

**CITY OF DAPHNE**  
**1705 MAIN STREET, DAPHNE, AL**  
**CITY COUNCIL BUSINESS MEETING AGENDA**  
**March 18, 2019**  
**6:30 P.M.**

**1. CALL TO ORDER**

**2. ROLL CALL**

**INVOCATION:** Reverend Thack Dyson, St. Paul's Episcopal Church  
**PLEDGE OF ALLEGIANCE**

**PUBLIC HEARING:** Amending the Land Use and Development Ordinance, Article IX, Section 9-6,  
Lots of Record

**RECOGNITION:** Daphne High School Wrestling Team

**3. APPROVE MINUTES:** Council Meeting – March 4, 2019

**4. REPORTS OF STANDING COMMITTEES**

**A. FINANCE COMMITTEE** – Conaway

**B. BUILDINGS & PROPERTY COMMITTEE** – Goodlin  
Review the February 2019 Building Report.

**C. PUBLIC SAFETY COMMITTEE** – Scott  
Review the minutes from the February 11, 2019 meeting.

**D. CODE ENFORCEMENT/ORDINANCE COMMITTEE** – Phillips

**E. PUBLIC WORKS COMMITTEE** – Coleman

**5. REPORTS OF SPECIAL BOARDS & COMMISSIONS**

**A. BOARD OF ZONING ADJUSTMENTS** – Adrienne Jones  
Minutes from the March 7, 2019 meeting.

**B. DOWNTOWN REDEVELOPMENT AUTHORITY** – Conaway

**C. INDUSTRIAL DEVELOPMENT BOARD** - Rudicell

**D. LIBRARY BOARD** –Phillips

**E. PLANNING COMMISSION** – Scott

**F. RECREATION BOARD** – LeJeune

**G. UTILITY BOARD** – LeJeune

**6. MAYOR'S REPORT**

**7. CITY ATTORNEY REPORT**

## **City Council Agenda – March 18, 2019**

### **8. DEPARTMENT HEAD REPORTS**

### **9. CITY CLERK’S REPORT**

**MOTION** to approve the Bayside Academy Bay Affair Event on March 30, 2019 from 6:00pm-10:00pm.

### **10. PUBLIC PARTICIPATION**

### **11. RESOLUTIONS & ORDINANCES**

#### **A. RESOLUTIONS:**

**2019-16** – Donation to Daphne High School – Two Recumbent Bikes

**2019-17** – Roads and Rights of Way Acceptance – Blackstone Subdivision Phase 1 and 2

#### **B. 2<sup>ND</sup> READ ORDINANCES:**

**2019-13** – Additional Appropriation: Dispatch Recording System Upgrade - \$15,033

**2019-14** - Amend the Job Classifications for Building Inspector and Building Maintenance

**2019-15** – Amend the Job Classification Schedule Director of Events and Marketing

#### **C. 1<sup>ST</sup> READ ORDINANCES:**

**2019-16** – Revisions to the Land Use Ordinance – Article 9, Lots of Record

### **12. COUNCIL COMMENTS**

### **13. ADJOURN**

To: Office of the City Clerk

From: Adrienne D. Jones,   
Community Development Director

Subject: Proposed Amendments to Ordinance 2011-54, Land Use and Development Ordinance, Article IX, Section 9-6, Lots of Record

Date: January 28, 2019

## MEMORANDUM

At the January 25, 2019, regular meeting of the City of Daphne Planning Commission, seven members were present. The motion carried for a unanimous **favorable recommendation** for the above-mentioned revision to the Land Use and Development Ordinance.

Attached please find the appropriate documentation and action of the Daphne Planning Commission.

Upon receipt of said documentation, please prepare an ordinance for placement on the City Council agenda to set a public hearing.

Thank you,  
ADJ/jv

attachment(s)

cc: file

**FILE**  
01/28/19  
12:20 pm

## **ARTICLE IX DISTRICT PROVISIONS**

Except as hereinafter provided, the following shall generally apply:

### **9-1 RULES FOR DETERMINING BOUNDARIES**

Where uncertainty exists with respect to the boundaries of any of the districts as shown on the official Zoning District Map, the following rules shall apply:

- (a) Unless otherwise indicated, the zoning district boundary lines shall be construed to follow property lines, land lot lines, center lines of streets, highways, alleys, shorelines of streams, reservoirs, other bodies of water, or civil boundaries.
- (b) Where zoning district boundaries are approximately parallel to the center lines of streets, highways, railroads, streams, reservoirs, bodies of water, or lines extended such zoning district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the official Zoning District Map. If no distance is given, such dimensions shall be determined by the use of the scale shown on the official Zoning District Map.
- (c) Where zoning district boundary lines appear on the official Zoning District Map and it divides a lot which is in single ownership at the time of this enactment of this Ordinance, the use classification of the larger(est) portion may be extended to the remainder by the Planning Commission without recourse to amendment procedure.
- (d) Where a public road, right-of-way, street, or alley is officially vacated or abandoned, the regulations applicable to the property to which it is reverted shall apply to such vacated or abandoned public road, right-of-way, street, or alley.
- (e) In case the exact location of a zoning district boundary line cannot be determined by the foregoing methods, the Board of Zoning Adjustment shall upon application determine the location of the line.

### **9-2 NONCONFORMANCE**

It is the intent of this section to recognize the elimination of existing buildings and structures or uses that are not in conformance with the provisions of this Ordinance in as much as it is a subject of health, safety, and general welfare and for the prevention of the establishment of new uses which would violate said provisions. It is also the intent of this Ordinance to administer the elimination of nonconforming uses, buildings, and structures so as to avoid any unreasonable

invasion of established private property rights.

Any structure or use of land existing at the time of the enactment of this Ordinance and amendments thereto and not in conformance with its use regulations and provisions may be continued subject to the following provisions:

(a) **Unsafe Structures:**

Any structure or portion thereof declared unsafe by any authority may be restored to a safe condition provided the restoration is in compliance with requirements of this section.

(b) **Alterations:**

Any change in a nonconforming building site or yard area is subject to the following:

- (1) No nonconforming building can be structurally altered, except for repairs or the installation of plumbing fixtures required by law; the changing or interior partitions; interior remodeling, cannot be substantially added to moved or extended in anyway unless the addition meets the provisions of this Ordinance.
- (2) Should a nonconforming building be moved, all nonconforming yard areas shall be eliminated.
- (3) A nonconforming use of land shall be restricted to the lot occupied by such use as of the effective date of this Ordinance. A nonconforming use of a building or buildings shall not be extended to include either additional buildings or land subsequent to the enactment of this Ordinance.
- (4) A nonconforming building, structure, or improvement which is hereafter damaged or destroyed to an extent exceeding fifty percent (50%) of the reasonable estimated replacement cost of the structure, building or improvement may not be reconstructed or restored to the same nonconforming use, except upon the approval of the Board of Zoning Adjustment. Such damaged or destroyed structures that are no longer in use shall be removed and the site cleared at the owner's expense.

(c) Change in Use:

A nonconforming use which is changed to a conforming use shall not be permitted to revert to the original or a less restrictive use.

(d) Discontinuance:

A nonconforming use which became such upon the adoption of this Ordinance and which has been discontinued for a continuous period of one (1) year shall not be reestablished and any future use shall be in conformity with the provisions of this Ordinance.

(e) Adjacent Land:

The presence of a nonconforming use in a zoning district shall not be legal grounds for the granting of variances for other surrounding properties by the Board of Zoning Adjustment.

**9-3 BLOCKS**

Blocks shall be arranged to assure maximum use of the topographic features of the land and shall not be less than four hundred (400) feet nor more than twelve hundred (1200) feet in length, except as the Planning Commission considers necessary to secure efficient use of land or desired features of a street pattern. In blocks more than eight hundred (800) feet in length, the Planning Commission may require one or more public crosswalks of not less than ten (10) feet in width to extend entirely across the block at locations deemed necessary.

Blocks shall be wide enough to allow two tiers of lots of minimum depth, except where fronting on major streets, limited access highways, railroads, or where prevented by topographical conditions or size of the property, in which case the Planning Commission will approve a single tier of lots of minimum depth.

**9-4 LOTS**

The size, shape, and orientation of lots shall be such as the Planning Commission deems appropriate for the type of development, use contemplated, and shall be properly related to the topography of the land and character of the surrounding development. Insofar as practical, side lot lines shall be at a right angle to straight street lines or radial to curved street lines.

Residential lots served by central water and sewerage systems shall not be less than fifty (50) feet wide at the building setback line nor less than five thousand (5,000) square feet in area, provided they comply with the requirements of the zoning district in which the development is to occur.

Residential lots with central water supply, but not served by a central sewerage system shall not be less than ninety (90) feet wide at the building setback line nor less than fifteen thousand (15,000) square feet in area; provided, however, greater area may be required by the Planning Commission if it is indicated by data from percolation tests or determined by the Baldwin County Health Department.

Residential lots served by an individual source of water supply and an individual sewage disposal system shall be not less than one hundred (100) feet wide at the building setback line nor less than twenty thousand (20,000) square feet in area as required by the Baldwin County Health Department after investigation of soil conditions, proposed sewerage system, and depth of ground water.

#### **9-5 FLAG LOTS**

A flag lot is a lot with two distinct parts: 1. the flag, which is the only building site; and is located behind another lot; and 2. the staff, which connects the flag to the street; provides the only street frontage for the lot; and at any point is less than the minimum lot width for the zone.

These regulations allow for the creation of flag lots in limited circumstances. The limitations are intended to minimize the negative impacts of flag lots and additional driveways on an area while allowing land to be divided when other options are not achievable.

A residential subdivision shall not consist of more than two (2) flag lots and shall comply with the following criteria:

- (a) Shall have access to a public street or right-of-way by means of an ingress/egress easement thirty (30) feet in width. The staff must be part of the flag lot, connect to a street and be under the same ownership as the flag portion of the lot. Access easements to allow for use of the staff by another lot may be required. The "staff" shall be an all weather driving surface with adequate drainage and properly maintained. "All weather surface" means asphalt, concrete, gravel, or road base. Shared access for up to two lots may be allowed with a recorded easement for all property owners. The staff portion of the flag lot shall not be longer than two hundred fifty (250) feet. Any exemption to these provisions may be granted by the Planning Commission upon request.
- (b) The minimum lot area shall be compatible with the minimum square footage as required by the zoning district in which the development is to occur. The staff shall not be a part of the required lot or parcel area and shall provide frontage on a public street or right-of-way.

- (c) The setbacks shall be compatible with the minimum setback requirements of the zoning district in which the development is to occur.
- (d) The front setback shall be measured from the projected lot line of the principle lot parallel to the thirty (30) foot ingress/egress easement.
- (e) The rear and side setbacks shall be measured from the property line.
- (f) Said subdivision shall include up to four lots. Any further subdivision of the property shall require the thirty (30) foot ingress/egress easements to become a dedicated right-of-way for the purpose of the developer, subdivider, or owner to construct a street in accordance with the specifications and requirements provided herein and to provide all minimum improvements for a subdivision.
- (g) Any subdivision with more than four residential or commercial lots shall be subject to *Article 17, Subdivision Regulations*.
- (h) The record plat of any flag lot subdivision shall show that the staff, i.e., access from the dedicated public street to the property, is a dedicated ingress/egress easement; is not a city street; and will not be maintained by City of Daphne.

## 9-6 LOTS OF RECORD

### (1) General

Where the owner of a lot of record or his successor to the title thereto does not own sufficient land to enable him to conform to the dimensional requirements of this Ordinance, the following exceptions may be allowed:

- (a) Where a lot, tract, or parcel of land has an area or width which does not conform to the requirements of the district in which it is located, said lot may be used for a single family dwelling in any residential district, provided the lot to be used has a minimum area of four thousand (4,000) square feet and a minimum lot width at the building line of forty (40) feet and is connected to public sewer. In Commercial/Industrial Districts, uses compatible with the district may be allowed by the Planning Commission.
- (b) When two or more adjoining lots with a continuous frontage are in a single ownership at the time of the application, and such lots have a frontage or lot area less than is required by the zoning district in which they are located, such lots shall be platted or reparcelled to create one or more lots which conform to the minimum frontage and area requirements of the zoning district.

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Notwithstanding the foregoing paragraph, when two or more adjoining lots with a contiguous frontage are in a single ownership at the time of application, and such lots have a frontage or lot area less than is required by the zoning district in which they are located, such lots may be platted or reparcelled to create fewer total nonconforming lots so long as each resulting lot is closer to conforming with the dimensional requirements of this Ordinance than it was before being replatted or reparcelled.

No lot or parcel, even though it may consist of one or more adjacent lots of record, shall be reduced in size so the lot width, depth, front, side, rear yard, inner or outer courts, or lot area or other requirements of this Ordinance are not maintained. This section shall not apply when a portion of a lot is acquired for public use.

- (c) Buildings or structures located on substandard lots of record may be improved only when the addition of adequate plumbing is required by the laws and ordinances of the City of Daphne.

## (2) Single Family Residential Lots, Parcels and Land in the Olde Towne Area

The Olde Towne Daphne area represents the area of original colonization of the Daphne community. As such, the area represents unique, historical character. This uniqueness and charm is demonstrated by the subdivisions of land in Olde Towne area since the city's formal incorporation in 1927. The subdivision of land in Olde Towne Daphne has resulted in unique lot sizes, configuration and a lack of uniformity within the Olde Towne residential areas.

Upon the City's establishment of zoning in 1987, the residential area within what is now known as the Olde Towne residential area was blanket zoned R-1 and R-2. In an effort to provide relief from city-wide setback standards that were not created with the uniqueness of existing Olde Towne area lots in mind, the provisions of this section shall apply to vacant, undeveloped, existing lots of record and parcels of land located within or west of the Olde Towne Daphne District zoned R-1, R-2, or R-3.

- a) Residential lots or parcels which are between 5,000 and 7,500 square feet in area

Maximum Building Coverage shall be thirty-eight percent (38%)

Minimum Building Setbacks shall be as follows:

Front and Rear = 25 feet

Interior Side = 6 feet

Corner Side = 20 feet

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b) Residential lots or parcels which are between 7,501 and 12,000 square feet in area

Maximum Building Coverage shall be thirty-eight percent (38%)

Minimum Building Setback shall be as follows:

Front and Rear = 30 feet

Interior Side = 10 feet

Corner Side = 20 feet

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c) In an effort to encourage a sense of community, the city shall allow the construction of covered open air front porches. Said open air porch may encroach into the front yard setback, however this encroachment shall not exceed five feet.

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Where the owner of a lot of record or his successor to the title thereto does not own sufficient land to enable him to conform to the dimensional requirements of this Ordinance, the following exceptions may be allowed:

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(a) Where a lot, tract, or parcel of land has an area or width which does not conform to the requirements of the district in which it is located, said lot may be used for a single family dwelling in any residential district, provided the lot to be used has a minimum area of four thousand (4,000) square feet and a minimum lot width at the building line of forty (40) feet and is connected to public sewer. In Commercial/Industrial Districts, uses compatible with the district may be allowed by the Planning Commission.

(b) When two or more adjoining lots with a continuous frontage are in a single ownership at the time of the application, and such lots have a frontage or lot area less than is required by the zoning district in which they are located, such lots shall be platted or re-parcelled to create one or more lots which conform to the minimum frontage and area requirements of the zoning district.

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No lot or parcel, even though it may consist of one or more adjacent lots of record, shall be reduced in size so the lot width, depth, front, side, rear yard, inner or outer courts, or lot area or other requirements of this Ordinance are not maintained. This section shall not apply when a portion of a lot is acquired for public use.

(c) Buildings or structures located on substandard lots of record may be improved only when the addition of adequate plumbing is required by the laws and ordinances of the City of Daphne.

## 9-7 SUBSTANDARD LOTS OF RECORD

Yard requirements shall be modified subject to the following conditions:

- (a) On double frontage lots, the required front yard shall be provided on each public street or right-of-way.
- (b) An unroofed porch shall not project into a required front yard for a distance exceeding five (5) feet.
- (c) The side yard requirements for substandard lots of record may be reduced for each side yard at the rate of one (1) foot for each four (4) feet by which the lot width lacks fifty (50) feet, provided in no event shall such side yard be reduced to less than five (5) feet on each side.
- (d) The setback requirements for side yards and/or front yards on corner lots or lots of record where setbacks have not been established shall not apply to any lot where the average setback on residentially developed lots located, wholly, or in part two hundred (200) feet on each side of the such lot and within the same block, zoning district, and fronting on the same streets if such lot is less than the minimum required setback. In such cases, the setback on such lot may be less than the required setback, but not less than the average of the setbacks of the existing developed lots.

**9-8 FARM LAND**

Other provisions of this Ordinance notwithstanding, any tracts of farm land under cultivation, pasture land, or timberland presently being used for such purposes, consisting of at five (5) acres or more in size, may continue to be used for such purposes regardless of the zoning district in which it lies.

**9-9 YARDS**

No part of a yard or other open space required for any building for the purpose of complying with the provisions of this Ordinance shall be included as part of a yard or open space similarly required for another building. Every part of a required yard or court shall be open from its lowest point to the sky unobstructed, except for the ordinary projection of sills, cornices, buttresses, ornamental features, chimneys, flues, and eaves, provided such projections shall not extend more than two (2) feet beyond the yard area requirements.

**9-10 ONE PRINCIPAL BUILDING PER LOT**

Every residential building, hotels, motels, condominiums, single family and multi-family dwellings, and duplexes hereafter erected or moved shall be located on a lot and in no case shall there be more than one (1) principal residential building on a lot except as follows:

- (a) In any district where multi-family structures, motels, hotels, or two (2) or more residential structures may be permitted on a lot provided no building shall be located closer to another building on the same lot than a distance equal to half the sum of the heights of both buildings.
- (b) In Flood Hazard areas identified on the National Flood Insurance Rate Maps, the height of a building shall be measured from the floor level of the first habitable story for purposes of this section. In addition, the front or rear of any building may be no closer to the front or rear of any other building than forty (40) feet. The side of any building shall be no closer to the side, front, or rear of any other building than thirty (30) feet.

**9-11 ACCESSORY USES**

- (a) General:

Any use may be established as an accessory use to any permitted principal use in any district provided:

- (1) Is customarily incidental to and is maintained and operated as a part of the principal use.
- (2) Is not hazardous to and does not impair the use or enjoyment of nearby property in a greater degree than the principal use with which it is associated.

- (3) Does not create levels of noise, odors, vibration and lighting, or degrees of traffic congestion, dust or pollutants, in a greater amount than customarily created by principal use.

(b) Satellite Receiving Dishes:

Satellite receiving dishes are permitted accessory uses in any district, provided they comply with the setback, height, and other standards provided herein. In any district, the dish shall be located to the rear of the front building line and must be set back ten (10) feet from any interior or rear lot line.

Special setbacks indicated herein apply on corner lots. The dish together with the principal and accessory building may not exceed the maximum lot coverage permitted in the district in which it is located. In residential districts where the antenna is detached from the main building, its maximum height may not exceed fifteen (15) feet. When roof mounted, it must conform to the zoning district's height requirements and its installation must be checked for safety by the Building Official. Installation and construction must also comply with the building code. No form of advertising or identification is allowed on the dish or framework other than manufacturers' small identification plates.

(c) Radio and TV Antennas:

Private radio and TV antennas for individual homes or for amateur uses are permitted as accessory structures in any district and may be placed on roofs or in rear or side yards so they do not occupy more than fifty percent (50%) of said yard, nor come closer than five (5) feet to any right-of-way or property line. Antennas in excess of the normal height limitations for the zoning district in which they are located are subject to approval and permitting by the Building Official.

Said permit shall include a clause which shall indemnify, hold harmless, and protect the City of Daphne against any and all liabilities which may result from the erection and use of such radio and TV antennas.

Antennas must be properly constructed in compliance with the requirements of the Federal Communications Commission (FCC), the American Radio Relay League, Inc. (ARRL), or equivalent standards and good engineering practices as determined by the Building Official.

(d) Fall-Out Shelters:

Fall-out shelters are permissible as principal or accessory structures in any zoning district, subject to the following conditions:

- (1) If any portion of the structure extends above the ground, the portion above the ground must comply with the yard and lot coverage requirements of the zoning district in which it is located. The plot plan for such shelter shall be approved by the Building Official.
- (2) If the structure is completely underground, it need not comply with yard requirements or percentage of lot coverage requirements.
- (3) A fall-out shelter, underground or above ground, shall be confined to a side or rear yard and shall not be located in the front yard between the main building and the street on which it fronts.
- (4) Fall-out shelters may contain or be contained in other structures or may be constructed separately.

#### **9-12 ACCESSORY STRUCTURE**

Where an accessory structure is attached to the main building, a substantial part of one wall of the accessory structure shall be an integral part of the main building or such accessory structure shall be attached to the main building in a substantial manner by a roof, and therefore, such requirements applicable to the main building shall apply. The lot shall be large enough to accommodate the principal building and the accessory building or building(s) and meet the yard and other district requirements as otherwise provided herein. The principal building and accessory structure must comply with the requirements applicable to the maximum building coverage specified in this Ordinance.

In residential districts, a detached accessory structure shall conform to the following requirements:

- (a) Shall not be located on a lot by itself, nor be located or extend into the front yard.
- (b) Shall not be constructed to exceed more than one (1) story or fifteen (15) feet mean roof height unless such building sits within the primary residence building setback lines, and shall not exceed more than thirty (30%) percent of the rear yard.
- (c) Shall not be closer than five (5) feet to the main building.
- (d) Shall maintain a side yard setback of not less than five (5) feet.
- (e) Shall maintain a rear yard setback of not less than five (5) feet.

- (f) There shall be one (1) power meter to service both the primary residence and the accessory structure. A second power meter may be allowed with the approval of the Building Official in conditions of extreme hardship due to distance or access. The decision of the Building Official may be appealed to the Board of Zoning Adjustment in accordance with provisions established herein.
- (g) Prefabricated accessory structures are intended of storage. Any and all prefabricated accessory structures shall conform to the following requirements:
  - (1) Shall be no more than eighteen feet (18 ft.) in length;
  - (2) Shall not be used as a habitable unit;
  - (3) Shall not be served by heat or sanitary plumbing;
  - (4) Does not need to be placed on a permanent foundation; and,
  - (5) Shall be no more than two hundred and twenty square feet (220 sq. ft.) in area. *Revised 01/22/13 per Ordinance 2013-03*

#### **9-13 ACCESS TO PUBLIC STREETS**

Access to public streets shall be maintained in accordance with the following requirements:

- (a) Each principal use shall be placed on a lot or parcel which provides frontage on a public street having a right-of-way of not less than fifty (50) feet, except where existing public right-of-way is less than fifty (50) feet.

#### **9-14 SINGLE FAMILY DWELLING**

Single Family - a detached building designed for and occupied by one family as a home, with cooking and housekeeping facilities which meets or exceeds the following standards:

- (a) The home has a length not to exceed four (4) times its width, with the length measured along the longest axis and the width measured at the narrowest part of the other axis with the minimum width of not less than twenty (20) feet.

- (b) The roof shall have a minimum 3:12 (three to twelve) roof pitch and shall have a surface of wood shakes, asphalt composition, wood shingles, concrete, fiberglass or metal tiles, slate, or built up gravel materials. All roof structures shall provide an eave projection of not less than six (6) inches.
- (c) The exterior siding materials shall consist of wood, masonry, concrete, stucco, masonite, metal, brick, or vinyl lap or other materials of like appearance.
- (d) The electric meter must be attached to the structure.
- (e) Taxed as real property.



**March 4, 2019  
CITY COUNCIL MEETING  
REGULAR BUSINESS MEETING  
1705 MAIN STREET  
DAPHNE, AL  
6:30 P.M.**

**1. CALL TO ORDER:**

There being a quorum present Council Pro Tem LeJeune called the meeting to order at 6:32 p.m.

**2. ROLL CALL:**

**COUNCIL MEMBERS PRESENT:** Joel Coleman, Doug Goodlin, Ron Scott, Robin LeJeune and Angie Phillips

**Also Present:** Patrick Dungan, City Attorney; Mayor Haygood; Candace Antinarella, City Clerk; Kelli Reid, Finance Director/Treasurer; Joey Wehrman, Facilities Director; Betsy Schneider, Operations Director; Kenny Hanak, Fire Department; Regie Ardis, Police Department, Jeremy Sasser, Public Works Director; Tonja Young, Library Director; and Jessica Linne, Assistant City Clerk

**INVOCATION/PLEDGE OF ALLEGIANCE:**

Invocation was given by Councilman Doug Goodlin.

**3. APPROVE MINUTES:**

The minutes of the February 18, 2019 regular meeting were approved.

**4. REPORT OF STANDING COMMITTEES:**

**A. FINANCE COMMITTEE**

Councilman LeJeune said the minutes from the previous February 18<sup>th</sup> meeting were in the packet. The Lodging Tax for December 2018 was \$72,158.01. The Sales Tax for December 2018 was \$1,566,587.58. The Unassigned Cash Balance for January 2019 was \$15,246,729. The total cash \$28,899,259.

**B. BUILDINGS & PROPERTY COMMITTEE**

Councilman Goodlin said the next meeting will be Monday, March 11 at 5:15pm.

**C. PUBLIC SAFETY COMMITTEE**

Councilman Scott said the committee meets Monday, March 11<sup>th</sup> at 4:30pm.

**D. CODE ENFORCEMENT/ORDINANCE COMMITTEE**

Councilwoman Phillips said the committee met that afternoon. There were two recommendations to Council regarding first read ordinances.

**MOTION by Councilwoman Phillips to remove the fifth paragraph referencing the IT Director, as well as remove the IT Director position from the grade table in Ordinance 2019-14. Also, remove the fourth paragraph from Ordinance 2019-15. Seconded by Councilman Scott.  
MOTION CARRIED UNANIMOUSLY.**

**E. PUBLIC WORKS COMMITTEE**

Councilman Coleman said the committee met that afternoon. They were told about the Emerald Coast Utility Authority which receives the City's recycling is going up in fees. There will be a discussion in a later meeting on how to handle this. The next meeting is Monday, April 1<sup>st</sup> at 5:30pm.

**5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:**

**A. Board of Zoning Adjustments**

Mrs. Jones said the next meeting is March 7, 2019. She said there is one application to be discussed and there is also one alternate position the Council should be made aware.

**March 4, 2019  
CITY COUNCIL MEETING  
REGULAR BUSINESS MEETING  
1705 MAIN STREET  
DAPHNE, AL  
6:30 P.M.**

**B. Downtown Redevelopment Authority**

Councilwoman Conaway was not present.

**C. Industrial Development Board**

Councilman Rudicell was not present.

**D. Library Board**

Councilwoman Phillips said the next meeting is Thursday, March 14<sup>th</sup> at 4:00pm at the Library.

**E. Planning Commission**

Councilman Scott said there was no meeting in February. The next meeting will be March 28<sup>th</sup> at 5:00pm.

**F. Recreation Board**

Councilman LeJeune said the next meeting will be March 13<sup>th</sup> at 6:30pm.

**G. Utility Board**

Councilman LeJeune said the January Utility Board minutes are in the packet.

**6. MAYOR'S REPORT:**

Mayor Haygood updated everyone on how the Mardi Gras season went in the City.

He mentioned the Alabama Gas Tax Proposal. He said it was a \$.10 tax that would be phased in over the next three years.

**7. CITY ATTORNEY REPORT: No report.**

**8. DEPARTMENT HEAD COMMENTS:**

No report from Fire Department or Police Department.

David McKelroy shared that youth baseball and softball will start next week. He also mentioned that March 17<sup>th</sup> will kick off this year's Sunset Series at 5:30pm at Bayfront.

Jeremy Sasser reminded everyone to be careful on Main Street as Public Works starts gathering the barricades. He also mentioned that speed tables have been installed on Maxwell.

**9. CITY CLERK'S REPORT:**

City Clerk followed up on when the next IDB and DRA meetings were to be held. Industrial Development Board meeting will be Wednesday, March 13<sup>th</sup> at 11:30am and Tuesday, March 19<sup>th</sup> at 4:30pm. The Downtown Redevelopment Authority will meet Tuesday, March 26<sup>th</sup> at 5:30pm.

|                                                                                                                                                                                                                                         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>MOTION by Councilwoman Phillips to approve the band permit for a private party at the residence of 1501 Captain O'Neal Drive on March 16, 2019. Seconded by Councilman Coleman.</b></p> <p><b>MOTION CARRIED UNANIMOUSLY.</b></p> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**10. PUBLIC PARTICIPATION:**

Public Participation opened at 6:48pm.

Don Oulette, 7720 Elizabeth Drive, pointed out that the evening's agenda stated the "Unassigned Cash Balance" was reported from January 2018 instead of January 2019. The City Clerk thanked him for finding that and said it will be corrected.

**March 4, 2019  
CITY COUNCIL MEETING  
REGULAR BUSINESS MEETING  
1705 MAIN STREET  
DAPHNE, AL  
6:30 P.M.**

Public Participation closed at 6:49pm.

**11. RESOLUTIONS & ORDINANCES:**

**RESOLUTIONS:**

**2019-13** – Bid: Pine Straw

**2019-14** – Debt Service Transfer Funds to new Depository Account

**2019-15** – Appointment of Terry Reeves as Director of Special Care Facilities Financing Authority

**MOTION by Councilman Scott to waive the reading of Resolution 2019-13, Resolution 2019-14 and Resolution 2019-15. Seconded by Councilwoman Phillips.**

**MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to adopt Resolution 2019-13. Seconded by Councilwoman Phillips.**

**MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to adopt Resolution 2019-14. Seconded by Councilman Coleman.**

**MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to adopt Resolution 2019-15. Seconded by Councilman Goodlin.  
Mayor Haygood elaborated on what the Special Care Facilities Financial Authority was and that Mr. Reeves was recommended by the Westminster Bond Council for the position.**

**MOTION CARRIED UNANIMOUSLY.**

**ORDINANCES:**

**2nd READ:**

**2019-08** – Right of Way

**2019-09** – City for Daphne Utilities Property Sale 2019

**2019-10** – Flood Damage Prevention

**2019-11** – Re-Zone Property Located Southwest of Whispering Pines Rd and Pollard Rd – Cynthia Pierce

**2019-12** – Re-Zone Property Located Southeast of Whispering Pines Rd and Caroline Ave –  
T H Tanglewood 2018, LLC

**MOTION by Councilman Scott to waive the reading of Ordinance 2019-08, 2019-09, 2019-10, 2019-11 and 2019-12. Seconded by Councilwoman Phillips.**

**MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to adopt Ordinance 2019-08. Seconded by Councilwoman Phillips.**

**MOTION CARRIED UNANIMOUSLY.**

**March 4, 2019  
CITY COUNCIL MEETING  
REGULAR BUSINESS MEETING  
1705 MAIN STREET  
DAPHNE, AL  
6:30 P.M.**

**MOTION by Councilman Coleman to adopt Ordinance 2019-09. Seconded by Councilman Goodlin.  
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Coleman to adopt Ordinance 2019-10. Seconded by Councilman Goodlin.  
MOTION CARRIED UNANIMOUSLY.**

**MOTION by Councilman Scott to adopt Ordinances 2019-11 and 2019-12. Seconded by Councilman Coleman. Councilman Goodlin asked if both of these came back with favorable recommendations from the Planning Commission. Councilman LeJeune said yes.  
MOTION CARRIED UNANIMOUSLY.**

**1st READ:**

**2019-13** – Additional Appropriation: Dispatch Recording System Upgrade - \$15,033

**2019-14** - Amend the Job Classifications for Building Inspector, Building Maintenance and IT Director Positions

**2019-15** – Amend the Job Classification Schedule Director of Events and Marketing

**12. COUNCIL COMMENTS:**

Councilwoman Phillips said she was praying and thinking of those having to deal with the tragedy of the tornados in Lee County. She told Cliff McCollum that she hopes he hears from his friends soon. She also said to remember Councilman Rudicell and his family as he recently lost his mom.

Councilman Goodlin and Councilman Coleman both agreed with Councilwoman Phillips.

Mayor Haygood mentioned there have been three appointments done in the Planning Commission. He also mentioned the Special Tax Districts related to schools that have previously been discussed. Mayor Haygood also gave his condolences to those in Lee County as well as the Rudicell family.

**13. ADJOURN:**

THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 7:01 P.M.

Respectfully submitted by,

Certification of Presiding Officer

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Candace G. Antinarella, City Clerk

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Robin LeJeune, Council Pro Tem

# Permit Activity Report

New Construction Feb. 2019

Friday, March 1, 2019

Permit Code From: BL To: BL

Issued Date From: 2/1/2019 To: 2/28/2019

Improvement Type: NEW

Permit Code: BL

## BUILDING PERMIT

### Residential - NEW - R1 BL Permits

| ConID/Loc#                                | Contractor Name/Location Name | Permit #/Project | Master Permit # | Job Location Address | Paid          | Status | Issue Date          | App Date   | Job Value/Cost | Permit Fee |
|-------------------------------------------|-------------------------------|------------------|-----------------|----------------------|---------------|--------|---------------------|------------|----------------|------------|
| 5754-1                                    | TRULAND HOMES                 | 19-392           |                 | 101 BELROSE AVE      | Yes           | A      | 02/28/2019          | 02/28/2019 | \$483,930.00   | \$2,435.00 |
|                                           | TRULAND HOMES                 |                  |                 | Daphne, AL 36526     | Sub Division: |        | YUILLE BELROSE WARF | SQ. FT     |                | Lot:       |
| Total Residential - NEW - R1 BL Permit(s) |                               |                  |                 |                      |               |        |                     | 1          | \$483,930.00   | \$2,435.00 |

### Residential - NEW - R3 BL Permits

| ConID/Loc#                                | Contractor Name/Location Name | Permit #/Project | Master Permit # | Job Location Address | Paid          | Status | Issue Date  | App Date   | Job Value/Cost | Permit Fee |
|-------------------------------------------|-------------------------------|------------------|-----------------|----------------------|---------------|--------|-------------|------------|----------------|------------|
| 5278-1                                    | D R HORTON INC - BIRMINGHAM   | 19-269           |                 | 27897 JADE COURT     | Yes           | A      | 02/14/2019  | 02/14/2019 | \$192,900.00   | \$980.00   |
|                                           | D R HORTON INC - BIRMINGHAM   |                  |                 | Daphne, AL 36526     | Sub Division: |        | DIAMANTE    |            | SQ. FT         | Lot: 22    |
| 5278-1                                    | D R HORTON INC - BIRMINGHAM   | 19-266           |                 | 9294 DIAMANTE BLVD   | Yes           | A      | 02/14/2019  | 02/14/2019 | \$204,810.00   | \$1,040.00 |
|                                           | D R HORTON INC - BIRMINGHAM   |                  |                 | Daphne, AL 36526     | Sub Division: |        | DIAMANTE    |            | SQ. FT         | Lot: 46    |
| 5278-1                                    | D R HORTON INC - BIRMINGHAM   | 19-267           |                 | 8161 IRWIN LOOP      | Yes           | A      | 02/14/2019  | 02/14/2019 | \$139,350.00   | \$715.00   |
|                                           | D R HORTON INC - BIRMINGHAM   |                  |                 | Daphne, AL 36526     | Sub Division: |        | WINGED FOOT |            | SQ. FT         | Lot: 57    |
| 5278-1                                    | D R HORTON INC - BIRMINGHAM   | 19-400           |                 | 9481 DIAMANTE BLVD   | Yes           | A      | 02/28/2019  | 02/28/2019 | \$192,900.00   | \$980.00   |
|                                           | D R HORTON INC - BIRMINGHAM   |                  |                 | Daphne, AL 36526     | Sub Division: |        | DIAMANTE    |            | SQ. FT         | Lot:       |
| 5278-1                                    | D R HORTON INC - BIRMINGHAM   | 19-272           |                 | 9264 DIAMANTE BLVD   | Yes           | A      | 02/14/2019  | 02/14/2019 | \$192,900.00   | \$980.00   |
|                                           | D R HORTON INC - BIRMINGHAM   |                  |                 | Daphne, AL 36526     | Sub Division: |        | DIAMANTE    |            | SQ. FT         | Lot: 48    |
| 5278-1                                    | D R HORTON INC - BIRMINGHAM   | 19-371           |                 | 8395 MACKIE LANE     | Yes           | A      | 02/25/2019  | 02/25/2019 | \$139,290.00   | \$715.00   |
|                                           | D R HORTON INC - BIRMINGHAM   |                  |                 | Daphne, AL 36526     | Sub Division: |        | WINGED FOOT |            | SQ. FT         | Lot: 107   |
| Total Residential - NEW - R3 BL Permit(s) |                               |                  |                 |                      |               |        |             | 6          | \$1,062,150.00 | \$5,410.00 |

### Residential - NEW - R2 BL Permits

| ConID/Loc#                                | Contractor Name/Location Name | Permit #/Project | Master Permit # | Job Location Address          | Paid          | Status            | Issue Date | App Date   | Job Value/Cost | Permit Fee |
|-------------------------------------------|-------------------------------|------------------|-----------------|-------------------------------|---------------|-------------------|------------|------------|----------------|------------|
| 5754-1                                    | TRULAND HOMES                 | 19-343           |                 | 27610 FRENCH SETTLEMENT DRIVE | Yes           | A                 | 02/21/2019 | 02/21/2019 | \$213,120.00   | \$1,085.00 |
|                                           | TRULAND HOMES                 |                  |                 | Daphne, AL 36526              | Sub Division: | French Settlement |            |            | SQ. FT         | Lot: 13    |
| 2159-1                                    | INFINITY HOMES                | 19-195           |                 | 27390 MAIN STREET             | Yes           | A                 | 02/04/2019 | 02/04/2019 | \$145,710.00   | \$745.00   |
|                                           | INFINITY HOMES                |                  |                 | Daphne, AL 36526              | Sub Division: | JACKSON OAKS      |            |            | SQ. FT         | Lot: 2     |
| 5754-1                                    | TRULAND HOMES                 | 19-253           |                 | 27561 FRENCH SETTLEMENT DRIVE | Yes           | A                 | 02/12/2019 | 02/12/2019 | \$194,010.00   | \$990.00   |
|                                           | TRULAND HOMES                 |                  |                 | Daphne, AL 36526              | Sub Division: | French Settlement |            |            | SQ. FT         | Lot: 8     |
| 5754-1                                    | TRULAND HOMES                 | 19-252           |                 | 27573 FRENCH SETTLEMENT DRIVE | Yes           | A                 | 02/12/2019 | 02/12/2019 | \$184,950.00   | \$940.00   |
|                                           | TRULAND HOMES                 |                  |                 | Daphne, AL 36526              | Sub Division: | French Settlement |            |            | SQ. FT         | Lot: 9     |
| 5754-1                                    | TRULAND HOMES                 | 19-251           |                 | 27549 FRENCH SETTLEMENT DRIVE | Yes           | A                 | 02/14/2019 | 02/12/2019 | \$188,460.00   | \$970.00   |
|                                           | TRULAND HOMES                 |                  |                 | Daphne, AL 36526              | Sub Division: | French Settlement |            |            | SQ. FT         | Lot: 7     |
| Total Residential - NEW - R2 BL Permit(s) |                               |                  |                 |                               |               |                   |            | 5          | \$926,250.00   | \$4,730.00 |

### Residential - NEW - R4 - MULTI-FAMILY BL Permits

| ConID/Loc#                                               | Contractor Name/Location Name | Permit #/Project | Master Permit # | Job Location Address | Paid          | Status               | Issue Date | App Date   | Job Value/Cost | Permit Fee |
|----------------------------------------------------------|-------------------------------|------------------|-----------------|----------------------|---------------|----------------------|------------|------------|----------------|------------|
| 5278-1                                                   | D R HORTON INC - BIRMINGHAM   | 19-265           |                 | 25806 POLLARD ROAD   | Yes           | A                    | 02/14/2019 | 02/14/2019 | \$587,430.00   | \$2,955.00 |
|                                                          | D R HORTON INC - BIRMINGHAM   |                  |                 | Daphne, AL 36526     | Sub Division: | VILLAS AT ST CHARLES |            |            | SQ. FT         | Lot:       |
| Total Residential - NEW - R4 - MULTI-FAMILY BL Permit(s) |                               |                  |                 |                      |               |                      |            | 1          | \$587,430.00   | \$2,955.00 |

### Residential - NEW - R-6G BL Permits

| ConID/Loc#                                  | Contractor Name/Location Name | Permit #/Project | Master Permit # | Job Location Address  | Paid          | Status       | Issue Date | App Date   | Job Value/Cost | Permit Fee |
|---------------------------------------------|-------------------------------|------------------|-----------------|-----------------------|---------------|--------------|------------|------------|----------------|------------|
| 5754-1                                      | TRULAND HOMES                 | 19-330           |                 | 7795 ELDERBERRY DRIVE | Yes           | A            | 02/18/2019 | 02/18/2019 | \$182,340.00   | \$930.00   |
|                                             | TRULAND HOMES                 |                  |                 | Daphne, AL 36526      | Sub Division: | Timber Creek |            |            | SQ. FT         | Lot: 27    |
| Total Residential - NEW - R-6G BL Permit(s) |                               |                  |                 |                       |               |              |            | 1          | \$182,340.00   | \$930.00   |

### Residential - NEW - PUD R-3 BL Permits

| ConID/Loc#                                     | Contractor Name/Location Name | Permit #/Project | Master Permit # | Job Location Address | Paid          | Status | Issue Date  | App Date   | Job Value/Cost | Permit Fee  |
|------------------------------------------------|-------------------------------|------------------|-----------------|----------------------|---------------|--------|-------------|------------|----------------|-------------|
| 5278-1                                         | D R HORTON INC - BIRMINGHAM   | 19-271           |                 | 8201 IRWIN LOOP      | Yes           | A      | 02/14/2019  | 02/14/2019 | \$125,310.00   | \$645.00    |
|                                                | D R HORTON INC - BIRMINGHAM   |                  |                 | Daphne, AL 36526     | Sub Division: |        | WINGED FOOT |            | SQ. FT         | Lot: 54     |
| Total Residential - NEW - PUD R-3 BL Permit(s) |                               |                  |                 |                      |               |        |             | 1          | \$125,310.00   | \$645.00    |
| Total Residential - NEW BL Permit(s)           |                               |                  |                 |                      |               |        |             | 15         | \$3,367,410.00 | \$17,105.00 |
| Total Residential BL Permit(s)                 |                               |                  |                 |                      |               |        |             | 15         | \$3,367,410.00 | \$17,105.00 |

### Non Residential - NEW - B2 BL Permits

| ConID/Loc#                                    | Contractor Name/Location Name | Permit #/Project | Master Permit # | Job Location Address | Paid          | Status | Issue Date | App Date   | Job Value/Cost | Permit Fee  |
|-----------------------------------------------|-------------------------------|------------------|-----------------|----------------------|---------------|--------|------------|------------|----------------|-------------|
| 5838-1                                        | FULCRUM CONSTRUCTION GROU     | 19-273           |                 | 851 US HWY 98        | Yes           | A      | 02/15/2019 | 02/14/2019 | \$1,750,000.00 | \$10,500.00 |
|                                               | FULCRUM CONSTRUCTION GROU     |                  |                 | Daphne, AL 36526     | Sub Division: |        |            |            | SQ. FT         | Lot:        |
| Total Non Residential - NEW - B2 BL Permit(s) |                               |                  |                 |                      |               |        |            | 1          | \$1,750,000.00 | \$10,500.00 |

### Non Residential - NEW - R BL Permits

| ConID/Loc#                                   | Contractor Name/Location Name | Permit #/Project | Master Permit # | Job Location Address | Paid          | Status | Issue Date   | App Date   | Job Value/Cost | Permit Fee  |
|----------------------------------------------|-------------------------------|------------------|-----------------|----------------------|---------------|--------|--------------|------------|----------------|-------------|
| 3431-1                                       | PERDUE CONCRETE               | 19-341           |                 | 7060 PARK DRIVE      | Yes           | A      | 02/20/2019   | 02/20/2019 | \$0.00         | \$148.00    |
|                                              | PERDUE CONCRETE               |                  |                 | Daphne, AL 36526     | Sub Division: |        |              |            | SQ. FT         | Lot:        |
| 6317-1                                       | REED-HAYS CONSTRUCTION LLC    | 19-255           |                 | 2200 EAST BAY DRIVE  | Yes           | A      | 02/13/2019   | 02/12/2019 | \$80,000.00    | \$480.00    |
|                                              | REED-HAYS CONSTRUCTION LLC    |                  |                 | Daphne, AL 36526     | Sub Division: |        | EAST BAY POA |            | SQ. FT         | Lot:        |
| Total Non Residential - NEW - R BL Permit(s) |                               |                  |                 |                      |               |        |              | 2          | \$80,000.00    | \$628.00    |
| Total Non Residential - NEW BL Permit(s)     |                               |                  |                 |                      |               |        |              | 3          | \$1,830,000.00 | \$11,128.00 |
| Total Non Residential BL Permit(s)           |                               |                  |                 |                      |               |        |              | 3          | \$1,830,000.00 | \$11,128.00 |
| Total BL Permit(s)                           |                               |                  |                 |                      |               |        |              | 18         | \$5,197,410.00 | \$28,233.00 |
| Grand Totals                                 |                               |                  |                 |                      |               |        |              | 18         | \$5,197,410.00 | \$28,233.00 |

Feb 2019

## Certificate Of Occupancy Report

Printed On : 3/1/2019

CO Issued Date From: 2/1/2019 To: 2/28/2019

| Permit Number | CO Issued | Owner Name          | Address                   | Sub Division          | Status |
|---------------|-----------|---------------------|---------------------------|-----------------------|--------|
| 18-335        | 2/1/2019  | D R HORTON          | 8320 OGILVY COURT         | WINGED FOOT           | I      |
| 18-905        | 2/1/2019  | D R HORTON          | 8294 OGILVY COURT         | WINGED FOOT           | I      |
| 18-626        | 2/4/2019  | SUNRISE DERMATOLOGY | 8832 U.S. Hwy 90          |                       | I      |
| 17-1689       | 2/7/2019  | TRULAND HOMES       | 8961 LONGUE VUE BLVD      | French Settlement     | I      |
| 18-209        | 2/14/2019 | D R HORTON          | 9775 VOLTERRA AVE         | Bellaton              | I      |
| 18-1185       | 2/14/2019 | D R HORTON          | 8323 IRWIN LOOP           | WINGED FOOT           | I      |
| 18-270        | 2/15/2019 | D R HORTON          | 25806 POLLARD RD UNITS (6 | VILLAS AT ST CHARLES  | I      |
| 18-483        | 2/19/2019 | DSL D HOMES         | 9913 DUNLEITH LOOP        | Old Field             | I      |
| 18-481        | 2/21/2019 | DSL D HOMES         | 9905 DUNLEITH LOOP        | Old Field             | I      |
| 17-881        | 2/21/2019 | TRULAND HOMES       | 8837 ROSEDOWN LANE        | French Settlement     | I      |
| 18-1032       | 2/21/2019 | CAMP                | 6556 VIA DE LA ROSA       | ESTATES OF OLD DAPHNE | I      |
| 18-1079       | 2/21/2019 | ARK BUILDERS        | 26113 VIA DEL SAN FRANSC  |                       | I      |
| 18-271        | 2/22/2019 | D R HORTON          | 25806 POLLARD RD UNITS (6 | VILLAS AT ST CHARLES  | I      |
| 18-608        | 2/22/2019 | DAPHNE JUBILEE LLC  | 6935 US HWY 90 BUILDING B | DaPHNE JUBILEE LLC    | I      |
| 18-782        | 2/27/2019 | TRULAND HOMES       | 27741 RHONE DRIVE         | RETREAT AT TIAWASEE   | I      |

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Feb 2019

## Permit Activity Summary Report

Friday, March 1, 2019

Permit Code From: BL To: xSG

Issued Date From: 2/1/2019 To: 2/28/2019

| Permit Code  | Description                | # Of Permits | Job Cost/Value | Permit Fee  |
|--------------|----------------------------|--------------|----------------|-------------|
| BL           | BUILDING PERMIT            | 92           | \$6,439,441.23 | \$36,064.00 |
| EL           | ELECTRICAL PERMIT          | 12           | \$204,420.00   | \$2,785.00  |
| EL-NEW       | ELECTRICAL - NEW           | 33           | \$0.00         | \$3,630.00  |
| LD           | LAND DISTURBANCE           | 37           | \$0.00         | \$4,200.00  |
| ME           | MECHANICAL PERMIT          | 11           | \$594,674.00   | \$8,577.48  |
| ME-NEW       | MECHANICAL - NEW           | 7            | \$0.00         | \$765.00    |
| PL           | PLUMBING PERMIT            | 6            | \$31,100.00    | \$600.50    |
| PL-NEW       | PLUMBING - NEW RESIDENTIAL | 27           | \$13,000.00    | \$2,970.00  |
| Grand Totals |                            | 225          | \$7,282,635.23 | \$59,591.98 |

Additional fee's \$ 5429.01  
\$65,020.99

Feb 2019

## Periodic Report of Permits Issued by Improvement

03/01/2019

Issued Date From: 2/1/2019 To: 2/28/2019

|                                |                     | Code | Count     | # Of Units  | Valuation             | Permit Fee         |
|--------------------------------|---------------------|------|-----------|-------------|-----------------------|--------------------|
| <b>BUILDING PERMIT</b>         |                     |      |           |             |                       |                    |
| <b>Residential</b>             |                     |      |           |             |                       |                    |
| REINSPECTION FEE               | R3                  | BL   | 2         |             |                       | \$100.00           |
| REINSPECTION FEE               | R2                  | BL   | 1         |             |                       | \$50.00            |
| REINSPECTION FEE               | PUD R-3             | BL   | 1         |             |                       | \$50.00            |
| SCREEN PORCH                   | R3                  | BL   | 1         |             | \$27,640.00           | \$155.00           |
| NEW                            | R1                  | BL   | 1         |             | \$483,930.00          | \$2,435.00         |
| NEW                            | R3                  | BL   | 6         |             | \$1,062,150.00        | \$5,410.00         |
| NEW                            | R2                  | BL   | 5         |             | \$926,250.00          | \$4,730.00         |
| NEW                            | R4 - MULTI-FAMILY   | BL   | 1         |             | \$587,430.00          | \$2,955.00         |
| NEW                            | R-6G                | BL   | 1         |             | \$182,340.00          | \$930.00           |
| NEW                            | PUD R-3             | BL   | 1         |             | \$125,310.00          | \$645.00           |
| REPAIR                         | R1                  | BL   | 1         |             | \$5,800.00            | \$45.00            |
| REPAIR                         | R3                  | BL   | 2         |             | \$34,468.29           | \$205.00           |
| REMODEL                        | R3                  | BL   | 1         |             | \$45,000.00           | \$240.00           |
| RE-ROOF                        | R1                  | BL   | 13        |             | \$251,365.30          | \$1,485.00         |
| RE-ROOF                        | R3                  | BL   | 30        |             | \$444,158.60          | \$2,740.00         |
| RE-ROOF                        | R2                  | BL   | 1         |             | \$8,775.00            | \$60.00            |
| RE-ROOF                        | R4 - HIGH DENSITY R | BL   | 1         |             | \$12,873.04           | \$80.00            |
| POOL                           | R1                  | BL   | 1         |             | \$62,667.00           | \$330.00           |
| POOL                           | R3                  | BL   | 2         |             | \$82,070.00           | \$445.00           |
| POOL                           | R2                  | BL   | 1         |             | \$66,881.00           | \$350.00           |
| STORAGE BUILDING               | R3                  | BL   | 2         |             | \$27,000.00           | \$165.00           |
| MISCELLANEOUS                  | R3                  | BL   | 5         |             | \$54,848.00           | \$360.00           |
| MISCELLANEOUS                  | R4 - HIGH DENSITY R | BL   | 2         |             | \$3,885.00            | \$50.00            |
| <b>Non-Residential</b>         |                     |      |           |             |                       |                    |
| PLAN REVIEW                    | B2                  | BL   | 1         |             |                       | \$100.00           |
| NEW                            | B2                  | BL   | 1         |             | \$1,750,000.00        | \$10,500.00        |
| NEW                            | R                   | BL   | 2         |             | \$80,000.00           | \$628.00           |
| RE-ROOF                        | B2                  | BL   | 1         |             | \$24,800.00           | \$150.00           |
| MISCELLANEOUS                  | B2                  | BL   | 1         |             | \$5,000.00            | \$75.00            |
| DEMOLITION                     | B2                  | BL   | 1         |             |                       | \$50.00            |
| INTERIOR BUILD OUT             | B2                  | BL   | 3         |             | \$84,800.00           | \$546.00           |
| <b>Total - BUILDING PERMIT</b> |                     |      | <b>92</b> |             | <b>\$6,439,441.23</b> | <b>\$36,064.00</b> |
| <b>Grand Total</b>             |                     |      | <b>92</b> | <b>0.00</b> | <b>\$6,439,441.23</b> | <b>\$36,064.00</b> |

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**Public Safety Committee**  
*Monday, February 11, 2019*

Councilman Ron Scott  
Councilman Doug Goodlin  
Councilman Robin LeJeune  
Councilman Pat Rudicell  
Councilwoman Tommie Conaway  
Councilman Joel Coleman  
Councilwoman Angie Phillips

Police Chief David Carpenter  
Fire Chief James White  
Public Works Director, Jeremy Sasser  
Samantha Cooper - Secretary

**Committee Members Attending:**

Councilman Ron Scott, Councilman Doug Goodlin, Councilman Robin LeJeune, Councilman Pat Rudicell, Councilwoman Tommie Conaway, Councilman Joel Coleman, Councilwoman Angie Phillips, Police Lieutenant David Smith, Fire Lieutenant Kenny Hanak

**CALL TO ORDER**

Councilman Ron Scott **convened** the meeting at 4:32 p.m.

**PUBLIC PARTICIPATION –**

**Mr. Bob Shotlander, 9133 Timbercreek Blvd, Daphne, AL**, approached the committee with his concern of the increase in traffic on Timbercreek Blvd., but most importantly the increase in speed of the traffic on Timbercreek Blvd. He stated that 3 weeks ago he canvassed his neighbors on Timbercreek Blvd, to see what their concerns were and if they mimicked his own concerns. He stated it was unanimous that the high rates of speed on Timbercreek Blvd. are of a big concern of those that live on this street and in this neighborhood. He added that because of these concerns they had a meeting and came up with some suggestions to figure out the best formula to address these issues and alleviate some of these problems. He stated to the committee that they would like their help in addressing these issues and coming up with the best formula for this area, whether speed bumps or stop signs, or a combination of both, or possibly a traffic study. He added that several residents have acquired property damage over the last few years with mail boxes being taken out, light poles hit, and one gentleman a car ran into his house. He said that Timbercreek Blvd. has a lot of curves and for whatever reason people like to take them fast and lose control. Chad Barts, the president of the Timbercreek POA, also accompanied Mr. Shotlander. They have the support of the POA to address whatever action is best for Timbercreek Blvd. Mr. Barts added that another concern they have had with Timbercreek Blvd., along with the high rates of speed, has been the increase in traffic. He stated if there is congestion on 31/181 or around the area, people's phones will actually re-route them through Timbercreek to avoid the congestion. He stated he would like to see some type of no-thru traffic signs to help cut the traffic down from people using this road as a cut-thru.

Councilman Scott stated that several years ago they had the same issues/concerns brought forth to the council on Pine Run. He stated that the POA came to them requesting a speed study to determine what exactly was going on. They ended up at the conclusion of the speed study putting up 3 stop signs on Pine Run. Councilwoman Angie Phillips stated she had spoken to Jeremy Sasser (PW director), and that he recommended a traffic study be done on Timbercreek Blvd. She said the two places that they had kind of looked at where stop signs may be beneficial was a Timbercreek Blvd. and Aspen Cir., and then at Timbercreek Blvd. and the golf course. Councilman Scott recommended that Public Works completes an

internal traffic study here so we can determine the best route to take. Councilman Rudicell added that they are in the planning stages of completing requirements regarding traffic calming devices, in addition to stop signs in new neighborhoods, along with the very beginning stages of what they can do/require to retrofit current/existing neighborhoods with the appropriate traffic calming devices. Councilman Coleman stated that obviously traffic studies cost money, so who are we suggesting pay for this traffic study to be completed? Councilman LeJeune answered stating that it is not a true traffic study, it would be an in-house traffic study by putting the speed trailer out there to get statistics on number of vehicles, speeds of vehicles etc. Councilman Rudicell added that kind of the procedure needing to be taken following the completion of the in-house traffic study, would be a letter from the POA requesting these particular measures be taken. Mr. Barts and Mr. Shotlander acknowledged. Councilman Scott added that this meeting next month we should be able to make a recommendation for the POA, upon receiving their letter for these actions to be taken.

**Ms. Francesca Ervin, 1372 Wilson Ave., Daphne, AL**, addressed the committee with her concerns of high rates of speed on Wilson Ave., along with a tremendous amount of traffic. She added that there was recently a very severe accident on Wilson not too long ago where the driver had to be air-lighted to the hospital. She stated that she would like to see stop signs and speed bumps added to Wilson because she doesn't think that stop signs will solely help.

Councilman Scott stated that Wilson Ave. is number one on the list currently to be resurfaced, and he feels once it gets resurfaced they will absolutely have to figure out the best resolution to calm traffic on this road. He added that a few others have previously brought this to their attention over the past few months, so they are aware of the need for some type of traffic calming devices on Wilson Ave. Scott stated this will be added to the Public Works list to find the best solution, whether that is stop signs or speed bumps, or some other type of traffic calming and that they will have a resolution at next month's meeting.

#### **APPROVAL OF MINUTES FROM PREVIOUS MEETING**

Minutes from January 14, 2019, were approved, with the addition of Councilwoman Angie Phillips being in attendance.

### **POLICE DEPARTMENT**

#### **A. New Business –**

December 2018 stats were presented. December 2018 D-runs were also presented.

Councilman Scott stated that it appears we are having more break-ins to cars at facilities where they are going to work out, shop, or watch sporting events. Lieutenant David Smith stated most of these break-ins that have been happening at the fitness centers are generally windows being busted out and ladies' purses/wallets/identification being stolen and have been attributed to what is called the Felony Lane Gang. They are a group of individuals, not from this area, that hit our area every so often, busting out windows when they see a purse or wallet on the seat and all they are really looking for are driver's licenses. They then have females dress up, to include wigs, to look like the person on the driver's license, then forge checks, cash them and clean out the persons' account. He stated that the last group that just got hit their checks were already trying to be cashed in the Atlanta area, so the typically will hit us and then are gone trying to pass fraudulent/forged checks in other areas with the persons identification. Smith added that generally the cars that are being hit in the neighborhoods, usually with car-doors unlocked, are usually kids or someone local to this area out running the streets committing these crimes.

Councilman Goodlin asked if there has been an uptick in B&E's and burglaries in the new industrial complex where Richtex is (Austin Park Business complex). He added that there was an email received stating that when this industrial complex was built business occupied it that did not have business hours after 5:00pm so the parking lot and complex wasn't lit very well, nor was it ever patrolled.

However, the email stated, there is now a fitness facility located here where people are there later at night into the evening and earlier in the morning. They were concerned of the lighting and the lack of patrol in this area. Mayor Haygood addressed this stating that he had Jeremy (Public Works) go and look at it and they agreed that lighting could be improved.

## **FIRE DEPARTMENT**

### **A: New Business –**

The stats were presented for December 2018 in the packet.

Councilman LeJeune stated he really appreciated the Fire Department's work in trying to save his neighbor the other night on Havenwood. He was in cardiac arrest when they arrived and worked on him for a good 45 minutes or so trying to save him.

Councilman Scott asked where we stand on Fire station 5. Fire Lieutenant Kenny Hanak stated it was his understanding that they were very close in finalizing everything; that the architect was tweaking a few things but they are very close in being final. Scott asked if they had identified where the funds are coming from, being a million dollar building. Mayor Haygood stated it was his opinion that they will be a little bit under that, more in the \$800-\$850,000 range, but 1 million budgeted in this year's budget. Scott asked what about the costs of employees, have we applied for the Safer grant? Kenny stated that the grant has not yet opened but will be applying for it right away when it opens on February 15<sup>th</sup>. He stated they will be applying for 12, hoping for 9, and will likely be Fall before they hear back on the Safer grant. Kenny added that the truck for Station 5 is in the budget as well and that they have a truck that was ordered about a year ago that is on the assembly line right now with 35 days left on it. He said it is usually about a 330 build-out process to have the truck built, so it will hopefully be here right in time for when the fire station is done.

Councilman LeJeune inquired as to if we have looked into the possibility of having a mixture of volunteer and full-time, stating that if 12 full-time employees are hired, even with the Safer grant that tapers off each year over 5 years, you are looking at approximately \$1 million in salary/benefits for 12 employees. Mayor Haygood stated that Chief White has an idea that he is looking into that they are using down in Orange Beach from resident firefighters used for training purposes. Kenny added he would like to see how their costs really pan out in Orange Beach with this system as they have resident firefighters that they pay a low income to, house and feed, but also pay their college tuition, so he is unsure of the breakdown in costs in possibly following this option. Councilman LeJeune stated he would like Chief White come and give us an update on those options and what specifically Orange Beach is doing so they can have some more discussion and look at other options before just going all in on 12 full-time positions.

## **OTHER BUSINESS –**

Councilman Rudicell asked for an update from Troy as to the trial run for pick-up/drop-off at Christ the King. Troy stated that Christ the King held their trial run for drop-off/pick-up, where 6<sup>th</sup> Street (between College Ave. and Dryer Ave.) was closed for 1 hour in the morning for drop off and 1 hour in the afternoon for pickup. He stated that himself, Police Sgt. Lassiter, Cpl. Pearce, another Police Officer, Councilman Rudicell and PW Director Jeremy Sasser were all there all of the days to oversee how this went. He said that everything, in his opinion went very well with a few minor hiccups with pickup on the 1<sup>st</sup> day in the afternoon, but with some minor corrections it was fixed and went seamlessly the 2 days in the afternoon. He said there was zero issues with the morning drop-offs. He stated the minor problems that they identified were the intersection of Dryer and 6<sup>th</sup> will need some type of traffic control (crossing guard) by Christ the King. He stated there is a lot of traffic going through there specifically in the afternoon and people need to be directed on where to go and when. He added that there was some issues presented about adjusting the capacity of 6<sup>th</sup> Street in getting

everyone off of College, as that is at capacity in the afternoons. He said some type of infrastructure change will be needed to address this, as it is currently at capacity and will exceed capacity with any type of fluctuation in enrollment or more people bringing their kids to school etc. Troy added that as far as the residence go, he said the first day we had a few people pull up unaware of the changes and frowned a little bit, but they all made adjustments the following days for alternative routes and we had no complaints or issues. He said there was no issue with the Bayside traffic as they took alternative routes. He said that there was a little bit of backup behind City Hall on Belrose to Dryer but stated that Jeremy feels strongly and stated that retiming the traffic light should accommodate this.

Councilman LeJeune stated that he feels if there is any type of infrastructure changes that are needed, Christ the King church should be required to help out with these costs.

Troy added, just for the record, the Police did an outstanding job in making this trial a complete success. Councilman Rudicell agreed.

Patrick with the City Attorney's office, gave an update (and an updated copy from the marked up version from last week) of the Flood Damage Prevention Ordinance. He stated he went through and re-organized it a bit where needed. He stated that the variance procedures on page 26 had some clarification. Councilman Scott asked if there were any questions or any suggestion of changes before recommending sending this to the council. Councilwoman Phillips made a motion to forward this to council. Councilman Goodlin second. All in favor, motion carried.

Patrick presented the other resolution from last Monday regarding the new Right of Way ordinance to replace the old one to address wireless facilities and utility markers along with cleaning up some other parts of the ordinance, adding that this has been before you a couple of times. Councilman Scott made a motion to recommend this to council, Councilwoman Phillips second. All in favor, motion carried.

## **ADJOURN**

There being no further business to discuss, Councilman Scott made a motion to adjourn the meeting at 5:25 p.m. The next meeting will be Monday, March 11, 2019, at 4:30 p.m. at City Hall Council Chambers.

Respectfully submitted,

Daphne Public Safety Committee



**CITY OF DAPHNE  
BOARD OF ZONING ADJUSTMENT AGENDA  
MARCH 7, 2019 - 6:00 P.M.  
COUNCIL CHAMBERS, CITY HALL**

1. **CALL TO ORDER - 6:00 p.m.**
2. **CALL OF ROLL - Present W. Robison, B. Mayhand, C. Courson, H. Cole, T. Warner\***
3. **APPROVAL OF MINUTES - Approved**

December 6, 2018

4. **OLD BUSINESS - None**
5. **NEW BUSINESS**

**Appeal #2019-01 HSC Johnson Road LLC - Approved**

A request for a Variance to the Daphne Land Use and Development Ordinance has been filed with the City of Daphne Board of Zoning Adjustment. The request, if granted, would allow a pylon sign with two sign faces that are each one hundred and eight square feet in area, in lieu of, the maximum allowable height of twenty-one feet as provided in Article 33, Section 10, Sign Provisions, Permitted Signs Subsection (b)(2) Name Identification Signs. The property is the southwest corner of Johnson Road and U.S. Highway 98, which is zoned B-2, General Business.

6. **ADJOURNMENT - 6:19 p.m.**

**\*Arrived at 6:01 p.m.**

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

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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:

Thomas Warner  
Herb Cole \*Arrived at 6:01 p.m.  
Billy Mayhand, Vice Chairman  
Willie Robison, Chairman  
Carolyn Courson

Members Absent:

Derek Wolstenholme

Staff Present:

Adrienne D. Jones, Director of Community Development  
Pat Johnson, Recording Secretary

Staff Absent:

Tony Hoffman, BZA Attorney

Chairman called for the **Approval of Minutes** of the November 1, 2018 meeting. There were no corrections, additions or deletions.

**The Minutes were approved unanimously.**

Chairman called the next item on the agenda, **Appeal #2018-07 Redsouth LLC**, a request for a Special Exception 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 the construction of a 150-ft. tall wireless telecommunications monopole on Lot 5 of the Renaissance Center, Phase 1a, Lots 1-7 and Phase 2a, Lot 1, Slide 2353-B. The property is located southwest of the intersection of Frederick Boulevard and Renaissance Boulevard. The site is currently vacant property which is zoned B-2, General Business.

Ms. Jones displayed a Power Point Presentation of Lot 5 of the Renaissance Center, Phase 1a, Lots 1-7 and Phase 2a, Lot 1, Slide 2353-B detailing the vacant property, the surrounding B-2 businesses and all adjacent cell towers near the site area. She cited Planning Commission review and site plan approval is required, and the Building Official and Public Works Director have given approval recommendations, and there is no Architectural Review Board. Ms. Jones reserved her recommendation pending the applicant's presentation.



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

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Chairman opened the floor for public participation.

Mr. Hahn stated his name as Pat Hahn, attorney for Baker Donelson and passed out a handout of their perspective reception areas, pointing out poor frequency areas that their radio frequency engineers have sited would be covered by this tower. He cited Ms. Jones was correct in that the Architectural Review Board is in default, and he stated the tower would be 150-feet with a 10-foot lighting rod, enclosed with landscaping improving coverage, hopefully.

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

The Board discussed the Planning Commission having to give site plan approval pending the outcome of the Board's decision, whether there would be enough room to place another building on the lot with the elevation as shown and whether the remaining land would have any use type conflicts, and the definition of a special exception was revisited.

A Motion was made by Mr. Mayhand and Seconded by Mr. Warner to approve Appeal #2018-07, Redsouth, LLC, request for a Special Exception to the Daphne Land Use and Development Ordinance. The request, if granted, proposes to allow the construction of a 150-ft. tall wireless telecommunications monopole on Lot 5 of the Renaissance Center, Phase 1a, Lot 1-7 and Phase 2a, Lot 1, Slide 2353-B, which is zoned, B-2, General Business.

Upon roll call vote, the Motion carried unanimously.

|             |     |
|-------------|-----|
| Mr. Warner  | Aye |
| Mr. Mayhand | Aye |
| Mr. Cole    | Aye |
| Mr. Robison | Aye |
| Ms. Courson | Aye |

The Chairman stated the request for the Special Exception is approved and he instructed Mr. Hahn to pick up the paperwork from Community Development in the morning.

The Chairman stated next on the agenda is the election of officers.

The Chair opened the floor for the nominations for Chairman.

Mr. Mayhand nominated Mr. Robison for Chairman. The nominations were closed with no other nominations, Mr. Willie Robison is Chairman.

The Chair opened the floor for the nominations for Vice Chairman.

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

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Mr. Warner nominated Mr. Mayhand for Vice Chairman. Mr. Mayhand declined the nomination. Mr. Mayhand nominated Mr. Warner for Vice Chairman. The nominations were closed with no other nominations; Mr. Thomas Warner is Vice Chairman.

The Chairman stated Ms. Pat Johnson is our Recording Secretary.

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 6:30 p.m.

Respectfully submitted by:



Pat Johnson, Recording Secretary

APPROVED: March 7, 2019



Willie Robison, Chairman



# City of Daphne Event Permit Application

Date of Application: 1/22/19 Permit Requested: ☒ Event/Fundraiser ☐ Parade/Run ☐ Band

## Contact Information

Organization Name: Bayside Academy

Contact Name: Taylor houser E-mail Address: thouser@baysideacademy.org

Address: 303 Dryer Avenue Daphne, AL 36526

Primary Phone Number: 251.338.6438 Secondary: 351.338.6300

## Event Information

Event Name: Bay Affair Event Date: 3/30/19

Event Location: Bayside Academy Bluff # Participants/Vehicles: 350/200

Start Time: 6:00 pm Stop Time: 10:00 pm Assembly Time: \_\_\_\_\_

Special Requests: May Day Park parking, extra trash pick up

Road Closures Requested: ☐ Yes ☒ No

## Special Instructions

## Approval: Internal Use Only

Date Routed: 3-13-19

Fire Dept: \_\_\_\_\_

Police Dept: David Carpenter

Public Works: Approved by email - C. Antinorella

Parks & Recreation: \_\_\_\_\_

Only required if event interrupts traffic near Daphne parks

### **For Special Event/Band Permits:**

Council Member: \_\_\_\_\_

District #

Signature

### **For Parade/Run Permits & Use of City Grounds:**

City Council: \_\_\_\_\_

Date of Approval

### **Parade/Run Permits ONLY**

☐ Fee Paid: \$ \_\_\_\_\_ ☐ N/A ☐ Waived

☐ Insurance Filed ☐ N/A

Route Selection: ☐ 1 ☐ 2 ☐ 3 ☐ 4

**CITY OF DAPHNE, ALABAMA  
RESOLUTION 2019 - 16**

**A RESOLUTION DECLARING CERTAIN PERSONAL PROPERTY SURPLUS AND  
AUTHORIZING THE MAYOR TO DONATE OR DISPOSE OF SUCH PROPERTY**

**WHEREAS**, the Management of the City of Daphne have determined that the item listed below is no longer required for public or municipal purposes; and

**WHEREAS**, the item listed below is recommended for disposal.

**WHEREAS**, Baldwin County Board of Education/Daphne High School provide a quality education to the City of Daphne students.

**WHEREAS**, the City of Daphne supports the efforts of Daphne High School; and

**WHEREAS**, the City of Daphne has determined that Daphne High School could utilize this Equipment; and

**NOW, THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA** that

1. The property listed below is hereby declared to be surplus property; and

| DEPT |  | DESCRIPTION                |  |
|------|--|----------------------------|--|
| Rec  |  | True Z8 Recumbent Bike (2) |  |

2. The Mayor is authorized to donate the such personal property to Baldwin County Board of Education / Daphne High School; and
3. The Mayor is further authorized to sell such personal property through Govdeals.com to the highest bidder and deposit any and all proceeds to the appropriate City Fund if for any reason the donation is not needed and sign all necessary documents.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA,  
THIS \_\_\_\_\_ day of \_\_\_\_\_, 2019.**

\_\_\_\_\_  
**Dane Haygood, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Candace G. Antinarella, City Clerk**

**CITY OF DAPHNE**

**RESOLUTION 2019-17**

**Acceptance of Roads and Rights-of-Way  
Blackstone Subdivision, Phase 1 and 2**

**WHEREAS**, the City Council of the City of Daphne, Alabama has received notice that the Planning Commission of Daphne has given Final Plat approval to Blackstone Subdivision, Phase 1 and 2 on January 24, 2019, and the City of Daphne hereby recommends acceptance of said street(s) located in Blackstone Subdivision, Phase 1 and 2, and

**WHEREAS**, an inspection was made by the Director of Community Development, and all reports, as well as, all other related documents have been provided stating that said streets and storm water drainage have been installed in conformity with city standards; and,

**WHEREAS**, an inspection was made by the Director of the Division of Public Works, and said director has recommended acceptance said roads and storm water drainage of Blackstone Subdivision, Phase 1 and 2, and

**WHEREAS**, the developer has provided to the City a two-year maintenance bond in the amount of \$264,196.42 as required and now requests acceptance and dedication of the same for maintenance of said improvements as outlined in Article XVII, entitled the Procedures for Subdivision Review of the City of Daphne Land Use and Development Ordinance, and

**WHEREAS**, the developer has caused the plat to be recorded on slide 2671-A, 2671-B, 2671-C and 2671-D of the records in the Baldwin County Judge of Probate Office, and

**WHEREAS**, the City Council of the City of Daphne believes it is in the best interest of the citizens of the City for the City to accept said right-of-way.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE AS FOLLOWS**, that Blackstone Subdivision, Phase 1 and 2, a portion of Bellaton Avenue (176 linear feet) a 50-ft right of way, a portion of Swan Point Road (817 linear feet) a 50-ft right of way, a portion of Margrave Circle (159 linear feet) right of way varies, a portion of Volterra Avenue (3,608 linear feet) a 50-ft right of way, a portion of Loring Circle (136 linear feet) right of way varies, a portion of Slater Mill Road (2,479 linear feet) a 50-ft right of way; and, a portion of Elton Street (350 linear feet) a 60-ft right of way according to the plat presented by Dewberry Engineers as recorded in the Office of the Judge of Probate, Baldwin County, Alabama, are hereby accepted by the City of Daphne, Alabama as city streets for maintenance.

**ADOPTED AND APPROVED BY THE MAYOR AND THE CITY COUNCIL OF  
THE CITY OF DAPHNE, ALABAMA ON THIS THE \_\_\_ DAY OF \_\_\_\_\_, 2019.**

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**DANE HAYGOOD, MAYOR**

**ATTEST:**

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**CANDACE ANTINARELLA, CITY CLERK**

To: Office of the City Clerk  
From: Adrienne D. Jones, *AD*  
Director of Community Development  
Subject: Blackstone Subdivision, Phase 1 & 2  
Acceptance of Roads and Rights-of-Ways  
Date: February 28, 2019

## MEMORANDUM

**LOCATION:** Southeast of County Road 13 and Corte Road

**RECOMMENDATION:** At the, January 24, 2019, regular meeting of the City of Daphne Planning Commission, seven members were present. The motion carried unanimously for a **favorable recommendation** for the acceptance of Bellaton Avenue, Swan Point Road, Margrave Circle, Volterra Avenue, Loring Circle, Slater Mill Road, and Elton Street.

Attached please find said documentation for placement on the Monday, March 18, 2019 City Council agenda.

Thank you,  
ADJ/jv

cc: file  
Jeremy Sasser, Public Works Director

attachment(s)

1. Correspondence from project engineer requesting acceptance
2. Record plat
3. Petition of Acceptance of Roads and Rights-of-Ways

**FILE**  
02/28/19  
3:00 PM  
38

December 21, 2018

Mrs. Adrienne Jones  
Planning Director, City of Daphne  
P.O. Box 400  
Daphne, Alabama 36526

**RE: Blackstone Lakes Phases One and Two**  
*ENGINEER'S CERTIFICATION*

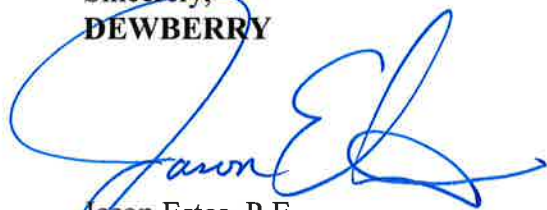
Dear Mrs. Jones:

I, Jason Estes, a professional engineer registered in the State of Alabama, Registration Number 22714, do hereby certify that the streets for Blackstone Lakes Phases One and Two have been constructed under my supervision in accordance with the approved construction plans.

I further certify I have checked all test reports and that all construction materials have been installed in accordance with the typical sections, profiles, and plan details and meet minimum requirements as set out in the State of Alabama Highway Department's Standard Specifications for Highway Construction, latest edition and current revisions.

Therefore, I hereby request that the City of Daphne accept the streets for Blackstone Lakes Phases One and Two subdivision.

Sincerely,  
**DEWBERRY**

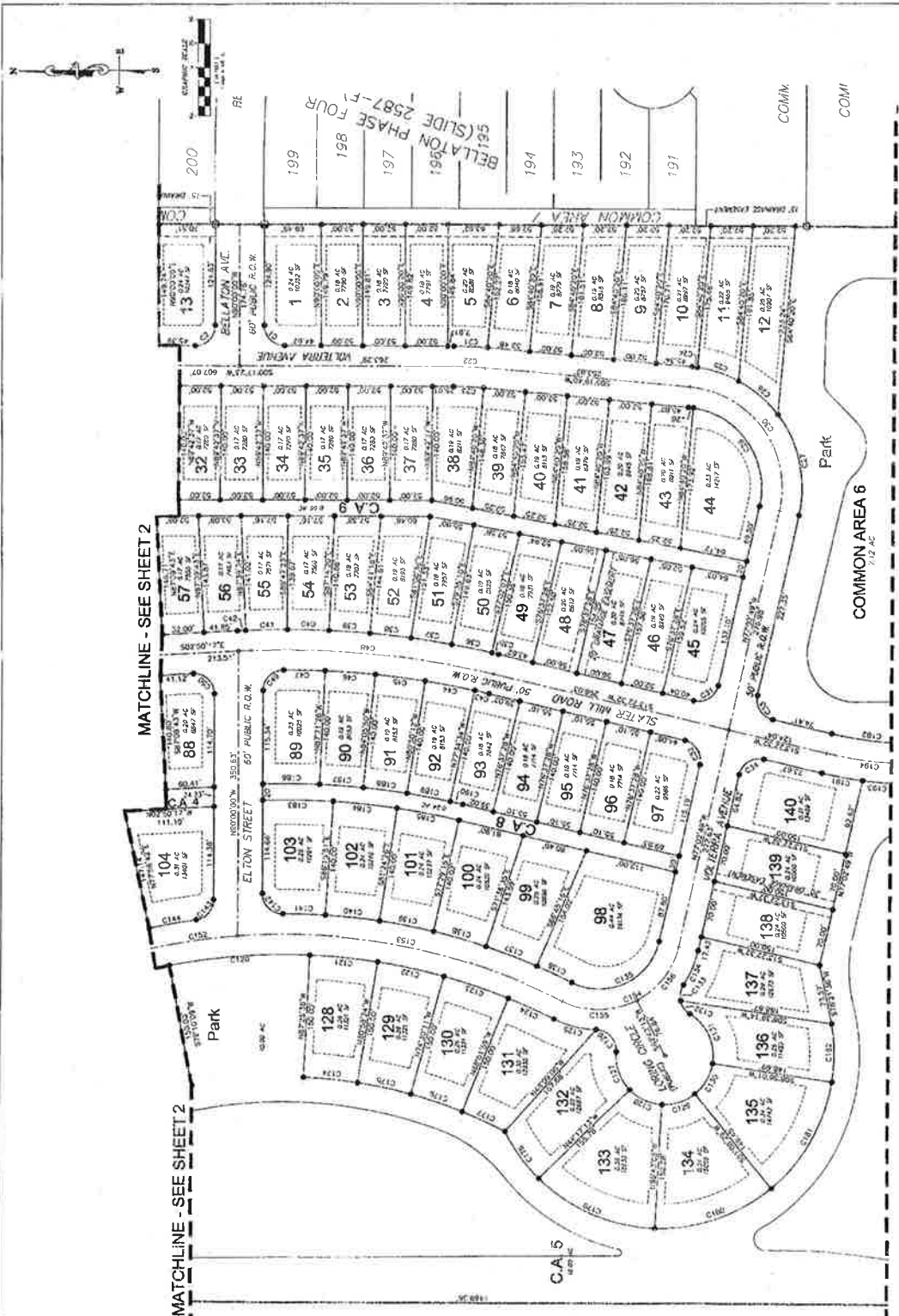


Jason Estes, P.E.  
Senior Associate  
Senior Project Engineer









| Lot | Area    | Owner | Notes |
|-----|---------|-------|-------|
| 1   | 0.18 AC |       |       |
| 2   | 0.18 AC |       |       |
| 3   | 0.18 AC |       |       |
| 4   | 0.18 AC |       |       |
| 5   | 0.18 AC |       |       |
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**BLACKSTONE LAKES**  
A PLANNED UNIT DEVELOPMENT

FINAL PLAN  
FEBRUARY 25, 2009 - SHEET 3 OF 4  
BOUNDARY SURVEY AND PLAT OF SUBDIVISION

|                        |                        |                        |          |
|------------------------|------------------------|------------------------|----------|
| OWNER                  | DEVELOPER              | ENGINEER               | DATE     |
| BLACKSTONE LAKES, INC. | BLACKSTONE LAKES, INC. | BLACKSTONE LAKES, INC. | 02/25/09 |

SCALE: 1"=40'  
PROJ. NO. 200802540  
FILE: 200802540.PLT  
SHEET 3 OF 4

1745310  
SUNLINE 0002571-C

1745310  
SLIDE 000071-0

MATCHLINE - SEE SHEET 3

COMMON AREA 5  
10.52 AC  
Stormwater Detention and Lake

Stormwater Detention and Lake

COMMON AREA 6

BELTONE PHASE ONE  
(SLIDE 2194E)



|   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |
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| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 | 51 | 52 | 53 | 54 | 55 | 56 | 57 | 58 | 59 | 60 | 61 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70 | 71 | 72 | 73 | 74 | 75 | 76 | 77 | 78 | 79 | 80 | 81 | 82 | 83 | 84 | 85 | 86 | 87 | 88 | 89 | 90 | 91 | 92 | 93 | 94 | 95 | 96 | 97 | 98 | 99 | 100 |
|---|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|

SURVEYOR/ENGINEER  
DEWEY  
25151 FREEDSHIP RD DAPHNE, ALABAMA 36526  
DAVE F. DEWEY, P.E. LIC. NO. 26014  
ALAN N. EDWARDS, P.E. LIC. NO. 22776  
QUINNESS/DEVELOPER:  
D R HORTON INC - BIRMINGHAM  
25366 PROFFIT DR  
DAPHNE, AL 36526  
PLUG 43-09-27-0-000-003.001

# BL CKSTONE LAKES A PLANNED UNIT DEVELOPMENT

FINAL PLAT  
FEBRUARY 28, 2009 - SHEET 4 OF 4

| BOUNDARY SURVEY AND PLAT OF SUBDIVISION |           |           |           |
|-----------------------------------------|-----------|-----------|-----------|
| DATE                                    | DATE      | DATE      | DATE      |
| 2009                                    | 2009      | 2009      | 2009      |
| BY                                      | BY        | BY        | BY        |
| DEWEY                                   | DEWEY     | DEWEY     | DEWEY     |
| SCALE                                   | SCALE     | SCALE     | SCALE     |
| 1"=40'                                  | 1"=40'    | 1"=40'    | 1"=40'    |
| PROJ. NO.                               | PROJ. NO. | PROJ. NO. | PROJ. NO. |
| 200900040                               | 200900040 | 200900040 | 200900040 |
| FILE                                    | FILE      | FILE      | FILE      |
| 200900040                               | 200900040 | 200900040 | 200900040 |
| SHEET                                   | SHEET     | SHEET     | SHEET     |
| 4                                       | 4         | 4         | 4         |

CERTIFICATE OF APPROVAL BY BALDWIN COUNTY SEWER SERVICE

CERTIFICATE OF APPROVAL BY TELEPHONE (1/14/07)

CERTIFICATE OF APPROVAL BY BUREAU UTILITIES (ELECTRIC)

CERTIFICATE OF APPROVAL BY BELFORT WATER SYSTEM

CERTIFICATION OF OWNERSHIP AND DEDICATION

CERTIFICATION OF IMPROVEMENTS

CERTIFICATION OF IMPROVEMENTS

CERTIFICATION OF IMPROVEMENTS

CERTIFICATION OF APPROVAL FOR RECORDING

CERTIFICATION OF APPROVAL FOR RECORDING

CERTIFICATION OF APPROVAL FOR RECORDING

CERTIFICATION OF APPROVAL FOR RECORDING

**CITY OF DAPHNE  
PETITION FOR ACCEPTANCE  
OF ROAD(S) AND/OR RIGHTS-OF-WAY**

**SUBDIVISION NAME:** BLACKSTONE LAKES

**THIS PETITION FOR ACCEPTANCE OF ROADS AND/OR RIGHTS-OF-WAY** is made this 24 day of JANUARY, 2019 by D.R.Horton, Inc.- Birmingham, hereinafter called "the subdivider," owner of certain property located in the City of Daphne, Alabama known as Blackstone Lakes Phs. 1 & 2 to be recorded in the office of the Judge of Probate of Baldwin County, Alabama; and,

**WHEREAS**, the subdivider has agreed to the dedication of the roads and rights-of-way located in said subdivision to the City of Daphne, and further warrants that said roads and rights-of-way are complete and are in compliance with the minimum standards as outlined for construction in the City of Daphne Land Use and Development Ordinance, Article XVII, entitled Procedures for Subdivision Review, and Article XI, Minimum Requirements and Required Improvements for Subdivisions and Commercial Site Developments. The subdivider further warrants that the same are free from defects from any cause and are free and clear of any liens and encumbrances; and,

**WHEREAS**, a bond is required by the City as a condition of the acceptance of any new roads or rights-of-way as outlined in Article XVII in an amount equal to twenty percent (20%) of all street and drainage improvements in the subdivision as a warranty for such improvements to last for a period of two (2) years after the date of dedication and upon acceptance by the City Council, the subdivider has provided a \$ 264,196.42 maintenance bond; and,

**WHEREAS**, the project engineer, Jason N. Estes, PE License No. AL22714, acting on behalf of the subdivider does hereby certify that all roads and rights-of-ways are complete and are in compliance with the minimum standards for construction as outlined in the City of Daphne Land Use and Development Ordinance, Article XVII, entitled, Procedures for Subdivision Review, and Article XI, Minimum Requirements and Required Improvements for Subdivisions and Commercial Site Developments, and further warrants that the same are free from defects from any cause; and,

**CITY OF DAPHNE  
PETITION FOR ACCEPTANCE  
OF ROAD(S) AND/OR RIGHTS-OF-WAY**

NOW, THEREFORE, in consideration of the premises, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the subdivider does hereby dedicate the roads and rights-of-way in said subdivision to the City of Daphne, a municipal corporation, as per the favorable recommendation of the City of Daphne Planning Commission voted upon at its meeting held on January 24, 2019. Said subdivision according the plat recorded in the Judge of Probate, Baldwin County, Alabama and said streets being named as follows:

| Name of Right of Way | Length (linear feet) | Width (feet) |
|----------------------|----------------------|--------------|
| BELLATON AVE.        | 176'                 | 50'          |
| SWAN POINT RD.       | 817'                 | 50'          |
| MARGRAVE CIRCLE      | 159'                 | VARIES       |
| VOLTERRA AVE.        | 3608'                | 50'          |
| LORING CIRCLE        | 136'                 | VARIES       |
| SLATER MILL ROAD     | 2479'                | 50'          |
| ELTON STREET         | 350'                 | 60'          |
|                      |                      |              |
|                      |                      |              |
|                      |                      |              |
|                      |                      |              |

Are each hereby dedicated to the City of Daphne, Alabama as a city street.



**CITY OF DAPHNE  
PETITION FOR ACCEPTANCE  
OF ROAD(S) AND/OR RIGHTS-OF-WAY**

**IN WITNESS WHEREOF**, the subdivider has caused the execution of this dedication as of the date set forth above.

Respectfully submitted,

D.B. Horton, Inc. - Birmingham  
Name of Individual or Corporation (Printed)

D. Joel Coleman

By:

D. Joel Coleman  
(Print Legibly and Sign)

Its:

Assistant Vice President, NGC  
(Print Legibly)

**STATE OF ALABAMA)  
COUNTY OF BALDWIN)**

I, the undersigned Notary Public in and for said State and County, hereby certify that D. Joel Coleman whose name as Asst. V.P., NGC of DR HORTON-BIRMINGHAM Alabama corporation or as owner of Blackstone LAKES is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he as such officer or owner and with full authority, executed the same voluntarily on the day same bears date.

Given under my hand and official seal on this the 23 day of JANUARY, 2019.

Nanda La Costa (NOTARY SEAL)

NOTARY PUBLIC

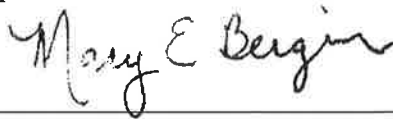
My commission expires: 11-21-2020

**CITY OF DAPHNE**  
**PETITION FOR ACCEPTANCE**  
**OF ROAD(S) AND/OR RIGHTS-OF-WAY**

Recommendation:

  
\_\_\_\_\_  
Jeremy Gasser  
Public Works Director  
City of Daphne

Approval:

  
\_\_\_\_\_  
Planning Commission Chairman or Authorized Representative  
City of Daphne

**CITY OF DAPHNE, ALABAMA  
ORDINANCE 2019 - 13**

**ADDITIONAL APPROPRIATION: DISPATCH RECORDING SYSTEM UPGRADE**

**WHEREAS**, Ordinance 2018-35 approved and adopted the Fiscal Year 2019 Budget on October 1, 2018; and

**WHEREAS**, subsequent to the adoption of the Fiscal Year 2019 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2019 budget; and

**WHEREAS**, the Police Department is in need of upgrades to their current recording system used by the Dispatch department in order to be compatible with the new VOIP telephone system; and

**WHEREAS**, quotes have been received and an additional appropriation is needed to purchase the appropriate equipment and software licenses for the recording system upgrade.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA**, that monies from the **General Fund** in the amount of **\$15,033** are hereby appropriated for the above-stated purpose and made a part of the Fiscal Year 2019 Budget.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.**

\_\_\_\_\_  
**Dane Haygood, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Candace G. Antinarella, City Clerk**



**CITY OF DAPHNE  
ORDINANCE 2019-14**

**Amend Job Classification Schedule for Building Inspector and  
Building Maintenance Positions**

**WHEREAS**, Ordinance 2004-52 as adopted January 3, 2005 established the City of Daphne Job Classification Schedule; and

**WHEREAS**, Ordinance 2018-35 approved and adopted the Fiscal Year 2019 Budget on October 1, 2018 which funded personnel positions; and

**WHEREAS**, the City of Daphne recognizes the difficulty in hiring and retaining employees at the current compensation for the Building Inspector and Building Maintenance positions; and

**WHEREAS**, after further review, the Mayor and City Council recognize to have experienced individuals in these positions, the importance in providing compensation that is consistent with similar positions comparable with similarly sized communities in the surrounding areas; and

**NOW, THEREFORE BE IT ORDAINED** by the City Council of the City of Daphne, Alabama, that the following positions shall be amended within the Job Classification schedule:

| <b>POSITION</b>                 | <b>GRADE</b> |
|---------------------------------|--------------|
| Building Inspector I            | 19           |
| Building Inspector II           | 22           |
| Building Maintenance Technician | 13           |
| Building Maintenance Supervisor | 20           |

**APPROVED AND ADOPTED** by the City Council of the City of Daphne, Alabama, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
**Dane Haygood, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Candace Antinarella, City Clerk**

**CITY OF DAPHNE  
ORDINANCE 2019-15**

**Amending the Job Classification Schedule Director of Events & Marketing**

**WHEREAS**, Ordinance 2004-52 as adopted January 3, 2005 established the City of Daphne Job Classification Schedule; and

**WHEREAS**, Ordinance 2018-35 approved and adopted the Fiscal Year 2019 Budget on October 1, 2018 which funded the position of the Civic Center/CVB Director, Grade 32 and Recreation Director, Grade 29; and

**WHEREAS**, the Civic Center/CVB Director is resigning effective March 6 and the Recreation Director is retiring effective May 8; and

**WHEREAS**, Mayor Haygood has indicated it is a priority of his administration to reduce and eliminate the operational loss associated with the Civic Center/Bayfront rental facilities to achieve a revenue neutral or revenue positive environment; and

**WHEREAS**, significant progress has been made toward the goal of eliminating the above referenced operational loss by securing the tenancy of the Church of the Highlands; and

**WHEREAS**, the Mayor is requesting to combine the Civic Center/CVB Director and Recreation Director positions to (i) achieve significant operational efficiencies, (ii) create a more flexible organizational structure to address current resource needs in the City and (iii) in furtherance of achieving the goal of eliminating CC/Bayfront operational loss.

**NOW, THEREFORE BE IT ORDAINED** by the City Council of the City of Daphne, Alabama, that:

- 1) A new position of Director of Events & Marketing is hereby adopted as a Grade 34 position and added to the existing Job Classification Schedule.
- 2) The existing Recreation Director and Civic Center/CVB Director positions will not be filled upon the forthcoming vacancies.
- 3) The City Council hereby authorizes the Mayor to fill the Community Events & Marketing position.

**APPROVED AND ADOPTED** by the City Council of the City of Daphne, Alabama, this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
**Dane Haygood, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Candace Antinarella, City Clerk**

**CITY OF DAPHNE  
ORDINANCE NO. 2019-16**

**AN ORDINANCE AMENDING THE CITY OF DAPHNE, ALABAMA  
LAND USE AND DEVELOPMENT ORDINANCE 2011-54, AS ADOPTED BY THE  
CITY COUNCIL ON JULY 18, 2011**

**ARTICLE IX, SECTION 9-6, LOTS OF RECORD**

**WHEREAS**, the City Council of the City of Daphne, after due consideration believes that certain revisions to the City of Daphne Land Use & Development Ordinance are necessary for the proper administration of said Ordinance; and,

**WHEREAS**, at the City of Daphne Planning Commission regular meeting on January 25, 2019 the Commission considered certain proposed amendments to the City of Daphne Land Use & Development Ordinance, Ordinance 2011-54, and any amendments to the same and set forth a unanimous favorable recommendation to the City Council of the City of Daphne; and,

**WHEREAS**, due notice of said proposed amendment has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, a public hearing was held before the City Council on March 18, 2019; and,

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA** as follows:

**SECTION I: THIS SECTION HEREBY AMENDS THE LAND USE AND DEVELOPMENT ORDINANCE TO REPEAL ARTICLE IX, SECTION 9-6, LOTS OF RECORD AND REPLACE SAID SECTION AS FOLLOWS:**

**ARTICLE IX**

**DISTRICT PROVISIONS**

Except as hereinafter provided, the following shall generally apply:

**9-6 LOTS OF RECORD**

(1) General

Where the owner of a lot of record or his successor to the title thereto does not own sufficient land to enable him to conform to the dimensional requirements of this Ordinance, the following exceptions may be allowed:

- (a) Where a lot, tract, or parcel of land has an area or width which does not conform to the requirements of the district in which it is located, said lot may be used for a single family dwelling in any residential district, provided the lot to be used has a minimum area of four thousand (4,000) square feet and a minimum lot width at the building line of forty (40) feet and is connected to public sewer. In Commercial/Industrial Districts, uses compatible with the district may be allowed by the Planning Commission.

(b) When two or more adjoining lots with a continuous frontage are in a single ownership at the time of the application, and such lots have a frontage or lot area less than is required by the zoning district in which they are located, such lots shall be platted or reparcelled to create one or more lots which conform to the minimum frontage and area requirements of the zoning district.

Notwithstanding the foregoing paragraph, when two or more adjoining lots with a contiguous frontage are in a single ownership at the time of application, and such lots have a frontage or lot area less than is required by the zoning district in which they are located, such lots may be platted or reparcelled to create fewer total nonconforming lots so long as each resulting lot is closer to conforming with the dimensional requirements of this Ordinance than it was before being replatted or reparcelled.

No lot or parcel, even though it may consist of one or more adjacent lots of record, shall be reduced in size so the lot width, depth, front, side, rear yard, inner or outer courts, or lot area or other requirements of this Ordinance are not maintained. This section shall not apply when a portion of a lot is acquired for public use.

(c) Buildings or structures located on substandard lots of record may be improved only when the addition of adequate plumbing is required by the laws and ordinances of the City of Daphne.

## (2) Single Family Residential Lots, Parcels and Land in the Olde Towne Area

The Olde Towne Daphne area represents the area of original colonization of the Daphne community. As such, the area represents unique, historical character. This uniqueness and charm is demonstrated by the subdivisions of land in Olde Towne area since the city's formal incorporation in 1927. The subdivision of land in Olde Towne Daphne has resulted in unique lot sizes, configuration and a lack of uniformity within the Olde Towne residential areas.

Upon the City's establishment of zoning in 1987, the residential area within what is now known as the Olde Towne residential area was blanket zoned R-1 and R-2. In an effort to provide relief from city-wide setback standards that were not created with the uniqueness of existing Olde Towne area lots in mind, the provisions of this section shall apply to vacant, undeveloped, existing lots of record and parcels of land located within or west of the Olde Towne Daphne District zoned R-1, R-2, or R-3.

### a) Residential lots or parcels which are between 5,000 and 7,500 square feet in area

Maximum Building Coverage shall be thirty-eight percent (38%)

Minimum Building Setbacks shall be as follows:

Front and Rear = 25 feet

Interior Side = 6 feet

Corner Side = 20 feet

### b) Residential lots or parcels which are between 7,501 and 12,000 square feet in area

Maximum Building Coverage shall be thirty-eight percent (38%)

Minimum Building Setback shall be as follows:

Front and Rear = 30 feet

Interior Side = 10 feet

Corner Side = 20 feet

c) In an effort to encourage a sense of community, the city shall allow the construction of covered open air front porches. Said open air porch may encroach into the front yard setback, however this encroachment shall not exceed five feet.

## **SECTION II: CONFLICT WITH OTHER ORDINANCES**

That any Ordinance heretofore adopted by the City Council of Daphne, Alabama, which is in conflict with this Ordinance, be and is hereby replaced to the extent of such conflict.

## **SECTION III: SEVERABILITY**

The provisions of this Ordinance are severable. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

## **SECTION IV: EFFECTIVE DATE**

This Ordinance shall take effect and be in force from and after the date of its approval by the City Council of the City of Daphne and publication as required by law.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019.**

**AN ALABAMA MUNICIPAL CORPORATION**

**Attest:**

\_\_\_\_\_  
**Dane Haygood, Mayor**

\_\_\_\_\_  
**Candace G. Antinarella, City Clerk**