



MINUTES OF THE ALABASTER
BOARD OF ZONING ADJUSTMENT
MEETING

TUESDAY, MARCH 14, 2023 | 5:30 PM
COUNCIL CHAMBERS | 1953 MUNICIPAL WAY

I. CALL TO ORDER

The meeting was called to order at 5:30 pm

II. ROLL CALL

Staff Present:

Vanessa McGrath, City Planner & Zoning Administrator
Kim Brothers, Planning and Zoning Coordinator

PRESENT

Tommy Ryals
Wade Walker
Rayford Coleman
Kristalyn Lee

ABSENT

Jim McClain

III. APPROVAL OF MINUTES

Approve the February 14, 2023 Minutes

a. Minutes

Motion made by Lee, Seconded by Ryals.

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

The minutes were approved as presented.

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. SE-2023-0012 - Bark Avenue

Address: 110 Plaza Circle

Owner: Ken Bettini

Applicant: Bark Avenue

PIN: 23 1 11 3 001 007.003

Zoning: B-3 State Route 119 Overlay

Request: Special Exception to allow pet grooming, daycare and small animal boarding at this location located in the State Route 119 Overlay

Public Hearing opened

April Moore was present to represent the request. She spoke about wanting to relocate so she has more space.

No one spoke against the item.

Public Hearing closed.

Vanessa spoke about the State Route 119 Overlay.

Motion made by Ryals, Seconded by Lee.

Voting Yea: Ryals, Walker, Coleman, Lee

2. SE-2023-0025 - Shabby Chic Pet Grooming

Address: 7895 Highway 119

Owner: Peneddie LLC

Applicant Shaggy Chic Pet Grooming

PIN: 23 6 23 2 001 045.015

Zoning: B-3 State Route 119 Overlay

Request: Special Exception to allow pet grooming at this location located in the State Route 119 Overlay

Public Hearing opened

Tonya Lammons of Shaggy Chic was present to represent the request. She spoke about the need for more space. They have a dog grooming and daycare facility.

No one spoke against the item.

Public Hearing closed.

Vanessa spoke about the intent of State Route 119 Overlay.

Mr. Ryals had concerns on boarding at this location. He stated the previous business boarded and they walked dogs in a neighbors yard. Please be aware of the houses behind you. Ms. Lammons has no interest in boarding she said they come and do socialization but then go home in the evening. A big open area is inside for dogs to play.

Mr. Walker made a motion to allow pet grooming and daycare at this location.

Motion made by Walker, Seconded by Lee.

Voting Yea: Ryals, Walker, Coleman, Lee

3. SE-2023-0032 - Verizon Temporary Tower

Address: 136 Newgate Rd

Owner: Alabaster Water Board

Applicant: Verizon Cellular

PIN: 23 2 03 1 002 049.002

Zoning: R-1 (Single Family Residential)

Request: Special Exception to allow a temporary cell tower on this R-1 zoned Property.

Public Hearing opened

Mr. Greg Spence with Verizon was present to represent the request. He spoke about the need to have a temporary 130' mono pole while they determine a new site for a permanent pole. There will be no guide wires and is not lighted. The hope is to transition this into a permanent site.

Mr. Ryals asked if they would co-locate with the water tower.

Mr. Spence stated the area needs the coverage of this tower. They would like to co locate but they need a site close to this one.

The bid for the tank removal has been bid and they are looking to remove it by the beginning of April. It takes at least 18 months to do the work on creating a new cell tower location.

Mr. Ryals stated in the past the city would like for communication towers to be co-located.

Ms. Debbie Sullivan with Suez spoke. She works with the relocates.

No one spoke against the item.

Public Hearing closed.

Ms. McGrath reviewed the request.

The max time that Verizon allows a temporary pole is 2 years.

Motion to allow the temporary tower not exceed 18 months.

Motion made by Ryals, Seconded by Walker.

Voting Yea: Ryals, Walker, Coleman, Lee

4. VA-2023-0007 - Long Lewis Automotive

Address: 1471 & 1495 1st Street North

Owner: E & EE Properties, LLC & Elmtree Properties, LLC

Applicant: Midstate Signs, LLC (Judy Moore)

PIN: 13 7 25 3 001 007.000 & 13 7 25 3 001 008.001

Zoning: B-3 Medical Mile Overlay

Various Sign Variances across 2 parcels

Public Hearing opened

People speaking for the item.

Judy Moore and Bill Ferrati and Allen were present to speak on the request.

Vanessa reviewed the request. 1

Lot 1

Variance to allow 2nd & 3rd Building sign

Pole Sign 1 (Body Shop and Rental) in Medical Mile - 16.83 sq ft Size Variance

Lot 2

Pole Sign 2 (Automotive Group) in Medical Mile -120.75 sq ft Size Variance and a 17 ft Height Variance

Motion made by Lee, Seconded by Walker.
Voting Yea: Ryals, Walker, Coleman, Lee

5. VA-2023-0031 Dawson's Cove Entrance Sign

Address: Next to 200 Dawsons Cove Dr

Owner: Dawson's Cove, L.L.C

Applicant: Jason Spinks

PIN: 23 7 25 2 004 999.999

Zoning: R-3 (Single-Family Residential District)

Request: Sec. 111-222(B) Variance to allow monument sign to exceed allowed 32 sq. ft. sign face area to 55.42 sq. ft. A variance of 23.42 sq. ft. is required.

Public Hearing opened

Mr. Cam Spinks was present to represent the request. He read a letter from Jason Spinks. They misunderstood and thought they did not need a variance. The sign will be back lite. The initial plans were not changed and made it into the contractors hands and was built.

No one spoke against the item.

Public Hearing closed.

Mr. Ryals stated the sign is nice but it is too big

Mr. Cam Spinks said he took the information back and is not sure where the communication failed and we got to here. They can add more dirt to the bottom of the sign to make it look it shorter. To make it smaller they would have to remake the sign and then they would have to add more stack stone and then the metal would look to small for the monument.

Mr. Lakin Spinks recommended in the future signs should be approved at the time of subdivision. Then it can be looked at sooner if a variance is needed or not.

Mr. Ryals what if we give them a chance to rework the sign and see if they can meet the sign ordinance.

Mr. Cam Spinks spoke about how they will not make this a re-occurrence. They are asking for forgiveness on this one.

Mr. Coleman try's to find a win win.

A motion was made to table this to the April.

Motion made by Ryals, Seconded by Walker.
Voting Yea: Ryals, Walker, Coleman, Lee

Item is tabled to the April 11th meeting.

6. VA-2023-0034 - 332 Logos Trace

Address: 332 Logos Trace
Owner/Applicant: Anthony & Yoko Brown
PIN: 23 5 22 0 007 037.000
Zoning: E (Estate)
Request: Variance to allow Accessory Structure in the side yard.

Public Hearing opened.

Mr. Anthony Brown was present to represent the request. Due to the topo of the back yard and the placement of the septic tank and field lines they had to turn the accessory building to the side of the house. The garage is needed storage area and exercise area. The land drops off so they would have to put a lot of fill to move it farther back. Yoko his wife has MS and needs to have the pool to do exercises.

The following people spoke against the item.

Ms. Marie Jordan spoke on behalf of the neighbors and herself. They have concerns regarding the size of the structure, the definition in the zoning ordinance of an accessory structure, buffer between neighbors and drainage.

Mr. Sterling Gros said he is not necessarily opposed just has concerns . He has a big concern of run off edge of the property is low lying.

Mr. Ed Angelini 325 Logos Trace stated they bought in this subdivision because of the strict covenants. A statement from Mr. Rex Sherer 323 Logos Trace was read. He stated that rules need to be followed.

Mr. Wes Brakefield HOA president was present he stated the original plan had been approved. HOA is going to listen to both parties and is aware of the situation and concerns.

Mr. Brown addressed the concerns.

Chairman Coleman said they follow city guidelines.

Ms. McGrath reviewed the case and spoke on the definition of an accessory structure.

Mr. Ryals wanted to make sure they are meeting the covenants.

Motion made by Walker, Seconded by Lee.
Voting Yea: Walker, Coleman, Lee
Voting Nay: Ryals

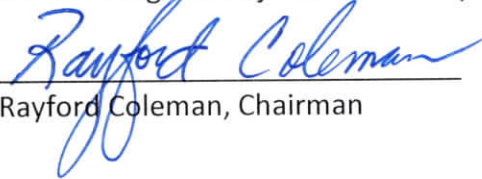
Motion was approved.

VI. OTHER BUSINESS

The next regularly scheduled meeting date is April 11, 2023

VII. ADJOURN MEETING

The meeting was adjourned at 7:31pm



Rayford Coleman, Chairman



Vanessa McGrath, Secretary