

Minutes
Orange Beach Board of Adjustment
March 15, 2023 4:00 PM
Council Chambers Orange Beach Municipal Complex

A. CALL TO ORDER

Chairman Mike Contorno called the meeting to order at 4:02 PM and asked the secretary to call the roll.

B. ROLL CALL

Present: Tim Blackwell
Linda Bradley
Greg Kennedy
Mike Contorno
Ryan Beebe
Jamie Logan, City Attorney
Kit Alexandra, CDD Director
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 February 15, 2023.

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

Approved (5-0).

D. VARIANCE

1. Case No. 0301-V-23, 5367 Holley Lane

J.L. Loper Construction Company Inc., on behalf of Logan and Liz Lovett, requests approval of a variance to Section 5.0406, Accessory Structures and/or Buildings – Setbacks, to allow a proposed detached garage in the front yard area to have a front setback of 32 feet. For accessory structures located in the front yard area, the said section requires the setback to be a minimum of 100 feet from the required 30-foot front setback for the principal structure (130 feet total). The property is located at 5367 Holley Lane in the RS-1 (Single-Family Residential) zoning district.

Logan Lovett, applicant, said they are building a garage in the front yard in order to enclose the existing garage.

Greg Kennedy and Linda Bradley asked if the proposed garage could be attached to the house. Linda Bradley asked if it could be attached onto the back of the home. Logan Lovett said that he could not due to utility conflicts and the presence of an existing pool and outside kitchen.

Greg Kennedy stated the structure is allowed if the gross floor area is increased and a bathroom and kitchen are included in the scope of work. The structure would be allowed as a second principle structure on the property.

Griffin Powell stated the boat house is a marine accessory and this garage is would be the only accessory building on the property.

Michael Lovett asked what is considered the front of the house as he thought the area between the house and the water is the front yard. Griffin Powell said the front of the property is street side.

Chad Loper asked for the front yard setback of the proposed structure. Griffin Powell said the front yard setback for the accessory structure is 130 feet.

Jamie Logan, City Attorney, said it is reasonable and justifiable to grant a variance for this case.

Chairman Contorno called for a motion and a vote.

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

Not Approved (4-1).

2. Case No. 0302-V-23, 5671 Allison Street

Gary D. Allison requests approval of a variance to Section 5.0402, Accessory Structures and/or Buildings – Number of Accessory Structures on Lot, to allow for an additional detached accessory structure to be placed on a 0.40-acre lot. The said section limits residential lots to one detached accessory structure. The property is located at 5671 Allison Street in the RS-1 (Single-Family Residential) zoning district.

Gary Allison, applicant, said he owns two lots. The house was built in 1994 with a 2 car detached garage. He needs storage and wants to put an accessory building on the property.

Linda Bradley asked if he could construct an addition on the existing garage. Gary Allison said the garage has been through a lot and needs a new roof. There is a large oak tree by the garage and it would have to be removed.

Linda Bradley said she could not identify a hardship.

Chairman Contorno called for a motion and a vote.

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

Not Approved (5-0).

3. Case No. 0303-V-23, 25819 West Perdido Avenue

Sandra Gerth requests approval of a variance to Section 5.0601, Number of Principal Structures on Lot, to allow the lot to maintain two principal residential buildings and allow for the damaged house residential building near the water to be demolished and rebuilt. The said section limits lots with this lot area and lot width to one principal residential building. The property is located at 25819 West Perdido Avenue in the RS-2 (Single-Family Residential) zoning district.

Greg Kennedy abstained from this case.

Chairman Contorno explained that the vote would have to be unanimous for the variance to be approved. He asked if the applicant would like to defer. Sandra Gerth requested a deferral of the case to the April Board of Adjustment meeting.

Chairman Contorno called for a motion and vote to defer the item to the April 19, 2023 Board of Adjustment meeting.

Motion was made by Tim Blackwell and seconded by Linda Greg Kennedy to defer the item to the April 19, 2023 meeting. Vice Chairman Blackwell, yes; Linda Bradley, yes;

Ryan Beebe, yes; Chairman Mike Contorno, yes.
Approved (4-0).

E. APPEAL

F. NEW BUSINESS

G. OTHER BUSINESS

H. ADJOURN

Adjourned at 4:54 PM

Respectfully submitted,



Sherri Descalzo, P&Z Coordinator

Approved



Mike Contorno, Vice Chairman