

The City of Foley Board of Adjustment & Appeals held a meeting on June 8, 2020 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue. Due to COVID-19 we will accept email comments (mringler@cityoffoley.org or acole@cityoffoley.org). Or you may call 952-4011 and Melissa or Amanda can take your verbal comments. These will be entered into the meeting minutes. The BAA members will be conducting the meeting via teleconferencing. If you wish to participate in this manner dial 1-314-474-2640 PIN 963 688 034#. If you choose to attend the meeting please follow social distancing rules. Members present via teleconference: Jack Kimsey, Terry Young, George James, Montie Clark, and Luanne McCarley. Staff present were: Amanda Cole, Planning and Zoning Assistant and Melissa Ringler, Recording Secretary.

Chairman Jack Kimsey called the meeting to order at 5:00 p.m.

MINUTES:

Approval of the minutes for the May 11, 2020 meeting.

Terry Young made a motion to approve the minutes for the May 11, 2020 meeting. George James seconded the motion. All members voted aye.

Motion to approve the minutes for the May 11, 2020 meeting passes.

NEW BUSINESS & PUBLIC HEARINGS:

1. Don McMath/Magnolia Landing Apartments- Variance

The City of Foley Board of Adjustment and Appeals has received a request for a variance for Article 21.2 A, maximum sign height within a residential PUD zone. Property is located W. of Hickory St. S. and N. of County Rd. 12 S. Applicant is Don McMath.

Ms. Michelle Ponceti the property manager for Magnolia Landing Apartments explained they are requesting to install a monument sign in the front of the property located off of Hickory Street.

Chairman Jack Kimsey stated he made a site visit and there appeared to be sufficient space for the signage. He explained it does not appear the signage would cause any traffic issues.

Terry Young stated the apartments are three stories and the sign appears to be consistent with the project.

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

Motion to approve the requested variance passes.

2. Lawrence Delahunt- Variance

The City of Foley Board of Adjustment and Appeals has received a request for a variance for Article 8.1.2, accessory structures shall be at least 10' from any other habitable structure on the same lot in a R-1D zone. Property is located at 1118 Crown Walk Dr. Applicant is Lawrence Delahunt.

Mr. Lawrence Delahunt explained he is installing a 16' x 32' pool which will be 7' from his home due to a drainage ditch located on the rear of the property.

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

Terry Young asked if the property located behind the home is a wooded lot.

Mr. Delahunt answered yes.

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

Motion to approve the requested variance passes.

3. David Milstead- 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 17.1.2 B, to allow a large laundry/dry cleaner in a B-1A zone. Property is located at 204 E. Michigan Ave. Applicant is David Milstead.

Mr. David Milstead stated he is representing Mr. Patel who owns several hotels in the area. He explained approximately 6,000 sq. ft. of the building will be used to laundry hotel linens. He stated the remainder of the building will be used for offices and storage for the laundry. He explained there will be no dry cleaning service and the chemicals used will be a water based treatment. He explained it will be a private service not open to the public and will employ approximately 15 to 20 people.

Mr. Grant a representative that is providing the equipment for the laundry service stated he cannot speak on local codes but has installed the same machines in several hotels.

Mr. Terry Roberson owner of Michigan Square Laundromat stated his father was a previous building inspector and passed away from cancer. He stated all commercial laundry services located in the City of Foley are located in an industrial park for a reason. He explained the chemicals used for commercial laundry are poisonous. He stated there are residential homes in the area and if approved they will be poisoning the people in the area. He stated he used to work for Mr. Patel who owns more than just a few local hotels in the area. He stated this type of business does not belong in the center of Foley near homes and grocery stores. He asked the Board members to do their research on chemicals used in commercial laundry services. He stated he has contacted OSHA, EPA, and the federal wild life and they will be monitoring the chemicals used if the request is approved.

Mr. Grant stated there are things in place that monitor the laundry chemicals.

Mr. Milstead stated OSHA is very involved in the process and monitoring of the laundry chemicals. He stated he had hoped to have a chemist on line today but was not able to get him to join the meeting tonight.

Keith Jiskra joined the meeting via teleconference at 5:49 p.m.

Ms. Angela Sarvold stated she is an employee of Gelato Joe's. She explained they have concerns regarding the noise, fumes and chemicals. She stated this type of business is industrial and belongs in an industrial park not in a residential area.

Mr. Milstead requested to carry the item over to the July meeting.

Luanne McCarley made a motion to approve the request to carry the item over to the July meeting. Terry Young seconded the motion. Roll call vote: Roll call vote: Jack Kimsey, aye; Montie Clark, aye; Terry Young, aye; George James, aye and Luanne McCarley, aye.

Motion to approve the request to carry the item over to the July meeting passes.

ADJOURN:

George James made a motion to adjourn at 5:54 p.m. Montie Clark seconded the motion. All members voted aye.

Motion to adjourn the meeting at 5:54 passes.