

CITY OF APALACHICOLA

PLANNING & ZONING BOARD

REGULAR MEETING

MONDAY, October 10, 2011

Community Center/City Hall – 1 Bay Avenue

MINUTES

Members and Staff Present: Tom Daly-Chairman, Leon Bloodworth-Acting Chairman, Mark Browne, Geoff Hewell, Dieter Ambos, Betty Webb-Administrator, Cindy Clark-Planning Contractor

REGULAR MEETING – 6:00PM

Meeting opened by Leon Bloodworth, Acting Chair (Chairman Daly entered later in meeting).

- 1) Approval of September 2011 minutes. Motion to approve September 12th and 26th, 2011 meeting minutes made by Dieter Ambos, second by Geoff Hewell. Motion Carried 4 to 0**
- 2) Review, Discussion and Decision for permit issuance for new garage @ 114 6th Street, Block 21, Lot 4 for AJ Smith/1st Choice Builders, Bryce Ward Contractor. Architect recommendation to approve received. Motion to approve made by Mark Browne, second by Dieter Ambos. Motion Carried 4 to 0.**
- 3) Other Business:
 - 1. Readdress from 9/26/11 meeting - Review, Discussion and Decision for permit issuance for temporary portable building/12'x60' mobile office @ 391 Market Street, Block Q, Lot 2 and other parcels for Water Street Seafood, Inc. Betty Webb reported that building official has reported that FEMA elevations are not considered for portable building and owner of property reports that he would move the structure out at any time if needed. Motion to approve made by Mark Browne, second by Geoff Hewell. Motion Carried 4 to 0.****

Chairman Daly entered meeting.

- 2. Review, Discussion and Decision for permit issuance for temporary shed @ 80 Avenue G, Block 21, Lot 5 for Kellie Sorento. Applicant explained that the shed would be for temporary storage while existing house is being renovated, should not be for more than a year. Motion to approve for up to one year made by Leon Bloodworth, second by Mark Browne. Motion Carried 5 to 0.**
- 4) Review, Discussion and Decision for permit issuance for CVS Pharmacy @ 139 and 145 Avenue E, Block 77, Lots 1, 2, 3, 4, 7, 8, 9 and 10. Architect recommends denial of application.**

Attorney Larry Curtin, representing CVS Pharmacy, presented the following comments/rebuttal to issues brought forth in architect's Basis of Denial recommendation:

1. Design – proposed design elements are same as the current structure and offers same aesthetics used on buildings in the surrounding area.
2. Alleyway – CVS representatives have talked with City officials concerning allowance of an encroachment into the alleyway and received a show of support, representatives feel this issue can be agreeably dealt with.
3. Lot Coverage – 60% lot coverage is allowed in zoning district, architect states that lot coverage is at 94%, CVS disagrees - they are at 67% to 76%, which is close enough to work on an acceptable reduction in the overall project.
4. Appeal Process – architect states there is no appeal available with regard to this project, city's code does allow for an appeal process.
5. Intent of Historic District Design Guidelines - proposed structure is below the maximum height and size allowed in the code and there are other large facilities in the vicinity.
6. Existing Structure - does not agree that demolition of the existing structure is a true violation of the code as stated by architect, comp plan does not say a historic structure cannot be relocated or demolished, provision are in place to allow.
7. Trees – the three heritage trees will not be removed.
8. Sale of Alcoholic Beverages/Cigarettes – considers this an existing use – same address – plans to continue sales – would consider the existing approved use to continue under a grandfathered status.

Leon Bloodworth stated that the whole proposed project does not meet city's guidelines, asking CVS to just follow code, stressing that the existing structure is a contributing structure to the Historic District and is protected. Mr. Bloodworth also stated that he does not feel CVS is giving any relief to P&Z's suggestions to make the project work.

Tom Daly stated that the proposed design does not blend with the historic nature of the community that the city wants to maintain as historically correct as possible. Mr. Daly also stated that the alleyway redesign is an issue, the proximity of the school is an issue, the community is just not about big box stores and the project as presented is against all concepts of this historic community.

Mr. Curtin stated that CVS will work with the Board to make it compatible.

Dieter Ambos asked if the sale of alcoholic beverages stays with the business if it moves into a different structure since such sales are non-conforming. Betty Webb will check with the city attorney and report back to the board.

Zach Middlebrooks, CVS representative, answered question from the audience concerning the proposed design, stating that the design is a blank slate and changes can be made. Mr. Middlebrooks also stated that there are no plans for the store to stay open 24 hours a day.

Motion to deny application as presented, in accordance with and based on code requirements, made by Leon Bloodworth, second by Geoff Hewell. Motion Carried 5 to 0.

Leon Bloodworth stated that if CVS comes back with a proposal that works within the code, it will be addressed, but he substantially agrees with the architect's response. Board agreed.

There being no further business, meeting adjourned.

Tom Daly, Chairman