

BOARD OF ADJUSTMENT & APPEALS MINUTES

December 10, 2018

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The City of Foley Board of Adjustment & Appeals held a meeting on December 10, 2018 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 Keith Jiskra. Absent member was 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, 2018 meeting.

Jerry Wilkey made a motion to approve the minutes for the November 13, 2018 meeting. Terry Young seconded the motion. All members voted aye.

Motion to approve the minutes for the November 13, 2018 meeting passes.

NEW BUSINESS & PUBLIC HEARING:

1. Thomas Teagardin- Variance

The City of Foley Board of Adjustment and Appeals has received a request for a variance for Article 14.1.4 D, to allow a 5'+/- rear yard setback for a pool enclosure in a R-1C zone. Property is located at 12408 Montague Dr. Applicant is Thomas Teagardin.

Mr. Jack Kimsey stated the applicant is requesting a rear yard setback variance to enclose an existing pool. He explained approval has been received from the Home Owners Association.

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

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

Motion to approve the requested variance passes.

2. Alabama Gulf Coast Music Hall- Variance

The City of Foley Board of Adjustment and Appeals has received a request for a variance for Article 21.8.1 F, for additional square footage of electronic changeable copy in a B-1A zone. Property is located at 12615 A Foley Beach Express. Applicant is Alabama Gulf Coast Music Hall.

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Ms. Boutwell stated the applicant has requested a larger portion of electronic signage due to the speed of traffic on the Foley Beach Express and for better visibility. She explained they will be adding a still portion to the bottom of the sign which will reduce the amount of the variance. She stated in her opinion the location of the signage is not adjacent to any residential uses and would not have a negative impact on the surrounding properties.

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

Jerry Wilkey 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; and Terry Young, aye.

Motion to approve the requested variance passes.

3. 68V Primland 2018 LLC- Variance

The City of Foley Board of Adjustment and Appeals has received a request for a variance for Article 21.2 A, one neighborhood sign per entrance to be located 25' from property line in a PUD zone. Property is located at the corner of County Rd. 12 and Wolf Bay Dr. Applicant is 68V Primland 2018 LLC.

Ms. Boutwell explained the applicant is requesting to install a subdivision locator sign on County Road 12. She stated the entrances to the subdivision will be off of Wolf Bay Drive and they are requesting the additional signage to direct people to the entrances.

Chairman Kimsey stated they are also requesting a variance for the setback of the sign. He asked staff if there has been any communication from the public on the item, staff replied no.

Vice- Chairman Vernie Heard 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; and Terry Young aye.

Motion to approve the requested variance passes.

4. Adoption of the By-Laws for the 2019 Calendar Year

Montie Clark made a motion to approve the adoption of the by-laws for the 2019 calendar year. Jerry Wilkey seconded the motion. Roll Call vote: Vernie Heard, aye; Montie Clark, aye; Jack Kimsey, aye; Jerry Wilkey, aye; and Terry Young, aye.

Motion to approve the adoption of the by-laws for the 2019 calendar year passes.

5. Election of Officers for the 2018 Calendar Year

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Montie Clark made a motion to elect Jack Kimsey as Chairman and Jerry Wilkey as Vice-Chairman.

Jerry Wilkey stated due to other obligations he is unable to serve as Vice-Chairman.

Montie Clark made a motion to elect Terry Young as Vice-Chairman.

Chairman Jack Kimsey and Terry Young accepted the nomination request.

Roll call vote for motion to elect Jack Kimsey as Chairman: Vernie Heard, aye; Montie Clark, aye; Jack Kimsey, abstained; Jerry Wilkey, aye and Terry Young, aye.

Motion to elect Jack Kimsey Chairman passes.

Roll call vote for motion to elect Terry Young as Vice-Chairman: Vernie Heard, aye; Montie Clark, aye; Jack Kimsey, aye; Jerry Wilkey, aye and Terry Young, abstained.

Motion to elect Terry Young Vice-Chairman passes.

ADJOURN:

Ms. Boutwell thanked Vernie Heard for his service and time spent on the Board of Adjustment and Appeals.

Vice-Chairman Vernie Heard made a motion to adjourn at 5:43 p.m. Montie Clark seconded the motion. All members voted aye.

Motion to adjourn the meeting at 5:43 p.m. passes.