

The Franklin County Advisory Board of Adjustment met in regular session on Wednesday, October 7, 2015 in the Franklin County Courthouse Annex. The meeting was called to order by Chairman Vance Millender at 10:05 a.m.

PRESENT:	Vance Millender	Chairman
	Joe Hambrose	Member
	Larry Hale	Member
	Michael Shuler	County Attorney

ABSENT:	Gil Autrey	Member
	Mitch Griner	Member

1. Approval of the minutes of the meeting held Wednesday, September 2, 2015, as mailed.

On motion by Member Hambrose, seconded by Member Hale and by unanimous vote of the board present, it was agreed to approve the minutes of the meeting held on Wednesday, September 2, 2015, as mailed.

2. Request for a variance to construct a 186 linear feet, wooden retaining wall on Lots 5 & 6, Breezy Point Subdivision also known as 719 & 715 Mill Road, Carrabelle, Franklin County, Florida. The retaining wall will be constructed in two segments measuring 166 linear feet and 20 linear feet separated by an existing 14 feet wide boat ramp on Lot 5. The retaining wall will be placed no more than three feet waterward of the existing river bank within the landward extent of New River. The request is being submitted by Dan Garlick, agent for Gary Cerfus, owner.

In much discussion concerning the above request, Michael Shuler, County Attorney, stated that he was involved in the land transaction with Mr. Gary Cerfus, however Mr. Shuler stated that he was not involved in any of the environmental planning. Mr. Shuler felt he has no conflict of interest in this matter.

Dan Garlick, agent, mentioned that the applicant's contractor Ben Withers had already began construction on a boathouse and had already started on constructing the revetment, however, Mr. Garlick asked him to remove the revetment because it had not been approved, the applicant then had it removed. Mr. Garlick stated that the request was for a living shoreline which would consist of pine logs laced together to create a natural buffer and in the future they would rot and eventually natural vegetation would have time to create a root system which would create a more stable shoreline.

Roxie Allen, Board Secretary, stated that the county received a complaint from the adjacent property owner Al Simpler. Ms. Allen went on to say that according to the DEP permit for the Docks and Boathouse, the applicant had far exceeded the permits limitations. The DEP Permit allowed only for an open, un-walled boathouse above a deck and over the boatlift. The permit had other conditions such as no wet bars, no living quarters or any fish cleaning facilities or enclosures with doors and walls. The applicant has not only enclosed the structure, but has an AC unit. (pictures/DEP permit/complaint attached).

Mr. Garlick stated that is a code enforcement concern, this request is a separate request. Ms. Allen went on to add that the adjacent property owner objected based on the following basis:

- a) Boat ramp terminology referencing an existing 14 foot wide boat ramp on lot 5. He stated he previously owned the lot and he constructed a 6 foot wide access to launch a canoe.
- b) The construction of a 3 story house over a large deck on the waterfront, complete with air conditioning.
- c) To the addition of a 166 foot retaining wall, as it will obstruct the natural flow of water. Also may cause floating debris when the river exceeds the bank by as much as 4 feet. The trees he is currently using for a fence line are also potential flood hazard.

Mr. Simpler also requests an insurance policy of at minimum of \$1 Million to be provided to protect adjacent property owners.

Mr. Garlick stated that he would definitely consult with his client and have him comply with the permitting. Mr. Garlick also noted that there will be no marina, only a small boat ramp. Mr. Garlick went on to say that Mr. Simpler has the same boatlift and has even created a road over wetlands to access his structure.

Ms. Allen went on the note that the images that were submitted did not show a height elevation for the revetment. Mr. Garlick stated that the revetment would be a 3 to 1 slope and would be no higher than the existing grade elevation. Ms. Allen mentioned that County Planner Mark Curenton wanted to see some type of documentation stating there was an erosion concern. Mr. Garlick stated that the pictures show evidence of erosion. Mr. Garlick then noted that the log system would have a fabric mesh underneath the logs and the logs would create a natural looking shoreline where vegetation could take root as the logs naturally decay and create a living shoreline.

Chairman Vance Millender stated he did not like that Mr. Cerfus was violation any codes even though it is not our responsibility, he does not agree. Ms. Allen stated it is hard to take it at face value when they do not comply with the rules of the permits. Member Larry Hale stated that the applicant needs to come into compliance before reviewing anything farther. Mr. Garlick requested a 30 day compliance time frame. Ms. Allen stated that if approved; approve it contingent upon complying then issue permit for the revetment.

On motion by Member Larry Hale to approve the request contingent upon having 30 days to bring the boathouse into compliance with DEP and County permitting, seconded by Member Joe Hambrose and by unanimous vote of the Board present, it was agreed to recommend this item to the Board of County Commissioners for approval.

There being no further business to discuss, it was agreed to adjourn at 10:40 a.m.



Vance Millender, Chairman