



BOARD OF ZONING ADJUSTMENT

AGENDA

February 25, 2020

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MINUTES JANUARY 2020

MEMBERS PRESENT: Chairman, Charles Taylor, Mr. Collis Stevenson,
Ms. Delayne Dean,
Mr. Thomas Rossi

SUPERNUMERARIES: Mr. Steven Thomas

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. Matthew Marques, Planning Department
Mr. Bob Sims, Building Inspector
Mrs. Nancy Whiteside, Recorder

Chairman, Charles Taylor called the meeting to order at 4:00 p.m. in the Council Chambers at City Hall.

Mr. Bob Sims called the roll.

The Board considered the following applications and appeals.

The minutes from the November 2019 meeting were approved without any changes. Mr. Steven Thomas motioned to approve the minutes. Mr. Collis Stevenson seconded the motion. On a voice vote the motion carried.

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

CASE NO. 1-TABLED FROM NOVEMBER 2019

Application and appeal of Taylor Jones for an administrative decision from Section 25-76 (p) to keep an off premises sign at 110 6th Av NE, property is located in a M-1 Light Industrial Zoning District.

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

CASE NO. 2

Application and appeal of Christopher Jackson 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 interior design business located at 1415 7th Avenue SE, property is located in a R-2 Single-Family Zoning District.

Mr. Christopher Jackson presented this case to the Board. Mr. Jackson stated his name was Christopher Jackson and his address was 1415 7th Avenue SE. Mr. Jackson stated he would like to have a business license for an interior design business. Mr. Jackson shared a few photos of his work.

Mr. Steven Thomas asked Mr. Jackson to amend the application questionnaire to reflect question number one that all of the administrative work would be done only in his home. Mr. Jackson amended the questionnaire.

Ms. Delayne Dean verified that there would not be any clients coming to his home.

Chairman, Charles Taylor asked for any further questions.

Mr. Bob Sims, Building Department, had no comment.

Mr. Matthew Marques, Planning Department, had no comment.

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

CASE NO. 3

Application and appeal of Christina Reedus 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 cleaning business located at 3526 Highway 31 S Apt 10D, property is located in a R-4 Multi-Family Zoning District.

Ms. Christina Reedus presented this case to the Board. Ms. Reedus stated her name was Christina Reedus and her address was 3526 Highway 31 S Apt. 10D. Ms. Reedus stated she would like to use one room in her home for administrative purposes for her janitorial business.

Chairman, Charles Taylor ask for any further questions.

Mr. Bob Sims, Building Department, had no comment.

Mr. Matthew Marques, Planning Department, had no comment.

Mr. Collis Stevenson 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 Robert Burris for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a lawn service located at 1110 Way Thru The Woods SW, property is located in a R-2 Single Family Zoning District.

Mr. Robert Burris presented this case to the Board. Mr. Burris stated his name was Robert Burris and his address was 1110 Way Thru The Woods SW. Mr. Burris stated he would like to use one room in his home for administrative purposes for his lawn care business.

Mr. Thomas Rossi asked Mr. Burris to clarify the statement on his application that states doing minor repairs to equipment. Mr. Burris stated he would only be working on his personal equipment.

Mr. Steven Thomas asked Mr. Burris to amend the application questionnaire to reflect question number one that all of the administrative work would be done only in one room of his home. Mr. Burris amended the questionnaire. Mr. Burris also corrected question number 4.

Mr. Steven Thomas asked Mr. Burris to clarify question number five where he has written gas cans as explosives. Mr. Burris stated he would have no more than a five gallon can of gas at a time.

Chairman, Charles Taylor asked for any further questions.

Mr. Steve Barnett, 1111 Way Thru The Woods presented a petition signed by ten different families/people who are concerned with the amount of traffic coming through the neighborhood. Mr. Barnett stated he understood that there would not be any employees going to the home. Mr. Barnett stated they were concerned that equipment trailers would be parked on the street and block the intersection. Mr. Barnett stated Mr. Burris has one trailer parked on the street at this time and is concerned eventually there may be more.

Mr. Burris responded stating that he is working on cleaning out his garage and once that is complete he will move the trailer into the garage. Mr. Burris stated if his business gets large enough to have several trailers he will rent somewhere to store his equipment.

Mr. Troy Woodall, 1112 Way Thru The Woods stated he was concerned where the equipment would be stored and a concern about employees. Mr. Burris had answered these questions and Mr. Woodall was satisfied with the answers.

Chairman, Charles Taylor commended to the audience that any time there is a concern about any home occupation it is the responsibility of the residents of the neighborhood to report the concerns to this Board then an investigation would begin.

Mr. Steve Barnett handed over the list of neighbors who had concerns with the business.

Ms. Delayne Dean stated any resident is allowed to have a trailer and this situation sounded to be no different. Ms. Dean stated if the business grew into larger equipment other arrangement would have to be made.

Mr. Bob Sims, Building Department, had no comment.

Mr. Matthew Marques, Planning Department, had no comment.

Mr. Steven Thomas 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 Philda Starks 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 use one room in home for a flower planting and potting business located at 715 4th Av SE, property is located in a R-4 Multi-Family Residential Zoning District.

Ms. Philda Starks presented this case to the Board. Ms Starks stated she would like to use one room in her home for planting of plants she will be selling at the farmers market.

Ms. Delayne Dean asked if she would be growing the plants. Ms. Starks stated she would be purchasing the plants from another grower.

Chairman, Charles Taylor asked Ms. Starks to briefly describe what she would be doing.

Ms. Starks stated she would be working with a vendor to bring a product line in to create planters for homes or commercial environments and sold at the Decatur farmers market.

Mr. Steven Thomas asked Ms. Stark if she understood she could not sell the plants from her home. Ms. Starks understood.

Mr. Thomas Rossi asked Ms. Starks if deliveries made to her home would be greater than any other normal delivery. Ms. Starks stated it would not be any different.

Mr. Steven Thomas verified that Ms. Starks was not creating a nursery. Ms. Starks stated she was not creating a nursery.

Chairman, Charles Taylor asked for any further questions.

Mr. Bob Sims, Building Department, asked Ms. Starks how much stock would be kept. Ms. Starks responded she would not have much since it is a perishable product and only the amount she could sell over a weekend.

Mr. Matthew Marques, Planning Department, had no comment.

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

CASE NO. 6

Application and appeal of Juan Ramon Landaverde 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 telephone/internet business for installation of hardwood flooring located at 303 Austinville Rd SW Apt # 18, property is located in a R-4 Multi-Family Residential Zoning District.

Mr. Juan Landaverde presented this case to the Board. Mr. Landaverde stated his name was Juan Ramon Landaverde and his address was 303 Austinville Rd Apt #18. Mr. Landaverde stated he would like to use one room in his home for a floor installation business.

Chairman, Charles Taylor verified with Mr. Landaverde that he would be using the internet to contact suppliers and clients, Mr. Landaverde agreed.

Mr. Steven Thomas asked how Mr. Landaverde would be advertising and reminded him that he could not list his home address on his vehicles or any of his advertisements but, the phone number was ok, Mr. Landaverde understood.

Ms. Delayne Dean asked Mr. Landaverde if the product would be shipped to the customers address. Mr. Landaverde stated yes the customer would need to order all the supplies and have it at their home, for the time being since he was unable to store large amounts at his present home.

Chairman, Charles Taylor asked for any further questions.

Mr. Bob Sims, Building Department, reminded Mr. Landaverde that he could not have employees coming to his home for any reason, Mr. Landaverde understood.

Mr. Matthew Marques, Planning Department, had no comment.

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

CASE NO. 7

Application and appeal of Patricia Iva Torres 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 located at 1204 Sheraton Street SE, property is located in a R-2 Single-Family Residential Zoning District.

Ms. Patricia Torres presented this case to the Board. Ms. Torres stated her name was Patricia Torres and her address was 1204 Sheraton Street. Ms. Torres stated she would like to use one Mr. Steven Thomas asked Ms. Torres to amend the application questionnaire to reflect question number one that all of the administrative work would be done only in one room of her home. Ms. Torres amended the questionnaire.

Chairman, Charles Taylor verified with Ms. Torres that she would keep the cleaning supplies in her car. Ms. Torres replied yes.

Chairman, Charles Taylor asked for any further questions.

Mr. Bob Sims, Building Department, had no comment.

Mr. Matthew Marques, Planning Department, had no comment.

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

CASE NO. 8

Application and appeal of Trav-Ad Signs for a 23 square foot attached accessory sign variance from Section 25-77 (e) (1) to install 239 square feet of attached signs on premise signs located at 1101 6th Avenue NE, property is located in a B-2 General Business Zoning District.

Mr. Parks Harris, salesman from Trav-Ad Signs, presented this case to the Board for its ruling. Mr. Parks stated that Trav-Ad Signs is here helping the Hilton Doubletree install a sign on the North side of the river front that exceeds the allowed square footage. Iris and Chad representing the Doubletree are also here to answer question if needed.

Mr. Harris states that there is not any type of sign on the north side of the building. The only sign attached to the building is on the South side. Mr. Parks states that they are wanting to be able to advertise on the North side of the building for aesthetics and to provide traffic direction to the hotel.

Mr. Parks states that the signage Doubletree has designed will help in attracting businesses and new residents to the area.

Chairman, Charles Taylor ask for any questions.

Mr. Thomas Rossi, asked if the extra square footage was truly required. Mr. Rossi asked if this sign being proposed was a standard size sign the Doubletree uses most often.

Mr. Parks responded that he was not aware if the proposed sign was a standard size. The designed size is the most aesthetic proposed by the manufacturer for that fascia.

Chairman, Charles Taylor called for any further questions.

Ms. Crystal Brown, Decatur-Morgan County Chamber of Commerce, stated the Chamber is excited for the possibility of the signage for the Doubletree. Ms. Brown stated the Chamber has several events that are hosted at the Doubletree as well as individuals that are invited into town. Ms. Brown stated there is not a good way instruct someone to get to the hotel. Ms. Brown asked the Board to grant the request and feels it will be an enhancement to the Doubletree.

Rick Paler, Decatur Downtown Redevelopment Authority, stated the organization feels that the way the sign is designed will enhance area appeal and help continued growth.

Mr. Bob Sims, Building Department, had no comment.

Mr. Matthew Marques, Planning Department, had no comment.

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. 9

Application and appeal of Experience Signs of the South for a 127.88 square foot area variance from Section 25-77 (e)(2) to install 267.88 of attached on premise signs located at 1107 Beltline Road SE unit B, property is located in a M-1A Expressway Commercial Zoning District.

Ms. Ashley Ware, representative for Experience Signs of the South, presented this case to the Board. Ms. Ware stated this request was for 1107 Beltline Rd Unit B. Ms. Ware stated that 127.88 additional square feet is being request for the signage on the property.

Chairman, Charles Taylor asked for questions from the Board.

Ms. Delayne Dean asked if Experience Signs of the South designed the signs. Ms. Ware stated no that these signs were an install only. Ms. Dean verified that TJ MAXX send the lettering to them, Ms. Ware stated yes.

Chairman, Charles Taylor asked Ms. Ware if this was standard signage for TJ MAXX. Ms. Ware replied yes. Chairman Taylor asked if there was a smaller sign underneath the large sign on the roof and small signs on the columns. Ms. Ware replied yes.

Ms. Delayne Dean verified that only channel letters are on the roof, Ms. Ware replied yes.

Mr. Bob Sims, Building Department, had no comments.

Mr. Matthew Marques, Planning Department, had no comments.

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

CASE NO. 10

Application and appeal of Travis Trimble for an appeal of an administrative decision from Section 25-11 in order to operate a stone works and retail business at 2502 Highway 20, property is located in a B-2 General Business Zoning District.

Mr. Travis Trimble presented this case to the Board. Mr. Trimble stated his name was Travis Trimble and his address is 2320 Ben Poole Rd. Mr. Trimble stated he would like to open a cultured stone business. The stone will be manufactured at this location and sold at retail and wholesale. Mr. Trimble states he is asking for an appeal of an administrative decision to be able to operate at this location.

Chairman, Charles Taylor verified that this location is in a B-2, Mr. Trimble agreed.

Mr. Bob Sims, Building Department, stated a M-1 Light Industrial District or a M-2 General Industrial District would allow this type of business.

Mr. Steven Thomas asked if the M-1 or the M-2 zoning district needed for this request. Mr. Bob Sims, Building Department, stated yes

Ms. Delayne Dean, asked Mr. Trimble to explain the process of the stone works. Mr. Trimble explained the process of the manufactured stone. Mr. Trimble explained there is not any noise pollution or any pollution at all. Mr. Trimble states there should not be any negative impact to the surrounding businesses. Mr. Trimble states sells would be to wholesaling to builders and offer retail sells for walk customers.

Mr. Thomas Rossi asked if there would be a retail display, Mr. Trimble replied yes.

Mr. Rossi asked if falls into the light manufacturing and retail store. Mr. Bob Sims, Building Department, replied stone works brings a whole other impression. The description of stone works is what brings into play the prohibited use in the B-2 General Business Zoning District.

Mr. Sims states it sounds like Mr. Trimble is not going to be sculpting stone making monuments.

Mr. Trimble states that it is veneer, culture stone but is concrete. This is created for exterior surfaces such as retaining walls, wherever bricks could be laid this can be used in its place.

Ms. Delayne Dean asked if it is the rock look alike that is placed on housing instead of actual rock, Mr. Trimble agrees.

Mr. Bob Sims, Building Department, ask Mr. Trimble approximately how much would be processed daily. Mr. Trimble replied less than 150 square feet a day.

Mr. Bob Sims, Building Department, states that originally Mr. Trimble had spoken with Sam Brackin in the Building Department and stone work was brought into the conversation and that leads has a different meaning for the B-2 zoning district. Mr. Sims states from the description of the work to be performed there should not be any impact on the surroundings.

Mr. Sims, Building Department, states rezoning the property to a M-1 or a M-2 Business Zoning District probably would be more advantageous for when the business begins to expand, Mr. Trimble agrees. Mr. Trimble wants a waiver to start the business at this time and then proceed with having the property re-zoned.

Mr. Steven Thomas asked Mr. Trimble what size delivery truck will be used to get the product to the builders. Mr. Trimble assured Mr. Thomas that the product is veneer and the product will be sent out on pallets and will not need any large delivery trucks. Mr. Trimble states that there will not be any assembly taken place here in this building. Mr. Trimble states that no forklifts will be used only pallet jacks.

Mr. Bob Sims, Building Department, reiterates for the Board that the property would benefit re-zoning for the future growth of the business. Mr. Trimble is in agreement with this assement.

Mr. Collis Stevenson asked about the weight of the product. Mr. Trimble states that the product would not be measured by weight but by square feet, Mr. Stevenson understood.

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. 11

Application and appeal of Donna Green for an administrative decision from Section 25-13 in order to convert a residence back to a multi-family use at 1052 East Moulton Street, property is located in a B-2 General Business Zoning District.

1. Change to another nonconforming use.
2. Re-establish after discontinuance for one year.

Ms. Donna Green presented this case to the Board. Ms. Green stated her name was Donna Green and her address is 225 Old Somerville Rd. Ms. Green stated the property she owns at 1052 East Moulton Street, which is currently zoned as a B-2 General Business District and being used as a single family home, be allowed to return back into a duplex.

Ms. Green states the property was originally zoned R-4. Ms. Green stated that sometime in the 1980's the property was converted into an R-3 zoning district. Ms. Green explains that there are several multi-family housing units located in this neighborhood at the present time. Ms. Green states that there were several hardships that kept her from closing on the property as quickly as she would have liked too. Therefore, she now has to appeal to the Board of Zoning for a variance to allow the property to return to a multi-family use.

Chairman, Charles Taylor asked Ms. Green if the property had been used as a single family home. Ms. Green stated that the property has not ever been used as a single family use.

Chairman, Charles Taylor asked why only one meter was located on the property.

Ms. Green explained to the Board that she could not answer why there was only one meter at the home. Ms. Green stated that there are two separate breaker boxes in the units. Ms. Green explained that she requested to add another meter and that is the reason all of this has come to light.

Mr. Steven Thomas asked Ms. Green if the house is designed as a single family home. Ms. Green stated no it was designed as a two family home.

Ms. Delayne Dean asked Ms. Green if she were to turn the home into a single family use would she have to a lot more construction, Ms. Green stated yes there is not any access between the two units.

Ms. Delayne Dean asked if the front porch was the only common area for the property, Ms. Green stated yes.

Ms. Green stated that most of the homes in that area were multi-family and in her opinion a single family home in that area would not work well.

There was discussion that it was believed that the property had been converted into a single family use because only one meter located on the property. Ms. Green stated she understood that assumption but that was not the case.

Chairman, Charles Taylor asked Ms. Green why she isn't asking for the property to be zoned back to an R-4 Multifamily Residential District. Ms. Green replied she was advised to come before the Board of Zoning and Adjustments so she could make the improvements on the property more quickly. Ms. Green stated she has tenants ready to move in once the improvements are completed. Ms. Green feels that the neighborhood should all be rezoned back to an R-4 status and doesn't understand why it ever went to an R-3 status.

Mr. Bob Sims, Building Department, stated that rezoning that area to an R-3 status was an effort to kick start new building in that area.

Ms. Karen Smith, Planning Department, stated that originally the area was single family residential. In the 1958 Zoning Ordinance historical records show that in the late 1960's early 1970's the whole neighborhood was rezoned R-4 so adaptively the Victorian homes could be reused. Historical records show that in the late 1970's and early 1980's the property owners came to the planning department requesting that the properties be re-zoned to an R-3 status to try and revitalize the area and the historical district was to be the end goal for the neighborhood. One block on Moulton Street chose not to go into the historic district based on the property ownership. However, the property owners were involved in the request to go R-3.

Ms. Karen Smith, Planning Department, advised Ms. Green that she should apply to re-zone to R-4 and then get a permitted use rather than granting a use variance which may have a negative effect on the neighborhood.

Ms. Green states she doesn't mind rezoning, however it will cause her an additional hardship by adding on several more months before she could do any improvements to the property.

Chairman, Charles Taylor asked for any further questions.

Mr. Bob Sims, Building Department, had no further comments.

Mrs. Karen Smith, Planning Department, recommended the property be rezoned to R-4. Ms. Smith stated she does have a problem recommending approval for the use variance. Ms. Smith feels Ms. Green needs to go through the process of doing the rezoning as it is established in the Code of Decatur. The process involves a public hearing in front of the Planning Commission and then the city council and would take approximately 90 days.

Mr. Thomas Rossi asked Ms. Green if a condition were added to the motion that the property be rezoned to R-4 so there would not be a wait is that something you would open to doing. Ms. Green responded yes she would because she felt the property should be zoned R4.

Mrs. Karen Smith, Planning Department, stated she had concerns with this approach. Mrs. Smith stated that once this path has begun it is a moot point.

Chairman, Charles Taylor stated that once a variance is granted then that variance stays with the property, regardless.

Mrs. Karen Smith, Planning Department, stated ideally when something is out of compliance it is brought back into compliance and that is the reason the rezoning is needed.

Mr. Thomas Rossi stated he was trying to come up with a solution Ms. Green could go ahead and move forward without waiting 90 days.

Mrs. Karen Smith, Planning Department, understood Mr. Rossi's concerns but there is a process that needs to be gone through to allow the use in this location that involves 2 public hearing giving the neighbors a chance to voice their thoughts and concerns.

Mr. Bob Sims, Building Department, states that both sides of the argument is justifiable and there needs to be a middle ground met because:

- 1) The house is a duplex and there are other duplexes and triplexes in this neighborhood and has lost its grandfather-ship but the properties are still duplexes or triplexes.
- 2) The cost to convert this house into a single family home to make it useable.
- 3) The neighborhood wanted this to be R3 single family and not a multifamily.

Mr. Chip Alexander, Legal Department, advised the Board that the ruling could not include conditions. Mr. Alexander advised the Board their decision needed to be either based on the Planning Departments recommendations or on the Building Departments recommendations.

Mr. Steven Thomas reiterated that the hardships was that Ms. Green was unable to make the improvements on the property which caused her to have to come in front of this Board.

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

CASE NO. 12

Application and appeal of Carey Wiggins for a use permitted on appeal as allowed in Section 25-11 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an automobile repair shop located at 1005 West Moulton Street, property is located in a B-2 General Business Zoning District.

Mr. Carey Wiggins presented this case to the Board. Mr. Wiggins stated his name was Carey Wiggins and his address is 1612 West Moulton St. Mr. Wiggins stated he would like to convert 1005 West Moulton St into an auto repair shop. Mr. Wiggins stated in the past the property was an auto repair shop.

Mr. Steven Thomas asked Mr. Wiggins where the client's vehicles would be parked.

Mr. Wiggins stated he owns the lots located directly behind this property and he is going to try and have the lots consolidated into one lot so there will be more room. However, at this time he feels like there will be enough room. He states there is enough room for 5-6 cars to be parked on the front side of the building still leaving enough room for cars to go in and out of the parking lot. Mr. Wiggins states that inside of the shop there is room for approximately 6-7 cars.

Mr. Steven Thomas stated to Mr. Wiggins that the property was not to turn into a junk yard. Mr. Wiggins agreed and assured Mr. Thomas that it would not turn into a junk yard.

Mr. Wiggins it is his understanding the renters that will be renting the building should not have many if any cars parked there over night at all. He understands that only small maintenance type jobs are going to be performed at this shop.

Ms. Delayne Dean reiterates no cars would be kept out in front of the building overnight and that there will not be any repairs performed in front of the building. Mr. Wiggins reassures her that is correct.

Chairman Charles Taylor called for any further questions.

Mr. Bob Sims, Building Department, told Mr. Wiggins that some type of screening/fence would be needed to hide the cars that would need to be parked in back hidden from view as they are waiting on being repaired. Mr. Wiggins understood.

Mr. Steven Thomas asked Mr. Wiggins how the stipulations will be enforced.

Mr. Wiggins assure Mr. Thomas that the conditions will be written into the lease agreement and will be upheld by the tenants and if they do not meet these conditions the lease will be terminated.

Mrs. Karen Smith, Planning Department, reiterated to Mr. Wiggins that a sight obscuring fence was absolutely needed especially on the Moulton street side. Mrs. Smith told Mr. Wiggins that a sight obscuring fence around the whole storage area would be ideal. Mrs. Smith reminded Mr. Wiggins how hard this neighborhood has worked to improve the area and hopes that all of the conditions will be handled appropriately.

Mr. Wiggins assures Mrs. Smith that he too is a business owner in this neighborhood and intends on helping to continue with the improvement for the area.

Mr. Steven Thomas motion to approve this case with the following conditions:

- 1) A sight obscuring fence shall be place around the storage area in the back of the property as well as a sight obscuring fence on the Moulton Street side of the building.
- 2) No work is to be performed on the outside of the building.
- 3) There will not be any overnight parking of vehicles in the front or sides of the building.

Mr. Thomas Rossi seconded the motion. On a roll-call vote the motion carried.

CASE NO. 1-TABLED FROM NOVEMBER 2019

Application and appeal of Taylor Jones for an administrative decision from Section 25-76 (p) to keep an off premises sign at 110 6th Av NE, property is located in a M-1 Light Industrial Zoning District.

This case was called again. When no one came forward to present this case to the Board the Board voted on the case as it was present during the month on November 2019.

Ms. Delayne Dean motioned to approve this case as submitted. Mr. Collis Stevenson seconded the motion. On a roll-call vote the motion FAILED to pass.

Chairman, Charles Taylor recognized it was the start of a new year it was time to appoint new chair and vice chair for the board for the year 2020.

Mr. Steven Thomas nominated Ms. Delayne Dean as Chairwoman this carried unanimously.

Ms. Delayne Dean nominated Mr. Thomas Rossi and Vice Chairman this carried unanimously.

Meeting adjourned at 5:40 p.m.

Charles Taylor, Chairman

AGENDA FEBRUARY 2020

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, February 25 at 4:00 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 Rachel and Ben Landers 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 public relations business located at 4515 Day Rd. SW, property is located in a AG-1 Agricultural Zoning District.

CASE NO. 2

Application and appeal of Kathy Sherrill 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 mobile dog grooming business located at 805 9th Ave. SE, property is located in a R-3 Single-Family Zoning District.

CASE NO. 3

Application and appeal of Justin Hall 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 interior design business located at 213 Cherry St NE, property is located in a R-3H Single-Family Historical Zoning District.

CASE NO. 4

Application and appeal of Lakeshia Baker 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 mobile medical uniform sales business located at 604 Holland Dr. SW, property is located in a R-2 Single-Family Residential Zoning District.

CASE NO. 5

Application and appeal of Allison Akins 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 law practice located at 1905 Weatherly Cr. SW, property is located in a R-2 Single-Family Residential Zoning District.

CASE NO. 6

Application and appeal of David Haywood 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 plumbing business located at 2319 Anderson Dr. SW, property is located in a R-2 Single-Family Zoning District.

CASE NO. 7

Application and appeal of Francisco Fuentes 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 floor installation business located at 1427 Danville Rd. SW, property is located in a R-3 Single-Family Zoning District.

CASE NO. 8

Application and appeal of Melad Mansour 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 photography business located at 1820 East Brownstone Ct. SW, property is located in a R-6 Single-Family Semi-Attached Zoning District.

CASE NO. 9

Application and appeal of Tony Tippet 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 painting business located at 628 Longbow Dr. SW, property is located in a R-2 Single-Family Zoning District.

CASE NO. 10

Application and appeal of Decatur Mall, Hull Property Group seeking the following variances in order to install a business center sign located at 1801 Beltline Rd. SW property is located in a B-4 Regional Shopping Business District.

- A. 17' setback variance from Section 25-78 (d).
- B. 11' height variance from Section 25-76 (a)(2).
- C. 3 Squared area variance from Section 25-77 (d)(4).

CASE NO. 11

Application and appeal of Natasha McCrary dba 1818 Farms LLC, for determination as a use permitted on appeal as allowed in Section 25-113 in order to have a temporary business to sell cut flowers and plants at 502 and 504 Bank St. N.E., property located in a B-5 Central Business Zoning District.



on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: RL Consulting
MAILING ADDR: 4515 DAY ROAD
CITY STATE ZIP: Decatur, AL 35603
PHONE: 256 566 1300

PROPERTY OWNER: Rachael & Ben Landers
OWNER ADDR: 4515 DAY RD
CITY STATE ZIP: Decatur, AL 35603
OWNER PHONE: 256 566 1300

ADDRESS FOR APPEAL: 4515 DAY ROAD SW Decatur, AL 35603

☒ HOME OCCUPATION
☐ USE PERMITTED ON APPEAL
☐ OTHER

NATURE OF APPEAL:
☐ SETBACK VARIANCE
☐ APPEAL OF ADMINISTRATIVE DECISION
☐ SURVEY FOR VARIANCES ATTACHED
☐ SIGN VARIANCE
☐ 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.)

Using one room in my home for administrative purposes

Applicant Name (print) Rachael Landers
Signature [Signature]
Representative Name (print) R
Signature _____
Date 1/24/2020

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

Office Use
Received By _____
Zone _____
Hearing Date February 26
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.

CASE NO. 1 4515 DAY RD. SW



HOME OCCUPATION QUESTIONS

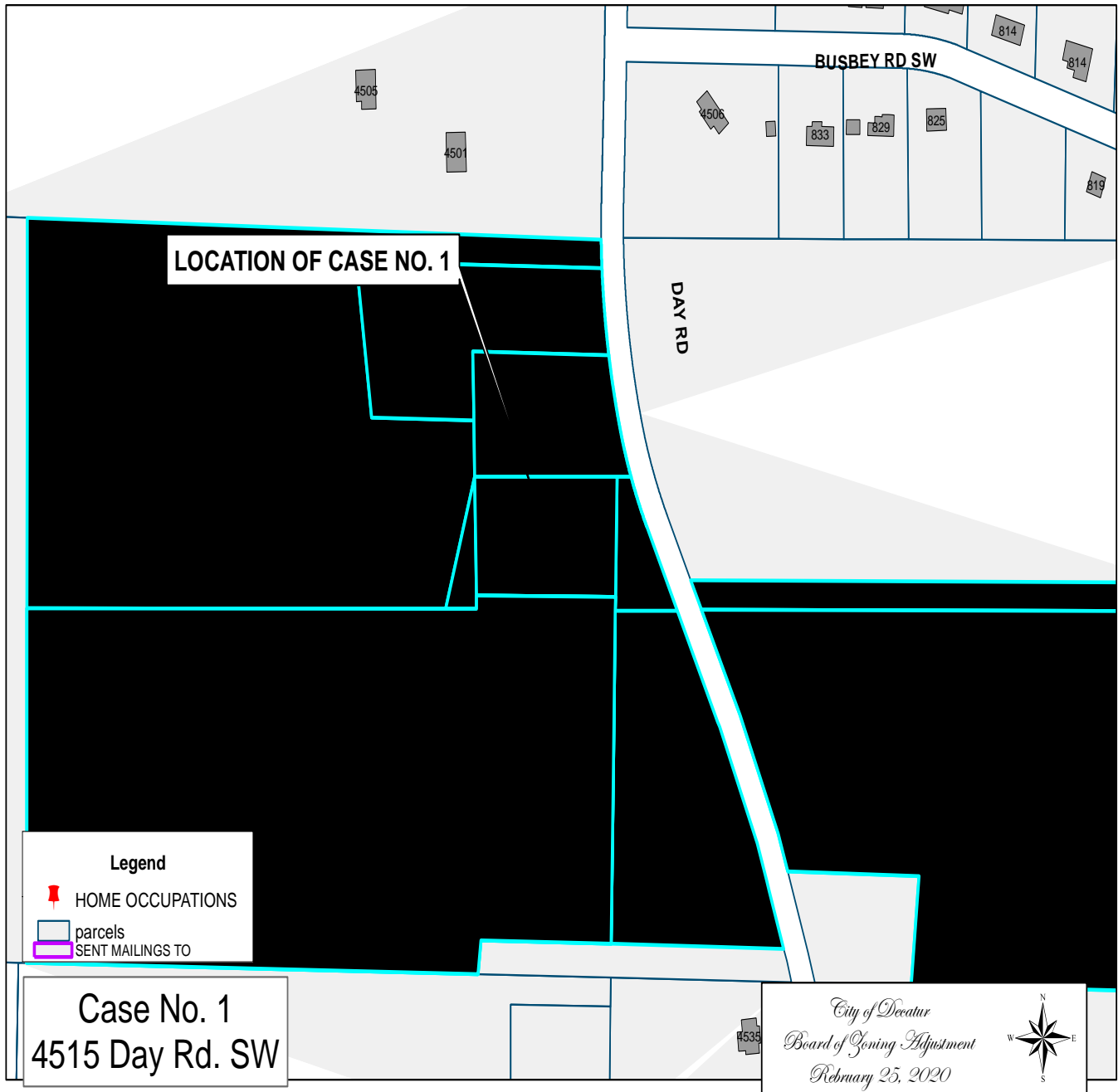
CHECK YES OR NO FOR EACH QUESTION

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 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: Rachael Sanders DATE: 1/24/2020
ADDRESS: 4515 Day Rd. SW Decatur, AL 35603

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(256) 341-4500 • www.DecaturAlabamaUSA.com

QUESTIONNAIRE





on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: KATHY SHERRILL
MAILING ADDR: 805 9th AVE SE
CITY STATE ZIP: DECATUR AL. 35601
PHONE: 256 580-5121 CELL 256-822-8702

PROPERTY OWNER: KATHY SHERRILL
OWNER ADDR: 805 9th AVE SE
CITY STATE ZIP: DECATUR, AL. 35601
OWNER PHONE: 256-580-5121 CELL 256 822-8702

ADDRESS FOR APPEAL: 805 9th AVE SE Decatur, AL. 35601

☒ 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 WILL USE A 26ft. RV TO GROOM DOGS AT
A PERSON'S RESIDENCE
one Room in my home for Administrative work
MOBILE DOG GROOMER

Applicant Name(print) KATHY SHERRILL
Signature Kathy Sherrill
Representative Name(print) _____
Signature _____
Date 1-23-20

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

Office Use
Received By bd
Zone _____
Hearing Date February 25
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.

CASE NO. 2 805 4TH AV. SE



HOME OCCUPATION QUESTIONS

CHECK YES OR NO FOR EACH QUESTION

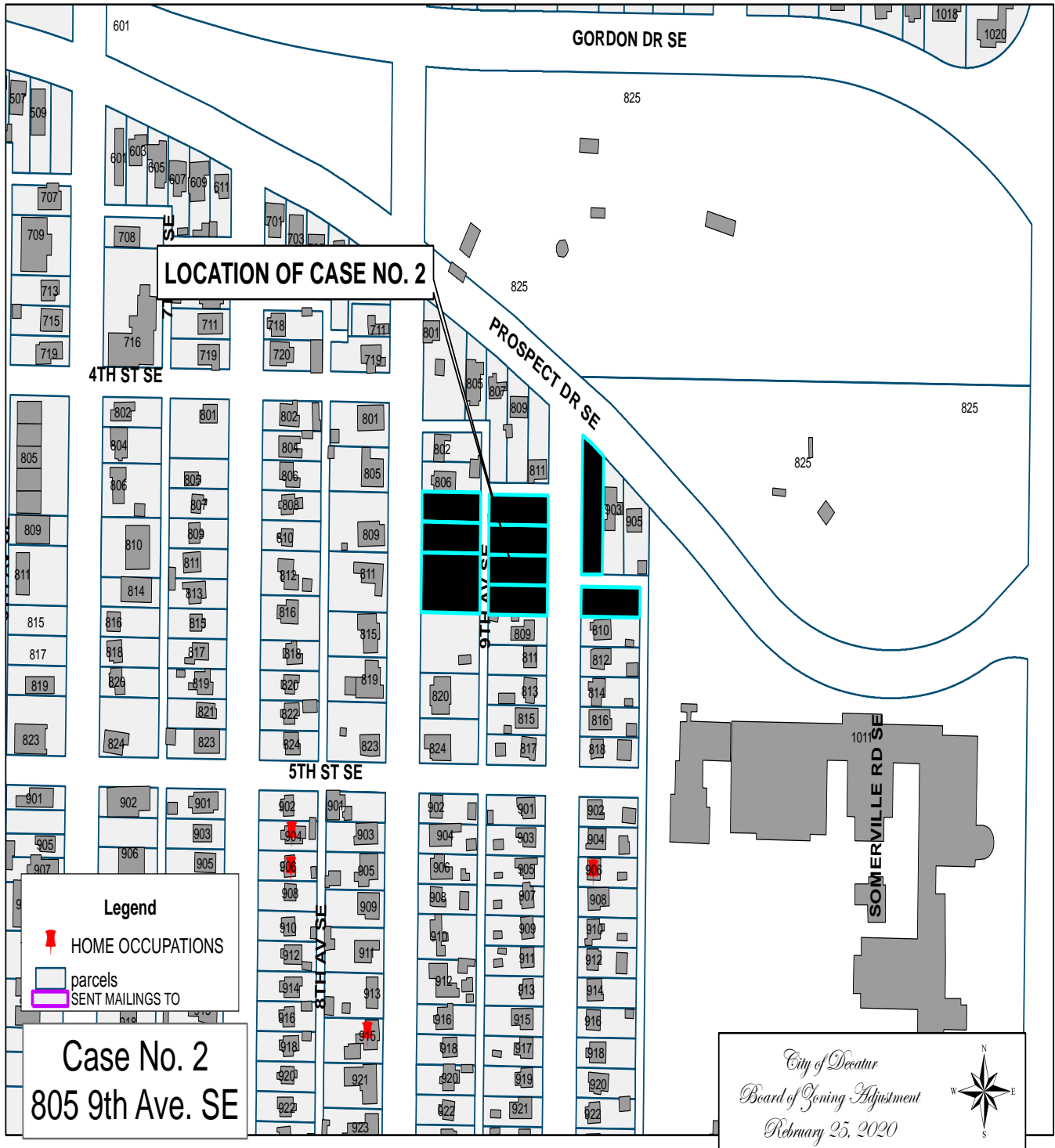
1. Is the occupation* applied for (administrative office, making of crafts, sewing, etc.,) conducted entirely within the dwelling? YES ☒ NO ☐
**note: This refers to only the work being done at your home.*
2. Does the occupation produce sounds, colors or other audible or visible evidence of a home occupation 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 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: Kathy Sherrell DATE: 1-23-20

ADDRESS: 805 9th AVE SE
Decatur, Al. 35601

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QUESTIONNAIRE





Council Chambers
February 25, 2020
@ 4:00pm
on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Justin Hall
MAILING ADDR: 213 Cherry St NE
CITY STATE ZIP: Decatur, AL 35601
PHONE: (256) 274-3208

PROPERTY OWNER: Justin Hall
OWNER ADDR: 213 Cherry St NE
CITY STATE ZIP: Decatur, AL 35601
OWNER PHONE: (256) 274-3208

ADDRESS FOR APPEAL: 213 Cherry St NE

☒ HOME OCCUPATION ☐ NATURE OF APPEAL: ☐ 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 would like to use one room in my
home for Interior Design.
For administrative purposes only.

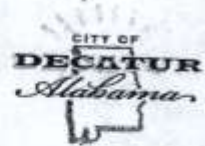
Applicant Name(print) Justin Hall
Signature [Signature]
Representative Name(print) _____
Signature _____
Date 1-29-20

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

Office Use
Received By [Signature]
Zone _____
Hearing Date February 25
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.

CASE NO. 3 213 CHERRY ST NE



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:

W A. HAN

DATE:

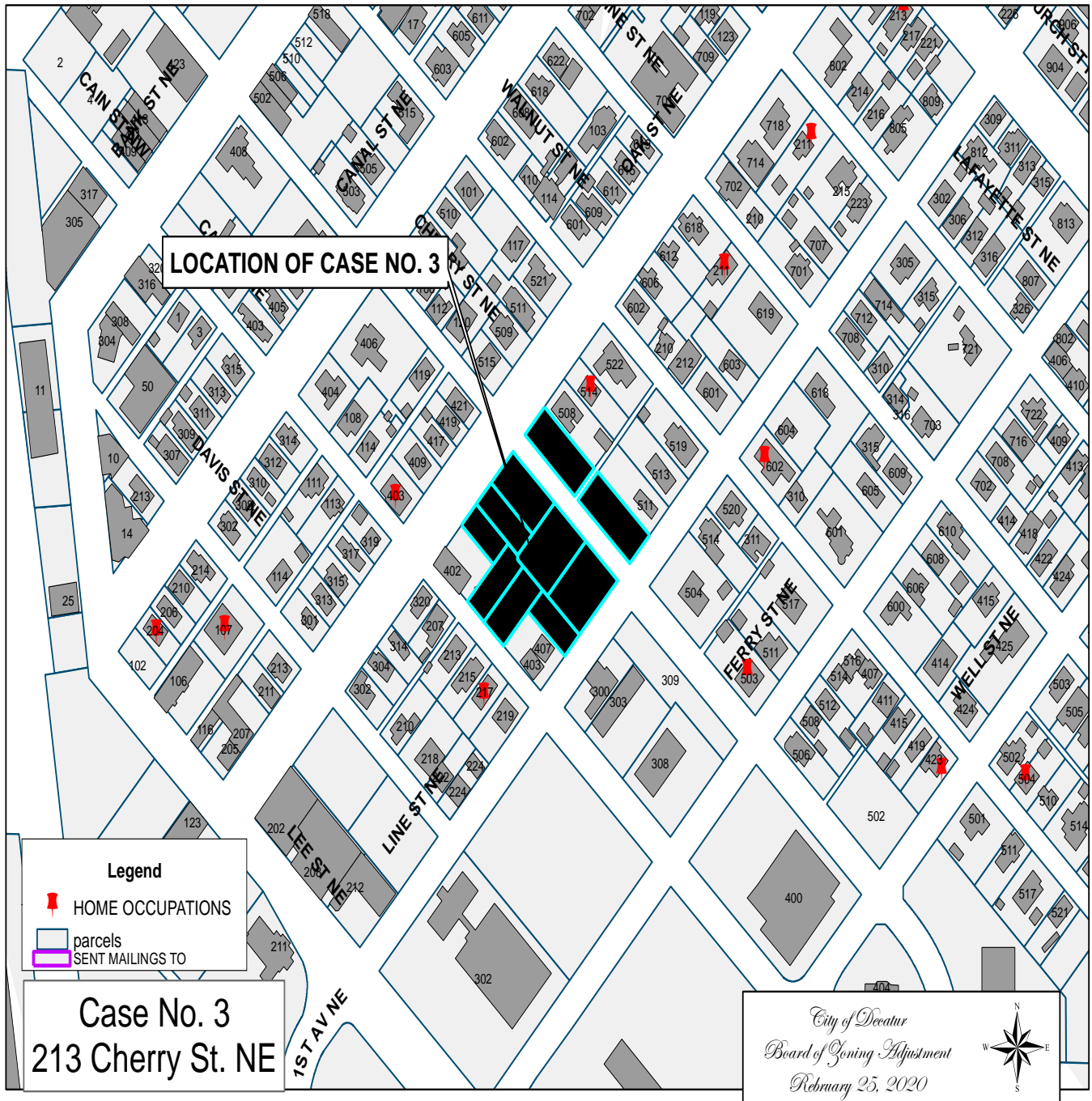
1-29-20

ADDRESS:

213 Cherry St NE

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QUESTIONNAIRE



Feb 25, 2020
@ 4:00 p.m.
Council Chambers
on a CHARMING SCALE



Board of Zoning Adjustment

APPLICANT: Lakeshia Baker
MAILING ADDR: 604 Holland Dr SW
CITY STATE ZIP: Decatur AL 35601
PHONE: 2564663448

PROPERTY OWNER: Connex Properties
OWNER ADDR: 1874 Slaughter Rd Ste P.
CITY STATE ZIP: Madison AL 35758
OWNER PHONE: 2562400770

ADDRESS FOR APPEAL: 604 Holland Dr SW Decatur AL 35601

☒ HOME OCCUPATION
☐ USE PERMITTED ON APPEAL
☐ OTHER

NATURE OF APPEAL:
☐ SETBACK VARIANCE
☐ APPEAL OF ADMINISTRATIVE DECISION
☐ SURVEY FOR VARIANCES ATTACHED
☐ SIGN VARIANCE
☐ 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.)

Mobile scrub (medical uniform) business,
going to various businesses selling products.
Using one room in home for administrative
purposes.

Applicant Name (print) Lakeshia Baker
Signature Lakeshia Baker
Representative Name (print) _____
Signature _____
Date _____

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

Office Use
Received By Lancy
Zone _____
Hearing Date Feb 25
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.

CASE NO. 4 604 HOLLAND 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 ☐ only business advertising - not home address
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:

Jaheshia Baker

DATE:

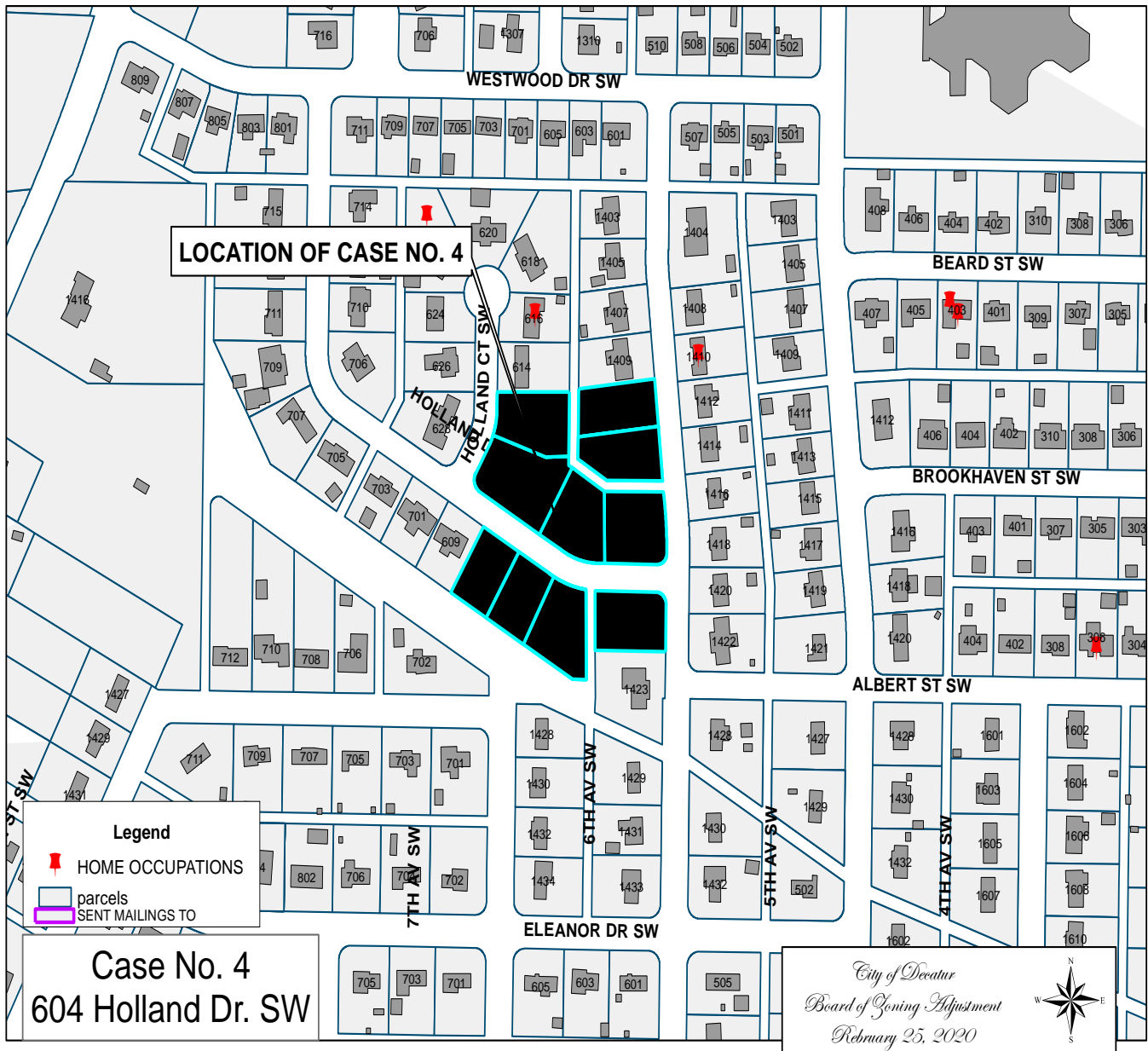
1/30/2020

ADDRESS:

604 Holland Dr SW Decatur AL 35606

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(256) 341-4500 • www.DecaturAlabamaUSA.com

QUESTIONNAIRE





Feb. 25, 2020
@ 4:00
Council Chambers
on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Allison Akins, Attorney at law
MAILING ADDR: P.O. Box 5687
CITY STATE ZIP: Decatur, AL 35603
PHONE: (256) 508-9006

PROPERTY OWNER: Allison Akins
OWNER ADDR: 1905 Weatherly Cir SW
CITY STATE ZIP: Decatur, AL 35603
OWNER PHONE: (256) 508-9006

ADDRESS FOR APPEAL: 1905 Weatherly Cir SW
Decatur, AL 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.)

I intend to use one room in my home for administrative
purposes for my law practice. I will never
see clients at my home.

Applicant Name(print) Allison Akins

Signature Allison Akins

Representative Name(print)

Signature

Date 1/31/2020

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

Office Use

Received By [Signature]

Zone

Hearing Date Feb. 25, 2020

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.

CASE NO. 5 1905 WEATHERLY CR. 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: Allison Akins DATE: 11/21/2020
ADDRESS: 1905 Weatherly Cir Sw
Decatur, AL 35603

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(256) 341-4500 • www.DecaturAlabamaUSA.com

QUESTIONNAIRE



Feb 25, 2020
@ 4:00 p.m.
Council Chambers
on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: David Haywood
MAILING ADDR: 2319 Anderson Dr. SW
CITY STATE ZIP: Decatur AL 35603
PHONE: 256 836 6215

PROPERTY OWNER: Shelley Allison Rhodes
OWNER ADDR: 2319 Anderson Dr. SW
CITY STATE ZIP: Decatur AL 35603
OWNER PHONE: 256 560 5469

ADDRESS FOR APPEAL: 2319 Anderson Dr SW. Decatur, AL 35603

☒ HOME OCCUPATION
☐ USE PERMITTED ON APPEAL
☐ OTHER

NATURE OF APPEAL:
☐ SETBACK VARIANCE
☐ APPEAL OF ADMINISTRATIVE DECISION
☐ SURVEY FOR VARIANCES ATTACHED
☐ SIGN VARIANCE
☐ 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.)

Need to use one room in residence for administrative purposes for plumbing business.

Applicant Name(print) David Haywood
Signature David Haywood
Representative Name(print)
Signature
Date 2-3-20

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

Office Use
Received By Keney
Zone
Hearing Date 2/25/2020
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.

CASE NO. 6 2319 ANDERSON DR. SW



HOME OCCUPATION QUESTIONS

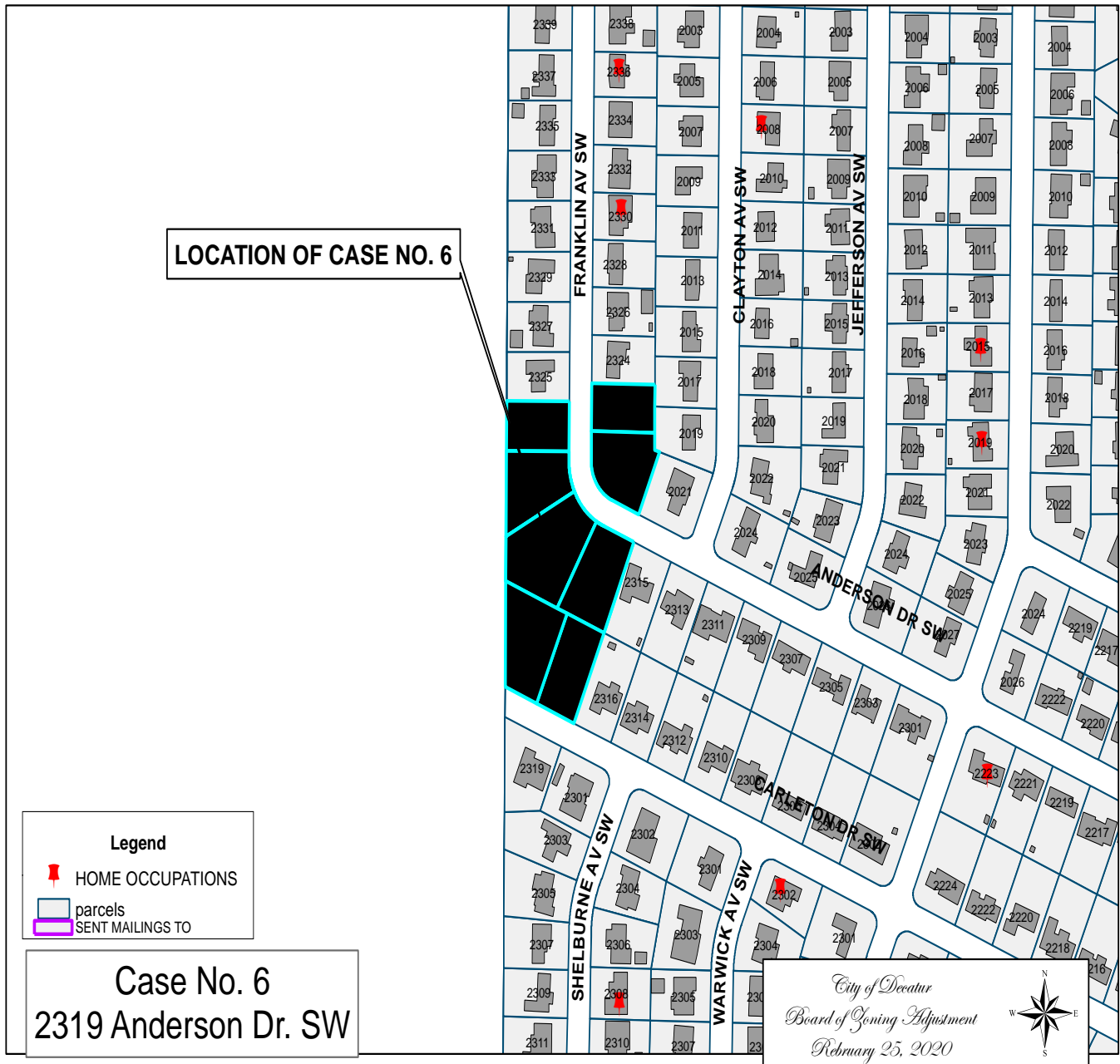
CHECK YES OR NO FOR EACH QUESTION

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: Dan J. Haywood DATE: 2-3-20
ADDRESS: 2319 Anderson Dr. SW Decatur AL
35603

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QUESTIONNAIRE



(17)



Feb. 25, 2020
@ 4:00pm
Council Chambers

on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Francisco Fuentes
MAILING ADDR: 1427 Danville Rd SW
CITY STATE ZIP: Decatur, AL 35601
PHONE: 256-341-3997

PROPERTY OWNER: Francisco Fuentes
OWNER ADDR: 1427 Danville Rd SW
CITY STATE ZIP: Decatur, AL 35601
OWNER PHONE: 256-341-3997

ADDRESS FOR APPEAL: 1427 Danville Rd SW Decatur, AL 35601

☒ 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 would like to use one room from my home as an administrative office for floor installation. Tile installation & Hardwood.

Applicant Name(print) Francisco Fuentes
Signature Francisco Fuentes
Representative Name(print) Jorge A. Monzon
Signature Jorge A. Monzon
Date 02-04-2020

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

Office Use
Received By [Signature]
Zone R-3
Hearing Date 2-25-2020
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.

CASE NO. 7 1427 DANVILLE 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 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 ✓

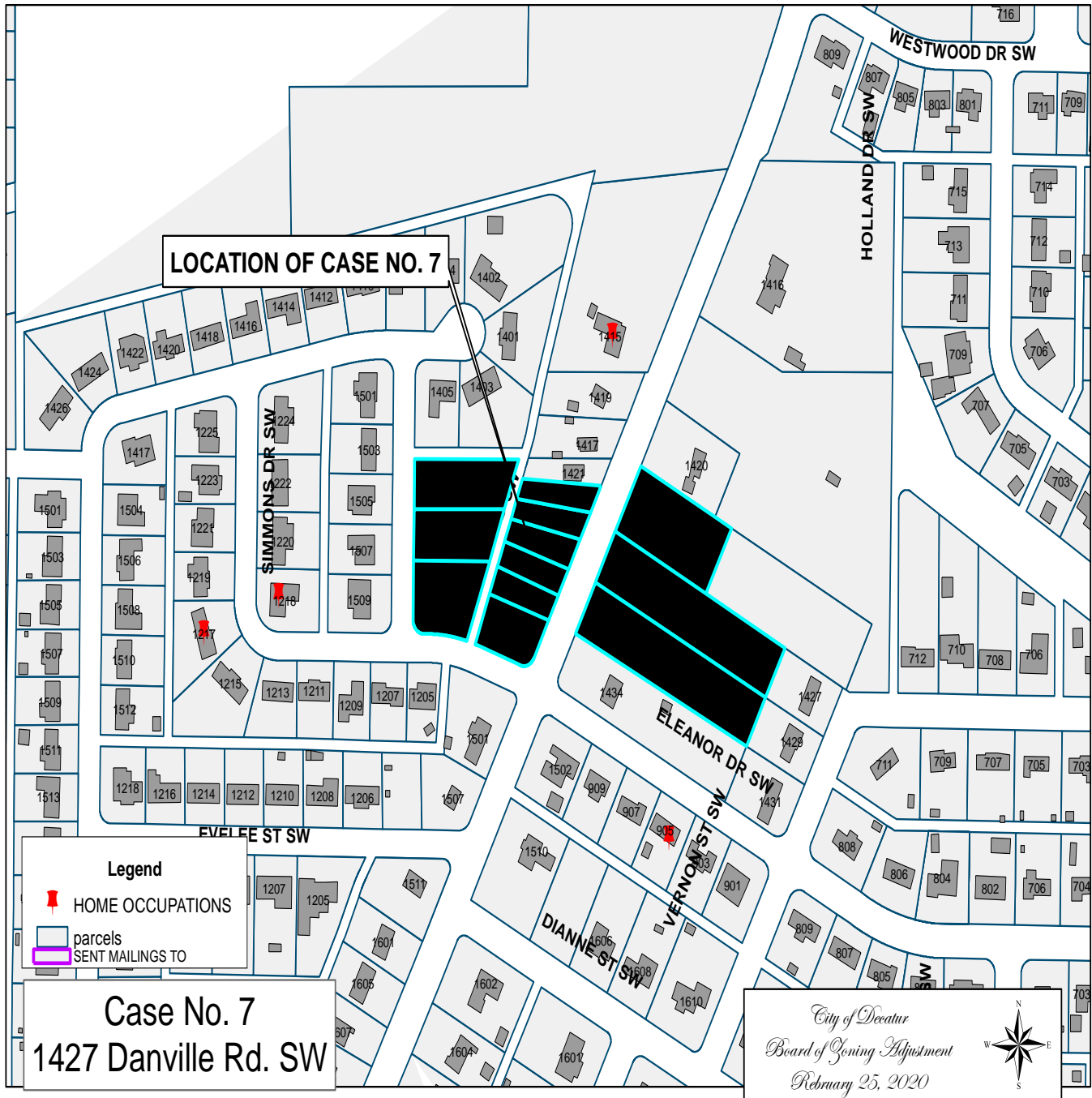
SIGNED: Karaisca Fuentes

DATE: 02/04/2020

ADDRESS: 1427 Danville Rd S.W. Decatur, AL

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(256) 341-4500 • www.DecaturAlabamaUSA.com

QUESTIONNAIRE



8



Decatur, Alabama on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Melad Mansour (Mel Mansour Photography)
 MAILING ADDR: 1820 E. Brownstone Ct SW
 CITY STATE ZIP: Decatur AL 35603
 PHONE: 256-962-0154

PROPERTY OWNER: Melad + Latricia Mansour
 OWNER ADDR: 1820 E. Brownstone Ct. SW
 CITY STATE ZIP: Decatur AL 35603
 OWNER PHONE: 256-962-0154 256-345-2494

ADDRESS FOR APPEAL: 1820 E. Brownstone Ct. 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

*****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.)

Administrative office, No Traffic, Photographer, No Onsite Photography

Applicant Name(print) <u>Melad Mansour</u> Signature <u>[Signature]</u> Representative Name(print) _____ Signature _____ Date <u>2/7/2020</u>	If applicant is using a representative for the request both signatures are required.	Office Use Received By _____ Zone <u>R-6</u> Hearing Date _____ Approved/Disapproved _____
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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.

CASE NO. 8 1820 EAST BROWNSTONE CT 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 ☒

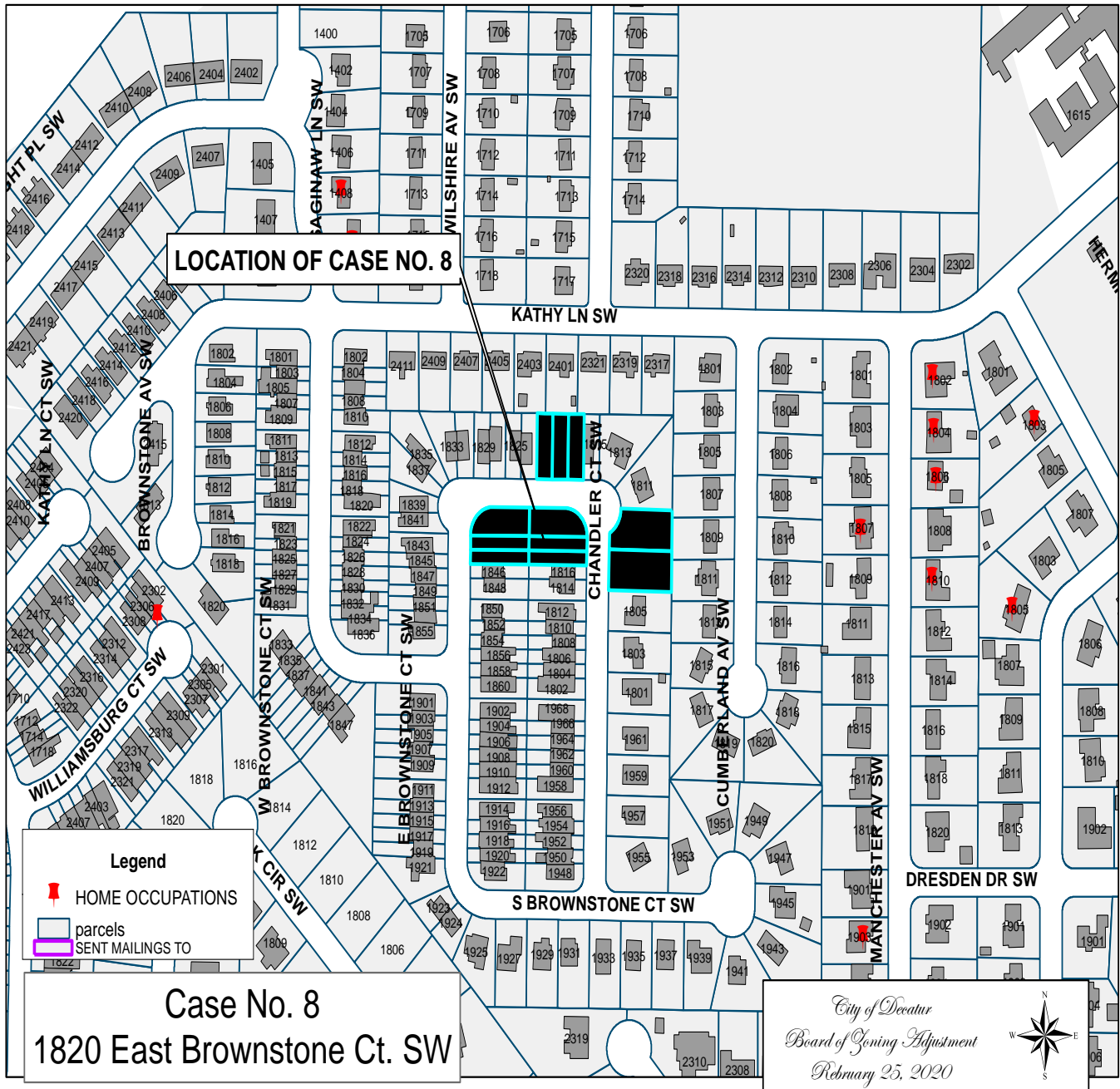
SIGNED: _____

DATE: 2/7/2020

ADDRESS: 1820 E. Brownstone Ct 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

QUESTIONNAIRE



a



Feb. 25, 2020
@ 4:00 p.m.

on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Tony & Jonathan Tippet (TJ's Painting + Home Repair)
MAILING ADDR: 628 Longbow Drive SW
CITY STATE ZIP: Decatur AL 35603
PHONE: 936-777-5264

PROPERTY OWNER: James Howard
OWNER ADDR: 628 Longbow Drive SW
CITY STATE ZIP: Decatur, AL 35603
OWNER PHONE: 256 913-240-9625

ADDRESS FOR APPEAL: 628 Longbow DR. SW, Decatur, AL 35603

☒ HOME OCCUPATION ☐ NATURE OF APPEAL: ☐ 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.)

One room inside home to be used for Painting Business.
(12x12 - 144 Square foot Room) Adm Purpose

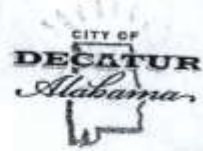
Applicant Name(print) Tony T. Tippet
Signature Tony Tippet
Representative Name(print) _____
Signature Tony Tippet
Date 2-10-20

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

Office Use
Received By [Signature]
Zone R-2
Hearing Date February 25
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.

CASE NO. 9 628 LONGBOW 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 ☒
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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: Tony Tippet DATE: 02-10-20
ADDRESS: 628 Longbow Drive SW Decatur, AL 35603

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(256) 341-4500 • www.DecaturAlabamaUSA.com

QUESTIONNAIRE



Grand Old CHARMING STATE

Board of Zoning Adjustment

APPLICANT: Rob Johnson
MAILING ADDR: 1190 Interstate Parkway
CITY STATE ZIP: Augusta, GA 30909
PHONE: 706-833-2069

PROPERTY OWNER: Decatur Mall, LLC
OWNER ADDR: 1190 Interstate Parkway
CITY STATE ZIP: Augusta, GA 30909
OWNER PHONE: 706-833-2069/ 706-855-4031

ADDRESS FOR APPEAL: 1801 Beltline Rd SW, Decatur, AL

☐ HOME OCCUPATION ☒ NATURE OF APPEAL: ☒ 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)

See attached Summary and Drawings for Sign Variance Request

Applicant Name(print) Rob Johnson

Signature [Signature]

Representative Name(print)

Signature

Date 1/30/2020

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

Office Use

Received By

Zone B-4

Hearing 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.

CASE NO. 10 1801 BELTLINE RD SW

Decatur Mall

Summary of Request:

As part of ongoing improvements to the Decatur Mall, Hull Property Group plans to invest in updating and improving the two-sided pylon as shown in the attached sketch. Unlike traditional shopping centers where each shop tenant has an exterior facing storefront and sign, the Mall is a unique property where most tenants are interior with no exterior signage or visibility. In today's increasingly challenging retail landscape where brick and mortar stores everywhere are struggling, Mall stores face severe hardships from their inability to advertise their location with exterior signage.

We acquired the Decatur Mall property in a declining state and have made significant improvements to the interior and exterior to stabilize the property. However, we continue to lose tenants and face challenges marketing the property to prospective tenants. Retail tenants are demanding visibility and exterior signage; therefore, additional tenant signage space is necessary to help keep the tenants existing in the Mall and generate interest from future stores.

The current sign is not only dated and weathered but also hidden from sight. We feel it is necessary to invest in upgrading the sign consistent with the renovated property and other renovated signage. We have not yet made the investment in this pylon sign due to its location. The current sign has little to no visibility sitting more than 25' back from the property line.

We are proposing tearing down the existing sign and replacing it with a new pylon sign closer to Beltline Road for improved visibility. The new sign would present additional signage opportunities to Mall tenants to help increase sales and ultimately attract new tenants to the property.

Variance Details:

The existing pylon sign obtained a past variance and measures 31' in height with 144.50 SF of sign area. However, there is no visibility due to the distance from Beltline Road.

The proposed 2-sided pylon maintains the 31' in height to accommodate a total of 6/12 tenant slots consisting of approximately 125 SF of signage (2.17' H x 9.67' W x 6 panels), an ID portion of the sign that measures approximately 14 SF (1.17' H x 12.17' W) and the property management panel which measures 14 SF (2' H x 7' W).

The proposed pylon location is closer to Beltline Road to achieve the visibility needed to be effective. We have reached an executed agreement from American Midstream which allows the sign to straddle the existing gas main as shown on the attached drawing (Gas Lines and Signage Decatur Mall). Furthermore, we are continuing with utilizing first class finishes along with a stone base to maintain continuity with the other signs previously approved and have ensured that the location does not affect the safety/visibility of the public.

Due to the critical nature of signs on an enclosed mall we appreciate your assistance in obtaining approval for the sign upgrades and location improvements. All drawings are attached for clarification.

Existing Pylon Sign



DECATUR MALL | Pylon Sign 2 with HPG Panel



PYLON SIGN (1)

DECATUR MALL | Pylon Sign 2 - Details

Double sided sign. Repurpose existing sign. "DECATUR MALL" to be 3" thick channel letters with white acrylic faces and green caps and returns to match SW 6924 Direct Green. Tenant panels to be 2" deep individual light boxes with white acrylic faces. Tenant panels must be constructed in a way that allows for easy additions and change out.
From bottom trim piece up to be done by sign company. Stone columns to be done by others. HPG to provide scaled artwork.



PYLON SIGN (2)

DECATUR MALL | Pylon Sign 2 - Details

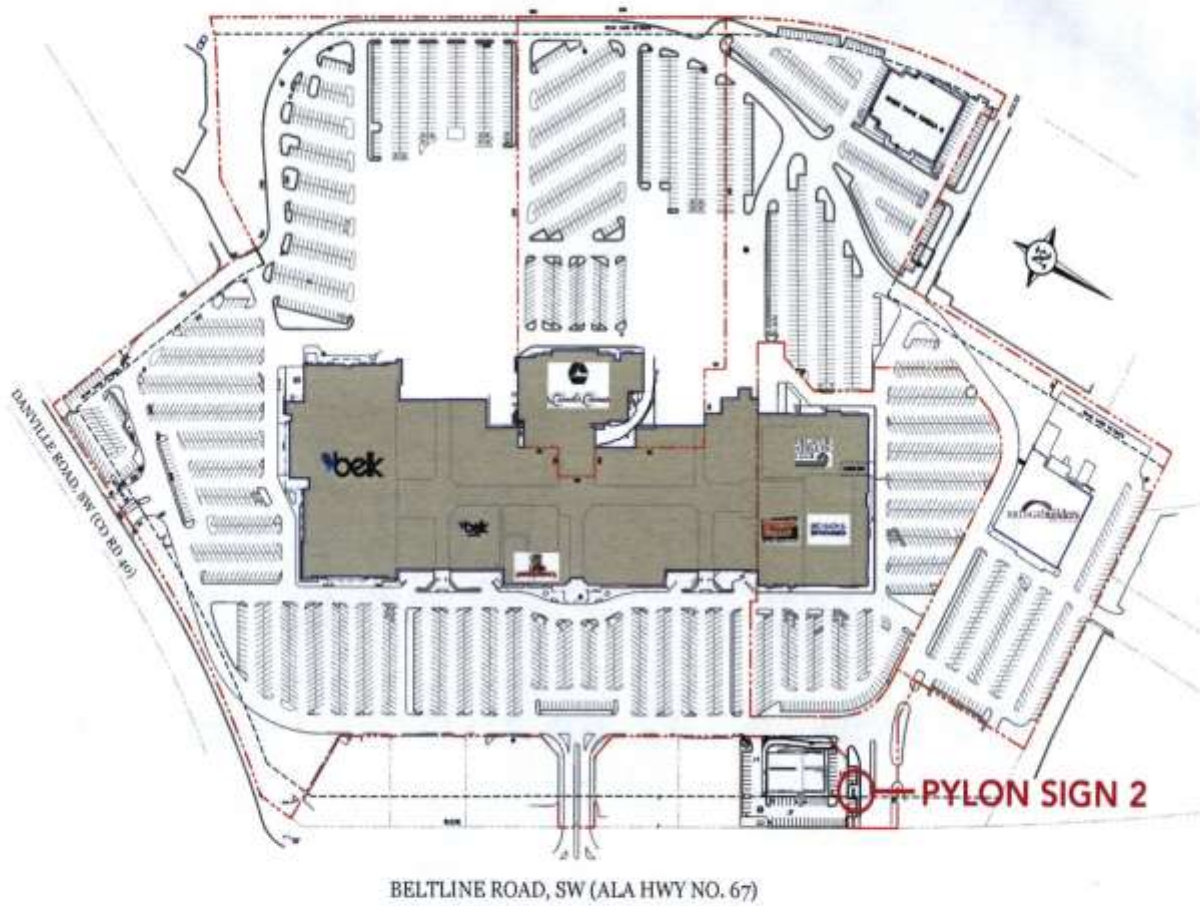


DECATUR MALL | HPG Panel Details

Double sided sign. Panel to be 3'4" deep, non-lit, aluminum sign box painted SW 7002 Downey (smooth finish). Panel supports to be (8) 2" square tubes painted SW 6141 Softer Tan that will mount to insides of columns. Hull Property Group logo and "FOR INFORMATION 706.434.1700" to be die-cut vinyl letters. Colors to match PMS 282 blue, 200 red and 425 gray. HPG to provide full scale artwork.



DECATUR MALL | *Pylon Sign 2 - Location*







A Grand City on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: 1818 Farms LLC
MAILING ADDR: PO Box 18
CITY STATE ZIP: Mooreville AL 35649
PHONE: 256-489-0777

PROPERTY OWNER: David Eddy
OWNER ADDR: 502 Bank St. NE
CITY STATE ZIP: Decatur AL 35601
OWNER PHONE: 256-566-4809

ADDRESS FOR APPEAL: 502 Bank St. SE 504 Bank St SE
Decatur, AL 35601 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)

1818 Farms is requesting a temporary occupancy license to sell cut flowers & plants from their vintage flower truck in the privately owned parking lot of 502 & 504 Bank St NE. The owner has given 1818 Farms permission to setup on the property. The truck will be on the premises no more than one day a week with limited operating hours.

Applicant Name(print) Natasha McCrory
Signature Natasha McCrory
Representative Name(print) Lisa Miller
Signature Lisa Miller
Date 2/10/20

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

Office Use
Received By Cindy
Zone B-5
Hearing Date 2/25/2020 4:00 pm.
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.

CASE NO. 11 502 & 504 BANK ST NE



CITY OF DECATUR
TEMPORARY BUSINESS OCCUPANCY
CHECKLIST

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

Yes No

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

NAME: 1818 Farms LLC

ADDRESS: PO Box 18 Mooresville, AL 35649

PHONE: 256-489-0777 DATE: 2/10/2020

SIGNATURE: unetasha C mccrory

QUESTIONNAIRE

Ginger Cobl
The Cupboard
504 Bank Street NE
Decatur, AL 35601
January 3, 2018

To Whom It May Concern:

Let it be known that during normal hours of operation, patrons of the 1818 Farms Flower Truck have permission to use the restrooms at The Cupboard.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ginger Cobl", written in black ink.

Ginger Cobl
Proprietor

PERMISSION LETTER

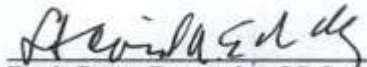
Bank Street Properties
c/o David A. Eddy
1227 Bethel Road
Hartselle, Alabama 35640

December 7, 2017

TO WHOM IT MAY CONCERN:

Please let it be known that I, David A. Eddy of Bank Street Properties, hereby grants Ginger Cobl of the Cupboard and Natasha McCrary of 1818 Farms permission to use my property located at 502-504 Bank Street NE, Decatur, Alabama 35601 (including private parking lot in rear of building) for the purposes of a mobile flower truck on dates and times of their choosing, until said permission is revoked.

Ginger Cobl of the Cupboard and Natasha McCrary of 1818 Farms agree to add Bank Street Properties, LLC as an additional insured to their liability insurance and to provide Bank Street Properties of evidence of compliance.


Bank Street Properties, LLC
by David A. Eddy.



AERIAL VIEW

