

Town of Callahan
'A Florida Municipality'
Zoning Board Meeting Minutes
March 13, 2023

Present at meeting: Mr. Kirk, Mr. Mellecker, Mr. Bryan, Mrs. Piipke, Mr. Williams, Ms. Pearce and Mr. Blue III with Mr. Schwend on the phone.

Absent:

- I. **Call to Order** – Mr. Kirk at 7:00 PM
- II. **Pledge of Allegiance & Invocation** – **Mr. Bryan**
- III. **Minutes** – Motion to approve minutes – **Mr. Bryan**
2nd the motion – **Mr. Blue III**
Motion carried
- IV. **Persons wishing to Address the Board** – Richard Johns Jr 45222 East Holly Trail Callahan Florida 32011
- V. **Business** – Hagan Ace Hardware wants to remove chain link fence.
Public Hearing for a Zoning Variance @ 45121 Mickler St.
- VI. **Regular Meeting**
 - **Mr. Kirk** – No one is here to represent; we still need to discuss.
 - **Mr. Williams** – Skip pass this get the other thing done and then go back to that.
 - **Mr. Kirk** – Closed regular meeting and opened the public hearing.
- VII. **Mr. Johns Jr.** – We are under construction with a new family residence we split 1 piece of land into 4 individual lots. The lots are 50 feet across the front so we built the residence thinking 50 foot across the front our site plan shows 11 ½ feet on one side and because there is a 10 foot setback so we figured 11 ½ feet and a 27 foot house and 11 ½ feet on the other side 50 feet total. We have already poured the slab, framed the house and put the roof on. After that we have to submit for a slab foundation survey so the bank is satisfied once we did that we realized those lots aren't actually 50 foot wide it's 50 foot frontage but it is on an angle which narrows the lot to around 47 ½ feet. When we measured we only had 7.2 feet on the one side so we have now encroached on the setback. We are asking is there any way we can get a variance so that we don't have to tear the house down and rebuild it. It was an innocent mistake, so I ended up to close on that one side.
 - **Mr. Williams** – What he is seeking from the town is a variance on that 10 foot setback it's a little less than 3 foot. We field measured it the code reads from the supporting wall, and it measures out about 7.3- 7.4 so he didn't meet the setback on that side.
 - **Mr. Kirk** – I will close the public hearing and open the regular meeting.

VIII. Motion to approve the Variance by **Mr. Blue III**

- **Mr. Bryan** – I am not sure I can Mike, I know the property owner next to his is Ed Cobb, he is my full time employer.
- Mr. Bryan recused himself due to ethical concerns. Mrs. Pearce requested that Mr. Schwend come up to town hall because he couldn't vote on the phone.

IX. Mr. Schwend comes in and a discussion around the table reiterating the reason for the variance and who if anyone that it will affect. A variance is property by property. Because he doesn't meet the setback it becomes a non-conforming use. Mr. Bryan filled out Form 8B, Memorandum of voting conflict.

X. 2nd the motion by **Mr. Schwend**
No one opposed.
Motion Carried

XI. **Mr. Kirk** – Next on the agenda is Hagan Ace, no one is here to discuss what he is asking for.

Mr. Williams – Originally when this board approved his site plan, somebody came from Amhurst Oaks and made a comment that they didn't want to see the building so at that point Mr. Hagan agreed to put a fence up. By code he isn't required to put a fence up because his property does not abut a residential property. But he did agree to that in the original documents. What he is asking for now after looking at everything is to get rid of the fence and plant some additional trees, he has a landscape plan that he has supplied to add extra trees back there and our code does say that it can be foliage. The best thing at this point since there doesn't appear to be a consensus on what needs to be done is to continue the public hearing for a later date.

XII. Motion to table this until a representative is here on behalf of Hagan Ace by **Mr. Bryan**
2nd the motion by **Mr. Blue III**
No one opposed.
Motion Carried

- **Mr. Williams** – I forgot to put this on the agenda so I will put it on the agenda for our next meeting is our 5-year Capital Improvement plan.

XIII. **Adjourn**

- Motion to adjourn by **Mr. Bryan** and 2nd by **Mr. Blue III**
- No one opposed.
- Motion Carried
- Time: **7:35 pm**


Mr. Mellecker, Acting Zoning President


Lorna Piipke