

BOARD OF ADJUSTMENT & APPEALS MINUTES

February 11, 2019

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The City of Foley Board of Adjustment & Appeals held a meeting on February 11, 2019 at 5:30 pm in the Council Chambers of City Hall located at 407 E. Laurel Avenue. Members present were: Montie Clark, Jack Kimsey, Jerry Wilkey, Terry Young, George James and Keith Jiskra. 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 December 10, 2018 meeting.

Jerry Wilkey made a motion to approve the minutes for December 10, 2018 meeting. George James seconded the motion. All members voted aye.

Motion to approve the minutes for the December 10, 2018 meeting passes.

NEW BUSINESS & PUBLIC HEARINGS:

1. Ralph Hellmich- Variance

The City of Foley Board of Adjustment and Appeals has received a request for a variance for Article 14.1.6 D, to allow a 22' +/- rear yard setback in a R-2 zone. Property is located at 210 S. Cedar St. Applicant is Ralph Hellmich.

Mr. Ralph Hellmich explained he currently has an addition on the back of his home that will be removed. He stated the new covered patio area will be in the same location but a little larger. He explained he and his brothers own the orchard to the west of his property.

Montie Clark made a motion to approve the requested variance. Jerry Wilkey seconded the motion. Roll call vote: 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 Shumer- 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 13.1.2 D, to allow a church in a R-3 zone. Property is located N. of W. Birch Ave. and E. of Callie Ct. Applicant is David Shumer.

Jack Kimsey asked the applicant for clarification of the property location.

Mr. Davis Shumer explained there is a driveway off of Birch Avenue to access the property. He explained the property is currently zoned R-3 and is bordered by business zoned property and a mobile home park. He explained the owner of the property requesting the use permitted on appeal also owns the mobile home park.

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George James made a motion to approve the request use permitted on appeal. Terry Young seconded the motion. Roll call vote: 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. Linda Jackson- Variance

The City of Foley Board of Adjustment and Appeals has received a request for a variance for Article 8.2 to allow a fence height of 6' in a required front yard in a MH-1 zone. Property is located at 21403 US Hwy. 98. Applicant is Linda Jackson.

Ms. Linda Jackson explained the house that was on the property burned down in July. She stated she will not be rebuilding the house and is going to add more RV lots. She explained due to needing more security she would like to build a 5' to 6' fence.

Jack Kimsey asked if the current sign would have to be relocated.

Ms. Jackson stated she would have to raise the height of the sign.

Jack Kimsey asked if she would be installing a 5' or 6' fence.

Ms. Jackson stated she would prefer to add a 6' fence.

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

Motion to approve the requested variance passes.

ADJOURN:

Montie Clark made a motion to adjourn at 5:38 p.m. Jerry Wilkey seconded the motion. All members voted aye.

Motion to adjourn the meeting at 5:38 p.m. passes.