

BOARD OF ADJUSTMENT & APPEALS MINUTES

April 10, 2017

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The City of Foley Board of Adjustment & Appeals held a regular scheduled meeting on April 10, 2017 at 5:30 pm in the Council Chambers of City Hall located at 407 E. Laurel Avenue. Members present were: Vernie Heard, Montie Clark, Jack Kimsey, Jerry Wilkey, Terry Young and George James. Staff present were: Miriam Boutwell, City Planner, and Melissa Ringler, Recording Secretary.

Chairman Jack Kimsey called the meeting to order at 5:30 p.m.

MINUTES:

Approval of the minutes for the March 13, 2017 meeting.

Montie Clark made a motion to approve the March 13, 2017 meeting minutes. Vernie Heard seconded the motion. All members voted aye.

Motion to approve the March 13, 2017 meeting minutes passes.

NEW BUSINESS & PUBLIC HEARING:

1. Jacob Waters- Use Permitted on Appeal

The City of Foley Board of Adjustment and Appeals has received a request for a Use Permitted on Appeal for Article 7.3.1B, manufacturing incidental to a retail business where articles are sold at retail on the premises in a B-1 zone. Property is located at 106 N. Alston St. and 116 W. Laurel Ave. Applicant is Jacob Waters.

Chairman Jack Kimsey moved the item to last on the agenda due to the applicant not being present.

Ms. Miriam Boutwell explained the brewing manufacturing would be in the back portion of the space. She stated they will also be doing wholesale and retail of the items on premises.

Chairman Jack Kimsey stated the back portion of the building is two stories.

Montie Clark asked if the space opens up onto the alley.

Ms. Boutwell stated there is a side door that opens into the alley.

Chairman Jack Kimsey asked if there had been any communication from the public, staff replied no.

Montie Clark made a motion to approve the use permitted on appeal. Terry Young seconded the motion. Roll call vote: Vernie Heard, aye; Montie Clark, aye; Jack Kimsey, aye; Jerry Wilkey, aye; Terry Young, aye; and George James, aye.

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Motion to approve the requested use permitted on appeal passes.

2. Gallery Fifty Nine, LLC-Variance

The City of Foley Board of Adjustment and Appeals has received a request for a variance to Article 9.7C, allowable maximum sign face area for a multi-tenant locator sign in a B-1A. Property is located at 2066 S. McKenzie St. Applicant is Gallery Fifty Nine, LLC.

Mr. Wade Wright explained they had lost a tenant which was occupying a 3,000 square foot space. He stated due to tenant demand for smaller spaces they have divided the 3,000 square foot vacant space into three spaces. He explained one of the three spaces have been leased with a letter of intent on another. He stated they are not requesting to change the dimensions of the sign but are requesting to add additional panels to the bottom for the new tenant spaces.

Chairman Jack Kimsey asked if there had been any communication from the public, staff replied no.

George James made a motion to approve the requested variance. Montie Clark seconded the motion. Roll call vote: Vernie Heard, aye; Montie Clark, aye; Jack Kimsey, aye; Jerry Wilkey, aye; Terry Young, aye; and George James, aye.

Motion to approve the requested variance passes.

3. Foley Hotel One, LLC.- Variance

The Board of Adjustment and Appeals has received a request for a Variance for Article 9.7A, maximum allowed wall signage height of 25' or roofline whichever is less in a PDD zone. Requested variance is for a 45'+/- sign height for property located at 995 E. Pride Dr. Applicant is Foley Hotel One, LLC.

Ms. Gloria Boatwright explained they are requesting a variance in order to place the signage on the top portion of the four story hotel. She stated the sign height requested is 45' which is similar to other hotels in the area and is needed for visibility.

Montie Clark asked if the signage is standard hotel signage.

Ms. Boatwright stated it is the Marriott standard hotel signage.

Chairman Jack Kimsey asked if there had been any communication from the public, staff replied no.

Vice-Chairman Vernie Heard made a motion to approve the requested variance. Terry Young seconded the motion. Roll call vote: Vernie Heard, aye; Montie Clark, aye; Jack Kimsey, aye; Jerry Wilkey, aye; Terry Young, aye; and George James, aye.

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Motion to approve the requested variance passes.

4. Wrico Signs Inc.- Variance

The Board of Adjustment and Appeals has received a request for a Variance for Article 9.7A, maximum allowed wall signage height of 25' or roofline whichever is less in a B-1A zone. Requested variance is for a 28'+/- sign height for property located at 2980 S. McKenzie St. Applicant is Wrico Signs, Inc.

Mr. Moyer explained they are requesting a variance for the signage height which is a Ford design standard.

Chairman Jack Kimsey asked if there had been any communication from the public, staff replied no.

George James made a motion to approve the requested variance. Vice-Chairman Vernie Heard seconded the motion. Roll call vote: Vernie Heard, aye; Montie Clark, aye; Jack Kimsey, aye; Jerry Wilkey, aye; Terry Young, aye; and George James, aye.

Motion to approve the requested variance passes.

5. Elijah & Janet Owens- Use Permitted on Appeal

The City of Foley Board of Adjustment and Appeals has received a request for a Use Permitted on Appeal for Article 7.5B, any use permitted in a B2 district - places of amusement and assembly. Property is zoned M1 and located at 11746 Foley Beach Express. Applicant is Elijah and Janet Owens.

Mr. Elijah Owens explained they are requesting a use permitted on appeal to open an indoor shooting facility which will be a five star, state of the art facility with high security, restaurant area and retail sales.

Chairman Jack Kimsey asked about the size of the building.

Mr. Owens explained the building is 110,000 square feet which they will only be using a portion of at this time with more phases to come in the future.

Chairman Jack Kimsey asked if there had been any communication from the public, staff replied no.

Vice-Chairman Vernie Heard made a motion to approve the use permitted on appeal. Terry Young seconded the motion. Roll call vote: Vernie Heard, aye; Montie Clark, aye; Jack Kimsey, aye; Jerry Wilkey, aye; Terry Young, aye; and George James, aye.

Motion to approve the requested use permitted on appeal passes.

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ADJOURN:

Vice-Chairman Vernie Heard made a motion to adjourn at 5:40 p.m. Montie Clark seconded the motion. All Commissioners voted aye.