

Board of Adjustment and Appeals Meeting Minutes
February 15, 2022

The City of Foley Board of Adjustment and Appeals held a meeting on February 15, 2022 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue. Member present were: LuAnne McCarley, Jack Kimsey, Keith Jiskra and George James. Absent members were: Montie Clark and Terry Young. Staff present were: Eden Lapham, Planner 1; 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 January 10, 2022 meeting minutes.

Keith Jiskra made a motion to approve the January 10, 2022 meeting minutes. LuAnne McCarley seconded the motion. All members voted aye.

Motion to approve the January 10, 2022 meeting minutes passes.

NEW BUSINESS & PUBLIC HEARINGS:

1. Scott Elliott- Variance

The City of Foley Board of Adjustments and Appeals received a request for a variance to Article 14.1.6, D to allow a 6' +/- side yard setback in a R-2 zone. Property is located at 107 Apollo Ct. Applicant is Scott Elliott.

Mr. Scott Elliott stated he is wanting to install a screen enclosure which will be attached to his home. He explained the enclosure needs to be at least 10' from the side property line and it will only be 6'.

Chairman Jack Kimsey stated the home is on a cul-de-sac with an existing privacy fence in the rear yard. He asked if the enclosure would be located on an existing slab.

Mr. Elliott stated the enclosure will be on an existing slab to cover a pool. He explained the neighboring home is owned by his daughter.

Chairman Jack Kimsey asked if any members or the public had any questions regarding the request. There were none.

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

Motion to approve the requested variance passes.

Board of Adjustment and Appeals Meeting Minutes
February 15, 2022

2. Mitchell Smith- Variance

The City of Foley Board of Adjustments and Appeals received a request for a variance to Article 16.1, D to allow a 9'5" +/- side yard setback in a MH-1 zone. Property is located at 17915 Little Rock Rd. Applicant is Mitchell Smith.

Mr. Mitchell Smith stated a mobile home will be moved to the lot he has purchased. He explained once the mobile home is on the lot and steps or a deck is added he will not be able to meet the required setbacks.

Chairman Jack Kimsey stated the board is aware of the issues with the lot sizes in this particular area. He explained at a previous meeting a neighboring property owner received a variance for the same issue.

Mr. Smith explained the mobile home park he currently lives in has been sold and they received a notice they must be out by February. He stated several of the residents from the mobile home park have bought lots in the same area.

Chairman Jack Kimsey asked if any members or the public had any questions regarding the request. There were none.

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

Motion to approve the requested variance passes.

3. Sherry Maniscalco- Variance

The City of Foley Board of Adjustments and Appeals received a request for a variance to Article 16.1, D to allow a 8'6" +/- side yard setback in a MH-1 zone. Property is located at 17913 Little Rock Rd. Applicant is Sherry Maniscalco.

Ms. Sherry Maniscalco stated she purchased a lot by Mr. Smith agenda item # 2 and is here for the same situation.

Chairman Jack Kimsey stated he wants to make sure the applicants understand the variance will make their mobile homes closer to the neighboring property owners.

Ms. Maniscalco stated she understood.

Chairman Jack Kimsey asked if any members or the public had any questions regarding the request. There were none.

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

Motion to approve the requested variance passes.

Board of Adjustment and Appeals Meeting Minutes
February 15, 2022

4. Robert Lantis- Variance

The City of Foley Board of Adjustments and Appeals received a request for a variance to Article 18.1.2, C to allow a towing company in a B-1A zone. Property is located at 15578 Co Rd 73. Applicant is Robert Lantis.

Mr. Robert Lantis stated his towing business is currently located beside Hoods and the owner is wanting him out of that location. He explained he has purchased property and is wanting his business on the property.

Chairman Jack Kimsey stated the area is already fenced and there is a small buffer in place. He stated the location looks like an ideal place for the business. He explained when he went by this weekend they were already working on the mobile building located on the lot.

Mr. Lantis stated his wife and daughters have been working on painting the building.

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

Motion to approve the requested variance passes.

ADJOURN:

Keith Jiskra made a motion to adjourn at 5:37 p.m. George James seconded the motion. All members voted aye.

Motion to adjourn at 5:37 p.m. passes.