

BOARD OF ADJUSTMENT & APPEALS MINUTES

November 14, 2016

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The City of Foley Board of Adjustment & Appeals held a regular scheduled meeting on November 14, 2016 at 5:30 pm in the Council Chambers of City Hall located at 407 E. Laurel Avenue. Members present were Montie Clark, Jack Kimsey, Terry Young, and George James. Absent members were: Vernie Heard, Jerry Wilkey and Joseph Bullard. Staff present were: Miriam Boutwell, City Planner and Melissa Ringler, Recording Secretary.

MINUTES:

Approval of the minutes for the October 10, 2016 meeting.

George James made a motion to approve the minutes for the October 10, 2016 meeting. Montie Clark seconded the motion. All members voted aye.

Motion to approve the minutes of the October 10, 2016 meeting passes.

NEW BUSINESS & PUBLIC HEARING:

1. Wrico Sign Co.- Variance

The Board of Adjustment and Appeals has received a request for a Variance for Article 9.7B, maximum allowed wall signage height of 20' or roofline whichever is less in a PDD zone. Requested variance is for a 27'+/- sign height for property located at 2498 S. McKenzie St. Applicant is Wrico Sign Co.

Mr. Wade Wright with Wrico Sign Co. stated they are requesting a variance for the PetSmart signage to be located at 2498 S. McKenzie St. He explained the request is for the wall signage which will be placed on the building at a height of 27' instead of the allowed 20'. He stated the square footage is below the allowed amount and the request is similar to the neighboring tenant's signage height.

Montie Clark asked if the requested signage is the standard signage for the company.

Mr. Wright stated it is the standard other than maybe adoption or something similar.

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

Motion to approve the requested variance passes.

2. Curt Phillips- Variance

The City of Foley Board of Adjustment and Appeals has received a request for a variance to Article 7.2.4D required side yard setback in a R-1C zone. Requested variance from a required 10' to a 5'+/- for property located at 2081 Bourbon St. Applicant is Curt Phillips.

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Applicant was not present.

Jack Kimsey explained the request is for an attached single car garage.

Ms. Miriam Boutwell explained in this zone if they were adding an open carport a 5' side yard setback would be allowed. She stated since the garage is attached and enclosed they are required to meet the 10' side yard setback.

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

Motion to approve the requested variance passes.

3. R-Square Global- Variance

The City of Foley Board of Adjustment and Appeals has received a request for a variance to Article 7.2.5D required side yard setback in a R-1D zone. Requested variance from a required 10' to a 7.5'+/- and 2.5'+/- for multiple parcels located between US 98 and Charolais Rd., west of County Rd. 65. Applicant is R-Squared Global.

Mr. Barry Dees with R-Square Global explained the subdivision received preliminary approval in 2006 then the economy took a down turn and the bank ended up with the property and the subdivision was never completed. He stated sewer and curbing were installed and the only thing lacking for final approval was the final layer of asphalt and finishing the storm water boxes. He explained the decision was made by the developer to have the property annexed into the city limits and the Planning Commission has granted preliminary approval. He stated when the subdivision was originally created the drainage areas were easements and with new city regulations the easements are now required to be common areas which reduces the lot sizes and created unusable lots. He explained the requested variance is only for the lots that were affected by the addition of the required common areas.

Ms. Boutwell explained Mr. Dees has met with City staff multiple times and the requested variance will not create any type of code violations.

Montie Clark asked if the streets and lot sizes are still the same as the previous subdivision.

Mr. Dees stated the street widths will remain the same. He explained some of the lot sizes will be reduced in size from the originally approved subdivision due to the addition of the required common areas.

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

Motion to approve the requested variance passes.

Ms. Boutwell explained staff is requesting to change the deadline previously scheduled for December 16 at noon to December 15 at noon due to City offices closing early on December 16.

Terry Young made a motion to approve the request to change the deadline from December 16 at noon to December 15 at noon. Montie Clark seconded the motion. All members voted aye.

Motion to approve the request to change the deadline from December 16 at noon to December 15 at noon passes.

4. Adoption of Proposed Meeting Schedule for 2017

Montie Clark made a motion to approve the adoption of the 2017 meeting schedule. Terry Young seconded the motion. All members voted aye.

Motion to approve the adoption of the 2017 meeting schedule passes.

ADJOURN:

Montie Clark made a motion to adjourn at 5:44 p.m. Terry Young seconded the motion. All members voted aye.