



MINUTES OF THE ALABASTER
BOARD OF ZONING ADJUSTMENT
MEETING

TUESDAY, FEBRUARY 13, 2024 | 5:30 PM
COUNCIL CHAMBERS | 1953 MUNICIPAL WAY

I. CALL TO ORDER

Meeting called to order at 5:30 pm

II. ROLL CALL

Staff Present

Vanessa McGrath, City Planner

Kim Brothers, Planning and Zoning Coordinator

PRESENT

Chairman Wade Walker

Vice Chairman Richard Mizell

Jamia James

Tommy Ryals

Supernumerary 1 Matt Penhale

ABSENT

Rayford Coleman

Supernumerary 2 Tracy Coyne

III. APPROVAL OF MINUTES

- a. Approval of January 9, 2024, BZA Minutes

Motion made by Ryals, Seconded by James.

Voting Yea: Walker, Mizell, James, Ryals, Penhale

Minutes for January 9th BZA meeting 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-2024-0005 Hill Point

Address: Southwest Corner of Mission Hill Rd and State Route 119

Owner: Nilipour Hossein

Applicant: Insite Engineering / D.R. Horton

PIN: 23 6 23 3 001 007.001

Zoning: R-3 (Single-Family Residential District) to be Rezoned to B-3 (Community Business District) and R-7 (Townhouse District)

Request: Variance to Section 111-74 (g)(5) to alleviate the requirement for rear entry garages.

Mr. James Cassidy with Insite Engineering was present to represent the request. Explained detail of the Hillpoint Townhome subdivision presentation and what it could look like.

The Public Hearing was opened.

Mr. Brook Lovett asked how many homes will be developed.

Mr. Cassidy said currently 101 to 103 but further planning will be at around 99 homes.

The Public Hearing was closed.

Ms. McGrath stated the size of the property, and the drainage makes it difficult to put another set of roads in. She is not totally opposed to front loading but would have to turn homes around and that may be difficult.

Mr. Ryals has concerns that the comprehensive plan listed a general commercial area and does not list townhomes. The City just upgraded the townhouse regulations in 2019 and with this being the first townhouse request he does not want to go against the new regulations.

Mr. Cassidy addressed these concerns.

Mr. Ryals mentioned the surrounding development (Walker Springs). His opinion is that commercial would be a better fit at this location than more homes.

Ms. James shares the same opinion as Mr. Ryals

Mr. Penhale asked if there could be any creative solutions that would allow them to stay within the code without the additional cost and without asking for variance.

Mr. Cassidy addressed this question.

Mr. Ryals stated a variance must be a hardship and financial cost does not qualify as a hardship for this request.

Discussion was had.

Motion made by Mizell, Seconded by Penhale.

Voting Nay: Walker, Mizell, James, Ryals, Penhale

Variance was denied.

2. VA-2024-0011 Evangel Church

Address: 423 Thompson Road

Owner: Evangel Church

Applicant: Evangel Church

PIN: 23 2 03 1 002 048.000

Zoning: I (Institution District)

Request: Variance to Section 111-224 (B)(2)(4) Signs permitted in Institution and B-1 Districts. 1'8" height variance from the 4' maximum and 12.5 sq. ft. area variance from the 48 sq. ft. for a sign that will be 60.5 sq. ft. and 5 ft. 8-inch height.

Ms. Cindy Nelson was present to represent Evangel Church. The church would like to replace the old sign with a new one. The old sign is not within city zoning regulations. They would like the sign to reflect that it is a church and not just a school.

Mr. Penhale asked the location of the school sign.

Ms. Nelson provided a picture of the school sign. She stated the church will only have one sign. There will be no signs on the building.

Vanessa stated two phone calls were received in favor of the sign.

Vanessa reviewed the recommendation.

The Public Hearing was opened.

The Public Hearing was closed.

Motion made by Ryals, Seconded by James.

Voting Yea: Chairman Walker, Vice Chairman Mizell, James, Ryals, Supernumerary 1 Penhale

The variance was approved.

VI. OTHER BUSINESS

The next regularly scheduled meeting date is

3. The next regularly scheduled meeting date is March 12, 2024

VII. ADJOURN MEETING

Motion made by Ryals, Seconded by Mizell.

Voting Yea: Walker, Mizell, James, Ryals, Penhale

Meeting was adjourned at 6:13 pm



Wade Walker, Chairman



Vanessa McGrath, Secretary