



## Minutes of the Alabaster Board of Zoning Adjustment December 22, 2015 Meeting

**Date:** December 22, 2015  
**Place:** 1953 Municipal Way, Council Chambers  
**Time:** 7:00 p.m.  
**Present:** Richard Olive  
Alan Cannon  
Rayford Coleman  
Jack Harris  
Mike Whitaker

**Absent:**

**Others Present:** Sherri S. Proctor, Planning & Zoning Coordinator  
Ricardo Villalobos  
Larry Pharo  
Laura Koon, Alabaster Water Board  
Jason Dearing, Krebs Engineering  
Chris DeLucia, Landmark Professionals

- 1. Opening statements:** Chairman Richard Olive called the meeting to order at 6:00 PM by calling roll and establishing a quorum.
- 2. Approval of November 16, 2015 minutes:** Motion to approve the November 16, 2015 minutes was made by Alan Cannon, seconded by Rayford Coleman. Voice vote recorded as follows: Ayes-All; Nays-None. Chairman Richard Olive declared motion passed.
- 3. Approval of December 22, 2015 agenda:** Motion to approve the agenda for December 22, 2015, was made by Rayford Coleman, seconded by Jack Harris. Voice vote recorded as follows: Ayes-All; Nays-None. Chairman Richard Olive declared motion passed.
- 4. SE2015-03;** Richard Villalobos presented a request to allow live entertainment. Mr. Larry Pharo, owner, also spoke on behalf of the request. Chairman Olive called for audience discussion, there being none, the request was brought to the Board. Chairman Olive asked Ms. Proctor to read the staff's recommendation. Chairman Olive called for a motion from the Board:  
  
**Mr. Cannon made a motion to approve the request subject to a conditions; 1) hiring of private security, 2) no outdoor entertainment allowed, 3) hours of operation limited to 1 AM on Friday and Saturday, 10 PM Monday through Thursday. The second was made by Mr. Harris. The roll call vote recorded as follows: Ayes-Mr. Coleman, Mr. Whitaker, Mr. Harris, Mr. Cannon; Nays-Chairman Olive. Ch. Olive declared the motion passed with a majority vote of 4 to 1.**
- 5. SE2015-04:** Laura Koon and Jason Dearing presented the request to allow an alternative wireless facility for the existing water tower located at 136 Newgate Road. The request includes the installation of up to four equipment buildings. Chairman Olive called for audience discussion. Mr. Jim Brewer, resident at 134 Newgate Road, the owner of the land that provides access to the water tower, stated his opposition and expressed his concerns with the condition of the existing access, and the increased

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usage of the access by the cell phone companies. After discussion, Chairman Olive asked Ms. Proctor to provide staff's recommendation. Chairman Olive called for a motion from the Board:

**Mr. Coleman made a motion to approve the request subject to conditions: 1) Submittal of a landscape plan to comply with Sec. 111-154, 2) Provide maintenance for the access to the site, 3) Per Sec. 111-157, access shall be approved by the City and the Fire Chief. The second was made by Mr. Harris. The roll call vote recorded as follows: Ayes-, Mr. Coleman, Mr. Whitaker, Mr. Harris, Mr. Cannon, Chairman Olive, Nays-None. Ch. Olive declared the motion passed.**

6. **VA2015-21:** Chris DeLucia presented the request for a variance to section 111-70(f) allowing a 2 foot variance to the front yard setback, for a covered porch. Chairman Olive called for audience discussion; there being none, the Chairman asked Ms. Proctor to provide staff's recommendation and asked for a motion:

**Mr. Cannon made a motion to approve the request for a front yard setback variance of 2 ft., second by Mr. Whitaker. The roll call vote recorded as follows: Ayes-Mr. Harris, Mr. Coleman, Mr. Whitaker, Mr. Cannon, Ch. Olive; Nays-None. Chairman Olive declared the motion passed.**

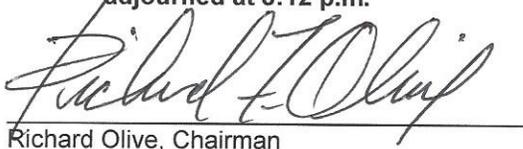
7. **AP2015-19; Jonathan Fuller; Administrative Appeal regarding GymTime signage.** Chairman Olive asked for a motion whether to table the appeal request.

**Mr. Cannon made a motion to not table the request, second by Mr. Coleman. A roll call vote recorded as follows: Ayes-Mr. Harris, Mr. Whitaker, Mr. Cannon, Mr. Coleman, Ch. Olive; Nays-None, motion passes.**

Mr. Chairman then called for a motion to approve or deny the appeal request:

**Mr. Harris motioned that the department staff ruled correctly and to deny the appeal request, second by Mr. Cannon. A roll call vote recorded as follows: Ayes-Mr. Coleman, Mr. Whitaker, Mr. Cannon, Mr. Harris, Mr. Olive. Motion passed, the administrative appeal is denied.**

8. **Adjourn:** Motion to adjourn was made by Mr. Cannon second by Jack Harris. Meeting adjourned at 8:12 p.m.

  
Richard Olive, Chairman

  
Sherri S. Proctor, Secretary