

**BOARD OF ZONING ADJUSTMENT
MEETING MINUTES
SEPTEMBER 1, 2021
DOTHAN, ALABAMA**

The Board of Zoning Adjustment (BZA) met in a Regular Meeting on **Wednesday, September 1, 2021, at 9:00 a.m.**, in the City Commission Chambers, 126 North St. Andrews Street, Room 203, of the Roy L. Driggers Municipal Building (Civic Center).

Chair Grant called the meeting to order at 9:00 a.m.

1. **Invocation:** Lori Wilcoxon
2. **Pledge of Allegiance:** Lori Wilcoxon led everyone in the Pledge.
3. **Members Present:** Chair, Gina Grant, Lori Wilcoxon, Stuart Lee, Michael Smith, Parrish Smith, and Morris Stringer (SUP) sitting.
Members Absent: Vice-Chair Angela McNeal

Others Present:
Todd McDonald, AICP, Planning & Development Director; Frank Breaux, AICP, Principal Planner; Yvette Thomas, Sr. Planner; Kim Vann, Planning Assistant; Samantha Kiley, Administrative Coordinator; Craig Walden, Building Official; Fire Captain Garrett Crow; Garrett Hurst, Traffic Engineering; Jerry Coleman, Planning Commission Chair; and Theresa Eddy, Secretary.
4. **Approval of the Agenda**
Chair Grant suggested that #8, SE-21-0188 be moved to the end of the agenda and then asked for a motion. **Mr. Stringer made a motion to approve the amended agenda, Ms. Wilcoxon seconded, and the motion carried.**
5. **Approval of the August 4, 2021 Meeting Minutes**
Chair Grant asked for a motion on the meeting minutes as written. **Ms. Wilcoxon made a motion to approve, Mr. Smith seconded, and the motion carried.**
6. **Disclosure of ex parte contact – None.**
7. **Oath – Ms. Thomas read the oath and the audience swore in affirmation.**

Old Business

8. **SE-21-0232: Special Exception request to operate a Bed and Breakfast (Short Term Rental) – Property located at 1914 Clark Street - District R-1 - Jerry & Elena Wilson. – Update –** Mr. Jerry Coleman, 214 Fox Hollow Way, Chair of the Planning Commission, explained that the Planning Commission tabled the proposal until October as their September meeting was full. Mr. Coleman stated that the Planning Commissioners are looking at what other communities are doing in their areas. **Updated BZA regarding the proposed short-term rental amendment. Case Remains Tabled.**

New Business

9. **SE-21-0234: Special Exception to operate a Daycare Center at Parks Chapel A.M.E. – Property located at 1075 E. Selma Street – R-2 District - Sadie Kirksey.** Ms. Sadie Kirksey, 119 Tree Crest Road, addressed the board and explained that this lot was adjacent to the church and the building stood empty. Ms. Kirksey explained that they would like to use it for an After School or Pre-K program for several children. Chair Grant asked if Ms. Kirksey had read and could abide by the nine conditions; Ms. Kirksey affirmed with no questions regarding them. Chair Grant asked if anyone in the audience was present regarding this case. Ms. Kirksey explained that the Parks Chapel A.M.E. Pastor had accompanied her for support. Chair Grant asked if the board members or Planning staff had any questions with no response. **Mr. Stringer made a motion to approve SE-21-0234 with the staff recommendations, Mr. Smith seconded, and the motion carried.**

1. The Special Exception is contingent on approval of the facility by the Dothan City Fire Marshal before it is licensed by the Department of Human Resources;
 2. The applicant obtains a City of Dothan Privilege License before the commercial daycare begins operation;
 3. The Department of Human Resources licenses the commercial daycare;
 4. The Special Exception is good only for the applicant and this location;
 5. The Special Exception is subject to all necessary local and state regulations and policies;
 6. The Special Exception is valid only as long as the applicant has a valid State license or permit;
 7. The Special Exception is invalid if the applicant's State license or permit is revoked or if the applicant violates any State or local regulations or policies;
 8. There is no on-street parking or queuing of traffic into the street right-of-way;
 9. The applicant signs an affidavit acknowledging the preceding conditions, and the affidavit is displayed with all other licenses and permits.
- 10. SE-21-0242: Special Exception for a 14' X 60' Manufactured Home – Property located at 902 Linden Street – R-4 District - Mary C. Thomas.** Ms. Mary Thomas, 902 Linden Street, addressed the board and explained that she would like to tear down the existing structure and replace it with a manufactured home on this lot. Chair Grant asked Ms. Thomas if she had read and could abide by the five staff conditions; Ms. Thomas affirmed with no questions. Chair Grant asked if anyone in the audience was present regarding this case. Ms. Amy Peterson addressed the board and explained that she owned 904 Linden Street and only wanted to see the neighborhood improve. Ms. Yvette Thomas explained that when Ms. Mary Thomas goes to submit her permit, she will have to meet the required setbacks. Mr. Smith asked if that area was zoned for manufactured homes, to which Ms. Yvette Thomas stated that the lot was in an R-4 District which allowed for manufactured homes through special exceptions. Chair Grant asked if there were other mobile homes in the area. Ms. Yvette Thomas stated that there were two East of this location. Chair Grant asked if anyone had further questions with no response. Chair grant then asked for a motion. ***Mr. Lee made a motion to approve SE-21-0242 with the staff recommendations, Mr. Smith seconded, and the motion carried.***
1. The special exception is valid only for the applicant and this location;
 2. The applicant shall obtain all necessary approvals for building permits that may be required for any proposed changes to the site;
 3. The manufactured home shall comply with the guidelines for manufactured homes placed on private lots;
 4. If a building permit is not obtained for this property within six (6) months, the Special Exception will expire; and,
 5. Violation of any of the aforementioned conditions could result in revocation of the approval.
- 11. SE-21-0249: Special Exception request for a Home Occupation to operate a one chair Hair Salon – Property located at 206 Richberry Drive – R-1 District - Sarah Sanchez.** Ms. Sarah Sanchez, 206 Richberry Drive, addressed the board. Chair Grant asked Ms. Sanchez if she had read and could abide by the nineteen conditions; Ms. Sanchez affirmed with no questions. Chair Grant pointed out #9 and stated that it was very important that there only be one customer at a time and that it never looks like a business was being run out of this home. Ms. Sanchez agreed. Chair Grant asked if anyone in the audience was present regarding this case with no response. Chair Grant asked if the board members or Planning staff had any questions with no response. Chair Grant then asked for a motion. ***Ms. Wilcoxon made a motion to approve SE-21-0249 with the staff recommendations, Mr. Smith seconded, and the motion carried.***
1. The special exception is valid only for the applicant, this home occupation and this location;
 2. The special exception is void if a Privilege License, issued by the City of Dothan, is not

obtained within ninety (90) days of approval and subsequently if the license is allowed to lapse;

3. The applicant shall obtain a 5 lbs. ABC type fire extinguisher (Area covered by fire extinguisher will have 2A3A-30BC designation per National Fire Code-10.);
 4. No more than twenty-five percent (25%) of the home shall be used for the business;
 5. There shall be no noise, odors, or vibrations associated with the business;
 6. No employees or employee vehicles are allowed at the home;
 7. Parking for customer vehicles shall be located on-site on a paved surface and not in the street.
 8. Only residents of the home are authorized to engage in business activity at the home;
 9. Only one customer, by appointment only, is permitted at the home at any time;
 10. All work-related activities must be conducted inside the home;
 11. No accessory building shall be used in conjunction with the business;
 11. No business-related vehicle may be parked in the street;
 13. If business-related materials or equipment are delivered to the home, there shall be no more than two (2) deliveries per week, and the delivery vehicle shall have no more than a single axle with six (6) wheels;
 14. There shall be no signs or advertisements at the home, including on the mailbox;
 15. The Special Exception is subject to all necessary local and state regulations and policies;
 16. The Special Exception is invalid if the applicant's State license or permit is revoked or if the applicant violates any State or local regulations or policies;
 17. Applicant is responsible for observing any private covenants which may impact the proposed home occupation;
 18. Any other restriction as may be considered appropriate by the administrative official or the board of zoning adjustment; and
 19. Violation of any of the aforementioned conditions could result in revocation of the approval.
12. **V-21-0250: Request for a 14-foot variance to a required 50-foot front yard setback for a carport – Property located at 102 Andy Ln. – A-C District - Omar Garrison.** It was suggested that Mr. Garrison seek out a surveyor who would measure the distance between the right-of-way up to his house and then return to the board with those specifications. ***Mr. Stringer motion to continue to the October 6, 2021 meeting pending additional information, Mr. Smith seconded, and the motion carried.***
13. **Discussion:**
- Mr. Breaux introduced Samantha Kiley, Administrative Coordinator.
 - Mr. McDonald stated that there will be UNA Zoom training in September. He encouraged all members to check out their website for Continuing Education.
14. **Adjourn**
Mr. Smith made a motion to adjourn, Ms. Wilcoxon seconded, and the motion carried.
The meeting adjourned at 9:50 a.m. The next meeting is on October 6, 2021.



Chair Gina Grant



Theresa Eddy, Secretary