

**Gadsden County Board of County Commissioners
Planning Commission Meeting**

MINUTES

**Thursday, April 11, 2013
4:00p.m.**

**Board of County Commissioners Meeting Room
7 East Jefferson Street
Quincy, Florida**

Present: Commissioner Regina Davis, At - Large Member, Chair
Commissioner Edward Allen, Vice – Chair
Commissioner Dr. Gail Bridges – Bright
Commissioner Diane Sheffield
Commissioner Larry Ganus
Commissioner Mari VanLandingham
Commissioner David Tranchand
Commissioner Frank Rowan
Commissioner William Chukes
Commissioner Catherine Robinson
Commissioner Ed Dixon
Anthony Matheny, Planning & Community Development Director
Willie Brown, Gadsden County Planning Principal Planner
Beryl H. Wood, Deputy Clerk

Absent: Commissioner Isaac Simmons, School Board Representative

**There were technical difficulties with the recording of this meeting.*

1. PLEDGE OF ALLEGIANCE

Chair Davis called the meeting to order at 6pm with a quorum and led in the Pledge of Allegiance to the U.S. Flag.

2. INTRODUCTION OF MEMBERS/ROLL CALL

Each member present stated his or her name and district for the record.

3. APPROVAL OF MINUTES – MARCH 14, 2013

UPON MOTION BY COMMISSIONER DIXON AND SECOND BY COMMISSIONER CHUKES, THE COMMISSION VOTED 11 – 0, BY VOICE VOTE, FOR APPROVAL OF THE MARCH 14, 2013 MINUTES WITH THE NECESSARY CORRECTIONS AS PROVIDED TO THE DEPUTY CLERK.

4. DISCLOSURES AND DECLARATIONS OF CONFLICT

Commissioner Ganus disclosed that he had a telephone discussion with one of residents about

Country Boys Oyster Bar & Pub. Commissioner Allen informed the Board he did attend Citizen Bill of Rights meeting that was held for the Country Boys Oyster Bar & Pub.

5. PUBLIC HEARING – COUNTRY BOYS OYSTER BAR & PUB (SE -2013-01, SP-2013-02) – A Special Exception Use with Site Plan is requested to allow a 964 covered deck expansion to the existing 1,692±square foot restaurant located at 38 Alma Yates Street, Quincy, as a Neighborhood Commercial Use. The applicant is also requesting that the Board of County Commissioners approve the sale of alcoholic beverages at this location pursuant to Subsection 4202.C.3 of the Gadsden County Land Development Code. (BOCC 05/07/13)

Mr. Matheny commented on the Country Boys Oyster Bar & Pub with an overview. He mentioned Country Boys location has had a couple of names, with the last one being Goobers. The current owners have decided to go back to the original name of Country Boys Oyster Bar & Pub. “They have been talking to us for quite a while about developing the property and doing whatever we have asked them to do. They could have gone in opened up the restaurant as a matter of right, but that wasn’t the issue. The issue is alcohol sales, which have to be approved by the Board.” They are planning on alcohol sales and the applicant is here to speak more on this issue. He referenced Commissioner Allen’s statement on the Citizen’s Bill of Rights, which was required and it was held out at the property. He said he wasn’t told of anyone having any problems. They are adding a deck and fence to provide privacy on the northside and the Building Official sees no problem with that addition. They would like to have music occasionally, but would keep it to a minimum and it would be nothing to disturb the neighbors. He expressed it looked like a great project with a new business opening up giving tax revenue to the County is a positive addition and giving residents a dining opportunity.

Chair Davis called for comments.

- Jan Godwin, 1010 Talquin Avenue, stated she lived within half circle of the restaurant. She shared was at the Citizens Bill of Right’s Meeting and voiced she did object. She pointed out she was all for the restaurant and has supported all the previous ones as well. However, she is not in favor of a bar at that location.
- James Sizemore, 64 Davis Avenue, commented he is in the house directly across the streets from the Country Boys location. He voiced his Uncle Frank built the restaurant many years ago. He said he was not objecting to restaurant, just the alcohol.

Commissioner Allen commented he had been a customer of the restaurant for years and has never seen anyone intoxicated or there being any problems. He said the establishment would close down at 11pm.

- Bev Padgett, Lake Talquin resident who lives by the restaurant, worked at the previous Country Boys Restaurant and voiced there was never a problem.
- Danny Collins, owner, purchased Country Boys it would be a restaurant that serves alcohol and have food. He said there would not be loud music and would be a respectable establishment.

Commissioner Ganus asked Mr. Collins did he have his liquor license.

Mr. Collins stated he does not have his liquor license, but is working on it. He disclosed “in this economy you need to be able to offer more than food to stay in business and survive.”

Commissioner Chukes commented on limiting the music to a 1 man band.

Commissioner Vanlandingham commented on how in the past, were they able to bring your own bottle (BYOB) restaurant. She asked what type of alcoholic license they had.

Commissioner Allen responded there was no alcoholic license, “They just did it.”

Commissioner Dixon complemented the restaurant and the need for something in area.

Commissioner Ganus inquired about the write up report, “where it stated the existing building was 2,419± square foot and we are adding an 864± covered deck expansion and it my understanding that neighborhood commercial is limited to 2,000 maximum gross square feet. A small restaurant seating no more than 35 people.” He asked how many people they planned on seating.

Mr. Matheny said he was not sure what the seating would be at this establishment, but since the restaurant was already there it is given credit for that, the property is grandfathered in.

Commissioner Ganus so what they have with neighborhood commercial does not apply in this case.

Mr. Matheny replied “he was grandfathered on the structure.”

Commissioner Ganus then inquired more about the seating capacity.

Chair Davis asked would in effect the parking.

Mr. Matheny responded there would be parking in front and some in the back of the restaurant. He mentioned the fencing that would occur in the back.

Mr. Collins said the seating capacity is around 60 people. He stated he had gotten with the health department and partnered with Magnolia Engineering to come in and place an additional septic tank on the back side of the property. They are doing analysis engineering on the property now.

Commissioner Ganus asked was the request to exceed the 35 seating capacity, made in this special exception. He inquired did it need to be.

Mr. Matheny explained it did not because it was grandfathered in, because it had not been closed more than 3 years.

UPON MOTION BY COMMISSIONER VANLANDINGHAM AND SECOND BY COMMISSIONER ALLEN, THE COMMISSION VOTED 11 – 0, BY VOICE VOTE, TO RECOMMEND OPTION 1, APPROVAL OF THE “COUNTRY BOYS OYSTER BAR & PUB SPECIAL EXCEPTION USE WITH SITE PLAN REVIEW” TO ALLOW THE SALE OF ALCOHOLIC BEVARAGES AND AN 864±COVERED DECK EXPANSION TO THE EXISTING 2,419± SQUARE FOOT RESTAURANT LOCATED AT 38 ALMA YATES STREET BASED ON THE FINDINGS IN THIS AGENDA REPORT WITH THE FOLLOWING CONDITION:

- a.) All privacy fences are to be six (6) foot tall. Require the continuance of a six (6) foot privacy fence along the property line on Alma Yates Street, from the front fence (vicinity of parking space five (5) approximately 50” to the driveway.**

Chair Davis thanked everyone for their attendance and expressed to the applicant Mr. Collins to adhere and try to find friendly compromise with the residents who voiced their concern.

6. PUBLIC COMMENTS

There were no additional public comments.

7. P&CD DIRECTOR’S COMMENTS

Mr. Matheny reminded the Commission of the upcoming May meeting which was scheduled for May 16, 2013 but they moved up to May 9, 2013 due back to back County Commission Meetings and turnaround of information needing to go to DEO.

- **April 26, 2013 (Friday)8:00am - 4:30pm Planning Commission Training Session at the Quincy Library**
- **May 9, 2013, Planning Commission next meeting**
- **May 21, 2013, BOCC Workshop at 4:00pm**
- **June 4, 2013, BOCC Public Hearing**

8. ADJOURNMENT

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE CHAIR
DECLARED THE MEETING ADJOURNED AT 6:24 P.M.**

GADSDEN COUNTY, FLORIDA

**REGINA DAVIS, CHAIR
PLANNING COMMISSION**

ATTEST:

**BERYL H. WOOD, Deputy Clerk for
NICHOLAS THOMAS, Clerk of the Court
Gadsden County, Florida**