



MINUTES OF THE ALABASTER  
BOARD OF ZONING ADJUSTMENT  
MEETING

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

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**I. CALL TO ORDER**

Meeting called to order at 5:30 pm.

**II. ROLL CALL**

PRESENT

Place 1 Rayford Coleman

Place 2 Jim McClain

Place 3 Richard Mizell

Place 4 Wade Walker

Place 5 Tommy Ryals

Supernumerary 1 Matt Pehale

Supernumerary 2 Jamia James

Staff Present

Vanessa McGrath, City Planner

**III. APPROVAL OF MINUTES**

a. Approval of September 12, 2023, BZA Minutes

Motion made by Place 2 McClain, Seconded by Place 3 Mizell.

Voting Yea: Place 1 Coleman, Place 2 McClain, Place 3 Mizell, Place 4 Walker,

Supernumerary 1 Pehale

Minutes were approved as presented.

b. Approval of October 10, 2023, BZA Minutes

Motion made by Place 5 Ryals, Seconded by Place 3 Mizell.

Voting Yea: Place 1 Coleman, Place 3 Mizell, Place 5 Ryals, Supernumerary 1 Pehale

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. VA-2023-0089 - 607 9th Avenue SW

Address: 607 9th Avenue SW

Owner: J R C Properties LLC

Applicant: Jacob Lindsey

PIN: 23 1 02 3 001 010.000

Zoning: B-3 (Community Business District)

Request: Variance to Sec.111-79 regarding B-3 setbacks; request a 15.23 ft. front setback variance from the 50 ft. minimum.

The Public Hearing was opened.

In favor of the request.

Ken Lindsey was present to represent the request. They represent JRC and are invested in the area because they own along 11<sup>th</sup> Ave SW. The only reason they need a variance is because of the sewer line on the rear of the property. The owner would like to divide the building and have two retails in the future with the current use of the entire building being office.

In opposition of the request

Mary Decker, 608 9th Court is not against the building. She is worried about the condition of the road and what more traffic will impact it. The area lost a road with the police station construction, and they only have one road into the area from Hwy 119. She has been there since 1971. She is worried about being pushed out.

Anna Portillo, 613 9th Ave SW lives next door. When they bought the property, they checked everything and it's unfair that it has been rezoned to commercial.

The Public Hearing was closed.

Ms. Vanessa McGrath reviewed the request.

Mr. Lindsey stated that this is just an office and there should not be large trucks going to the site.

Mr. Ryals said an office situation is the best situation for the adjacent property owners.

Motion made by Place 4 Walker, Seconded by Place 2 McClain.

Voting Yea: Place 1 Coleman, Place 2 McClain, Place 3 Mizell, Place 4 Walker, Place 5 Ryals

Variance was approved as requested.

#### **VI. OTHER BUSINESS**

The next regularly scheduled meeting date is December 12, 2023

Approve the revised 2024 Board of Zoning Adjustment Calendar

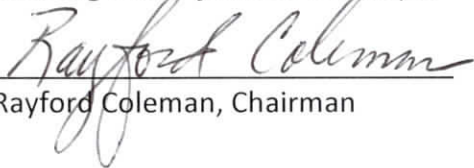
Motion made by Place 5 Ryals, Seconded by Place 4 Walker.

Voting Yea: Place 1 Coleman, Place 2 McClain, Place 3 Mizell, Place 4 Walker, Place 5 Ryals

Calendar approved as presented.

#### **VII. ADJOURN MEETING**

Meeting was adjourned at 5:49pm

  
Rayford Coleman, Chairman

  
Vanessa McGrath, Secretary