

**FLAGLER COUNTY  
PLANNING AND DEVELOPMENT BOARD  
REGULAR MEETING  
Flagler County Government Services Building  
Board Chambers  
1769 East Moody Blvd., Bunnell, FL  
MEETING MINUTES  
Tuesday, April 11, 2017 at 6:00 PM**

*Approved May 9, 2017*

1 **MEMBERS PRESENT:** Chairman Robert Dickinson, Arthur Barr, Michael Boyd, Michael  
2 Duggins, Laureen Kornel, and Mark Langelo

3  
4 **MEMBERS ABSENT:** Troy Dubose

5  
6 **STAFF PRESENT:** Sally Sherman, Deputy County Administrator; Adam Mengel, Planning  
7 Director; Wendy Hickey, Planner; Gina Lemon Development Planner III

8  
9 **BOARD COUNSEL:** Albert Hadeed, County Attorney

10  
11 Chairman Dickinson called the meeting to order at 6:00 p.m.

12  
13 1. **Roll Call.**

14 Attendance was confirmed by Ms. Lemon and a quorum was present.

15  
16 2. **Pledge of Allegiance.**

17 Chairman Dickinson led the Pledge of Allegiance to the Flag.

18  
19 3. **Approval of Minutes.**

20 Minutes of the March 14, 2017 regular meeting

21  
22 Mr. Barr advised the board a scrivener's error on page 5 line 3 should be count not county.

23  
24 ***Motion to approve with the correction made by Mr. Boyd and seconded by Ms .Kornel.***  
25 ***Approved unanimously***

26  
27 4. Quasi-judicial requiring disclosure of ex parte communication:

28 Application #3069 – VARIANCE IN THE R1 (RURAL RESIDENTIAL) DISTRICT –  
29 request for a 5 foot side yard setback variance at 15 Bay Drive; Parcel Number 39-10-31-4250-  
30 00140-0170; Owner: Sandy Rayl / Applicant: John Quattrochi, P.E.

31  
32 Chairman Dickinson asked if anyone had any disclosures seeing none.

33  
34 Mr. Mengel Planning Director presented the staff report noting that this parcel is part of  
35 Marineland Acres and giving a detailed history of the area and the Marineland Acres stormwater  
36 overlay district he continued with his presentation displaying maps and proposed site plan  
37 depicting the improvements.

38  
39 After concluding his presentation he gave the staff recommendation as follows; Based on the  
40 provided application and supplement information,, the Planning Department recommends that

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1 the Planning and Development Board make a finding that all criteria as listed in the guidelines  
2 at LDC Section 3.07.03.E have not been met and therefore recommends denial of a 5 foot side  
3 yard setback variance for Lot 17, Block 14, Marineland Acres Second Addition as recorded at  
4 Map Book 5, Pages 60 to 62, Public Records of Flagler County, Florida.

5  
6 Chairman Dickinson asked the applicant to step forward.

7  
8 John Quattrochi P.E. applicant, 4624 Pecos Court St. Johns, Fl 32259; stated the location for the  
9 deck is limited due to a garage on the opposite side of the home, additionally the septic and  
10 drain field is in the backyard, as well as storage for the drainage, and the impervious being  
11 added. The existing deck along the side is about 7 ½ feet. The reason we are putting in a  
12 retaining wall is because the hurricane took away both sides and the slab is exposed, to shore up  
13 the foundation of the building. The first concern is that there is no other place to put a deck of  
14 that size for an outdoor kitchen and it will be made of fiber so it will last for years and in the  
15 back there is a shower and she was going to build a serpentine wall that is rock finish so over all  
16 the improvements are about \$100,000.00, making the property more valuable. It will also shore  
17 up the foundation. There is no one living next door and the lot is for sale so there is no  
18 disturbance and she is willing to put up a fence along that side with the deck.

19  
20 Sandra Rayl, property owner/applicant, 15 Bay Drive Palm Coast, Fl 32137; stated what  
21 precipitated the project was Hurricane Matthew and it caused a lot of damage to the house, the  
22 foundation was compromised basically a slab on elevated fill. The fill is starting to erode and  
23 deteriorate and that has to be addressed and with the deck there will be a retaining wall with a  
24 concrete surface on top and a deck on top of that it will be bolted into the slab itself to support  
25 the foundation of the home. The main issues we were trying to take care of was the structural  
26 damage of the home and secondly the area is poorly drained and I know the County currently  
27 has some plans to address draining within the subdivision. We are trying to be responsible for  
28 our drainage from day one because the drainage goes towards Surf Drive. The way it should  
29 have gone is toward Bay Drive. The runoff on Surf Drive comes towards Bay Drive so it is the  
30 reverse. So as part of this project we are going to be building additional drainage capacity in the  
31 back yard around the septic system. It is to accommodate and collect from my property and  
32 maybe also help some of the Surf Drive issues. I have discussed this with my neighbor to the  
33 north about the impediment to flow I also discussed this project with them and they are in favor  
34 of it they recognize the benefits to the drainage situation. The reason for wanting the west deck  
35 and future kitchen is because the entire backyard was taken up by septic, drainfield and  
36 retention this was the prime place where you could elevate the kitchen and the air-conditioning  
37 unit which during Hurricane Matthew was not elevated and therefore was under water. I have a  
38 temporary platform built right now but that will be prior to this project so that it would not be  
39 affected by any storm surge because it would now be high enough.

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1 Chairman Dickinson Opened the Public Hearing to Public Comments

2  
3 Sarah Hample 150 Fernwood Dr Clinton PA; stated she has similar issues. We have a house on  
4 Ocean Street that was damaged by Matthew and we are considering building on our lot on Surf  
5 noting she asked if she decided to build would she have the same opportunity like the neighbors  
6 have or if it's the one time approval.

7  
8 Carlos Medina local property owner of a lot on Surf Dr.; stated he is about to build and is trying  
9 to comply with the stormwater requirements with swales and setbacks. He questioned what was  
10 the purpose of the 10 foot setback in terms of water management? He stated he is required to  
11 have 2 foot swales in the front and have 10 foot setbacks on the sides and certain distances on  
12 the back for the actual footprint of the house. So on terms of water management what would it  
13 do if we change that setback for future water drainage or things like that.

14  
15 Dan Rayl applicant's son, stated when Hurricane Matthew hit my mother was on Active Duty  
16 back in the Army. I was the one who had to go in and see the damage, at one point that backyard  
17 was under water there was 28 inches of water that flowed through the garage. In the front yard  
18 my full size truck I had water through the bottom of my door. There is no possible way I can see  
19 to build anywhere in the back without compromising putting that water from the very back of  
20 the house anywhere but into the existing house. The only two areas that would not be of use and  
21 that is why we are trying to so along the side of the house and extend out by 5 feet. I saw the  
22 damage I watched the retaining wall collapse over several days and I watched that soil that the  
23 pad is sitting on slowly wash away and since then it has even eroded a little farther that is our  
24 biggest concern. What we are trying to do and maintain that drainage that is there.

25  
26 Kristina Hample, local property owner; I have property out there and I am planning to build.  
27 What I want to know is what I am being told is you are not going to fix the drainage problem  
28 which may not even help her. So why aren't you doing more for the drainage and when you  
29 complete the project are you going to lift these restrictions that you have put on only 6 streets in  
30 the entire county for building which she is on there and all the existing homes are on there and  
31 the restrictions you put on the new homes I can understand why but you restrict the homes to a  
32 ridiculous percentage is that going to go away once you put some kind of drainage in and will  
33 paving the road help it and if so why don't they. Those are my questions.

34  
35 Chairman Dickinson closed the Public Hearing and opened Board Comments.

36  
37 Mr. Mengel, First; the variance for all the answer is no. A variance is addressed on a case by  
38 case basis. Second; the justification for the 10 feet, it was for the additional space to the  
39 retention of stormwater. Third; will the overlay go away? No, the overlay will stay in place.

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1 Mr. Barr asked if the individual lots have drainage within the 10 feet to the property line.

2  
3 Mr. Mengel responded that is the eventual goal.

4  
5 Mr. Barr acknowledged the applicant stated they needed to use the side because it was not  
6 available in the back. I am seeing a hot tub area and another deck there is a lot of usable space.  
7 There are also stone retention walls so my question to Mr. Mengel is it appears to be reducing  
8 the amount of overall pervious area of the property significantly. I understand you are trying to  
9 protect the foundation and that can be done by sloping away from it or some reasonable slope as  
10 opposed to go out 10 feet. Is there is minimum pervious/impervious ratio that we need to keep  
11 on this property.

12  
13 Mr. Mengel responded the minimum is 60% pervious is the overlay requirement.

14  
15 Mr. Barr said if there is a compromise like keeping that retaining wall at 10 feet and cantilever  
16 out 2 and ½ feet giving them 7 ½ feet. I am not for reducing the drainage area 10 feet

17  
18 Mr. Quattrochi, stated I did the calculations of the lot and the owner decided to take the  
19 driveway out so turn that back into pervious area. The deck basically sits on a concrete slab the  
20 house is only 1600 square feet and 40 % would be 3400 square feet something like that, so I  
21 kept my impervious area to 3400 square feet.

22  
23 Mr. Langelo thanked Ms. Rayl for her service and noted the last speaker seemed imply that this  
24 Board had anything to do with making the regulations or the stormwater stuff but we are just the  
25 Planning Board and that is the County Commission but you should speak to them about your  
26 concerns we do not have that authority. I agree with a lot of what Mr. Barr had brought up. I do  
27 understand the need for retention but retention does not have to be 15 feet away from the house.  
28 It could be whatever distance the need to put up the retaining wall to save the foundation can be  
29 handled elsewhere but not necessarily here. What I did not see on the survey was the actual  
30 distance the house is from the property line.

31  
32 Mr. Mengel, it is the sum of 6.9 and 5 feet.

33  
34 Mr. Langelo I see that there is 10 feet from the property line to the existing deck. What if you  
35 stayed within 10 feet? In the rear of the house some of that deck could be beyond the retention  
36 wall and be over that drainfield.

37  
38 Mr. Quattrochi the existing deck is 7 ½ feet from the property line and when I compute the  
39 swale calculation I actually came up with a pipe system to go from the front of the house to the

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1 back of the house I makes more sense to catch the drainage so it can be spread around the yard  
2 so it is easier to carry it through a pipe than a drainage swale.

3  
4 Mr. Langelo responded so you can still go out on that west side 10 feet.

5  
6 Mr. Quattrochi well looking at it we are only asking to encroach about 20 feet with the 5 foot  
7 setback.

8  
9 Mr. Langelo I am struggling with this one. I can almost look at the property and say each one of  
10 those lots are different in shape, and moreover you have a drainage and topography issue I can  
11 almost go along with number one but the initial variance criteria which says number two is the  
12 one that this not created by the applicant and that all the criteria listed have been found in favor  
13 of the applicant and literal enforcement of this article would create unnecessary hardship. I am  
14 just trying to see where the real hardship is. If you can only go out 10 feet instead of going out  
15 the amount you want and it has to be a different shape does that stop the applicant in enjoying  
16 her property and using the property as it was intended. To what some of the neighbors were  
17 saying and Mr. Mengel is correct every variance is approved individually but just to say  
18 someone wants to have a bigger yard. So, if that is the standard we start to adopt then there is no  
19 more standard.

20  
21 Mr. Quattrochi, this is not a new home but an existing home.

22  
23 Mr. Langelo, there is the saying buyers beware and the zoning is what you can and can't do so  
24 that can swing both ways.

25  
26 Mr. Quattrochi, The existing deck is 7 ½ feet from the property line

27  
28 Mr. Langelo I am designing a house right now in Flagler Beach and it is a 50 by 100 foot lot  
29 and that is the property I have to deal with. I thought the existing deck was 10 feet from the  
30 property line

31  
32 Mr. Quattrochi, no it is 7 ½ feet the set back is shown.

33  
34 Mr. Langelo asked can you show me the actual hardship and how the property cannot be  
35 enjoyed by the property owner. To get a variance you have to show the hardship of why you  
36 can't enjoy the property. You have to show how enforcement of this regulation would mean that  
37 your client won't be able to enjoy her property as she should in that neighborhood.

38  
39 Mr. Quattrrocci, if that means not having a kitchen or a patio table outside on a 10 foot deck  
40 verses a 14 foot deck. We are only asking for the portion of the deck that is sticking out a 5 foot

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1 variance I did stipulate that it's adjacent to the house. I have all the drainage going around and If  
2 I have a 5 foot swale I would pipe it through back off of the front. We are willing to  
3 compromise we are will to put up a fence.  
4

5 Mr. Barr asked the applicant if your retaining wall were built at the 10 foot line and you  
6 cantilever out the deck 2 ½ feet giving you 12 ½ feet that would preserve the sanctity of that 10  
7 foot drainage swale and you would build the swale as opposed to piping it and losing that  
8 impervious area is that something you can live with? I am not saying any other Board Member  
9 would go along with that but I am just asking.  
10

11 Mr. Quattrochi responded yes, we can do that. I can't see having it sticking out 2 ½ feet would  
12 help that pervious surface.  
13

14 Mr. Barr stated if it is cantilevered it is hanging over the dirt therefore you still have the 10 feet  
15 of dirt and a pervious area and you can construct your drainage swale as originally intended  
16

17 Chairman Dickinson responded a creative solution I think.  
18

19 Mr. Mengel I think we have had second story decks over ground below no impervious surfaces  
20 below not a problem. So to be clear here there will be no vertical support as to accommodate the  
21 swale.  
22

23 Chairman Dickinson asked if it is cantilevered there no need for a variance.  
24

25 Mr. Mengel responded for comfort especially of there is a plan for a summer kitchen over a  
26 portion of that to allow for them to come in later and if that is a goal I would rather have that  
27 included in a variance.  
28

29 Chairman Dickinson so include this in the variance as a condition.  
30

31 Mr. Duggins asked Mr. Quattrochi you are going to put a drainage system now under the deck if  
32 we approve this am I correct, that is going to toward the street.  
33

34 Mr. Quattrochi yes, he is looking more for a swale instead of a pipe so we will have a drainage  
35 swale.  
36

37 Mr. Duggins asked that will all be done before you cover it all up.  
38

39 Mr. Quattrochi responded yes.  
40

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1 Mr. Duggins asked Mr. Mengel if the applicant does this will he need to have our engineering  
2 department make sure it is going to drain towards the street for this new multimillion dollar  
3 system we are putting in.  
4

5 Mr. Mengel any permit we would have reviewed by our Development Engineer It would not be  
6 necessary that all the onsite stormwater be toward the front it would just be accommodated on  
7 the parcel  
8

9 Mr. Langelo, I agree that we should do something here so it is not confusing to the Building  
10 Department also it would not be a variance and if it is not a variance how are we phrasing it.  
11

12 Mr. Mengel what I am thinking is that if you have a future kitchen that is what I am worried  
13 about then there will be some sort of impervious that will be housed on the deck potentially a  
14 roof over a portion of that summer kitchen but then the area below accommodating the swale so  
15 that part or maybe even the ability to screen in that deck in the future for a successive owner, I  
16 would want you to still grant the variance with the condition of whatever the portion either 2 1/2  
17 or 5 foot western most portion of that decking be cantilevered.  
18

19 Mr. Langelo, so it would be a variance for an encroachment into the side setback only for the  
20 cantilevered deck.  
21

22 Chairman Dickinson we are really looking at stormwater retention area. The impervious is what  
23 it is so you can picture the cantilever that Mr. Barr is describing there is retention area under the  
24 cantilever a pipe does not provide storage the swale provides storage so that is the beauty of the  
25 cantilever.  
26

27 Mr. Langelo I guess we were going to allow encroachment into the setback as long as it is done  
28 this way.  
29

30 Mr. Dickinson asked Mr. Barr mentioned 2 1/2 feet cantilever but if we do that there is still a 2 1/2  
31 foot variance or a 5 foot cantilever I don't know which one. I want to go back to Mr. Barr for  
32 clarification on what he originally stated.  
33

34 Mr. Barr responded you stated it correctly I am going to quote Mr. Mengel "that cantilever areas  
35 are allowed within a setback." The criteria I am not exactly sure what that is since this is a 10  
36 foot side yard setback. If the house is at the 10 feet and you have your normal overhang soffit it  
37 could be easily 2 to 2 1/2 feet so you are over there clearly this is not part of the roof system it is  
38 a deck but how would you word that.  
39

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1 Mr. Mengel if it is ok with the applicant it was suggested to ask staff if they wanted to table this  
2 for us to do some of the math not table it but continue the discussion to the May 9<sup>th</sup> meeting if  
3 they are alright with that and we could go through some analysis on how this would play out  
4 and come back rather than do this on the fly, for all of us involved so we are not going to come  
5 up with an incorrect analysis and variance decision so it may be incorrectly pro or incorrectly  
6 con so let's see if we can figure it out if this is feasible.  
7

8 Chairman Dickinson asked the applicants if they felt comfortable with the discussion or would  
9 they like to continue the discussion to the May 9<sup>th</sup> meeting.  
10

11 Mr. Quattrochi responded we are comfortable with the 7 ½ foot concrete with the 2 ½  
12 cantilevered  
13

14 Mr. Langelo stated what he felt was comfortable and fair that the structure end at 10 feet and go  
15 2 ½ feet more so you are still 7 ½ feet from the structure to the property line that is where I  
16 thought we were. That is a 12 ½ foot wide deck. How do we draw this line coming from me that  
17 is a bit unusual? I just see a lot of potential and I am wondering where we draw the line.  
18

19 ***Motion made by Mr. Barr stating that there shall be a continuous swale from front to back***  
20 ***along the property line and that any cantilevered decking be allowed no closer than 7 ½ feet***  
21 ***to the property line***

22 ***Seconded by Mr. Langelo***  
23

24 ***Motion carries unanimously***  
25

26 5. Quasi-judicial requiring disclosure of ex parte communication:

27 Application #3070 – APPLICATION FOR REZONING TO PUD (PLANNED UNIT  
28 DEVELOPMENT) – request for rezoning from C-1 (Commercial Low-Intensity) to PUD  
29 (Planned Unit Development); Parcel Number 27-11-31-4892-00000-00R0; Parcel size: 5.63  
30 acres. Owner: Gurell Land Management, LLC/ Applicant: Timothy J. Conner.  
31

32 ***This item was discussed prior to item # 4***

33 Mr. Mengel stated that this item was noticed to be heard this evening but at staffs request it is  
34 being tabled to a time and date certain which is the May 9<sup>th</sup>, 2017 regular Planning and  
35 Development Board Meeting at 6 pm. In order to allow the public whom may be in attendance  
36 tonight to speak we ask the Board to open the Hearing to make their comments on the record.  
37

38 Chairman Dickinson Opened the Public Hearing to public comments seeing none he close the  
39 Public Hearing. He then asked for a motion for the postponement.  
40

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1        *Motion Made by Mr. Langello seconded by Ms. Kornel*

2  
3        *Motion carries unanimously*

4  
5        6. Quasi-judicial requiring disclosure of ex parte communication:

6        Application #3071 – VARIANCE IN THE C-2 (GENERAL COMMERCIAL AND  
7        SHOPPING CENTER) DISTRICT – request for a variance of the sign height and setback  
8        requirements in the C-2 (General Commercial and Shopping Center) District; Parcel Number  
9        17-10-31-4200-00010-0010; Owner: Luke Irace and Irace Trust / Agent: Oceanshore Villa, Inc.

10  
11        Chairman Dickinson asked if anyone had any disclosures seeing none.

12  
13        Mr. Mengel presented the staff report noting that this is also storm related this variance is for  
14        sign height and setback. Adding this monument sign would replace the storm damaged pole sign  
15        for the Oceanshore Villa Motel. Continuing the report he noted the location and the ownership  
16        of the motel along with a brief history of the site. He also noted that the Scenic A1A Pride group  
17        reviewed the application and had proposed a 1 ½ foot increase in height instead of the requested  
18        2 feet and a 1 foot front setback instead of a 3 inch front setback from the property line. He  
19        concluded his presentation and presented the staff recommendation. Based on the provided  
20        application and supplemental information, the Planning Department recommends that the  
21        Planning and Development Board make a finding that all criteria listed in the guidelines at LDC  
22        Section 3.07.03. E have been met and therefore recommends approval of a 2 foot sign height  
23        and 9 foot 8 inch front yard sign setback variance for Lots 1 and 2, Block 1, of Marineland  
24        Acres subdivision, Map Book 5, Pages 49 and 50, Public Records of Flagler County, Florida

25  
26        Mr. Michael Murphy applicant representative 6287 North Oceanshore Blvd. Palm Coast FL  
27        32137 explained the reasoning behind the need for the additional height and reduction of front  
28        setback for the proposed sign.

29  
30        Chairman Dickinson opened the Public Hearing to Public Comment seeing no one he closed the  
31        Public Hearing and opened Board Comments.

32  
33        Mr. Langello stated we have an ordinance that talks about having landscape across the front of  
34        the property and keeping the sign low and pushed back it is defeating the purpose of having a  
35        sign; that is a key element in business you need to have a sign. I have no problem  
36        accommodating the applicant's proposal I would not have a problem with having it 8 feet high.

37  
38        Ms. Kornel added that 8 feet is typical for a monument sign

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1 Chairman Dickinson the base height extension of 1½ feet is going to get it over the top of the  
2 landscape. Looking at the artist rendition of the sign I think it is going to give adequate  
3 exposure.

4  
5 Mr. Langelo the total height of the sign would not be the 6 feet as shown.

6  
7 Chairman Dickinson we are looking at a variation to this plan by 2 feet to the base of the sign  
8 7½ is the recommendation of Scenic A1A

9  
10 Mr. Barr asked how do you decide the base elevation, where is the ground.

11  
12 Chairman Dickinson the base elevation in the illustration provided in the Board packet is 1 foot  
13 10 inches.

14  
15 Mr. Barr I mean the elementary base is the ground level you build on.

16  
17 Chairman Dickinson it is natural grade, existing grade. In a situation like this you don't want  
18 them to artificially mound to create height.

19  
20 Mr. Murphy stated that area is a small strip and is paved on both sides.

21  
22 *Motion made by Mr. Boyd as recommended by staff*

23 *Mr. Barr offered an amended recommendation of 2 foot height and a 9 foot front setback*  
24 *variance.*

25 *Mr. Boyd amended his motion to reflect Mr. Barr's recommendation seconded by Ms. Kornel*

26  
27 *Motion carried unanimously*

28  
29 7. Legislative not requiring disclosure of ex parte communication:

30 Application #3072 – FUTURE LAND USE MAP AMENDMENT LESS THAN TEN  
31 ACRES –request for a Future Land Use Map Amendment for less than ten acres from Mixed  
32 Use Low Intensity to Residential Medium Density; Parcel Number 37-10-31-1550-00000-0153;  
33 Parcel size: 1.01 acres; Owner: R.J., D.D., J.J. and Robert John Falconetti / Applicant: Sidney F.  
34 Ansbacher Esq.

35  
36 Mr. Mengel Planning Director presented the staff report noting that the project is considered a  
37 legislative action; it is small scale, less than 10 acres in size. He went on giving detailed historic  
38 information about this site and the proposed future plans for this site. Maps were displayed  
39 showing the location, Land Use and Zoning and Mr. Mengel continued discussing the staff  
40 report and staff recommendation. The Planning Department recommends that the Planning and

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1 Development Board recommend to the Board of County Commissioners approval of the Small  
2 Scale Future Land Use Map Amendment for Parcel # 37-10-31-1550-00000-0153 from Mixed  
3 Use: Low Intensity/Low Medium Density to Residential Medium Density based on the findings  
4 that the requested amendment is consistent with Florida Statutes and the adopted  
5 Comprehensive Plan and implemented through the Land Development Code.

6  
7 Chairman Dickinson asked if the applicant would like to speak.

8  
9 Mr. Sid Ansbacher, 780 Ponce De Leon Blvd. St. Augustine, Fl for the applicant, I want to perfect  
10 this just to remind you that at this time what we are asking you to recommend is transmittal to the  
11 state. What we are seeking is the opportunity for DEO and other state agencies to make whatever  
12 comments they may have. This is the essentially the same application that had been proposed six  
13 years ago at that time they were seeking 6 units and a rezoning. While Mr. Mengel is not a fan of  
14 site specific Land Use Amendments state statues does allow for it as an allowable limitation of use  
15 and we really are looking at this as a kindred application with the downed density of the properties  
16 to the west. The properties across the way Los Lagos and Las Casitas currently have a total vested  
17 number of units of 433. We negotiated with the master association in order to get their approval for  
18 our proposed use and across the way and what ultimately came down was going from 433 total  
19 residential to 225 which is a reduction of 208.and of the 225, 5 would slide over to this parcel. As  
20 Mr. Mengel had discussed at 1.01 acre and losing about a third of an acre with all the limitations  
21 on a commercial tract what you could put as a commercial use could be depending on where you  
22 are from Skinners, Cumberland Farms, something of that nature and little more. At TRC we were  
23 asked to update listed species analysis we did so and found nothing of significance on the property.  
24 We spoke with 911 staff and as it has been pointed out we were given the option of either limited  
25 access for police and fire at the northern most point of the property along A1A or sprinkling the  
26 buildings. We were aiming toward sprinkling because we have already met with and have gotten  
27 preliminary approval from the Scenic A1A Pride committee and that was based in part for us to  
28 have a continuous buffer along A1A with a spike strip that would preclude access along the A1A  
29 corridor for any new access. We have essentially explained to them that this FLUM amendment  
30 will be implemented by a site plan modification across the way and the companion site plan  
31 application we will seek to obtain at the same time because they are all absolutely have to be done  
32 together. So, however you all wish to handle this procedurally we are alright with having the site  
33 specific 5 units as opposed to the maximum of 7 and whatever else within reason it sits there at the  
34 transmittal level you all want to handle it what we want tonight is clearly within your prefer.

35  
36 Chairman Dickinson then opened the Public Hearing to Public Comment. Hearing none he  
37 closed the Public Hearing and opened Board Comments.

**FLAGLER COUNTY  
PLANNING AND DEVELOPMENT BOARD  
REGULAR MEETING  
Flagler County Government Services Building  
Board Chambers  
1769 East Moody Blvd., Bunnell, FL  
MEETING MINUTES  
Tuesday, April 11, 2017 at 6:00 PM**

*Approved May 9, 2017*

1 Mr. Mengel stated there were some inquires from the public asking what was the difference  
2 between the previous applicant the application today beyond that we did not receive neither pro  
3 nor con comments from the public.

4 Mr. Langelo the land to the east who owns that property?

5 Mr. Mengel that is a buffer parcel that is owned by Matanzas Shores HOA

6 Mr. Langelo asked Mr. Ansbacher if they were the people he was negotiating with.

7 Mr. Ansbacher replied yes

8 Mr. Langelo asked is there a buffer requirement between the east side of the subject parcel and  
9 the west side of the buffer property buffer to buffer?

10 Mr. Mengel responded no and I think the buffer Mr. Ansbacher is talking about is along A1A.

11 Mr. Langelo I actually remember this item and I don't have a problem with this.

12 Mr. Barr what is the instrument that allows the shared driveway with the club house

13 Mr. Ansbacher responded what we have is a master agreement that gives us certain rights and I  
14 have told both Scenic A1A and the County that we will provide that when we come back for the  
15 site plan approval. So you can see the private access rights are and even though it tends to mix  
16 apples and ocean liners essentially our conditions of approval from the HOA and what we are  
17 committing to such as stormwater and such like that.

18 Mr. Barr asked why in the world would you give up 200 units?

19 Mr. Ansbacher to convince a master association to approve it and finely based on projections  
20 that this will work I will tell you but it is a public record what I have is a client that is very  
21 sophisticated but has four heads and has seemingly by the month another potential use until they  
22 finally landed on this works and it satisfies the Association. I can also tell you that there were  
23 mid-rise ALF's there were all sorts of things that involved greater height and there was enough  
24 pushback that I think the most approvable use by the HOA was reducing the residential density.

25 Chairman Dickinson asked for a motion

26 *Motion to approve made by Mr. Langelo seconded by Ms. Kornel*

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1        *Motion carries unanimously*

2

3    8. Staff Comments.

4

5        Mr. Mengel discussed the forms that were distributed last meeting and requested the completed  
6        forms be brought to the next meeting.

7

8    9. Board Comments.

9

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

12

13    11. Adjournment

14

15        *Motion to adjourn at 7:45 p.m. made by Mr. Langelo*

16

17        Drafted by: Wendy Hickey

18        Reviewed by: Adam Mengel

19

20