

Board of Adjustment and Appeals Meeting Minutes  
April 10, 2023

Page 1 of 2

The City of Foley Board of Adjustment & Appeals held a meeting on April 10, 2023 at 5:30 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue. Members present were: Gregg Knight, LuAnne McCarley, Keith Jiskra, George James, Terry Young and alternate member Gary Hellmich. Staff present were: Eden Lapham, Planner 1, Amanda Cole, Planning and Zoning Assistant and Melissa Ringler, Recording Secretary.

Chairman Keith Jiskra called the meeting to order at 5:30 p.m.

**MINUTES:**

Approval of the March 13, 2023 meeting minutes.

LuAnne McCarley made a motion to approve the March 13, 2023 meeting minutes. Gregg Knight seconded the motion. All members voted aye.

**Motion to approve the March 13, 2023 meeting minutes passes.**

**NEW BUSINESS & PUBLIC HEARINGS:**

**1. Frank Esposito- 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 5' from all lot lines. Property is located at 1028 Chloe St. Applicant is Frank Esposito.

Mr. Frank Esposito explained he is requesting to have the shed closer to the property line than allowed in order to utilize the space.

Chairman Jiskra stated he visited the site and it appears there is space on the other side of the yard the shed could be located.

Mr. Esposito stated he is unable to locate the shed in the other portion of the property due to the dip in the yard and drainage issues. He stated the open portion of the property with the drainage issues also abuts a common area which the residents are using as a walking trail and amenity to the retention area. He explained he does not want the shed to be an eyesore to the residents.

Chairman Jiskra asked if the yard is currently fenced.

Mr. Esposito stated currently he has a metal fence around the back of the property. He stated the fence is 6' tall but due to the dip in the property is shorter in some areas.

Chairman Jiskra stated it appears on the plan there is a 7.5' utility easement on the open portion of the property abutting the common area. He asked if there were any members of the public to speak on the item. There were none.

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

**Motion to approve the requested variance passes.**

**2. Yogeshwariben Patel- Variance**

The City of Foley Board of Adjustment and Appeals has received a request for a variance for Article 22.5 and Article 22.8 signage height, signage face square footage and electronic signage in a B-1 zone. Property is located at 609 N. McKenzie St. Applicant is Yogeshwariben Patel.

Mr. Yogeshwariben Patel stated they are wanting to change the signage to add a digital portion to display gas prices.

Chairman Jiskra asked if there were any members of the public to speak on the item. There were none.

LuAnne McCarley asked if the signage would be remaining the same size as it is currently.

Mr. Patel stated the signage size would not be changing.

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

**Motion to approve the requested variance passes.**

**ADJOURN:**

Gregg Knight made a motion to adjourn at 5:40 p.m. Terry Young seconded the motion. All members voted aye.

**Motion to adjourn at 5:40 p.m. passes.**