

The Franklin County Board of Adjustment met in regular session on Wednesday, January 7, 2009, at 9:00 a.m. in annex of the Franklin County Courthouse. The meeting was called to order by Chairman Vance Millender, who thereafter presided. The attendance was as follows:

PRESENT:

Vance Millender ----- Chairman  
Joe Hambrose ----- Member  
Gil Autrey ----- Member  
Mitch Griner ----- Member  
Michael Shuler ----- Attorney

Rachel Ward introduced new member Mitch Griner who will be filling the seat vacated by Bryant Hand.

The first item on the agenda was approval of the minutes for the December 3, 2008 meeting, as mailed. On motion by Member Hambrose, seconded by Member Autrey and by unanimous vote of the members present, it was agreed to approve the December 3, 2008 minutes as mailed.

Dan Garlick, agent for David and Janet Foshee requested that item #2 on the agenda be moved to the end of the agenda. On motion by Member Autrey, seconded by Member Hambrose and by unanimous vote of the members present, it was agreed to move the second item on the agenda to the end of the agenda as requested.

The next item for consideration was to construct a boat ramp within the Critical Habitat Zone on property described as the Common Area of River's Edge Subdivision, located off of Bluff Road, in Section 27, Township 8 South, Range 8 West, north of Apalachicola, Franklin County, Florida. The request was submitted by William Poloronis, Owner.

Mr. Poloronis explained that the ramp will be built to accommodate the Corps of Engineers when they are working in the area. After brief discussion and on motion by Member Autrey, seconded by Member Hambrose, and by unanimous vote of the

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members present, it was agreed to recommend the Board of County Commission approve this request as presented.

The members then heard a request for a variance to construct a single family dwelling five feet into both side setback lines on property described as Lot 9, Block 2, Unit One East, St. George Island, Franklin County, Florida. The request was submitted by Gary Ulrich, agent for Nancy Wright, owner.

There was brief discussion concerning whether the owner was aware of the noise level associated in the commercial area in which she was planning to build. Mr. Michael Shuler stated that in the past, homeowners have complained because of the noise from the commercial businesses. He said he just wants to make sure the owner is aware that it is zoned commercial before she builds a residence. Mr. Ulrich explained that Ms. Wright has stayed in the area and is aware of the noise from the commercial district.

Ms. Ward explained that this type variance is customary with the 25' wide lots on St. George Island, in order to make the lots buildable. On motion by Member Autrey, seconded by Member Hambrose and by unanimous vote of the members present, it was agreed to recommend approval for this request contingent upon a letter from the property owner stating awareness for the commercial zoning of the area.

The next item on the agenda was consideration of a request to construct a wooden retaining wall within the Critical Habitat Zone on property described as Lot 30, Unit 7, Peninsular Point, Alligator Point, Franklin County, Florida, as requested by DEC Engineering, agent for Robert W. Hall, owner.

Ms. Ward explained that this request is similar in nature to the variance approved December 3, 2008 meeting for Ms.Graves. She explained that this will be a retaining wall to protect the foundation of the home. She said the county recommends approval of this request.

On motion by Member Hambrose, seconded by Member Autrey, and by unanimous vote of the members present, it was agreed to recommend approval for this variance as requested.

The board then returned to the request for variance to construct an open deck 15 feet into the Critical Habitat Zone on property described as Lot 94, Block 10, Unit 1, Southern Dunes, Alligator Point, Franklin County, Florida, as requested by Daniel Cox, agent for David and Janet Foshee. Mr. Cox requested this item be tabled until the March meeting. He stated he would like to have the request presented to the Planning and Zoning Commission to have them determine if a deck is considered a water dependent structure and therefore allowed without a variance.

Mr. Cox said in the event the Planning and Zoning Commission determines that it needs a variance, he will reschedule the request for the March meeting.

On motion by Member Autrey, seconded by Member Hambrose and by unanimous vote of the members present, it was agreed to table this request until the March meeting.

With no further business, the meeting adjourned at 9:17 a.m.

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Vance Millender, Chairman

ATTEST:

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Rachel L. Ward, Zoning Administrator