

BOARD OF ADJUSTMENT & APPEALS MINUTES

September 12, 2016

1 of 2

The City of Foley Board of Adjustment & Appeals held a regular scheduled meeting on September 12, 2016 at 5:30 pm in the Council Chambers of City Hall located at 407 E. Laurel Avenue. Members present were Vice-Chairman Vernie Heard, Montie Clark, Chairman Jack Kimsey, Jerry Wilkey, Terry Young, and George James. Absent member was Joseph Bullard. Staff present was Melissa Ringler, Recording Secretary.

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

MINUTES:

Approval of the minutes for the August 8, 2016 meeting.

Jerry Wilkey made a motion to approve the minutes of the August 8, 2016 meeting. Terry Young seconded the motion. All members voted aye.

Motion to approve the minutes of the August 8, 2016 meeting passes.

Chairman Jack Kimsey stated the Board would move to agenda item #2 due to the applicant not being present for item #1 and to give the applicant time to arrive.

NEW BUSINESS & PUBLIC HEARING:

1. Calvary Chapel Fellowship of Foley- Use Permitted on Appeal

The City of Foley Board of Adjustment and Appeals received a request for a use permitted on appeal to Article 7.1.2D allowing a church and a childcare facility in a M1 zone. Property is located south of Underwood Rd and east of County Rd. 65. Applicant is Calvary Chapel Fellowship of Foley.

Mr. David Lindsey explained the church is purchasing the land and hope to have it paid off within two years and then begin construction of the Church. He stated they are a community based church and offer a lot of community outreach programs

Vice-Chairman Vernie Heard made a motion to approve the requested use permitted on appeal. Jerry Wilkey 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.

2. Russell and Sandra Brown- Variance and Use Permitted on Appeal

The City of Foley Board of Adjustment and Appeals has received a request for a Variance for Article 7.2.6,C allowing a manufactured dwelling and a Use Permitted on Appeal for Article 7.1.2,G allowing an accessory dwelling unit in a R2 zone. Property is located at 21280 DocMcDuffie Rd. Applicant is Russell and Sandra Brown.

BOARD OF ADJUSTMENT & APPEALS MINUTES

September 12, 2016

2 of 2

Mr. Russell Brown stated he and his wife are getting older and would like permission to place another structure on the property for his son, daughter in-law and granddaughter to live in and take care of them when needed.

Chairman Jack Kimsey asked what the size of the lot is and if the structure would be issued a separate address.

Mr. Brown stated the property is approximately 1.8 acres.

Mrs. Melissa Ringler explained the applicant will be issued a separate address for the added structure.

Montie Clark asked if the structure will be placed in the wooded area in the back portion of the property.

Mr. Brown stated the structure would be in the back of the property and they would save as many trees as possible.

Montie Clark made a motion to approve the requested variance and use permitted on appeal. 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 and use permitted on appeal passes.

ADJOURN:

Montie Clark made a motion to adjourn at 5:36 p.m. Terry Young seconded the motion. All members voted aye.