



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, January 7, 2025

6:00 PM

1769 East Moody Boulevard (GSB),
Chambers Meeting Room
Bunnell, FL 32110

1. **Call Meeting to Order for Planning and Zoning Meeting and Roll Call**
Co-Chair Masten called the meeting to order at 6:00 PM and led the Pledge of Allegiance.

Present: Gary Masten, Co-Chair; Janice Catoggio; Gary Garner; Lyn Lafferty; Cory Romaniuk, Board Alternate
Excused: Carl Lilavois, Chair
Non-voting: Community Development Director Joe Parsons; City Attorney Paul Waters; Community Development Coordinator Adrian Calderin; City Engineer Marcus DePasquale

Motion: Excuse the absence of Chair Lilavois.
Moved by: Gary Garner
Seconded by: Lyn Lafferty
Vote: Motion carried unanimously.
2. **Disclosure of Ex-Parte communications.**
None.
3. **Approval of Minutes**
 - a. **December 3, 2024 Planning, Zoning and Appeals Board Minutes**
Motion: Approve the December 3, 2024 Planning, Zoning and Appeals Board Minutes.
Moved by: Gary Garner
Seconded by: Lyn Lafferty
Board Discussion: None
Public Discussion: None
Vote: Motion carried unanimously
New Business:

The applicant for item #5 requested it be pulled from the agenda

Motion: Pull item #5 from the agenda.
Moved by: Gary Garner
Seconded by: Lyn Lafferty
Vote: Motion carried unanimously.

4. SE 2024-07 Requesting approval of a special exception use for a RV Park on property zoned B-1, located at 1900 Old Moody Boulevard.

Community Development Coordinator Calderin introduced and explained the item. Staff recommended approval with the following conditions:

1. Any person or occupant of the RV Park shall not reside within the premises as a permanent resident.
2. The RV Park shall be for temporary residence. Any person or occupant shall not remain within the park for a period exceeding five months in any 12-month period.
3. If the access easement is to be utilized for two-way traffic, the width of the access easement must be at least 20 feet.
4. This special exception use shall run with the land and may be transferable should the ownership of the property every change so long as the new owner continues the use of the property as allowed under this special exception. If under any circumstance the use of the property changes beyond what is allowed within this special exception, this special exception shall become null and void. If the conditions are ever violated, then at that point it shall be considered grounds for removal of the special exception at the discretion of the Planning, Zoning and Appeals Board.

The applicant, Matthew Dowst with Mark Dowst & Associates Inc., requested condition #2 be amended to seven months instead of 5 months.

Board Member Lafferty asked if the conditions will not apply if a person were to use a different RV to extend their stay. Community Development Director Parsons said the vehicle would have to move.

Motion: Approve SE 2024-07 Requesting approval of a special exception use for a RV park on property zoned B-1, located at 1900 Old Moody Boulevard with the following conditions:

1. Any person or occupant of the RV Park shall not reside within the premises as a permanent resident.
2. The RV Park shall be for temporary residence. Any person or occupant shall not remain within the park for a period exceeding seven months in any 12-month period.
3. If the access easement is to be utilized for two-way traffic, the width of the access easement must be at least 20 feet.
4. This special exception use shall run with the land and may be transferable should the ownership of the property every change so long as the new owner continues the use of the property as allowed under this special exception. If under any circumstance the use of the property changes beyond what is allowed within this special exception, this special exception shall become null and void. If the conditions are ever violated, then at that point it shall be considered grounds for removal of the special exception at the discretion of the Planning, Zoning and Appeals Board.

Moved by: Lyn Lafferty

Seconded by: Gary Garner

Vote: Motion carried unanimously.

5. **SE 2024-08 Requesting approval of a special exception use to operate a non-emergency services commercial business on property zoned R-1, located at 425 Elm Avenue.**

This item was pulled from the agenda

6. **SE 2024-09 Requesting approval of a special exception use for a private school on property zoned B-1, located at 1010 West Moody Boulevard.**

Community Development Coordinator Calderin introduced and explained the item. He stated the property was rezoned to B-1 and the requested use is only allowed by special exception. Staff recommended approval with the following conditions:

1. A double dumpster enclosure will be required to be implemented on site in accordance with Chapter 50 of the Code of Ordinances.
2. Traffic created due to the individuals picking up and dropping off the students during the allotted times must be retained within the subject property at all times to avoid adversely impacting the flow of traffic on State Road 11.
3. This special exception use shall run with the applicant and shall not be transferrable should the tenant ever change. If under any circumstance the use of the property changes, or if the lease of the property changes, then at such time shall this special exception become null and void. If the conditions are ever violated and/or not fulfilled, then at that point it shall be considered grounds for removal of the special exception at the discretion of the Planning, Zoning and Appeals Board.

Alternate Board Member Romaniuk asked if the special exception transfers if the owner changes. Community Development Coordinator Calderin said a new application will be required if the owner or tenant changes.

The applicant, Erika Rodriguez, gave a short explanation of her plans for the property.

Motion: Approve SE 2024-09 Requesting approval of a special exception use for a private school on property zoned B-1, located at 1010 West Moody Boulevard with the following conditions:

1. A double dumpster enclosure will be required to be implemented on site in accordance with Chapter 50 of the Code of Ordinances.
2. Traffic created due to the individuals picking up and dropping off the students during the allotted times must be retained within the subject property at all times to avoid adversely impacting the flow of traffic on State Road 11.
3. This special exception use shall run with the applicant and shall not be transferrable should the tenant ever change. If under any circumstance the use of the property changes, or if the lease of

the property changes, then at such time shall this special exception become null and void. If the conditions are ever violated and/or not fulfilled, then at that point it shall be considered grounds for removal of the special exception at the discretion of the Planning, Zoning and Appeals Board.

Moved by: Lyn Lafferty

Seconded by: Gary Garner

Vote: Motion carried unanimously.

Old Business:

- 7. ZMA 2024-06: Requesting to amend the Official Zoning Map of the City of Bunnell, by Ordinance, for 2,787+/- acres of land from Flagler County "AC, Agricultural" and City of Bunnell "R-1, Single Family Residential District" and "AG&S, Agricultural & Silviculture District" to the City of Bunnell "PUD, Planned Unit Development District".**

Board Member Lafferty handed the Board her comments and gave a short explanation of her comments.

City Attorney Waters gave an explanation of the Board's duty for this item and what their options are.

Co-Chair Masten asked the developer, Chad Grimm with Northeast Florida Developers LLC, if the density is negotiable. Mr. Grimm stated 8,000 units is the lowest they can go and gave an explanation as to why.

Alternate Board Member Romaniuk asked if the plans and maps shown in the documents are conceptual and if they can change. Mr. Grimm said the drawings are conceptual but the PUD agreement is not. The drawings can change depending on site conditions but development will have to follow similarly to what is shown on the drawings.

Board Member Garner asked if any of the parcels not included in the PUD are occupied by residents. Mr. Grimm said yes, most of the parcels are occupied by unincorporated residents and not included in the PUD.

Barbara Maloney (1291 County Road 65, Unincorporated Flagler County) expressed her concerns with the language in the PUD agreement and recommended a few changes.

Larry Rogers (185 County Road 65, Bunnell) asked City Attorney Waters questions regarding the process. He further expressed his concerns with the development being done correctly and recommended a few changes.

Cheryl Trujillo (227 County Road 302, Unincorporated Flagler County) had a few questions about open space and expressed her concerns with the development. Community Development Director Parsons explained that 60% of the development has to be open space which includes undisturbed wetlands and

natural vegetation, and 20% of that has to be common open space which includes parks and recreational areas.

Stephen Woodin (200 North Railroad Street, Bunnell) asked if this item goes before the Board again if a traffic study comes back from Florida Department of Transportation. City Attorney Waters said this will be the last time the Board hears this item. Mr. Woodin expressed his concerns with the development and with the traffic it will create.

Matthew Riden (330 County Road 80, Unincorporated Flagler County) expressed his concerns with the development and with the process.

Co-Chair Masten asked if the PUD can be modified after it has been approved. City Attorney Waters stated minor modifications can occur but any major changes will have to go through the approval process again.

Community Development Coordinator Calderin clarified the criteria for major and minor amendments to the PUD agreement.

The Board took a 5-minute recess and reconvened at 7:25pm

Rain Trujillo (227 County Road 302, Unincorporated Flagler County) expressed her concerns with the development and the flooding that will result from it.

Motion: Approve ZMA 2024-06 Requesting to amend the Official Zoning Map of the City of Bunnell, by Ordinance, for 2,787+/- acres of land from Flagler County "AC, Agricultural" and City of Bunnell "R-1, Single Family Residential District" and "AG&S, Agricultural & Silviculture District" to the City of Bunnell "PUD, Planned Unit Development District".

Moved by: Lyn Lafferty

Seconded by: Gary Garner **withdrew his second**

Motion dies for lack of second

Board discussion continued on what recommendations to make.

Motion: Approve ZMA 2024-06 Requesting to amend the Official Zoning Map of the City of Bunnell, by Ordinance, for 2,787+/- acres of land from Flagler County "AC, Agricultural" and City of Bunnell "R-1, Single Family Residential District" and "AG&S, Agricultural & Silviculture District" to the City of Bunnell "PUD, Planned Unit Development District" with recommendations heard from the public and from the Board.

Moved by: Gary Masten

Seconded by: Lyn Lafferty

Vote: Motion carried unanimously.

Co-Chair Masten proceeded to list the recommendations for the Board to vote on whether or not to include in the Board's final recommendations of approval on this item.

1. Reduce the total density to 5,500 dwelling units.

Motion: Recommend reducing the total density to 5,500 dwelling units.

Moved by: Gary Garner

Seconded by: Lyn Lafferty

Vote: Motion carried 3-2.

Yes: Janice Catoggio; Lyn Lafferty; Gary Garner

No: Gary Masten; Cory Romaniuk

2. Increase the minimum lot size to 5,000 square feet in the single-family zoning for 175 dwelling units.

No motion was made for this recommendation

3. Increase the minimum lot size to 10,000 square feet in the agrihood zoning.

Motion: Recommend increasing the minimum lot size to 10,000 square feet in the agrihood zoning.

Moved by: Gary Garner

Motion died for lack of second

4. The PUD to comply with the new stormwater management standards in HS 7053.

Motion: Recommend the PUD comply with the new stormwater management standards in HS 7053.

Moved by: Gary Garner

Seconded by: Janice Catoggio

Vote: Motion carried unanimously.

5. Provide cup for cup compensating storage within the floodplain.

Motion: Recommend the PUD provide language to provide cup for cup compensating storage within the floodplain.

Moved by: Gary Masten

Seconded by: Gary Garner

Vote: Motion carried unanimously.

6. The PUD to include protection of historic trees.

Motion: Recommend the PUD provide language to include protection of historic trees on the property as defined by the City's Land Development Code.

Moved by: Gary Garner

Seconded by: Lyn Lafferty

Vote: Motion carried unanimously.

7. Sidewalks to be a minimum of 5 feet through the community.

Motion: Recommend sidewalks be a minimum of 5 feet in the PUD.

Moved by: Gary Garner

Motion died for lack of second

8. Increase the buffers abutting existing residential uses.

Motion: Recommend the buffers abutting existing residential uses are increased to 35 feet for natural buffers and 50 feet for planted landscaped buffers.

Moved by: Gary Masten

Seconded by: Gary Garner

Vote: Motion carried 4-1

Yes: Gary Masten; Gary Garner; Lyn Lafferty; Janice Catoggio

No: Cory Romaniuk

9. Prohibit installing individual residential well and septic systems.

Motion: Recommend the PUD prohibit the installation of individual residential well and septic systems.

Moved by: Gary Masten

Seconded by: Gary Garner

Vote: Motion carried unanimously.

10. Include the most recent traffic impact analysis in the information submitted to the City Commission.

Motion: Recommend the most recently submitted traffic impact analysis be included in the information submitted to the City Commission.

Moved by: Gary Masten

Seconded by: Gary Garner

Vote: Motion carried unanimously.

11. Reduce the max size and height of signs.

Motion: Recommend consideration to reduce the maximum height and square footage of the signs.

Moved by: Lyn Lafferty

Seconded by: Gary Garner

Vote: Motion carried 3-2.

Yes: Gary Masten; Lyn Lafferty; Gary Garner

No: Janice Catoggio; Cory Romaniuk

12. Consider regulating the light pollution from illuminated signs.

Motion: Recommend including language in the PUD to regulate light pollution from illuminated signs.

Moved by: Lyn Lafferty

Seconded by: Gary Garner

Vote: Motion carried 4-1.

Yes: Gary Masten; Gary Garner; Lyn Lafferty; Janice Catoggio

No: Cory Romaniuk

13. Consider holding another workshop to discuss the PUD.

Motion: Recommend the City Commission hold another workshop to discuss the PUD before making any final decisions.

Motion by: Gary Masten

Seconded by: Gary Garner

Vote: Motion carried unanimously.

14. Consider alternate routes for the PUD

Motion: Recommend the ingress and egress for the PUD be further reviewed.

Moved by: Lyn Lafferty

Seconded by: Gary Garner

Vote: Motion carried unanimously.

Mr. Grimm stated his concerns with some of the recommendations but has no issues including the recommendations into the PUD.

Board Alternate Romaniuk discussed the recommendation made to reduce the density.

Motion: Rescind the recommendation made to reduce the total density to 5,500 dwelling units.

Moved by: Cory Romaniuk

Motion died for lack of second

Motion: Submit the approved recommendations to the City Commission for the PUD.

Moved by: Gary Garner

Seconded by: Janice Catoggio

Vote: Motion carried unanimously.

8. Public Comment

Mr. Woodin expressed his concerns and how he doesn't see how the citizens benefit from development.

9. Board comment

None.

10. Adjournment of Planning and Zoning Meeting

Motion: Adjourn

Moved by: Gary Garner

Seconded by: Janice Catoggio

Vote: Motion carried unanimously



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****

Haw Creek Reserve 1/7/25

Good evening.

I have been following this project for a while now, learning the process along the way. It would seem we are in an historical position at this point in time for the future residents of Bunnell and Flagler County.

The Developers, City Manager and Planning Department, along with others, have worked diligently over the past two years in an attempt to negotiate what all believe would be in the best interest of both parties.

While nothing of this magnitude has occurred in Flagler County, other than perhaps, the original Palm Coast Development, there isn't any previous experience to guide any of us. However, the overwhelming outreach and involvement of the community to be a part of that future is obvious.

We are all concerned this project is simply 'too large' to impose all at once on a small town's City governance. We are imagining the impact on the resources of the city and county, along with that effect on current and future residents.

Having said that, here we are: The time to make decisions and move forward.

Once the PUD is agreed upon, there may be very limited opportunity to effect meaningful changes in the future. While we have been reliant upon the good will of the Developer and the presentations he has made, he has clearly stated the intent to sell off pieces of the development to others, who only will be bound by the specifics of the PUD. Therefore, **WORDS MATTER** and the specifics of this PUD are of utmost importance. Once agreed upon, the PZB and City Commission can not remove or change any of the agreements, but if restrictions are made now, they could always make exceptions down the road.

I would urge both this board and the City Commission to consider changing the current PUD so they may have leverage over the project as it goes forward. While I have researched some portions, I hope others will look into further restrictions and or adjustments, so the community may have a larger opportunity to shape the future of their city.

The paper I have passed to you contain certain calculations for your consideration. The biggest opportunity we have is to reduce the total number of units, which in turn will allow for larger lot sizes. While builders have sought smaller lot sizes to reduce costs and improve profits, we know the consumer is the one who pays for it, either in the original sales price or by fees collected over the next 20 years. The developers and builders will make their profit. Our responsibility as a community is to assist future home owners by giving them better choices for their living conditions.

Proposed Changes/Conditions for passage:

- 1.) Reduce total dwelling units to 5,500
- 2.) Single Family zoning: Increase minimum lot size to 5,000 SF, limited to 30% of all single-family units with that zoning.
- 3.) Rural Estates zoning: Increase minimum lot size to 10,000 SF, limited to 175 units.

I would hope the multi-family lot sizes would be adjusted accordingly.

Sincerely,

Barbara Maloney

Reserve at Haw Creek 2025

Development area	Acres					
	2787.5			*PUD - proposed		
40% Buildable land	1115				Sq. Ft.	units per acre
Public Services	-12	lowest estimate		*Rural Estates Minimum lot	5,000	8+ 50x100
RV Park	-15	lowest estimate		*Single Family Low Density	4,000	10+ 40x100
Light Industrial	-15	lowest estimate				
Commercial/Retail	-15	lowest estimate		with 5' side yard, each home can be only 30' wide, house set		
Roads/parking/sidewalks	-50	my estimate		back for parking 25' leaves little or no outside yard after		
				minimal 1200 SF structure is built.		
	1008	NET ACRES				
15 Rural Estates Perimeter lots	-75					
Balance of Buildable land	933	43,560 SF per acre				
*Dwelling Units (8000-15)	7985	40,641,480 SF				
land area per unit	1	5090 SF				
Dwelling Units (5500-15)	5,485	40,641,480 SF				
land area per unit	1	7410 SF		Average builder lot PC	10,018	4 80X125
				Grand Reserve Minimum	5,000	8+ 40x125
Dwelling Units (6000-15)	5,985	40,641,480 SF				
land area per unit	1	6,791 SF				

Proposed Changes/Conditions for passage

Reduce Total Dwelling units to 5,500

Single Family residential - low or medium density. (Adjust multi-family lot sizes accordingly)

Increase minimum lot size to 5,000 SF, also limit number of small lots to no more than 30% in total for whole development
 (30% would allow 280 acres for 2,240 units)

Rural Estates

Increase minimum lot size to 10,000 SF, limit to no more than 25% in that area
 (700 units x 25% = 175 lots covers approx. 44 acres)