

CITY OF APALACHICOLA
PLANNING & ZONING BOARD
WORKSHOP & REGULAR MEETING
Monday, July 10th, 2023
Community Center - 1 Bay Avenue
Minutes

Attendance:

- Joe Taylor, Jim Bachrach, Bobby Miller, Chase Galloway, Lee McLemore, Justin McMillan

Workshop: 5:00PM

- Workshop to discuss an amendment to the LDC to consider wooden decks spaced properly as pervious. 1st P&Z Workshop on this topic.
 - Public comments were heard, the staff report was reviewed, and discussion was held. The main two topics discussed were concerning the width between boards to allow for decks to be considered pervious and the lot coverage component.
 - Dennis Winterringer gave public comment and questioned if no Code changes were needed as the current understanding seems to be an interpretation and a policy might be the remedy for this – Attorney Dan Hartman stated that the City should make a legal ordinance change for clarity and to avoid legal trouble as we have strictly enforced that decks are impervious in the past.
 - Justin McMillan questioned if people would be able to cover their entire lots and suggested we would need to do something to keep this from happening, whether that be a % on lot coverage, etc.
 - City Planner, Bree Robinson, discussed her report and the renderings included therein – she clarified that the goal was to give homeowners who are already maxed out on their 40% a chance to build a deck on their property if it is spaced appropriately, which is a topic of discussion. She explained that decks would still be considered a structure, so they would always be subject to setbacks so we would not see totally covered yards. She gave a couple of options for the lot coverage aspect, but asked to take it one step at a time and discuss the board spacing widths first.
 - Justin McMillan mentioned shrinking of wood planks after install in concern to width and questioned how this would work. City Planner agreed we need to discuss it, as if we just label decks as pervious with no stipulations we will see

CITY OF APALACHICOLA
PLANNING & ZONING BOARD
WORKSHOP & REGULAR MEETING
Monday, July 10th, 2023
Community Center - 1 Bay Avenue
Minutes

some projects where there is no spacing at all and the goal is for it to be pervious and allow water to pass through.

- Bobby Miller urged the board to decide on the width and if decks are to be pervious or impervious – Justin McMillan stated that with proper spacing they should be pervious. The rest of the board agreed with this. Bobby Miller made the point that we would need to discuss materials (wood v composite) after we make initial determinations. Bobby Miller suggested a 16-penny nail for wood materials, which would still shrink and increase the gap. Chase Galloway commented that the nail would be a 1/6th gap, so Bobby suggested a 1/8th inch gap. City Planner stated that 1/4th inch pops up a lot more in code and seems to be the standard so it is her suggestion, but we are discussing this to make a recommendation so that can change. Chase Galloway stated that a 1/6-1/8 inch spacer comes with composite material at time of purchase. Joe Taylor asked if we had a consensus for a minimum of 1/8th inch spacing on both wood and composite and the rest of the board agreed.
- City Planner stated she had seen 3 trends concerning the lot coverage: one was just to blanket decks as pervious (still subject to setbacks), one was to include an additional 10% on top of the standard 40% of lot coverage specifically for pervious decking (standard city lot 60x100 = 600SF), or last was to include a 50% rule for pervious decking as part of the lot coverage where only 50% of the square footage counts toward lot coverage, but this option does not leave any wiggle room for homeowners who are already at their 40% max.
- Justin McMillan expressed support for the 10% extra allocation for pervious decking on top of the standard 40% impervious lot coverage. City Planner agreed and stated that in a maximum scenario on a 60x100 standard lot if they cover 2,400SF with their impervious 40% then the extra 10% would equal out to 3,000SF coverage max with the pervious decking with setbacks still in mind.

CITY OF APALACHICOLA
PLANNING & ZONING BOARD
WORKSHOP & REGULAR MEETING
Monday, July 10th, 2023
Community Center - 1 Bay Avenue
Minutes

- The board was in agreeance to end the workshop with a 1/8th inch spacing in mind and a 10% cap for pervious decking.

Regular Meeting: 6:00 PM

1. Approval of June 12th, 2023 meeting minutes.
 - Motion to approve contingent upon items 12 & 13 of the June minutes being changed to say “tabled to August P&Z meeting” by Jim Bachrach; 2nd by Justin McMillan. All in favor – motion carried.
2. Review, Discussion and Decision for Accessory Structure. (R-2) @ 172 Sawyer Lane. Block 119, Lots 9 & 10. For Donna Knutson -Owner; Contractor: N/A
 - Motion to approve by Justin McMillan; 2nd by Lee McLemore. All in favor – motion carried.
3. Review, Discussion and Decision for Accessory Structure & Fence. (R-3) @ 175 24th Avenue, Block 243, Lots 22-24. For Jeff Fisher -Owner; Contractor: Self
 - City Planner stated the pool was removed from the application.
 - Motion to approve by Jim Bachrach; 2nd by Chase Galloway. All in favor – motion carried.
4. Review, Discussion and Decision for Accessory Structure. (C-2) (Historic District) @ 160 8th Street, Block 67, Lots 2-5. For Gary Ziegler -Owner; Contractor: TBD
 - Motion to approve both options by Lee McLemore; 2nd by Bobby Miller. All in favor – motion carried.

CITY OF APALACHICOLA
PLANNING & ZONING BOARD
WORKSHOP & REGULAR MEETING
Monday, July 10th, 2023
Community Center - 1 Bay Avenue
Minutes

5. Review, Discussion and Decision for Fence. **(C-1) (Historic District) @ 268 Water Street**, Block G-1 Lots 6&15. For Moore Florida Properties; Contractor: St Joe Fencing
 - **Motion to approve by Chase Galloway; 2nd by Jim Bachrach. All in favor – motion carried.**
6. Review, Discussion and Decision for Accessory Structure. **(R-1) @ 36 Myrtle Avenue**, Block 8, Lots 7-10. For Jerry Hood -Owner; Contractor: Monument Fabrication
 - **Motion to approve by Jim Bachrach; 2nd by Justin McMillan. All in favor – motion carried.**
7. Review, Discussion and Decision for Addition. **(R-1) @ 264 US HWY 98**, Block 1 Lot 3. For Carolyn & Thomas Jackson– Owner; Contractor: TBD
 - **Motion to approve by Chase Galloway; 2nd by Jim Bachrach. All in favor – motion carried.**
8. Review, Discussion and Decision for Demolition & New Mobile Home. **(R-3) @ 296 24th Avenue**, Block 229 Lots 11-12. For Cliff Butler– Owner; Contractor: Ironwood Homes of Perry
 - **Motion to approve by Bobby Miller; 2nd by Jim Bachrach. All in favor – motion carried.**
9. Review, Discussion and Decision for Accessory Structure **(R-1) (Historic District) @ 155 6th Street**, Block 63 Lot 7. Robert & Ann Key – Owner; Contractor: Tool Time
 - **Motion to approve by Bobby Miller; 2nd by Justin McMillan. All in favor – motion carried.**
10. Review, Discussion and Decision for Certificate of Appropriateness for additional 36" over 35' height. **(C-1) (Historic District) @ 51 Market Street**, Block 1 Lots 1-8. For White Sands Investment Partners – Owner; Contractor: Coastal ICF Construction/Doug Anderson

CITY OF APALACHICOLA
PLANNING & ZONING BOARD
WORKSHOP & REGULAR MEETING
Monday, July 10th, 2023
Community Center - 1 Bay Avenue
Minutes

- Applicant representative Cutler Edwards presented request for a Certificate of Appropriateness for the widow's walk, elevator bulkhead, and roofing elements as shown in the agenda packet to extend 36" over the 35' limit as allowable by the COA LDC. Applicant clarified that the widow's walk is not accessible.
- City Planner stated that the COA LDC does allow for this exception, so we are just deciding if the Certificate of Appropriateness is approved or not at this time.
- Motion to approve by Jim Bachrach; 2nd by Justin McMillan. Discussion held –
 - Bonnie Davis, on behalf of HAPPI, gave public comment and pointed out that the LDC does allow for this exception but this step must take place prior to development. She pointed out that several of the items being asked for already exceed the height limit and the request is coming in after development began. She stated that this is a very large project and all aspects of the code need to be taken into account. She stated she did not think the board should approve these things that require prior approval when it wasn't sought from the beginning.
 - Pete Whitesell gave public comment and cited the COA LDC. He asked that the board deny the request as the developer failed to receive approval prior to development.
 - Bobby Miller asked the applicant and clarified that the widow's walk had not been installed yet. He asked if there were any penalties or consequences for the applicant asking for forgiveness and not permission?
 - City Attorney Dan Hartman stated that the developer did not think they needed the excess over 35', but they ended up needing it for

CITY OF APALACHICOLA
PLANNING & ZONING BOARD
WORKSHOP & REGULAR MEETING
Monday, July 10th, 2023
Community Center - 1 Bay Avenue
Minutes

several elements. He said this did occur after development had started, but it does not seem to be intentional. He then states that is very similar to the after the fact permit situation that comes up quite often in P&Z – if is permittable it is then permitted and the permit application fee is doubled. This situation calls for a Certificate of Appropriateness, which does not have a fee hence there is nothing to double. The major inquiry here should be are they entitled to this Certificate of Appropriateness? Certain aspects such as the elevator bulkhead are necessities, but some are decorative like the widow's walk. Both are allowable by code to exceed 35' to 38'.

- City Planner stated that if P&Z were to approve this Certificate of Occupancy then the applicant will be held to 36" over 35' and if they were to surpass this then it would be a code violation and must be removed.
- Bonnie Davis stated the COA LDC reads that there is a \$500 a day penalty for violations.
- Despina George came forward for public comment and stated that several elements for this approval have been on prior plans and it was known from the beginning that those elements would go over 35', but that the window's walk is a new design that has not appeared on designs before.
- Joe Taylor calls for a vote – Lee McLemore, Chase Galloway, Jim Bachrach, Justin McMillan, Joe Taylor in favor; Bobby Miller opposed. Motion carried and certificate of appropriateness approved.

**CORRECTION FROM
AUGUST APPROVAL OF
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.”

11. Discussion and Decision to vote in a new Planning & Zoning Board **Chair and Vice-Chair** for a 1-year term.

CITY OF APALACHICOLA
PLANNING & ZONING BOARD
WORKSHOP & REGULAR MEETING
Monday, July 10th, 2023
Community Center - 1 Bay Avenue
Minutes

- **Chair – Jim Bachrach nominated Joe Taylor. Vote called; all in favor – Joe Taylor appointed as the Chair of the Planning & Zoning Board.**
- **Vice-Chair – Lee McLemore nominated Chase Galloway. Vote called; all in favor – Chase Galloway appointed as the Vice-Chair of the Planning & Zoning Board.**

Other/New Business:


- **There is a P&Z alternate vacancy. Applications must be picked up in City Hall and submitted to the City Clerk.**
- **City Manager comments that the Ethics & Sunshine Law training is August 15th at 3PM.**
- **Jim Bachrach thanked Al Ingle for his work during his time as Chair of P&Z.**

Outstanding/Unresolved Issues:

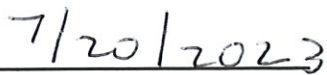
N/A

Motion to adjourn by Jim Bachrach; 2nd by Chase Galloway. Meeting adjourned.

Minutes signed by:



Chair – Joe Taylor



Date