



**CITY OF DAPHNE
BOARD OF ZONING ADJUSTMENT AGENDA
SEPTEMBER 6, 2018 - 6:00 P.M.
COUNCIL CHAMBERS, CITY HALL**

1. **CALL TO ORDER** - 6:00 p.m.
2. **CALL OF ROLL** - Present W. Robison, H. Cole, T. Warner, D. Wolstenholme
3. **APPROVAL OF MINUTES** - Approved

June 7, 2018

4. **OLD BUSINESS** - None
5. **NEW BUSINESS**

Appeal #2018-05 MKS Design, LLC - Approved

A request for a Variance to the Daphne Land Use and Development Ordinance has been filed with the City of Daphne Board of Zoning Adjustment. The request, if granted, proposes to encroach into the required 6.0' southwest side yard setback by 0.9" and to encroach into the required 6.0' southeast side yard setback by 0.4". The property is 517 Rolling Hill Circle, which is zoned R-4, High Density Single Family Residential.

6. **ADJOURNMENT** - 6:11 p.m.

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Vice Chairman called to order the regular meeting of the Board of Zoning Adjustment at 6:00 p.m. Roll was called thereafter and the number of members present constituted a quorum.

Members Present:

Billy Mayhand, Vice Chairman
Philip Durant
Herb Cole
Derek Wolstenholme
Carolyn Courson
Thomas Warner *Arrived at 6:17 p.m.

Members Absent:

Willie Robison, Chairman

Staff Present:

Adrienne D. Jones, Director of Community Development
Pat Johnson, Recording Secretary
Jennifer Holifield, BZA Attorney

Vice Chairman called for a motion for the **Approval of Minutes** of the March 1, 2018 meeting.

A **Motion** was made by **Mr. Cole** and **Seconded** by **Mr. Durant** to **approve the minutes as written.**

The Minutes were approved unanimously.

Vice Chairman welcomed Ms. Carolyn Courson as a new alternate on the Board of Zoning Adjustment.

Vice Chairman called the next item on the agenda, **Appeal #2018-03 DP Properties, aka Harry Dodich**, a request for a Special Exception to the Daphne Land Use and Development Ordinance, filed with the City of Daphne Board of Zoning Adjustment. The request, if granted, proposes to allow the operation of a daycare center in a proposed new building. The vacant property is PPIN #304669 on Renaissance Boulevard, which is zoned, B-2, General Business.

Ms. Jones cited that the first applicant was not present, and the Board continued on with the second appeal.

Vice Chairman called the next item on the agenda, **Appeal # 2018-04 Kari Noell/Barry Booth**, a request for a Special Exception to the Daphne Land Use and Development Ordinance, filed with the City of Daphne Board of Zoning Adjustment.

Vice Chairman stated the request, if granted, proposes to allow

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the operation of a daycare/children's play center. The property is 151 Van Buren Street, which is zoned B-1, Local Business.

Ms. Jones displayed a Power Point Presentation of 151 Van Buren Street and cited that Ms. Noell was requesting the special exception to use an existing commercial building formerly known as "Pipe Dreams" located at 151 Van Buren Street, zoned B-1, Local Business for a children's play and mother's day out type program (i.e. daycare). A layout of the inside of the building was supplied by the applicant detailing the movie room, play area and party room. Since it is an existing site it does not require Planning Commission approval. Approval recommendations from the Building Official, Public Works Director, and Planning Director as required by our Ordinance were received.

Vice Chairman opened the floor for public participation.

Ms. Noell stated she had nothing to add.

As no one else came forward in support or opposition to the appeal, the Vice Chairman closed public participation.

There was no discussion by the Board and the Vice Chairman called for a motion.

A Motion was made by Mr. Durant and Seconded by Mr. Cole to approve Appeal #2018-04, Kari Noell/Barry Booth, request for a Special Exception to the Daphne Land Use and Development Ordinance. The request, if granted, would allow the operation of a daycare/children's play center. The property is 151 Van Buren Street, which is zoned, B-1, Local Business.

Upon roll call vote, the Motion carried unanimously.

Mr. Durant	Aye
Mr. Cole	Aye
Mr. Mayhand	Aye
Mr. Wolstenholme	Aye
Ms. Courson	Aye

The Vice Chairman stated the request for the Special Exception is approved and gave instructions on obtaining paperwork from Community Development and noted that the second applicant still was not present.

Board recessed at 6:08 p.m. for Ms. Johnson to make a call to the first applicant.

Board reconvened at 6:18 p.m.

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Vice Chairman advised that they would now hear Appeal #2018-03, **DP Properties, aka Harry Dodich**, a request for a Special Exception to the Daphne Land Use and Development Ordinance, filed with the City of Daphne Board of Zoning Adjustment. The request, if granted, proposes to allow the operation of a daycare center in a proposed new building. The vacant property is PPIN #304669 on Renaissance Boulevard, which is zoned, B-2, General Business.

Ms. Jones displayed a Power Point Presentation of PPIN #304669, a vacant lot zoned B-2, General Business as well as the surrounding properties. She stated the subject property was on Renaissance Boulevard south of Planet Fitness. The table of permitted uses says that all daycares must have an approved special exception by the Board of Zoning Adjustment and this site plans must have approval by the Planning Commission. She noted that the east side of Renaissance Boulevard was less developed than the west and there is a detention area more to the northwest. Also, that perhaps a fence should be added around the play area of the site for the protection of the children and as a sound barrier. Favorable recommendations were given by the Building Official, Public Works Director and myself for this site.

Vice Chairman opened the floor for public participation.

Mr. Tant showed a 24 x 36 color scaled rendering of the proposed daycare center to be built on PPIN #304669 to the Board. He stated the building will roughly be around 13,600 square feet, fully sprinkled, house two hundred children, and have a playground with a fence.

As no one else came forward in support or opposition to the appeal, the Vice Chairman closed public participation.

The Board questioned whether Mr. Tant had built this type of building before and his response was yes.

Ms. Jones reiterated that the site plan Mr. Tant provided would have to be approved by the Planning Commission.

With no other discussion by the Board the Vice Chairman called for a motion.

A Motion was made by Mr. Cole and Seconded by Mr. Durant to approve Appeal #2018-03, DP Properties, aka Harry Dodich, a request for a Special Exception to the Daphne Land Use and Development Ordinance, filed with the City of Daphne Board of Zoning Adjustment. The request, if granted, proposes to allow the operation of a daycare center in a proposed new building. The vacant property is PPIN #304669 on Renaissance Boulevard, which is zoned, B-2, General Business.

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Upon roll call vote, **the Motion carried unanimously.**

Mr. Cole	Aye
Mr. Durant	Aye
Mr. Mayhand	Aye
Mr. Warner	Aye
Mr. Wolstenholme	Aye
Ms. Courson	Aye

The Vice Chairman stated the request for the Special Exception is approved and gave instructions on obtaining paperwork in the morning from Community Development around 9:00 a.m.

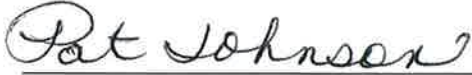
There being no other business the Vice Chairman called for a **Motion to Adjourn.**

A **Motion** was made by **Mr. Cole** and **Seconded** by **Mr. Durant** to adjourn. **There was no discussion of the motion.**

The Motion carried unanimously.

The meeting was adjourned at 6:26 p.m.

Respectfully submitted by:



Pat Johnson, Recording Secretary

APPROVED: September 6, 2018



Willie Robison, Chairman