



## STAFF REPORT

Regular City Commission Meeting

June 13, 2024

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**To:** Elected Officials

**From:** Dale L. Martin, City Manager

**Date:** June 8, 2024

**Item Name:** Ordinance 2024-10, an ordinance of the City Commission of the City of Flagler Beach, Florida amending the Official Zoning Map designation for 0.11+/- acres of certain real property located on North 6th Street with tax parcel ID number 12-12-31-4500-00020-0081 from General Commercial to Single Family Residential; providing for conflict; providing an effective date hereof - first reading.

**Background:** The Planning & Architectural Review Board reviewed this item at their May 07, 2024 meeting. The Planning Board approved the item unanimously. Motion by Joann Soman to recommend approval of the rezoning with incorporation of the findings made by Planning Staff. Lisa Smith seconded the motion. The motion carried unanimously.

**Analysis: Planner Criteria Parameters:**

**A. *The proposed rezoning does not conflict with or is contrary to the public interest;***

**Finding:** The proposed zoning change is consistent with the proposed 2010 Future Land Use Map designation for the property. The requested change will allow the applicant to develop the property to submit their continued residence on the neighboring property. Due to unique circumstances, the property is difficult to develop under its current zoning.

**B. *The proposed rezoning is consistent with the Goals, Objectives and Policies of the Comprehensive Plan***

**Finding:** The requested use of the property is consistent with, and furthers the Goals, Objectives and Policies of the Comprehensive Plan, as follows.

**Objective A.1.13 9J-5.006(3)(b)3**

Coordinate all new development and rezoning with the land use categories, densities and intensities as outlined in the City's adopted Comprehensive Plan.

**Policy A.1.13.2 9J-5.006(3)(c)2**

The City of Flagler Beach shall discourage the issuance of variances, special use permits, building permits or zoning changes in any case where the proposed land use is not consistent with the City of Flagler Beach duly adopted Comprehensive Plan.

**C. *The proposed rezoning must not impose a significant financial liability or hardship for the City;***

**Finding:** Any improvements that result from development after the rezoning that may require public improvements will be ensured via a Performance/Maintenance Bond (Site Plan Application level)

***D. The proposed rezoning must not create an unreasonable hazard, or nuisance, or constitute a threat to the general health, welfare, or safety of the City's inhabitants;***

**Finding:** The requested rezoning does not pose an unreasonable hazard, or nuisance, or constitute a threat to the general health, welfare, or safety of the City's inhabitants. The change in zoning for the property under consideration is in harmony with the Future Land Use Map and consistent with the requested zoning designation as it relates to adjoining properties.

**Fiscal Impact:** N/A

**Staff Recommendation:** Approve Ordinance 2024-10, approving a Rezoning Application RZ#24-0001 to rezone Parcel I.D. No. 12-12-31-4500-00020-0081 from General Commercial to Single Family Residential *based* upon findings of fact which demonstrate the zoning change request is following all applicable Objectives and Policies of the City of Flagler Beach Comprehensive Plan.

**Attachments:** Ordinance 2024-10, Rezoning Application, Survey, Location Map, Legal Advertisement, Public Notification, Future Land Use Map, and Zoning Map.