

Minutes
Orange Beach Board of Adjustment
July 20, 2015 – 5:00 P.M.
Council Chambers – Orange Beach Municipal Complex

A. Call to Order

Chairman Mike Contorno called the meeting to order at 5:07 p.m. and asked the secretary to call the roll.

B. Roll Call

Present: Bob Barnett
 Tem Blalock - absent
 Mike Contorno
 Gene Grant
 Cecil Young
 Tim Blackwell - absent
 Pete Peterson
 John Lawler, City Attorney
 Kit Alexander, Engineering & Environmental Services Director
 Griffin Powell, Planner II
 Paulette Taylor, Planner I

C. Approval of Minutes

1. Approval of minutes from the Regular Meeting on April 20, 2015.
Motion made (Young/Barnett) to approve the April 20, 2015 minutes. Roll call revealed: Barnett, yes; Contorno, yes; Grant, yes; Young, yes; Peterson, yes.
Approved (5-0).

D. VARIANCES

1. **CASE NO. 0701-V-15 – VARIANCE – 3765 JUBILEE POINT ROAD – OWNER/APPLICANT: PENNY MCDANIEL** – Request by the applicant for a variance to Section 5.020101, Projections into Yards, to encroach beyond the 20% allowable encroachment into the rear setback for porch and beyond the 20% allowable encroachment into the side setback for a hydraulic lift at an existing dwelling at 3765 JUBILEE POINT ROAD in the RS-1 (Single-Family Residential) zoning district. Penny McDaniel was present to address the Board. Mrs. McDaniel stated that their house was built in 2006 with only an entrance in the front. They would like to like to add a door and deck with stairs in the back. She said she understands that a variance would not be required for the cargo lift. Chairman Mike Contorno opened the public hearing for comments and no one spoke in favor or opposition.

Motion made (Barnett/Grant) to approve the variance request as presented. Roll call revealed: Barnett, yes; Contorno, yes; Grant, yes; Young, yes; Peterson, yes. **Approved (5-0).**

2. **CASE NO. 0702-V-15 – VARIANCE – 3785 ILLINOIS STREET – OWNER/APPLICANT: CURTIS C. RODGERS** – Request by the applicant for a variance to Section 4.04, Maximum Building Heights and Dwelling Units per Acre, to exceed the 40-foot height restriction to allow for a new single-family dwelling with a proposed height of approximately 48 feet at 3785 ILLINOIS STREET in the RS-3 (Single-Family Residential) zoning district. Curtis Rodgers was present to address the Board. Mr. Rodgers stated that he would like to build a two-story house with a widow’s walk on top. The height would be 46 to 48 feet, which exceeds the 40-foot height restriction. Griffin Powell stated that the height was changed from 50 to 40 feet in 2006.

Chairman Mike Contorno opened the public hearing for comments and two people spoke in opposition. Tommy Van Pelt stated that his house was built in 2006 at which time the height limit was 35 feet. He had to reduce the pitch of the roof by seven inches to meet the 35-foot height limit. Mr. Van Pelt would like for the neighborhood to stay intimate.

Jimmy Boyd stated that he is not against building the house but 48 feet is too tall. He has a problem with the runoff from the proposed construction. Chairman Mike Contorno stated that runoff is not a Board of Adjustment issue. The Board is to consider the variance for the height limit. Jimmy Boyd stated that 48 feet is not a hardship.

Charles Larrimore stated that he built his house in 1983. The 48 feet height would be an eye sore to the area.

Motion made (Barnett/Grant) to approve the variance request as presented.
Roll call revealed: Barnett, no; Contorno, no; Grant, no; Young, no; Peterson, no.
Denied (0-5).

E. NEW BUSINESS

F. OTHER BUSINESS

G. ADJOURN

The meeting adjourned at 5:25 p.m.

Respectfully submitted,

Approved,

Paulette Taylor, Planner I

Mike Contorno, Chairman