

The Board of Adjustment met in regular session in the Franklin County Courthouse annex on Wednesday, June 1, 2005, at 9:00 a.m.

PRESENT:	Vance Millender	Chairman
	Billy Granger	Vice Chairman
	Richard Harper	Member
	Joe Hambrose	Alt Member
ABSENT:	Bonnie Segree	Member
	Bryant Hand, Sr.	Member
	Susan Howze	Alt Member

The meeting was called to order by Chairman Millender, who thereafter presided. On motion by Member Harper, seconded by Member Granger, and by unanimous vote of the Board present, it was agreed to approve the minutes of the meeting held May 4, 2005, as mailed.

Concerning consideration of a request for a variance to construct additional living space and open deck to an existing dwelling 22 feet into the Critical Habitat Zone on property described as Lot 41A, Alligator Point Subdivision, Alligator Point, Franklin County, Florida, as requested by Stephen Sheldon, owner. Mr. Sheldon appeared before the Board and presented a current survey which indicated that the lot has actually increased in size. The heated floor area would only extend about 18" into the Critical Habitat Zone and the deck about 24 feet. After much discussion, the Board asked that Mr. Sheldon decrease his living space by 18" to keep it out of the Critical Habitat Zone and they would recommend approval of the variance for the deck. On motion by Member Harper, seconded by Member Granger and by unanimous vote of the Board present, it was agreed to recommend to the Board of County Commissioner that they approve a 24 ft. variance to construct an open deck within the Critical Habitat Zone.

Regarding consideration of a request for a variance to construct stairs 9'6" into the side setback line on property described as Lot 46, Block 10, Unit One East, St. George Island, Franklin County, Florida, as requested by Daryl Odom, agent for Steve Maccharella, owner. The agent, Daryl Odom, appeared before the Board and showed the members a site plan indicating a fifteen ft wide building on a 25 ft wide lot. The structure has already received a variance of five feet into the side setback and the

stairs would extend another 4'6". The Board expressed concern over allowing a variance to construct the stairs so close to the property line, and felt the stairs could be relocated to the front of the building. On motion by Member Harper, seconded by Member Hambrose and by unanimous vote of the Board present, it was agreed to recommend to the Board that they deny this variance request.

Concerning a variance to construct a carport 3 feet into the side setback line on property described as Lot 5, Golden Acres, Phase II, Eastpoint, Franklin County, Florida as requested by Larry Hatfield, agent for Robert Carroll, owner. Roy Carroll and Chester Creamer appeared before the Board and explained that there had been an error when the house was laid out prior to construction and was not discovered until after the house was dried in. The adjacent property owner, Anthony Sullivan, was also present and stated that he would like to see an agreement reached concerning landscaping and fencing before the Board approves the variance. The Board members agreed that they could not stipulate the variance upon this agreement, but felt that the applicant and Mr. Sullivan have two more weeks before the Board takes final action on this variance request. On motion by Member Granger, seconded by Member Harper, and by unanimous vote of the Board present, it was agreed to recommend to the Board of County Commissioner that they approve this variance request.

Regarding consideration of a request for a variance to construct a swimming pool 19 feet into the front setback line on property described as Lot 2, Block 61, Unit 5, St. George Island, Franklin County, Florida, as requested by Blue Water Pools, agent for Doyle and Sue Matthews, owners. Mr. Curenton told the Board that he visited the site and there is no other location for the pool to be installed and recommends approval of this request. On motion by Member Hambrose, seconded by Member Granger, and by unanimous vote of the Board present, it was agreed to recommend to the Board of County Commissioners that they grant this variance request.

Concerning consideration of a request for a variance to construct a building 17 feet into the front setback line on property described as Lot 8, Block 3, Unit One East, St. George Island, Franklin County, Florida, as requested by Steve Talley, agent for Jeannie Wray, owner. Mr. Curenton explained that a wetland is located on the rear of the property and in order to maintain the 50 ft setback off of this wetland, the building will need to be located closer to Gunn Street. He went on to explain that Gunn Street is actually an unpaved alley that has been designated a street as it is the only access to the property, he

recommended the Board approve this request. The Board members expressed concern over the building being located so close to a road and suggested that it might be moved closer to the wetland. After much discussion concerning this matter, the following motion was made: A motion was made by Member Granger, seconded by Member Millender, to approve this variance request, however, the motion died for lack of a majority vote:

YEA: Member Millender
Member Granger

NAY: Member Harper
Member Hambrose

Regarding consideration of a request for a variance to construct a building 7 feet into the front setback line on property described as Lot 9, Block 3, Unit One East, St. George Island, Franklin County, Florida, as requested by Steve Talley, agent for Jeannie Wray, owner. Mr. Curenton said that this lot is adjacent to the above mentioned property, however, the wetland does not intrude as far into the lot and the applicant needs only a 7 ft variance, again, a motion was made by Member Millender, seconded by Member Granger, but died for lack of a majority vote:

YEA: Member Millender
Member Granger

NAY: Member Harper
Member Hambrose

Concerning consideration of a request for a variance to construct a condominium unit 15 feet into the setback line off of US Highway 98 on property described as 83 US Highway 98, Section 36, Township 8 South, Range 7 West, Eastpoint, Franklin County, Florida as requested by Adam Jones, agent for Diversified Executive Crestview, LLC. Mr. Curenton presented a site plan which indicated that 9 units will be built on this site with the unit closest to the Highway extending into the setback. He explained that because the right-of-way off of Highway 98 widens from 100 feet at the closest point to 300 feet approaching the causeway, the building will actually be sitting further back than the Sea Breeze Motel which has been recently demolished sat. After some discussion regarding safety concerns and future development of Highway 98, the following motion was made: Member Millender made a motion to approve the variance request, Member Harper seconded the motion, however, the motion failed for lack of a majority vote.

YEA: Member Millender
Member Harper

NAY: Member Granger
Member Hambrose

Regarding consideration of a request for a variance to construct a rock revetment within the Critical Habitat Zone on property described as lying on the south side of US Highway 98 in Section 35, Township 7 South, Range 5 West, Franklin County, Florida, as requested by Garlick Environmental Associates, Inc., agent for Deer Partners, LLC. Mr. Garlick submitted a letter several days ago asking that this matter be tabled. On motion by Member Granger, seconded by Member Harper, and by unanimous vote of the Board present, it was agreed to table this request.

The Board, at this time, discussed setting a policy concerning withdrawal of requests after a motion has been made but before final action is taken. The members agreed that this is very frustrating for them to review a request and when the vote doesn't appear to be going the way the applicant wants, it is suddenly withdrawn. The Board discussed this with Michael Shuler, county attorney, and he suggested that the Board not set a policy until it appears that this is becoming a real problem. It has happened only a couple of times, and the public is now aware of the Board's frustration concerning this practice.

Dan Garlick asked the Board and Mr. Shuler the role of alternate on the Board of Adjustment; are they able to sit on a board only if there is no quorum or can they fill a regular member's seat if that member is absent. Mr. Shuler said that he would review this matter and let them know at a later meeting.

There being no further business to discuss, it was agreed to adjourn at 10:45 a.m.

Vance Millender, Chairman

Attest:

Mark Curenton, Assistant County Planner