Section 4.01 Purpose

This section describes the process for the dividing or reconfiguration of land that is deemed nonstatutory according to Florida Statutes, the qualification of which complies with one of the following:

A. The combination or reconfiguration of previously platted lots or portions of such lots where the total number of lots is not increased and the resultant lots comply with City requirements.

B. The public acquisition by purchase, acceptance of deed of dedication, or exercise of the right of eminent domain of strips of land for the widening or opening of streets, or acquisition of property for public purposes or public amenities.

C. The division of land into no more than three (3) lots, parcels, tracts, tiers, blocks, units, or any other division of land of into no fewer than 20 acres each provided:
   2. Each resulting lot, tract, or parcel shall have access to a public street and no public improvement may be dedicated including, but not limited to, any dedication of rights-of-way, easement, or physical improvement of any kind intended for public use.
   3. Each lot, tract, or parcel shall meet or exceed the minimum requirements of the zoning district in which it is located adjacent to the public street.
   4. The owner of the subject property shall not be allowed to further subdivide under this section.

Section 4.02 Application Process

A. The Applicant shall submit a complete application package to the City. A meeting with City Staff is recommended for submittal of the application package.

B. Per subsection 2.05.04 of the Unified Land Development Code (LDC), the application package will undergo a completeness review by the City.

C. Upon acceptance, the application package shall be reviewed for compliance.

D. The City shall issue a development order and submit the reconfigured parcel or newly created division of land to the Flagler County Clerk’s Office for recording purposes upon satisfying compliance review. The Applicant is responsible for payment of all fees associated with the recording costs.
Non-Statutory Subdivision

1. Subdivision Non-Statutory Application
2. Staff Completeness Review
3. Staff Compliance Review
4. Compliant
   - Approved
     - Approval Development Order Recorded With Exhibit
   - Denied
     - Denial Development Order
5. Non-Compliant
A. PROJECT NAME: ____________________________________________________________

B. LOCATION OF SUBJECT PROPERTY (PHYSICAL ADDRESS): ___________________________________________

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: ___________________ EXISTING ZONING DISTRICT: _____________

G. FLOOD ZONE: ___________ COMMUNITY PANEL NUMBER:_______________________ DATE: _____________

H. PRESENT USE OF PROPERTY: ________________________________________________________________

I. DESCRIPTION OF REQUEST / PROPOSED DEVELOPMENT (MAY ATTACH ADDITIONAL SHEETS):____________

J. PROPOSED NUMBER OF LOTS: __________________________________________________________________

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)
□ Tier 3 (exceeding 100,000 sq. ft. / 100 units)

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

M. WATER/SEWER PROVIDER: _________________________________________________________________

N. IS THERE AN EXISTING MORTGAGE? □ Yes □ No

General Application (sheet 1 of 2)
**OWNER:**

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**APPLICANT / AGENT:**

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**MORTGAGE HOLDER:**

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**ENGINEER OR PROFESSIONAL:**

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**PLANNER:**

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**TRAFFIC ENGINEER:**

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**SURVEYOR:**

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**LANDSCAPE ARCHITECT:**

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**ATTORNEY:**

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**DEVELOPER OR DOCKMASTER:**

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

Signature(s) _____________________________________________     __________________________________________

Printed or typed name(s): _________________________________      _________________________________________

**NOTARY:**

This instrument was acknowledged before me on this ______ day of __________________, 20_____ by__________________________ who is/are personally known to me, or who has/have produced __________________________________________ as identification.  (SEAL)

________________________________________________________

Signature of Notary Public, State of Florida
The following checklist is a tool to facilitate compliance for the submittal package. Place a check in each symbol below to indicate that the item has been addressed. As indicated in the above key legend, an item with a square indicates the item is mandatory, while the triangle indicates it may or may not be applicable. If applicable, then the item is mandatory.

At a minimum, the documents listed below are required to process a request for a nonstatutory land division or parcel reconfiguration. This checklist must be completed by the Applicant and included in the application submittal package in order for the application to be accepted. If a required document is not provided then a statement justifying the action is to be submitted, which will be taken into consideration.

It is recommended to schedule an appointment for submittal of the application package by contacting a Land Development Technician at (386) 986-3736.

**A.** Complete application form filed by property owner or property owner’s representative (refer to subsection 2.05.04.A of the Unified Land Development Code (LDC).
   - 1. Application notarized

**B.** For an owner’s representative, submit letter of authorization.

**C.** Current survey (2 copies) on paper size no greater than 8.5 x 14 illustrating:
   - 1. Prepared by a registered land surveyor licensed to practice in the State of Florida.
   - 2. Contains the legal description and total acreage of the subject property.
   - 4. All existing on-site or adjacent easements, including drainage, electricity, gas, water, wastewater, or other pipeline or utility easements.
   - 5. All existing on-site improvements, including buildings, structures, drainage facilities, or other utilities.
   - 6. All wetlands.
   - 7. Flood Insurance Rate Map (FIRM) information: community panel number, date, and flood zone(s). Flood zone boundary shall be depicted.
   - 8. Streets adjacent to the tract, including rights-of-ways and pavement widths.
   - 9. Completed with the benefit of a current title opinion and a statement that it is current.

**D.** Boundary sketch (2 copies) on paper size no greater than 8.5 x 14, prepared by a Florida registered land surveyor, depicting the proposed lot divisions or lot reconfigurations and the following:
   - 1. Metes and bounds description of each newly created or reconfigured parcel.
   - 2. All newly established parcels shall be labeled and numbered accordingly.
   - 3. Any proposed easements and square footage or acreage of each newly created or reconfigured parcel.
   - 4. Must state at top of survey “Nonstatutory Land Division” or “Nonstatutory Parcel Reconfiguration”, whichever is applicable.
   - 5. Name of project.
   - 6. Vicinity map.

**E.** Draft deed for each proposed parcel.
F. An Opinion of Title:
   1. Prepared by an attorney at law licensed to practice in Florida or a certification by an
      abstractor or a title company.
   2. Shows that record title to the land as described and shown on the survey is in the name
      of the person, persons, corporation, or entity wanting the division.
   3. List all mortgages not satisfied or released of record nor otherwise terminated by law.
   4. List all encumbrances (i.e. easements, etc.) on the subject property.
   5. Current (within six (6) months of the date of application submittal).

G. Environmental assessment report from an environmental consultant regarding:
   1. Wetland Quality Assessment Methodology (WQAM)
   2. Endangered and threatened species and species of special concern

H. Cultural resource field survey report.

I. If applicable, Florida Department of Transportation (FDOT) comments, conditions, or
   approvals for division of land along State Roads.

J. Any other appropriate information thought necessary by the prospective Applicant to provide
   a schematic presentation. (Optional)

K. If applicable, Site Development Permit Fee Calculation Sheet.

L. If dividing a lot zoned for duplexes (DPX) with an existing duplex on the lot, provide a set of
   construction plans that depicts the structure with separate, enclosed garages.

M. Nonrefundable filing fee: $250 or $25 per acre, whichever is greater (payable to ‘City of
   Palm Coast’).
Property Owner Letter of Authorization

**************IF APPLICANT IS NOT THE PROPERTY OWNER**************

Dear Planning Manager,

I / We, __________________________________________________________
__________________________________________________________________________________
__________________________________________________________________________________

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

and also described as Subdivision ____________________________________________________, Section___________, Block _________, Lot __________, OR
__________________________________________________________________________________

Street Address or Physical Location: ____________________________________________________

Do hereby designate and authorize
__________________________________________________________________________________

(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
__________________________________________________________________________________

(type of application)

for the property described above.

______________________________________  __________________________________
Signature of property owner     Signature of property owner

______________________________________  __________________________________
Print name       Print name

NOTARY:  This instrument was acknowledged before me on this ______ day of __________________, 20____ by _____________________________________________ who is/are personally known to me, or who has/have produced ____________________________ as identification.

(SEAL)

Signature of Notary Public, State of Florida
AFFIDAVIT OF CORPORATE IDENTITY / AUTHORITY

STATE OF _______________
COUNTY OF _______________

COMES NOW, ____________________________________________, being first duly sworn, who deposes and says:

(1) That he/she is the ________________________, an officer of ________________________ corporation existing under the laws of the State of ____________________________.

(2) That he/she is authorized to execute the following deeds or instruments on behalf of the above named corporation: ___________________________________________ relating to the following described real property:

(3) That this affidavit is made to induce the City of Palm Coast to accept the above described property.

Signature of owner OR person authorized to represent this application

______________________________  ______________________________
Signature                  Signature

______________________________  ______________________________
Print name                  Print name

NOTARY: This instrument was acknowledged before me on this _____ day of _________________,
20____ by ___________________________________________ who is/are personally known to me, or who has/have produced _____________________________ as identification.

(SEAL)

__________________________________________
Signature of Notary Public, State of Florida
JOINDER AND CONSENT AFFIDAVIT

JOINDER AND CONSENT BY ___________________________________________

Name of Lending Institution / Mortgage Holder

COME NOW, __________________________________________ and Joins and Consents to the
covenants and conditions set forth herein and hereunto sets his hand and seal this ___ day
of _____________________, 20___.

ATTEST:     _____________________________________

Name of Lending Institution

_____________________________  _________________________________
Corporate Secretary    Corporate President

______________________________ _________________________________
Printed Name     Printed Name

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me this _____ day of ______________, 20___, by
_______________________________________________, who is/are personally known to me or who
has produced ________________________________ as identification and who did execute said
instrument for the purpose therein expressed.

WITNESS my hand and official seal the day month and year aforesaid.

NOTARY PUBLIC    (SEAL)

______________________________
NOTARY PUBLIC SIGNATURE