

Final Copy

**Advisory Board of Adjustment  
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**Franklin County, FL  
October 5, 2016**

**The Franklin County Advisory Board of Adjustment met in regular session on Wednesday October 5, 2016 at 10:00 a.m. in the Franklin County Courthouse Annex. The meeting was called to order by Chairman Vance Millender who thereafter presided.**

**Attendance was as follows:**

**PRESENT: Mitch Griner  
Larry Hale  
Vance Millender, Chairman  
Michael Shuler, County Attorney**

**ABSENT: Joe Hambrose**

- 1. Approval of the Minutes of September 7, 2016, as mailed.**

**On motion by Member Mitch Griner, seconded by Member Larry Hale and by unanimous vote of the board present it was agreed to approve as mailed.**

- 2. Consideration of a variance request to construct a seawall within the 50 ft. Critical Habitat Zone, as well as, placing 5,497 sq. feet / .013 AC/ 102 C.Y. (based on average of 6" of fill) of clean sand within the CHZ setback. The sand will fill in areas impacted by Hurricane Hermine. The property is located at 315 & 319 Bruce St., also known as Lots 10 & 11, Block 57, Unit 5, St. George Island, Franklin County, Florida. The property is owned by Benjamin & Teresa Chason. The request is submitted by Garlic Environmental Associates, Inc, agent for the home owners.**

**In brief discussion of the above item Mr. Hale stated this seawall will be on a manmade canal. His concern is the seawall causing flooding on the adjacent property.**

**Mr. Garlick stated the seawall is free standing. It will not be attached to any other seawalls. It will be sitting 15-20 feet back and we are leaving the buffer of vegetation.**

**Mr. Curenton stated the seawall will be over 14 feet upland.**

**Mr. Hale stated the current vegetation shouldn't be disturbed upon constructing the new seawall.**

**Mr. Griner asked if the seawall will be attached to any other surrounding seawalls.**

**Mr. Garlick informed the board the seawall will stand alone. This seawall is back much farther than the surrounding seawalls.**

**Mr. Shuler stated that the request may be approved contingent upon non disturbance of the existing vegetation.**

**On motion by Member Larry Hale, seconded by Member Mitch Griner and by the unanimous vote of the board present it was agreed to recommend this request to the Board of County Commissioners for approval.**

- 3. Consideration of a request to appeal an administrative decision regarding a Non-Conforming Use in a C-4 Zoning District to allow for 2 Residential Rentals Units and to allow two separate electrical meters and two separate water and sewer meters. The property is located at 4-3<sup>rd</sup> Street, Eastpoint, Franklin County, Florida. The request for appeal is presented by the property owner Margarita De Arellano.**

**In brief discussion of the above item Mr. Curenton informed the board that this property is zoned C-4 mixed use residential/ commercial. The structure is non conforming. By allowing 2 separate meters it would make the structure more non conforming. Currently the property has one meter that is shared by both units. There are two different tenants living in each unit.**

**Mrs. Branch stated each tenant should be able to have their own meter. The top unit is occupied by Florida Fish and Wildlife employees. They stay temporarily while visiting here for work purposes. They deserve to have their own meter. The bottom**

unit is occupied by Mr. and Mrs. Edwards who also run their business out of their home. Although the unit is not zoned properly to be rented they have been approved in the past to have two meters. Margarita has agreed to only rent the top unit to the Florida Fish and Wildlife employees when they travel so they will not be full time tenants. I have informed Margarita that she could request for the property to be rezoned to R7 Multi Family. However I have not recommended that she take that action being her property value will decrease.

Mr. Millender stated this is an old building that has been grandfathered in by the County. "If we grant this request would we be going against the County?"

Mr. Shuler informed the board by granting this request we will be going against our Ordinance which states we can make repairs due to safety issues. But you can not make changes that result in making a non-conforming unit more non-confirming. In a C4 zoning district you can not have two residential uses.

Mr. Griner asked the board is there anything we can do to please Margarita being she has already purchased the property.

Mr. Shuler recommended that she move forward with a re-zoning request.

Mr. Hale asked, "how did the board ever allow two meters but not allow them to be split?"

Mr. Shuler informed the board that the County has no record of ever allowing this property two meters.

Mr. Hale stated that the area is growing and everyone around this property has been rezoned. The units have water and sewer connections.

On motion by Member Larry Hale, seconded by Member Vance Millender and by the following vote of the board present, it was agreed to recommend this request to the Board of County Commissioners for approval.

**YAY:**  
**Larry Hale**  
**Vance Millender**

**NAY:**  
**Mitch Griner**

4. **Re-Consideration of a variance request to construct a rip rap revetment landward of mean high water, within the Critical Habitat Zone on property described as 310 Seafoam Circle, also known as Lot 70, Summer Camp West, Franklin County, Florida. The property is owned by 310 Seafoam, LLC c/o Matthew Gleason. The request is submitted by Garlic Environmental Associates, Inc, agent for the home owners.**

In brief discussion of the above item, Mr. Garlick said he has spoke with Commissioners and they have no issue with approving this, besides Commissioner Sanders being concerned about the size of the rocks being put in place. Mr. Garlick agrees that there should be bigger rocks put in place. Such as the 1 ton rocks. Since hurricane Hermine he has visited Alligator Point and other areas in the County who all have 1 ton rocks and they didn't move during the storm, even in the areas where there was significant damage. Currently the property has a vertical wall in place. Placing the rocks will have a better effect than the wall. When the house was permitted through the county there was a 50 foot buffer. The property owner now has about 80 foot of damage due to erosion. Her house is currently in danger.

On motion by Member Griner seconded by Member Hale, and by the unanimous vote of the board present, it was agreed to recommend this request to the Board of County Commissioners for approval.

There being no further discussion, it was agreed to adjourn at 10:47 a.m.

By: \_\_\_\_\_  
Vance Millender, Chairman

Attest: \_\_\_\_\_  
Cheyenne Cruson