

**Minutes**  
**Orange Beach Board of Adjustment**  
**September 21, 2016 – 3:00 P.M.**  
**Council Chambers – Orange Beach Municipal Complex**

**A. Call to Order**

Chairman Mike Contorno called the meeting to order at 3:00 p.m. and asked the secretary to call the roll.

**B. Roll Call**

Present:            Bob Barnett  
                       Tem Blalock  
                       Mike Contorno  
                       Cecil Young - absent  
                       Tim Blackwell  
                       Pete Peterson – absent  
                       Linda Bradley  
                       John Lawler, City Attorney  
                       Kit Alexander, Engineering & Environmental Services Director  
                       Griffin Powell, Planner II  
                       Landon Smith, Building Official  
                       Paulette Taylor, Planner I

**C. Approval of Minutes**

1. Approval of minutes from the Regular Meeting on August 17, 2016.  
**Motion made (Blalock/Barnett) to approve the August 17, 2016 minutes.** Roll call revealed: Barnett, yes; yes; Blalock, yes; Contorno, yes; Blackwell, yes; Bradley, yes;  
**Approved (5-0).**

**D. VARIANCES**

1. **CASE NO. 0901-V-16 – VARIANCE – 5384 BALDWIN AVENUE – OWNER/APPLICANT: ROY SCOTT** – Request by the applicant for a variance to Section 4.03, Minimum Setbacks, to encroach two feet into the required 30-foot side setback on the north side of the lot along Canal Road for the purpose of constructing a single-family dwelling. The municipal address is 5384 BALDWIN AVENUE in the RS-2 (Single-Family Residential) zoning district. Roy Scott was present to address the Board of Adjustment. He stated that the plans drawn were into the setback on the northwest corner. He is also building another 1500 square foot house on the adjoining lot. John Lawler stated that a variance could be considered due to the shape of the lot and the variance would not affect the neighborhood community.  
  
**Motion made (Barnett/Blackwell) to approve the variance request as presented.** Roll call revealed: Barnett, yes; Blalock, yes; Contorno, yes; Blackwell, yes; Bradley, yes.  
**Approved (5-0).**

2. **CASE NO. 0902-V-16 – VARIANCE – 4396 & 4398 MONEY BAYOU DRIVE – OWNER: GULF SHORES AIRPORT WAREHOUSE, LLC – APPLICANT: HASTY LANEY** – Request by the applicant for a variance to Section 8.01, Required Off-Street Parking, to reduce the required parking for a proposed mini warehouse facility from 21 spaces to 11 spaces. The municipal addresses are 4396 and 4398 MONEY BAYOU DRIVE in the GB (General Business) zoning district. Hasty Laney was present to address the Board of Adjustment. He stated that his site plan shows 11 parking spaces but the requirement is 20 spaces. He is proposing a 16,200 square foot mini storage facility with no offices. The site plan did not show a dumpster. The Board discussed also reducing the number of parking spaces required to allow for a dumpster. Powell stated that a zoning text amendment will be presented to the Planning Commission in November to reduce the number of parking spaces for mini warehouses.

**Motion made (Blackwell/Barnet) to approve the variance request and reduce the number of parking spaces from 21 to eight spaces; dumpster in the reduced three spaces and no outside storage.** Roll call revealed: Barnett, yes; Blalock, yes; Contorno, yes; Blackwell, yes; Bradley, yes. **Approved (5-0).**

**E. APPEALS**

**F. NEW BUSINESS**

**G. OTHER BUSINESS**

**Executive Session to discuss pending litigation.** Motion was made to go into Executive Session to discuss pending litigation. Andy Rutens advised the Board that a declaration was required by the Opening Meetings Act for an Executive Session; therefore, he stated for the record that he was duly qualified and had the personal knowledge to provide the requisite declaration for the stated purpose of the Executive Session that was necessary for the purpose so stated and that open discussion would imperil and/or have a detrimental effect upon the city if disclosed outside of an Executive Session or would otherwise be contrary to law;

The Chairman directed the Secretary to enter said motion and purpose into the minutes of the meeting and called for a vote on said motion; and,

Said vote in regard to the motion for Executive Session was taken and recorded into the minutes as follows: Roll call revealed: Barnett, yes; Blalock, yes; Contorno, yes; Blackwell, yes; Bradley, yes. **Passed (5-0).** Time 3:24 p.m.

The Board entered into Executive Session for the purpose as stated and reconvened in approximately 45 minutes. **Motion made (Bradley/Blackwell) to reconvene.** Roll call revealed: Barnett, yes; Blalock, yes; Contorno, yes; Blackwell, yes; Bradley, yes. **Passed (5-0).** Time 3:54 p.m.

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**H. ADJOURN**

The meeting adjourned at 4:10 p.m.

Respectfully submitted,

Approved,

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Paulette Taylor, Planner I

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Mike Contorno, Chairman