

The Franklin County Advisory Board of Adjustment met in regular session on Wednesday, November 1, 2017 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:

<u>PRESENT:</u>	Vance Millender, Chairman	<u>ABSENT:</u>	Joe Hambrrose, Member
	Larry Hale, Member		
	Mitch Griner, Member		
	Gil Autrey, Member		
	Michael Shuler, County Attorney		

1. The first item on the agenda was approval of the minutes of Wednesday, October 4, 2017, as mailed.

On motion by Member Larry Hale, seconded by Member Gil Autrey, and by unanimous vote of the members present, it was agreed to approve the minutes of October 4, 2017, as mailed.

- 2. Consideration of a request for a variance from Franklin County's minimum lot size "one acre rule." Lot 7, SOUTHWEST CAPE, A REPLAT OF SOUTH SHOALS VILLAGE, according to the Plat thereof as recorded in Plat Book 10, Page 51, of the Public Records of Franklin County, Florida ("Lot 7") presently consists of a part lying South of Tom Roberts Road that is 0.394 acres +/- and a part lying North of Tom Roberts Road that is 0.708 acre +/-.** Franklin county just purchased from the property owner all of the SW Cape Subdivision South of Tom Roberts Road, except for the part of Lot 7 South of that road, which is also presently a paved road known as South Shoals Court. The property owner is willing to convey to Franklin County all of that part of Lot 7 South of Tom Roberts Road, but only if the remainder of Lot 7 lying North of Tom Roberts Road (0.708 acre +/-), receives a variance from the county's minimum lot size "one acre rule" and that remainder of Lot 7 lying North of Tom Roberts Road (0.708 acre +/-) will not be deemed unbuildable as a result of being approximately 7/10s of an acre and less than one full acres as a result of this conveyance to Franklin County, Florida. The variance would be perpetual, transferable by the property owner, and would run with the land (i.e. that remainder of Lot 7 lying North of Tom Roberts Road (0.708 acre +/-).

County Attorney, Michael Shuler, stated this variance has been previously done for James Thompson in Carrabelle when the county bought a portion of his land for the bike path that encroached his lot. This variance has recommendation for county and county attorney approval. Member Larry Hale inquired why the county wants the land? Attorney Shuler confirmed the county is going to put a public park on the eastern of the county, as there is currently not adequate facilities in that area.

On Motion by Member Larry Hale, seconded by Member Gil Autrey, and by unanimous vote for the board present, it was agreed to recommend Item 2 to the Board of County Commissioner for approval.

- 3. Consideration of a request to construct a house (Footprint = 1458 sq ft) 18 feet into the Western side Critical Habitat Zone setback and 3 feet into the front (Southside setback) and a variance to place a swimming pool 38 feet into the Western side of Critical Habitat Zone setback on property described as Lot 1, Block 57, Unit 5, St. George Island Gulf Beaches.**

Billy Blackburn stated he got a survey for his property and there is not a marsh land. It is a ditch with a 10 foot set back instead of 50 foot setback, as he was told by Mark Curenton. The Permitting Department told him he had a 50 foot set back when he submitted plans for his house so he is here requesting the variance. Amy Kelly stated it is a 10 foot setback off Howell Street not the Critical Habitat Zone. Mr. Blackburn commented Mark said 10 foot off the ditch and this is the only property, 2 streets around, that does not have rip rap, and all surrounding roads use to have ditches. Now they are closed off and go to Patton Street, which flows to Howell street, and is washing out. He stated he is being penalized because county is not updating and keeping up with their ditch. Attorney Michael Shuler expressed concerns of him wanting a variance from county's long-standing requirement, stating any encroachment into the Critical Habitat Zone reduces the foot print of building to 1000 sq ft, something we've never deviated from. Attorney Shuler questioned if Mr. Blackburn is requesting a variance from that rule? Amy Kelly confirmed yes, he is. Attorney Shuler stated we have never violated or granted against our rule and recommends, not necessarily a denial, but to table and see if we can work with Mr. Blackburn to reduce the foot print and come back to the next board meeting in December because this rule was put in to place a long time ago for very good reasons.

On Motion by Member Mitch Griner, seconded by Member Gil Autrey, and by unanimous vote for the board present, it was agreed to recommend Item 2 be tabled until the December meeting.

There being no further business to discuss, it was agreed to adjourn at 10:14 a.m.


Vance Millender, Chairman

ATTEST:


Amy M. Kelly, Zoning Administrator