

September 4, 2013

Advisory Board of Adjustment
Franklin County

The Franklin County Advisory Board of Adjustment met in regular session on Wednesday, September 4, 2013 at 10:00 a.m. in the Hearing Room of the Franklin County Courthouse.

Attendance was as follows:

PRESENT:

Vance Millender--Chairman
Mitch Griner -----Member
Larry Hale -----Member
Rachel Ward-----Zoning Administrator

ABSENT:

Joe Hambrose-----Member
Gill Autrey -----Member
Michael Shuler-----Member

The first item on the agenda was approval of the minutes of the meeting held August 7, 2013, as mailed. On motion by Member Larry Hale, seconded by Member Mitch Griner and by unanimous vote of the members present, it was agreed to approve the August 7, 2013 minutes, as mailed.

The Second item on the agenda was for consideration of a request for a Special Exception to construct a tourist oriented commercial facility including an oyster bar and boardwalk connecting the parking area in the C-1 District in Eastpoint on property described as a parcel of land lying on the south side of US Highway 98 in Section 29, Township 8 South, Range 6 West. The request was submitted by Garlick Environmental Associates, Inc., agent for Magnolia Ridge, LLC, Owner.

Mrs. Rachel Ward of the Planning and Zoning Department instructed the members in the difference between a variance and a special exception. She explained that a variance requires a hardship, whereas, a special exception does not require a hardship factor. She stated that special exceptions are reviewed based on the type of facility and whether it complies with the zoning district.

Mrs. Ward explained that typically tourist oriented facilities are allowed in the C-1 Seafood District.

Mr. Rick Plessinger, a resident and property owner in the Eastpoint area, asked how many parking spaces are planned. He noted that he owns the property across the street from the proposed development.

Mr. Dan Garlic, of Garlick Environmental and Associates, explained that at this time there are 15 parking spaces planned.

Member Mitch Griner inquired if there was going to be any contingency for parking trailers since it will join the marina. Mr. Garlick explained there would be no boat ramp on site for launching boats. Therefore, the boats would be launched from the public boat ramp off site. So there are no parking spaces designated for trucks and trailers.

Mr. Plessinger inquired if it were possible to incorporate the land across the street as parking since it is owned by the same people. However, Mr. Garlick said the property across the street is not zoned commercial.

Mr. Ward explained that before the project can start construction it will have to have the water and sewer taps and the DOT Access Permit in place. Mr. Plessinger then inquired how they proposed to handle the drainage pipe which runs through the property. Mr. Garlick explained that there will be a boardwalk over the drainage ditch.

Mr. Plessinger then stated that he was objecting to the project based on the traffic issue. He explained that the local fire department frequently used the adjacent road as emergency entrance onto Highway 98 during responding to fires. He said he feels this project will add to the existing traffic congestion in the area.

Mr. Garlick noted that it will be off street parking and will not add to the congestion. He further explained that the parking area will be gravel with timbers around the lot. He said the building will meet the base flood elevation requirements.

Daphne Evanoff, a member of the audience, stated that she is in favor of new adventures in the Eastpoint area.

Member Larry Hale made a motion to deny the development. The motion was seconded by Member Griner. Chairman Vance Millender stated that he was in favor of the development.

Member Griner stated that his objection was because he felt there was not adequate parking being provided.

Dan Garlick explained that the project meets the criteria for parking as outlined in the Franklin County Zoning Code. Mrs. Ward explained that the Advisory Board of Adjustment was addressing this as a tourist oriented facility. The appropriate documentation will have to be provided in order for final approval.

Member Larry Hale explained that his objection was that the location was not viable for a business to succeed. He also noted the hazardous traffic conditions in the area.

Chairman Millender said he thought the site plan was an improvement since the last one he saw. He said it would bring in revenue and create jobs.

Dan Garlick asked Member Larry Hale if he would consider resending his previous motion to deny the project.

Mrs. Rachel Ward reiterated that the Advisory Board of Adjustment's task is to look at the development and determine if it meets the criteria for granting a Special Exception.

Member Larry Hale stated that he felt he was being pressured to resend his previous motion. However, he did make a motion to resend his previous motion to deny the Special Exception. Member Mitch Griner included resending his second to Mr. Hale's motion. The motion carried.

Member Mitch Griner again stated that his issues are with the parking. He does not feel the parking is adequate. To this, Dan Garlick stated that there is actually one more space provided than is required of the zoning code.

Member Griner made a motion to approve with reservations. Chairman Vance Millender seconded. The motion carried with Chairman Millender and Member Griner voting YEA and Larry Hale voting NAY.

Dan Garlick told the members that he would look at the site plan and see if he could work in more parking. Member Hale again noted that he feels it is not a good place for a marina. Mrs. Ward explained that the Planning and Zoning Board will hear the request for commercial development at the meeting on September 10, 2013 which is being held at the firehouse on St. George Island at 6:30p.m.

The second item on the Agenda was for consideration of a variance to extend an existing rock revetment 26 feet into the Critical Habitat Zone on property described as Lot 4, Clipper Bay Subdivision, St. George Island, Franklin County, Florida. The request is submitted by Garlick Environmental Associates, Inc., Agent for William Kidd, owner.

Member Larry Hale told the members that he is familiar with the area and feels the extension is needed to protect the property. After brief discussion and on motion by Member Larry Hale, seconded by Member Mitch Griner and by unanimous vote of the members present it was agreed to recommend that the Board of County Commission approve the request as stated.

Item three on the agenda was for consideration of a Special Exception in the C-4 District of St. George Island to construct a 600,000 gallon ground storage tank, new pump station, and a chlorine building and related water system improvements and appurtenances on Lots 12-19, Block 3, Unit One West, St. George Island, Franklin County, Florida. The request was submitted by Gene Brown for Water Management Services, Inc.

Mrs. Rachel Ward explained that she had received a letter of objection from Bobby James and Daphne Evanoff who own the adjoining property. She noted they were in attendance to voice their concerns as well.

Mr. Bobby James explained that they owned the property next door which is used for rental income. He said he feels this development will devalue his property. Daphne Evanoff stated that she worried that raising the elevation of the lot next door will cause extensive flooding of their property. She said the property already flooded during Hurricane Dennis in 2005. She said the tank will loom above their property.

Mrs. Ward again advised the members that their task was to determine if the project is conducive to the C-4 Zoning District.

Mr. Gene Brown of the Water Management District explained that the State of Florida has mandated that the existing water holding tank be replaced. There is existing commercial development around the location already. He noted the property is zoned commercial and there is no where else he can construct the tank.

Some discussion followed concerning the Chlorine Building and its location to the adjoining property. Bobby James asked if the chlorine should leak, was there any possibility of an explosion. Mr. Brown and Nita Molsbee both assured everyone that the chlorine would turn into a gas and dissipate, not explode. Member Griner inquired if there was anything Mr. Brown could do to reassure the adjoining property owners. Mr. Brown said he will move the chlorine building to the road frontage.

Mr. Brown also assured Mr. James that the alley will remain open for public use. On motion by Member Hale, seconded by Member Griner and by unanimous vote of the members it was agreed to recommend that the Board of County Commission approve the Special Exception to construct the ground water storage tank and other necessary buildings as requested.

Mrs. Ward told the applicants that the matter would go the Planning and Zoning Commission on September 10, 2013 for commercial review and to the Board of County Commission on Sept 17, 2013 for final approval.

There being no further business, the meeting adjourned at 10:58 a.m.



Vance Millinder, Chairman

ATTEST:

Rachel L. Ward, Zoning Director