Quasi-Judicial Process: The audience should refrain from clapping, booing or shouts of approval or disagreement. To avoid potential legal ramification and possible overturning of a decision by the Courts, a public hearing must be fair in three respects: form, substance and appearance.
Quasi-Judicial Process

Time limits will be observed:
• Staff – 10 minute presentation.
• Applicant – 15 minute presentation (unless time extended by consensus of Board).
• Public Comment – 3 minutes per speaker, 5 minutes if speaking on behalf of a group.
• Applicant Rebuttal and Closing Staff Comments – 10 minutes each.
Agenda Item #4
Application #3101

Site Development Plan over 5 Acres in the AC District

Polonia Society of Korona, Fla., Inc.

QUASI-JUDICIAL
Application #3101
Polonia SDP Under 5 Acres

Semi-Public Use approved August 6, 2012.
Semi-Public Use required Site Plan approval.

Site Plan submittal includes sheet dedicated to resolution of compliance issues.

Site Plan approval will allow permits to be issued.

Future work will require new Site Plan review and approval.
# Code Compliance

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<th>Item</th>
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<td><strong>1</strong> POLE BARN</td>
<td>SUBMIT &amp; OBTAIN A BUILDING PERMIT TO BRING EXISTING STRUCTURE UP TO CODE FOR PUBLIC USE (SINGLE PERMIT)</td>
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<tr>
<td><strong>2</strong> MASONRY RESIDENCE</td>
<td>SUBMIT &amp; OBTAIN A BUILDING PERMIT TO BRING EXISTING STRUCTURE UP TO CODE FOR PUBLIC USE (SINGLE PERMIT)</td>
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<td><strong>3</strong> WATER SUPPLY</td>
<td>PERMIT &amp; INSTALL WATER SYSTEM &amp; MAINTAIN TESTING AND INSPECTION TO MEET FLAGLER COUNTY REQUIREMENTS.</td>
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<tr>
<td><strong>4</strong> FIRE ACCESS &amp; TURN AROUND</td>
<td>CONSTRUCT 18' WIDE PAVED DRIVEWAY w/ 3' STABILIZED SHOULDER EACH SIDE FOR FIRE VEHICLE ACCESS AND STABILIZED EMERGENCY VEHICLE TURN AROUND.</td>
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<tr>
<td><strong>5</strong> SEPTIC &amp; DRAIN FIELD</td>
<td>CAPACITY OF EXISTING SYSTEM TO BE REVIEWED, PERMIT AND EXPAND SEPTIC SYSTEM TO MEET FLAGLER COUNTY HEALTH DEPARTMENT REQUIREMENTS FOR PUBLIC USE.</td>
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<tr>
<td><strong>6</strong> OCCUPANCY CHANGE PERMIT</td>
<td>REQUIRED WHEN SPECIAL USE AND SITE PLAN APPROVED.</td>
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Application #3101
Polonia SDP Under 5 Acres

RECOMMENDATION: The Planning and Development Board approves Application #3101, a Site Development Plan Over 5 Acres in the AC (Agriculture) District for an approved Semi-Public Use as a Cultural Center for the Polonia Society of Korona, Fla., Inc., located at 2925 State Road 100 West, finding that the Site Development Plan meets the technical requirements of the Land Development Code.
Agenda Item #5
Application #3141

Variance in the PUD District
42 Heron Drive

QUASI-JUDICIAL
Application #3141
Variance in the PUD District

Home completed in 2014; setback encroachment discovered through building permit application for neighbor. Ordinance No. 2002-25 for Palm Coast Plantation PUD Unit 3 required 7.5 foot minimum side setback.

2014 surveys depicted 7.54 foot left (South) side yard setback; actual setback of 4.04 feet, requiring a 3.46 foot variance.

Encroachment no fault of owner or contractor.
Application #3141
Variance in the PUD District

RECOMMENDATION: 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 a 3.46 foot variance from the minimum 7.5 foot side yard setback for a single family residence for 42 Heron Drive (Parcel #27-11-31-4893-00000-0180), subject to the condition that the homeowner route the existing downspouts from the roof along the left (South) side of the home away from the side yard, directing the roof drainage to the rear of the property, with a yard drain added in the low spot between the center of the home and the rear of the parcel, with the yard drain then piped to the rear lot line to the West.
Application #3141
Variance in the PUD District

Alternative Denial Language: The Planning and Development Board finds that all variance criteria as listed in the guidelines at Land Development Code Section 3.07.03.E have not been met and therefore denies the side yard setback variance for 42 Heron Drive (Parcel #27-11-31-4893-00000-0180).
Agenda Item #6
Application #3142

Variance in the PUD District
21 Bristol Drive

QUASI-JUDICIAL
Application #3142

Variance in the PUD District


Sea Colony setbacks adopted as 20 feet for rear, 10 feet for pools and screen enclosures (Ordinance No. 92-04).

Original construction included approximately 600 square foot pool and deck.

Pool and deck demo’d by present owner through permit.

Proposed porch addition at rear of home, totaling 310 square feet.

Based on conflicting submittal information, extent of variance may be 14 inches or 2.6 feet.
RESERVED PARCEL
"SC-3"

IR&CAP FND LB2379

108.00'(P)(M)

6.85

10

8.01

21.01

108.80'

3.5'X3.5'

EXISTING HT. C/S POOL PAD

OF HOME

FLOOR TO

51'-01"

20'

(11"

1' GOOD SCAWALL

1' IR&CAP FND LB2379
Application #3142
Variance in the PUD District

RECOMMENDATION: 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 not been met – specifically criterion 1 and 2 have not been met – and therefore denies the 2.6 foot rear yard setback variance from the minimum 20 foot rear yard setback for the expansion of living area at 21 Bristol Lane (Parcel #20-10-31-5365-00010-1580). The Board finds that the owner’s requested 2.6 foot rear yard setback variance is denied, since the property in question is not unique within the Sea Colony subdivision and the need for the variance is caused by the owner’s action extending the home’s living area into the rear setback.
Application #3142
Variance in the PUD District

Alternative Approval Language: The Planning and Development Board finds that all variance criteria as listed in the guidelines at Land Development Code Section 3.07.03.E have not been met and therefore denies the rear yard setback variance for 21 Bristol Lane (Parcel #20-10-31-5365-00010-1580). The Board finds that: as to variance criterion 1, this lot is unique through the removal of the pool and deck and the decrease in impervious area through the porch addition; as to criterion 2, the conditions requiring the variance were not created by the affirmative actions of the owner and the owner acted at all times in good faith;
Application #3142
Variance in the PUD District

Alternative Approval Language (continued): as to criterion 3, the requested variance would not cause substantial detriment to the community or impair the purpose and intent of Article III of the Land development Code; and as to criterion 4, use of the lot as a single family residence is permitted by the Sea Colony Planned Unit Development (PUD).
Agenda Item #7
Application #3143

Semi-Public Use
Slavic Baptist Church of Palm Coast
QUASI-JUDICIAL
Application #3143
Semi-Public Use

Present owner Gospel Association for the Blind, Inc.

Slavic Baptist Church proposed conversion of central room into 2,100 square foot sanctuary hall to accommodate 88 parishioners.

Parking to be provided as depicted on site plan.

Future uses will require Semi-Public application, review, and approval.

Underlying zoning and Future Land Use remains Industrial.
Application #3143
Semi-Public Use

RECOMMENDATION: Request the Planning and Development Board recommend approval of Application #3143 for a Semi-Public Use for a church at 7855 U.S. Highway 1 South (Parcel #s 16-13-31-1875-00000-0130 and 16-13-31-1875-0000-0140), finding that sufficient factual data has been presented, subject to the following conditions:

1. this Semi-Public Use approval shall be binding upon the applicant and subject to all conditions as included within the applicant’s submittal package, including the application and site plan;
RECOMMENDATION (continued):
2. this Semi-Public Use shall run with the land and shall survive conveyance and transfer to another owner or owners provided, however, that the conditions contained herein are maintained in perpetuity;
3. obtaining all other agency permits prior to issuance of a Flagler County land development and/or building permit;
4. County staff will continue to monitor the site to ensure that the health, safety, and welfare of parishioners is maintained by not exceeding the maximum occupancy of any building while also verifying that off-street parking does not exceed the capacity provided on site; and
RECOMMENDATION (continued):
5. any lighting on-site will be the minimum necessary and will be shielded and aimed downwards so as to minimize the effects on adjacent properties.
Agenda Item #6
Application #3145

Variance in the R-1 and PUD District
1250 South Old Dixie Highway

QUASI-JUDICIAL
Application #3145

Variance in the R-1 and PUD District

Request for 49 foot variance for a 199 foot emergency services telecommunications tower. 

Special Use approved by the Board of County Commissioners on July 16, 2018 (Application #3140). 

Variance needed because special siting criteria limit tower height to 150 feet in residential zoning when constructed for two or more users. 

Location and height is optimal for coverage. 

FAA Determination of No Hazard to Air Navigation is pending: Special Use approval condition. 

Request has been made for additional lighting, though not required by FAA.
Application #3145
Variance in the R-1 and PUD

RECOMMENDATION: The Planning and Development Board finds that based on the testimony and evidence presented that all variance guidelines have been met and approve Application #3145 for a 49 foot variance from the maximum tower height of 150 feet to permit a 199 foot self-supporting emergency services telecommunication tower within the R-1 (Rural Residential) district at 1250 South Old Dixie Highway (Parcel #04-13-31-0650-000D0-0040).