

City of Palm Coast, Florida Agenda Item

Agenda Date : May 17, 2023

Department	COMMUNITY DEVELOPMENT	Amount
Division	PLANNING	Account #
Subject SPECIAL EXCEPTION - SUPREME CUSTOM TATTOO - APPLICATION # 5416		
Presenter: Estelle Lens, AICP, Planner		
<p>Background: A request for a Special Exception in the General Commercial (COM-2) Zoning District to allow <i>Tattooing, Body Piercing and other Body Art</i>. The Supreme Custom Tattoo Studio is proposed in Unit 4B at 29 Old Kings Road North.</p> <p>Section 3.03.02 of the City Code identifies allowable uses within Nonresidential and Mixed Use Zoning Districts. Table 3-4 lists <i>Tattooing, Body Piercing and other Body Art</i> under the Personal Services category as only being allowed in the General Commercial (COM-2) District via approval of a Special Exception. <i>Tattooing, Body Piercing and other Body Art</i> is a permitted use within the High Intensity Commercial (COM-3) District.</p> <p>Kristin Fuentes has entered into a lease agreement for Unit 4B pending approval of this special exception. The property owner has signed the letter of authorization allowing Kristin Fuentes to apply for the Special Exception that would allow the tattoo studio.</p> <p>Staff finds that this request meets all requirements of the Land Development Code (LDC) Chapter 2, Part II. Development Orders and Agreements Subsection 2.05.05 – Review Findings, as well as Subsection 2.07. Special Exceptions, as outlined in the staff report.</p>		
<p>Recommended Action: Planning staff recommends that the Planning and Land Development Regulation Board (PLDRB) approve Supreme Custom Tattoo, Application No. 5416 to allow a Special Exception for <i>Tattooing, Body Piercing, and other Body Art</i>.</p>		

Prepared By:

Reserved for Recording information:

Community Development Department
City of Palm Coast
160 Lake Avenue – Suite 135
Palm Coast, FL 32164

Return To:
City Clerk
City of Palm Coast
160 Lake Avenue – Suite 225
Palm Coast, FL 32164

CITY OF PALM COAST
SPECIAL EXCEPTION OTHER
DEVELOPMENT ORDER APPROVAL
AQUA INVESTMENT/ LOTS 3 & 4 / OLD KINGS ROAD
PROFESSIONAL PARK/ SUPREME CUSTOM TATTOO

On 05/17/2023, the City of Palm Coast issued this Development Order relating to and touching and concerning the following described property:

1.86 ACRES OLD KINGS ROAD PROFESSIONAL PARK LOTS 3 & 4 MB 27 PG 55 OR 408/04 OR
420/885

(The afore described property description has been provided to the City of Palm Coast by the owner of the afore described property.)

FINDINGS OF FACT

Property Owner: AQUA INVESTMENTS
13 UTILITY DRIVE
PALM COAST, FL 32137

Project Name: SUPREME CUSTOM TATTOO
Project No.: 97120148
Application Type: SPECIAL EXCEPTION OTHER
Application No. 5416

Development Approval: Special Exception to allow Tattooing, Body Piercing, and other Body Art
Parcel Acreage: 1.86
Parcel No(s): 07-11-31-4920-00000-0030
Project Address: 29 Old Kings Road N., Unit 4B
Zoning Classification: General Commerical (COM-2)

CONCLUSIONS OF LAW

The Development Approval sought is consistent with the *City of Palm Coast Comprehensive Plan* and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances as set forth in the Code of Ordinances of the City of Palm Coast.

The Owners have expressly agreed to be bound by and subject to the development conditions and commitments stated below and have covenanted and agreed to have such conditions and commitments run with, follow, and perpetually burden the afore described property.

ORDER

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

- (1) The afore mentioned application for Development Approval is **GRANTED**.
- (2) All development of the property shall fully comply with all of the codes and ordinances in effect in the City of Palm Coast at the time of issuance of a development order and/or development permit, including but not limited to, all impact fee ordinances.
- (3) The conditions upon this development approval and the commitment made as to this development approval, which have been accepted by and agreed to by the Owner of the property is as follows:
 - a. ***The Development Order shall be signed by the applicant within 30 days from the date of the PLDRB meeting in which the approval occurred. Should the applicant fail to evidence the agreement to each and every condition in the Development Order by failing to sign such Development Order, then it shall become null and void. If the applicant requests a special exception in the future, applicant must file a new application in accordance with the Unified Land Development Code.***
 - b. ***The Special Exception shall remain valid until May 18, 2024, or development commences, whichever occurs first. If the development fails to commence prior to May 18, 2024 the Land Use Administrator may extend the special exception for up to an additional 12-month period of time if the applicant can demonstrate good faith reliance. If good faith reliance is not demonstrated, the special exception will expire and the applicant shall submit for a new Special Exception request.***
 - c. ***Special Exceptions are only use approvals. However, a development plan, which may include a floor plan, shall be submitted with the application and shall be valid only for the location and area shown. Any further required approvals, such as but not limited to signage, must be obtained pursuant to the Unified Land Development Code.***
 - d. ***Failure to comply with any of the conditions of approval for the subject property at any time may result in revocation of the Special Exception:***
 - e. ***A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of noncompliance, or the addition or modification of conditions reasonably related to the failure to comply with existing conditions, the City can refer the issue to Code Enforcement.***
 - f. ***If the special exception use is discontinued or abandoned for 6 consecutive months, the***

development order approving the special exception shall expire and shall not be re-established or resumed without obtaining a Special Exception in accordance with the requirements established in the Unified Land Development Code.

g. Any subsequent use in the same location shall be in conformance with the Unified Land Development Code.

h. The Special Exception shall comply with all State requirements.

(4) This Development Order touches and concerns the afore described property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or in part by action of the City of Palm Coast by virtue of a document of equal dignity herewith. The Owners have expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Development Order shall be found to be invalid or illegal then the entire Development Order shall be null and void.

Done and Ordered on the date first written above. As approved and authorized for execution by the Planning and Land Development Regulation Board (PLDRB) of the City of Palm Coast, at their regularly scheduled meeting of May 17, 2023.

Attest:

City Of Palm Coast, Florida

Irene Schaefer, Recording Secretary

Clint Smith, Chairperson

__ Sign and Return

Development Order Affidavit

OWNER'S CONSENT AND COVENANT:

Project Name: **Supreme Custom Tattoo**
Application Type: SPECIAL EXCEPTION OTHER
Application No.: 5416

COMES NOW, AQUA INVESTMENTS, the Owner on behalf of itself and its successors, assigns and transferees of any nature, whatsoever, and consents to and agrees with the covenants to perform and fully abide by the provisions, terms, and conditions, and commitments set forth in this Development Order. Affiant states that he/she accepts the findings, as outlined in this Development Order, and further states that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission, or refund for the purpose of securing the said Development Order for AQUA INVESTMENT/ LOTS 3 & 4 / OLD KINGS ROAD PROFESSIONAL PARK:

AQUA INVESTMENTS
13 UTILITY DRIVE
PALM COAST, FL 32137

Authorized Signer

ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF FLAGLER

The foregoing instrument was acknowledged before me, by means of _ physical presence or _ online notarization, this ____ day of _____, 2023, by _____ of AQUA INVESTMENTS who is personally known to me or has produced _____ (type of identification) as identification and did/did not take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this ____ day of _____, 2023.

Notary Public



COMMUNITY DEVELOPMENT DEPARTMENT
SUPREME CUSTOM TATTOO SPECIAL EXCEPTION STAFF REPORT
PLANNING AND LAND DEVELOPMENT REGULATION BOARD
MAY 17, 2023

Project # 5416
Applicant: Kristin Fuentes
Property Address: 29 Old Kings Road N., Palm Coast, Unit # 4B
Property Owner: Agua Investment Company of Palm Coast
FLUM Designation: Mixed Use
Zoning Designation: General Commercial (COM-2)
Current Use: Office Building
Property Tax ID: 07-11-31-4920-00000-0030
Property Location: Approximately 0.7 miles north of Palm Coast Parkway on the west side of Old Kings Road.
Requested Action: Special Exception for *Tattooing, Body Piercing and other Body Art* as allowed in the General Commercial (COM-2) Zoning District

ANALYSIS

REQUESTED ACTION

A request for a Special Exception in the General Commercial (COM-2) Zoning District to allow *Tattooing, Body Piercing and other Body Art*. The Supreme Custom Tattoo Studio is proposed in Unit 4B at 29 Old Kings Road North.

BACKGROUND/SITE HISTORY

Section 3.03.02 of the City Code identifies allowable uses within Nonresidential and Mixed Use Zoning Districts. Table 3-4 lists *Tattooing, Body Piercing and other Body Art* under the Personal Services category as only being allowed in the General Commercial (COM-2) District via approval of a Special Exception. *Tattooing, body Piercing and other Body Art* is a permitted use within the High Intensity Commercial (COM-3) District.

The subject property is an existing commercial site, which was developed as an office building under Flagler County regulations in 1990. The use is proposed for Unit 4B. Other uses in the building consist of a Beauty Salon, Barber Shop, Vape/Tobacco Shop, Photography Studio, Medical Labs, etc. The uses adjacent to this location are various commercial/nonresidential uses including day spas, medical offices, business offices, a Montessori school and a hair salon. The applicant has entered into a lease for Unit 4B pending approval of this request. The owner of the property has authorized the applicant to apply for this special exception.

LAND USE AND ZONING INFORMATION

USE SUMMARY TABLE:

CATEGORY:	EXISTING:	PROPOSED:
Future Land Use Map (FLUM)	Mixed Use	No change proposed
Zoning District	General Commercial (COM-2)	No change proposed
Use	Vacant office unit	Tattoo/Body Piercing Studio
Primary Access	Old Kings Road	No change proposed

SURROUNDING ZONING AND LAND USES:

NORTH: FLUM: Mixed Use
 Zoning: General Commercial (COM-2)
 Use: Montessori School and Hair Salon

EAST: FLUM: Mixed Use
 Zoning: Multi Family Residential (MFR-1) across Old Kings Road
 Use: Kings Colony common area and townhouse units

SOUTH: FLUM: Mixed Use
 Zoning: General Commercial (COM-2)
 Use: Commercial/Office building

WEST: FLUM: I-95 then Canals
 Zoning: I-95 then Public/Semipublic (PSP)
 Use: Drainage canal

ANALYSIS BASED ON UNIFIED LAND DEVELOPMENT CODE CHAPTER 2 SECTION 2.05.05

The Unified Land Development Code, Chapter 2, and Part II, Section 2.05.05 states: *When reviewing a development order application, the approval authority shall determine whether sufficient factual data was presented in order to render a decision. The decision to issue a development order shall be based upon the following, including but not limited to:*

A. The proposed development must not be in conflict with or contrary to the public interest:

Staff Finding: The proposed tattoo studio is not in conflict with or contrary to the public interest as it will be located within an existing commercial/office building with a variety of commercial tenants. The COM-2 Zoning District is intended to provide sufficient areas for general commercial and office uses to

meet community-wide demand for retail, services, businesses, and employment opportunities. The proposed use is considered a Personal Service.

B. The proposed development must be consistent with the Comprehensive Plan and the provisions of this LDC;

Staff Finding: The request is consistent with the following objectives and policies of the Comprehensive Plan. (Note that not all chapters of the Comprehensive Plan are applicable to this request.)

- **Chapter 1 Future Land Use Element:**

-Objective 1.1.4 - Promote compact and contiguous development, a mixture of land uses, and discourage urban sprawl.

-Policy 1.1.4.5 – Land use patterns will be required to be efficient and not disproportionately increase the cost of providing and maintaining public facilities, as well as providing housing and transportation strategies that will foster energy conservation.

Staff Findings: The proposed location will provide a convenient location in northeastern Palm Coast for residents desiring this type of service.

-Goal 1.4 – Economic Development – Pursue an economic development program to expand (the City’s) economic base and to provide adequate, diverse employment and business opportunities.

Staff Findings: The proposed use will provide a growing personal service in Palm Coast.

C. The proposed development must not impose a significant financial liability or hardship for the City;

Staff Findings: Should the applicant be granted a Special Exception; no significant financial liability or hardship will be created for the City as all services are already available with sufficient capacity at this location.

D. The proposed development must not create an unreasonable hazard, or nuisance, or constitute a threat to the general health, welfare, or safety of the City’s inhabitants;

Staff Finding: Approving a special exception for a tattoo studio among the other commercial uses located along Old Kings Road, will not create an unreasonable hazard, or nuisance, or constitute a threat to the general health, welfare, or safety of the City’s inhabitants.

E. The proposed development must comply with all other applicable local, state and federal laws, statutes, ordinances, regulations, or codes;

Staff Finding: All businesses must comply with the requirements of the LDC and all other applicable local, state and federal laws, statutes, ordinances, regulations and codes.

ANALYSIS BASED ON UNIFIED LAND DEVELOPMENT CODE CHAPTER 2 SECTION 2.07.03

The Unified Land Development Code, Chapter 2, Part II, Sec. 2.07.03 states: “No application for a special exception use shall be approved unless the Planning and Land Development Regulation Board finds that the request meets the findings listed in Subsection 2.05.05 and the following:”

A. *Is consistent with the specific requirements for that particular use as set forth in this LDC;*

Staff Finding: The proposed location will be on a site that has been previously developed under all applicable development standards.

B. *Meets the concurrency requirements of this LDC;*

Staff Finding: The site and building went through the development process and met all applicable regulations at the time of development.

C. *Is compatible with the surrounding neighborhoods and promotes the value of surrounding land, structures or buildings. Compatibility shall be further reviewed in light of the following components:*

Component	Staff Finding
<i>Architectural design;</i>	Not applicable as the center is already constructed.
<i>Fencing and screening, landscaping;</i>	Not applicable as the center is already constructed.
<i>Noise reduction, sign and light control;</i>	Not applicable as the center is already constructed. Signage will comply with Chapter 12 of the LDC.
<i>Storm drainage, sanitation collection;</i>	Not applicable as the center is already constructed.
<i>Police and fire protection;</i>	No significant fire or police risk is anticipated by this use.
<i>On and off-site traffic control</i>	This business will have no relevant impact on the City’s arterial roadway system as it will only generate about the same amount of traffic, or less, than other similar sized uses in the surrounding area.
<i>Off-street parking and loading; and</i>	Not applicable as the center is already constructed and sufficient parking is available.
<i>Other matters relevant to assuring that the proposed development site fosters desirable conditions and compatibility with the existing environment.</i>	Not applicable as the center is already constructed.

Summary Finding: The applicant has found a location for this use that is consistent and compatible with the existing uses within the proposed location as well as adjacent commercial uses along Old Kings Road.

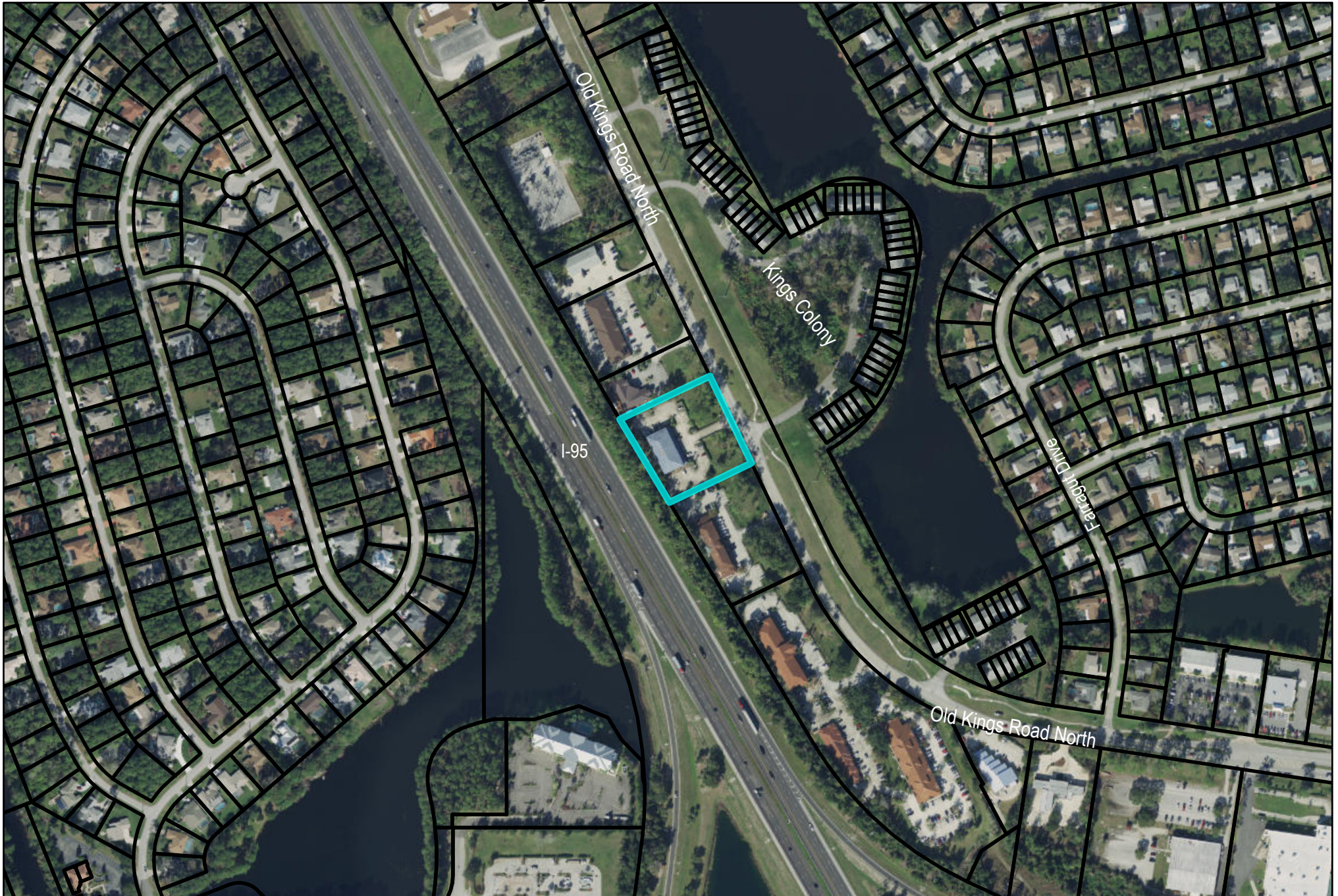
PUBLIC PARTICIPATION

Unified Land Development Code Chapter 2, Part II, Section 2.07 requires that applicants notify adjacent property owners of the PLDRB meeting date at least 14 days in advance of the public hearing. The required letter notifications to the adjacent property owners were sent via Certified Mail by May 3, 2023 to meet this standard. The Planning Division has not received any communications from members of the public regarding this application.



RECOMMENDATION

Planning staff recommends that the Planning and Land Development Regulation Board (PLDRB) approve Supreme Tattoo Studio, Application No. 5416 to allow a Special Exception for *Tattooing, Body Piercing and other Body Art*.


29 Old Kings Road- Aerial



Legend

-  Palm Coast City Limits
-  FlaglerPropertyAppraiser

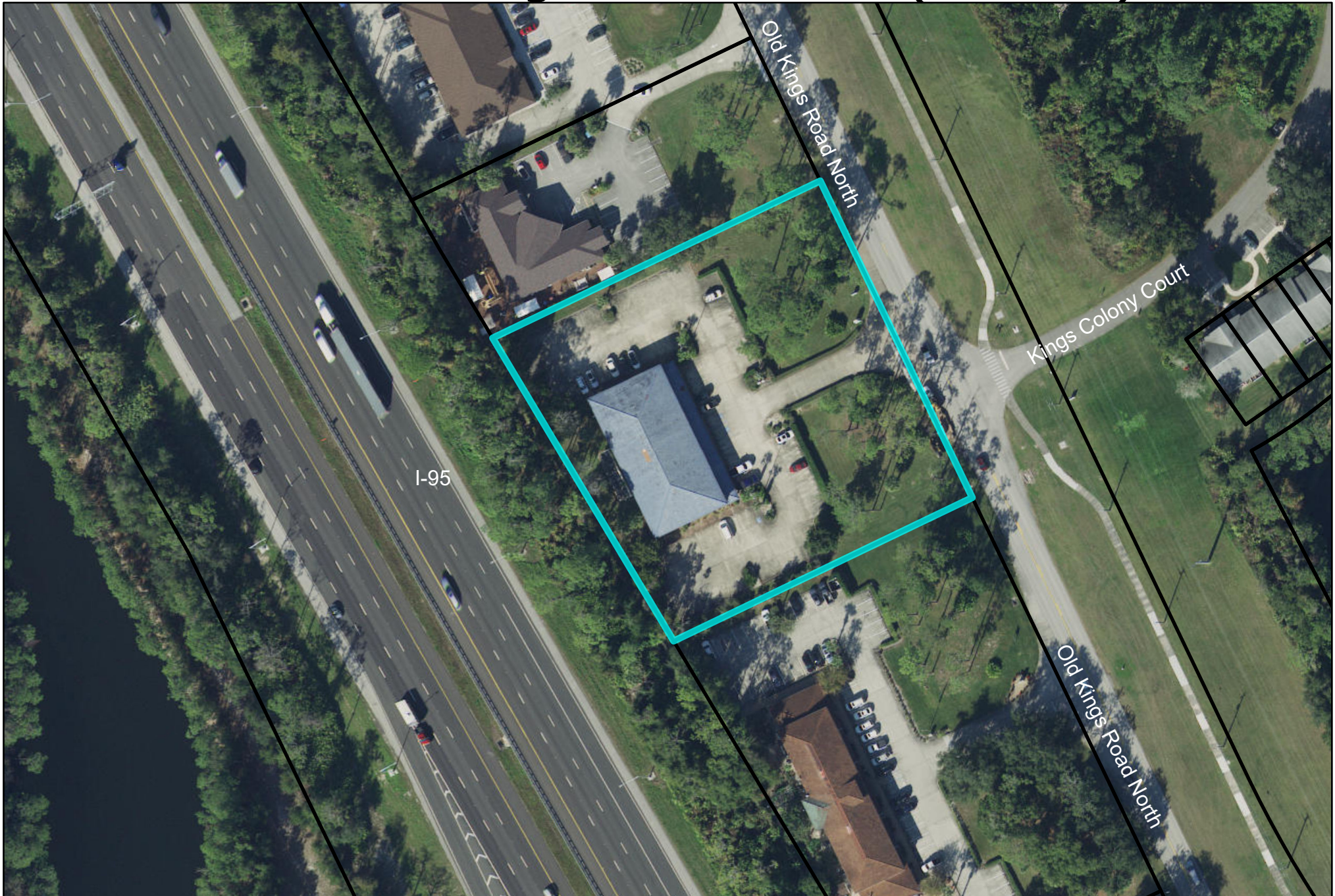
0 70 140 280 420 Feet



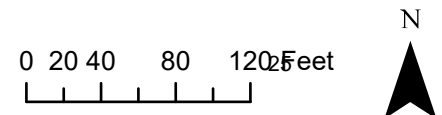
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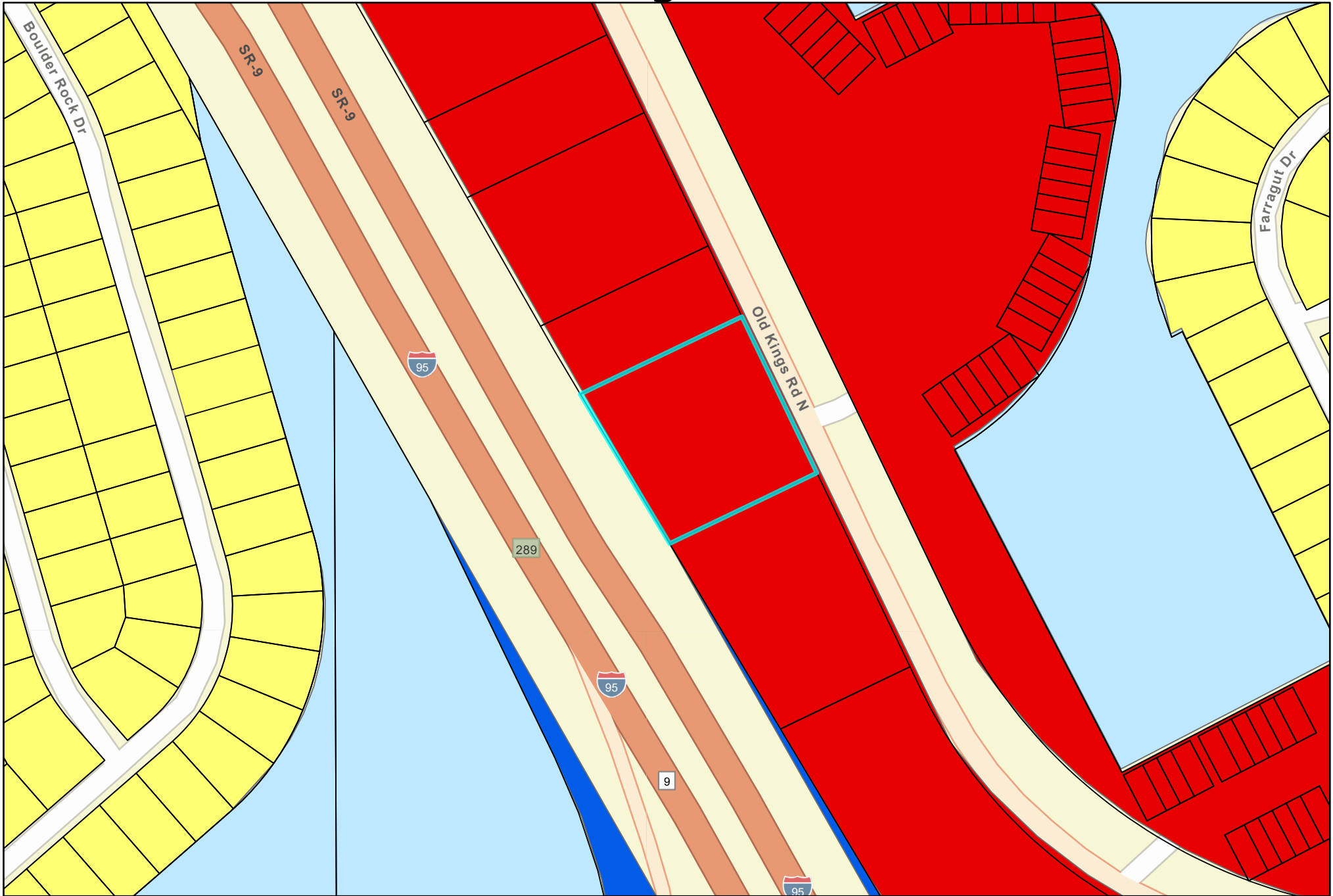
29 Old Kings Road- Aerial (Close-in)



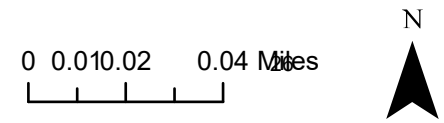
Legend
■ Palm Coast City Limits



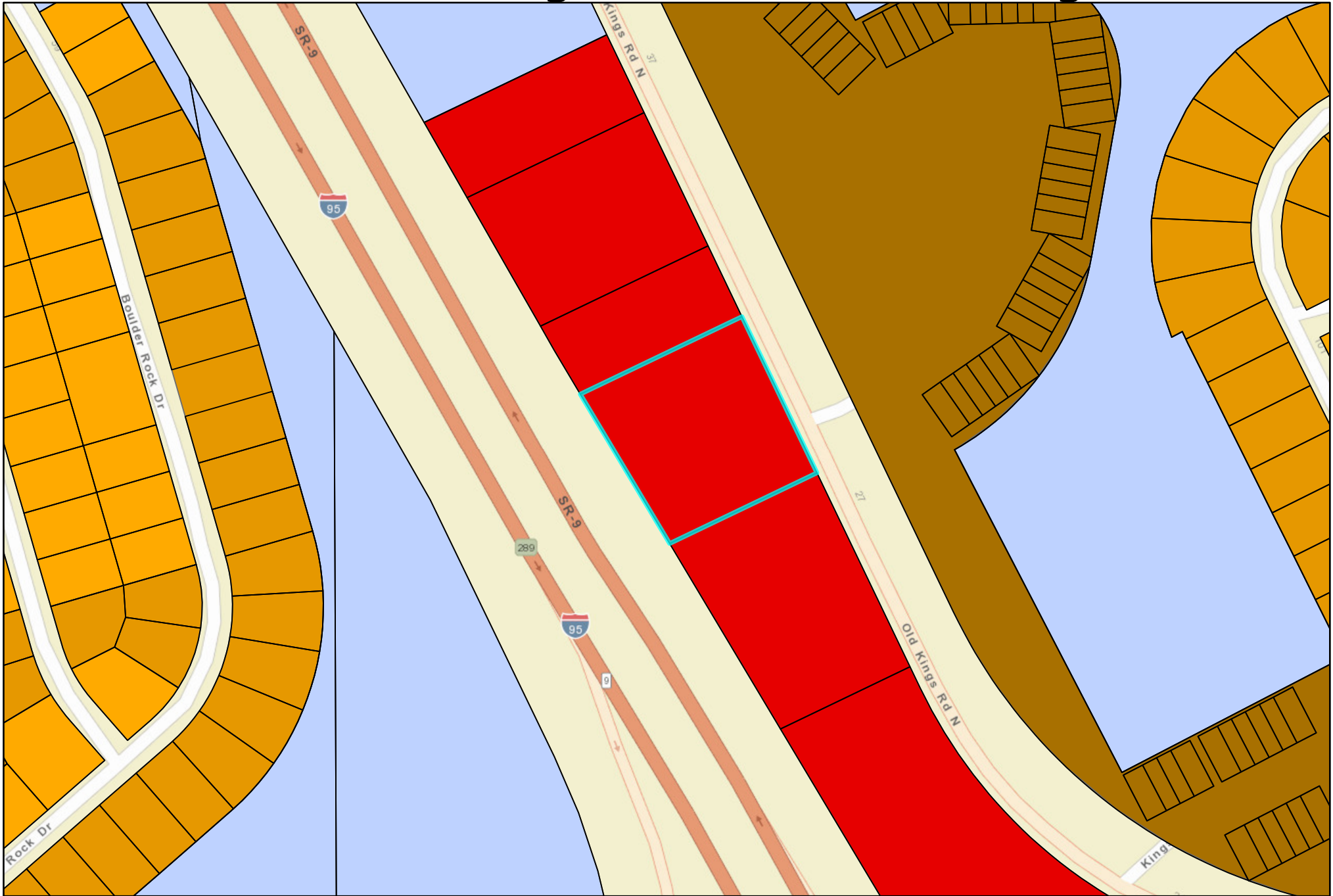
29 Old Kings Road FLUM



- Legend**
- Palm Coast City Limits
 - COMMERCIAL: LOW INTENSITY
 - AGRICULTURE & TIMBERLANDS
 - Canals
 - Conservation
 - DRI-Mixed Use
 - Coastal High Hazard Area
 - Greenbelt
 - Industrial
 - DRI-Residential Area
 - DRI-Urban Core
 - Institutional
 - MIXED USE: HIGH INTENSITY
 - Mixed Use

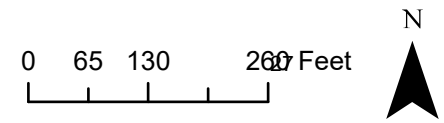


29 Old Kings Road North- Zoning



Legend

■ Palm Coast City Limits	■ C-2	■ COM-3	■ IND-1	■ MPD
PC Zoning	■ CN	■ DPX	■ IND-2	■ OFC-1
■ AC	■ COM-1	■ EST-1	■ MFR-1	■ OFC-2
■ AGR	■ COM-2	■ EST-2	■ MFR-2	■ P&G





- GENERAL APPLICATION:**
- | | | |
|--|--|---|
| <input type="checkbox"/> Nonstatutory Land Division/Parcel Reconfiguration | <input type="checkbox"/> Rezoning | <input type="checkbox"/> Special Exception |
| <input type="checkbox"/> Subdivision Master Plan | <input type="checkbox"/> Preliminary Plat | <input type="checkbox"/> Vacating Plat |
| <input type="checkbox"/> Master Site Plan | <input type="checkbox"/> Nonresidential Controlling Master Site Plan | <input type="checkbox"/> Final Plat |
| <input type="checkbox"/> Technical Site Plan | <input type="checkbox"/> Site Plan Addition | <input type="checkbox"/> Development Order Modification |
| <input type="checkbox"/> Variance | <input type="checkbox"/> Parking Flexibility | |
| <input type="checkbox"/> Wireless Communication Facility (new structure) | | |

CD Plus Application #: _____ Application Submittal Date: _____
 Fee Paid: \$ _____ Date of Acceptance: _____
 Employee Name Accepting Application (print name): _____
 Rejected on _____ Rejected by: _____
 Reason for Rejection: _____

A. PROJECT NAME: Supreme Custom Tattoo

B. LOCATION OF SUBJECT PROPERTY (PHYSICAL ADDRESS):
29 N. OLD KINGS RD. Palm Coast, FL. 32164

C. PROPERTY APPRAISER'S PARCEL NUMBER(S): _____

D. LEGAL DESCRIPTION: _____ Subdivision Name; _____ Section; _____ Block; _____ Lot

E. SUBJECT PROPERTY ACRES / SQUARE FOOTAGE: _____

F. FUTURE LAND USE MAP DESIGNATION: MIXED USE EXISTING ZONING DISTRICT: COM-2
 OVERLAY DISTRICT: N/A

G. FLOOD ZONE: _____ COMMUNITY PANEL NUMBER: _____ DATE: _____

H. PRESENT USE OF PROPERTY: COMMERCIAL / RETAIL

I. DESCRIPTION OF REQUEST / PROPOSED DEVELOPMENT (MAY ATTACH ADDITIONAL SHEETS):
SPECIAL EXCEPTION RESTAURANT AND PIERCING STUDIO AT 29 OLD KINGS RD.

J. PROPOSED NUMBER OF LOTS: N/A

K. CHECK APPROPRIATE BOX FOR SITE PLAN:

- Tier 1 (up to 40,000 sq. ft. / 40 units)
 Tier 2 (up to 100,000 sq. ft. / 100 units) N/A
 Tier 3 (exceeding 100,000 sq. ft. / 100 units)

L. LIST BELOW ANY APPLICATIONS CURRENTLY UNDER REVIEW OR RECENTLY APPROVED ASSOCIATED WITH THIS APPLICATION:
N/A

M. WATER/SEWER PROVIDER: N/A

N. IS THERE AN EXISTING MORTGAGE? Yes No N/A



Property Owner Letter of Authorization
*****IF APPLICANT IS NOT THE PROPERTY OWNER*****

Dear Planning Manager,

I / We, Agua Investments Company of Palm Coast

(All property owners)
being the current property owner(s) of the property legally described as Parcel Number(s)

29 Old Kings Rd N Palm Coast FL 32137 07-11-31-4920-00000-0030

and also described as Subdivision _____

Section _____, Block _____, Lot _____, OR

1.86 Acres Old Kings Rd Professional Park Lots 3+4 MB 27

Street Address or Physical Location:
29 Old Kings Rd N. Palm Coast, FL 32137

Do hereby designate and authorize
Kristen Fuentes
(name of agent / applicant)

representing _____
(Individual or Corporate Name)

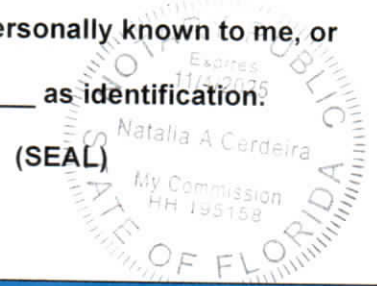
to sign on my/our behalf, as my/our agent to submit an application for a
SPRINK EXEMPTION
(type of application)

for the property described above.
[Signature]
Signature of property owner
Antonio Amaral
Print name

Signature of property owner

Print name

NOTARY: This instrument was acknowledged before me on this 3rd day of April,
2023 by Antonio Amaral who is/are personally known to me, or
who has/have produced personally known to me as identification.



[Signature]
Signature of Notary Public, State of Florida



OWNER:

APPLICANT / AGENT:

Name: <u>Hqua Investments</u>	Name: <u>Kristen Fuentes</u>
Mailing Address: <u>2013 Utility DR Suite B Palm Coast, FL 32137</u>	Mailing Address: <u>59 Reidsville Dr. PC 32164</u>
Phone Number: <u>386-445-9393</u>	Phone Number: <u>970-825-9140</u>
E-mail Address: <u>natcomardcustomhomes.com</u>	E-mail Address: <u>Kolosbawder@hotmail.com</u>

MORTGAGE HOLDER:

ENGINEER OR PROFESSIONAL:

Name: _____	Name: _____
Mailing Address: _____	Mailing Address: _____
Phone Number: _____	Phone Number: _____
E-mail Address: _____	E-mail Address: _____

PLANNER:

TRAFFIC ENGINEER:

Name: _____	Name: _____
Mailing Address: _____	Mailing Address: _____
Phone Number: _____	Phone Number: _____
E-mail Address: _____	E-mail Address: _____

SURVEYOR:

LANDSCAPE ARCHITECT:

Name: _____	Name: _____
Mailing Address: _____	Mailing Address: _____
Phone Number: _____	Phone Number: _____
E-mail Address: _____	E-mail Address: _____

ATTORNEY:

DEVELOPER OR DOCKMASTER:

Name: _____	Name: _____
Mailing Address: _____	Mailing Address: _____
Phone Number: _____	Phone Number: _____
E-mail Address: _____	E-mail Address: _____

I HEREBY CERTIFY THAT ALL INFORMATION ON THIS APPLICATION IS CORRECT:

Signature of owner OR person authorized to represent this application

Signature(s) [Handwritten Signature]

Printed or typed name(s): Kristen Fuentes

NOTARY: This instrument was acknowledged before me on this 20th day of April, 2023 by

KRISTEN FUENTES who is/are personally known to me, or who has/have produced
A. DR. LICENSE as identification.

[Handwritten Signature]
Signature of Notary Public, State of Florida



Supreme Custom Tattoo

Palm Coast, FL

Member of Planning and Land Development
Regulation Board
City of Palm Coast
160 Lake Avenue
Palm Coast, FL 32164

RE: Supreme Custom Tattoo LLC
Special Exception Application

Dear Board:

The intent of the letter is to introduce Supreme Custom Tattoo, LLC, I am Kristen Fuentes, owner of Supreme Custom Tattoo. We are in the business of tattooing and piercing. As of May 10th I will be Certified and Licensed in piercing. My husband, Fabian Fuentes is a licensed Tattoo Artist. Our plan is to open a small family-owned Tattoo and Piercing Studio that would be operated by appointment only.

Please see the attached application for Special Exception for the property located at 29 Old Kings Road.

We believe that our business will be a productive addition to this community.

Thank you for your time and consideration.

Sincerely,

Kristen Fuentes



City of PALM COAST

Community Development Department
Planning Division

160 Lake Avenue
Palm Coast, FL 32164
386-986-3736

April 27, 2023

RE: Request for Special Exception; Application No. 5416

Dear Neighboring Property Owner,

The Community Development Department, in accordance with Section 2.05.03 of the City of Palm Coast Unified Land Development Code herein advises you that:

A request for a Special Exception to allow Tatooning, Body Piercing, and other Body Art, has been made by KRISTEN FUENTES of Palm Coast, to be located at 29 Old Kings Road N, Unit 4B, Tax Parcel ID No.: 07-11-31-4920-00000-0030.

This Special Exception request is to be heard before the Planning and Land Development Regulation Board (PLDRB). You are hereby notified that a public hearing, required by law, will be held at the Palm Coast City Hall Community Wing, 160 Lake Avenue, Palm Coast, Florida, on Wednesday, May 17, 2023, beginning at 5:30 pm or as soon thereafter as possible.

You are welcome to attend and express your opinion or place concerns in writing and email them to PLDRB@palmcoastgov.com. The e-mail should indicate that they are intended for public participation and may be submitted up until 5 pm the day before the meeting. The City reserves the right to redact or reject Documentary Evidence containing obscene material or material that is confidential pursuant to state law.

Cordially,

ESTELLE LENS
Project Manager

NOTE: Pursuant to Section 286.0105 of Florida Statutes the City of Palm Coast Community Development Department hereby notifies all interested persons that if a person decides to appeal any decision made by the PLDRB with respect to any matter considered at such meeting or hearing, he or she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is based. In accordance with the Americans with Disabilities Act, persons needing assistance to participate in these proceedings should contact City Clerk's Office at 386-986-3713 at least 48 hours prior to the meeting. To obtain the decision of this hearing, please contact the Planning Division the day after the above public hearing during the afternoon.



palmcoastgov.com



NOTIFICATION AFFIDAVIT for VARIANCE / SPECIAL EXCEPTION

COUNTY OF FLAGLER X
STATE OF FLORIDA X

Before me this 28th day of April, 2023 personally appeared

Kristen Ann Fuentes

who after providing

FLDL F532-501-78-743-D

as identification and

who did, did not take an oath, and who being duly sworn, deposes and says as follows:

"I have read and fully understand the provisions of this instrument."

1. Each abutting property owner (as defined in the Unified Land Development Code) of the boundary lines of Application # 5416, has been mailed a letter by certified mail at least fourteen (14) calendar days before the hearing date notifying them of the date, time, and place of the Meeting Planning & Land Development Regulation Board (PLDRB) hearing; and
2. No other documentation was provided in the envelope with the notification letter.

[Signature]
Signature of Responsible Party

Kristen Fuentes
Printed Name

59 Reidsville Dr. PC 32164
Mailing Address

[Signature]
Signature of Person Taking Acknowledgement

Michelle N Ramos
Name of Acknowledger (Typed, Printed or Stamped)



This document, once executed, must be returned to a Land Development Technician in the City of Palm Coast Community Development Department at least seven (7) days prior to the hearing date. Failure to provide document by that time will result in the application not being placed on the agenda for a public hearing.

9589 0710 5270 0126 3577 95

**U.S. Postal Service™
CERTIFIED MAIL® RECEIPT**
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Palm Coast, FL 32135

OFFICIAL USE

Certified Mail Fee \$4.15

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$0.00

Return Receipt (electronic) \$0.00

Certified Mail Restricted Delivery \$0.00

Adult Signature Required \$0.00

Adult Signature Restricted Delivery \$0.00

Postage \$0.63

Total Postage and Fees \$4.78

Sent To **GM ENTERPRISES OF PALM COAST**

Street and Apt. No. or PO Box No. **PO Box 353639**

City, State, ZIP+4® **PALM COAST FL 32135**

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions



PALM COAST
2 PINE CONE DR
PALM COAST, FL 32137-9998
(800)275-8777

04/26/2023 10:20 AM

Product	Qty	Unit Price	Price
First-Class Mail® Letter	1	\$0.63	\$0.63
Palm Coast, FL 32135 Weight: 0 lb 0.30 oz Estimated Delivery Date Fri 04/28/2023			
Certified Mail®			\$4.15
Tracking #:	9589 0710 5270 0126 3577 95		
Total			\$4.78

9589 0710 5270 0126 3577 88

**U.S. Postal Service™
CERTIFIED MAIL® RECEIPT**
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Palm Coast, FL 32137

OFFICIAL USE

Certified Mail Fee \$4.15

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$0.00

Return Receipt (electronic) \$0.00

Certified Mail Restricted Delivery \$0.00

Adult Signature Required \$0.00

Adult Signature Restricted Delivery \$0.00

Postage \$0.63

Total Postage and Fees \$4.78

Sent To **Bento Properties LLC**

Street and Apt. No. or PO Box No. **33 FITZGERALD LANE**

City, State, ZIP+4® **PALM COAST FL 32137**

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Certified Mail®			\$4.15
Tracking #:	9589 0710 5270 0126 3577 88		
Total			\$4.78

First-Class Mail® Letter	1	\$0.63	\$0.63
Palm Coast, FL 32135 Weight: 0 lb 0.30 oz Estimated Delivery Date Fri 04/28/2023			
Certified Mail®			\$4.15
Tracking #:	9589 0710 5270 0126 3578 18		
Total			\$4.78

Grand Total: \$14.34

Debit Card Remit \$14.34

Card Name: VISA
Account #: XXXXXXXXXXXXXXX7091
Approval #: 002010
Transaction #: 505
Receipt #: 037542
Debit Card Purchase: \$14.34
AID: A000000980840 Chip
AL: US DEBIT
PIN: Verified

Text your tracking number to 28777 (2USPS) to get the latest status. Standard Message and Data rates may apply. You may also visit www.usps.com USPS Tracking or call 1-800-222-1811.

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<https://informedelivery.usps.com>

All sales final on stamps and postage. Refunds for guaranteed services only. Thank you for your business.

9589 0710 5270 0126 3578 18

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Adult Signature Required \$0.00

Adult Signature Restricted Delivery \$0.00

Postage \$0.63

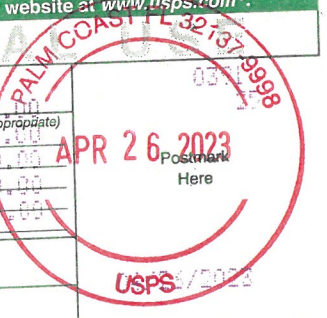
Total Postage and Fees \$4.78

Sent To **KINGS COLONY HOMEOWNERS ASSN**

Street and Apt. No. or PO Box No. **PO Box 35273**

City, State, ZIP+4® **PALM COAST FL 32135**

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions



Frances
59 Peidswile Dr
Palm Coast FL 32164

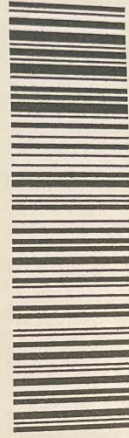
Refused

9400922574122240

Kings Colony Homeowners Assn.
PO Box 351273
Palm Coast FL 32135

REF 32164>6635

9589 0710 5270 0126 3578 18



CERTIFIED MAIL



RDC 29



32135

U.S. POSTAGE PAID
FORM LETTER
PALM COAST, FL
SEP 26, 23
AMOUNT
\$4.78
R2305K131368-25

NIXIE 339 CC 1 0285/04/23
RETURN TO SENDER
UNABLE TO FORWARD
BC: 32164663559 *2574-07285-04-10

1/11-11