

# BOARD OF ADJUSTMENT & APPEALS MINUTES

December 11, 2017

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The City of Foley Board of Adjustment & Appeals held a regular scheduled meeting on December 11, 2017 at 5:30 p.m. 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; Amanda Cole, Planning and Zoning Assistant; 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 November 13, 2017 meeting.

George James made a motion to approve the November 13, 2017 meeting minutes. Vice-Chairman Vernie Heard seconded the motion. All members voted aye.

**Motion to approve the November 13, 2017 meeting minutes passes.**

## **NEW BUSINESS & PUBLIC HEARING:**

### **1. Edmon Motes- Variance**

The City of Foley Board of Adjustments and Appeals has received a request for a variance for Article 14.1.4,D to allow a 10'+/- street side yard setback in a R-1C zone. Property is located at 269 W. Section Ave. Applicant is Edmon Motes.

Mr. Chris Govan explained he is requesting a street side yard variance. He stated when the plat was done the street side yard setback was not taken into account.

Chairman Jack Kimsey stated he had went by the property and thanked Mr. Govan for the clearer site plan that was provided as requested.

Montie Clark asked if the 49'.9" indicated on the site plan was the measurement to the edge of the pavement.

Mr. Govan explained the 49'.9" is the distance between the property line and the proposed house.

Ms. Miriam Boutwell explained the required side yard setback is 30' they are requesting a 20' variance which would make the side yard setback 10'.

Chairman Jack Kimsey stated one correspondence had been received in opposition of the request from Mae Scott resident of 221 W. Camphor Ave. He asked if there had been any other communication from the public, staff replied no.

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Jerry Wilkey asked if the fence on the east side of the property is on the property line.

Mr. Govan answered yes.

George James 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.

**Motion to approve the requested variance passes.**

## **2. David Blanchard- Use Permitted on Appeal**

The City of Foley Board of Adjustment and Appeals has received a request for a use permitted on appeal to article 17.1.2,B allowing a self-storage warehouse in a B-1A zone. Property is located at 2801 S. McKenzie St. Applicant is David Blanchard.

Mr. David Blanchard stated he is asking for a use permitted on appeal to allow self storage facilities on the two parcels. He stated he will not be the end user and will be selling the property to Brumfield Properties who owns and operates six storage facilities in Mississippi.

Chairman Jack Kimsey asked if the blue buildings indicated on the drawings provided were new proposed buildings.

Mr. Blanchard stated the blue buildings will be new and the existing building would be used for offices and supplies.

Chairman Jack Kimsey asked how many new buildings would be added.

Mr. Wes Mink stated there will be a total of 5 buildings each consisting of 100 to 150 inside climate controlled storage units. He stated there may be some outside units around the perimeter and they will also be providing RV storage. He stated the number of units and spaces may change once they get into the development of the property.

Montie Clark asked if they would be under one roof.

Mr. Mink explained there will be approximately 5 separate buildings. He stated they do them in separate buildings to make them more accessible and fire code requirements require alarms and sprinklers if all under one roof.

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

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Jerry Wilkey made a motion to approve the requested use permitted on appeal. Montie Clark seconded the motion. Roll 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.**

### **3. New Fellowship Worship Center- Use Permitted on Appeal**

The City of Foley Board of Adjustment and Appeals has received a request for a use permitted on appeal to article 13.1.2, D allowing a childcare facility in a R-4 zone. Property is located at 17535 Little Rock Rd. Applicant is New Fellowship Worship Center.

Ms. Linda McGowin stated she was not aware they need to get an approval from the Board of Adjustment and Appeals until DHR had requested a copy of their approval. She explained they have been operating the childcare center for a several years.

Chairman Jack Kimsey stated he has visited the site which was very nice. He asked if there had been any communication from the public, staff replied no.

Vice-Chairman Vernie Heard made a motion to approve the requested Use Permitted on Appeal. 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 Use Permitted on Appeal passes.**

### **4. Adoption of the By-Laws for the 2018 Calendar Year**

Jerry Wilkey made a motion to adopt the by-laws for the 2018 calendar year. Vice-Chairman Vernie Heard seconded the motion.

Roll vote: Vernie Heard, aye; Montie Clark, aye; Jack Kimsey, aye; Jerry Wilkey, aye; Terry Young, aye; and George James, aye.

**Motion to adopt the by-laws for the 2018 calendar year passes.**

### **5. Election of Officers for the 2018 Calendar Year**

Montie Clark made a motion to nominate the same officers as last year, Jack Kimsey for Chairman and Vernie Heard for Vice Chairman. George James seconded the motion.

Roll vote: Vernie Heard, aye; Montie Clark, aye; Jack Kimsey, aye; Jerry Wilkey, aye; Terry Young, aye; and George James, aye.

**Motion to nominate Jack Kimsey as Chairman and Vernie Heard as Vice Chairman passes.**

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**ADJOURN:**

Montie Clark made a motion to adjourn at 5:44 p.m. Vice Chairman Vernie Heard seconded the motion. All members voted aye.

**Motion to adjourn at 5:44 p.m. passes.**