

Board of Adjustment and Appeals Meeting Minutes

February 10, 2025

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The City of Foley Board of Adjustment & Appeals held a meeting on February 10, 2025 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, Steve Bailey, Brandon Nelson and alternate member Tyler Higginbotham. Absent member was 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 minutes for the December 9, 2024 meeting minutes.

Gregg Knight made a motion to approve the December 9, 2024 meeting minutes. Luanne McCarley seconded the motion. All members voted aye.

Motion to approve the December 9, 2024 meeting minutes passes.

NEW BUSINESS & PUBLIC HEARINGS:

1. Joseph Collins- Variance & Use Permitted on Appeal

The City of Foley Board of Adjustment and Appeals has received a request for a variance and use permitted on appeal for Article 20.1, to allow a temporary and unenclosed roadside stand for the sale of agricultural products and Article 13.1.3, to allow off street parking of motorized vehicles in excess of 10,000 pounds and/or with more than six wheels in a AO zone. Property is located S. of W. Azalea Ave. and E. of S. Hickory St. Applicant is Joseph Collins.

Mr. Joseph Collins stated he is requesting to sell harvested rolls of pine straw which will be stored in dry vans located on the AO zoned property. He stated he is a Foley resident and has been in the landscaping business for 22 years. He explained they have a five star rating and focus on quality straw and customer service. He stated the straw is sold on site or can be delivered and installed. He explained the dry vans are the most efficient way to keep the pine straw fresh. He stated once the pine straw lays outside the quality and value depreciates.

Chairman Jiskra asked about the number of dry vans Mr. Collins is requesting to have located on the site.

Mr. Collins stated two dry vans is all he is needing.

Chairman Jiskra asked Mr. Collins if he had any control of the condition of the dry vans.

Mr. Collins stated he owns the dry vans which are quality ALDOT approved vans.

Chairman Jiskra stated the request is for a temporary and unenclosed roadside stand. He asked the applicant what he meant by temporary.

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Mr. Collins stated he would love to eventually buy a piece of property for his business. He explained the business does operate year round. He stated he would be ok with a one year approval. He stated he is open to suggestions and would be happy to install fencing or landscaping if needed to make the vans not visible.

Steve Bailey asked if the applicant could operate without the use of the dry vans.

Mr. Collins stated the dry vans are very important to his business. He explained the dry vans hold more bales of hay than an open trailer and protect the bales from inclement weather which allows him to provide a better quality of straw.

Steve Bailey stated he feels the pine straw is an agricultural product and the property is zone Agricultural. He stated the only heartburn he has is the dry vans. He stated they could be placed further back on the property but installing a fence would not prevent visibility of the vans due to their height.

Mr. John stated his home is located next to the property. He explained he plans to build an additional smaller home on his lot in the future. He stated the noise of the trucks coming in as early as 7:00 a.m. and late in the evening are a concern. He explained he has talked with Mr. Collins regarding the possibility of them sharing the expense of installing a fence.

Steve Bailey stated the property is zoned AO which would allow for agricultural equipment on the property.

Mr. John stated he doesn't feel like agricultural equipment would be on the property every day. He stated Mr. Collins has been a good neighbor and he wants him to succeed but he also wants to protect his property. He stated he has no issues with a fence and shrubs being added to help alleviate the noise.

Steve Bailey made a motion to allow a roadside stand consisting of two dry vans for a period of one year. Gregg Knight seconded the motion. Roll call vote: Gregg Knight, aye; Luanne McCarley, aye; Keith Jiskra, aye; Steve Bailey, aye and Brandon Nelson, aye.

Motion to allow a roadside stand consisting of two dry vans for a period of one year passes.

ADJOURN:

Luanne McCarley made a motion to adjourn the meeting at 5:59 p.m. Steve Bailey seconded the motion. All members voted aye.

Motion to adjourn the meeting at 5:59 p.m. passes.