

The City of Foley Board of Adjustment & Appeals held a meeting on December 14, 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. If you choose to attend the meeting please follow social distancing rules. Members present were Jack Kimsey, LuAnne McCarley, Keith Jiskra, and George James. Absent members were: Montie Clark and Terry Young. Staff present were: 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 9, 2020 meeting minutes.

Keith Jiskra made a motion to approve the November 9, 2020 meeting minutes. LuAnne McCarley seconded the motion. All members voted aye.

Motion to approve the November 9, 2020 meeting minutes passes.

NEW BUSINESS & PUBLIC HEARINGS:

1. B. Craig Johnson- 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 in a B-1A zone. Property is located E. of S. McKenzie St. and S. of E. Sunflower Ave. Applicant is B. Craig Johnson.

Mr. Craig Johnson stated they are wanting to remodel the old Reynolds lumber building. He explained they would have commercial spaces in the front of the building and a large scale commercial laundry on the backside of the building. He stated the building and location are ideal for the proposed use. He explained the commercial laundry will be used for hotel and condo linens and will not be open to the general public.

Keith Jiskra asked if the building would receive a new façade.

Mr. Johnson stated yes an exterior remodel would be done on the building which would include façade.

LuAnne McCarley asked if the office spaces in the front of the building would be leased.

Mr. Johnson answered yes the spaces will be leased.

George James made a motion to approve the requested use permitted on appeal. Keith Jiskra seconded the motion. Roll call vote: LuAnne McCarley, aye; George James, aye; Jack Kimsey, aye; and Keith Jiskra, aye.

Motion to approve the requested use permitted on appeal passes.

2. Geanette Brooks- 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,G to allow an accessory dwelling unit in a R-4 zone. Property is located at 702 S. Maple St. Applicant is Geanette Brooks.

Ms. Geanette Brooks they are requesting to add a portable building onto the property which will be converted into a home. She stated the new building will be used primarily for family member to stay in when they are visiting.

Mr. Jack Kimsey explained there was one opposition letter received from a neighbor. He stated he fills the neighbor does not understand what the applicant is requesting. He stated the lot is very large and there is plenty of room for the additional structure.

LuAnne McCarley asked if the building had already been converted into a home.

Ms. Brooks stated she has not begun converting the building and was waiting on approval from this Board. She explained she is planning on having the building in January which will be a Graceland portable building.

LuAnne McCarley asked if there were trees between her lot and the neighbors.

Ms. Brooks stated she has had the trees removed.

Keith Jiskra stated there is a lot of space in between where the proposed building will be located and the neighbor.

Chairman Jack Kimsey stated it appears there will be approximately 40' feet in between the proposed building and the neighbor. He explained he feels the neighbor is misunderstanding the request and asked the applicant to reach out to them.

Keith Jiskra made a motion to approve the requested use permitted on appeal. LuAnne McCarley seconded the motion. Roll call vote: LuAnne McCarley, aye; George James, aye; Jack Kimsey, aye; and Keith Jiskra, aye.

Motion to approve the requested use permitted on appeal passes.

3. Adria & Kenneth Roberson- Variance

The City of Foley Board of Adjustment and Appeals received a request for a variance to Article 8.1.2 accessory structures shall be at least 10' from any other habitable structure on the same lot. Property is located at 9055 Eagle Ln. Applicant is Adria and Kenneth Roberson.

Mr. Kenneth Roberson explained he is requesting a variance for the pool to be located closer to his home than what the city allows. He stated the granting of the variance would greatly reduce the amount of concrete surface in his yard. He explained living in a golfing neighborhood grass and trees are more appealing and desired than a concrete surface. He stated he has received approval from the adjoining neighbors and the Home Owners Association.

Mr. Dick Dayton asked if the applicant had received approval from the subdivisions architectural review committee.

Mr. Roberson stated the review committee has reviewed and approved the work.

Keith Jiskra made a motion to approve the requested variance. George James seconded the motion. Roll call vote: LuAnne McCarley, aye; George James, aye; Jack Kimsey, aye; and Keith Jiskra, aye.

Motion to approve the requested variance passes.

4. Ron Bordelon- Variance

The City of Foley Board of Adjustment and Appeals has received a request for a variance for Article 17.1.2D, to allow a 9'+/- rear yard setback in a B-1A zone. Property is located at 2180 S. McKenzie St. Applicant is Ron Bordelon.

Mr. Ron Bordelon stated Murphy USA is looking to do improvements to their site. He explained when the location was originally built Walmart restricted the allowed size of the building. He explained most of the merchandise they sell is currently located outdoors. He stated increasing the building size will allow them to bring the retail merchandise inside and make operations run smoother. He explained due to the size of the lot and not being able to acquire more property the site space is limited and they are needing to request a rear yard setback variance.

Keith Jiskra asked if the gas pumps would be replaced.

Mr. Bordelon stated the concrete will be removed and the gas tanks will be enlarged to support the customer demand. He stated employees will have the option to locate to other sites during the 3 month construction period. He explained the project is huge and will be completed in a short amount of time.

Chairman Jack Kimsey stated he feels there is sufficient space for the expansion. He explained it appears from the plans provided it will also improve the entire site including the traffic flow which is currently confusing.

Keith Jiskra asked if the plans have been presented to Walmart.

Mr. Bordelon stated the conceptual plans have been sent to Walmart. He explained a full set of construction drawings will have to be submitted and approved by Walmart before construction can begin.

George James made a motion to approve the requested variance. LuAnne McCarley seconded the motion. Roll call vote: LuAnne McCarley, aye; George James, aye; Jack Kimsey, aye; and Keith Jiskra, aye.

Motion to approve the requested variance passes.

5. Ryan Watt- Variance

The City of Foley Board of Adjustment and Appeals has received a request for a variance for Article 20.1.1 D, to allow a 14'+/- rear yard setback in a PUD zone.

Property is located at 22927 Lieutenant Ave. Applicant is Ryan Watt.

Mr. Ryan Watt explained the slab form got a little out of place when constructed. He stated they are requesting an allowed rear yard setback of 14.4' instead of the required 15'.

Keith Jiskra made a motion to approve the requested variance. George James seconded the motion. Roll call vote: LuAnne McCarley, aye; George James, aye; Jack Kimsey, aye; and Keith Jiskra, aye.

Motion to approve the requested variance passes.

6. By-Laws

LuAnne McCarley made a motion to approve the By-Laws. George James seconded the motion. All members voted aye.

Motion to approve the by-laws passes.

7. 2021 Election of Officers

Keith Jiskra made a motion to elect Jack Kimsey chairman. George James seconded the motion. Roll call vote: LuAnne McCarley, aye; George James, aye; Jack Kimsey, aye; and Keith Jiskra, aye.

Motion to elect Jack Kimsey chairman passes.

George James made a motion to elect Keith Jiskra vice-chairman. LuAnne McCarley seconded the motion. Roll call vote: LuAnne McCarley, aye; George James, aye; Jack Kimsey, aye; and Keith Jiskra, aye.

Motion to elect Keith Jiskra vice-chairman passes.

ADJOURN:

Meeting adjourned at 5:53 p.m.