



CITY OF FLAGLER BEACH BUILDING AND PLANNING DEPARTMENT

RECEIVED

GENERAL APPLICATION	
☐ Final Site Plan	☐ Preliminary Plat
☐ Master Site Plan	☐ Final Plat
☐ Site Development Plan(s)	☐ Plat Vacating
☐ Rezoning	☐ Subdivision Master Plan
☐ Comprehensive Plan Amendment	☐ Non-statutory Land Division/Parcel Reconfiguration
☒ Future Land Use Map Amendment	☐ Site Plan Modification (Post approval)
☐ Special Exception	☐ Development Order Modification
☐ Variance	☐ Wireless Communication Facility (new structure)

MAR 28 2024

City of Flagler Beach
Building Department

Application Submittal Date: 3-28-24
Fee Paid: \$ 1,035.00 Date Received: 3-28-24
Employee Accepting Application (print name): Bennie Brauner
Rejected Date: _____ Rejected by: _____
Reason for Rejection: _____

- A. PROJECT NAME: Rezoning Lot 8W
- B. LOCATION OF SUBJECT PROPERTY (PHYSICAL ADDRESS): Lot 8W is adjacent to 112 N 6th St.
- C. PROPERTY APPRAISER'S PARCEL ID NUMBER(s): 1212 3145 0000 0200081
- D. LEGAL DESCRIPTION: _____ Subdivision Name: George Moody
- Section: _____ Block(s): 2 Lot(s): West 30 ft of Lot 8
- E. SUBJECT PROPERTY ACRES / SQUARE FOOTAGE: 3,000 sq ft
- F. FUTURE LAND USE MAP DESIGNATION: Commercial EXISTING ZONING DISTRICT: General Commercial
- OVERLAY DISTRICT: _____
- G. FLOOD ZONE: X FEMA COMMUNITY PANEL NUMBER: _____ DATE: _____
- H. CURRENT USE OF PROPERTY: Vacant
- I. DESCRIPTION OF REQUEST/PROPOSED DEVELOPMENT (ATTACH ADDITIONAL SHEETS) To rezone Lot 8W to single fam. res./low density res. in order to combine it with Lot 7 in order to build an ADU/Poolhouse.
- J. PROPOSED NUMBER OF LOTS (If Applicable): _____ Development Phasing: Yes ☐ No ☐



CITY OF FLAGLER BEACH BUILDING AND PLANNING DEPARTMENT

K. LIST BELOW ANY APPLICATIONS CURRENTLY UNDER REVIEW OR RECENTLY APPROVED ASSOCIATED WITH THIS APPLICATION:

L. WATER/SEWER PROVIDER: City of Flagler Beach

M. EXISTING MORTGAGE? Yes ☐ No ☒

OWNER:	APPLICANT/AGENT:
Name: <u>Joseph Kovach</u>	Name:
Mailing Address: <u>112 N 6TH ST FB.</u>	Mailing Address:
Phone Number: <u>330-317-6641</u>	Phone Number:
E-mail Address: <u>49Kovach@gmail.com</u>	E-mail Address:

MORTGAGE HOLDER:	ENGINEER OR PROFESSIONAL:
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:

PLANNER:	TRAFFIC ENGINEER:
Name:	Name:
Mailing Address:	Mailing Address:
Phone Number:	Phone Number:
E-mail Address:	E-mail Address:

ATTORNEY OF RECORD:	DEVELOPER:
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:

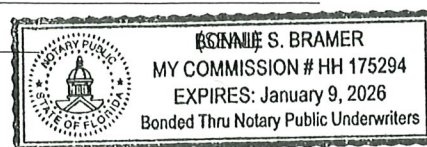
Signature of owner OR person authorized to represent this application:

Signature(s): Joseph Kovach

Printed or typed name(s): Joseph Kovach

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 28 day of March 2024 by Joseph Kovach individual submitted by ☒ Personal Knowledge ☐ Satisfactory Evidence: Type _____

Bonnie Bramer
Signature of Notary Public, State of Florida





City of Flagler Beach
PO Box 70 105 South 2nd Street
Flagler Beach, Florida 32136

Phone (386) 517-2000. Fax (386) 517-2008

Application for Amendment to the City of Flagler Beach Comprehensive Plan

Small Area Amendment: (Sec. 163.33187,FS) _____

Under 1 Acre ☒ Over 1, Under 10 Acres _____

Fees: \$ _____

Regular Amendment _____ Number of Acres _____

Fees: \$ _____

Any party requesting a change of land use must provide the city with sufficient information to determine the practicality of effecting such a change. The party making such a request must provide the following information to the city building department, on a form provided by the city and pay a fee established by the city commission which may be amended as experience dictates:

Part I. Applicant / Owner Information

Applicant's Name: Joseph Kovach

Applicant's Address: 112 N 6th St Flagler Beach, FL 32136

Applicant's Contact Numbers: Home 330-317-6641 Business _____ FAX _____

Applicant's E-mail (if applicable): 49kovach@gmail.com

If the Owner is different from the Applicant please fill out the following:

Owner's Name: _____

Owner's Address: _____

Owner's Contact Numbers: Home _____ Business _____ FAX _____

Owner's E-mail (if applicable): _____

Part II. Parcel Description

Parcel ID Number: 1212314500 0002000B1

Legal Description: (Attach if necessary) _____

The Westerly 305th of Lot 8, Block 2, Moody Subdivision, recorded in Map Book 1, Page 24 of the Public Records of Flagler County Florida

Number of Acres or Fraction Thereof: 0.069 A

Existing Land Use Designation: Commercial - General

Application for amendment to Comp. Plan

12/9/2003

Proposed Land Use Designation: Single Family Residential

Number of Units to Be Developed; by type: 1

Roads Serving Site: N 6th St

Recreational facilities serving site: _____

	Yes	No
Will the Site be served by: Central Water?	☒	☐
Central Sewer?	☒	☐
Is the Site in 100-year Flood Zone?	☐	☒
Does Site Contain Critical Habitat for Endangered/Threatened Species?	☐	☒
Will proposed change affect beach accessibility?	☐	☒

Please state the reason for the requested change:

The purpose of this change request is to change the zoning of lot 8 West to Single Family Residential in order to combine it with Lot 7 to build an addition or pool house on the combined property.

Part III: Attachments Checklist

The information and attachments requested as part of this application are the minimum necessary to determine if the proposed amendment complies with the requirements of the Florida Statutes, Administrative Code, Comprehensive Land Use Plan (CLUP) and the Land Development Code (LDC). The City may require additional information at any time during the application process, depending on the nature of the request.

- ☒ DEED/AFFIDAVIT OF OWNERSHIP OR CONTRACT FOR PURCHASE (COPY)
- ☐ OWNER'S AGENT AUTHORIZATION FORM
- ☒ SURVEY (1"=20', With Raised Seal and Signature of Florida Registered Surveyor or Engineer)
- ☒ PROVIDE A MAP SHOWING THE PROPOSED FUTURE LAND USE MAP DESIGNATION OF THE SUBJECT PARCEL AND ITS LOCATION IN RELATION TO THE SURROUNDING STREET NETWORK.
- ☒ PROVIDE A MAP SHOWING THE CURRENT LAND USE DESIGNATION OF THIS SUBJECT AND ABUTTING PARCELS ON THE FUTURE LAND USE MAP
- ☒ PROVIDE A DESCRIPTION OF THE AVAILABILITY OF AND DEMAND ON THE FOLLOWING PUBLIC FACILITIES; SANITARY SEWER, SOLID WASTE, DRAINAGE, POTABLE WATER, TRAFFIC CIRCULATION AND RECREATION.
- ☒ DESCRIPTION OF HOW THE PROPOSED AMENDMENT IS CONSISTENT WITH THE INTENT AND PURPOSE OF THE CITY OF FLAGLER BEACH COMPREHENSIVE LAND USE PLAN
- ☒ DESCRIPTION OF HOW THE PROPOSED AMENDMENT WILL ENCOURAGE THE MOST APPROPRIATE USE OF LAND AND CITY RESOURCES, CONSISTENT WITH THE PUBLIC INTEREST
- ☒ PROVIDE AN ANALYSIS, INCLUDING SOILS, TOPOGRAPHY, NATURAL RESOURCES AND HISTORIC RESOURCES OF THE SUBJECT PARCEL
- ☐ OTHER INFORMATION REQUIRED FOR COMPLIANCE WITH STATE STATUTES AND CODES AND LDR

NOTE: Approval of an application for a land use change amendment to the comprehensive plan does not reserve infrastructure capacity for future development.

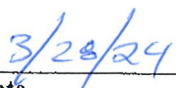
NOTE: Should your request for a Comprehensive Plan Amendment also require a re-zoning, you must submit the requests at the same time. A separate re-zoning application is required.

***** CERTIFICATION *****

I hereby certify that the information contained in this application and the attachments hereto are true and correct to the best of my knowledge and belief. Furthermore, I acknowledge that the City has the right to inspect the property in conjunction with this Comprehensive Land Use Plan amendment application. (Please advise the City of any restrictions or limitations on the inspections.)



Signature of Applicant



Date

Prepared By and Return To:
 Suncoast Title Insurance Agency, Inc.
 15 Cypress Branch Way, Suite 203
 Palm Coast, FL 32164
 incidental to the issuance of a title insurance policy.
 File Number: 14-0467
 Parcel ID: 121231-4500-00020-0081

WARRANTY DEED (INDIVIDUAL)

This WARRANTY DEED dated August 29, 2014, by
 J Ryan Realty, LLC, a New York Limited Liability Company
 whose post office address is:
 18 E 41st Street, Suite 1906, New York, NY 10017
 hereinafter called the GRANTOR, to
 Joseph Kovach, Jr. and Jeanne Mommaerts, husband and wife
 whose post office address is:
 600 N Central Avenue, Flagler Beach, FL 32136.
 hereinafter called the GRANTEE

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

WITNESSETH: That the GRANTOR, for and in consideration of the sum of \$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 situated in Flagler County, Florida, viz:

The Westerly 30 feet of Lot 8, Block 2, MOODY'S SUBDIVISION, according to the plat thereof, as recorded in Map Book 1, Page 24, of the Public Records of Flagler County, Florida.

Grantor warrants this VACANT Property.

SUBJECT TO covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any; taxes and assessments for the year 2014 and subsequent years; and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any.

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.

IN WITNESS WHEREOF, GRANTOR has signed and sealed these presents the date set forth above.

SIGNED IN THE PRESENCE OF THE FOLLOWING WITNESSES:

AND THE GRANTOR hereby covenants with said GRANTEE that except as above noted, 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; that the GRANTOR hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

Signed in the presence of the following *TWO DIFFERENT* WITNESSES:

#1 Witness Donna Bamba J Ryan Realty, LLC, a New York Limited Liability Company
 Signature: [Signature]
 Print Name: DONNA Bamba BY: Bernard Gans, Member
 #2 Witness Sustan Shimcasko
 Signature: [Signature]
 Print Name: Sustan Shimcasko
 State of: NEW YORK
 County of: FLAGLER NY

THE FOREGOING INSTRUMENT was sworn and acknowledged before me on 29th day of August, 2014 by: BERNARD GANS, MEMBER, J RYAN REALTY, LLC, A NEW YORK LIMITED LIABILITY COMPANY who is personally known to me or who has produced a DRIVERS LICENSE as identification and who did take an oath.

(Notary Seal)

NOTARY PUBLIC Signature: [Signature]
 My Commission # 01VA6238175
 Expires: 4/4/15 Print Name: Claire Van Kirk

CLAIRE VAN KIRK
 NOTARY PUBLIC-STATE OF NEW YORK
 No. 01VA6238175
 Qualified in New York County
 My Commission Expires April 04, 2015

Attachments for Future Land Use Amendment

This project is consistent and compatible with Policy C.1.5.1 of the Future Land Use Plan. The proposed structure on this property will have a goal of net zero energy construction (Objective C.1.7). Although there are no wetlands near this property, half of this lot will provide for a natural buffer between the commercial and low density residential areas (Objective A.2.2). This project will also increase the ad valorem tax base (Objective A.1.4)

Description of Availability of Public Facilities

The future Poolhouse/ADU structure will connect water from the 112 N 6th St residence. Sewer will be connected to the sewer line located on the easement on Lot 8 East.

Description of How This Amendment is Consistent with Intent Plan

Policy C.1.5.1

The structure on this lot will be consistent and compatible with the surrounding neighborhood. In the last several years, houses on the most adjacent lots to the west and north of the property have added additions to their current structure (600 N Central, 609 N Central) or an ADU (700 N Central).

Description of How Amendment Encourage Appropriate Land Use

Objective A.2.2

The southern half of lot 8 West will remain landscaped as a green space and act as a sight and sound buffer between the commercial zone and the rest of the residential area.

Policy C.1.7.1

The proposed structure on this will be designed to have a net zero energy use plan. It will incorporate solar panels and use energy conservation methods such as the use of increased insulation and air sealing techniques.

Analysis of soil.

The soil on Lot 8 West is classified as 31-Palm Beach gravelly sand 0-8% slopes

LOT 7 & 8, BLOCK 2, OF MOODY
SUBDIVISION, FLAGLER COUNTY, FLORIDA

LOT 7 & 8, BLOCK 2, OF MOODY SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 24, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

2. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

3. THE "LEGAL DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR PER THE CLIENTS REQUEST.

4. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OR OPINION OF TITLE. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS NOTED.

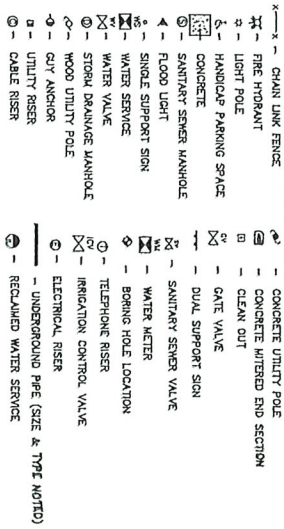
5. HAVING CONSULTED THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP (FIRM), COMMUNITY PANEL NO. 12035C00232E, CITY OF FLAGLER BEACH, REVISED DATE JUNE 9, 2018, THE SUBJECT PROPERTY APPEARS TO BE IN ZONE X, WHICH ARE AREAS OF MINIMAL FLOOD HAZARD (NAAD ('88)). THIS DETERMINATION WAS BASED ON A GRAPHIC INTERPOLATION OF SAID MAP AND NOT ON ACTUAL FIELD MEASUREMENTS.

6. ELEVATIONS ARE BASED ON N.G.S MONUMENT "1 95 72 B18" HAVING AN ELEVATION OF 26.07'. ALL ELEVATIONS ARE REFERENCED TO NAVD (NORTH AMERICAN VERTICAL DATUM) 1988.

7. NO UNDERGROUND UTILITIES, FOUNDATIONS OR IMPROVEMENTS, IF ANY, ARE LOCATED, UNLESS SHOWN HEREON.

8. THIS SURVEY MEETS THE HORIZONTAL CONTROL ACCURACY OF 1/7,500 FEET FOR AN ALTA LAND TITLE SURVEY.

Group	Yes (%)
Control	10
Intervention	20



herbally-certified that the attached "Boundary and Landmarks Survey of the hereon-described property is true and correct to the best of my knowledge, information and belief as surveyed by me and the members of my firm, dated 15, 2018, I further certify that this "Boundary and Landmarks Survey" meets the standards of practice set forth in rule 68B-30.004, 68B-30.005 of the Florida Administrative Code, pursuant to chapter 68B-30.004 of the

IMPERVIOUS AREA = 1,648 SF, 33.0%
PERVIOUS AREA = 3,352 SF, 67%

		Plan Prepared By: CPH, Inc.	
Licenses: Eng. C.O.A. No. 3215 Survey L.B. No. 1743 Arch. L.B. No. 1743 Licensed: Mr. C.D.M.0002035			
WWW.CPHINC.COM			
520 Palm Coast Pkwy SW - Palm Coast, FL 32137 - PH: 386.645.5589			
Field Svc:	DS/1,14	NO.	DATE
Field Bk:	B07273		1/10/19
Drawn By:	BB		ADDED DIMENSIONS AND THE POOL.
Date:	1.9.14		FOUNDATION SURVEY, DSVG 4.1.5 FB 13524
Scale:	1"=20'		FINAL SURVEY DSVG 2.1.16 FB B072 AND LOOSE LEAF
			FINAL SURVEY DSVG 11.15.18 FB B072 AND LOOSE LEAF
			

520 Palm Coast Pkwy SW ~

Alim Corp., Fl. 32137

Ph: 386.445.6569

$\tau^* = 20^\circ$	$\alpha/\phi:$
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71.15,18	
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MINIMAL SURVEY DSI

11-15-18 FB DMH

AND LOOSE LEAD

88

520 Palm Coast Pkwy SW ~

Alim Corp., Fl. 32137

Ph: 386.445.6569

$\tau^* = 20^\circ$	$\alpha/\phi:$
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71.15,18	
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MINIMAL SURVEY DSI

11-15-18 FB DMH

AND LOOSE LEAD

88

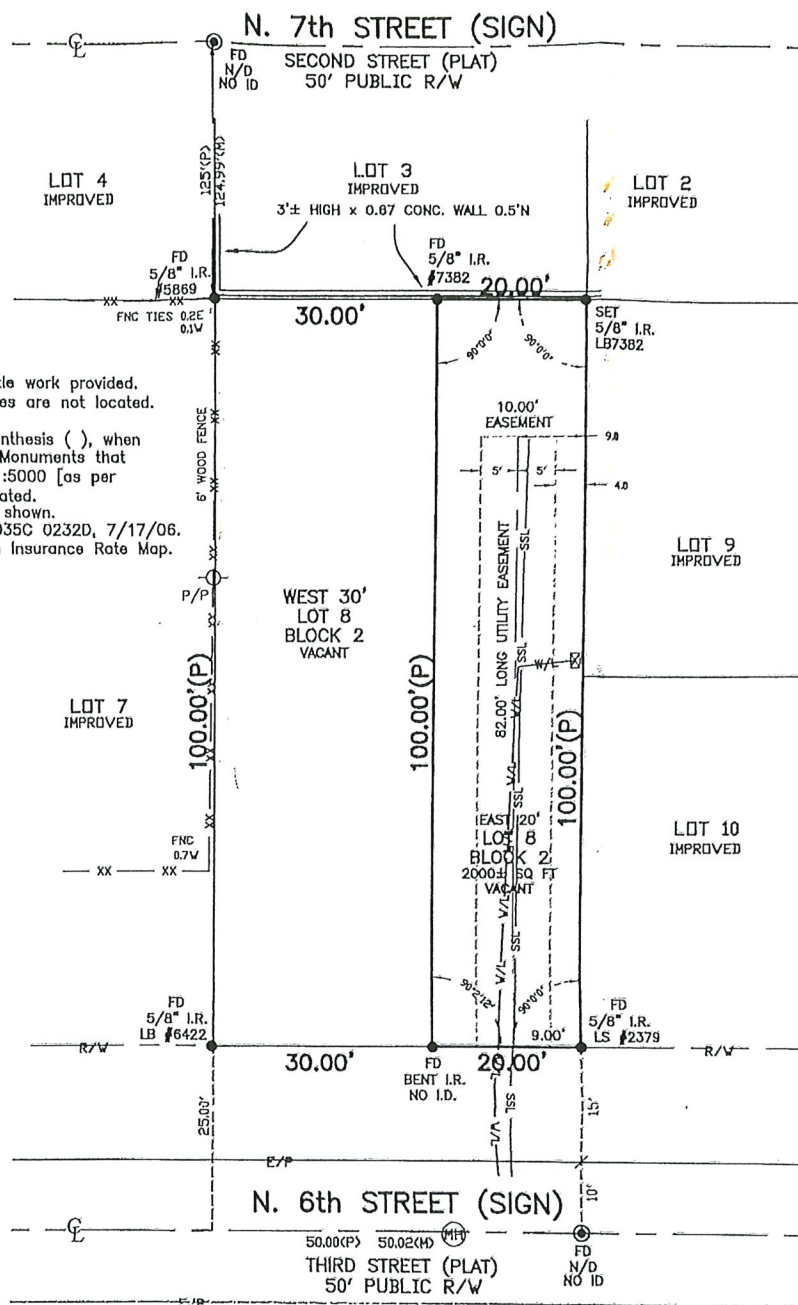


NOTES:

1. Description furnished by client. No title work provided.
2. Underground improvements and utilities are not located.
3. No bearings are shown on plat.
4. Dimension category is shown in parenthesis (), when they differ from record dimensions. Monuments that fall within the suburban closure of 1:5000 [as per 5J-17.051(3)15bii] are not differentiated.
5. Overhead electric not located unless shown.
6. Flood Zone X, Map & Panel No. 12035C 0232D, 7/17/06, as best ascertained from the Flood Insurance Rate Map.

LEGEND:

- CL Center Line
- FD Found
- N/D Nail and Disk
- IR Iron Rod
- (P) Plat Bearing & Distance
- (M) Measured Bearing & Distance
- FNC Fence or fence corner
- R/W Right of Way
- E/P Edge of Pavement
- L.B. Licensed Business
- L.S. Licensed Surveyor
- PSM Professional Surveyor & Mapper
- W/L Water Line
- SSL Sewer Line
- FNC Fence or Fence Corner
- (MH) Man Hole



DESCRIPTION:

THE EAST 20' OF LOT 8, BLOCK 2, GEORGE MOODY SUBDIVISION, AS RECORDED IN MAP BOOK 1, PAGE 24, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

SUBJECT TO A PROPOSED

10.00 FOOT UTILITY EASEMENT LYING 5 FOOT EACH SIDE OF AN 82.00 FOOT LINE LAYING 9.00 FOOT WEST AND PARALLEL TO THE EAST LINE OF LOT 8, BLOCK 2, GEORGE MOODY SUBDIVISION, AS RECORDED IN MAP BOOK 1, PAGE 24, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA

PREPARED FOR:

City of Flagler Beach, FLA

Revised: 08/12/15 proposed 10' easement 1508031 ACS
Revised: Added Water & Sewer Lines, 06/06/14 JMM

TYPE SURVEY: DATE OF FIELD-OFFICE WORK ORDER#
Boundary 05/23/14 05/28/14 1406022 ACS

EAST COAST LAND SURVEYING

11 Coolidge Ave. Suite-J, Ormond Beach FL 32174

PHONE (386) 672-3633 or (386) 437-0123 FAX (386) 672-3635

THE FOREGOING PLAT MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AS PER CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, AS PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

A. Sanzone

05/28/14

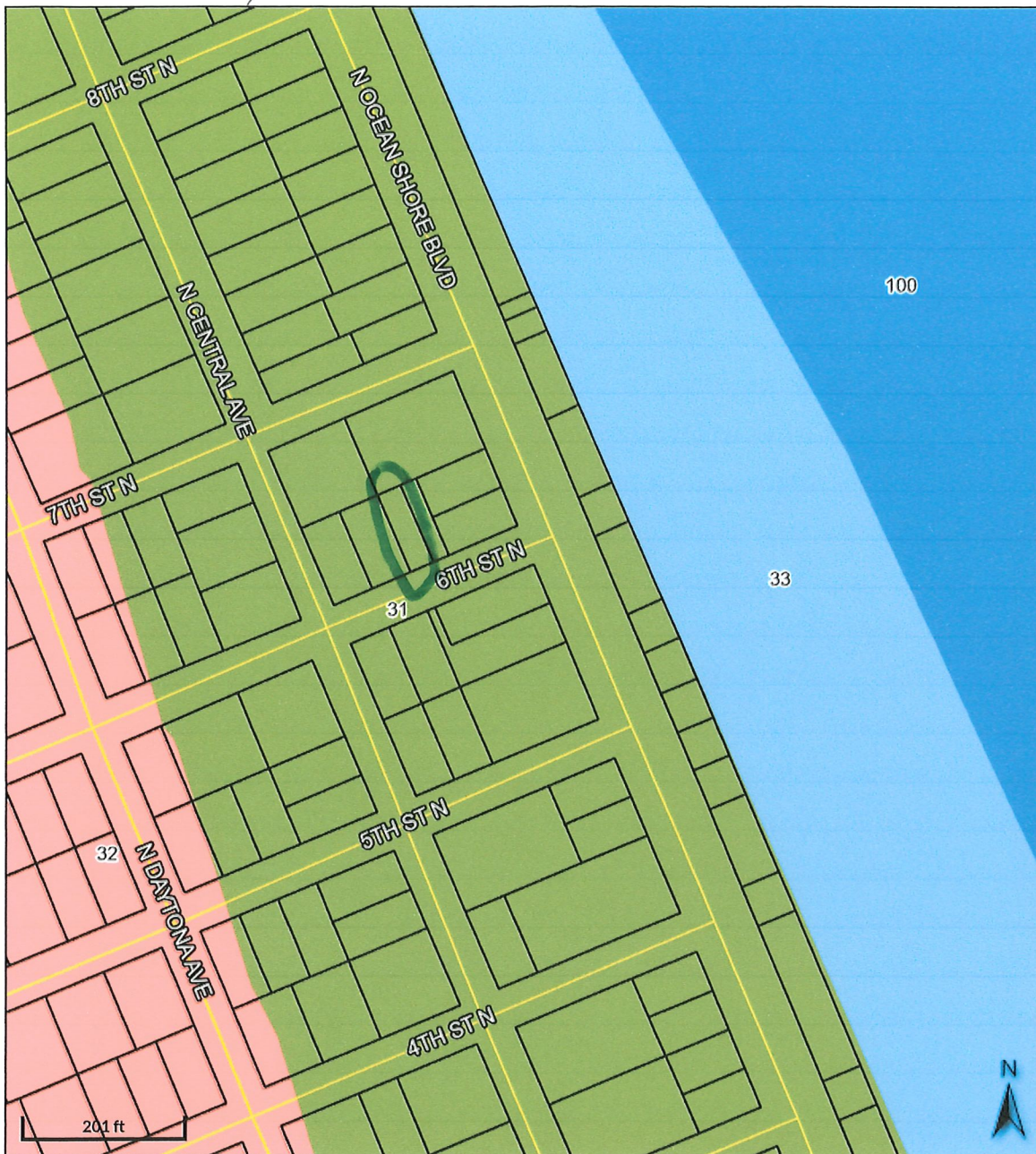
ANTHONY SANZONE, PSM# 63097

LB #7382

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

FLAGLER COUNTY PROPERTY APPRAISER

Soil Types



Overview



Legend

Parcels

Roads

Soil Types

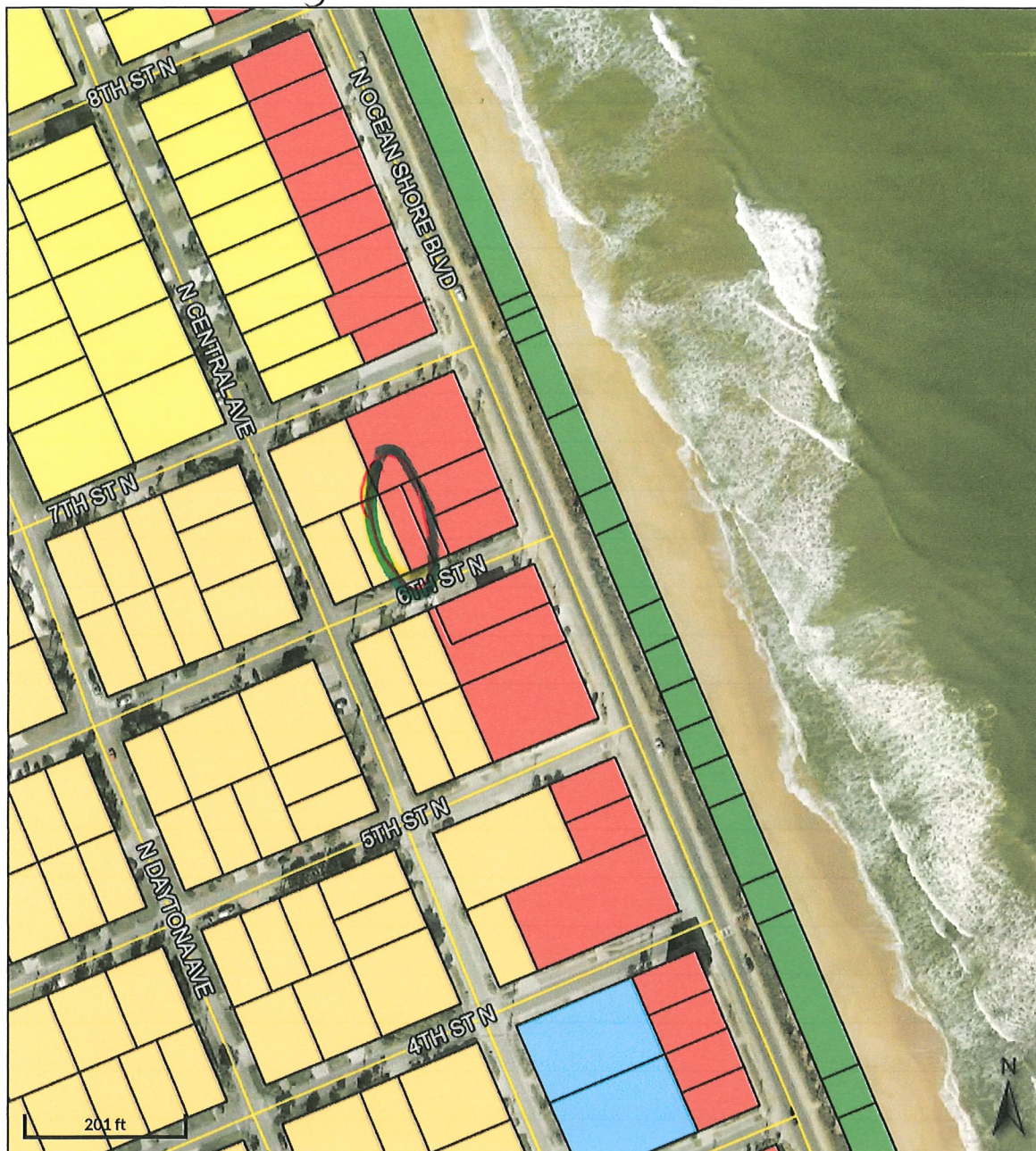
- 20 Orsino fine sand, 0 to 5% slopes
- 21 Smyrna fine sand
- 22 Astatula fine sand, 0 to 8% slopes
- 23 Adamsville fine sand, 0 to 3% slopes
- 24 Samsula and Placid solis, frequently flooded
- 25 Tavares fine sand, 0 to 5% slopes
- 26 Turnbull and Pellicer soils, tidal
- 27 Cassia fine sand
- 29 Udarents, moderately wet
- 30 Pits
- 31 Palm Beach gravelly sand, 0 to 8% slopes
- 32 Narcossee, shell substratum-Welaka complex, 0 to 5% slopes
- 33 Beaches
- 34 Cocoa-Bulow complex, 0 to 5% slopes
- 35 Quartzipsamments, dredged
- 36 Bimini sand
- 37 Tuscawillia fine sand
- 38 Paola fine sand, 0 to 8% slopes
- 39 Udarents, smoothed
- 40 Pomona fine sand

Lot 8W soil type

31 - Palm Beach
gravelly sand
0-8% slopes

FLAGLER COUNTY PROPERTY APPRAISER

Future Zoning



Overview



Legend

- Parcels
- Roads
- Flagler Beach FLUM
 - Commercial
 - Golf Course
 - High Density
 - Low Density
 - Medium Density
 - Mixed Use Overlay
 - Mobile Home Park
 - Other Public Facilities
 - Park
 - Public Buildings & Grounds
 - Salt Water Marsh
 - Spoil Area
 - Undefined

Date created: 3/19/2024
Last Data Uploaded: 3/19/2024 8:14:46 AM

Developed by  Schneider
GEOSPATIAL

Lot 8W
Commercial

FLAGLER COUNTY PROPERTY APPRAISER

Current Zoning



Overview



Legend

- Parcels
- Roads
- Streams and Rivers
- Flagler Beach Zoning**
 - C- CONSERVATION
 - CLOSED STREETS
 - GC- GENERAL COMMERCIAL
 - HIGHWAY COMMERCIAL
 - LDR- LOW DENSITY
 - LI- LIGHT INDUSTRIAL
 - MDR- MEDIUM DENSITY RESIDENTIAL
 - MIRROR LAKE WATERSHED DISTRICT (R1)
 - P- PRESERVATION
 - PUD- PLANNED UNIT DEVELOPMENT
 - R- RESERVED
 - REC- RECREATION
 - REC/PUD- RECREATION/PUD
 - SFR- SINGLE FAMILY RESIDENTIAL (R1)
 - SFR- SINGLE FAMILY RESIDENTIAL (R4)
 - TC- TOURIST COMMERCIAL

Lot 8 W

GC - General Commercial

Date created: 3/19/2024

Last Data Uploaded: 3/19/2024 8:14:46 AM

Developed by Schneider GEOSPATIAL