

ORIGINAL

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Board of Adjustment
Franklin County, Florida

The Franklin County Advisory Board of Adjustment met on Wednesday, October 5, 2011, at 10:00 a.m. in the Franklin County Courthouse Annex.

PRESENT:

Vance Millender-----Chairman
Joe Hambrose-----Member
Gill Autrey-----Member

Larry Hale -----Member
Mitch Griner-----Member
Michael Shuler-----Attorney

The meeting was called to order by Chairman Vance Millender, who thereafter presided. The first item on the agenda was the approval of the Minutes of the August 3, 2011 meeting. On motion by Member Larry Hale, seconded by Member Mitch Griner, and by unanimous vote, it was agreed to approve the June 1, 2011 minutes as mailed.

Item number three on the agenda was moved forward for consideration. This request for consideration of a variance to construct a single family dwelling 5 feet into both side setback lines on property described as Lot 12, Block 9 West, Unit 1, located at 215 West Gorrie Drive, St. George Island, Franklin County, Florida.

Mrs. Rachel Ward of the Planning & Building Department explained that this property is beside the Villas of St. George's Sewer Treatment System and that this type variance was customary on the 25' wide lots in order to make the lots buildable. Attorney Michael Shuler commented that to the best of his recollection, there were some more stringent building requirements that had to be met on these lots. Ms. Ward explained that the fire rating on the exterior walls had to be increased. She stated that she recommended approval of this request as submitted.

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 grant this request for variance.

Mr. Shuler added that the approval be subject to the applicant agreeing to the more stringent building requirements imposed on the other 25' wide lots.

The final item on the agenda was for consideration of a request for a variance to construct a single family dwelling 23 feet into the Critical Habitat Zone and 12 feet into the front setback line, and the encroachment of 25 feet into the 75 feet setback line for a performance based on site sewage disposal system on property described as 841 West Pine Street, Lot 18, Block 74, Unit 5, St. George Island, Franklin County, Florida. The request was submitted by Garlick Environmental Associates, Inc., as agent for Phillip and Mary Jane Pullam, owners.

She said this is a triple variance request and she has some concerns when it comes to granting a variance which is in violation of an ordinance adopted by the county.

Member Larry Hale stated that he would rather the house be situated further back on the lot than into the front setback because all the trees on the front of the lot would have to be taken out. He stated he knows the area well and the wetlands were created by dredging. He also stated that he frequents the area regularly and there is no connection to the bay. He believes it to be an isolated wetland.

Some discussion followed regarding whether the wetlands were jurisdictional or isolated wetlands. Dan Garlick noted that DEP changed their definition of wetlands in November 2010. He also noted that DEP's regulations are greater than Franklin County's. After some discussion, Dan Garlick asked to table his request until such time he and the planning staff could visit the site to determine if there was a connection to the bay.

Attorney Michael Shuler stated that as the request is presented he would recommend denial because they are asking for a variance to build the septic system 25 feet setback into the 75 feet setback as established by Franklin County Ordinance. He noted that variances have never been given in direct violation of an adopted ordinance.


Chairman Vance Millender said he would like it if Mr. Garlick and the staff of the Planning Department would get together to see if there was some way to solve the problem before the Board of Adjustment acts on the request.

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Mr. Francis Giknis, a close neighbor, stated that he was concerned about losing all the trees on the front of the lot as well.

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

There being no further business, the meeting adjourned at 10:25 a.m.


Vance Millender, Chairman

ATTEST:

Rachel L. Ward
Zoning Director