

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

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:

Willie Robison, Chairman
Herb Cole
Derek Wolstenholme
Thomas Warner

Members Absent:

Billy Mayhand, Vice Chairman
Carolyn Courson

Staff Present:

Adrienne D. Jones, Director of Community Development
Pat Johnson, Recording Secretary
Tony Hoffman, BZA Attorney

Chairman called for the **Approval of Minutes** of the June 7, 2018 meeting. There were no corrections, additions or deletions.

The Minutes were approved unanimously.

Chairman called the next item on the agenda, **Appeal #2018-05 MKS Design, LLC**, a request for a Variance 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 a nine inch encroachment into the required six-foot southwest side yard setback and allow a two inch encroachment into the required six-foot southeast side yard setback. The property is 517 Rolling Hill Circle, which is zoned, R-4, High Density Single Family Residential.

Ms. Jones displayed a Power Point Presentation of 517 Rolling Hill Circle outlining the parameters of the encroachments. She cited the property is zoned R-4, and the needed variance is to allow the existing nine inch encroachment on the southwest side yard setback and the existing four inch encroachment on the southeast side yard setback into the required six-foot setback line, and she noted that it is less than a foot on either end. Her recommendation was to approve the variance as she stated it.

Chairman opened the floor for public participation.

Mr. Galloway stated his name as Thomas A. Galloway, the homebuilder.

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Mr. Galloway stated this was the fourth home he had built on this street with the fifty-foot maximum lot size, but this was the only one that he has had an issue with and he was fully responsible for the error since he was the builder and asked that the Board grant the variance in order for him to receive a Certificate of Occupancy.

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

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

A Motion was made by Mr. Warner and Seconded by Mr. Cole to approve Appeal #2018-05, MKS Design, LLC, request for a variance to the Daphne Land Use and Development Ordinance. The request, if granted, would allow a nine inch encroachment into the required six-foot southwest side yard setback and allow a four inch encroachment into the required six-foot southeast side yard setback. The property is 517 Rolling Hill Circle, which is zoned, R-4, High Density Single Family Residential.

Upon roll call vote, the Motion carried unanimously.

Mr. Warner	Aye
Mr. Cole	Aye
Mr. Robison	Aye
Mr. Wolstenholme	Aye

The Chairman stated the request for the Variance is approved and gave instructions on obtaining paperwork from Community Development around 9:15 a.m. in the morning.

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

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

The Motion carried unanimously.

The meeting was adjourned at 6:11 p.m.

Respectfully submitted by:

Pat Johnson
Pat Johnson, Recording Secretary

APPROVED: November 1, 2018

Willie Robison
Willie Robison, Chairman