

The City of Foley Board of Adjustment & Appeals held a meeting on August 12, 2019 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue. Members present were: George James, Montie Clark, Jack Kimsey, Jerry Wilkey, Terry Young and Keith Jiskra. 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 June 27, 2019 and July 8, 2019 meetings.

Jerry Wilkey made a motion to approve the minutes with a typo correction that was given to the recording secretary. Montie Clark seconded the motion. All members voted aye.

Motion to approve the minutes for the June 27, 2019 and July 8, 2019 passes.

NEW BUSINESS & PUBLIC HEARINGS:

1. Drive In Dent Repair- Use Permitted on Appeal

The Board of Adjustment and Appeals has received a request for a Use Permitted on Appeal for Article 17.1.2 B, to allow a major auto repair in a B-1A zone. Property is located at 287 W. 9th Ave. Applicant is Drive in Dent Repair

Mr. Greg Stewart explained his business removes dents and dings from automobiles and motorcycles. He explained the process has been around since 1960 and was created by Mercedes Benz. He stated the tools haven't been available to the public until recent years. He explained no chemicals are used during the process.

Chairman Jack Kimsey stated he visited the location and there appears to be a lot of auto type businesses in that area.

Jerry Wilkey asked about the process and if repainting is required.

Mr. Stewart explained no chemicals or paint is used in the process. He stated they use heat and special tools to make the repairs.

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

Motion to approve the requested use permitted on appeal passes.

2. Jeffrey Osborne- Use Permitted on Appeal

The Board of Adjustment and Appeals has received a request for a Use Permitted on Appeal for Article 17.1.2 B, to allow covered boat and RV storage in a B-1A zone. Property is located N. of US Hwy. 98 and E. of Foley Beach Express. Applicant is Jeffrey Osborne.

Mr. Jeffrey Osborne showed a rendering of the proposed building to the members. He explained the RV and boat storage will be an indoor facility and include a wash area. He stated he feels the use is needed with the RV parks in the area. He explained the building and landscaping will look like a retail center. He stated the spaces inside will be for purchase.

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

Motion to approve the requested use permitted on appeal passes.

3. Rose Crawford- 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 7' +/- rear yard setback in a R-1C zone. Property is located at 1023 Thoresby Dr. Applicant is Rose Crawford.

Ms. Rose Crawford explained she would like to add an enclosure around her swimming pool. She shared pictures of the pool and backyard with the members.

Jerry Wilkey asked if the subdivision has a Home Owners Association.

Mr. Jack Kimsey stated an approval letter from the Home Owners Association was received.

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

Motion to approve the requested variance passes.

4. Brian Schwab- Variance

The City of Foley Board of Adjustment and Appeals has received a request for a variance for Article 15.1 D, to allow a 7' +/- side yard, 20' +/- front yard and 9' +/- rear yard setback and a minimum lot area of 8,100 sq. ft. in a R-3 zone. Property is located E. of S. Cedar St. and N. of Azalea Ave. Applicant is Brian Schwab.

Mr. Brian Schwab stated he is new to the area and would like to build a duplex on the property. He stated each unit will have 2 bedrooms, 2 baths, and a small office and will be high quality.

Mr. Bob Irwin resident of 508 W. Azalea Ave. stated he has lived in the area for 47 years. He stated the applicant is asking for too much and is trying to build something too large for the lot. He stated there are single family homes on both sides of the property and have been for many years.

Residents living to the south stated there is not enough room on the lot for a duplex. He stated the duplex will be too close to the single family residences if the variance is granted.

Chairman Jack Kimsey asked about the plans for parking and driveways.

Mr. Schwab stated the driveway and 4 parking spaces would be concrete and coming off of Cedar St.

Chairman Jack Kimsey asked if both duplexes entrances would face Cedar Street.

Mr. Schwab answered yes.

Neighboring resident stated the duplex would only be 7' from the residential single family home to the east of the property.

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

Motion to deny the requested variance passes.

5. Sawgrass- Variance

The City of Foley Board of Adjustment and Appeals has received a request for a variance for Article 10.1 D, requiring 1 parking space for each 4 seats for a restaurant in a B-1A zone. Property is located at 812 N. McKenzie St. Applicant is Sawgrass Consulting.

Mr. Ercil Godwin with Sawgrass Consulting explained his client is requesting a parking variance. He stated his client is looking to purchase the Old Armory building and change the use from commercial retail to a restaurant. He explained a restaurant requires 1 parking space for every 4 seats. He stated they only have room on the lot for 21 parking places and the seating will be for 240 people which would be a required 60 spaces. He explained they have spoken with the City regarding adding spaces in the rear alley and on Section Ave. He stated the City is fine with the added parking and is willing to work with his client on the improvements.

Montie Clark made a motion to approve the requested variance contingent upon the City and applicant adding additional public parking areas around the building. Terry Young seconded the motion. Roll call vote: George James, aye; Montie Clark, aye; Jack Kimsey aye; Jerry Wilkey, aye; and Terry Young, aye.

Motion to approve the requested variance contingent upon the City and applicant adding additional public parking areas around the building passes.

ADJOURN:

Meeting adjourned at 5:57 p.m.