

**BOARD OF ZONING ADJUSTMENT
SPECIAL CALL MEETING MINUTES
JUNE 13, 2019
DOTHAN, ALABAMA**

The Board of Zoning Adjustment (BZA) met in a Special Call Meeting on **Wednesday, June 13, 2019 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. and asked the audience members to sign the log in sheet at the door if they were going to address the board. Chair Grant asked that everyone turn their cell phones to silent and to step to the podium to state their name and address when addressing the board and also reminded everyone that when at the podium, they would need to address the board only and not to address each other or anyone in the audience.

1. **Invocation** – Donnie Wells
2. **Pledge of Allegiance** – Donnie Wells led everyone in the Pledge
3. **Members Present:** Chair, Gina Grant, Vice-Chair Donnie Wells, Angela McNeal, Chad Lisenby, Michael Smith, James Williams, and Vanita Sansom (SUP).
Members Absent: Tillman Black

Others Present:

Todd McDonald, AICP, Planning & Development Director, Frank Breaux, AICP, Sr. Planner; Anthony Vallone, Planner II; Fire Captain Crowe; Members of the Media; and, Theresa Eddy, Board Secretary

4. **Approval of the Agenda**
Chair Grant requested a motion to hear SE-19-0200 first since the remaining two cases regarded the same property. **Mr. Wells made a motion to approve the amended agenda, Mr. Smith seconded, and the motion carried.**
5. **Disclosure of ex parte contact** – None
6. **Oath** – Mr. Vallone read the oath and the audience swore in affirmation.

Old Business

7. **SE-19-0175: Special Exception Request – Manufactured home for lifetime use - Property located at 469 Fowler Rd., - A-C District – Joseph Turner represented by Fred Hollon.**
Mr. Joseph Turner, 469 Fowler Road, addressed the board. Mr. Vallone asked if the mobile home was on the property, to which Mr. Turner responded that it was not; that it was ordered and delivered to the manufactured home dealers lot. Mr. Turner stated that installation of the septic tank would be soon and that they would be building a front porch onto the home. Chair Grant asked if Mr. Turner had any questions with no response. Chair Grant asked if there was anyone in the audience regarding this case with no response. Chair Grant asked if the board members had questions with no response. Chair Grant then asked for a motion. **Ms. McNeal motion to approve with the seven staff recommendations, Mr. Lisenby seconded and the motion carried.**
 1. The Special Exception is contingent on the recordation of the Final Subdivision Plat Application S-19-0215., and Variance V-19-0220, to address the minimum living area square footage deficit.

2. The manufactured home is placed on the property in compliance with the A-C zoning district regulations;
3. The applicant must obtain and after-the-fact manufactured home set-up permit from the Building Official's Office upon approval;
4. The manufactured home is placed on a permanent foundation or the undercarriage is screened; or,
5. The manufactured home is bricked or blocked up to resemble a conventional home;
6. The water and sewer provisions are acceptable to the Health Department; and
7. Construction, manufacture and tie-downs comply with the applicable provisions of the National Manufactured Housing Construction and Safety Standards ("HUD Code") or the 2015 International Building Code if the manufactured home does not contain a National Manufactured Housing Construction and Safety Standards seal of approval.

New Business

8. SE-19-0200: Special Exception request - Special Use for indoor assembly with alcohol sales – Property Located at 256 N. Foster Street – B-1/DOD/HC-G Districts – Matt Hayes.

Mr. Murray Yance, with Lionheart Ventures, representing Matt Hayes, addressed the board and explained they would like to open an axe-throwing venue named "Kiss My Axe" at 256 N. Foster Street. The building would house eight lanes with a maximum of four people per lane. Mr. Yance affirmed that the minimum age would be 14 accompanied by an adult and that 18 year olds would not need supervision. Mr. Yance stated that the tentative hours are Thursday, 4pm-11pm, Friday, 4pm-12pm, Saturday, 2pm-12pm, and Sunday, 2pm-8pm. Chair Grant wanted verification that the hours would not go past midnight and Mr. Yance affirmed. Chair Grant asked if Mr. Yance read and could abide by the five stipulations and he affirmed. Chair Grant asked Mr. Yance if he was going to serve alcohol to which he affirmed stating that it would only be Beer and Wine. Chair Grant asked if the board had any questions with no response. Chair Grant asked if the Planning staff had questions and Mr. Vallone stated that Mr. Yance and Mr. Hayes are both aware there are more steps to go through before they can open their business. Chair Grant asked Mr. Yance if he had any questions with no response. Chair Grant then asked for a motion. ***Ms. Sansom motioned to approve with the five staff recommendations, Mr. Smith seconded, and the motion carried.***

1. The board may consider limiting hours of operation;
2. Any exterior changes to the building will need a certificate of appropriateness (CA) from the City of Dothan Historic Preservation Commission. Certificates of Appropriateness do not preclude permitting, certificates of occupancy or business licenses;
3. All signage must comply with the provisions of Article XII and Section 114-157 (j) (10) of the Zoning Ordinance and any required permit(s) shall be obtained from the Planning & Development Office prior to any signage being erected or displayed;
4. Use of the premises shall be limited to an entertainment venue with the accessory sale of alcohol (beer and wine) only, and;
5. Violation of any of the aforementioned conditions could result in revocation of the approval.


9. V-19-0220: Variance Request – Request to reduce the minimum living area square footage requirement from 1200 square feet to 1024 square feet – Property located at 469 Fowler Rd. - A-C District – Joseph Turner represented by Fred Hollon. Mr. Fred Hollon, representative for Mr. Joseph Turner addressed the board. Chair Grant asked Mr. Breaux from the Planning staff to address the board. Mr. Breaux submitted a handout from Clayton Mobile Homes, which is one of the largest mobile home builders in the country. Mr. Breaux showed that Clayton Mobile Homes lists their largest single-family mobile home under 1200 sq. feet on their website. Mr. Breaux also stated that 1200 sq. feet is the minimum living area requirement within an A-C district in Dothan's Zoning Ordinance. Mr. Breaux stated

that the Zoning Ordinance showed that it was excluding three quarters of the manufactured home market. He also indicated that the Planning staff would propose an amendment to exclude the minimum living standard for manufactured homes to the Planning Commission sometime in the future, as it is nearly impossible to meet the standards. ***Ms. Sansom motioned to approve V-19-0220 based upon Mr. Breaux's statement regarding the changes needed regarding the conflict between the Industries Living Standards and the City's Zoning Ordinance, Mr. Lisenby seconded, and the motion carried.***

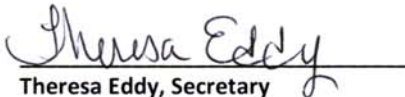
10. Discussion

11. Adjourn

Mr. Smith made a motion to adjourn, Mr. Williams seconded, and the motion carried. The meeting adjourned at 9:23 a.m. The next meeting is on July 10, 2019.



Gina Grant, Chair



Theresa Eddy, Secretary