

The Franklin County Board of Adjustment met in regular session in the Franklin County Courthouse on Wednesday, November 2, 2005, at 9:00 a.m.

PRESENT:	Vance Millender	Chairman
	Bryant Hand	Member
	Richard Harper	Member
	Joe Hambrose	Member

ABSENT:	Billy Granger	Vice Chairman
	Mike Schneider	Member

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

On motion by Member Hand, seconded by Member Hambrose, and by unanimous vote of the members present, it was agreed to approve the minutes of the meeting of October 5, 2005, as mailed.

Rachel Ward explained that items two through six on the agenda were relevant to each other, in that they were adjoining parcels. She went on to explain that it was recommended these revetments be approved because there is already revetments to the East and West of these properties to which these revetments will connect. She recommended separate motions for each request because they are under separate ownership. The following motions were made concerning these revetments:

The Board considered a request for a variance to construct a rip rap revetment within the Critical Habitat Zone on property described as Lot 1, Mary's Beach Subdivision, Franklin County, Florida. The request was submitted by Garlick Environmental Associates, Agent for Mary McLeod and Rachel Bachman, Owners.

On motion by Member Harper, seconded by Member Hand, and by unanimous vote of the Members present, it was agreed to recommend approval for this rip-rap revetment.

The Board then heard a request for a variance to construct a rip rap revetment within the the Critical Habitat Zone on property described as Lot 2, Mary's Beach

Subdivision, Franklin County, Florida. The request was submitted by Garlick Environmental Associates, Inc., Agent for the Daly Family Limited Partnership, Owner.

On motion by Member Harper, seconded by Member Hand, and by unanimous vote of the Members present, it was agreed to recommend approval for this request.

The Board then considered a request to construct a rip rap revetment within the Critical Habitat Zone on property described as Lot 3, Mary's Beach Subdivision, Franklin County, Florida. The request was submitted by Dan Garlick, Agent for Jimmy Meeks and Sidney Gray, Owners.

On motion by Member Hambrose, seconded by Member Hand, and by unanimous vote of the Members present, it was agreed to recommend approval for this request.

The next request was for a variance to construct a rip ret revetment in the Critical Habitat Zone on property described as Lot 4, Mary's Beach Subdivision, Franklin County, Florida. The request was submitted by Dan Garlick, Agent for John P. Cronin, Owner.

On motion by Member Hand, seconded by Member Hambrose, and by unanimous vote of the Members present, it was agreed to recommend approval for this revetment.

The Board then heard a request for a variance to construct a rip ret revetment in the Critical Habitat Zone on property described at Lot 5, Mary's Beach Subdivision, Franklin County, Florida. Dan Garlick represented the owner, Mary McLeod.

On motion by Member Harper, seconded by Member Hand, and by unanimous vote of the Members present, it was agreed to recommend approval for this request.

The next item on the agenda was for a variance to construct a boa tramp on a 20 foot ingress/egress easement on property described at Lot 13, Block 5, Carrabelle River Subdivision, Franklin County, Florida. Dan Garlick, Agent for Tom Schorborg, Owner, asked this request be tabled.

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

Regarding consideration of a request for a variance to construct a vertical seawall with rip rap within the Critical Habitat Zone on property described as being located in Section 35, Township 7 South, Range 5 West, between Eastpoint and Carrabelle, Franklin County, Florida; request submitted by Dan Garlick, Agent for Deer Partners, LLC, Owner.

Rachel Ward expressed concern that the owners of the property are trying to make buildable lots on the South side of Hwy. 98. She said that after speaking with Dan Garlick, she does not believe this to be the case. She went on to explain that this seawall would definitely help protect the highway along this region.

Mr. Garlick explained that over the years various property owners have received variances to construct seawalls or revetments in this area. The property is now unified under one ownership. He said it is not the intention of the owners to try and create buildable lots, but only to stop erosion. He said the owners would be glad to stipulate that no building would be done on lots located at 2164, 2160 and 2156, Hwy. 98.

Based on this information, Ms. Ward said she felt comfortable recommending approval for this seawall.

After some discussion and on motion by Member Hand, seconded by Member Hambrose, and by unanimous vote of the Members present, it was agreed to recommend approval for this variance to construct a seawall with rip rap.

The final item on the agenda was for a variance request to construct a single story house three feet above the nine feet height limit on property described as Lot 14, Block 1, Unit 3, St. George Island, Franklin County, Florida. The request was submitted by Jimmy Peters, Owner.

Much discussion followed concerning this request. The homeowner explained that he felt he has a hardship because he wants to be able to park his RV under his home. He said the size of the lot does not allow room to build a separate garage for the RV. He explained it would make the lot look too crowded. He also explained that he has a paraplegic son who is confined to a wheel chair. He said it would make it extremely

difficult for his son to enter and exit the home if he has to build a separate garage. He added also that he expects that his aged mother will have to come live with him at some point in the future.

Barbara Sanders, Representative for Mr. Owens, the adjoining homeowner, addressed the Board. She said these reasons do not justify the variance. She explained that these hardships are created by the homeowner and not the land. Ms. Sanders presented pictures showing the amount of fill placed on the lot. She explained the dramatic difference in elevation is in the least unsightly, but will also cause water to run onto the adjoining owner's property. Ms. Sanders read from the Franklin County Zoning Code pertaining to the development being contrary to the public interest and asked for remediation for the problem to be fixed.

Ms. Sanders inquired as to how much fill could be placed on the lot. Ms. Ward explained that the County does not regulate how much fill can be placed. The County usually instructs the homeowners not to add fill to elevate the land above the adjoining property. However, this is not a written rule.

After much discussion, Michael Shuler, Attorney for the Board, suggested that the homeowners be allowed time to sit down and see if they could come to some agreement as to how the problem could be fixed.

Attorney Barbara Sanders asked the county to place a Stop Work Order or at least ask the builder to hold off construction until the problem could be worked out. Mr. Shuler said he did not think the county should do that.

Attorney Sanders urged the Board to recommend to the County Commission that some policy be set regarding how much fill could be placed on a lot.

After much discussion and on motion by Member Harper, seconded by Member Hand and by the following vote, it was agreed to deny this request for variance:

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YEA: Richard Harper
Joe Hambrose
Bryant Hand

NAY: Vance Millender

There being no further business, the Board adjourned at 10:00 a.m.

Vance Millender, Chairman

ATTEST:

Rachel L. Ward, Zoning Director