

**CITY OF APALACHICOLA**  
PLANNING & ZONING BOARD  
QUASI-JUDICIAL PUBLIC HEARING  
MONDAY, July 8<sup>th</sup>, 2024  
City Meeting Room – 74 6<sup>th</sup> Street  
Agenda

*(Planning Report & Comments from Letters will be available 1 week prior to the meeting, 7/1/24.)*

**Quasi-Judicial Public Hearing: Immediately following Regular Meeting @ 6:00 PM**

1. Discussion & Decision for proposed Bed & Breakfast use in the C/2 Zone at 196 8<sup>th</sup> Street, more specifically described as Block 167 Lot 4 for Wes Warren – Owner; Representative – Richard Dagenhart. Applicant is requesting approval of a special exception for a Bed & Breakfast.
2. Contingent upon approval of #1, Discussion & Decision for a Certificate of Appropriateness, Additions, Accessory Structure, and Fence.

Other/New Business:

Outstanding/Unresolved Issues:

*In our continuing effort to keep the citizens of Apalachicola informed, this agenda is posted on our website at [www.cityofapalachicola.com](http://www.cityofapalachicola.com) prior to the scheduled meeting for public review. Additional information such as the City Land Development Code and zoning related maps, along with other development information is also available on the website for your convenience. Please direct any questions concerning items on this agenda or the Planning & Zoning Board to Bree Robinson (850)323-0985 or [brobenson@cityofapalachicola.com](mailto:brobenson@cityofapalachicola.com).*

**Mayor**  
Brenda Ash

**Commissioners**  
Anita Grove  
Adriane Elliott  
Despina George  
Donna Duncan



# CITY OF APALACHICOLA

192 Coach Wagoner Boulevard . Apalachicola, Florida 32320 .  
850-653-9319 . Fax 850-653-2205 . www.cityofapalachicola.com

**City Manager**  
Travis Wade

**Finance Director**  
Lee Mathes

**City Clerk**  
Sheneidra Cummings

**City Attorney**  
Dan Hartman

**Bree Robinson - City Planner**  
6/4/24  
Updated 7/1/24

## P&Z Public Hearing 7/8/24 City Staff Report

### Background:

The following special exception requests items will be discussed, considered, and decided upon at the 7/8/24 P&Z Public Hearing:

- 1. Discussion & Decision for proposed Bed & Breakfast use in the C/2 Zone at 196 8<sup>th</sup> Street, more specifically described as Block 167 Lot 4 for Wes Warren - Owner; Representative - Richard Dagenhart. Applicant is requesting approval of a special exception for a Bed & Breakfast.**
- 2. Contingent upon approval of #1, Discussion & Decision for a Certificate of Appropriateness, Additions, Accessory Structure, and Fence.**

Advertisements giving public notice of these requests and the public hearing were published in The Times on 6/13/24 and 6/20/24. The advertisement language is within the agenda packet. A Public Notice sign was also posted on the property 6/5/24. The content of the sign is attached to this report. Citizen Input was sought out through letters sent out to abutting and nearby property owners 6/4/24 with direction to either return the letters to City Hall with comments, email comments, or attend the Public Hearing. Comments will be noted under Citizen Input Findings.

### Citizen Input Findings & Report:

The letters sent out gave a brief overview of the requests and had a form on the back for citizens to fill out if they were for or against the Special Exception request and give comments on why or why not. 57 letters were sent out on 6/4/24, and as of 7/1/24 there were 10 responses. Any comments received after this date will be presented at the meeting by staff. The results of these letters are:

<b>For: 9</b>	<b>Against: 1</b>
<b>Comments:</b> <ul style="list-style-type: none"> <li>• <i>Excellent use for this historic structure. Appropriate for neighborhood.</i></li> </ul>	<b>Comments:</b> <ul style="list-style-type: none"> <li>•</li> </ul>

Comments:

Love the Idea of  
a B&B. Think it will improve  
the area.

Comments:

WE WELCOME A BED & BREAKFAST TO OUR  
NEIGHBORHOOD WHOLE HEARTEDLY!!!!  
WHILE OUR LOT IS CURRENTLY VACANT, WE  
EXPECT TO START BUILDING A SMALL COTTAGE  
NEXT YEAR. THIS TYPE OF ACTIVITY IS GOOD TO  
SEE HAPPENING IN OUR PREVIOUSLY  
UNDERDEVELOPED NEIGHBORHOOD!!

Comments:

My wife and I, owners of a vacant lot  
located at 178 7<sup>th</sup> St., are highly in favor of  
granting Mr. Warren the Special Exception he  
seeks. We are thrilled that short-term rentals  
are now a possibility in Apalachicola, and hope  
that Mr. Warren is granted the opportunity to  
generate some income for himself, the city, and  
the local businesses who will benefit from his  
future guests.

We support our neighbor's request for a special  
exception for a proposed B&B on their property, but  
we would like to be assured of adequate parking  
on their parking for their clientel.

Comments:

I own several lots on The Hill. I think  
it is awesome that zoning may change we would  
love quaint rentals in the area.

Owner of 2 vacant lots called in to express support of the proposed B&B -  
stated it would enhance the community.

Letters are available for viewing at City Hall with a public records request.

The letters received for this Special Exception Request were mostly in favor of the development. It is worth noting that out of the 10 responses (as of 7/1/24) that were received - 3 were owners of a nearby home, 1 was the owner of a potential business in the C-2 Zone, and 6 were owners of vacant lots.

The P&Z Board is tasked with reviewing the Special Exception request and determining if it is consistent with the provisions of the Schedule of District Regulations and in harmony with the purpose and intent served by the LDC. The P&Z Board is also tasked with determining whether the Special Exception would adversely affect the public interest. Questions for the board:

**1. Is this request in harmony with the purpose and intent served by the LDC?**

- a. The C-2 Zone is the Neighborhood Commercial zone. This zone is intended to include retail, professional, office, financial, and other conventional commercial activities. Certainly, a Bed & Breakfast, is a commercial endeavor, but does this use lean into the purpose and intent of this zone? Will future B&Bs encourage more retail development in this zone or discourage it?

**2. If granted, would this request adversely affect the public interest?**

- a. This location is neighbor to a potential small business location (currently being renovated) and to a vacant lot on the other side. There is a public alley separating the structure from a rear neighbor. Across the road are current vacant lots and a home.
  - b. Any B&B activities would be subject to the City noise ordinance in the event of loud activity.
3. **Are there any appropriate conditions and safeguards in conformity with the City code that the P&Z Board would like to assign to the project?**
- a. Examples include: landscaping, parking, right-of-way clearance, etc. There has been concern over adequate parking being provided for the guests – the City LDC requires that parking be contained on-site and the parking requirements require 1 parking spot per dwelling. For this development 2 parking spots are required – the current plans show 4 on-site parking available in the rear through alley access and the use of 2 right-of-way parking spaces. (It is worth noting that ROW parking is not a guarantee.)

The applicant representative has prepared a list of requested approvals, but the P&Z Board will follow the agenda as posted and first only discuss the Special Exception request. If the Special Exception is granted, only then will the P&Z Board move on to discussing some of the more specific requests that pertain to the site plan, stormwater, and Certificate of Appropriateness.

**Applicant Requests:**

1. *“Waiver of a full stormwater plan and detailed site plan as required by the Apalachicola Stormwater Management Ordinance. This waiver allowed by the City stormwater official.”*
  - a. There is no use of the term “waiver” in relation to stormwater in the City LDC.
  - b. The City LDC does require a stormwater management system for a 24-hour/25-year standard for this property and commercial project – the revised application references other locations standards, but these should not be considered as the P&Z Board is bound to follow the current City LDC requirements.
  
2. *“Approval of overall design of the Ziegler Building rehabilitation following the Secretary of Interiors Standards and Guidelines for Historic Rehabilitation and the Apalachicola Historic Guidelines, adopted by the City of Apalachicola LDC.”*
  - a. This is subject to P&Z review of the Certificate of Appropriateness.
  
3. *“Approval to replace the historic metal canopy on the Ziegler Building facade, add a rain barrel, and install a landscaped ground cover on 8th Street public right of way. The owner will agree to a contractual arrangement dealing with maintenance, liability, and replacement if the city requires changes or damages the canopy, rain barrel and ground cover for any reason. Note that the rain barrel will be used to irrigate/infiltrate the landscaped ground cover in the City right of way in front of the building.”*
  - a. The P&Z Board does not have the authority to approve an encroachment agreement, which is what the applicant references in mentioning an “agreement”. The P&Z Board does not have the authority to approve of development within the ROW – this will need to go to the City Commission for a final approval of the encroachment. A Special Exception is required before a Certificate of Appropriateness will be discussed.
  - b. The P&Z Board could issue a conditional approval of the Certificate of Appropriateness, contingent upon the City Commission approving an encroachment agreement. If the encroachment agreement is denied, then the façade of the structure would need to be re-evaluated to take any changes into account.
  
4. *“Approval of the historic canopy on the north elevation, the new canopy on the south elevation, and the two small entry decks, which are within the required 15-foot front yard. Note that the canopies and decks do not expand the square footage or ground coverage of the Ziegler Building because they have no supporting columns. They are non-conforming only due to the impervious roof or the small entry decks being defined as “uncovered porches.””*

- a. This is a historic nonconforming structure, which does allow it to maintain the current nonconforming footprint, but this ordinance specifies that this cannot be at a greater nonconformity so this is not inherently allowed.
- b. However, the LDC does say that repairs, alterations, and additions necessary for the preservation, restoration, and rehabilitation of a nonconforming structure may be permissible when authorized by the architectural review board in the form of a certificate of appropriateness, provided the structure is a documented historic structure.

**Possible Results:**

---

If the P&Z Board wishes to:

➤ **APPROVE the Special Exception**

- There will need to be discussion on if any safeguard conditions are stipulated for this project and if the board would like to include a time limit for the approval.
- If approved, the next agenda item is to discuss the site plan and Certificate of Appropriateness.

Possible contingencies noted by staff include:

- A sign approved by the P&Z Board before a business license can be issued.
- A DEP permitted stormwater management plan will need to be submitted and approved by the floodplain administrator prior to permitting.
- An encroachment agreement (specifically for the canopy extending into the ROW that is not already present on the structure) must be obtained from the City Commission prior to permitting.

➤ **DENY the Special Exception**

- There will need to be a basis of denial stated. Ex: The P&Z Board does not agree that the request is in harmony with the purpose and intent of the LDC for \_\_\_\_\_ reasons or the P&Z Board believes this request will adversely affect the public interest based on \_\_\_\_\_.
- If denied, there will be no discussion of the site plan and Certificate of Appropriateness.

**Applicable Code:**

---

• **Sec. 111-274. - C-2 neighborhood commercial.**

- (a) District intent. The provisions of the C-2 district are intended to apply to areas within convenient traveling distance to one or more neighborhoods wherein small groups or retail commercial, professional, office and financial and other conventional commercial activities are permitted. This district is not intended to accommodate large-scale commercial or service activities or automotive or other type of more intensive commercial activities.
- (c) Special exceptions. After public notice and hearing and appropriate conditions safeguards, the planning and zoning board may permit, as special exceptions the following:
  - (1) Bed and breakfasts.
  - (2) Indoor amusements (pool, billiard, similar uses).
  - (3) Service stations (no repair facilities).
  - (4) Two-family.
  - (5) Residential apartment units.
- (e)(3) Other principal uses Setbacks
  - a. Front: 15 feet.
  - b. Side, interior lot: five feet.
  - c. Side, corner lot: five feet.
  - d. Rear: ten feet.
- (f)(2) Other principal uses.
  - a. Lot coverage: 60 percent.
  - b. Permissible building height: 35 feet.
- (g) Applicable regulations.

- (1) Parking regulations. See section 111-288.
- (2) Sign regulations. See chapter 113.
- (3) Special exceptions. Unless otherwise specified, special exceptions must comply with development standards for principal uses. If deemed appropriate by the planning and zoning board in order to grant a special exception, certain more stringent standards may be imposed.
- (5) Stormwater management plans. Commercial development requires a department of environmental regulation permitted stormwater plan.
- **Sec. 101-60. – Planning & zoning board.**
  - (9) Pursuant to the policies regarding quasi-judicial hearing requirements adopted by the city on file in the clerk's office, the review and disposition of requests for special exceptions consistent with the provisions of the Schedule of District Regulations and in harmony with the purpose and intent served by this Code. A conditional use may be allowed in a district by special exception. In deciding such questions as are involved in the determination of when special exceptions should be granted and any appropriate conditions and safeguards attached thereto, the board:
    - a. Shall find that such grant will not adversely affect the public interest.
    - b. May prescribe appropriate conditions and safeguards in conformity with the standards set forth in this Code, the Code of Ordinances, the comprehensive plan adopted for the city, and any other applicable land development regulation adopted by the governing board.
    - c. May prescribe a reasonable time limit within which the action for which the special exception was granted shall be commenced, completed or both.
    - d. Shall confer with the city commission prior to permit approval on all impact developments.
      - 1. Requests for special exceptions shall be made in writing to the building inspector, stating fully the nature of the use or structure for which the exception is being sought. Such application, along with all documentation and support material necessary in the consideration of the requests, shall be presented to the board staff for preliminary review and recommendations.
      - 2. Public notice shall be given of a public hearing and written notice thereof shall be given to the owner or his authorized agent and, insofar as practicable, to owners of abutting properties and other properties directly affected by the request. In cases where property in question is adjacent to the city limits, the county planning department shall be notified of the proposed special exception. All hearings shall be open to the public and provide opportunity to any party who may wish to appear in person, or by agent or attorney. Applicants may be required to assume such reasonable costs in connection with requests as may be determined by the board through action in setting of fees to be charged.
      - 3. When, in the finding of the board the granting of a special exception is consistent with the intent and purpose served by the particular zoning district for which the exception is sought and all other applicable provisions of this Code, the board shall notify the applicant in writing by certified mail of the decision and of any questions and safeguards attached thereto. The granting of a special exception by the board shall not confer upon the applicant any expressed authority to proceed with any development not specifically permitted or for which no permit has been issued pursuant to division 3 of this article.
- **Sec. 111-322. - Historic and nonhistoric nonconforming structures.**
  - (a) Historic nonconforming structures. The intent of this section is to preserve all historic structures, including those that are nonconforming as to size, setback, elevation, and/or height.
    - (1) Nothing in this section shall be construed to prevent the ordinary and routine maintenance and repair of historic, nonconforming structures.
    - (2) Repairs, alterations, and additions necessary for the preservation, restoration, and rehabilitation of a nonconforming structure may be permissible when authorized by the

architectural review board in the form of a certificate of appropriateness, provided the structure is a documented historic structure.

- (3) If an historic, nonconforming structure receives substantial damage in excess of 50 percent of the appraised value of the structure, such historic structure shall be reconstructed in accordance with the Florida Building Code. If the damaged or destroyed historic structure was nonconforming based on size, setback, elevation, or height, it may be reconstructed at no greater nonconformity than prior to when it was damaged or destroyed. A damaged or destroyed historic, nonconforming building that exceeded current height restrictions may be rebuilt to original height provided it is a replica of the original historic building. In the case of transient lodging facilities, the number of units in the reconstructed structure may not exceed the number of units in existence at the time of damage or destruction.
- (4) If an historic, nonconforming structure or portion of any such structure is declared by any duly authorized official of the city to be physically unsafe or unlawful due to lack of repairs or maintenance, the unsafe or unlawful portion shall be repaired and rebuilt in conformity with the historic preservation provisions of chapter 109.
- (c) Expansion of historic and nonhistoric, nonconforming structures. The intent of this section is not to permit either historic or nonhistoric nonconforming structures to be enlarged upon, expanded, or extended, except as allowed through the variance process at section 101-61(2). Existing nonconformities of a structure shall not be used as grounds for adding other structures prohibited elsewhere in the same district.
  - (1) An expansion in square footage for either historic or nonhistoric structures shall be permitted where such expansion meets all requirements of this code, including those of section 101-61(3)b when a variance is needed.
  - (2) An expansion of either an historic or nonhistoric, nonconforming structure is permissible when it is required by law or ordered by the building inspector to secure the safety of the building.

**Attachments:**

---

- Advertisements
- Public Notice Sign
- Letters Sent Area (in red)
- Letters Sent
- **Applicant Original Submittal**
- **Applicant Revised Submittal**

The Times

**NOTICE OF PUBLIC  
HEARING - PLAN-  
NING & ZONING CITY  
OF APALACHICOLA,  
FLORIDA**

The Apalachicola Planning & Zoning Board will hold a Public Hearing on **Monday, July 8TH, 2024** immediately following the Planning & Zoning Regular Meeting at 6PM in the City Meeting Room, **74 6th Street**, Apalachicola, Florida to address the following special exception requests and receive citizen comments relating to proposed changes on the parcel listed below. A decision will immediately follow. The following special exception requests items will be discussed, considered, and decided upon:

**1. Proposed Bed & Breakfast at 196 8th Street**, more specifically described as Block 167 Lot 4. Applicant is requesting approval of a special exception for a Bed & Breakfast use in the C-2 Zone.

The Apalachicola Land Development Code allows for such use if special exception approval is granted. All interested parties are encouraged to attend and be heard with respect to this request. For further information, contact the City Planner, Bree Robinson, at 850-323-0985 or brobinson@cityofapalachicola.com .

June 13, 20, 2024

#####



Yard Sign



## **PUBLIC NOTICE**

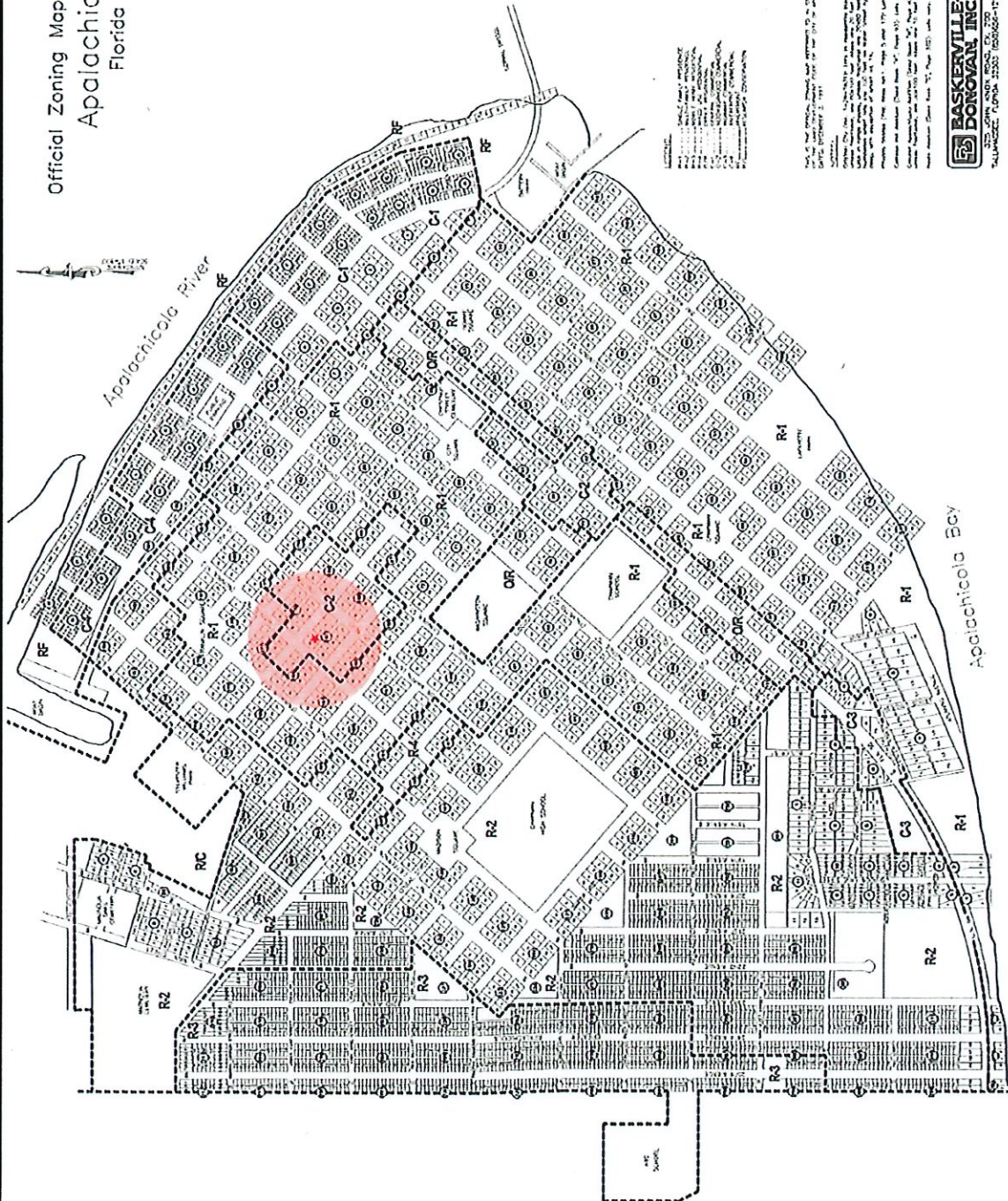
**A SPECIAL EXCEPTION REQUEST FOR THIS  
PROPERTY HAS BEEN FILED WITH THE  
PLANNING & ZONING BOARD FOR USE AS  
A BED & BREAKFAST IN THE C-2 ZONE**

**A PUBLIC HEARING FOR THIS REQUEST  
WILL BE HELD JULY 8TH @ 6:00PM IN THE  
CITY MEETING ROOM (74 6TH STREET)**

QUESTIONS? CALL (850)323-0985 OR EMAIL [BROBINSON@CITYOFAPALACHICOLA.COM](mailto:brobinson@cityofapalachicola.com)

Letter Distribution (b7) sent 6/4/24

Official Zoning Map of the City of  
Apalachicola  
Florida



Legend:  
R1 - Single-Family Residential  
R2 - Single-Family Residential  
R3 - Single-Family Residential  
RC - Community Residential  
DR - District Residential  
C1 - Community Center  
C2 - Community Center  
C3 - Community Center  
Other symbols for schools, parks, etc.

This map was prepared by the City of Apalachicola, Florida, and is subject to change without notice. The City of Apalachicola, Florida, is not responsible for any errors or omissions on this map. The City of Apalachicola, Florida, is not responsible for any damages or losses resulting from the use of this map. The City of Apalachicola, Florida, is not responsible for any legal actions or claims resulting from the use of this map.

**BASKERVILLE-DONOVAN, INC.**  
222 JOHN AND ROAD, CHESAPEAKE, VA 20120  
TALMADGE, FLORIDA 32320 780-866-1112

DATE: 6/4/24

**NOTICE OF PUBLIC HEARING  
PLANNING & ZONING  
CITY OF APALACHICOLA, FLORIDA**

The Apalachicola Planning & Zoning Board will hold a Public Hearing on **Monday, July 8<sup>th</sup>, 2024** immediately following the P&Z Regular Meeting at 6:00PM in the City Meeting Room, 74 6<sup>th</sup> Street, Apalachicola, Florida to address the following special exception requests and receive citizen comments relating to proposed changes on the parcels listed below. A decision will immediately follow.

The following special exception requests items will be discussed, considered, and decided upon:

- 1. Proposed Bed & Breakfast use in the C/2 Zone at 196 8<sup>th</sup> Street, more specifically described as Block 167 Lot 4 for Wes Warren – Owner; Representative – Richard Dagenhart. Applicant is requesting approval of a special exception for a Bed & Breakfast.**

The Apalachicola Land Development Code allows for such use if special exception approval is granted.

You are receiving this notice because you are an abutting or nearby registered property owner of one of the above referenced parcels. We would appreciate your comments and ask that you please complete and return this form to the City of Apalachicola by 4:00PM, Friday, June 21st, 2024 for inclusion in the staff report. Letters may be sent back to City Hall Attn: Bree Robinson 192 Coach Wagoner Blvd. Apalachicola, FL 32320 or emailed back to [brobinson@cityofapalachicola.com](mailto:brobinson@cityofapalachicola.com). All comments sent in are available by Public Records Request. You are also encouraged to attend the Public Hearing to be heard with respect to this request. The agenda packet for this meeting can be found at [www.cityofapalachicola.com](http://www.cityofapalachicola.com).

**Please send your response to**

**City Hall, Attention: Bree Robinson, 192 Coach Wagoner Blvd., Apalachicola, FL 32320 or  
email your comments directly to [brobinson@cityofapalachicola.com](mailto:brobinson@cityofapalachicola.com).**

**If you have any questions regarding this notice, please call the City Planner, Bree Robinson at  
(850)323-0985 or email [brobinson@cityofapalachicola.com](mailto:brobinson@cityofapalachicola.com).**

**(The form is on the back of this page.)**

Please circle your response:

<b>Special Exception #1:</b>
FOR
AGAINST

Comments:

---

---

---

---

---

---

Property Owner Address: \_\_\_\_\_

Property Owner of Block: \_\_\_\_\_ Lot: \_\_\_\_\_

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_



Applicant ORIGINAL Application



City of Apalachicola Planning & Zoning  
Application for Special Exception

Official Use Only

Date Received: 6/3/24  
Meeting Date: 7/8/24  
Fees Due: \$1,600.00  
Date Fees Paid: 6/3/24

OWNER INFORMATION

REPRESENTATIVE INFORMATION

Owner Eane Wesley Warren  
Address 21132 S. Lakeview Dr.  
City Panama City Beach State FL Zip 32413  
Phone 905-598-5947

Name Richard Dagenhart  
Email Richard.Dagenhart@designgatech.edu  
Phone (404)-277-1837

PROJECT TYPE

Special Exception

REQUEST STATEMENT: (State your special exception request in one sentence.)

Renovate historical house into a short-term vacation rental-duplex. To be used as Bed + Breakfast short term vacation rental duplex.

PROPERTY INFORMATION

Street Address (911 Address): 196 8th street  
City & State: Apalachicola, Florida Zip: 32320  
Parcel ID #: 01-095-08W-0330-0167-0040 Block: 167 Lot: 4  
Zoning District: 3 [  ] Historic District [  ] Non-Historic District  
FEMA Flood Zone: X

OFFICIAL USE ONLY

Current Zoning: C-2  
Current Land Use: \_\_\_\_\_

STAFF NOTES/RECOMMENDATIONS:

Ads, sign, & letters notified.  
Staff Report updated 7/1/24.

FEES

Quasi-Judicial Special Exception Request

\$1,600

NOTE: Please state in writing the full nature of the use or structure for which the special exception is being sought. Submit this application, statement, and any/all supporting material for the consideration of the request. The fee for a Special Exception application is due at time of submission. This is a conceptual approval through the City based on our Land Development Code (LDC.) Please be aware that other documentation may be required by the Building Official.

## CERTIFICATION

By signing below, I certify that the information contained in this application is true and correct to the best of my knowledge at the time of application. I acknowledge that I understand and have complied with all of the submittal requirements and procedures and have read and understand the following:

1. I/We hereby attest to the fact that the above supplied property address(es), parcel numbers(s), and legal description(s) is(are) the true and proper identification of the area of this petition.
2. I/We authorize staff from the City of Apalachicola to enter onto the property in question during regular business hours in order to take photos which will be placed in the permanent file.
3. I/We understand that the application fee is due at the time of application submission, the payment is nonrefundable, and that payment does not guarantee a successful request.
4. I/We understand that the Planning & Zoning Board will be the governing body on all special exception requests. The Planning & Zoning Board reserves the right to table a decision and request more information from the applicant.
5. I/We understand that the COA review time period will not commence until the application is deemed complete by staff and may take up to 30 business days to process. I further understand available meeting date.
6. I/We understand that an agenda and staff report (if applicable) will be available on the City's website approximately one week before the Planning & Zoning meeting.

6/1/24

DATE

  
SIGNATURE OF APPLICANT

AFFIDAVIT

We/I, Lane Wesley Warren, being first duly sworn, depose and say that we/I am/are the owners of the property described herein and which is the subject matter of the proposed hearing; that all the answers to the questions in this application, including the disclosure of interest information, all sketches, data, and other supplementary matter attached to and made a part of this application, are honest and true to the best of my/our knowledge and belief. We/I understand that the information requested on this application must be complete and accurate and that the content of this form, whether computer generated, or City printed shall not be altered. Public hearings will not be advertised until this application is deemed complete, and all required information has been submitted.

As property owner(s), we/I further authorize Richard Pagehart to act as our/my representative in any matters regarding this Petition.

[Signature]  
Signature of Property Owner

\_\_\_\_\_  
Signature of Property Owner

Lane Warren  
Typed or Printed Name of Owner

\_\_\_\_\_  
Typed or Printed Name of Owner

STATE OF FLORIDA  
COUNTY OF BAY

The foregoing instrument was acknowledged before me this 3<sup>rd</sup> day of June, 2024, by Lane Wesley Warren who is personally known to me or has produced DL as identification.

(Notary Seal)

Tracey Jackson  
NOTARY PUBLIC  
Printed Name:  
Commission Number:

Commission





## ADDENDUM TO CERTIFICATE OF APPROPRIATENESS ----- ZIEGLER STORE REHABILITATION

The Ziegler Store was originally located on the northwest corner of 7th Street and Avenue I and known as the Hill Grocery and Gas Station. The building was constructed as a single-gable structure facing 7th a smaller side-gable addition also facing 7th. The single-gable main building also had two entrances facing Avenue I. Sometime in the 1960's, the side-gable addition was demolished with the large building moved to its present 8th Street site. Additional historical information is being collected as part of the project.

Despite the current appearance of the building, close inspection reveals it is a good candidate for rehabilitation. Although the sills, piers and continuous footing must be replaced, the cypress/heart pine structural frame is in very good condition and only need to be brought to current code. Historic cypress siding, trim and soffits are also in good condition. The southeast corner of the building has severe water damage, likely from the gable and valley remaining from the original building and will require structure and siding replacement. Interior walls and ceiling have been partially removed but will require removal anyway for code upgrades.

Although the building is substantially out of plumb, the floor frame is level and overall structure is sound. Ducky Johnson Company is waiting approval to address the foundation by shifting and stabilizing the building to plumb, replacing sills as required, lifting the building about two feet for ground clearance, and installing a continuous concrete footing and CMU piers.

The building is non-conforming due to its infringement on the 7th Street right of way. Because it is a listed building, it will not be moved.

The building rehabilitation will include with two two-bedroom, two-bath residences about 1100 square feet each. Each residence will occupy half of the building approximately 15'x54.' The second bedroom and bath ar located in a second-floor loft and dormer about 15 x 27.

The design follows the Secretary of Interior Standards for Rehabilitation as closely as possible, given the original building configuration as a store, the new residential use, and building condition.

1. The front elevation of the building will be restored based on available photographs before and after the move from 7th to 8th Street. The damaged southeast corner will be re-constructed with siding either duplicating the historic siding or an alternate siding in that area to identify the new versus old construction. (The Florida Historic Preservation Office will be consulted on this issue). The remains of the former gable will be removed. A wooden partially glazed Dutch door, with full shutters, will be installed to allow that residence to open directly to the street but would not be an entry. A galvalume corrugated canopy on a steel frame will be mounted over the door, replicating the historic appearance. A wall sign or projecting sign will also be installed with the name Ziegler Store. The existing window and the gable window will be retained.

2. The north elevation will retain the two historic entrances with full glass in-swing doors and full shutters similar to the historic photos. This will be the primary entrance for the residence. The existing window will be retained. Each entry will have a 4x6 deck, with steps to the ground. Galvalume corrugated canopies on steel frames will be mounted over the door, replicating the historic appearance.

3. The new dormer is positioned on the rear half of the building to minimize its infringement on the historic building. It will complement the existing structure but will be distinct from the historic building, as recommended by the Secretary of Interior's Standards for Rehabilitation.

4. The south elevation will retain the existing siding, replacing the damaged section currently covered with metal roofing, and will replicate the north elevation entries, shutters, decks and canopies.. Additional large windows on the ground level will daylight the kitchen and hall. The dormer will match the north elevation.

5. The rear elevation is not visible from the street and provides additional windows for the bedrooms.

6. The roof will be corrugated galvalume, not standing seam, to match the historic evidence.

7. The site plan includes a four-car carport in the rear yard, with pole barn construction and a corrugated galvalume roof. The carport will have a gravel base, not concrete. Two gravel parking spaces are included in the ~~front yard~~, with a ground cover landscape in the street right-of-way in front of the building.

ROW.

8. A chain-link fence will be installed on the side property lines and along the 5-foot rear yard setback connecting to the carport. Gates will allow access to each residence. A hedge will be planted to screen the fence and side-yard from the street. (Although chain link fencing would not have surrounded the original store on 7th Street, it is an appropriate historic rehabilitation choice on the Hill because many residences have chain link, it became popular just after 1900, and it is affordable.



**City of Apalachicola Planning & Zoning**  
**Application for Development/Site Plan Approval**

**Official Use Only**

Date Received: 6/3/24  
 Meeting Date: 7/8/24  
 Fees Due: \_\_\_\_\_  
 Date Fees Paid: \_\_\_\_\_

OWNER INFORMATION	CONTRACTOR INFORMATION
Owner <u>WESLEY WARREN (643 HOLDINGS)</u>	Contractor Name <u>TBD</u>
Address <u>21132 S. LAKE VIEW DRIVE</u>	State License # _____ City License # _____
City <u>PANAMA CITY BEACH</u> State <u>FL</u> Zip <u>32413</u>	Email _____
Phone <u>615-598-5947</u>	Phone _____

**PROJECT TYPE**

<input type="checkbox"/> New Construction	<input checked="" type="checkbox"/> Fence
<input type="checkbox"/> Addition	<input type="checkbox"/> Repair
<input checked="" type="checkbox"/> Alteration/Renovation	<input checked="" type="checkbox"/> Certificate of Appropriateness
<input type="checkbox"/> Relocation	<input type="checkbox"/> Other _____
<input type="checkbox"/> Demolition	

**PROPERTY INFORMATION**

Street Address (911 Address): 1916 8th STREET  
 City & State: APALACHICOLA, FL Zip: 32320  
 Parcel ID #: 01-095-08W-8330-0167-0040 Block: 167 Lot: 4  
 Zoning District: C-2  Historic District  Non-Historic District  
 FEMA Flood Zone: X

**OFFICIAL USE ONLY**

Certificate of Appropriateness Required? <u>Y</u> / N Setback Requirements of Property: Front: <u>15</u> Rear: <u>10</u> Side: <u>5</u> Corner Lot? <u>Y</u> / N Street Sides: <u>15</u> Lot Coverage: <u>60</u> <b>STAFF NOTES/RECOMMENDATIONS:</b> <u>-see comments in red.</u> <u>-parking</u> <u>-DEP Stormwater Plan</u>	<i>This development request has been approved for a Certificate of Appropriateness (if applicable), zoning, land use, and development review by the City of Apalachicola Planning &amp; Zoning Board and a building permit is authorized to be issued.</i>
_____	City Staff
_____	Date Approved

**NOTE:** This is a conceptual approval through the City based on our Land Development Code (LDC.) Please be aware that other documentation may be required by the Building Official.

W/LW  
 Applicant Initial

Describe the proposed project and materials. Describe the proposed project in terms of size, affected architectural elements, materials, and relationship to the existing structure(s).

SEE ATTACHMENT

---



---



---



---

PROJECT SCOPE	MANUFACTURER	PRODUCT DESCRIPTION	FL PRODUCT APPROVAL #
Siding		PRESERVE HISTORIC CYPRESS SIDING AND SOFFITS	
Doors		SLIDING GLASS ON SIDE ENTRIES HISTORIC DOOR ON FRONT ELEV. TBD	PNJ CONSTOR OR FORDAL
Windows		WOOD CAD/DOUBLE HUNG	PNJ CONSTAL OF FORDAL
Roofing		CORRUGATED GALVALUME	
Trim		PRESERVE HISTORIC CYPRESS	
Foundation		CMU PIERS W/2X6 P.T. INFILL	
Shutters		MATCH HISTORIC AS POSSIBLE	
Porch/Deck		COMP DECKING; SS CABLE RAILS; CORRUGATED GALV. CANOPY	
Fencing		GALV. CHAIN LINK	
Driveways/Sidewalks		GRAVEL ON GEOTEXTILE FABRIC	
Other		POLE BARN GARPORT W/ 6X6 COL. & CORRUGATED GALV. ROOF	

**NOTE:** Please have a site plan prepared to turn in with your application. At minimum, the site plan needs to contain: a North arrow, surrounding streets, lot lines, lot dimensions, setbacks, current structure dimensions, proposed structure dimensions, fence locations, and fence heights. Applications requiring a Certificate of Appropriateness will also need to submit renderings/elevations of any proposed structures and note the materials proposed. More information may be requested by City Staff.

## CERTIFICATION

By signing below, I certify that the information contained in this application is true and correct to the best of my knowledge at the time of application. I acknowledge that I understand and have complied with all of the submittal requirements and procedures and have read and understand the following:

1. I/We hereby attest to the fact that the above supplied property address(es), parcel numbers(s), and legal description(s) is(are) the true and proper identification of the area of this petition.
2. I/We authorize staff from the City of Apalachicola to enter onto the property in question during regular business hours in order to take photos which will be placed in the permanent file.
3. I/We understand that the COA review time period will not commence until the application is deemed complete by staff and may take up to 10 business days to process. I further understand that an incomplete application submittal may cause my application to be deferred to the next posted deadline date.
4. I/We understand that, for Board review cases, an agenda and staff report (if applicable) will be available on the City's website approximately one week before the Planning & Zoning Board Meeting.
5. I/We understand that the approval of this application by the Planning & Zoning Board or staff in NO way constitutes approval of a Building Permit for Construction from the City of Apalachicola Community and Economic Development Office.
6. I/We understand that all changes to the approved scope of work stated in a Certificate of Appropriateness or Development Order application have to be approved by the P&Z Board before work commences on those changes. There will be no charge for revisions. Making changes that have not been approved can result in a Stop Work Order being placed on the entire project and additional fees/penalties.
7. I/We understand that any decision of the P&Z Board may be appealed to the City Commission within 30 days after the decision by the P&Z Board; otherwise, the decision will be final.
8. I/We understand that a Certificate of Appropriateness is only valid for one year after issuance. They are renewable for six months without cause if requested, and for an additional six months upon showing of good cause by the applicant. The applicant must submit all requests for extensions in writing and provide appropriate support documents to City Staff, if needed.
9. I/We understand that P&Z Board approval is permission to obtain a permit for work and installation as indicated. I certify that all work will be performed to meet standards of all laws regulating construction in this jurisdiction.
10. I/We understand that there will be no issuance of a Certificate of Appropriateness without the property owner obtaining Homeowner's Association approval (if required) prior to the P&Z Board Meeting and/or before the beginning of an work and in no way authorizes work that is in violation of any association rules or regulations.

05/23/2024

---

DATE



---

SIGNATURE OF APPLICANT

## Owners, Builders, Developers

### PLEASE NOTE:

1. If the proposed development is located within the City's Historic District; a Certificate of Appropriateness from the City's Planning & Zoning Board and Architectural Review Committee is necessary before any permitting can take place.
2. Required site plan elements and the Development Order/Certificate of Appropriateness applications are due 10 BUSINESS DAYS prior to the scheduled monthly meeting (second Monday of each month) of the Planning & Zoning Board.
3. Residential site plan approvals are valid for one year after issuance. If a building permit is not obtained within a year after receiving P&Z approval, the applicant must re-apply and receive P&Z approval again. (Commercial site plan approvals are valid for two years.)
4. After you have received your Planning & Zoning Approval and/or Certificate of Appropriateness, whichever applies, take all development documents to the Building Department at 192 Coach Wagoner Blvd, Apalachicola to apply for your building permit. A P&Z Development Order Application is not a building permit application – there will be building permit forms to fill out. Building permit issuance and all inspections will be coordinated with the Building Department Clerk. Please be advised that additional documentation may be required by the Building Clerk or Building Official. Please email [buildingdept@cityofapalachicola.com](mailto:buildingdept@cityofapalachicola.com) or call City Hall at (850)653-7592 with any permitting questions.
5. Land Development regulations can be found on the City of Apalachicola website @ [www.cityofapalachicola.com](http://www.cityofapalachicola.com).
6. Please note that if any shrubs are planted or any materials (concrete, gravel, etc.) are placed in the City Right of Way that there is a possibility of removal at no expense to the City.

*It is our intent to save you time any money in your plan preparation! The City of Apalachicola Planning & Zoning Board is a seven-member citizen board that also sits as the City's Architectural Review Board. Our responsibilities include protecting the historical character of the City. By working with the Planning & Zoning Board to obtain a Certificate of Appropriateness, your development will not only proceed more smoothly, but will also enhance the City's architectural integrity and historical character of Apalachicola.*

Bree Robinson  
City Planner  
(850)323-0985  
[brobinson@cityofapalachicola.com](mailto:brobinson@cityofapalachicola.com)

Thank you,  
PLANNING & ZONING BOARD  
CITY OF APALACHICOLA

  
Applicant Initial

# BUILDING PERMIT APPLICATION CHECKLIST

(ALL STEPS MAY NOT APPLY TO SMALLER PROJECTS)

\_\_\_\_\_ 1. Approval from City Planning & Zoning Board

\_\_\_\_\_ 2. Complete Building Permit Application

\_\_\_\_\_ 3. TWO COMPLETE SETS OF PLANS INCLUDING:

- Site Plan
- Final Site Plan (New Construction) – Stormwater Management Plan
- Signed/Sealed Structural Drawings
- Elevations
- Floor Plan
- Fire Protection
- Drawn to Scale

\_\_\_\_\_ 4. Contractor Information

- License
- Photo ID of License Holder
- COI: Workers Comp/General Liability
- Letter of Authorization

\_\_\_\_\_ 5. Contract Scope of Work

\_\_\_\_\_ 6. Energy Forms

\_\_\_\_\_ 7. Notice of Commencement (All permits valued at \$2,500 or more)

\_\_\_\_\_ 8. Flood Elevation Certificate

\_\_\_\_\_ 9. Fill Permit Application

\_\_\_\_\_ 10. Floodplain Management Application (NOT if Flood Zone X)

\_\_\_\_\_ 11. Water/Sewer Impact Fees Receipt (if applicable)

Lane W. Warren

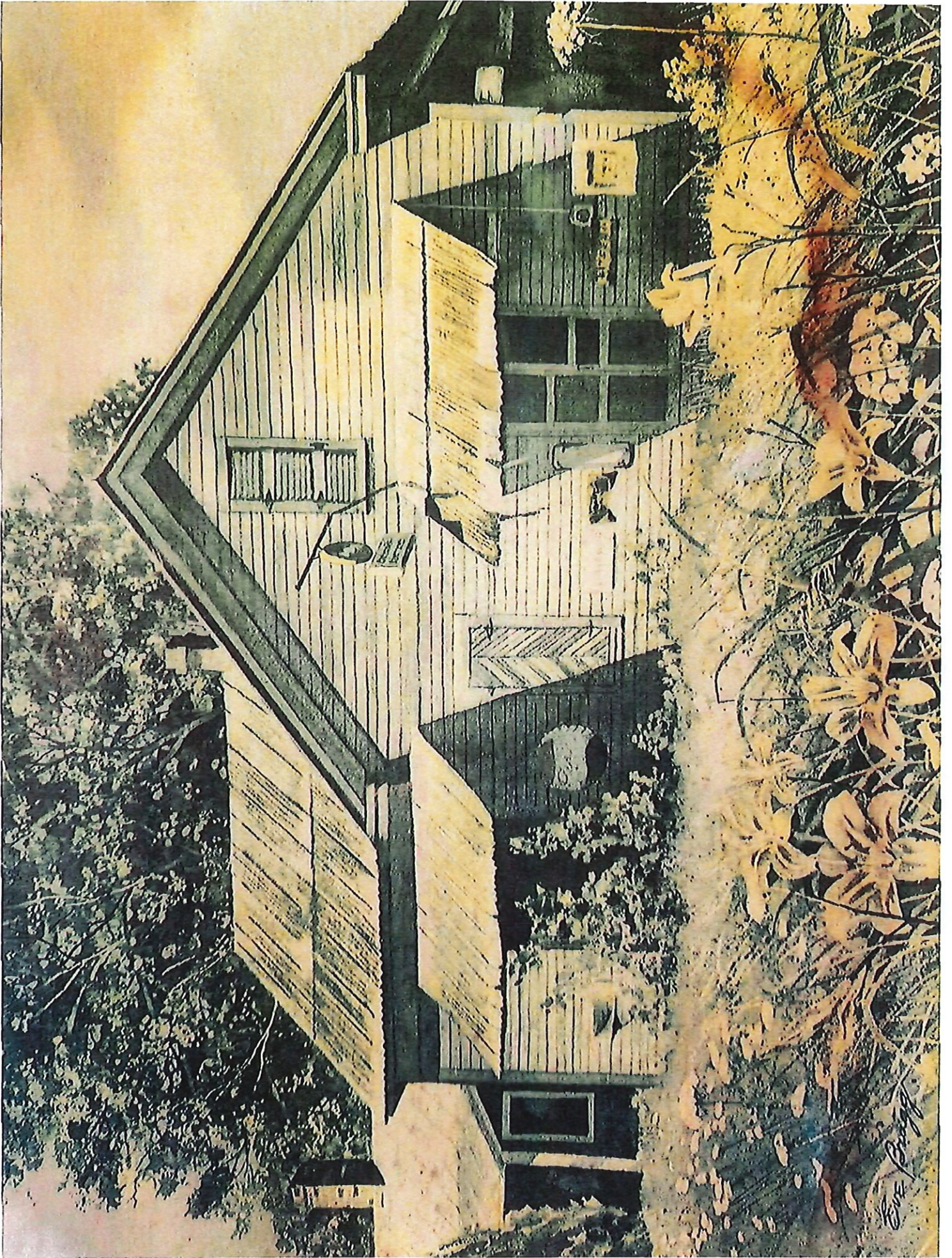


05/23/2024

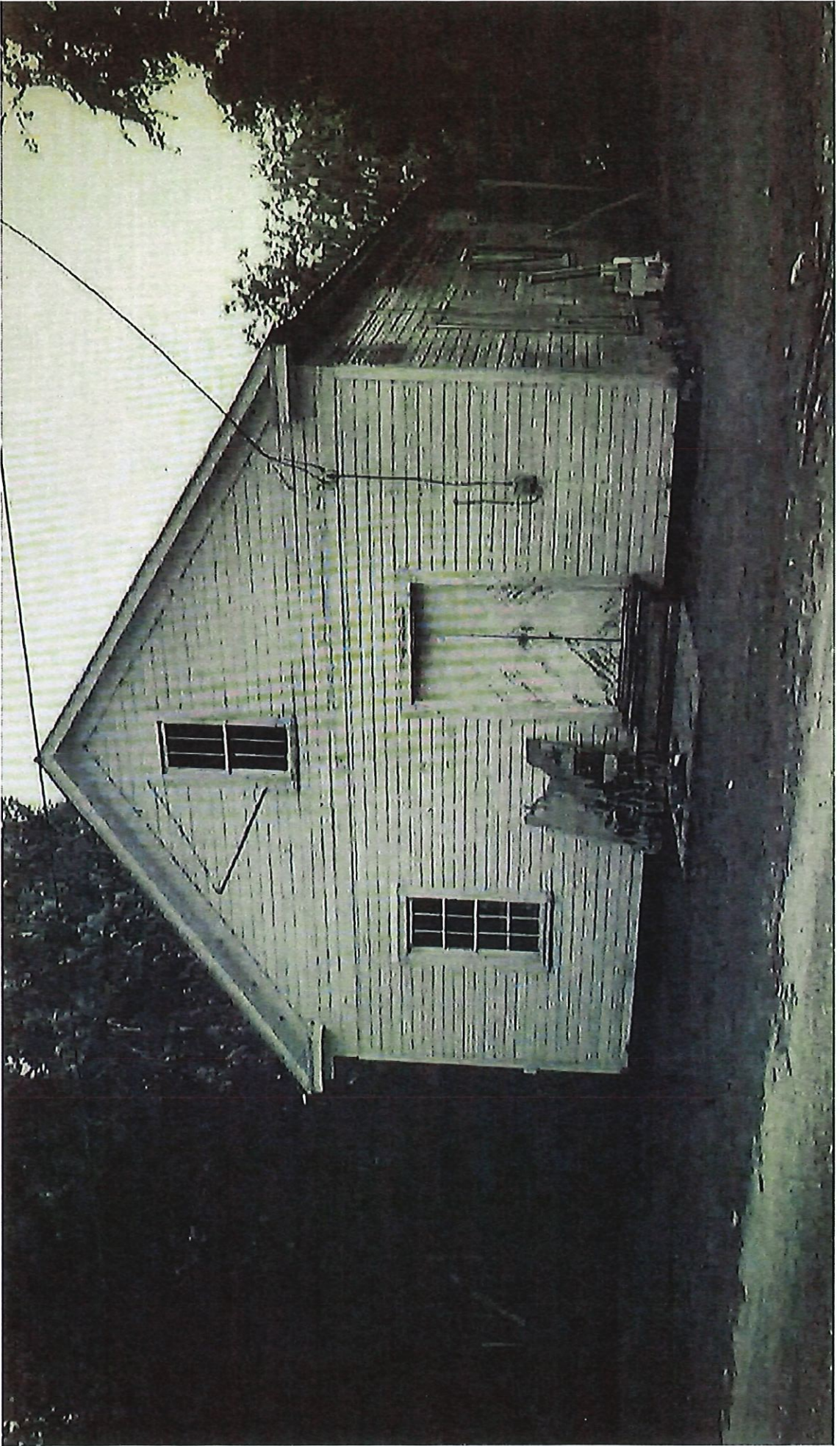
\_\_\_\_\_  
Applicant Name, Signature

\_\_\_\_\_  
Date

City of Apalachicola Building Department  
192 Coach Wagoner Blvd. Apalachicola, FL 32320  
(850)653-9319











Commercial -

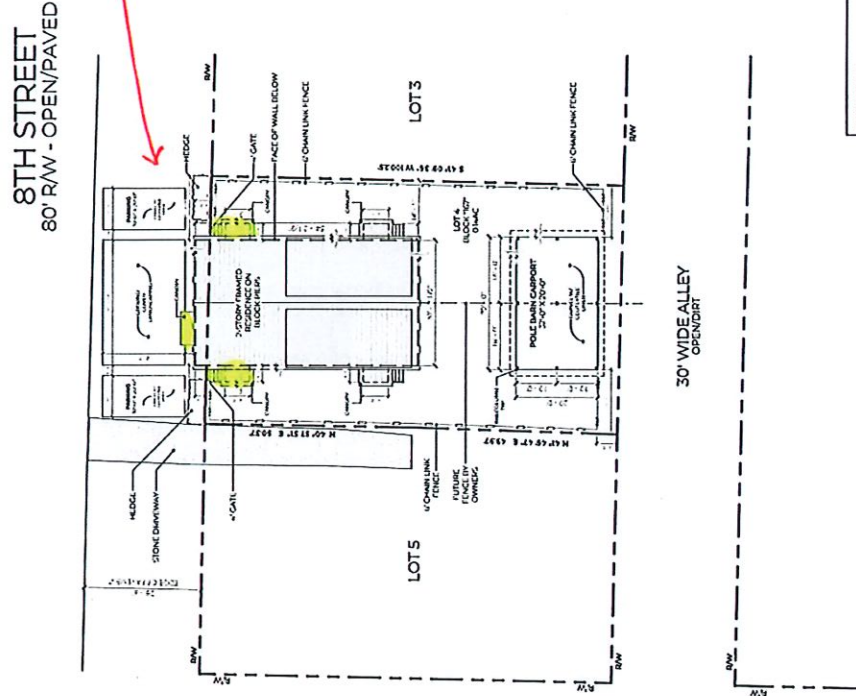
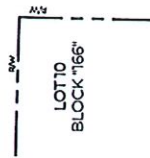
Setbacks:

- front 15'
- sides 5'
- rear 10'

- additions within front ROW  
 + setbacks. See LDC excerpt.



90' R/W - OPEN/PAVED  
 AVENUE "K"



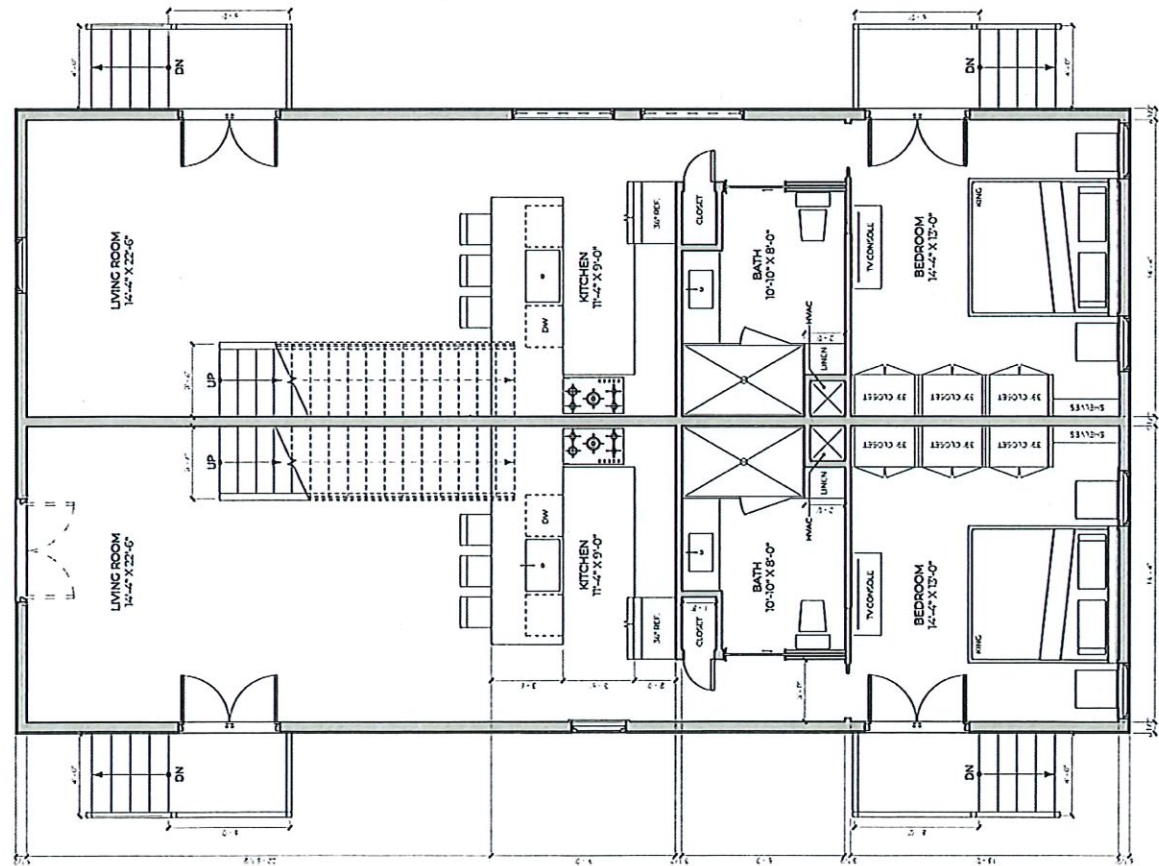
STOPS (under park barn company?)  
 PROPERTY LINES.  
 For within  
 to show 2 parking spots  
 must be on-site.  
 parking must be on-site.

2 dwellings = 2 spots.

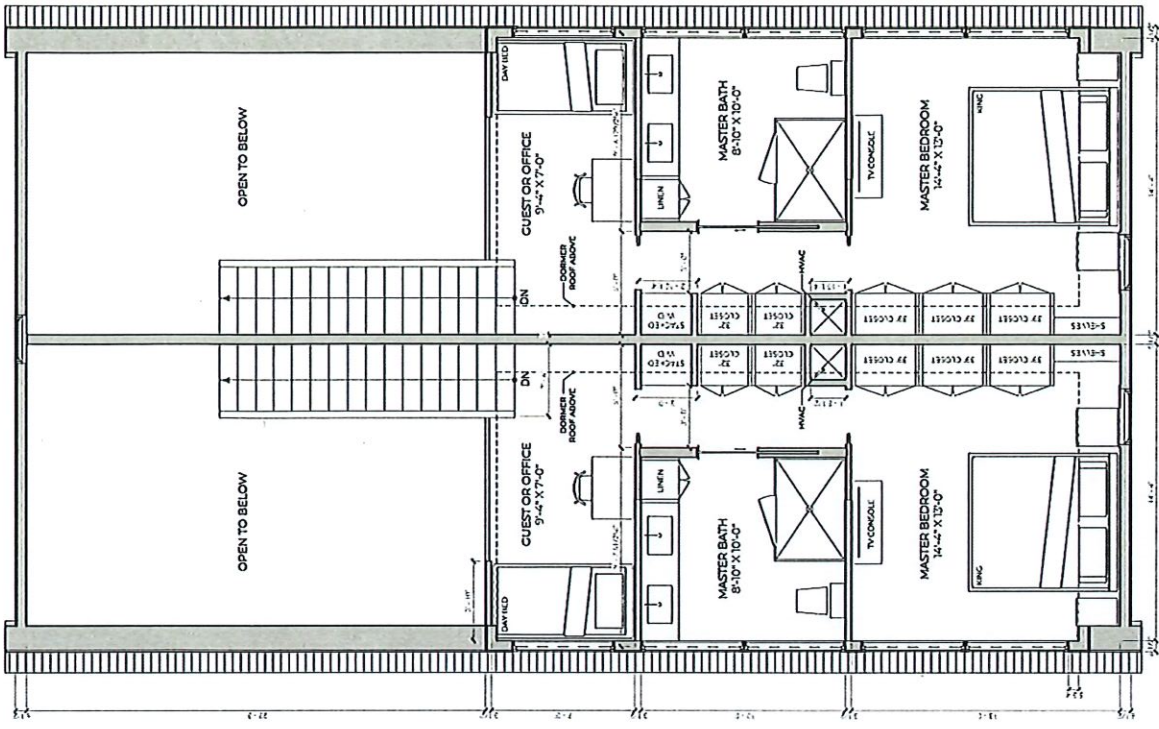
COVERAGE	AREA
EXISTING BUILDING	1,037 SF
X-2 DECKS @ 4'x6'	96 SF
CARPORT	640 SF
TOTAL COVERAGE	2,773 SF = 39.5%

PROPOSED SITE PLAN  
 SCALE: 1" = 20'

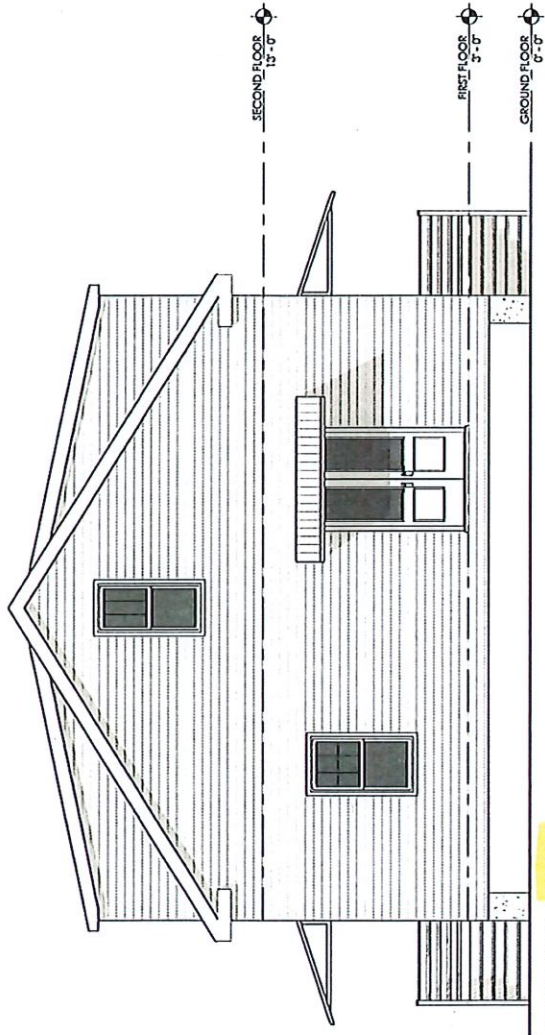
Needs - Sign  
 commercial development requires  
 DEP permitted stormwater plan



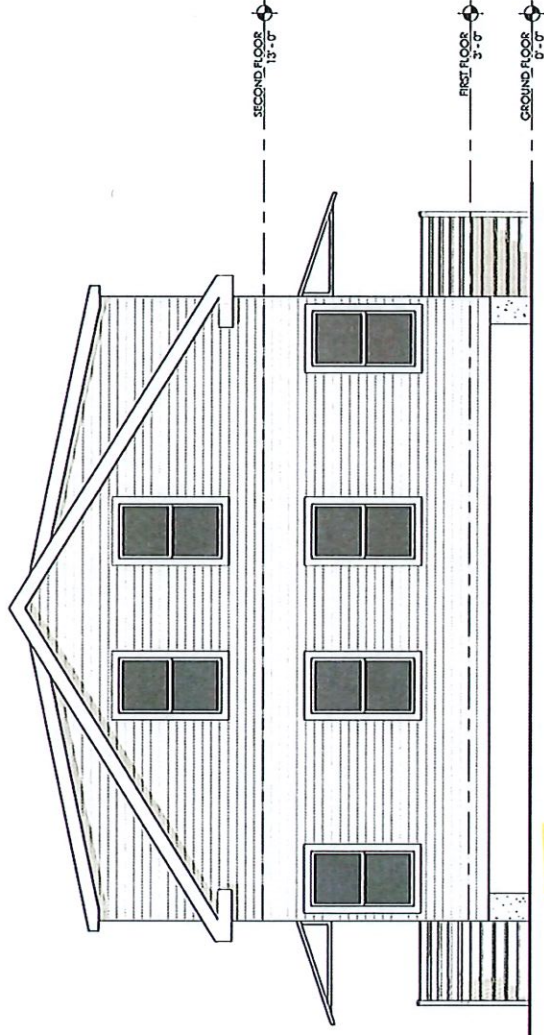
① FIRST FLOOR PLAN  
1/4" = 1'-0"



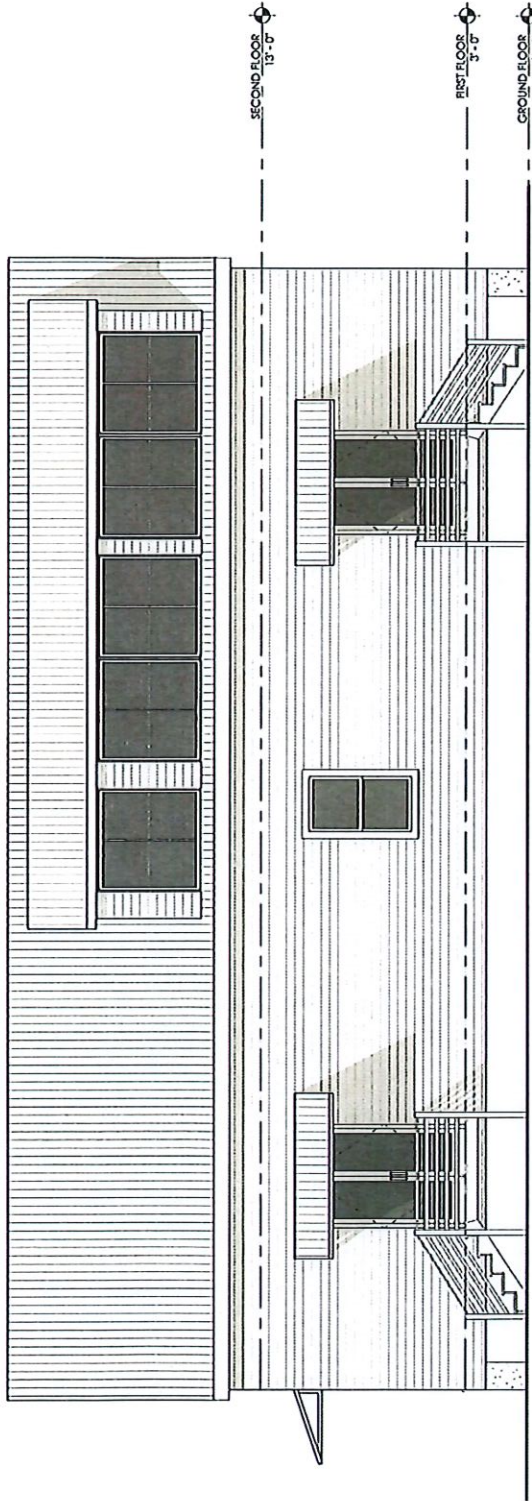
② SECOND FLOOR PLAN  
1/4" = 1'-0"



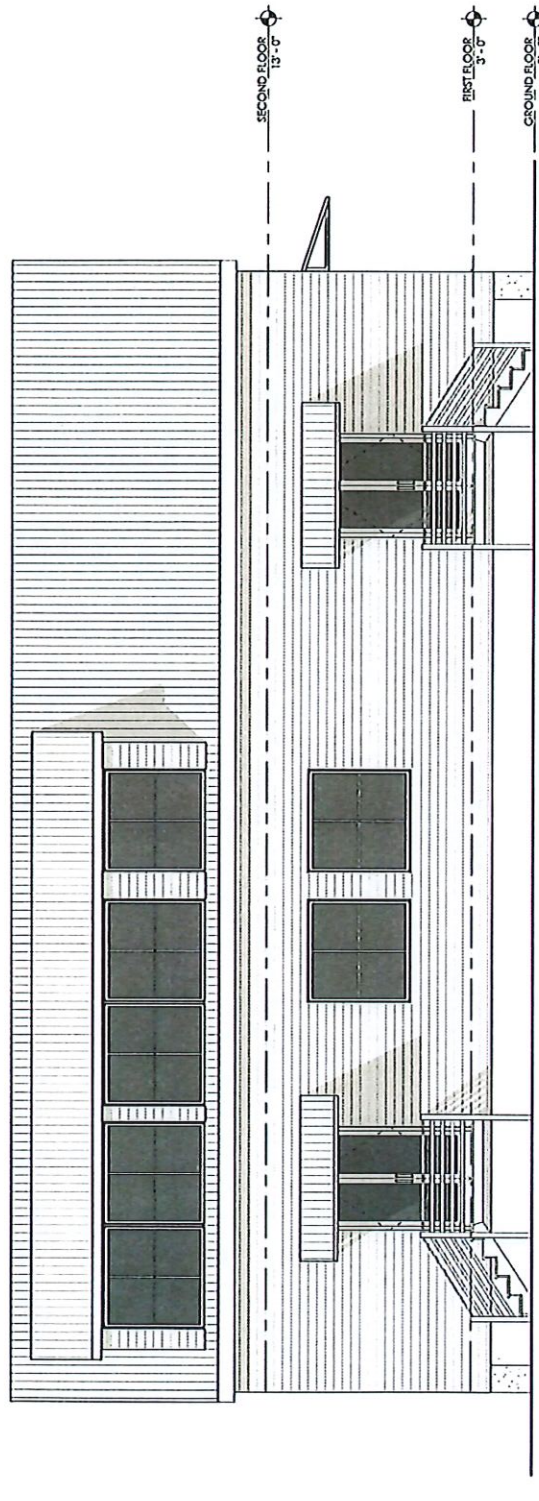
① EAST ELEVATION - FRONT  
 1/4" = 1'-0"



② WEST ELEVATION - REAR  
 1/4" = 1'-0"



① NORTH ELEVATION - SIDE  
1/4" = 1'-0"



② SOUTH ELEVATION - SIDE  
1/4" = 1'-0"

Sec. 111-322. - Historic and nonhistoric nonconforming structures.

(a) *Historic nonconforming structures.* The intent of this section is to preserve all historic structures, including those that are nonconforming as to size, setback, elevation, and/or height.

- (1) Nothing in this section shall be construed to prevent the ordinary and routine maintenance and repair of historic, nonconforming structures.
- (2) Repairs, alterations, and additions necessary for the preservation, restoration, and rehabilitation of a nonconforming structure may be permissible when authorized by the architectural review board in the form of a certificate of appropriateness, provided the structure is a documented historic structure. ✓
- (3) If an historic, nonconforming structure receives substantial damage in excess of 50 percent of the appraised value of the structure, such historic structure shall be reconstructed in accordance with the Florida Building Code. If the damaged or destroyed historic structure was nonconforming based on size, setback, elevation, or height, it may be reconstructed at no greater nonconformity than prior to when it was damaged or destroyed. A damaged or destroyed historic, nonconforming building that exceeded current height restrictions may be rebuilt to original height provided it is a replica of the original historic building. In the case of transient lodging facilities, the number of units in the reconstructed structure may not exceed the number of units in existence at the time of damage or destruction.
- (4) If an historic, nonconforming structure or portion of any such structure is declared by any duly authorized official of the city to be physically unsafe or unlawful due to lack of repairs or maintenance, the unsafe or unlawful portion shall be repaired and rebuilt in conformity with the historic preservation provisions of chapter 109.

(b) *Nonhistoric nonconforming structures.* The intent of this section is to provide for the limited protection of nonhistoric, nonconforming structures.

- (1) Nothing in this section shall be construed to prevent the ordinary and routine maintenance and repair of nonhistoric, nonconforming structures.
- (2) Ordinary repairs and maintenance on any nonhistoric, nonconforming structure may be done in any period of 12 consecutive months, but repair or replacement of nonbearing walls, fixtures, wiring, or plumbing may not exceed ten percent of the latest assessed valuation of the building.
- (3) If a nonhistoric, nonconforming structure receives substantial damage in excess of 50 percent of the appraised value of the structure, reconstruction of the structure must comply with the Florida Building Code, the city's floodplain management ordinance, and this code. If the damaged or destroyed structure was nonconforming based on size, setback, elevation, or height, the damaged portion of the structure may be reconstructed only if it is in accordance



with the code requirements for size, setback, elevation, and height. In the case of transient lodging facilities, the number of units in the reconstructed structure may not exceed the number of units in existence at the time of damage or destruction.

- (4) If a nonhistoric, nonconforming structure or portion of any such structure is declared by any duly authorized official of the city to be physically unsafe or unlawful due to lack of repairs or maintenance, the unsafe or unlawful portion of the structure shall be removed or repaired and rebuilt in conformity with this code.

(c) *Expansion of historic and nonhistoric, nonconforming structures.* The intent of this section is not to permit either historic or nonhistoric nonconforming structures to be enlarged upon, expanded, or extended, except as allowed through the variance process at section 101-61(2). Existing nonconformities of a structure shall not be used as grounds for adding other structures prohibited elsewhere in the same district.

- (1) An expansion in square footage for either historic or nonhistoric structures shall be permitted where such expansion meets all requirements of this code, including those of section 101-61(3)b when a variance is needed.
- (2) An expansion of either an historic or nonhistoric, nonconforming structure is permissible when it is required by law or ordered by the building inspector to secure the safety of the building.

(LDC, art. IV, § C; Ord. No. 2017-05, § 4, 4-4-2017)



Applicant REVISED Application



## PLANNING & ZONING APPLICATION FOR DEVELOPMENT APPROVAL

1. Any construction that alters/changes lot coverage must go through Planning & Zoning (ex. New construction, building renovations and additions, new or materially altered fencing, sheds, decks, etc.) for development approval. This entire packet needs to be filled out and complete to be accepted, reviewed, and placed on a P&Z meeting agenda.
2. Submit a completed application with a site plan showing all surrounding streets, lot lines, lot dimensions, setbacks marked, measurements of all current and proposed lot coverage, and elevation photos showing what the proposed construction will look like, including materials to be used; especially noting the siding and roofing materials. **No building permit will be issued and no work can begin before Planning & Zoning has given approval to permit.**
3. All P&Z Application for Permit forms including all attachments, **must be received at least TEN (10) BUSINESS days prior to the scheduled P&Z meeting or it will be scheduled on the agenda for the following meeting date, no exceptions.** The application and/or a representative **MUST** be present at the scheduled meeting – if a representative is not present for questions, then your agenda item can be tabled until the next monthly meeting.
4. **Planning & Zoning Application (development order) & Certificate of Appropriateness Fees (historic district):**

Residential New Construction	\$200.00
Residential Accessory Structure/Additional Lot Coverage	\$50
Residential Fence (New or Altered)	\$0
Commercial New Construction	
• Less than 5,000SF; 2 Acres or 3 Units	\$450
• 5,000-20,000SF; 2-5 Acres or 4-24 Units	\$1,000
• 20,001-100,000SF; 5-10 Acres or 25-100 Units	\$2,000
• Over 100,001SF; over 10 Acres or 100 Units	\$3,000
Commercial Review Subsequent to 2 plan Reviews	\$300 per review
Commercial/Multifamily New & Replacement Fence	\$100

Residential Certificate of Appropriateness	
• New Construction	\$75
• Accessory Structure, Addition, Remodel	\$40
• Fence	\$25
• Other	\$25
Commercial/Multifamily	
• New Construction	\$150
• Accessory Structure, Addition, Remodel	\$80
• Fence	\$50
• Other	\$50

Payment must be submitted at time of application for P&Z approval. All submissions are reviewed by the City Planner. City Staff and/or the Planning & Zoning Board may require additional information necessary to determine if the application complies with the provision of the City's Land Development Code.

\$1230

### UPCOMING 2024 P&Z DATES:

- |                           |                         |                           |
|---------------------------|-------------------------|---------------------------|
| January 8 <sup>th</sup>   | May 13 <sup>th</sup>    | September 9 <sup>th</sup> |
| February 12 <sup>th</sup> | June 10 <sup>th</sup>   | October 14 <sup>th</sup>  |
| March 11 <sup>th</sup>    | July 8 <sup>th</sup>    | November 11 <sup>th</sup> |
| April 8 <sup>th</sup>     | August 12 <sup>th</sup> | December 9 <sup>th</sup>  |

**Meetings always take place at 74 Sixth Street in the City Meeting Room at 6PM!**

## Owners, Builders, Developers

### PLEASE NOTE:

1. If the proposed development is located within the City's Historic District; a Certificate of Appropriateness from the City's Planning & Zoning Board and Architectural Review Committee is necessary before any permitting can take place.
2. Required site plan elements and the Development Order/Certificate of Appropriateness applications are due 10 BUSINESS DAYS prior to the scheduled monthly meeting (second Monday of each month) of the Planning & Zoning Board.
3. Residential site plan approvals are valid for one year after issuance. If a building permit is not obtained within a year after receiving P&Z approval, the applicant must re-apply and receive P&Z approval again. (Commercial site plan approvals are valid for two years.)
4. After you have received your Planning & Zoning Approval and/or Certificate of Appropriateness, whichever applies, take all development documents to the Building Department at 192 Coach Wagoner Blvd, Apalachicola to apply for your building permit. A P&Z Development Order Application is not a building permit application – there will be building permit forms to fill out. Building permit issuance and all inspections will be coordinated with the Building Department Clerk. Please be advised that additional documentation may be required by the Building Clerk or Building Official. Please email [buildingdept@cityofapalachicola.com](mailto:buildingdept@cityofapalachicola.com) or call City Hall at (850)653-7592 with any permitting questions.
5. Land Development regulations can be found on the City of Apalachicola website @ [www.cityofapalachicola.com](http://www.cityofapalachicola.com).
6. Please note that if any shrubs are planted or any materials (concrete, gravel, etc.) are placed in the City Right of Way that there is a possibility of removal at no expense to the City.

*It is our intent to save you time any money in your plan preparation! The City of Apalachicola Planning & Zoning Board is a seven-member citizen board that also sits as the City's Architectural Review Board. Our responsibilities include protecting the historical character of the City. By working with the Planning & Zoning Board to obtain a Certificate of Appropriateness, your development will not only proceed more smoothly, but will also enhance the City's architectural integrity and historical character of Apalachicola.*

Bree Robinson  
City Planner  
(850)323-0985  
[brobinson@cityofapalachicola.com](mailto:brobinson@cityofapalachicola.com)

Thank you,  
PLANNING & ZONING BOARD  
CITY OF APALACHICOLA

  
Applicant Initial



**City of Apalachicola Planning & Zoning**  
**Application for Development/Site Plan Approval**

**Official Use Only**

Date Received: 6/21/24  
 Meeting Date: 7/8/24  
 Fees Due: \$ 230.<sup>00</sup>  
 Date Fees Paid: Pending

OWNER INFORMATION	CONTRACTOR INFORMATION
Owner <u>WESLEY WARREN (643 HOLDINGS)</u>	Contractor Name <u>TBD</u>
Address <u>21132 S. LAKE VIEW DRIVE</u>	State License # _____ City License # _____
City <u>PANAMA CITY BEACH</u> State <u>FL</u> Zip <u>32413</u>	Email _____
Phone <u>615-598-5947</u>	Phone _____

**PROJECT TYPE**

<input type="checkbox"/> New Construction	<input checked="" type="checkbox"/> Fence
<input type="checkbox"/> Addition	<input type="checkbox"/> Repair
<input checked="" type="checkbox"/> Alteration/Renovation	<input checked="" type="checkbox"/> Certificate of Appropriateness
<input type="checkbox"/> Relocation	<input type="checkbox"/> Other _____
<input type="checkbox"/> Demolition	

**PROPERTY INFORMATION**

Street Address (911 Address): 1916 8th STREET  
 City & State: APALACHICOLA, FL. Zip: 32320  
 Parcel ID #: 01-095-08W-8330-0167-0040 Block: 167 Lot: 4  
 Zoning District: C-2 [] Historic District [  ] Non-Historic District  
 FEMA Flood Zone: X

**OFFICIAL USE ONLY**

Certificate of Appropriateness Required? Y / N _____ Setback Requirements of Property: Front: _____ Rear: _____ Side: _____ Corner Lot? Y / N _____ Street Sides: _____ Lot Coverage: _____ STAFF NOTES/RECOMMENDATIONS: _____ _____ _____ _____	<p><i>This development request has been approved for a Certificate of Appropriateness (if applicable), zoning, land use, and development review by the City of Apalachicola Planning &amp; Zoning Board and a building permit is authorized to be issued.</i></p> <hr/> City Staff _____ Date Approved _____
---	---

**NOTE:** This is a conceptual approval through the City based on our Land Development Code (LDC.) Please be aware that other documentation may be required by the Building Official.

NLN  
 Applicant Initial

Describe the proposed project and materials. Describe the proposed project in terms of size, affected architectural elements, materials, and relationship to the existing structure(s).

SEE ATTACHMENT

PROJECT SCOPE	MANUFACTURER	PRODUCT DESCRIPTION	FL PRODUCT APPROVAL #
Siding		PRESERVE HISTORIC CYPRESS SIDING AND SOFFITS	
Doors		SLIDING GLASS ON SIDE ENTRIES HISTORIC DOOR ON FRONT ELEV. TBD	PNG COASTAL OR FORDOL
Windows		WOOD CLAD/DOUBLE HUNG	PNG COASTAL OF FORDOL
Roofing		CORRUGATED GALVALUME	
Trim		PRESERVE HISTORIC CYPRESS	
Foundation		CMU PIERS W/ 2X6 P.T. INFILL	
Shutters		MATCH HISTORIC AS POSSIBLE	
Porch/Deck		COMP. DECKING; SS. CABLE RAILS; CORRUGATED GALV. CANOPY	
Fencing		GALV. CHAIN LINK	
Driveways/Sidewalks		GRAVEL ON GEOTEXTILE FABRIC	
Other		POLE BARN GARPORT W/ 6X6 COL. & CORRUGATED GALV. ROOF	

**NOTE:** Please have a site plan prepared to turn in with your application. At minimum, the site plan needs to contain: a North arrow, surrounding streets, lot lines, lot dimensions, setbacks, current structure dimensions, proposed structure dimensions, fence locations, and fence heights. Applications requiring a Certificate of Appropriateness will also need to submit renderings/elevations of any proposed structures and note the materials proposed. More information may be requested by City Staff.

## CERTIFICATION

By signing below, I certify that the information contained in this application is true and correct to the best of my knowledge at the time of application. I acknowledge that I understand and have complied with all of the submittal requirements and procedures and have read and understand the following:

1. I/We hereby attest to the fact that the above supplied property address(es), parcel numbers(s), and legal description(s) is(are) the true and proper identification of the area of this petition.
2. I/We authorize staff from the City of Apalachicola to enter onto the property in question during regular business hours in order to take photos which will be placed in the permanent file.
3. I/We understand that the COA review time period will not commence until the application is deemed complete by staff and may take up to 10 business days to process. I further understand that an incomplete application submittal may cause my application to be deferred to the next posted deadline date.
4. I/We understand that, for Board review cases, an agenda and staff report (if applicable) will be available on the City's website approximately one week before the Planning & Zoning Board Meeting.
5. I/We understand that the approval of this application by the Planning & Zoning Board or staff in NO way constitutes approval of a Building Permit for Construction from the City of Apalachicola Community and Economic Development Office.
6. I/We understand that all changes to the approved scope of work stated in a Certificate of Appropriateness or Development Order application have to be approved by the P&Z Board before work commences on those changes. There will be no charge for revisions. Making changes that have not been approved can result in a Stop Work Order being placed on the entire project and additional fees/penalties.
7. I/We understand that any decision of the P&Z Board may be appealed to the City Commission within 30 days after the decision by the P&Z Board; otherwise, the decision will be final.
8. I/We understand that a Certificate of Appropriateness is only valid for one year after issuance. They are renewable for six months without cause if requested, and for an additional six months upon showing of good cause by the applicant. The applicant must submit all requests for extensions in writing and provide appropriate support documents to City Staff, if needed.
9. I/We understand that P&Z Board approval is permission to obtain a permit for work and installation as indicated. I certify that all work will be performed to meet standards of all laws regulating construction in this jurisdiction.
10. I/We understand that there will be no issuance of a Certificate of Appropriateness without the property owner obtaining Homeowner's Association approval (if required) prior to the P&Z Board Meeting and/or before the beginning of an work and in no way authorizes work that is in violation of any association rules or regulations.

05/23/2024

---

DATE



---

SIGNATURE OF APPLICANT

# BUILDING PERMIT APPLICATION CHECKLIST

(ALL STEPS MAY NOT APPLY TO SMALLER PROJECTS)

\_\_\_\_\_ 1. Approval from City Planning & Zoning Board

\_\_\_\_\_ 2. Complete Building Permit Application

\_\_\_\_\_ 3. TWO COMPLETE SETS OF PLANS INCLUDING:

- Site Plan
- Final Site Plan (New Construction) – Stormwater Management Plan
- Signed/Sealed Structural Drawings
- Elevations
- Floor Plan
- Fire Protection
- Drawn to Scale

\_\_\_\_\_ 4. Contractor Information

- License
- Photo ID of License Holder
- COI: Workers Comp/General Liability
- Letter of Authorization

\_\_\_\_\_ 5. Contract Scope of Work

\_\_\_\_\_ 6. Energy Forms

\_\_\_\_\_ 7. Notice of Commencement (All permits valued at \$2,500 or more)

\_\_\_\_\_ 8. Flood Elevation Certificate

\_\_\_\_\_ 9. Fill Permit Application

\_\_\_\_\_ 10. Floodplain Management Application (NOT if Flood Zone X)

\_\_\_\_\_ 11. Water/Sewer Impact Fees Receipt (if applicable)

Lane W. Warren



05/23/2024

Applicant Name, Signature

Date

City of Apalachicola Building Department  
192 Coach Wagoner Blvd. Apalachicola, FL 32320  
(850)653-9319



## ADDENDUM TO CERTIFICATE OF APPROPRIATENESS ----- ZIEGLER STORE REHABILITATION

### BRIEF HISTORY

The Ziegler Store, a listed historic commercial building, was originally located on the northwest corner of 7th Street and Avenue I and known as the Hill Grocery and Gas Station. The building was constructed as a single-gable structure facing 7<sup>th</sup>, with a smaller side-gable addition also facing 7<sup>th</sup>. The single-gable main building had a front entry facing 7<sup>th</sup> and two side entrances facing Avenue I. In the early 1960's, the side-gable addition was demolished, and the primary building was moved to its present 8th Street site. We understand the building continued as commercial space for some time after moving. Additional historical information is being collected as part of the project.

### CURRENT BUILDING CONDITION

Despite the current appearance of the building, close inspection reveals it is a good candidate for rehabilitation. Although the sills, piers and continuous footing must be replaced, the cypress/heart pine floor, wall and roof structural frame is in very good condition, only requiring upgrade to current FBC. Although the building is substantially out of plumb, about 8 inches sill to soffit, the floor frame is dead level. Historic cypress siding, trim and soffits are also in good condition. The only structural and cosmetic defect is water damage and rot on the southeast corner. This is likely due to continuously leaking valleys after demolition of the side gable addition. Ducky Johnson Company is now under contract to plumb and stabilize, replace sills as required, lift a minimum two feet for ground clearance, and install a continuous concrete footing and CMU piers.

### BUILDING NON-CONFORMITIES

The Ziegler Building is a listed historic non-conforming structure with two violations. First is its location on the 8<sup>th</sup> Street Right of Way of about 3 feet. Second is the 15 foot front yard setback violation.

### REHABILITATION

The building rehabilitation will become the Ziegler Store Bed and Breakfast, organized as a duplex with two two-bedroom, two bath suites, about 1100 sq.ft each, with each unit occupying half of the 30'x54' building. The living spaces have a full height vaulted ceiling, The second bedroom and bath are in a second-floor dormer in the rear.

The design follows the Secretary of Interiors Standards and Guidelines for Rehabilitation, given the original building configuration as a store, the new bed and breakfast use, and the existing building condition.

*Historic rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values. The Rehabilitation Standards acknowledge the need to alter or add to a historic building to meet continuing or new uses while retaining the building's historic character. (from the current edition, dated 1995)*

1. The building facade will be restored based on available photographs before and after the move from 7th to 8th Street. (see the attached photographs) The damaged southeast corner will be re-constructed with new siding matching the original as closely as possible. The remains of the former gable will be removed. The original 5'x8' front entry will be retained. A 5'x8' double Dutch door, half glazed, with full exterior shutters will provide an opening to the street but will not serve as access. A galvalume corrugated canopy on a steel frame will be mounted over the door, matching the historic photograph. A round galvanized gutter will drain with a rain-chain to a 140-gallon galvanized rain barrel. The existing window and the gable window will be replaced to match the original. A blade or wall sign and exterior lighting will be submitted to Planning and Zoning for approval at a later date. ✓
2. Two new dormers are positioned on the rear half of the building to protect the integrity of the original façade. New dormer windows will match the historic first floor window design, but additional windows will be added to daylight the upstairs.
3. The north elevation will retain the two historic 5'x8' entrances with full glass in-swing doors and full shutters, following the historic photos. This will be the primary entrance to the living room and the secondary entrance to the first-floor bedroom. Each entry will have a 4x6 deck, with steps to the ground. A galvalume corrugated canopy on a steel frame will be mounted over the door, matching the historic condition. A 4 inch round galvanized gutter will drain to a rain-chain to a 140-gallon galvanized rain barrel. The existing north elevation window will be replaced to match.
4. The south elevation will retain the existing siding and replace the damaged section currently covered with metal roofing. The two entries, shutters, decks, canopies and rain barrels will be identical to the north elevation. Note that the original store had no windows or doors on this elevation. Additional large windows on the ground level will daylight the kitchen and hall. The dormer design will also match the north elevation.
5. The rear elevation is not visible from the street. It provides additional windows for the bedrooms. Note that the original building had no windows or door on the rear elevation.
6. The roof will be corrugated galvalume, not standing seam or 5v crimp, to match the historic evidence.
7. The site plan includes a four-car parking trellis in the rear yard, with pole barn construction. The car trellis will have a gravel base, not concrete. A gravel area on the 8<sup>th</sup> Street right of way will allow two parking spaces as needed. A ground cover landscape will be planted directly in front of the building. The alley will be gravel for parking access. All gravel areas will have a geotextile underlayment to preserve permeability. ✓ *→ must be approved by City Manager*
8. A four-foot chain-link fence will be installed on the side property lines and along the 5-foot rear yard setback connecting to the car trellis. The fence will also attach to the entry decks at the front property line but will be concealed from street view with a hedge. Although chain link fencing would not have surrounded the original store on 7th Street, it is an appropriate historic rehabilitation choice on the Hill because many residences have chain link fences and many were installed throughout the northside and southside as chain link became popular and an affordable choice during the decades after 1900 and especially post WWII.

## STORMWATER MANAGEMENT

The only added impervious surfaces are the 5 metal canopies. Three replace historic canopies and two are new. Each have a 4 inch galvanized round gutter with a rain-chain to a 140 gallon galvanized

rain barrel sitting on a 4 inch dry-laid solid CMU base. The new dormers do not add any additional impervious surface. The car trellis is on a gravel base lined with geotextile fabric and does not add any additional impervious surface or lot coverage. The rain barrels will flow onto the grassed lawns or plantings in adjacent yards, using a spreader device if needed.

### Calculations

Canopy – 4'x6' = 24 sf  
@10" rainfall for 24 hour – 25 year return = .833 cubic feet  
24 sf x .833 = 20 cubic feet of rainfall  
20 cubic feet x 92.5 runoff coefficient = 18.5 cubic feet of required retention  
18.5 cubic feet @ 7.5 gallons/cubic foot = 138.75 gallons  
A 140 gallon rain barrel is required for each canopy.

Note the current Stormwater Management regulations are excessively onerous for single-lot small projects like this bed and breakfast or for single-family residential structures in high-hazard flood zones. The engineering fees become a burden for a small project and discourage investment. The 24-hour/25 year return becomes a severe density restriction and construction cost penalty, if using green infrastructure or below ground cisterns. The originally proposed carport for 4 parking spaces was abandoned for the pervious parking trellis, specifically because there was not enough site area for any green infrastructure solution. In some cities (Atlanta included) the process can be simplified for small projects by requiring management of the first inch (or two) of rainfall (not runoff) falling on new impervious surfaces. AND make that a requirement for ALL new or expanded projects. This means that all small projects, whether commercial or residential or in flood zones, are all treated equally.

### APPROVALS REQUESTED

*— see staff report.*

1. Waiver of a full stormwater plan and detailed site plan as required by the Apalachicola Stormwater Management Ordinance. This waiver allowed by the City stormwater official.
2. Approval of overall design of the Ziegler Building rehabilitation following the Secretary of Interiors Standards and Guidelines for Historic Rehabilitation and the Apalachicola Historic Guidelines, adopted by the City of Apalachicola LDC.
3. Approval to replace the historic metal canopy on the Ziegler Building facade, add a rain barrel, and install a landscaped ground cover on 8<sup>th</sup> Street public right of way. The owner will agree to a contractual arrangement dealing with maintenance, liability, and replacement if the city requires changes or damages the canopy, rain barrel and ground cover for any reason. Note that the rain barrel will be used to irrigate/infiltrate the landscaped ground cover in the City right of way in front of the building.
4. Approval of the historic canopy on the north elevation, the new canopy on the south elevation, and the two small entry decks, which are within the required 15-foot front yard. Note that the canopies and decks do not expand the square footage or ground coverage of the Ziegler Building because they have no supporting columns. They are non-conforming only due to the impervious roof or the small entry decks being defined as "uncovered porches."

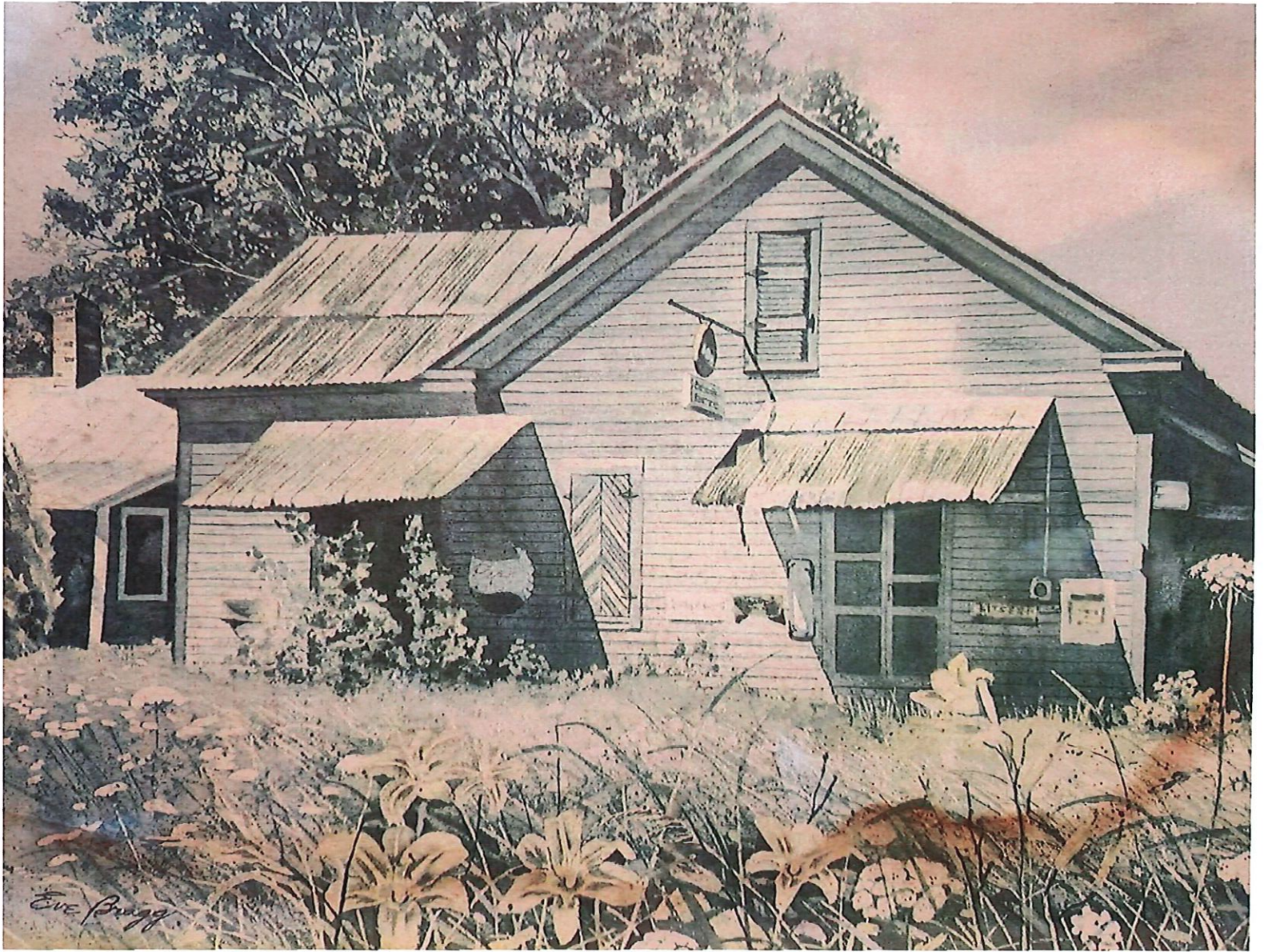
We believe the following statements in the LDC allows full approval of the proposed project by the Planning and Zoning Commission for a Certificate of Appropriateness for the Ziegler Building

- The historic Ziegler Building is clearly recognized for preservation in the LDC regardless of nonconformity as to size, setback, elevation and/or height. See LDC Sec.111-322 (a)
- Historic rehabilitation, including repairs, alterations and additions, of the historic Ziegler Building can only occur with a building program – a bed and breakfast – that provide the economic resources to undertake the improvements. Without the approval of the Special Exception AND a Certificate of Appropriateness for the Design, the project is not feasible. See LDC Sec.111-322. (a)(2).

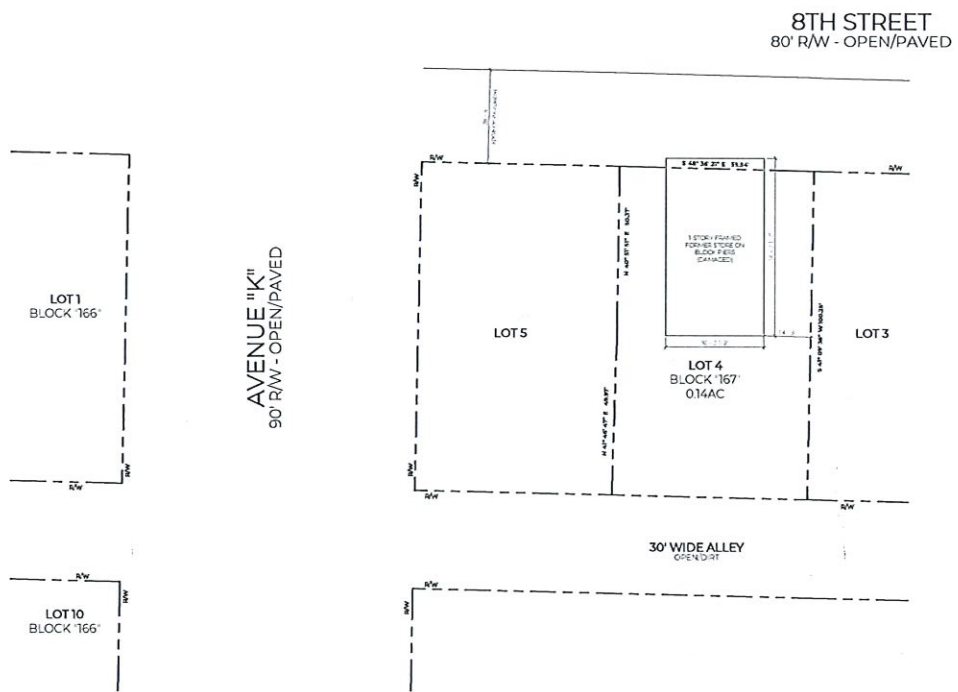
- The metal canopies and small entry decks do not “enlarge upon, expand, or extend” the Ziegler Building because the canopies and entry decks do NOT add additional building square footage, according to the LDC definition of building coverage. The section prohibiting enlargement, expansion or extension does NOT apply to the Ziegler Building proposal. See LDC Sec. 111-322 (c)

See below:

- **Sec. 111-322. - Historic and nonhistoric nonconforming structures.**
  - o (a) Historic nonconforming structures. The intent of this section is to preserve all historic structures, including those that are **nonconforming as to size, setback, elevation, and/or height.**
    - (1) Nothing in this section shall be construed to prevent the ordinary and routine maintenance and repair of historic, nonconforming structures.
    - (2) **Repairs, alterations, and additions necessary for the preservation, restoration, and rehabilitation of a nonconforming structure may be permissible when authorized by the architectural review board in the form of a certificate of appropriateness, provided the structure is a documented historic structure.**
    - (3) If an historic, nonconforming structure receives substantial damage in excess of 50 percent of the appraised value of the structure, such historic structure shall be reconstructed in accordance with the Florida Building Code. If the damaged or destroyed historic structure was nonconforming based on size, setback, elevation, or height, it may be reconstructed at no greater nonconformity than prior to when it was damaged or destroyed. A damaged or destroyed historic, nonconforming building that exceeded current height restrictions may be rebuilt to original height provided it is a replica of the original historic building. In the case of transient lodging facilities, the number of units in the reconstructed structure may not exceed the number of units in existence at the time of damage or destruction.
    - (4) If an historic, nonconforming structure or portion of any such structure is declared by any duly authorized official of the city to be physically unsafe or unlawful due to lack of repairs or maintenance, the unsafe or unlawful portion shall be repaired and rebuilt in conformity with the historic preservation provisions of chapter 109.
  - o (c) Expansion of historic and nonhistoric, nonconforming structures. The intent of this section is not to permit either historic or nonhistoric nonconforming structures to be enlarged upon, expanded, or extended, except as allowed through the variance process at section 101-61(2). Existing nonconformities of a structure shall not be used as grounds for adding other structures prohibited elsewhere in the same district.
    - (1) An expansion in square footage for either historic or nonhistoric structures shall be permitted where such expansion meets all requirements of this code, including those of section 101-61(3)b when a variance is needed.
    - (2) An expansion of either an historic or nonhistoric, nonconforming structure is permissible when it is required by law or ordered by the building inspector to secure the safety of the building.



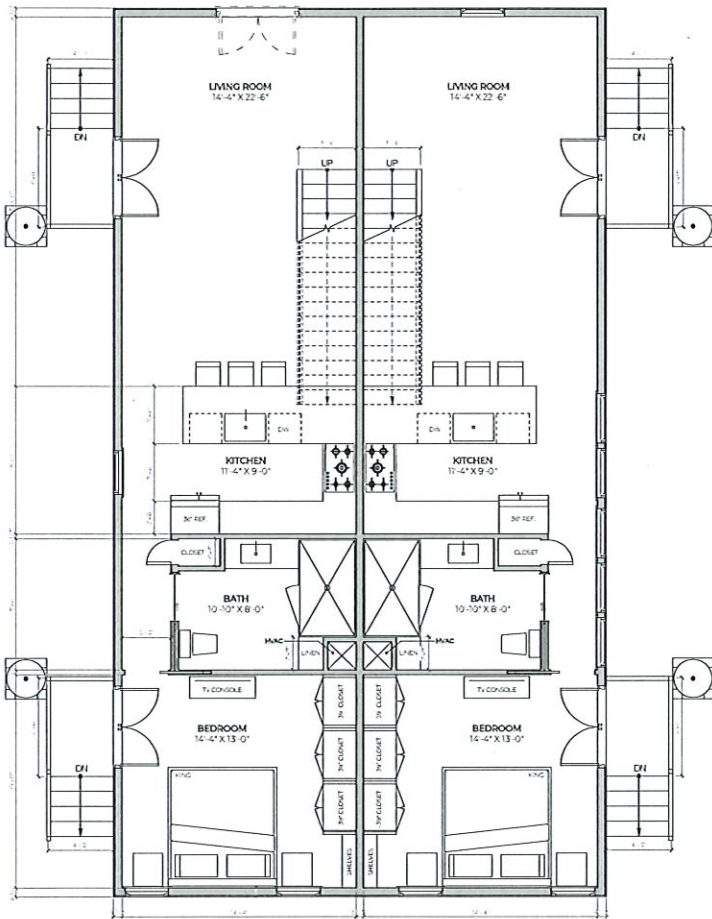




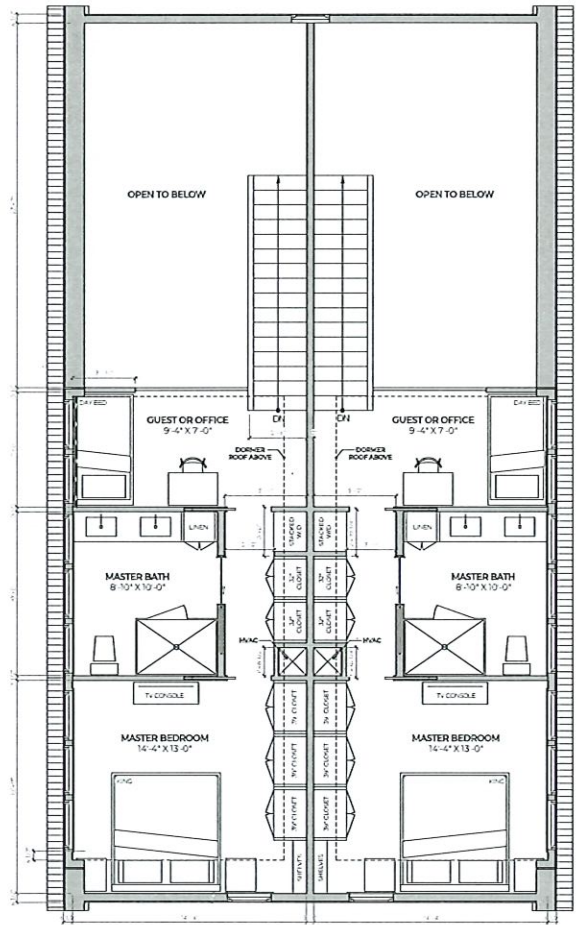

**EXISTING SITE PLAN**  
 SCALE: 1" = 20'



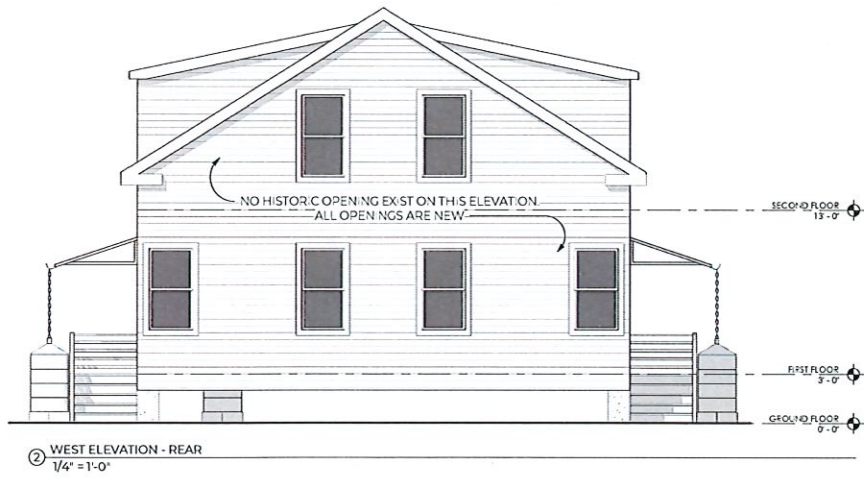


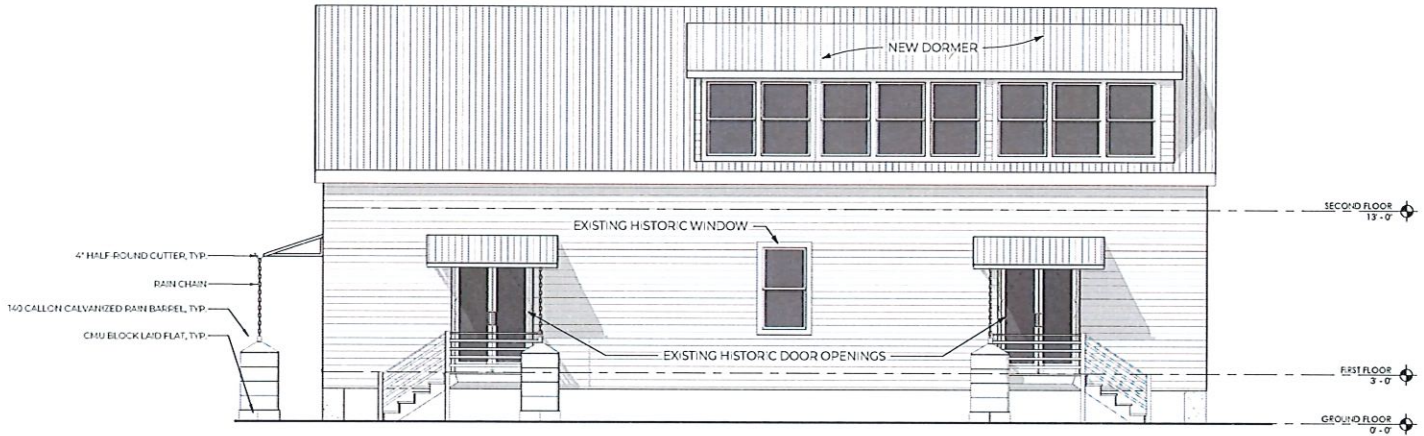


1 FIRST FLOOR PLAN  
1/4" = 1'-0"

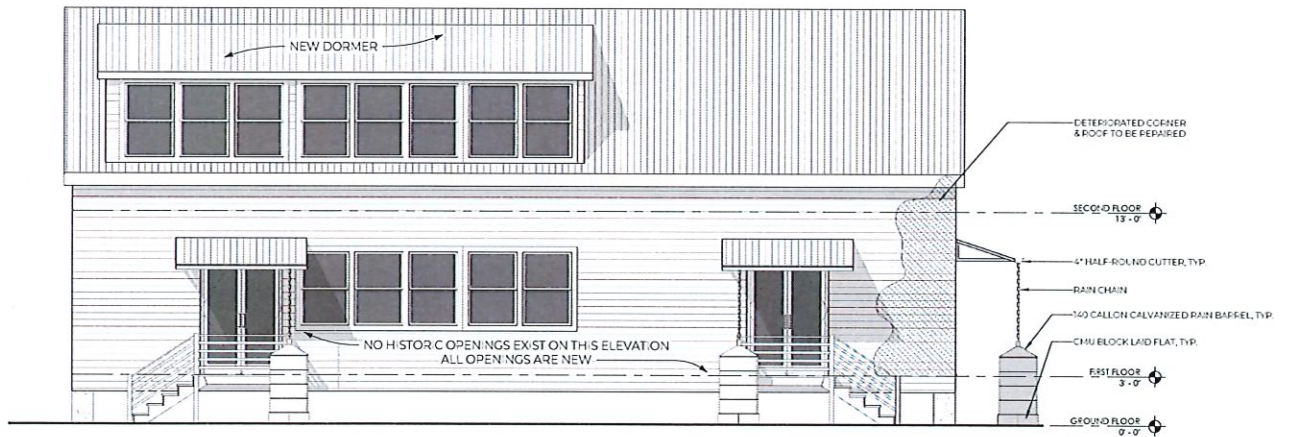


2 SECOND FLOOR PLAN  
1/4" = 1'-0"





① NORTH ELEVATION - SIDE  
 1/4" = 1'-0"



② SOUTH ELEVATION - SIDE  
 1/4" = 1'-0"