

**BOARD OF ZONING ADJUSTMENT  
MEETING MINUTES  
MAY 4, 2022  
DOTHAN, ALABAMA**

The Board of Zoning Adjustment (BZA) met on **Wednesday, May 4, 2022, 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:** Steve Sherrill
2. **Pledge of Allegiance:** Chair Gina Grant led everyone in the Pledge.
3. **Members Present:** Chair, Gina Grant, Vice-Chair, Lori Wilcoxon, Stuart Lee, Parrish Smith, Rebecca Long, Morris Stringer (SUP) sitting, and Steve Sherrill (SUP) sitting.  
**Members Absent:** Angela McNeal and Michael Smith.

**Others Present:**

Frank Breaux, AICP, Principal Planner; Yvette Thomas, Sr. Planner; Fire Captain Garrett Crow; and Theresa Eddy, Secretary.

4. **Approval of the Agenda**  
Chair Grant asked if there were any changes to the agenda. Hearing none, Chair Grant asked for a motion. ***Vice-Chair Wilcoxon made a motion to approve the agenda, Mr. Smith seconded, and the motion carried.***
5. **Approval of March 2, 2022, Meeting Minutes**  
Chair Grant asked for a motion on the meeting minutes as written. ***Vice-Chair Wilcoxon made a motion to approve, Mr. Stringer seconded, and the motion carried.***
6. **Disclosure of ex parte contact:** ***Stuart Lee, Lori Wilcoxon, and Parrish Smith.***
7. **Oath**

**Old Business**

None

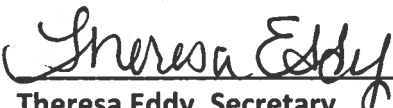
**New Business**

8. **SE-22-0067: Special Exception request for a Non-qualifying Home Occupation for a Photography business – Property located at 101 Foxworth Court – R-1 District – Josie Kitch.**  
Ms. Josie Kitch, 101 Foxworth Court, addressed the board and shared her background in photography. Chair Grant asked Ms. Kitch if she had read and could abide by the nineteen staff conditions and Ms. Kitch affirmed. Chair Grant asked if anyone in the audience was present regarding this case with no response. Chair Grant asked if the Planning staff or board members had any questions with no response. Chair Grant asked Ms. Kitch if she had any questions, to which she did not. Chair Grant then asked for a motion. ***Mr. Smith made a motion to approve SE-22-0067 with the staff conditions, Mr. Lee 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;
  12. 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.
9. **V-22-0079: Variance request to allow a 15-ft. front yard setback for a Swimming Pool – Property located at 1101 McClintock Drive – R-1 District – Joe & Kate Chambers.** Mr. Joe & Mrs. Kate Chambers, 1101 McClintock Drive, addressed the board. Mrs. Chambers submitted a form with a list of neighbors consenting to the request. Mrs. Chambers explained that the house sits on 3 acres and was hidden from the road with dense foliage. Mrs. Chambers explained that the house was built before the road and that when McClintock Drive was constructed, it was constructed to the rear of the house. Mr. Chambers explained that there was a city drainage easement in the front (south side of the house) that flooded and that there was a significant slope there as well. Mr. Chambers explained that they would be constructing a 4-foot retaining wall with more foliage. Mr. Lee asked if the pool will be fenced in. Mrs. Chambers stated that they were finishing the perimeter fencing with a gate at the driveway. Mr. Jamie King, Cox Pools, stated that they would put the retaining wall behind the pool where the Jasmine bush was. Mrs. Chambers stated that there would be three layers of coverage by adding the retaining wall and more foliage. Chair Grant stated that she believed there to be hardships because the city-built McClintock Drive so that the back of the house was facing it and that the city maintains a drainage easement along the south side of the lot, rendering that space useless. Chair Grant asked if anyone had any more questions or comments with no response. Chair Grant then asked for a motion. ***Mr. Lee made a motion to approve with the hardships being that the city had built McClintock Drive so that the back of the house was facing it and that the city drainage easement prevents the use of the south side of the lot, Ms. Long seconded, and the motion carried.***
10. Discussion
11. Adjourn.  
***Vice-Chair Wilcoxon made a motion to adjourn, Mr. Stringer seconded, and the motion carried.***

The meeting adjourned at 9:30 a.m. The next meeting is on June 1, 2022.

  
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Gina Grant, Chair

  
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Theresa Eddy, Secretary