

**BOARD OF ZONING ADJUSTMENT
REGULAR MEETING MINUTES
MARCH 3, 2021
DOTHAN, ALABAMA**

The Board of Zoning Adjustment (BZA) met in a Regular Meeting on **Wednesday, March 3, 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:** Tillman Black
2. **Pledge of Allegiance:** Tillman Black led everyone in the Pledge.
3. **Members Present:** Chair, Gina Grant, Vice-Chair Angela McNeal, Chad Lisenby, Tillman Black, Lori Wilcoxon, Stuart Lee, and Michael Smith.
Members Absent: None.

Others Present:

Morris Stringer (SUP); Todd McDonald, AICP, Planning Director; Frank Breaux, AICP, Principal Planner; Yvette Thomas, Sr. Planner; Reginald Franklin, Transportation Planner; Craig Walden, Building Official; Garrett Hurst, Traffic Engineering; Kevan Kelly, Assistant Attorney; Fire Captain Garrett Crow; and, Theresa Eddy, Secretary.

4. **Approval of the Agenda**
Chair Grant asked Ms. Thomas if there were any changes to the agenda. Ms. Thomas stated that there had been an amendment to #10 SE 21-0055's staff report and that #12 SE-21-0062 was withdrawn. **Vice-Chair McNeal made a motion to approve the amended agenda, Mr. Smith seconded, and the motion carried.**
5. **Approval of the February 3, 2021, Meeting Minutes**
Chair Grant asked for a motion on the meeting minutes as written. **Ms. Wilcoxon made a motion to approve, Mr. Black 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-20-0364: Special Exception Request – Accessory Dwelling Unit – Property located at 216 Montezuma Avenue – R-1 District – William Haskins.** Mr. William Haskins, 216 Montezuma Avenue, addressed the board and stated that the revised plans were now in compliance. Chair Grant asked Mr. Haskins if he had read and could abide by the four conditions; Mr. Haskins affirmed. Chair Grant asked if anyone was present regarding this case. Mr. Haskins stated that Mr. Hewes, the contractor, was present. Chair Grant asked if the Planning staff had any questions. Mr. Breaux asked to add the condition that a building permit must be obtained within six months or the special exception would be void. Chair Grant asked the board if they had any questions with no response. Chair Grant then asked for a motion. **Ms. McNeal made a motion to approve the conditions adding in the six-month permit stipulation, Mr. Lee seconded, and the motion carried.**
 1. The living area of the accessory dwelling unit **DOES NOT EXCEED** 800 sq. ft

2. The additional living area **DOES NOT EXCEED** the maximum building area for the R-1 Zoning District.
3. The accessory dwelling unit meets the setback requirements for the R-1 zoning district.
4. Sec. 114-183 (B)(5)9 prohibits any variations, adjustments, or waivers to the requirements of this code.
5. If a building permit is not obtained for this property within six (6) months, the Special Exception will expire.

New Business

9. **SE-21-0043: Special Exception Request – Accessory Dwelling Unit – Property located at 127 Pine Tree Drive – R-1 District – Dennis Rehder.** Mr. Dennis Rehder, 127 Pine Drive, addressed the board. Chair Grant asked Mr. Rehder if he had read and could abide by the eleven stipulations; Mr. Rehder affirmed. Chair Grant asked if anyone was present regarding this case with no response. Chair Grant asked if the Planning staff or board members had any questions or comments with no response. Chair Grant then asked for a motion. ***Mr. Black made a motion to approve with the eleven conditions, 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 construction;
3. If a building permit is not obtained for this property within six (6) months, the Special Exception will expire; and,
4. An accessory apartment shall only be occupied by a family member;
5. No more than one accessory apartment shall be permitted on any residential lot;
6. An accessory apartment shall not exceed 800 square feet;
7. The accessory apartment shall be located and designed not to interfere with the appearance of the principal building as a single-family dwelling unit;
8. Any one-story accessory apartment shall be set back a minimum of ten feet from any property line, a minimum of thirty feet from any side yard abutting a street and ten feet from any existing buildings;
9. One (1) parking space shall be provided for the accessory apartment and must be located on the same lot on which the accessory apartment is located;
10. No variations, adjustments, or waivers to the requirements of this code shall be allowed in order to accommodate an accessory apartment;
11. Violation of any of the aforementioned conditions could result in revocation of the approval.

10. **SE-21-0055: Special Exception Request - Landscape Materials Business – Property located at 3910 Ross Clark Circle - L-I District - Alabama Rock, LLC.** Ms. Thomas submitted an updated staff report to the board since inspection of the location. There was an unpermitted structure built within the front setback that would have to be moved to the rear of the building and it was supposed to be used for signage as well. Mr. Jerry Mill, 3910 Ross Clark Circle, addressed the board and explained that they would like to store and sell landscaping material on the property. Mr. Breaux stated that the Planning Department would work with Mr. Mill to find a good location for the structure and his sign. Chair Grant asked if anyone was present regarding this case with no response. Chair Grant asked if anyone on the board had questions with no response. Chair Grant then asked for a motion. ***Mr. Lisenby made a motion to approve with the five conditions, Mr. Black seconded, and the motion carried.***

1. The special exception is valid only for the applicant and this location;

2. The applicant will need to relocate the recently built structure (trailer lift) to the rear of the building;
 3. The applicant shall obtain all necessary approvals for building permits that may be required for a proposed construction;
 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-21-0056: Special Exception Request –Bed & Breakfast– Property located at 403 Rebecca Ave. – R-1 District - Cheryl Post.** Ms. Cheryl Post, 403 Rebecca Avenue, addressed the board and stated that she wanted to rent out two bedrooms in her home. Chair Grant stated that Dothan does not presently have an ordinance for AirBnB so this falls under the Bed & Breakfast guidelines. Chair Grant asked Ms. Post if she had read and could abide by the six conditions: Ms. Post affirmed. Chair Grant asked if anyone was present regarding this case with no response. Chair Grant asked if the Planning staff had any questions or comments. Mr. Breaux stated that there was a concern regarding parking. Ms. Wilcoxon asked if condition #3 would cover the parking issue. Chair Grant stated that her concern was that there was no limit to how many people could stay at one time. Ms. Post stated that she would not want more than 4 people in her home and that she would have a vehicle or two park on her lawn as she only had two paved parking spots. Ms. McNeal asked how Ms. Post would advertise. Ms. Post stated that she was going to advertise on AirBnB's website and stated that this was her first time using them. Mr. Lee wanted to know if the city had any regulations for short term rentals, to which Mr. Breaux stated there weren't. Mr. Breaux stated that there has been legislation drafted for consideration but there was nothing adopted at the present time. Mr. Lee commended Ms. Post for coming to the city and starting this the right way. Mr. Lee wanted to know if Ms. Post would need paved parking, to which Mr. Breaux stated that there was no paving requirement. Chair Grant asked if anyone else had questions or comments with no response. Chair Grant then asked for a motion. ***Mr. Lee made a motion to approve with the conditions and adding that there should be no more than four people at a time, Mr. Smith seconded, and the motion carried with a vote of 6 for to 1 against (McNeal).***
1. The special exception is valid only for the applicant and this location;
 2. The applicant shall obtain a business license and pay any required lodging tax;
 3. Off-street parking shall be provided for each bedroom that is rented;
 4. The applicant shall have no more than four renters at one time;
 5. The applicant shall obtain all necessary approvals for building permits that may be required for any proposed changes to the building;
 6. If a building permit is not obtained for this property within six (6) months, the Special Exception will expire; and,
 7. Violation of any of the aforementioned conditions could result in revocation of the approval.
12. **SE-21-0062: Special Exception Request – 16' x 83' Manufactured Home – Property located at 2972 Hodgesville Road – A-C District - Dylon Quattlebaum. (Withdrawn)**
13. **Discussion:**
- Chair Grant reminded everyone of the 8:30 a.m. preliminary meeting.
 - CAPZO Training

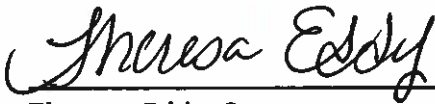
14. Adjourn.

Ms. Wilcoxon made a motion to adjourn, Mr. Black seconded, and the motion carried.

The meeting adjourned at 9:30 a.m. The next meeting is on April 7, 2021.



Chair Gina Grant



Theresa Eddy, Secretary