

CITY OF APALACHICOLA
PLANNING & ZONING BOARD
PUBLIC HEARING & REGULAR MEETING
MONDAY, June 8th, 2015
Community Center/City Hall – 1 Bay Avenue

MINUTES

Present: Tom Daly – Chairman, Jim Bachrach, Geoff Hewell, Uta Hardy, Sally Williamson, Lynn Wilson-Spohrer, Cindy Clark – Contractor, Revena Ramsey – Permitting, Lee Mathes - City Clerk, Patrick Floyd – City Attorney

Public Hearing – 6:00 PM

The applicant, City of Apalachicola request a special exception relating to proposed new construction for use as the Apalachicola Municipal Library within the R-1 (Single Family Residential) zoned area located at 151 Avenue E (NW corner of Hwy 98 and 12th Street), more specifically described as a parcel of land being part of Block 84 of the City of Apalachicola.

Discussion was held

Betty Webb spoke on behalf of the city stating there have been some comments and discussion on the proposed request and what the city is asking at this time is to modify the request basically saying that we would still like to have a special exception but we will agree and have it contingent upon the motion that we will meet all setbacks, all lot coverage and there will be no 25 foot rear setback variance pursuit.

Revena Ramsey stated 79 notices were sent out, we only received 9 responses back. We had 3 “For”, 4 “Against”, 2 “Undeliverable” and 2 that actually came in after the deadline that were “For”.

Uta Hardy asked what was reasoning for those opposed.

Revena Ramsey stated for Opposed, they were suggesting we purchase different property; property they owned and the other had concerns with traffic congestion on 12th Street with entrance being on 12th.

No other comments, suggestions or concerns.

Public Hearing closed

Regular Meeting – Immediately Following

- 1) Approval of May 2015 Minutes.
 - **Michael Clayton spoke in regards to him coming before P&Z prior month and them requesting hardiboard siding when surrounding residences to his have vinyl siding and they just installed a trailer in the area a block away and he wants to know why they are requesting him to place hardiboard.**

Geoff Hewell stated himself and the board requested hardiboard because that’s the direction they are going. They don’t want any construction with vinyl or anything because it’s not

sturdy enough for the wind velocities and also for the looks and all. We are the architectural review board in Apalachicola.

Sally Williamson stated she understood his problem but this had nothing to do with the minutes that if he had a problem with it he needed to make a request that they are just trying to approve what is written on our minutes right now.

Lynn Wilson-Spohrer request a correction to Item #11 that it's on tape the motion that states that to get emergency exit handi-cap fire door was said that approved through P&Z but would have to go to the city for approval of the encroachment and the property owner, which is the city. It did not say who donated or gave the property. This is an adjustment to the minutes. We have it on video tape. It's ok, just saying those words were placed in the minutes after the fact.

Geoff Hewell asked if it said donor or owner?

Lynn Wilson-Spohrer stated it said owner. The minutes and the video tape say owner. What I'm saying is it's okay it did not say donated. It did not say gave the property in the minutes that way. That it was encroachment and property owner.

Geoff Hewell asked if the City owned the property yet.

Betty Webb stated yes the city is the property owner.

Geoff Hewell asked if the donor had special or specific, have any problem with it or is here tonight.

Betty Webb stated that the deed outline basically says the property will be used for a park. Yes there are some restrictions on it.

Geoff Hewell asked Allan the lady in question, board member wants to put in a handicap door, she's gotta knock out a window to do that, she's got to have a handicap access for that building. He asked Mrs. Lynn Wilson-Spohrer how many inches inches and she stated 19".

Lynn Wilson-Spohrer stated this will come up on the agenda she's just posting that there's a cloud of potential corrections to the minutes. We can discuss it if you want when we get to that point.

Sally Williamson stated this is just to make sure our minutes are right. Sally states so the minutes should only state owner.

Jim Bachrach stated Lynn was right we didn't talk about donor but we talked about the restrictions that came with the property.

Uta Hardy stated on topic #5 she wasn't just concerned about the usage of the structure she was concerned about allowing water to access this project because in the past we had not done this. If we allow that, we really have to change our code accordingly.

Tom Daly stated the code does not prevent it.

Uta Hardy stated we never allowed water to a second structure.

Tom Daly stated the code does.

Jim Bachrach made motion to approve, second by Geoff Hewell with mentioned corrections. Motion carried.

- 2) Decision on special exception request @ 151 Avenue E, part of Block 84, For- City of Apalachicola. **Jim Bachrach made motion to approve with the contingencies that Betty Webb noted; that all setbacks will be met, all lot coverage and there will be no 25 foot rear setback variance pursuit, second by Geoff Hewell. Motion carried.**

- 3) Review, Discussion and Decision on new 52 unit apartment complex (Multi-Family) @ 192 Avenue L, 3.659 acres (more or less) of Chapman High School property, For – Denton Cove, Ltd., Contractor – Roger B. Kennedy, Inc.

(Court reporter present)

Chairman Daly mentioned one correction that it's not Chapman High School property it's Apalachicola High School property.

Introduction was given by Jeff Sharkey with Wendover, with mention of those present in representation for Wendover: Mark Tarmey with 4M Design is the Architect;(walk through the presentation), Jonathan Wolf a partner with Wendover Housing, Gary Brink is on site construction manager/project manager, Phillip Jones with Preble Rish (Engineer for Stormwater), Dan Stengle is the Attorney.

Mr. Starkey mentioned they've had two preliminary Planning & Zoning approvals they're asking for third one. Prior approvals were December 2012 and June 2013. Modifications have been made to elevation.

Presentation presented by Architect Mark Tarmey.

Discussion was held with P&Z Board having concerns with building being siding, windows, roof pitch and metal roofing, stormwater(retention pond)

Public questions/input/concerns are:

Why that portion of school property was chosen as opposed to the SE corner of property that's already adjacent to an existing development of similar nature?

Betty Webb stated that this was the site location brought before City Commission by developers and City did not look beyond what was presented to them.

Storm water concerns with ditch overflowing in past. Ditch doesn't flow it's stagnant. With development and increase in storm water runoff concerned ditch & retention pond can't handle it.

Betty Webb stated there are several storm water improvement projects going on, this one not being one at this time, but it is in our storm water management plan and Prebble Rish is working with us on those.

Location concerns and question raised in regards to a traffic study being done and also raised issue with lighting.

Mark Tarmey stated traffic study isn't required if it's not D.O.T. roads.

Dan Stengle stated this project meets all requirements of the code.

Needs assessment be done in regards to facilities, water, roads, lighting and ask it be tabled until those are done.

More space is needed and they need to go find space elsewhere. They are rushing the project.

Jonathan Wolf with Wendover Housing anything codes require they'll do. A traffic study isn't in code. He committed to doing a traffic study per Kathy Robinson asking of him.

What's the 10 million dollars bringing to the city?

Tom Daly stated it's a 10 million dollar project and what it'll bring is advalorem taxes, county taxes so the revenue the county and school board will see will be on an annual basis a couple hundred thousand dollars so there is money that will come in because this is a private development and they will pay advalorem taxes.

Ask they board to apply same due diligence as would any other.

Concerns on income requirement not being what was presented in beginning. Concerns that anyone can move in no matter where they are from.

Mark Tarmey stated they'll come back for a final elevation approval if that's what they want.

Uta Hardy made motion to table it until we get a traffic study and come back with final plans with all corrections regarding roof, siding and everything. Lynn Wilson-Spohrer stated and landscaping plans on final.

Mr. Starkey with Wendover if P&Z asks they will come back with final elevation showing all changes so everyone can see.

Pat Floyd stated they are the architectural review board and that particular motion procedurally needs to be dealt with before moving forward on anything else.

Jim Bachrach second the motion.

Geoff Hewell needed clarification on motion. Are you asking for final elevation to come back, traffic study to be done which is what he said he'd do, and infrastructure report from city with water and everything else, sewer and all and landscaping.

Cindy Clark read her review findings based on LDC and Comp Plan for Denton Cove project as presented.

Uta Hardy made motion to table, 2nd by Geoff Hewell. Sally Williamson abstained from voting as she wasn't up to date on the project. Motion carried.

Note: Since Ms. Sally Williamson has no financial or personal interest, she is recognized as a yes vote due to the fact she did not express a nay vote.

- 4) Review, Discussion and Decision on permit issuance for new single family residence @ 111 17th Street, Block 105, Lot(s) 7, For – Gary Ulrich, Contractor – Self. Tabled on 5/11/15
Geoff Hewell made motion to approve, 2nd by Sally Williamson. 5 for 1 abstained (Uta), Motion carried.
- 5) Review, Discussion and Decision on permit issuance for 14'x20'x6' metal carport @ 127 22nd Avenue, Block 254, Lot(s) 22-24, For – George Power, Jr, Contractor – Elephant Structures. Tabled on 5/11/15
Tom Stated was tabled before due to setbacks. He went to site and is comfortable where it's going. Shed will not encroach into right of way.

Geoff Hewell made motion to approve, 2nd by Sally Williamson. Motion carried.

- 6) Review, Discussion and Decision on permit issuance for window to door change out on historical building @ 117 Market Street, Block F2, Lot(s) SE ½ of 15 and all of 16, For – Lynn Wilson-Spohrer, Contractor – Self. 5/11/15 P&Z approval of door and deck contingent upon agreement of encroachment by city and donor of park property. Owner is requesting approval of door only at this time.
Mr. Jones stated he gave the property to the city under the condition it remains a park not to be given out in pieces for private citizens for their own purpose. He's shocked work was being done without a permit and them knowing they were encroaching.

Mr. Jones stated that if the conditions of the gift are dishonored then this will become a legal issue. Conditions are it's to be used as a public park.

Lynn Wilson-Spohrer stated she's not asking for any ground. Insurance has been canceled because she was given 30 days to create a fire exit. City Commission said she could cut the door and have a fire exit.

Betty Webb stated City Commission did not take a vote that there was a statement by the city attorney and he is here to reiterate. Betty stated correction is she's the one that stated originally Lynn needed to come to P&Z because from what she understood if you're changing anything on the outside fassad you do have to come to P&Z. Especially if it's in the historic district.

Geoff Hewell statement he made before is because he knew there were special exceptions or contingencies made by the owner at that time which was Mr. Jones and I knew that city owned it but they had to adhere to his request. It's in the deed.

Lynn Spohrer stated she will do the door as it will not encroach on the city. She's contacted Willie Poloronis as he's going to do the door for her because she has to put in a steel lintel for support. She's going to move the door 19 inches over so as it's not encroaching.

Jim Bachrach made motion to approve based on submission of new plans showing door with no encroachment, 2nd by Geoff Hewell. Motion carried.

- 7) Review, Discussion and Decision on permit issuance for 6 ft privacy fence @ 19 Shadow Lane, Block 8 (Philaco Shores), Lot(s) 7-8, For – Kay Coleman, Contractor – Self.

Geoff Hewell made motion to table until we can get a survey and show configuration of lot, 2nd by Jim Bachrach. Motion carried.

Original decision receded.

Geoff Hewell made motion that fence cannot come out past corner of neighbor's house, 2nd by Lynn Wilson-Spohrer. Motion carried.

- 8) Review, Discussion and Decision on permit issuance for a 10' x 16' temporary storage shed @ 100 Avenue D, Block 29, Lot(s) SW ½ of 6, For – Mitchell Bartley, Contractor – Self. **Encroachment agreement required**
Sally Williamson made motion to approve the shed on property for 6 months from day of installation and if extension is needed he will come back before P&Z, pending encroachment agreement, 2nd by Lynn Wilson-Spohrer. Motion carried.
- 9) Review, Discussion and Decision on permit issuance for renovation at Fort Coombs Armory @ 66 4th Street, Block 9, Lot(s) 1 and SE ½ of 2, For – Franklin County, Contractor – To Be Determined. **Encroachment agreement required**
Sally Williamson made motion to approve, 2nd by Jim Bachrach. Motion carried.
- 10) Review, Discussion and Decision on permit issuance for storage shed & fencing @ 58 15th Street, Block 97, Lot(s) 5, For – Andy Scarborough, Contractor – Erin Rodriguez Construction, LLC.
Jim Bachrach made motion to approve, 2nd by Sally Williamson. Motion carried.
- 11) Review, Discussion and Decision on permit issuance for an addition @ 88 Avenue G, Block 21, Lot(s) 6, For – Erin Rodriguez, Contractor – Self. **Variance approved by BOA on 6/1/15**
Jim Bachrach made motion to approve, 2nd by Sally Williamson. Motion carried.
- 12) Review, Discussion and Decision on permit issuance for rooftop gazebo @ 29 Avenue E, Block F2, Lot(s) 18-20, For – Steward Hodson, Contractor – William Poloronis. **Denied 4/13/15**
Lynn Wilson-Spohrer asked if roofing to gazebo could be metal, standing seam, dark green in color as other roofs in the area are? If gazebo could be stained wood? If so, would Mr. Hodson consider the back stairways also be stained wood instead of metal?

Lynn Wilson-Spohrer stated that it would be very handsome with wood railing, wood, vertical boards, green roof matching green windows, if the back terrace area and stairs down could also be stained wood.

Jim Bachrach stated key that it's not visible. Geoff Hewell stated these will be decided on a case by case basis.

Jim Bachrach made motion to approve, 2nd by Lynn Wilson-Spohrer. Motion carried.
- 13) Review, Discussion and Decision on permit issuance for new single family modular home and tree removal (**After the Fact**) @ 222 ½ B Center Street, Block 8 (Neels Addition), Lot(s) 7, For – Amanda & Oscar Sanchez, Contractor – Perez Construction & Design, Inc.
Geoff Hewell made motion to approve with changes of standing seam galvalume metal roof, horizontal lap (hardiboard) siding, addition of a porch across the front (hip roof with 2' overhang) gutters all around and landscaping, 2nd by Jim Bachrach. Tom Daly opposed. Motion carried.
- 14) Review, Discussion and Decision on permit issuance for shingle to metal roof (color light stone) @ 235 Avenue D, Block 4 (Neels Addition), Lot(s) 18-20, For- Wynette Hardy, Contractor – Teat Construction.
Geoff Hewell made motion to approve, 2nd by Jim Bachrach. Motion carried.

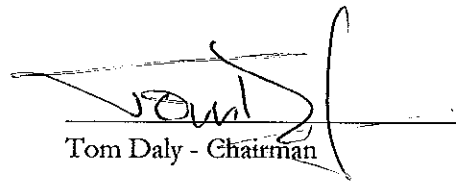
15) Old Business

Discussion on Burnt home on Hwy 98 and 17th Street – Lynn Wilson-Spohrer city needs to tear it down and put a lien on property.

16) Other Business For Discussion

Handouts on topics for Joint Workshop July 7th, 2015
At 5 p.m.

Sally Williamson made motion to ajourn, 2nd by Jim Bachrach. Motion carried.



Tom Daly - Chairman