

The Franklin County Board of Adjustment met in regular session on Wednesday, June 4, 2008 at 9:00 a.m. in the Franklin County Courthouse Annex. The meeting was called to order by Chairman Vance Millender, who thereafter presided. The attendance was as follows:

PRESENT:

ABSENT:

Vance Millender --- Chairman  
Richard Harper ----- Member  
Gill Autrey ----- Member  
Joe Hambrose ----- Member  
Michael Shuler ----- County Attorney

The first item on the agenda was approval of the minutes of the May 7, 2008 meeting as mailed. On motion by Member Harper, seconded by Member Autrey, and by unanimous vote of the members present, it was agreed to approve the May 7, 2008 minutes as mailed.

The second item on the agenda was consideration for a variance to construct a single family residential boat ramp within the Critical Habitat Zone on property described as Lot 5, Block 65, Unit 5, St. George Island, Franklin County, Florida. The request was submitted by Garlick Environmental Associates, Inc., agent for Designlight, LLC, Stephen Dambach, owner.

Ms. Rachel Ward of the Building Department stated that the adjoining property owner to the East had some reservations concerning the distance of the boat ramp from the property line. She stated that after reviewing the proposed site plan and speaking with the neighbor, the objections were withdrawn.

After brief discussion and on motion by Member Harper, seconded by Member Autrey and by unanimous vote of the members present, it was agreed to recommend that this request be approved as submitted.

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The third item on the agenda for an appeal of an administrative decision was moved to the end of the agenda. The next item for consideration was a request to construct a vinyl seawall within the Critical Habitat Zone on property described at Lots 7 & 8, Holiday Beach, Unit One, Alligator Point, Franklin County, Florida. The request was submitted by Gene K. Strickland, agent for Paul R. Green, owner.

Ms. Ward presented pictures of the shore line. She noted for the members that it is located on two eighty foot wide lots on a canal where some erosion has already occurred. She said that it would join to an existing seawall on one side. She also noted that there are existing sea walls on both sides of the canal. She told the members that Mr. Green had applied for state permits for the project. Ms. Ward said the recommendation of the county would be in favor of the request.

On motion by member Autrey, seconded by member Harper and by unanimous vote of the members present, it was agreed to recommend approval of this variance request as submitted.

The final item on the agenda was an appeal to an administrative decision to deny a request to locate travel trailers on residential property (per Franklin County Ordinance 82-6) described as lying in Section 10, Township 9 South, Range 8 West and further described as 2001-B, Bluff Road, north of Apalachicola, Franklin County, Florida. The appeal was submitted by Ray Miller, owner.

The Board of County Commissioners had instructed Mr. Miller to come to the Board of Adjustment to address an appeal of an administrative decision. Ms. Ward stated that the problem stems from a request to pull a permit to upgrade electrical connections at the site. She explained that the building inspector had gone out to inspect the power pole and although he had placed a green sticker on the meter, he had some concerns that there appeared to be development which was not permitted under the zoning for the area.

When she and Robin Brinkley, the Building

Official, went out to inspect the lot, they found that there were three travel trailers hooked up on the lot with the connections for possibly two more trailers

Ms. Ward explained that the county commission had passed an ordinance prohibiting travel trailers from being hooked up on a permanent basis. She explained that travel trailers are allowed under specific conditions. These conditions include:

- 1) An active Building Permit – for security reasons, allows an owner-builder to place a travel trailer on site for up to 18 months while the house is under construction.
- 2) A travel trailer can be stored on your property as long as it is not in use or for a period of time not to exceed seven (7) consecutive days and should be self contained.
- 3) After some tragic incidents – the Board of County Commissioners has allowed people to stay in travel trailers on a set time limit after incidents such as loss of structure due to storms or fire or other tragedies.

Mr. Miller addressed the members regarding his intentions for the property and how he wished to develop the property. He stated that he did not know he was doing anything wrong and wanted to do what was right. He said he had purchased additional land to make two full acres and had removed the third travel trailer along with the other connections. He said the other connections were from when the trailers were first there. Then when the property was cleaned up they moved the trailers to the existing sites.

Ms. Kathy Wood, adjoining neighbor, spoke in favor of Mr. Miller's request. She said the property had been improved since Mr. Miller had purchased the property. She explained that Mr. Miller and his father were very quiet and had cleaned the property.

Mr. Miller said he plans to build a structure which will completely enclose the travel trailers and bring them up to the 450 square feet minimum which is required for a mobile home.

Mr. Michael Shuler, County Attorney noted that this brought up another set of questions. He explained that mobile homes being brought into the county have to be constructed to certain building codes. He questioned whether these trailers met this code.

Mr. Gorrie Wilson spoke in favor of Mr. Miller's request as well. He noted for the members that he had counted about 25 travel trailers hooked up from the City of Apalachicola to the west end of the county. He said the travel trailers had been on the lot since Break-A-Way Lodge closed down. He said Mr. Miller would never have been stopped if he had not come in for a building permit to upgrade the electrical.

The members expressed sympathy for Mr. Miller's situation. However, since the county does have an ordinance prohibiting travel trailers being set up on a permanent basis; they felt they had no choice but to enforce the ordinance.

Ms. Ward stated that Mr. Miller could put mobile homes on the lot and be in compliance. She said the county is not trying to deny Mr. Miller use of his land, but to enforce the residential zoning requirements for the property. She also said that a principal structure must be permitted on the lot prior to issuing a secondary structure such as a storage building.

Mr. Shuler instructed Mr. Miller to get his plans for the enclosure engineered by a licensed engineer and find out if the travel trailers are built to meet the building codes. He encouraged Mr. Miller to try to work with the building department to come up with a workable solution.

Ms. Rachel Ward stressed that a time frame be set for Mr. Miller to satisfy the requirements for the residential zoning.

After much discussion concerning this appeal, Member Harper made a motion to table any action to allow Mr. Miller and the building department to negotiate a solution to the problem. He further motioned to give Mr. Miller three months to allow time for him to comply. The motion was seconded by Member Autrey and passed by unanimous vote of the members present.

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

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Vance Millender, Chairman

ATTEST:

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Rachel L. Ward, Zoning Director