

Board of Adjustment and Appeals Meeting Minutes

September 14, 2026

The City of Foley Board of Adjustment & Appeals held a meeting on September 14, 2026 at 4:00 p.m. in the Council Chambers of City Hall located at 407 E. Laurel Avenue. Members present were: Gary Hellmich, Luanne McCarley, Keith Jiskra, Steve Bailey, Gregg Knight, Tyler Higginbotham and alternate member Derrick Perdue. Staff present were: Shawn Mitchell, Planning Director; Cory Rhodes, Senior Planner; Eden Lapham, Planner II and Amanda Cole, Acting Recording Secretary.

Chairman Keith Jiskra called the meeting to order at 4:00 p.m.

MINUTES:

Approval of the minutes for the August 10, 2026 meeting minutes.

Gregg Knight made a motion to approve the August 10, 2026 meeting minutes. Gary Hellmich seconded the motion. All members voted aye.

Motion to approve the August 10, 2026 meeting minutes passes.

NEW BUSINESS & PUBLIC HEARINGS:

1. Shawn White- Variance

The City of Foley Board of Adjustment and Appeals has received a request for a variance for Article 8.1.2 (C) to allow a swimming pool to be located approximately 5' from the rear lot line. Property is located at 14937 Dayton Cir. Applicant is Shawn White.

Chairman Jiskra asked staff to go over the proposed changes in the zoning ordinance regarding pool setbacks.

Eden Lapham explained the zoning ordinance changed last year due to internal discussions over pool safety, requiring pools to be 10 ft. from the rear property line. However, there seems to have been a misunderstanding regarding the change, and there have been a number of inquiries into variances, so we are going to change the setback requirements back to 5 ft. as they have been for years.

Mrs. Lapham stated city staff was recommending approval of this request due to the fact the changes to the zoning ordinance are moving forward and hope to be complete by January.

Chairman Jiskra asked the applicant to explain the request.

Brooke White gave the board members copies of the HOA approval and a message from the building superintendent stating there are no utilities on the back of the property.

Gary Hellmich made a motion to approve the requested variance. Tyler Higginbotham seconded the motion. Roll call vote: Gary Hellmich, aye; Gregg Knight, aye; Luanne McCarley, aye; Keith Jiskra, aye; Steve Bailey, aye; and Tyler Higginbotham, aye.

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Motion to approve the requested variance passes.

Gary Hellmich asked staff the status of the food trucks located at the corner of Co Rd 12 S and S McKenzie St.

Amanda Cole stated staff has been in contact with the property owner and the tenant of the adjacent building, who allows the trucks, and they have been made aware of the requirements and the deadline for the existing food trucks to move.

Mrs. Lapham stated an amendment to the zoning ordinance is being made which will require a food truck to keep a log of how long they have been at a property.

ADJOURN

Luanne McCarley made a motion to adjourn the meeting at 4:05 p.m. Gregg Knight seconded the motion. All members voted aye.

Motion to adjourn the meeting at 4:05 p.m. passes.