



Crossroads of Flagler County

Board Members:
Carl Lilavois, Chair
Gary Masten, Co-Chair
Lyn Lafferty
Gary Garner
Janice Catoggio

PLANNING, ZONING AND APPEALS BOARD MINUTES

Tuesday, March 5, 2024

6:00 PM

1769 East Moody Boulevard (GSB),

First Floor Conference Room

Bunnell, FL 32110

1. Call Meeting to Order for Planning and Zoning Meeting and Roll Call

Chair Lilavois called the meeting to order at 6:00 PM and led the Pledge of Allegiance.

Present: Chair Carl Lilavois; Co-Chair Gary Masten; Board Member Janice Catoggio; Board Member Gary Garner; Board Member Lyn Lafferty

Non-Voting: Community Development Coordinator Adrian Calderin; Interim Community Development Director Joe Parsons; City Attorney Paul Waters; Infrastructure Director Dustin Vost

2. Disclosure of Ex-Parte communications.

None

3. Approval of Minutes

a. February 6, 2024 Planning, Zoning and Appeals Board Minutes

Motion: Approve the February 6, 2024 Planning, Zoning and Appeals Board Meeting Minutes.

Moved By: Gary Masten

Seconded By: Gary Garner

Board Discussion: None

Public Discussion: None

Vote: motion carried by unanimous vote.

New Business:

4. MJSP 2024-01 Request approval of the major site plan for the Wastewater Treatment Facility Expansion Project.

Community Development Coordinator Calderin introduced and explained the item. He stated this expansion will cater to the future growth of the City; Staff recommended approval of the major site plan.

Co-Chair Masten asked what the time frame is from start to finish. Infrastructure Director Vost answered it will be 24 months from groundbreaking.

Motion: Approve the major site plan for the Wastewater Treatment Facility Expansion Project.

Moved By: Gary Masten

Seconded By: Gary Garner

Vote: motion carried by unanimous vote.

Old Business:

5. SE 2023-06 Request approval of the special exception to store commercial vehicles and equipment on 105 North Forsyth Street

Chair Lilavois recused himself from voting and passed the gavel to Co-Chair Masten

Community Development Coordinator Calderin introduced and explained the item. He stated what the surrounding area consists of and what the nature of the request is. He further said this is an after-the-fact request. Staff recommended approval with conditions.

Board Member Lafferty asked if the request involves a rezoning of the property. City Attorney Olsen said this is not a rezoning and only a request for a use that is not otherwise allowed for the current zoning district.

Board Members Lafferty and Catoggio discussed the implications on property taxes if a commercial use for a residentially zoned property were allowed.

City Attorney Olsen reminded the Board the request is for a special exception and not a rezoning. The request does not have precedential value as every request is unique.

Board Member Lafferty asked what would happen if the applicant does not follow through with the conditions placed upon the request. Community Development Coordinator Calderin said code enforcement would be started if any of the conditions are violated, and if in the future the applicant decides to expand his business, then he will need to come back to the Board.

Co-Chair Masten asked if the requested use has been in place since 2021 and if there are any documented complaints. Community Development Coordinator Calderin stated the use has been in place since 2021 and affirmed there are no documented complaints.

The applicant, Corey Udell and Michelle Udell, explained their reason for the request and what their intent is for the property. They presented items to the Board (shown in Exhibit A).

Board Member Garner asked the applicant if the only equipment being stored on the property is the truck, trailer, and the equipment on the trailer. The applicant confirmed this is true and plans to build a carport to store the equipment and vehicles under.

Francine Lilavois and Carl Lilavois expressed their concerns with granting the use to the applicant.

Motion: Approve the special exception request with the following conditions:

1. The property must adhere to the noise limitations for commercial use outlined in Section 26-199 of the Code of Ordinances. Any violation of these limitations will adhere to Section 26-203 of the Code of Ordinances.
2. All proposed Parking for the storage of the company's vehicles and/or trailers shall be that of a sealed surface according to Section 34-202(7) in the Land Development Code.
3. The special exception use shall remain incidental and accessory to the existing residential building.

4. Commercial vehicles permitted to park overnight on the property shall be small in nature such as pickup trucks and associated light duty single axle landscape trailers. Trailers used for hauling small lawn mowers, edgers, weed eaters, and associated small equipment shall be allowed as well. No more than five (5) company vehicles and/or trailers shall be stored on site at any given time.
5. Heavy duty trucks and trailers shall be prohibited on the property. These will include, but are not limited to, dump trucks, industrial vehicles, and tow trucks.
6. Storage of any landscaping materials and/or supplies on the subject property, such as sod, pavers, stones, concrete, mulch, fill material, soil, and other materials considered to be used by the landscaping company shall be prohibited.
7. Storage of any debris collected through business operations, such as, but not limited to, tree and landscape debris, shall be prohibited on site.
8. This special exception use shall only be effective for the current owner of the property, Udell's Landscaping Services LLC, and will not be transferable should the ownership of the property ever change. If under any circumstance the ownership of the property changes, this special exception shall become null and void.
9. The business will be required to obtain a business tax receipt with the City to operate their business out of this site and within the City limits.

Moved By: Gary Garner

Seconded By: Gary Masten

Roll Call Vote:

Gary Masten – Yes

Gary Garner – Yes

Janice Catoggio – No

Lyn Lafferty – Yes

Carl Lilavois - Recused

Vote: motion carried by 3-1 vote.

6. Public Comment

None

7. Board Comment

None

8. Adjournment of Planning and Zoning Meeting

Motion: Adjourn

Moved By: Gary Masten

Seconded By: Gary Garner

Vote: motion carried by unanimous vote

PZA Chair

*****The City adopts summary minutes. Audio files in official City records are retained according to the Florida Department of State GS1-SL records retention schedule*****