

**MINUTES OF A BOARD OF ZONING ADJUSTMENTS MEETING HELD ON THE 5th
DAY OF JULY 7, 2009, AT 4 P.M.**

The Board of Zoning Adjustments met on July 7, 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, and Willie James Walton. Absent: none

Also present: Bill Klein, Building Inspector.

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

Mrs. Howard moved to approve the minutes of June 2, 2009. Mr. Walton seconded the motion. After a voice vote Chairman Barefield announced the motion had carried.

Chairman Barefield called for the hearing of applications.

Mr. Joe Lyons, contractor for Robert Thompson, addressed the Board to request an area variance to construct his home 10' from the Corps of Engineers property located on Pebble Beach Drive (Country Club of Alabama). Chairman Barefield asked Mr. Lyons if there was a hardship due to the lay of the land. Mr. Lyons stated there was not a hardship.

Chairman Barefield called for audience input on the application. Mr. Doug Metz, 306 Pebble Beach Drive, opposed the variance stating that it would block his view of the lake from his home. A representative from the Corps of Engineers addressed the Board and opposed the variance. Chairman Barefield read correspondence from Brian and Beth Wilke, adjoining property owners, who objected to the variance. Chairman Barefield noted that if granted, it would not encroach on the Corps property.

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 of the request, Mrs. Howard moved to deny the request for the area variance due to opposition from property owners and the Corps of Engineers, and that there is no hardship on the land that would warrant granting an area variance. Mrs. Blondheim seconded the motion. The following roll call vote was recorded: Yeas: Mr. Walton, Reverend Hunter, Mrs. Blondheim, and Mrs. Howard. Chairman Frank Barefield abstained. 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 by Shirley Slater requesting a variance to allow a mobile home on Van Henry Lane. Ms. Slater stated she would purchase the property from Mr. Comer Baker. Chairman Barefield review all items that would be required if the mobile home request was granted. He stressed that a legal document must be presented to the building department before a permit could be granted. He stated the mobile home could not be placed on rented property.

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. There was no response from the audience.

Ms. Slater stated that she could meet the requirements of Section 5.239 of the Zoning Ordinance.

After discussion Reverend Hunter moved to grant the variance to allow the 14 x 70 mobile home to be placed on Van Henry Lane, subject to the applicant meeting all requirements of Section 5.239 of the Zoning Ordinance, present a properly executed deed to the property to the Building Department, and all requirements being met before the mobile home can be occupied. Mr. Walton seconded the motion. The following vote was recorded: Yeas: Mr. Walton, Reverend Hunter, Mrs. Blondheim, Mrs. Howard, and Chairman Frank Barefield. Nays: none. Chairman Barefield noted the motion had carried and informed the applicant of the 15-day waiting period allowed for the appeal process.

The last application was by Julia Randolph requesting a variance to place a mobile home on Frank Street. Mrs. Howard stated there was a "water situation" on the property. Mr. Klein, Building Inspector, stated the property is not in a flood zone.

Chairman Barefield noted that all legal requirements of notification of adjoining property owners had been met and a sign placed on the site. He then called for audience input. There was no response from the audience.

Ms. Randolph stated that she could meet all requirements of Section 5.239 of the Zoning Ordinance. She further stated she is the owner of the property.

After discussion, Mr. Walton moved to approve the request to place the 66 x 16 mobile home on Frank Drive, subject to the applicant meeting all requirements set out in Section 5.239 of the Zoning Ordinance and that the owner assume all responsibility of maintenance to the lot, and all requirements being met before the mobile home could be occupied. Mrs. Blondheim seconded the motion. The following 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.

There being no further business to come before the Board, the same was on motion duly made and seconded, adjourned this 7th day of July, 2009.

Frank Barefield, Chairman

Gloria C. Bailey, Secretary