Attendance: Joe Taylor, Elizabeth Milliken, Lee McLemore, Bobby Miller, Myrtis Wynn for both meetings and Jim Bachrach for the regular meeting.

Joint Workshop: 5:15PM

- Joint Workshop to discuss an amendment to the LDC to consider wooden decks spaced properly as pervious. Please see attached report and previous meeting minutes.
  - Please see City Commission minutes.

Regular Meeting: 6:00 PM

1. Approval of August 14th, 2023 meeting minutes.
   - Motion to approve by Jim Bachrach; 2nd by Elizabeth Milliken. All in favor – motion carried.

2. Review, Discussion and Decision for Fence. (R-2) @ 213 17th Street, Block 125 Lot 9. For Brenda Ash - Owner; Contractor: TBD
   - Motion to approve by Jim Bachrach; 2nd by Lee McLemore. All in favor – motion carried.

3. Review, Discussion and Decision for Addition, Removals, & Accessory Structures. (R-2) @ 245 12th Street, Block 153 Lots 6-8. For Dana Allen - Owner; Contractor: TBD
   - City attorney stated that the planter referenced on the site plan is not a fence and can stay.
   - Motion to approve by Jim Bachrach; 2nd by Elizabeth Milliken. Discussion: Joe Taylor reminded the board that if an applicant is not present then the vote must be unanimous to pass – All in favor, motion carried.
4. Review, Discussion and Decision for Fence. (R-1) @ 190 Avenue B, Block 58 Lots 1-5.
   For Roy & Becky Morton - Owner; Contractor: TBD
   - Lee McLemore disclosed that he has a conflict due to a family relation and recused himself from the vote. Form 8B attached.
   - Motion to approve by Jim Bachrach; 2nd by Bobby Miller. Discussion: Dennis Winterringer offered public comment and suggested a condition of approval that an arborist writes a letter that the wall/fence will not kill the live oak. Board agreed and amended the motion to include the condition of approval – All in favor, motion carried.

5. Review, Discussion and Decision for Accessory Structures. (R-2) @ 6 Ellis Van Fleet, Block 264. For WCC Management – Owner; Contractor: TBD/Owner
   - New site plan handed out and attached.
   - Motion to approve by Jim Bachrach; 2nd by Elizabeth Milliken. All in favor – motion carried.

6. Review, Discussion and Decision for Addition & Accessory Structures. (R-2) @ 242 Prado, NA Block 3, Lots 4-5. For Cutler Edwards -Owner; Contractor: TBD
   - Motion to approve by Bobby Miller; 2nd by Lee McLemore. All in favor – motion carried.

7. Review, Discussion and Decision for New Construction (Principal + Accessory) & Certificate of Appropriateness. (R-1) (Historic District) @ 109 16th Street, Block 100 Lots ½ 7 & 8. For Dane Clemons – Owner; Contractor: TBD
   - Motion to approve with no lodging in the accessory structure by Jim Bachrach; 2nd by Elizabeth Milliken. All in favor – motion carried.
8. Review, Discussion and Decision for Sign & Certificate of Appropriateness. (C-1) (Historic District) @ 33 Market Street, Block 9 Lot 1. For Franklin County Board of County Commissioners – Owner; Contractor: Sign Design

- Motion to approve by Bobby Miller; 2nd by Elizabeth Milliken. All in favor – motion carried.

9. Review, Discussion and Decision for Addition & Certificate of Appropriateness (C-1) (Historic District) @ 51 Commerce Street, Block C Lots 10-11. Peyton Morton – Owner; Contractor: Owner

- City planner noted that floodplain review would take place during permitting.
- Motion to approve by Jim Bachrach; 2nd by Lee McLemore. All in favor – motion carried.

10. Review, Discussion and Decision for Accessory Structure within Encroachment & Breezeway + Certificate of Appropriateness. (O/R) (Historic District) @ 101 42nd Street, Block 78 Lot 40. For William Zester – Owner; Contractor: James Pendleton

- Applicant withdrew prior to the meeting.

11. Review, Discussion and Decision for Accessory Structure + Certificate of Appropriateness. (O/R) (Historic District) @ 105 11th Street, Block 75, Lots 9 and ½ 10 For Brent Mabrey – Owner; Contractor: TBD

- Motion to approve if applicant constructs breezeway for the shed to be connected to the principal structure and meet 5’ rear setback by Jim Bachrach; 2nd by Lee McLemore. All in favor – motion carried.

Other/New Business:

- N/A
CITY OF APALACHICOLA
PLANNING & ZONING BOARD
WORKSHOP & REGULAR MEETING
Monday, September 11th, 2023
Community Center - 1 Bay Avenue
Minutes

Outstanding/Unresolved Issues:

- N/A

Motion to adjourn the meeting by Lee McLemore; 2nd by Elizabeth Milliken. Meeting adjourned.

Minutes approved by:

________________________
Joe Taylor – Chair

________________________
10/10/2023
Date
FORM 8B  MEMORANDUM OF VOTING CONFLICT FOR
COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME
McLemore  Lee

MAILING ADDRESS
192 Coach Wagoner Blvd, Apalachicola, FL

CITY  COUNTY
City of Apalachicola  Franklin

DATE ON WHICH VOTE OCCURRED
September 11, 2023

NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
City of Apalachicola, Planning and Zoning Board

THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
☐ CITY  ☐ COUNTY  ☐ OTHER LOCAL AGENCY

NAME OF POLITICAL SUBDIVISION:
City of Apalachicola

MY POSITION IS:  ☐ ELECTIVE  ☐ APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

• You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)
APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Lee McLemore, hereby disclose that on September 11, 2023.

(a) A measure came or will come before my agency which (check one)

☐ Inure to my special private gain or loss;
☐ Inure to the special gain or loss of my business associate;
☐ Inure to the special gain or loss of my relative, [Sister in Law / Brother in Law], by

whom I am retained; or
☐ Inure to the special gain or loss of [ ], which

is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Agenda item #4, review, discussion and decision regarding construction of a fence/wall at the home of my sister in law.

Date Filed: 9/11/2023  
Signature:

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED $10,000.