

ORIGINAL

Board of Adjustment
Page One

December 3, 2008
Apalachicola, Florida

The Franklin County Advisory Board of Adjustment met in regular session on December 3, 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:

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

ABSENT:

Gil Autrey ----- Member

The first item on the agenda was approval of the minutes of the meeting of November 5, 2008, as mailed. On motion by Member Joe Hambrose, seconded by Member Richard Harper and by unanimous vote, the motion carried to approve the Nov. 5, 2008 minutes as mailed.

The next item on the agenda was consideration of a request for a variance to construct a wooden retaining wall within the Critical Habitat Zone on property described as Lot 31, Peninsular Point, Unit 7, Alligator Point, Franklin County, Florida. The request was submitted by DEC Engineering, agent for Barbara Graves, owner.

Ms. Barbara Graves was present and presented the request to the Board of Adjustment. She showed pictures indicating that the sand has washed out from under the pilings of the structure. She explained that without the retaining wall to hold the sand around the pilings, the structure will be surely lost in the event of another storm surge.

There was some concern expressed about the effects the retaining wall might have on the adjoining property. However, it was noted that the adjoining property owners are in the same predicament as Ms. Graves; in that they have to apply for retaining walls to prevent further erosion of their property as well.

Rachel Ward with the Building Department explained that Ms. Graves is in the process of obtaining a DEP Permit for the construction of the retaining wall. However, a local variance must be granted before DEP will issue a permit. Ms. Ward said the county's recommendation is to grant the variance.

After brief discussion and on motion by Member Joe Hambrose, seconded by Member Harper and by unanimous vote of the members present, it was agreed to recommend that the County Commissioners approve this request to build the retaining wall within the Critical Habitat Zone.

The third item on the agenda was consideration of a request for a variance to construct a house 20 feet into the front setback line on property described as Lot 29, Peninsular Point, Unit 7, Alligator Point, Franklin County, Florida. The request is submitted by Clayton Anderson, agent for Bert B. Boldt, II, owner.

Mr. Boldt presented his request to the members of the board. He explained that his house had been lost to Hurricane Dennis. He said due to erosion, he needs to build the new structure further into the front setback. There was some discussion concerning the width of the road right of way. Mr. Boldt said he believed the right of way is 100 feet.

After brief discussion, and on motion by Member Joe Hambrose, seconded by Member Richard Harper and by unanimous vote of the members present, it was agreed to recommend that the Board of County Commissioners approve this request as presented.

The fourth and final item on the agenda was a request for a 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. The request was submitted by Daniel Cox, agent for David and Janet Foshee, owner.

In the absence of representation, it was agreed to table this request until the next scheduled meeting.

There being no further business, the meeting adjourned at 9:30 a.m.


Vance Millender, Chairman

ATTEST:


Rachel L. Ward, Zoning Administrator