



# BOARD OF ZONING ADJUSTMENT

## AGENDA

March 26, 2013

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## MINUTES FEBRUARY 26, 2013

MEMBERS PRESENT: Chairman Kent Lawrence, Messrs. , Mr. Larry Waye, Mr. George Barran, Ms. Frances Tate

SUPERNUMERARIES: Ms. Sally Jo Green

OTHERS PRESENT: Mr. Bob Sims, Inspector  
Mr. Wally Terry, Director  
.....and Custodian of Records  
Mr. Herman Marks, City Attorney  
Mr. Chip Alexander, Assistant City Attorney  
Ms. Hannah Pearson, Planner  
Ms. Tiffany Owens, Daily Reporter  
Ms. Judy Bosworth, Recorder

Chairman Kent Lawrence called the meeting to order at 4:00 p.m. in the Council Chambers at City Hall. Mr. Bob Sims called the roll.

Ms. Sally Jo Green moved to **approve** the minutes of the January meeting as printed once corrections to Board Member names have been made. Mr. Frances Tate seconded the motion. On a voice vote, the motion carried.

The Board considered the following applications and appeals.

### CASE NO 1

Application and appeal of Dave McAlister for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for McAlister Inc. companies at 2707 Little John St SW, property located in a R-2 Single-Family Residential Zoning District.

Mr. Dave McAlister presented this case to the Board. Mr. McAlister stated he wanted to have an administrative office for three companies he wished to operate. Mr. McAlister also stated there would be no clients, no employees and no signage.

Mr. Sims stated the Building Department would recommend approval.

Ms. Pearson stated the Planning Department would recommend approval.

Mr. George Barran moved to approve this home occupation request as submitted. Mr. Larry Waye seconded the motion. On a roll-call vote, the motion carried.

### CASE NO 2

Application and appeal of Mandy Vassar for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for an event planning business at 1923 Shepard Dr SW, property located in a R-2 Single-Family Residential Zoning District.

Ms. Mandy Vassar presented this case to the Board. Ms. Vassar stated she would like a home office for an event planning business. Ms. Vassar also stated she would mostly be using her laptop, email, fax and phone to conduct her business.

Mr. Sims stated the Building Department would recommend approval.

Ms. Pearson stated the Planning Department would recommend approval.

Mr. Larry Waye moved to approve this home occupation as submitted. Ms. Sally Jo Green seconded the motion. On a roll-call vote, the motion carried.

#### CASE NO 3

Application and appeal of Adriana De Rodriguez for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a lawn and landscaping business at 2013 Cleveland Ave SW, property located in a R-2 Single-Family Residential Zoning District.

Mr. and Mrs. Rodriguez presented this case to the Board. Mr. Rodriguez stated he and his wife would like to have an administrative office for a lawn and landscaping business. Mr. Rodriguez also stated the owner was aware of their request. Additionally Mr. Rodriguez stated he has one mower, blower and weedeater.

Mr. Sims stated the Building Department would recommend approval.

Ms. Pearson stated the Planning Department would recommend approval.

Mr. Larry Waye moved to approve this home occupation request as submitted. Ms. Sally Jo Green seconded the motion. On a roll-call vote, the motion carried.

#### CASE NO 4

Application and appeal of Chris Armor for a 17 foot 6 inch rear yard setback variance to Section 25-11 of the Zoning Ordinance in order to construct a shed at 812 Bradley St SW, property located in a B-1 Local Shopping District

Mr. Richard Humphrey of Pugh Wright McAnally Inc., asked the Board to Table this request until the March meeting to allow the applicant and the Planning Department to look at some possible screening or other options for the property.



Mr. George Barran moved to Table this request. Mr. Larry Wayne seconded the motion. On a roll-call vote, the motion carried.

#### CASE NO 5

Application and appeal of Scott Schoel for relief from Section 25-80(a)(4) of the Zoning Ordinance to be able to use an existing nonconforming sign structure and install new faces at 1424 6<sup>th</sup> Ave SE, property located in a B-2 General Business District

Mrs. Sally Jo Green recused herself and left the podium.

Mr. Scott Schoel of Schoel Architecture, LLC presented this case to the Board. Mr. Schoel stated the bank would like to use the existing sign structure because moving the sign would be too costly and they would lose parking spaces. Mr. Schoel also stated if the sign was moved, it could not be seen south to north.

The Board posed questions to Mr. Schoel such as could the existing sign be lowered and moved closer to the bank to bring it into compliance, or could the sign be moved to the north end of the lot?

Mr. Schoel stated that lowering and moving the existing sign would not be cost effective and the bank would lose parking, further moving the sign to the north end would be too costly.

Mr. Wally Terry stated that relative to the location, the sign should be lowered and brought into compliance.

Mr. Bob Sims stated the only way to really bring into compliance would be to demolish the existing sign and install a monument sign 3 ½ feet tall but that would not work for the bank because the public would not be able to see it. Mr. Sims also stated the bank could move the sign to the north end of the lot but he realized that may not be cost effective to the bank. However, in the Zoning Ordinance cost is not considered a hardship.

Ms. Hannah Pearson stated the Planning Department would suggest a compromise by allowing the sign to stay where it is but lower it to a height no greater than 20 feet.

Mr. Schoel stated the bank would be willing to compromise and bring the existing sign down to a height no greater than 20 feet.

Mr. George Barran moved to approve lowering the existing sign to a height no greater than 20 feet and install new panels.

Mr. Larry Waye seconded the motion. On a roll-call vote, the motion carried.

The meeting adjourned at 4:20

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Chairman, Kent Lawrence

## **AGENDA MARCH 26, 2013**

### **CASE NO 1**

Application and appeal of Traruan Fuqua for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a lawn service at 1206 4<sup>th</sup> St NW, property located in a R-4 Multi-Family Residential Zoning District.

### **CASE NO 2**

Application and appeal of Cordarryl Madry for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a lawn care service at 1023 Bedford Dr SW, property located in a R-2 Single-Family Zoning District.

### **CASE NO 3**

Application and appeal of Marto Sanchez for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a lawn care service at 315 Blackberry Dr SW, property located in a R-2 Single-Family Zoning District.

### **CASE NO 4**

Application and appeal of Pam Alford for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a graphic design business at 4501 Willow Bend Rd SE, property located in a R-1 Single-Family Zoning District.

### **CASE NO 5**

Application and appeal of Wiley W. Faust, Jr., for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a technical business at 322 Denver Place SW, property located in a R-6 Single-Family Zoning District.

### **CASE NO 6**

Application and appeal of Alfreidia V. Flowers-Balentine for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for an educational and enrichment program at 408 Walnut St NW, property located in a R-3 Single-Family Zoning District.

### **CASE NO 7**

Application and appeal of Emily Corzine for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning

Ordinance to have an administrative office for a CPA/Accounting service at 2310 Amberly LN SW, property located in a R-2 Single-Family Zoning District.

#### CASE NO 8

Application and appeal of Delayne Dean for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for an on-line monogramming/sewing & crafts business at 1815 Fitzgerald DR SW, property located in a R-2 Single-Family Zoning District.

#### CASE NO 9

Application and appeal of Ellis Chenault for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a commercial photography business at 417 Line ST NE, property located in a R-3H

#### CASE NO 10

Application and appeal of J & M Signs for a 15 foot front yard setback variance to Section 25-78(d) of the Zoning Ordinance to install a 20 square foot monument sign at 1829 Somerville Rd SE, property located in a B-1 Local Shopping Business District.

#### CASE NO 11

Application and appeal of James Lee Pointer for a use permitted on appeal to Section 25-113 to have a temporary seasonal business to sell produce in the parking lot at 1502 West Moulton ST, property located in a M-1 Light Industry Zoning District.



*A Good City on a Charming Scale*

## Board of Zoning Adjustment

APPLICANT:	TRAKUAN FUQUA		
MAILING ADDR:	1206 4TH ST. NW		
CITY STATE ZIP:	DECATUR, AL. 35601		
PHONE:	(256) 556-5628		
PROPERTY OWNER:	VALLIAN ADKINS		(AUNT)
OWNER ADDR:	1703 ROBIN HOOD COURT		
CITY STATE ZIP:	DECATUR, AL. 35601		
OWNER PHONE:	(256) 350-8293		

ADDRESS FOR APPEAL:

1206 4TH ST NW

**NATURE OF APPEAL:**

☒ HOME OCCUPATION

☐ SETBACK VARIANCE

☐ SIGN VARIANCE

☐ USE PERMITTED ON APPEAL

☐ APPEAL OF ADMINISTRATIVE DECISION

☐ OTHER

☐ SURVEY FOR VARIANCES ATTACHED

☐ DRAWINGS FOR VARIANCES ATTACHED

**DESCRIBE APPEAL IN DETAIL:** (INCLUDE: DIMENSIONS, # FT FOR VARIANCES, # FOR PARKING; HARDSHIP; TYPE OF BUSINESS.)

ADMINISTRATIVE OFFICE, WILL BE STORING MY LAWN EQUIPMENT  
AT HOME 1206 4TH ST. NW DECATUR, AL. 35601. NO PARKING WILL  
BE REQUIRED. BUSINESS - LAWN SERVICE "A PLUS LAWN CARE"

APPLICANT SIGNATURE:

*Trakuan Fuqua*

PRINT NAME:

TRAKUAN FUQUA

DATE:

3/11/13

OFFICE USE ONLY:

RECEIVED BY:

*Judy*

ZONING DISTRICT:

~~R-4~~ R-4

HEARING DATE:

MARCH 26, 2013

APPROVED/DISAPPROVED:

The Board of Zoning Adjustment meets the last Tuesday of each month at 4:00 PM in the Council Chambers on first floor of City Hall. Applications must be filed by the 10<sup>th</sup> of the month to be heard the last Tuesday of the month. Applicants MUST be present in order for the case to be heard. Request a copy of this application.

CASE NO 1 1206 4<sup>TH</sup> ST NW

## HOME OCCUPATION QUESTIONS

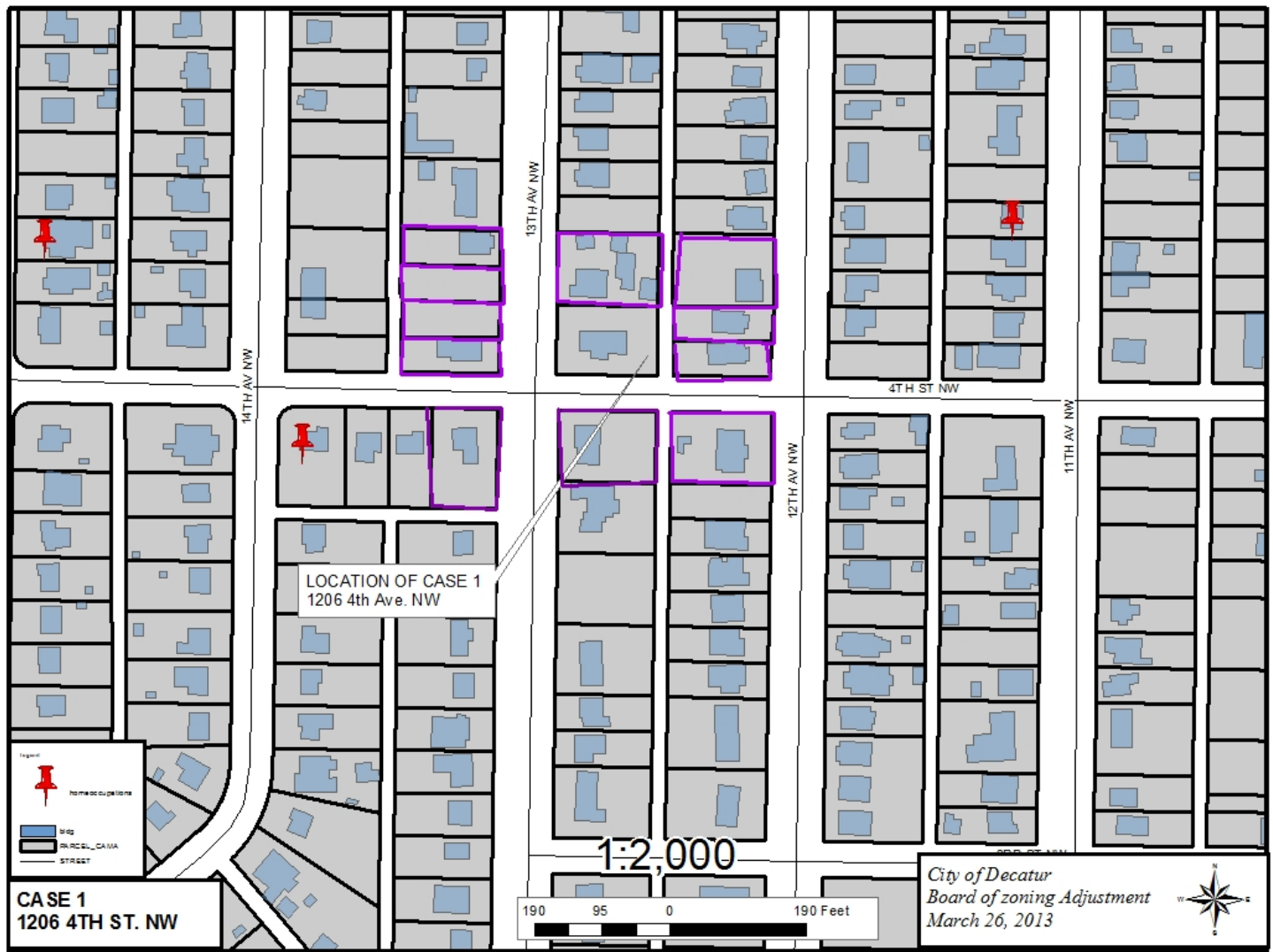
CHECK YES OR NO FOR EACH QUESTION

1. Is the use applied for, administrative office, making of crafts, sewing, etc., conducted entirely within the dwelling? YES ☒ NO ☐
2. Does the occupation produce sounds, colors or other audible or visible evidence of a home occupation being present? YES ☐ NO ☒
3. Is there advertising on the premises or your vehicles? YES ☐ NO ☒
4. Is more than one room within the home used for the home occupation? YES ☐ NO ☒
5. Are there any explosives or highly combustible materials used or stored within the home in connection with this home occupation? YES ☐ NO ☒
6. Does the home occupation produce any electrical interference, smoke, dust, or noise, which may be offensive? YES ☐ NO ☒
7. Is there any increase in traffic connected with this home occupation? YES ☐ NO ☒
8. Will there be any more than one sales parties at you home per quarter related to this home occupation?  
YES ☐ NO ☒
9. Will this home occupation result in increased parking demands? YES ☐ NO ☒
10. Will there be any deliveries to the home other than the usual common carrier trucks serving a residential area such as UPS, Fed-Ex, Airborne Freight? YES ☐ NO ☒
11. Will there be any employees of this home occupation other than members of the family living in the home?  
YES ☐ NO ☒

SIGNED: Terrance Fugate DATE: 2/28/13

ADDRESS: 1206 4TH ST. NW DECATUR, AL. 35601

QUESTIONNAIRE



LOCATION MAP 1206 4<sup>TH</sup> ST NW



*A Grand City on a CHARMING SCALE*

## Board of Zoning Adjustment

APPLICANT: Cordarryl O. Madry  
MAILING ADDR: 1023 Bedford Dr. S.W  
CITY STATE ZIP: Decatur, AL 35601  
PHONE: 256-350-2243

PROPERTY OWNER: Franklin Madry  
OWNER ADDR: 1023 Bedford Dr. S.W  
CITY STATE ZIP: Decatur AL, 35601  
OWNER PHONE: 256-227-0711

ADDRESS FOR APPEAL: 1023 Bedford Dr. S.W. Decatur, AL 35601

**NATURE OF APPEAL:**

- ☒ HOME OCCUPATION      ☐ SETBACK VARIANCE      ☐ SIGN VARIANCE  
☐ USE PERMITTED ON APPEAL      ☐ APPEAL OF ADMINISTRATIVE DECISION  
☐ OTHER      ☐ SURVEY FOR VARIANCES ATTACHED      ☐ DRAWINGS FOR VARIANCES ATTACHED

**DESCRIBE APPEAL IN DETAIL:** (INCLUDE: DIMENSIONS, # FT FOR VARIANCES, # FOR PARKING, HARDSHIP, TYPE OF BUSINESS.)

I want to use my home as a admin office for  
my lawn care service. Equipment will be store in  
garage. There will be no traffic in or out my house.

APPLICANT SIGNATURE:

Cordarryl Madry

PRINT NAME: Cordarryl Madry

DATE: 2-19-13

OFFICE USE ONLY:

RECEIVED BY: Judy

ZONING DISTRICT: R-2

HEARING DATE: March 26, 2013

APPROVED/DISAPPROVED: \_\_\_\_\_

The Board of Zoning Adjustment meets the **last Tuesday** of each month at 4:00 PM in the Council Chambers on first floor of City Hall. Applications must be filed by the **10<sup>th</sup>** of the month to be heard the last Tuesday of the month. Applicants **MUST** be present in order for the case to be heard. Request a copy of this application.

**CASE NO 2 1023 BEDFORD DR SW**



## HOME OCCUPATION QUESTIONS

CHECK YES OR NO FOR EACH QUESTION

1. Is the use applied for, administrative office, making of crafts, sewing, etc., conducted entirely within the dwelling? YES ☒ NO ☐
2. Does the occupation produce sounds, colors or other audible or visible evidence of a home occupation being present? YES ☒ NO ☐
3. Is there advertising on the premises or your vehicles? YES ☒ NO ☐
4. Is more than one room within the home used for the home occupation? YES ☐ NO ☒
5. Are there any explosives or highly combustible materials used or stored within the home in connection with this home occupation? YES ☐ NO ☒
6. Does the home occupation produce any electrical interference, smoke, dust, or noise, which may be offensive? YES ☒ NO ☐
7. Is there any increase in traffic connected with this home occupation? YES ☐ NO ☒
8. Will there be any more than one sales parties at you home per quarter related to this home occupation?  
YES ☐ NO ☒
9. Will this home occupation result in increased parking demands? YES ☐ NO ☒
10. Will there be any deliveries to the home other than the usual common carrier trucks serving a residential area such as UPS, Fed-Ex, Airborne Freight? YES ☐ NO ☒
11. Will there be any employees of this home occupation other than members of the family living in the home?  
YES ☐ NO ☒

SIGNED:

*Cordell M. Lyle*

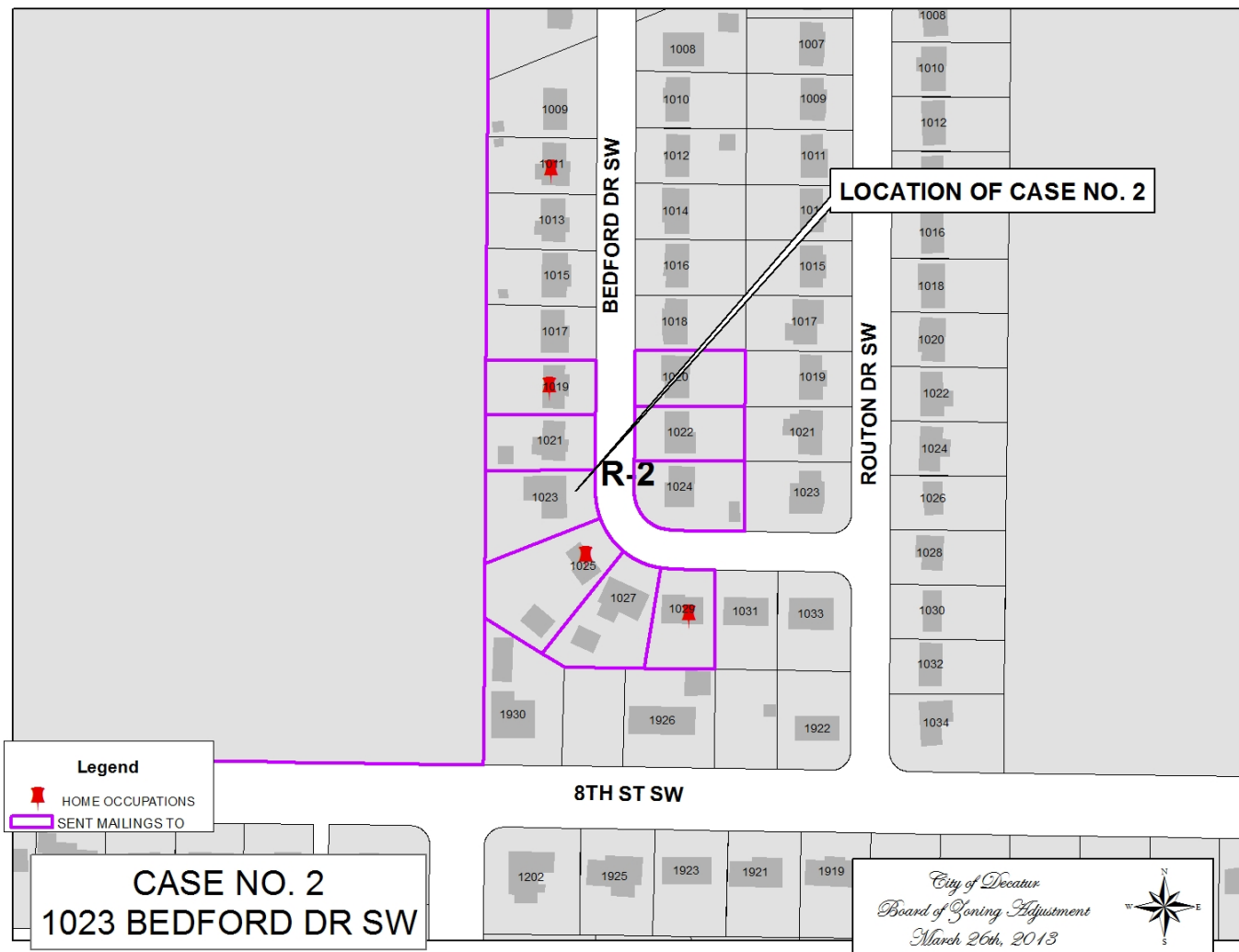
DATE:

3-8-13

ADDRESS:

1023 Bedford Dr S.W Decatur, AL 35601

QUESTIONNAIRE



**LOCATION MAP 1023 BEDFORD DR SW**



*A Grand City on a CHARMING SCALE*

## Board of Zoning Adjustment

APPLICANT: Marto Sanchez  
MAILING ADDR: 820 Bradley ST SW SUITE D  
CITY STATE ZIP: Decatur AL 35601  
PHONE: 256 221 5988

PROPERTY OWNER: Fernando Hernandez  
OWNER ADDR: 315 Blackberry Dr SW  
CITY STATE ZIP: Decatur AL 35603  
OWNER PHONE: 616-1379

ADDRESS FOR APPEAL:  
315 Blackberry Dr SW DECATUR AL 35603

### NATURE OF APPEAL:

- ☒ HOME OCCUPATION      ☐ SETBACK VARIANCE      ☐ SIGN VARIANCE  
☐ USE PERMITTED ON APPEAL      ☐ APPEAL OF ADMINISTRATIVE DECISION  
☐ OTHER      ☐ SURVEY FOR VARIANCES ATTACHED      ☐ DRAWINGS FOR VARIANCES ATTACHED

DESCRIBE APPEAL IN DETAIL: (INCLUDE: DIMENSIONS, # FT FOR VARIANCES; # FOR PARKING; HARDSHIP; TYPE OF BUSINESS.)

Administrative office for lawn care Service

APPLICANT SIGNATURE:

Marto Sanchez

PRINT NAME: MARTO SANCHEZ

DATE: 03/01/13

OFFICE USE ONLY:

RECEIVED BY: Bob

ZONING DISTRICT: R-2

HEARING DATE: 3/24/13

APPROVED/DISAPPROVED: \_\_\_\_\_

The Board of Zoning Adjustment meets the last Tuesday of each month at 4:00 PM in the Council Chambers on first floor of City Hall. Applications must be filed by the 10<sup>th</sup> of the month to be heard the last Tuesday of the month. Applicants MUST be present in order for the case to be heard. Request a copy of this application.

**CASE NO 3 315 BLACKBERRY DR SW**

## HOME OCCUPATION QUESTIONS

CHECK YES OR NO FOR EACH QUESTION

1. Is the use applied for, administrative office, making of crafts, sewing, etc., conducted entirely within the dwelling? YES ☒ NO ☐
2. Does the occupation produce sounds, colors or other audible or visible evidence of a home occupation being present? YES ☐ NO ☒
3. Is there advertising on the premises or your vehicles? YES ☐ NO ☒
4. Is more than one room within the home used for the home occupation? YES ☐ NO ☒
5. Are there any explosives or highly combustible materials used or stored within the home in connection with this home occupation? YES ☐ NO ☒
6. Does the home occupation produce any electrical interference, smoke, dust, or noise, which may be offensive? YES ☐ NO ☒
7. Is there any increase in traffic connected with this home occupation? YES ☐ NO ☒
8. Will there be any more than one sales parties at you home per quarter related to this home occupation?  
YES ☐ NO ☒
9. Will this home occupation result in increased parking demands? YES ☐ NO ☒
10. Will there be any deliveries to the home other than the usual common carrier trucks serving a residential area such as UPS, Fed-Ex, Airborne Freight? YES ☐ NO ☒
11. Will there be any employees of this home occupation other than members of the family living in the home?  
YES ☐ NO ☒

SIGNED:

*Marta Lundy*

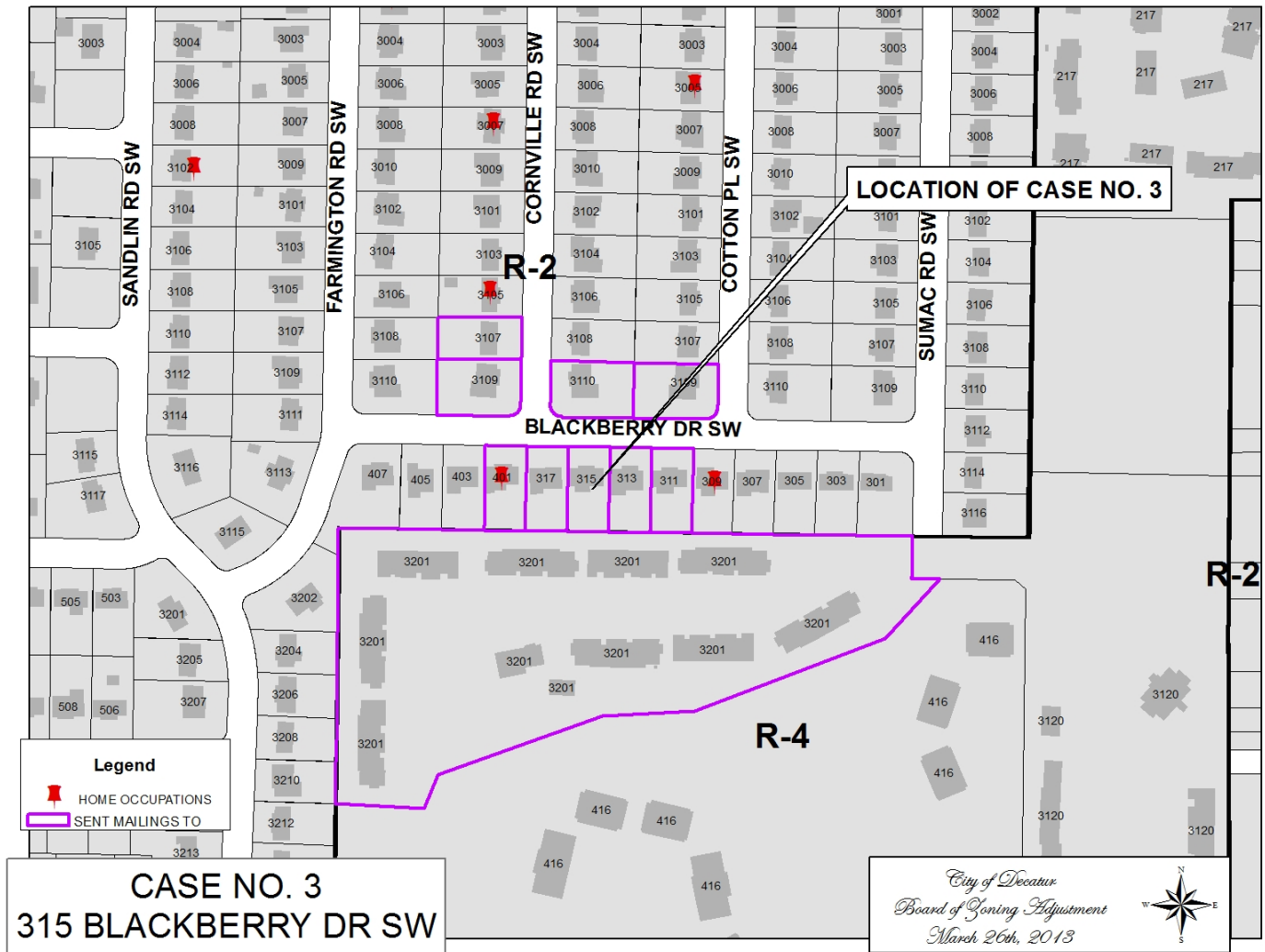
DATE:

03/01/13

ADDRESS:

315 Blackberry Dr SW  
Decatur AL 35603

QUESTIONNAIRE



LOCATION MAP 315 BLACKBERRY DR SW



**APPLICATION FOR APPEAL TO THE BOARD OF ZONING  
ADJUSTMENT  
CITY OF DECATUR, ALABAMA**

APPLICANT NAME:	<u>Pam Alford</u>
MAILING ADDRESS: PLEASE INCLUDE CITY, STATE AND ZIP	<u>4501 Willow Bend Rd. SE</u> <u>Decatur, AL 35603</u>
PHONE:	<u>256-301-1383</u>
PROPERTY OWNER NAME:	<u>Jack &amp; Pam Alford</u>
MAILING ADDRESS: PLEASE INCLUDE CITY, STATE AND ZIP	<u>4501 Willow Bend Rd. SE</u> <u>Decatur, AL 35603</u>
PHONE:	<u>256-301-1383(H), 256-345-1146(cell)</u>

**PROPERTY LOCATION/STREET ADDRESS FOR REQUEST:**

4501 Willow Bend Rd. SE, Decatur, AL 35603

**NATURE OF THE APPEAL:**

- ☒ HOME OCCUPATION      ☐ SETBACK VARIANCE      ☐ USE PERMITTED ON APPEAL  
☐ SIGN VARIANCE      ☐ APPEAL OF ADMINISTRATIVE DECISION      ☐ OTHER

DESCRIBE IN DETAIL THE REQUEST: I would like to start a graphic design service business. All work will be done on my personal computer. We will use our home as an office only. No traffic in or out.

**APPLICANT SIGNATURE**

Pam Alford

**PRINT NAME**

Pam Alford

**DATE**

3/5/13

**OFFICE USE ONLY**

REVIEWED BY: Judy

ZONING DISTRICT: R-1

HEARING DATE: March 26, 2013

APPROVED/DISAPPROVED: \_\_\_\_\_

The Board of Zoning Adjustment meets the LAST Tuesday of each month at 4:00 PM in the Council Chambers of City Hall. Applications must be filed by the 10<sup>th</sup> of the month. Applicants MUST be present in order for the case to be heard. Please request a copy of this application.

We have previously been approved to use our home as an office for JP Medicenters.

**CASE NO 4 4501 WILLOW BEND RD SE**

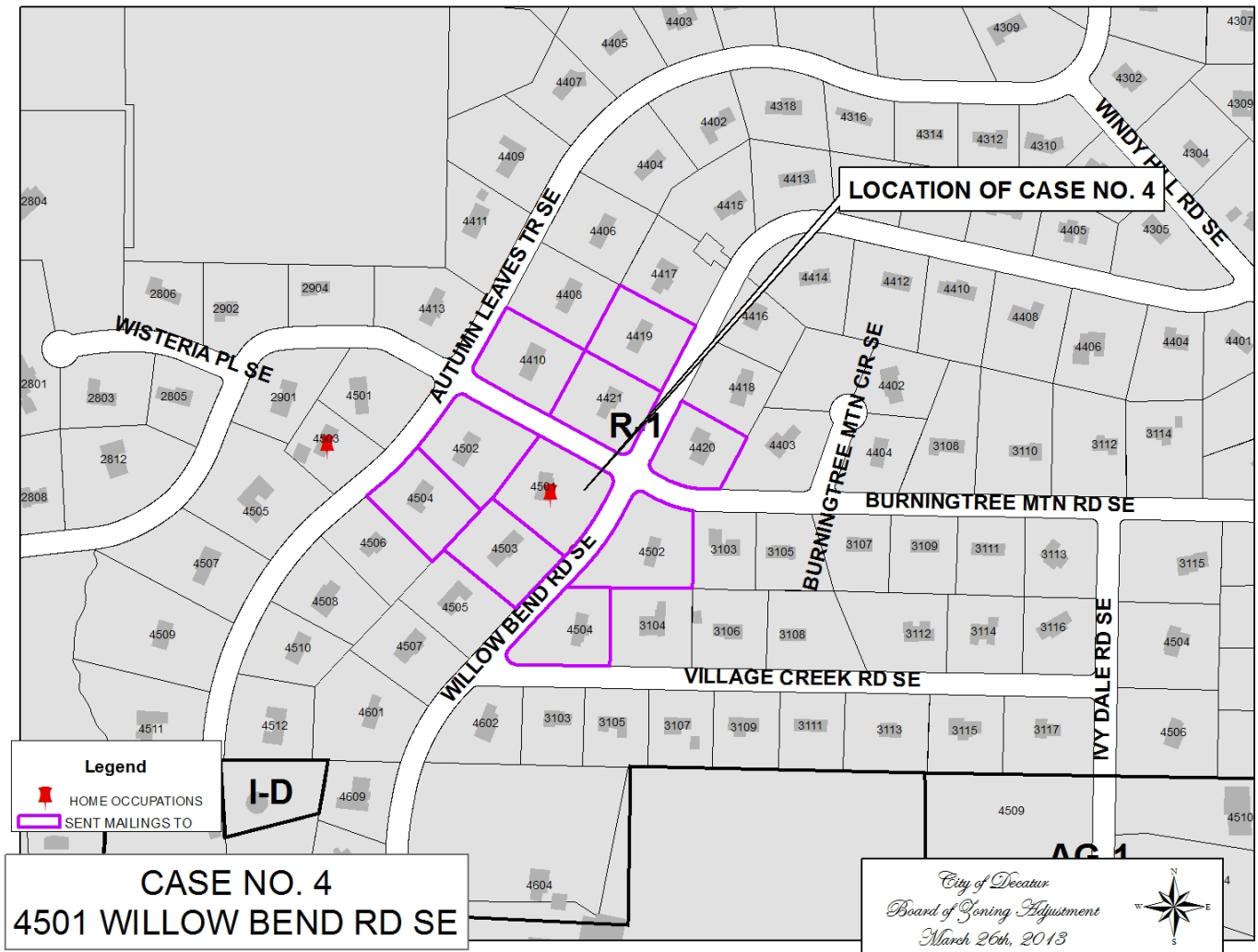
## HOME OCCUPATION QUESTIONS

CHECK YES OR NO FOR EACH QUESTION

1. Is the use applied for, administrative office, making of crafts, sewing, etc., conducted entirely within the dwelling? YES ☒ NO ☐
2. Does the occupation produce sounds, colors or other audible or visible evidence of a home occupation being present? YES ☐ NO ☒
3. Is there advertising on the premises or your vehicles? YES ☐ NO ☒
4. Is more than one room within the home used for the home occupation? YES ☐ NO ☒
5. Are there any explosives or highly combustible materials used or stored within the home in connection with this home occupation? YES ☐ NO ☒
6. Does the home occupation produce any electrical interference, smoke, dust, or noise, which may be offensive? YES ☐ NO ☒
7. Is there any increase in traffic connected with this home occupation? YES ☐ NO ☒
8. Will there be any more than one sales parties at you home per quarter related to this home occupation?  
YES ☐ NO ☒
9. Will this home occupation result in increased parking demands? YES ☐ NO ☒
10. Will there be any deliveries to the home other than the usual common carrier trucks serving a residential area such as UPS, Fed-Ex, Airborne Freight? YES ☐ NO ☒
11. Will there be any employees of this home occupation other than members of the family living in the home?  
YES ☐ NO ☒

SIGNED: Pam Alford DATE: 3/5/13  
ADDRESS: 4501 Willow Bend Rd. SE Decatur, AL 35603

QUESTIONNAIRE



**LOCATION MAP 4501 WILLOWBEND RD SE**





*A Grand City on a CHARMING SCALE*

## Board of Zoning Adjustment

APPLICANT: WILEY W. FAUST JR  
MAILING ADDR: 322 DENVER PLACE S.W.  
CITY STATE ZIP: DECATUR AL 35603  
PHONE: 256-221-4029

PROPERTY OWNER: WILEY W. FAUST JR  
OWNER ADDR: 322 DENVER PLACE S.W.  
CITY STATE ZIP: DECATUR AL 35603  
OWNER PHONE: 256-221-4029

ADDRESS FOR APPEAL: 322 DENVER PLACE S.W. DECATUR AL 35603

### NATURE OF APPEAL:

- ☒ HOME OCCUPATION ☐ SETBACK VARIANCE ☐ SIGN VARIANCE  
☐ USE PERMITTED ON APPEAL ☐ APPEAL OF ADMINISTRATIVE DECISION  
☐ OTHER ☐ SURVEY FOR VARIANCES ATTACHED ☐ DRAWINGS FOR VARIANCES ATTACHED

DESCRIBE APPEAL IN DETAIL: (INCLUDE DIMENSIONS, # FT FOR VARIANCES, # FOR PARKING, HARDSHIP, TYPE OF BUSINESS)

\* ADMINISTRATIVE OFFICE FOR TECHNICAL BUSINESS

APPLICANT SIGNATURE:

Wiley W. Faust Jr

PRINT NAME:

WILEY W. FAUST JR

DATE: 03-06-13

OFFICE USE ONLY:

RECEIVED BY: Judy

ZONING DISTRICT: R-2

HEARING DATE: March 26, 2013

APPROVED/DISAPPROVED: \_\_\_\_\_

The Board of Zoning Adjustment meets the last Tuesday of each month at 4:00 PM in the Council Chambers on first floor of City Hall. Applications must be filed by the 10<sup>th</sup> of the month to be heard the last Tuesday of the month. Applicants MUST be present in order for the case to be heard. Request a copy of this application.

**CASE NO 5 322 DENVER PL SW**

## HOME OCCUPATION QUESTIONS

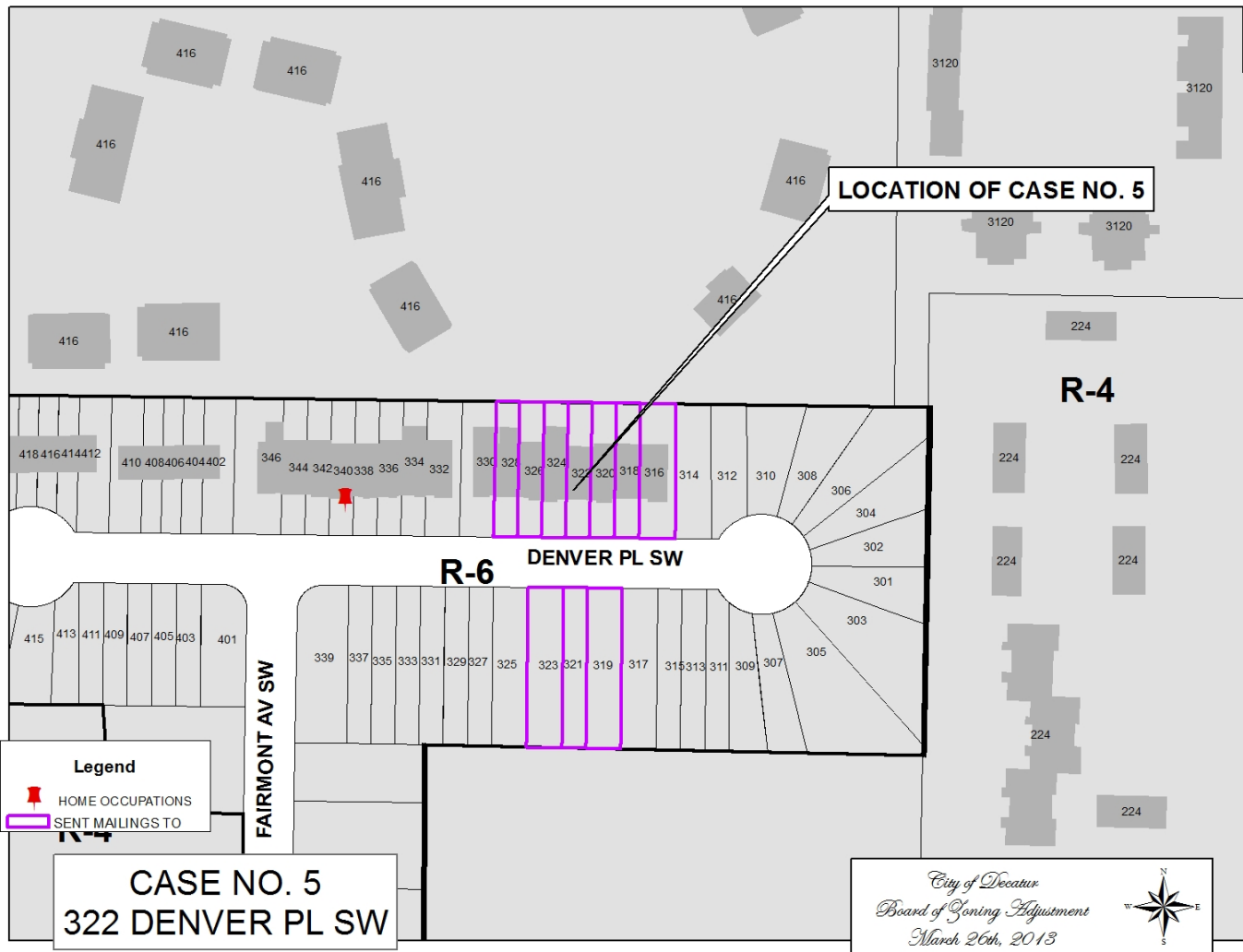
CHECK YES OR NO FOR EACH QUESTION

1. Is the use applied for, administrative office, making of crafts, sewing, etc., conducted entirely within the dwelling? YES ☒ NO ☐
2. Does the occupation produce sounds, colors or other audible or visible evidence of a home occupation being present? YES ☐ NO ☒
3. Is there advertising on the premises or your vehicles? YES ☐ NO ☒
4. Is more than one room within the home used for the home occupation? YES ☐ NO ☒
5. Are there any explosives or highly combustible materials used or stored within the home in connection with this home occupation? YES ☐ NO ☒
6. Does the home occupation produce any electrical interference, smoke, dust, or noise, which may be offensive? YES ☐ NO ☒
7. Is there any increase in traffic connected with this home occupation? YES ☐ NO ☒
8. Will there be any more than one sales parties at you home per quarter related to this home occupation?  
YES ☐ NO ☒
9. Will this home occupation result in increased parking demands? YES ☐ NO ☒
10. Will there be any deliveries to the home other than the usual common carrier trucks serving a residential area such as UPS, Fed-Ex, Airborne Freight? YES ☐ NO ☒
11. Will there be any employees of this home occupation other than members of the family living in the home?  
YES ☐ NO ☒

SIGNED: Wiley W. Sauer DATE: 03.06.13

ADDRESS: 322 DENVER PLACE S.W.  
DECATUR AL 35603

QUESTIONNAIRE



**LOCATION MAP 322 DENVER PL SW**



*A Grand City on a Charming Scale*

## Board of Zoning Adjustment

APPLICANT: Alfreida V. Flowers-Balentine  
MAILING ADDR: 408 Walnut Street NW  
CITY STATE ZIP: Decatur, AL 35601  
PHONE: (204) 917-9338

PROPERTY OWNER: Anthony M. Balentine  
OWNER ADDR: 408 Walnut Street NW  
CITY STATE ZIP: Decatur, AL 35601  
OWNER PHONE: (256) 466-3409

ADDRESS FOR APPEAL: 408 Walnut St. NW Decatur, AL 35601

### NATURE OF APPEAL:

- ☒ HOME OCCUPATION      ☐ SETBACK VARIANCE      ☐ SIGN VARIANCE  
☐ USE PERMITTED ON APPEAL      ☐ APPEAL OF ADMINISTRATIVE DECISION  
☐ OTHER      ☐ SURVEY FOR VARIANCES ATTACHED      ☐ DRAWINGS FOR VARIANCES ATTACHED

DESCRIBE APPEAL IN DETAIL: (INCLUDE DIMENSIONS, # FT FOR VARIANCES; # FOR PARKING; HARDSHIP, TYPE OF BUSINESS.)

The home will be used for administration only.  
The educational and enrichment will be done at other  
locations such as schools or churches.

APPLICANT SIGNATURE:

Alfreida V. Flowers-Balentine

PRINT NAME: Alfreida V. Flowers-Balentine

DATE: 3/7/2013

OFFICE USE ONLY:

RECEIVED BY: Sh

ZONING DISTRICT: R-3

HEARING DATE: 3/26/13

APPROVED/DISAPPROVED: \_\_\_\_\_

The Board of Zoning Adjustment meets the last Tuesday of each month at 4:00 PM in the Council Chambers on first floor of City Hall. Applications must be filed by the 10<sup>th</sup> of the month to be heard the last Tuesday of the month. Applicants MUST be present in order for the case to be heard. Request a copy of this application.

CASE NO 6 408 WALNUT ST NW

## HOME OCCUPATION QUESTIONS

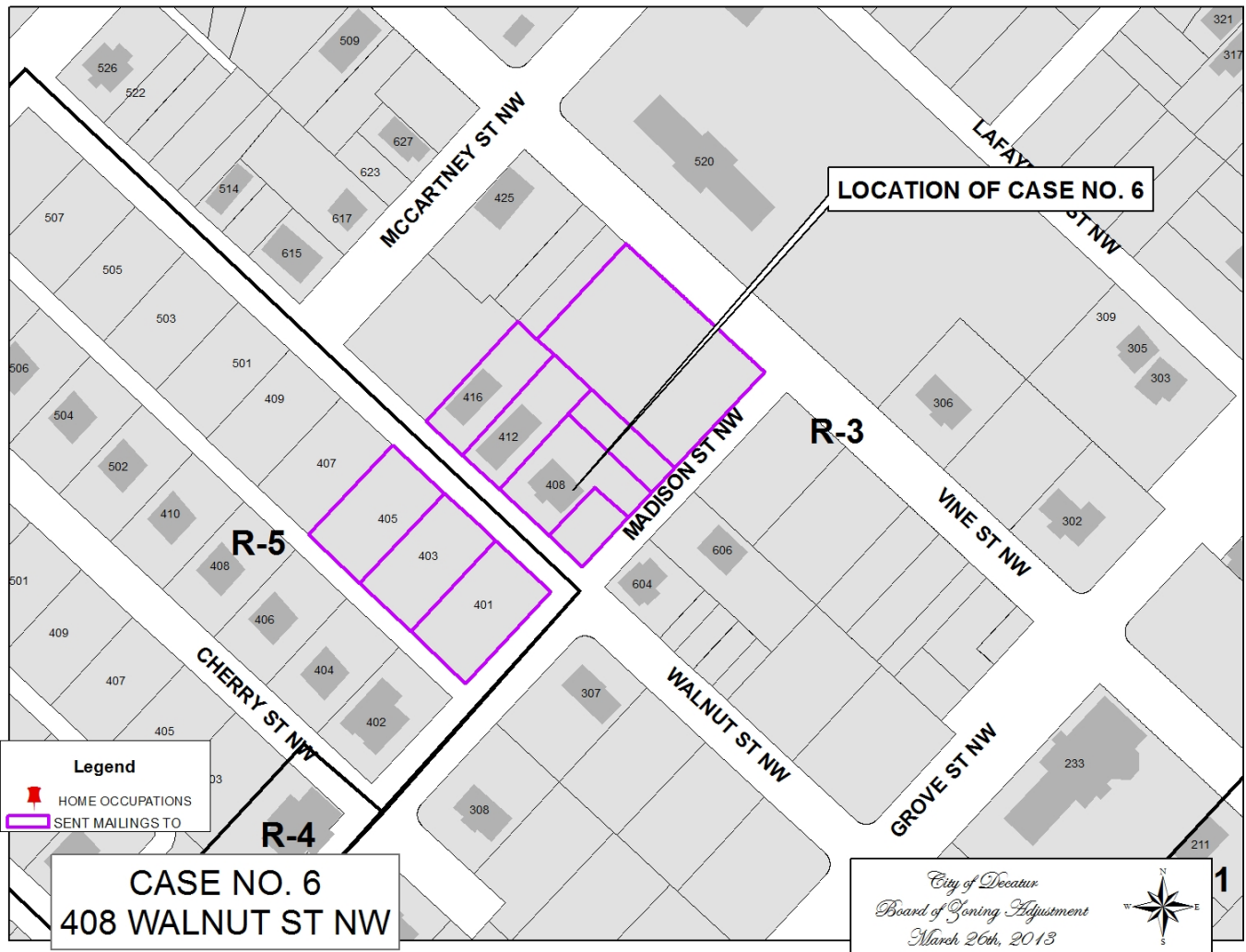
CHECK YES OR NO FOR EACH QUESTION

1. Is the use applied for, administrative office, making of crafts, sewing, etc., conducted entirely within the dwelling? YES ☒ NO ☒ *Only administrative work will be done in the home.*
2. Does the occupation produce sounds, colors or other audible or visible evidence of a home occupation being present? YES ☐ NO ☒
3. Is there advertising on the premises or your vehicles? YES ☐ NO ☒
4. Is more than one room within the home used for the home occupation? YES ☐ NO ☒
5. Are there any explosives or highly combustible materials used or stored within the home in connection with this home occupation? YES ☐ NO ☒
6. Does the home occupation produce any electrical interference, smoke, dust, or noise, which may be offensive? YES ☐ NO ☒
7. Is there any increase in traffic connected with this home occupation? YES ☐ NO ☒
8. Will there be any more than one sales parties at you home per quarter related to this home occupation?  
YES ☐ NO ☒
9. Will this home occupation result in increased parking demands? YES ☐ NO ☒
10. Will there be any deliveries to the home other than the usual common carrier trucks serving a residential area such as UPS, Fed-Ex, Airborne Freight? YES ☐ NO ☒
11. Will there be any employees of this home occupation other than members of the family living in the home?  
YES ☐ NO ☒

SIGNED: Alfreda V. Flowers-Balentine DATE: 3/7/2013

ADDRESS: 408 Walnut Street NW  
Decatur, AL 35601

QUESTIONNAIRE



**LOCATION MAP 408 WALNUT ST NW**



*A Grand City on a Charming Scale*

## Board of Zoning Adjustment

APPLICANT:	Emily Corzine
MAILING ADDR:	2310 Amberly Ln SW
CITY STATE ZIP:	Decatur, AL 35603
PHONE:	(256) 566-9363
PROPERTY OWNER:	Mark & Emily Corzine
OWNER ADDR:	same 2310 Amberly Ln SW
CITY STATE ZIP:	"
OWNER PHONE:	" (256) 566-9363

ADDRESS FOR APPEAL: same 2310 Amberly Ln SW

### NATURE OF APPEAL:

- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> HOME OCCUPATION | <input type="checkbox"/> SETBACK VARIANCE                  | <input type="checkbox"/> SIGN VARIANCE                   |
| <input type="checkbox"/> USE PERMITTED ON APPEAL    | <input type="checkbox"/> APPEAL OF ADMINISTRATIVE DECISION |  |
| <input type="checkbox"/> OTHER                      | <input type="checkbox"/> SURVEY FOR VARIANCES ATTACHED     | <input type="checkbox"/> DRAWINGS FOR VARIANCES ATTACHED |

DESCRIBE APPEAL IN DETAIL: (INCLUDE DIMENSIONS, # FT FOR VARIANCES; # FOR PARKING; HARDSHIP; TYPE OF BUSINESS.)

CPA services / Accounting & tax (Administrative office)

APPLICANT SIGNATURE:

*Emily R. Corzine*

PRINT NAME: Emily R. Corzine

DATE:

3/7/13

### OFFICE USE ONLY:

RECEIVED BY: John

ZONING DISTRICT: R-2

HEARING DATE: March 26, 2013

APPROVED/DISAPPROVED: \_\_\_\_\_

The Board of Zoning Adjustment meets the last Tuesday of each month at 4:00 PM in the Council Chambers on first floor of City Hall. Applications must be filed by the 10<sup>th</sup> of the month to be heard the last Tuesday of the month. Applicants MUST be present in order for the case to be heard. Request a copy of this application.

**CASE NO 7 2310 AMBERLY LN SW**

## HOME OCCUPATION QUESTIONS

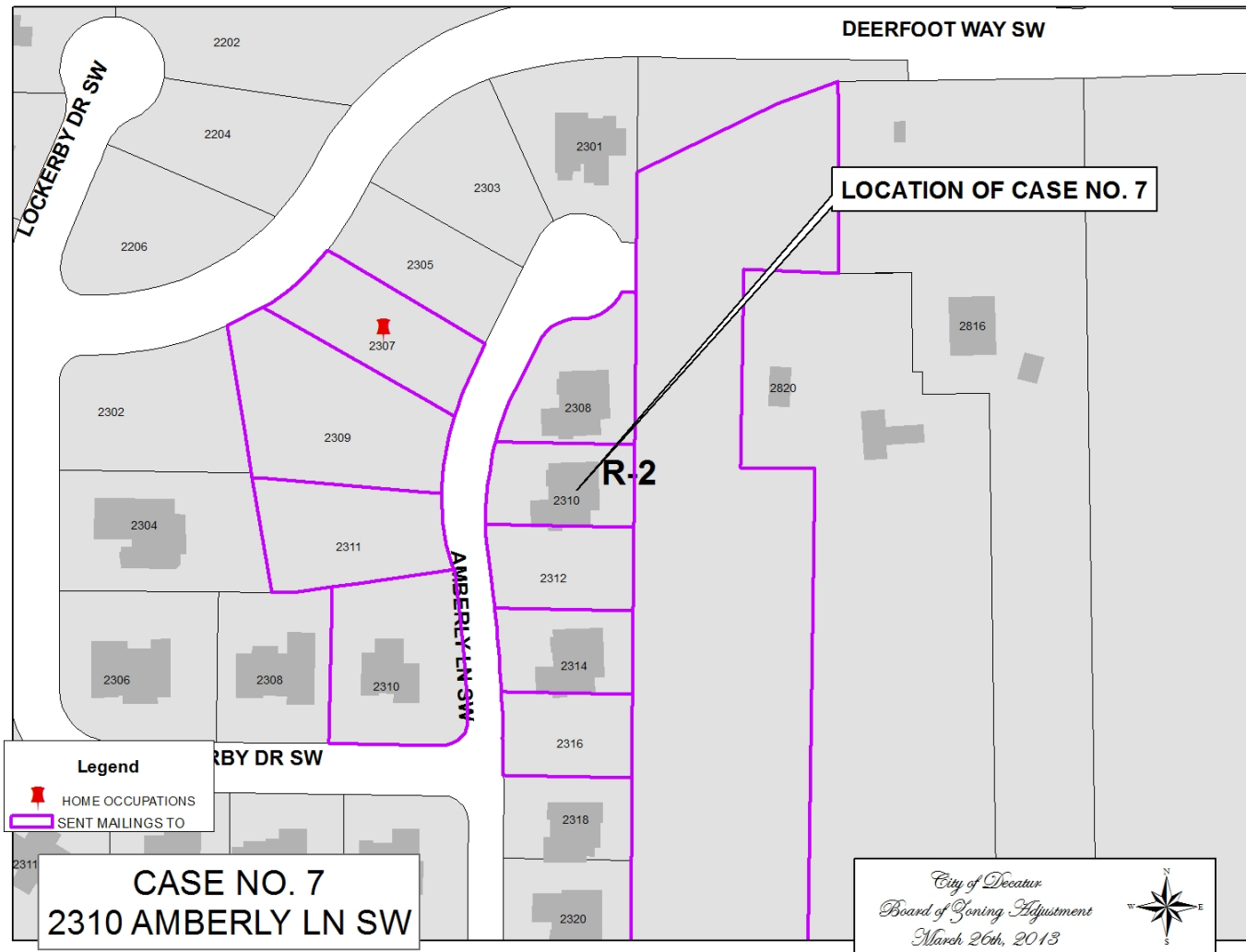
CHECK YES OR NO FOR EACH QUESTION

1. Is the use applied for, administrative office, making of crafts, sewing, etc., conducted entirely within the dwelling? YES ☒ NO ☐
2. Does the occupation produce sounds, colors or other audible or visible evidence of a home occupation being present? YES ☐ NO ☒
3. Is there advertising on the premises or your vehicles? YES ☐ NO ☒
4. Is more than one room within the home used for the home occupation? YES ☐ NO ☒
5. Are there any explosives or highly combustible materials used or stored within the home in connection with this home occupation? YES ☐ NO ☒
6. Does the home occupation produce any electrical interference, smoke, dust, or noise, which may be offensive? YES ☐ NO ☒
7. Is there any increase in traffic connected with this home occupation? YES ☐ NO ☒
8. Will there be any more than one sales parties at you home per quarter related to this home occupation?  
YES ☐ NO ☒
9. Will this home occupation result in increased parking demands? YES ☐ NO ☒
10. Will there be any deliveries to the home other than the usual common carrier trucks serving a residential area such as UPS, Fed-Ex, Airborne Freight? YES ☐ NO ☒
11. Will there be any employees of this home occupation other than members of the family living in the home?  
YES ☐ NO ☒

SIGNED: Angela Ogine DATE: 3/7/13  
ADDRESS: 2310 Amberly Ln. SW Decatur 35603

QUESTIONNAIRE





**LOCATION MAP 2310 AMBERLY LN SW**



APPLICATION FOR APPEAL TO THE BOARD OF ZONING  
ADJUSTMENT  
CITY OF DECATUR, ALABAMA

APPLICANT NAME: Delayne Dean  
On The Side Designs  
MAILING ADDRESS: 1815 Fitzgerald Drive SW  
PLEASE INCLUDE Decatur AL 35603  
CITY, STATE AND ZIP  
PHONE: 256-318-4120  
PROPERTY OWNER NAME: Tony + Delayne Dean  
MAILING ADDRESS: 1815 Fitzgerald Drive SW  
PLEASE INCLUDE Decatur AL 35603  
CITY, STATE AND ZIP  
PHONE: 256-318-4120

PROPERTY LOCATION/STREET ADDRESS FOR REQUEST:  
1815 Fitzgerald Drive SW

NATURE OF THE APPEAL:  
☒ HOME OCCUPATION ☐ SETBACK VARIANCE ☐ USE PERMITTED ON APPEAL  
☐ SIGN VARIANCE ☐ APPEAL OF ADMINISTRATIVE DECISION ☐ OTHER

DESCRIBE IN DETAIL THE REQUEST: Monogramming, Sewing,  
crafts, - online orders + craft shows only  
\* Administrative Office for monogramming/sewing  
services  
APPLICANT SIGNATURE Delayne Dean  
PRINT NAME Delayne Dean  
DATE 3/1/13  
OFFICE USE ONLY  
REVIEWED BY: July  
ZONING DISTRICT: R-2  
HEARING DATE: March 26, 2013  
APPROVED/DISAPPROVED: \_\_\_\_\_

The Board of Zoning Adjustment meets the LAST Tuesday of each month at 4:00 PM in the Council Chambers of City Hall. Applications must be filed by the 10<sup>th</sup> of the month. Applicants MUST be present in order for the case to be heard. Please request a copy of this application.

CASE NO 8 1815 FITZGERALD DR SW

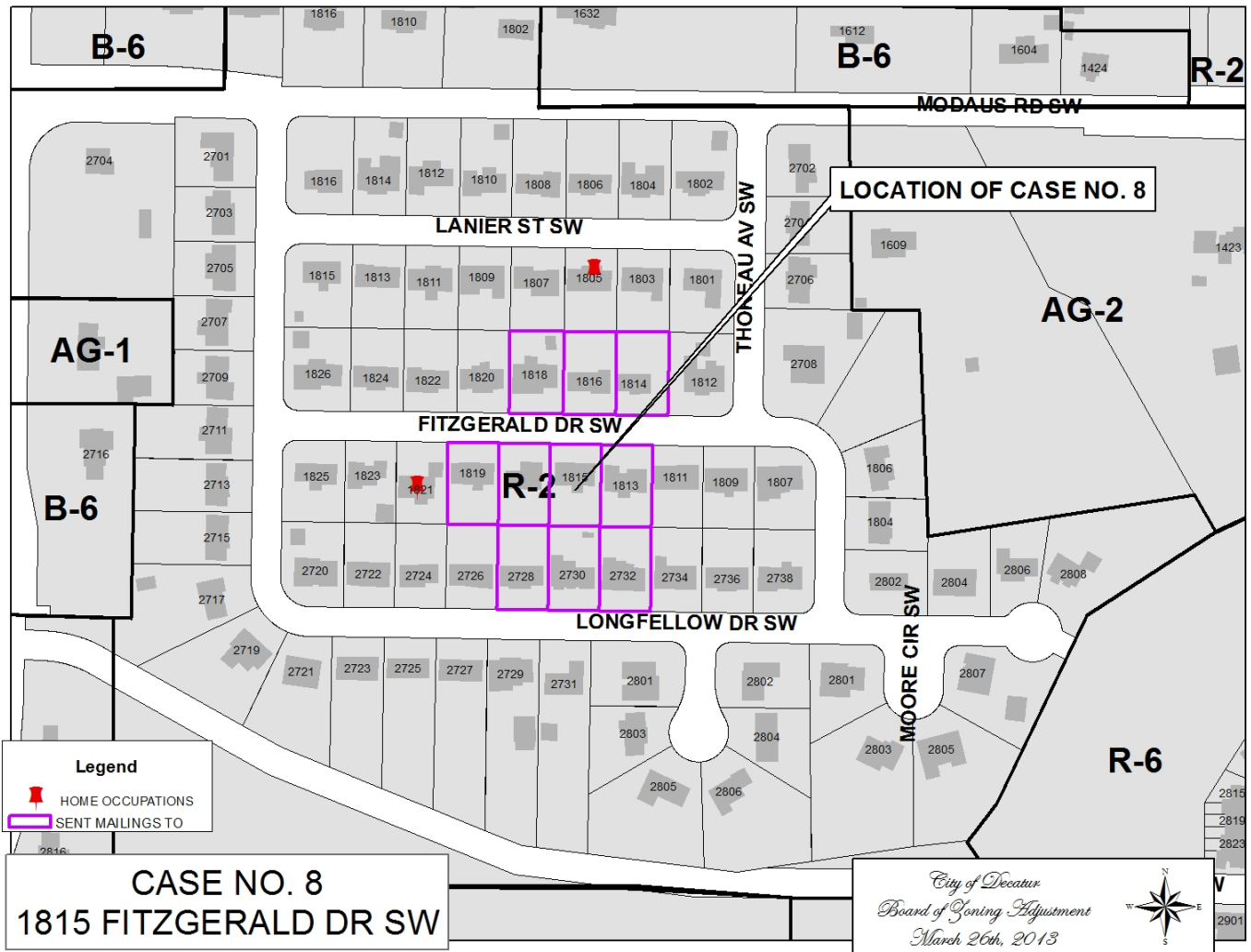
## HOME OCCUPATION QUESTIONS

CHECK YES OR NO FOR EACH QUESTION

1. Is the use applied for, administrative office, making of crafts, sewing, etc., conducted entirely within the dwelling? YES ☒ NO ☐
2. Does the occupation produce sounds, colors or other audible or visible evidence of a home occupation being present? YES ☒ NO ☐
3. Is there advertising on the premises or your vehicles? YES ☐ NO ☒
4. Is more than one room within the home used for the home occupation? YES ☐ NO ☒
5. Are there any explosives or highly combustible materials used or stored within the home in connection with this home occupation? YES ☐ NO ☒
6. Does the home occupation produce any electrical interference, smoke, dust, or noise, which may be offensive? YES ☐ NO ☒
7. Is there any increase in traffic connected with this home occupation? YES ☐ NO ☒
8. Will there be any more than one sales parties at you home per quarter related to this home occupation?  
YES ☐ NO ☒
9. Will this home occupation result in increased parking demands? YES ☐ NO ☒
10. Will there be any deliveries to the home other than the usual common carrier trucks serving a residential area such as UPS, Fed-Ex, Airborne Freight? YES ☐ NO ☒
11. Will there be any employees of this home occupation other than members of the family living in the home?  
YES ☐ NO ☒

SIGNED: DeLayne Dea DATE: 3/11/13  
ADDRESS: 1815 Fitzgerald Drive  
Decatur AL 35603

QUESTIONNAIRE



LOCATION MAP 1815 FITZGERALD DR SW



*A Grand City on a CHARMING SCALE*

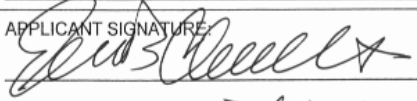
## Board of Zoning Adjustment

APPLICANT:	ELLIS OTTENAU
MAILING ADDR:	417 LINE ST NE
CITY STATE ZIP:	DECATUR, AL. 35601
PHONE:	256-350-0958
PROPERTY OWNER:	ELLISE CAROL OTTENAU
OWNER ADDR:	417 LINE ST NE
CITY STATE ZIP:	DECATUR, AL. 35601
OWNER PHONE:	256-351-8585

ADDRESS FOR APPEAL:	417 LINE ST. NE
---------------------	-----------------

<b>NATURE OF APPEAL:</b>		
<input checked="" type="checkbox"/> HOME OCCUPATION	<input type="checkbox"/> SETBACK VARIANCE	<input type="checkbox"/> SIGN VARIANCE
<input type="checkbox"/> USE PERMITTED ON APPEAL	<input type="checkbox"/> APPEAL OF ADMINISTRATIVE DECISION	
<input type="checkbox"/> OTHER	<input type="checkbox"/> SURVEY FOR VARIANCES ATTACHED	<input type="checkbox"/> DRAWINGS FOR VARIANCES ATTACHED

<b>DESCRIBE APPEAL IN DETAIL:</b> (INCLUDE DIMENSIONS, # FT FOR VARIANCES; # FOR PARKING; HARDSHIP; TYPE OF BUSINESS.)
COMMERCIAL PHOTOGRAPHY AND AD LOCATION ONLY
PHOTOGRAPHY - ADMINISTRATIVE OFFICE ONLY

<b>APPLICANT SIGNATURE:</b> 	<b>OFFICE USE ONLY:</b>
<b>PRINT NAME:</b> ELLIS B. OTTENAU	<b>RECEIVED BY:</b> Judy
<b>DATE:</b> 3-11-13	<b>ZONING DISTRICT:</b> R-3H
	<b>HEARING DATE:</b> March 26, 2013
	<b>APPROVED/DISAPPROVED:</b> _____

The Board of Zoning Adjustment meets the last Tuesday of each month at 4:00 PM in the Council Chambers on first floor of City Hall. Applications must be filed by the 10<sup>th</sup> of the month to be heard the last Tuesday of the month. Applicants MUST be present in order for the case to be heard. Request a copy of this application.

**CASE NO 9 417 LINE ST NE**

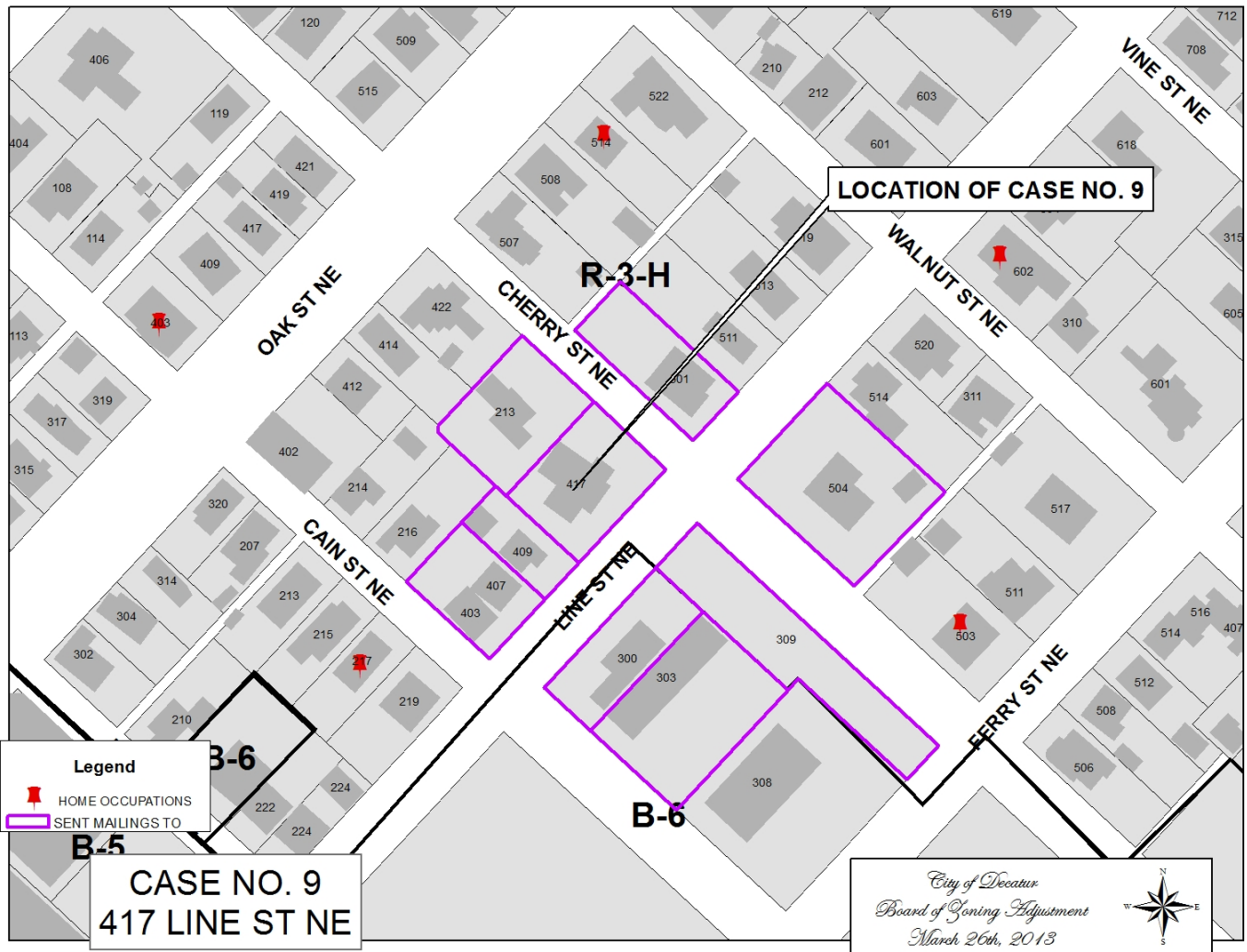
## HOME OCCUPATION QUESTIONS

CHECK YES OR NO FOR EACH QUESTION

1. Is the use applied for, administrative office, making of crafts, sewing, etc., conducted entirely within the dwelling? YES ☒ NO ☐
2. Does the occupation produce sounds, colors or other audible or visible evidence of a home occupation being present? YES ☐ NO ☒
3. Is there advertising on the premises or your vehicles? YES ☐ NO ☒
4. Is more than one room within the home used for the home occupation? YES ☐ NO ☒
5. Are there any explosives or highly combustible materials used or stored within the home in connection with this home occupation? YES ☐ NO ☒
6. Does the home occupation produce any electrical interference, smoke, dust, or noise, which may be offensive? YES ☐ NO ☒
7. Is there any increase in traffic connected with this home occupation? YES ☐ NO ☒
8. Will there be any more than one sales parties at you home per quarter related to this home occupation? YES ☐ NO ☒
9. Will this home occupation result in increased parking demands? YES ☐ NO ☒
10. Will there be any deliveries to the home other than the usual common carrier trucks serving a residential area such as UPS, Fed-Ex, Airborne Freight? YES ☐ NO ☒
11. Will there be any employees of this home occupation other than members of the family living in the home? YES ☐ NO ☒

SIGNED: Eric B. Ouellet DATE: 3-11-13  
ADDRESS: 417 LINE ST NE 35801

QUESTIONNAIRE



LOCATION MAP 417 LINE ST NE



*A Grand City on a CHARMING SCALE*

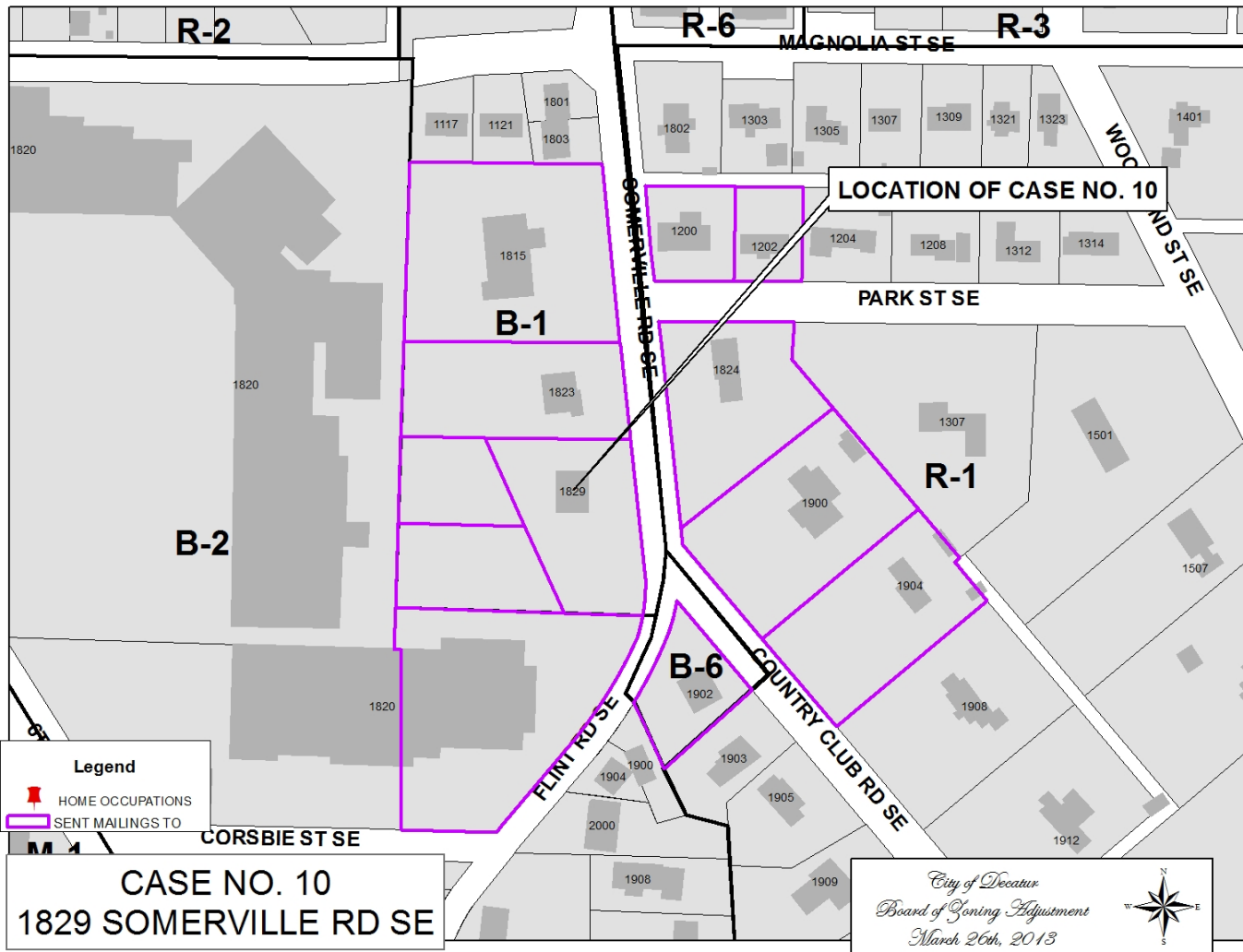
## Board of Zoning Adjustment

APPLICANT: <u>J &amp; M SIGNS</u>	
MAILING ADDR: <u>PO BOX 275</u>	
CITY STATE ZIP: <u>DECATUR, AL 35602</u>	
PHONE: <u>256.353.8801</u>	
PROPERTY OWNER: <u>VULCAN OIL</u>	
OWNER ADDR: <u>1829 SOMERVILLE RD</u>	
CITY STATE ZIP: <u>DECATUR, AL 35601</u>	
OWNER PHONE: _____	
ADDRESS FOR APPEAL: <u>1829 SOMERVILLE RD.</u>	
<b>NATURE OF APPEAL:</b> <input type="checkbox"/> HOME OCCUPATION <input checked="" type="checkbox"/> SETBACK VARIANCE <input checked="" type="checkbox"/> SIGN VARIANCE <input type="checkbox"/> USE PERMITTED ON APPEAL <input type="checkbox"/> APPEAL OF ADMINISTRATIVE DECISION <input type="checkbox"/> OTHER <input type="checkbox"/> SURVEY FOR VARIANCES ATTACHED <input type="checkbox"/> DRAWINGS FOR VARIANCES ATTACHED	
<b>DESCRIBE APPEAL IN DETAIL:</b> (INCLUDE DIMENSIONS, # FT FOR VARIANCES; # FOR PARKING; HARDSHIP; TYPE OF BUSINESS.) <u>15' SETBACK VARIANCE TO INSTALL 20' MONUMENT SIGN FOR VULCAN OIL. HARDSHIP -</u> <u>VIEW OF SIGN OBSTRUCTED BY BUILDINGS</u>	
APPLICANT SIGNATURE: <u>[Signature]</u> PRINT NAME: <u>CARLTON MCMASTER</u> DATE: <u>3/7/13</u>	OFFICE USE ONLY: RECEIVED BY: <u>Judy</u> ZONING DISTRICT: <u>B-2</u> HEARING DATE: <u>March 26, 2013</u> APPROVED/DISAPPROVED: _____

The Board of Zoning Adjustment meets the last Tuesday of each month at 4:00 PM in the Council Chambers on first floor of City Hall. Applications must be filed by the 10<sup>th</sup> of the month to be heard the last Tuesday of the month. Applicants MUST be present in order for the case to be heard. Request a copy of this application.

**CASE NO 10 1829 SOMERVILLE RD SE**





LOCATION MAP 1829 SOMERVILLE RD SE



on a CHARMING SCALE

## Board of Zoning Adjustment

APPLICANT: JAMES LEE POINTER  
MAILING ADDR: 318 5th AVE NW  
CITY STATE ZIP: DECATUR, AL 35601  
PHONE: 256-566-9653 (or) 256-353-7872

PROPERTY OWNER: BRIAN OAKS  
OWNER ADDR: 3412 PINEHURST DRIVE  
CITY STATE ZIP: DECATUR, AL 35603  
OWNER PHONE: 256-355-0604

ADDRESS FOR APPEAL: 1502 WEST MOULTON STREET DECATUR, AL

### NATURE OF APPEAL:

☐ HOME OCCUPATION

☐ SETBACK VARIANCE

☐ SIGN VARIANCE

☒ USE PERMITTED ON APPEAL

☐ APPEAL OF ADMINISTRATIVE DECISION

☒ OTHER

☐ SURVEY FOR VARIANCES ATTACHED

☐ DRAWINGS FOR VARIANCES ATTACHED

DESCRIBE APPEAL IN DETAIL: (INCLUDE DIMENSIONS, # FT FOR VARIANCES, # FOR PARKING, HARDSHIP, TYPE OF BUSINESS.)  
I AM GOING TO SELL GARDEN VEGETABLES TO THE PUBLIC IN THE PARKING LOT LOCATED AT 1502  
WEST MOULTON STREET FROM MY TRUCK.

APPLICANT SIGNATURE:

James Lee Pointer

PRINT NAME: James Lee Pointer

DATE: March 4/2013

OFFICE USE ONLY:

RECEIVED BY: Judy

ZONING DISTRICT: M-2

HEARING DATE: March 26, 2013

APPROVED/DISAPPROVED: \_\_\_\_\_

The Board of Zoning Adjustment meets the last Tuesday of each month at 4:00 PM in the Council Chambers on first floor of City Hall. Applications must be filed by the 10<sup>th</sup> of the month to be heard the last Tuesday of the month. Applicants MUST be present in order for the case to be heard. Request a copy of this application.

CASE NO 11 1502 WEST MOULTON ST



To: Brian Oaks <boaks@nafeco.com>,  
Cc:  
Bcc:  
Subject: Letter

Feb. 22, 2013

To Whom It May Concern :

Mr. James Pointer has permission to park on our property at 1502 W Moulton Street to sell vegetables from his vehicle .

Thank You

*Brian Oaks*

NAFECO

[www.nafeco.com](http://www.nafeco.com)

(800) 628-6233 ext.111

Fax: (256) 355-0852

[boaks@nafeco.com](mailto:boaks@nafeco.com)

[View our Product Specials](#)

**LETTER**



CITY OF DECATUR  
TEMPORARY BUSINESS OCCUPANCY  
CHECKLIST

Read the following list carefully. Mark the box that applies. Some boxes are marked with a mandatory yes; please read carefully. All required information must be obtained prior to the issuance of a Business License.

Yes No

- ☐ ☒ 1. Will there be any signs? If yes, signs require a separate permit.
- ☐ ☒ 2. Will there be any portable storage/office buildings? If yes, manufacture's installation instructions and the current adopted building codes shall apply.
- ☐ ☒ 3. Will there be any tents? If yes, tent certification on flame resistance will be required.
- ☐ ☒ 4. Will electrical hookups be required? If yes, compliance with the currently adopted electric code shall be required. A separate permit and inspection will be required.
- ☒ ☐ 5. Approved temporary toilet facilities shall be required for the entire length of the temporary occupancy.
- ☒ ☐ 6. A site plan will be required done by a registered land surveyor showing the REQUIRED PARKING for your occupancy and the occupancy of the shared tenant space, if applicable.
- ☒ ☐ 7. A non-refundable application fee of TWO-HUNDRED-FIFTY DOLLARS (\$250), is required before processing this application.
- ☒ ☐ 8. A copy of the City of Decatur Business Privilege License shall be submitted to the Building Department after all required approvals.

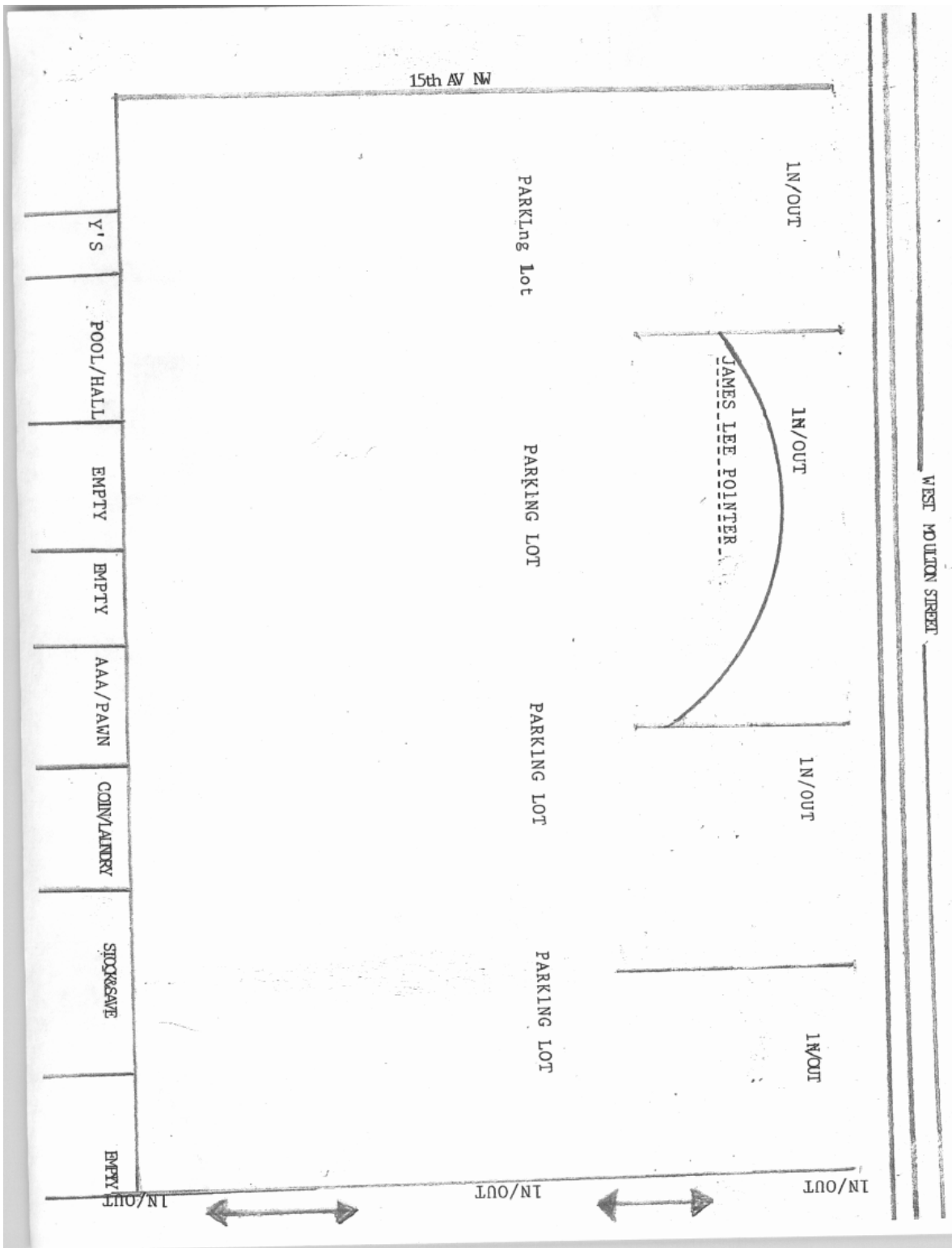
NAME: JAMES LEE POINTER

ADDRESS: 318 5th AVE NW

PHONE: 256-566-9653 (or) 256-353-7872 DATE: MARCH-4-2013

SIGNATURE: James Lee Pointer

CHECKLIST



DRAWING

