

Minutes
Orange Beach Board of Adjustment
May 20, 2020 ▪ 4:00 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, Vice Chairman
 Mike Contorno, Chairman
 Cecil Young
 Linda Bradley
 Tina D'Aversa
 John Lawler, City Attorney
 Kit Alexander, Director
 Sean Brumley, GIS Specialist
 Griffin Powell, Planner II
 Lannie Smith, Building Official
 Paulette Taylor, Planner I

C. APPROVAL OF MINUTES

1. Approval of minutes from the Regular Meeting on December 17, 2019.

D. VARIANCES

1. CASE NO. 0401-V-20, 5769 Pensacola Avenue

Charles R. Jones, Jr. and Darlene Jones request approval of a variance to Section 5.1204, Expansion of a Nonconforming Building, to construct a 24' by 7' deck/porch to the rear side of the house. The deck/porch will be 2.5 feet from the rear property line. The property is located at 5769 PENSACOLA AVENUE in the RS-2 (Single-Family Residential) zoning district.

Bob Jones was present to address the Board of Adjustment. He stated the porch was damaged due to flooding. He replaced siding but was delayed rebuilding the porch because of a car accident. The original deck was five feet wide but he would like for the deck/porch to be 7' x 24'. Bob Barnett asked if the deck was removed because of damage. Bob Jones stated yes. He would like to add two feet because his bedroom goes out onto the deck. Lannie Smith stated the door was replaced first. Cecil Young stated the structure is not safe without a deck.

Kit Alexander stated Bob Jones wants to replace the deck and this is the reason for the variance. Lannie Smith stated a bedroom can be a means of escape from a residence. Kit Alexander asked if there would be stairs. Bob Jones stated would be no stairs, only a balcony. Lannie Smith stated a balcony can serve as an emergency egress to get out of the building.

Kit Alexander stated the damage done by a storm could be considered a hardship. In April 2014 there was a rainstorm that produced 24" of rain. Kit Alexander stated the deck/porch was non-conforming and would require a variance to rebuild. Bob Jones stated he could add

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rails for safety. Tem Blalock stated he has a problem with increasing the encroachment of the deck. Bob Jones stated he has a double lot and did not feel the deck would affect anyone since the deck would not be near his neighbor's house. Chairman Mike Contorno asked for the distance to his neighbor's house. Lannie Smith stated the porch is twenty feet from the neighbor's house. It would be thirteen feet with the applied setback variance.

Bob Jones stated he could add steps if necessary. The hardship is getting out of the house at his age and he does not want to do more climbing. Bob Jones asked if he could set the 4" x 6" posts on the outside of the deck. Chairman Mike Contorno stated he could agree to that request and Bob Jones could decide whether or not to add steps.

Motion made (Barnett/Young) to approve variance request as presented subject to the deck only extending five feet out from the house and shall be allowed an additional 3.5 inches for the posts. If stairs are added, they shall turn to the east. Roll call revealed: Barnett, yes; Blackwell, yes; Blalock, yes; Contorno, yes; Young, yes. **Approved (5-0).**

E. APPEALS

F. NEW BUSINESS

G. OTHER BUSINESS

H. ADJOURN

Adjourned at 4:36 p.m.

Respectfully submitted,

Approved,

Paulette Taylor, Planner I

Mike Contorno, Chairman