

**MINUTES OF A BOARD OF ZONING ADJUSTMENTS MEETING HELD ON THE 5th
DAY OF MAY, 2009, AT 4 P.M.**

The Board of Zoning Adjustments met on May 5, 2009, at 4 o'clock P.M. Upon call of the roll the following members were present:

Frank Barefield, Chairman, Ann Blondheim, Louise Howard, Reverend Richard Hunter, Willie James Walton and Chairman Frank Barefield. Absent: none.

Also present: Jimmy Calton, Board Attorney.

Chairman Barefield stated a quorum was present and called the meeting to order.

Mr. Walton moved to approve the minutes of April 7, 2009. Reverend Hunter seconded the motion. After a voice vote Chairman Barefield announced the motion had carried.

Chairman Barefield called for the hearing of applications.

The first application was Aaron Brown, Jr. requesting a Special Exception for Home Occupation (singling telegrams for birthday/anniversary, etc.) from his home at 131 Thomas Drive. The applicant explained that some of their services will be over the telephone and others will be going to the customer's home, in character, if it is requested. He stated there would be no customers coming to the house and no sign would be placed at his home.

Chairman Barefield called for audience input on the application. There was no response from the audience.

Chairman Barefield noted that all legal requirements of notification of adjoining property owners had been met and a sign placed on the site.

After discussion, Reverend Hunter moved to approve the request to Aaron Brown, Jr. for a Special Exception for Home Occupation (singling telegrams) from his home at 131 Thomas Drive. Mr. Walton seconded the motion. The following roll call vote was recorded: Yeas: Mr. Walton, Reverend Hunter, Mrs. Blondheim, Mrs. Howard and Chairman Frank Barefield. Nays: none. Chairman Barefield announced the motion had carried and advised the applicant of the 15-day waiting period allowed for the appeal process.

The next application was presented by Sunday Bougher, architect with Scott and Goble Architects, for the Walmart Super Store to be located on South Eufaula Avenue. Ms. Bougher stated the city's zoning ordinance (Sec. 6.74(b) permits a total allowable signage not to exceed 200 square feet. She stated they are requesting a total of 556.63 square feet of signage due to the size of the building.

Jimmy Calton, City Attorney, stated that the City and Walmart have worked together concerning the appearance of the building, etc.

Ms. Bougher stated the monument sign would meet the zoning requirements.

Bill Klein, Building Inspector, stated had no problem with the request for the signage variance.

Chairman Barefield noted that all legal requirements of notification of adjoining property owners had been met and a sign placed on the site.

Chairman Barefield called for audience input. There was no response from the audience.

After discussion Reverend Hunter moved to approve the request for a total of 556.63 square feet of building signage for the Walmart Super Store located South Eufaula Avenue. Mr. Walton seconded the motion. The following roll call vote was as follows: Yeas: Mr. Walton, Reverend Hunter, Mrs. Blondheim, Mrs. Howard, and Chairman Frank Barefield. Nays: none. Chairman Barefield announced the motion had carried and advised the applicant of the 15-day waiting period allowed for the appeal process.

The last application was by Roger Grooms of Hughes Pools, representing J. R. and Debbie Hayes, requested an Area Variance to place a swimming pool on the left front of their property located at 1501 Barbour Lane. Mr. Grooms stated that due to the lay of the land and the rear yard sloping to a creek this is the only location where the pool could be installed. Chairman Barefield noted that all legal requirements of notification of adjoining property owners had been met and a sign placed on the site. He called for audience input on the application. There was no response from the audience.

After discussion Mrs. Blondheim moved to approve the request for the Area Variance to install the swimming pool on the left front of the property at 1501 Barbour Lane. The motion was seconded by Mrs. Howard. The following roll call vote was recorded: Yeas: Mr. Walton, Reverend Hunter, Mrs. Blondheim, Mrs. Howard, and Chairman Frank Barefield. Nays: none. Chairman Barefield announced the motion had carried and informed the applicant of the 15-day waiting period allowed for the appeal process.

A discussion followed concerning Section 6.24, Storage of Materials, and Section 6.25 Performance Standards. Chairman Barefield stated the issue is with storage of junk items and old cars. Jimmy Calton, City Attorney, stated they need to “define” storage of materials. Chairman Barefield stated the Board could discuss the matter further at a work session.

There being no further business to come before the Board, the same was on motion duly made and seconded, adjourned this 5th day of May, 2009.

Frank Barefield, Chairman

Gloria C. Bailey, Secretary