



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

Crossroads of Flagler County

PLANNING, ZONING AND APPEALS BOARD MINUTES

**Tuesday, February 6, 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: Carl Lilavois, Chair; Gary Masten, Co-Chair; Gary Garner

Excused: Lyn Lafferty; Janice Catoggio

Non-Voting: Interim Community Development Director Joe Parsons; City Attorney Paul Waters; Community Development Coordinator Christine Hancock; City Planning Consultant Mark Karet.

2. Disclosure of Ex-Parte communications. None

3. Approval of Minutes

a. January 4, 2024 Planning, Zoning and Appeals Board Minutes

Motion: Approve the January 4, 2024 Planning, Zoning and Appeals Board Meeting Minutes.

Moved By: Gary Garner

Seconded By: Gary Masten

Board Discussion: None

Public Discussion: None

Vote: Motion carried by unanimous vote.

New Business:

4. RSD 2023-02 Request approval for the Family Estates Rural Subdivision via Administrative Order 2024-XX

Community Development Coordinator Hancock introduced and explained the item. She stated the rural subdivision will contain three lots and would be approved by the City Commission through an administrative order.

Motion: Approve RSD 2023-02 Request approval for the Family Estates Rural Subdivision via Administrative Order 2024-XX.

Moved By: Gary Masten

Seconded By: Gary Garner

Board Discussion: None
Public Discussion: None
Vote: Motion carried by unanimous vote.

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

Community Development Coordinator Hancock introduced and explained the item. She explained the request is to park commercial vehicles and equipment related to the applicant's landscaping business. Staff recommended approval with conditions.

Chair Lilavois stated he would have to recuse himself from this item.

City Attorney Waters recommended to continue the item to the next meeting to avoid readvertising the special exception due to a lack of a quorum.

Motion: Continue the item to the end of the agenda and if additional Board Members are not in attendance, then continue to the next Board meeting scheduled for March 5, 2024.

Moved By: Gary Masten

Seconded By: Gary Garner

Board Discussion: None

Public Discussion: None

Vote: motion carried by unanimous vote.

6. Ordinance 2024-XX Amending the Future Land Use Element and the Conservation Element in the City of Bunnell 2035 Comprehensive Plan

City Planning Consultant Karet introduced and explained both items 6 and 7 together. He explained the background history of the mass rezoning project. The proposed ordinances are part of Phase 3A and will amend conservation policies in both the Future Land Use Element and Conservation Element along with Land Development Code changes to complement the Comprehensive Plan amendments. Staff recommended approval.

Co-Chair Masten asked if there are any restrictions under the new regulations that were not under the old regulations for any given property. City Planning Consultant Karet stated the proposed regulations do not impose any new restrictions. Co-Chair Masten further asked if the property taxes would be affected. City Planning Consultant Karet stated zoning should not affect property taxes.

Motion: Approve Ordinance 2024-XX Amending the Future Land Use Element and the Conservation Element in the City of Bunnell 2035 Comprehensive Plan.

Moved By: Gary Garner

Seconded By: Gary Masten

Vote: motion carried by unanimous vote.

7. Ordinance 2024-XX Amending the City of Bunnell Land Development Code Chapter 18 - Natural Resource Protection and Management and Chapter 34 - Zoning.

City Planning Consultant Karet introduced and explained this item with item 6. Staff recommended approval.

Motion: Approve Ordinance 2024-XX Amending the City of Bunnell Land Development Code Chapter 18 – Natural Resource Protection and Management and Chapter 34 – Zoning.

Moved By: Gary Masten

Seconded By: Gary Garner

Vote: motion carried by unanimous vote.

Old Business: None

8. **Public Comment**
None

9. **Board Comment**
None

10. **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*****

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Lilavois, Carl</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>PZA / Planning Board</i>	
MAILING ADDRESS <i>12 EASTWOOD DR</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>Palm Coast</i>	COUNTY	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <i>2/6/24</i>		NAME OF POLITICAL SUBDIVISION: <i>Bunnell</i>	
		MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTEE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, CARL E LILAVOIS, hereby disclose that on 2/6/, 2024:

(a) A measure came or will come before my agency which (check one)

- ☒ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

I Am neighbor w/ 105 N Forsyth St. Requesting Commercial Parking. This may effect my Residential Leased Apartment Business & quality of life to my tenants.

2/9/24
Date Filed

Carl E Lilavois
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.