



**Planning & Zoning Agenda**

**December 9<sup>th</sup>, 2024**

**CITY OF APALACHICOLA**  
PLANNING & ZONING BOARD  
REGULAR MEETING  
Tuesday, December 9<sup>th</sup>, 2024  
**City Meeting Room – 74 6<sup>th</sup> Street**  
Agenda

**Regular Meeting: 6:00 PM**

1. Approval of November 12<sup>th</sup>, 2024 meeting minutes.
2. Review, Discussion and Decision for Sign & Certificate of Appropriateness. **(C-1) (Historic District) @ 280 Water Street**, Block G Lot 10. For Deani & Robbie Blalock - Owner;  
Contractor: Sign De-Sign
3. Review, Discussion and Decision for Certificate of Appropriateness/Alteration **(R-1) @ 163 Avenue B**, Block 54 Lots 1-3. For Kevin & Karen Curry - Owner; Contractor: Erin Rodriguez Const., LLC
4. Review, Discussion and Decision for New Construction/Rehabilitation **(R-1) (Historic District) @ 97 Avenue L**, Block 172 Lot 10 & ½ 9. For Edgar & Lisa Lugo - Owner;  
Contractor: TBD

Other/New Business:

Outstanding/Unresolved Issues:

**Motion to adjourn the meeting.**



## **Minutes**

**November 12<sup>th</sup>, 2024**

**CITY OF APALACHICOLA**  
PLANNING & ZONING BOARD  
REGULAR MEETING  
Tuesday, November 12<sup>th</sup>, 2024  
**City Meeting Room – 74 6<sup>th</sup> Street**  
Minutes

**Attendance: Jim Bachrach, Bobby Miller, Greg Golgowski, Elizabeth Milliken, Lee McLemore**

**Regular Meeting: 6:00 PM**

1. Approval of October 14<sup>th</sup>, 2024 meeting minutes.
  - a. **Motion to approve by Lee McLemore; 2<sup>nd</sup> by Elizabeth Milliken. All in favor – motion carried.**
  
2. Review, Discussion and Decision for Fence & Certificate of Appropriateness. (R-1) (Historic District) @ 135 17<sup>th</sup> Street, Block 104 Lots 6-7. For Jamey & Kelli Moore - Owner; Contractor: TBD
  - a. **Motion to approve by Lee McLemore; 2<sup>nd</sup> by Bobby Miller. All in favor – motion carried.**
  
3. Review, Discussion and Decision for Accessory Structure (R-2) @ 211 13<sup>th</sup> Street, Block 146 Lots 6-7. For Leon O’Neal - Owner; Contractor: TBD
  - a. **Motion to approve by Bobby Miller; 2<sup>nd</sup> by Lee McLemore. All in favor – motion carried.**
  
4. Review, Discussion and Decision for Accessory Structure (R-2) @ 156 Sawyer Lane, Block 248 Lot 2. For Grayson & Lindsay Shepard - Owner; Contractor: TBD
  - a. **Motion to approve by Elizabeth Milliken; 2<sup>nd</sup> by Greg Golgowski. All in favor – motion carried.**
  
5. Review, Discussion and Decision for Accessory Structure (R-1) @ 27 Myrtle Avenue, Block 8 Lot 16. For Al & Donna Ingle - Owner; Contractor: Self
  - a. **Motion to approve by Elizabeth Milliken; 2<sup>nd</sup> by Lee McLemore. All in favor – motion carried.**
  
6. Review, Discussion and Decision for Accessory Structure (Pool) (R-2) @ 166 21<sup>st</sup> Avenue, Block 245 Lots 6-7. For Ron Nippe - Owner; Contractor: Self



**CITY OF APALACHICOLA**  
PLANNING & ZONING BOARD  
REGULAR MEETING  
Tuesday, November 12<sup>th</sup>, 2024  
**City Meeting Room – 74 6<sup>th</sup> Street**  
Minutes

- a. **Motion to approve by Elizabeth Milliken; 2<sup>nd</sup> by Bobby Miller. All in favor – motion carried.**
  
- 7. Review, Discussion and Decision for Fence & Certificate of Appropriateness. (R-1) (Historic District) @ 149 10<sup>th</sup> Street, Block 72 Lot 8. For Ryan Mills - Owner; Contractor: Self
  - a. **Motion to approve contingent upon fence being only within property owners' property lines by Lee McLemore; 2<sup>nd</sup> by Elizabeth Milliken. All in favor – motion carried.**

Other/New Business:

Outstanding/Unresolved Issues:

**Motion to adjourn the meeting by Bobby Miller; 2<sup>nd</sup> by Lee McLemore. Meeting adjourned.**



**Sign & Certificate of Appropriateness**

**280 Water Street**



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

**Official Use Only**

Date Received: 11/14/24  
 Meeting Date: 12/9/24  
 Fees Due: \$ 50.00  
 Date Fees Paid: 11/26

OWNER INFORMATION	CONTRACTOR INFORMATION
Owner <u>Deani and Robbie Blalock</u>	Contractor Name <u>Sign De-Sign</u>
Address <u>525 W Pine Ave</u>	State License # _____ City License # _____
City <u>St. George Island</u> State <u>FL</u> Zip <u>32328</u>	Email <u>eastpointsigns@gmail.com</u>
Phone <u>770-634-7304</u>	Phone <u>850-670-5757</u>

**PROJECT TYPE**

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

**PROPERTY INFORMATION**

Street Address (911 Address): 280 Water Street  
 City & State: Apalachicola, Florida Zip: 32320  
 Parcel ID #: 01-09S-08W-8330-00G1-0100 Block: L G Lot: 10  
 Zoning District: C-4 [  ] Historic District [  ] Non-Historic District  
 FEMA Flood Zone: \_\_\_\_\_

**OFFICIAL USE ONLY**

Certificate of Appropriateness Required? <u>Y</u> / N Setback Requirements of Property: Front: _____ Rear: _____ Side: _____ Corner Lot? Y / N <u>Street Sides:</u> _____ 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 _____
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**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.

DB  
 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).

245K

Store Front Signage which will include a 4' x 6' sign on the west wall. The wall measures 32' x 14' tall. There will also be a 2' x 2' sign on the north wall that will appear to be a hanging sign but will be securely attached to the building with brackets.

PROJECT SCOPE	MANUFACTURER	PRODUCT DESCRIPTION	FL PRODUCT APPROVAL #
Siding			
Doors			
Windows			
Roofing			
Trim			
Foundation			
Shutters			
Porch/Deck			
Fencing			
Driveways/Sidewalks			
Other			

**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.

11/14/2024

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DATE

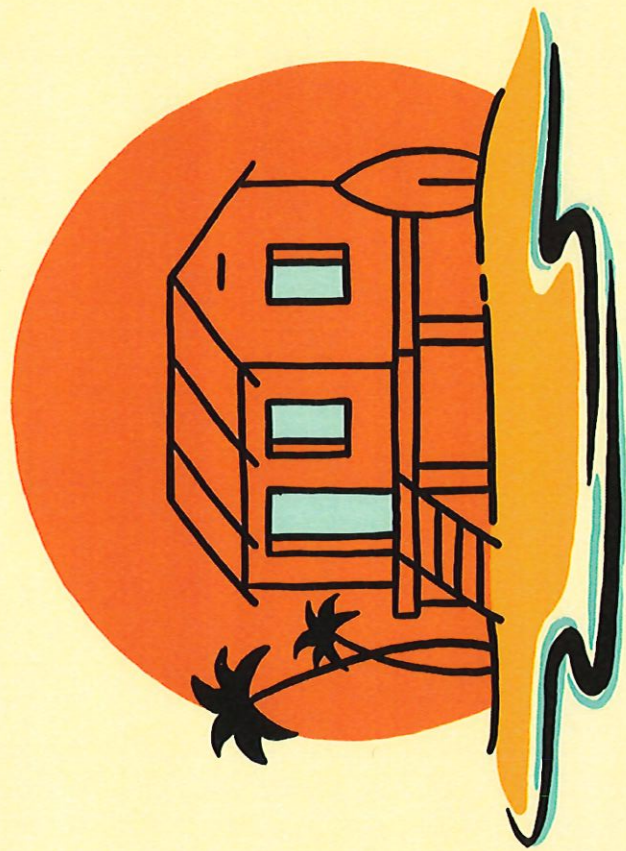


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SIGNATURE OF APPLICANT



2x2



# ENDLESS SUMMER

INTERIORS



4' x 6'

# ENDLESS SUMMER

I N T E R I O R S



I N T E R I O R D E S I G N • F U R N I T U R E • A C C E S S O R I E S & M O R E

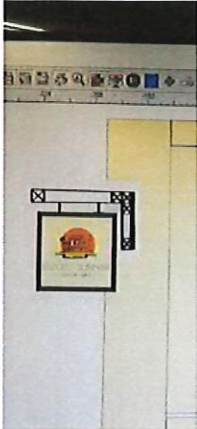
Re: Sign Application

From Endless Summer Interiors <endlesssummerinteriors@gmail.com>  
Date Wed 11/20/2024 11:10 AM  
To Bree Robinson <brobenson@cityofapalachicola.com>

Good morning!

So I talked to Tim at Sign De-Sign, the 2 x 2 will be a double sided 24" x 24" by 1.5" thick HDU sandblasted sign hung on a fixed metal bracket.

Here is an example:



The 4 x 6 sign will be completely poly metal with the black border in metal also. I hope this answers all your questions. Please let me know if you need anything else.

Have a great day!  
Deani Blalock

On Nov 15, 2024, at 2:30 PM, Bree Robinson <brobenson@cityofapalachicola.com> wrote:

Hi Deani!

Just a few questions -

1. What is the sign material that this is going to be made of?
2. If metal/printed, is there going to be any frame around this? Is the black border part of the sign itself?
3. "that will appear to be a hanging sign, but securely attached to the building with brackets" - could you please provide an example of what is meant on this?

Thanks,

**Bree Robinson**  
City Planner  
City of Apalachicola  
192 Coach Wagoner Blvd.  
o: 850-323-0985  
[brobenson@cityofapalachicola.com](mailto:brobenson@cityofapalachicola.com)



Florida has a very broad Public Records Law. Most written communications to or from State and Local Officials regarding State or Local business are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.

From: Endless Summer Interiors <endlesssummerinteriors@gmail.com>  
Sent: Thursday, November 14, 2024 12:55 PM  
To: Bree Robinson <brobenson@cityofapalachicola.com>  
Subject: Sign Application







**Certificate of Appropriateness/Alteration**

**163 Avenue B**





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

**Official Use Only**

Date Received: 11/14/24  
 Meeting Date: 12/9/24  
 Fees Due: \$40.00  
 Date Fees Paid: 11/20/24

OWNER INFORMATION	CONTRACTOR INFORMATION
Owner <u>Kelin &amp; Kavan Cumy</u>	Contractor Name <u>Erin Rodriguez Const., LLC</u>
Address <u>163 Avenue B</u>	State License # <u>CGC1521107</u> City License # <u>07-031</u>
City <u>Apalachicola</u> State <u>FL</u> Zip <u>32320</u>	Email <u>erin@erconstructionllc.com</u>
Phone <u>678.592.6112</u>	Phone <u>850.323.1601</u>

**PROJECT TYPE**

<input type="checkbox"/> New Construction	<input 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): 163 Avenue B  
 City & State: Apalachicola, FL Zip: 32320  
 Parcel ID #: 01-095-08W-0330-0054-0010 Block: 54 Lot: 1, 2, 3  
 Zoning District: R-1 [  ] Historic District [  ] Non-Historic District  
 FEMA Flood Zone: N/A

**OFFICIAL USE ONLY**

Certificate of Appropriateness Required? <u>Y</u> / N Setback Requirements of Property: Front: _____ Rear: _____ Side: _____ Corner Lot? Y / N Street Sides: _____ Lot Coverage: _____ STAFF NOTES/RECOMMENDATIONS: <u>- Do not recommend for approval due to height ordinance.</u> <u>- see emails</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 _____	

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\_\_\_\_\_  
 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).

• Remove existing Windows Walk measuring roughly 5'x6' and replace with new Windows Walk measuring roughly 12'x10'. New Windows Walk to be constructed out of wood and be architecturally consistent with main body of house.

• See Attached Architectural Renderings AND Pictures of Existing Windows Walk.

PROJECT SCOPE	MANUFACTURER	PRODUCT DESCRIPTION	FL PRODUCT APPROVAL #
Siding	N/A	N/A	N/A
Doors	↓	↓	↓
Windows			
Roofing			
Trim			
Foundation			
Shutters			
Porch/Deck			
Fencing			
Driveways/Sidewalks			
Other Windows Walk			

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11.14.24

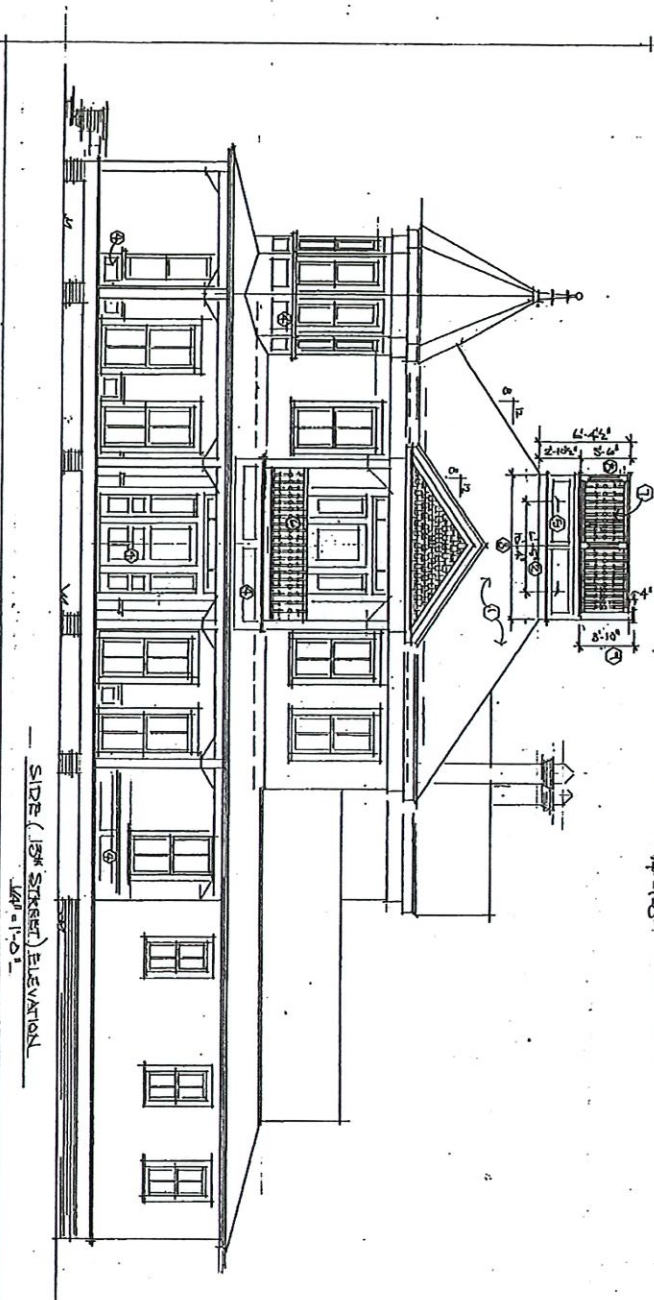
DATE



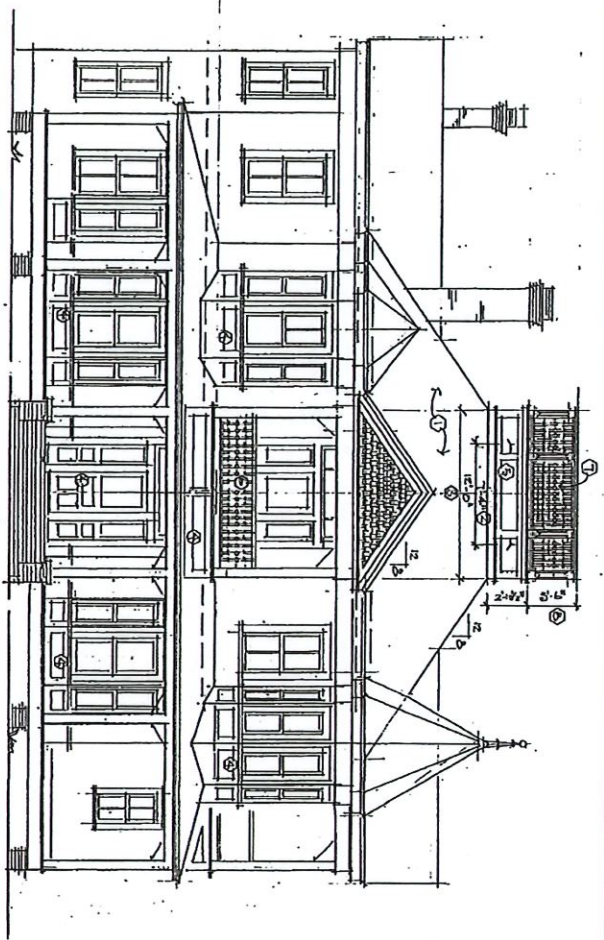
SIGNATURE OF APPLICANT

Erin Rodriguez Const, LLC

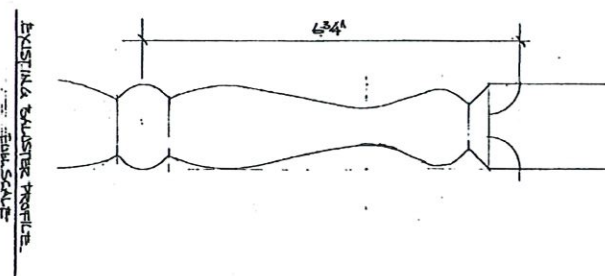




SIDE (13th STREET) ELEVATION  
1/4" = 1'-0"

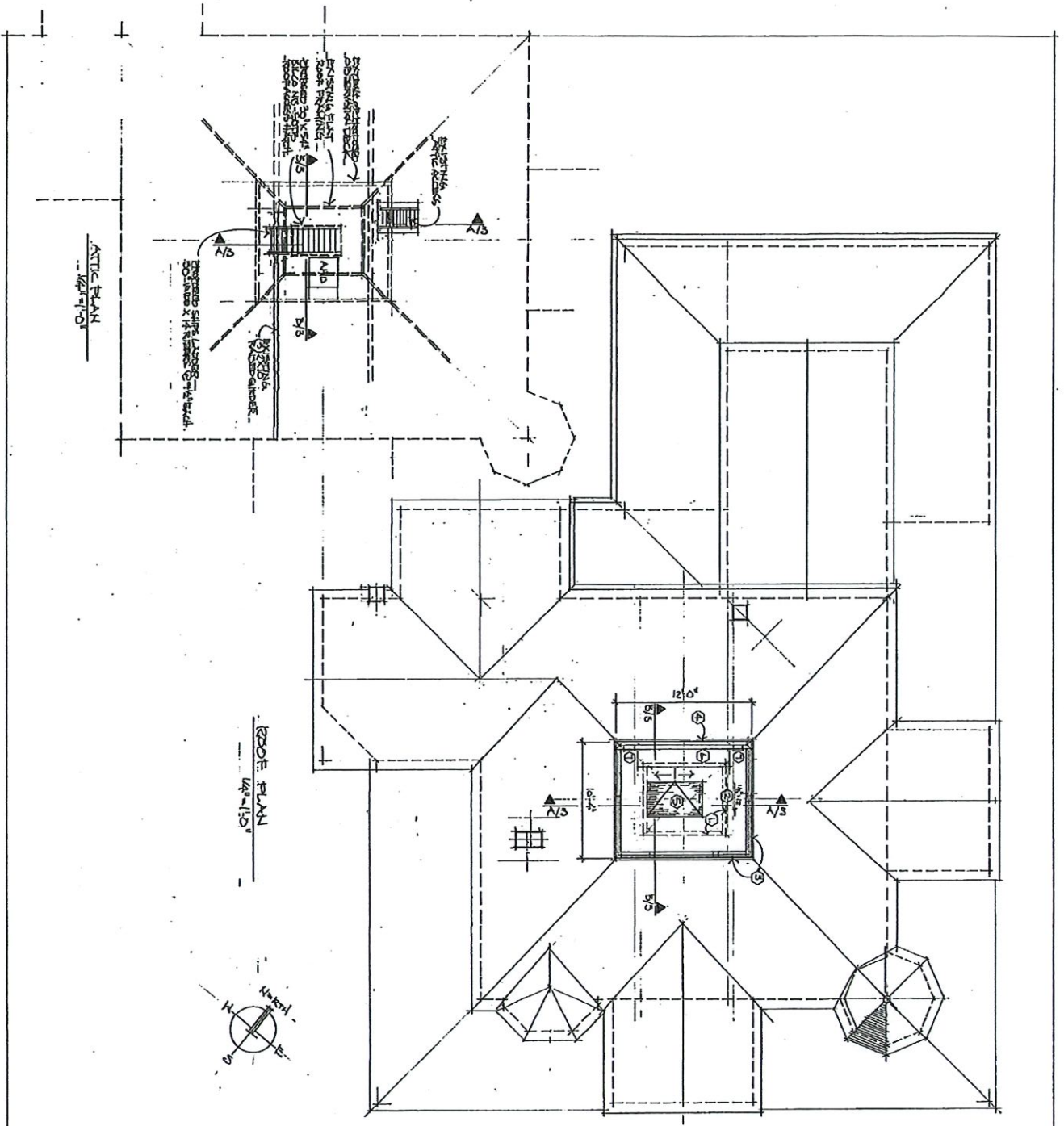


FRONT (AVENUE B) ELEVATION  
1/4" = 1'-0"



EXISTING BALUSTER PROFILE  
1/4" = 1'-0"

- ELEVATION REFERENCE NOTES
- 1) EXISTING ARCHITECTURAL FINISHES TO REMAIN UNLESS NOTED OTHERWISE.
  - 2) EXISTING ARCHITECTURAL FINISHES TO BE REPRODUCED AS NOTED.
  - 3) EXISTING ARCHITECTURAL FINISHES TO BE REPRODUCED AS NOTED.
  - 4) EXISTING ARCHITECTURAL FINISHES TO BE REPRODUCED AS NOTED.
  - 5) EXISTING ARCHITECTURAL FINISHES TO BE REPRODUCED AS NOTED.
  - 6) EXISTING ARCHITECTURAL FINISHES TO BE REPRODUCED AS NOTED.
  - 7) EXISTING ARCHITECTURAL FINISHES TO BE REPRODUCED AS NOTED.
  - 8) EXISTING ARCHITECTURAL FINISHES TO BE REPRODUCED AS NOTED.
  - 9) EXISTING ARCHITECTURAL FINISHES TO BE REPRODUCED AS NOTED.
  - 10) EXISTING ARCHITECTURAL FINISHES TO BE REPRODUCED AS NOTED.



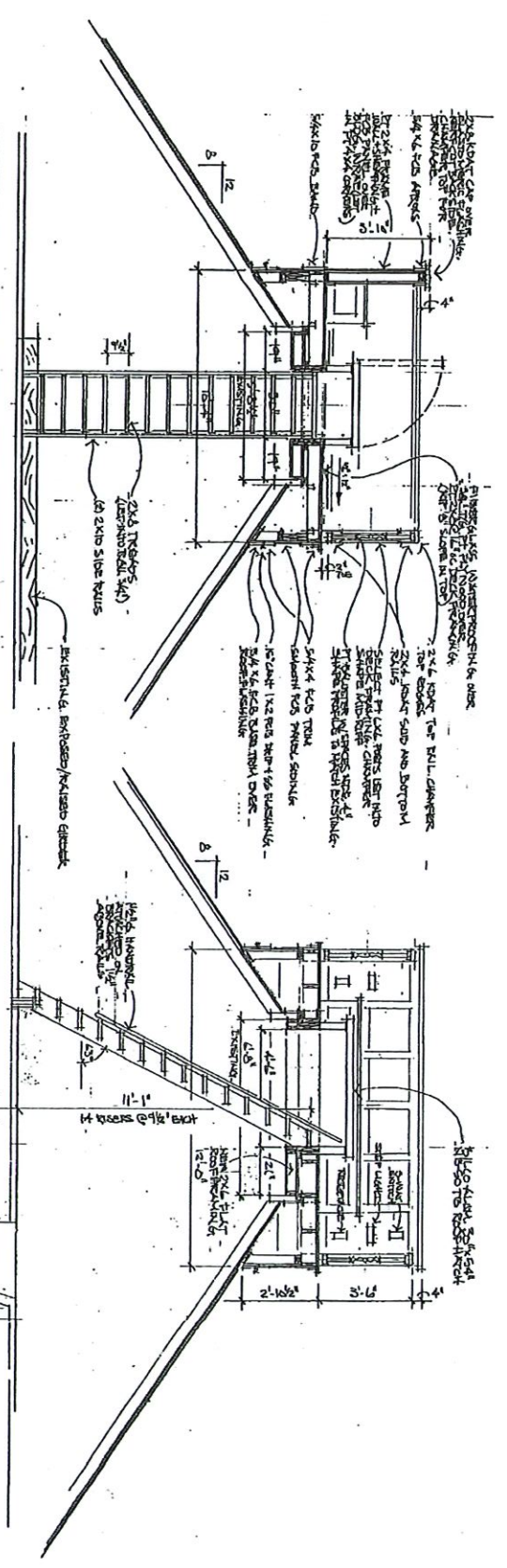
- ROOF PLAN REFERENCE TYPES ○
- ① INSULATED LIGHT INSULATED EXTERIOR CEILING SYSTEM (RESIDENTIAL) FROM ROOF.
  - ② SLURRY WATERPROOF DECK.
  - ③ ROOF GARDEN/VEGETATION WITH 1/4\"/>



ATTIC PLAN  
1/4" = 1'-0"

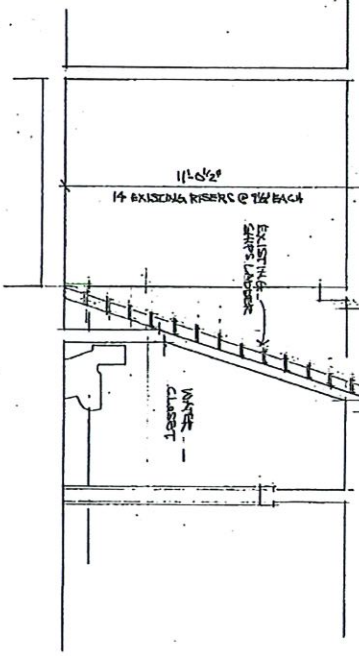
ROOF PLAN  
1/4" = 1'-0"





SECTION B  
1/2" = 1'-0"

PLATFORM SECTION A  
1/2" = 1'-0"



SECTIONS,  
DETAILS -  
FON No. 22666  
ISSUED 7 -

□ Cumy -- 163 Avenue B

↳ 11.14.21

↳ Existing Windows walk

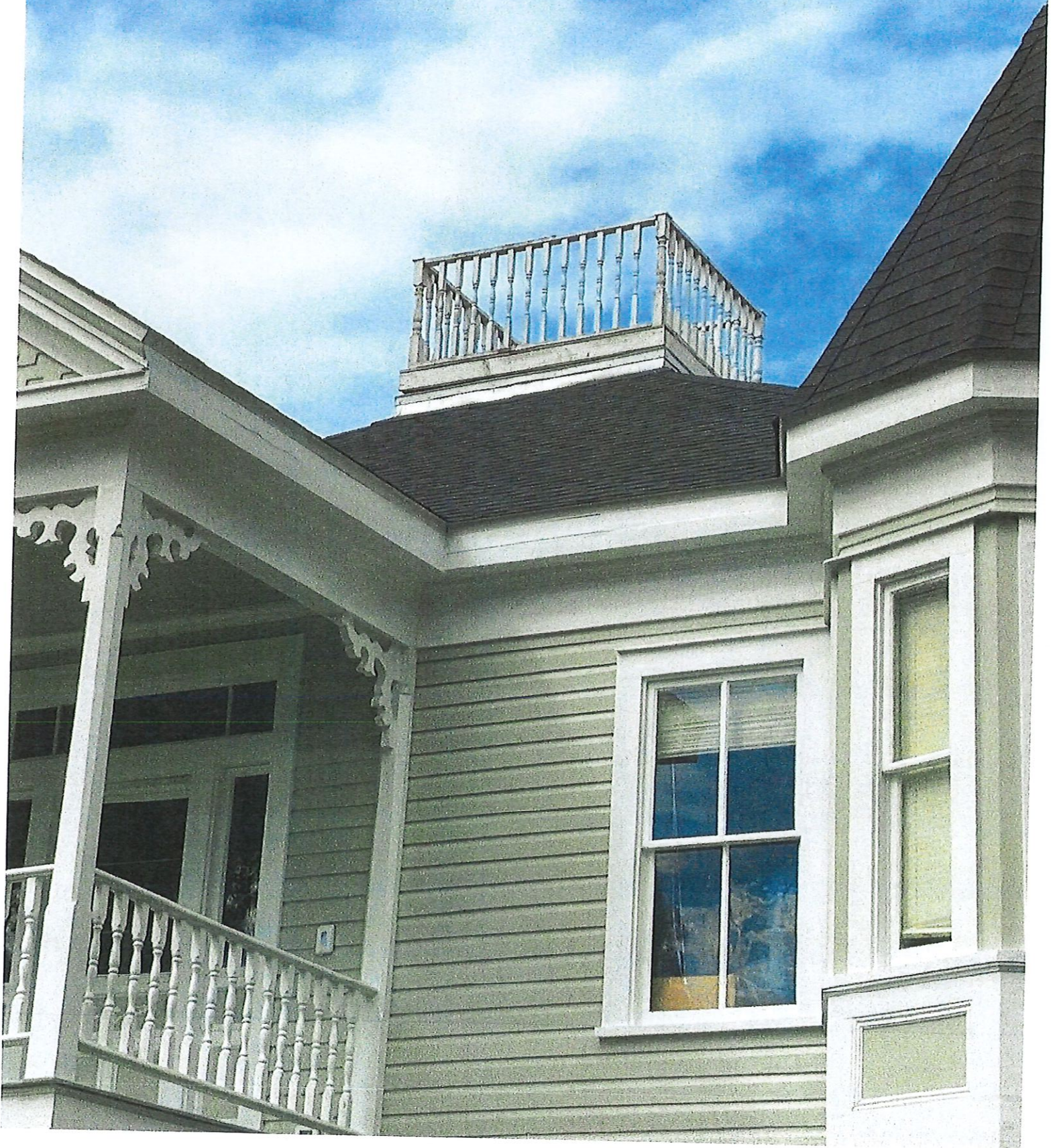




□ Curry -- 163 Avenue B

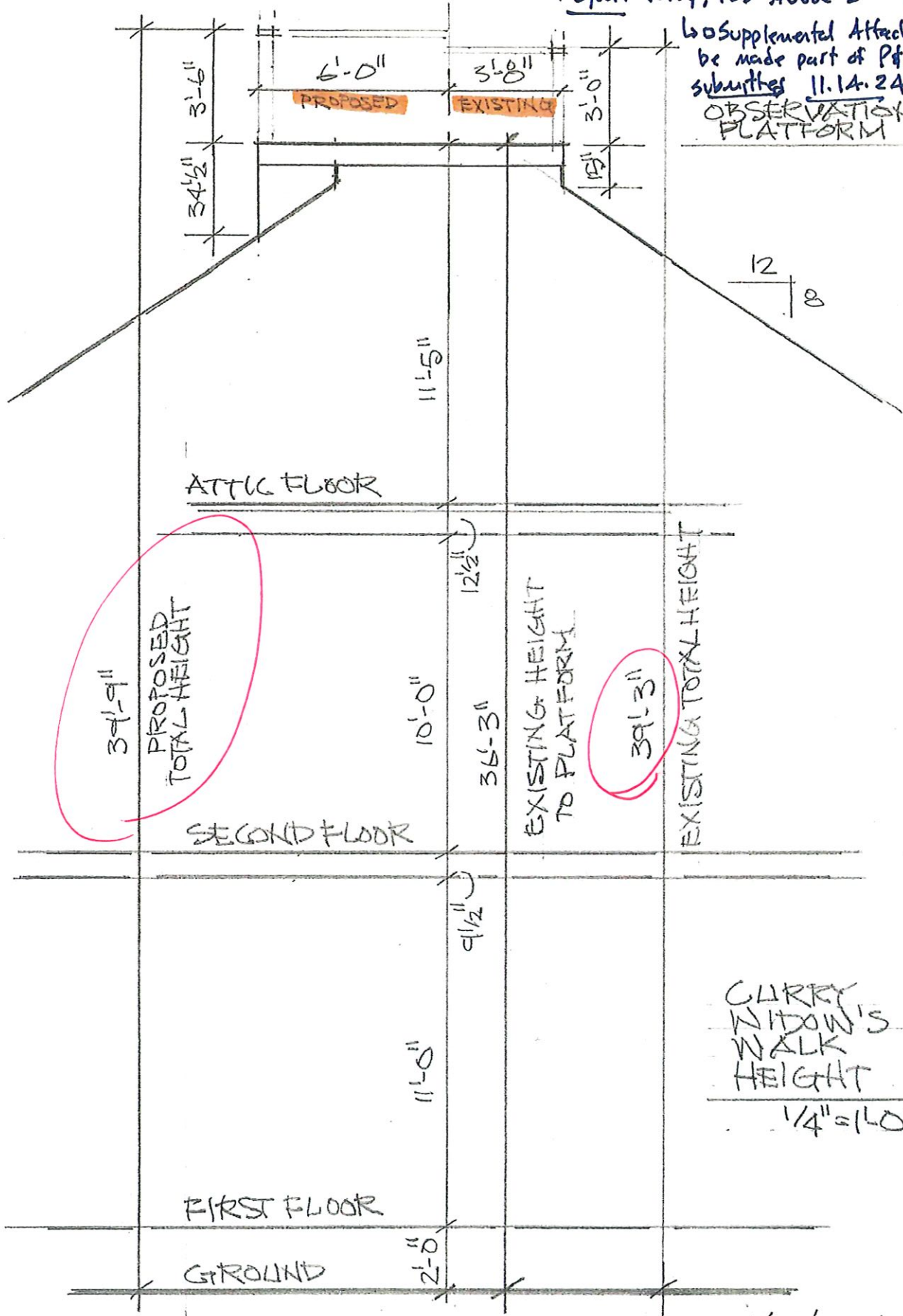
↳ 11.14.21

↳ Existing widow walk





↳ Supplemental Attachment to be made part of P&Z Application submitted 11.14.24  
OBSERVATION PLATFORM



11/15/2024

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Re: 163 Avenue B, Apalachicola, FL, 32320


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From Bree Robinson <brobenson@cityofapalachicola.com>

Date Thu 11/14/2024 10:49 AM

To Erin Rodriguez <erin@erconstructionllc.com>

Hi Erin,

The current height of the home up to the handrail is nonconforming per the City's LDC on height, but is allowed to remain due to the historic nature of the home. The current height of the rails may be rebuilt as long as they are a replica of what was there prior. The permissible building height is 35' with a special exception allocation of an additional 3' for certain features. Since the current height of the home/structure is already 39', then there can be no additional height added to the widow's walk handrails. 

*LDC: Building height, permissible, means the maximum building height for new construction of all residential and nonresidential structures in both non-flood-rated and flood-rated areas within the city is 35 feet. Height exception: proposed construction of architectural or structural elements above 35 feet such as chimneys, parapets, cooling towers, elevator bulkheads, fire towers, ornamental architectural detailing, heating/cooling systems, or necessary mechanical appurtenances must be approved by the architectural review board, and a certificate of appropriateness must be received prior to development. Approved architectural or structural elements must not exceed 36 inches above the 35-foot building height limit. An existing historic building which exceeds current height restrictions and which is destroyed by fire or acts of nature may be permitted to be rebuilt to original height, provided the building is a replica of the original historic building.*

This application would not be approved by P&Z as is, but if you would like to present it to the board then the drawings will need to be updated to include the current height of the entire home and previous widow's walk rails and then the proposed height with proposed widow's walk rail height. If the owners are willing to just rebuild what is already there with no additional height then this would be possible.

Thanks,

**Bree Robinson**

City Planner  
City of Apalachicola  
192 Coach Wagoner Blvd.  
o: 850-323-0985  
[brobenson@cityofapalachicola.com](mailto:brobenson@cityofapalachicola.com)



*Florida has a very broad Public Records Law. Most written communications to or from State and Local Officials regarding State or Local business are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.*

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**New Construction/Rehabilitation**

**97 Avenue L**

New Submission  
- see setbacks - C.O.A.  
- see height

Application for Certificate of Appropriateness - 97 Ave L - Lisa and Edgar Lugo

From Edgar Lugo  
Date Fri 11/22/2024 8:07 AM  
To Bree Robinson <brobinson@cityofapalachicola.com>; Lisa Lugo <lilugol@cityofapalachicola.com>; Lisa Lugo

3 attachments (3 MB)  
LugoPreliminaryPlans Final.pdf; Dog Trot Elevation.pdf; colors.png;

Good morning Bree,

Hope this email finds you well. Please find attached the final plans developed by the architect that the board wanted to see for the December 9<sup>th</sup> P&Z meeting. Once approved the engineering plans are next.

Attached are:

1. LugoPreliminaryPlans Final.PDF - The floor and elevation plans from the architect that show details, materials, etc. including the modification requested by the board.
2. Dog Trot Elevation.PDF – We took the elevation, tree survey and a picture of the lot from Ave L to demonstrate the tree coverage that will remain as one of the board members was curious what the home would look like from the street. We hope this helps show and isn't confusing. Please let us know your thoughts on this attachment and if it is necessary.
3. Colors.png – this is a sample color palette we will use on the exterior of the house. The siding will be a light beige accent colors will be slightly darker beige, and doors will be stained wood. This is similar to what we will do not exact colors yet. We wanted to share for the direction we are heading in.

We do want to note, the actual address will be 97 Ave L, not 221 8<sup>th</sup> St. given the front of the house and existing cottage currently face/will face Ave. L.

Please let us know if we are missing anything so we can get them to you ASAP.

Best,  
Edgar and Lisa Lugo

From: Bree Robinson <brobinson@cityofapalachicola.com>  
Sent: Monday, October 28, 2024 9:58 AM

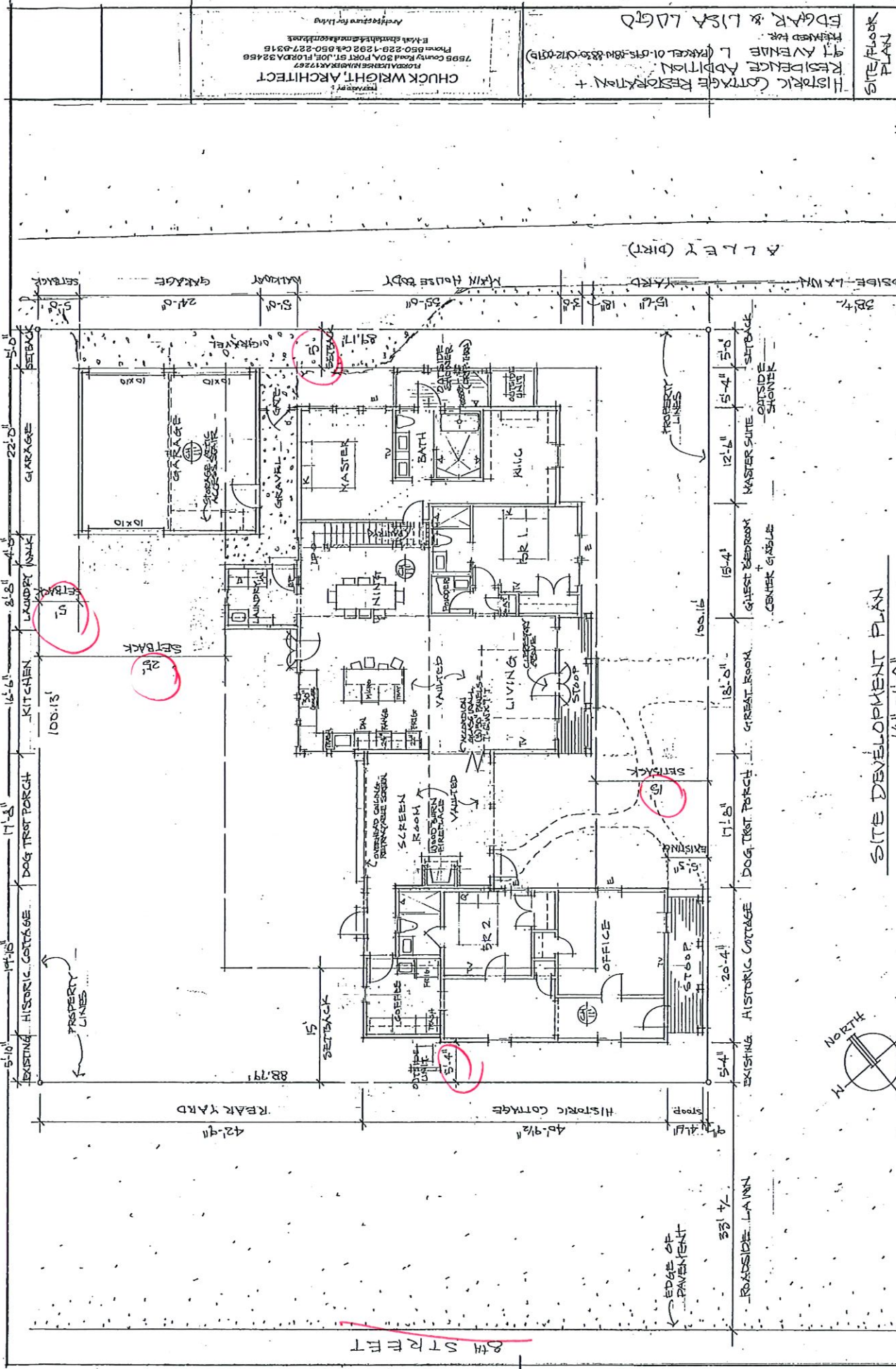


Looking for a soft warm  
neutral paint color?

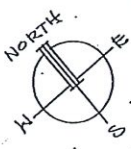
Natural linen







SITE DEVELOPMENT PLAN  
1/8" = 1'-0"



side setbacks do not equal 15'. Board needs to dis wif.

AVENUE L

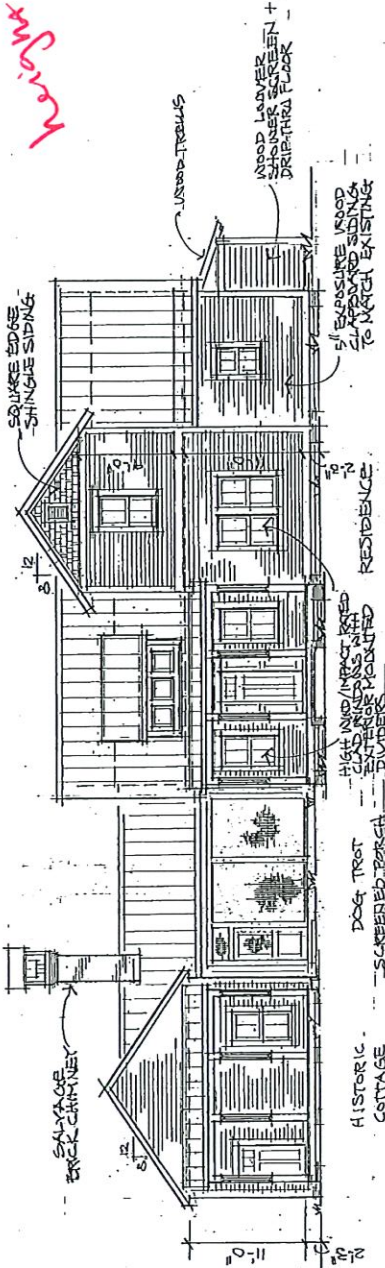
EDGE OF PAVEMENT

EDGE OF PAVEMENT

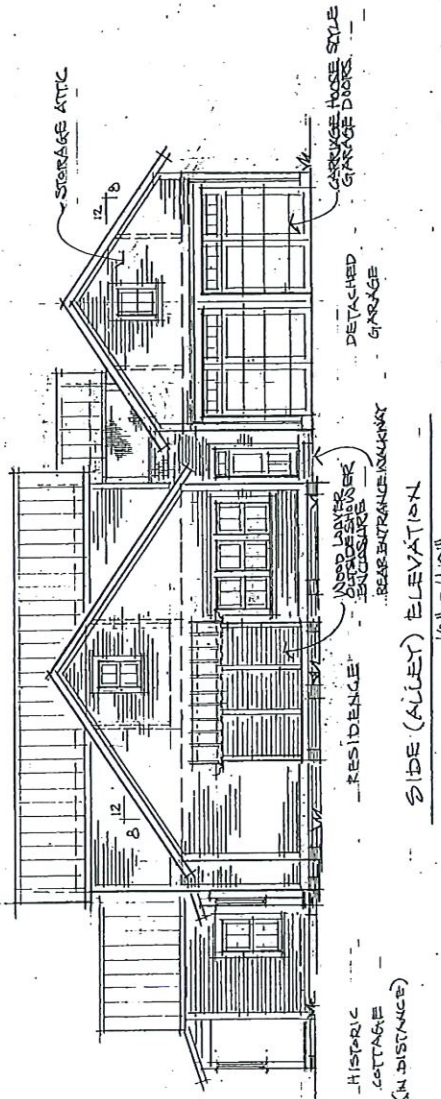
DRIVE STRIP



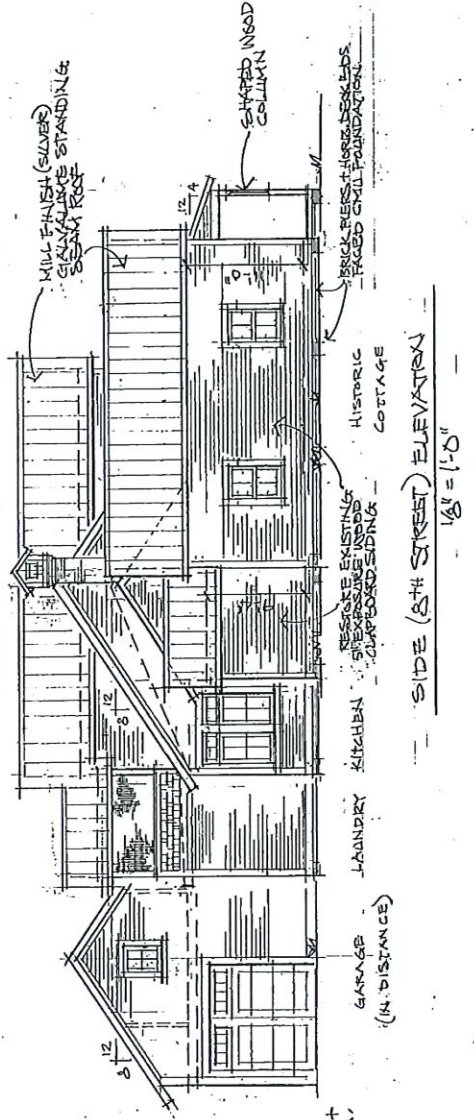
↑ height!



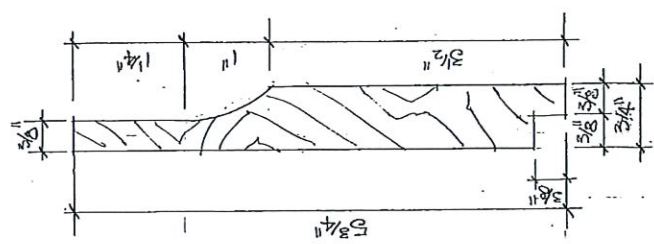
FRONT (AVENUE L) ELEVATION  
1/8" = 1'-0"



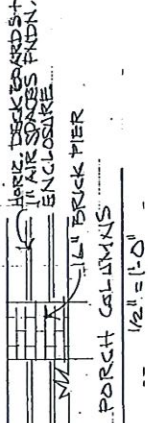
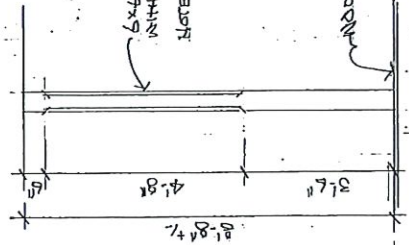
SIDE (ALLEY) ELEVATION  
1/8" = 1'-0"



SIDE (5TH STREET) ELEVATION  
1/8" = 1'-0"



EXISTING SIDING PROFILE  
FULL SCALE



PORCH COLUMNS  
1/2" = 1'-0"

CHUCK WRIGHT ARCHITECT

EDYKA & LISA LUDG

BUILDING ELEVATIONS

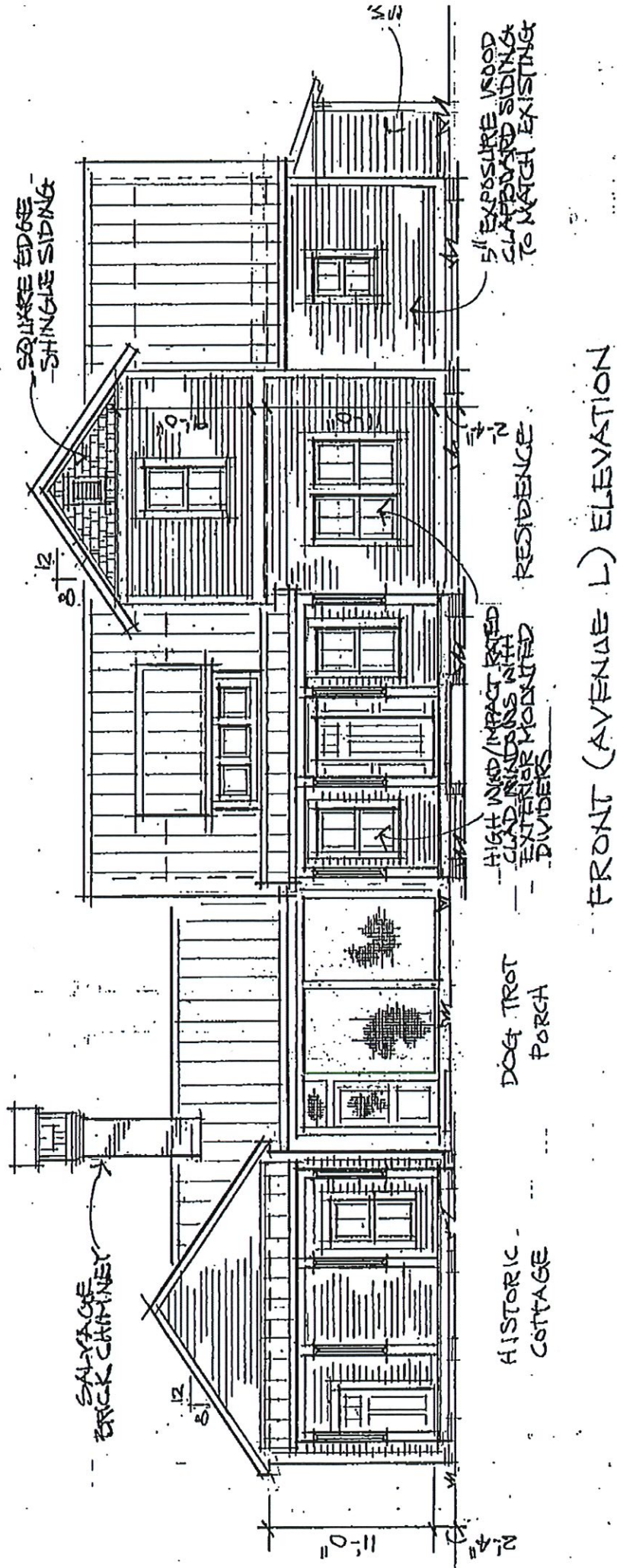
PROJ. NO. 2420  
ISSUED 11/18/24

## 97 Ave L Front Elevation with Trees

- The following visuals demonstrate the existing historic cottage and expansion.
- The first slide is the Ave L elevation.
- The second is the tree survey and the site plan with the yellow box showing all the trees that will remain
- The third visual shows the existing trees from the street view
- The last visual tries to show the trees that will mostly remain with the expanded home nestled within the lot.

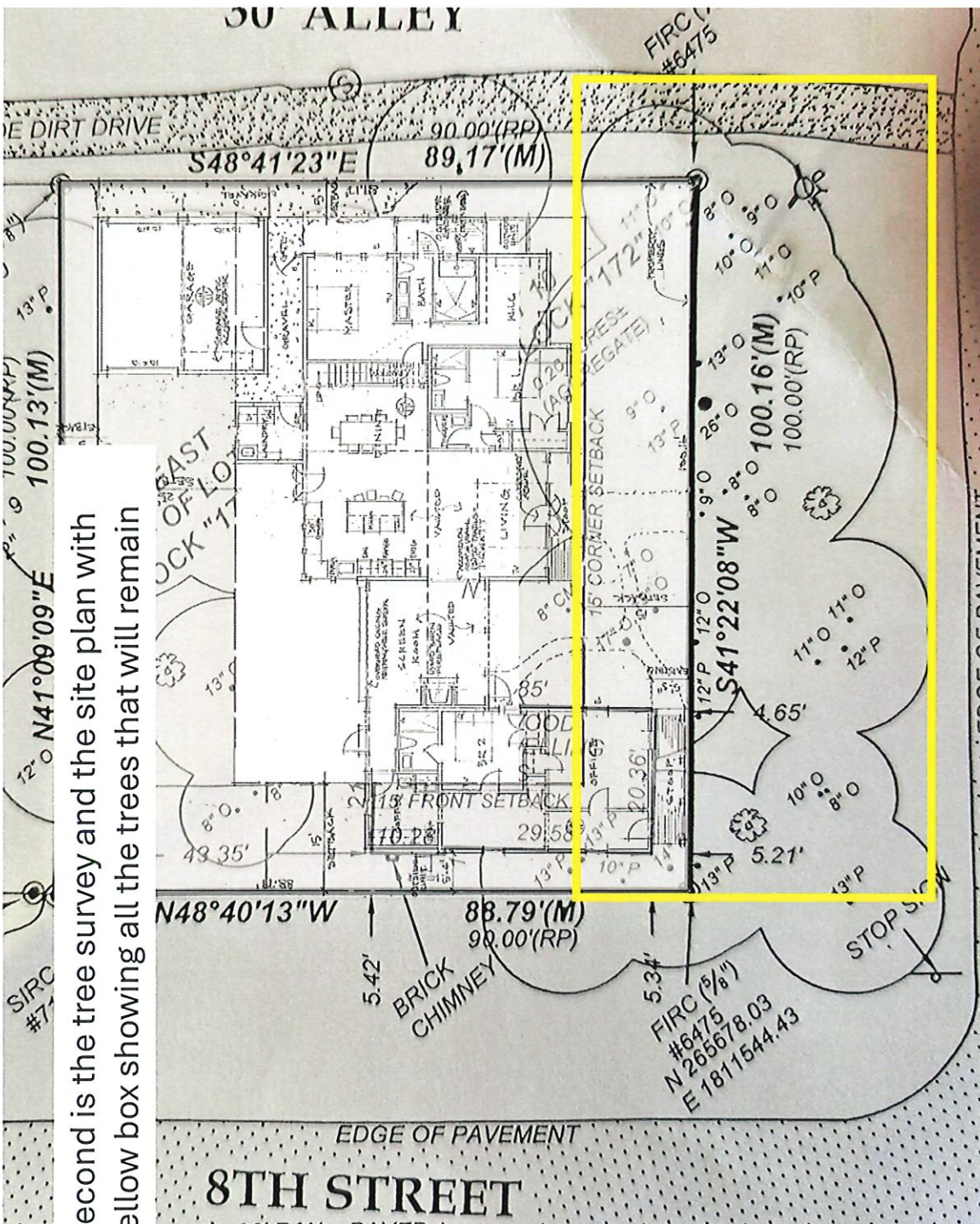


The first slide is the Ave L elevation.



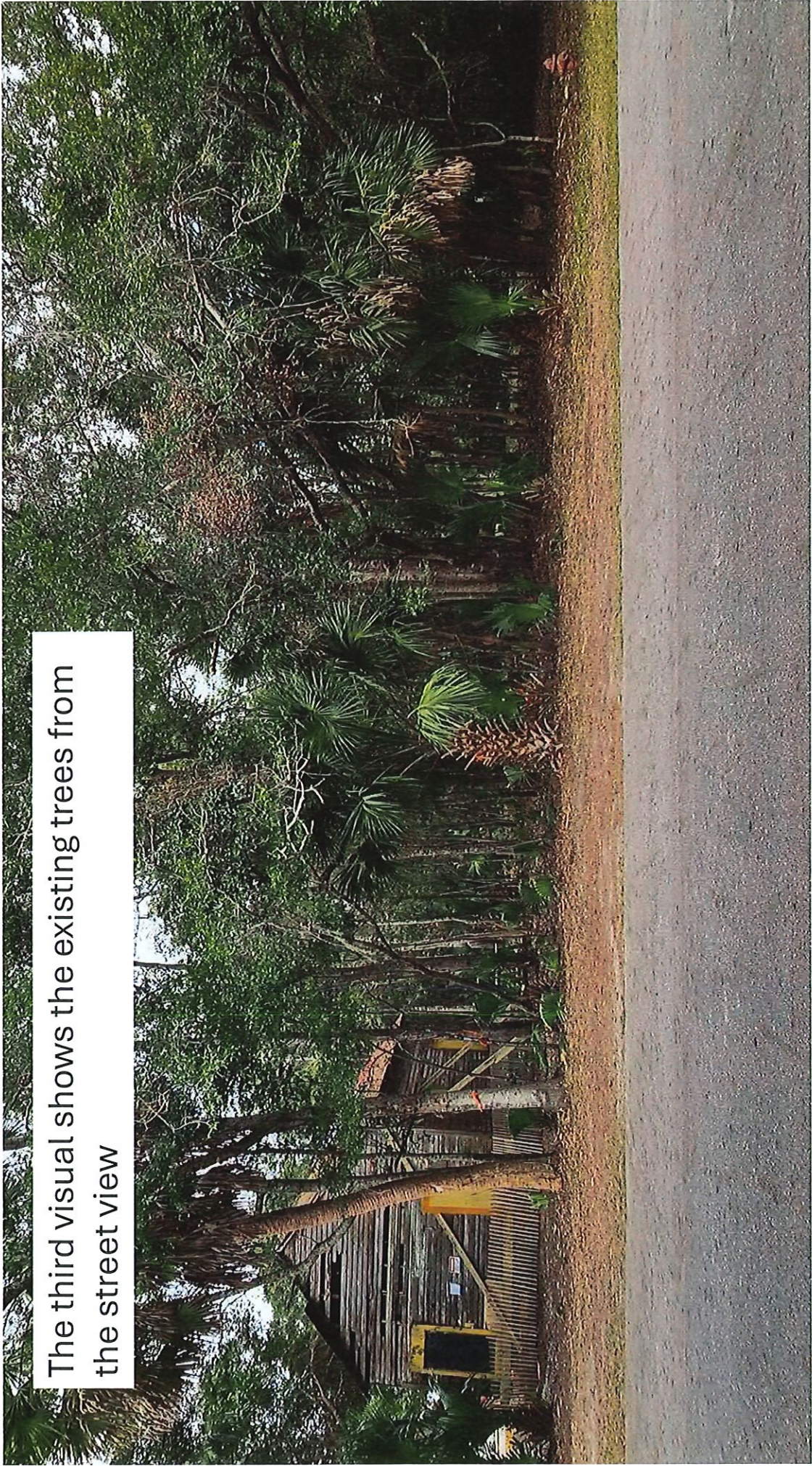


The second is the tree survey and the site plan with the yellow box showing all the trees that will remain





The third visual shows the existing trees from the street view





The last visual tries to show the trees that will mostly remain with the expanded home nestled within the lot.





Prior Submission



**Rehabilitation, Addition, & Certificate of  
Appropriateness**

**221 8<sup>th</sup> Street/97 Avenue L**



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

**Official Use Only**  
 Date Received: 8/17  
 Meeting Date: 8/19  
 Fees Due: 90.00  
 Date Fees Paid: 8/17

**OWNER INFORMATION**

Owner Edgar and Lisa Lugo  
 Address 1468 Bayberry Lane  
 City St. George Island State FL Zip 32328  
 Phone 770 355 3367

**CONTRACTOR INFORMATION**

Contractor Name TBD  
 State License # \_\_\_\_\_ City License # \_\_\_\_\_  
 Email \_\_\_\_\_  
 Phone \_\_\_\_\_

**PROJECT TYPE**

- |  |   |
|--|---|
| <input type="checkbox"/> New Construction      | <input type="checkbox"/> Fence  |
| <input type="checkbox"/> Addition              | <input type="checkbox"/> Repair   |
| <input type="checkbox"/> Alteration/Renovation | <input type="checkbox"/> Certificate of Appropriateness                         |
| <input type="checkbox"/> Relocation            | <input checked="" type="checkbox"/> Other <u>Rehabilitation &amp; Expansion</u> |
| <input type="checkbox"/> Demolition            |   |

**PROPERTY INFORMATION**

Street Address (911 Address): 221 8th St. / 97 Ave L  
 City & State: Apalachicola, FL Zip: 32320  
 Parcel ID #: 01-095-086-8330-0172-0090 Block: 172 Lot: 104/29  
 Zoning District: R-4 [  ] Historic District [  ] Non-Historic District  
 FEMA Flood Zone: X

**OFFICIAL USE ONLY**

Certificate of Appropriateness Required? Y  N  
 Setback Requirements of Property:  
 Front: 15 Rear: 15 Side: 15  
 Corner Lot? Y Street Sides: 15  
 Lot Coverage: 40%

**STAFF NOTES/RECOMMENDATIONS:**  
- Needs Certificate of Appropriateness Review  
- See attached Codes  
- rear setback?

*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 & Zoning Board and a building permit is authorized to be issued.*

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.

*[Signature]*  
 Applicant (title)



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).

Our goal is to rehabilitate the existing dwelling to as close a match of the original to maintain history. we will then add, according to zoning rules an expanded single-family residence with Connecting Screen porch.

\* Please see enclosed concept design for more details \*

PROJECT SCOPE	MANUFACTURER	PRODUCT DESCRIPTION	FL PRODUCT APPROVAL #
Siding	TBD	wood to match existing structure	
Doors	TBD	wood and metal	
Windows	TBD	windows per Florida Hurricane standards	
Roofing	TBD	metal	
Trim	TBD	wood or concrete Board	
Foundation	TBD	Cement or Concrete Block	
Shutters	TBD	wood	
Porch/Deck	TBD	wood	
Fencing	TBD	TBD	
Driveways/Sidewalks	TBD	TBD	
Other	TBD		

**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.

8/12/24  
DATE

  
SIGNATURE OF APPLICANT





# Rehabilitation & Addition

Concept Design

Original Dwelling 1/2 Lot 9 & Lot 10 Block 172 Apalachicola

Edgar & Lisa Lugo residents of Franklin County

# Greetings...

We are the Lugo's and newly minted residents of Florida. We have visited St. George Island and Apalachicola for over 30 years. We have had a home on St. George for over 20 which has recently become our primary residence having sold our home in Atlanta where we have been for 40 years. The family has been coming down since our oldest was 1 year old, he is now 34 and our grandson who is now one, just enjoyed the beautiful beaches here this past Christmas. Wow, time flies.

A couple of years ago we bought a lot in Apalachicola with intentions of building our primary residence in town. That time has come, and we have been working with the city planners for guidance, local architects, historians, etc. to design our new home. We love Apalach.

On our lot at the corner of 8th and Ave. L (SE ½ Lot 9 & Lot 10 Block 172) is the original structure that we are working hard to preserve and make our home. Thanks to Mark C. Curenton evidence suggest that the structure was built in 1895-1896. More to come in following pages on the documented history.

Having discovered when the original structure was built, we would love to preserve that piece of history. I have spent hours on the Clerk of Court website digging into old deeds trying to trace the history, speaking with local historians and such and have discovered a very long history of the home. We hope you find the info as fascinating as we have.

We have created the following presentation that shares the history of the home and our plans to rehabilitate and expand the original structure to call our forever home.

We have nicknamed the dwelling, "Jones Corner Store on the Hill"







Original Dwelling  
Today  
GIS Map View



# History of Existing Dwelling

Source: Mark C. Curenton, Franklin County Planner and Historian, County Clerk Tax Rolls

- H. B. Brown purchased lots 9 and 10 from John Ruge in 1895. Subsequently he sold off the two lots to two different individuals: J. W. Jones in 1896 and Tempe Smith in 1900. From the fact that Mr. Brown purchased the two lots for \$45, it seems to me that they were probably vacant at that time.
- It looks like Mr. Brown built a residence on lot 10 around 1895-1896 prior to selling the lot to Mr. Jones in 1896 for \$200.
- December 12, 1897, J. W. Jones, of Franklin County, Florida, sold to Mrs. Carrie B. Jones (wife), of Franklin County, Florida, Lot 10, Block 172, City of Apalachicola and all groceries, merchandise and goods, for \$372. Mortgage held by CH Lind. In the deed Mr. Jones references having store and home in which they lived (see next page).
- The fact that C. H. Lind is shown as the owner of lot 10 on the 1898 tax roll suggests to me that Mr. and Mrs. Jones possibly lost the lot in a foreclosure. Mr. Lind was a seafood dealer who was known to lend money to people and then be very quick to foreclose if the borrowers fell behind in their payments. He died at Battle Creek, Michigan in 1914 and is buried in Chestnut Street Cemetery. His widow probably sold lot 10.

**Michele Maxwell**  
 Franklin County, Florida

**Search Index Books**

Type:

Year:

Parties:

Last Name:

First Name:

**Search for a Document**

Book:

Volume:

Page:

**Account**

You must login to view past orders and downloads.

The State of Florida know all men, that J. H. Maxwell, County Commissioner of the County and State Appraiser for and in certain estate of the County of Franklin, have bargained and sold, and by these presents do bargain and sell unto Mrs. C. Jones, all of the County and State appraiser, second being her buy stock of any goods, groceries and merchandise, fixtures, show cases, counters, and everything used in and about the store and store house, necessary in selling goods and groceries therein. The said store and store house being in the City of Apalachicola, County of Franklin, on the corner of Main and Pine Streets. Being the square lot in which I now live in said City. All the goods here sold belonging to me, are subject to a mortgage in favor of J. H. Maxwell, also of said City of Apalachicola. Do have and to hold the aforesaid goods and merchandise, and other things to the said Mrs. C. Jones.

Rec of Book  
 J. H. Maxwell  
 Mrs. C. Jones



# Tax Roll History

Source: Mark C. Curenton, Franklin County Planner and Historian, and Historian, County Clerk Tax Rolls

YEAR	LOTS	OWNER	VALUE
1890			
1890	8 part 7	Anderson Simpson	
1890	17.9' of 7 and 9 & 10	Ruge, Jho G	\$79
1896	9 & 10	Brown, H B	\$50
1897	9	H B Brown	\$50
1897	10	Mrs Carrie Jones	\$250
1898	9	H B Brown	\$50
1898	10	C H Lind	\$300
1900	9	H B Brown	\$50
1900	10	C H Lind	\$300
1908	9	Timpy Smith	\$100
1908	10	Chas Lind	\$125
1914	9	Tempe Smith	\$50
1914	10	Chas H Lind	\$250
1921	8 & 1/2 of 9	Louise Felder	\$300
1921	10 & 1/2 of 9	Anderson Simpson	\$250
1928	8 & 1/2 of 9	Unknown (Louise Felder)	\$300
1928	10 & 1/2 of 9	State 1927	\$250
1942	10 & 1/2 of 9	Carissima Thomas	\$75
1943	10 & 1/2 of 9	Maud Collins	
1969	10 & 1/2 of 9	F. Abram & R Wynn	



NAME AND ADDRESS

Fred Abram Robbinswyn  
1410

PROPERTY DESCRIPTION

SE 1/4 LOT 94 IN LOT 10  
Block 173

2007 172

1711 = 132  
20 x 30 = 600  
737  
366

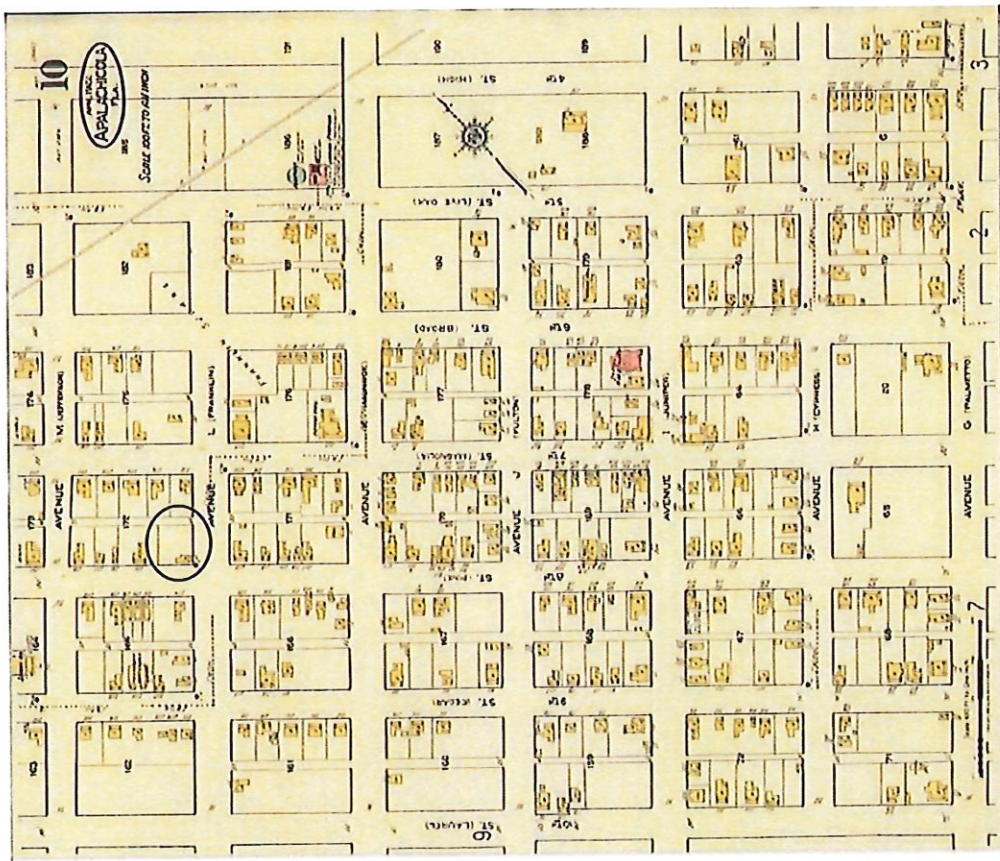
CLASS	USE	CONSTR.	ROOF (TYPE)	FLOORING	PLUMBING	TYPE	SIZE	AREA	UNIT	NEW COST	% COM.
2 STORIES	WOOD FRAME	ASPH	FL	HARDWOOD	TOILET						
	CONC. BLOCK	FL	HIP	CEMENT	LAUNDRY						
BUNGALOW	HOLLOW TILE	FL	FLAT	TILE	BATH						
TWO FLAT	BRICK	FL	HARDWOOD	CONDO.							
APARTMENT	BRICK	FL	CONCRETE								
HOUSE	HILL										

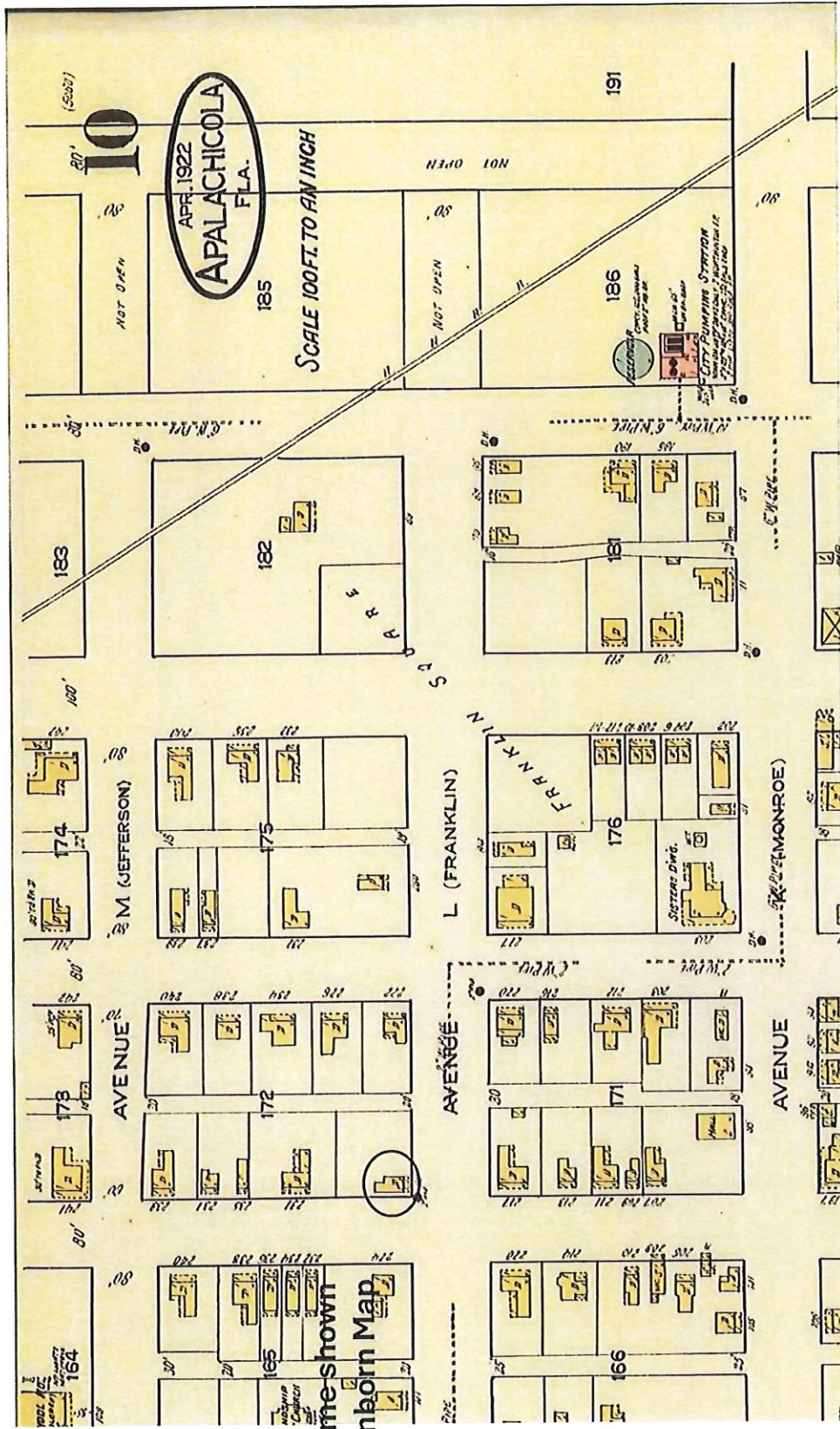
INDEXED FOR: SWAMP, LOW, FARM, WOODED, ECRUIS, STREET IMPROVEMENTS, SIDEWALK, CONCRETE

Footprint of Structure as depicted in 1970 without porch roof coverage  
Source: County Tax Assessors Office



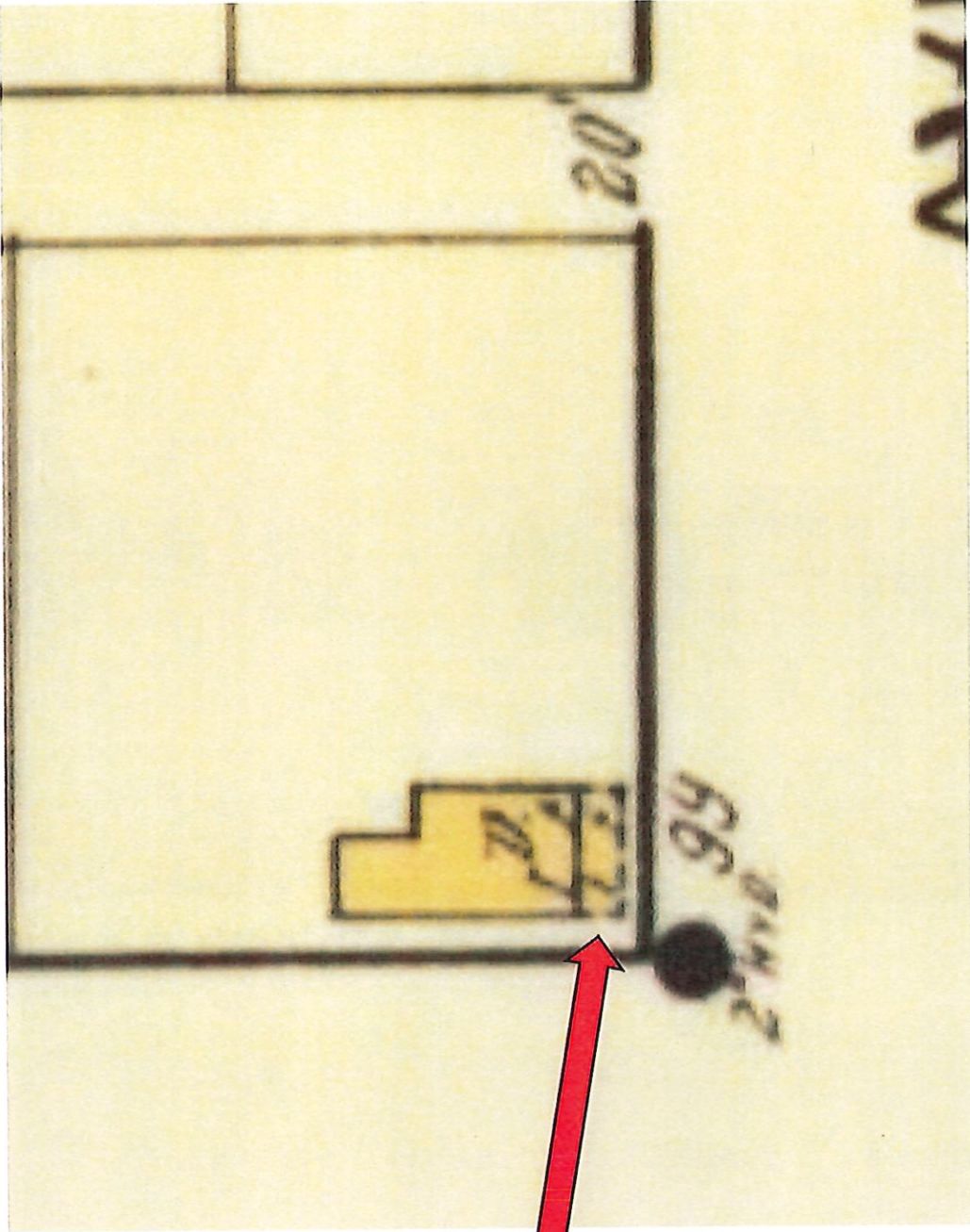
Original Home shown  
On 1922 Sanborn Map





Original Home shown  
On 1922 Sanborn Map





Original Home shown  
On 1922 Sanborn Map

Evidence of Original  
Front Porch



**Today:  
Original Dwelling  
Front Facing  
Avenue L**





**Today:  
Original Dwelling  
Right side Facing  
into Interior of Lot 10**







**Original Dwelling  
Back & Porch  
Facing Interior of Lot 10**



**Original Dwelling  
Back Corner  
Facing 8<sup>th</sup> Street**







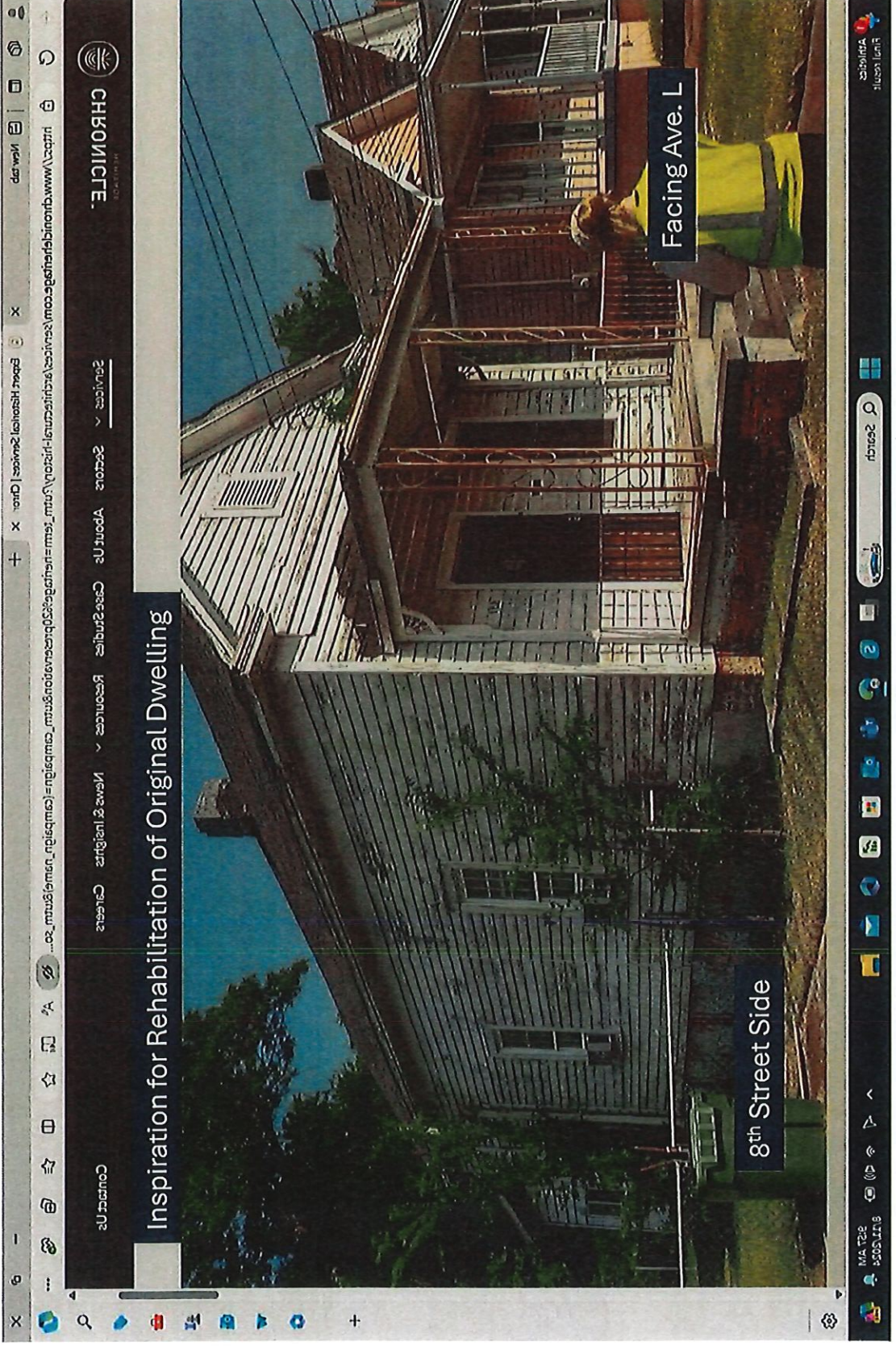
**Original Dwelling  
Side  
Facing 8<sup>th</sup> Street**



# Goal for Rehabilitating Existing Dwelling

- Our goal is to rehabilitate the existing dwelling to as close a match of the original to maintain the history of the dwelling as well as the City of Apalachicola.
- We intend is to keep the original floor plan as it was using the rooms as a home office and a guest room
- The only modification will be to add a bathroom where the back porch was and utilize that area as a connecting entrance to the expansion. The back door was off that porch in its original state.
- We will then add, according to zoning rules an expanded single-family residence with a grand screen porch connecting the structure inspired by the “Dog Trot” floor plans.
  - A dog trot house plan is a unique architectural style characterized by a large, open breezeway running through the middle of the house, with two separate living areas on either side, all under one roof
  - The breezeway connecting the two living rooms can be a screened-in porch or a closed-in living space
- Our intent is to keep the original structure as authentic as possible then tastefully expanding the structure to keep in tune with the architectural style of the home
- The following images represent an inspiration for the design elevation. The first image from research is our inspiration for rehabilitating the original dwelling. The second picture is inspiration for bringing the “Dog Trot” plan to life.
- The next page is the floor plan adhering to all zoning rules for setbacks. One kitchen, dining room, living room, laundry, master and one guest room. There will be one room walk in attic as a second-floor element. This room will rise above the center of the house above Bedroom 1, the guest and hall ½ bath and dining room. We will house mechanicals there and walk-in storage. A elevation concept follows.
- The final note on site plan are the two single car garages. Our desire was to have a single two car garage. However, the layout is obtrusive taking up a lot of the backyard due to setback on the 8<sup>th</sup> street side. We opted for two singles to maximize the open yard behind the home and off the screened in porch. We see this as vital to our vision for gardens and entertaining our guest.
- Lastly are two images that represent the inspiration for the kitchen and dog trot porch.





CHRONICLE

# Inspiration for Rehabilitation of Original Dwelling

Facing Ave. L

8th Street Side

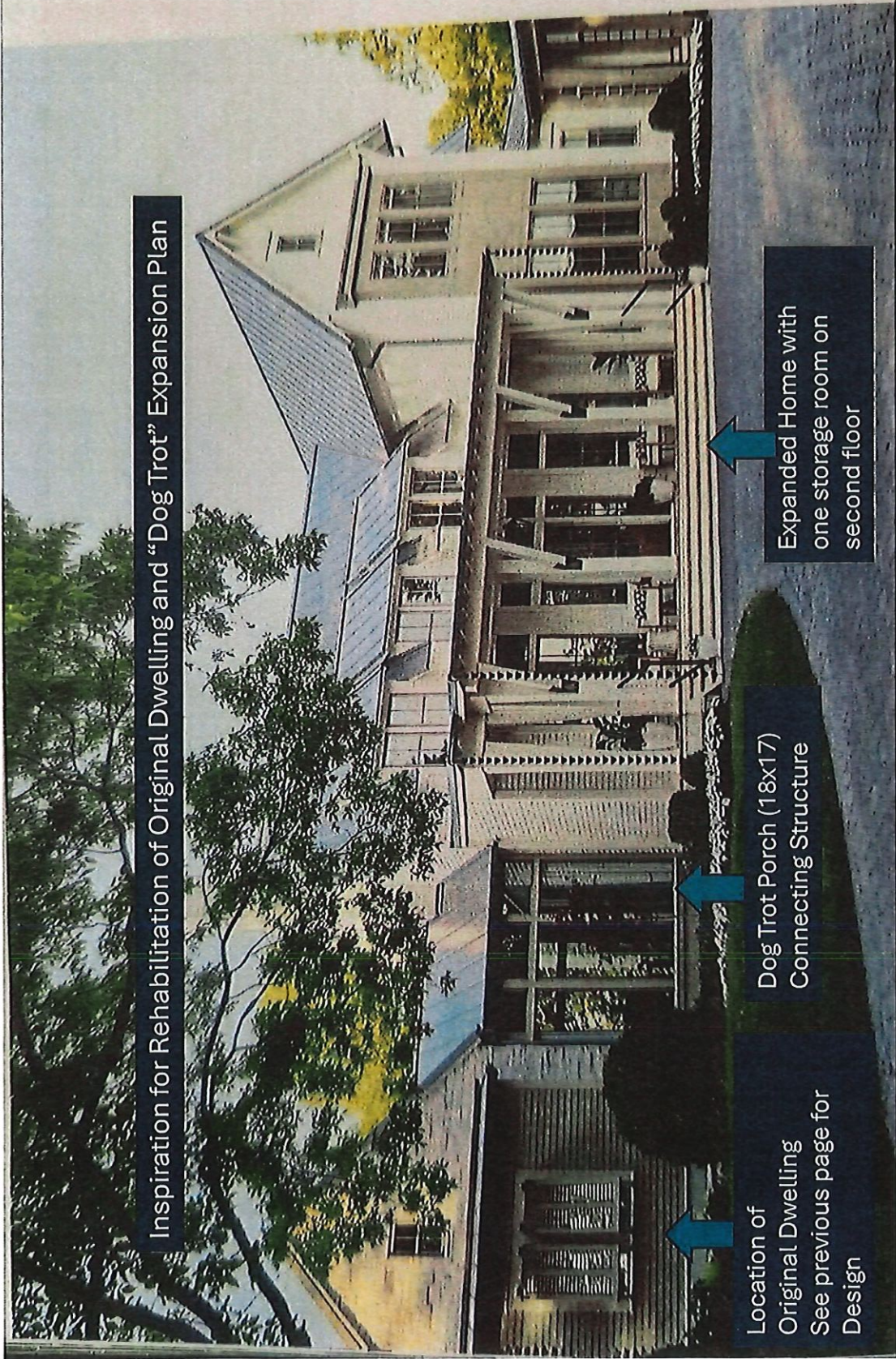
Browser navigation elements including back, forward, and address bar.

Website navigation menu with links: About Us, Case Studies, Resources, News & Insights, Careers.

Windows taskbar showing system tray, search bar, and application icons.



Inspiration for Rehabilitation of Original Dwelling and "Dog Trot" Expansion Plan



Location of Original Dwelling  
See previous page for Design

Dog Trot Porch (18x17)  
Connecting Structure

Expanded Home with one storage room on second floor



Edgar & Lisa Lugo  
 Edgar 404-502-9166, Lisa 770-3553367

Original Structure Built 1896

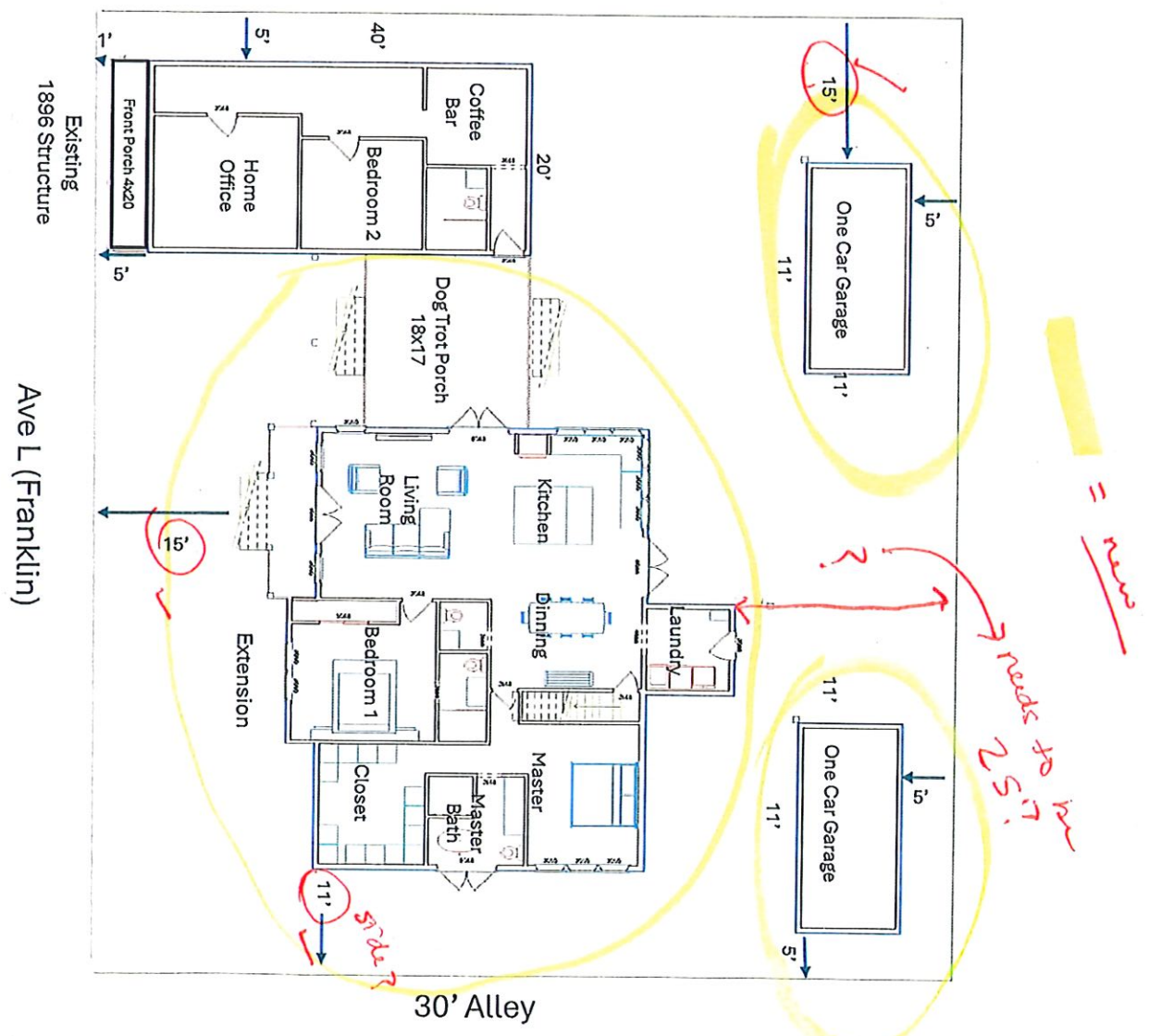
Dog Trot" house plan for Apalachicola SE 1/2 lot 9 & Lot 10  
 Block 172

Lot (100' x 90') = 9,000

40% Coverage = 3,600 sq. ft.

1. Existing 1896 Structure (20' x 40') = 800
    1. This Structure is 5' off both 8<sup>th</sup> and Ave L property line
  2. Extension (35x46) = 1,610 + 81 + 45 = 1,736
  3. Dog Trot Porch (18x17) = 306
  4. Front Porch New Extension (5x18) = 90
  5. Garage (22x22) = 484
  6. Re-establish porch on old structure (4x20) = 80
- Total 3,496

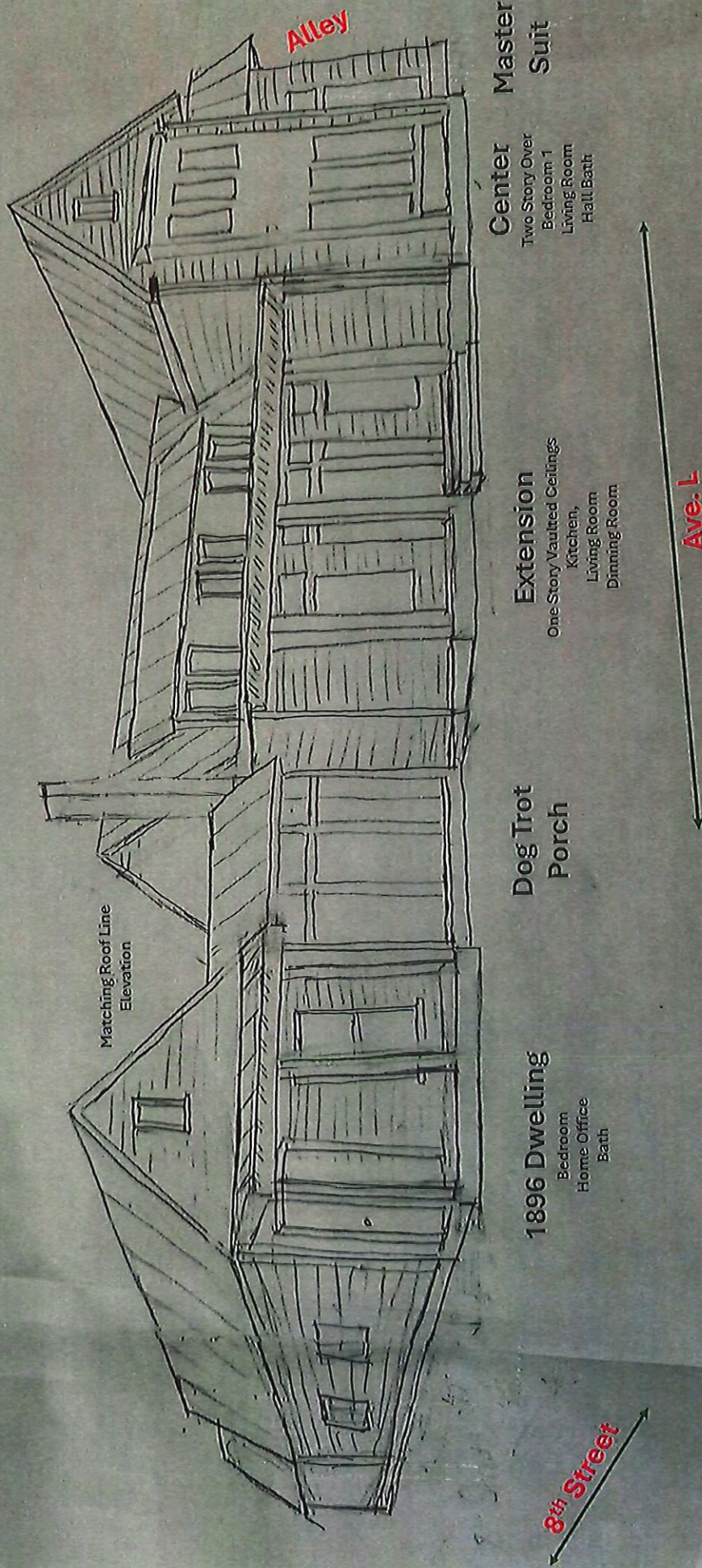
8<sup>th</sup> Street (Pine)





Appropriate?

Elevation - Street Views (Corner 8<sup>th</sup> and Ave. L)



Center  
Two Story Over  
Bedroom 1  
Living Room  
Hall/Bath

Extension  
One Story Vaulted Ceilings  
Kitchen,  
Living Room  
Dinning Room

Dog Trot  
Porch

1896 Dwelling  
Bedroom  
Home Office  
Bath

Ave. L

8<sup>th</sup> Street



# Details

- One-Story majority of home with Two-story center room framed with siding to match original structure over a cement block foundation, the first-floor ceiling height is 12 feet, and the second-floor ceiling is 10 feet. 1 foot of crawl space clearance, 2 feet for the thicker of 1<sup>st</sup> floor joists, 1 foot for second floor trusses, and 1 foot of roof rafters. 6-foot roof peak. This totals approximately **34 feet** of overall house height. First story building height will match original structure so all roof lines match. That height is approximately 22 feet high.
- Wood framing will be used to construct the house and garages.
- Paint colors (house/trim) and metal roof will be same color scheme as “inspiration home” depicted on page 22.
- Windows will be casement windows as shown or similar to what’s on pages 22 & 26.
- Single Car Garages will match in color and materials, or original structure and main residence as shown on page 29 (it will be wood siding vs. shingles as shown). It will have carriage door.



**Inspiration for  
Kitchen  
Overlooking  
Back Yard**



## Inspiration for Dog Trot Porch Bridge between Old and New





**Single Car Garage Elevation**  
Siding would match original structure  
and home with horizontal siding vs.  
shingles shown here



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



Sec. 111-268. - R-1 single-family residential.

- (a) *District intent.* To provide for the accommodation of low-density residential development in areas predominately occupied by single-family detached dwellings. And where appropriate, to allow certain educational, religious, recreational and public activities compatible with the general characteristics of the district.
- (b) *Permitted uses and structures.*
- (1) *Principal.* Single-family residential.
  - (2) *Accessory.* Accessory uses and structures customarily incidental and subordinate to permitted principal uses and structures and not of a commercial nature, including private garages, tool sheds, kitchen gardens and the like. Accessory structures may not be used for residential purposes.
- (c) *Special exceptions.* After public notice and hearing and appropriate conditions and safeguards, the planning and zoning board may permit as special exceptions, subject to referenced development standards:
- (1) Utilities substations.
  - (2) Churches.
  - (3) Schools.
  - (4) Hospitals and clinics (prohibited in velocity zones as shown on the flood insurance rate maps).
  - (5) Two-family residential.
  - (6) Parks and playgrounds.
  - (7) Residential apartment units in existing single-family structures (see subsection (f) of this section).
  - (8) Public facilities and structures.
  - (9) Home occupations.
- (d) *Prohibited uses and structures.*
- (1) Mobile homes and house trailers.
  - (2) Establishments for the conduct of retail trade.
  - (3) Storage yards or warehouses.
  - (4) Travel trailers.
  - (5) Any structure or use of a nature not specifically or provisionally permitted herein.
- (e) *Development standards.*
- (1) *Minimum lot or site size.*
    - a. *Single-family and home occupations.*

1. Area: 6,000 square feet.
  2. Width: 60 feet.
  3. Depth: 100 feet.
- b. *Two-family.*
1. Area: 9,000 square feet.
  2. Width: 90 feet.
  3. Depth: 100 feet.
- c. *Special exceptions except for two-family and home occupations.*
1. Area: 12,000 square feet.
  2. Width: 120 feet.
  3. Depth: 100 feet.
- (2) *Minimum building size.* Single-family dwelling: 800 square feet.
- (3) *Minimum building setbacks.*
- a. Front: 15 feet.
  - b. Side, interior lot: 7½ feet each side, or any combination of setbacks on each side that equals at least 15 feet, provided that no such setback shall be less than five feet.
  - c. Side, corner lot: 15 feet.
  - d. Rear: 25 feet for principal structures, five feet for accessory structures.
- (4) *Maximum building restrictions.*
- a. Lot coverage: 40 percent.
  - b. Permissible building height: 35 feet.
- (f) *Applicable regulations.*
- (1) *Location of accessory structures.* Location of accessory structures in residential districts: In residential districts, and on any lot used for residential purposes, no accessory structure shall be located in required front yards.
  - (2) *Parking regulations.* See section 111-288.
  - (3) *Special exceptions.* Unless otherwise specified, special exceptions must comply with development standards as referenced. If deemed appropriate by the planning and zoning board in order to grant a special exception, certain more stringent standards may be imposed.
  - (4) *Submerged lands.* In cases where building lots are adjacent to and contiguous with wetlands, a setback of 20 feet from jurisdictional wetlands shall replace conflicting lot line setbacks. This setback shall consist of a vegetative buffer.
  - (5)



*Residential apartment units.* When approved as a special exception, up to a maximum of three residential apartment units may be allowed per existing single-family structure, provided that the lot upon which the structure is located has a front lot line of at least 60 feet and a depth of at least 100 feet, and provided that at least one parking space per apartment unit is provided onsite; however, up to a maximum of four residential apartment units may be allowed when approved as a special exception provided that the lot upon which the structure is located has a front lot line of at least 90 feet and depth of 100 feet and provided that at least one parking space per apartment unit is provided on-site.

(6) *Supplemental regulations.* Provisions of article I of this chapter and article I of chapter 115 of this code shall be applicable to certain lands within this district.

(LDC, art. IV)

the various practicable time limits and the order in which development is to be undertaken. A development schedule shall contain an exact description of the specific buildings, facilities, common open space and other improvements to be developed at the end of each time period.

*Directory sign* means any sign which displays exclusively the names, logos and locations of occupants or uses of a building or commercial complex. No advertising other than name, logo and locations of occupants or use is included.

*Documentation* means photographs, slides, drawings, plans, or written descriptions.

*Domestic wastewater facility* means a wastewater collection, treatment, and disposal system approved by the Department of Environmental Protection in accordance with F.A.C. title 62.

*Double-faced sign* means a sign which has two display areas against each other or where the interior angle formed by the display areas is 60 degrees or less, where one face is designed to be seen from one direction and the other face from the other direction.

*Drip line* means a limiting line established by a series of perpendicular drop points marking the maximum radius of the crown of an existing tree, but not less than ten feet from the trunk, whichever is greater, and within which no construction or disturbance shall occur.

*Drive-through establishment*, including drive-in and drive-up, means an establishment which by design, physical facilities, service or by packaging procedures, encourages or permits customers to receive services or obtain goods while remaining in a motor vehicle.

*Dry-dock facility* means a commercial establishment providing for the upland storage and servicing of watercraft.

*Due public notice*, as used in connection with the phrase "public hearing" or "hearings with due public notice," means publication of notice of the time, place and purpose of such hearing at least twice in a newspaper of general circulation in the area, with the first such publication to be at least 15 days prior to the date of the hearing and the second such publication to be at least five days prior to the hearing. In addition, except where the hearing applies to all of the lands within the areas, similar notices setting forth the time, place and purpose of such hearing shall be mailed to the last-known address of the owners of the property involved in, or whose land is within 500 feet of the periphery of, the lands subject to rezoning; and such notices shall also be posted in a conspicuous place on or around such lots, parcels or tracts of land as may be involved in or directly affected by the hearing. Affidavit proof of the required publication, mailing and posting of the notice shall be presented at the hearing. Failure of any owner to receive such notice shall in no way affect the validity of any action taken in a public hearing.

*Dwelling* means any building or portion thereof which is designed or used for residential purposes, but does not include a trailer coach or converted trailer, hotel, motel, boardinghouse, or roominghouse.



*Dwelling, multifamily*, means a residential building designed for or occupied exclusively by three or more families, with the number of families in residence not exceeding the number of dwelling units provided, and with only structural maintenance services furnished by the management. The minimum required size for a multifamily dwelling unit is 500 square feet of enclosed, heated living area.

*Dwelling, single-family*, means a residence used or intended to be used as a home in which the use and management of all sleeping quarters and appliances for sanitation, cooking, ventilation, heating and lighting are designed for the use of one family, and with partitioning so that any substantial interior portion of the dwelling is accessible without resorting to exterior access, and the building shall have only one kitchen and one electrical meter.

*Dwelling, two-family*, means a residential building designed for or occupied by two families (duplex), with the number of families in residence not exceeding the number of dwelling units provided. The minimum required size for each of the two units within a two-family dwelling is 500 square feet of enclosed, heated living area.

*Easement* means a grant from a property owner for the use of land for a specific purpose by the general public, by a corporation or by a certain person.

*Eaves* means the extension or overhang of a roof measured from the outer face of the supporting wall or column to the farthest point of the overhanging structure.

*Electric sign* means any sign containing electric wiring.

*Encroachment* means the placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

*Enforcement officer* means the official designated by the city to administer and enforce the provisions of this chapter or his designee.

*Engineer* means a civil engineer, registered and currently licensed to practice in the state, retained by the developer to prepare, supervise, and certify the engineering work required by this ordinance.

*Erect* means to build, paint, construct, reconstruct, attach, hang, suspend, place or affix.

*Erected* includes the term "constructed," "moved," "located" or "relocated."

*Exception* means a use that would not be appropriate generally and with restriction throughout the zoning district, but if controlled as to number, area or location, would be permissible as stipulated in this Code.

*Existing building* and *existing structure* means any buildings and structures for which the start of construction commenced before July 18, 1983.

*Certificate of appropriateness required.* A certificate of appropriateness issued by the building inspector after approval by the board shall be required before a permit is issued for any of the following:

- (1) *Within the entire historic district.*
  - a. Demolition of an historic building.
  - b. Moving an historic building.
  - c. Material change in the exterior appearance of existing buildings classified as historic by additions, reconstruction, or alteration.
  - d. Any new construction of a principal building or accessory.
  - e. Change in existing walls and fences, or construction of new walls and fences, if along public street rights-of-way, excluding lanes.
  - f. Material change in the exterior appearance of existing non-rated buildings by additions, reconstruction, alteration, if subject to view from a public street.
- (2) *Application for certificate of appropriateness.* Application for a certificate of appropriateness shall be made in the city office on forms provided therefor, obtainable at said office. Detailed drawings, plans, or specifications shall not be required but each application shall be accompanied by such sketches, drawings, photographs, descriptions or other information showing the proposed exterior alterations, additions, changes or new construction as are reasonably required for the board and the building inspector to make a decision. Such application must be filed no later than ten days prior to any meeting of the board at which such application is to be heard.
- (3) *Action on application for certificate of appropriateness.* The building inspector shall transmit the application for certificate of appropriateness, together with the supporting information and material to the board for approval. The board shall act upon the application within 30 days after the filing thereof, otherwise the application shall be deemed approved and a certificate of appropriateness shall be issued. Nothing herein shall prohibit an extension of time where mutual agreement has been made and the board may advise the applicant and make recommendations in regard to the appropriateness. If the board approves the application, a certificate of appropriateness shall be issued. If the certificate of appropriateness is issued, the application shall be processed in the same manner as applications for building or demolition permits. *If the board disapproves an application, a certificate of appropriateness shall not be issued. The board shall state its reason in writing,* and the building inspector shall advise the applicant and a permit shall not be issued. Effort will be made to review economic hardship cases with full consideration of all extenuating circumstances.

(e) *Development standards.*

(1)



*Preservation of historic buildings within all zones in the historic district.* A building or structure classified as historic or any appurtenance related thereto, including, but not limited to, stone walls, fences, light fixtures, steps, paving and signs shall only be moved, reconstructed, altered or maintained in a manner that will preserve the historical and architectural character of the building, structure or appurtenance thereto.

(2) *Demolition of historic buildings.* Whenever a property owner shows that a building classified as historic is incapable of earning an economic return on its value, as appraised by a qualified real estate appraiser, and the board fails to approve the issuance of a certificate of appropriateness, such building may be demolished; provided, however, that before a demolition permit is issued, notice of proposed demolition shall be given as follows:

- a. For buildings rated conforming: six months.
- b. For buildings rated altered: three months.

Notice shall be posted on the premises of the building or structure proposed for demolition in a location clearly visible from the street. In addition, notice shall be published in a newspaper of general circulation at least three times prior to demolition, the final notice of which shall be not less than 15 days prior to the date of the permit, and the first notice shall be published not more than 15 days after the application for a permit to demolish is filed. The purpose of this section is to further the culture, traditions, and the economic values of the city, and to afford the city, interested persons, historical societies, or organizations the opportunity to acquire or to arrange for the preservation of such buildings. The board may, at any time during such stay, approve a certificate of appropriateness in which event a permit shall be issued without further delay.

(3) *Relocation of historic buildings.* An historic building shall not be relocated on another site unless it is shown that the preservation on its existing site is not consistent with the purposes of such building on such site.

(4) *Protective maintenance of historic buildings.* Historic buildings shall be maintained to meet the requirements of the minimum housing code and the building code. Provided, however, that notice to the owners, as required by the building code for unsafe buildings, shall further provide, in the case of historic buildings, that this chapter will require a permit after approval of the board before demolition and in the meantime, the owner shall cause such building or structure or portion thereof to be secured in which event, the cost thereof shall be charged to the owner of the premises and collected in the manner provided by law.

(5) *New construction.* The construction of a new building or structure, within an historic district shall be generally of such form, proportion, mass, configuration, building material, texture and location on a lot as will be compatible with other buildings in the historic area, and particularly with buildings designated as historic and with squares and places to which it is visually related.

(6) *Existing non-rated.* The moving, alteration, reconstruction, affecting the external appearance of any existing non-rated building, structure, or appurtenance shall be allowed consistent with the existing design of such non-rated structure. Building standards for non-rated buildings shall be the same as those required by the Florida Building Code.

(7) *Visual compatibility factors.* Within historic district, new construction and existing buildings and structures and appurtenances thereof which are moved, reconstructed, materially altered or repaired shall be visually compatible with buildings, squares, and places to which they are visually related.

(8) *Non-rated buildings.* All applicable standards as provided in chapter 111, article III shall apply as the development standards of the historic district.

(f) *Penalties.* Any person failing to comply with any of the sections of this chapter shall be subject to penalties as provided in the Code of Ordinances. In addition, a stop-work order shall be issued by the building inspector in any case where work has commenced or preparation for work has commenced which requires a certificate of appropriateness and where no such certificate has been obtained. The stop-work order shall be issued to the property owner, the occupant, or any person, company or corporation commencing work or preparation for work in violation of this chapter. The stop-work order shall remain in full force and effect until a certificate of appropriateness has been obtained or it has been determined by the board that no certificate of appropriateness is required.

(g) *Appeals for review.* Any person aggrieved by a decision of the board may, within 15 days thereafter, appeal to the city commission for a final administrative decision.

(LDC, art. VI(VI), § B(1)—(3), (5)—(8))