



# BOARD OF ZONING ADJUSTMENT

## AGENDA

March 31, 2015

## TABLE OF CONTENTS

<b>MINUTES FEBRUARY 24, 2015.....</b>	<b>3</b>
<b>AGENDA MARCH 31, 2015 .....</b>	<b>7</b>
<b>CASE NO 1 2605 JARVIS ST SW .....</b>	<b>8</b>
QUESTIONNAIRE .....	9
LOCATION MAP 2605 JARVIS ST SW .....	10
<b>CASE NO 2 715 CEDAR LAKE RD APT 715 .....</b>	<b>11</b>
QUESTIONNAIRE .....	12
LOCATION MAP 715 CEDAR LAKE RD SW APT 715 .....	13
<b>CASE NO 3 503 EWELL ST SW .....</b>	<b>14</b>
QUESTIONNAIRE .....	15
LOCATION MAP 503 EWELL ST SW .....	16
LETTER.....	17
<b>CASE NO 4 1225 REGENCY BLVD SE .....</b>	<b>18</b>
QUESTIONNAIRE .....	19
LOCATION MAP 1225 REGENCY BLVD SE .....	20
<b>CASE NO 5 2205 VICTORIA DR SW .....</b>	<b>21</b>
SURVEY.....	22
LOCATION MAP 2205 VICTORIA DR SW .....	23
<b>CASE NO 6 16 CHERRY ST NW .....</b>	<b>24</b>
LOCATION MAP 16 CHERRY ST NW .....	25

## MINUTES FEBRUARY 24, 2015

MEMBERS PRESENT: Chairman George Barran, Messrs., Mr. Larry Waye, Mr. Greg Dobbs,  
Mr. Collis Stevenson

SUPERNUMERARIES: Mr. Charles Taylor

OTHERS PRESENT: Mr. Wally Terry, Director  
.....and Custodian of Records  
Mr. Herman Marks, City Attorney  
Mr. Chip Alexander, Asst. City Attorney  
Mrs. Karen Smith, Planner  
Mr. Bob Sims, Building Inspector  
Mr. Chuck Ard, Councilman  
Ms. Judy Bosworth, Recorder

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

Mr. Larry Waye moved to **approve** the minutes of the January meeting as printed. Mr. Charles Taylor seconded the motion. On a voice vote, the motion carried.

Mr. Collis Stevenson moved to **approve** the minutes of the November, 2014, meeting as printed. Mr. Larry Waye 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 Stacey Staten 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 residential and commercial painting and cleaning business at 104 Hillside Rd SW, property located in a R-2 Residential Single-Family Zoning District.

Mr. Stacey Staten presented this case to the Board. Mr. Staten stated he would like to have an administrative office for a residential and commercial painting and cleaning business. Mr. Staten also stated he would have very little materials to store at his home because he would do each job on a case by case basis.

Mr. Sims of the Building Department and Mrs. Smith of the Planning Department both stated they would recommend approval.

Mr. Greg Dobbs moved to approve this home occupation request as submitted. Mr. Collis Stephenson seconded the motion. On a roll-call vote, the motion carried.

## CASE NO 2

Application and appeal of Tyler L. Grant 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 making vinyl signs, decals and T-shirts via the internet at 401 Brookhaven St SW, property located in a R-2 Residential Single-Family Zoning District.

Mr. Tyler L. Grant presented this case to the Board. Mr. Grant stated he needed an administrative office to make T-Shirts, vinyl signs, and decals. Mr. Grant additionally explained he had a press and a cutter and would use a computer program to make and cut the various items.

Mr. Sims stated this use was not allowed according to the Zoning Ordinance. Therefore, the Building Department recommends Disapproval

Mrs. Smith stated the Planning Department would concur with the Building Department.

Mr. Herman Marks, asked the question, wouldn't this home occupation be considered a craft?

Mr. George Barran clarified that the applicant had a printer, a press and a computer program and would be making the items at home. Therefore, this would be considered manufacturing in the home.

Mr. Greg Dobbs moved to approve this home occupation request as submitted. Mr. Charles Taylor seconded the motion. On a roll-call vote, the motion failed with four voting in opposition and one voting in favor.

## CASE NO 3

Application and appeal of James Pointer for a use permitted on appeal to Section 25-113 of the Zoning Ordinance 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.

Mr. James Pointer presented this case to the Board. Mr. Pointer stated he would like to renew his produce license in order to sell produce at the advertised address.

Mr. George Barran questioned Mr. Pointer asking if he wanted a temporary occupancy license to sell produce. Mr. Pointer stated, "Yes".

Mr. Larry Waye asked Mr. Pointer how long it had been since he was issued a license. Mr. Pointer stated it was last year.

Mr. Sims asked Mr. Pointer if he would adhere to the requirements of the Zoning Ordinance for temporary occupancy which is ninety days per calendar year? Mr. Pointer stated, "Yes".

Mr. Sims stated the Building Department would recommend approval.

Mrs. Smith asked Mr. Pointer if he had a growers permit? Mr. Pointer stated he did not have a growers permit but he bought from the growers.

Mrs. Smith stated the Planning Department would concur with the Building Department.

Mr. Greg Dobbs addressed the issue that once the Farmer's Market opened Mr. Pointer would need to utilize that facility to sell his produce. Mr. Pointer stated he did not want to sell at the Farmer's Market.

Chairman, George Barran stated the Board could only approve his request until the market opened since the market is a designated facility for selling produce.

Mr. Greg Dobbs moved to approve this use permitted on appeal request with a limited time frame not to exceed April 18<sup>th</sup>, 2015, at such time the Farmer's Market opens. Mr. Charles Taylor seconded the motion. On a roll-call vote, the motion carried.

#### CASE NO 4

Application and appeal of J & M Signs for a 24 foot setback variance to Section 25-78(d) of the Zoning Ordinance to install a detached identification sign at 715 6<sup>th</sup> Ave SE, property located in a B-6 Business Office Zoning District.

Mr. Carlton McMasters presented this case to the Board. Mr. McMasters stated his client would like to install a sign but with the current setback requirements in a B-6 Zoning District that would place the sign in the middle of the building. Mr. McMasters additionally stated a similar variance had been granted for a sign next door.

Mr. Greg Dobbs questioned the width and height of the sign and asked if the sign could be moved closer to the building. Mr. Dobbs also questioned if the height could be lowered.

Mr. McMasters stated they could move the sign one foot closer to the building making a 23 foot setback instead of a 24 foot setback. However, as far as the height, Mr. McMasters stated he would not be comfortable reducing the height because of the aesthetics and possible breakage of the sign when mowing the lawn.

Mr. Sims stated the Building Department would recommend approval.

Mrs. Smith stated the Planning Department would recommend approval.

Mr. Greg Dobbs moved to approve this setback request with a 23 foot setback. Mr. Larry Waye seconded the motion. On a roll-call vote, the motion carried.

The meeting adjourned at 4:17

---

Chairman, George Barran

## **AGENDA MARCH 31, 2015**

### **CASE NO 1**

Application and appeal of Juan Garcia 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 home remodeling business at 2605 Jarvis St SW, property located in a R-2 Residential Single-Family Zoning District.

### **CASE NO 2**

Application and appeal of Thomas Luckett 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 floor cleaning service at 715 Cedar Lake Rd SW Apt 715, property located in a R-4 Residential Multi-Family Zoning District.

### **CASE NO 3**

Application and appeal of Angela Mitchell 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 off-site sitting business at 503 Ewell St SW, property located in a R-1 Residential Single-Family Zoning District.

### **CASE NO 4**

Application and appeal of Mary Duncan Wahl Davis 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 online interior design consultation business at 1225 Regency Blvd SE, property located in a PRD-6 Planned Residential Development Zoning District.

### **CASE NO 5**

Application and appeal of Andrew Dean for a 5 foot rear-yard setback variance from Section 25-10.9(2)(d) in order to construct an addition at 2205 Victoria Dr SW, property located in a R-2 Residential Single-Family Zoning District.

### **CASE 6**

Application and appeal of Herb Underwood for a use variance from Section 25-12 of the Zoning Ordinance in order to have a lounge at 16 Cherry ST NW, property located in a M-1 Light Industrial Manufacturing Zoning District.



*A Grand City on a CHARMING SCALE*

## Board of Zoning Adjustment

APPLICANT: Juan Garcia  
MAILING ADDR: 2605 Jarvis St SW  
CITY STATE ZIP: Decatur AL 35603  
PHONE: 256-606-6703

PROPERTY OWNER: Juan Garcia  
OWNER ADDR: 2605 Jarvis St SW  
CITY STATE ZIP: Decatur AL 35603  
OWNER PHONE: 256-606-6703

SUBJECT ADDRESS FOR APPEAL: Remodeling Business 2605 Jarvis St 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

**PLEASE NOTE Applicants or Duly Appointed Representative, listed above MUST be present in order for the case to be heard**

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

I want to establish a Home Remodeling Business  
and would like to use my residence for an office.

Applicant Name(print) Juan Garcia  
Signature Juan Garcia  
Representative Name(print) \_\_\_\_\_  
Signature \_\_\_\_\_  
Date 3-9-15

If applicant is using a representative for the request both signatures are required.

Office Use  
Received By Judy  
Zone R-2  
Hearing Date March 31, 2015  
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 in the **BUILDING DEPARTMENT** by the **10<sup>th</sup>** of the month to be heard the last Tuesday of the month.

**CASE NO 1 2605 JARVIS ST SW**



## HOME OCCUPATION QUESTIONS

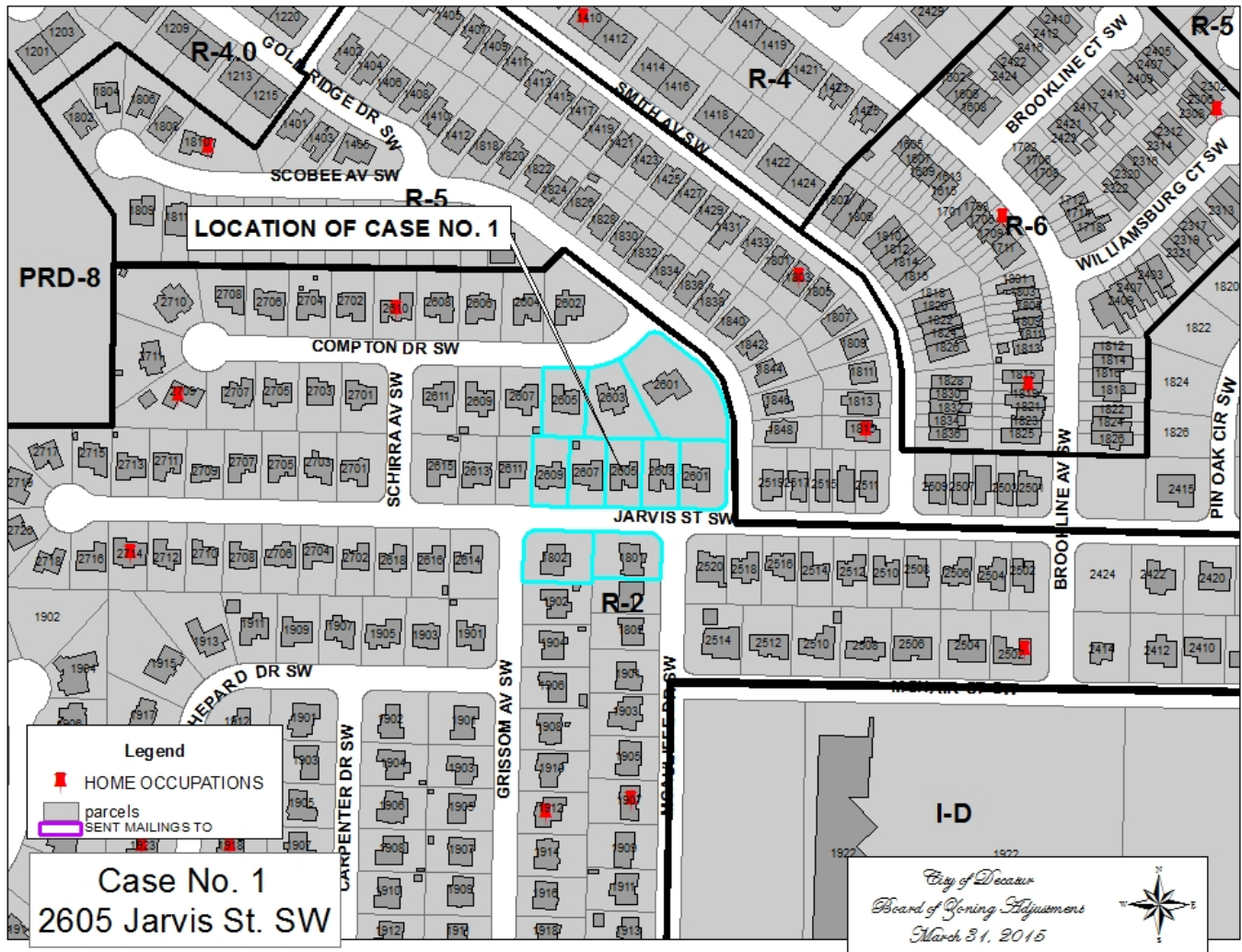
CHECK YES OR NO FOR EACH QUESTION

1. Is the occupation\* applied for (administrative office, making of crafts, sewing, etc.,) conducted entirely within the dwelling? YES ☒ NO ☒ \*note: this refers to only the work being done at your 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: Juan Larcin DATE: 3-9-15

ADDRESS: 2605 Jarvis St SW Decatur 35603

QUESTIONNAIRE



LOCATION MAP 2605 JARVIS ST SW



*A Grand City on a CHARMING SCALE*

## Board of Zoning Adjustment

APPLICANT: Thomas Fred Luckett  
MAILING ADDR: 715 Cedar Lake Rd Apt 715  
CITY STATE ZIP: Decatur, AL 35603  
PHONE: (256) 466-1570

PROPERTY OWNER: Sumer Key Apt (Cowan Avenue)  
OWNER ADDR: 715 Cedar Lake Rd  
CITY STATE ZIP: Decatur, AL 35603  
OWNER PHONE: (256) 350-2738

SUBJECT ADDRESS FOR APPEAL: 715 Cedar Lake Rd Apt 715 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

**PLEASE NOTE Applicants or Duly Appointed Representative, listed above MUST be present in order for the case to be heard**

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

Administration office only for a floor cleaning service for commercial

Applicant Name(print) Thomas F. Luckett  
Signature Thomas F. Luckett  
Representative Name(print) \_\_\_\_\_  
Signature \_\_\_\_\_  
Date 03-09-15

If applicant is using a representative for the request both signatures are required.

Office Use  
Received By Jubz  
Zone R-4  
Hearing Date March 31, 2015  
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 in the **BUILDING DEPARTMENT** by the **10<sup>th</sup>** of the month to be heard the last Tuesday of the month.

**CASE NO 2 715 CEDAR LAKE RD APT 715**



## HOME OCCUPATION QUESTIONS

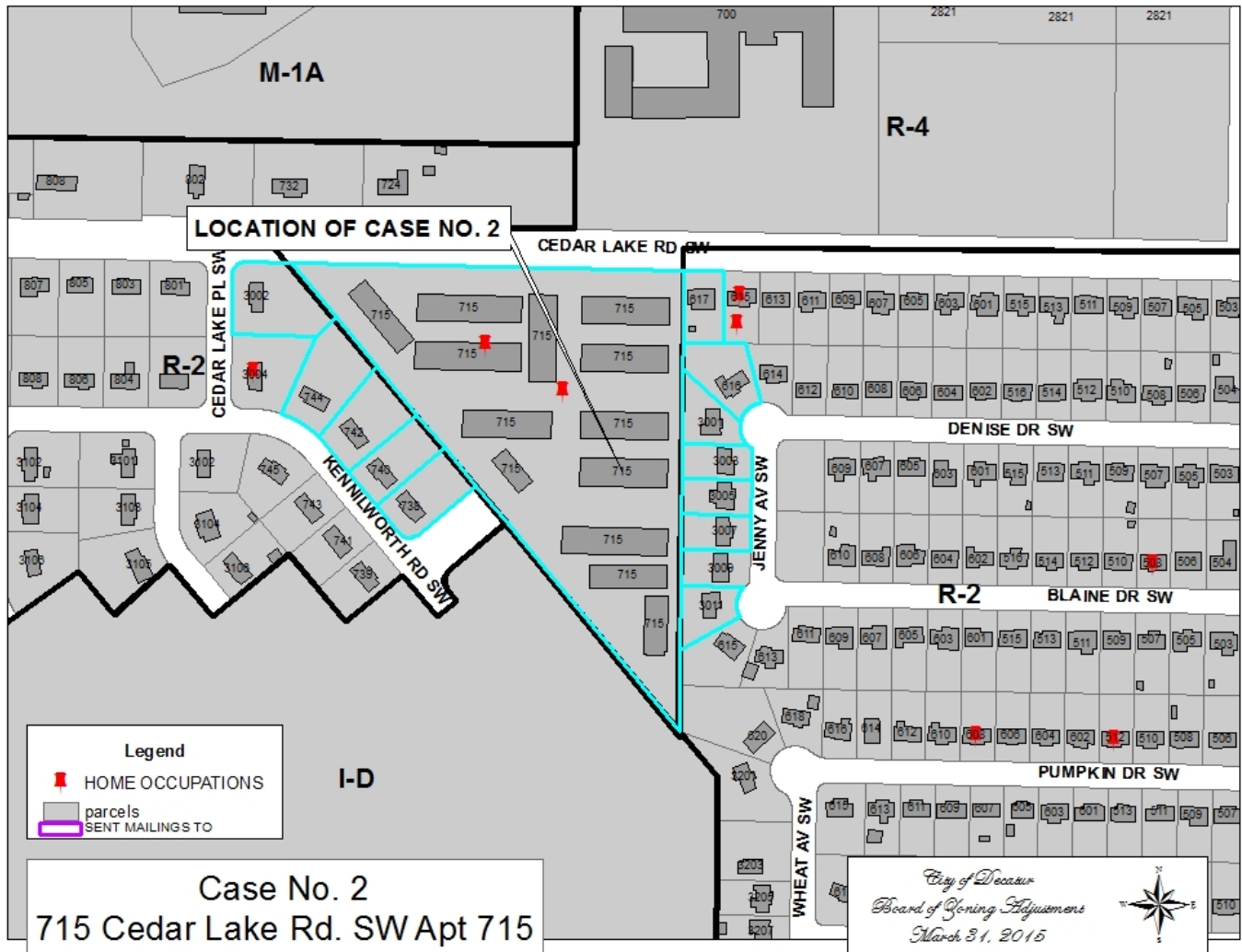
CHECK YES OR NO FOR EACH QUESTION

1. Is the occupation\* applied for (administrative office, making of crafts, sewing, etc.,) conducted entirely within the dwelling? YES ☒ NO ☐ \*note: this refers to only the work being done at your 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: Thomas F. Luckett DATE: 03-01-15

ADDRESS: 715 Cedar Lake Rd. Apt 715 Decatur, AL 35603

**QUESTIONNAIRE**



LOCATION MAP 715 CEDAR LAKE RD SW APT 715



*A Grand City on a CHARMING SCALE*

## Board of Zoning Adjustment

APPLICANT: Angela M Mitchell  
MAILING ADDR: 503 EWELL ST SW  
CITY STATE ZIP: Decatur ALA 35601  
PHONE: 205 777-1836  
PROPERTY OWNER: PEGGY L Burnett  
OWNER ADDR: 406 Austinville Flint Rd  
CITY STATE ZIP: Decatur ALA 35603  
OWNER PHONE: 256 345-6028

SUBJECT ADDRESS FOR APPEAL: 503 EWELL ST SW

### 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

**PLEASE NOTE Applicants or Duly Appointed Representative, listed above MUST be present in order for the case to be heard**

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

I want an administrative For a sitting business no Client's  
Coming to my home.

Applicant Name(print) Angela Mitchell

Signature Angela Mitchell

Representative Name(print) \_\_\_\_\_

Signature \_\_\_\_\_

Date 3-10/2015

If applicant is using a representative for the request both signatures are required.

Office Use

Received By July

Zone R-1

Hearing Date March 31, 2015

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 in the **BUILDING DEPARTMENT** by the **10<sup>th</sup>** of the month to be heard the last Tuesday of the month.

**CASE NO 3 503 EWELL ST SW**



## HOME OCCUPATION QUESTIONS

CHECK YES OR NO FOR EACH QUESTION

1. Is the occupation\* applied for (administrative office, making of crafts, sewing, etc.,) conducted entirely within the dwelling? YES ☒ NO ☐ \*note: this refers to only the work being done at your 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: \_\_\_\_\_

Angela Mitchell

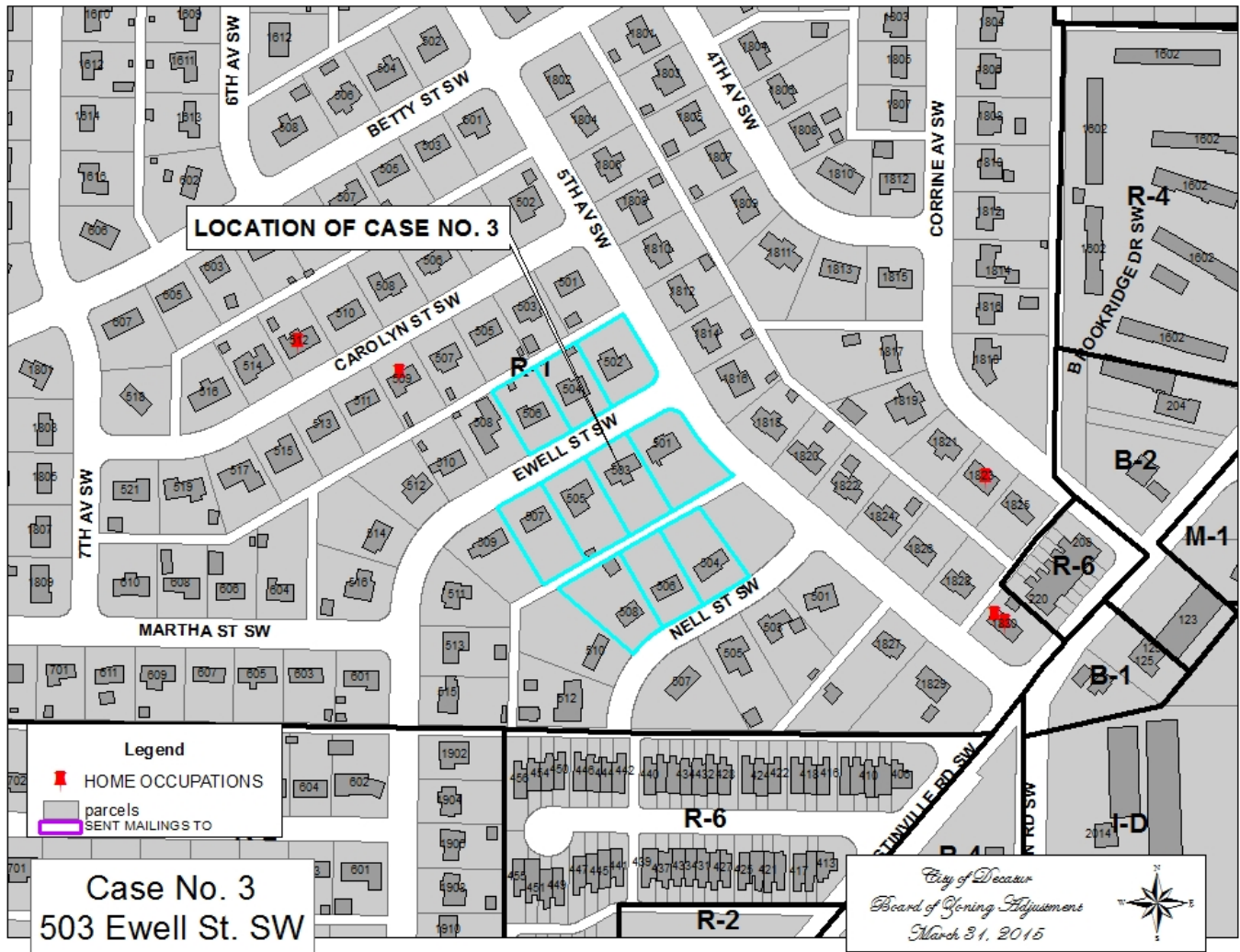
DATE: \_\_\_\_\_

3/8/15

ADDRESS: \_\_\_\_\_

503 Ewell St SW

QUESTIONNAIRE



**LOCATION MAP 503 EWELL ST SW**



3-8-15

To Whom it may Concern, I am  
Peggy L Burnett, the owner of the House  
on Euclid that Mrs Angela Mitchell  
lives in, and she has explained to me  
about her business and that she needed  
approval and my signature to go forth with  
it, but that I might need to be somewhere  
to state my approval on a Tuesday, and that is  
not possible, I work at Decatur Surgery Center  
every Tue from 6am to 6pm, so I hope  
this letter will with my permission  
and approval for the business in the House  
will do.

Thank you,  
Peggy L Burnett  
256-345-6028

\* Notarized \*



*Tina Lindsey*  
3/8/15

LETTER



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

APPLICANT NAME:	MARY DUNCAN WAHL DAVIS
MAILING ADDRESS:	P.O. BOX 2333
PLEASE INCLUDE CITY, STATE AND ZIP	DECATUR, AL 35602
PHONE:	256-606-0993
PROPERTY OWNER NAME:	MICHAEL R. WAHL
MAILING ADDRESS:	1225 REGENCY BLVD SE
PLEASE INCLUDE CITY, STATE AND ZIP	DECATUR, AL 35601
PHONE:	256-350-6983

PROPERTY LOCATION/STREET ADDRESS FOR REQUEST:  
1225 REGENCY BLVD SE DECATUR, AL 35601

NATURE OF THE APPEAL:

<input checked="" type="checkbox"/> HOME OCCUPATION	<input type="checkbox"/> SETBACK VARIANCE	<input type="checkbox"/> USE PERMITTED ON APPEAL
<input type="checkbox"/> SIGN VARIANCE	<input type="checkbox"/> APPEAL OF ADMINISTRATIVE DECISION	<input type="checkbox"/> OTHER

DESCRIBE IN DETAIL THE REQUEST: REQUEST TO RUN AN ADMIN OFFICE  
ONLINE INTERIOR DESIGN CONSULTATION BUSINESS.  
No customers or outdoor equipment will be on the property.

APPLICANT SIGNATURE <u>Mary Duncan Wahl Davis</u>	OFFICE USE ONLY
PRINT NAME MARY DUNCAN WAHL DAVIS	REVIEWED BY: <u>Cindy</u>
DATE 3/09/15	ZONING DISTRICT: <u>PRO-C</u>
	HEARING DATE: <u>3/31/15 4:00 p.m.</u>
	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 4 1225 REGENCY BLVD SE



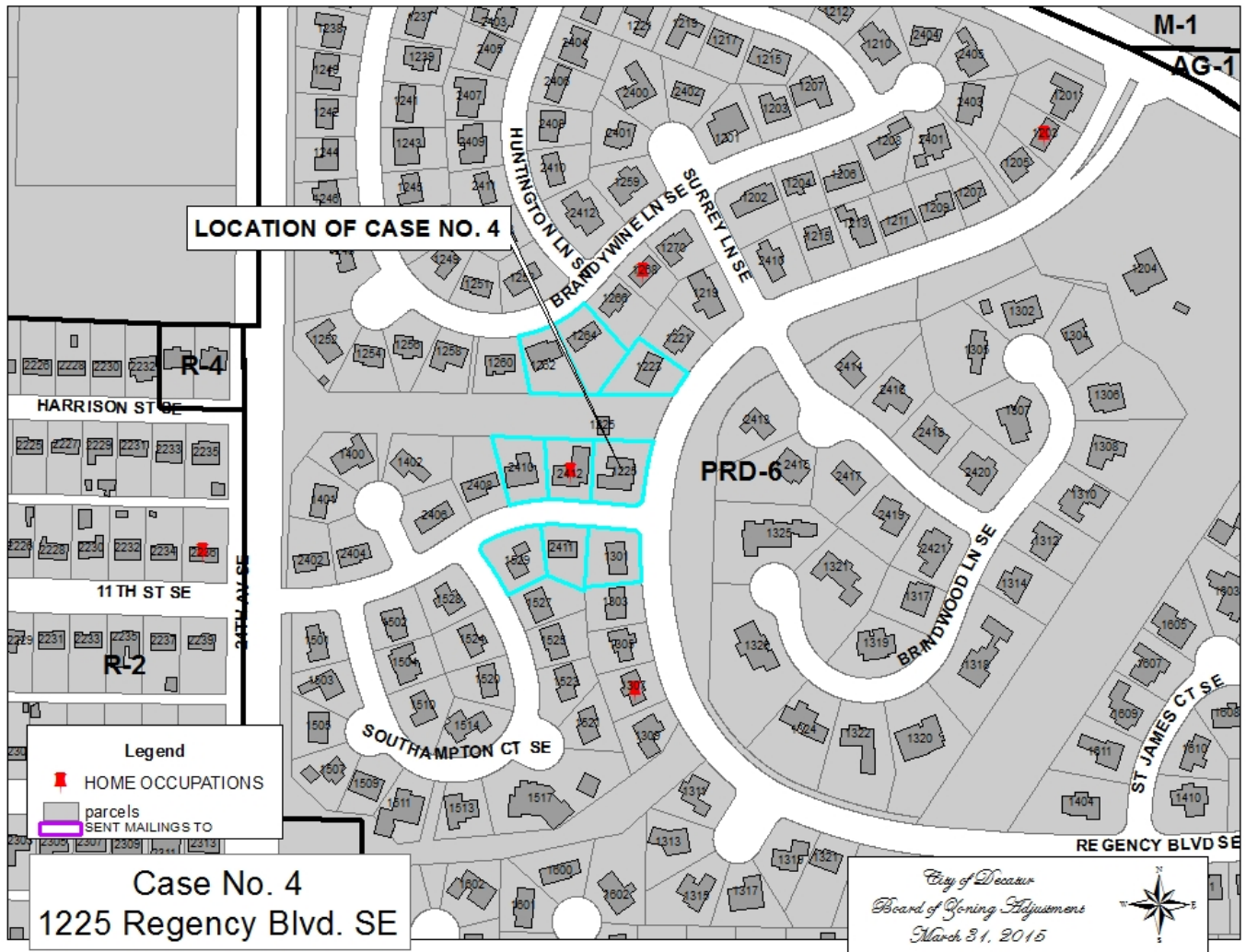
## HOME OCCUPATION QUESTIONS

CHECK YES OR NO FOR EACH QUESTION

1. Is the occupation\* applied for (administrative office, making of crafts, sewing, etc.,) conducted entirely within the dwelling? YES ☒ NO ☐ \*note: this refers to only the work being done at your 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: May Duncan Wahl Dai DATE: 3/9/15  
ADDRESS: 1225 Regency Blvd. SE Decatur, AL 35601

QUESTIONNAIRE



**LOCATION MAP 1225 REGENCY BLVD SE**





Decatur, Alabama CHARMING SCALE

## Board of Zoning Adjustment

APPLICANT: Andrew Dean  
MAILING ADDR: 2205 Victoria Drive SW  
CITY STATE ZIP: Decatur, AL 35603  
PHONE: 256-431-1756

PROPERTY OWNER: Andrew Dean  
OWNER ADDR: 2205 Victoria Drive SW  
CITY STATE ZIP: Decatur, AL 35603  
OWNER PHONE: 256-431-1756

ADDRESS FOR APPEAL: 2205 Victoria 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

\*\*\*\*\* Applicants or Duly Appointed Representative MUST be present in order for the case to be heard\*\*\*\*\*

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

Requesting a hardship setback variance to build an addition that will encroach into the existing 40' rear setback 4.12'. Addition is a new master suite to accommodate a growing family. I am requesting 5' of variance from the 40' rear setback.

Applicant Name(print) Andrew Dean  
Signature Andrew Dean  
Representative Name(print) \_\_\_\_\_  
Signature \_\_\_\_\_  
Date 3/10/15

If applicant is using a representative for the request both signatures are required.

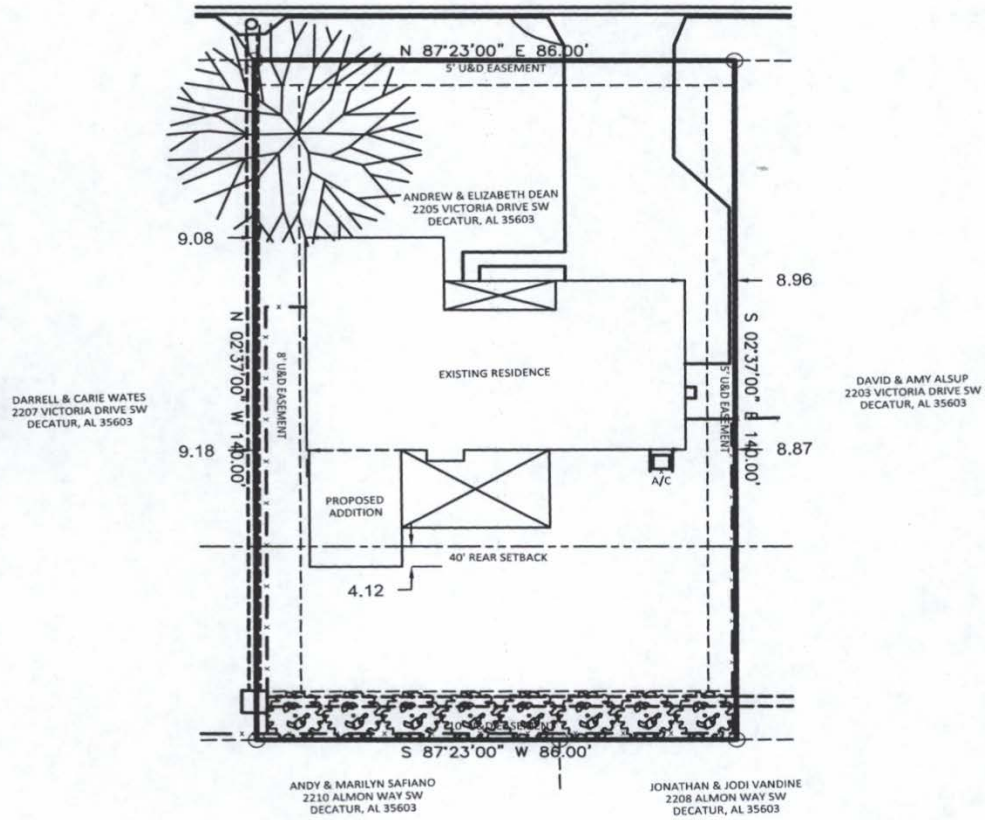
Office Use  
Received By Judy  
Zone R-2  
Hearing Date March 31, 2015  
Approved/Disapproved \_\_\_\_\_

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.

CASE NO 5 2205 VICTORIA DR SW



VICTORIA DRIVE, SW  
(50.00' R.O.W.)



RESIDENTIAL ADDITION  
AT  
2205 VICTORIA DRIVE SW DECATUR, AL 35603

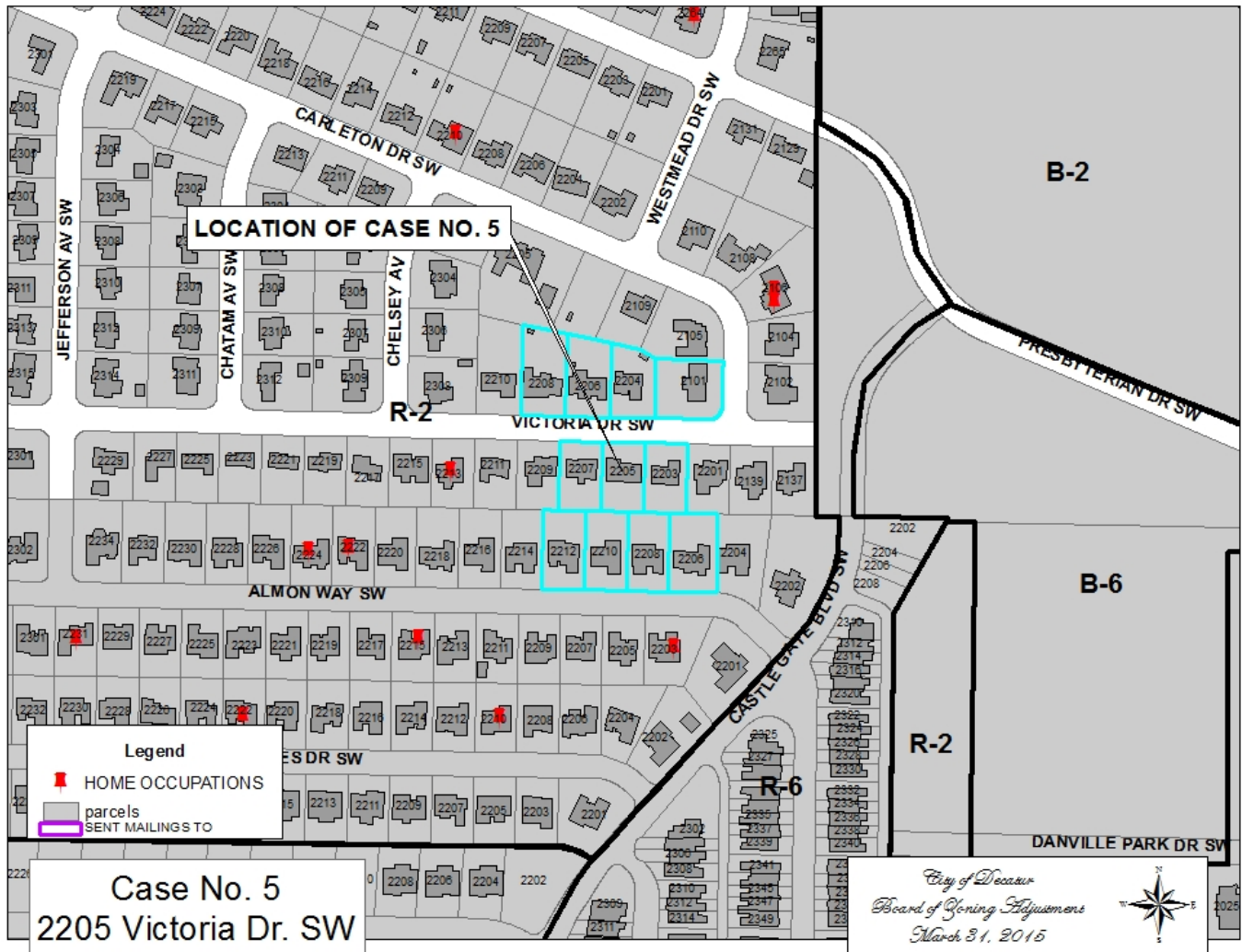
SCALE: 1"=30'

DRAWN BY: WAD

DATE: 02/10/2015

FOR: DEAN

SURVEY



LOCATION MAP 2205 VICTORIA DR SW





*A Grand City on a CHARMING SCALE*

## Board of Zoning Adjustment

APPLICANT: Level 3 LLC Herb Underwood  
MAILING ADDR: 1210 Terrehaute Ave,  
CITY STATE ZIP: Decatur, AL 35601  
PHONE: 256 303 4627

PROPERTY OWNER: Level 3 LLC  
OWNER ADDR: 1210 Terrehaute Ave  
CITY STATE ZIP: Decatur, AL 35601  
OWNER PHONE: 256 303 4627

SUBJECT ADDRESS FOR APPEAL (M1-zone) 16 Cherry ST NW, Decatur

### 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

**PLEASE NOTE Applicants or Duly Appointed Representative, listed above MUST be present in order for the case to be heard**

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

Requesting approval for a "Lounge"  
Code review with Tom Polk resulted in  
yes for a "Club" but a "Lounge"  
was not clearly defined.

Applicant Name(print) Herb Underwood  
Signature HP Underwood  
Representative Name(print) \_\_\_\_\_  
Signature \_\_\_\_\_  
Date 3/4/15

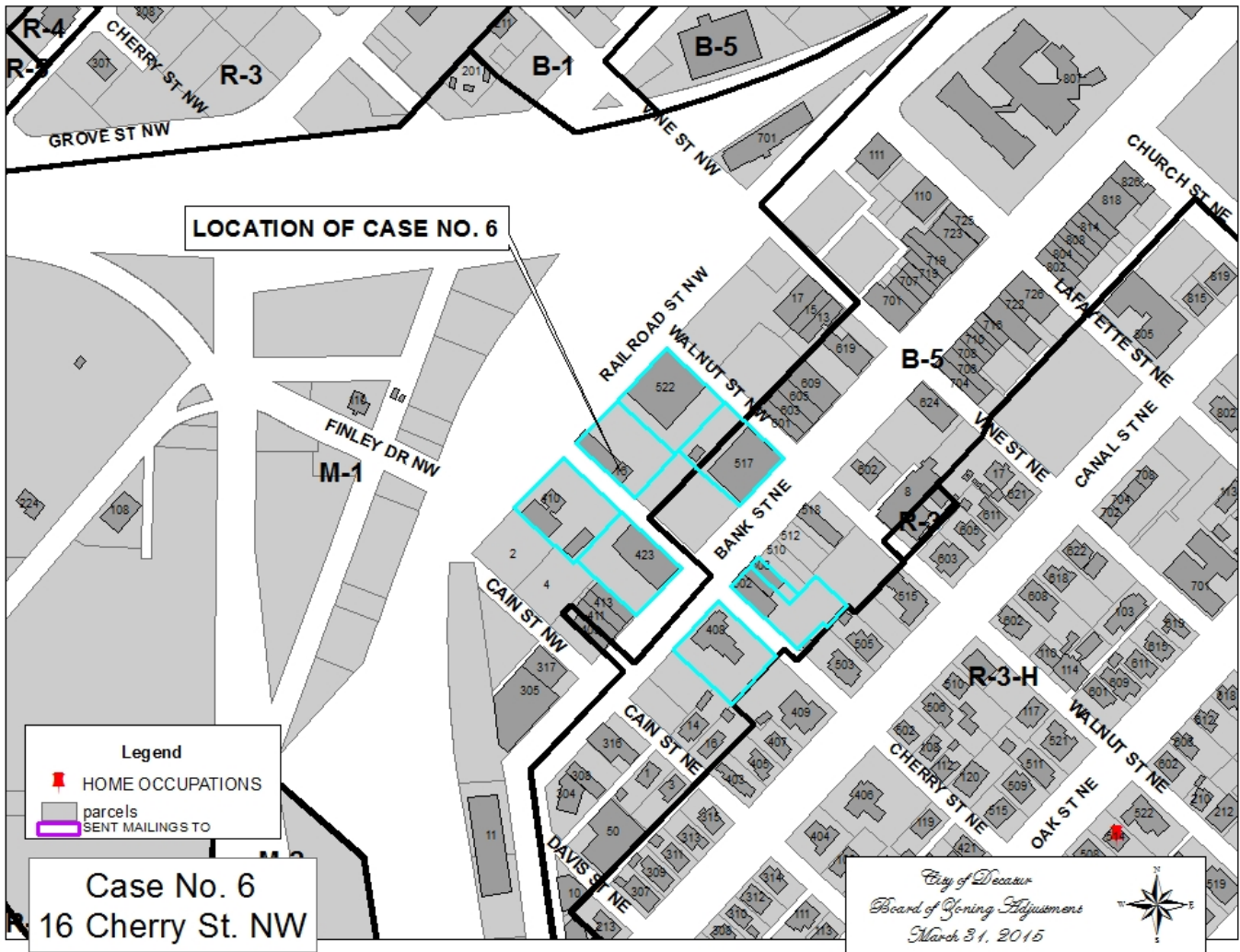
If applicant is using a representative for the request both signatures are required.

Office Use  
Received By Judy  
Zone M-2  
Hearing Date 3/31/15  
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 in the **BUILDING DEPARTMENT** by the **10<sup>th</sup>** of the month to be heard the last Tuesday of the month.

**CASE NO 6 16 CHERRY ST NW**





**LOCATION MAP 16 CHERRY ST NW**