

Bay Minette Planning Commission Agenda
Conference Room at City Hall
May 11, 2017
8:00 a.m.

1. Called to Order

2. Invocation and Pledge

3. Approval of Minutes for April 13, 2017 Regular Meeting

4. Old Business:
 - Review Final Amendment for Accessory Buildings per the April 11, 2017 Meeting

5. New Business:
 - None

6. Reports:
 - A. Mayor/Council

 - B. Attorney

 - C. Commissioner's Comments

7. Adjourn

Bay Minette Planning Commission Regular Meeting Minutes

Minutes April 13, 2017

Monthly Meeting No. 4

The Bay Minette Planning Commission met in Regular Session on Thursday, April 13, 2017. The meeting was called to order by Chairman Stewart at 8:00 a.m., in the Conference Room 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 8:00 a.m. the following members were present:

Todd Stewart, Chairman
Ed Pepperman, Vice-Chairman
Robert A. "Bob" Wills, Mayor
John Biggs, Councilmember
Oscar Waters, Building Official
Clair Dorough, Commission Member
Scotty Langham, Commission Member
Dollie Mims, Commission Member
David Diehl, Commission Member

Other person in regular attendance:

Scotty Lewis, Attorney
Rita Diedtrich, City Clerk
Jessica Peed, Public Works Coordinator
Leslie Johnston, SARPC

GUESTS Guest present:

Calvan Means

INVOCATION Chairman Stewart recognized Mayor Wills who gave the invocation and followed by the pledge. Chairman Stewart welcomed everyone to the meeting.

ITEM 3. Approval of Minutes of the March 16, 2017 Regular Meeting with correction. Commission Member Waters moved to approve the minutes with corrections.

The motion was seconded by Commission Member Mims and unanimously carried

ITEM 4.

Chairman Stewart introduced Item 4: Old business:

- Update from Committee on Accessory Building. Information was distributed to Amend Article 5.2. After much discussion, including definitions, permitting, enforcement, and placement, which excludes front yards. Chairman Stewart addressed Mr. Means concerning his current structure stating that it would need to be removed within twelve months of approval of the amendments. Commission Member Diehl stated that he would check with other cities to see how portable building/structure are permitted.

ITEM 5.

Chairman Stewart introduced Item 5: New Business:

- Chairman Stewart spoke concerning the need for family subdivisions and the requirements for all lots are required to road frontage to be addressed in the ordinance

ITEM 6.

Reports:

A. Mayor/Council Report:

- Mayor Wills expressed his appreciation for the commission and his desires for the commission to be effective as duties of the building official increase.
- Councilmember Biggs reminded everyone of the City-Wide Clean-Up Day on April 22, 2017.
- Councilmember Biggs also asked that the Commission ban sheet metal used in fencing.

B. Attorney Report

- None

C. Commissioner's Report

- None

ITEM 7.

With no further business, Chairperson Stewart adjourned the meeting at 9:04 a.m.

DONE THIS THE 13th DAY OF APRIL 2017

Todd Stewart, Chairman

ATTEST:

Rita Diedrich, City Clerk

Amend Article 5.2 to include the following definitions:

Carport, detached. A detached structure of the type used for the residential storage of automobiles, with at least one side open for access. A detached carport as defined herein shall mean a structure that is manufactured or constructed off-site and delivered to the residence for assembly and/or installation.

8.7 Accessory Uses, Structures, Carports and Home Occupations

8.7.1 *Accessory Uses.* Any use may be established as an accessory use to any permitted principal use in any district provided that such accessory use:

- 8.7.1.1 Is customarily incidental to and is maintained and operated as a part of the principal use;
- 8.7.1.2 Is not hazardous to and does not impair the use or enjoyment of nearby property in greater degree than the principal use with which it is associated;
- 8.7.1.3 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;
- 8.7.1.4 Is not located in minimum exterior yard; and,
- 8.7.1.5 In residential districts an accessory use will conform to the following requirements:
 - a. Where an accessory structure is attached to the residential building, a substantial part of one wall of the accessory structure shall be an integral part of the residential building or such accessory structure shall be attached to the residential building in a substantial manner by a roof and, therefore, such requirements applicable to the residential building shall apply.
 - b. Where a carport is attached to the residential building, it shall be attached to the residential building in a substantial manner by a roof and, therefore, such requirements applicable to the residential building shall apply.
 - c. A detached accessory structure shall not be closer than twenty (20) feet to the residential building, nor closer than five (5) feet to any lot line or encroach into any existing drainage or utility easements.

- d. A detached carport may be located adjacent to a residential building, but shall not be closer than five (5) feet to any lot line nor encroach into any existing drainage or utility easement.
- e. A detached accessory building, not more than one (1) story in height, may be constructed on not more than 30 percent of the rear yard.
- f. No detached accessory structure or detached carport may: (1) be located forward of the building frontage of the residential building; or (2) be closer than twenty (20) feet to any right-of-way.
- g. Attached or detached accessory structures less than one-third the area of the principal residence may be used for living quarters provided such structures do not contain kitchen facilities. Such accessory residences may also be constructed above a garage or other storage building provided they do not exceed the height limitation for the zoning district in which they are located. Notwithstanding any other provision contained herein to the contrary, all structures intended for use as living quarters are subject to and shall be in compliance with all applicable building codes and ordinances.

8.7.1.6 *Minimum Lot Area and Lot Width:* None specified only that the lot be large enough to accommodate principal building plus the accessory building and/or buildings and meet the yard and other requirements specified in this Ordinance.

8.7.1.7 *Maximum Building Height:* Detached accessory buildings shall not exceed one (1) story or fifteen (15) feet in height.

8.7.1.8 *Maximum Building Coverage:* None specified, only that the principal building together with accessory buildings must comply with the requirements applicable to maximum building coverage specified in this Ordinance.

8.7.1.9 *Permitting Requirement:* [Insert Selected Option]

Rita Diedtrich

From: David Diehl <davidediehl@ymail.com>
Sent: Thursday, April 13, 2017 1:10 PM
To: Rita Diedtrich
Cc: Clair Dorough; Danleigh Corbett; Dollie V. Mims (dollbaym@aol.com); edpepperman@bellsouth.net; Jessica Peed; John W. Biggs; Leslie Johnston; Oscar Waters; Robert Wills; Scotty Langham; Scotty Lewis; Sherry Sullivan; Steven W. Stewart; Todd Stewart
Subject: Re: Manufactured Carports
Attachments: Manufactured Carports.pdf

David E Diehl, PLS 251-510-2792

From: "davidediehl@ymail.com" <davidediehl@ymail.com>
To: Rita Diedtrich <RDiedtrich@ci.bay-minette.al.us>
Cc: Clair Dorough <Clair.Dorough@NBUMAIL.COM>; Danleigh Corbett <DCorbett@ci.bay-minette.al.us>; "Dollie V. Mims (dollbaym@aol.com)" <dollbaym@aol.com>; "edpepperman@bellsouth.net" <edpepperman@bellsouth.net>; Jessica Peed <JPeed@ci.bay-minette.al.us>; John W. Biggs <JBiggs@ci.bay-minette.al.us>; Leslie Johnston <ljohnston@sarpc.org>; Oscar Waters <OWaters@ci.bay-minette.al.us>; Robert Wills <RWills@ci.bay-minette.al.us>; Scotty Langham <scottlangham14@yahoo.com>; Scotty Lewis <rsl@sgclaw.com>; Sherry Sullivan <sherry3291969@gmail.com>; Steven W. Stewart <SWStewart@ci.bay-minette.al.us>; Todd Stewart <tstewart@adamstewart.com>
Sent: Thursday, April 13, 2017 1:07 PM
Subject: Manufactured Carports

Still waiting to hear from Spanish Fort and Loxley. I'll send an update.

Sent from David's iPhone

Manufactured Carports Procedures Followed by Neighboring Municipalities

City of Daphne

Building Department (Richard Merchant)

Treats them as “portable” and therefore does not permit, inspect or otherwise regulate.

Planning (Adrienne Jones)

Defers to the Building Department

City of Fairhope

Building Department (Emily Boyett)

These are Permitted.

Requires Engineered Drawings with Manufacturers Installation Requirements

Inspectors do a Site visit to check installation compared to Manufacturers Installation Requirements

Planning (Nancy Milford)

Treats these as “Accessory Structures”. Must be behind rear line of main structure and meet maximum building coverage requirements related to Accessory Structures.

City of Foley

Building Department (Chuck Lay)

These are Permitted.

Requires Engineered Drawings with Manufacturers Installation Requirements

Inspectors do a Site visit to check installation compared to Manufacturers Installation Requirements

Planning

Treats these as “Accessory Structures”. Must meet setbacks and maximum building coverage requirements related to Accessory Structures.

City of Gulf Shores

Building Department (Brandon Franklin)

These are Permitted, fee based on value of the structure

Requires Engineered Drawings with Manufacturers Installation Requirements

Inspectors do a Site visit to check installation compared to Manufacturers Installation Requirements

Planning

Treats these as “Accessory Structures”. Must meet setbacks and maximum building coverage requirements related to Accessory Structures.

City of Robertsdale

Building Department (David Kilcrease)

On vacation

Planning (Greg Smith)

Treats these as “Accessory Structures”. Must meet setbacks and maximum building coverage requirements related to Accessory Structures.