

# City of Flagler Beach

## Planning and Architectural Review Board

Tuesday, June 5, 2012 at 5:30 p.m.

City Hall Commission Chambers

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### Agenda

1. Call the meeting to order.
2. Call the roll.
3. Pledge of Allegiance.
4. Approve the minutes of the Regular Meeting of April 10, 2012.
5. New Business:
  - A. Application #OE 12-06-01  
Outdoor Entertainment to allow amplified and non-amplified events consisting of music, spoken words and/or other forms of entertainment on the subject property in the TC, Tourist Commercial zoning district.  
Applicant: Linda Niday  
2123 North Ocean Shore Boulevard  
Property Owner: Margaret O'Neil
  - B. Application #OE 12-06-02  
Outdoor Entertainment to allow amplified and non-amplified events consisting of music, spoken words and/or other forms of entertainment on the subject property in the GC(DMUO), General Commercial (Downtown Mixed Use Overlay) zoning district.  
Applicant: Bob Goldstein  
109 6<sup>th</sup> Street South, Suite 100  
Property Owner: MBDB Properties, LLC
  - C. Application #SP 12-06-01  
Site Plan Review of Outside Deck Addition  
Applicant: John R. Davis  
1005 North Ocean Shore Boulevard  
Property Owner: Rossis Development Group, LLC
  - D. Discussion and recommendation of an ordinance of the City of Flagler Beach, Florida, amending Section 4.00.06 of the *Land Development Regulations*, "Wetland Buffers" to provide that variances from the required wetland buffer shall not be considered by the city; providing for definitions; providing for codification, severability, and repeal of conflicting ordinances, and establishing an effective date.
  - E. Discussion on Pedestrian Wayfinding Signs within the Community Redevelopment Agency area as recommended by the Economic Development Task Force.
6. PARB Member Comments.
7. Adjournment.



RECORD REQUIRED TO APPEAL: In accordance with Florida Statute 286.0105 if you should decide to appeal any decision the Commission makes about any matter at this meeting, you will need a record of the proceedings. You are responsible for providing this record. You may hire a court reporter to make a verbatim transcript, or you may buy a CD of the meeting for \$3.00 at the City Clerk's office. Copies of CDs are only made upon request. The City is not responsible for any mechanical failure of the recording equipment.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk at (386) 517-2000 ext. 235 at least 72 hours prior to the meeting.

Please take notice that individual Elected Officials of the City of Flagler Beach may attend this meeting. Those Elected Officials who attend will not take any action or take any vote at this committee meeting. This is not an official meeting of the Flagler Beach City Commission. This notice is being provided to meet the spirit of the Sunshine Law to inform the public that Elected Officials may be present at this committee meeting.

Posted May 31, 2012

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### Planning and Building Department

P.O. Box 70 • 116 3rd Street South, Flagler Beach, Florida 32136 • Phone (386) 517-2000 • Fax (386) 517-2016



FLAGLER BEACH PLANNING AND ARCHITECTURAL REVIEW BOARD  
TUESDAY, APRIL 10, 2012 AT 5:30 P.M  
MINUTES

PRESENT: Chairman Don Deal, Dan Bayerl, Cathy Feind, Theodore Johnson, Roseanne Stocker, Joseph Pozzuoli, City Planner Chad Lingenfelter, Board Secretary Marlene Beams.

ABSENT: Lea Stokes.

1. CALL THE MEETING TO ORDER: Chairman Deal called the meeting to order at 5:31 p.m.
2. CALL THE ROLL: Ms. Beams called the roll.
3. PLEDGE OF ALLEGIANCE: Ms. Stocker led the pledge.
4. APPROVE THE MINUTES OF THE REGULAR MEETING OF MARCH 6, 2012: **Motion** by Mr. Johnson, seconded by Roseanne Stocker to approve the minutes. The **motion** carried unanimously.

5. OLD BUSINESS:

DISCUSSION AND RECOMMENDATION OF AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING SECTION 2.04.02.8 OF THE LAND DEVELOPMENT REGULATIONS TO ALLOW MOTORCYCLE SALES AS A SPECIAL EXCEPTION USE WITHIN THE HIGHWAY COMMERCIAL ZONING DISTRICT; AMENDING SECTION 2.02.00 OF THE LAND DEVELOPMENT REGULATIONS TO PROVIDE A DEFINITION OF MOTORCYCLE SALES; CREATING SECTION 2.06.08.9 TO PROVIDE ADDITIONAL CRITERIA FOR GRANT OF A SPECIAL EXCEPTION USE FOR MOTORCYCLE SALES IN THE HIGHWAY COMMERCIAL ZONING DISTRICT; PROVIDING FOR CODIFICATION, SEVERABILITY, AND REPEAL OF CONFLICTING ORDINANCES, AND ESTABLISHING AN EFFECTIVE DATE: The Board discussed concerns, the protocol of the ordinance protecting the city; the requirements for a special event; condition of the special exceptions; the different types of franchises that would fall under this special exception. Chairman Deal outlined what the Board had agreed on as: hours of Operation: 10-6; Change 69 to all motorcycle sales; add to number 1 "all sales **and displays** shall be conducted indoors." No used car sales under this special exception. **Motion** by Roseanne Stocker, seconded by Cathy Feind, we recommend amending Section 2.04.02.08 of the Land Development Regulations with this new ordinance, as discussed, with the changes that were just dictated by Chairman Deal. The **motion** carried unanimously.

6. NEW BUSINESS

A. APPLICATION #OE 12-04-01

OUTDOOR ENTERTAINMENT TO ALLOW AMPLIFIED AND NON-AMPLIFIED EVENTS CONSISTING OF MUSIC, SPOKEN WORDS AND/OR OTHER FORMS OF ENTERTAINMENT ON THE SUBJECT PROPERTY IN THE GC(DMUO), GENERAL COMMERCIAL (DOWNTOWN MIXED USE OVERLAY) ZONING DISTRICT.

APPLICANT: MERCEDES DELGADO  
210 SOUTH CENTRAL AVENUE

PROPERTY OWNER: ERIK H. AND BRENDA L. MELTON

FLAGLER BEACH PLANNING AND ARCHITECTURAL REVIEW BOARD  
TUESDAY, APRIL 10, 2012 AT 5:30 P.M  
MINUTES

Chairman Deal read the title of the item into the record. There was a question and answer period between the Board and Ms. Delgado. There was a concern over where a band would be located and how the speakers should be placed. Mr. Lingenfelter suggested a change to the Diagram presented. Ms. Delgado was in agreement. **Motion** by Cathy Feind, seconded by Ted Johnson, we recommend approval of Application OE-12-04-01 with the stipulation that the live entertainment area will be in Area 2 of the drawing. The **motion** carried unanimously.

7. PARB MEMBER COMMENTS: Mr. Johnson made a suggestion that at the next meeting the Chair start the comments from the other side of the dais. It was the Board's consensus to do so. Mr. Lingenfelter reported there are seven house under construction at this time; the pier restaurant is under construction; the permit for "Ocean Cantina" has been approved. He indicated there will be an ordinance being brought before them, similar to the county's ordinance, for the use of recreational vehicles on a property if the owner's house was destroyed. Mr. Lingenfelter suggested there might be a need for a "focus group" or a "task force" to update the Comprehensive Plan before the end of this year and for a review of the "Fill Ordinance."

Messrs. Deal, Johnson and Pozzouli volunteered to be on the Fill Ordinance Task Force. Messrs. Johnson and Pozzuoli and Ms. Feind volunteered to be on the Comprehensive Plan Task Force.

8. ADJOURNMENT: Motion by Ms. Stocker, seconded by Mr. Bayerl to adjourn the meeting at 6:54 p.m.



# City of Flagler Beach

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**To:** Don Deal, Chairperson, Planning and Architectural Review Board  
Planning and Architectural Review Board Members

**FROM:** Chad T. Lingenfelter, AICP, PTP, City Planner

**RE:** #OE 12-06-01 – 2123 North Ocean Shore Boulevard Outdoor Entertainment Permit

**DATE:** May 31, 2012

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**Applicant:** Linda Niday, Niday Enterprises, Inc., dba Turtle Shack Café, 2123 North Ocean Shore Boulevard, Flagler Beach, Florida 32136

**Property Owner:** Margaret O'Neil, 37 Meetinghouse Lane, Weymouth, Massachusetts 02189 1044

**Property:** 2123 North Ocean Shore Boulevard – 36-11-31-5630-00030-0060

**Future Land Use:** Commercial

**Zoning District:** Tourist Commercial

## Summary

Pursuant to the *City of Flagler Beach Code of Ordinances* Chapter 4, Amusements and Entertainment, the applicant is requesting an outdoor entertainment permit to allow amplified and non-amplified events consisting of music, spoken words and/or other forms of entertainment. The subject property is zoned as TC, Tourist Commercial, contains approximately 0.14 acre, and is generally located south of the intersection of 22<sup>nd</sup> Street North and North Ocean Shore Boulevard. The subject property is occupied by Turtle Shack Café.

## Analysis

Section 4-167, Review of Permit Application, states that the City Commission, after receiving recommendation from the Planning and Architectural Review (PAR) Board, shall approve, approve with conditions, or deny a permit for outdoor entertainment activity based on any of the following grounds:

- (1) The activity would present an adverse impact to the health, safety or welfare of the applicant, participants, public employees or members of the public and/or fails to protect the city's environment.
- (2) The activity would unreasonably inconvenience the general public.
- (3) The proposed activity is prohibited by or inconsistent with the Flagler Beach Code of Ordinances or the Flagler Beach Comprehensive Plan.
- (4) The applicant cannot meet, or is unwilling to meet, all of the requirements of this article.
- (5) The activity is proposed for a site that does not have adequate parking to

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accommodate the activity.

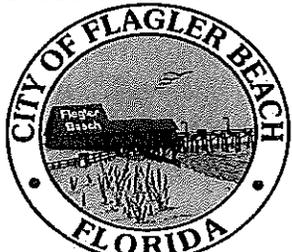
- (6) The activity is proposed for a site that is inherently hazardous to the participants or the public.
- (7) The event would have an adverse effect, and would unreasonably infringe upon, the rights of property owners within two hundred (200) feet of the property line of the subject property.
- (8) The event would conflict with another proximate event or interfere with construction or maintenance work.
- (9) The information furnished in the application is not materially complete and accurate.
- (10) The applicant has violated a provision, restriction or condition of this article or an outdoor entertainment activity permit issued to the applicant within the past.
- (11) The requirements identified by the city staff to ensure public health, safety and welfare have not been met.
- (12) The comments and/or recommendations of the planning and architectural review board have not been addressed.
- (13) The proposed event or activity is prohibited by federal, state, or local regulations.
- (14) Other issues in the public interest as identified by the city commission.

In making a determination to approve a permit the City Commission may limit the type and number of temporary structures and the duration of the activity including the hours and the number of days of the activity conducted to minimize any adverse impact caused by the activity. Permits may be granted on an annual basis renewable yearly if the outdoor entertainment activity occurs twelve (12) or more times a year. Permits may be granted on a per event basis for outdoor entertainment activities that occur fewer than twelve (12) times a year. In no case shall the city's noise ordinance be violated.

**Recommendation**

Staff recommends that the Planning and Architectural Review Board recommend that the City Commission approve the outdoor entertainment permit to allow amplified and non-amplified events consisting of music, spoken words and/or other forms of entertainment as depicted in the submitted diagram.

**Enclosure:** Outdoor Entertainment Permit Application Packet

<b>OFFICE USE ONLY:</b>  DATE REC'D <u>5/11/12</u> FEE REC'D \$ <u>150<sup>00</sup></u> INITIALS: <u>MB</u>  APPROVED <input type="checkbox"/> DISAPPROVED <input type="checkbox"/> SENT PARB <input type="checkbox"/>  PERMIT ISSUED _____	<b>INSTRUCTIONS:</b> <i>Please print or type all information.</i> The application must be filled out accurately and completely. Answer all questions. Do not leave an item blank. If an item does not apply, write N/A (not applicable). Incomplete applications may delay your request. All statements made on the application are subject to verification.	<b>City of Flagler Beach</b> APPLICATION FOR OUTDOOR ENTERTAINMENT    105 South 2nd Street, Post Office Box 70 Flagler Beach, Florida 32136 Phone (386) 517-2000 Fax (386) 517-2008
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**Please type or print legibly**

**Required Information**

Business Name: Niday Enterprises, Inc, dba Turtle Shack

Contact Person: Linda Niday

Address: 2123 N. Oceanshore Blvd

City: Flagler Beach State: FL Zip: 32136

Work Phone: 386-693-4851 Home Phone: 386-246-3720

Fax: 386-246-3723 Mobile Phone: 386-793-0379

E-Mail Address: jniday3@gmail.com

What type of permit are you applying for? (check one)

Annual Permit (permit fee = \$150.00)

Per event that occurs fewer than 12 times a year (permit fee = \$75.00)  
 (Please list dates and times for the events on the bottom of page 2)

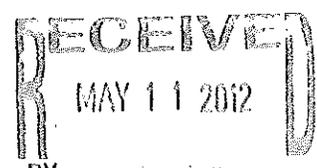
One day event on Date \_\_\_\_\_ (permit fee = \$50.00)  
 Start time \_\_\_\_\_ am/pm End time \_\_\_\_\_ am/pm

Will you utilize temporary structures at your event?  No  Yes  
 (If yes, attach a sketch of the site showing the location of these structure and see note below)

(Indicate number of each)  
 \_\_\_\_\_ Stages \_\_\_\_\_ Scaffolding \_\_\_\_\_ Fences \_\_\_\_\_ Other

\_\_\_\_\_ Tents Do any of the tents exceed 200 square feet?  No  Yes

*Note: Special Permits are required for tents exceeding 200 square feet. Special Building permits are required for temporary structures 700 or more square feet in area and those that are four feet above grade.*



PLEASE ATTACH A SITE PLAN REGARDING THE SET UP OF THE OUTDOOR ENTERTAINMENT. PLEASE ATTACH A CURRENT COPY OF YOUR LIABILITY INSURANCE TO THIS APPLICATION.

By signing below I understand:

- This is an application only and does not obligate the City in any fashion to issuing a permit or approve an event.
- I have included my application fee and understand that my application will not be processed without the application fee.
- In no case shall the City's Noise Ordinance be violated.
- The City Manager may reasonably limit the type and number of temporary structures and the duration of the activity including the hours and the number of days of the activity conducted.
- The event(s) may not be held until a permit is received.

Signature of Applicant Jane M. N. [Signature] Date 5-11-12  
 Title of Applicant Owner

Affiliation \_\_\_\_\_

<i>Thursday's</i>	<i>5:30p - 9:30p.</i>	} <i>throughout the year</i>		
<i>Friday's</i>	<i>5:30p - 9:30p</i>			
<i>Sundays</i>	<i>1:00p - 5:00p</i>			
1. Date _____	Start time _____ am\pm		End time _____ am\pm	
2. Date _____	Start time _____ am\pm		End time _____ am\pm	
3. Date _____	Start time _____ am\pm		End time _____ am\pm	
4. Date _____	Start time _____ am\pm		End time _____ am\pm	
5. Date _____	Start time _____ am\pm		End time _____ am\pm	
6. Date _____	Start time _____ am\pm		End time _____ am\pm	
7. Date _____	Start time _____ am\pm		End time _____ am\pm	
8. Date _____	Start time _____ am\pm		End time _____ am\pm	
9. Date _____	Start time _____ am\pm		End time _____ am\pm	
10. Date _____	Start time _____ am\pm		End time _____ am\pm	
11. Date _____	Start time _____ am\pm		End time _____ am\pm	
12. Date _____	Start time _____ am\pm		End time _____ am\pm	



# City of Flagler Beach

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P.O. Box 70 • 105 South 2nd Street  
Flagler Beach, Florida 32136

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

May 17, 2012

RE: Outdoor Entertainment Permit Application Review

Dear Sir or Madam:

This letter is to advise you the City is in receipt of a request from the Turtle Shack, located at 2123 N. Oceanshore Boulevard, requesting an Annual Outdoor Entertainment Permit. Per Ordinance 2010-02, the office of the City Clerk is required to notify property owners in a two-hundred foot radius of the subject property of the meeting dates and times of when the request will be reviewed by the Planning & Architectural Review Board and the date the City Commission will make a final decision. The request will be reviewed by the Planning & Architectural Review Board on June 5, 2012; meeting begins at 5:30 p.m. The request will be before the City Commission for consideration on June 14, 2012 meeting begins at 5:30 p.m. The intent of this notice is to provide to you the opportunity to appear at the meeting(s) to voice your concerns or approval of the requested activity. Should you have any questions, please contact the Planning & Zoning Office at 386-517-2000 ext. 232 or the City Clerk's Office at 386-517-2000 ext. 235 or 236 if you wish to view the application.

Sincerely,

Kate Settle  
Deputy City Clerk

CC: Bruce Campbell, City Manager  
Chad Lingenfelter, Planner  
Linda Niday, applicant

PAPE ROBERT & BARBARA H&W &  
NANCY S LEMER & LAWRENCE S H&W  
1203 SALT CREEK ISLAND DR  
PONTE VEDRA, FL 32082

MELLON BAY HOLDINGS LLC  
50 OCEAN FRONT DR  
KEY LARGO, FL 33037

LANDER JAMES E &  
JILL LANDER H&W  
4122 SALINA LANE  
ORMOND BEACH, FL 32174

Mr. & Mrs. Smith  
4011 State Road, #11  
Deland, FL 32724

Resident  
2137 N. Oceanshore Blvd.  
Flagler Beach, FL 32136

Resident  
2135 N. Oceanshore Blvd.  
Flagler Beach, FL 32136

FREEMAN DEBORAH R  
2119 N OCEANSHORE BLVD  
FLAGLER BEACH, FL 32136

MUNGENAST EDWARD C  
10557 E KEY DRIVE  
BOCA RATON, FL 33498

Resident  
2113 N. Oceanshore Blvd.  
Flagler Beach, FL 32136

FRASSRAND THOMAS H &  
MARGARET H&W  
29 COLD SPRING COURT  
PALM COAST, FL 32137

CRANE D KELLEY & SANDRA M  
BROWN JTWROS  
5475 FLAKESMILL RD  
ELLENWOOD, GA 30294

Resident  
2107 N. Oceanshore Blvd.  
Flagler Beach, FL 32136

DAVIS JAMES A JR & DORENE E  
7630 SW CR 18  
HAMPTON, FL 320444206

Resident  
2101 N. Oceanshore Blvd.  
Flagler Beach, FL 32136

SALINSKY WILLIAM & KATHY H&W  
208 S 17TH STREET  
FLAGLER BEACH, FL 32136

Resident  
2105 N. Oceanshore Blvd.  
Flagler Beach, FL 32136

DUNN ROBERT & REBECCA  
2111 N CENTRAL AVE  
FLAGLER BEACH, FL 32136

STRICKLAND SHANNON S &  
ANGELA C STRICKLAND H/W  
P O BOX 2288  
BUNNELL, FL 32110

Resident  
2113 N. Central Blvd.  
Flagler Beach, FL 32136

WYNNE JAMES E &  
DOLORES G WYNNE H&W  
14 HIDDEN HILLS RD  
OAK RIDGE, NJ 07438

Resident  
2115 N. Central Blvd.  
Flagler Beach, FL 32136

SAWDAL MICHAEL & JOHANNA  
DIAZ  
2119 N CENTRAL AVENUE  
PALM COAST, FL 32136

Resident  
2119 N. Central Blvd.  
Flagler Beach, FL 32136

CASPER CHRISTOPHER ROBERT &  
CAROLYN BETH H&W & ROBERT A  
CASPER  
2556 N OCEANSHORE BLVD  
FLAGLER BEACH, FL 32136

WHITE MICHAEL J  
2123 N CENTRAL AVE  
FLAGLER BEACH, FL 321362831

CREWS SCOTT & MELANIE H H&W  
PO BOX 66  
BUNNELL, FL 32110

Resident  
2119 N. Central Blvd.  
Flagler Beach, FL 32136

HAND EARLE E  
C/O DEBORAH THOMAS  
636 RIVER ROAD  
RHINEBECK, NY 12572

SAWDAL MICHAEL & JOHANNA  
DIAZ  
2119 N CENTRAL AVENUE  
PALM COAST, FL 32136

WYNNE JAMES E &  
DOLORES G WYNNE H&W  
14 HIDDEN HILLS RD  
OAK RIDGE, NJ 07438

CREWS SCOTT & MELANIE H H&W  
PO BOX 66  
BUNNELL, FL 32110

SAWDAL MICHAEL & JOHANNA  
DIAZ  
2119 N CENTRAL AVENUE  
PALM COAST, FL 32136

DUNN ROBERT & REBECCA  
2111 N CENTRAL AVE  
FLAGLER BEACH, FL 32136

SALINSKY WILLIAM & KATHY H&W  
208 S 17TH STREET  
FLAGLER BEACH, FL 32136

MUNGENAST EDWARD C  
10557 E KEY DRIVE  
BOCA RATON, FL 33498

PATEL KOKILA HASMUKH &  
RAJENDRA ENGINEER & DIVYA H&W  
2127 N OCEANSHORE BLVD  
FLAGLER BEACH, FL 32136

SULLIVAN CHRISTOPHER S  
22094 VANTAGE POINTE PLACE  
ASHBURN, VA 20148

MACKOUL CAROL CYCHANICK &  
GEORGE R W&H  
2139 N OCEANSHORE BLVD  
FLAGLER BEACH, FL 32136

LINDSEY RAYMOND L  
TRUSTEE  
812 LOCUST AVENUE  
BOHEMIA, NY 11716



# City of Flagler Beach

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P.O. Box 70 • 105 South 2nd Street  
Flagler Beach, Florida 32136

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

March 29, 2012

Ms. Linda Niday  
2123 N. Oceanshore Boulevard  
Flagler Beach, FL 32136

RE: Outdoor Entertainment application

Dear Ms. Niday:

This letter is to advise you your request for an Outdoor Entertainment Permit will be heard by the Planning and Architectural review Board on June 5, 2012 at 5:30 p.m. The Planning Board's recommendation will be heard by the City Commission and the final decision will be made at their June 14, 2012 meeting which begins at 5:30 p.m. I have enclosed a copy of the letter that has been mailed to the businesses and residents within 200 feet of your business location. Should you have concerns or questions, please contact me at [ksettle@cityofflaglerbeach.com](mailto:ksettle@cityofflaglerbeach.com) or 386-517-2000 ext. 236. You may also contact the Planner, Chad Lingenfelter, at [clingefelter@cityofflaglereach.com](mailto:clingefelter@cityofflaglereach.com) or 386-517-2000 ext. 230.

Sincerely,

Kate Settle  
Deputy City Clerk



# City of Flagler Beach

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**To:** Don Deal, Chairperson, Planning and Architectural Review Board  
Planning and Architectural Review Board Members

**FROM:** Chad T. Lingenfelter, AICP, PTP, City Planner

**RE:** #OE 12-06-02 – 109 6<sup>th</sup> Street South, Suite 100 Outdoor Entertainment Permit

**DATE:** May 31, 2012

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**Applicant:** Bob Goldstein, 109 6<sup>th</sup> Street South, Suite 100, Flagler Beach, Florida 32136

**Property Owner:** MBDB Properties, LLC, 109 6<sup>th</sup> Street South, Flagler Beach, Florida 32136

**Property:** 109 6<sup>th</sup> Street South – 12-12-31-4500-00130-0030

**Future Land Use:** Commercial

**Zoning District:** General Commercial (Downtown Mixed Use Overlay)

## Summary

Pursuant to the *City of Flagler Beach Code of Ordinances* Chapter 4, Amusements and Entertainment, the applicant is requesting an outdoor entertainment permit to allow amplified and non-amplified events consisting of music, spoken words and/or other forms of entertainment. The subject property is zoned as GC(DMUO), General Commercial (Downtown Mixed Use Overlay), contains approximately 0.11 acre, and is generally located southwest of the intersection of 6<sup>th</sup> Street South and South Ocean Shore Boulevard. The subject property is occupied by Flagler Beach Wine and Cheese.

## Analysis

Section 4-167, Review of Permit Application, states that the City Commission, after receiving recommendation from the Planning and Architectural Review (PAR) Board, shall approve, approve with conditions, or deny a permit for outdoor entertainment activity based on any of the following grounds:

- (1) The activity would present an adverse impact to the health, safety or welfare of the applicant, participants, public employees or members of the public and/or fails to protect the city's environment.
- (2) The activity would unreasonably inconvenience the general public.
- (3) The proposed activity is prohibited by or inconsistent with the Flagler Beach Code of Ordinances or the Flagler Beach Comprehensive Plan.
- (4) The applicant cannot meet, or is unwilling to meet, all of the requirements of this article.
- (5) The activity is proposed for a site that does not have adequate parking to accommodate the activity.

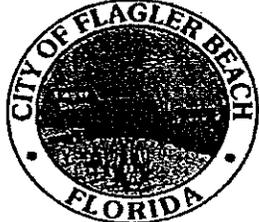
- 
- (6) The activity is proposed for a site that is inherently hazardous to the participants or the public.
  - (7) The event would have an adverse effect, and would unreasonably infringe upon, the rights of property owners within two hundred (200) feet of the property line of the subject property.
  - (8) The event would conflict with another proximate event or interfere with construction or maintenance work.
  - (9) The information furnished in the application is not materially complete and accurate.
  - (10) The applicant has violated a provision, restriction or condition of this article or an outdoor entertainment activity permit issued to the applicant within the past.
  - (11) The requirements identified by the city staff to ensure public health, safety and welfare have not been met.
  - (12) The comments and/or recommendations of the planning and architectural review board have not been addressed.
  - (13) The proposed event or activity is prohibited by federal, state, or local regulations.
  - (14) Other issues in the public interest as identified by the city commission.

In making a determination to approve a permit the City Commission may limit the type and number of temporary structures and the duration of the activity including the hours and the number of days of the activity conducted to minimize any adverse impact caused by the activity. Permits may be granted on an annual basis renewable yearly if the outdoor entertainment activity occurs twelve (12) or more times a year. Permits may be granted on a per event basis for outdoor entertainment activities that occur fewer than twelve (12) times a year. In no case shall the city's noise ordinance be violated.

**Recommendation**

Staff recommends that the Planning and Architectural Review Board recommend that the City Commission approve the outdoor entertainment permit to allow amplified and non-amplified events consisting of music, spoken words and/or other forms of entertainment as depicted in the submitted diagram.

**Enclosure:** Outdoor Entertainment Permit Application Packet

<b>OFFICE USE ONLY:</b> DATE REC'D <u>7-28-11</u> <del>5-1-2011</del> FEE REC'D \$ <u>125.00</u> INITIALS: <u>JD.</u> APPROVED <input type="checkbox"/> DISAPPROVED <input type="checkbox"/> SENT PARB <input checked="" type="checkbox"/> PERMIT ISSUED _____	<b>INSTRUCTIONS:</b> <i>Please print or type all information.</i> The application must be filled out accurately and completely. Answer all questions. Do not leave an item blank. If an item does not apply, write N/A (not applicable). Incomplete applications may delay your request. All statements made on the application are subject to verification.	<b>City of Flagler Beach</b> APPLICATION FOR OUTDOOR ENTERTAINMENT  105 South 2nd Street, Post Office Box 70 Flagler Beach, Florida 32136 Phone (386) 517-2000 Fax (386) 517-2008
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**Please type or print legibly**  
**Required Information**

Business Name: FLAGLER BEACH WINE + CHEESE

Contact Person: BOB GOLDSTEIN

Address: 109 S. 6<sup>TH</sup> ST. SUITE 100 (DOWNSTAIRS)

City: FLAGLER BEACH State: FL Zip: 32136

Work Phone: 386 693 4848 Home Phone: 439 3265

Fax: SAME Mobile Phone: 503-1095

E-Mail Address: \_\_\_\_\_

What type of permit are you applying for? (check one)

Annual Permit (permit fee = \$125.00)

Per event that occurs fewer than 12 times a year (permit fee = \$75.00)  
 (Please list dates and times for the events on the bottom of page 2)

One day event on Date \_\_\_\_\_ (permit fee = \$50.00)  
 Start time \_\_\_\_\_ am/pm End time \_\_\_\_\_ am/pm

Will you utilize temporary structures at your event?  No  Yes  
 (If yes, attach a sketch of the site showing the location of these structure and see note below)  
 (Indicate number of each)

\_\_\_\_\_ Stages \_\_\_\_\_ Scaffolding \_\_\_\_\_ Fences \_\_\_\_\_ Other \_\_\_\_\_

\_\_\_\_\_ Tents Do any of the tents exceed 200 square feet?  No  Yes

*Note: Special Permits are required for tents exceeding 200 square feet. Special Building permits are required for temporary structures 700 or more square feet in area and those that are four feet above grade.*

PLEASE ATTACH A CURRENT COPY OF YOUR LIABILITY INSURANCE TO THIS APPLICATION.

By signing below I understand:

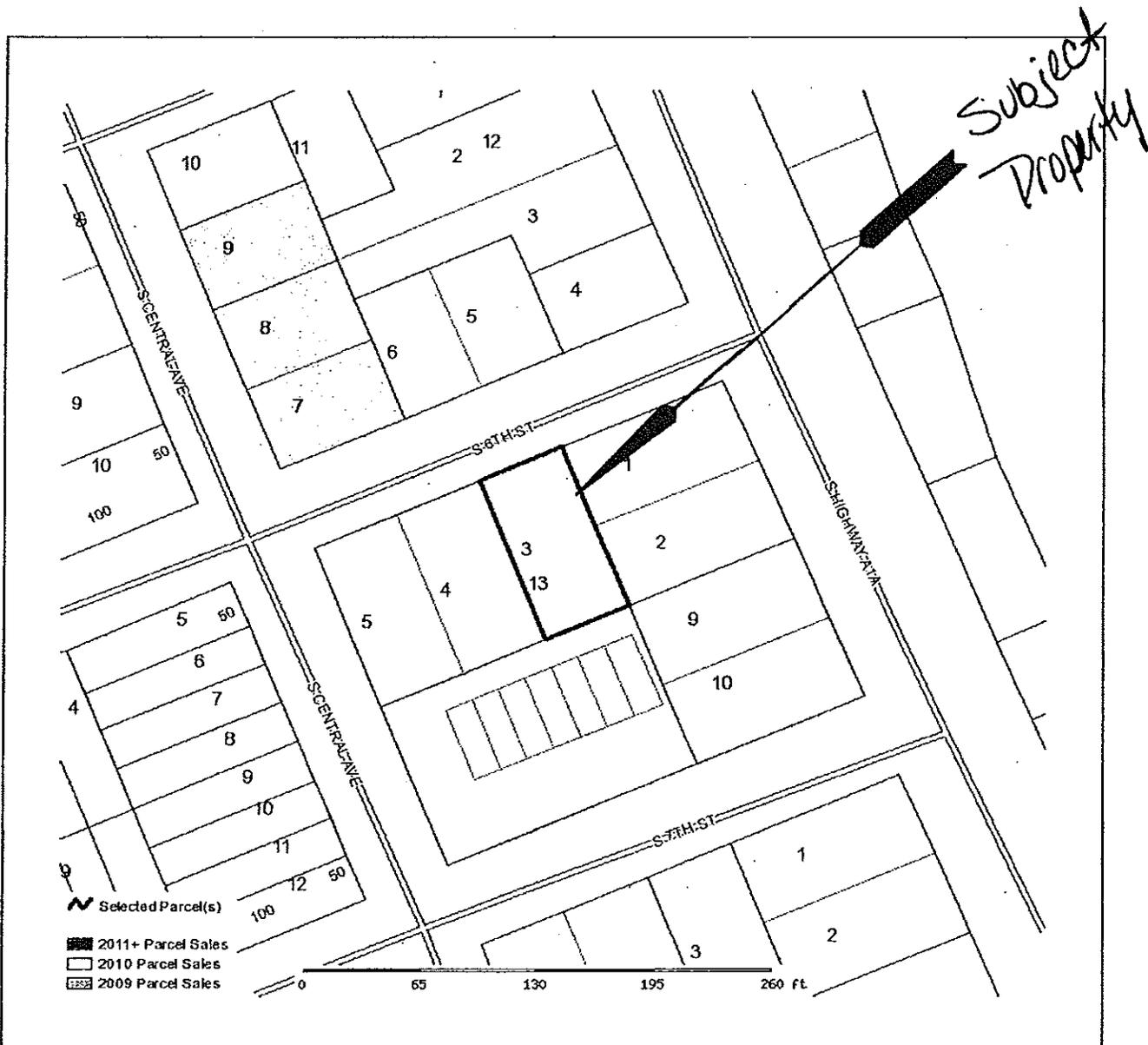
- This is an application only and does not obligate the City in any fashion to issuing a permit or approve an event.
- I have included my application fee and understand that my application will not be processed without the application fee.
- In no case shall the City's Noise Ordinance be violated.
- The City Manager may reasonably limit the type and number of temporary structures and the duration of the activity including the hours and the number of days of the activity conducted.
- The event(s) may not be held until a permit is received.

Signature of Applicant  Date FEB 23, 2011

Title of Applicant CO - OWNER - GENERAL MGR.

Affiliation CO - OWNER OF ESTABLISHMENT

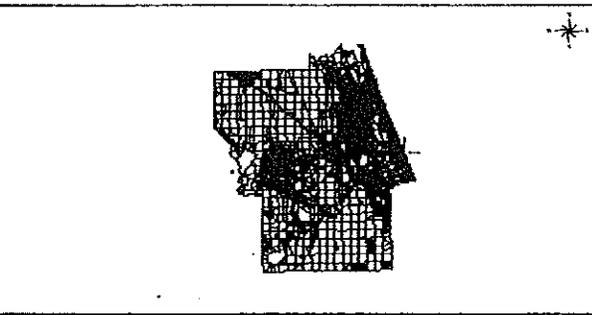
- |                    |                        |                      |
|--------------------|------------------------|----------------------|
| 1. Date <u>N/A</u> | Start time _____ am/pm | End time _____ am/pm |
| 2. Date _____      | Start time _____ am/pm | End time _____ am/pm |
| 3. Date _____      | Start time _____ am/pm | End time _____ am/pm |
| 4. Date _____      | Start time _____ am/pm | End time _____ am/pm |
| 5. Date _____      | Start time _____ am/pm | End time _____ am/pm |
| 6. Date _____      | Start time _____ am/pm | End time _____ am/pm |
| 7. Date _____      | Start time _____ am/pm | End time _____ am/pm |
| 8. Date _____      | Start time _____ am/pm | End time _____ am/pm |
| 9. Date _____      | Start time _____ am/pm | End time _____ am/pm |
| 10. Date _____     | Start time _____ am/pm | End time _____ am/pm |
| 11. Date _____     | Start time _____ am/pm | End time _____ am/pm |
| 12. Date _____     | Start time _____ am/pm | End time _____ am/pm |



**Flagler County Property Appraiser**

**Parcel: 12-12-31-4500-00130-0030 Acres: 0.12**

<b>Name:</b>	MBDB PROPERTIES LLC	<b>Land Value:</b>	1
<b>Site:</b>	109 6TH ST S	<b>Building Value:</b>	383,869
<b>Sale:</b>	\$1,200,000 on 02-2007 Vacant=N Qual=Q	<b>Misc Value:</b>	0
	109 S 6TH STREET	<b>Just Value:</b>	383,870
<b>Map:</b>	FLAGLER BEACH, FL 32136	<b>Assessed Value:</b>	383,870
		<b>Exempt Value:</b>	0
		<b>Taxable Value:</b>	383,870



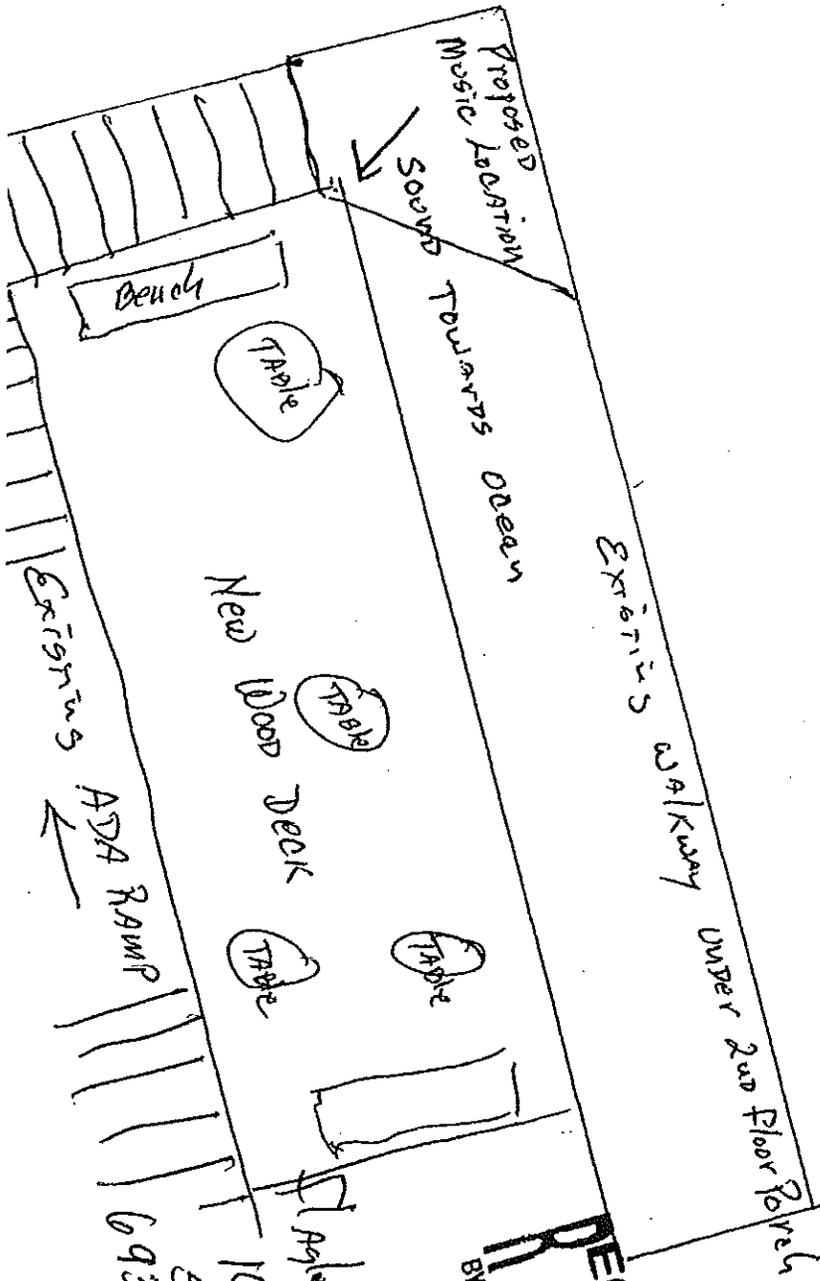
The Flagler County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER FLAGLER COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS —THIS IS NOT A SURVEY—  
 Date printed: 03/02/11 : 12:23:04

EXISTING 2 STORY

BLDG:

Site Plan for Outside

EXISTING 2 STORY BLDG



RECEIVED  
APR - 6 2011

WEST

PARKING

109 So. 6TH ST.  
SUITE 100  
693-4848  
Bel. Blue & Green



# City of Flagler Beach

---

P.O. Box 70 • 105 South 2nd Street  
Flagler Beach, Florida 32136

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

May 17, 2011

RE: Outdoor Entertainment Permit Application Review

Dear Sir or Madam:

This letter is to advise you the City is in receipt of a request from "Flagler Beach Wine and Cheese," located at 109 S. 6<sup>th</sup> Street, Suite 100, requesting a a renewal of their Annual Outdoor Entertainment Permit. Per Ordinance 2010-02 the office of the City Clerk is required to notify property owners in a two-hundred foot radius of the subject property of the meeting dates and times the request will be reviewed by the Planning & Architectural Review Board and the date the City Commission will have final review. The request will be reviewed by the Planning & Architectural Review Board on June 5, 2012; the meeting begins at 5:30 p.m. The request will be before the City Commission for consideration on June 14, 2012 meeting begins at 5:30 p.m. The intent of this notice is to provide to you the opportunity to appear at the meeting(s) to voice your concerns or approval of the requested activity. Should you have any questions please contact the Planning & Zoning Office at 386-517-2000 ext. 232 or the City Clerk's Office at 386-517-2000 ext. 235 or 236 if you wish to view the application.

Sincerely,

Kate Settle  
Deputy City Clerk

CC: Bruce Campbell, Acting City Manager  
Marlene Beams, Planning & Zoning Department  
Elected Officials  
Candidates for City Commission

LHP Scales, Inc.  
P.O. Box 1207  
Flagler Beach, Florida 32136

LHP Scales, Inc.  
P.O. Box 1207  
Flagler Beach, Florida 32136

Sally Pillitteri  
P.O. Box 2141  
Flagler Beach, Florida 32136

Sally Pillitteri  
P.O. Box 2141  
Flagler Beach, Florida 32136

A1A Burrito Works, Inc.  
2333 S. Central Avenue  
Flagler Beach, Florida 32136

A1A Burrito Works, Inc.  
2333 S. Central Avenue  
Flagler Beach, Florida 32136

United We Stand, Inc.  
2 Spring Meadows Drive  
Ormond Beach, Florida 32174

United We Stand, Inc.  
2 Spring Meadows Drive  
Ormond Beach, Florida 32174

John & Marsha Tanner  
P.O. Box 1628  
Flagler Beach, Florida 32136

John & Marsha Tanner  
P.O. Box 1628  
Flagler Beach, Florida 32136

William & Jacqueline Sewell  
P.O. Box 1439  
Flagler Beach, Florida 32136

William & Jacqueline Sewell  
P.O. Box 1439  
Flagler Beach, Florida 32136

WF & Evelyn Tilton  
9700 S.R. 11  
Bunnell, Florida 32110

WF & Evelyn Tilton  
9700 S.R. 11  
Bunnell, Florida 32110

William and Mary Stevens  
381 Deer Pointe Circle  
Casselberry, Florida 32727

William and Mary Stevens  
381 Deer Pointe Circle  
Casselberry, Florida 32727

Silvio & Michele DiGregorio  
P.O. Box 96  
Flagler Beach, Florida 32136

Silvio & Michele DiGregorio  
P.O. Box 96  
Flagler Beach, Florida 32136

George & Donna Demeglio  
604 S. Central Avenue  
Flagler Beach, Florida 32136

George & Donna Demeglio  
604 S. Central Avenue  
Flagler Beach, Florida 32136

Linda Demeglio  
333 Scola Road  
Brookhaven, PA 19015

Linda Demeglio  
333 Scola Road  
Brookhaven, PA 19015

Paul & Marilyn Deruyter  
608 S. Central Avenue  
Flagler Beach, Florida 32136

Paul & Marilyn Deruyter  
608 S. Central Avenue  
Flagler Beach, Florida 32136

Randell & Barbra Smith  
610 S. Central Avenue  
Flagler Beach, Florida 32136

Randell & Barbra Smith  
610 S. Central Avenue  
Flagler Beach, Florida 32136

Vincent Corrao  
512 N. Central Avenue  
Flagler Beach, Florida 32136

Vincent Corrao  
512 N. Central Avenue  
Flagler Beach, Florida 32136

David & Kathleen Laffitte  
2115 Mills Road  
Jacksonville, Florida 32216

David & Kathleen Laffitte  
2115 Mills Road  
Jacksonville, Florida 32216

Mayo Condo  
C/O Olga O'Brien  
4544 Old Haw Creek Road  
Bunnell, Florida 32110

Mayo Condo  
C/O Olga O'Brien  
4544 Old Haw Creek Road  
Bunnell, Florida 32110

Sadie Perry  
P.O. Box 903  
Flagler Beach, Florida 32136

Sadie Perry  
P.O. Box 903  
Flagler Beach, Florida 32136



# City of Flagler Beach

---

P.O. Box 70 • 105 South 2nd Street  
Flagler Beach, Florida 32136

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

May 17, 2012

Bob Goldstein  
109 S. 6<sup>th</sup> Street, Suite 100  
Flagler Beach, FL 32136

RE: Outdoor Entertainment application

Dear Mr. Goldstein:

This letter is to advise you your request for the renewal of your Outdoor Entertainment Permit will be heard by the Planning and Architectural review Board on June 5, 2012 at 5:30 p.m. The Planning Board's recommendation will be heard by the City Commission and the final decision will be made at their June 14, 2012 meeting which begins at 5:30 p.m. I have enclosed a copy of the letter that has been mailed to the businesses and residents within 200 feet of your business location. Should you have concerns or questions, please contact me at [ksettle@cityofflaglerbeach.com](mailto:ksettle@cityofflaglerbeach.com) or 386-517-2000 ext. 236. You may also contact the Planner, Chad Lingenfelter, at [clingefelter@cityofflaglereach.com](mailto:clingefelter@cityofflaglereach.com) or 386-517-2000 ext. 230.

Sincerely,

Kate Settle  
Deputy City Clerk



# City of Flagler Beach

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**To:** Don Deal, Chairperson, Planning and Architectural Review Board  
Planning and Architectural Review Board Members

**FROM:** Chad T. Lingenfelter, AICP, PTP, City Planner

**RE:** #SP 12-06-01 – Johnny D’s Bar & Grille Outside Deck Addition Site Plan Review

**DATE:** May 31, 2012

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**Applicant:** John R. Davis, 1005 North Ocean Shore Boulevard, Flagler Beach 32136

**Property Owner:** Rossis Development Group, LLC, 55 Longview Way, Palm Coast, Florida 32137

**Property:** 1005 North Ocean Shore Boulevard – 01-12-31-1100-00040-0040

**Future Land Use:** Commercial

**Zoning District:** Tourist Commercial

## Summary

Pursuant to the *City of Flagler Beach Code of Ordinances, Appendix A, Land Development Regulations, Article II., Zoning*, the applicant is requesting approval of a site plan for an outside deck addition.

## Analysis

The applicant’s application indicates that the proposed outside deck addition will add 907 square feet to the outdoor seating area, with 417 square feet on the second level. The proposed addition includes an eight (8) foot high wall behind the band stage to prevent noise from traveling west of the site.

Pursuant to Section 2.06.06., Site Plan Review., “Before approving the site plan, the Planning and Architectural Review Board shall make findings with respect to the following:”

1. Traffic access – All proposed site traffic access ways are adequate, but not excessive in number, adequate in grade, width, alignment and visibility, and not located too near street corners, entrances to schools or places of public assembly and other similar considerations.

The access to the site is existing and is not proposed to be modified.

2. Circulation and parking – That the interior circulation system is adequate and that all required parking spaces are provided and are easily accessible.

Pursuant to Section 2.06.02.1, Off-Street Parking, Restaurants, nightclubs or other eating places require one (1) parking space per 150 square feet total floor area OR one (1) parking space per three (3) fixed seats OR as established by the standards of the *Florida Building Code* whichever is greater. The present building

---

has 2,022 square feet indoor with an 888 square foot outside. This requires 19.4 parking spaces. The plans show an existing 19 parking spaces on site and include creating a handicapped accessible parking space in the southeast corner of the parking lot next to the driveway. This includes a concrete pad 17 feet wide, stripes, marking, and signage. The proposed outside deck addition may require an additional six (6) parking spaces unless the number of fixed seats does not exceed 57.

3. Disposal of usable open space – That in accordance with the spirit and intent of this ordinance, wherever possible, usable open space is disposed of in such a way as to insure the safety and welfare of residents or guests.

The TC, Tourist Commercial zoning district allows 90% of the lot to be covered. The remaining 10% is typically used for landscaping and stormwater retention.

4. Arrangement of buildings – That adequate provision has been made for light, air, access and privacy in the arrangement of the buildings to each other. Each dwelling unit shall have a minimum of one (1) exterior exposure. Laundry facilities, including washing machines and clothes dryers, shall be available for multifamily dwellings on the premises for use by all occupants of the premises, if hookups for such facilities are not provided in each unit.

The proposed outside deck addition is a continuation of an existing deck to the west with a floor elevation near the top of the privacy fence for the adjacent property to the west. The second floor deck will be nearly 12 feet above the privacy fence. However, the second floor deck is more than 70 feet from the rear of the property. Therefore, the proposed outside deck addition will not impede the light, air, access and privacy of the buildings.

5. Proper landscaping – That the proposed site is properly landscaped, the purpose of which is to further enhance the natural qualities of the land. As provided elsewhere in this section, proper screening and buffer zones may be required. The location and type of plants or materials shall be shown on the development plan. Furthermore, all landscaping shall comply with the criteria established in Section 5.04.00 Landscaping/Trees.

The subject property is presently improved and is adjacent to a property to the west that has erected a six (6) foot privacy fence at the perimeter of the property.

6. Supplemental controls – In reviewing the proposed site plan for one (1) or more multi-family or motel structures, the planning and architectural review board shall be guided by the following: (a-e)

This criterion is not applicable.

### **Recommendation**

Staff recommends that the Planning and Architectural Review Board recommend that the City Commission approve the site plan of the proposed outside deck addition on the subject property.

**Enclosures:** Site Plan, Elevations, and Floor Plans

SPR#: \_\_\_\_\_ DATE FILED: \_\_\_\_\_ PARB Date: \_\_\_\_\_ CC: \_\_\_\_\_

**SITE PLAN REVIEW APPLICATION**

PROJECT TITLE: Johnny D's Beach Bar & Grill

PROJECT ADDRESS: 1005 N. OCEAN Shore Blvd. Flagler Beach, FL. 32136

SUBDIVISION: <sup>Cochran</sup> PLACE ADDITION BLOCK: 4 LOT(s): 4 & 5

TAX ID NUMBER: 45-4076976 ZONING DISTRICT: \_\_\_\_\_

**OWNERS INFORMATION:**

OWNERS NAME: Ezio Rossi  
ADDRESS: 55 Longview way Palm Coast, FL 32137  
PHONE NUMBER: 386-931-8257 FAX NUMBER: N/A  
E-MAIL: \_\_\_\_\_  
SIGNATURE OF OWNER: [Signature]

**APPLICANTS INFORMATION:**

APPLICANTS NAME (IF OTHER THAN OWNER): John Davis  
ADDRESS: 111 N. 6th STREET F.B., Florida 32136  
PHONE NUMBER: 904 504 8777 FAX NUMBER: N/A  
E-MAIL: JDAVISSUN1@Yahoo.com  
SIGNATURE OF APPLICANT: [Signature]

**REPRESENTATIVE:**

NAME: N/A  
ADDRESS: \_\_\_\_\_  
PHONE NUMBER: \_\_\_\_\_ FAX NUMBER: \_\_\_\_\_  
E-MAIL: \_\_\_\_\_  
SIGNATURE OF REPRESENTATIVE: \_\_\_\_\_

# PROPERTY OWNER AUTHORIZATION

FOR USE WHEN APPLICANT IS NOT THE OWNER OF SUBJECT PROPERTY:

Property Address: 1005 North Oceanshore Blvd.  
Flagler Beach, FL 32136

Parcel ID: 01-12-31-1100-00040-0040

This is to certify that I am the owner of the subject property described above and that I authorize: (PRINT NAME)  
EZIO ROSSI to make and file the aforesaid application for site plan review.

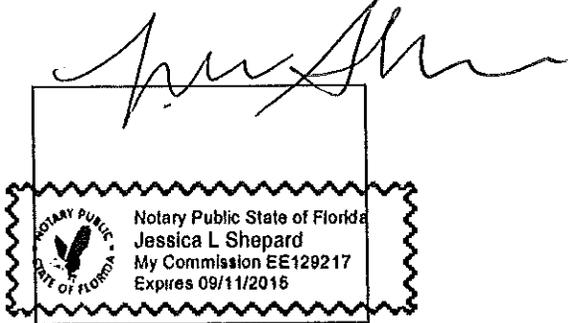
OWNER'S SIGNATURE:

*[Signature]*

PRINT OWNER'S NAME:

EZIO ROSSI

Sworn to and subscribed before me this 3<sup>RD</sup> day of May,  
2012. Personally known to me or produced identification:  
Driver's License (type) Notary Public:  
Jessica Shepard My commission expires: 9-11-15



# SITE PLAN REVIEW

## PROJECT DESCRIPTION

### PRINT OR TYPE INFORMATION

- A. Provide a detailed description of the proposed project:  
2-story wood Deck Addition, 2nd Floor Deck to be  
uncovered, Build 8' High Behind Band Stage.
- B. Provide the lot size (parcel) and square footage of all building(s):  
100' wide x 120' Deep.
- C. Provide the size, height and proposed use of each building:  
21'-5" wide x 24'-4" Deep.  
20'-0" Approx. Height from Grade.
- D. Provide a detailed description of the following:  
Exterior finish and color: Green & Bamboo  
Roof material and color: N/A
- E. Indicate the project floor area ratio or lot coverage (if applicable):  
1st Floor Addition 490 sq ft  
2nd Floor Addition 417 sq ft
- F. Provide the total number of:  
Required on-site parking spaces: \_\_\_\_\_  
Proposed on-site parking spaces: \_\_\_\_\_  
Required on-site Handicapped parking spaces: \_\_\_\_\_  
Proposed on-site Handicapped Parking spaces: \_\_\_\_\_
- G. Any off-site parking spaces proposed? If yes, describe number, location, and distance from proposed project location:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

H. Will project be accomplished in phases? If Yes, describe phasing plans and timeframe:

NO, ALL WORK TO BE DONE AT SAME TIME

I. Describe the nature of any tree and native vegetation removal, if applicable:

N/A

J. If a Commercial use, describe the operational characteristics of the development (proposed hours of operation, any unique characteristics of the proposed use.

outside Deck & WALL  
TO BLOCK SOUND FROM NEIGHBORS

K. Provide other pertinent information regarding the proposed development:

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# Site Plan Review

## Existing Conditions

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A. Describe all previous uses or activities on the site:

RESTAURANT & BAR LAST 20 YEARS

B. Describe all existing structures on the site in terms of their use, construction type, height, density, and size:

ONE STORY WOOD AND BLOCK  
HOUSING KITCHEN, BAR AND STORAGE

C. Describe the project site as it presently exists before the project in terms of:

- Site topography:

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- Plant life (existing trees, vegetative cover):

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---

- Soil conditions:

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- Historic or cultural resources (if applicable):

N/A

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D. Describe the land use and zoning of surrounding properties within 200 feet of project location:

North:

RESIDENTIAL

South:

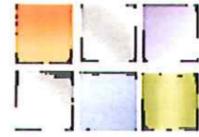
RESIDENTIAL

East:

AIA ROAD, OCEAN

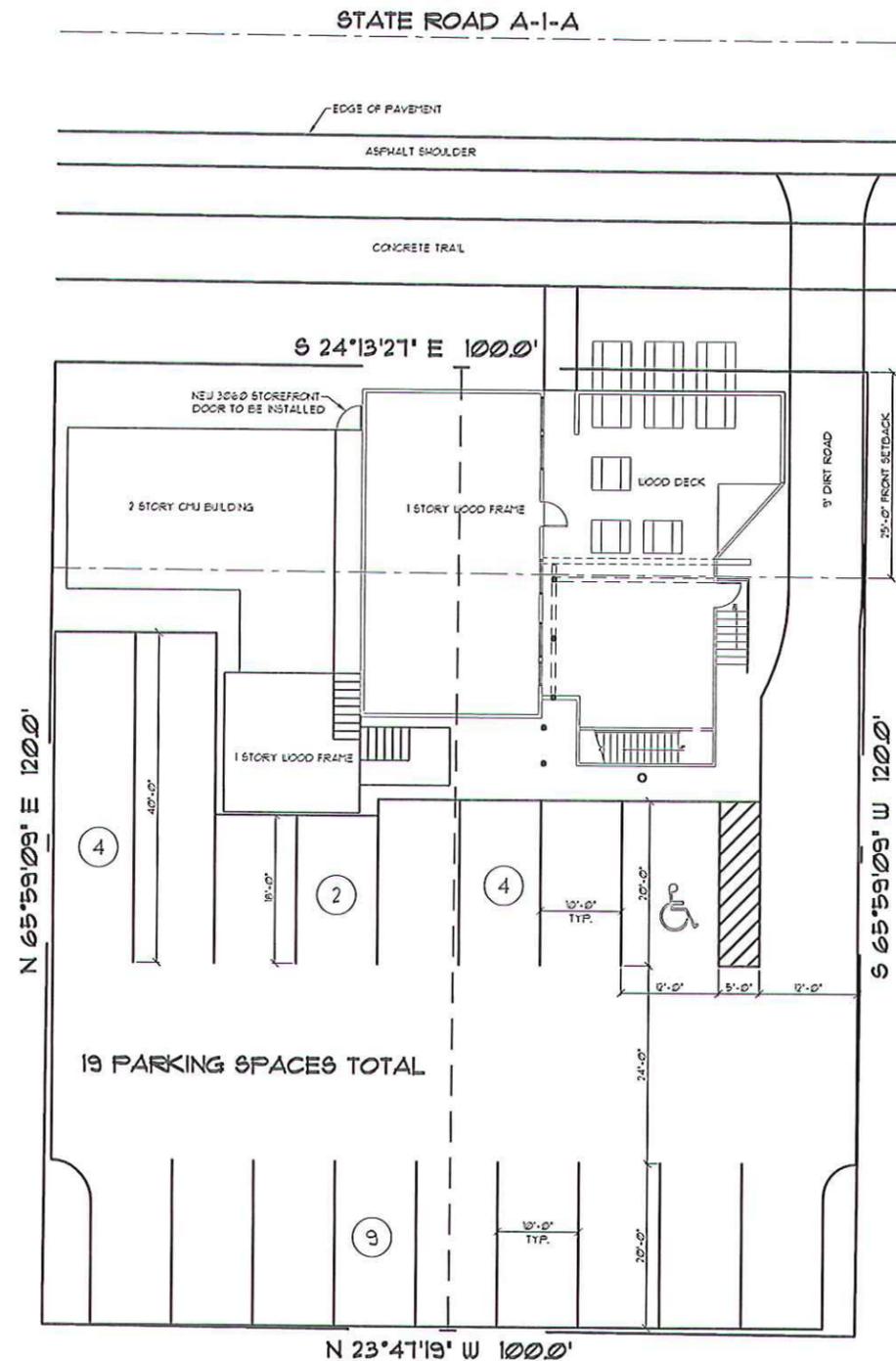
West:

RESIDENTIAL



**JPA**

JOSEPH POZZUOLI ARCHITECT  
 314 E. MOODY BOULEVARD  
 FLAGLER BEACH, FLORIDA 32133  
 T: (386) 439-5550 F: (386) 439-5555  
 AR13178 ID 484



**SITE PLAN**  
 SCALE: 1" = 10'-0"

**LEGAL DESCRIPTION:**  
 LOT 4 AND 5 AND THE EAST 20 FEET OF LOTS 1 AND 8, BLOCK 4, COCHRAN PLACE ADDITION, AS RECORDED IN PLAT BOOK 1, PAGE 12, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

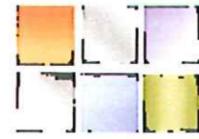


OUTSIDE DECK ADDITION FOR:  
**JOHNNY D'S BAR & GRILL**  
 1005 N. OCEANSHORE BLVD.  
 FLAGLER BEACH, FLORIDA 32136

REV #	DATE	ISSUE	REV #	DATE	ISSUE
5-4.12		PAR BOARD SUBMITTAL			

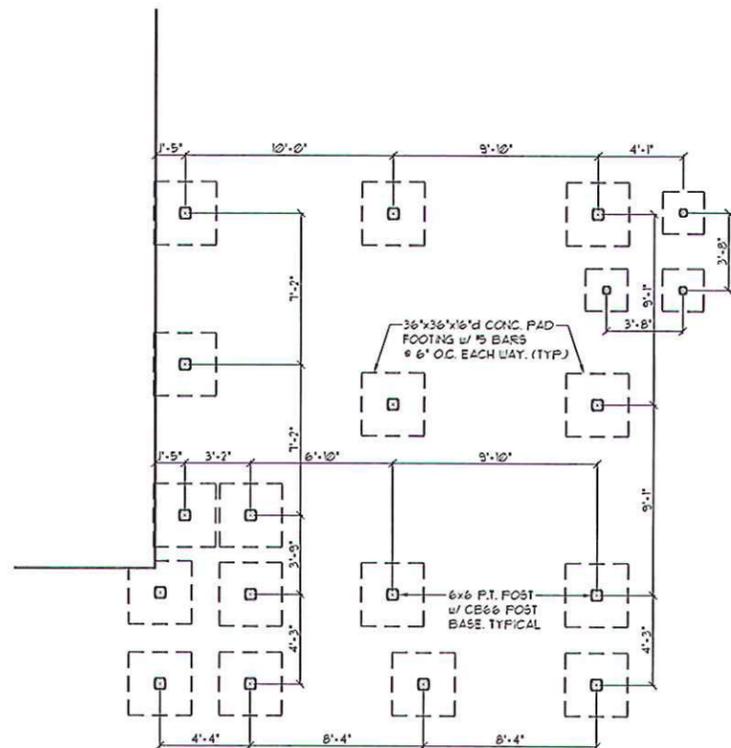
DATE: 3.5.2012	DRAWN: DJS
JOB NO.: 212112	CHECKED: JDP

**S-1**



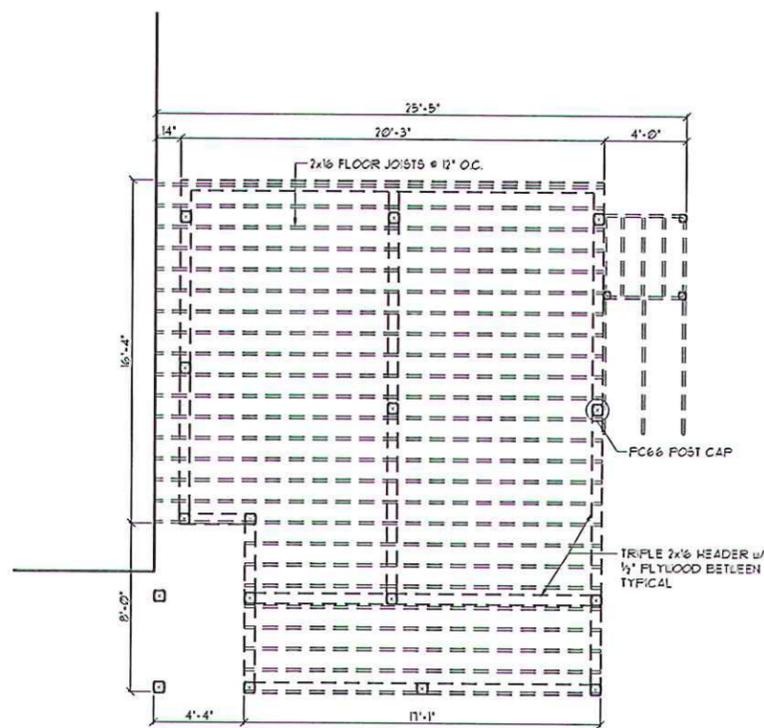
**JPA**

JOSEPH POZZUOLI ARCHITECT  
 314 E. MOODY BOULEVARD  
 FLAGLER BEACH, FLORIDA 32133  
 T: (386) 439-5550 F: (386) 439-5555  
 AR13178 ID 4842



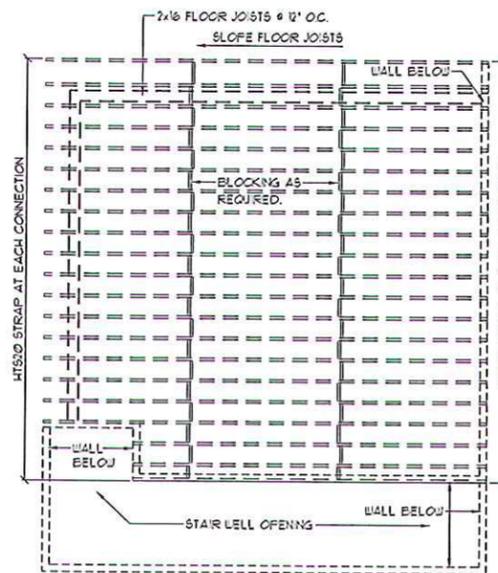
**FOUNDATION PLAN**

SCALE: 1/4" = 1'-0"



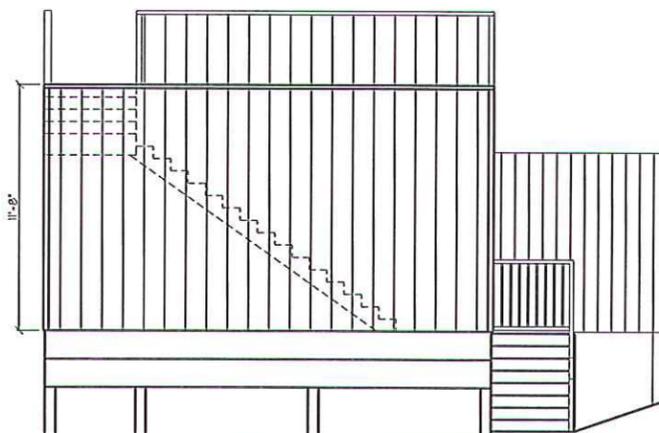
**FIRST FLOOR DECK FRAMING PLAN**

SCALE: 1/4" = 1'-0"



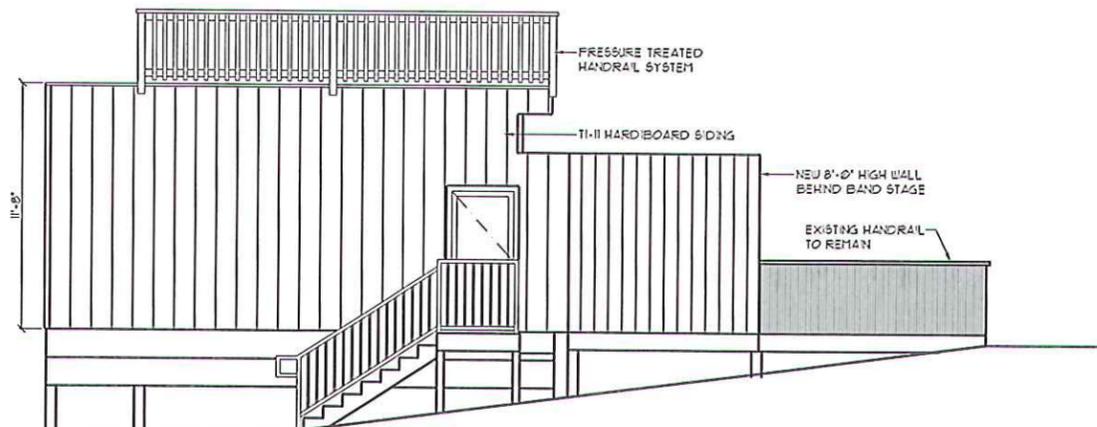
**SECOND FLOOR DECK FRAMING PLAN**

SCALE: 1/4" = 1'-0"



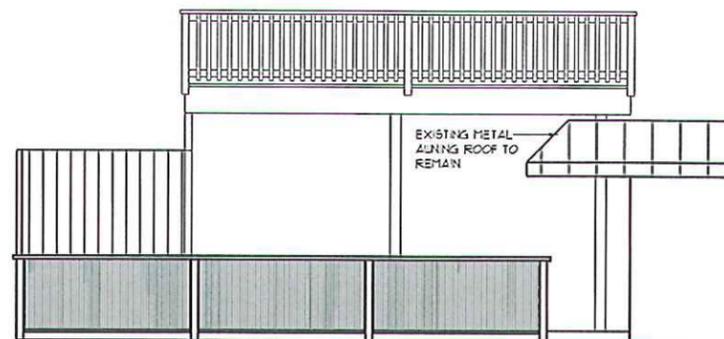
**REAR ELEVATION**

SCALE: 1/4" = 1'-0"



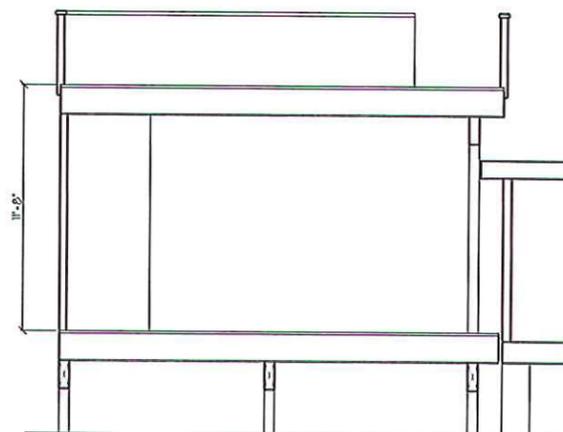
**LEFT SIDE ELEVATION**

SCALE: 1/4" = 1'-0"



**FRONT ELEVATION**

SCALE: 1/4" = 1'-0"



**I. CROSS SECTION**

SCALE: 1/4" = 1'-0"

**IMPORTANT I**

EACH TRADE, MANUFACTURER AND/OR SUPPLIER SHOULD UNDERSTAND ITS SCOPE OF WORK WITHIN THIS SET OF PLANS COMPLETELY PRIOR TO COMMENCING ANY WORK. ANY QUESTIONABLE OR UNCLEAR CONDITIONS ARE TO BE BROUGHT TO THIS OFFICE'S ATTENTION FOR CLARIFICATION. THE ULTIMATE RESPONSIBILITY OF ALL TRADES, MANUFACTURERS AND/OR SUPPLIERS IS THEIRS IF THE INFORMATION IN QUESTION IS SHOWN CLEARLY OR HAS BEEN ADDRESSED AS REQUIRED PRIOR TO COMMENCING THE WORK.

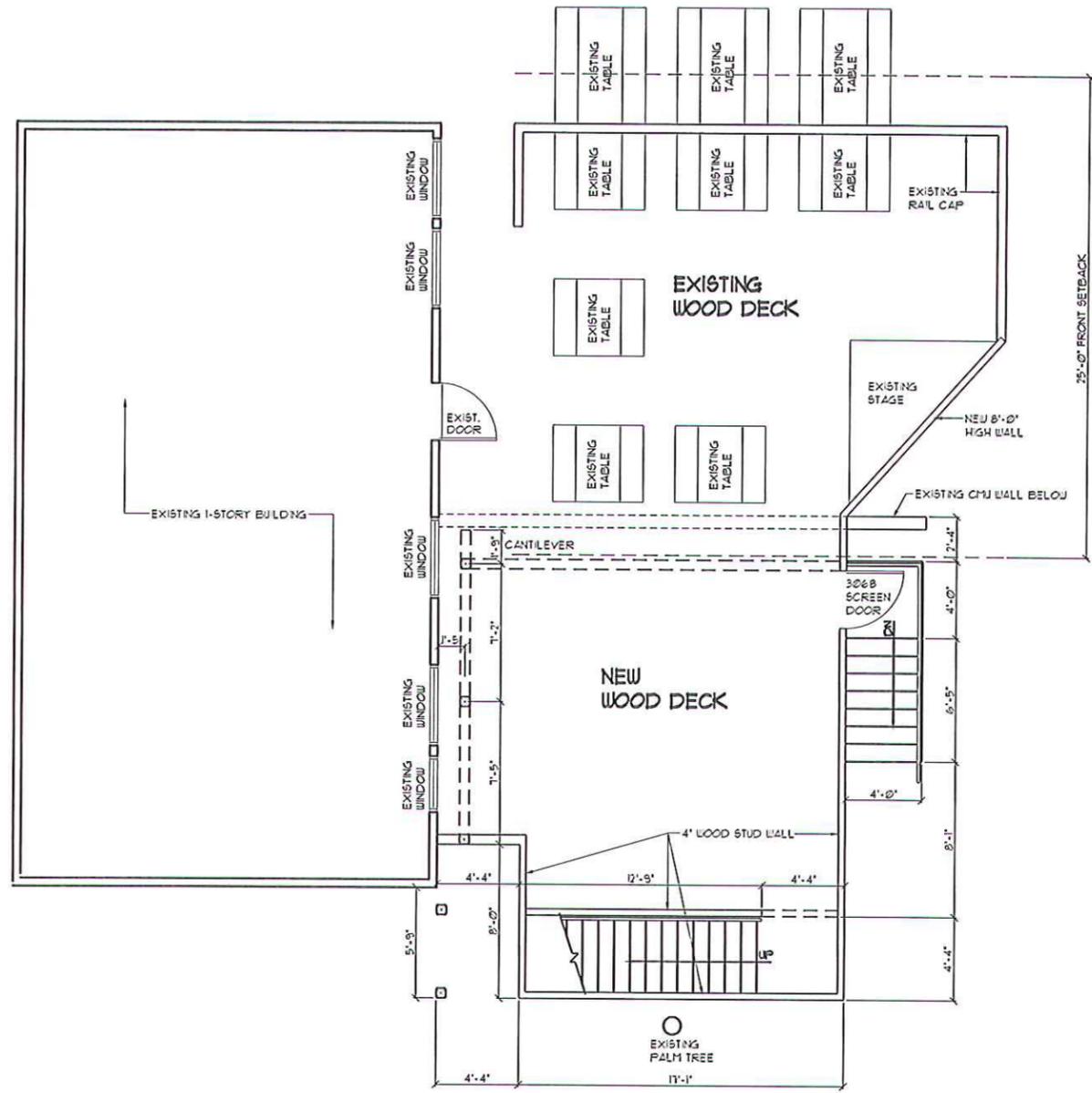
OUTSIDE DECK ADDITION FOR:  
**JOHNNY D'S BAR & GRILL**  
 1005 N. OCEANSHORE BLVD.  
 FLAGLER BEACH, FLORIDA 32136

FOUNDATION, FLR. FRAMING  
 PLANS AND ELEVATIONS

REV #	DATE	ISSUE
5-4-12		PAR BOARD SUBMITTAL

DATE: 3.5.2012	DRAWN: DJS
JOB NO.:	CHECKED:
212112	JDP

**A-1**

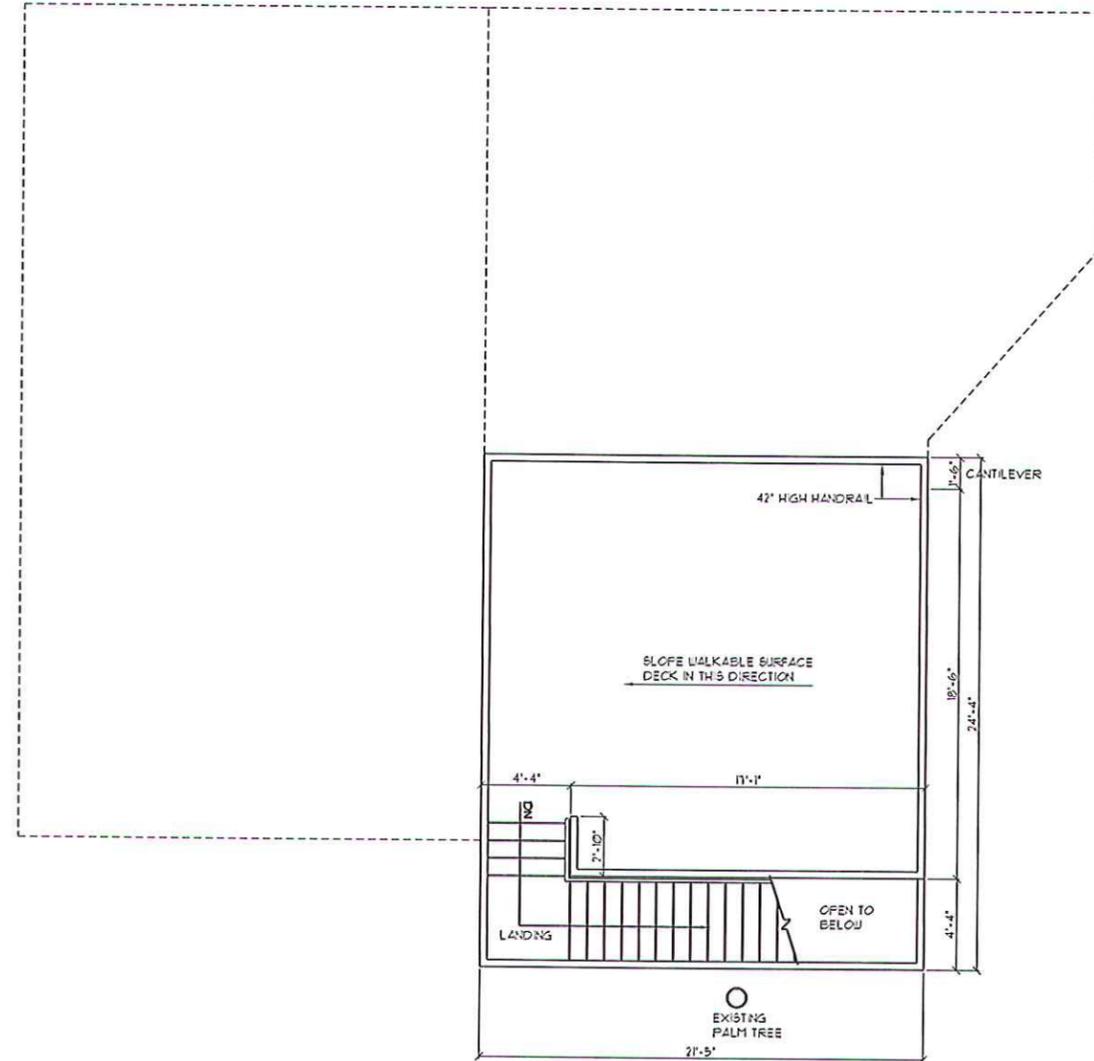


**FIRST FLOOR PLAN**

SCALE: 1/4" = 1'-0"

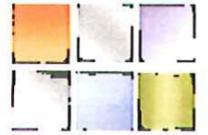
**SQ. FT. CALCULATIONS:**

1st FLOOR AREA: 430 SQ. FT.  
 2nd FLOOR AREA: 411 SQ. FT.  
 TOTAL NEW ADDITION AREA: 841 SQ. FT.



**SECOND FLOOR PLAN**

SCALE: 1/4" = 1'-0"



**JPA**

JOSEPH POZZUOLI ARCHITECT  
 314 E. MOODY BOULEVARD  
 FLAGLER BEACH, FLORIDA 32136  
 T: (386) 439-5650 F: (386) 439-5655  
 AR13178 ID 4841



OUTSIDE DECK ADDITION FOR:  
**JOHNNY D'S BAR & GRILL**  
 1005 N. OCEANSHORE BLVD.  
 FLAGLER BEACH, FLORIDA 32136

**FIRST AND SECOND FLOOR PLANS**

REV #	DATE	ISSUE	REV #	DATE	ISSUE
	5-4-12	PAR BOARD SUBMITTAL			

DATE: 3.5.2012	DRAWN: OJS
JOB NO.: 212112	CHECKED: JDP

**A-2**



47 (a) The city shall require a wetland buffer of no less than twenty-five (25) feet  
48 adjacent to and surrounding all wetlands (including saltwater marsh and the Intracoastal  
49 Waterway). This wetland buffer shall consist of existing vegetation native to the site that  
50 shall be preserved or replanted between the site of actual construction activity and the  
51 boundary of the wetland, saltwater marsh and/or Intracoastal Waterway.  
52

53 (b) Activities, construction and/or maintenance which do not have an adverse effect  
54 on the natural function of the wetland buffer may be allowed within the buffer. These  
55 activities, construction and/or maintenance include but are not necessarily limited to:  
56

- 57 (1) Elevated wooden walkways.
- 58 (2) Hand clearing of woody vegetation (brush and small trees) within wetland  
59 buffer areas is allowed as long as the natural ecological functions of the wetland  
60 buffer (e.g. wildlife habitat; filtration of nutrients, pesticides, and fertilizers;  
61 reduction of light, noise and heat; etc.) are maintained. Trees with a DBH  
62 (diameter at breast height) of two (2) inches or greater shall not be removed,  
63 except for exotic and nuisance pioneer plant species.
- 64 (3) Nature trails - limited to soil, wood chips, mulch or similar types of porous  
65 natural material to allow reasonable pedestrian access to a waterbody.
- 66 (4) Fencing along property line adjacent to wetlands.
- 67 (5) Planting of suitable native vegetation.
- 68 (6) Construction of minor drainage structures such as swales or outfall pipes.
- 69 (7) Others as determined by the city engineer or the engineer's designee that  
70 would not have an adverse effect on the natural function of the wetland buffer.  
71

72 (c) The city shall require that all surveys submitted which contain wetlands shall  
73 designate on the survey the wetland buffer area and wetlands jurisdictional line.  
74

75 (d) Variances from the required wetland buffer shall not be considered.  
76

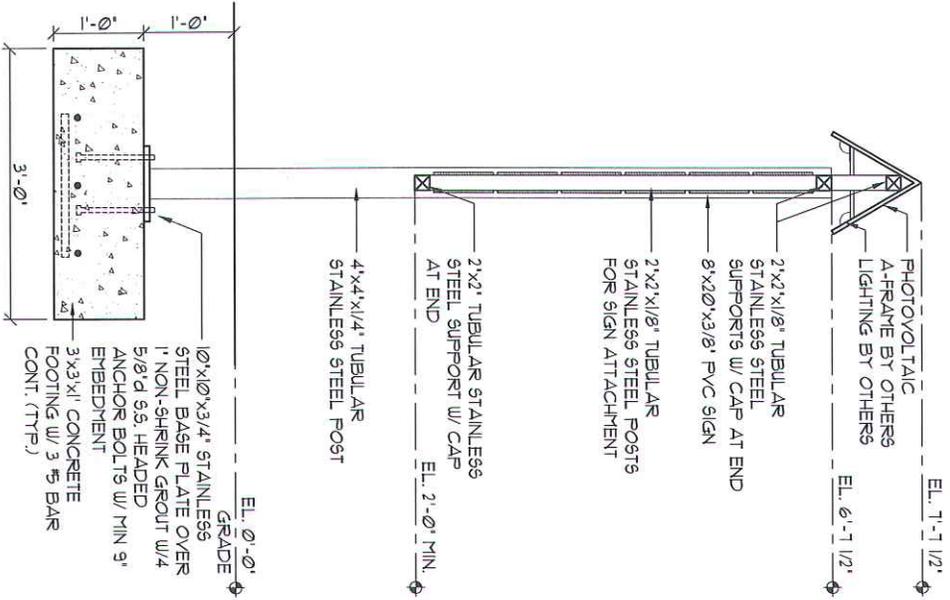
77 **SECTION 3. Codification.** It is the intent of the City Commission of the City of  
78 Flagler Beach that the provisions of this Ordinance shall be codified. The codifier is granted  
79 broad and liberal authority in codifying the provisions of this Ordinance and renumbering  
80 subsections consistent with this Ordinance.  
81

82 **SECTION 4. Severability.** If any section, sentence, clause or phrase of this Ordinance  
83 is held to be invalid or unconstitutional by a Court of competent jurisdiction, then said holding  
84 shall in no way affect the validity of the remaining portions of this Ordinance.  
85

86 **SECTION 5. Repeal of conflicting ordinances.** In any case where a provision of this  
87 Ordinance is found to be in conflict with provisions of any other ordinance of this City, the  
88 conflicting provisions of the previous ordinance shall be repealed by this Ordinance.  
89

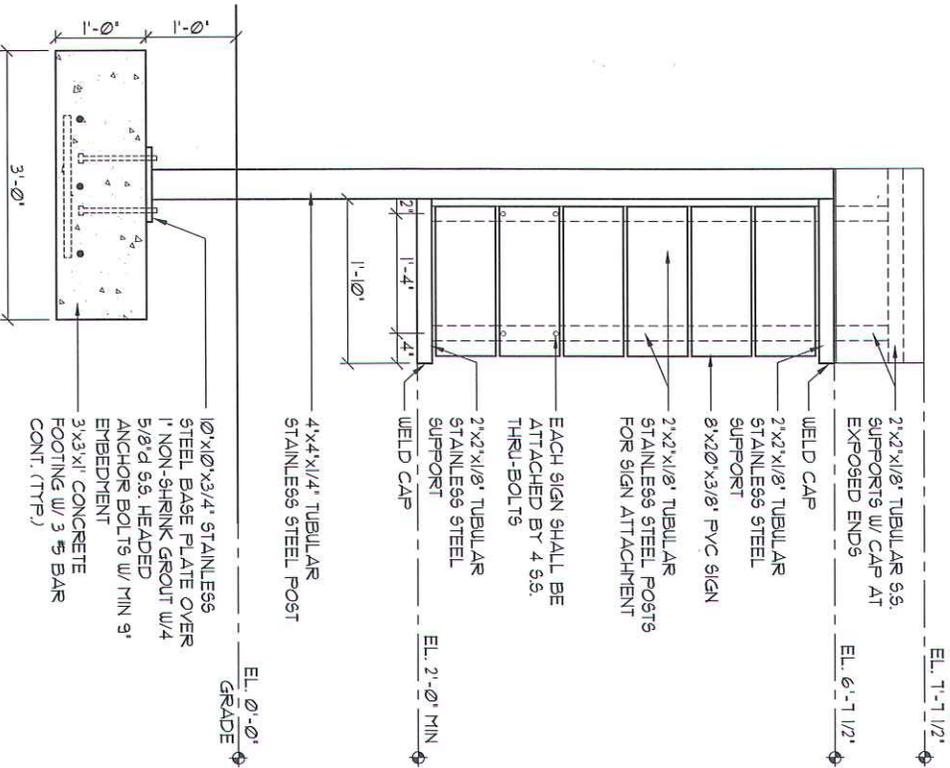






# SIDE SECTION

SCALE: 3/4" = 1'-0"



# FRONT ELEVATION

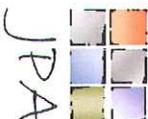
SCALE: 3/4" = 1'-0"

WAYFINDER SIGN			
REV	DATE	ISSUE	

WAYFINDER SIGNS  
FLAGLER BEACH, FLORIDA 32136

NO.	DESCRIPTION

55P-22761-41P1P  
314 E. MOORE AVENUE  
FLORIDA BEACH, FLORIDA 32136  
ARCHITECTS  
ID 2850



A-1