



MINUTES OF THE ALABASTER
BOARD OF ZONING ADJUSTMENT
MEETING
TUESDAY, JUNE 13, 2023 | 5:30 PM
COUNCIL CHAMBERS | 1953 MUNICIPAL WAY

I. CALL TO ORDER

Meeting was call to order at 5:31pm.

II. ROLL CALL

Staff Present

Vanessa McGrath, City Planner

Kim Brothers, Planning and Zoning Coordinator

PRESENT

Tommy Ryals

Wade Walker

Rayford Coleman

Jim McClain

Kristalyn Lee

Richard Mizell

III. APPROVAL OF MINUTES

- a. Approval of March 14, 2023 BZA Minutes

Minutes were approved with a change in the SE-2023-0032 with minor modification.

Motion by Walker, Seconded by Ryals.

Voting Yea: Ryals, Walker, Lee

Voting Abstaining: McClain

- b. Approval of April 11, 2023 BZA Minutes

Minutes were approved as presented.

Motion made by Lee, Seconded by Ryals.

Voting Yea: Ryals, Coleman,

Voting Abstaining: Walker, McClain

c. Approval of May 9, 2023 BZA Minutes

Minutes were approved as presented.

Motion made by McClain, Seconded by Walker.

Voting Yea: Ryals, Walker, Coleman, McClain, Mizell

Voting Abstaining: Lee

IV. OPENING STATEMENT

• **Regarding actions of the Board of Zoning Adjustment, Sec. 111-14(f) Appeals**

City of Alabaster Zoning Ordinance, Sec. 111-14(f) / Appeals from a Decision of the Board. Any party aggrieved by any decision of the Board of Adjustment may file an appeal with the Circuit Court within 15 days by filing written notice with the Board specifying the judgement or decision from which the appeal is taken.

- Variances and Special Exceptions granted by the Board of Zoning Adjustment shall expire 12 months from the date of Board approval unless a building permit is issued. Upon expiration the applicant must re-apply and will be subject to the current ordinances of the City

V. AGENDA ITEMS

1. VA-2023-0083 748 Old Hwy 31

Address: 748 Old Hwy 31

Owner: Roy Alfonso Arceo

Applicant: Roy Alfonso Arceo

PIN: 23 1 12 0 000 018.000

Zoning: R-8 (Manufactured Housing)

Request: Variance to Section 111-45(g) to allow a storage building in the side yard

No one was present to represent the request.

Ms. Vanessa McGrath reviewed the request.

There was no one to speak on the item during a public hearing.

Motion made by Mizell Seconded by Walker.

Voting Nay: Ryals, Walker, Coleman, McClain, Lee, Mizell

The reason for denial is that no hardship was shown as to why it cannot be placed in the rear yard.

Mr. Arceo arrived at 6:00pm right as the Board was about to adjourn. Ms. McGrath read the opening statement for him and then informed him that the Board had denied his request due to there not being a reason as to why the building could not be placed in the rear yard and that as per the opening statement if they want to appeal that decision, they can go to circuit court.

2. VA-2023-0084 711 Forest Hills Trace

Address: 711 Forest Hills Trace

Owner: Stephen & Caroline Daniels

Applicant: Stephen Daniels

PIN: 23 6 13 0 000 013.070

Zoning: R-3 (Single Family Residential)

Request: Variance to Section 111-45(g) to allow a storage in the side yard

Mr. Stephen Daniels was present to represent the request. He wants the garage partially in the side yard. The side with the driveway has the septic tank and field lines and the rear yard would lose a lot of trees and would require fill. Their house is further back than the others on the road. It is definitely behind the other homes.

Mr. Ryals ask if he had spoken to the neighbor. Mr. Daniels stated he did not get a chance to speak to the one closest but did speak to the one across the way.

Ms. Vanessa McGrath reviewed the request.

The Public Hearing was opened.

The Public Hearing was closed.

Motion made by Walker, Seconded by Lee.

Voting Yea: Ryals, Walker, Coleman, McClain, Lee

The request was approved as submitted.

3. SE-2023-0078 2195 Kent Dairy Road

Address: 2195 Kent Dairy Road

Applicant: Spire Energy

Owner: Alabaster Retail Property C/O Spire Alabama Inc.

PIN: 23 6 14 2 001 001.014

Zoning: B-3 (Community Business District) & SR 119 Overlay District

Request: Special Exception to Section 111-91(c)(8) to allow utilities within the State Route 119 Overlay.

The applicant has requested the item be carried over to the July 11th meeting due to the presenter not being able to attend this evening.

PHO

PHC

Motion to carry item over to July 11th meeting.

Voice vote recorded all Ayes:

The item was carried over to the July 11th, 2023, meeting.

VI. OTHER BUSINESS

The next regularly scheduled meeting date is July 11, 2023

Next Board of Zoning Adjustment meeting is scheduled for July 11, 2023

Vanessa McGrath showed the Board the Zoning Map now online.

VII. ADJOURN MEETING

Meeting was adjourned at 6:02pm.



Rayford Coleman, Chairman



Vanessa McGrath, Secretary