

Minutes
Orange Beach Board of Adjustment
October 18, 2017 – 4:05 P.M.
Council Chambers – Orange Beach Municipal Complex

A. Call to Order

Chairman Mike Contorno called the meeting to order at 4:00 p.m. and asked the secretary to call the roll.

B. Roll Call

Present: Bob Barnett
 Tim Blackwell
 Tem Blalock
 Mike Contorno
 Cecil Young
 Pete Peterson
 Linda Bradley
 John Lawler, City Attorney
 Kit Alexander, Engineering & Environmental Services Director - arrived at
 4:45 p.m.
 Griffin Powell, Planner II
 Paulette Taylor, Planner I

C. Approval of Minutes

1. Approval of minutes from the Regular Meeting on August 16, 2017.
Motion made (Blalock/Barnett) to approve the August 16, 2017 minutes. Roll call revealed: Barnett, yes; Blackwell, yes; Blalock, yes; Contorno, yes; Young, yes; Peterson, yes; Bradley, yes. **Approved (7-0).**

D. VARIANCES

1. **Case No. 1001-V-17, 5175 Bay Drive**
Pete J. Vallas, on behalf of Edward A. Dean, requests approval of variances to Section 5.0403, Location on Lot, and Section 5.0406, Setbacks, to construct a two-story accessory structure (two-car garage with a two-bedroom, two-bath upstairs) in the front yard that will be 76'1" from the front property line. The property is located at 5175 Bay Drive in the RS-2 (Single-Family Residential) zoning district. Pete Vallas, architect for Edward Dean, was present to address the Board of Adjustment. He stated that the owner would like to tear down the garage and rebuild it with guest rooms above the new garage. The existing garage encroaches into the side setback and 1.5 feet and sits 89'10" from the front property line. The new garage will be two stories and have a footprint area of 954 SF. The second floor will have two guest rooms (bedroom, bathroom, and kitchenette). The new garage will be 10 feet from the side property line and 76'1" from the front property line. Accessory structures located in the front yard are required to have a front setback of 130 feet. Pete Vallas stated that the hardship would be that the existing non-conforming garage was not in compliance and the new garage could not comply with the new front setbacks.

The Board asked if there was enough parking. Griffin Powell stated that four parking spaces would be required. There will be two parking spaces in the garage and additional two spaces designated outside. John Lawler stated that the hardship could be caused by the setbacks being changed since house was built in 1978 and the 130 feet front accessory setback changed in 2015.

Motion made (Blalock/Barnett) to approve variance request as submitted subject to an addendum that there would be no rental of the accessory structure. Roll call revealed: Barnett, yes; Blalock, yes; Blackwell, no; Contorno, yes; Young, no. **Denied (3-2).**

- E. APPEALS**
- F. NEW BUSINESS**
- G. OTHER BUSINESS**
- H. ADJOURN**

The meeting adjourned at 5:00 p.m.

Respectfully submitted,

Approved,

Paulette Taylor, Planner I

Mike Contorno, Chairman