

The Franklin County Board of Adjustment met in regular session on Wednesday, April 5, 2006, at 9:00 a.m. in the Franklin County Courthouse Annex.

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

The meeting was called to order by Chairman Millender, who thereafter presided. On motion by Member Harper, seconded by Member Hambrose and by unanimous vote of the members present, it was agreed to approve the minutes of the meeting held on Wednesday, March 1, 2006, as mailed.

The Board the heard a request for the consideration of a variance to construct an open shed 15 feet into the setback line off of Bayshore Drive and 40 feet into the Critical Habitat Zone on property described as Lots 1-4, Block 3, Unit 1 East, St. George Island, Franklin County, Florida. Request submitted by Wild Women, Inc, owners.

Ms. Ward stated that this was a legitimate hardship based on the fact that this is a unique, true commercial venture in the commercial district on St. George Island. Ms. McMillan, owner of this commercial business stated that she has owned this business over 14 years and she employs 14 people. Ms. McMillan went on to say that this shed is essential to their business, due to the fact that during Hurricane Dennis the company lost \$180,000 in equipment. Ms. McMillan stated that this shed would be used to store the kayaks and office equipment in the loft area. There were a lot of concerns based on the critical habitat areas and whether they would be heavily impacted. Dan Tonsimiere stated that there are marine and wildlife habitation surrounding this area and would need to make sure if built would protect the natural resources of the property. Mr. Tonsimiere stated that he would work with Ms. McMillan to ensure a natural working habitat and would mitigate a safe plan. Ms. Ward and Mr. Shuler agreed to the hardship and recommended this project be approved contingent upon mitigating this project to ensure protection any of the natural resources. Some of the members were concerned about setting a precedent. Ms. Ward stated that the each request would be reviewed the same and would be based on hardship. Ms. McMillan requested that this be expedited due to hurricane season starting on June 1st. On motion by Member Harper, seconded by Member Hambrose and by unanimous vote of the members present, it was agreed to recommend this item, contingent upon mitigating with the River Keepers to protect the natural resources on this property.

The Board Members then heard the next three request for consideration of a request for a variance to construct a seawall within the Critical Habitat Zone on property described as Lot 10, Block V, Unit 1, Lanark Beach, Franklin County, Florida. Paul Pauluzzi, NB Investments, LLC, owner, and consideration of a request for a variance to construct a seawall within the Critical Habitat Zone on property described as Lot 11, Block V, Unit 1, Lanark Beach, Franklin County, Florida. Scott Roberts, NB Investments, LLC, owner, and consideration of a request for a variance to construct a seawall within the Critical Habitat Zone on property described as Lot 12, Block V, Unit 1, Lanark Beach, Franklin County, Florida. Michael Riley, owner.

Ms. Ward stated that these requests are adjoining property owners and they would like to construct one seawall across lots 10, 11 and 12 to prevent further erosion of the property. Ms. Ward stated that the pine tree on the lots were being undermined by the water and the roots are exposed and would need to back fill behind the seawall in order to further protect the property. River Keepers, Dan Tonsimiere stated that the breakwater would be a better alternative to the seawall and plant marsh to help maintain the land. On motion by Member Harper, seconded by Member Hambrose and by unanimous vote of the members present, it was agreed to recommend these requests to be approved.

Ms. Ward informed the members that item 6 was withdrawn at the owners request. At this time no variance is required.

The Board Members then heard a request for consideration to construct a single family dwelling 25 feet into the Critical Habitat Zone on property described as Lot 4, Block 74, Unit 5, St. George Island, Franklin County, Florida. Request submitted by GEA, Inc, agent for David Walker, owner.

Mr. Garlick stated that this site contains interior wetlands and had approval to fill the lot from DEP. Ms. Ward questioned the issuance of an aerobic system. Mr. Garlick stated that the permit has expired, but should not be a problem to re-activate the permit. Ms. Ward stated that this project was based only on a 1,000 square foot footprint. On motion by Member Harper, seconded by Chairman Millender and by unanimous vote of the members present, it was agreed to recommend approve of this request.

Consideration of a request for a variance to construct a single family dwelling 27 feet into the Critical Habitat Zone on property described as Lot 5, Block 74, Unit 5, St. George Island, Franklin County, Florida. Request submitted by GEA, Inc, agent for David Walker, owner.

On motion by Member Harper, seconded by Member Hambrose and by unanimous vote of the commission present, it was agreed to table this item, at the agents request.

The board then heard a request for a variance to construct an addition to an existing dwelling 20 feet into the front setback line at 1439 Alligator Drive, Alligator Point, Franklin County, Florida. Request submitted by Jim McCloy, owner.

Ms. Ward stated that this project is permitted with Franklin County and with DEP. Mr. McCloy stated that the engineer did not provide adequate parking underneath the house and they would have to utilize parking by the street. Mr. McCloy stated rather than cause a parking hazard it would be wiser to request a variance to construct a staircase that would allow underneath parking. On motion by Member Hambrose, seconded by Member Harper and by unanimous vote of the members present, it was agreed to recommend this item for approval.

The board then heard a request for a variance to exceed the nine foot height limit by constructing a single family dwelling 11 feet above grade, also to encroach five feet into both side lot lines on property described as 1804 Highway 98, Carrabelle Beach, Section 25, Township 7 South, Range 5 West, Franklin County, Florida. Request submitted by Randy and Ann Langston, owners.

Mr. Langston stated that his house was destroyed by Hurricane Dennis last year and he would like to re-build, however, Mr. Langston stated that he would like to increase the height to park a boat underneath and the house plan chosen would encroach into both side lot lines. Ms. Ward stated that this is not a hardship and recommended denial of this project. On motion by Member Harper, seconded by Member Hambrose and by unanimous vote of the members present, it was agreed to deny this request.

The board then heard a request for a variance to construct a swimming pool 17 feet into the front setback line off of Bayshore Drive on property described as Lot 1, Block 2, Unit 1 East, St. George Island, Franklin County, Florida. Request submitted by Larry and Angela Troy, owners.

Ms. Ward stated that pools are not necessarily considered a hardship. Mr. Troy stated that this pool would not encroach into any of the Critical Habitat Zone. Lisa, of Blue Water Pools, stated that there was no other place on the property to position a pool and would need this variance to permit the pool. Ms. Ward had concerns of Bayshore Drive being platted, but would never be developed. Mr. Shuler stated that it is a platted road and would have to be considered as such. On motion by Member Harper, seconded by Member Hambrose and by unanimous vote of the members present, it was agreed to deny this request.

The board then heard a request for a variance to relocate an existing dwelling to the front of the property line off Gulf Shore Drive on property described as Lot 16 (unrecorded), Dog Island, Franklin County, Florida. Request submitted by Bill Houston, agent for Christian Amuroux, owner.

There being much discussion on this item, Ms. Ward stated that the adjacent neighbor Coby Brooks, requested a 22 foot variance in October 2005, and was granted the request. Ms. Ward stated that DEP would be agreeable to have the house moved as far away from the gulf as possible. Mr. Houston stated that this house is presently on grade and would be moved closer to the road and placed on pilings to make the house 9 foot above grade. On motion by Member Hambrose, seconded by Member Harper and by unanimous vote of the members present, it was agreed to recommend that this item be approved to move 22 feet into the front setback.

The board then heard the consideration of a request of a Special Exception to allow a fifteen slip boat dock as a water dependent tourist commercial facility on property described as lying in Section 11, Township 9 South, Range 8 West, in the Two Mile area west of Apalachicola, Franklin County, Florida. Request submitted by GEA, Inc, agent for Driftwood LLC, applicant.

Mr. Garlick stated that this is a new hybrid marina and would permit one slip per 20 linear feet of shoreline which would allow for 15 slips. Mr. Garlick stated that of these slips, 12 would be for residential uses and 3 for commercial uses. There being much discussion of this item, Mr. Garlick stated that approval of any marina is based on proximity to oyster beds and water quality. Mr. Shuler requested this item to be tabled until staff could review the hybrid marina in detail. On motion by Member Hambrose, seconded by Member Harper and by unanimous vote of the commission present, it was agreed to table this item.

There being no further business to discuss, it was agree to adjourn at 11:10 a.m.

Vance Millender, Chairman

ATTEST:

Rachel L. Ward, Zoning Administrator