

**CITY OF DAPHNE
BOARD OF ZONING ADJUSTMENT MINUTES
REGULAR MEETING OF JUNE 1, 2006 - 6:00 P.M.
COUNCIL CHAMBERS, CITY HALL**

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

Call of Roll:

Members Present:

Willie Robison
Billie Mayhand
Glen Swaney, Chairman
Walt Crimmins
Jeri Hargiss
Barry Taylor

Staff Present:

William H. Eady, Sr., Director of Community Development
Pat Houston, Recording Secretary
Jerry Speegle, Attorney

Members Absent:

Frank Lamb

The Chairman stated okay, we have six members present tonight. Five will be voting tonight, with the exception of Mr. Taylor, I guess, who will not be voting, but will be participating in the discussion. It takes four votes out of the five to approve the appeal. Is that correct?

Ms. Houston stated that is correct.

The Chairman stated has everyone had a chance to read the minutes from the last meeting. I'll give you just a couple of minutes, and then the Chair will entertain a motion to approve them as written.

Approval of Minutes:

The minutes of the April 6, 2006 meeting were considered for approval. A **Motion** was made by **Mr. Robison** and **Seconded** by **Mr. Crimmins** to **approve the minutes as written with no additions or deletions.**

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

Mr. Robison	Aye
Mr. Mayhand	Aye
Mr. Swaney	Aye
Mr. Crimmins	Aye
Ms. Hargiss	Aye
Mr. Taylor	Aye

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New Business:

Appeal #2006-01, Ms. Pat's Child Development & Learning Center

The Chairman stated we are here tonight to talk about Appeal #2006-01. Mr. Eady, do you want to start us off?

Mr. Eady displayed color transparencies of 1703 Pollard Road. He stated Ms. Patricia Bolden Scott, also known as Ms. Pat's Child Development & Learning Center is requesting a Special Exception to be allowed to operate a daycare center at this address. She has a nursery at 1703 Pollard Road now. She wants to increase the size to a daycare center to keep kids ranging from age six weeks to twelve years old. She has been working on this project for a long time. She has been in and out of our place for a good while. We have been sending her back and changing this, that and the other. In a moment I will show you some pictures, but she has spent a lot of money improving her site. It has been appropriately advertised, and you have a list of the adjacent property owners that were notified. With that I would like to show you a couple of pictures. This is the front of her home on Pollard Road. All of this driveway that you see here is brand new. She has just had that done. Originally, she had a fence out front and a couple of Pine trees. She cleaned all of it out, and had the driveway rebuilt. This is another view of the house to the south of her. The driveway comes out just behind where that car is parked, and then it comes back out onto Pollard Road. Looking at the drainage out front and the driveway this is another view. As you can see, she can come in from the front and then go back out, right here.

The Chairman stated I have a question, Mr. Eady. I noticed it in the packet it talks in terms of deeds and a garage at 1701 Pollard Road, and also the 1701 address, but yet I see 1703 as the daycares address. Which is correct? I do not understand the reference in here to 1701 Pollard Road. Is that part of the property?

Mr. Eady stated this is off of Highway 64 south. That is the address.

The Chairman stated let me clarify what I am asking here. Is your address 1703 Pollard Road?

Ms. Scott stated right.

The Chairman stated okay.

Mr. Crimmins stated I do not understand.

Ms. Scott stated 1701 Pollard Road is next door. It belongs to my Mother.

Mr. Eady stated did I say 1701 instead of 1703?

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The Chairman stated well, I just saw some papers in here that said 1701, so I was just trying to get clarification.

Mr. Taylor stated it looks like she is leasing space from her mother.

The Chairman asked is that right?

Ms. Scott stated exactly. Parking. Exactly.

The Chairman stated okay. I am sorry, Mr. Eady, go ahead.

Mr. Eady stated that driveway comes back out to her Mother's property. Now, this is the back yard. It may look a little cluttered right now because she has got a lot of playground equipment that she had to move from the front yard while they were doing the driveway, until she can get it all in place again. She has a fairly large backyard. There are no obstacles back there that would be a danger to a child. As you can see right there she has a little porch and she has two little storage building. Of course, she has a fence all the way around it, and she just moved all of that equipment from the front yard. That is a shot of her Mothers' yard. She has a letter and signatures that allows her to let any needed overflow parking park in here and down the grade on this grassed area where those couple of cars shown there are parked. That is it.

The Chairman stated I see. Would you like to say anything in addition to what Mr. Eady has said, Ms. Scott?

Ms. Scott stated no, I do not think I need to say anything else. Everything I have been saying to them, it was pretty much conveyed.

The Chairman asked are there any questions?

Mr. Crimmins asked what is the use of the building now?

Mr. Eady answered it is being used as a daycare center, but she is going to enlarge it to keep more children.

Mr. Crimmins stated so that special use is already in effect.

Mr. Eady stated yes, sir.

The Chairman stated any additional questions.

Mr. Robison stated yes, sir. Ms. Scott, I usually ask this question. I do not see any of your neighbors or anyone here that would be speaking for or against your increasing proposal. So I gather that there are no neighbors on either side or across the street that are opposed to your enlarging the present daycare that you have.

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Ms. Scott stated no, they are not. I know they received letters, and I mentioned this meeting to them. They already gave me their approval.

Mr. Robison stated I see there names here on the adjacent property owners list, and they have signed this agreement so I guess they are in favor of it.

Mr. Eady stated we did not have anything negative on it

Mr. Robison stated wonderful.

The Chairman stated do any of the Board members have any additional questions or comments? If there are no objections, the Chair will entertain a motion.

A Motion was made by Mr. Crimmins and Seconded by Ms. Hargiss to approve Appeal #2006-01, Ms. Pat's Child Development & Learning Center, for special exception to operate a Daycare Center at 1703 Pollard Road.

The Chairman stated let us have a roll call vote on this.

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

Mr. Robison	Aye
Mr. Mayhand	Aye
Mr. Swaney	Aye
Mr. Crimmins	Aye
Ms. Hargiss	Aye

The Chairman stated the request for the appeal is approved, and can be picked up when, Pat.

Ms. Houston stated first thing in the morning.

The Chairman stated first thing in the morning.

Ms. Scott stated thank you very much. Thank you all.

The Chairman stated congratulations. Thank you. Is there any other old or new business?

Old Business:

Mr. Crimmins stated Mr. Eady, I would like to know are there any updates on the Board of Zoning Adjustment handbook? I have one from long ago, which was last revised in March, 1982. I would like to know if there is a more current copy for the Board.

Ms. Houston stated I believe the only difference between what you have and they have is the cover.

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Mr. Crimmins stated okay. Does everybody else have one?

Ms. Houston stated yes.

Mr. Crimmins stated you have one of these books.

Mr. Mayhand stated I do not anything like that.

The Chairman stated I do not have anything that looks quite like that.

Mr. Crimmins stated the Board of Zoning Adjustment Handbook.

Mr. Robison stated I do not have the Board of Zoning Adjustment Handbook in that color or any other color.

Ms. Houston stated you have got it. Some I gave different colors and some I put in your Land Use Book. It should be in there. I made the book. The covers are just different, but I will make sure everybody has one if they do not. I know the members that have come on since I have been doing this I gave them that book.

The Chairman stated if you would check and verify it. I would greatly appreciate it.

Ms. Houston stated okay.

Mr. Robison stated of course, it is like having trousers you buy them too long, and then you cut them off. So I do not guess it hurts to have two of them.

Adjournment:

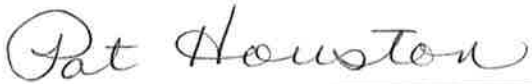
The Chairman stated if there is no other business, and if there are no objections, the Chair would entertain the motion to adjourn.

A Motion was made by Mr. Robison and Seconded by Ms. Hargiss to adjourn. The Motion carried unanimously.

There being no further business the meeting was adjourned at 6:13 p.m.

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Respectfully submitted by:



Pat Houston, Recording Secretary

APPROVED: July 6, 2006



Glen Swaney, Chairman

/ph