

The Board of Adjustments met Thursday, January 23, 2025, at 5:00 PM at the City Municipal Complex, 161 N. Section Street in the Council Chambers.

Present: Cathy Slagle, Vice-Chair; Ryan Baker; Frank Lamia; Donna Cook; Bryan Flowers; Hunter Simmons, Planning and Zoning Director; Mike Jeffries, Development Services Manager; Michelle Melton, City Planner and Cindy Beaudreau, Planning Clerk.

Absent: Anil Vira

Vice-Chair Slagle called the meeting to order at 5:00 PM.

Approval of Minutes

Ryan Baker made a motion to approve the minutes from the December 16, 2024, meeting.

Frank Lamia seconded the motion and the motion carried with the following vote:

Aye: Cathy Slagle, Ryan Baker, Frank Lamia, Donna Cook and Bryan Flowers

Nay: None.

BOA 24.11 Public hearing to consider the request of the Owner, Jason LaSource, for a 15' front setback variance, a variance for an accessory structure 10.5' forward of rear building line and a 5' side setback variance on property zoned R-2 Medium Density Single-Family Residential District. The property is located at 50 Fels Avenue. The property is approximately 0.22 acres. **PPIN#: 14503**

Mike Jeffries, Development Services Manager, stated that the Planning Department received an email from the Applicant requesting that this item be tabled until the February meeting.

Motion:

Ryan Baker made a motion to table BOA 24.11 at the request of the applicant.

Donna Cook seconded the motion and the motion carried with the following vote:

Aye: Cathy Slagle, Ryan Baker, Frank Lamia, Donna Cook and Bryan Flowers

Nay: None.

BOA 24.19 Public hearing to consider the request of the Applicant, S.E. Civil, LLC, on behalf of the Owner, Protestant Episcopal Church in the Diocese of the Central Gulf Coast, for a Use Not Provided For – to allow for alterations to an existing church on property zoned R-4 Low Density Multi-Family Residential District. The property is located at 860 N. Section Street and is approximately 9.58 acres. **PPIN#: 1090**

Mr. Baker stated that he needs to recuse himself from this project.

Hunter Simmons, Planning Director, introduced this request. Mr. Simmons shared the reason this case is on the agenda and an explanation for Use Not Provided For. Mr. Simmons continued that there is no road connecting to Colonial Acres and no drainage review. There will be a more thorough review during the building permit request.

Michelle Melton, City Planner, presented the request of the Applicant, S.E. Civil, LLC, on behalf of the Owner, Protestant Episcopal Church in the Diocese of the Central Gulf Coast, for a Use Not Provided For – to allow for alterations to an existing church on property zoned R-4 Low Density Multi-Family Residential District. Ms. Melton shared the aerial and zoning maps.

Recommendation:

Staff recommends approval of BOA 24.19.

Larry Smith, S.E. Civil, reiterated that there is no intent to connect to Colonial Acres and underground detention will occur through additional pervious areas on the property. The tree removal will go through the City Horticulturist. Mr. Smith addressed all comments received from the public.

Vice-Chair Slagle opened the public hearing at 5:15pm. Having no one present to speak, the public hearing was closed at 5:15pm.

Cathy Slagle asked about the timing for phases 2 and 3. Reverend Freeman stated that they are currently raising money for construction over the next 12-18 months.

Mr. Simmons explained that the church owns two lots in the Colonial Acres subdivision that are listed in the covenants and that the City does not enforce the covenants. Mr. Smith stated that the project will not affect those lots.

Motion:

Bryan Flowers made a motion to approve BOA 24.19.

Frank Lamia seconded the motion and the motion carried with the following vote:

Aye: Cathy Slagle, Ryan Baker, Frank Lamia, Donna Cook and Bryan Flowers

Nay: None.

BOA 25.01 Public hearing to consider the request of the Owner, Jack Maulding, for a Special Exception - Use Not Provided For – to allow for indoor car sales on property zoned M-1 Light Industrial District. The property is located at 365 Commercial Park Drive. The property is approximately 0.38 acres. **PPIN#: 63899**

Michelle Melton, City Planner, presented the request of the Owner, Jack Maulding, for a Special Exception - Use Not Provided For – to allow for indoor car sales on property zoned M-1 Light Industrial District. Ms. Melton shared the aerial and zoning maps.

Recommendation:

Staff recommends approval of BOA 25.01.

Jack Maulding, 365 Commercial Park Drive, stated that his business will be all indoor sales of between 10-18 luxury exotic cars.

Vice-Chair Slagle opened the public hearing at 5:22pm.

Ross Givens, address not provided, leases office on the right and is in support of this request.

Clint Martin, address not provided, owns the property to the south and has no objections. Mr. Martin asked if the car sales could revert to outdoor sales later. Mr. Simmons stated that request would have to come back to the Board of Adjustments.

The public hearing was closed at 5:24pm.

Ryan Baker asked if the Industrial Board needed to approve this request. Mr. Simmons stated that he would check before a building permit was issued.

Motion:

Frank Lamia made a motion to approve BOA 25.01.

Donna Cook seconded the motion and the motion carried with the following vote:

Aye: Cathy Slagle, Ryan Baker, Frank Lamia, Donna Cook and Bryan Flowers

Nay: None.

BOA 25.02 Public hearing to consider the request of the Applicant, Kadre Engineering, on behalf of the Owner, Corte, Cave/Mitchell 1 LLC for a Special Exception – Use Not Provided For - to allow for 13 additional “in car dining” parking spots on property zoned B-2 General Business District. The property is located on the northwest corner of Highway 181 and Highway 104, Lot 7. The property is approximately 0.99 acres. **PPIN#: 626312**

Mike Jeffries, Development Services Manager, presented the request of the Applicant, Kadre Engineering, on behalf of the Owner, Corte, Cave/Mitchell 1 LLC for a Special Exception – Use Not Provided For - to allow for 13 additional “in car dining” parking spots on property zoned B-2 General Business District. Mr. Jeffries shared the aerial and zoning maps.

Mr. Simmons explained the minimum and maximum parking requirements.

Discussion included:

- how parking was determined at Sonic
- parking spaces being used as another point of sale option
- in car dining spots considered an extension of the dining room
- number of patrons being about to be fed inside
- number of staff

- cross parking agreement with Publix
- landscaping ratio
- possibility of other customers using the in-dining parking spots
- outdoor seating would allow additional parking spots

The Applicant requested that this item be tabled indefinitely until they could meet with staff.

Motion:

Ryan Baker made a motion to table BOA 25.02 indefinitely.

Donna Cook seconded the motion and the motion carried with the following vote:

Aye: Cathy Slagle, Ryan Baker, Frank Lamia, Donna Cook and Bryan Flowers

Nay: None.

BOA 25.03 Public hearing to consider the request of the Applicant, Sweet Home Chiropractic, on behalf of the Owner, Tim Hogan for a Special Exception - Use Not Provided For – to allow for a professional medical office on property zoned B-2 – General Business District. The property is located at 68 N Bancroft. The property is approximately 0.20 acres. **PPIN#: 64923**

Mike Jeffries, Development Services Manager, presented the request of the Applicant, Sweet Home Chiropractic, on behalf of the Owner, Tim Hogan for a Special Exception - Use Not Provided For – to allow for a professional medical office on property zoned B-2 – General Business District. Mr. Jeffries shared the aerial and zoning maps.

Recommendation:

Staff recommends approval of BOA 25.03.

Tim Hogan stated that he was unaware that he needed a business license.

Vice-Chair Slagle opened the public hearing at 6:22pm. Having no one present to speak, the public hearing was closed at 6:22pm.

Motion:

Frank Lamia made a motion to approve BOA 25.03.

Bryan Flowers seconded the motion and the motion carried with the following vote:

Aye: Cathy Slagle, Ryan Baker, Frank Lamia, Donna Cook and Bryan Flowers

Nay: None.

BOA 25.04 Public hearing to consider the request of the Applicant, Dewberry, on behalf of the Owner, Brian Metcalf, for a Special Exception – Use on Appeal - to operate a restaurant on property zoned B-1, Local Shopping District. The property is approximately 2.06 acres and is located to the east of the terminus at Sweetwater Circle. **PPINS #: 243332, 281752, 281750, 57219**

Michelle Melton, City Planner, presented the request of the Applicant, Dewberry, on behalf of the Owner, Brian Metcalf, for a Special Exception – Use on Appeal - to operate a restaurant on property zoned B-1, Local Shopping District. Ms. Melton shared the aerial and zoning maps.

Recommendation:

Staff recommends approval of BOA 25.04, with the following condition:

1. City Council approves ZC 24.10 which includes a restaurant as an allowed use.

Cathy Barnette, Dewberry, stated that the request is for a private restaurant with limited hours, they added wetlands to the site, will have a 30' buffer, are protecting 35% of the property and the common area will be used for access. There will be a robust buffer to allow for lighting that is respectful to the neighbors, and they are adding more trees than required.

Vice-Chair Slagle opened the public hearing at 6:35pm.

Rob Littleton is in support of the project.

The public hearing was closed at 6:36pm.

Motion:

Frank Lamia made a motion to approve BOA 25.04, with staff recommendation.

Bryan Flowers seconded the motion and the motion carried with the following vote:

Aye: Cathy Slagle, Ryan Baker, Frank Lamia, Donna Cook and Bryan Flowers

Nay: None.

Old/New Business

None

Adjournment

Ryan Baker made a motion to adjourn.

The motion carried unanimously with the following vote:

Aye: Cathy Slagle, Ryan Baker, Frank Lamia, Donna Cook and Bryan Flowers

Nay: None.

Adjourned at 6:38p.m.


Anil Vira, Chairman


Cindy Beaudreau, Secretary