

This is a Quasi-Judicial Proceeding

It is important to remember that quasi-judicial procedures require the County Commission to fairly and impartially determine whether an applicant has demonstrated that the subject application meets the all of the requirements of the Flagler County Land Development Code and any other applicable rules and regulations, and whether the application is consistent with the Flagler County Comprehensive Plan.

THE EVALUATION CRITERIA

In making your evaluation of an application during a quasi-judicial hearing, you are required to rely solely on competent, substantial evidence presented at the hearing. Competent, substantial evidence is fact-based, material, reliable evidence that a reasonable mind would accept as adequate to support a conclusion. Any testimony or evidence that is offered during a quasi-judicial hearing that does not meet this test cannot be considered by the County Commission.

PERSONAL OPINIONS ARE IRRELEVANT!

**PERSONAL OPINIONS OF THE
PUBLIC ARE IRRELEVANT TO
YOUR DECISION MAKING
PROCESS IN THIS PROCEEDING.**

FACTS FOR DISAPPROVAL

Tonight you will be presented with facts, not opinions, from members of the **Save The Hammock** group that definitively prove the application by Salamander to build a commercial hotel and conference center on the plat and deed restricted Ocean Hammock Golf Course property does not meet the criteria for approval due to violations of the numerous provisions of the **Flagler County Land Development Code** and the **Flagler County Comprehensive Plan**.....

THESE INCLUDE.....

FAILURE TO MEET Objective 3 of the Recreation and Open Space Plan that requires the County to preserve and enhance "[t]he natural, recreational, archeological, scenic, historical and cultural resources of the A1A Scenic Highway" including Old Salt Park.

FAILURE TO MEET

The County's management plan for the Scenic Highway which emphasizes "context sensitive design" for development occurring within the corridor.

FAILURE TO MEET

Section 6.05.03 of the Land Development Code which provides that “it is the purpose of this article to protect the threatened and endangered sea turtles which nest along the beaches of Flagler County, Florida, and to encourage sea turtle nesting on Flagler County beaches by minimizing the artificial light on the beaches.”

FAILURE TO MEET

LDC Section 6.05.05. - Lighting standards for future development which provides at (a)(2) “Lights shall not directly or indirectly illuminate the beach during the sea turtle nesting season.”

FAILURE TO MEET

SECTION 3.04.02 OF THE LAND DEVELOPMENT CODE WHICH REQUIRES IN THE CASE OF A MODIFICATION OF A PUD THE SUBMISSION OF A BOUNDARY SURVEY, EVIDENCE OF UNIFIED CONTROL OF THE PARCEL, AN AGREEMENT FROM ALL THE PARCEL OWNERS AND OTHER CODE REQUIREMENTS.

FAILURE TO MEET

LDC SECTION 3.04.02.F.2

The proposed PUD will not affect adversely the health and safety of residents or workers in the area and will not be detrimental to the use of adjacent properties or the general neighborhood.

DUE TO THESE FAILURES,
AND OTHERS YOU WILL
BE PRESENTED, THE
SALAMANDER
APPLICATION MUST BE
DENIED.

LUBERT ADLER OWNS OVER 4,000
ACRES OF LAND ELSEWHERE IN
FLAGLER COUNTY THAT ARE NOT
OPEN SPACE PLAT RESTRICTED. LET
THEM BUILD THEIR HOTEL THERE.

