

CITY OF APALACHICOLA
PLANNING AND ZONING BOARD
REGULAR MEETING

Monday, October 13th, 2025

City Meeting Room – 74 6th Street

Minutes

Attendance: Joe Taylor, Jim Bachrach, Myrtis Wynn, Elizabeth Milliken, Bobby Miller, Lee McLemore, Greg Gologowski

Regular Meeting: 6:00 PM

1. Approval of September 8th, 2025 meeting minutes (regular meeting + quasi-judicial public hearing).
 - a. Motion to approve by Bobby Miller; 2nd by Lee McLemore – all in favor, motion carried.
2. Review, Discussion and Decision for Sign. (R-3) @ 343 25th Avenue. Block 222 Lots 21-22. Owner: Clearwater Apalach LLC; Contractor: Self.
 - a. Motion to approve by Myrtis Wynn; 2nd by Bobby Miller – all in favor, motion carried.
3. Review, Discussion and Decision for Certificate of Appropriateness, New Residential Construction & Accessory Structure. (R-1) (Historic District) @ 112 7th Street. Block 60 Lot 3. Owner: Jason Cheek; Applicants: Joshua & Sarah Porter; Contractor: NRG Industries.
 - a. Lacey Martina, Representative - Present on behalf of the Applicants Joshua & Sarah Porter. Summarized material provided by the applicants, including site plan, notarized letter from the Owner Jason Cheek, and tree permit application.
 - b. Greg Gologowski asked if the Applicants had considered accessing the lot only from the alley, so that the driveway did not have to run the entire length of the parcel.
 - c. Representative replied that to her knowledge, this consideration had not been made.

- d. City Planner noted that according to the Code, alleys are only intended to provide secondary access to properties.
 - e. Motion to approve by Bobby Miller; 2nd by Myrtis Wynn – all in favor, motion carried.
4. Review, Discussion and Decision for Certificate of Appropriateness & Accessory Structure. (R-1) (Historic District) @ 146 12th Street. Block 81 Lot 2. Owner: Paul Payton; Contractor: Self.
- a. Paul Payton, Owner - Present with son Sean, who informed the Board that there is a raised bedroom off the back of the house with an exterior door. Owner would like to install a new section of deck for access to this room.
 - b. City Planner noted that the proposed deck will be of similar material and appearance to the existing side deck.
 - c. Motion to approve by Jim Bachrach; 2nd by Greg Golgowski – all in favor, motion carried.
5. Review, Discussion and Decision for Accessory Structure. (R-3) @ 261 Brownsville Road. Block 260 Lots 22-24. Owner: Lloyd Alton Shiver Jr.; Contractor: Self.
- a. Lloyd Alton Shiver Jr., Owner – Present, informed the Board that the accessory storage will be used for storage, as he is running out of space at his other property.
 - b. Jim Bachrach asked the Owner to confirm that the accessory structure would not be used a residence; Owner confirmed it would not be used as a residence.
 - c. Motion to approve by Jim Bachrach; 2nd by Lee McLemore – all in favor, motion carried.
6. Review, Discussion and Decision for Accessory Structure. (R-3) @ 265 Morris Cannon Street. Block 214 Lots 27-28. Owner: Kimberly Deeson; Contractor: Self.
- a. City Planner explained the reason for the recommendation of conditional approval: Applicant did not provide a complete site plan clearly showing

building setbacks and existing structures. Applicant was not present to answer questions.

- b. Lee McLemore asked City Attorney whether the Board could make a conditional approval on setback requirements being met, and whether it could be enforced. City Attorney confirmed the Board could do so, and the City would be responsible for ensuring compliance with their decision.
 - c. Motion to table the item until the Applicant submits a complete application with all required information by Jim Bachrach; 2nd by Greg Golgowski – all in favor, motion carried.
7. Review, Discussion and Decision for Certificate of Appropriateness & Accessory Structure. (R-1) (Historic District) @ 204 10th Street. Block 156 Lot 2. Owner: Chris Presnell; Contractor: CP Squared LLC.
 - a. Chris Presnell, Owner – Present, received no questions from the Board.
 - b. Motion to approve by Greg Golgowski; 2nd by Lee McLemore – all in favor, motion carried.
8. Review, Discussion and Decision for New Residential Construction. (R-2) @ 110 Bay Colony Way. Lots 3-4 Bay Colony Way Subdivision. Owner: Morton McLemore; Contractor: Self.
 - a. Morton McLemore, Owner – Present, summarized his application to the Board at the request of Jim Bachrach.
 - b. Lee McLemore recused himself due to his familial relationship with the Owner.
 - c. Motion to approve by Bobby Miller; 2nd by Jim Bachrach – all in favor, motion carried.
9. Review, Discussion and Decision for Certificate of Appropriateness & Alteration/Renovation. (C-2) (Historic District) @ 133 Avenue E. Block 76 Lot 9 and 60' Lot 10. Owner: Constance Peck; Contractor: Chris Presnell.
 - a. City Planner summarized staff report and recommendation, including email correspondence with previous Planner regarding past precedence. The City has previously allowed buildings and uses in the C-2 District to go back and forth between commercial businesses and residential

dwellings. However, as a residential dwelling the existing structure at 133 Avenue E would be nonconforming with the setback and impervious surface requirements for a single-family dwelling in the C-2 District.

- b. City Attorney stated that the Board could vote to approve the request even though it would create a nonconforming structure. In the future, though, no additions or expansions could be made to the structure because it is nonconforming.
 - c. Constance Peck, Owner – Present, answered questions posed by the Board and City Staff.
 - d. Paula Martina, Adjacent Owner (131 Avenue E) – Present, asked the Board to address her concern that customers would no longer have access to parking for her business. City Attorney consulted survey provided by Owner and confirmed that the existing parking utilized for her business is in the City's right-of-way and cannot be removed. Adjacent Owner also stated that the original building at 133 Avenue E was moved onto the lot when it was vacant, and that it had always been used as a commercial business. City Attorney stated that this information could be significant, if there had never been a building used a residence at 133 Avenue E.
 - e. Bobby Miller asked City Staff if approving the site plan as provided would essentially mean the loss of City parking to accommodate the provision of private parking. If so, he would not support the request. Lee McLemore had a similar concern, that allowing access for a private driveway would take away public parking.
 - f. Motion to table the item for additional staff review, and for the Owner to revise the proposed site plan by Bobby Miller; 2nd by Myrtis Wynn – all in favor, motion carried.
- 10. Review, Discussion and Decision for Certificate of Appropriateness & Accessory Structure. (R-1) (Historic District) @ 132 7th Street.** Block 65 Lots 3-4. Owners: Bradely & Sara Heinz; Contractor: Southern Blue Construction Inc.

- a. City Planner explained the reason for the recommendation of conditional approval: LDC requires that accessory structures not be constructed until a principal structure is in place. Property appraiser indicates that the lot is currently vacant.
- b. Greg Golgowski stated the Board has seen this site plan before, likely when the Owners applied for the principal structure.
- c. Elizabeth Milliken stated that the concrete foundation had been laid and that construction appears to be underway for the principal structure.
- d. Motion to approve by Jim Bachrach; 2nd by Bobby Miller – all in favor, motion carried.

Other/New Business:

1. Protected Longleaf Pine @ 230 (224) 17th Street. Site plan previously approved August 11th, 2025.
 - a. City Attorney summarized the reason for this item being placed on the agenda – Section 105-24. Preservation of patriarch trees from Article II. Tree Protection. He emphasized that the Board must find that the lot would be undevelopable if the tree remains.
 - b. Bobby Miller asked the City Attorney for clarification, that is the Board did not agree to issue the permit the lot would be made undevelopable. City Attorney confirmed yes, that would be the result and that there would likely be legal consequences for the City.
 - c. Bobby Miller asked the City Attorney, if a certified arborist attested that the tree presented a danger and needed to be removed, would that preempt all local regulations? City Attorney clarified that this would only apply if there was already a structure on the lot. Since the lot is vacant, that would not be the case.
 - d. Dawson Gooch, Representative – Present on behalf of Owner Coastal Life Homes, LLC. stated that other options had already been explored but they were undesirable. Swapping lots for a different parcel would mean at least

another month's delay to go before the City Commission. Requesting a variance into the rear setback would still result in damage to the tree's root system. Lee McLemore stated that doing so would likely result in the death of the tree. The Representative concluded that the Owner would be willing to pay the tree removal fee in order to retain the lot and proceed with development according to the approved site plan.

- e. Elizabeth Milliken questioned why the Owner did not purchase a different lot, knowing that this tree was located at 224 17th Street. Representative stated that the tree was surrounded by brush, and that it wasn't clear how large a tree it was. If the Owner had been aware of the tree, they would have purchased a different lot.
- f. Greg Golgowski asked City Planner if a recommendation had been made by the Tree Committee about this specific tree. City Planner confirmed that no such recommendation had been received.
- g. Motion to approve the issuance of a tree permit for the removal of the protected longleaf pine to allow development on the lot by Jim Bachrach; 2nd by Bobby Miller – Greg Golgowski opposed, motion carried 6-1.

2. Shed in front of Chapman Auditorium @ 155 Avenue E.

- a. Elizabeth Milliken brought this issue to the attention of the Board. She has spoken with other members of City Staff and would like the City to request that the shed be moved to a different location. The Chapman Auditorium is a historic building, and the placement of the shed in the front of the building detracts from it.
- b. City Attorney stated that improvements made to real property on government owned land for governmental purposes do not require approval from the Planning and Zoning Board. He further stated that requests to remove the shed should be directed to the Franklin County Commission.
- c. Jim Bachrach gave two examples of instances where Franklin County did bring their requests to the Planning and Zoning Board: the hospital and

the ABC school. He also mentioned the possibility of shed being relocated to a different lot.

- d. Joe Taylor stated that the Planning and Zoning Board does not have a role in the issue, nor authority to take any action.

Outstanding/Unresolved Issues:

N/A

Motion to adjourn the meeting by Jim Bachrach; 2nd by Bobby Miller.

All in favor – meeting adjourned at 7:22 P.M.