

Minutes
Orange Beach Board of Adjustment
November 16, 2022 4:00 PM
Council Chambers Orange Beach Municipal Complex

A. CALL TO ORDER

Chairman Mike Contorno called the meeting to order at 4:04 PM and asked the secretary to call the roll.

B. ROLL CALL

Present: Tim Blackwell
 Linda Bradley
 Greg Kennedy
 Tim Harry
 Mike Contorno
 Ryan Beebe
 Jamie Logan, City Attorney
 Griffin Powell, City Planner
 Sherri Descalzo, P&Z Coordinator Sean Brumley, GIS Specialist

C. APPROVAL OF MINUTES

Approval of minutes from the Regular Meeting on October 19, 2022.

Motion was made by Vice Chairman Blackwell and seconded by Tim Harry. Vice Chairman Blackwell; yes, Linda Bradley; yes, Greg Kennedy; yes, Tim Harry; yes, Chairman Contorno; yes.

Approved (5-0).

D. VARIANCE

1. Case No. 1101-V-22, 5562 Pinewood Circle

Grant and Tara Nichols request approval of a variance to Section 5.0406, Accessory Structure Setbacks, to encroach 6 feet into the required 20-foot rear setback for a 700+ square foot addition to an existing detached accessory structure. The property is located at 5562 Pinewood Circle in the RS-1 (Single-Family Residential) zoning district.

Grant Nichols stated that the home had been built in 2004. He would like a variance to put an extension on the garage. The extension will be for a pool house and outdoor kitchen. In order to create a square building it will need to encroach into the side setback.

Chairman Contorno asked if the structure would look like the garage. Nichols replied it would be an open air structure with no walls except where it is attached to the existing garage. He stated that his neighbor, Robert Stuart, supports the variance request as his neighbor to the rear, Nicole Woerner.

Greg Kennedy stated that the board's decision is justified by an undue hardship based on a condition of the land. This case does not meet that criteria. Is there any way to build it with a skewed slanted wall along the setback?

Linda Bradley asked whether the structure can be built meeting the required setbacks. Grant Nichols said his wife would not like it.

Greg Kennedy asked whether the allowable 20% encroachment can be applied to this structure. Griffin Powell said that this proposal does not meet the criteria.

Chairman Contorno called for a vote.

Motion was made by Vice Chairman Blackwell and seconded by Greg Kennedy to approve the variance as submitted. Vice Chairman Blackwell; no, Linda Bradley; no, Greg Kennedy; no, Tim Harry; no, Chairman Contorno; yes.

Not Approved (4-1).

E. APPEAL

F. NEW BUSINESS

G. OTHER BUSINESS

H. ADJOURN

Adjourned at 4:20 PM

Respectfully submitted,

Sherri Descalzo, P&Z Coordinator

Approved



Mike Contorno, Chairman