



# BOARD OF ZONING ADJUSTMENT

## AGENDA

AUGUST 2018

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## MINUTES JULY 2018

MEMBERS PRESENT: Chairman, Larry Wayne, Mr. Charles Taylor and Mr. Collis Stevenson and Mr. Thomas Rossi

SUPERNUMERARIES: Ms. Delayne Dean

OTHERS PRESENT: Mr. Wally Terry, Director  
.....and Custodian of Records  
Mr. Herman Marks, City Attorney  
Mrs. Karen Smith, Planner  
Mr. Randy Lee, Building Inspector  
Mrs. Nancy Whiteside, Recorder

Chairman, Larry Wayne called the meeting to order at 4:00 p.m. in the Council Chambers at City Hall. Mr. Randy Lee called the roll.

Mr. Charles Taylor motioned to **approve** the minutes of the June meeting as printed. Mr. Collis Stevenson seconded the motion. On a voice vote, the motion carried.

The Board considered the following applications and appeals.

Point of Information: The rules and regulations of a home occupation were explained to each applicant requesting a home occupation. Each applicant stated they understood the rules and regulations.

### CASE NO 1

Application and appeal of Larry Stover 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 located at 1309 1<sup>st</sup> Av SW, property located in a R-3 Residential Single Family Zoning District.

This case was moved to the end of the docket because no one came forward when the case was called.

### CASE NO 2

Application and appeal of Sandra Delgado 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 clothing sales business located at 410 Bradley St. SW property located in a R-2 Residential Single Family Zoning District.

Ms. Delgado presented this case to the Board. Ms. Delgado stated she would like to use her home as an administrative office for her on-line clothing sales and that there would not be any traffic going to or from her home.

Chairman, Larry Wayne asked if there were any questions from the Board.

Mr. Charles Taylor asked if there were any employees. Ms. Delgado stated she did not have any employees.

Mr. Thomas Rossi asked how the clothes were delivered. Ms. Delgado stated that all of her sales were on-line. The customer would purchase the clothes on-line and the clothes would be delivered directly to the home of the customer.

Chairman, Larry Waye verified that there would not be anyone coming to her home to try on clothes. Ms. Delgado stated that was correct.

Chairman, Larry Waye verified there would not be any employees coming to her home.

Chairman, Larry Waye asked if there were any more questions from the Board.

Chairman, Larry Waye called for questions from the public and asked all who come forward to state their name and address.

Ms. Lucy Ferguson came forward. Ms. Ferguson stated she lived at 408 Bradley St. SW. Ms. Ferguson stated one of her questions was about the delivery of the clothes and if there would be extra traffic going through that street because it was a narrow street.

Chairman, Larry Waye replied that Ms. Delgado had stated previously that there would not be any traffic coming to the home.

Ms. Lucy Ferguson asked why Ms. Delgado was using this address as her home address. Ms. Ferguson stated she was under the impression that Ms. Delgado lived on Brookmeade Rd. SE for the last couple of years. Ms. Ferguson asked how Ms. Delgado can operate a business out of this home if she does not live there.

Chairman, Larry Waye asked Ms. Ferguson were she believed Ms. Delgado lived. Ms. Ferguson stated she believed Ms. Delgado lived at 1831 Brookmeade Rd SE. Chairman, Larry Waye asked Ms. Ferguson if that was all of the questions she had; Ms. Ferguson stated yes that Ms. Delgado had answered all of her other questions.

Chairman, Larry Waye asked Ms. Delgado to explain why Ms. Ferguson says she don't live at the Bradley St. address. Ms. Delgado stated that she used to live at Brookmeade however, she has since moved back to the Bradley St. address due to extenuating circumstances and that Ms. Ferguson is not aware that she has moved back to the Bradley street home.

Chairman, Larry Waye verified with Ms. Delgado that she does indeed live at the Bradley street address. Also, does she indeed spend the nights there? Ms. Delgado stated yes she lives there.

Ms. Ferguson states again that Ms. Delgado does not live there at the Bradley St. address. Ms. Ferguson stated that Ms. Delgado's son and daughter-in-law and their two children live there.

Chairman, Larry Waye instructs the Board to take into consideration both statements. Ms. Delgado states that she does live there and Ms. Ferguson states that she isn't living there.

Chairman, Larry Waye states that there is no way for the Board to verify one way or the other.

Chairman, Larry Waye asks Ms. Delgado if she lives at 410 Bradly St. Ms. Delgado stated yes.

Chairman, Larry Waye asks for other comments from the public.

Mr. Lee, Building Department had no comment.

Mrs. Karen Smith, Planning Department, stated she felt like based on the testimony this was a classic home occupation and recommended approval based on testimony.

Mr. Charles Taylor motioned to approve this case as submitted. Mr. Collis Stevenson seconded the motion. Chairman, Larry Way approved the motion based on the testimony that was given today. On a roll-call vote the motion carried.

### CASE NO 3

Application and appeal of Kyle Stuart 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 located at 501 Bellemeade St SW property located in a R-2 Residential Single Family Zoning District.

Mr. Stuart presented this case to the Board. Mr. Stuart stated he wanted to use his home as an administrative office for his lawn care business. Mr. Stuart stated he would be backing his trailer into his garage at the end of the day and he would use his mailbox.

Chairman, Larry Way asked for questions from the Board.

Mr. Charles Taylor asked Mr. Stuart if he had any employees and about the type of signage he would be using. Mr. Stuart said he did not have any employees and at this time he only had business cards. Mr. Taylor told Mr. Stuart that he could advertise on his vehicle however, his home address could not be present on the vehicle. Mr. Stuart stated he understood.

Mr. Thomas Rossi advised Mr. Stuart that the neighbors should not be able to tell a business is being run from his home. And, that no customers or large deliveries should come to the home.

Mr. Stuart stated he understood.

Chairman, Larry Way asked Mr. Stuart if he would be doing any type of landscaping.

Mr. Stuart stated at this time he would only be cutting grass, weed eating and putting out mulch.

Chairman, Larry Way reminded Mr. Stuart that if there were any surplus supplies the supplies could not be stored at his house.

Mr. Stuart understood.

Chairman, Larry Way asked for question from the public.

Mr. Lee, Building Department, had no comment.

Mrs. Karen Smith, Planning Department, recommended approval.

Mr. Thomas Rossi motioned to approve this case as submitted. Ms. Delayne Dean seconded the motion. On a roll-call vote the motion carried.

#### CASE NO 4

Application and appeal of Ramon Gaines 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 handyman repair business located at 1305 Runnymede Ave. SW property located in a R-2 Residential Single Family Zoning District.

Mr. Gaines presented this case to the Board. Mr. Gaines stated he would like to use his home as an administrative office for his handyman repair business. Mr. Gaines stated that there would not be any traffic coming to his home and his tools would be stored in an out building in his back yard.

Chairman, Larry Waye asked for questions from the Board.

Mr. Charles Taylor asked Mr. Stuart if he had any employees.

Mr. Gaines stated he does not have any employees.

Mr. Taylor reminded Mr. Gaines if he acquires employees they cannot report to his home and that they should meet at the job site. Any supplies would need to be delivered to the job site as well.

Mr. Gaines stated he understood.

Chairman, Larry Waye reminded Mr. Gaines that surplus supplies could not be stored at his home.

Mr. Gaines stated he understood.

Chairman, Larry asked if there were any comments from the public.

Mr. Lee, Building Department, had no comment.

Mrs. Karen Smith, Planning Department, recommended approval.

Mr. Collis Stevenson motioned to approve this case as submitted. Mr. Thomas Rossi seconded the motion. On a roll-call vote the motion carried.

#### CASE NO 5

Application and appeal of Maritza Neely for a 3 foot side yard variance setback from Section 25-10 (2) (e) (2) at 502 Walnut St NE, in order to build a carport over an existing concrete pad at the back of the property. The property is located in a R-3-H Residential Single Family Historical Zoning District.

Ms. Neely presented this case to the Board. Ms. Neely stated she needed a setback variance in order to build a carport to protect her car from the trees.

Chairman, Larry Waye asked for questions from the Board.

Mr. Charles Taylor asked if the carport was going to be built over an existing concrete pad. Ms. Neely stated yes provided the request was granted with no modifications. Ms. Neely stated she had several photographs and has already had the Certificate of Appropriateness (COA) approval from the Historical Society.

Chairman, Larry Waye asked for comments from the public.

Mr. Lee, Building Department, recommended approval.

Mrs. Karen Smith, Planning Department, recommended approval.

Mr. Charles Taylor motioned to approve this case as submitted. Mr. Collis Stevenson seconded the motion. On a roll-call vote the motion carried.

## CASE NO 6

Application and appeal of Pugh Wright McAnally, Inc., for a 35 foot setback variance from Section 25-21 (1) for 2 parcels, 03093130002076.000 and parcel 0309313002075.000 on Beltline Rd SW, in order to reduce the front yard setback from 60 feet to 25 feet from the Beltline right of way. Property located in a B-2 General Business District.

Mr. Blake McAnally presented this case to the Board representing Mr. Jimmy R. Johnson owner of the properties in question. Mr. McAnally stated that Mr. Johnson owns the properties directly adjacent to the east where he has his business, Beltline Motors. Mr. Johnson is using the two gravel lots for over flow at this time and he wants to build a structure and move another part of his business to this area. When examining the floor plan it was recognized that the setbacks were a challenge. The lots are zoned B-2 because of the proximity to the Beltline. The front yard setbacks are 60 feet and we are asking for a 35 foot variance to bring it back to 25 foot setback. The existing building to the east is 23 feet off of the frontage road right of way and we are looking to mimic that with the new building. We are anticipating coming in next month with a site plan for the Planning Commission's review and approval.

Chairman, Larry Waye, stated that the property and lot numbers are as recorded in the application however, were not read publicly.

Chairman, Larry Waye, asked for questions from the Board concerning this application.

Chairman, Larry Waye, asked for comments from the public.

Mr. Lee, Building Department, recommended for approval.

Mrs. Karen Smith, Planning Department, verified with Mr. McAnally that the lots needed to be consolidated, Mr. McAnally understood.

Mrs. Smith inquired about the drawing that was shown having a building footprint and wanted to know if the site plan would be reflective of that footprint or would it be different.

Mr. McAnally stated that a footprint is not being shown. What was being shown was actually the variance portion. And, a building similar to what already exist to the east is what they would be looking at once the two parcels are consolidated. Also, a consolidation application is already prepared waiting to be delivered to the Planning Department once we find out if the variance is granted.

Mrs. Karen Smith, Planning Department, recommended for approval stating that there had already been similar variance granted to the property to the east.

Mr. Collis Stevenson motioned to approve this case as submitted. Mr. Thomas Rossi seconded the motion. On a roll-call vote the motion carried.

## CASE NO 1

Application and appeal of Larry Stover 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 located at 1309 1<sup>st</sup> Av SW, property located in a R-3 Residential Single Family Zoning District.

This case was called again. The Board dismissed the case because no one came forward to present the case when called.

Meeting adjourned at 4:25 p.m.

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Larry Wayne, Chairman

## **AGENDA AUGUST 21, 2018**

The Board of Zoning Adjustment of the City of Decatur will hold a public meeting in the COUNCIL CHAMBERS ON THE FIRST FLOOR OF City Hall, 402 Lee Street NE, on Tuesday, August 21, 2018 at 4:15 p.m. for the purpose of hearing the following applications and appeals at which time all interested parties are requested to be present and will be given an opportunity to be heard.

### **CASE NO 1**

Application and appeal of Robert Griffin 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 internet based on line consulting service located at 2719 Longfellow Dr. SW, property located in a R-2 Residential Single Family Zoning District.

### **CASE NO 2**

Application and appeal of Randall Helms for a 1 foot 8 inch rear yard setback variance from Section 25-10.10(2)(d) at 1014 Worton Grange. The property is located in a R-3 Single-Family Residential Zoning District.

### **CASE NO 3**

Application and appeal of Gordon and Barbara Dunn for the following setbacks at 702 Appaloosa Ln SW (Lot 35), property located in a R-2 Single-Family Residential District.

- A) 8 foot front yard setback variance from Section 25-10.9 (2)(c).
- B) 10 foot rear yard setback variance from Section 25-10.9 (2)(d).

### **CASE NO 4**

Application and appeal of Karen D. Elliott for a 4 foot 3 inch front yard variance from Section 25-11 in order to keep the attached canopy for a day care center, located at 1926 Old Moulton Rd SW, property located in a B-1 Local Shopping Business District.

### **CASE NO 5**

Application and appeal of Juan Delgado for a 4 foot 6 inch side yard set back variance from Section 25-10.10(2) (e) in order to rebuild a carport at 1307 16<sup>th</sup> Av SE, property located in a R-3 Single-Family Zoning Residential District.

### **CASE NO 6**

Application and appeal of Billy and Erica Allen for a use permitted on appeal from Section 25-11 to operate a restaurant at 701 Sycamore St NW, property is located in a B-1 Local Shopping Business District.

## CASE NO 7

Application and appeal of Joycelyn Garner 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 daycare center located at 3320 Sandlin Rd SW, property located in a R-2 Single Family Zoning Residential District.



A Grand City - A Growing Place

### Board of Zoning Adjustment

APPLICANT: Robert Griffin  
MAILING ADDR: 2719 Longfellow Dr SW  
CITY STATE ZIP: Decatur, AL 35603  
PHONE: 256-303-3368

PROPERTY OWNER: Sherril Griffin and Robert Griffin  
OWNER ADDR: 2719 Longfellow Dr SW  
CITY STATE ZIP: Decatur, AL 35603  
OWNER PHONE: 256-580-5251

ADDRESS FOR APPEAL: X 2719 Longfellow Dr SW Decatur, Alabama 35603

☒ 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)

Internet based online Consulting Service.  
Computer located in converted-bedroom office.  
Service conducted by email. Business Name:  
Robert Griffin Consulting  
and Associates.

Applicant Name (print) Robert Griffin  
Signature Robert Griffin  
Representative Name (print) \_\_\_\_\_  
Signature \_\_\_\_\_  
Date \_\_\_\_\_

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

Office Use  
Received By bd  
Zone R-2  
Hearing Date TBD  
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 1 2719 LONGFELLOW DR SW



## HOME OCCUPATION QUESTIONS

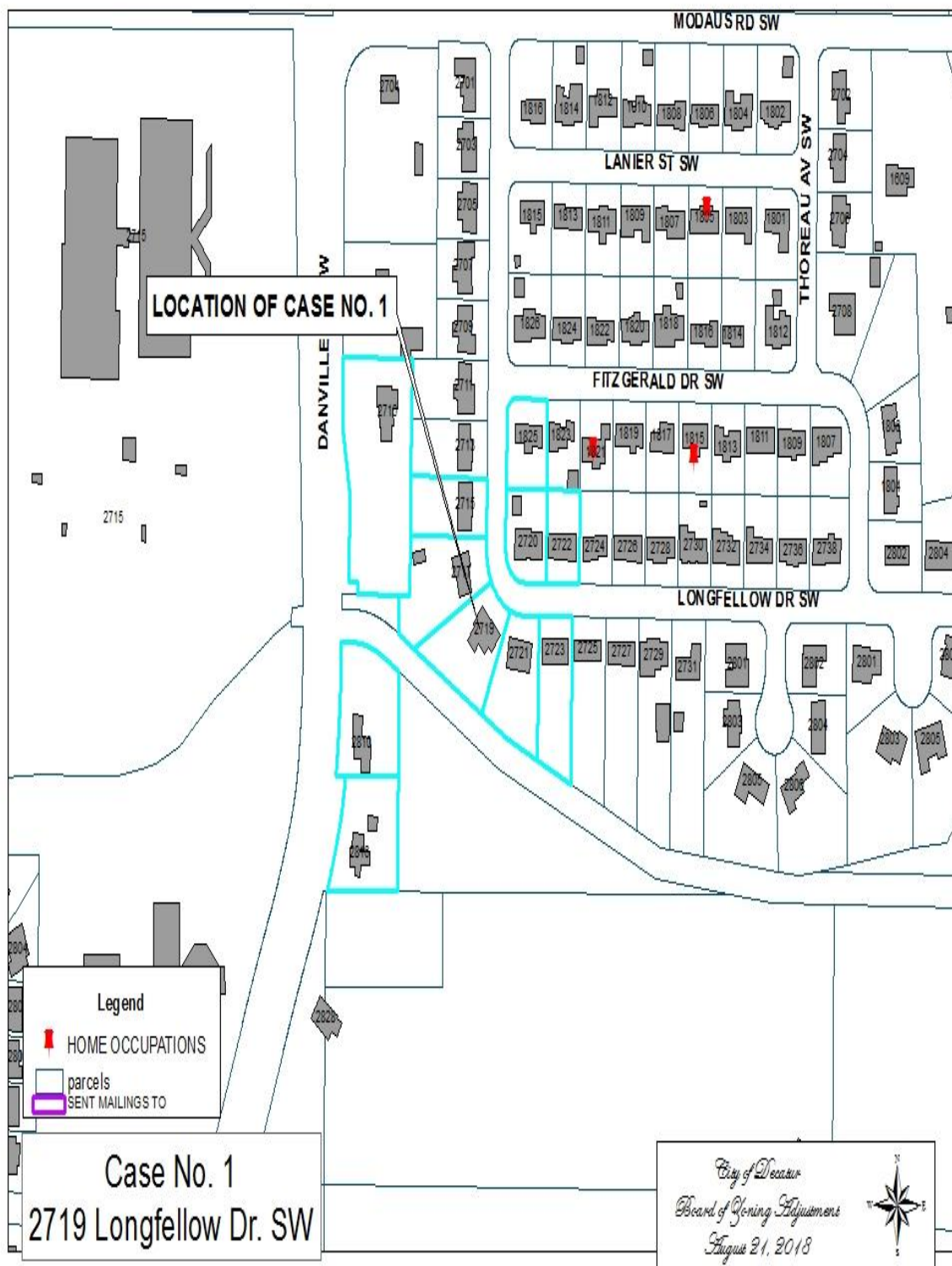
CHECK YES OR NO FOR EACH QUESTION

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 party 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, FedEx, 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: Robert Griffin DATE: \_\_\_\_\_  
ADDRESS: 2719 Longfellow Dr SW, Decatur, AL 35603

Decatur City Hall • 402 Lee Street, NE • Post Office Box 488 • Decatur, AL 35602-0488  
(256) 341-4500 • [www.DecaturAlabamaUSA.com](http://www.DecaturAlabamaUSA.com)

QUESTIONNAIRE





*A Grand City on a* CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Randall Helms  
MAILING ADDR: 786 Co Rd 214 Moulton AL  
CITY STATE ZIP: 35650  
PHONE: 256-974-7176 cell 256-227-3165

PROPERTY OWNER: Tucker Littrell Littrell development  
OWNER ADDR: 945 Littrell ave. Decatur AL 35602  
CITY STATE ZIP: Decatur AL  
OWNER PHONE: 355-1468

ADDRESS FOR APPEAL: 1014 Worton Grange 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.)

back porch on the outer corner  
is over 1'6" and 2'10" just on the  
corner of porch

Applicant Name(print) Randall Helms  
Signature Randall Helms  
Representative Name(print) \_\_\_\_\_  
Signature \_\_\_\_\_  
Date \_\_\_\_\_

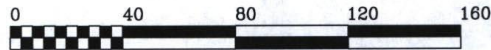
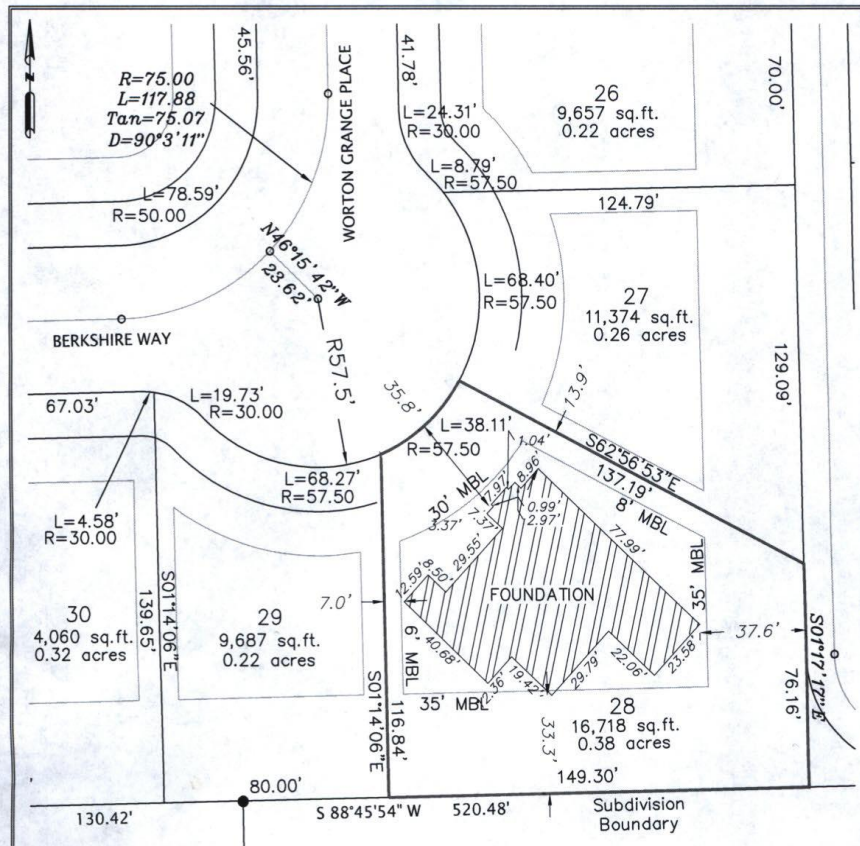
If applicant is using a representative for the request both signatures are required.

Office Use  
Received By Cindy  
Zone \_\_\_\_\_  
Hearing Date 8/28/18  
Approved/Disapproved 420

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 2 1014 WORTON GRANGE SW

Rich Zittel



STATE OF ALABAMA )  
MORGAN COUNTY )

I, Lee Y. Greene, Jr., a Registered Professional Engineer and Land Surveyor of Hartselle, Alabama hereby certify that all parts of this survey have been completed in accordance with the requirements of the Standards of Practice for Land Surveying in the State of Alabama, and that the foregoing is a true and correct plat or map of the following real estate, to-wit:

Lot 28, Replat of Windsor Place Subdivision, Decatur, Morgan County, Alabama as shown by map or plat of said subdivision file and of record in the Office of the Judge of Probate of Morgan County, Alabama in Plat Book 2007 at Page 33.

I further certify that there are no encroachments by buildings on the adjoining property; and that there are no right-of-way, easements, or joint driveways over or across said land visible on the surface of the ground; there are no electric or telephone wires (excluding wire which serves the premises only) or structures of supports thereof including poles, anchors and guy wires on or over said premises, except as shown. Subsurface and environmental conditions were not surveyed or examined or considered as part of the survey. No evidence or statement is made concerning the existence of underground or overhead conditions, containers, facilities, or any historical or cultural resources that may affect the use or development of this property. The professional surveyor has made no investigation of independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose. In providing this boundary survey, no attempt has been made to obtain or show data concerning existence, size, depth, condition, capacity or location of any utility existing on site, whether private, municipal or public owned.

According to my survey this the 11th day of July, 2018.

X Bearings based on deed on plat.  
Bearing and coordinates shown hereon are based on Alabama State Plane Grid, West Zone, NAD83, and were determined from GPS observations. Contours and spot elevations are based on the NAVD83 datum and were determined from GPS observations.  
No subsurface investigation was performed to locate underground utilities. Utilities shown hereon are limited to and are per observed evidence only.

LEGEND OF SYMBOLS

—E—E—E—	Fence Line (Possession)
—O—O—O—	Centerline
—X—X—X—	Overhead Utility Lines
—●—●—●—	1/2" Iron Pin Set w/ Cap Stamped "GREENE 29090-S"
○	Monument Found
⊙	Utility Pole

Not Original without Red Seal and Dated Signature.  
Copyright © 2018, Lee Y. Greene & Associates, Inc.  
All Rights Reserved

Checked By:

Lee Y. Greene, Jr., PE/PLS  
Alabama Reg. No. 29090-S

Lee Y. Greene & Associates, Inc.  
Engineering & Surveying  
121 Sparkman Street SW, Hartselle, AL 35640  
(256) 773-2304 (256) 773-2361 FAX  
www.legreene.com  
Alabama CA Number: 1332-E, 389-LS

Drawing Date: 7/11/18	Field Survey: 7/11/18
Drawn By: TAS	File Number: 2018165.dwg

SURVEY



Aug 28, 2018 4:00 pm



*A Grand City on a CHARMING SCALE*

Board of Zoning Adjustment

APPLICANT:	Gordon + Barbara Dunn
MAILING ADDR:	3408 Stillwood Dr.
CITY STATE ZIP:	Decatur, AL 35603
PHONE:	(256) 351-1636
PROPERTY OWNER:	Gordon + Barbara Dunn
OWNER ADDR:	Same as above 3408 Stillwood Dr
CITY STATE ZIP:	Decatur, AL 35603
OWNER PHONE:	(256) 351-1636

ADDRESS FOR APPEAL:	702 Appaloosa Ln (Lot 35) Decatur 35603
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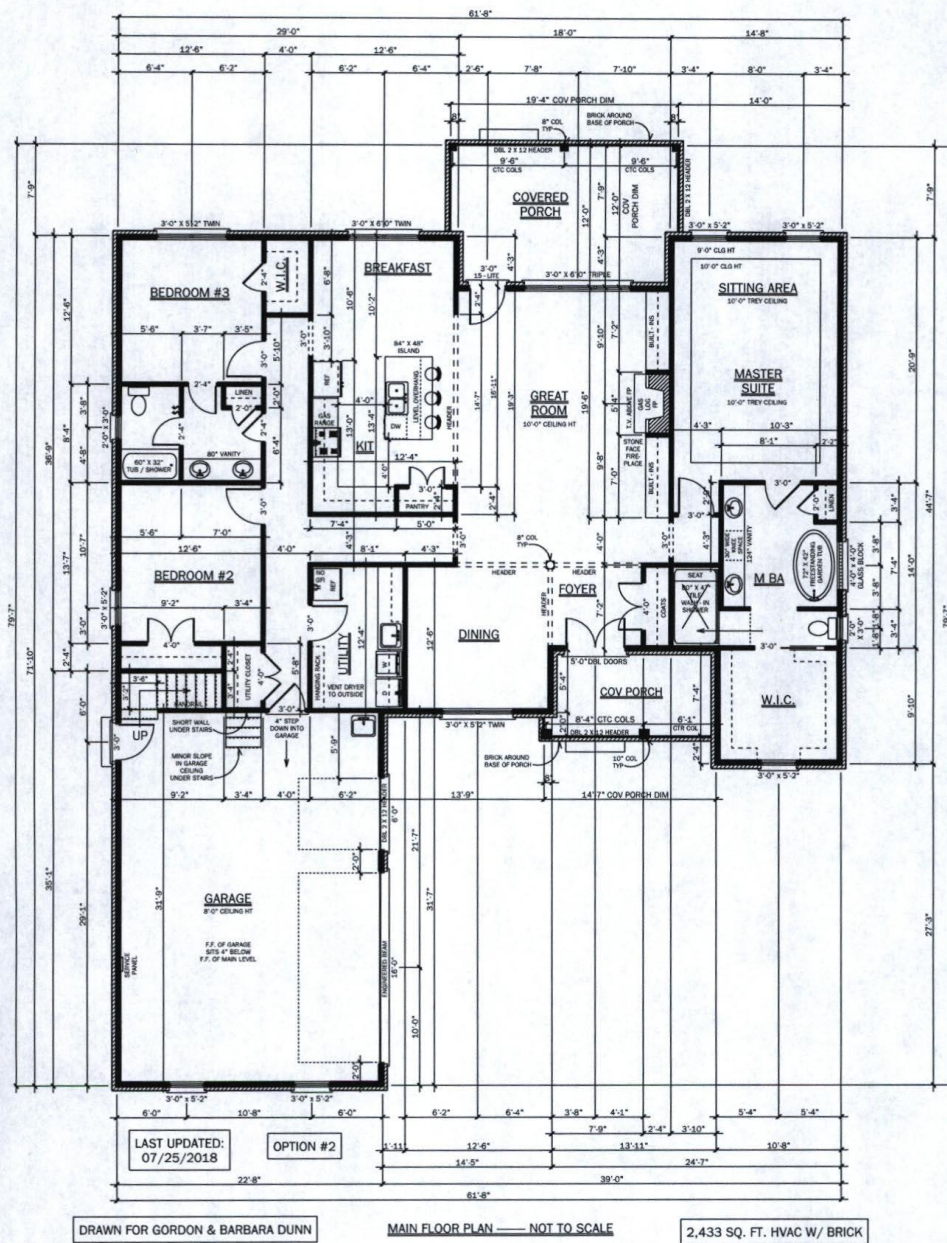
<b>NATURE OF APPEAL:</b>	
<input type="checkbox"/> HOME OCCUPATION	<input checked="" type="checkbox"/> SETBACK VARIANCE
<input type="checkbox"/> USE PERMITTED ON APPEAL	<input type="checkbox"/> SIGN VARIANCE
<input type="checkbox"/> OTHER	<input type="checkbox"/> APPEAL OF ADMINISTRATIVE DECISION
<input type="checkbox"/> SURVEY FOR VARIANCES ATTACHED	<input type="checkbox"/> DRAWINGS FOR VARIANCES ATTACHED

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

<b>DESCRIBE APPEAL IN DETAIL:</b> (INCLUDE: DIMENSIONS, # FT FOR VARIANCES; # FOR PARKING; HARDSHIP; TYPE OF BUSINESS.)	
We are requesting a variance of 8 Ft to the front and 10 Ft to the back of the lot. The variance is needed due to the restrictions of the Farm Subdivision, which requires houses to be 2000 sq ft or more, garage doors cannot face the street, and no out buildings or sheds are permitted.	
Applicant Name(print) <u>Barbara Dunn</u>	If applicant is using a representative for the request both signatures are required.
Signature <u>Barbara Dunn</u>	
Representative Name(print) _____	
Signature _____	
Date <u>8-6-18</u>	Office Use Received By <u>Macey</u> Zone _____ Hearing Date <u>8-28-18</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.

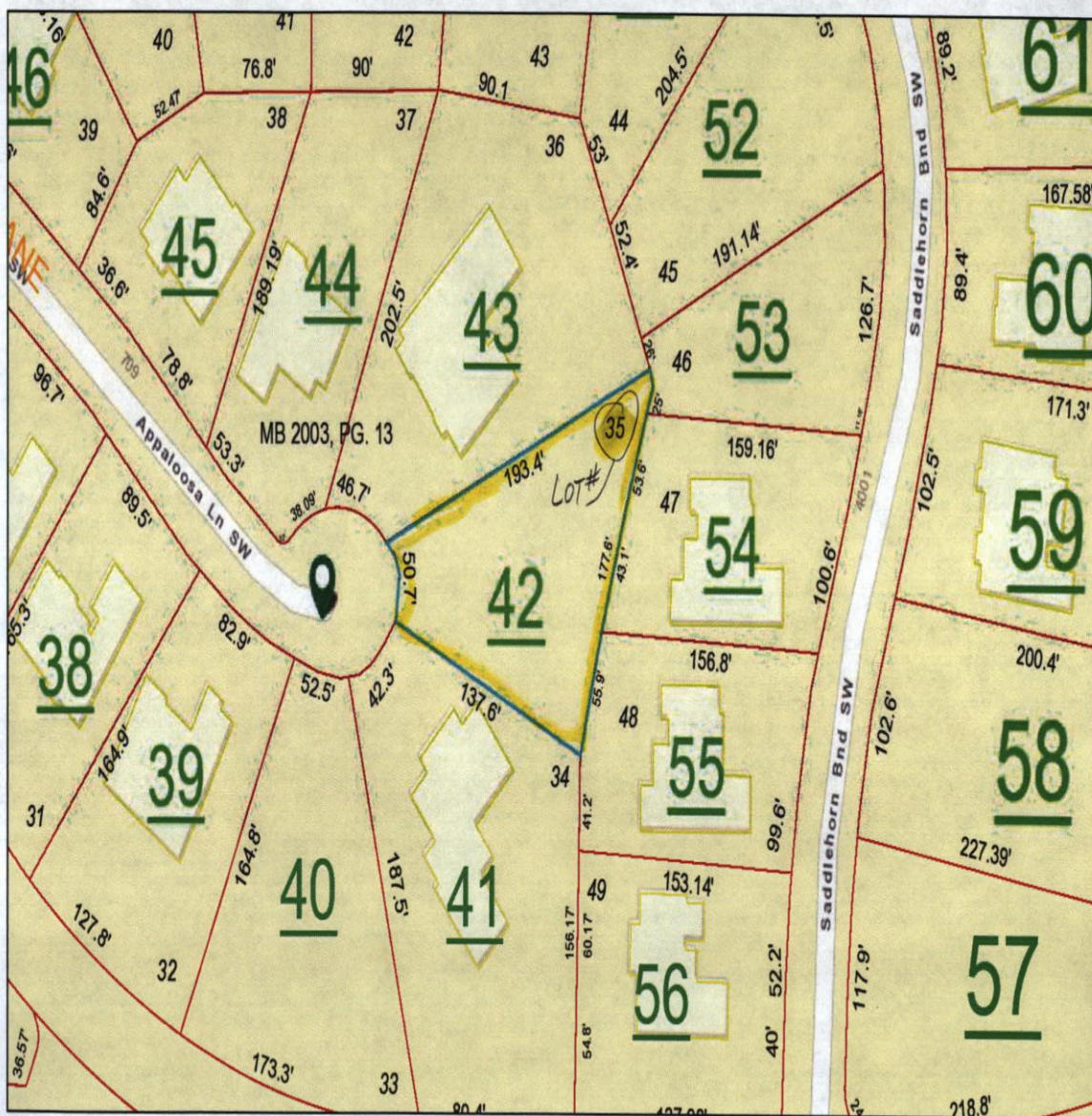
CASE NO 3 702 APPALOOSA LN SW





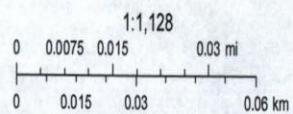


# Viewer Map



April 3, 2018

- Parcels
- Hydro Line
- Lot Line
- Building Footprint



KCS  
Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan,

Copyright 2018

**VIEWER MAP**



Aug 28, 2018 4:00 pm.



A Grand City on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Karen D. Elliott  
MAILING ADDR: 1906 Miller St SW  
CITY STATE ZIP: Decatur, AL 35601 (Lea Baker)  
PHONE: (256) 606-6751 or (256) 466-9056

PROPERTY OWNER: Karen D. Elliott  
OWNER ADDR: 1906 Miller St SW  
CITY STATE ZIP: Decatur, AL 35601  
OWNER PHONE: (256) 606-9056

ADDRESS FOR APPEAL: 1926 Old-Moulton Road SW  
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

\*\*\*\*\* 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.)

Asking for Variances to Keep the  
attached TOP Cover on the Porch please.  
for Day Care Center. 6 x 8 Roof. TOP.

Applicant Name(print) Karen D. Elliott  
Signature Karen D. Elliott  
Representative Name(print) \_\_\_\_\_  
Signature \_\_\_\_\_  
Date \_\_\_\_\_

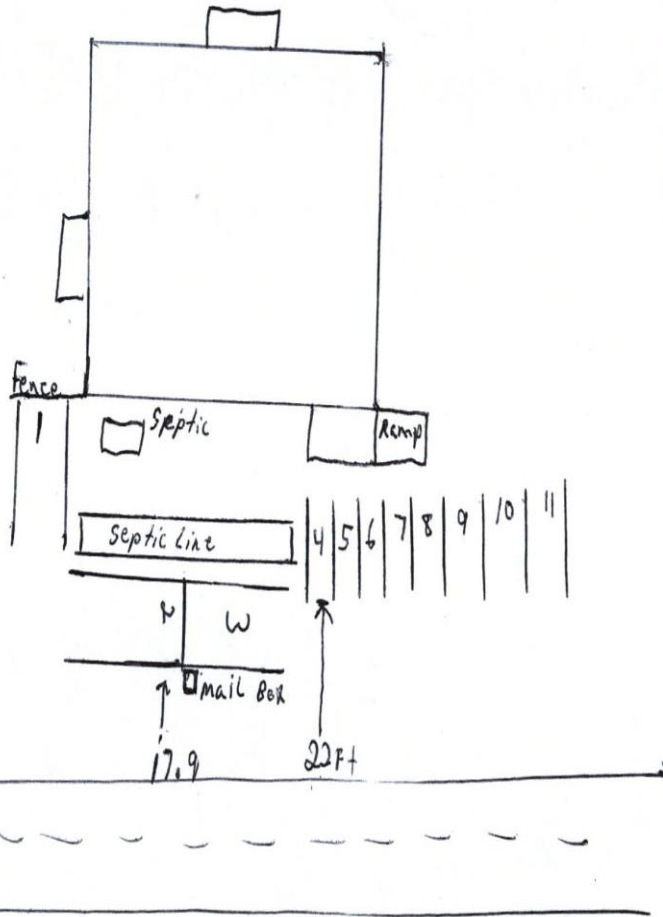
If applicant is using a representative for the request both signatures are required.

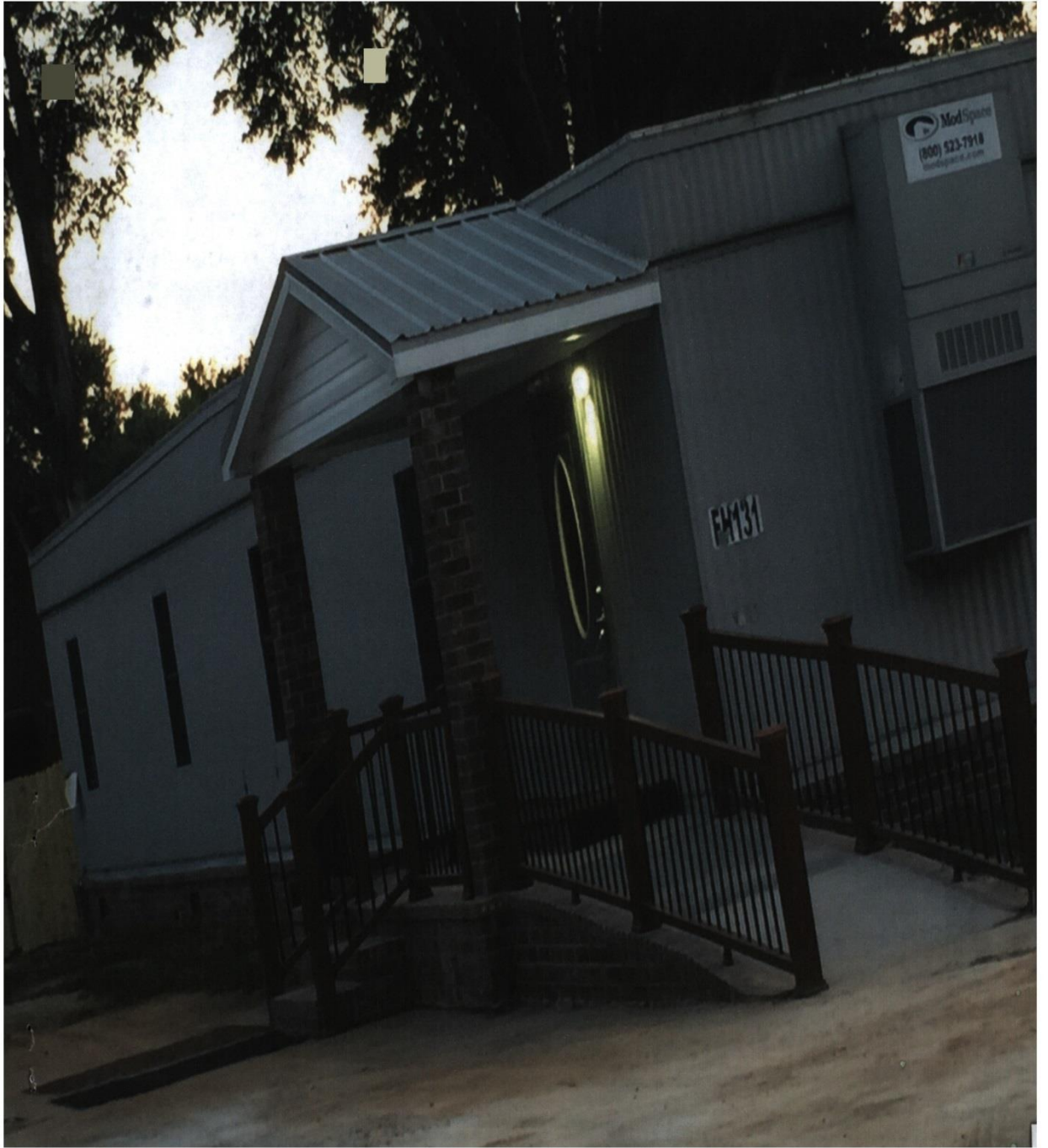
Office Use  
Received By Nancy  
Zone \_\_\_\_\_  
Hearing Date 8/28/18  
Approved/Disapproved \_\_\_\_\_

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.

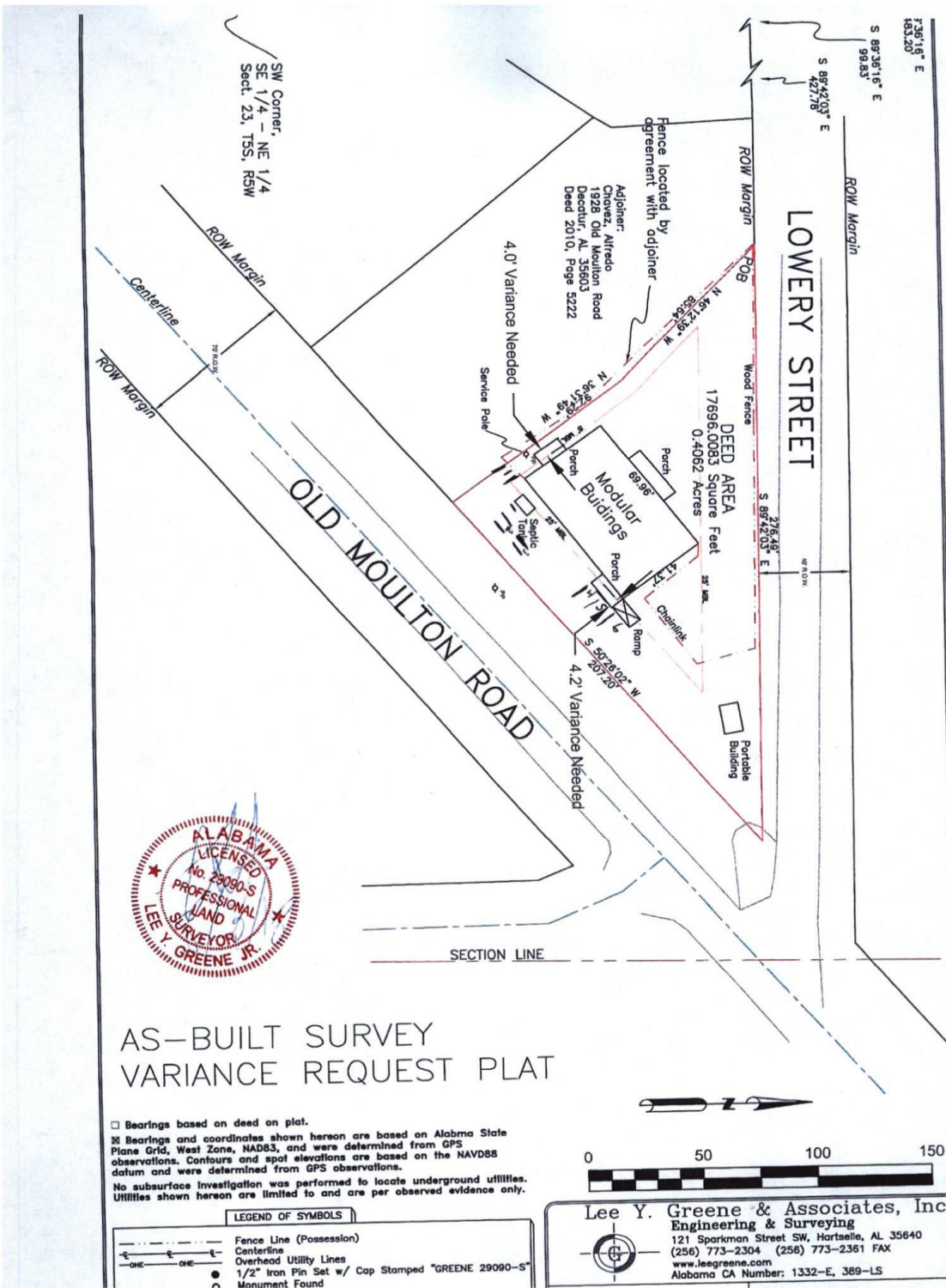
CASE NO 4 1926 OLD MOULTON RD SW

	Distance From Road	Parking Spaces
1. Employee	42 Ft	9 ft Wide
2. Employee	17.9 Ft	15 ft Long Plus 22 ft backing up Space
3. Employee	17.9 Ft	Totaling 37 Ft
4.	22 Ft	
5.	22 Ft	
6. Handicap	22 Ft	
7.	22 Ft	
8.	22 Ft	
9.	22 Ft	
10.	22 Ft	
11.	22 Ft	



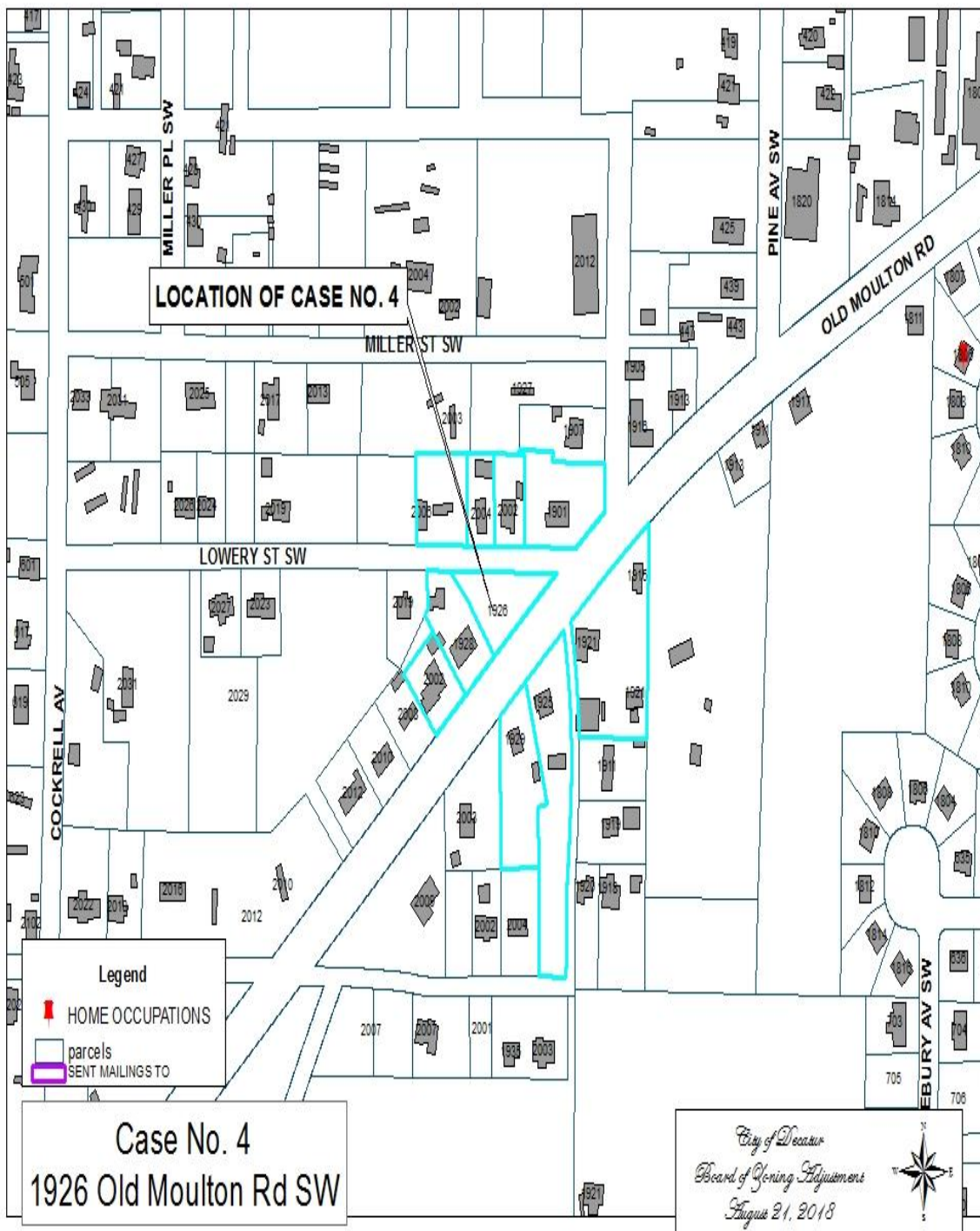


**PICTURE**



# AS-BUILT SURVEY VARIANCE REQUEST PLAT

□ Bearings based on deed on plat.  
 X Bearings and coordinates shown hereon are based on Alabama State Plane Grid, West Zone, NAD83, and were determined from GPS observations. Contours and spot elevations are based on the NAVD88 datum and were determined from GPS observations.  
 No subsurface investigation was performed to locate underground utilities. Utilities shown hereon are limited to and are per observed evidence only.





*A Grand City on a CHARMING SCALE*

Board of Zoning Adjustment

APPLICANT: Juan Delgado  
MAILING ADDR: 1307 16<sup>th</sup> SE Decatur AL, 35601  
CITY STATE ZIP: Decatur AL, 35601  
PHONE: (256) 318-6135

PROPERTY OWNER: Juan David Delgado  
OWNER ADDR: 1307 16<sup>th</sup> SE  
CITY STATE ZIP: Decatur AL 35601  
OWNER PHONE: 256-318-6135

ADDRESS FOR APPEAL: 1307 16<sup>th</sup> SE.

**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.)

I need a request of 4 foot size yard variance  
to rebuild an existing carport

Applicant Name(print) JUAN DAVID DELGADO  
Signature Juan Delgado  
Representative Name(print) Ramon Delgado  
Signature R. Delgado  
Date 08-07-18

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

Office Use  
Received By [Signature]  
Zone  
Hearing Date 8.28.2018  
Approved/Disapproved

256.616.8694

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 1307 16TH AV SE



Aug. 28, 2018 4:02pm



A Grand City on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT:	Billy & Erica Allen
MAILING ADDR:	1805 Devonshire Dr. SE
CITY STATE ZIP:	Decatur, AL 35601
PHONE:	(256) 642-9537 or (256-525-9433)
PROPERTY OWNER:	Billy & Erica Allen
OWNER ADDR:	1805 Devonshire Dr. SE
CITY STATE ZIP:	Decatur, AL 35601
OWNER PHONE:	256 642-9537 (256-525-9433)

ADDRESS FOR APPEAL: 701 Sycamore St. NW, Decatur, AL

NATURE OF APPEAL:		
<input type="checkbox"/> HOME OCCUPATION	<input type="checkbox"/> SETBACK VARIANCE	<input type="checkbox"/> SIGN VARIANCE
<input checked="" 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

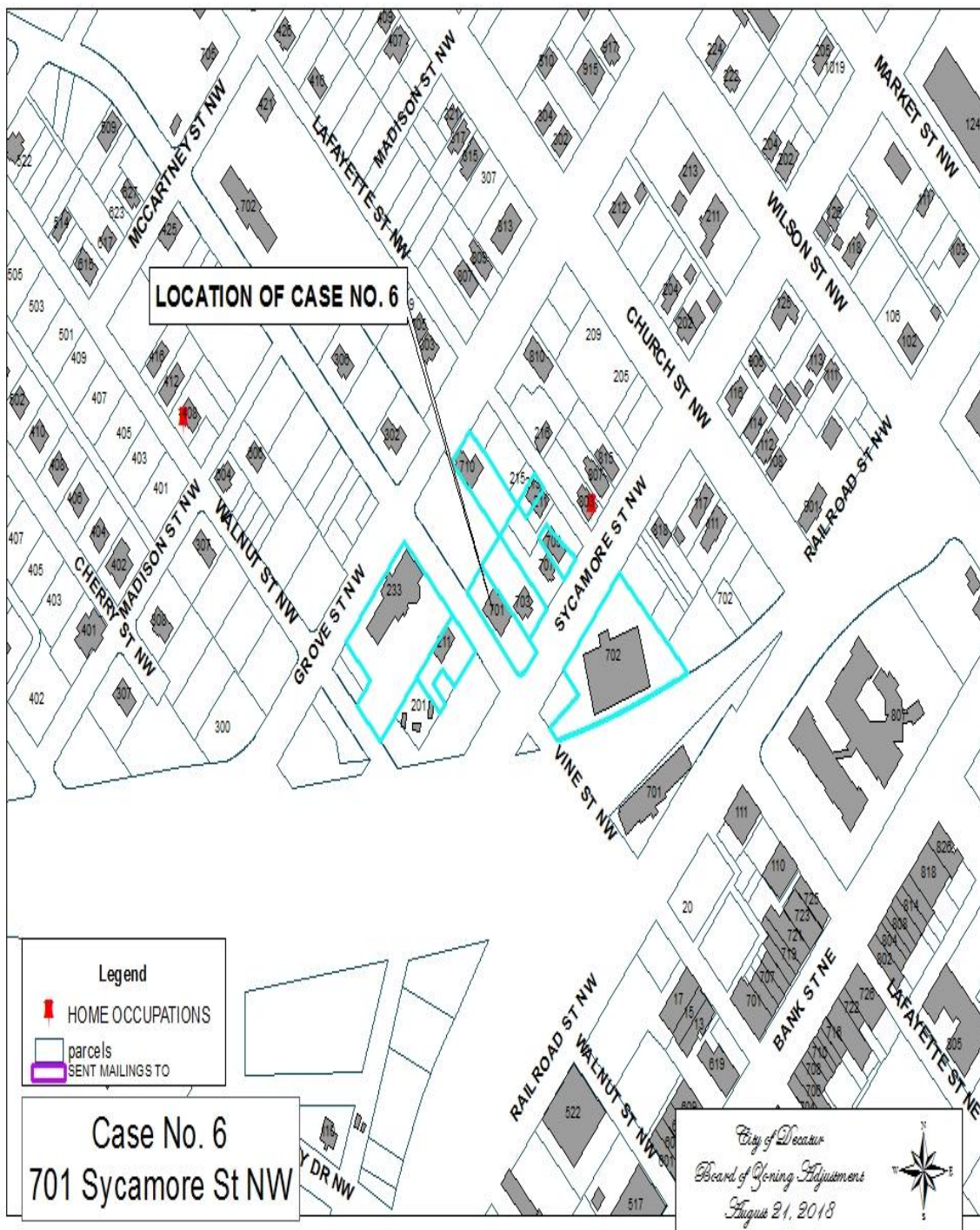
\*\*\*\*\*Applicants or Duly Appointed Representative MUST be present in order for the case to be heard\*\*\*\*\*

DESCRIBE APPEAL IN <u>DETAIL</u> : (INCLUDE: DIMENSIONS, # FT FOR VARIANCES; # FOR PARKING; HARDSHIP; TYPE OF BUSINESS.)		
Wishing to open a restaurant in a B-1 zoning district.		
Applicant Name(print) <u>Billy Allen, Erica Allen</u>	If applicant is using a representative for the request both signatures are required.	Office Use
Signature <u>Billy Allen, Erica Allen</u>		Received By <u>[Signature]</u>
Representative Name(print) <u>Billy &amp; Erica Allen</u>		Zone <u>B-1</u>
Signature <u>Billy Allen &amp; Erica Allen</u>		Hearing Date <u>Aug 28, 2018</u>
Date <u>8/6/2018</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.



CASE NO 6 701 SYCAMORE ST NW



**LOCATION MAP**

8-21-18 4:15 p.m.



*A Grand City on a* CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Joycelyn Cranner  
MAILING ADDR: 3320 Sandlin Road  
CITY STATE ZIP: Decatur, AL 35603  
PHONE: 256-226-9870

PROPERTY OWNER: Kimselfa Leach  
OWNER ADDR: 3320 Sandlin Road 308 Farmington Road  
CITY STATE ZIP: Decatur, AL 35603  
OWNER PHONE: (256) 303-9071

ADDRESS FOR APPEAL: 3320 Sandlin Road 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.)

Full Time daycare center administrative office at my home

Applicant Name(print) Joycelyn Cranner  
Signature Joycelyn Cranner  
Representative Name(print) \_\_\_\_\_  
Signature \_\_\_\_\_  
Date 8-10-18

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

Office Use  
Received By [Signature]  
Zone \_\_\_\_\_  
Hearing Date 8.21.18  
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 7 3320 SANDLIN 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 ☒
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 ☒

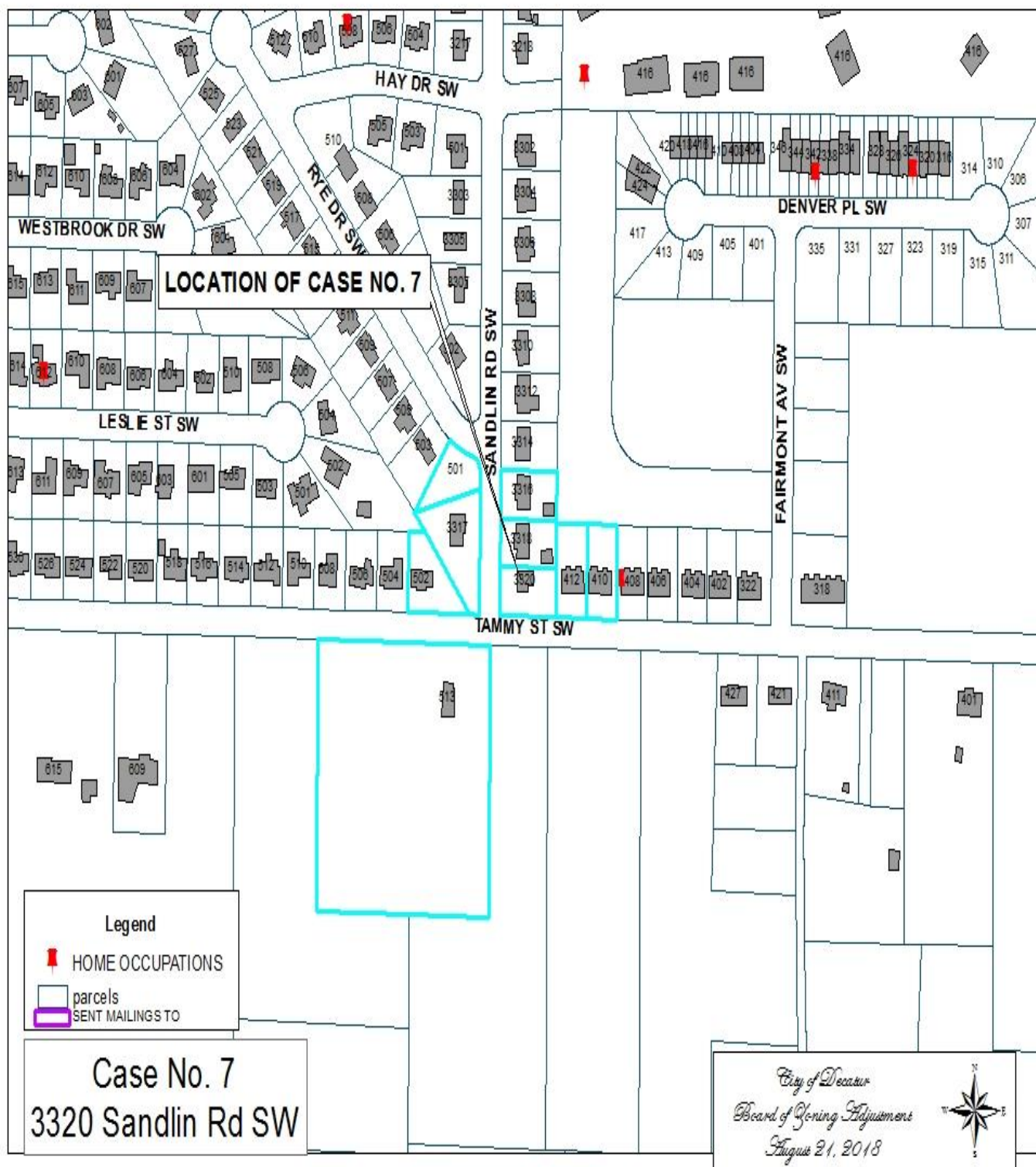
SIGNED: \_\_\_\_\_

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

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

3520 Sandline Road Decatur, AL 35603

QUESTIONNAIRE



**LOCATION MAP**