

The Franklin County Advisory Board of Adjustment met in special session on Wednesday, June 20, 2018 at 10:00 a.m. in the Franklin County Courthouse Annex. The meeting was called to order by Chairman Vance Millender, who thereafter presided.

PRESENT: Vance Millender, Chairman
Larry Hale, Member
Mitch Griner, Member
Joe Hambrose, Member
Thomas M. Shuler, County Attorney

ABSENT: Gil Autrey, Member

1. Approval of the minutes of the meeting held, Wednesday, April 4, 2018 as mailed.

On motion by Member Hale, seconded by Member Griner, and by unanimous vote of the board present, it was agreed to approve the minutes of the meeting held on Wednesday, April 4, 2018, as mailed.

2. Consideration of a request for a variance to construct a house 11 feet into the Eastern side setback off Illinois Street on Lot 20, Block O, Unit 1, Lanark Beach, 2281 US Hwy 98 East, Lanark Village, Franklin County, Florida. Request submitted by Robert Whitten, Applicant.

Mr. Whitten came forth to state he meets all other setbacks. These lots are grandfathered in and are accustomed to the past. He can have 3 cars on Illinois Street without being in the street. He did this to eliminate any problems into the road. His neighbor was granted a 23 foot variance to build his carport last year. Chairman Millender inquired how the County stands? Amy Kelly said we've granted others like this in the past. On Motion by Member Griner, seconded by Member Hale, and by unanimous vote of the board present it was agreed to recommend item 2 to the Board of County Commissioners for approval.

3. Consideration of a request for a variance to place a septic system 80 feet from a well on the East 10 foot of Lot 18, All of Lot 19, Lot 22 less 100 foot, the West ½ of Lot 20, Block I, Lanark Beach, 2203 US Hwy 98 East, Lanark Village, Franklin County, Florida. State rule is 75 feet or more. County Ordinance states 100 feet. Request submitted by Junior Sanders, Agent for Shawn and Janet Culbertson, Applicant.

Amy Kelly stated she received an email from the Agent to withdraw Applicant because they have it worked out with Health Dept and can meet the 100 feet required setback.

4. Consideration of a request for a variance from Franklin County's minimum lot size "One Acre Rule" to .90 acres on property lying in Section 36, Township 7 South, Range 5 West, 1899 US Highway 98 West, Carrabelle, Franklin County, Florida. The variance is necessary to allow the construction of a Single Family Dwelling due to the reduction in lot size caused by the construction of the Franklin County bicycle/pedestrian pathway on this parcel, thereby rendering this property less than the one acre requirement and would not allow the construction of a dwelling. Application submitted by Rodney and Robin Hilton, owners.

County Attorney, Michael Shuler, confirmed the County Engineer made a mistake laying out the bike path onto private property. Part of the settlement will involve the County granting this variance. The County Staff recommends in favor of this granting. Errol Yur states he owns 1899 US Hwy 98. Attorney Shuler stated if there is a dispute of ownership, this is the first we've heard of it. Yur wanted to clarify which property has the signs. Attorney Shuler stated assuming this is a postal service error, he inquired if Yur has any objections to the County granting 1 acre rule variance? Yur had no objections and encourages this granting. Attorney Shuler commented for the process of litigation, we are satisfied the Hilton's are the owners and the address can be resolved by speaking to County Planner, Mark Curenton, who maintains the County's 911 maps. On Motion by Member Hale, seconded by Member Griner, and by unanimous vote of the board present it was agreed to recommend item 4 to the Board of County Commissioners for approval.

5. Consideration of a request to construct a rip rap wall in the 50 foot setback and both 10 feet side setback on the North Boundary of 538 River Road, Carrabelle, Franklin County, Florida. Request submitted by Davis Morgan, Applicant.

Chairman Millender inquired if there were any comments from the neighbors? Amy Kelly said "Yes, one letter received from the neighbor with no objections." Davis Morgan stated he is using materials Ricky Mosely has used from the Apalachicola Airport runway and has been used on three other lots for this very same purpose. There is no rebar or other materials. It is old concrete with oyster shells. On Motion by Member Griner, seconded by Member Hale, and by unanimous vote of the board present it was agreed to recommend item 5 to the Board of County Commissioners for approval.

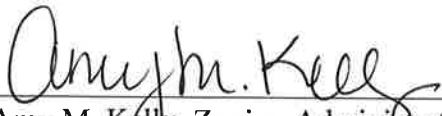
6. Consideration of a request to construct a 68.5 feet rock rip rap revetment landward of the Mean High Water line on Lot 1, Block 89, Unit 5, 227 W 12th Street, Eastpoint, Franklin County, Florida. Request submitted by Dan Garlick, Agent, for Lynett Bowden, Applicant.

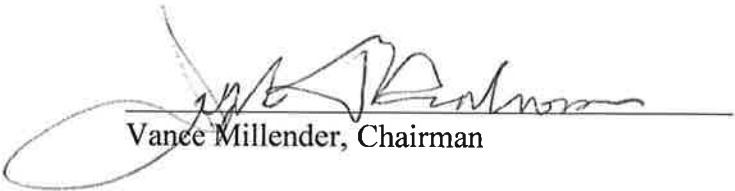
Agent Dan Garlick stated the home is currently in the Critical Habitat Zone 50 foot setback and concerned what may happen in the future. It is at the end of natural water body and has been there a long time. Home does not meet current Base Flood Elevation and home owner is concerned about flooding and erosion. There is rip rap on entire shoreline. The home owner wants a preventative maintenance, if it erodes in the future. Chairman Millender asked if there were any comments? Barbara Sanders came forth to state she is concerned there is no hardship and the County is being asked for variance that will be later be used against them as setting a precedent when other people want to place rip rap walls. The 12th Street slew is not eroding. It is accreting. The lot is close to the lot line and is already violating the setback line. The water comes in fast but does not rush in and is not big waves. Her home will get flooded. These rocks are not going to prevent the Bay water from flooding her land and home. There is no hardship and allowing her to put rocks in when there is not a rational basis to do it, Sanders does not recommend it. If you have the rocks built up to her lot and if there was erosion, that is County property. Chairman Millender asked if there were other comments? Richard Delarbor stated he owns the lot to left and behind. The rip rap will extend onto his property and this is his concern. If

the rip rap comes in to his property, it will soil around the north side and that's his property. He would not want the erosion to happen because of rip rap wall. He would like clarification of the plan before he approves it. Dan Garlick steps up to address his concern. Garlick reiterated the house is already in Critical Habitat Zone and this makes sure there is a backup measure to make sure this does not happen. Mr. Delarber could also do the same thing and it would work out a good match. If we have a damaging storm, there will be damage. This is designed with more filling behind it so if you lose vegetation, you have rock for a back stop. The issue is preventing erosion, not accreting. The vegetation is there, and they want to keep it as long as nature will let them. It is a preventive measure, but he will be happy to table and talk it over with Mr. Delarbor. He could do the same, if he is interested. Mr. Delarbor said he has not seen anything to indicate erosion on his land or the Bowden's land. The surges he has seen has come in from the right of his property. He does not want the wall on his property because if water comes in from the North, it would cause erosion of his land. It would impact value of lot. Chairman Millender inquired how the County views this? Amy Kelly replied we have done them in the past, but she is not sure about this type of slew. She can discuss it with Mark Curenton. Hale- The cove is slowly filling in and it will eventually be filled in. Mrs. Kelly stated she received another letter of objection in May from Bruce McLeod at 505 W Sawyer street. There is no hardship that requires this construction. There has been no significant erosion in this area. Construction will only increase potential problems by destroying the natural stability for the shoreline. Member Griner inquired to Garlick if there are erosion issues right now, today? Garlick replied not yet. They are trying to prevent it. He then stated they will withdraw and go back to the drawing board.

No further business to discuss, it was agreed to adjourn at 10:46 a.m.

ATTEST:


Amy M. Kelly, Zoning Administrator


Vance Millender, Chairman