

Bay Minette Board of Adjustment Special Called Meeting Minutes

Minutes May 5, 2023

Special Called Meeting No. 1

The Bay Minette Board of Adjustment met in a Special Called Meeting on Friday, May 5, 2023. The meeting was called to order at 8:06 a.m., by Chairman, Dr. Abby Hamilton, in the Council Chambers located in Bay Minette City Hall, in Bay Minette, Alabama; this being the proper place, date and hour as advertised to hold such meeting.

IN ATTENDANCE At 8:01 a.m. the following members were present:

Dr. Abby Hamilton, Chairman
Shane Hadley, Vice Chairman
Ray Clark, Board Member
Willie Walker, BCSO
Liana Barnett, Board Member

Board Member(s) absent:
John W. Biggs, Supernumerary
Thomas Brown, Supernumerary

Board Member(s) late: None

Other persons in regular attendance:

Lauren Collinsworth, Attorney
Clair Dorough, City Planner
Jessica Peed, Planning Coordinator
Tammy Smith, City Administrator

GUESTS Mike Phillips (*SE-23001 Applicant*)

INVOCATION Board Member Barnett gave the invocation, followed by Vice Chairman Hadley leading the pledge.

ITEM 3. Announcements & Registration to Address the Board

ITEM 4. Approval of Minutes for the April 28, 2022 Special Called Meeting. Board Member Clark makes a motion to approve the April minutes as written. The motion was seconded by Board Member Walker and it was unanimously carried.

ITEM 5. Disclosure of Prior Communications and/or Conflicts of Interest

Vice Chairman Hadley stated he has a work-related conflict and would be abstaining from voting. Mrs. Dorough stated he would be able to stay present during the meeting.

ITEM 6. Old Business - None

ITEM 7. New Business

a.) SE-23001, TPQ, LLC Property Special Exception – Public Hearing

Disclosure of Prior Communications and/or Conflicts of Interest: Vice Chairman Hadley as stated above
Request: Special Exception Request to allow for a duplex in the R-3, Higher Density Single Family Residential District

Location: The subject property is located at the Southwest corner of Clay St and Moran St intersection

Mrs. Dorough introduces the request, reviewing the staff report including the property information, surrounding properties, proposed frontage, zoning designation and the Table of Permitted Uses requirements for a duplex request in the current property zoning, staff analysis with Comprehensive Plan Strategies, Planning staff recommendation for location access, no anticipated impacts for surrounding area, process of construction if use is approved, and Planning Commission's advisory recommendation for approval with the condition of review and approval from the City Transportation Engineer prior to Building Permit issuance.

Chairman Hamilton opened the Public Hearing at 8:11am.

Mike Phillips requested to allow access off of Clay St with sidewalk installation to the front of the duplex, and access off of Moran St, as far south to the property line as possible.

Board Member Clark inquires on if there will be a site plan review, if the special exception request is approved to which Mrs. Dorough states the request today is only for the use of the property only.

Mr. Wiggins inquired if there would be a traffic increase, pending approval and includes Moran St to Hall Ave is used as a "drag strip" causing enough noise. He states he is a combat veteran and does not want more traffic or noise in the area. He also inquires on drainage to which Mrs. Dorough states the drainage is not necessarily being reviewed as it is only the special exception use being reviewed and voted upon at the meeting. Board Member Walker states the building itself would not be the issue, but rather the incoming tenants that could potentially cause noise issues.

With no further comments, Chairman Hamilton closed the Public Hearing at 8:19am. With no questions or comments from the Board, Board Member Clark makes a motion to approve the special exception request with the staff recommendation of the following conditions:

- 1) Access on Moran St be located as far south as feasible from the Moran/Brady intersection.
- 2) Access be restricted to one access point per road frontage.
- 3) Access be reviewed by the City's Transportation Engineer prior to the issuance of a Land Use/Building Permit.

Board Member Walker seconds and it is unanimously approved with the exception of Vice Chairman Hadley abstaining.

b.) Updates & Upcoming Cases

Mrs. Dorough updates the Board on the following items:

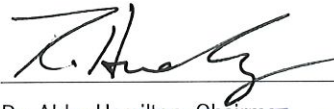
- Case load increase comparison from 2022 to 2023
- Upcoming Ordinance Amendments, RA-23001 and RA-23002. She states if they both pass at the Public Hearing that is scheduled for May 11th Planning Commission meeting, it will go to City Council for approval and adoption and new Zoning Ordinance version will be issued.
- Site Plan approval for a seafood market on US Hwy 31, beside Shrimp Basket.
- 7 Brew Coffee House construction update
- Two annexations that have passed and are now awaiting signatures. She gives the locations of the annexation properties, and their incoming zoning designations along with the procedure for annexations.
- Annual meeting is scheduled for July 27, 2023 for votes on positions, along with any other pertinent discussion(s).

ITEM 8. Reports and Announcements

- a.) Mayor/Council Report – Mrs. Smith states the construction for the Justice Center is on schedule and is anticipated to be finished at the end of October. She includes updates on the downtown sidewalk project parking spaces for repaving and widening, soccer complex project, the High School's new multi-purpose room for band and indoor gym functions, the City's departmental growth, and Novelis's storefronts opening soon.
- b.) Attorney - None
- c.) Chairman - None
- d.) Planning Staff - None

ITEM 9. With no further business, Chairman Hamilton adjourned the meeting at 8:35 am.

DONE THIS THE 5th DAY OF MAY 2023



Dr. Abby Hamilton, Chairman

Shane Hadley, Vice Chairman

ATTEST:



Jessica Peed, Planning Coordinator

Motion Summary:

- 1.) **Minutes:** Approval of Minutes for the April 28, 2022 Special Called Meeting. Board Member Clark makes a motion to approve the April minutes as written. The motion was seconded by Board Member Walker and it was unanimously carried.
- 2.) **SE-23001, TPQ, LLC Property Special Exception:** With no further comments, Chairman Hamilton closed the Public Hearing at 8:19am. With no questions or comments from the Board, Board Member Clark makes a motion to approve the special exception request with the staff recommendation of the following conditions:
 - 4) Access on Moran St be located as far south as feasible from the Moran/Brady intersection.
 - 5) Access be restricted to one access point per road frontage.
 - 6) Access be reviewed by the City's Transportation Engineer prior to the issuance of a Land Use/Building Permit.

Board Member Walker seconds and it is unanimously approved with the exception of Vice Chairman Hadley abstaining.