



**City of Palm Coast
Minutes
Planning and Land
Development Regulation
Board**

City Hall
160 Lake Avenue
Palm Coast, FL 32164
www.palmcoastgov.com

**Chairman Clinton Smith
Vice Chair Robert J. DeMaria
Board Member James Albano
Board Member Sybil Dodson-
Lucas
Board Member Jake Scully
Board Member Sandra Shank
Board Member Charles Lemon
Alternate Board Member Hung
Hilton
Alternate Board Member Suzanne
Nicholson
School Board Rep Patty Bott**

Wednesday, December 16, 2020

5:30 PM

Hybrid

RULES OF CONDUCT:

- >Public comment will be allowed consistent with Senate Bill 50, codified at the laws of Florida, 2013 – 227, creating Section 286.0114, Fla. Stat. (with an effective date of October 1, 2013). The public will be given a reasonable opportunity to be heard on a proposition before the City's Planning & Land Development Regulation Board, subject to the exceptions provided in §286.0114(3), Fla. Stat.
- >Public comment on issues on the agenda or public participation shall be limited to 3 minutes.
- > All public comments shall be directed through the podium. All parties shall be respectful of other persons' ideas and opinions. Clapping, cheering, jeering, booing, catcalls, and other forms of disruptive behavior from the audience are not permitted.
- >If any person decides to appeal a decision made by the Planning and Land Development Regulation Board with respect to any matter considered at such meeting or hearing, he/she may want a record of the proceedings, including all testimony and evidence upon which the appeal is to be based. To that end, such person will want to ensure that a verbatim record of the proceedings is made.
- >If you wish to obtain more information regarding Planning and Land Development Regulation's Agenda, please contact the Community Development Department at 386-986-3736.
- >In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's Office at 386-986-3713 at least 48 hours prior to the meeting.
- >The City of Palm Coast is not responsible for any mechanical failure of recording equipment
- >All pagers and cell phones are to remain OFF while the Planning and Land Development Regulation Board is in session.

A Call to Order and Pledge of Allegiance

Chair Smith called the December 16, 2020 Planning and Land Development Regulation Board (PLDRB) meeting to order at 5:30PM and he read into the record the hybrid meeting notice.

B Roll Call and Determination of a Quorum

C Approval of Meeting Minutes

1 MEETING MINUTES OF THE NOVEMBER 18, 2020 PLANNING AND LAND DEVELOPMENT REGULATION BOARD MEETING

Pass

Motion made to approve as presented by Board Member Dodson-Lucas and seconded by Board Member Albano

Approved - 7 - Board Member Jake Scully, Chair Clinton Smith, Board Member Sybil Dodson-Lucas, Board Member Charles Lemon, Board Member Sandra Shank, Board Member James Albano, Board Member Hung Hilton

D Public Hearings

2 PALM COAST COMMERCE STORAGE PHASE 2 - TECHNICAL SITE PLAN, A TIER 2 AMENDMENT - APPLICATION # 4553

Mr. Ray Tyner, Deputy Chief Development Officer, gave an introduction for the history of the item including that this is a modification to a technical site plan tier 2 approved by the PLDRB in May 2020. He also introduced Mr. Bill Hoover, Senior Planner, who gave a presentation which is attached to this report.

Mrs. Lucas asked how many spaces were set aside for persons with disabilities. Mr. Buck, applicant's representative, stated it is one. Mrs. Lucas asked if that seems reasonable. Mr. Tyner responded that the Florida Building code determines the number of disability spaces and our building department follows the Florida Building code. Mrs. Lucas asked again if it is reasonable based on the aging population of Palm Coast. Mr. Hoover stated that it is unlikely that many persons with a disability would be visiting a storage facility.

Chair Smith opened this item to public comment at 5:45PM. Seeing no one approach the podium and no one in virtual attendance, Chair Smith closed this item to public comment at 5:46PM.

Pass

Motion made to approve as amended with staff conditions for finalizing all engineering and landscaping plans prior to new site work for construction of the 20 covered recreational vehicle storage spaces by Board Member Shank and seconded by Board Member Albano

Approved - 7 - Board Member Jake Scully, Chair Clinton Smith, Board Member Sybil Dodson-Lucas, Board Member Charles Lemon, Board Member Sandra Shank, Board Member James Albano, Board Member Hung Hilton

3 WEST PINES MPD AMENDMENT - APPLICATION # 4499

Mr. Tyner introduced the history of this item including that the PLDRB had heard this item on October 20, 2020 and had recommended approval of the item in a 6-0 vote. It then went to City Council on November 17, 2020 where City Council in a 3-0 vote remanded this item back to the PLDRB, specifically to reconsider side yard setbacks. Mr. Tyner introduced Mr. Hoover who gave a presentation which is attached to this record.

Mr. Albano questioned if the setbacks can be different within the Master Planned Development (MPD) agreement? Chair Smith stated that the setbacks may be different for some lots and that the PLDRB members have that ability (to make the setbacks different based on the lot placement). Mr. Hoover also commented that it is not uncommon to have differences placed on the lots within an MPD. Mr. Scully also asked for clarification and again Chair Smith mentioned you could have different standards for different lots.

Chair Smith questioned if there was an exhibit filed with the County after the original Flagler County Planned Unit Development (PUD) was filed, referencing exhibit B1 and B2. Mr. Tyner stated that the original Flagler County PUD was not accurately filed (recorded) and the attachment was most likely filed at a later time with the Preliminary Plat.

Chair Smith questioned if there is a requirement in the PUD for a side entrance garage. Mr. Tyner stated that was requested from some of the residents, it is not a requirement of the PUD. Mr. Hoover clarified that the only covenants and restrictions on the existing vacant lots are they are not allowed to have pools or fences in the rear. Chair Smith asked if under the proposed MPD can the resident still build an attached home if they wish to do so. Mr. Hoover answered yes.

Mr. Albano questioned the size of the lots along Weymouth Lane. Mr. Hoover clarified that the lot sizes are 100 ft. deep so they are roughly 8,600 sq. ft. and are slightly pie shaped. Mr. Tyner also clarified that the proposed MPD calls for a minimum house size of 1,800 sq. ft. and that all homes would be 1 story.

Chair Smith opened this item to public comment at 6:03PM.

Mr. Rick Clayburn - 58 Weymouth Lane, is not in favor of changes to his neighborhood.

Mr. Dave Coughman - 59 Weymouth Lane, Treasurer Secretary of the West Pines HOA, wants to encourage the side loading garages especially for the 4 northern lots for continuity and appearance.

Ms. Gendra Sennello - 63 Weymouth Lane, is not in favor of changes to her neighborhood specifically for the 2 lots between # 63 and #71 as well as #29 and #79 and she wishes to maintain the requirement for attached homes.

Mr. Jim Sennello - 63 Weymouth Lane, is not in favor of changes to his neighborhood especially on the 4 central lots in order to maintain the symmetry. Also supplied a letter to the PLDRB which is attached to the agenda.

Ms. Carol Bradfield - 5 Weymouth Lane, is not in favor of making changes to the neighborhood.

Mr. Rob Boone - 29 Weymouth Lane, is not in favor of making changes to the neighborhood. Also supplied a letter to the PLDRB which is attached to the agenda.

Mr. Joshua Bryant - applicant - did address the PLDRB to give some background regarding the convoluted PUD filing and the history of the lot that his father purchased. He also added that the difference in the setback as proposed by staff vs. the residents' setbacks is only about a difference of 1/2 ft. He also clarified that he is not aware of the style of existing homes being a marketability issue.

Chair Smith closed this item to public comment at 6:21PM.

Ms. Shank questioned 17, 18, 27 & 28 lots to remain consistent with the existing development of single family attached with garage, would require that lots 17 & 18 be built together. Chair Smith stated that is correct. Ms. Shank questioned whether this option was discussed for the 4 lots mentioned, to maintain the consistent feel of the neighborhood.

Mr. Joshua Bryant addressed Ms. Shank's question by stating he reached out to Mr. Sanchez and that Mr. Sanchez Sr. was not interested in buying Mr. Bryant's lot and combining with his own. Mr. Sanchez wants to build his own home on his lot and is not interested in an attached home.

Ms. Shank asked if the Sanchez family are home builders in other areas. Mr. Hoover mentioned that they are custom home builders in Ottawa, Canada. He further stated that they build 3 to 4 homes a year.

Mr. Antonio Sanchez addressed the PLDRB and clarified that his parents bought lot 17. They would like to build a 2000 sq. ft. custom home at some time in the future on lot 17. Mr. Antonio and Alberto Sanchez own lots 27 & 28 as well and will build at some time in future. Their intent is to hire a local builder in Palm Coast to build 3 homes on Weymouth Lane for their families in the future.

Mr. Lemon questioned if in fact the only remaining issue is the side yard setbacks and if that is the case shouldn't the PLDRB be able to come to a decision on this matter. Mr. Lemon also questioned if the PLDRB makes the decision on the side setbacks does that create problems for the future lot owners. Mr. Scully had a similar thought, referencing the slide in Mr. Hoover's presentation that had the 12.5 side setback for adjacent homes and leaves the standard side setback at 7.5 feet for non-adjacent homes.

Mr. Albano questioned the restrictions placed on these lots may result in a non-quality product that would not be harmonious with the landscaping and architecture of the existing homes.

Chair Smith stated that since the PUD was not accurately filed back in 1987 he can empathize with the applicants and he further stated that he would be in support of a 7.5 side setback when not adjacent to existing homes and a 12.5 side setback when adjacent to existing homes. He would also support a side entrance garage.

Mr. Scully questioned if a side entry garage presents more issues to development because of the turn. Chair Smith stated that you would have a much deeper driveway, as long as it fits on the lot.

Discussion ensued to clarify the driveway setback as currently set in the Land Development Code (LDC) at 5 feet.

Mr. Tyner mentioned that we could add to the MPD language that allowed the driveway to get closer to the side setback.

Pass

Motion made to approve as amended to increase side setbacks to the lots are adjacent to existing homes to the recommended 12.5 feet and the lots that are non-adjacent to existing homes (vacant lots) the side setbacks be set at 7.5 feet. Also that side entry garages be required as well as staff be given the flexibility to adjust the driveway side setback as needed to accommodate the garage by Board Member Shank and seconded by Board Member Dodson-Lucas

Approved - 6 - Board Member Jake Scully, Chair Clinton Smith, Board Member Sybil Dodson-Lucas, Board Member Charles Lemon, Board Member Sandra Shank, Board Member Hung Hilton

Denied - 1 - Board Member James Albano

After the vote Mr. Albano questioned the details in the motion may not be specific enough regarding the reference to adjacent and non-adjacent lots, as a currently vacant lot maybe built on in the future. As a result staff agreed to add the lot #s to the motion. Mr. Hoover has provided the following information which will be used to amend the motion below.

I discussed the motion with Ray the next morning and he said the setbacks would be increased from 7.5' to 12.5' for any setback on a currently vacant lot that is adjacent to an attached home. That would include the setback on lot 14 next to lot 15, lot 17 next to lot 16, lot 18 next to lot 19, lot 27 next to lot 26, and lot 28 next to lot 29.

Pass

Motion made to approve as amended to increase side setbacks to the lots that are adjacent to existing homes to the recommended 12.5 feet, those lots are listed here for clarification: lot 14 next to lot 15, lot 17 next to lot 16, lot 18 next to lot 19, lot 27 next to lot 26, and lot 28 next to lot 29, and the lots that are non-adjacent to existing homes (vacant lots) the side setbacks be set at 7.5 feet. Also that side entry garages be required as well as staff be given the flexibility to adjust the driveway side setback as needed to accommodate the garage by Board Member Shank and seconded by Board Member Dodson-Lucas

Approved - 6 - Board Member Jake Scully, Chair Clinton Smith, Board Member Sybil Dodson-Lucas, Board Member Charles Lemon, Board Member Sandra Shank, Board Member Hung Hilton

Denied - 1 - Board Member James Albano

Mr. Tyner introduced this item including its prior PLDRB approval for a special exception tattoo parlor and he explained that this is the same applicant. The applicant is looking to expand their existing business. Mr. Tyner also introduced Mr. Bill Hoover who gave a presentation which is attached to this record.

Mrs. Lucas asked what new services would be added. Ms. Danielle Muren, owner/applicant, stated she would like to expand to accommodate for merchandising and adding one station for body piercing.

Chair Smith opened this item to public comment at 6:46 PM. Seeing no one approach the podium and no one in virtual attendance, Chair Smith closed this item to public comment at 6:47 PM.

Pass

Motion made to approve as presented by Board Member Hilton and seconded by Board Member Albano

Approved - 7 - Board Member Jake Scully, Chair Clinton Smith, Board Member Sybil Dodson-Lucas, Board Member Charles Lemon, Board Member Sandra Shank, Board Member James Albano, Board Member Hung Hilton

E Board Discussion and Staff Issues

Mr. Tyner wished all PLDRB members a Happy Holiday season and thanked them for their service to the community.

F Adjournment

The meeting was adjourned @ 6:48 PM.

*Respectfully Submitted by:
Irene Schaefer, Recording Secretary*

Pass

Motion made to approve by Board Member Albano and seconded by Board Member Shank

Approved - 7 - Board Member Jake Scully, Chair Clinton Smith, Board Member Sybil Dodson-Lucas, Board Member Charles Lemon, Board Member Sandra Shank, Board Member James Albano, Board Member Hung Hilton