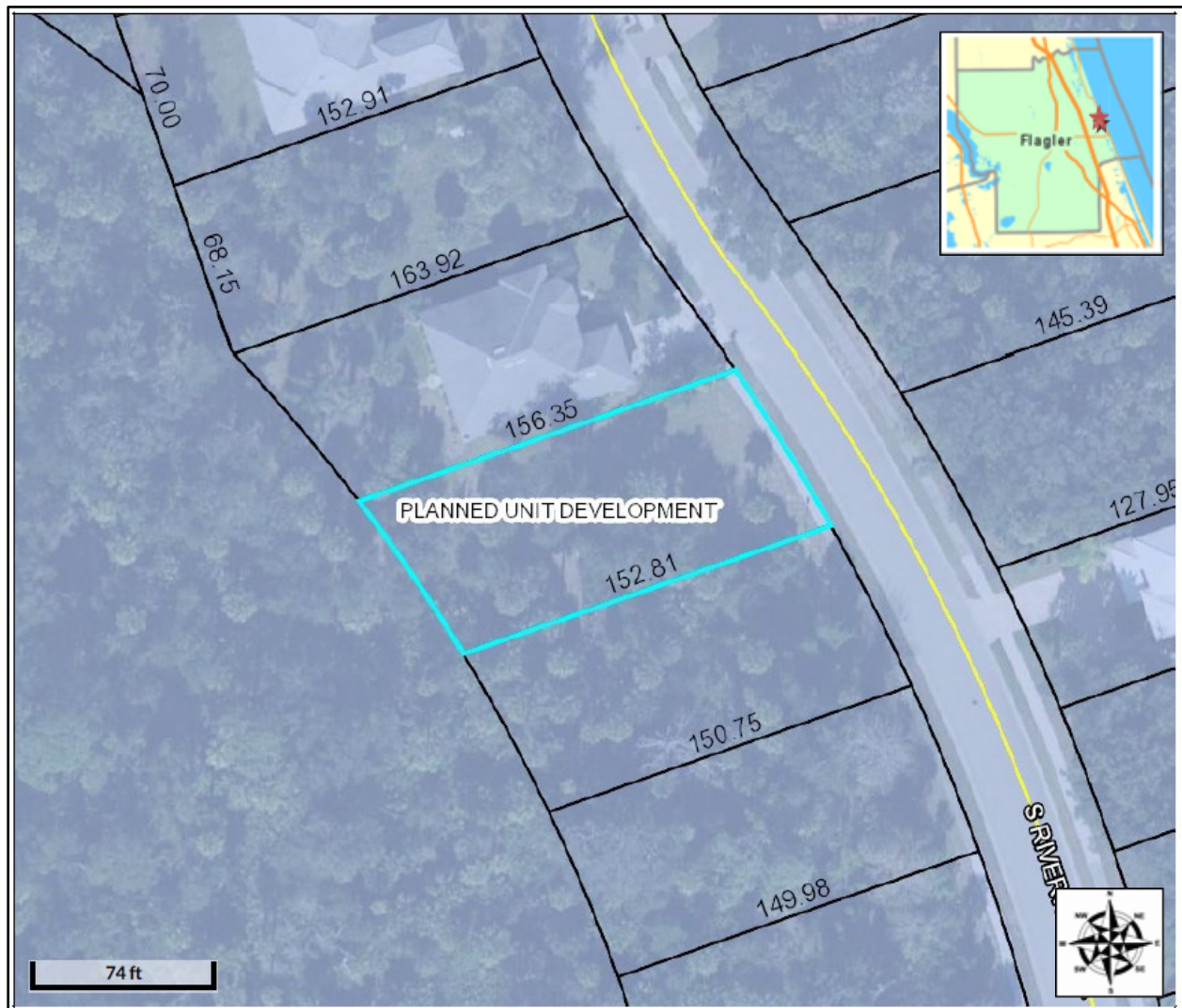
*A variance, if granted, shall be the minimum variance necessary to alleviate the hardship. For purposes of this section, an unnecessary hardship shall mean that without the granting of the variances the owner will be deprived of all reasonable use of the property as allowed in the zoning district.*

Staff analysis: The requested variance is the minimum relief possible, but will not fully alleviate the hardship posed by the extent of construction into the Zone Line. If approved, the variance will still allow an impact into the Zone as platted. A separate action to be considered by the Board of County Commissioners will consider the waiver or abandonment of the platted Eagle Protection Zone Line, an option that previously was not considered as viable by County legal staff. If the Zone Line is ultimately waived by the Board of County Commissioners, this variance will not be needed.

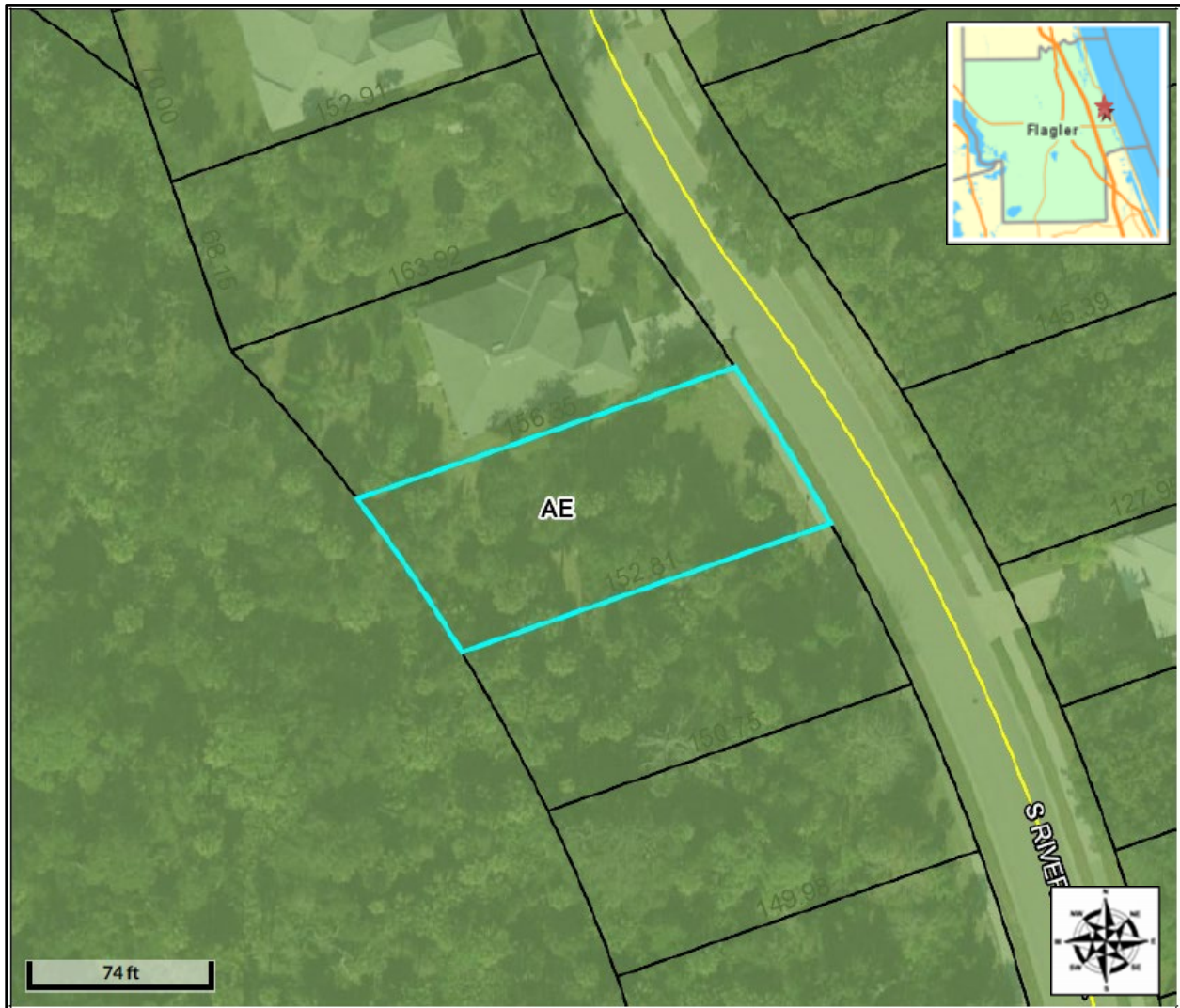
# Future Land Use Map



## Zoning Map



## Flood Zone Map

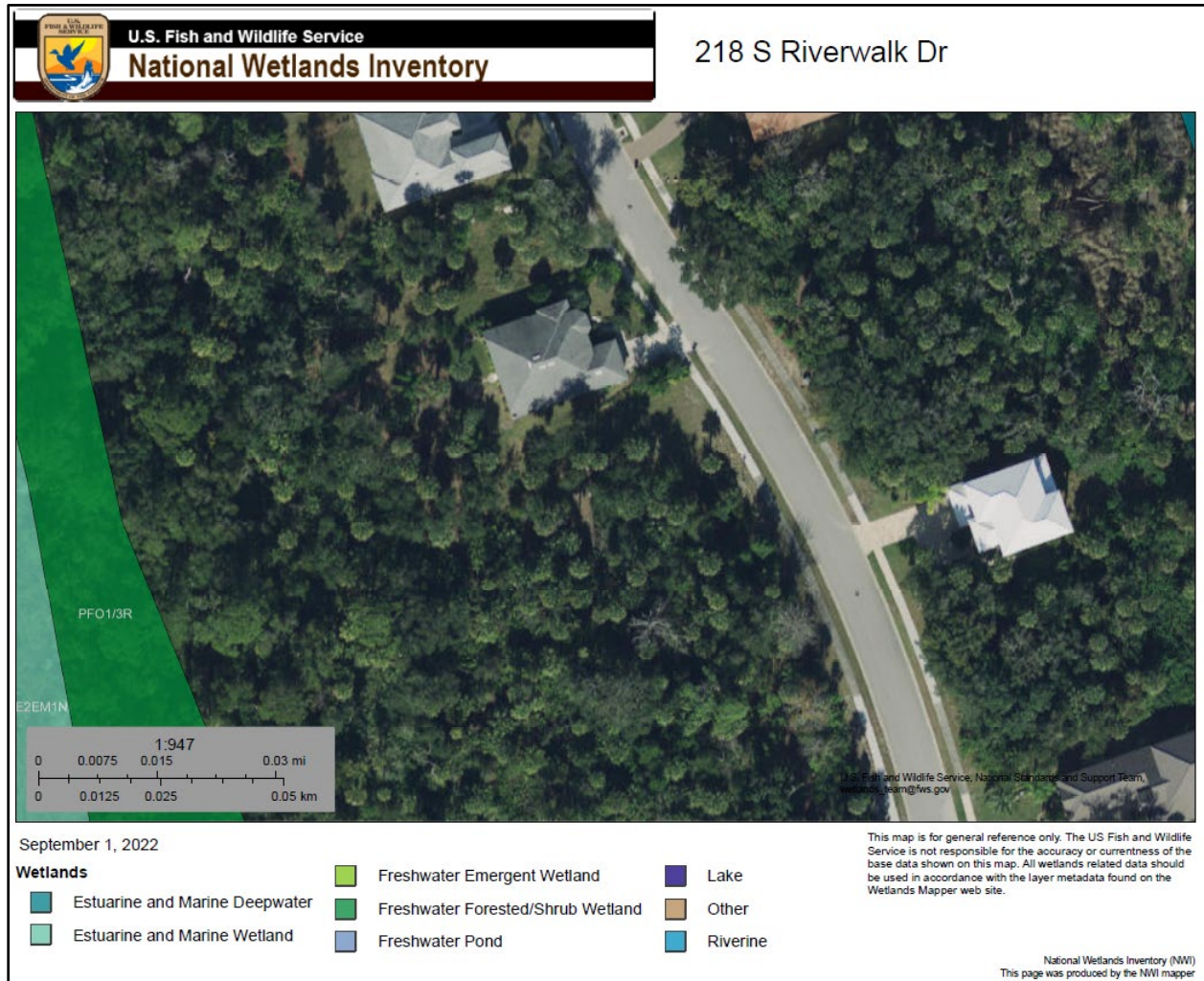


# Soils





# Wetlands





NORTH  
SCALE: 1"=20'

X=TREES TO BE REMOVED

## TREE LEGEND:

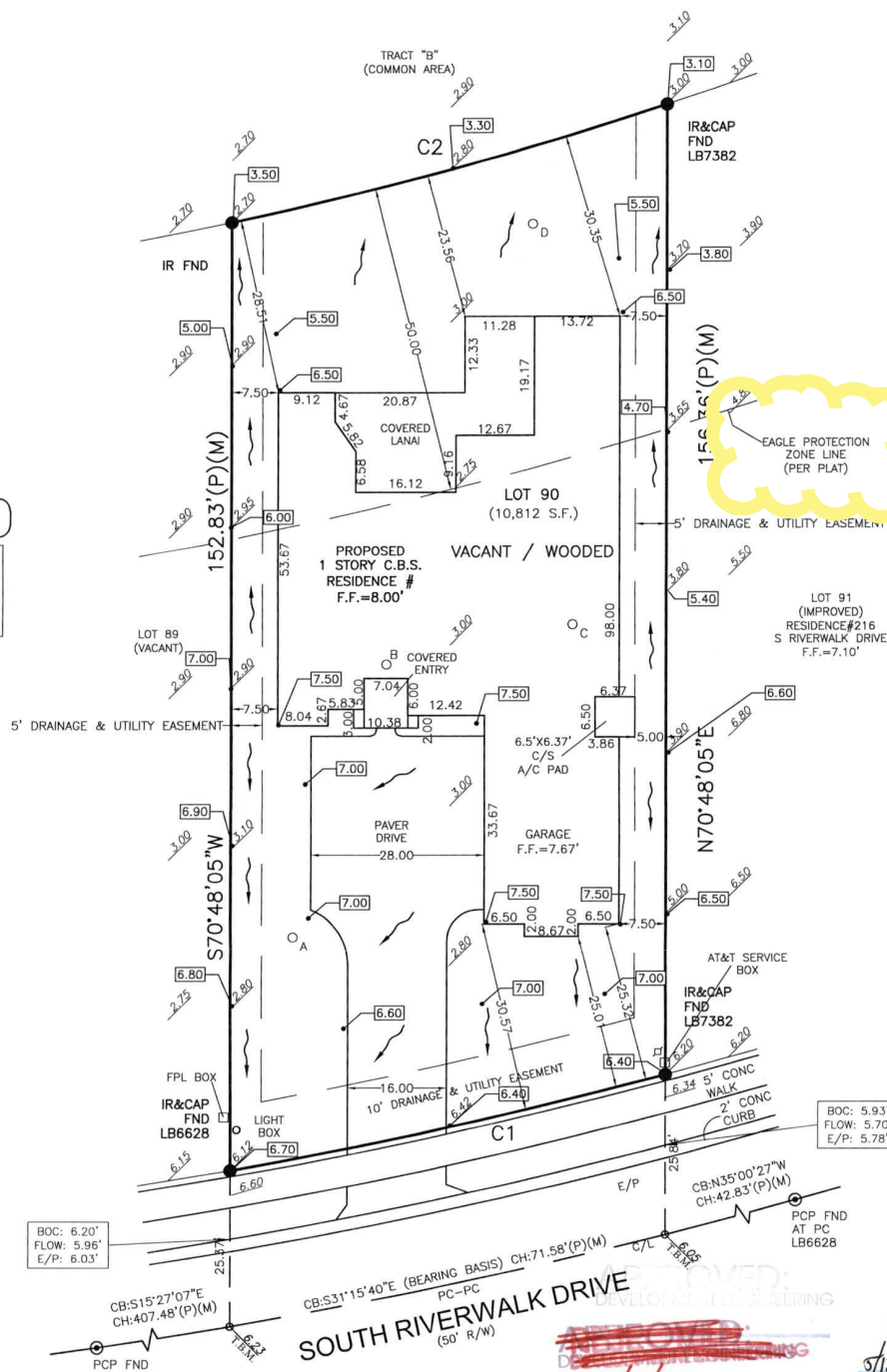
- A. 6" OAK  
B. 22" OAK  
C. 20" OAK  
D. 8", 10" OAKS

## DRAINAGE LEGEND

PL=PROPERTY LINE  
FL=FLOW LINE  
B=BELOW  
IN=INVERT  
HP=HIGH POINT  
EX=EXISTING  
MA=MATCH EXISTING

EXISTING GRADE  
PROPOSED GRADE  
PROPOSED FLOW ARROWS

The final design is to be reviewed and approved by the City, County, or other agencies.



C1  
Δ = 04°49'59"  
R = 850.00'  
L = 71.70'  
CH = 71.68'  
CB = S31°37'20"E

C2  
Δ = 05°56'19"  
R = 700.00'  
L = 72.55'  
CH = 72.52'  
CB = N34°20'57"W

PC-PC  
Δ = 34°25'21"  
R = 875.00'  
L = 525.69'  
CH = 517.82'  
CB = S19°11'55"E

BOC: 5.93'  
FLOW: 5.70'  
E/P: 5.78'

BOC: 6.20'  
FLOW: 5.96'  
E/P: 6.03'

CB: S15°27'07"E  
CH: 407.48'(P)(M)

CB: S31°15'40"E (BEARING BASIS)  
CH: 71.58'(P)(M)  
PC-PC  
SOUTH RIVERWALK DRIVE  
(50' R/W)

## STANDARD SITE PLAN / GRADING NOTES

1. ALL SETBACKS, LOCATIONS, AND GRADING SHALL BE SUBMITTED TO AND APPROVED BY THE RESPECTIVE AUTHORIZING AGENCIES.
2. ALL GRADES ALONG IMPROVED PROPERTY LINES SHALL MATCH EXISTING UNLESS OTHERWISE NOTED.
3. PROPOSED CONVEYANCE SWALES ALONG IMPROVED PROPERTIES SHALL BE CONSTRUCTED 2 FEET INSIDE THE SUBJECT PROPERTY UNLESS OTHERWISE NOTED.

## REVISIONS:

## ENGINEERED SITE PLAN / GRADING PLAN

## TYPE OF SURVEY: BOUNDARY / TOPOGRAPHIC / TREE LOCATION

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

**DESCRIPTION:** LOT 90, PALM COAST PLANTATION PUD UNIT 4, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 34, PAGES 5 THROUGH 11, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

## LEGEND:

- IR 1/2" Iron Rod set "LB7672"  
● IR 1/2" Iron Rod found  
● IP 1/2" Iron Pipe  
● N/D Nail and Disk set "LB7672"  
● N/D Nail and Disk found  
● PCP Permanent Control Point  
● CM Concrete Monument set  
● CM Concrete Monument found  
● PRM Permanent Reference Monument  
● FND Found  
● LB Licensed Business  
● LS Licensed Surveyor  
● PSM Professional Surveyor & Mapper  
● O.R. Official Records Book  
● PG Page

- (D) Deed Bearing & Distance  
(P) Plat Bearing & Distance  
(M) Measured Bearing & Distance  
(C) Calculated Bearing & Distance  
(C/L) Center Line  
(E/P) Edge of Pavement  
(E/R) Edge of Road  
(R/W) Right of Way  
(A) Delta  
(R) Radius  
(L) Length  
(CB) Chord Bearing  
(CH) Chord Distance  
(PC) Point of Curvature  
(PRC) Point of Reverse Curvature  
(N.R.) Non-Radial Curve

- PT Point of Tangency  
PI Point of Intersection  
U.E. Utility Easement  
D.E. Drainage Easement  
L.E. Landscape Easement  
N.G.V.D. National Geodetic Vertical Datum  
N.A.V.D. North American Vertical Datum  
M.S.L. Mean Sea Level  
B.M. Bench Mark  
T.B.M. Temporary Bench Mark  
T.O.B. Top of Bank  
T.O.E. Top of Easement  
F.F. Finish Floor Elevation  
I.N.V. Invert  
C.B.S. Concrete Block & Stucco  
Conc. Concrete  
C/S Concrete Slab

- A/C Air Conditioner Pad  
E.P. Equipment Pad  
P.E. Pretreatment Effluent  
Pumping Tank  
O.E. Overhead Electric  
P/P - Power Pole  
M.H. Manhole  
T.R. Telephone Riser  
C.T. Cable Television Riser  
F.O.R. Fiber Optic Riser  
W.M. Water Meter  
E.M. Electric Meter  
F.H. Fire Hydrant  
W.V. Water Valve  
W.F. Wood Fence  
V.F. Vinyl Fence  
C.L.F. Chain Link Fence

## NOTES:

1. The entire map encompassing this survey is recorded in Map Book 34, Pages 5-11.
2. Elevations refer to N.A.V.D. 1988 datum and reference local datum.
3. Underground improvements and utilities not located.
4. Bearings refer to plat datum and to the centerline of South Riverwalk Drive as being S29°15'53"E.
5. Property lies in Flood Zone "AE", (base flood elevation = 4.0') with reference to Map No. 12035C0144E, Effective Date: June 6, 2018. This location is based on maps prepared by the Federal Emergency Management Agency. Final location and flood zone determination rest with said agency and based on N.A.V.D. 1988 datum.
6. Description provided by client.
7. No search for encumbering instruments was made by surveyor.
8. Error of closure meets or exceeds 1:7500 feet.
- 9.

PREPARED FOR:  
SALTWATER HOMES, INC  
250 PALM COAST PKWY NE STE 607, #328  
PALM COAST, FL 32137

**swa**

**STEPHENSON, WILCOX  
& ASSOCIATES, INC.**

CIVIL ENGINEERS • LAND SURVEYORS • CONSULTANTS • PLANNERS

SURVEY TYPE: FIELD DATE OFFICE DATE JOB NO. BY:  
Boundary 09/21/21 09/22/21 21-4581 CJB  
Site Plan 12/20/21 21-7134 UNH/LAD  
Formboard  
Foundation  
Final

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

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

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

SHEET

1 of 1

## Gina Lemon

---

**From:** Adam Mengel, AICP, LEED AP BD+C  
**Sent:** Friday, August 26, 2022 11:02 AM  
**To:** Gina Lemon; Sean S. Moylan  
**Subject:** FW: Variance Request 218 So. Riverwalk,  
**Attachments:** Signed Layout 6-21-2022.pdf; Proposed pool elevation 6-21-22.pdf

**Importance:** High

FYI...

**Adam Mengel, AICP, LEED AP BD+C**  
Growth Management Director

E: [amengel@flaglercounty.gov](mailto:amengel@flaglercounty.gov) | V: 386-313-4065 | W: [www.flaglercounty.gov](http://www.flaglercounty.gov)



**Flagler County Board of County Commissioners**  
1769 E. Moody Blvd., Bldg 2  
Bunnell, FL 32110



*Flagler County's mission is to efficiently deliver the highest quality customer-focused services, to include safety and security, and create the greatest value to our community through integrity, innovation, and a culture of collaboration.*

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**From:** Sebbie D'Amato <sebbiedamato@gmail.com>  
**Sent:** Friday, August 26, 2022 10:50 AM  
**To:** Adam Mengel, AICP, LEED AP BD+C <amengel@flaglercounty.gov>  
**Cc:** Janine D'Amato <Janine@damato.com>  
**Subject:** Variance Request 218 So. Riverwalk,

Adam,

As per our conversation, I would like to be put on the September meeting agenda to pursue a front yard setback variance for our lot at 218 South Riverwalk, Palm Coast Plantation, Flagler County, FL

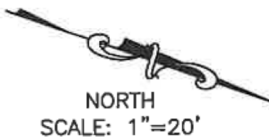
(see attached for reference)

Thanks,  
Sebastian & Janine D'Amato  
973-519-4901

NOTICE: THIS E-MAIL AND ANY ATTACHMENTS CONTAIN INFORMATION FROM THE SENDER AND AFFILIATES. IF YOU BELIEVE YOU HAVE RECEIVED THIS E-MAIL IN ERROR, PLEASE NOTIFY SOMEONE WHO MAY CARE, OR YOU CAN JUST SIMPLY PERMANENTLY DELETE THIS E-MAIL (ALONG WITH ANY ATTACHMENTS), AND DESTROY ANY PRINTOUTS. AND WHILE YOU ARE AT IT, DESTROY YOUR COMPUTER, TELEPHONE, IPOD OR ANY OTHER ELECTRONIC DEVICE. IF YOU ARE SO SILLY THAT YOU DON'T KNOW WHAT TO DO WITH AN EMAIL THAT WASN'T MEANT FOR YOU AND NEED TO READ THIS DISCLAIMER TO FIGURE IT OUT, THEN YOU HAVE A SERIOUS PROBLEM.

- If you use Gmail web mail, and want Read Receipts, Install Mailtrack from Google Chrome Store <https://chrome.google.com/webstore/detail/mailtrack-for-gmail/ndnaehgpilnokgebbaldimgkapkpjkkb?hl=en>
- Join **Dropbox**. Use this link and I will get credit for it. <https://db.tt/8OKMjad>
- Notice I have [@DAmato.com](mailto:@DAmato.com). I use @hover to register my domains and I think you should too! Try them out: Very inexpensive Goto <https://hover.com/LzL8BXWA>
- Try Personalized Visual Voicemail with YouMail. Individual messages for specific numbers. <https://invite.youmail.com/ApPRzBhY6O>

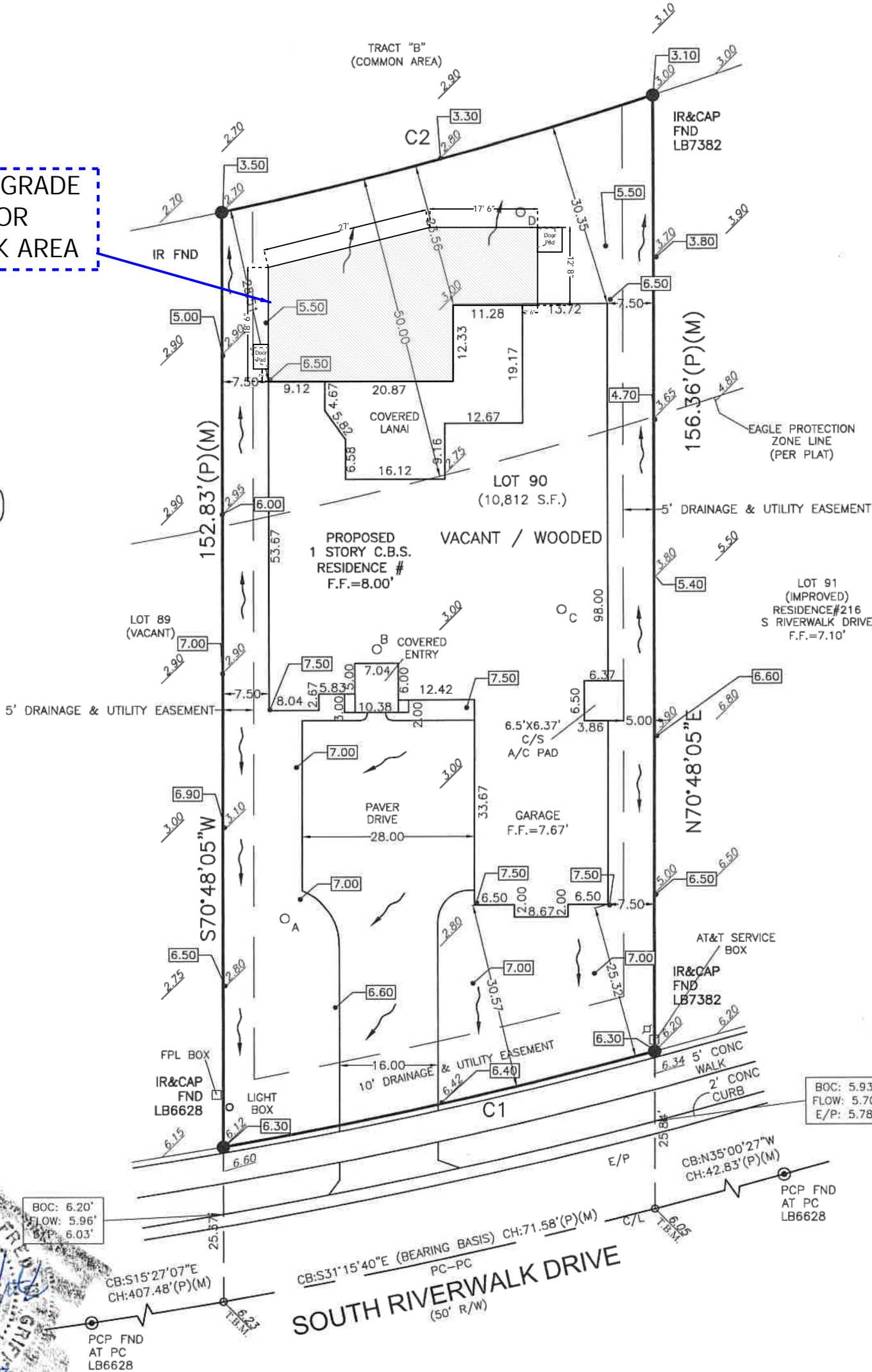




PROPOSED GRADE  
6.50' FOR  
POOL DECK AREA

- X=TREES TO BE REMOVED
- TREE LEGEND:
- A. 6" OAK
  - B. 22" OAK
  - C. 20" OAK
  - D. 8",10" OAKS

- DRAINAGE LEGEND
- PL= PROPERTY LINE  
FL= FLOW LINE  
B= BERM  
INV= INVERT  
HP= HIGH POINT  
LP= LOW POINT  
EX= MATCH EXISTING
- EXISTING GRADE  
PROPOSED GRADE  
PROPOSED FLOW ARROWS
- The final design is to be reviewed and approved by the city, county, or other agencies



- C1  
Δ =04°49'59"  
R =850.00'  
L =71.70'  
CH =71.68'  
CB =S31°37'20"E
- C2  
Δ =05°56'19"  
R =700.00'  
L =72.55'  
CH =72.52'  
CB =N34°20'57"W
- PC-PC  
Δ =34°25'21"  
R =875.00'  
L =525.69'  
CH =517.82'  
CB =S19°11'55"E

BOC: 5.93'  
FLOW: 5.70'  
E/P: 5.78'

SOUTH RIVERWALK DRIVE  
(50' R/W)

STANDARD SITE PLAN / GRADING NOTES

- ALL SETBACKS, LOCATIONS, AND GRADING SHALL BE SUBMITTED TO AND APPROVED BY THE RESPECTIVE AUTHORIZING AGENCIES.
- ALL GRADES ALONG IMPROVED PROPERTY LINES SHALL MATCH EXISTING UNLESS OTHERWISE NOTED.
- PROPOSED CONVEYANCE SWALES ALONG IMPROVED PROPERTIES SHALL BE CONSTRUCTED 2 FEET INSIDE THE SUBJECT PROPERTY UNLESS OTHERWISE NOTED.

REVISIONS:

ENGINEERED SITE PLAN / GRADING PLAN

TYPE OF SURVEY: BOUNDARY / TOPOGRAPHIC / TREE LOCATION

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

DESCRIPTION: LOT 90, PALM COAST PLANTATION PUD UNIT 4, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 34, PAGES 5 THROUGH 11, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

LEGEND:

- IR 1/2" Iron Rod set "LB7672"
- IR 5/8" Iron Rod found
- IP 1/2" Iron Pipe
- N/D Nail and Disk set "LB7672"
- N/D Nail and Disk found
- PCP Permanent Control Point
- CM Concrete Monument set
- CM Concrete Monument found
- PRM Permanent Reference Monument
- FND Found
- LB Licensed Business
- LS Licensed Surveyor
- PSM Professional Surveyor & Mapper
- O.R. Official Records Book
- PG. Page

- (D) Deed Bearing & Distance
- (P) Plot Bearing & Distance
- (M) Measured Bearing & Distance
- (C) Calculated Bearing & Distance
- C/L Center Line
- E/P Edge of Pavement
- E/R Edge of Road
- R/W Right of Way
- Δ Delta
- R Radius
- L Length
- CB Chord Bearing
- CH Chord Distance
- PC Point of Curvature
- PRC Point of Reverse Curvature
- N.R. Non-Radial Curve

- PT Point of Tangency
- PI Point of Intersection
- U.E. Utility Easement
- D.E. Drainage Easement
- L.E. Landscape Easement
- N.G.V.D. National Geodetic Vertical Datum
- N.A.V.D. North American Vertical Datum
- M.S.L. Mean Sea Level
- B.M. Bench Mark
- T.B.M. Temporary Bench Mark
- TOB Top Of Bank
- TOE Top Of Easement
- F.F. Finish Floor Elevation
- INV. Invert
- C.B.S. Concrete Block & Stucco
- Conc. Concrete
- C/S Concrete Slab

- A/C Air Conditioner Pad
- EQP Pool Equipment Pad
- PEP Pretreatment Effluent Pumping Tank
- O/E Overhead Electric
- P/P - Power Pole
- Manhole
- Telephone Riser
- Cable Television Riser
- Fiber Optic Riser
- Water Meter
- Electric Meter
- Fire Hydrant
- Water Valve
- Wood Fence
- Vinyl Fence
- Chain Link Fence

NOTES:

- The entire map encompassing this survey is recorded in Map Book 34, Pages 5-11
- Elevations refer to N.A.V.D. 1988 datum and reference local datum.
- Underground improvements and utilities not located.
- Bearings refer to plat datum and to the centerline of South Riverwalk Drive as being S29°15'53"E.
- Property lies in Flood Zone "AE", (base flood elevation = 4.0') with reference to Map No. 12035C0144E, Effective Date: June 6, 2018. This location is based on maps prepared by the Federal Emergency Management Agency. Final location and flood zone determination rest with said agency and based on N.A.V.D. 1988 datum.
- Description provided by client.
- No search for encumbering instruments was made by surveyor.
- Error of closure meets or exceeds 1:7500 feet.
- 

PREPARED FOR:

SALTWATER HOMES, INC

250 PALM COAST PKWY NE STE 607, #328

PALM COAST, FL 32137



STEPHENSON, WILCOX & ASSOCIATES, INC. CA#27726-LB#7672 Phone: 386.437.2363 • Email: info.swa@gmail.com

2729 E. Moody Blvd., Ste. 400  
PO Box 186 Bunnell FL 32110

CIVIL ENGINEERS • LAND SURVEYORS • CONSULTANTS • PLANNERS

SURVEY TYPE:	FIELD DATE	OFFICE DATE	JOB NO.	BY:
Boundary	09/21/21	09/22/21	21-4581	CJB
Site Plan		12/20/21	21-7134	JNH/LAD
Formboard				
Foundation				
Final				

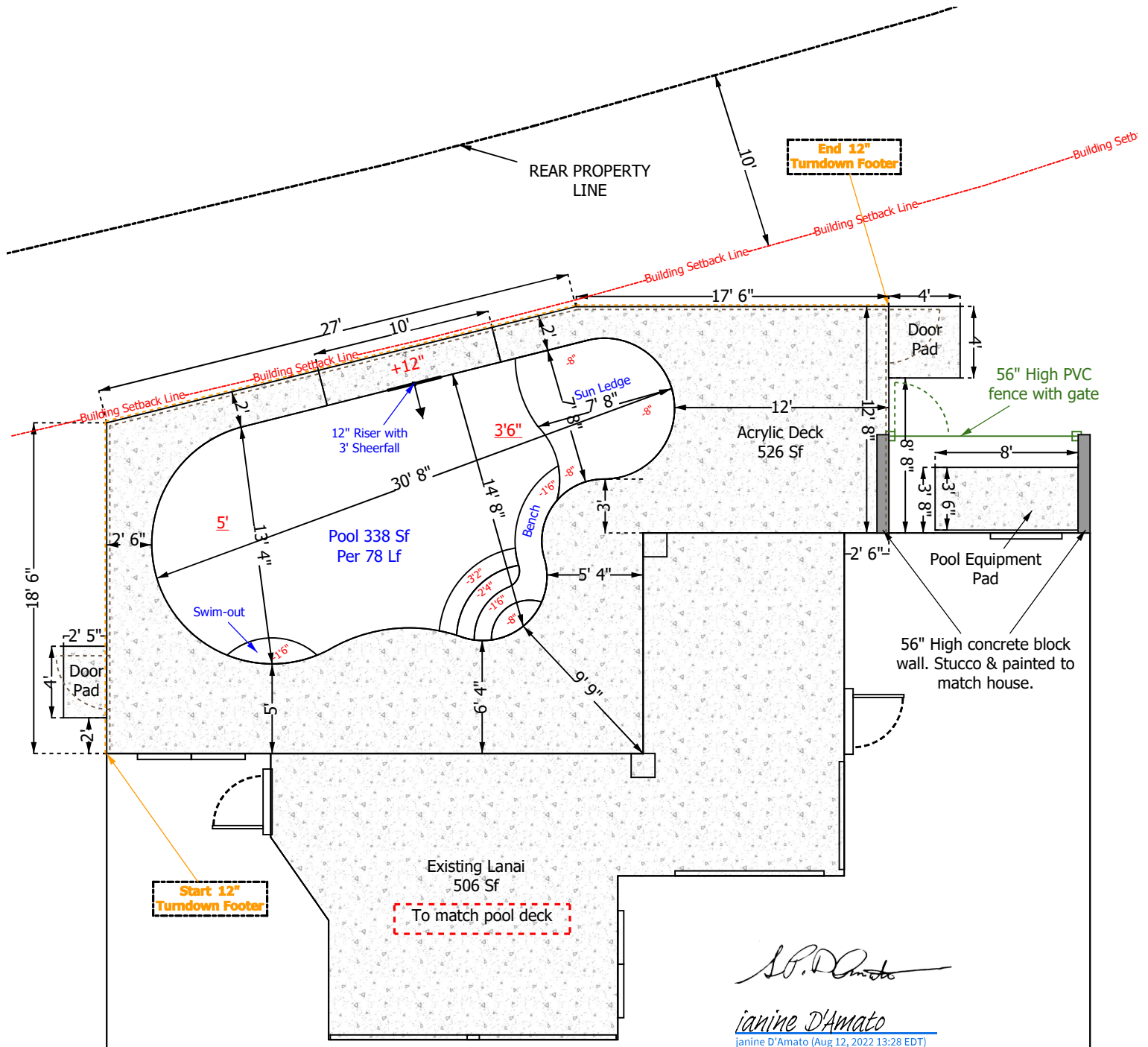
I hereby certify that the survey represented hereon meets or exceeds the minimum standards established pursuant to Section 472.027, Florida Statutes, and adopted in Chapter 5J-17 Florida Administrative Code.

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

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

SHEET  
1 of 1

# 218 South Riverwalk Drive



386.931.3778

www.PoolCaptain.com

Licensed & Insured

CPC 1457452 CRC 1328621

DRAWN BY: MM

Scale: 1/8" = 1 ft



This Instrument Prepared by and Return to:



**Saniye Pirro**  
Truly Yours Title, LLC  
50 Leanni Way, B4, Palm Coast, FL 32137

Our File No.: **21-1314**  
Property Appraisers Parcel Identification (Folio) Number: **27 11 31 4984 00000 0900**

Florida Documentary Stamps in the amount of \$658.00 have been paid hereon.

Space above this line for Recording Data

## **WARRANTY DEED**

**THIS WARRANTY DEED**, made the 6 day of August 2021 by **James R. Petritz**, herein called the Grantor, to **Janine D'Amato and Sebastian D'Amato, wife and husband**, whose post office address is 12 Hawthorne Dr, Succasunna, NJ 07876, hereinafter called the Grantees:

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

**W I T N E S S E T H**: That the Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all that certain land situate in FLAGLER County, State of Florida, viz.:

**Lot 90, Palm Coast Plantation PUD Unit 4, according to the plat thereof recorded in Plat Book 34, Pages 5 through 11, 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.

AND, the Grantor does hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land, and hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

This conveyance is made subject to: (1) zoning and/or restrictions and prohibitions imposed by governmental authority; (2) restrictions, easements and other matters appearing on the plat and/or common to the subdivision and (3) taxes for the year of closing and thereafter.



Grantor warrants that at the time of this conveyance, the subject property is not the Grantor's homestead within the meaning set forth in the constitution of the State of Florida, nor is it contiguous to or a part of homestead property, instead he permanently resides at 143 Heywatchis Dr., Mooresville NC 28115.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

• Courtney Warfel  
Witness #1 Signature

• Courtney Warfel  
Witness #1 Printed Name

• Elizabeth P. Robbins  
Witness #2 Signature

Elizabeth P. Robbins  
Witness #2 Printed Name

• James R. Petritz (Seal)  
James R. Petritz

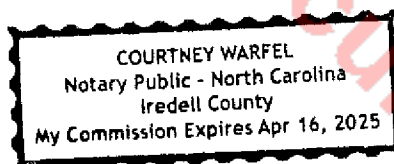
State of North Carolina

County of Iredell

The foregoing instrument was acknowledged before me by means of physical presence on this 2<sup>nd</sup> day of Aug. 2021, by James R. Petritz who is personally known to me or has produced CTDL as identification.

• Courtney Warfel  
Notary Public

My Commission Expires: 04.16.2025



**REVIEW OF LOT VALUES  
PROXIMATE TO 218 S. RIVERWALK DRIVE**

Parcel Number	Lot Number	Address	Owner	Eagle Zone?	Parcel Size (SF)	Land Valuation	Developed?
27-11-31-4894-00000-0730	73	252 S RIVERWALK	GASPAR	N	13,499.99	\$85,000	Underway 103130 BR-006344-2021
27-11-31-4894-00000-0740	74	250 S RIVERWALK	BENNETT	N	10,499.99	\$90,000	N
27-11-31-4894-00000-0750	75	248 S RIVERWALK	WEIGLE	N	10,500.02	\$90,000	N
27-11-31-4894-00000-0760	76	246 S RIVERWALK	WEIGLE	N	10,500.00	\$90,000	N
27-11-31-4894-00000-0770	77	244 S RIVERWALK	WEIGLE	N	10,500.01	\$85,000	N
27-11-31-4894-00000-0780	78	242 S RIVERWALK	BIGGS	N	10,486.76	\$85,000	N
27-11-31-4894-00000-0790	79	240 S RIVERWALK	TRUVENTURE HOLDINGS	N	11,627.44	\$90,000	Underway 104246 BR-009241-2021
27-11-31-4894-00000-0800	80	238 S RIVERWALK	TRUVENTURE HOLDINGS	N	12,326.96	\$90,000	Underway 104245 BR-009240-2021
27-11-31-4894-00000-0810	81	236 S RIVERWALK	COX ENTERPRISES	N	12,530.00	\$90,000	N
27-11-31-4894-00000-0820	82	234 S RIVERWALK	COX ENTERPRISES	Y	10,595.56	\$72,000	N
27-11-31-4894-00000-0830	83	232 S RIVERWALK	HUNDLEY	Y	11,203.70	\$72,000	Y
27-11-31-4894-00000-0840	84	230 S RIVERWALK	JORDAN	Y	11,045.76	\$72,000	N
27-11-31-4894-00000-0850	85	228 S RIVERWALK	STEVENSON	Y	10,758.16	\$72,000	Y
27-11-31-4894-00000-0860	86	226 S RIVERWALK	SG FLAGLER HOLDINGS	Y	10,585.57	\$72,000	N
27-11-31-4894-00000-0870	87	224 S RIVERWALK	SG FLAGLER HOLDINGS	Y	10,508.89	\$72,000	N
27-11-31-4894-00000-0880	88	222 S RIVERWALK	FAKE	Y	10,518.46	\$72,000	N
27-11-31-4894-00000-0890	89	220 S RIVERWALK	NEEDHAM	Y	10,616.14	\$72,000	Underway 202200236
27-11-31-4894-00000-0900	90	218 S RIVERWALK	D'AMATO	Y	10,812.01	\$72,000	Underway 104742 BR-010611-2022
27-11-31-4894-00000-0910	91	216 S RIVERWALK	KARASOFF	Y	11,148.79	\$72,000	Y
27-11-31-4894-00000-0920	92	214 S RIVERWALK	GUCCI CORP	Y	11,065.31	\$72,000	Underway 104139 BR-008966-2021
27-11-31-4894-00000-0930	93	212 S RIVERWALK	PREGEL	Y	10,556.34	\$72,000	Y
27-11-31-4894-00000-0940	94	210 S RIVERWALK	PETRI	N	10,499.99	\$90,000	Y
27-11-31-4894-00000-0950	95	208 S RIVERWALK	RUHLAND	N	10,499.99	\$85,000	Y
27-11-31-4894-00000-0960	96	206 S RIVERWALK	BRAUN	N	10,500.01	\$85,000	N
27-11-31-4894-00000-0970	97	204 S RIVERWALK	METHE	N	10,500.01	\$85,000	Y
27-11-31-4894-00000-0980	98	202 S RIVERWALK	HOFFMAN	N	10,500.01	\$85,000	Y
27-11-31-4894-00000-0990	99	200 S RIVERWALK	MCGOVERN	N	10,500.01	\$85,000	Y
27-11-31-4894-00000-1000	100	198 S RIVERWALK	MACHADO	N	10,500.01	\$85,000	Y
27-11-31-4894-00000-1010	101	194 S RIVERWALK	ROGERS	N	10,500.03	\$85,000	Y
27-11-31-4894-00000-1020	102	192 S RIVERWALK	DALTER	N	10,499.99	\$85,000	Y
27-11-31-4894-00000-1030	103	190 S RIVERWALK	GOLD COAST HOME BLDRS	N	10,500.01	\$85,000	N
27-11-31-4894-00000-1040	104	188 S RIVERWALK	GURLEY	N	10,500.00	\$85,000	Y
27-11-31-4894-00000-1050	105	186 S RIVERWALK	PIERCE	N	11,999.79	\$85,000	Y

Application #3326  
Variance  
218 S. Riverwalk Dr.

ParcelId	OwnerName	OwnerAddress1	OwnerAddress2	OwnerCityStZip
27-11-31-4893-00000-00M3	PALM COAST PLANTATION	HOMEOWNERS ASSOCIATION INC C/O MAY MANAGEMENT	5455 A1A SOUTH	ST AUGUSTINE, FL 32080
27-11-31-4894-00000-00P0	PALM COAST PLANTATION	HOMEOWNERS ASSOCIATION INC C/O MAY MANAGEMENT SERVICES	5455 A1A SOUTH	ST AUGUSTINE, FL 32080
27-11-31-4894-00000-00AA	PALM COAST PLANTATION HOME	OWNERS ASSOCIATION INC C/O MAY MANAGEMENT SERVICES	5455 A1A SOUTH	ST AUGUSTINE, FL 32080
27-11-31-4894-00000-0950	RUHLAND DONALD & MARY JEAN H&W		208 S RIVERWALK DR	PALM COAST, FL 32137
27-11-31-4894-00000-0940	PETRI DAVID A & KATHY H H&W		210 S RIVERWALK DRIVE	PALM COAST, FL 32137
27-11-31-4894-00000-0930	PREGEL VINKO & SMILJA PREGEL	H&W	212 S RIVERWALK DR	PALM COAST, FL 32137
27-11-31-4894-00000-0920	GUCCI CORP		PO BOX 350670	PALM COAST, FL 32135
27-11-31-4894-00000-0910	KARASOFF SUSAN		216 S RIVERWALK DRIVE	PALM COAST, FL 32137
27-11-31-4894-00000-0900	D'AMATO JANINE	& SEBASTIAN H&W	3303 SCENIC COURT	DENVILLE, NJ 07834
27-11-31-4894-00000-0890	NEEDHAM JORDAN III	& SITTI ALIHA H&W	8726 INTERLACHEN DRIVE	NIXA, MO 65714
27-11-31-4894-00000-0130	KATZ RONDA I & BARRY S KATZ	TRUSTEES	209 S RIVERWALK DR	PALM COAST, FL 32137
27-11-31-4894-00000-0140	DEMOS THOMAS T JR &	TERESA E DEMOS H/W	1972 NW PINE TREE WAY	STUART, FL 34994
27-11-31-4894-00000-0880	FAKE RONALD W	& JOANNE EVA HELEN H&W	205 S RIVERWALK DRIVE	PALMCOAST, FL 32137
27-11-31-4894-00000-0150	HARRIS RHONDA DEAN	TRUSTEE	11718 SE FEDERAL HWY STE 208	HOBE SOUND, FL 33455
27-11-31-4894-00000-0870	SG FLAGLER HOLDINGS LLC		185 CYPRESS POINT PKWY STE 7	PALM COAST, FL 32164
27-11-31-4894-00000-0160	OTTERBACH GARY & ESTELLE H&W		215 S RIVERWALK DRIVE	PALM COAST, FL 32137
27-11-31-4894-00000-0860	SG FLAGLER HOLDINGS LLC		185 CYPRESS POINT PKWY STE 7	PALM COAST, FL 32164
27-11-31-4894-00000-0170	RANKUPALLI BABU K & MARTA	WASIAK H&W	12119 NW 122 TERRACE	ALACHUA, FL 32615
27-11-31-4894-00000-0850	STEVENSON MARK		228 S RIVERWALK DR	PALM COAST, FL 32137
27-11-31-4894-00000-0180	BRAKSATOR LAURA ELIZABETH		13932 SOUTH SPRINGS DR	CLIFTON, VA 20124
27-11-31-4894-00000-0190	PAGE JOHN &	MARTHA PAGE H/W	6108 LAKESHORE DRIVE	DALLAS, TX 75214
27-11-31-4894-00000-0200	MAGEE JOHN F		9 SANDRA DRIVE	ORMOND BEACH, FL 32176
27-11-31-4894-00000-0210	MAYES THOMAS C JR	TRUSTEE	2177 RADNOR COURT	N PALM BEACH, FL 33408
27-11-31-4894-00000-0220	MICHENER DONALD C &	DARLENE M H&W LIFE ESTATE	229 S RIVERWALK DRIVE	PALM COAST, FL 32137
27-11-31-4894-00000-0230	MICHENER DONALD C & DARLENE M	H&W LIFE ESTATE	229 S RIVERWALK DRIVE	PALM COAST, FL 32137
27-11-31-4894-00000-0240	PUTIS JASON & ERIN H&W		20 VILLAGE WOODS RD	HAVERBILL, MA 01832
27-11-31-4894-00000-00B0	PALM COAST PLANTATION	HOMEOWNERS ASSOCIATION INC C/O MAY MANAGEMENT	5455 A1A SOUTH	ST AUGUSTINE, FL 32080

I hereby affirm mailed notice to each owner on 8/29/2022 for the Planning and Development Board meeting on 9/13/2022 at 6:00 pm.

  
Gina Lemon, Development Review Planner III

App #3326 - Variance




218 S. Riverwalk Dr



Overview



Legend

-  Parcels
-  Roads
-  Streams and River

Date created: 8/26/2022  
Last Data Uploaded: 8/26/2022 8:56:54 AM

Developed by  Schneider  
GEOSPATIAL



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

August 29, 2022

PALM COAST PLANTATION HOME  
OWNERS ASSOCIATION INC C/O MAY MANAGEMENT SERVICES  
5455 A1A SOUTH  
ST AUGUSTINE, FL 32080

RE: Application #3326 – 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 Stephenson, Wilcox & Associates, Inc. on behalf of owners Janine and Sebastian D'amato for a 15-foot front yard setback Variance from the required 25-foot side yard setback for a proposed dwelling, on a 10,812 square foot lot and identified as Parcel Number: 27-11-31-4894-00000-0900. The setbacks are provided within the Plat Addendum for Palm Coast Plantation PUD, Unit 4 recorded at Official Records Book 938, Page 1769, Public Records of Flagler County, Florida.

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 **September 13, 2022**, beginning at **6:00 p.m.** or as soon thereafter as possible.

You are welcome to attend and express your opinion.

Sincerely,

Gina Lemon  
Development Review Planner III

**NOTE: PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF A PERSON DECIDED TO APPEAL ANY DECISION BY THE BOARD, AGENCY OR COMMISSION WITHRESPECT TO ANY MATTER 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

Joe Mullins  
District 4

Donald O'Brien, Jr.  
District 5

