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 #3158

SDP in PUD

LRA Rio, LLC/Atlee Development Group, Inc.

QUASI-JUDICIAL
Application #3158
SDP in PUD

Related application to rezoning (Application #3150)
PUD SDP offers graphic representation of lot layout, general layout of land uses

Preliminary and final plat steps must be consistent with the PUD SDP
**Application #3158**

**SDP in PUD**

<table>
<thead>
<tr>
<th>Total Project Area</th>
<th>Area (in acres)</th>
<th>Percentage (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>12.44</td>
<td>100%</td>
</tr>
<tr>
<td>Single Family Residential</td>
<td>7.73</td>
<td>62%</td>
</tr>
<tr>
<td>Roadway</td>
<td>1.27</td>
<td>10%</td>
</tr>
<tr>
<td>Open Space</td>
<td>3.44</td>
<td>28%</td>
</tr>
<tr>
<td>Landscape Area</td>
<td>1.86</td>
<td></td>
</tr>
<tr>
<td>Stormwater Pond</td>
<td>1.58</td>
<td></td>
</tr>
</tbody>
</table>

**Proposed Land Use**

<table>
<thead>
<tr>
<th>Proposed Land Use</th>
<th>Single Family Residential</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. of Proposed Lots</td>
<td>54</td>
</tr>
<tr>
<td>Minimum Lot Dimension</td>
<td></td>
</tr>
<tr>
<td>Min. Width</td>
<td>50’</td>
</tr>
<tr>
<td>Min. Depth</td>
<td>110’</td>
</tr>
<tr>
<td>Building Setbacks</td>
<td></td>
</tr>
<tr>
<td>Front</td>
<td>20’</td>
</tr>
<tr>
<td>Side</td>
<td>5’</td>
</tr>
<tr>
<td>Rear</td>
<td>10’</td>
</tr>
<tr>
<td>Maximum % Impervious</td>
<td>60%</td>
</tr>
</tbody>
</table>
Scenic A1A PRIDE Committee:

“We are:

• Satisfied with the landscape buffers on SR-A1A and Jungle Hut Road, as long as they meet the landscaping buffer requirements in the LDC.
• Satisfied with the proposed entrance location on Jungle Hut Road.
• Satisfied that an emergency access will not adversely affect the bike path.
• Concerned that high density development in this section of the Hammock removes the most valuable characteristics of living under the trees.
Application #3158
SDP in PUD

Scenic A1A PRIDE Committee (continued):
• Concerned that each increase in residential density creates more need for traffic lights and adds to emergency evacuation times.
• Not satisfied that the 40% tree preservation requirement can be met with the density proposed.
• Concerned that the wildlife corridor will be narrowed to 20 feet.
• Supporting the proposed exclusion of short term vacation rentals in the HOA C&Rs.
• Suggesting that a green landscape buffer be added on the east side to shield the bike path and Hammock Dunes Parkway from the development.”
**SITE DATA TABLE**

<table>
<thead>
<tr>
<th>Proposed Land Use</th>
<th>Area (ac.)</th>
<th>Percent (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family Residential</td>
<td>5.4</td>
<td>100%</td>
</tr>
<tr>
<td>Total Project Area</td>
<td>12.44</td>
<td>100%</td>
</tr>
<tr>
<td>Single Family Residential</td>
<td>7.73</td>
<td>62%</td>
</tr>
<tr>
<td>Roadway</td>
<td>1.27</td>
<td>10%</td>
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<tr>
<td>Open Space</td>
<td>3.44</td>
<td>28%</td>
</tr>
<tr>
<td>Landscape Area</td>
<td>1.66</td>
<td></td>
</tr>
<tr>
<td>Stormwater Pond</td>
<td>1.59</td>
<td></td>
</tr>
</tbody>
</table>

**Notes:**
1. Suits 13, 14, 15, 21, 22, 26 and 37 shall have a minimum lot width of 25' measured at the right-of-way.
2. The maximum building height is stated in the Development Agreement as two stories above a garage, not to exceed 55' in height.
3. Home Owners Association will be responsible for maintenance of the proposed ponds and stormwater system. Roads will be privately owned and maintained by the HOA.
4. Sanitary and potable water will be provided by the City of Palm Coast.
5. Fire services provided by Flagler County.
6. Minimum lot area is 5,500 sq. ft.
7. Average density: 4.3 units/acre
8. Anticipated price point: High $200,000 to mid $400,000
9. Lot 37 with play equipment will be located as shown on the map.
10. Short term vacation rentals shall be prohibited.
COLOR KEY FOR TREES TO BE REMOVED

- BLACK CHERRY
- CHERRY LAUREL
- HICKORY
- LAUREL OAK
- LIVE OAK
- MAGNOLIA
- WATER OAK

COLOR KEY BY MIKE DONNELL
DONNELL LANDSCAPE DESIGN, INC.
904-333-2342 CELL
3.5.19
TOTAL CURVE
R=51.00'
L=149.73'
D=168°13'04"
CH=101.46'
CB=N54°02'29"E

24' CROSS-ACCESS & UTILITY EASEMENT

LOT 4
1.45 ACRES
FCLDC 3.06.11.E. Access standards. The county shall strive to limit new access points to SR A1A through the use of shared access, secondary access between adjacent uses, and reasonable spacing between primary access points. The following standards shall be applied to reduce traffic congestion and safety issues, reduce the amount of pavement in driveways, as well as to reduce the visual impacts of strip development caused by multiple access points.
FCLDC 3.06.11.E.4. Cross-access. New nonresidential site plans must provide vehicular and pedestrian cross-access to existing and future adjacent development. Cross-access shall take the form of an interconnection between parking lot access aisles located at least fifty (50) feet from the r/w line of A1A for nonresidential sites and at least twenty-five (25) feet from the r/w line of A1A for residential developments. Residential subdivisions must provide vehicular cross-access with adjacent residential subdivisions and pedestrian access to commercial areas.
Application #3158
SDP in PUD

FCLDC 3.06.11.E.4. Cross-access. New nonresidential site plans must provide vehicular and pedestrian cross-access to existing and future adjacent development. Cross-access shall take the form of an interconnection between parking lot access aisles located at least fifty (50) feet from the r/w line of A1A for nonresidential sites and at least twenty-five (25) feet from the r/w line of A1A for residential developments. Residential subdivisions must provide vehicular cross-access with adjacent residential subdivisions and pedestrian access to commercial areas.
FCLDC 4.06.02. - Roads.

A. Road Plans.

4. Any subdivision with fifty (50) or more lots shall have at least two (2) points of ingress/egress by a paved road that connects to the county road system.
FCLDC 4.06.02. - Roads.

M. Emergency Access. All subdivisions shall have a secondary means of ingress and egress unless specifically waived by the board of county commissioners. This access is intended for emergency use, requires an "all weather surface" (not required to be formally paved in subdivisions with less than fifty (50) lots) and may be installed in an easement or other suitable designated non right-of-way area.
Application #3158
SDP in PUD

FCLDC 4.06.06. - Lots.
All lots shall conform to the dimensional, yard and building setback requirements of the applicable county zoning regulations. In addition, the following requirements shall apply:

A. Width. All lots fronting on a curve shall have a minimum front property line dimension of not less than thirty-five (35) feet. Corner lots shall have their width increased by fifteen (15) percent greater than the minimum lot width.
Application #3158
SDP in PUD

FCLDC 4.06.06. - Lots.
D. Orientation.

1. Every lot shall abut a public or private road that has been approved by the board of county commissioners.

2. Side lot lines shall generally be perpendicular or radial to street right-of-way lines.

3. When residential lots are platted abutting a limited access state or federal highway, ingress and egress shall be limited to the interior subdivision roads, a marginal access road, or approved private road.
FCLDC 4.07.00 – WAIVERS TO ARTICLE IV REQUIREMENTS. Prior to or concurrent with the platting approval process, the Applicant may request a waiver to any of the provisions of this article. Requests for waivers may include but are not limited to: deleting certain requirements/provisions that may not be applicable to a particular subdivision; modifying design criteria for environmental protection/enhancement; and expediting review processes to reduce costs for affordable housing projects. All waiver requests must be consistent with state statutes and not in conflict with requirements of state and/or federal regulatory agencies.
Waiver requests are subject to the review of the technical review committee (TRC). Following the TRC meeting, the board of county commissioners (BOCC) at a public meeting, shall consider the request.
Application #3158
SDP in PUD

OPTIONS FOR THE BOARD:
1. RECOMMEND APPROVAL OF THE REQUEST – recommend approval of Application #3158, a PUD Site Development Plan for the Beachwalk PUD, finding that the proposed PUD Site Development Plan is consistent with the Flagler County Comprehensive Plan, the Flagler County Land Development Code, and the Beachwalk PUD Development Agreement.
OPTIONS FOR THE BOARD (continued):

2. RECOMMEND APPROVAL OF THE REQUEST SUBJECT TO CONDITIONS – the Board can recommend conditions of the approval to be incorporated into the PUD Site Development Plan.

3. RECOMMEND DENIAL OF THE REQUEST – recommend denial of the PUD Site Development Plan request, likely on the basis that the applicant has not demonstrated that the Land Development Code’s PUD Site Development Plan requirements have been met. [Note: The Board should include specific rationale for the recommendation for denial.]
OPTIONS FOR THE BOARD (continued):

4. TABLE THE REQUEST – table the request to a time and date certain pending additional information or deliberations by the Board.
Agenda Item #5
Application #3167
Rear Yard Setback Variance in the R/C District
Bruns/Alann Engineering Group, Inc.

QUASI-JUDICIAL
Application #3167
Rear Yard Setback Variance in R/C

Special Exception for a Restaurant in R/C approved in January 2018 (Application #3122)
Landscape buffer variance approved in January 2018 (Application #3120)

Minimum 25 foot rear setback for R/C Special Exception (non-residential) uses

Request 25 foot variance to reduce rear setback to 0 feet for cave and waterfall structures

Before-the-fact variance
FOOT BRIDGE (TYP.)
FOOT BRIDGES REQUIRED TO PROVIDE
PEDESTRIAN ROUTE TO CAVE & BAR ARE TO
BE ADA ACCESSIBLE
FOOTBRIDGES MAY BE ADJUSTED IN THE FIELD
TO PROVIDE OPTIMUM AESTHETICS & ACCESS
Application #3167
Rear Yard Setback Variance in R/C

STAFF RECOMMENDATION: Based on the provided application and supplemental information, the Planning Department recommends that the Planning and Development Board make a finding that the criteria as listed in the guidelines at Land Development Code Section 3.07.03.E have not been met and therefore denies a 25 foot rear yard setback variance for Lot 27, Unit 1, Magnolia Manor Subdivision, as recorded at Map Book 5, Page 32, Public Records of Flagler County, Florida.
Application #3167
Rear Yard Setback Variance in R/C

OPTIONS FOR THE BOARD: Following the public hearing, based on the evidence and testimony provided by staff through the staff report, the applicant through their submittal and presentation, public comments, and the Board’s deliberations, the Board may:
APPLICATION #3167
Rear Yard Setback Variance in R/C

OPTIONS FOR THE BOARD (continued):
1. APPROVE THE REQUEST - The Planning and Development Board makes a finding 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 the 25 feet rear yard setback variance (reducing the minimum rear yard setback to zero feet) for Lot 27, Unit 1, Magnolia Manor Subdivision, as recorded at Map Book 5, Page 32, Public Records of Flagler County, Florida.
2. APPROVE A MODIFICATION TO THE REQUEST - The Planning and Development Board makes a finding 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 rear yard setback variance less than what had been requested by the owner – likely granting a 15 foot variance for a minimum 10 foot rear yard setback for the cave and waterfall structures, provided that the overall height of the cave and waterfall does not exceed 12 feet – for Lot 27, Unit 1, Magnolia Manor Subdivision, as recorded at Map Book 5, Page 32, Public Records of Flagler County, Florida.
Application #3167
Rear Yard Setback Variance in R/C

OPTIONS FOR THE BOARD (continued):
[Note: This option applies the minimum rear yard setback for a residential accessory structure to a nonresidential accessory structure in a residential (R/C) zoning district with an approved non-residential Special Exception.]
OPTIONS FOR THE BOARD (continued):
3. DENY THE REQUEST - The Planning and Development Board makes a finding that all the variance criteria as listed in the guidelines at Land Development Code Section 3.07.03.E have not been met. The Board identifies which guidelines have not been met – likely the first and second guideline, that the parcel is not unique and that the owner has created the hardship for which the variance is being sought – and denies the 25 feet rear yard setback variance for Lot 27, Unit 1, Magnolia Manor Subdivision, as recorded at Map Book 5, Page 32, Public Records of Flagler County, Florida.
OPTIONS FOR THE BOARD (continued):

4. TABLE THE REQUEST – The Planning and Development Board makes a determination that sufficient factual data has not been presented and tables the request to a time and date certain pending additional information and deliberations by the Board. [This option assumes that additional information is necessary for the Board to be able to make a determination; this should not be used to delay an action where no additional information is anticipated to be provided by an applicant, staff, or the public.]
Staff Comments
Board Comments
Public Comments
Adjournment