

The Franklin County Board of Adjustment met in regular session in the Franklin County Courthouse on Wednesday, January 4, 2006 at 9:00 a.m.

PRESENT:	Vance Millender	Chairman
	Billy Granger	Vice Chairman
	Richard Harper	Member
ABSENT:	Joe Hambrose	Member
	Bryant Hand	Member
	Mike Schneider	Member

The meeting was called to order by Chairman Vance Millender, who thereafter presided.

On motion by Member Harper, seconded by Member Granger, and by unanimous vote of the members present, it was agreed to approve the minutes of the meeting for December 7, 2005, as mailed.

Chairman Millender explained that items 2, 4 and 7 had been removed from the agenda by request of the applicants. He told the members that Mr. Richard Dowden had volunteered to allow Items 5 and 6 be heard prior to his request.

Heath Galloway, Agent for Larry and Angela Troy, owners, presented a request for a variance to construct a building five feet into both side lot lines on property described as Lot 5, Block 2, Unit One East, St. George Island, Franklin County, Florida. After some discussion and on motion by Member Granger, seconded by Member Harper and by unanimous vote of the members present, it was agreed to recommend approval for this variance as requested.

Heath Galloway, agent for Steven and Merie Seger, owners, then presented a request for a variance to construct a building five feet into both side lot lines on property described as Lot 6, Block 2, Unit One East, St. George Island, Franklin County, Florida. He explained that lots 5 and six are joining lots. He said both owners are requesting the same variance for construction into the side setbacks.

After some discussion and on motion by Member Granger, seconded by Member Harper and by unanimous vote of the members present, it was agreed to recommend approval for this variance as requested.

The board then heard a request from Mr. Richard Dowden, owner of a 1.32 acre parcel lying in Section 18, Township 7 South, Range 4 West, at 570 River Road, Carrabelle, Franklin County, Florida. Mr. Dowden addressed the Board to request a variance to build a single family dwelling within the Critical Habitat Zone.

Mrs. Rachel Ward of the Planning and Zoning Department informed the Board Members that Mr. Dowden has a unique circumstance. She explained that DEP has issued a permit for Mr. Dowden to fill a wetland. Based on the DEP Permit, Mr. Dowden had proceeded to place fill on the property. She said the Building Department issued a site-prep permit for the project without knowing that the property was located in a wetlands area. It was not until Mr. Dowden presented his topographical survey and was preparing to obtain his building permit, that it was realized the property is a wetland.

She further explained that normally DEP would require a Letter of No Objection, or a letter stating that the development was consistent with Franklin County's Land Development Regulations prior to issuance of a DEP Fill Permit.

Ms. Ward explained that the county is sympathetic with Mr. Dowden's problem and would like to work towards a solution. She told the Board that the county has provisions for land owners whose property contains wetlands. She said that the county would consider allowing him to build a house with a maximum one thousand square feet footprint.

She said that Mr. Dowden had two choices, he could proceed with the request or He could wait for the Comprehensive Plan to be finalized. However, she did not know how long this might take. She explained that the New Comprehensive Plan defines two types of wetlands; low quality wetlands and high quality wetlands. She said this determination is made by the type of vegetation on the lot. She believed Mr. Dowden's property would have low quality wetlands which would allow him to build on the property.

Mr. Dowden stated he had hired Elva Peppers to obtain the DEP Permit and assumed there was no problem with it. Mr. Dowden said he intends to make this his permanent home and does not want to have to limit himself to a one thousand square feet footprint or to have to climb stairs.

Ms. Ward explained that the Board could act on the matter or pass it to the Board of County Commissioners without a recommendation. Mr. Dowden said he would rather the Board of Adjustment make a recommendation one way or another.

After much discussion and on motion by Member Granger, seconded by Member Harper, and by unanimous vote of the Members present, it was agreed to recommend this variance request to build in the wetlands be denied because Mr. Dowden would not agree to limit the footprint of the house to one thousand square feet.

There being no further business, the meeting adjourned at 9:30 a.m.

Vance Millender, Chairman

ATTEST:

Rachel L. Ward, Zoning Administrator