

**FLAGLER COUNTY  
PLANNING AND DEVELOPMENT BOARD  
REGULAR MEETING  
Flagler County Government Services Building  
Board Chambers  
1769 East Moody Blvd., Bunnell, FL  
MEETING MINUTES  
Tuesday, December 12, 2017 at 6:00 PM**

*Adopted 2/13/18*

1 **MEMBERS PRESENT:** Chairman Robert Dickinson, Arthur Barr, Michael Boyd, Timothy  
2 Conner, Anthony Lombardo and Mark Langello

3

4 **MEMBERS ABSENT:** Laureen Kornel, *excused*,

5

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

9

10 **BOARD COUNSEL:** Kate Stangle, with Broad and Cassel

11

12 **Chairman Dickinson** called the meeting to order

13

14 1. **Roll Call.**

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

16

17 2. **Pledge of Allegiance.**

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

19

20 3. **Approval of Minutes.**

21 Minutes of the November 14, 2017 regular meeting.

22

23 *Motion to approve as amended made by Mr. Langello and seconded by Mr. Barr.*

24 *Motion approved unanimously.*

25

26 4. Legislative not requiring disclosure of ex parte communication:

27 Application #3109 – **APPLICATION FOR FUTURE LAND USE MAP AMENDMENT LESS**  
28 **THAN TEN ACRES** – request for a Future Land Use Map Amendment for less than ten acres from  
29 MUL (Mixed Use: Low Intensity, Low- to Medium-density) to CHI (Commercial: High Intensity).  
30 Parcel Number 40-10-31-4050-00000-0270; 0.58+/- acres. Owner: Rhonda J. West / Applicant:  
31 Hammock Enterprises, LLC.

32

33 **Planning Director Adam Mengel** presented the item and staff's recommendation for approval.

34

35 **Melissa Tincher E.I., Alann Engineering Group, Inc 880 Airport Road, Ormond Beach**  
36 **32174**, representing the applicant gave a brief overview of the proposed project.

37

38 **Chairman Dickinson** opened the public hearing.

39

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1     **Chairman Dickinson** closed the public hearing and asked for Board comments.

2  
3     **Raymond Cleech, 4 Holly Street** Spoke against the project he is concerned about using the  
4 residential road in the rear of the property, also concerned about the garbage.

5  
6     **Vincent Nagy, 4 Palmetto Road,** spoke against the project he is concerned about the noise level,  
7 traffic and the value of his property.

8  
9     **James Garcia, 19 Magnolia Road,** spoke against the project he is concerned about traffic

10  
11     **Julie Dutton, 4 Magnolia Road,** spoke against the project is concerned about the traffic.

12  
13     **Magnolia Road,** spoke against the project and is concerned about traffic and the size of the lot.

14  
15     **Donald Bateman, 8 Magnolia Road,** spoke against the project concerned about access to the  
16 residential street, trash, lighting, noise and odors from the proposed brewery.

17  
18     **Scott Wunderle, 9 Holly Road,** spoke against the project concerned about the parking, traffic  
19 and odors from the brewery.

20  
21     **Stewart Smith, 7 Magnolia Road,** spoke against the project concerned about the lighting, noise,  
22 parking and traffic on the residential street.

23  
24     **Ludmila Haustova, 5 Holly Road** spoke against the project concerned about noise, trash and  
25 traffic and parking on the residential road.

26  
27     **Dennis Clark, 5784 North Oceanshore Boulevard,** supports the concept of the use but not the  
28 rezoning. Mr. Clark provided a handout to the Board which is found at the end of these minutes  
29 as attachment "A".

30  
31     **Chairman Dickinson** closed the public hearing and asked staff and applicant rebuttal.

32  
33     **Mr. Mengel,** Responded to the citizens comments, noting that no commercial traffic will be  
34 allowed on the residential road. He also responded to the trash, odor and noise and lighting  
35 concerns.

36  
37     **Kimberly Buck P.E., Allan Engineering Group, Inc. 880 Airport Road, Ormond Beach,**  
38 **32174,** responded to the citizen comments, noting that there will be minimal noise, and lighting  
39 will be low level.

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- 1     **Josh Parker, 202 Tallahassee Street, Carrabelle, Florida 32322, Brewer for the proposed**
- 2     **project,** discussed the brewing process and the proposed size of the operation.
- 3
- 4     **Brent Bruns, Hammock Enterprises LLC, 102 Yacht Harbor Drive Suite 161, Palm Coast,**
- 5     **32137,** He gave a brief overview of the proposed business model and his reasoning behind it.
- 6
- 7     **Mr. Langello,** asked if there was an Odor Ordinance. If there was another way through either a
- 8     Special Exception or Variance to allow for the outdoor seating so as not to rezone to C-2.
- 9
- 10    **Mr. Mengel,** responded no to both questions.
- 11
- 12    **Mr. Langello,** asked if by putting a cover over the seating that would alleviate the situation? The
- 13    other concern is the parking
- 14
- 15    **Mr. Barr,** is there a minimum lot width in Scenic A1A? Or in the R/ C zoning district?
- 16
- 17    **Mr. Mengel,** there is no minimum lot width within the Scenic A1A Corridor. There is in the R/C
- 18    district it is 80 feet.
- 19
- 20    **Mr. Barr,** so this lot is non-conforming.
- 21
- 22    **Mr. Mengel,** there is no minimum for lot frontage there is for lot width measured at the front
- 23    setback line.
- 24
- 25    **Mr. Barr,** asked with a land use change and a rezone does any grandfathering go away.
- 26
- 27    **Mr. Mengel,** responded grandfathered is grandfathered.
- 28
- 29    **Mr. Connor,** what is the maximum seating capacity based on the proposed 400 square foot area.
- 30
- 31    **Mr. Bruns,** no more than 40 people based on the septic system. We are restricted also by parking.
- 32
- 33    **Mr. Connor,** the access to Live Oak is for emergency services only?
- 34
- 35    **Mr. Mengel** that is the intention only emergency vehicles.
- 36
- 37    **Mr. Connor,** wanted to clarify that there is no other way under our Land Development Code to
- 38    accommodate this use. And asked if there any other way to accommodate this use without taking
- 39    it to C-2.
- 40

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**Mr. Mengel**, responded this is the only way to accommodate this use.

**Mr. Langelo**, thinks there is a better way than going through this land use change and rezoning

**Chairman Dickinson**, asked if there was a more creative way to come to the maximum 25 % outdoor seating requirement.

**Chairman Dickinson**, asked for a motion

*Motion to deny made by Mr. Langelo seconded by Mr. Boyd.  
Application denied 5-1 with Mr. Conner dissenting.*

- 5. Quasi-judicial requiring disclosure of ex parte communication:  
Application #3110 – APPLICATION FOR REZONING TO C-2 (GENERAL COMMERCIAL AND SHOPPING CENTER) DISTRICT – request for Rezoning from R/C (Residential/Limited Commercial) to C-2 (General Commercial and Shopping Center). Parcel Number 40-10-31-4050-00000-0270; 0.58+/- acres. Owner: Rhonda J. West / Applicant: Hammock Enterprises, LLC.

**Chairman Dickinson** called for disclosure of exparte communications.

**Planning Director Adam Mengel** presented the item and staff’s recommendation for approval.

**Chairman Dickinson** opened the public hearing.

**Gail Nagy, 4 Palmetto Road**, spoke against the rezoning and is concerned about the C-2 zoning.

**Dennis Clark, 5784 North Oceanshore Boulevard**, referenced a hand out of his concerns which is attached to these minutes as attachment “A” stating the only thing he did not address was tree preservation.

**Scott Wunderle, 9 Holly Road**, spoke against the rezoning.

**Julie Dutton, 4 Magnolia Road**, spoke against the rezoning.

**Ludmila Haustova, 5 Holly Road**, spoke against the rezoning.

**Raymond Cleech, 4 Holly Street** spoke against the rezoning.

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- 1  
2 **Carol Bateman, 8 Magnolia Road** spoke against the rezoning.  
3  
4 **Donald Bateman, 8 Magnolia Road** spoke against the rezoning.  
5  
6 **Chairman Dickinson**, closed the public hearing and asked for Board comments.  
7  
8 **Mr. Langello**, concerned about the parking and the what could happen with the C-2  
9  
10 **Mr. Conner**, asked if we are to make zoning recommendation based on our Land Use Map  
11  
12 **Ms. Stangle**, yes  
13  
14 **Chairman Dickinson** asked for a motion.  
15  
16 *Motion to deny made by Mr. Langello seconded by Mr. Boyd.*  
17 *Application denied unanimously.*  
18  
19 6. Quasi-judicial requiring disclosure of ex parte communication:  
20 Application #3112 – **APPLICATION FOR SITE DEVELOPMENT PLAN IN THE PUD**  
21 **(PLANNED UNIT DEVELOPMENT) DISTRICT** – request for review of site development plan  
22 for Iris at Hunters Ridge. Parcel Numbers 21-14-31-0000-01010-0030, 21-14-31-0000-01010-0070,  
23 21-14-31-0000-01010-0080, 21-14-31-0000-01010-0130 and 21-14-31-0000-01010-0000; 22.03+/-  
24 acres. Owner/ Applicant: U.S. Capital Alliance, LLC.  
25  
26 **Chairman Dickinson** called for disclosure of exparte communications.  
27  
28 **Planning Director Adam Mengel** presented the item and staff’s recommendation for approval,  
29  
30 **Cole Buck E.I., Alann Engineering Group, Inc 880 Airport Road, Ormond Beach 32174**,  
31 representing the applicant gave a brief overview of the proposed project.  
32  
33 **Chairman Dickinson** opened the public hearing.  
34  
35 **Chairman Dickinson** closed the public hearing, and asked for Board comments.  
36  
37 **Mr. Langello** asked if capacity has been looked at.  
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1       **Mr. Mengel** responded that this was looked at during the view of the Development of Regional  
2       Impact.

3  
4       ***Motion to approve made by Mr. Boyd seconded by Mr. Barr.***  
5       ***Motion carried unanimously.***

6  
7       7. Quasi-judicial requiring disclosure of ex parte communication:  
8       Application #3111 – **APPLICATION FOR PRELIMINARY PLAT IN A PUD (PLANNED**  
9       **UNIT DEVELOPMENT)** – request for review of a Preliminary Plat in the PUD for Iris at Hunters  
10       Ridge. Parcel Numbers 21-14-31-0000-01010-0030, 21-14-31-0000-01010-0070, 21-14-31-0000-  
11       01010-0080, 21-14-31-0000-01010-0130 and 21-14-31-0000-01010-0000; 22.03+/- acres. Owner/  
12       Applicant: U.S. Capital Alliance, LLC.

13  
14       **Chairman Dickinson** called for disclosure of exparte communications.

15  
16       **Planning Director Adam Mengel** presented the item and staff’s recommendation for approval.

17  
18       **Chairman Dickinson** opened the public hearing.

19  
20       **Chairman Dickinson** closed the public hearing, and asked for Board comments.

21  
22       ***Motion to approve made by Mr. Boyd seconded by Mr. Langelo.***  
23       ***Motion carried unanimously.***

24  
25       8. **Staff Comments:**

26       **Mr. Mengel** thanked the Board for the year and Happy Holidays, and welcomed the new  
27       members.

28  
29       9. **Board Comments:**

30  
31       **Mr. Langelo**, Thanked staff for their work

32  
33       10. **Public Comments:** None

34  
35       11. **Adjournment**

36  
37       ***Motion to adjourn made by Mr. Boyd at 8:24 p.m.***

38  
39       Minutes drafted by Wendy Hickey.

40       Minutes reviewed by Adam Mengel.