CITY OF APALACHICOLA

PLANNING AND ZONING BOARD

REGULAR MEETING

Monday, August 10th, 2026

City Meeting Room – 74 6th Street

Agenda

Attendance: Jim Bachrach, Myrtis Wynn, Elizabeth Milliken, Bobby Miller, Lee McLemore

Regular Meeting: 6:00 PM

1. Approval of July 13th, 2026 regular meeting minutes.
    a. Motion to approve by Bobby Miller; 2nd by Elizabeth Milliken – all in favor, motion carried.
2. Review, Discussion and Decision for Fence. **(R-2) @ 164 13th Street**. Block 139 Lot 2. Owner: Jeannie Walker; Contractor: Self.
    a. Jeannie Walker, Owner - Present. Summarized the request for a 6’ white vinyl fence in the side yard of her property, connected to the front façade of the house by a gate on each side. A carport and shed at the back of the property make it difficult to install a fence in the rear yard, so this request is only for a fence along each side.
        i. Myrtis Wynn asked about the trees on the left side of the property. Owner confirmed that those trees are on the neighbor’s property, or almost directly on the property line. The fence along this side the property will stop short of these trees accordingly.
    b. Motion to approve on the condition that the new fence must be entirely on the applicant’s lot by Bobby Miller; 2nd by Lee McLemore – all in favor, motion carried.
3. Review, Discussion and Decision for Certificate of Appropriateness & Fence. **(R-1) @ 110 14th Street**. Block 93 Lot 3. Owners: Mark McVey and Carol Cavallaro; Contractor: Big Scrimpin’.
    a. Owners and contractor not present. City Planner summarized staff report and application material.

b. Motion to approve on the condition that the new fence must be entirely on the applicant's lot by Lee McLemore; 2nd by Myrtis Wynn – all in favor, motion carried.

4. Review, Discussion and Decision for Accessory Structure. **(R-2) @ 197 14th Street**. Block 140 Lots 6-7. Owners: Michael and Constance Sams; Contractor: WaterLife Pools.
   a. Drew Roberston, Contractor - Present. Explained the return to the P&Z Board as a result of the conditional approval issued for this property at the May 11th meeting. The property owners have determined the exact size and location of the accessory pool, as requested.
   b. City Planner summarized staff report.
   c. Motion to approve by Elizabeth Milliken; 2nd by Myrtis Wynn – all in favor, motion carried.
5. Review, Discussion and Decision for Demolition and New Construction (Residential). **(R-2) 300 24th Avenue**. Block 229 Lots 9-10. Owner: Keturah Washington; Contractor: Byrdson Services.
   a. Keturah Washington, Owner – Present. Summarized the request to demolish the existing home and replace it with a new home.
      i. Myrtis Wynn asked if the new home would be placed on the same slab as the existing home. Owner clarified that the current structure is a mobile home, and that will be replaced with a site-built home.
      ii. Owner also confirmed that one dedicated parking area would be provided on the property, rather than in the City's right-of-way.
   b. Motion to approve on the condition that one parking spot must be provided on the property by Bobby Miller; 2nd by Lee McLemore – all in favor, motion carried.
6. Review, Discussion and Decision for Parking Plan & Sidewalk Seating Layout. **(C-1) @ 25 Avenue D**. Part of Block E-2 Lots 1-3. Owner: Star Step Capital Florida Properties LLC.; Contractor: N/A.
   a. Carrie Pool, Representative - Present. Summarized previous discussion with the City Code Enforcement Officer and Attorney. According to their

conversation, as long as ADA requirement are met, the seating layout as proposed could be approved. She stated that the Owner is willing to go beyond the minimum required by the ADA: the minimum requirements is 36” from the street curb to the stools and bar top, and the proposal is for 37”.

   i. Bobby Miller asked for clarification about the orientation of the drawing, and the relationship between the proposed stools and bar top, the building façade, and the curb. Representative explained the proposed seating layout.

b. City Attorney explained that this would be consistent with what has been permitted along this road: ADA requirements must be met and maintained. He further stated that, in the past, the travel lane has been between the chairs/stools and the front of the building, rather than forcing pedestrians to walk in between the chairs/stools and the curb. For restaurants specifically, the tables would be against the building; in that scenario, pedestrians would walk closer to the curb.

c. Elizabeth Milliken asked for more information about maintaining the walking space, specifically regarding the responsibility to keep it clear for pedestrian traffic. Who oversees keeping that space free and open? She expressed concern that when larger crowds gathered, pedestrians might be forced to walk in the street.

   i. City Attorney stated that City Code Enforcement and the Apalachicola Police Department keep an eye out on this issue. If businesses have repeated problems, there is a possibility for the sidewalk permit to be revoked.

d. Elizabeth Milliken asked what would be done if a similar request was made for a business on U.S. Highway 98. Bobby Miller stated that businesses on U.S. 98 have already had problems with pedestrians walking in the road.

        i. City Attorney clarified that if such an application came before the Board or City Staff, these safety concerns would be discussed accordingly.
    e. <u>Motion to approve by Myrtis Wynn; 2nd by Lee McLemore – all in favor, motion carried</u>.

7. Review, Discussion and Decision for Certificate of Appropriateness. **(RF) @ 125 Water Street**. Wharf Lots 15-16. Owner: Apalachicola Ventures LLC.; Contractor: GeoFlora Group LLC.
    a. Drew Robertson, Contractor - Present. Provided background information about the project. In the past there where three buildings on Wharf Lots 15 and 16. The southernmost (old cotton warehouse) building and the middle building were connected first years ago, followed by the northernmost (apartment) building. Today, all three of these buildings share the address 125 Water Street. Additionally, over the years, there has been a hodgepodge of different roof work done across all three buildings, including multiple shed roofs.
    b. Lee McLemore asked if there is any separation between the buildings, or if they are connected on ground level.
        i. Contractor stated that there is a through-way between the buildings now. He explained that the Owner requests to connect the second floor of the northern (apartment) and southern (warehouse) buildings, over the single-story middle building. The main existing roofline will remain unchanged, and the proposed gable roof will dead end into the northern building.
    c. Bobby Miller asked if the roof is the same level all the way across.
        i. Contractor stated that the roof is not the same level. He also added that the roof trusses of the northern building will need to be replaced, due to damage sustained by fire a few years ago. If necessary, the height of the roof of the northern building will be lower to meet the City’s height limit of 35 feet when the repairs are made.

d. Bobby Miller asked for confirmation that the breezeway will be between the north building second story and the southern building.
    i. Contractor stated that because the southern building is two stories, it is sensible to eliminate multiple sets of stairs by connecting the second stories of the two buildings via the breezeway. However, there will still be direct access to the second story of the southern building via existing stairs.
e. City Planner summarized the staff report, with emphasis on the sections describing the nonconforming and historic status of the building and the option to approve the requested work through the issuance of a Certificate of Appropriateness.
    i. Contractor explained that the decision to calculate the square footage of the building using the “under roof” area is a result of the numerous decks, roofs, etc. attached to the building. Approximately 1,000 square feet of roofs will be removed on the river side of the property as part of this project, thereby lessening the total amount of roof on the site. In his opinion, this work will improve the overall appearance of the site and better blend the second stories of the southern and northern buildings together, though he is not an architect.
        1. Lee McLemore agreed that the current building is a complete hodgepodge of roofs, decks, additions, etc. Jim Bachrach also agreed but emphasized that Boss Oyster is an important historic building.
f. Bobby Miller asked for additional information about the material used for this modification, so the Board can determine it will fit in with the existing character of the building.
    i. Contractor stated that the metal siding material which cannot be retained will be replaced with new artificially weathered siding to match. None of the new material utilized will look like new material. The Boss Oyster restaurant itself will utilize the same logo and the

same sign, albeit repainted. He stated that the intent of the project at this stage is to reopen the restaurant. Additionally, he added that the restroom will be removed from the northern building. There are tentative future plans to use the northern building as additional seating space for the restaurant. However, for the time being it will essentially be an empty box of a building.

g. Contractor clarified that if the roofline project is denied, it will not kill the project for the entire site.
    i. Jim Bachrach stated that it's critical for the project to move forward; the existing building has been a detraction on that area of the city for many years.
h. Bobby Miller asked for more information about potential future phases of this project, as the total property contains more than this building. Is the intent to stop the bleed on the Owner's finances for the time being by reopening Boss Oyster? What comes after that?
    i. Contractor stated that the plan is to reach for low-hanging fruit first. The other project tentatively planned for the near future involves restoring the Miller Marine facility. Work is also proposed for the Taranto seafood building, provided that the roof can be replaced without damage to the existing concrete walls. As far as the hotel is concerned, the idea is to reopen it as is, perhaps with interior renovations to increase the size of some rooms. In essence, this will be a multi-phase project.
i. City Attorney addressed the issue of the floodplain variance granted by the City Commission in June 2025: the variance only includes the southern building and the middle building, not the northern building. If a floodplain variance is required for the northern building, the Owner will have to return to the City Commission to request one.
    i. Contractor stated that if the cost of the renovation to the northern building does not exceed 50% of the assessed value of the building, a floodplain variance is not required. He does not expect

that the cost of the roof replacement will exceed this 50% cap. However, if it does the Owner will request a floodplain variance and fight that battle another day.

j. Susan Keith, Resident – Present. Stated her concern that the northern building is not a historic building and was not included in the approved floodplain variance from 2025. Additionally, she is concerned that the elevations for the current project and the elevations presented to the City Commission in June 2025 do not match. Would a new floodplain variance not need to be issued in this situation? She also expressed agreement that this building is an eyesore to the area, and that it must be improved. However, the City should be careful to follow all the necessary steps to do so properly.
    i. Contractor affirmed that all three buildings are attached; there are roofs that span the entire collective building. He also stated that the Owner is not required to obtain a floodplain variance for the northern building because the cost of the work will not exceed 50% of the value of the property.

k. City Attorney summarized that the Contractor recognizes the northern building is not part of the approved floodplain variance, and if it is required that will be something for the Owner to pursue in the future. Ultimately, it is up to the Owner to seek the variance or not. It would only be necessary if construction costs exceed 50% of the building's value, i.e., if the building department tells them the costs exceed 50%, then a variance would be required.

l. Despina George, Resident – Present. Questioned whether the previously approved variance is still valid given the new design. She also stated that the floodplain variance is intended to be for the minimum amount of work necessary to preserve the historic character of the building.
    i. City Attorney clarified that a floodplain variance approved by the Floodplain Administrator and the City Commission is not the same type of variance issued by the Board of Adjustment. It only applies

to historic structures that would, upon repair, no longer conform with elevation requirements. The City Planner also stated that the variance does not expire; it is intended to run with the title of the property once granted.

m. Bobby Miller stated that this specific property has been sitting for 8 years in a state of disrepair, and that other historic buildings in Apalachicola have completely deteriorated due to neglect and lack of appropriate action taken to protect them. In his view, if someone is willing to invest the money to rehabilitate this building and allow the previous use of the property to resume, he will be inclined to support it. While he acknowledges that the Board must be deliberate in their decision making, they must also do what they can to ensure that more of City's historic buildings are not lost.
n. Motion to approve by Bobby Miller; 2nd by Lee McLemore – all in favor, motion carried.

8. Review, Discussion and Decision for New Construction (Non-Residential). **(C-4) @ 01-09S-08W-8330-0000-00I1**. Block M Lots 1-3, 18-20, Part of Lots 4 and 17. Owner: City of Apalachicola; Contractor: Arris General Contractors.

a. John Griffin, Contractor - Present. Provided background information on the project and the site. The kiosk is proposed to be located at the corner of Dr. Martin Luther King Jr. Avenue and Market Street, across the street from the Orman House. The site can be accessed via the existing sidewalk on Market Street. In 2016, the City of Apalachicola signed on to be part of the Big Bend Scenic Byway, which runs from Apalachicola to St. Marks, through the Apalachicola National Forest and back to Tallahassee. In total for the project there will be 32 kiosks, eight of which will be larger 10' x 10' detached structure. The kiosk proposed for Apalachicola is one of these 10' x 10' structures. The kiosk will contain information about the Byway itself, as well as the specific area where the kiosk is located.
b. Jim Bachrach asked how this project is being funded.
    i. Contractor stated that a combination of grants from the Florida Department of Transportation (FDOT), Federal agencies, and

private contributions to the Big Bend Scenic Byway Authority are funding the project. The grant is being managed by Leon County, as they have the personnel capacity to do so. The project has been discussed and planned for around 20 years, though construction has only just started this year

c. Bobby Miller asked if the structure was preconstructed.
    i. Contractor confirmed it would be, and that it could best be described as a metal gazebo.
d. Jim Bachrach commented that in the 2016 agreement, the City Commission already set the project up for everything they would need.
e. Motion to approve by Bobby Miller; 2nd by Elizabeth Milliken – all in favor, motion carried.

Other/New Business:

1. **P&Z Board Member Feedback Questionnaire**.
    a. City Planner reminded Board Members to complete the feedback questionnaire by the next scheduled meeting in September. Electronic copies are available to Members upon request.

Outstanding/Unresolved Issues:

1. **Schedule Stormwater and Parking Workshops**.
    a. The City Commission approved the P&Z Board's request to workshop stormwater and commercial parking requirements. The Board decided to address parking first, followed by stormwater. The first of these workshops is tentatively scheduled for 5:00 P.M. on Monday, September 14th, before the regular meeting.

Motion to adjourn the meeting by Lee McLemore; 2nd by Bobby Miller.

All in favor – meeting adjourned at 7:25 P.M.