

CITY OF DAPHNE  
BOARD OF ZONING ADJUSTMENT MINUTES  
REGULAR MEETING OF JANUARY 4, 2024 - 6:00 P.M.  
COUNCIL CHAMBERS, CITY HALL

---

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

Members Present:

Clay Covert  
Derek Wolstenholme  
Audra Harper  
Donald Burton, Jr.  
Carolyn Courson, Chairwoman

Members Absent:

Tasha Quinnelly  
Herb Cole

Staff Present:

Adrienne D. Jones, Director of Community Development  
Pat Johnson, Recording Secretary  
Shawn Alves, BZA Attorney

Chairwoman asked for input regarding the December 7, 2023 minutes presented by staff. There being none, minutes stand approved as submitted.

Chairwoman called for the next order of business: a request for a Special Exception as presented on the meeting agenda.

A presentation of the report packet was given and recommended by the Director regarding application #2024-01, AltaPointe Health seeking approval of a Special Exception to authorize AltaPointe Health to operate a school for approximately 150 students for the Baldwin County Board of Education on 22.39 acres at 7400 Roper Lane, which is zoned R-3, High Density Single Family Residential, along with all contiguous parcels. Her recommendation along with the Building Official and the City Engineer was favorable, although the Engineer cited areas to be rectified during the site plan process if approved.

Chairwoman called for questions from the Board. There were none. The Chairwoman opened the floor for the public hearing and called for those in support of the appeal.

Jarrett Crum, Chief Hospital Officer for AltaPointe spoke seeking approval to expand the existing 82-bed psychiatric facility with a 12-bed, in-patient child adolescent psychiatric center, as well as, a school to accommodate approximately 150 students in collaboration with the Baldwin County Board of Education. He cited the expansion would be separate from the existing 82-bed facility.

CITY OF DAPHNE  
BOARD OF ZONING ADJUSTMENT MINUTES  
REGULAR MEETING OF JANUARY 4, 2024 - 6:00 P.M.  
COUNCIL CHAMBERS, CITY HALL

---

Since there are no local in-patient child adolescent treatment facilities many are forced to travel as far as Montgomery for treatment. Therefore, after being approached by many individuals in the community, AltaPointe is pursuing approval to provide care for these adolescents because bed availability is limited in this area.

Chairwoman called for questions from the Board.

The Board presented several questions: were other locations sought, why here; ages of the students; students' mode of transportation; vegetation; the number of employees, relative ratio of the acreage; determination of which student selection; security, fencing and buffer vegetation; the average length of stay; and, public health certification process.

Mr. Crum responded this site was preferred because of the existing staff such as psychiatric support services, janitorial, cafeteria and security already in place on this central location. Seeking another location would not be cost effective. In-patient treatment will be for ages 5 to 21, and school-age children will be from kindergarten to high school, which can be up to age 21. The 12-bed expansion will be for in-patient children admitted overnight therefore, care will be given around the clock to them. The school component will be children bused in from local Baldwin County Board of Education District schools, none driving, for a regular school schedule of 8:00 a.m. to 3:30 p.m. time frame. On site there will be a teacher and two behavioral aides per classroom, principals, a school nurse, coordinators, other school employees and security. A significant amount of vegetation exists.

The Board presented several questions regarding the difference between a previous 2008 request and tonight's request, and who would pay for the cost of the turn lane for this project; current facility acreage and what percentage of the 22.39 acreage is the expansion; and whether the landscaping vegetation will remain or be removed.

Mr. Alves stated 2008 was for a different use, which you can use to weigh in on tonight's request or you do not have to take it into consideration, rather focus on the merits of the information presented at this time whether it is pertinent to what is asked for like the location and the surroundings.

Mrs. Jones stated all costs associated with the development would be that of the developer.

Mr. Crum stated based on my discussion with the Architect the expansion is a little smaller than the existing building. It will be single story, but in conjunction with what is there.

**CITY OF DAPHNE  
BOARD OF ZONING ADJUSTMENT MINUTES  
REGULAR MEETING OF JANUARY 4, 2024 - 6:00 P.M.  
COUNCIL CHAMBERS, CITY HALL**

---

The gym may be slightly taller, but architecturally consistent. I am not 100 percent certain of that though about the landscaping vegetation, some of it may have to be moved.

Jonathan McGehee, S.E. Civil, stated there will be a vegetative buffer along the boundary line and anything that is removed will have to be replaced with something likewise or greater.

The Board presented several more questions concerning the following: will the school have sporting teams and athletic events; will all students be Baldwin County residents; what is the fencing and vegetation layout for neighbors' safety; will this be a locked down facility and who will determine which students are admitted; average length of stay; total completion length; and class size.

Mr. Crum confirmed there would be no sporting team events, but we will have outdoor recess time with playground space for the children to be able to run, stretch their legs and burn off some of their energy between classes similar to regular school. The goal of our school will be to help children with mental illness stabilize their mental or behavioral issues so they can return to regular school and resume their day-to-day activities. These children are identified by the school system as exhibiting behavior issues associated with a psychiatric illness who is distracting others who are actually learning which causes them to struggle and compound their issues. Our goal is to help students regain stabilization and functionality so they can receive an education after treatment to the point that they can be successful, which is what we do at our facility in Mobile, but all 150 of these students will be Baldwin County residents.

The area behind the gym will have a steady wood line buffer along with the existing 8-foot fence, and yes there have been a few incidents, but we will make sure that there are not any openings in the fencing. Our goal is to treat the children's mental health illnesses and integrate them back into the school system, and they should not be deemed a threat because they are living in our communities already. We are mindful of safety and providing a safe setting for all of the neighbors. Yes, we will be a mag locked door, visual camera monitored secured facility, with a security department. The evaluation process to determine if a child meets the criteria to enter their program will be modeled after the processed used in Mobile by the school and the Department of Mental Health. The students are stabilized and released. The average length of stay depends on the severity of their mental illness. Our date of completion may be anywhere from 1 to 2 years because we have to obtain a memo of understanding with the BOE, public health certifications, contracts, hiring and training of staff, BOE teachers and principals by us, but BOE will pay them.

CITY OF DAPHNE  
BOARD OF ZONING ADJUSTMENT MINUTES  
REGULAR MEETING OF JANUARY 4, 2024 - 6:00 P.M.  
COUNCIL CHAMBERS, CITY HALL

---

Classes are similar to regular school with the same curriculum with class sizes of 12 to 15 students all with controlled access.

The Board presented several more questions regarding the number of students currently served in Mobile; justification for the number of students and current placement.

Mr. Crum stated we are treating about 75 students in Mobile. We requested 150 to expand for potential future long-term growth after collaboration with BOE, and there is a small school currently in Fairhope off U.S. Highway 98.

Mrs. Jones about the certificate of need process and security measures to protect the youth.

Mr. Crum stated it is when we present our need before the Schick they as a board determine whether a number of beds is a valid need for approval by the Governor who solidifies it with certification for a total number of beds added for the entire state. We made application for 12 beds barring no objections on January 17<sup>th</sup> we move to the next step. Additionally, he explained the security measures to keep youth safe.

The final question from the Board was regarding the use of stun guns and electrically charged security fencing.

Mr. Crum stated State regulations do not allow electric fencing or stun guns. We use holding techniques, medications and seclusion rooms if a patient has an episode because we want them to be safe.

The Chairwoman called for those in opposition, followed by rebuttal.

Bob Brunson, 117 Willowbrook Circle, expressed opposition about property values decreasing, safety of his mother, personal harassment by law enforcement when a patient wanders off.

Sid Odom, 7275 Pinehill Road expressed opposition about issues with patients wandering through yards, emergency response noise 24/7, and traffic on his brother's behalf.

Twanna Odom, 7227 Pinehill Road expressed opposition about emergency response noise, traffic and safety concerns for the elderly, patients being imported from Mobile several times a week by van with a heavy Mobile County Sheriff presence, and who would pay for street improvements and infrastructure.

Roy Sawyer, 105 Buena Vista, expressed safety concerns about pat noise, and patients walking through his yard, but understood the need for the facility.

CITY OF DAPHNE  
BOARD OF ZONING ADJUSTMENT MINUTES  
REGULAR MEETING OF JANUARY 4, 2024 - 6:00 P.M.  
COUNCIL CHAMBERS, CITY HALL

---

Matt McDonald, expressed opposition concerns about speeding traffic and noise.

Josephine Jackson, 28201 8<sup>th</sup> Avenue, expressed opposition about heavy traffic, a secure facility and she asked for consideration for the longtime residents by making the fence tall enough to keep patients in.

The Chairwoman closed the floor to the public hearing and offered the opportunity for rebuttal.

Mr. Crum stated I have heard your concerns and assure you we will address the fencing and buffer to help with security. Heavy traffic is an existing problem everywhere because of growth in the area. Also, some of these type patients are in our communities already, which might be more of a danger than them being in treatment getting help. There is a great need for the type of help we provide.

Mr. Covert questioned the use of electrically charged devices and electronic fencing and expressed concern regarding the existing security measures in place and the existing impact on the neighborhood.

The Chairwoman called for discussion from the Board.

The Board discussed adding a contingency about the fencing height. Hearing no further comments from the Board, the Chairwoman called for an affirmatively stated motion.

**A Motion was made by Mr. Wolstenholme and Seconded by Mrs. Harper to approve Appeal #2024-01, AltaPointe Health, request for a Special Exception to authorize AltaPointe Health to operate a school for approximately 150 students for the Baldwin County Board of Education on 22.39 acres at 7400 Roper Lane contingent upon installing a 10 foot tall fence around the entire perimeter of the property**

Upon roll call vote, the Motion failed due to lack of a supermajority vote.

<b>Mr. Covert</b>	<b>Nay</b>
<b>Mr. Wolstenholme</b>	<b>Aye</b>
<b>Mrs. Harper</b>	<b>Aye</b>
<b>Mr. Burton</b>	<b>Nay</b>
<b>Mrs. Courson</b>	<b>Aye</b>

The Chairwoman stated the motion failed. You may go by the office of Community Development around 9:00 a.m. in the morning to pick up your paperwork.

CITY OF DAPHNE  
BOARD OF ZONING ADJUSTMENT MINUTES  
REGULAR MEETING OF JANUARY 4, 2024 - 6:00 P.M.  
COUNCIL CHAMBERS, CITY HALL

---

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

A **Motion** was made by **Mr. Wolstenholme** and **Seconded** by **Mrs. Harper** to adjourn. There was no discussion of the motion.

**The Motion carried unanimously.**


The meeting adjourned at 7:38 p.m.

**Respectfully submitted by:**



Pat Johnson, Recording Secretary

**APPROVED:** February 1, 2024

  
Carolyn Courson, Chairwoman