

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

Regular Meeting - June 21, 2023 - 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
Michael Godwin, Vice Chairman
Marty Schack, Board Member
Jennifer Bass, Board Member

Absent: Randy Ponson, Board Member
Ross Padden, 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 Michael Godwin

Motion was made to accept the June 21, 2023, 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 May 17, 2023, Board of Adjustment Meeting.

Motion by Willie Kirkland Jr., Seconded by Jennifer Bass

Motion was made to accept the May 17, 2023, BOA resume Meeting Minutes.

Vote : 5 - 0 Approved

6. Consideration of the following cases:

A. **Case No.: CU-2023-07**

Address: 1600 Toni St.
Request: To allow townhouses in Medium Density Residential zoning
Requested by: Wiley C. "Buddy" Page, Agent for Father Daughter Properties, LLC, Owner

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

No BOA member acknowledged visiting the site. Michael Godwin noted he is familiar with the surrounding area.

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

For the record, a petition was presented, but not accepted by the Board of Adjustment as evidence.

Motion by Jennifer Bass, Seconded by Marty Schack

Motion was made to accept staff's findings of fact and grant the conditional use.

Vote : 2 - 3 Motion fails

Voted No : Marty Schack, Michael Godwin, Willie Kirkland, Jr.

Motion by Michael Godwin, Seconded by Marty Schack

Motion was made to deny staff's findings of fact and deny the Conditional Use request based on the proposal is out of character and incompatible with the Toni Street dwellings as they exist now.

Vote : 4 - 1 Denied

Voted No : Jennifer Bass

B. Case No.: CU-2023-09

Address: 1841 Kings Way Dr.
Request: To allow an accessory dwelling on a lot less than two acres
Requested by: David Toler and Cynthia Toler, Owners

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 Michael Godwin, Seconded by Willie Kirkland, Jr.

Motion was made to accept staff's findings of fact and grant the conditional use.

Vote : 5 - 0 Approved

C. Case No.: V-2023-02

Address: 1841 Kings Way Dr.
Request: request to reduce the required side yard setback from 14.5' to 10.0' for the construction of a detached single-family dwelling
Requested by: David Toler and Cynthia Toler, Owners

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 staff's findings of fact and grant the variance.

Vote : 5 - 0 Approved

7. Discussion Items.

8. Old/New Business.

9. Announcement.

- A. The next Board of Adjustment Meeting is scheduled for Wednesday, July 19, 2023, 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 10:08 a.m.