

FLAGLER COUNTY PLANNING AND DEVELOPMENT BOARD REGULAR MEETING

Flagler County Government Services Building,
1769 East Moody Blvd., Board Chambers, Bunnell, FL

MEETING MINUTES

Tuesday, January 9, 2024 at 6:00 PM

1. **Roll Call:** The meeting was called to order by the Chair and a quorum was present.

Members Present: Michael Boyd (Vice Chair), Jack Corbett, Fernando Melendez, Mark Langello (Chair), Anthony Lombardo.

Members Absent: Timothy Conner.

Present: Adam Mengel, Growth Management Director; Chuck Merenda, Assistant Director; Simone Kenny, Planner; Gina Lemon, Planner.

Board Counsel: Sean Moylan, Deputy County Attorney

2. Pledge to the Flag.

3. Election of Chair

Micheal Boyd appointed Mark Langello, seconded Anthony Lombardo.
Motion carries unanimously.

4. Election of Vice Chair

Anthony Lombardo appointed Michael Boyd, seconded Jack Corbett.
Motion carries unanimously.

5. Approval of November 14, 2023 minutes.

November 14, 2023 regular meeting minutes

Motion: Motion to approve

Motion By: Anthony Lombardo

Motion 2nd by: Fernando Melendez

Vote: Motion carries unanimously.

6. Quasi-judicial requiring disclosure of ex parte communication:

CONTINUED FROM NOVEMBER 14, 2023 MEETING

Project No. 2023090011 – **VARIANCE IN THE R-1 (RURAL RESIDENTIAL) DISTRICT** – request for a 25-foot front (East) setback variance at 10 Dawson Drive. Parcel No. 40-10-31-6050-00000-0150; 9,995 square feet. Owners: Robert J. and Brandie N. Robertson/Applicant: Robert Robertson. (TRC, PDB)

Board Member Disclosures: No disclosures.

Staff Presentation: by Adam Mengel, Growth Management Director

Applicant Presentation: Robert Robertson, 10 Dawson Drive. Showed pictures of his property.

Anthony Lombardo gives a good visual.

Mr. Robertson answered questions.

Mr. Melendez asked what asked the wind load.

Mr. Robertson said 175 mph.

Public Comment:

No Public Comment

Motion: The Planning and Development Board finds that all the variance criteria as listed in the guidelines at Land Development Code Section 3.07.03.E have been met and therefore approves Project No. 2023090011 for a 25 foot front (East) yard setback variance from the required 25 foot front setback at 10 Dawson Drive (Parcel #40-10-31-6050-00000-0150).

Motion By: Michael Boyd

Motion 2nd by: Fernando Melendez

Vote: Mark Langello voted in opposition; motion carried 4 ayes to 1 nay.

7. Quasi-judicial requiring disclosure of ex parte communication:

Project No. 2023090058 – **PRELIMINARY PLAT IN THE PUD (PLANNED UNIT DEVELOPMENT) DISTRICT** – request for a preliminary plat in the PUD District for Brookside at Ormond Station, a single-family detached subdivision. Parcel Nos. 21-14-31-0000-01010-0000 and a portion of 22-14-31-0000-01010-0130 53.49+/- acres. Owner: US Capital Alliance, LLC/Applicant: Alann Engineering Group, Inc. (TRC, PDB, BCC)

No Board Member disclosures.

Staff Presentation: by Adam Mengel, Growth Management Director

Applicant: Kimberly Buck, Alann Engineering, Inc. she was here to answer questions.

Mark Langello asked how the drainage works.

Kimberly Buck answered that they did as mass grading plan. In the grading plans they set the finished floor elevation and you build to that finished floor elevation.

Public Comments

No public comments.

MOTION: The Planning and Development Board recommends to the Board of County Commissioners approval of the preliminary plat for the Brookside at Ormond Station Subdivision, subject to:

- a. no construction to commence prior to issuance of a County land development permit;
- b. no final plat approval to occur until extension of potable water and sanitary sewer is installed and approved by the City of Ormond Beach as the utility provider;
- c. temporary waiver of secondary means of emergency access; and

- d. any subdivision improvements not completed by the developer to be bonded or other surety provided consistent with the requirements of the Land Development Code.

Motion by: Michael Boyd

Seconded: Fernando Melendez

Motion carried unanimously.

8. Quasi-judicial requiring disclosure of ex parte communication:

Project No. 2023120013 – **APPEAL OF PLANNING DIRECTOR’S DECISION** – request for an appeal of a Planning Director’s decision to deny replacement of a nonconforming pole sign in the C-2 (General Commercial and Shopping Center) District at 6700 U.S. Highway 1 South. Parcel No.: 08-13-31-0650-000A0-0000: 1.95+/- acres. Owner: Prime Energy Group, LLC/Applicant: Brian Hughes, Director of Construction. (PDB)

Staff Presentation: by Adam Mengel, Growth Management Director

Applicant Presentation: Nasser Buisier; Brian Huges, Director of Construction.

Fernando Melendez you did a wonderful job. It’s obvious that whole sign is gone.

Sean Moylan, everything is a case-by-case basis. Read the article, from a staff level we said this sign is too far gone.

Jack Corbett said the I would get the site up, are the pothole in the driveway are they done yet.

Mr. Bruisier answered the DOT gave us 300 day to inspect something.

Anthony Lombardo questioned the sign is down, with the safety, if the safety portion of the sign was it repairable?

Mr. Bruisier if there was a storm coming in, was it repairable. It was it was no monetary gain.

Anthony Lombardo it was not welded.

Mr. Bruisier said there was no welding.

Mark Langelo we have an inadequate sign ordinance in our County. This is on a highway, public to see the service. Do we wait for the sign to fall down, they are proposing a new footing they are taking the same sign.

Public Comment:

No public comment.

OPTIONS FOR THE BOARD: The Planning and Development Board may approve the appeal request, allowing the replacement (subject to issuance of a building permit) of the nonconforming pole sign.

Motion: Motion to approve the Appeal of the Planning Directors Decision.

Motion By: Jack Corbett

Motion 2nd by: Fernando Melendez

Anthony Lombardo questioned putting up new poles, they are reusing the digital and the box.

Vote: Motion carries unanimously.

9. Quasi-judicial requiring disclosure of ex parte communication:
Project No. 2023110038 – **SPECIAL EXCEPTION FOR OUTSIDE STORAGE IN THE C-2 (GENERAL COMMERCIAL AND SHOPPING CENTER) DISTRICT** – request for a Special Exception for Outside Storage in the C-2 District at 4290 S. Old Kings Road. Parcel No.: 35-12-31-0000-02010-0030; 4.99+/- acres. Owner: Dance Storage, LLC/Applicant: Alexander and Ashley Doucet. (TRC, PDB)

No disclosures by Board Members

Presentation by Adam Mengel, Growth Management Director.

Applicants Alexander and Ashley Doucet, there is an approved Special Exception for this property. They want to continue the use. There is a high demand for this use.

Jack Corbett there will be a gate.

Anthony Lombardo chainlink fence will be behind the berm.

Public Comments:

Loretta Clausen, 1499 Pecos Drive, Ormond Beach, read letter in to the record.

Daniel Whiteman, I live in Eagle Lakes, I have parked a boat, I am the closest one on that side of the road. Oils is not the way to do it.

Cynthia Whiteman, 16 Lakeside Place, because of the speed on the road.

Mike Clausen, 1499 Pecos Drive, Dance should make the residential, read from a prepared statement.

Al Stur Koch, Sugarmill Plantation the storage facility, declining the special exception.

Close Public Comments.

Joe Forte understands that the type of facility it low traffic impact to the community.

Anthony Lombardo asked about the gravel.

Joe Forte lets the water go through. The would restrict the enforcement, would be in the language.

Mr. Mengel suggested the driveway move the to the south.

The Planning and Development Board:

APPROVAL of Project No. 2023110038, finding that all the special exception criteria as listed in the guidelines at Land Development Code Section 3.07.03.F. have been met for the outside storage use at 4290 South Old Kings Road (Parcel #35-12-31-0000-02010-0030), subject to the following conditions:

- a. development to occur in substantial conformity with the site plan submitted as part of this application (dated November 7, 2023 by Tajmir-Davis and Associates), with a

- more detailed site plan required prior to issuance of a land development permit by the County;
- b. use not to be initiated prior to submittal (and TRC approval) of a site plan meeting the County's requirements;
 - c. satisfaction of NFPA requirements for provision of fire hydrant(s) or, alternatively, a decrease in the scope of the project to render the requirement unnecessary;
 - d. a 10 foot wide dedication of additional right-of-way for a future sidewalk to be provided to the County adjacent to the Old Kings Road right-of-way;
 - e. provision of buffers as depicted on the site plan accompanying this application, and to be further detailed in the subsequent site plan submittal, with the buffer width along the front of the project adjoining Old Kings Road to be no less than 35 feet in width;
 - f. Appropriate signage; and
 - g. Augmented landscape.

Motion: Motion to approve the Appeal of the Planning Directors Decision.

Motion By: Mark Langelo

Motion 2nd by: Anthony Lombardo

Vote: Motion carries unanimously.

10. Staff Comments.

11. Board Comments.

12. Public Comments – Each speaker will be allowed up to three minutes to address the Planning and Development Board on any item or topic not on the agenda.

Daniel Whiteman would he have to contact EPA?

13. Adjournment.

Motion By: Michael Boyd

Motion 2nd by: Fernando Melendez

Meeting adjourned at 8:26 pm.