



PLANNING AND ARCHITECTURAL REVIEW BOARD MEETING MINUTES

Tuesday, November 12, 2024 at 5:30 PM

City Commission Chambers – 105 S. 2ND Street, Flagler Beach, FL 32136

1. Call the meeting to order

Chairman Joseph Pozzuoli called the meeting to order at 5:30pm.

2. Pledge of Allegiance

Scott Chappuis led the Pledge of Allegiance.

3. Roll Call / Determination of Quorum

Present: Chairman Joseph Pozzuoli, Vice-Chairman Marshall Shupe, Brenda Wotherspoon, Lisa Smith, Joann Soman, Scott Chappuis

Absent: Paul Chestnut

Staff Present: City Attorney Drew Smith, City Planner Lupita McClenning and Secretary Michele Ficocello

4. Approval of Meeting Minutes

a. October 1, 2024

Joann Soman motioned to approve minutes; Lisa Smith seconded. City Attorney noted the Form 8B attached to the minutes regarding Board Member Brenda Wotherspoon's voting conflict for outdoor entertainment permit application OE-24-09-01. Motion passed unanimously.

5. Deletions and changes to the agenda - None

6. Old Business - None

7. New Business

- a. **Application PVAR24-0001:** Variance - The Applicant requests a variance from Land Development Code, Article II, Section 2.05.08.1. (a) All single-family dwelling units, shall have a minimum of nine hundred (900) square feet of livable enclosed floor space, exclusive of open porches and garages. The dwelling unit is 624 square feet of enclosed floor space.

Parcel ID No.: 18-12-32-2750-00300-0220 (0.17 of an Acre); **FLUM:** Low Density Residential (LDR); **Zoning District:** Single Family Residential (SFR); **Owner:** Cathy & Toby Horrocks, 317 S. 22nd Street, Flagler Beach, FL 32136; **Applicant:** Cathy & Toby Horrocks, 317 S. 22nd Street, Flagler Beach, FL 32136

City Planner Lupita McClenning presented the item and her staff report to the Board (Exhibit A referenced in the Staff Report, which was omitted from the original agenda packet is attached to the minutes). Board comments were opened, Applicant Cathy Horrocks was present and spoke before the Board. Discussion ensued and included; lot size, setbacks requirements, requirements for a separate water meter, original permit for structure, previous uses for the structure, definition of plumbing,

building code for a single family residence, electric meter, water and sewer permit, survey submitted with application, principal structure vs. accessory structure, outlet voltage dictates if a structure has a full kitchen, tracking and trigger of certificate of occupancy, density, rewrite of the land development code to allow two kitchens, title company's responsibilities to disclose compliance with code, concerns over parking (Brenda Wotherspoon provided photographs of the property to demonstrate parking concerns to the Board and pictures are attached to minutes), Ordinance 87-2 (Exhibit A) and granting variance to bring a nonconforming structure into compliance. Public comment was opened. Sharon Blum, 2109 S. Daytona Ave, spoke and comments included parking concerns and kitchen in structure was not permitted. Steve Roberts, 2048 S. Daytona Ave, spoke and comments included lack of due diligence by title companies. Marilyn Roberts, 2048 S. Daytona Ave, spoke and comments included setting a precedent in the future. Kristi Furnari, 2119 S. Flagler Ave, provided comments via email (attached to the minutes). Public comment was closed.

Motion to recommend approval of application PVAR24-0001 made by Scott Chappuis subject to the recommendation made by City Staff to grant the variance on the condition that the structure remain as the principal structure on the lot in compliance with the density prescribed in Comprehensive Plan, Low Density Residential, Single-Family Home (SFH) and the Land Development Code for single-family unit and single-family dwelling. Lisa Smith seconded the motion.

Discussion on the motion included concerns over the structure becoming a short-term rental and concerns over maintaining the current neighborhood standards.

Roll Call: Brenda Wotherspoon, Nay. Vice-Chairman Marshall Shupe, Yea. Lisa Smith, Yea. Joann Soman, Yea. Scott Chappuis, Yea. Chairman Joseph Pozzuoli, Yea.

Motion passed five (5) to one (1).

8. Other Business - None

9. City Planner Report

a. Signage for Compass by Margaritaville Hotel *Amended*

City Planner Lupita McClenning presented the item to update the Board of changes to the signage. Board comments included location of signage.

b. 2025 Proposed Meeting Schedule

City Planner Lupita McClenning presented the item. Schedule will be finalized and posted at a later date.

c. Gridics Update

City Planner Lupita McClenning presented the item. The project continues to progress and the Board was invited to test the system.

Ms. McClenning also advised a new Code Enforcement Officer will be starting November 18th and the the two Code Enforcement Officers will be working different shifts to cover the City's Code Enforcement needs.

Details for the legislative update workshop from the Northeast Florida Regional Counsel has been forwarded to the Board.

A Staff Appreciation Luncheon is coming up and the City Offices will be closed for the duration of the luncheon.

10. Board Comments

Chairman Joseph Pozzuoli announced his resignation from the Board effective at the end of the year. The December 2024 meeting will be his last meeting.

11. Adjournment

Motion to adjourn meeting made by Joann Soman, seconded by Scott Chappuis. Motion passed unanimously. Chairman Joseph Pozzuoli adjourned the meeting at 6:38pm.

ORDINANCE NO. 87-2

AN ORDINANCE AMENDING ORDINANCE NO. 81-1, CITY OF FLAGLER BEACH ZONING REGULATIONS SCHEDULE 1, ZONING SCHEDULE OF USE CONTROL CITY OF FLAGLER BEACH, SINGLE FAMILY RESIDENTIAL AND SECTION 5.80, MINIMUM SQUARE FOOTAGE OF DWELLING UNITS BY PROVIDING THAT SINGLE FAMILY RESIDENTIAL USE SHALL INCLUDE SUPPLEMENTAL REGULATIONS UNDER CLASSIFICATIONS R-1 THROUGH R-4, REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH AND SETTING AN EFFECTIVE DATE HEREOF.

1. Schedule 1, Zoning Schedule of Use Control, City of Flagler Beach, Single Family Residential as set forth in City Ordinance 81-1 be and the same is hereby amended by adding to the existing Schedule 1 Single Family Residential the following language: "There shall be four subcategories of Single Family Residential zoning within the City designated as R-1, R-2, R-3 and R-4. Unless otherwise designated or rezoned, all residential property shall be considered R-1 and subject to all the regulations applicable to Single Family Residential properties other than as designated for R-2 through R-4. Regulations for areas zoned R-2 through R-4 shall be the same as set forth for all single family residential properties except those supplementary lot regulations contained in Article V, Section 5.80 of this ordinance."

2. Section 5.80, Minimum Square Footage of Dwelling Units, of Ordinance 81-1 is amended to provide as follows: 5.80, Minimum Square Footage of Dwelling Units, 5.81, (a), All single family dwelling units, including townhouse units, shall have a minimum of 900 square feet of livable enclosed floor space, exclusive of open porches and garages; (b), those single family residential dwelling units located in an area zoned Single Family Residential-2 shall have a minimum of 1100 square feet of livable enclosed floor space, exclusive of open porches and garages; (c), those single family dwelling units located in areas zoned Single Family Residential-3 shall have a minimum of 1350 square feet of livable enclosed floor space, exclusive of open porches and garages; (d), those single family dwelling units located in areas zoned Residential-4 shall have a minimum of 1600 square feet of livable enclosed floor space, exclusive of open porches and garages.

3. Except as otherwise provided herein, all the remaining regulations applicable to all zoning classifications of single family residential as set forth in Ordinance 81-1 as the same may be amended shall remain in full force and effect.

4. All ordinances or parts thereof in conflict herewith be and the same are hereby repealed.

5. This ordinance shall take effect immediately upon passage as provided for by law.

PASSED upon first reading this 16th day of March, 1987.

PASSED upon the second and final reading this 23rd day of April, 1987.

CITY COMMISSION
CITY OF FLAGLER BEACH, FLORIDA

Mary Gurnee
Mary Gurnee, Commissioner

Betty Steffik
Betty Steffik, Commissioner

Helen M. Terpstra
Helen Terpstra, Commissioner

John V. Kelly
John V. Kelly, Commissioner

Mary Ann Clark
Mary Ann Clark, Commissioner

ATTEST:

Depothy D. Moore
Depothy D. Moore, City Clerk

APPROVED this 22nd day of April, 1987.

James G. Peura
James G. Peura, Mayor

Flagler Beach FL 32136
cathy@bhgsynergy.com
847-738-3786

Please excuse any typos, I'm sending this from my iPhone.

Begin forwarded message:

From: Kristi Furnari <kristi@ripplecoworking.com>
Date: November 7, 2024 at 4:10:10 PM EST
To: cathy@bhgsynergy.com
Subject: Letter from City of Flagler Beach

Hello Cathy,

I finally went down to the Post Office to pick up the letter in regard to the house at 2109 S Flagler Avenue.

It is unlikely that we will be able to make it to the town meeting, but if you would like to read my statement into the record I would be okay with that.

Dear Members of the Planning and Architectural Review Board,

My name is Kristi Furnari. My family and I reside at 2119 S Flagler Ave, one house away from the property in consideration of a variance at 2109 S Flagler Ave.

In my opinion, it seems unnecessary to force the addition to or demolition of the existing structure despite it not meeting the current land development code.

The condition of the structure is good and it does not visually look out of place. It was consistently occupied for many years by the previous owner so it remained well maintained.

If the current owner were proposing changes to the home, then it would be appropriate to update it to code. However if they are planning to sell or rent it as is it seems wasteful to force such a costly change to a perfectly functional dwelling. Let the market decide.

Respectfully,

Kristi Furnari
Ripple Coworking
ripplecoworking.com
Call or Text (386) 888-2700

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