

**CITY OF APALACHICOLA**  
**PLANNING & ZONING BOARD**  
**REGULAR MEETING**  
**MONDAY, January 11th, 2016**  
**Community Center/City Hall – 1 Bay Avenue**  
**MINUTES**

**Present: Lynn Wilson-Spohrer (Co-Chair), Joe Taylor, Fred Vogt, Uta Hardy, Geoff Hewell, Jim Bachrach, Cindy Clark (City Planner), Betty Webb (City Administrator), Revena Ramsey (Permitting), Pat Floyd (City Attorney)**  
**BOA Members Present for Workshop: Carrie Kienzle**

**Workshop – 5 p.m.**

Modular Homes

Discussion was held and handouts provided by Cindy Clark & Fred Vogt.

Second Workshop coming in near future.

Cindy Clark stated possible joint workshop with Commission, P&Z and BOA Feb. 2<sup>nd</sup>, 2016.

Revena Ramsey stated she hasn't received confirmation of that meeting date by Lee Mathes (City Clerk).

Adjourned.

**Regular Meeting – 6 p.m.**

- 1) Approval of December 14<sup>th</sup>, 2015 Workshop/Regular Meeting Minutes.  
**Jim Bachrach made motion to approve, second by Geoff Hewell. Motion carried.**
- 2) Review, Discussion and Decision on QJ Hearing Procedures.  
**Geoff Hewell made motion to move along to a joint workshop with City Commission for approval, second by Jim Bachrach. Motion carried.**
- 3) Review, Discussion and Decision on permit issuance for proposed renovations to include a 14.2'x12.4' screen porch, elevation of home & fencing @ 132 12<sup>th</sup> Street, Block 82, South ½ of Lot(s) 4, For – Thomas Creger & Kendall Harris, Contractor – Unknown. (BOA approved QJ Variance on 12/17/2015)  
**Joe Taylor made motion to approve, second by Jim Bachrach. Motion carried.**
- 4) Review, Discussion and Decision on permit issuance for renovations to building & replacement of tin shed @ 247 Water Street, Wharf Lot(s) 26-27, For – Apalachicola Institute, LLC c/o George Mahr, Contractor – Unknown. (Shed previously approved 9/9/2013 but permit never pulled so application expired. Will need final approval through DEO).  
**Dan Garlick with Garlick Environmental spoke explaining proposed project.**  
**Revena Ramsey stated she had emailed Rebecca Jetton with DEO and they didn't see a problem with the project but they would give final after P&Z permitted.**  
**Geoff Hewell made motion to approve, second by Jim Bachrach with windows 3/3 and final approval by DEO. Motion carried.**
- 5) Review, Discussion and Decision on permit issuance for proposal to enclose existing 10'x20' carport @ 108 5<sup>th</sup> Street, Block 18, Lot(s) 2, For – Dennis Watkins, Contractor – Self. (Tabled at 12/14/2015 meeting. Existing encroachment agreement on file.)  
**Andrew Kahn was present to represent Mr. Watkins. There's an existing encroachment agreement on file.**  
**Discussion held on roof and appearance of the structure and nonconformity.**  
**Uta Hardy asked condition of concrete.**  
**Mr. Kahn stated it's in good condition.**  
**Lynn Wilson-Spohrer stated they need a drawing to scale of what it'd look like.**  
**Caroline Kienzle feels this should go before Board of Adjustment as it's a nonconforming structure.**

Revena Ramsey read the definition of a Variance from the LDC and stated he's not expanding upon the structure and that's why she didn't feel it had to go before BOA as an encroachment agreement is already on file.

Mr. Kahn asked what if he took the existing down and rebuilt.

Revena Ramsey warned him that he wouldn't be able to rebuild in the existing location due to voiding the encroachment agreement that he'd have to rebuild to meet current code, setbacks.

Geoff Hewell made motion to deny, second by Uta Hardy. Motion carried.

- 6) Review, Discussion and Decision on permit issuance for proposed 48" high picket fencing @ 165 24<sup>th</sup> Avenue, Block 243, Lot(s) 19-21, For – Gordon Holland, Jr., Contractor –Self.

Jim Bachrach made motion to approve, second by Uta Hardy. Motion carried.

- 7) Review, Discussion and Decision on permit issuance for proposed replace existing back screen porch and deck with a new 20'x20' addition and an 8'x10' deck @ 189 Avenue L, Block 132, Lot(s) SW ½ of 9-10, For – Jay & Lisa Chesley, Contractor – Self.

Joe Taylor made motion to approve, second by Geoff Hewell. Motion carried.

- 8) Review, Discussion and Decision on permit issuance for proposed 6' high wood fence @ 59 17<sup>th</sup> Street, Block 108, Lot(s) 6 and portion of 7, For – Richard & Kathleen Rushmore, Contractor – Unknown. (Proposed encroachment into alleyway by 2'. Approval will be pending encroachment agreement by City Commission.)

Geoff Hewell made motion to approve fence upon City Commission approval of 2 ft. encroachment into alleyway, second by Jim Bachrach. Motion carried.

- 9) Review, Discussion and Decision on permit issuance for proposed 10'x30'x5' carport @ 233 17<sup>th</sup> Street, Block 124, Lot(s) 6, For – Larry Pentzer, Contractor – Elephant Structures.

Fred Vogt inquired on roof of carport and asked if it was projecting into front setback line.

Mr. Pentzer stated it may protrude 1 foot beyond end of house, in front of house.

Fred Vogt stated they can't go that far into the front.

Revena Ramsey stated accessory structures have a 5 foot setback.

Geoff Hewell stated it didn't mean front yard, no accessory structure is supposed to be in front yard.

Mrs. Pentzer stated it's on the side of the house.

Lynn Wilson-Spohrer stated they know but it's protruding into the front yard. You're meeting a 5 foot side setback it's the front that we're trying to address.

Geoff Hewell asked how far the steps were from front lot line.

Mr. Pentzer stated that based on the survey that was done when they bought the house the steps are 8 to 9 feet from front property line.

Geoff Hewell stated you're supposed to have 15 feet. Anything else would be a nonconforming structure.

Uta Hardy stated the house was like this so that's fine.

Geoff Hewell stated your house is grandfathered in but no new structures.

Lynn Wilson-Spohrer stated to set carport back another 10 feet. Discussion on making it shorter.

Mr. Pentzer stated you have to get a car under there.

Cindy Clark, City Planner, read from the LDC the statement on placement of accessory structures, not allowed in front yard and it needs to be at least flush or behind front corner of the house. You got to meet your setbacks too.

Geoff Hewell stated you need to be at least 15 feet from the front lot line.

Lynn Wilson-Spohrer explained to Pentzer's that to get the structure 15 feet from front property line and 5 feet from side and they will be ok.

Joe Taylor stated the code states 15 feet setback. If the tree is affected then you have to have a tree removal application to change it.

Lynn Wilson-Spohrer stated they can come back with the exact dimension on how far back the tree is. If you can put the carport and still keep the tree that would be ideal.

Joe Taylor made motion to table allowing property owner to go back and get the measurements, Jim Bachrach second the motion. Motion carried.

- 10) Review, Discussion and Decision on permit issuance for proposed fencing (4' in front & 6' in rear) @ 116 15<sup>th</sup> Street, Block 100, Lot(s) 4, For – Rhett Butler, Contractor – Self.  
**Geoff Hewell made motion to approve, second by Jim Bachrach. Motion carried.**
- 11) Review, Discussion and Decision on permit issuance for proposed bedroom addition @ 190 Avenue C, Block 59, Lot(s) 4-5, For – Rob & Pam Bartosh, Contractor – Galloway Construction, Inc.  
**Joe Taylor made motion to approve, second by Jim Bachrach. Motion carried.**
- 12) Review, Discussion and Decision on permit issuance for proposed 7'x11' deck expansion and installation of metal roof over entire deck @ 29 5<sup>th</sup> Street, Block 11, Lot(s) 8, For – Joel Major, Contractor – Self.  
**Discussion was that by drawings you can't really tell much about the roof, question about railings, etc...**  
**Jim Bachrach made motion to table due to the need for more information, second by Geoff Hewell. Motion carried.**
- 13) Old Business  
None
- 14) Other Business For Discussion

**Geoff Hewell made motion to adjourn, second by Jim Bachrach. Motion carried.**



Tom Daly, Chair