

**FLAGLER COUNTY
PLANNING AND DEVELOPMENT BOARD
REGULAR MEETING
Flagler County Government Services Building
Board Chambers
1769 East Moody Blvd., Bunnell, FL
MEETING MINUTES
Tuesday, September 13, 2016 at 6:00 PM**

ADOPTED NOVEMBER 8, 2016

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

3
4 **MEMBERS EXCUSED:** Arthur Barr

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

8
9 **BOARD COUNSEL:** Kate Stangle, with Broad and Cassel

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

12
13 1. **Roll Call.**

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

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

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

18
19 Chairman Boyd recognized new Board Member Troy Dubose.

20
21 3. **Approval of Minutes.**

22 Approval of minutes of the April 9, 2013, October 13, 2015 and July 12, 2016 regular meetings.

23
24 *Motion to approve the April 9, 2013 minutes made by Ms. Kornel, seconded by Mr. Langelo.*
25 *Motion carried unanimously. Motion to approve the October 13, 2015 and July 12, 2016*
26 *minutes made by Mr. Langelo, seconded by Ms. Kornel. Motion carried unanimously.*

27
28 4. **Quasi-judicial requiring ex parte communication and disclosures:**

29 **Application #3041 – SPECIAL EXCEPTION IN THE AC (AGRICULTURE) DISTRICT;**
30 for a Land Clearing Business located at 1440 County Road 13, Bunnell, FL; Parcel #04-12-30-
31 5550-00040-0000; Owner/Applicant: Fernando Morales and Madeline Alonso, husband & wife

32
33 No ex-parte communications were disclosed.

34
35 Ms. Hickey presented the staff report noting the location, zoning and Future Land Use
36 designations of the subject parcel. She went on to give a brief history of the parcel. Outlining the
37 Special Exception criteria and the staff's findings, she continued reading the staff
38 recommendation into the record.

39
40 **Staff Recommendation:** Staff recommends that the Planning and Development Board find that based

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1 on the testimony and evidence presented that all special exception guidelines have been met and
2 approve Application #3041, a Special Exception in the AC zoning district for a Land Clearing
3 Business at 1440 County Road 13, subject to the following conditions:

- 4
5 a. This Special Exception runs with the land.
6 b. Approval is limited to the use as a land clearing business.
7 c. All development to occur consistent with the submitted site plan, subject to changes
8 approved by staff based on outstanding agency review comments.
9 d. On site commercial vehicles shall not exceed six (6).
10 e. Hours of operation shall be limited to 6 a.m. to 6 p.m. Monday through Saturday.
11 f. Natural vegetative screening along the perimeter of the subject parcel shall be
12 maintained in perpetuity.
13 g. No commercial signage shall be permitted.
14 h. Any additional lighting to the site shall of full cutoff type so that the lighting does not
15 encroach on to adjoining properties.
16 i. An annual operating permit for the existing septic system will be required due to
17 generation of hazardous waste (i.e., waste oil from trucks and truck wash). A review
18 from the Department of Environmental Protection will be needed to assess the
19 hazardous waste generation and determine if any permits are required for hazardous
20 waste.

21
22 Chairman Boyd opened the hearing to public comments. Seeing none, Mr. Boyd opened Board
23 comments.

24
25 Mr. Langelo, stated that though the staff is considering this a Land Clearing Business it is in
26 reality a Trucking hauling business. He asked of this was because that type of business was not
27 listed?

28
29 Mr. Mengel stated that this is a case where the use does not quite fit into any other category
30 within the agriculture zoning district.

31
32 Mr. Langelo stated that he didn't want them to have issues at a later time. He went on to
33 question why staff had limited the trucks to six noting that there was sufficient land for more
34 trucks.

35
36 Mr. Mengel noted that the Health department had a threshold of five and we did want to allow
37 for some expansion. So that at some point they would outgrow the location and have to look for
38 an industrial zoned piece of property. We just thought six was a reasonable threshold.
39

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1 Mr. Langello stated he was thinking of ten and why wouldn't you do that so they don't have to
2 come back every two years. Is there any reason we have to keep to the six or is it up to the
3 Board?
4

5 Mr. Mengel stated he would keep the upper threshold to ten.
6

7
8 Chairman Boyd asked for any more Board Comments? Hearing none, he then requested a
9 motion.
10

11 ***Motion to approve with staff recommendation changing item (d) which limits the trucks to six***
12 ***and change that number to ten by Mr. Langello, seconded by Mr. Duggins.***
13

14 ***Motion carried unanimously.***
15

16
17 **5. Staff Comments.**

18 None
19

20 **6. Board Comments.**

21 Ms. Kornel and Mr. Langello recognized Ms. Pam Richardson for her service on the board.
22

23 **7. Public Comments.**

24 None.
25

26 **8. Adjournment.**

27 Motion to adjourn was made at 6:20 p.m.
28

29 Drafted by: Wendy Hickey

30 Reviewed by: Adam Mengel