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ZONING BOARD OF ADJUSTMENT MEETING

May 14, 2013

Meeting called to order by Acting Chairman Joe O'Brien at 8:00 A.M.

Members present were Joe O'Brien, Mike Phillips, Mike Kelley, Joe Schifano and Russell Biciste. City Engineer Jesse Jowers, Water Works Director Eddie Jowers, Fire Chief Danny Ray and Fire Marshal Dewitt Marcum were also present.

Nomination & Election of Chairman: Mike Phillips nominated Joe O'Brien as Chairman of the Zoning Board of Adjustments, Russell Biciste seconded the nomination. All approved and the motion carried forth.

Nomination & Election of Co-Chairman: Mike Kelley nominated Russell Biciste as Co-Chairman of the Zoning Board of Adjustments, Jo Schifano seconded the nomination. All approved and the motion carried forth.

Purpose of the meeting was to consider the following request:

Variance request: Variance of required minimum 25 foot front setback line changing setback from 50 feet to 25 feet.

Property located off Hwy 119, Parcel # 10 6 23 0 002 003.001.

Applicant: Robert Langston (Property Owner).

Randy Brooks representing Robert Langston presented the variance request stating that the variance was needed in order to locate the building on this property and to be able to keep it in the City limits of Pelham. He stated that because of the steepness of the hill behind the proposed building to be able to place the building on this property he would need the variance on the setback. Property adjoiners were also present and had questions concerning the proposed turn lanes. Mr. Brooks stated the State has already been contacted and will be working with them to get the turn lanes at this location.

Mike Phillips stated that the only thing the Zoning Board of Adjustments was here to speak to was the variance request for the setback line to be changed from 50 foot setback to a 25 foot setback. Chairman Joe O'Brien asked for a motion to be made to grant the variance, Mike Phillips made the motion and Joe Schifano seconded the motion.

Vote was as follows:

Joe O'Brien – approved

Mike Phillips – approved

Joe Schifano – approved

Russell Biciste – approved

Mike Kelley – opposed

The motion carried forth with the majority of the vote.

Variance request: Variance of slope of the hill side from 3-1 slope to a 2-1 slope into the proposed retaining wall.

Randy Brooks representing Robert Langston presented the variance request stating that the variance was needed because of the steepness of the hill side.

Property adjoiner Stacey Manning had questions concerning the water runoff and if the proposed detention pond was going to be able to catch the water running off this property before it gets to her property. Mr. Brooks stated that an engineer was looking at this issue and will make allowances for the water to run into the detention pond. Mr. Wrendon Davis stated he was concerned that there would be a lengthy retaining wall on this property and the fact that there could be vandals painting graffiti on the wall. Mr. Brooks stated that the City of Pelham's landscaping ordinance would be followed.

Chairman Joe O'Brien asked for a motion to grant the variance, Mike Phillips made the motion, and Joe Schifano seconded the motion. All approved and the motion carried forward.

Joe O'Brien asked for motion to adjourn the meeting, Michael Kelley made the motion to adjourn and Russell Biciste seconded the motion and the meeting was adjourned at 8:35.



READ AND APPROVED / Fire Chief Danny Ray