

**Minutes**  
**Orange Beach Board of Adjustment**  
**June 21, 2023 4:00 PM**  
**Community Center Canal Rd**

**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  
Greg Kennedy  
Ryan Beebe  
Mike Contorno  
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 March 15, 2023.

Motion was made by Tim Blackwell and seconded by Greg Kennedy to approve the minutes. Vice Chairman Blackwell, yes; Greg Kennedy, yes; Ryan Beebe, yes; Chairman Contorno, yes.

**Approved (4-0).**

**D. VARIANCE**

**1. 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 a Lot, to allow the lot to maintain two principal residential buildings and to allow for the damaged house near the water to be 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. *Deferred from the Regular Meeting on March 15, 2023.*

Greg Kennedy stated he would be abstaining from the vote. Griffin Powell stated that there is not a quorum and the item needs to be deferred to the July Board of Adjustment meeting.

Motion was made by Greg Kennedy and seconded by Tim Blackwell to defer the item to the July 19<sup>th</sup> Board of Adjustment meeting. Vice Chairman Blackwell, yes; Greg Kennedy, yes; Ryan Beebe, yes; Chairman Contorno, yes.

**Approved (4-0).**

**2. Case No. 0501-V-23, 25241 Perdido Beach Boulevard**

Stephi's Artisan LLC, on behalf of Romar (SC) LLC, requests approval of a variance to Section 15.0804, General Sign Standards – Dimensions and Quantity, to allow additional commercial sign face area square footage for a freestanding sign for Stephi Cocktails & Cuisine at the Gulf Beach

Shopping Center located 25241 Perdido Beach Boulevard in the GB (General Business) zoning district. Steven Vron dran, applicant, stated that the restaurant wall sign is obstructed by the Murphy Oil building and onsite landscaping. In addition, the Perdido Beach Boulevard median project makes it more difficult to view and access the restaurant.

Griffin Powell said 20 additional square feet is available on the existing free-standing sign.

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

**Not Approved (4-0).**

**3. Case No. 0601-V-23, West Oak Ridge Drive, Lot 2-A, Matthews Estate Subdivision (PIN 4000168)**

Robert Matthews requests approval of a variance to Section 6.0202, c., Mobile Home Subdivision (Large Lots) – Subdivision Size, Density, Lot, Width, to allow for a proposed newly subdivided lot to have the minimum lot frontage at the public right-of-way to be less than the required 75 feet. The property is located at the end of West Oak Ridge Drive in the MHS (Mobile Home Subdivision) zoning district.

Robert Matthews, applicant, stated that he did not want to build a paved or gravel road. He said the road would go to nowhere. He stated that the required 75-foot frontage for lots in an MHS zoning district is an error in the zoning ordinance.

Danny Andres of Regal Oaks stated that the road should be constructed like West Oakridge.

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

**Not Approved (4-0).**

**4. Case No. 0602-V-23, 29629 Bayshore Drive North**

William Joseph Leavitt, on behalf of Bill and Deborah Leavitt, requests approval of a variance to Section 5.0201, Projections into Yard, to encroach 4 feet beyond the allowable 20-percent encroachment into the required 10-foot east side setback for an attached non-enclosed carport. The property is located at 29629 Bayshore Drive North in the RS-2 (Single-Family Residential) zoning district.

Joey Leavitt requests a 12-foot lean-to for his vehicles. He stated he could not build the lean-to in the front because it would enter the bedroom.

Ann Marks, 29621 Bayshore Drive North, said she has owned her property since 1950 and there has never been a carport there. She said she is against the variance request and drove from Birmingham to voice her concerns.

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

**Not Approved (4-0).**

**5. Case No. 0603-V-23, Lot 7, Block 11, Bear Point Heights Subdivision (PIN 265149)**

Mikel "Shannon" McMillan requests approval of variances to Section 4.03, Minimum Setbacks, to encroach 3 feet 9 inches into the required 30-foot front setback and 3 feet 9 inches into the required 20-foot rear setback to construct a single-family house. The property is Lot 7, Block 11 of the Bear Point Heights Subdivision and is located on Canal Road in the RS-2 (Single-Family Residential) zoning district.

Shannon McMillian stated that 40 feet of the front part of the property was acquired by the Alabama Department of Transportation in order to construct Canal Road. Kit Alexander, Community Development Director, confirmed that the original lot depth per the recorded subdivision final plat was reduced due to property acquisition through eminent domain.

Motion was made by Ryan Beebe and seconded by Greg Kennedy to approve the variance as submitted. Vice Chairman Blackwell, yes; Greg Kennedy, yes; Ryan Beebe, yes; Chairman Contorno, yes.

**Approved (4-0).**

**6. Case No. 0604-V-23, 29716 Bayshore Drive Shore**

Brittney Pronesti, on behalf of Jay and Ellen Faulkner, requests variances to Section 4.03, Minimum Setback, to encroach 2 feet 1 inch into the required 10-foot side setback on the west side for an addition to the front of the house and 2 feet and 2 inches into the required 10-foot side setback on the east side for an addition to the rear of the house. The request also entails a variance to Section 5.0201, Projections into Yard, for the addition's roof overhang to encroach 2 feet beyond the allowable 20-percent encroachment into the required 10-foot side setbacks on the east and west sides. The property is located at 29716 Bayshore Drive South in the RS-2 (Single-Family Residential) zoning district.

Brittney Pronesti stated that the additions will not exceed the encroachments already existing on the house. The additions will square up the house and allow for proper and easier reconstruction. The reconstruction will bring the house into code compliance.

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

**Approved (4-0).**

**E. APPEAL**

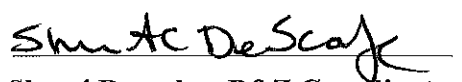
**F. NEW BUSINESS**

**G. OTHER BUSINESS**

**H. ADJOURN**

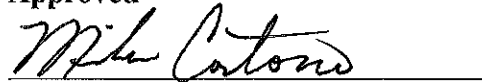
Adjourned at 5:27 PM

Respectfully submitted,



Sherri Descalzo, P&Z Coordinator

Approved



Mike Contorno, Chairman