

CITY OF APALACHICOLA
PLANNING AND ZONING BOARD
QUASI-JUDICIAL PUBLIC HEARING & SPECIAL MEETING
THURSDAY, JUNE 4, 2020
Community Center - 1 Bay Avenue

AGENDA

I. Quasi-Judicial Public Hearing & Special Meeting- 5:00 PM

The Apalachicola Planning and Zoning Board will hold a Quasi-Judicial Public Hearing at its Special Meeting called for that purpose on **Thursday, June 4, 2020 at 5:00 P.M.** at the Community Center Meeting Room, 1 Bay Avenue, Apalachicola, Florida, to consider and decide upon the Special Exception application of FD Apalachicola, LLC – A South Carolina, LLC (Applicant) relating to proposed new construction and operation of a lighting retail store. Operation will include sales of lighting and electrical supplies of said business on the parcel of property located at the corner of Highway 98 and Clairmont Avenue (Parcel ID# 01-09S-08W-8360-0005-0151; Warranty Deed to FD Apalachicola, LLC recorded at O.R. Book 1076, P. 783-784, Franklin County Public Records being also referred to as 1.16 acres of Block 5 Neel's Addition pursuant to the official zoning map of the City of Apalachicola) said parcel being in Zoning C-3 Highway Commercial of the City of Apalachicola. The City of Apalachicola Land Development Code allows for such use if special exception is granted. At the conclusion of the hearing any final decision of the Planning and Zoning Board may be appealed as provided by the Apalachicola Land Development Code and Ordinances.

II.

1) Other Business

In our continuing effort to keep the citizens of Apalachicola informed, this agenda is posted on our website at www.cityofapalachicola.com prior to the scheduled meeting for public review. Additional information such as the City's Land Development Code and zoning related maps, along with other development information is also available on the site for your convenience. Please direct any questions concerning items on this agenda or the Apalachicola Building Department to Revena Ramsey, (850)653-9319, revenaramsey@cityofapalachicola.com

SPECIAL MEETING
NOTICE OF QUASI JUDICIAL PUBLIC HEARING
APALACHICOLA PLANNING AND ZONING BOARD
CITY OF APALACHICOLA, FLORIDA

The Apalachicola Planning and Zoning Board will hold a Quasi-Judicial Public Hearing at its Special Meeting called for that purpose on **Thursday, June 4, 2020 at 5:00 P.M.** at the Community Center Meeting Room, 1 Bay Avenue, Apalachicola, Florida, to consider and decide upon the Special Exception application of FD Apalachicola, LLC – A South Carolina, LLC (Applicant) relating to proposed new construction and operation of a lighting retail store. Operation will include sales of lighting and electrical supplies of said business on the parcel of property located at the corner of Highway 98 and Clairmont Avenue (Parcel ID# 01-09S-08W-8360-0005-0151; Warranty Deed to FD Apalachicola, LLC recorded at O.R. Book 1076, P. 783-784, Franklin County Public Records being also referred to as 1.16 acres of Block 5 Neel's Addition pursuant to the official zoning map of the City of Apalachicola) said parcel being in Zoning C-3 Highway Commercial of the City of Apalachicola. The City of Apalachicola Land Development Code allows for such use if special exception is granted. At the conclusion of the hearing any final decision of the Planning and Zoning Board may be appealed as provided by the Apalachicola Land Development Code and Ordinances.

Members of the general public may provide testimonies during the Quasi-Judicial hearing. However, if a member of the general public desires his or her testimony to be considered as potential competent, substantial evidence, such persons shall be placed under oath and subject to cross-examination. All testimony presented by the Applicant, an Adversely Affected Person, any witness for a party or the staff (other than legal advice given by the City Attorney) shall be given under oath and subject to cross examination by the City of Apalachicola and Applicant. The Board, following the conclusion of the Quasi-Judicial hearing shall finalize a written statement memorializing the Board's decision and final findings as well as supporting conditions and evidence with their findings and provide a copy to the parties.

Further information on this item may be obtained from or sent to Revena Ramsey at the City of Apalachicola City Hall Office, 192 Coach Wagoner Blvd, Apalachicola, Florida at (850) 653-9319 or emailed to revenaramsey@cityofapalachicola.com. All interested persons are invited to attend and present information for the consideration of the Planning and Zoning Board in accordance with the Policy for Quasi-Judicial Hearings. (Copy available at City Hall). To ensure written or e-mailed information/comments are provided to the Board in a timely manner, they are encouraged to be received in the above referenced office by 4:00 p.m. **Thursday, May 28, 2020.** Written statements can also be faxed to (850) 653-2205. All written, faxed or e-mailed materials as well as the staff report of the City shall be sent to the Planning and Zoning Board and available to the general public at the above office at least five (5) days prior to the hearing on the application.

The City of Apalachicola adheres to the Americans with Disabilities Act and will make reasonable modifications for access to this meeting upon request. Please call the City Hall of the City of Apalachicola (653-9319) to make a request of this nature. Requests must be received at

least seven (7) days in advance of the meeting in order to allow time to provide the requested service.

Any person wishing to appeal any final decision made by the City of Apalachicola Planning and Zoning Board on this issue will need a record of the proceedings resulting from this public hearing and for that purpose, such person may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. Additionally, any person wishing to seek review of any decision made regarding this application will need to acquire standing.

Ad will run in the Apalachicola Times on May 21, 2020 and May 27, 2020.

\$1600 FEE

CITY OF APALACHICOLA
1 AVE E
APALACHICOLA, FL 32320
850-653-9319
FAX: 850-653-1529

QUASI-JUDICIAL SPECIAL EXCEPTION REQUEST

Name: Fd Apalachicola, LLC - A South Carolina, LLC (Jim Kinman)

Address: Post Office Box 4767, Macon, GA 31201

Telephone: 478-951-8038

Agent: Dan GARDICK

Address: Post Office Box 385
Apalachicola, FL 32329

Telephone: (850) 653-8899-office (850) 899-5252-cell

PROPERTY DESCRIPTION: Legal Description of Property

Subdivision: Neels Addition Block(s): _____ Lot(s): _____

Parcel ID#: 01-098-08W-8360-0005-0151

Address of Property: Fronts Highway 98 + Side Clairmont Avenue

Current Zoning and Land Use: Zone C-3 Highway Commercial

Land Use - Not a Principle Use

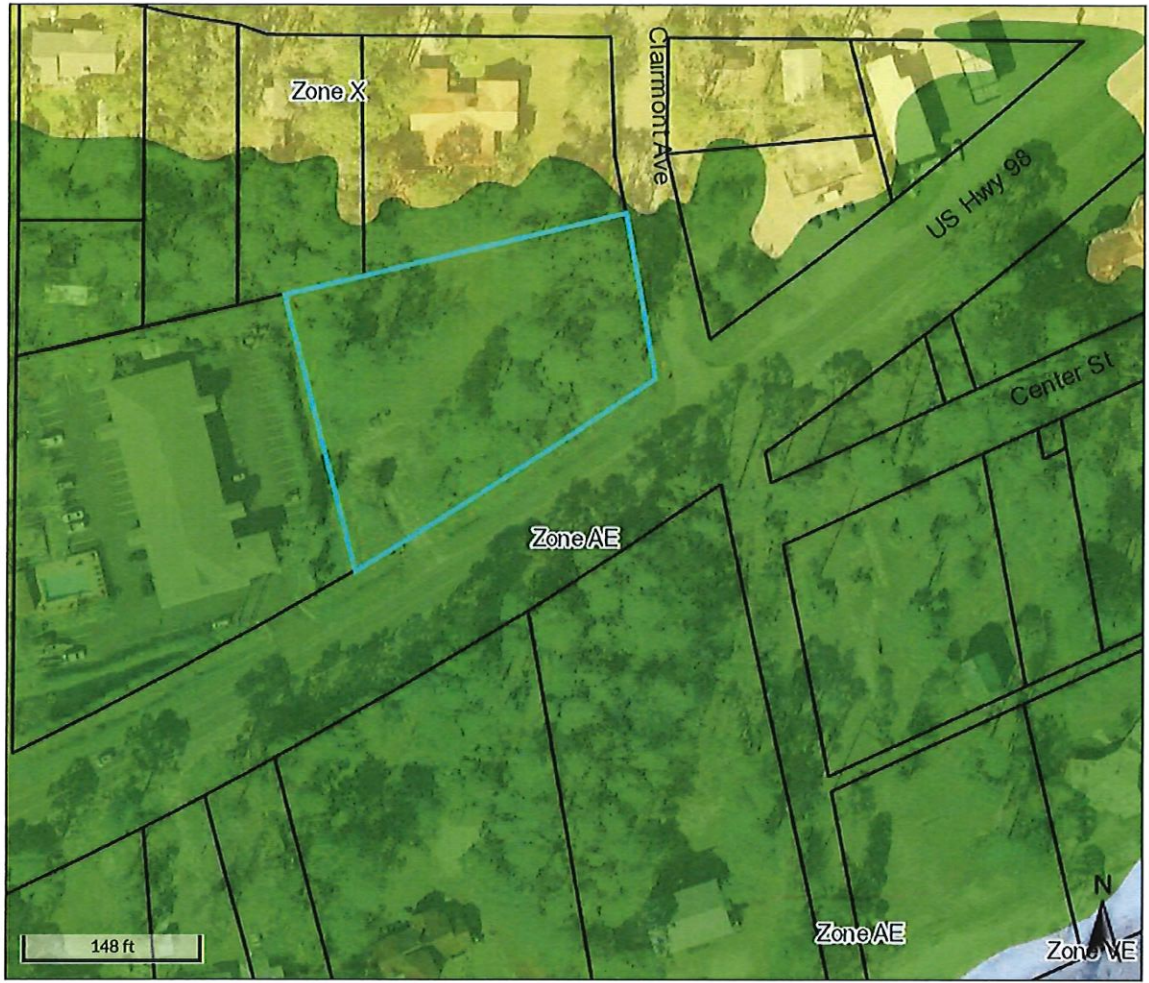
Corner Lot: Yes _____ No Waterfront Lot: _____ Yes No









Historic District: _____ Yes _____ No

Important Message: Please state in writing the full nature of the use or structure for which the special exception is being sought. Submit application, statement and any/all supporting material in the consideration of the request.



Revision 4/26/2016



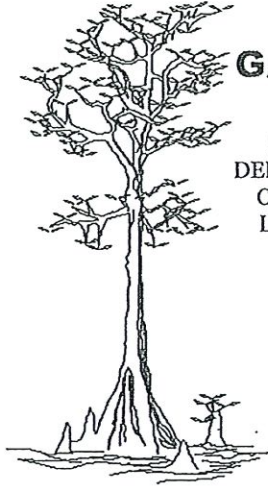
- Legend**
-  Parcels
 -  Roads
 -  City Labels
 - Flood Map**
 -  X: Outside 500 Year Flood
 -  A: 100 Year Special Flood Area
 -  AE: SFHA with base flood elevation BFI
 -  VE: Coastal SFHA with BFE & velocity wave action
 -  Openwater

Parcel ID	01-09S-08W-8360-0005-0151	Alternate ID	08W09S01836000050151	Owner Address	FD APALACHICOLA, LLC
Sec/Twp/Rng	--	Class	VACANT		A SOUTH CAROLINA LLC
Property Address		Acreage	n/a		222 W COLEMAN BLVD
					MOUNT PLEASANT, SC 29464-3588

District 3
 Brief Tax Description 1.16 AC M/L NEELS AD 322 X 227
 (Note: Not to be used on legal documents)

Date created: 3/30/2020
 Last Data Uploaded: 3/30/2020 7:40:36 AM

Developed by  Schneider GEOSPATIAL



GARLICK ENVIRONMENTAL ASSOCIATES, INC.

SPECIALIZING IN: REGULATORY PERMITS • WETLANDS/UPLAND JURISDICTIONAL
DELINEATIONS • SUBMERGED LAND LEASES • ECOLOGICAL INVENTORY ASSESSMENTS •
CONSERVATION AND OTHER EASEMENTS • EXPERT WITNESS AND ENVIRONMENTAL
LITIGATION SERVICES • MITIGATION • CULTURAL RESOURCE ANALYSIS • CREATIVE
MARINA, DOCK, AND SUBDIVISION DESIGN

March 18, 2020

City of Apalachicola
192 Coach Wagoner Blvd.
Apalachicola, Florida 32320

Re: Jim Kinman / Fd Apalachicola, LLC /
A South Carolina, LLC
GEA File 20-005

To Whom It May Concern:

By this letter, we are requesting the above-mentioned project be placed on the next City of Apalachicola meeting to be held on April 7, 2020. The project site is in Section 1, Township 9 South, Range 8 West within Neels Addition, adjacent to U.S. Highway 98, and the Best Western Motel.

The proposed project consists of constructing a retail store for electrical contractors and lighting store. The hours of operation will be traditional 8AM to 5PM. There is adequate parking. The plan will meet all traditional set backs in the city regulations. A stormwater permit from the NFWFMD will be also required and secured as part of the final building plans if the concept proposed is approved.

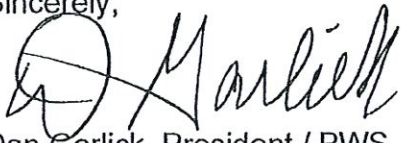
The zoning district is C-3 highway Commercial. The use is not a principle use and apparently would require a special exception as a Retail Specialty.

The plans have considered the vegetation on the site and a tree mitigation can be provided where vegetation cannot be totally protected.

P.O. BOX 385
78 12th Street
APALACHICOLA, FL 32329-0385
(850) 653-8899
FAX (850) 653-9656
dan@garlickenv.com

If I can be of further assistance, please let us know.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Garlick". The signature is written in a cursive style with a large, stylized initial "D".

Dan Garlick, President / PWS
Garlick Environmental Associates, Inc.
Attachments

EPCI
APALACHICOLA BUILDING DEPARTMENT

APPLICATION FOR BUILDING PERMIT

Official Use Only

DATE: _____ Permit #: _____ Permit Fee: _____

OWNER'S NAME: Fd Apalachicola, LLC - A South Carolina, LLC

ADDRESS: Post Office Box 4767

CITY, STATE & ZIP CODE: MAcon, GA 31201 PHONE # 478-951-8038

FEE SIMPLE TITLE HOLDER (IF OTHER THAN OWNER): _____

ADDRESS: _____

CITY, STATE & ZIP CODE: _____ PHONE # _____

CONTRACTOR'S NAME: DAN GARLICK / AGENT

ADDRESS: PO BOX 385 APALACHICOLA CONCEPT FOR APPROVAL

CITY, STATE & ZIP CODE: _____ PHONE # 858-995252 ONLY

STATE LICENSE NUMBER: N/A COMPETENCY CARD # _____

ADDRESS OF PROJECT: NWY 98 APALACHICOLA

PROPOSED USE OF SITE: _____

WILL THE STRUCTURE BE LOCATED AT LEAST 30 FEET FROM ANY BODY OF WATER? YES
NO

PROPERTY PARCEL ID # 01-099-08W-8360-0005-0151

LEGAL DESCRIPTION OF PROPERTY: 1.16 Ac. M/L - Neels Ad

IF THE APPLICATION IS FOR A COMMERCIAL PROJECT, PLEASE LIST THE NAME OF THE BUSINESS:

BONDING COMPANY: SEE THE ABOVE

ADDRESS: _____ CITY, STATE & ZIP: _____

ARCHITECT'S/ENGINEER'S NAME: _____

ADDRESS: _____ CITY, STATE & ZIP: _____

MORTGAGE LENDER'S NAME: _____

ADDRESS: _____ CITY, STATE & ZIP: _____

WATER SYSTEM PROVIDER: _____ SEWER SYSTEM PROVIDER: _____

PRIVATE WATER WELL: _____ SEPTIC TANK PERMIT NUMBER: _____

Application is hereby made to obtain a permit to do the work and installations as indicated. I certify that NO WORK or installation has commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction. I understand that a separate permit must be secured for electrical work, plumbing, signs, roofing, pools, fireplaces, boilers, heaters, tanks, and air conditioners, etc.

PURPOSE OF BUILDING:

Single Family Townhouse Commercial Industrial
 Duplex Swimming Pool Storage Sign
 Multi-Family Demolition Other
 Addition, Alteration or Renovation to building.


Distance from property lines: Front _____ Rear _____ L. Side _____
 R. Side _____
 Cost of Construction \$ _____ Square Footage _____
 EPI _____ Flood Zone AE Lowest Floor Elevation 11.0 FT (P.F.P. 12037C0528F)
 Area Heated/Cooled _____ # Of Stories _____ # Of Units _____
 Type of Roof _____ Type of Walls _____ Type of Floor _____
 Extreme Dimensions of: Length _____ Height _____ Width _____

SEE ABOVE DRAWINGS

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOU PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT. For improvements to real property with a construction cost of \$2,000 or more, a certified copy of the Notice of Commencement is required to be submitted to this Department when application is made for a permit or the applicant may submit a copy of the Notice of Commencement along with an affidavit attesting to its recording. A certified copy of the Notice of Commencement must be provided to this Department before the second or any subsequent inspection can be performed. Filing of the documents that have been certified may be done by mail, facsimile or hand delivery.

NOTICE: EPC: The EPC/ City of Apalachicola Building Department does not have the authority to enforce DEED RESTRICTIONS or COVENANTS on properties.

OWNER'S AFFIDAVIT: I hereby certify that the information contained in this application is true and correct to the best of my knowledge. And that all work will be done in compliance with all applicable laws regulating construction and zoning.


 Signature of Owner or Agent
 Date: 03/18/20
JoAnne M. Creamer
 Notary as to Owner or Agent
 My Commission expires 1/28/24

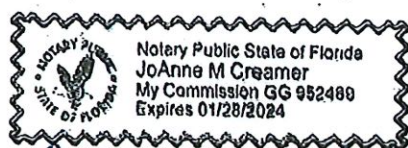
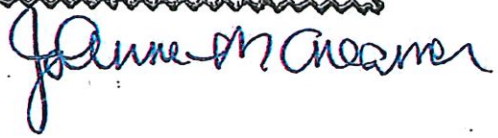
 Signature of Contractor

 Date:

 Notary as to Contractor

 My Commission expires

APPLICATION APPROVED BY: _____ BUILDING OFFICIAL



PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

P. O. BOX 385, APALACHICOLA FLORIDA 32329-0385 (850) 653-8899 FAX (850) 653-9656 garlick@garlickenv.com

LB No. 7415

APPLICANT/CLIENT: Jim Kinman

WATERBODY/CLASS: N/A

PURPOSE: Development Feasibility Assessment

PROJECT LOCATION / USGS: Apalachicola / Franklin County

LATITUDE:

LONGITUDE:

JOB: 20-005

DEP:

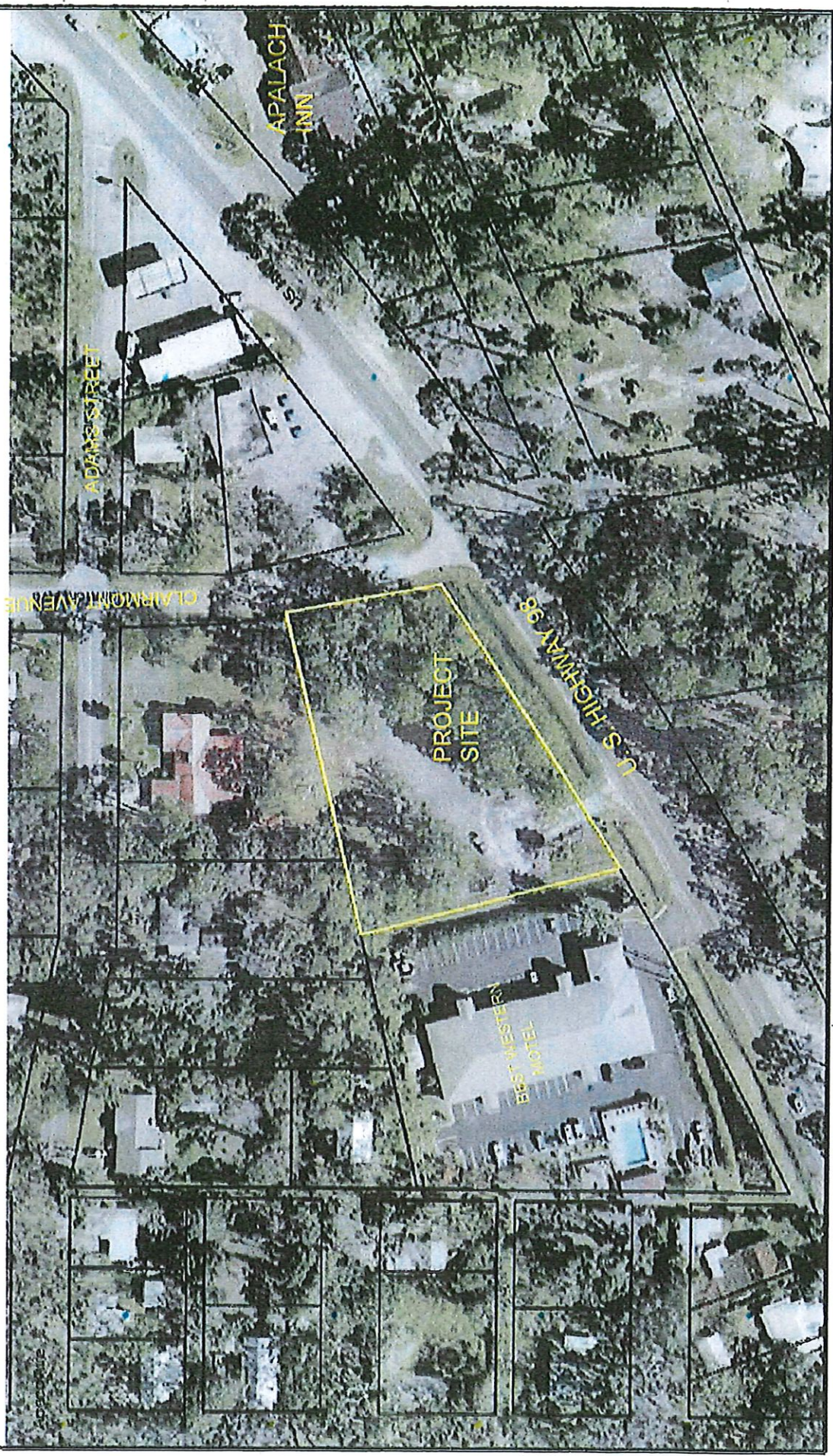
COE:

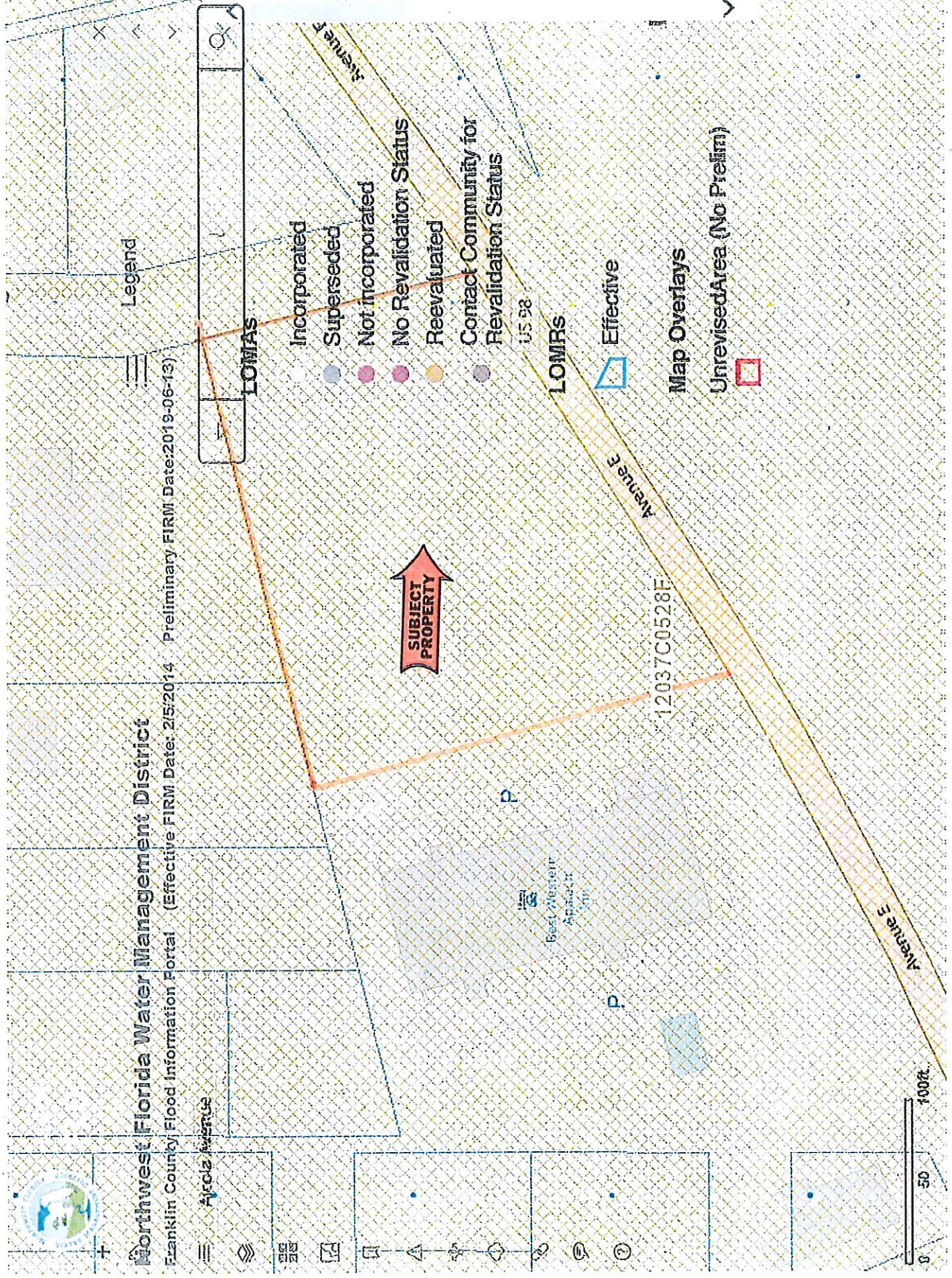
OTHER:

DATE: March 18, 2020

SHEET: 1/3

SECTION: 1 TWSHP: 9 South RNG: 8 West







PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

P. O. BOX 385, APALACHICOLA FLORIDA 32329-0385 (850) 653-8899 FAX (850) 653-9656 garlick@garlickenv.com

LB No. 7415

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PURPOSE: Development Feasibility Assessment

PROJECT LOCATION / USES: Apalachicola / Franklin County

LATITUDE:

LONGITUDE:

SECTION: 1 TOWNSHIP: 9 South RANG: 8 West

JOB: 20-005

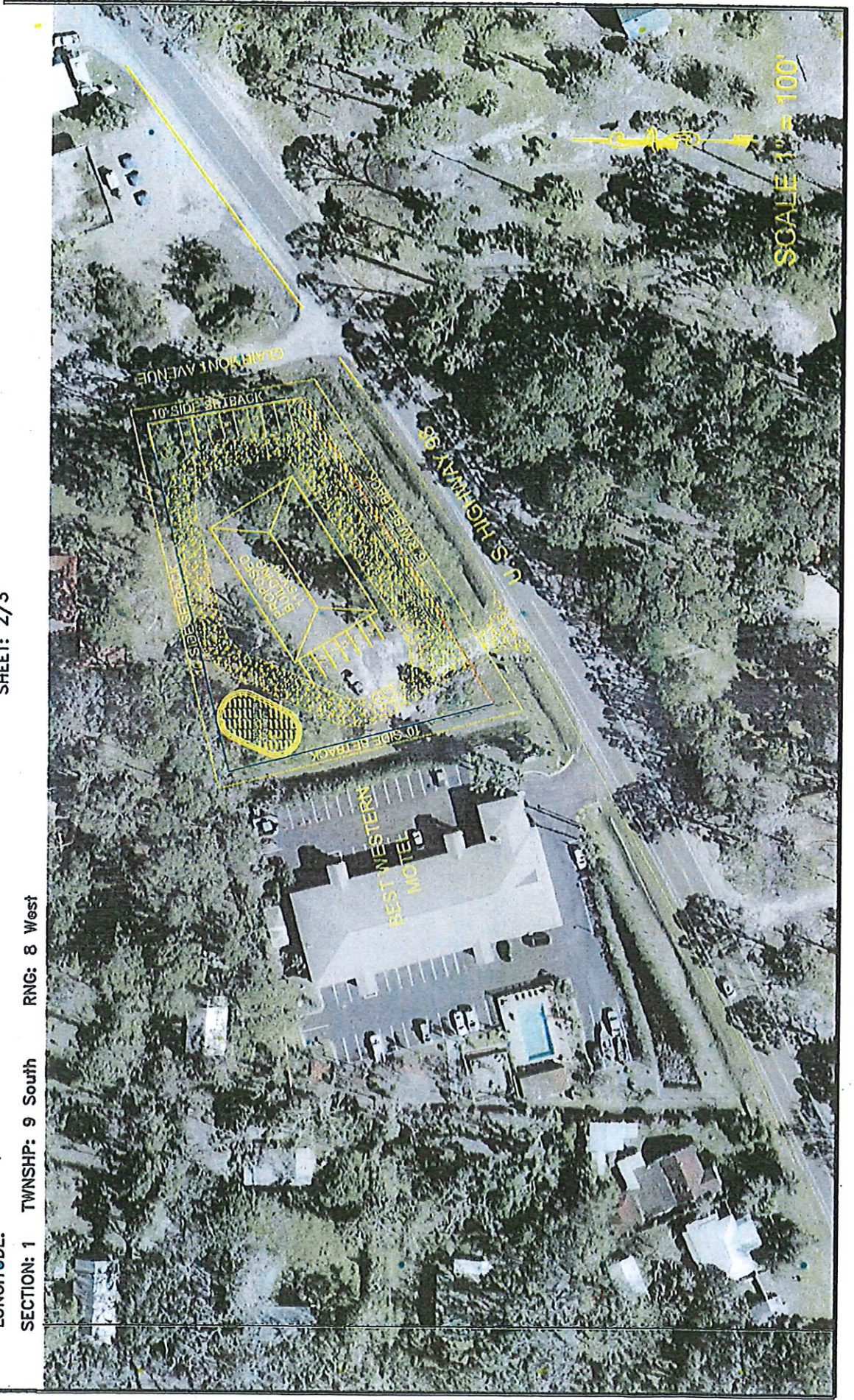
DEP:

COE:

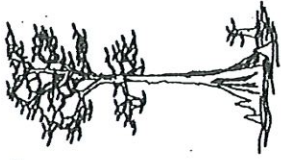
OTHER:

DATE: March 18, 2020

SHEET: 2/3



SCALE 1" = 100'



PREPARED BY: GARLICK ENVIRONMENTAL ASSOCIATES, INC.

P. O. BOX 385, APALACHICOLA FLORIDA 32329-0385 (850) 653-8899 FAX (850) 653-9656 garlick@garlickenv.com

LB No. 7415

APPLICANT/CLIENT: Jim Kinman

WATERBODY/CLASS: N/A

PURPOSE: Development Feasibility Assessment

PROJECT LOCATION / USGS: Apalachicola / Franklin County

LATITUDE:

LONGITUDE:

SECTION: 1 TOWNSHIP: 9 South

RNG: 8 West

JOB: 20-005

DEP:

COE:

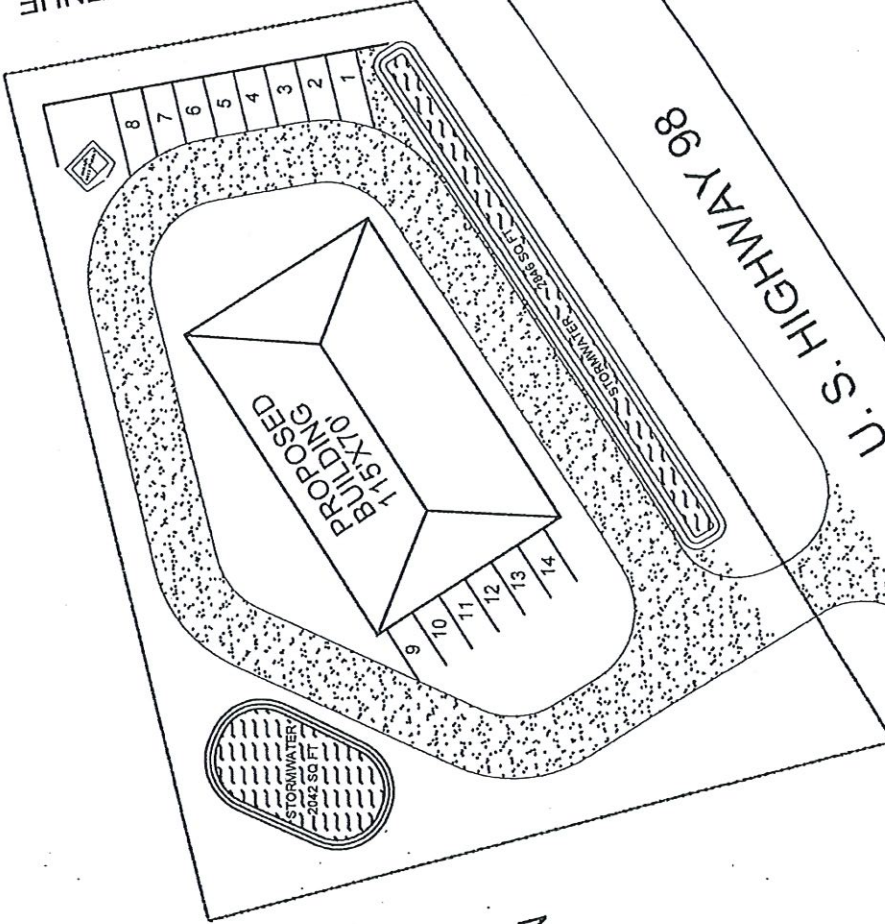
OTHER:

DATE: March 18, 2020

SHEET: 3/3

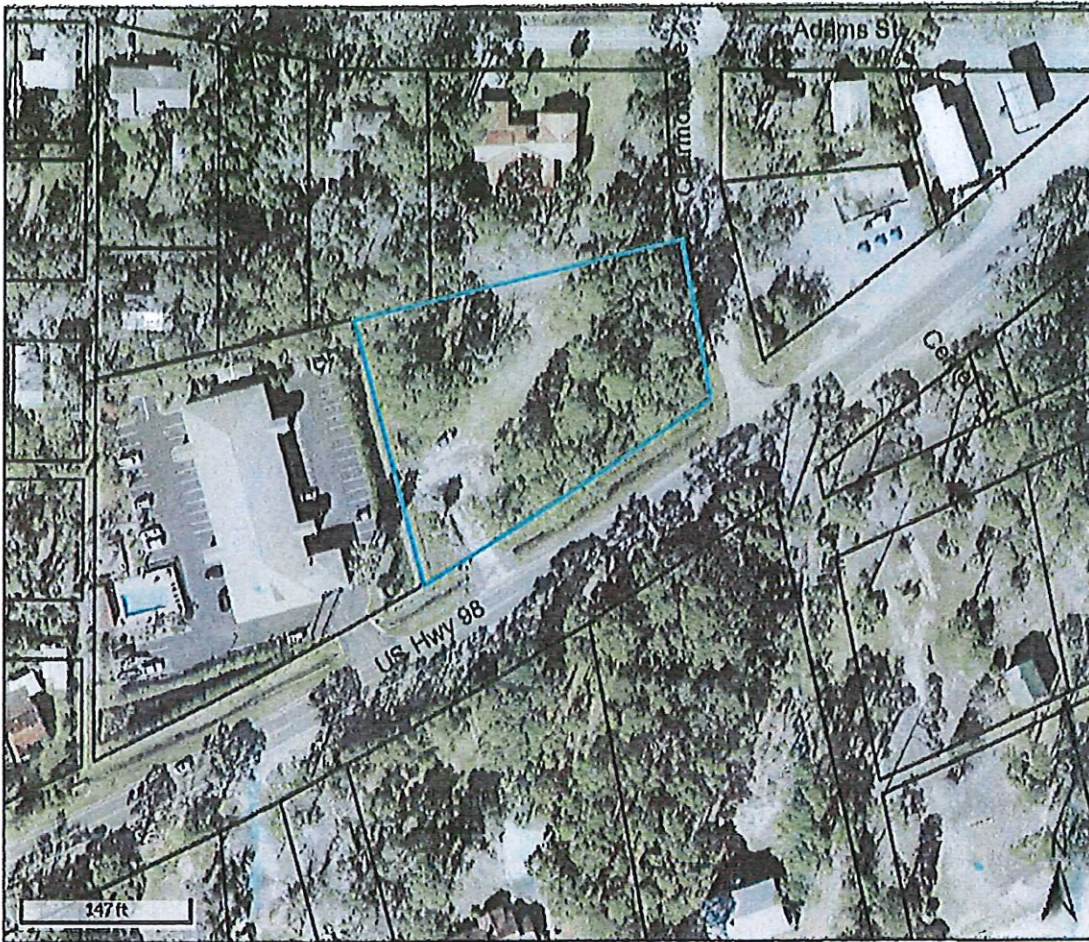
CLAIRMONT AVENUE

U. S. HIGHWAY 98



**BEST WESTERN
MOTEL**

SCALE 1" = 60'



Overview



Legend

-  Parcels
-  Roads
-  City Labels

Parcel ID	01-09S-08W-8360-0005-0151	Alternate ID	08W09S01836000050151	Owner Address	FD APALACHICOLA, LLC
Sec/Twp/Rng	--	Class	VACANT		A SOUTH CAROLINA, LLC
Property Address		Acreage	n/a		222 W COLEMAN BLVD
					MOUNT PLEASANT, SC 29464-3588

District 3
 Brief Tax Description 1.16 AC M/L NEELS AD 322 X 227
 (Note: Not to be used on legal documents)

Date created: 1/10/2020
 Last Data Uploaded: 1/10/2020 7:38:27 AM

Developed by  Schneider
 GEOSPATIAL



Parcel Summary

Parcel ID 01-095-08W-8360-0005-0151
 Location Address 32320
 Brief Tax Description* 1.16 AC M/L NEELS AD 322 X 227 216 X 141 978/281 1000/338 1076/781 1076/783
 *The Description above is not to be used on legal documents.
 Property Use Code VACANT (000000)
 Sec/Twp/Rng --
 Tax District Apalachicola (District 3)
 Millage Rate 20.8391
 Acreage 0.000
 Homestead N

[View Map](#)

Owner Information

Primary Owner
 Fd Apalachicola, LLC
 A South Carolina LLC
 222 W Coleman Blvd
 Mount Pleasant, SC 294643588

Land Information

Code	Land Use	Number of Units	Unit Type	Frontage	Depth
000000	VAC RES	283.00	FF	0	0

Sales

Multi Parcel	Sale Date	Sale Price	Instrument	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
N	10/18/2012	\$240,000	WD	1076	783	Unqualified (U)	Vacant	CENTENNIAL BANK	FD APALACHICOLA
N	10/18/2012	\$240,000	QC	1076	781	Unqualified (U)	Vacant	FEDERAL DEPOSIT INSURANCE	CENTENNIAL BANK
N	11/05/2009	\$450,000	FD	1000	338	Unqualified (U)	Vacant	PATEL BROTHERS, INC	GULF STATE COMMUNITY BANK

Valuation

	2019 Preliminary Certified	2019 Certified	2018 Certified	2017 Certified	2016 Certified
Building Value	\$0	\$0	\$0	\$0	\$0
Extra Features Value	\$0	\$0	\$0	\$0	\$0
Land Value	\$127,350	\$127,350	\$127,350	\$127,350	\$127,350
Land Agricultural Value	\$0	\$0	\$0	\$0	\$0
Agricultural (Market) Value	\$0	\$0	\$0	\$0	\$0
Just (Market) Value	\$127,350	\$127,350	\$127,350	\$127,350	\$127,350
Assessed Value	\$127,350	\$127,350	\$127,350	\$127,350	\$127,350
Exempt Value	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$127,350	\$127,350	\$127,350	\$127,350	\$127,350
Maximum Save Our Homes Portability	\$0	\$0	\$0	\$0	\$0

"Just (Market) Value" description - This is the value established by the Property Appraiser for ad valorem purposes. This value does not represent anticipated selling price.

TRIM Notices

2019 TRIM Notice

No data available for the following modules: Residential Buildings, Commercial Buildings, Extra Features, Sketches.

Return to:
Name: Stewart Title Guaranty Company
Address: 5935 Carnegie Blvd, Suite 301
Charlotte, NC 28209

This Instrument Prepared by:
Daniel McElish
Stewart Title Guaranty Company
5935 Carnegie Blvd, Suite 301
Charlotte, NC 28209

Inst:201219008795 Date:10/18/2012 Time:4:48 PM

Doc Stamp-Deed:1680.00

DC, Marcia Johnson, Franklin County B:1076 P:783

Property Appraisers Parcel I.D. (Folio) Number(s): 01-09S-08W-8360-0005-0151

File No: 20120094

SPECIAL WARRANTY DEED
(CORPORATE)

This Special Warranty Deed made the 11th day of October, 2012, by Centennial Bank, an Arkansas corporation, whose mailing address is: 11290 Overseas Highway, Marathon, Florida 33050, called the grantor,

To FD Apalachicola, LLC, a South Carolina limited liability company, whose mailing address is: 825 Low Country Blvd. Suite 204, Mount Pleasant, SC 29464, called the grantee,

WITNESSETH: That grantor, for and in consideration of the sum of \$10.00 Dollars and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto grantee, all that certain land situate in Franklin County, Florida, viz:

A parcel of Land in Section 12, Township 9 South, Range 8 West, Franklin County, Florida, described as follows: Commence at an iron pipe marking the Southeast Corner of that certain parcel or tract of land described in a deed from W.H. Neel and Sophrina Neel, his wife, to Clara D. Gibson dated December 31, 1903, recorded in Deed Book L. Pages 242 through 246, of the Public Records of Franklin County, Florida, and run thence North 14 degrees 46 minutes 46 seconds West 538.94 feet to an iron rod (#1999) on the North boundary line of the right of way of State Road No. 30 (US Highway 98) and the Point of Beginning. From said Point of Beginning run North 11 degrees 22 minutes 19 seconds West along the Westerly right of way boundary of Clairmont Street (50 foot right of way) a distance of 137.57 feet to an iron rod (#1999) at the Southeast corner of Lot 10, Block 5, Neel's Addition to the City of Apalachicola, thence South 75 degrees 13 minutes 51 seconds West along the agreed upon Southerly boundary of said block 5, as per Property Line Agreement recorded in the Public Records of Franklin County, Florida, a distance of 281.87 feet; thence run South 16 degrees 02 minutes 23 seconds East 226.78 feet to a point on the Northerly right of way boundary of State Road No. 30, said point being on a curve concave Northwesterly, thence Northeasterly along said curve having a radius of 3788.22 feet through a central angle of 04 degrees 17 minutes 02 seconds for an arc length of 283.24 feet (the chord of said arc bears North 56 degrees 49 minutes 40 seconds East 283.18 feet) to the Point of Beginning. Less and Except any portion of the subject property that may lie within a road right of way.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining. To Have and to Hold, the same in fee simple forever.

GRANTOR'S WILL WARRANT and forever defend the right and title to the above-described real property unto the Grantee against the claims of all person, claiming by, through or under Grantor's, but not otherwise.
(Wherever used herein the terms "grantor" and "grantee" included all the parties to this instrument, and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporation.)

IN WITNESS WHEREOF, the grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

Signed, sealed and delivered in our presence:

ATTEST: _____

Secretary

Witness Signature: Nicole Sanders
Printed Name: Nicole Sanders

Witness Signature: Jan R. Crago
Printed Name: Jan R. Crago

Centennial Bank, an Arkansas corporation

BY: [Signature]
Its: Sr. Vice President

STATE OF Florida
COUNTY OF Lake

The foregoing instrument was acknowledged before me this 10th day of October, 2012, by Neressa Landford as SVP of Centennial Bank, an Arkansas corporation, on behalf of the corporation. He/she is personally known to me or who has produced driver license(s) as identification.

My Commission Expires:

2/19/16



Nicole M. Sanders
Printed Name: Nicole M Sanders
Notary Public
Serial Number

