

**MINUTES OF THE REGULAR MEETING OF THE ESCAMBIA
COUNTY BOARD OF ADJUSTMENT**

Regular Meeting - October 19, 2022 - 8:30 AM

Escambia County Central Office Complex

3363 West Park Place, Room 104

1. Call to Order.

Present:	Willie Kirkland, Jr., Board Member Auby Smith, Chairman Marty Schack, Board Member Michael Godwin, Vice Chairman Jennifer Bass, Board Member
Absent:	Randy Ponson, Board Member Judy Gund, Board Member
Staff Present:	Horace Jones, Director, Development Services Andrew Holmer, Deputy Director, Development Services Rachel Whitmire, Administrative Assistant Kristin Hual, Deputy County Attorney

Chairman Smith called the Regular Meeting of the Board of Adjustment to order at 8:30 a.m.

2. Swearing in of Staff and acceptance of staff as expert witness

3. Acceptance of the BOA Meeting Package with the Development Services Staff Findings-of-Fact, into evidence.

Motion by Willie Kirkland, Jr., Seconded by Jennifer Bass

Motion was made to accept the October 19, 2022, BOA meeting packet.

Vote : 5 - 0 Approved

4. Proof of Publication and waive the reading of the legal advertisement.

Motion by Willie Kirkland Jr., Seconded by Jennifer Bass

Motion was made to waive the reading of the legal advertisement.

Vote : 5 - 0 Approved

5. Approval of Resume Minutes.

A. Approval of Resume Meeting Minutes from the September 28, 2022, Board of

Adjustment Meetings.

Motion by Willie Kirkland Jr., Seconded by Marty Schack

Motion was made to accept the September 28, 2022, BOA resume Meeting Minutes.

Vote : 5 - 0 Approved

6. Consideration of the following cases:

A. **Case No.: CU-2022-15**

Address: 2405 W Nine Mile Rd.
Request: To allow a drive-through within 200' of MDR zoning
Requested by: David Dichiara, Agent for Terra 9 Mile LLC, Owner

No BOA member acknowledged any ex parte communication regarding this item.

No BOA member acknowledged visiting the site.

No BOA member refrained from voting on this matter due to any conflict of interest.

Motion by Willie Kirkland, Jr., Seconded by Michael Godwin

Motion was made to accept Exhibit 1 into evidence.

Vote : 5 - 0 Approved

Motion by Marty Schack, Seconded by Michael Godwin

Motion was made to accept staff's findings of fact and grant the conditional use with the addition that protected trees remain, an 8 foot privacy fence, and any additional required vegetation for buffering.

Vote : 5 - 0 Approved

7. Discussion Items.

A. Sunshine Presentation

8. Old/New Business.

9. Announcement.

A. The next Board of Adjustment Meeting is scheduled for Wednesday, November 16, 2022, at 8:30 a.m., at the Escambia County Central Office Complex 104, 3363 West Park Place.

10. Adjournment.

There being no further business to come before the Board, Chairman Smith declared the Regular Meeting of the Board of Adjustment adjourned at 9:34 a.m.