



MINUTES OF THE ALABASTER
BOARD OF ZONING ADJUSTMENT
MEETING

TUESDAY, SEPTEMBER 12, 2023 | 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

Tommy Ryals

Wade Walker

Rayford Coleman

Jim McClain

Richard Mizell

III. APPROVAL OF MINUTES

Approval of August 8, 2023, BZA Minutes

Motion made by Ryals, Seconded by Walker

Voting Yea: Ryals, Walker, Coleman

Voting Abstaining: McClain, Mizell

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-2023-0093 - 225 Wagon Trail

Address: 225 Wagon Trail

Owner: Eutonette Watson

Applicant: Little Hearts Home Daycare

PIN: 13 7 35 2 005 016.000

Zoning: R-3 (Single Family Residential)

Request: Special Exception to Section 111-67(c)(2) to allow a group home day care.

Ms. Watson was present to represent the request. She would like to have 10 to 12 kids within her home instead of the allowed 6 children.

The Public Hearing was opened.

The Public Hearing was closed.

Mr. Ryals stated this does not meet the intent of the R-3 zoning and with 10 or 12 kids the business will not be transparent in the neighborhood. We have had requests in the Planning Commission that have been turned down due to the traffic in a neighborhood.

Mr. Coleman stated he feels that the traffic will be an issue.

Ms. McGrath stated she received multiple emails in opposition and the concerns were parking and traffic.

Motion made by Walker, Seconded by Mizell.

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

The special exception was denied.

2. 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 10.39 ft. front setback variance from the 50 ft. minimum and a 10 ft. rear setback variance from the 15 ft. requirement.

Request to carry over to the October 10, 2023, meeting.

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

Item carried over to October 10, 2023

3. VA-2023-0100 - Alabaster South Business

Address: 22 5 21 3 001 005.000

Owner: Edwin Lumpkin

Applicant: ESP Associates

PIN: 22 5 21 3 001 005.000

Zoning: M-1 (Light Industrial)

Request: Twenty (20') foot Variance to Sec. 111-123 (2) that requires all Industrial Parks to have Seventy (70') foot rights-of-way.

Joel Childers with ESP Associates (Engineer) was present to represent the request. The original plat was filed in 2001 and then Mr. Lumpkin purchased the rest of the property in 2006 and he wants to extend the 27 units toward the wetlands and add another road. The plat will meet the other requirements of M-1 but would like to have the 50' right of way instead of the 70' to match the existing subdivision.

The Public Hearing was opened.

The Public Hearing was closed.

Ms. Vanessa McGrath reviewed the request.

Motion made by Ryals, Seconded by McClain
Voting Yea: Ryals, Walker, Coleman, McClain, Mizell

Variance was approved to reduce the Right-of-Way to 50' foot.

4. VA-2023-0101 - 1225 Grande View Lane

Address: 1225 Grande View Lane

Owner: Josh Bush

Applicant: Josh Bush

PIN: 23 5 21 0 007 016.000

Zoning: R-3 (Single Family Residential)

Request: Sec 111-112(a) Variance to allow an in-ground swimming pool on a through lot.

Josh Bush was present to represent the request. He is building a house and wants to install a pool for the wife and children.

The Public Hearing was opened.

The Public Hearing was closed.

Ms. Vanessa McGrath reviewed the request.

Mr. Walker asked if there would be a fence around the pool.

Mr. Mizell asked if the equipment will be outside the fence.

Mr. Bush stated that the city requires a fence, and that the equipment would be outside the fence.

Motion made by Walker, Seconded by McClain.

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

Variance for a pool in a through lot was approved.

5. VA-2023-0104 - 104 Sawmill Trace

Address: 104 Sawmill Trace

Owner: Watts Gayle D Trustee of Watts Family Trust C/O Kevin & Mary McLaughlin

Applicant: Kevin & Mary McLaughlin

PIN: 22 2 09 0 000 004.047

Zoning: A (Agricultural District)

Request: Section 111-45(g) Variance to allow an accessory structure in the front yard.

Kevin & Mary McLaughlin were present to represent the request. Fogul Lake covenants require that the front yard is the lake side property. This will be in what they considered the rear yard, and this will be farther than the one that was there when they bought the house.

Public hearing open

Kathy Shuleva, next door neighbor (102 Sawmill Trace) supports them and the request.

The Public Hearing was closed.

Ms. Vanessa McGrath reviewed the request.

Motion made by McClain, Seconded by Mizell

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

Variance to have accessory structure in front yard was approved.

VI. OTHER BUSINESS

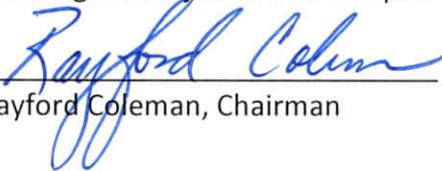
The next regularly scheduled meeting date is October 10, 2023

VII. ADJOURN MEETING

Motion made by Walker, Seconded by McClain.

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

Meeting was adjourned at 6:02pm



Rayford Coleman, Chairman



Vanessa McGrath, Secretary