



BOARD OF ZONING ADJUSTMENT

AGENDA

October 29, 2013

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BOARD OF ZONING ADJUSTMENT

MINUTES SEPTEMBER 24, 2013

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

SUPERNUMERARIES: Ms. Sally Jo Green and Mr. Mike Harris

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
Mrs. Karen Smith, Planner
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. Larry Waye moved to **approve** the minutes of the August meeting as printed. . Mr. George Barran seconded the motion. On a voice vote, the motion carried.

The Board considered the following applications and appeals.

OLD BUSINESS

Review of Wes Parker's home occupation for a wholesale dealer business that was granted February 27, 2009. The property is located at 1004 8th St SW, in a R-2 Single-Family Zoning District.

This Old Business was moved to the end of the meeting in order to allow Mr. Parker some additional time to appear before the Board.

CASE NO 1

Application and appeal of Clinton G. Malone 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 business at 3211 Central Parkway SW, property located in a R-4 Multi-Family Zoning District.

Mr. Clinton G. Malone presented this case to the Board. Mr. Malone stated he would like an administrative office for a lawn care service. Mr. Malone further stated he would have no

employees, the equipment would be kept in a storage shed and he would advertise only on his vehicle without his address.

Mr. Sims stated the Building Department would recommend approval of this request.

Mrs. Smith stated the Planning Department would recommend approval of this request.

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

CASE NO 2

Application and appeal of Demetrius Purvis 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 wholesale dealer business at 1408 6th Ave SW, property located in a R-2 Single-Family Zoning District.

Mr. Demetrius Purvis presented this case to the Board. Mr. Purvis stated he would like an administrative office for a wholesale dealer business where he would buy and sell automobiles via auctions. Mr. Purvis also stated he would not bring the vehicles to his house.

Mr. Sims stated the Building Department would recommend approval with the understanding that the vehicles could not be brought to the home.

Mrs. Smith stated the Planning Department would concur with the Building Department as long as Mr. Purvis understood he could only engage in direct buys.

Ms. Frances Tate moved to approve this home occupation with the condition that no vehicles from the auction with or without dealer tags could be brought to the house. Mr. Greg Dobbs seconded the motion. On a roll-call vote, the motion carried.

CASE NO 3

Application and appeal of Leonardo M. Taylor 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 janitorial service at 1807 Windover Pl SW, Apt B, property located in a R-4 Multi-Family Zoning District.

Mr. Leonardo M. Taylor presented this case to the Board. Mr. Taylor stated he would like an administrative office for a cleaning service. Mr. Taylor also stated the owner was aware of his request. Further, Mr. Taylor stated his cleaning supplies would be kept in a storage area at the back of his apartment.

Mr. Sims stated the Building Department would recommend approval.

Mrs. Smith questioned the applicant about the storage area. The applicant stated that it was a part of the apartment. Mrs. Smith stated the Planning Department would recommend approval

Mr. Larry Way moved to approve this home occupation as submitted. Ms. Frances Tate seconded the motion. On a roll-call vote, the motion carried.

CASE NO 4

Application and appeal of Angela Henry 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 to sell furniture, furniture paint, and home décor items via the internet at 3016 Lenox Dr SW, property located in a R-2 Single-Family Zoning District.

Ms. Angela Henry presented this case to the Board. Ms. Henry stated she would like an administrative office to sell furniture, furniture paint and home decor items on-line. Ms. Henry explained that she would buy the vintage furniture, paint it at her home, then sell it on-line and deliver it to the customer; no customers would come to the home.

Mr. Bob Sims stated his concerns about the business possibly expanding.

Ms. Henry stated she only paints a piece of furniture a week.

Mr. Larry Way stated there was a fine line between what the Zoning Ordinance allows you to do at your home as this business would have the potential to expand.

Mr. Sims stated the Building Department would cautiously recommend approval.

Mrs. Smith referred to the application and asked Ms. Henry if she actually wanted to sell paint over the internet.

Ms. Henry replied that she did want to sell a private label paint later but not at this time.

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

Mr. George Barran moved to approve this home occupation request as submitted. Mr. Larry Way seconded the motion. On a roll-call vote the motion failed by a 3-2 vote.

George Barran, Larry Way, and Kent Lawrence voted for while Frances Tate and Greg Dobbs voted against.

CASE NO 5

Application and appeal of Amador Gomez Rubalcaba 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 313 Blackberry Dr SW, property located in a R-2 Single-Family Zoning District.

City Attorney, Herman Marks stated that it had come to his attention there may be somewhat of a language barrier as the applicant's interpreter was not available to come to the meeting.

Mr. Gomez Rubalcaba presented this case to the Board. Mr. Rubalcaba stated he would like a lawn care service.

Chairman, Kent Lawrence asked the applicant if he understood him to say that he wanted an administrative office to do his paperwork and billing for a lawn care service. Mr. Rubalcaba answered in the affirmative. Chairman, Kent Lawrence also asked where he would store his lawn equipment and if he had any employees.

Mr. Rubalcaba said he stored his equipment in Trinity and that he had no employees. Mr. Sims stated the Building Department would recommend approval.

Mrs. Smith state the Planning Department would recommend approval.

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

CASE NO 6

Application and appeal of Alabama Urology and Robotic Center, P.C. , for a 7 foot rear-yard setback variance from Section 25-12 of the Zoning Ordinance in order to construct a new building at 1210 14th Ave SE, property located in a MC Medical Center District.

Mr. Richard Humphries of Pugh, Wright, McAnally presented this case to the Board. Mr. Humphries stated that Alabama Urology and Robotic Center, P.C., needed a 7 foot rear yard setback variance in order to construct a new medical office. Mr. Humphries also stated the lot was deeded incorrectly from the 1800 hundreds which resulted in the lot's depth not being deep enough to construct this building without a variance. Additionally they are working with the Planning Department to consolidate the lot next to them and vacate 80 feet of right-of-way which would then reduce the front to 50 feet of right-of-way.

Mr. Sims stated the Building Department would recommend approval.

Mrs. Smith stated the applicant, the Building Department and Planning Departments had been working closely together on this endeavor and the Planning Department feels this is the best possible solution as they do have a hardship. Therefore, the Planning Department would recommend approval.

Mr. Larry Waye moved to approve this variance request as submitted. Ms. Frances Tate seconded the motion. On a roll-call vote, the motion carried.

CASE NO 7

Application and appeal of The Church of the Good Shepherd for a use permitted on appeal from Section 25-113 of the Zoning Ordinance to have a temporary business for an open air farmers market at 3809 Spring Ave SW, property located in a AG-1 Single-Family Zoning District.

Ms. Shelley Coxwell representative for the church presented this case to the Board. Ms. Coxwell stated the church would like to have a temporary occupancy business for an open air market to benefit the community on the west side of town. Ms. Coxwell also explained that the church had been working closely with the State Farmers Market Board in Montgomery and got their rules and regulations for operating a market. Ms. Coxwell went on to explain the church would be open during this time to provide bathroom facilities. Ms. Coxwell added that they would provide parking on the church's lot and further they would like to have artisans and music in the future.

Pastor, David Dill stated they were prepared to have volunteers there to handle the traffic and manage the parking.

Ms. Coxwell stated the regulations allowed for cooking on the premises and they would like to do that also in the future.

Mr. Greg Dobbs pointed out that the Board would only be addressing what was on the application before them rather than addressing all the things in the regulations from Montgomery.

Mrs. Smith pointed out that the request was for temporary business occupancy, no more than ninety days.

Chairman, Kent Lawrence stated the Board would only be addressing the specific time period and specific days stated on the application which are October 7 through November 11, 2013, Monday's only.

Mr. Sims stated the Building Department would recommend approval.

Mrs. Smith stated the Planning Department would recommend approval as this request is within the parameters of the Zoning Ordinance.

Mr. George Barran moved to approve this temporary occupancy request for an open air market, music, artisans and cooking.

Mr. Larry Waye seconded the motion.

Ms. Frances Tate stated she would like to amend the motion to state no cooking. Mr. George Barran and Larry Waye retracted their motions.

Mr. Greg Dobbs seconded the amended motion. On a roll-call vote, the motion carried.

Chairman, Kent Lawrence called the Old Business case again. Mr. Parker was not present to speak to the Board concerning this case. Nonetheless the Board voted unanimously to revoke his home occupation based upon evidence and testimony from both the Revenue Department and Building Departments showing multiple cars being kept at his residence including some with dealer tags and some without tags.

The meeting adjourned at 4:55

Chairman, Kent Lawrence

AGENDA OCTOBER 29, 2013

CASE NO 1

Application and appeal of Rickey L. Johnson 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 window cleaning business located at 1507 Magnolia St SE property located in an R-1 Single-Family Zoning District.

CASE NO 2

Application and appeal of Wendy Turner 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 music lessons and individual instruction conducted offsite and the creation of paintings, mixed media art and graphic design to be sold on the internet at 804 Kennilworth Rd SW, property located in a R-2 Single-Family Zoning District.

CASE NO 3

Application and appeal of Matt Heirlein 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 tree service business at 1304 Northmead St SW, property located in an R-2 Single-Family Zoning District.

CASE NO 4

Application and appeal of Kristin Patton 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 website design business located at 302 11th Ave NW, property located in an R-3 Single-Family Zoning District.

CASE NO 5

Application and appeal of Trevor Butcher for a variance from section 25-80 and as defined in Article III, as amended and adopted, of the Zoning Ordinance to allow for the use of an existing nonconforming sign at 910 6th Ave SE, property located in a B-1 Local Shopping Zoning District.

CASE NO 6

Application and appeal of Mark Manion for a use permitted on appeal from section 25-113 and as defined in Article V, as amended and adopted, of the Zoning Ordinance to allow the use of an temporary sales office trailer for a period of 60 days not to exceed 90 days at 809

Beltline Rd SW STE B, property is located in a M-1A Expressway Commercial Zoning District.

CASE NO 7

Application and appeal of Mark Manion for a 60 square foot area variance from section 25-77(e)(2) and as defined in Article III, as amended and adopted, of the Zoning Ordinance to allow for a 194 square-foot attached sign at 809 Beltline Rd SW STE B, property is located in a M-1A Expressway Commercial Zoning District.

CASE NO 8

Application and appeal of Bryan Wallace for an eight foot rear yard setback variance from section 25-10.9(d) and as defined in Article I, as amended and adopted, of the Zoning Ordinance to allow for the construction of a new residence at 2610 Summerwind Dr. SE, property located in an R-2 Single Family Zoning District.



Grand Old Town CHARMING SCALE

Board of Zoning Adjustment

APPLICANT:	<u>Ricky L. Johnson</u>
MAILING ADDR:	<u>1507 Magnolia St SE</u>
CITY STATE ZIP:	<u>Decatur, AL 35601</u>
PHONE:	<u>256-612-0182</u>
PROPERTY OWNER:	<u>Beth Johnson Collins (mother)</u>
OWNER ADDR:	<u>1507 Magnolia St SE</u>
CITY STATE ZIP:	<u>Decatur, AL 35601</u>
OWNER PHONE:	<u>256-353-5022</u>

ADDRESS FOR APPEAL:	<u>1507 Magnolia St SE, Decatur, AL</u>
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NATURE OF 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"/> OTHER	<input type="checkbox"/> APPEAL OF ADMINISTRATIVE DECISION
<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.)
<u>Ricky's Window Cleaning, Residential</u>
<u>And Commercial, Admin Office for Cleaning</u>
<u>Windows.</u>

APPLICANT SIGNATURE:	OFFICE USE ONLY:
<u>Ricky L Johnson</u>	RECEIVED BY: <u>Judy</u>
PRINT NAME: <u>Ricky L Johnson</u>	ZONING DISTRICT: <u>R-1</u>
DATE: <u>10/4/13</u>	HEARING DATE: <u>Oct 29, 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 10th 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 1507 MAGNOLIA ST SE

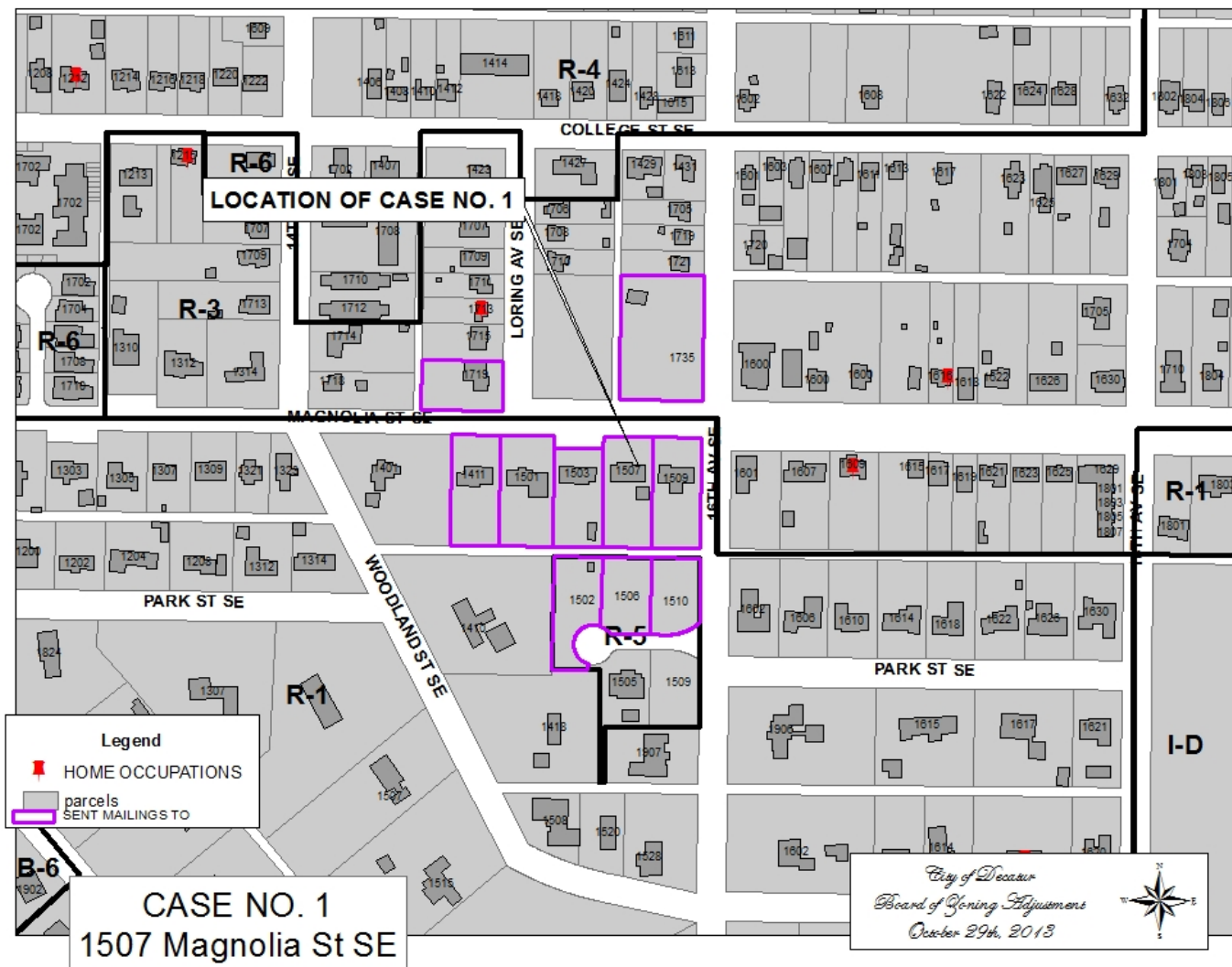
HOME OCCUPATION QUESTIONS

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: Ricky L Johnson DATE: 10/4/13
ADDRESS: 1507 Magnolia se
Decatur, al

QUESTIONNAIRE



LOCATION MAP 1507 MAGNOLIA ST SE



A Grand City on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Wendy Turner
MAILING ADDR: 804 Kennilworth Road SW
CITY STATE ZIP: Decatur, AL 35603
PHONE: (256) 309-7112

PROPERTY OWNER: Joshua Turner (applicant's husband)
OWNER ADDR: 804 Kennilworth Road SW
CITY STATE ZIP: Decatur, AL 35603
OWNER PHONE: (256) ~~309~~ 341-8170

ADDRESS FOR APPEAL: 804 Kennilworth Rd. 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.)
Home occupation - music lessons for individual instruction
and individual tutoring offsite
• creation of paintings, mixed media art, &
graphics design to be sold via internet/ *outside of home*

APPLICANT SIGNATURE: Wendy Turner
PRINT NAME: Wendy Turner
DATE: 9/18/13

OFFICE USE ONLY:
RECEIVED BY: Judy
ZONING DISTRICT: R-2
HEARING DATE: Oct 29, 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 10th 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 2 804 KENNILWORTH RD SW

HOME OCCUPATION QUESTIONS

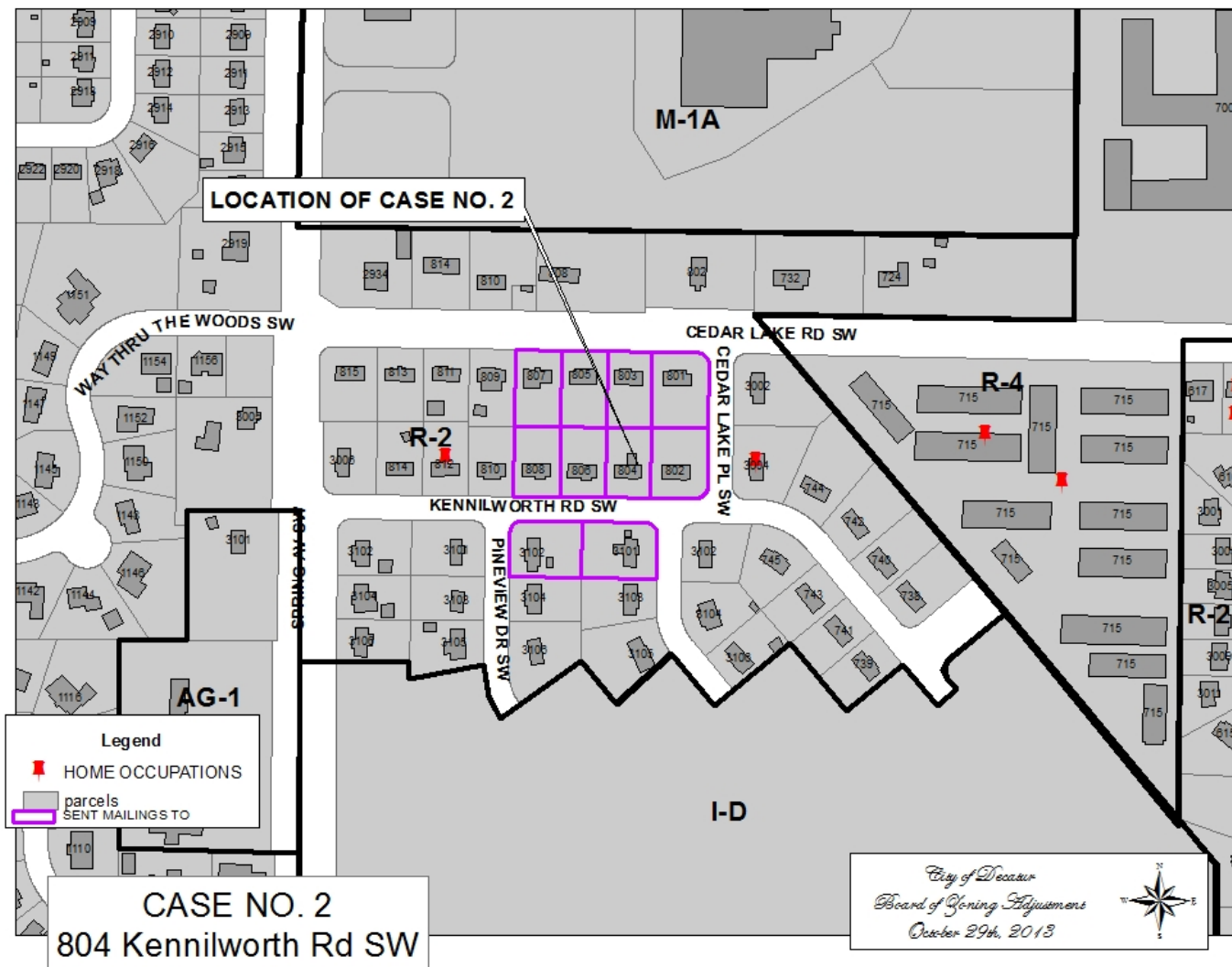
CHECK YES OR NO FOR EACH QUESTION

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 ☒ ^{WLT}
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: Wendy Turner DATE: 9/18/13

ADDRESS: 804 Kennilworth Rd. SW Decatur, AL 35603

QUESTIONNAIRE



LOCATION MAP 804 KENNILWORTH RD SW



Grand Canyon CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Matt Heinlein
MAILING ADDR: 1304 Northmead St SW
CITY STATE ZIP: Decatur AL 35601
PHONE: 256-350-8475

PROPERTY OWNER: Sylvie Scott
OWNER ADDR: 1304 Northmead St SW
CITY STATE ZIP: Decatur AL 35601
OWNER PHONE: 256-898-4491

ADDRESS FOR APPEAL: 1304 Northmead 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

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 tree service business.
Equipment; Trailer will be kept in back yard,
and the bucket truck two Houses Down Hidden behind a
row of Hedges.

APPLICANT SIGNATURE: Matt Heinlein

OFFICE USE ONLY:

PRINT NAME: _____

RECEIVED BY: Judy

ZONING DISTRICT: R-2

HEARING DATE: Oct 29, 2013

DATE: _____

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 10th 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 1304 NORTHMEAD ST 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 ☒ *MJA*
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 ☒

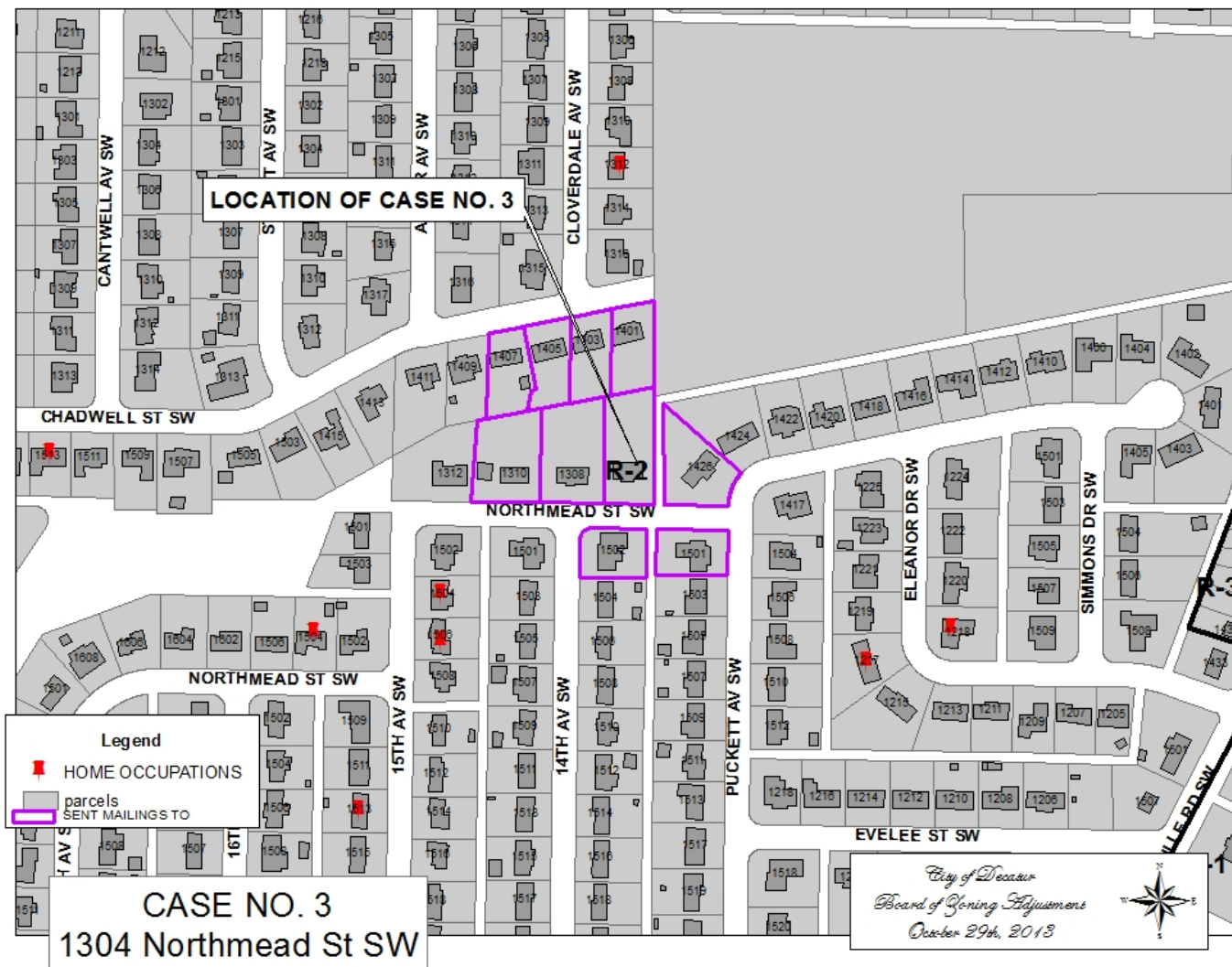
SIGNED: _____

DATE: _____

ADDRESS: _____

1394 Northmead St^{SW} Decatur 35601

QUESTIONNAIRE



LOCATION MAP 1304 NORTHMEAD ST SW



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

APPLICANT NAME:	Kristin Patton
MAILING ADDRESS:	P.O. Box 2312
PLEASE INCLUDE CITY, STATE AND ZIP	Decatur, AL 35602
PHONE:	256-686-2050
PROPERTY OWNER NAME:	Mitchelle Bridgetforth
MAILING ADDRESS:	20377 Winfred Drive
PLEASE INCLUDE CITY, STATE AND ZIP	Tanner, AL 35671
PHONE:	256 777 - 1241

PROPERTY LOCATION/STREET ADDRESS FOR REQUEST:

302 11th AVE NW Decatur, AL 35601

NATURE OF THE APPEAL:

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

DESCRIBE IN DETAIL THE REQUEST: would like to work from home doing
website design. Everything will be done online, there will
be no coming or going from customers at residence.
I want to use my home as an administrative office.

APPLICANT SIGNATURE

K. Patton

PRINT NAME

Kristin Patton

DATE

10/9/13

OFFICE USE ONLY

REVIEWED BY: Cindy

ZONING DISTRICT: _____

HEARING DATE: Oct. 29th, 2013 4:00pm

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 10th of the month. Applicants MUST be present in order for the case to be heard. Please request a copy of this application.

CASE NO 4 302 11TH AVE NW

HOME OCCUPATION QUESTIONS

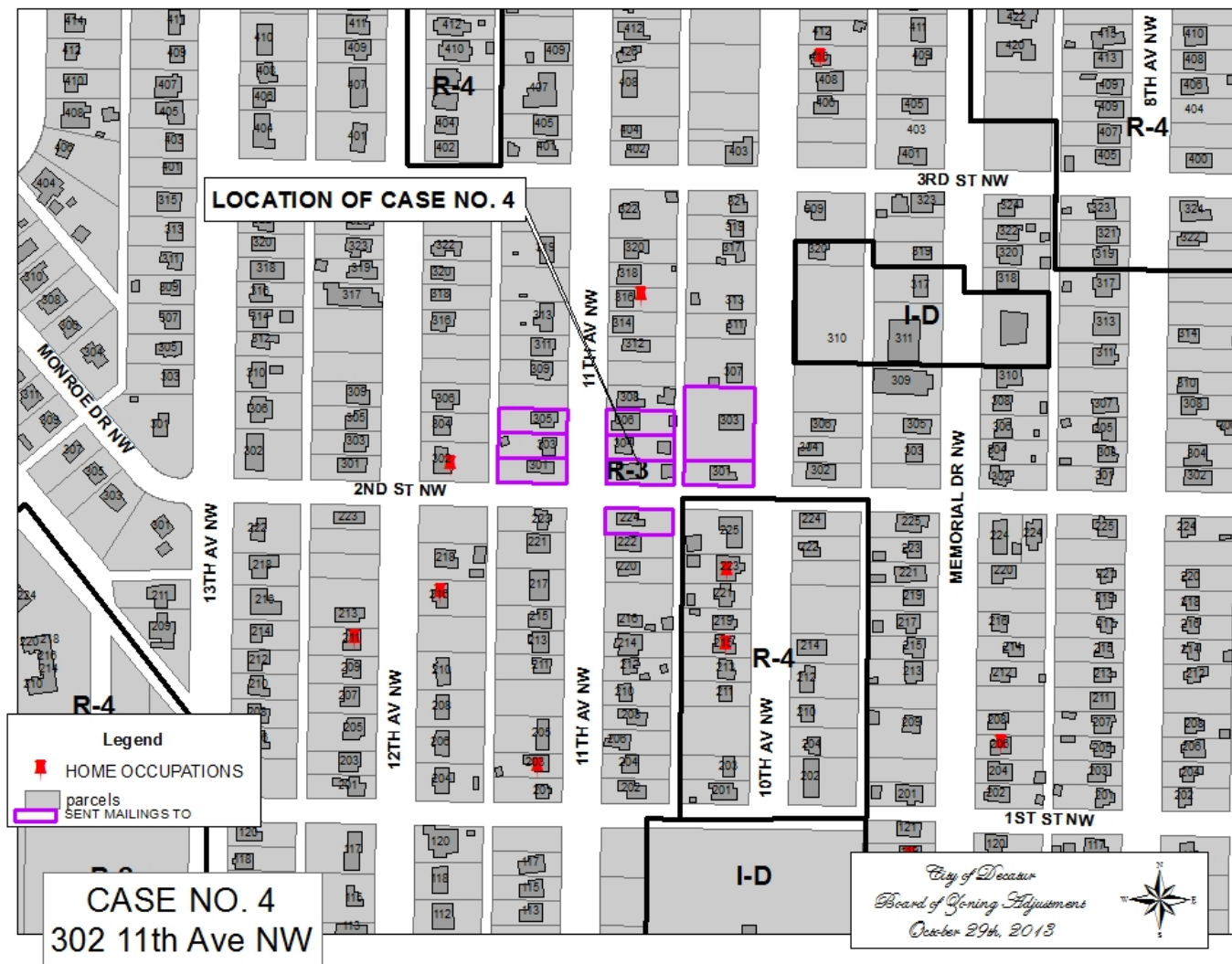
CHECK YES OR NO FOR EACH QUESTION

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: KPatt DATE: 10/9/11

ADDRESS: 302 11th ave NW Decatur, AL 35601

QUESTIONNAIRE



LOCATION MAP 302 11TH AVE NW



Small Town CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Trevor Butcher State Farm
MAILING ADDR: 910 6th Ave
CITY STATE ZIP: Decatur, AL 35601
PHONE: (256) 366-2412 or (w) 256-353-6522

PROPERTY OWNER: Trevor Butcher
OWNER ADDR: 2227 Victoria Dr SW
CITY STATE ZIP: Decatur, AL 35603
OWNER PHONE: (256) 366-2412

ADDRESS FOR APPEAL: 910 6th Ave

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 removed the facing of an existing sign & would like to
put the faces of the sign back on with my company
information. My intention is to make the building look nicer
& dress up my property to help make 6th Ave. more appealing

APPLICANT SIGNATURE: Trevor Butcher

PRINT NAME: Trevor Butcher

DATE: 10-2-2013

OFFICE USE ONLY:

RECEIVED BY: BB

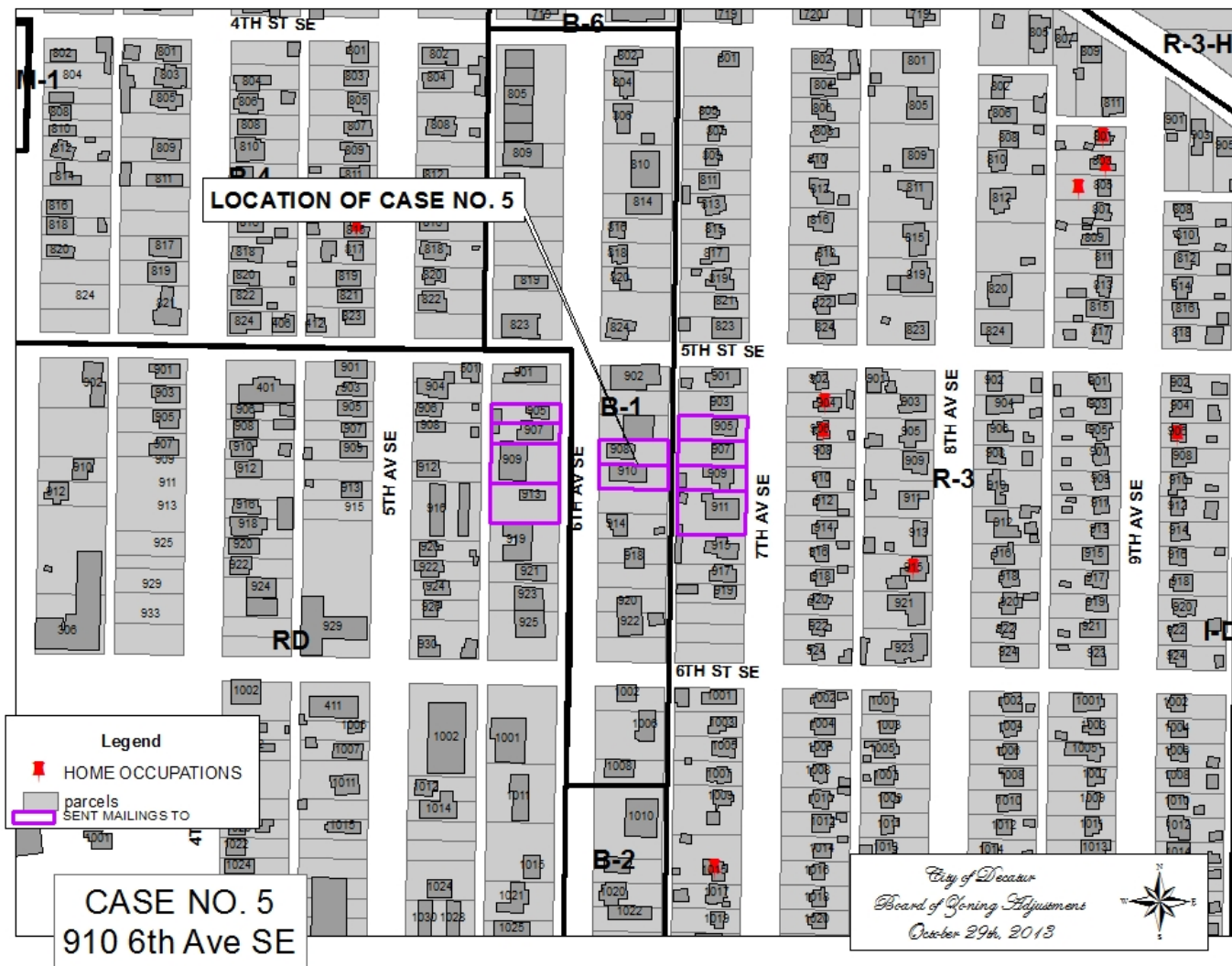
ZONING DISTRICT: B-1

HEARING DATE: Oct. 29, 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 10th 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 5 910 6TH AVE SE



LOCATION MAP 910 6TH AVE SE



Georgia's CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Mark Marion
MAILING ADDR: 1720 Old Fairway Rd
CITY STATE ZIP: Huntsville AL 35866
PHONE: (256) 615-1422

PROPERTY OWNER: David Garfinkel - Co LLC
OWNER ADDR: 460 Mail Blvd Suite M
CITY STATE ZIP: Savannah GA 31406
OWNER PHONE: 912-355-1311

ADDRESS FOR APPEAL: 809 Beltline Rd SW Suite B 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.)

Requesting a temporary sales office in front of the new Planet Fitness at 809 Beltline Rd SW Suite B for a period of 60 days. This office will be in a temporary trailer. This temporary sales office will not exceed 90 days in duration.

APPLICANT SIGNATURE: *Mark Marion*

PRINT NAME: Mark J Marion

DATE: 10-2-13

OFFICE USE ONLY:

RECEIVED BY: *Judy*

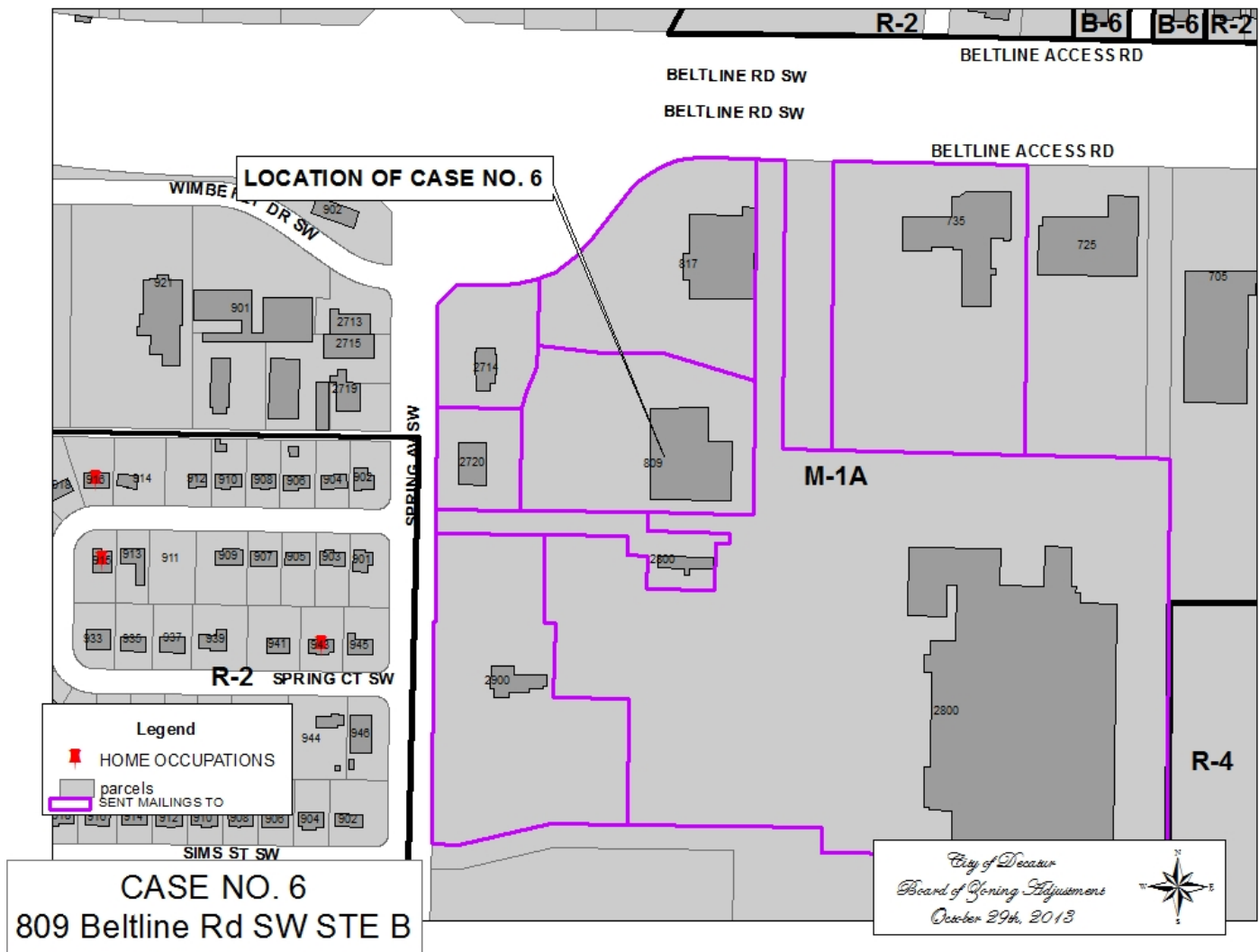
ZONING DISTRICT: M-1A

HEARING DATE: OCT 29, 2013

APPROVED/DISAPPROVED: _____

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CASE NO 6 809 BELTLINE RD SW STE B



LOCATION MAP 809 BELTLINE RD SW STE B



Georgia's CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Mark Manion
MAILING ADDR: 1720 Old Fairway Rd
CITY STATE ZIP: Huntsville AL 35806
PHONE: (256) 615-1422

PROPERTY OWNER: David Gershenfeld + Co, LLC
OWNER ADDR: 400 Mill Blvd Suite M
CITY STATE ZIP: Savannah, GA 31406
OWNER PHONE: (912) 355-1311

ADDRESS FOR APPEAL:
809 Beltline Rd ^{SW} Suite B 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.)

See attached Requesting an additional 100 sq ft of exterior
signage

APPLICANT SIGNATURE:

PRINT NAME:

Mark J. Manion

DATE:

10/17/13

OFFICE USE ONLY:

RECEIVED BY:

ZONING DISTRICT:

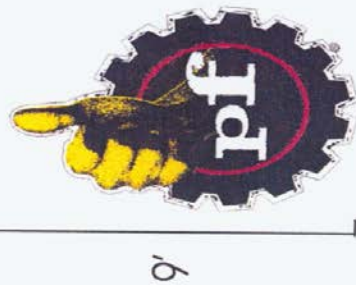
HEARING DATE: 10/29/13

APPROVED/DISAPPROVED:

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CASE NO 7 809 BELTLINE RD SW STE B

63 sq ft



Logo

LED CHANNEL FLUSH MOUNT

NOTES:

1. 5" Deep 263 Aluminum Returns - Black
2. 1" Vinyl Trim Cap - Black
3. 3/16" Plexiglas Faces - White w/ Vinyl Graphics
4. .063 Aluminum Backs
5. LED Lighting System w/ High Intensity (Etc. 400 Candles per Meter Square-G.E. Systems)
6. Low Voltage Wiring from LED Strip to Transformer
7. LED Power source
8. 1/4" Threaded Rod - Trim Bolt
9. Weep Holes for Drainage

7'



27' - 11"

File Name	
Planet Fitness -Decatur AL Shop BACKOBUILDING_V2	
Scale	
1/4" = 1'	
Client	
Planet Fitness	
Address	
Decatur AL	
Project	
Channel Letters	
Acct. Rep. Lynn Loader	
Designer Steve L.	
Date	10-1-13
Comments:	
Revision / Date	
I HAVE REVIEWED THE ABOVE SPECIFICATIONS & HEREBY FULLY UNDERSTAND THE CONTENT OF WORK TO BE PERFORMED THAT I APPROVE THIS PROJECT TO BEGIN	
Client's Approval:	DATE: / /
SIGNED: _____	Landlord's Approval:
DATE: / /	SIGNED: _____
tony@vegencysign.com	
This drawing is the property of Regency Signs Inc. and all rights to its use for reproduction are reserved by Regency Signs Inc.	
FINAL ELECTRICAL CONNECTION BY CUSTOMER	

Regency Sign Company

172 East Industry Court, Deer Park NY 11729 Ph# 631-392-4040 Fax# 631-392-4030

SIGN LOGO

File Name	
Planet Fitness - Decatur AL_Shop_V3b	
Scale	1/4" = 1'
Client	
Planet Fitness	
Address	
Decatur AL	
Project	
Channel Letters	
Acct. Rep. Lynn Loader	
Designer Steve L.	
Date	10-1-13
Comments:	
Revision / Date	
I HAVE REVIEWED THE ABOVE SPECIFICATIONS & HEREBY FULLY UNDERSTAND THE CONTENT OF WORK TO BE PERFORMED THAT I APPROVE THIS PROJECT TO BEGIN. Clients Approval: _____ SIGNED: _____ Landlords Approval: _____ DATE: ____/____/____ SIGNED: _____	
tony@regencysign.com This drawing is the property of Regency Sign Inc. and all rights to its use for reproduction are reserved by Regency Sign Inc. FINAL ELECTRICAL CONNECTION BY CUSTOMER	

130.8 sq ft

p= 7.396 sqft
i= 3.81 sqft
a= 5.01 sqft
n= 5.152 sqft
e= 4.564 sqft
t= 3.44 sqft
total: 29.372 sqft

p= 36"
f= 34 11/16"

Logo

**36" P
Larger Sign**

72.4 sq ft

Letters

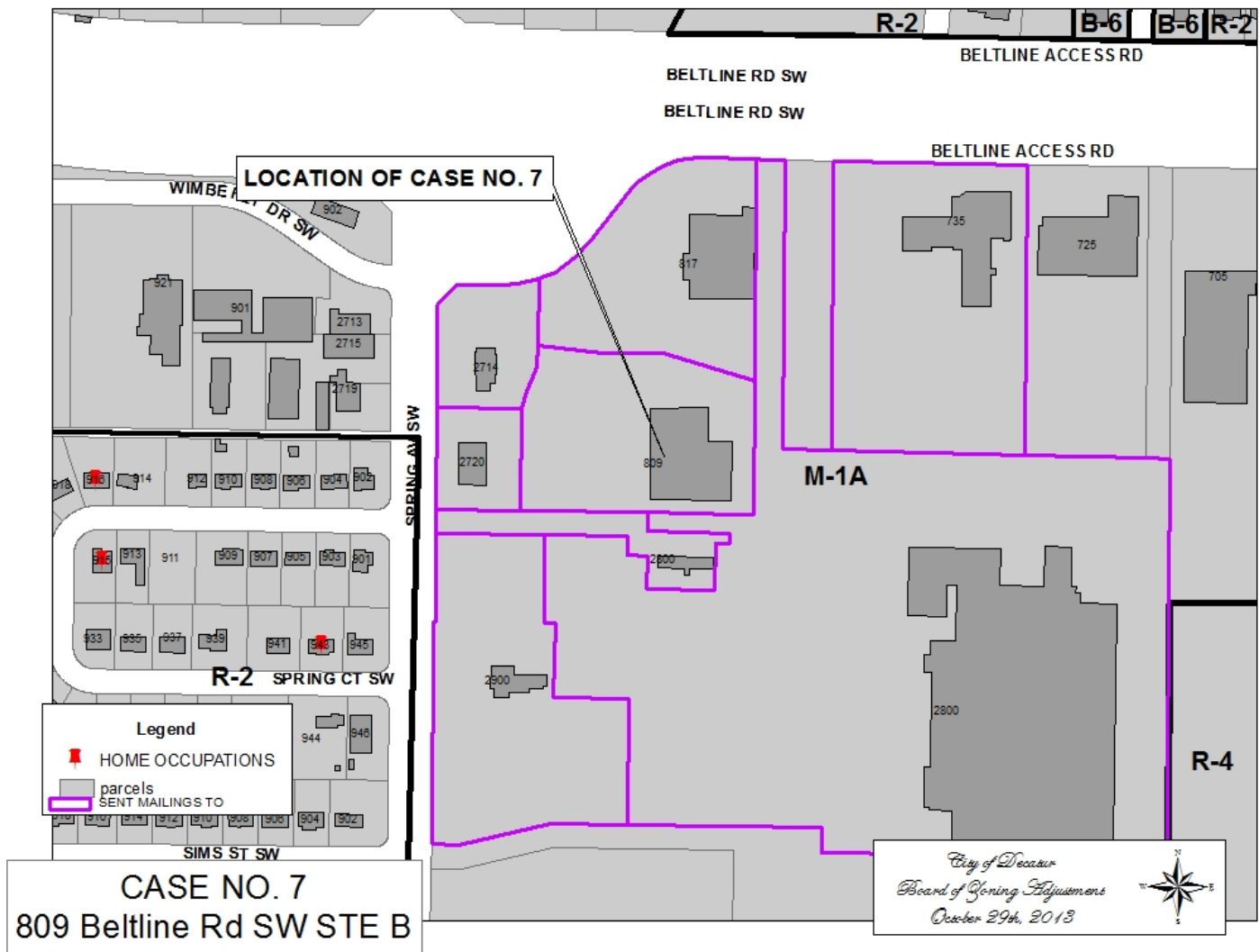
LED CHANNEL FLUSH MOUNT

NOTES:
 1. 1" Deep .063 Aluminum Return - Black
 2. 1" Vinyl Trim Cap - Black
 3. 3/16" Plexiglas Face - BLACK w/ YELLOW to Match 3M Trans. YELLOW
 4. .063 Aluminum Backs
 5. LED Lighting System w/ High Intensity (Est. 400 Candies per Square Foot System)
 6. Low Voltage Wiring from LED Strip to Transformer
 7. LED Powersource
 8. 1/4" Threaded Rod - thru Bolt
 9. Weep Holes for Drainage

Shop Drawing 2

Building Width - 122'

SIGN DRAWING



LOCATION MAP 809 BELTLINE RD SW STE B



Board of Zoning Adjustment

APPLICANT: Bryan Wallace Builders Inc.
MAILING ADDR: 1039 Vestavia Dr. S.W.
CITY STATE ZIP: Decatur, AL 35603
PHONE: 256-353-9001 or 256-214-1238

PROPERTY OWNER: Angela and George Burton
OWNER ADDR: 103 Jackson Way
CITY STATE ZIP: Decatur, AL 35603
OWNER PHONE: 256-353-6334

ADDRESS FOR APPEAL: 2610 Summerwind Drive S.E Lot #12

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.)

Applicant seeks a 8' rear yard setback variance predicated on the fact that the subdivision restrictive covenants mandate side entry garage configuration and given the irregular lot shape in cul-de-sac a setback variance would accommodate a safe and convenient use of the lot without detriment to any use or value to other uses present in subdivision

APPLICANT SIGNATURE:

Bryan Wallace

PRINT NAME: Bryan Wallace

DATE: 10-10-13

OFFICE USE ONLY:

RECEIVED BY: _____

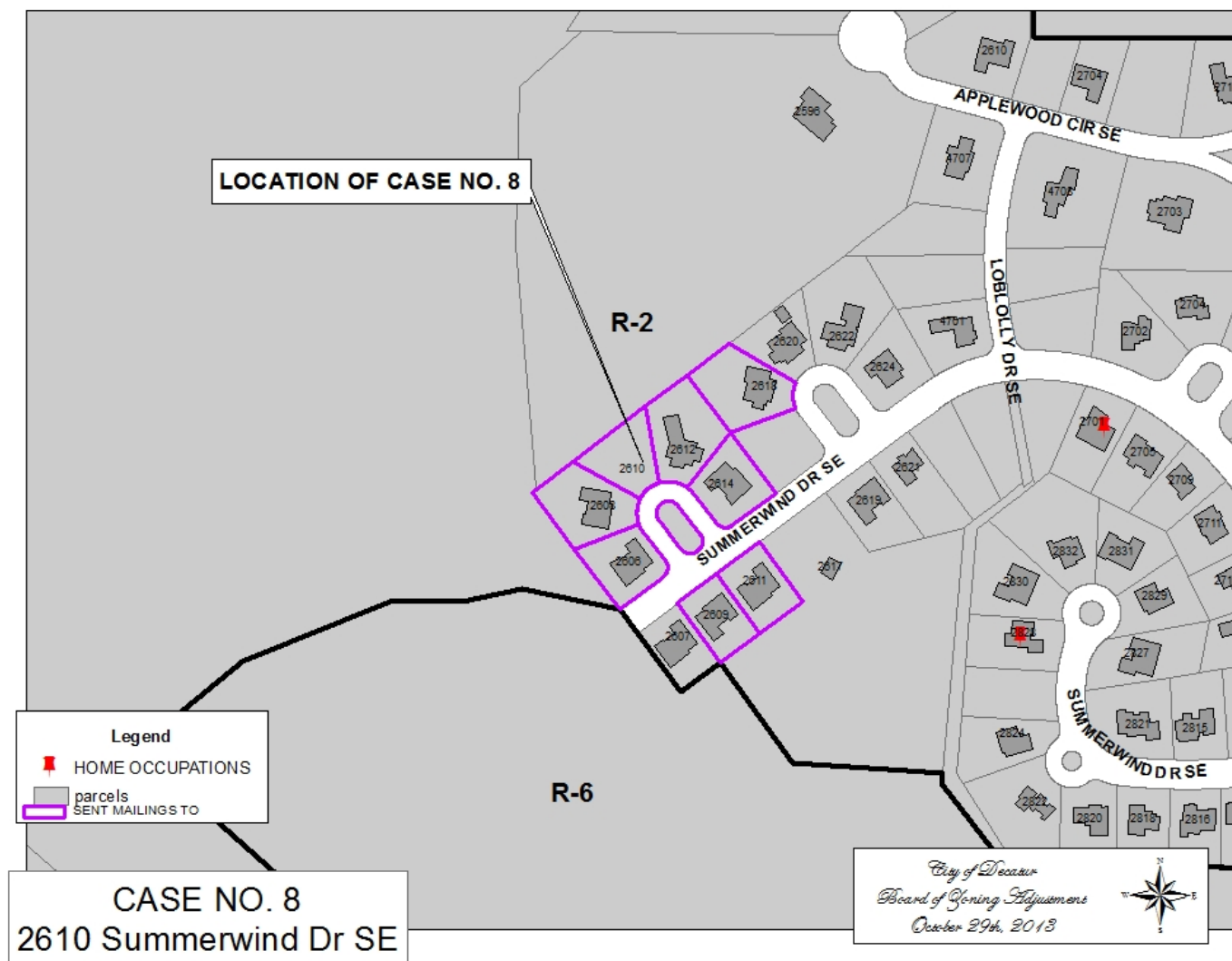
ZONING DISTRICT: _____

HEARING DATE: _____

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CASE NO 8 2610 SUMMERWIND DR SE

**LOCATION MAP 2610 SUMMERWIND DR SE**