

The Franklin County Board of Adjustment met in regular session in the Franklin County Courthouse on Monday, September 7, 2005, at 9:00 a.m.

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

The meeting was called to order by Vice Chairman Granger, 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 August 3, 2005, as mailed.

In the absence of Alan Pierce, Rachel Ward made the presentations before the Board. Ms. Ward asked the Board to skip items two and three on the agenda to allow the interested parties a little more time to arrive.

Regarding consideration of a request for a variance to construct a rip rap revetment within the Critical Habitat Zone on property described as 578 River Road, a 1.10 acre parcel lying in Section 18, Township 7 South, Range 4 West, Carrabelle, Franklin County, Florida, request submitted by Garlick Environmental Associates, Inc., agent for William Lawlor, owner, Mr. Garlick explained this is a DEP regulated area. Ms. Ward stated that no objections have been received regarding this request.

On motion by Member Harper, seconded by Member Hambrose, and by unanimous vote of the members present, the Board agreed to recommend to the Board of County Commission that they approve this request.

Regarding consideration of a request for a special exception to cluster 40 lots on 40.93 acres lying in Section 5, Township 7 South, Range 1 West, Alligator Point, Franklin County, Florida, request submitted by Garlick Environmental Associates, Inc.,

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Agent for ALP FLA Development, LP, owners, Mr. Garlick told the Board that the project had encountered some unexpected problems. He explained that Alan Pierce told him that the county is opposed to this development based on the fire protection issue. Mr. Garlick said according to his meeting with the Alligator Point Resources Board, the water is available. However, this issue needs to be resolved by the Board of County Commissioners prior to discussion of the Board of Adjustment.

There was some discussion as to whether the reservations were coming from the Board of County Commission or the Planning and Zoning Department. Ms. Ward stated the Planning and Zoning Commission had recommended approval of the project. However, there were some concerns which need to be addressed before the project can go forward. She said Mr. Pierce had a letter from Mr. Tom VanderPlaats to Sheryl Sanders, Chairman of the Board of County Commission, expressing concerns about the water and providing adequate fire protection.

Mr. Alan Phipper, with the Alligator Point Fire Department, said he had also written to Chairman Sanders expressing concerns about the water situation. He said Alligator Point is under severe water restrictions at the present.

Mr. Garlick showed the Board a map of the layout for Hidden Harbor, Phase II, and explained that he felt the project met all the requirements for cluster development.

After discussion, and on motion by Member Howze, seconded by Member Harper, and by unanimous vote of the Board, it was agreed to table this request until the October 5th meeting to allow time to resolve the water issues.

Regarding consideration of a request for a special exception to cluster 3 lots on 3.32 acres lying in Section 21, Township 8 South, Range 8 West, North of Apalachicola, on Bluff Road, Franklin County, Florida, as requested by Garlick Environmental Associates, Inc., agent for John Bone, owner, Mr. Garlick made the presentation for the cluster development. He noted that the development met the requirements for clustering.

After some discussion, and on motion by Member Hambrose, seconded by Member Harper, and by unanimous approval of the Members present, it was agreed to recommend to the Board of County Commission that this development be approved.

Concerning consideration of a special exception to cluster 14 lots on 15.17 acres lying in Section 26, Township 8 South, Range 8 West, north of Apalachicola on Bay City Road, Franklin County, Florida, as requested by Garlick Environmental Associates, Inc., agent for Ms. Betty Walker, owner, Mr. Garlick told the Board this is Phase II of Rivercrest Subdivision, which was approved last month. He told the board that the area is all uplands with the exception of one small area where the road goes around. Mr. Garlick told the board that if they preferred, Ms. Walker would concede to bridge the area of concern. Ms. Ward told the board that as an isolated wetland, no DEP Permits would be necessary.

After minimal discussion, and on motion by Member Harper, seconded by Member Hand, and by unanimous approval of the Members present, it was agreed to recommend to the Board of County Commission that this cluster development be approved, contingent upon bridging the wetland area.

Concerning a request for a variance to create a lot with 95 foot width on Highway 98, on property described as Lot 10, Driftwood Subdivision, Franklin County, Florida, as requested by Nick Saporito, agent for Joseph and Linda Celollo, owners, Mr. Pat Floyd made the presentation. He explained that the property is located East of St. James and South of Highway 98. Mr. Floyd presented the Board with a copy of the lay out of the subdivision. He said the parcel in question is a two acre lot. Mr. Floyd argued that this had been done in other areas of the county and he felt it met the subdivision standards.

Ms. Ward noted for the Board that the lot in question showed some wetlands and felt the developer took the wetlands into consideration when the plat was drawn up and approved. She also noted that by requesting a variance from the required 100 feet lot width, indicated that the lot did not meet the requirements for subdivision. She further explained that variances are based on hardship and she did not see the hardship.

After much debate, and on motion by Member Hambrose, seconded by member Harper, and by the following vote, of the Members present, it was agreed to recommend to the Board of County Commissioners that this variance be denied.

YEA:	Joe Hambrose	NAY: Billy Granger
	Richard Harper	Bryant Hand
	Susan Howze	

Concerning a request for a variance to construct a single family house one foot into the front setback line off of Randolph Street, a swimming pool 30 feet into the Critical Habitat Zone, and a pool deck five feet into the east side setback line on property described as Lot 4, Block 65, Unit 5, St. George Island, Franklin County, Florida, as requested by John Homan, Gibbs Miller Construction, agent for 727 Randolph Street, LLC, owners, Mr.Homan presented the request.

Much discussion followed concerning this request. Mr. Charles Hurst and Mr. John Thompson, adjoining home owners, were present and objected to the variance as presented. The Board noted that variances are based on hardship and felt the house and pool, having not yet been built, could be re-configured to accommodate the house and pool without encroaching into the Critical Habitat Zone.

Mr. Gibbs Miller said he did not wish to alienate the neighbors, withdrew his request for the variance and agreed to work with the adjoining property owners to come up with a site plan that would be agreeable to all involved.

Regarding consideration for a variance to construct a building five feet into the setback line off of East Pine Avenue and ten feet into the setback line of Third Street East, on property described as Lots 23-30, Block 4, Unit One East, St. George Island, Franklin County, Florida as requested by St. George Development , Inc., owner, request presented by Mr. Tom Brock.

Mr. Brock explained that he had been working with Alan Pierce to come up with an acceptable site plan. There was much discussion regarding whether the pool could be smaller or whether the units could be shorter so that no variance would be required.

Ms. Ward explained that on these 25 feet wide lots, the county had routinely issued variances to allow property owners to be able to build. She explained these units would still be required to have the fire walls between the units. Mr. Harper questioned, with owning eight lots, whether a variance should be needed. Mr. Brock explained that with this type of development, having a pool is imperative to the selling of the units.

Member Harper noted that he felt bad about the lack of communication between Mr. Pierce and this Board. Ms. Ward explained that Alan had worked with Mr. Brock to make the lay out as pleasing as possible. Several members expressed pleasure for the over all site plan, noting that it was much more appealing than some of the existing lay outs for these 25 feet lots.

After much discussion, Member Hand made a motion to approve this site plan, the motion died for lack of a second.

Member Harper then made a motion to table this request until the October 5th meeting to allow the Board to discuss the request with Mr. Pierce. The motion was seconded by Member Hambrose and approved by unanimous vote of the members present.

Regarding consideration for a variance to construct a vertical seawall within the Critical Habitat Zone on property described as Lot 11, Block 54, Unit 5, St. Geroge Island, Franklin County, Florida, as requested by Charles E. Johnson, owner, Mr. Johnson presented the request to the Board.

Mr. Johnson explained that he would be tying into an existing wall on the East end. The wall will be built landward of mean high water by Larry Joe Colson. After discussion and on motion by Member Howze, seconded by Member Hand, and by the following vote, it was agreed to recommend to the Board of County Commission this variance be approved.

YEA: Billy Granger
Susan Howze
Joe Hambrose
Bryant Hand

NAY: Richard Harper

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There being no further business to discuss, it was agreed to adjourn the meeting at 10:35 a.m.

Billy Granger, Vice Chairman

Attest:

Rachel L. Ward, Zoning Administrator