

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

Regular Meeting - April 17, 2024 - 8:30 AM

Escambia County Central Office Complex

3363 West Park Place, Room 104

1. Call to Order.

Present:

Willie Kirkland, Jr., Board Member

Ross Padden, Board Member

Michael Godwin, Chairman

Jennifer Bass, Vice Chairman

Auby Smith, Board Member

Marty Schack, Board Member

Absent:

Randy Ponson, Board Member

Staff Present:

Horace Jones, Director, Development
Services Department

Andrew Holmer, Deputy Director,
Development Services Department

Caleb MacCartee, Urban Planning Manager

Allyson Lindsay, Urban Planner II

Christina Smith, Urban Planner I

Rachel Whitmire, Development Services
Coordinator

Kristin Hual, Deputy County Attorney

Chairman Godwin 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 Auby Smith

Motion was made to accept the April 17, 2024, BOA meeting packet.

Vote : 6 - 0 Motion carried unanimously

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 : 6 - 0 Motion carried unanimously

5. Approval of Resume Minutes.

A. Approval of Resume Meeting Minutes from the March 20, 2024, Board of Adjustment Meeting.

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

Motion was made to accept the March 20, 2024, BOA resume Meeting Minutes.

Vote : 6 - 0 Motion carried unanimously

6. Consideration of the following cases:

A. **Case No.: CU-2024-04**

Address: 1800 Patricia Ave

Request: To allow liquor sales in a separate building on site in LDMU zoning

Requested by: Meredith Bush, Agent for Everest Commercial Investments, 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 Auby Smith, Seconded by Ross Padden

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

Vote : 5 - 1 Motion passes

Voted No : Jennifer Bass

B. **Case No.: V-2024-01**

Address: 335 Deerfoot Ln

Request: A front setback variance

Requested by: John Hollihand, Jr., 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 Ross Padden, Willie Kirkland, Jr.

Motion was made to overturn staff's recommendation on criteria 2 and 5 and approve the variance request with the condition that the owner accepts all responsibilities.

Vote : 2 - 4 Motion fails

Voted No : Michael Godwin, Jennifer Bass, Auby Smith, and Marty Schack

Motion by Marty Schack

Motion was made to continue the case to next month to have a site visit and present the case to Public Works.

Motion failed due to lack of second.

Motion by Jennifer Bass, Seconded by Auby Smith

Motion was made to accept staff's findings and deny the variance based on criteria 2, 5, and 6.

Vote : 4 - 2 Motion carries

Voted No : Willie Kirkland, Jr. and Ross Padden

C. Case No.: CU-2024-07

Address:	6500 N Hwy 29
Request:	To allow a retail store greater than 6,000 sq ft in RMU zoning
Requested by:	Kasey Feltner, Agent for Ron Scott and Laure Scott Trustees for Ron G Scott Revocable Living Trust Dated September 10, 2013, 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 Marty Schack

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

Vote : 6 - 0 Motion carried unanimously

D. Case No.: CU-2024-08

Address: 11236 Seaglade Dr

Request: To allow an accessory structure in the front yard of a waterfront lot

Requested by: Lindsay Owens, Agent for Sharon Cook, 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 Auby Smith, Seconded by Willie Kirkland

Motion was made to accept Mr. Krause's photos of the property into evidence.

Vote : 6 - 0 Motion carried unanimously

Motion by Michael Godwin, Seconded by Auby Smith

Motion was made to overturn staff's findings of fact based on criteria a, d, e, and i, and deny the conditional use request.

Michael withdraw's his motion

The applicant requested to withdraw the application.

E. Case No.: CU-2024-09

Address: 4825 Mobile Hwy

Request: To allow a restaurant not among the permitted uses
Requested by: Fred Chouinard, Agent for Gulf States Storage of Mobile Hwy, 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 Auby Smith, Willie Kirkland, Jr.

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

Vote : 6 - 0 Motion carried unanimously

7. Discussion Items.

8. Old/New Business.

9. Announcement.

- A. The next Board of Adjustment Meeting is scheduled for Wednesday, May 15, 2024, 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 Godwin declared the Regular Meeting of the Board of Adjustment adjourned at 11:52 a.m.