



ZONING BOARD OF ADJUSTMENT MINUTES

300 Martin Luther King Blvd.

February 10, 2026

TIME: 9:00 AM

A. ELECTION OF ZONING BOARD OF ADJUSTMENT OFFICERS (Chair and Vice Chair)

Mr. Mosley opened the nominations for Chair and Vice Chair.

Mr. Anthony made a motion to re-appoint Mr. Payne as Chair and Mr. Hilyer as Vice Chair.

Mr. Mosley closed the nominations.

Ayes: Payne, Harvis, Hilyer, George, Anthony

Nays: None

B. APPROVAL OF MINUTES

CALL TO ORDER: Chair Wilbert Payne called the meeting to order at 9:00 a.m.

The City of Opelika Zoning Board of Adjustment held its regular monthly meeting on February 10, 2026 in the Meeting Chambers, located at the Opelika Municipal Court. Certified letters have been mailed to all adjacent property owners for related issues.

MEMBERS PRESENT: Chair Wilbert Payne, Vice Chair Brandon Hilyer, Mrs. Raven Harris, Mr. Chris Anthony, Mrs. Angela George

MEMBERS ABSENT: Mrs. Tipi Miller, Mrs. Micah Melnick

STAFF PRESENT: Mr. Matt Mosley, Planning Director
Mrs. Rachel Dennis, Planner
Mrs. Dana Gafford, Planning and Zoning Technician

Approval of Zoning Board of Adjustment Minutes

RESULT:	Passed
MOVER:	Position 4 Raven Harvis
SECONDER:	Position 7 Chris Anthony
AYES:	Position 2 Hilyer, Position 4 Harvis, Position 5 George, Position 6 Payne, Position 7 Anthony
NAYS:	None
ABSTAIN:	None

C. VARIANCE

1. Roger Boyington, property owner, 1495 Bramble Lane, PUD zoning district (Planned Unit Development, Hidden Lakes), Requesting a 10-foot rear yard variance from the 25-foot minimum rear yard setback.

Mr. Mosley presented the staff report to the Zoning Board of Adjustment, for the request by Roger Boyington, of a 10-foot setback variance from the 25-foot setback requirement at 1495 Bramble Lane. He stated that the applicant is requesting to add a 10 ft. x 45 ft. porch addition to the rear of the house. He noted that the property is an irregular-shaped lot at the end of a cul-de-sac. The rear property line consists of three angled lines that are not parallel to the rear wall of the house. Because of the unique shape of the property, a small section of the new structure would be 10 ft. closer to the rear property line than the required setback. Due to the shape, topography and the fact that the lot backs up to an amenity lot, the Planning Staff is recommending approval of a variance of 10 ft. to the required 25 ft. setback.

Chair Payne opened the public hearing.

Adam, Auburn Deck Company, explained the project and the reason for the variance request.

Chair Payne closed the public hearing.

Motion to approve the variances as presented.

RESULT:	Passed
MOVER:	Position 5 Angela George
SECONDER:	Position 4 Raven Harvis
AYES:	Position 2 Hilyer, Position 4 Harvis, Position 5 George, Position 6 Payne, Position 7 Anthony
NAYS:	None
ABSTAIN:	None

2. Flowers & White Engineering, authorized representative for Coye Yeager, property owner, 2118 Executive Park Drive, C-2 zoning district, Requesting a 20-foot rear yard setback variance from the 30-foot minimum rear yard setback.

Mr. Mosley presented the staff report to the Zoning Board of Adjustment for a variance requested by Flowers and White Engineering representing Coye Yeager, property owner. He stated that the subject property, 2118 Executive Park Drive, is one of the last remaining lots in an industrial park built in the mid 80s. The original zoning was M-3, which did not require variances and resulted in smaller lot sizes than is typical. He pointed out that the Zoning Board has granted four variances in the past. The current C-2 zone requires setbacks which are 30 ft in the front and the back, and the applicant is requesting a 20 ft. variance. Based on the lot size and adjacent properties, the Planning Staff is recommending approval.

Chair Payne opened the public hearing.

Chris Tomlinson, 2218 Executive Park Drive: Stated that there is an existing water problem which floods the street and cul-de-sac, and has affected his property since 2019. It is a problem that the city is aware of, but hasn't been able to fix. He objects to the variance because the addition of more impermeable surfaces would increase the existing problem.

Brad Flowers, authorized representative: Stated that this is a city problem and not that of the developer. The property owner should not be punished.

Chair Payne closed the public hearing.

Motion to approve the 20-foot rear yard setback variance from the 30-foot minimum rear yard setback.

RESULT: Passed

MOVER: Position 4 Raven Harvis

SECONDER: Position 2 Brandon Hilyer

DISCUSSION: **Chair Payne:** asked Mr. Mosley to explain what the Planning Staff looks at to arrive at a positive recommendation for a variance.

Mr. Mosley: explained that the Planning Staff generally look at whether the new building would create a hardship for the adjacent property owners. He explained that because this was an older development under a different zoning ordinance, the buildings could be built very close to the next lot. New buildings fall under the current zoning ordinance which requires the larger setbacks. He explained that if a variance is granted, the building will be built as proposed, but without the variance, the building would need to abide by the current zoning setbacks, but the owner cannot be prevented from construction.

Mrs. Harvis: Stated that the City is making infrastructure adjustments and inquired if this would be one of those areas.

Mr. Mosley: Stated that he could make the suggestion to Engineering.

Mr. Hilyer: Asked if the development was built out.

Mr. Mosley: stated that this is the last vacant lot.

Mr. Hilyer: Stated that the problem already exists, and this one lot will not change the current problem.

AYES: Position 2 Hilyer, Position 4 Harvis, Position 5 George, Position 6 Payne, Position 7 Anthony

NAYS: None

ABSTAIN: None

3. Capps Family Partners, LTD, Gateway Drive, C-2 and R-1 zoning district, Requesting a 12.5% decrease from the minimum 2 parking spaces per dwelling unit requirement to a minimum of 1.75 parking spaces per dwelling unit.

Mr. Mosley presented the staff report to the Zoning Board of Adjustment for the request by Marc McLaughlin, representing Capps Family Partners LTD, for a parking variance. He stated that the applicant is proposing to reduce 53 parking spaces from a proposed 252 apartment unit complex. Mr. Mosley explained that the current requirements for parking are two spaces per unit. However, the current rental housing trend in the Alabama multifamily residential units is 49% one-person households, while current requirements are for two cars per unit. The applicant is requesting to reduce parking to 1.75 spaces per unit, which would still allow for extra parking.

Chair Payne opened the public hearing.

Mr. McClaughlin, Development Director with Continental Properties: Spoke about the project and the methodology that was used for the parking plan.

Chair Payne closed the public hearing.

RESULT:	Passed
MOVER:	Position 2 Brandon Hilyer
SECONDER:	Position 7 Chris Anthony
AYES:	Position 2 Hilyer, Position 4 Harvis, Position 5 George, Position 6 Payne, Position 7 Anthony
NAYS:	None
ABSTAIN:	None

D. ADJOURN

Motion to Adjourn at 9:44 am

RESULT:	Passed
MOVER:	Position 2 Brandon Hilyer
SECONDER:	Position 4 Raven Harvis
AYES:	Position 2 Hilyer, Position 4 Harvis, Position 5 George, Position 6 Payne, Position 7 Anthony
NAYS:	None
ABSTAIN:	None

_____ Chair Wilbert Payne

_____ Matt Mosley