

CITY OF APALACHICOLA
PLANNING & ZONING BOARD
WORKSHOP & REGULAR MEETING
Monday, August 14th, 2023
Community Center - 1 Bay Avenue
Minutes

NOTE: The equipment recording the audio of these meetings malfunctioned – the recordings are inaudible. City of Apalachicola apologizes for the inconvenience.

Attendance:

- Joe Taylor, Chase Galloway, Bobby Miller, Lee McLemore, Elizabeth Milliken, Jim Bachrach in attendance for the workshop and regular meeting – Myrtis Wynn joined the board for the regular meeting.

Workshop: 5:00PM

- Workshop to discuss an amendment to the LDC to consider wooden decks spaced properly as pervious. 2nd P&Z Workshop on this topic.
- Group consensus from the first workshop was a 10% lot coverage allowance just for pervious decks spaced at least 1/8 inch between boards. If the deck is not spaced accordingly then it is not eligible for the extra 10% for pervious decking. If a pervious deck square footage surpasses the 10% allocation, then the difference will be included in the standard 40% lot coverage. Pervious decks would still be considered accessory structures and subject to setback requirements, P&Z approval, and standard building permits.
- Topics for 2nd workshop:
 - Stick to 10%?
 - Stick to 1/8 spacing?
 - Will 10% apply for commercial areas also, or just residential (Ex: C-1 is allowed 80% standard lot coverage.)
- **2nd Workshop Minutes:**
- City Planner, Bree Robinson, started the conversation by going over the determinations from the first workshop as stated in the agenda packet. She asked the board to begin with discussing the 10% allocation first.

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- A citizen, Richard Dagenhart, during public comment questioned if this possible change in the code would be simple for an average citizen to interpret and prompted discussion – the P&Z Board along with the City Planner assured that this would be a simple interpretation of the Code to move forward with.
- Board member, Lee McLemore, brought up other materials that might be pervious, such as pervious pavers, and asked if they should be included in this 10% allocation – City Planner agreed to discuss this after the 3 main discussion topics had been addressed.
- The P&Z members were in consensus with a 10% lot coverage allowance just for pervious decks spaced at least 1/8 inch between boards. If the deck is not spaced accordingly then it is not eligible for the extra 10% for pervious decking. If a pervious deck square footage surpasses the 10% allocation, then the difference will be included in the standard 40% lot coverage. Pervious decks would still be considered accessory structures and subject to setback requirements, P&Z approval, and standard building permits.
- The P&Z members were in consensus with at least 1/8 inch between boards, wooden or faux wood, being sufficient to consider pervious, allowing water to pass through.
- The P&Z members discussed if the same 10% allocation should be applicable for commercial zones as well – the City Planner was asked if there were any unintended consequences to allowing this in the commercial zones and she stated she was not aware of any. The board asked the City Planner if someone could then place a pervious deck on a vacant lot if they own another lot downtown – City Planner explained that noncontiguous lots would still have to meet LDC which requires a principal structure before any accessory structures are built. If a business has the extra land after their principal structure to add their 10% pervious accessory decking, then they would be allowed to do so.
- The P&Z members were in consensus to allow the 10% allocation for pervious decking in residential and commercial zones.

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- The topic of pavers or other pervious materials picked back up and the P&Z board discussed keeping it simple and only discussing decks at this time – City Attorney, Dan Hartman, stated that pervious pavers with appropriate documentation have been pervious and not contributing to lot coverage by the City in the past. Anita Grove also offered public comment on this and agreed that pervious pavers should not be part of this conversation.
- The P&Z Board agreed that they had reached a consensus for recommendation to the City Commission. City Planner stated that if the P&Z Board's discussion was over, that they could adjourn the meeting and the next step would be for a joint workshop with the City Commission to be scheduled. For the joint meeting, the City Attorney and City Planner would draft any changes needed in the COA LDC to make the recommendations possible and at the joint workshop these would be discussed with the City Commission and P&Z Board.
- Meeting adjourned!

JOINT WORKSHOP SCHEDULED FOR MONDAY, SEPTEMBER 11th 5:15PM!

Regular Meeting: 6:00 PM

1. Approval of July 10th, 2023 meeting minutes.
 - Despina George came forward for public comment and asked for a correction to be made and incorporated into the July meeting minutes –
 - “Despina George came forward for public comment and stated that the elements for this approval were not included in the plans presented to P&Z for site plan approval, and it should have been known from the beginning that those elements would exceed 35’, as because the roofline is at 35’, and that the window’s walk is a new design that has not appeared on any previous designs.”

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- **Motion to approve with correction noted by Jim Bachrach; 2nd by Lee McLemore. All in favor – motion carried.**
2. Review, Discussion and Decision for Fence. **(R-1) @ 214 Avenue C.** For Jim Bachrach - Owner; Contractor: N/A
- **Jim Bachrach, applicant, removed himself from the board for this item – please see attached Form 8B.**
 - **Motion to approve by Chase Galloway; 2nd by Bobby Miller. All in favor – motion carried.**
3. Review, Discussion and Decision for Sign. **(C-1) (Historic District) @ 76 Market Street,** Block 2 Lot 1. For Louie Lamb (Lou's) - Business Owner; Contractor: N/A
- **Motion to approve by Jim Bachrach; 2nd by Bobby Miller. All in favor – motion carried.**
4. Review, Discussion and Decision for Sign. **(C-1) (Historic District) @ 76 Market Street,** Block 2, Lot 1. For Amy Lamb -Business Owner (Bellou) ; Contractor: N/A
- **City Planner clarified that the only sign eligible for P&Z approval is the one with dimensions noted in the agenda packet.**
 - **Motion to approve by Jim Bachrach; 2nd by Chase Galloway. All in favor – motion carried.**
5. Review, Discussion and Decision for Sign. **(C-1) (Historic District) @ 21 Leslie Street,** Block C-1 Lots 14-16. For Leslie Koon – Business Owner (Side Street Art); Contractor: TBD
- **Motion to approve by Jim Bachrach; 2nd by Lee McLemore. All in favor – motion carried.**
6. Review, Discussion and Decision for Accessory Structure. **(R-2) @ 164 13th,** Block 139, Lot 2. For Jeannie Walker -Owner; Contractor: TBD

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- **Motion to approve by Bobby Miller; 2nd by Lee McLemore. All in favor – motion carried.**
7. Review, Discussion and Decision for Fence. **(R-1) (Historic District) @ 77 Avenue B**, Block 26 Lots 6 & ½ 7. For Cliff & Lisa Bristol – Owner; Contractor: TBD
- **City Planner asked for the applicant to sign the application certification page and to affirm the fence would be in property lines – applicant confirmed and signed certification is attached.**
 - **Motion to approve by Bobby Miller; 2nd by Chase Galloway. All in favor – motion carried.**
8. Review, Discussion and Decision for Accessory Structures. **(R-2) @ 242 15th Street**, Block 133 Lots 1 & ½ 2. For Jeff Keith – Owner; Contractor: TBD
- **Motion to approve by Jim Bachrach; 2nd by Chase Galloway. All in favor – motion carried.**
9. Review, Discussion and Decision for Demo & New Accessory Structure **(R-1) (Historic District) @ 87 Avenue D**, Block 23 Lots 9&10. Charles Hart – Owner; Contractor: Erin Rodriguez Construction LLC
- **Motion to approve by Jim Bachrach; 2nd by Chase Galloway. All in favor – motion carried.**
10. Review, Discussion and Decision for Accessory Structure. **(R-2) @ 317 Earl King Street**, Block 207 Lots 14-16. For Elinor Mount-Simmons – Owner; Contractor: Tool Time
- **Motion to approve by Chase Galloway; 2nd by Lee McLemore. All in favor – motion carried.**
11. Review, Discussion and Decision for Accessory Structure. **(R-2) @ 270 Prado**, Block 265. For D.R. Horton – Owner; Contractor: Veteran Construction Solutions

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- **Motion to approve by Jim Bachrach; 2nd by Chase Galloway. All in favor – motion carried.**

12. Review, Discussion and Decision for Demo. **(R-1) (Historic District) @ 116 5th Street**, Block 18 Lot 4. For Sue Lawren Wilson – Owner; Contractor: Jeremy Willoughby

- **Motion to approve by Chase Galloway; 2nd by Bobby Miller. All in favor – motion carried.**

13. Review, Discussion and Decision for New Construction/Certificate of Appropriateness. **(C-1) (Historic District) @ 121 Market Street**, Block F-2 Lots 14 & ½ 15. For Jason O'Steen – Owner; Contractor: TBD

- **City Planner stated that the following could be contingencies of approval and were all things that the board needed to review:**
 - **Architectural Review and Certificate of Appropriateness approved, if any aspect of the design changes it is subject to return to P&Z for Architectural Review.**
 - **DEP Permitted Engineered Stormwater Plan submitted to Building Official prior to permitting.**
 - **Certified Flood Administrator must review for all City and FEMA elevation and floodproofing requirements and approve prior to permitting - if elevation changes it is subject to return to P&Z for Architectural Review.**
 - **Additional 2 parking spots needed must be resolved prior to permitting either by mitigation directly with the City Commission or through P&Z by returning and showing to provide 2 spots within 500'.**
 - **Encroachment agreement for balconies must be presented to and approved by the City Commission prior to any permitting - if not approved or design changes it is subject to return to P&Z for architectural review.**
 - **Site plan surpasses 80% - applicant must agree to remove rear additions to meet 80% LDC and must also meet fire code requirements.**

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- **Trash - Applicant must provide on-site space for trash storage until pick up.**
- **Applicant, Jason O'Steen, stated that the rear additions are removed from the application in order to meet the 80% LDC lot coverage requirement.**
- **Applicant stated that there would be on-site space for trash storage in the rear of the building, not on the sidewalk.**
- **Bobby Miller asked if the floodproofing shown in the submittal would be sufficient for this area of downtown and the applicant explained that it follows FEMA recommendations – the City Planner assured the board that it would all have to be reviewed and approved by a certified Floodplain Administrator before permitting.**
- **Jim Bachrach made a motion to approve if all contingencies noted by the City Planner were passed; 2nd by Bobby Miller. All in favor – motion carried.**
 - **Final contingencies of P&Z Approval:**
 - **Architectural Review and Certificate of Appropriateness approved, if any aspect of the design changes it is subject to return to P&Z for Architectural Review.**
 - **DEP Permitted Engineered Stormwater Plan submitted to Building Official prior to permitting.**
 - **Certified Flood Administrator must review for all City and FEMA elevation and floodproofing requirements and approve prior to permitting - if elevation changes it is subject to return to P&Z for Architectural Review.**
 - **Additional 2 parking spots needed must be resolved prior to permitting either by mitigation directly with the City Commission or through P&Z by returning and showing to provide 2 spots within 500'.**

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- **Encroachment agreement for balconies must be presented to and approved by the City Commission prior to any permitting - if not approved or design changes it is subject to return to P&Z for architectural review.**
- **Original site plan surpassed 80% - applicant agreed to remove rear additions to meet 80% LDC and must also meet fire code requirements.**
- **Trash – Applicant agreed to provide on-site space for trash storage until pick up.**

Other/New Business:

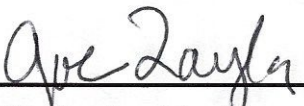
- **P&Z Alternate to be appointed at the 8/8/23 City Commission meeting.**
 - **Myrtis Wynn appointed as alternate P&Z member by City Commission.**

Outstanding/Unresolved Issues:

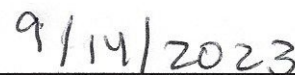
- **Ethics & Sunshine Law Training on 8/15/23 from 3PM-7PM.**
 - **Despina George offered public comment and reminded everyone that there would be a workshop August 23rd at 5PM in the Community Center to discuss policies and procedures within the building department – she welcomed everyone to attend!**

Motion to adjourn the meeting by Jim Bachrach; 2nd by Chase Galloway. All in favor – meeting adjourned.

Meeting minutes approved by:



Chair, Joe Taylor



Date