

BOARD OF ZONING ADJUSTMENT

AGENDA

JULY 28, 2015

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MINUTES JUNE 30, 2015

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

SUPERNUMERARIES: Mr. Charles Taylor and Mrs. Sally Jo Green

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

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

Mr. Greg Dobbs moved to **approve** the minutes of the May meeting as printed. Mr. Larry Wayne seconded the motion. On a voice vote, the motion carried.

The Board considered the following applications and appeals.

CASE NO 1

Application and appeal of Angela R. Brown 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 women's accessories and apparel business at 702 Somerville Rd SE, property located in a R-3 Residential Single-Family Zoning District.

Ms. Angela R. Brown presented this case to the Board. Ms. Brown stated she would like an administrative office to sell clothing and accessories on-line.

Mr. Sims stated the Building Department would recommend approval.

There was no recommendation from the Planning Department.

Mr. Collis Stevenson moved to approve this home occupation request as submitted. Mr. Larry Wayne seconded the motion. On a roll-call vote, the motion carried.

CASE NO 2

Application and appeal of Carol DeAnn Meely 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 artist supply and artwork business at 643 Jackson St SE, property located in a R-3-H Residential Historic Single-Family Zoning District.

Ms. Carol DeAnn Meely presented this case to the Board. Ms. Meely stated she was requesting an on-line business for artist supply and artwork. Ms. Meely also stated she would travel teach so there would be no students coming to her home.

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

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

CASE NO 3

Application and appeal of Charles C. Terry 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 retail on-line business selling automotive parts at 2217 Carleton DR SW, property located in a R-2 Residential Single-Family Zoning District.

Mr. Charles C. Terry presented this case to the Board. Mr. Terry stated he would like to run an on-line automotive website whereby he would sell automotive parts that would be drop shipped to the customers. Mr. Terry also stated he and his partner have an LLC for the company and his partner would be coming to the home to work until the website is up and running.

Chairman, George Barran stated he could not have employees coming to the home.

Attorney, Herman Marks, stated he was not an employee, he was a partner.

Mr. Greg Dobbs stated this home occupation request should be for Mr. Terry only.

Mr. Gerry Hooper of 2301 Jefferson Ave SW stated if the board approved Mr. Terry's request, he would like to see restriction put on the approval concerning moving auto parts from the home.

Chairman, George Barran explained if the request was approved it would be for administrative only and if Mr. Terry operated outside of that realm, his license could be revoked.

Mr. John Montgomery of 2215 Carlton DR SW expressed concerns about prior mechanic work being performed at the residence in addition to buying, fixing and reselling of auto parts. Mr. Montgomery stated he would also like the board to restrict Mr. Terry from dispensing parts.

Chairman, George Barran clarified what an administrative office is and the parameters under which they operate.

Mr. Bob Sims stated the Building Department would recommend approval for an administrative office only as submitted. If complaints were received regarding the afore mentioned concerns, the license could be revoked and a possible citation issued.

Mrs. Karen Smith stated the Planning Department would agree with the Building Department. Mrs. Smith additionally read from the Zoning Ordinance the guidelines of a home occupation.

Mr. Charles Taylor moved to approve this home occupation request as stated in public testimony. Mr. Collis Stevenson seconded the motion. On a roll-call vote, the motion carried.

CASE NO 4

Application and appeal of Allison Carter 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 face painting business at 927 Lamar ST SW, property located in a R-2 Residential Single-Family Zoning District.

Ms. Allison Carter presented this case to the Board. Ms. Carter stated she would like an administrative office for face painting. Ms. Carter also stated there would be no employees.

Attorney, Herman Marks asked if clients would come to her home for the face painting. Ms. Carter stated, "No".

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

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

CASE NO 5

Application and appeal of Subrina Williams 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 personal assistant service at 902 Somerville RD SE, property located in a R-3 Residential Single-Family Zoning District.

Ms. Subrina Williams presented this case to the Board. Mr. Williams stated she would like an administrative office for a personal assistant service to run errands for people and deliver the products to them.

Mr. Sims stated the Building Department would recommend approval.

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

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

CASE NO 6

Application and appeal of Gary Balentine, Jr. for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a business to rent out party equipment at 3201 Wheat Ave SW, property located in a R-2 Residential Single-Family Zoning District.

Mr. Gary Balentine, Jr. presented this case to the Board. Mr. Balentine stated he would like an administrative office to rent out inflatables. Mr. Balentine also stated they would be stored and cleaned off-site, he would have no employees, and his trailer would be kept in his backyard.

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

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

CASE NO 7

Application and appeal of Charles M. Stokes for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a lawn and handy man business at 211 8th Ave SW, property located in a R-3 Residential Single-Family Zoning District.

Mr. Charles M. Stokes presented this case to the Board. Mr. Stokes stated he was requesting an administrative office for a lawn care and handyman type business. Mr. Stokes stated he was disabled but he could walk and he was able to do some things. Mr. Stokes additionally stated there would be no employees at this time but he would like to have some later.

Mr. Dalton Burnett of Leighton, Al., owner of the property spoke in opposition to this request because Mr. Stokes did not ask for the owner's permission and further the house was actually only meant for his daughter to occupy.

Both Mr. Sims of the Building Department and Mrs. Smith of the Planning Department recommended disapproval.

Mr. Greg Dobbs moved to approve this home occupation request as submitted. Mr. Larry Waye seconded the motion. On a roll-call vote, this case was disapproved unanimously.

CASE NO 8

Application and appeal of Freddy W. Mayes for a 36.5 rear-yard setback variance from Section 25-10.8(2)(d) of the Zoning Ordinance in order to construct a garage with a breezeway at 1607 Stratford RD SE, property located in a R-1 Residential Single-Family Zoning District.

Mr. Freddy W. Mayes presented this case to the Board. Mr. Mayes stated he was asking for a 36.5 foot rear-yard setback variance in order to construct a garage which would line up with his house once constructed. Additionally, Mr. Mayes stated he had a utility easement.

Mr. Sims stated the Building Department would recommend approval.

Mrs. Smith stated the Planning Department had no comment.

Mr. Greg Dobbs moved to approve this request as submitted. Mr. Larry Waye seconded the motion. On a roll-call vote, the motion carried.

CASE NO 9

Application and appeal of Larry D. Phillips for a 13 foot rear-yard setback variance from Section 25-21.1(1)(m) of the Zoning Ordinance in order to construct a detached garage at 2428 Alexandria St SW, property located in a R-2 Residential Single-Family Zoning District.

Mr. Larry D. Phillips presented this case to the Board. Mr. Phillips stated he wanted a 13 foot rear-yard setback variance in order to construct a garage that would match his home which is a wood and vinyl structure. .

Mr. Greg Dobbs asked how he would enter his garage by his drive-way or tie back to road. Mr. Phillips stated he would enter by way of his drive-way.

Mr. Sims stated the Building Department would recommend approval.

Mrs. Smith asked Mr. Phillips if the garage would be more than one story ? Mr. Phillips stated he was planning for one but may have an upstairs for storage.

Mr. Charles Taylor moved to approve this request as submitted. Mr. Larry Waye seconded the motion. On a roll-call vote, the motion carried.

CASE NO 10

Application and appeal of Juanita Healy for a use permitted on appeal from Section 25-11 of the Zoning Ordinance in order to be able to sell beer and table wine on and off premises at 224 Moulton St East, property located in a B-5 Central Business Zoning District.

Ms. Juanita Healy and her partner Donna Robertson submitted this request to the Board. Ms. Healy stated she would like to be able to sell beer and table wine at her business, Keep your Fork, which is located in a B-5 Zoning District.

Mr. Sims stated the Building Department would recommend approval.

Mrs. Smith stated the Planning Department would recommend approval.

Attorney, Herman Marks pointed out that their food sales would need to be 60% of the business in order to sell beer and table wine.

Ms. Healy stated they were aware of that requirement and it would be no problem to meet.

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

CASE NO 11

Application and appeal of Jeff Hamm requesting relief from the definition outlined in Section 25-34 of the Zoning Ordinance in order to renovate a building in a flood zone at a cost above 50% of market value at 3832 Hwy 31 S, property located in a B-2 General Business District.

Mr. Jeff Hamm presented this case to the Board. Mr. Hamm stated he was requesting a variance from the zoning guidelines which limit the improvement of a building located in a flood zone to 50% of the value of the building. Additionally, Mr. Hamm stated he wanted to make a capital investment which would include the roof, mechanical, etc.

Mr. Greg Dobbs asked Mr. Hamm to explain his hardship.

Mr. Hamm explained he had talked with the Building Department and understood the \$35,000 of interior demo work counts toward the total dollar amount of renovations. Mr. Hamm stated the \$35,000 should be removed because it is not improvement to the building and it is not construction, neither is it insurable, therefore, it should not be counted.

Mr. Bill Bayne, architect asked if the demo amount could be deleted because it is not part of the project. Additionally asking the question what is repair and what is replacement and could this be a phased construction.

Mr. Bob Sims stated the demo work does have to be included as part of the whole project.

Chairman, George Barran asked how much over the 50% would he need to get into the building. Mr. Hamm stated about \$100,000 not including all the other repairs and replacements he wanted to do.

Mr. Larry Waye stated the renovations could be done to get open and then after the fact the other repairs could be done.

Mr. Bayne inquired how that would impact the requirements if they wanted to replace the mechanical in two years.

Mr. Sims stated it was not the intent of the flood ordinance to inhibit general repairs but just to reduce their cost in the event of a claim. If the mechanical is replaced then that brings up the value of the building.

Mr. Hamm stated he was not trying to change the footprint of the building or the character of the building but would like to replace all the equipment at this time.

Chairman, George Barran asked if he could bring the slab and mezzanine up 10”.

Mr. Hamm stated that would be cost prohibitive and delay opening.

Mr. Sims stated the Building Department would recommend disapproval.

Mrs. Smith stated the Planning Department would recommend disapproval.

Mr. Greg Dobbs moved to approve this request. Mr. Larry Waye seconded the motion. On a roll-call vote, the motion failed unanimously.

CASE NO 12

Application and appeal of J & M Signs for a variance from Section 25-77(e)(3) in order to install a detached sign on the property line at 3202 Hwy 31 S, property located in a M-1 Light Industrial Zoning District.

Mr. Carlton McMasters presented this case to the Board. Mr. McMasters stated he would like to install a detached sign on the property line so it would be visible by south bound traffic.

Mr. Sims stated there was a tree line to the north that would block the view of the sign if located according to the setback requirements.

Mrs. Smith inquired about bringing the sign into conformance. Mr. McMasters stated it would obstruct the view. Mrs. Smith then stated the city had acquired additional right-of-way in that area reducing the amount of property between the right-of-way and the structure.

Mr. Sims stated the Building Department would recommend approval in light of the fact that other sign variances had been approved in the area.

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

CASE NO 13

Application and appeal of Danny Hill for a use permitted on appeal from Section 25-12.2 of the Zoning Ordinance in order to have a multi-family use in a I-D Institutional Zoning District at 2807 Old Moulton Rd SW.

Mr. Danny Hill presented this case to the Board. Mr. Hill stated he was seeking a use permitted on appeal to construct luxury one story apartments that would be gated and buffered. Additionally, there would be a community center, water feature and surveillance cameras. Mr. Hill also explained he would construct 48 of the apartments in the first phase and the second 48 once they had ninety percent occupancy. The apartments would sit on 11.88 acres of land with the additional land being proposed for single-family homes sometime in the future. Mr. Hill also stated the apartments would have a positive impact on the revenues for both the city and the county.

Mr. Larry Waye asked if he had any renderings on the proposed apartments. Mr. Hill showed pictures of ones he had constructed in Florence, AL stating these would be similar except just one story.

Mr. Hill added these apartments would be exclusive and have to have an access code to get in. Additionally, they would plant cypress trees to buffer the property. There will be an emergency access off Old Moulton Rd SW which would be gated and locked unless there was an emergency. The main entrance would be off Auburn DR SW.

Mr. Greg Dobbs asked if he was buying all acreage.

Mr. Hill stated he was buying all 38 acres which is the remaining part of City View and zoned ID and R2. Of the 38 acres he is planning the apartment on the 11.88 acres.

Chairman, George Barran asked if he would ever sell and would he be willing to put covenants on the property?

Mr. Herman Marks asked if he was willing to record something with the deed stating they would remain luxury apartments.

Mr. Hill replied that if this request was approved, then in effect, that is what he would be doing.

Mr. Nyle Digirolamo of 2002 Brayden DR SW acting spokesman for City View Estates stated he had 254 signatures of residents who were opposed to this development with apartments. Mr. Digirolamo cited the following concerns; safety for their children, decline of apartments, decreased property values for the residents of City View and increase in crime.

Mr. Tab Bowling of 1907 Weatherly Circle SW stated the residents of City View pay monthly dues for membership and no one is going to want to build \$300,000 to \$400,000 dollar homes behind apartments. Additionally, he bought in City View because it was a protected area but having apartments in the area will change that. He asked that the board deny the request.

Mr. Bill Mansell of 1623 Lake Manor DR SW stated he had 100 signatures of residents from his neighbor who did not want apartments. Additionally stating their concerns about people who do not have an investment in the property tend to not be inclined to maintain the looks of the property, therefore; a decline in the nature and character is inevitable.

Ms. Virginia Graham of 2025 Brayden DR SW wanted to know why the entrance would be off Auburn rather than Old Moulton Rd SW, also wanted to know if there would be parking for one or two cars at each residence.

Mr. Danny Hill stated he could place restrictions on the parking and he did not mind if the access was off Old Moulton Rd SW.

Councilman, Chuck Ard stated he was the councilman representing this area and he empathized with the people but also recognized the need for growth of our city. Councilman, Ard also stated that as a city we need a plan of how we are going to support apartments before we grant a use permitted on appeal. Mr. Ard also stated there is a bigger issue of where to locate apartments within our city.

Mr. Mark Cupps of 2004 Brayden DR SW asked what studies had been done to show the city needs more apartments.

Councilman, Ard stated through his personal observation and chamber data the city was losing professional people to the city of Madison. As a city we need to figure a way to have the facilities available to attract people to reside in Decatur.

Mr. Charles Burton of 2030 Sarah Lane SW questioned how the apartments would get city services if gated and locked.

Mr. Danny Hill stated they would have an emergency code to get in.

Mrs. Smith/Planning Department stated the entrance would be off Auburn DR SW and once you passed the gate you would be on private property and a driveway. Further, the zoning ordinance requires 2 parking spaces per unit. Additionally, Mrs. Smith stated the request is a use permitted on appeal, not a variance. She read from the Zoning Ordinance the definition of a use permitted on appeal.

Ms. Nancy Rustia of 1901 Weatherly Circle SW stated she had lost two clients to the sale of her home because of the proposed apartments.

Mr. Jim Gregory stated he does not live in Decatur anymore but he did for 32 years and he knows Danny Hill is a very competent builder who would do a good job in constructing these apartments. However, he stated a study should be done before proceeding with this construction.

Mr. Wally Terry/Building Department stated we need to determine if the site is compatible or not. If not, more discussion may be necessary.

Mrs. Smith/Planning Department suggested we see a list of the covenants and they be filed with the deed.

Mr. Greg Dobbs moved to table until we have more information and bring back before the board next month. Mr. Larry Waye seconded the motion, on a roll-call vote, the motion carried.

The meeting adjourned at 6:00

Chairman, George Barran

AGENDA JULY 28, 2015

Tabled Case from last month's meeting: Application and appeal of Danny Hill for a use permitted on appeal from Section 25-12.2 of the Zoning Ordinance in order to have a multi-family use in an I-D Institutional Zoning District at 2807 Old Moulton Rd SW.

CASE NO 1

Application and appeal of Rosalino V. Sanchez for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a roofing business at 303 Austinville Rd SW Apt 41, property located in an R-4 Residential Multi-Family Zoning District.

CASE NO 2

Application and appeal of Kasey Wallace 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 personalized children's clothing on-line at 2619 Summerwind DR SE, property located in a R-2 Residential Single-Family Zoning District.

CASE NO 3

Application and appeal of Shawn Mckenna 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 pressure washing business at 427 Clearview ST SW, property located in a R-2 Residential Single-Family Zoning District.

CASE NO 4

Application and appeal of William A. Heim III 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 a home office for a wholesale supply business at 2305 Chapel Hill Rd SW, property located in a AG-2 Agricultural Zoning District.

CASE NO 5

Application and appeal of Arel Deleon 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 roofing business at 1410 8th AV SE, property located in a R-3 Residential Single-Family Zoning District.

CASE NO 6

Application and appeal of Sophie M. Hunter 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 consulting service at 1706 Carriage Way SE, property located in a PRD-6 Planned Residential Development Zoning District.

CASE NO 7

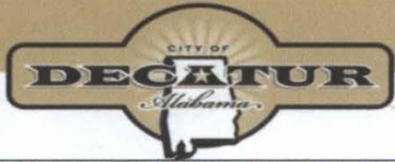
Application and appeal of LaChelle Marshall for an 8 foot rear-yard setback variance to Section 25-10.9(2)(d) of the Zoning Ordinance in order to partially cover an existing patio at 1605 10th Ave CT SE, property located in a R-2 Residential Single-Family Zoning District.

CASE NO 8

Application and appeal of Will Akin for a variance to Section 25-80(a)(1) to install two new pylon panels on an existing pylon sign at 2019 6th Ave SE, property located in a B-2 General Business District.

CASE NO 9

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



A Grand City on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Hill Construction Co. LLC Denny Hill
 MAILING ADDR: 2202 Martinwood Lane SW
 CITY STATE ZIP: Decatur, AL 35603
 PHONE: 256-227-2323

PROPERTY OWNER: VERNON A. LOVE
 OWNER ADDR: 2813 Old Moulton Road
 CITY STATE ZIP: Decatur, AL 35603
 OWNER PHONE: 256-303-8788

SUBJECT ADDRESS FOR APPEAL: Parcel # 02-08-27-3-00-001.000
2807 Old Moulton (per planning) Moulton Rd 35603

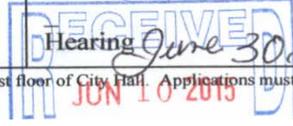
NATURE OF APPEAL:
 HOME OCCUPATION SETBACK VARIANCE SIGN VARIANCE
 USE PERMITTED ON APPEAL APPEAL OF ADMINISTRATIVE DECISION
 OTHER SURVEY FOR VARIANCES ATTACHED DRAWINGS FOR VARIANCES ATTACHED

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

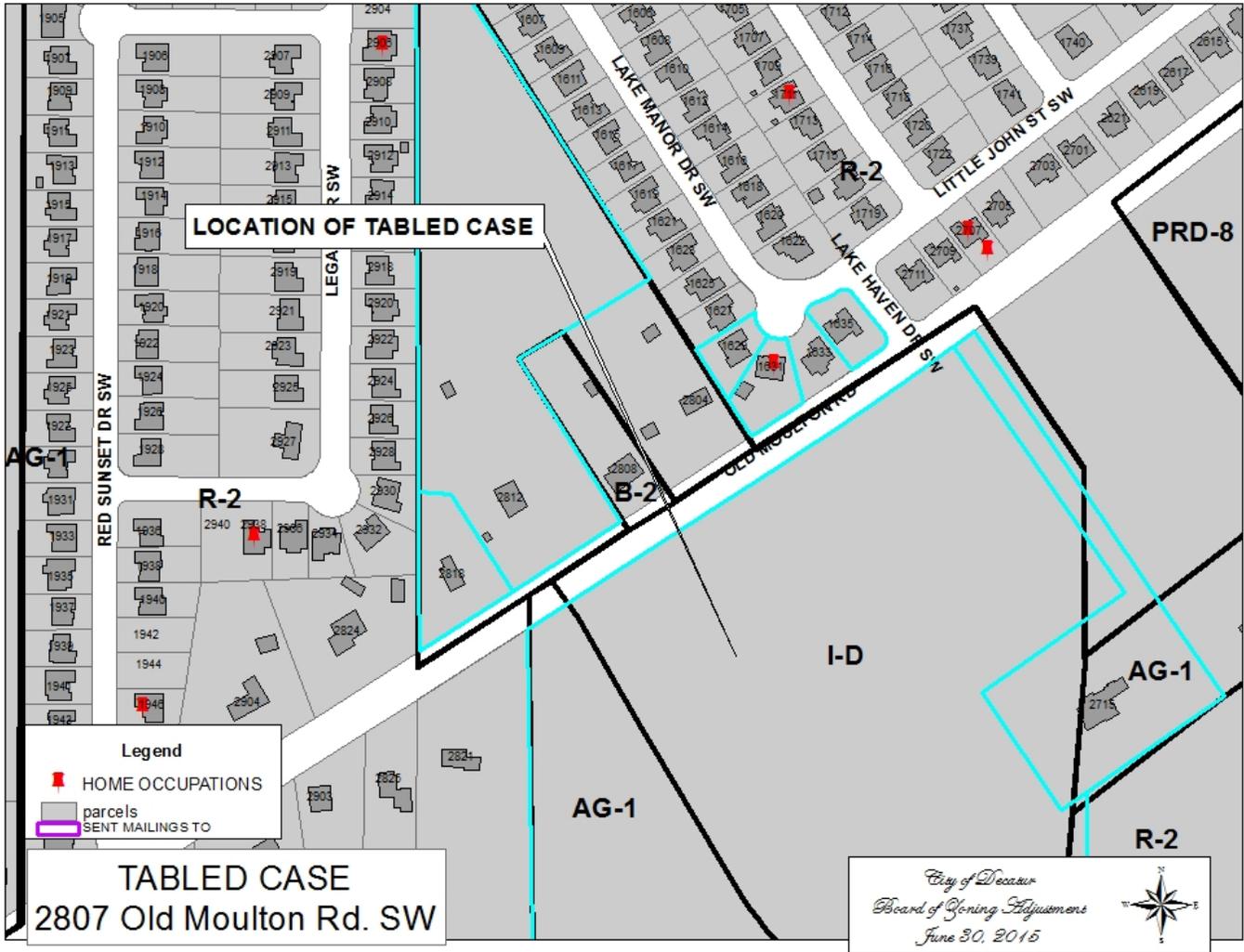
DESCRIBE APPEAL IN DETAIL: (INCLUDE: DIMENSIONS, # FT FOR VARIANCES; # FOR PARKING; HARDSHIP; TYPE OF BUSINESS.)
R4 - Multifamily use w/in existing ~~R4~~ ^{I-D} zoned property.

Applicant Name (print) <u>Denny Hill</u> Signature <u>[Signature]</u> Representative Name (print) <u>Vernon Love</u> Signature <u>[Signature]</u> Date <u>6-10-15</u>	If applicant is using a representative for the request both signatures are required.	Office Use Received By <u>Judy</u> Zone <u>ID</u> Hearing <u>June 30, 2015</u>
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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 in the BUILDING DEPARTMENT by the 10th of the month to be heard the last Tuesday of the month.



TABLED CASE 2807 OLD MOULTON RD SW



LOCATION MAP 2807 OLD MOULTON RD SW



Small City on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Rosalino Valencia Sanchez
 MAILING ADDR: 303 AUSTINVILLE RD. SW
 CITY STATE ZIP: DECATUR AL
 PHONE: 256. 466-00-88

PROPERTY OWNER: Rosalino Valencia Sanchez
 OWNER ADDR: 303. Austinville Rd. Sw Apt 41
 CITY STATE ZIP: DECATUR AL 35601
 OWNER PHONE: 256. 466-00-88

SUBJECT ADDRESS FOR APPEAL: 303 Austinville Rd Sw Apt. 41

- NATURE OF APPEAL:**
- HOME OCCUPATION
 - SETBACK VARIANCE
 - SIGN VARIANCE
 - USE PERMITTED ON APPEAL
 - APPEAL OF ADMINISTRATIVE DECISION
 - OTHER
 - SURVEY FOR VARIANCES ATTACHED
 - DRAWINGS FOR VARIANCES ATTACHED

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

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

Roofing. For admin. purposes only for a roofing business

Applicant Name (print) Rosalino Valencia Sanchez
 Signature [Signature]
 Representative Name (print) _____
 Signature _____
6-16-15

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

Office Use
 Received
 By [Signature]
 Zone R-4
 Hearing 7/28/15

Board of Zoning Adjustment meets the last Tuesday of each month at 4:00 PM in the Council Chambers on first floor of City Hall. Applications must be filed in PLANNING DEPARTMENT by the 10th of the month to be heard the last Tuesday of the month.

CASE NO 1 303 AUSTINVILLE 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

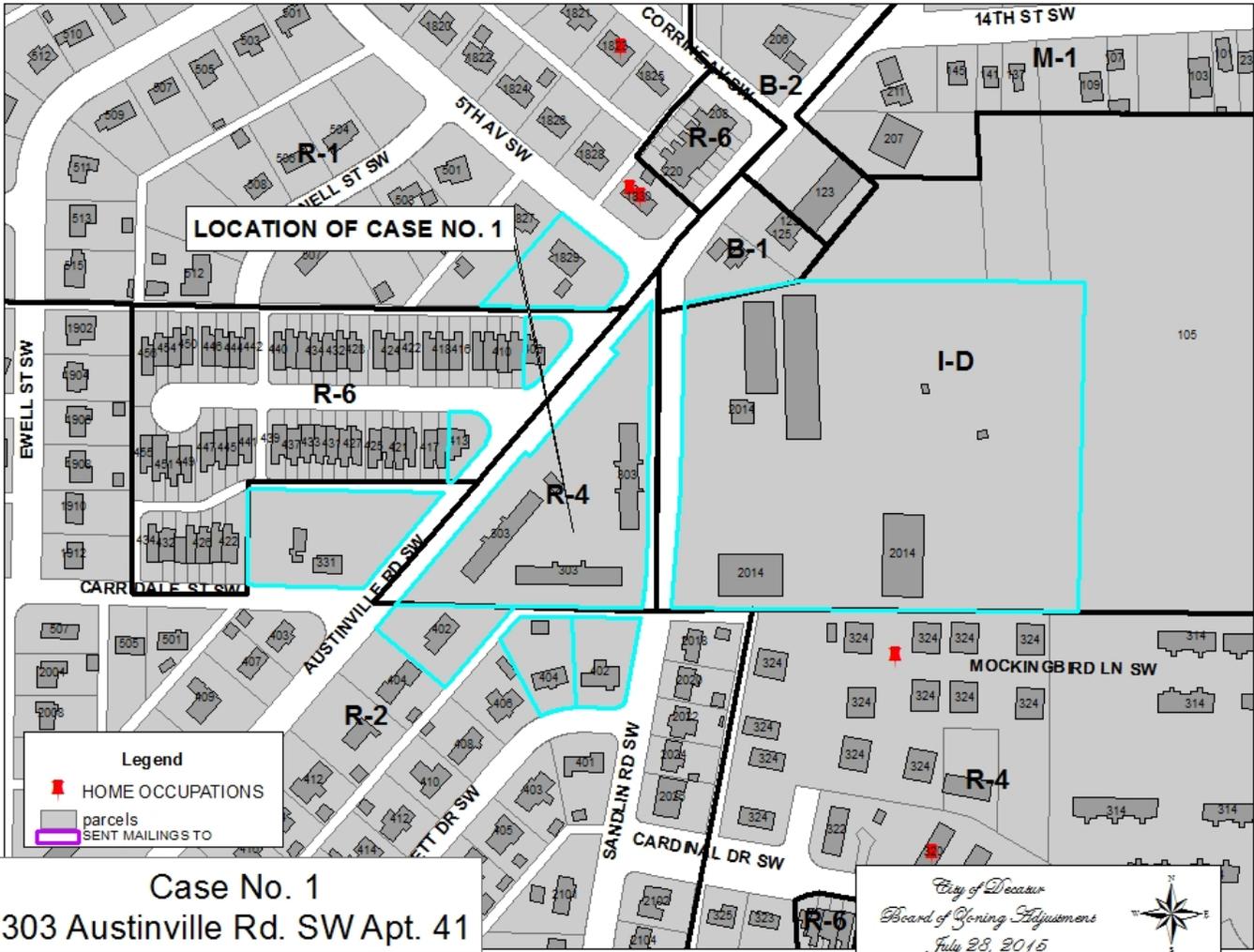
SIGNED: _____

DATE: 6-16-15

ADDRESS: _____

303 Austwille Rd Sw

QUESTIONNAIRE



LOCATION MAP 303 AUSTINVILLE RD SW APT 41



A Small City on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Kasey Wallace
MAILING ADDR: 2619 Summerwind Dr. SE
CITY STATE ZIP: Decatur, AL 35603
PHONE: 256-476-6246

PROPERTY OWNER: Jason & Kasey Wallace
OWNER ADDR: 2619 Summerwind Dr. SE
CITY STATE ZIP: Decatur, AL 35603
OWNER PHONE: 256-476-6246

SUBJECT ADDRESS FOR APPEAL:
2619 Summerwind Dr. Decatur, AL 35603

- NATURE OF APPEAL:**
- HOME OCCUPATION
 - SETBACK VARIANCE
 - SIGN VARIANCE
 - USE PERMITTED ON APPEAL
 - APPEAL OF ADMINISTRATIVE DECISION
 - OTHER
 - SURVEY FOR VARIANCES ATTACHED
 - DRAWINGS FOR VARIANCES ATTACHED

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

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

Administrative office for personalized children's clothing online

Applicant Name/print: Kasey Wallace
Signature: Kasey Wallace
Representative Name/print: Kasey Wallace
Signature: Kasey Wallace
Date: 6/29/15

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

Office Use
Received
By: [Signature]
Zone: R-2
Hearing July 28th 4:00pm

The Board of Zoning Adjustment meets the **last Tuesday** of each month at 4:00 PM in the Council Chambers on first floor of City Hall. Applications must be filed in the **BUILDING DEPARTMENT** by the **10th** of the month to be heard the last Tuesday of the month.

CASE NO 2 2619 SUMMERWIND DR SE

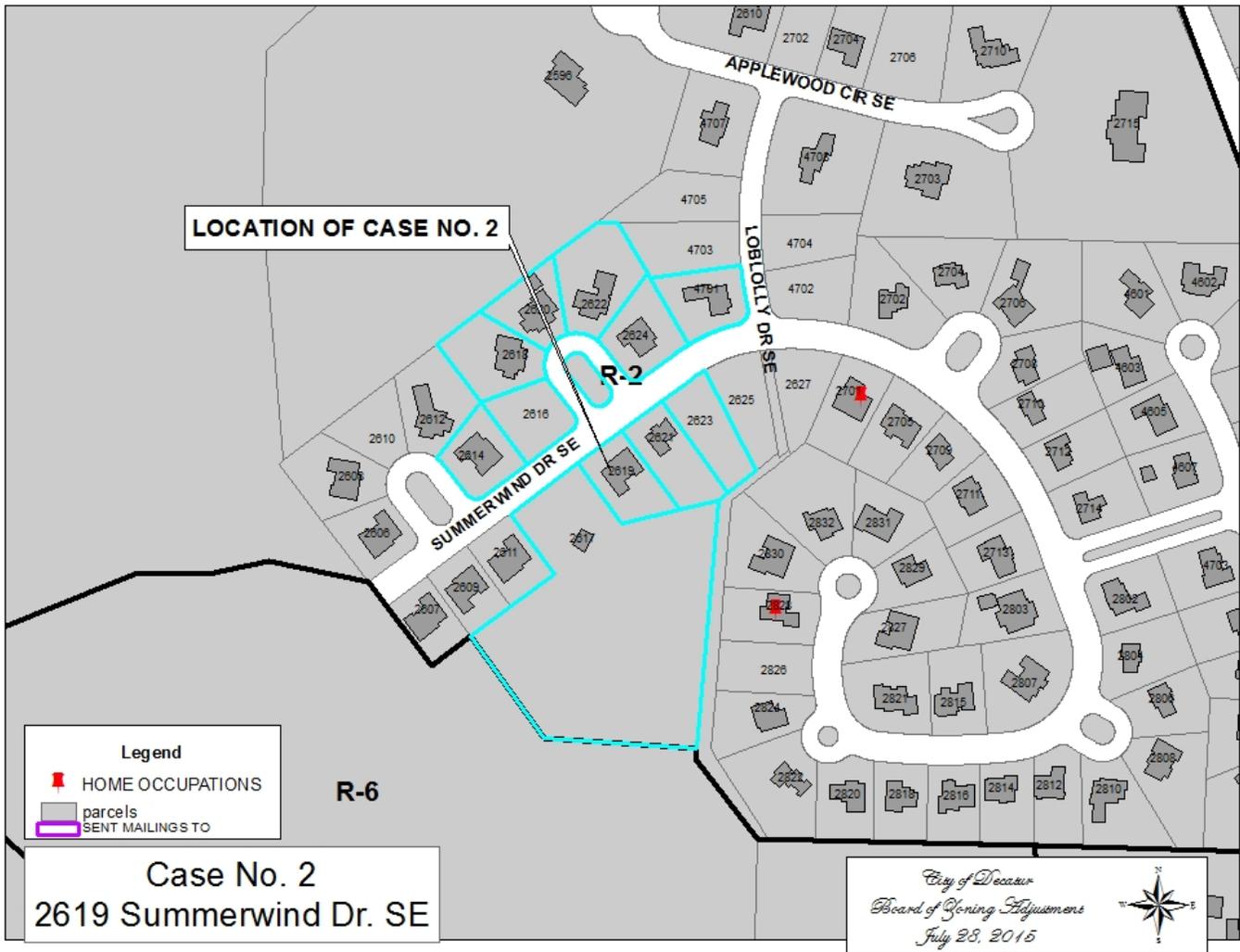
HOME OCCUPATION QUESTIONS

CHECK YES OR NO FOR EACH QUESTION

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

SIGNED: Kasuy Wallace DATE: 6/29/15
ADDRESS: 2619 Summerwind Dr SE
Decatur, AL 35603

QUESTIONNAIRE



LOCATION MAP 2619 SUMMERWIND DR SE



Small town on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Shawn McKenna
 MAILING ADDR: 427 Clearview st SW
 CITY STATE ZIP: Decatur Alabama 35601
 PHONE: 256-303-1612

PROPERTY OWNER: ~~Shawn~~ Shawn McKenna
 OWNER ADDR: 427 Clearview st SW
 CITY STATE ZIP: Decatur, Alabama 35601
 OWNER PHONE: 256-303-1612

SUBJECT ADDRESS FOR APPEAL: 427 Clearview st. SW Decatur, Alabama 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

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

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

Home office for Pressure Washing Business

Applicant Name (print) Shawn McKenna
 Signature [Signature]
 Representative Name (print) Shawn McKenna
 Signature [Signature]
 Date 7-1-15

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

Office Use
 Received
 By Judy
 Zone R-2
 Hearing July 28, 2015

The Board of Zoning Adjustment meets the last Tuesday of each month at 4:00 PM in the Council Chambers on first floor of City Hall. Applications must be filed in the BUILDING DEPARTMENT by the 10th of the month to be heard the last Tuesday of the month.

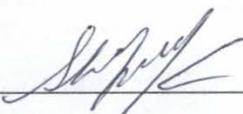
CASE NO 3 427 CLEARVIEW ST SW

HOME OCCUPATION QUESTIONS

CHECK YES OR NO FOR EACH QUESTION

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

SIGNED: _____



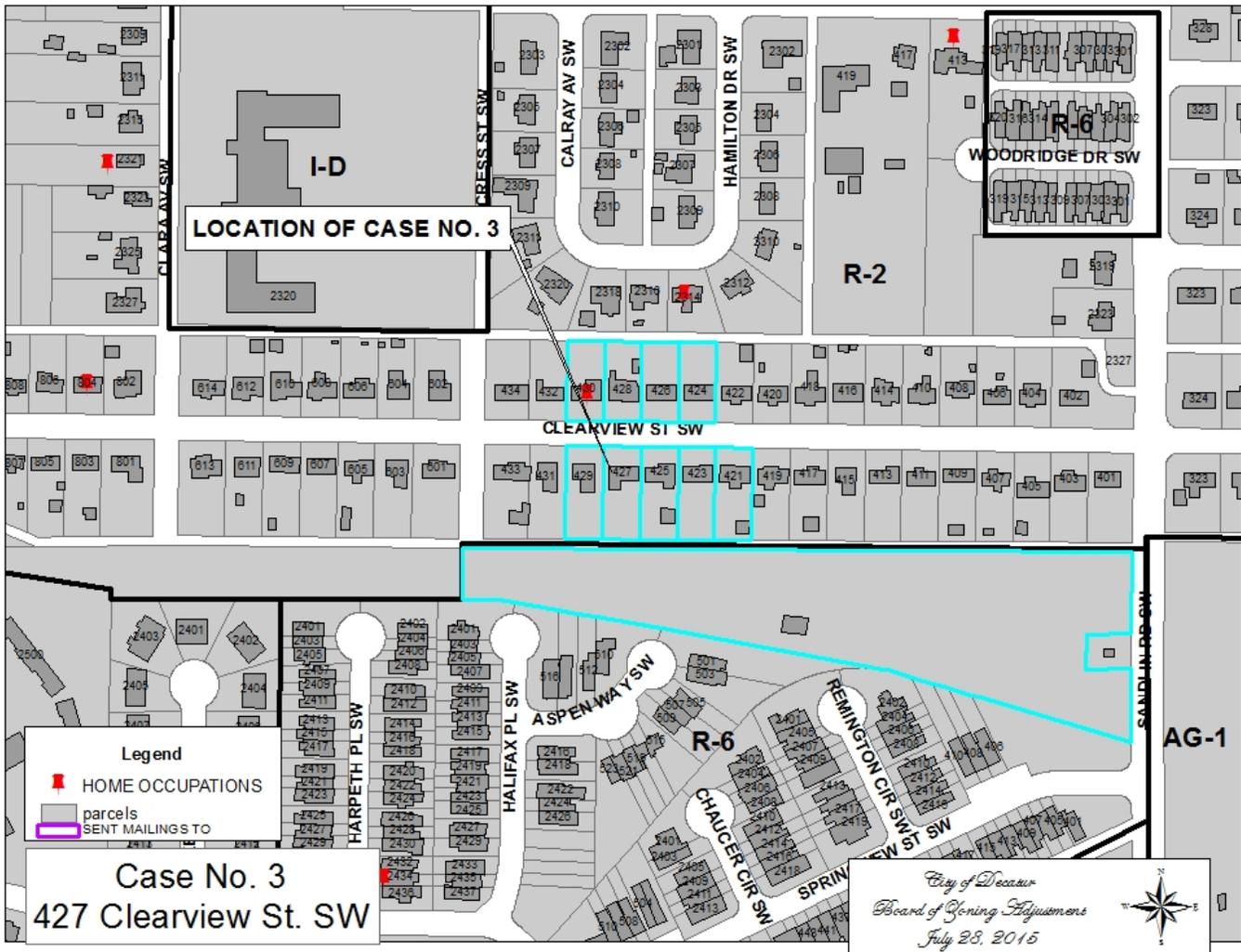
DATE: _____

8-1-15

ADDRESS: _____

427 Clearview St SW Decatur, AL, 35601

QUESTIONNAIRE



LOCATION MAP 427 CLEARVIEW ST SW



Small Town on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: William A. Heim, III
 MAILING ADDR: 2305 Chapel Hill Rd, S.W.
 CITY STATE ZIP: Decatur, AL 35603
 PHONE: (256) 221-1399

PROPERTY OWNER: William A. Heim, III
 OWNER ADDR: 2305 Chapel Hill Rd, S.W.
 CITY STATE ZIP: Decatur, AL 35603
 OWNER PHONE: (256) 221-1399

SUBJECT ADDRESS FOR APPEAL: 2305 Chapel Hill Rd SW

NATURE OF APPEAL:
 HOME OCCUPATION SETBACK VARIANCE SIGN VARIANCE
 USE PERMITTED ON APPEAL APPEAL OF ADMINISTRATIVE DECISION
 OTHER SURVEY FOR VARIANCES ATTACHED DRAWINGS FOR VARIANCES ATTACHED

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

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

WHOLESALE SUPPLY ~~Business~~ - FIRST AID & SAFETY PRODUCTS. WE WILL USE APPROX. 250 sq. ft. of space to hold/warehouse these products inside the residence. A driver will pick up needed supplies each week.

Applicant Name (print): Walt G. Z...
 Signature: William A. Heim, III
 Representative Name (print): _____
 Signature: _____
 Date: 7-8-15

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

Office Use
 Received
 By: Judy
 Zone: AB-2
 Hearing: July 28, 2015

The Board of Zoning Adjustment meets the last Tuesday of each month at 4:00 PM in the Council Chambers on first floor of City Hall. Applications must be filed in the BUILDING DEPARTMENT by the 10th of the month to be heard the last Tuesday of the month.

CASE NO 4 2305 CHAPEL HILL 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 *WR?* *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 *(Brother)*

SIGNED: _____

Walter C. Johnson

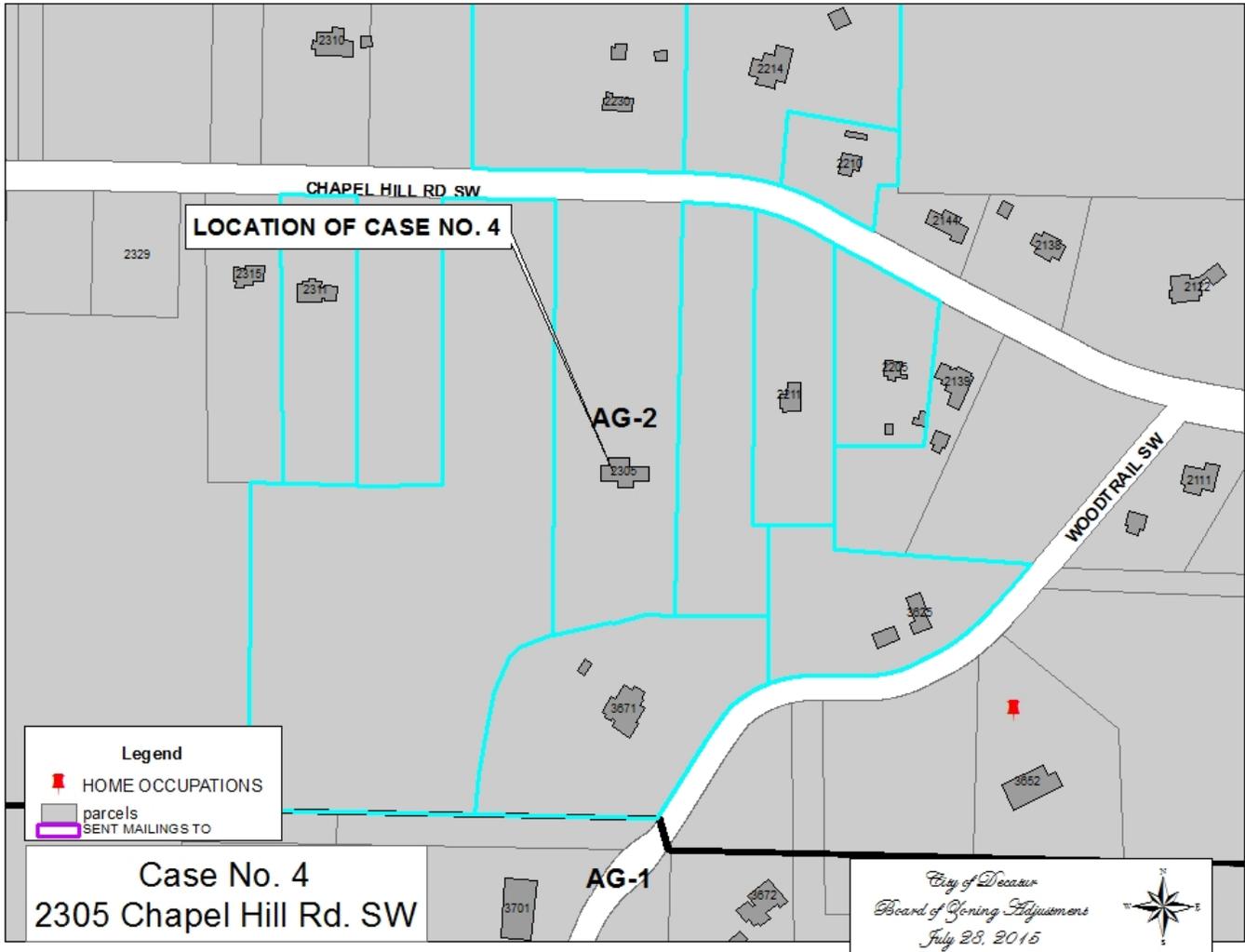
DATE: _____

7-8-15

ADDRESS: _____

2308 Chapel Hill Rd, S.W.

QUESTIONNAIRE



LOCATION MAP 2305 CHAPEL HILL RD SW



A Charming City on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Arel Deleon
MAILING ADDR: 1410 8th AV SE
CITY STATE ZIP: Decatur AL 35601
PHONE: 256 280-1082

PROPERTY OWNER: Arel Deleon
OWNER ADDR: 1410 8th AV SE F
CITY STATE ZIP: Decatur AL 35601
OWNER PHONE: 256-280-1082

SUBJECT ADDRESS FOR APPEAL: 1410 8th AV SE Decatur AL 35601

NATURE OF APPEAL:

- HOME OCCUPATION (checked)
SETBACK VARIANCE
SIGN VARIANCE
USE PERMITTED ON APPEAL
APPEAL OF ADMINISTRATIVE DECISION
OTHER
SURVEY FOR VARIANCES ATTACHED
DRAWINGS FOR VARIANCES ATTACHED

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

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

I want to use my home for an administrative office for a roofing business for roofing

Applicant Name (print): Arel Deleon
Signature: [Signature]
Representative Name (print):
Signature:
Date: 7-10-15

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

Office Use Received
By: Cindy [Signature]
Zone: R-3
Hearing: July 28th at 4:00 P.M.

The Board of Zoning Adjustment meets the last Tuesday of each month at 4:00 PM in the Council Chambers on first floor of City Hall. Applications must be filed in the BUILDING DEPARTMENT by the 10th of the month to be heard the last Tuesday of the month.

CASE NO 5 1410 8TH AVE SE

HOME OCCUPATION QUESTIONS

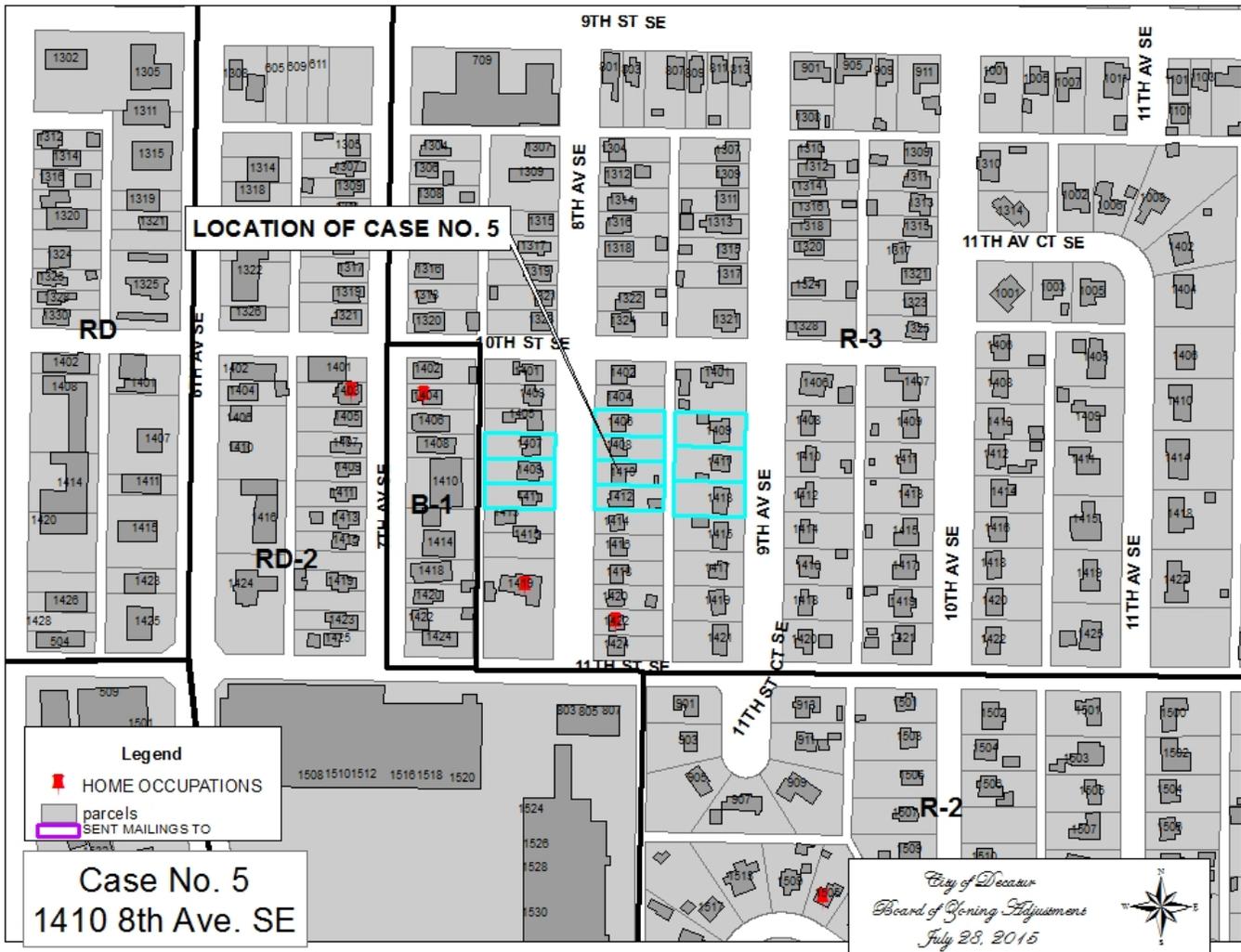
CHECK YES OR NO FOR EACH QUESTION

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

SIGNED: Alduaw DATE: 7-10-15

ADDRESS: 1410 8th AV SE Decatur AL 35601

QUESTIONNAIRE



LOCATION MAP 1410 8TH AVE SE



A Grand City on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Sophie M Hunter
 MAILING ADDR: 1706 Carriage Way SE
 CITY STATE ZIP: Decatur, AL 35601
 PHONE: 256-345-7814

PROPERTY OWNER: Sophie M Hunter
 OWNER ADDR: 1706 Carriage Way SE
 CITY STATE ZIP: Decatur, AL 35601
 OWNER PHONE: 256-345-7814

SUBJECT ADDRESS FOR APPEAL: 1706 Carriage Way SE 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

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

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

Request an administrative office in home for consulting services on govt contracts no customers in home.

Applicant Name(print) Sophie M Hunter
 Signature Sophie M Hunter
 Representative Name(print) _____
 Signature _____
 Date 6-29-2015

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

Office Use
 Received By Judy
 Zone PRD-6
 Hearing Date July 28, 2015
 Approved/Disapproved _____

The Board of Zoning Adjustment meets the last Tuesday of each month at 4:00 PM in the Council Chambers on first floor of City Hall. Applications must be filed in the BUILDING DEPARTMENT by the 10th of the month to be heard the last Tuesday of the month.

CASE NO 6 1706 CARRIAGE WAY SE



HOME OCCUPATION QUESTIONS

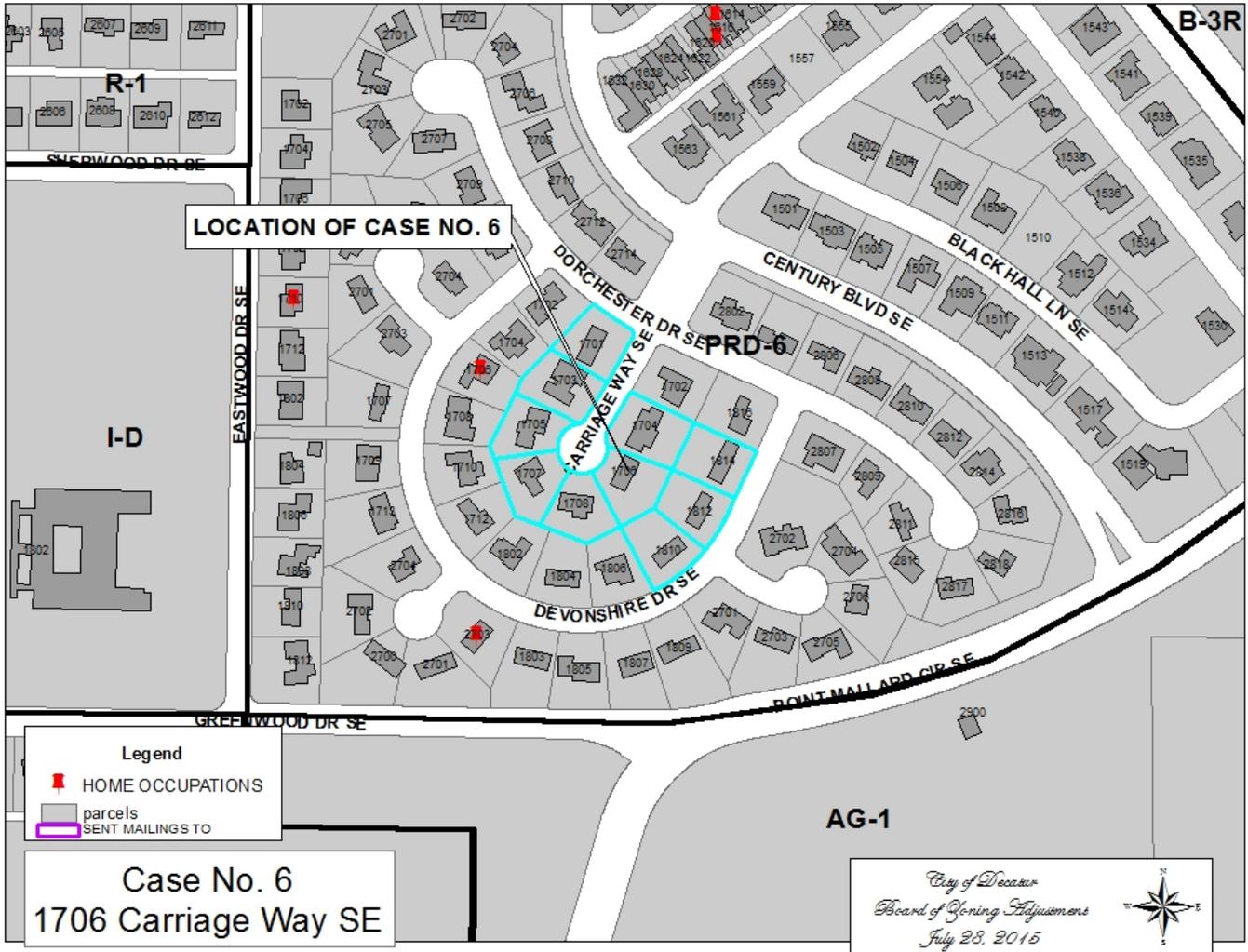
CHECK YES OR NO FOR EACH QUESTION

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: Sophie M Hunter DATE: 6-29-2015

ADDRESS: 1706 Carriage Way SE Decatur, AL 35601

QUESTIONNAIRE



LOCATION MAP 1706 CARRIAGE WAY SE



A Pleasant City on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Lachelle Marshall
 MAILING ADDR: 1605 10th AVE CT S.E
 CITY STATE ZIP: Decatur AL 35601
 PHONE: (256) 345-1194

PROPERTY OWNER: LACHELLE MARSHALL
 OWNER ADDR: Same as above 1605 10th AVE CT. SE
 CITY STATE ZIP: DECATUR, AL 35601
 OWNER PHONE: 256 - 345 - 1194

SUBJECT ADDRESS FOR APPEAL:
1605 10th AVE. CT. SE. 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

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

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

REQUEST AN 8' VARIANCE IN REAR PROPERTY TO PARTIALLY COVER EXISTING CONCRETE PATIO.

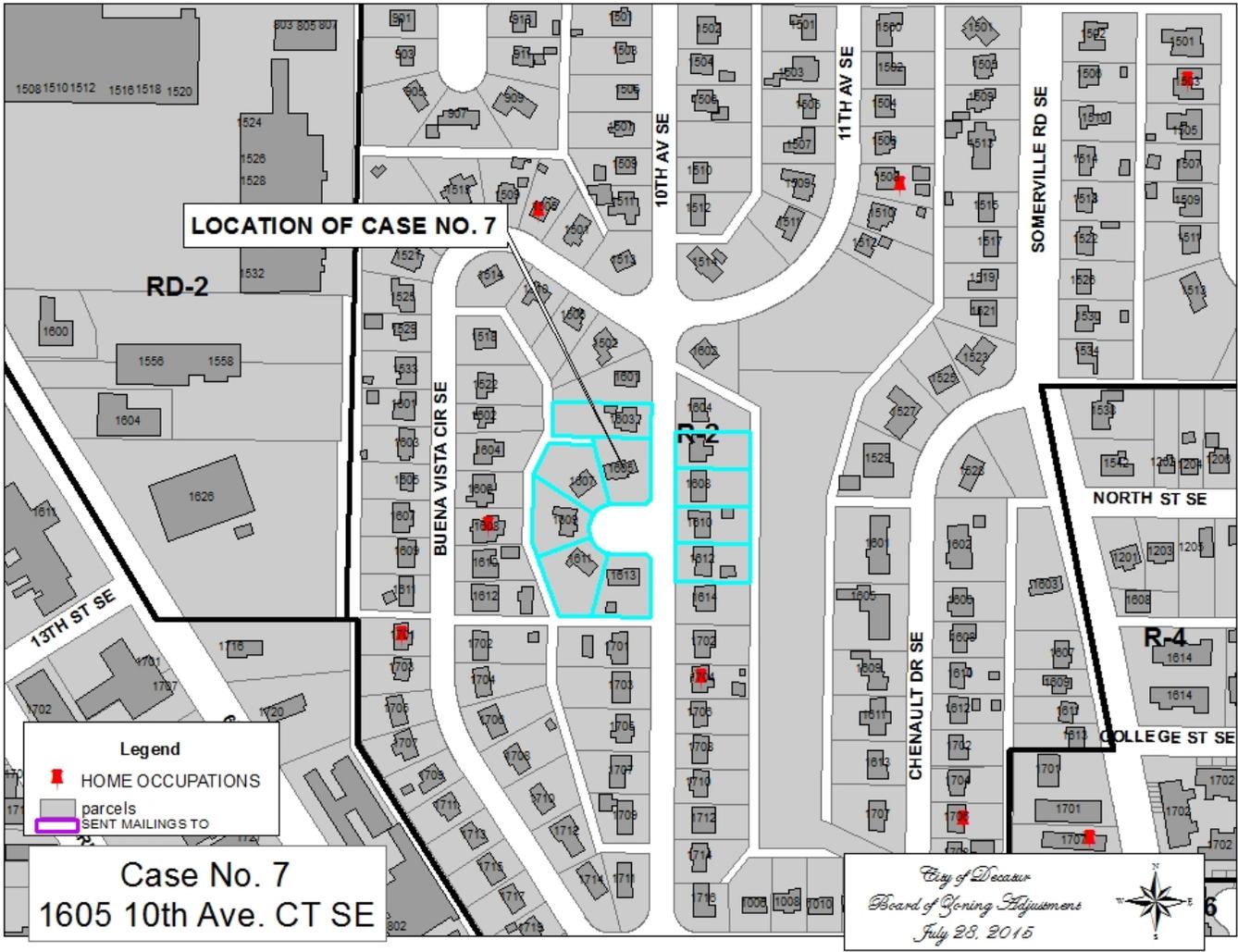
Applicant Name (print) Lachelle Marshall
 Signature Lachelle Marshall
 Representative Name (print) JAMES A. REED
 Signature James A. Reed
 Date 7-7-15

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

Office Use
 Received
 By Julz
 Zone R-2
 Hearing July 28, 2015

The Board of Zoning Adjustment meets the **last Tuesday** of each month at 4:00 PM in the Council Chambers on first floor of City Hall. Applications must be filed in the **BUILDING DEPARTMENT** by the **10th** of the month to be heard the last Tuesday of the month.

CASE NO 7 1605 10TH AVE CT SE



LOCATION MAP 1605 10TH AVE CT SE



A Grand City on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Will Akin
MAILING ADDR: P.O. Box 430113
CITY STATE ZIP: Birmingham, AL 35243
PHONE: 205-790-3424

PROPERTY OWNER: CGP Southland Plaza, LLC
OWNER ADDR: P.O. Box 430113
CITY STATE ZIP: Birmingham, AL 35243
OWNER PHONE: 205-790-3424

SUBJECT ADDRESS FOR APPEAL: Southland Plaza Shopping Center
2019 6th Ave SE
Decatur, AL
Parcel ID# 03-09-32-2-000-004.000

- NATURE OF APPEAL:**
- HOME OCCUPATION
 - SETBACK VARIANCE
 - SIGN VARIANCE
 - USE PERMITTED ON APPEAL
 - APPEAL OF ADMINISTRATIVE DECISION
 - OTHER
 - SURVEY FOR VARIANCES ATTACHED
 - DRAWINGS FOR VARIANCES ATTACHED

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

DESCRIBE APPEAL IN DETAIL: (INCLUDE: DIMENSIONS, # FT FOR VARIANCES; # FOR PARKING; HARDSHIP; TYPE OF BUSINESS.)
Section 25-80(a)(1) -> owner would like to install
two new pylon panels at 2'x10' each to bottom
of the existing pylon sign.

Applicant Name(print) Will Akin
Signature [Signature]
Representative Name(print) _____
Signature _____
Date 7-10-15

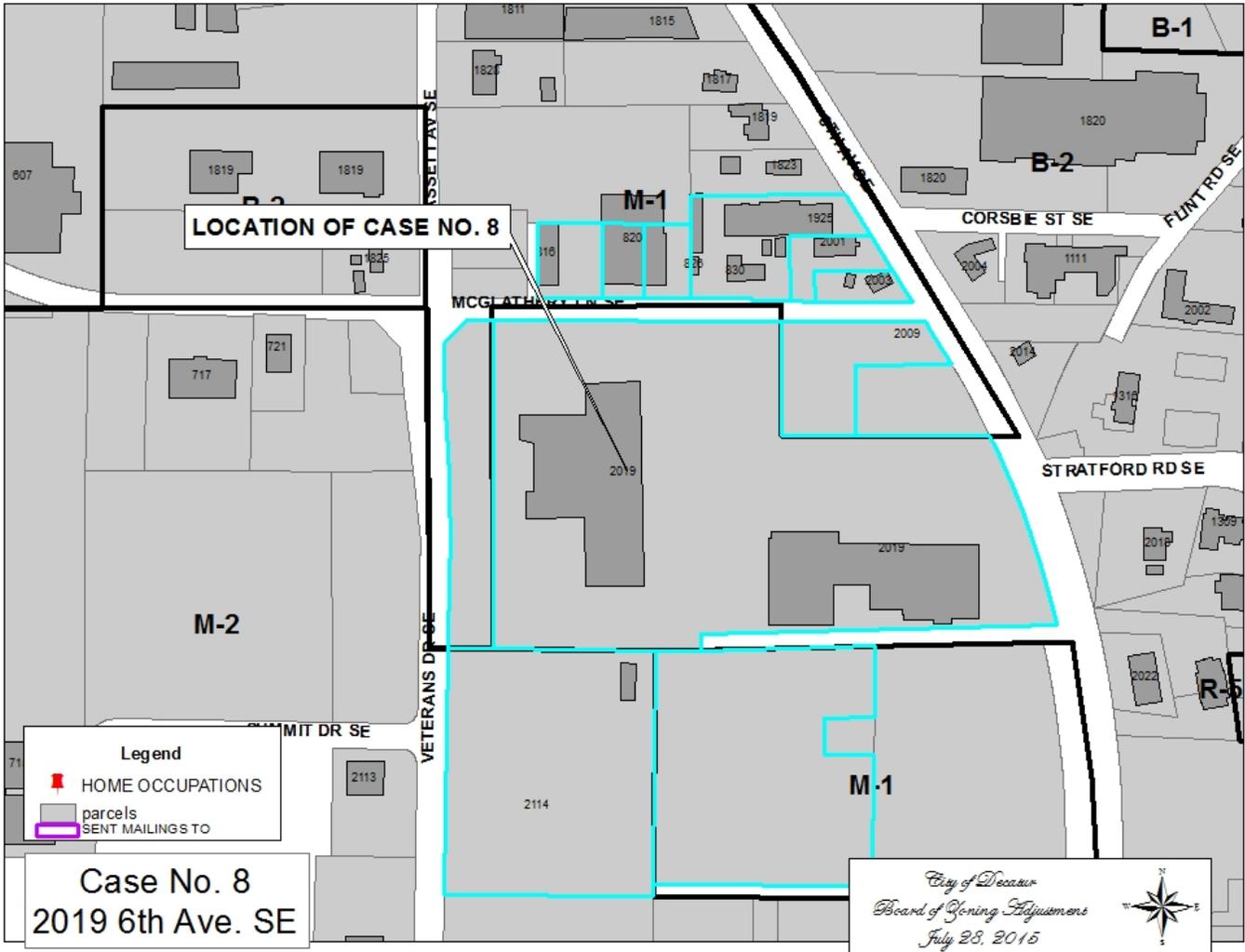
If applicant is using a representative for the request both signatures are required.

Office Use
Received
By [Signature]
Zone B2
Hearing

The Board of Zoning Adjustment meets the last Tuesday of each month at 4:00 PM in the Council Chambers on first floor of City Hall. Applications must be filed in the BUILDING DEPARTMENT by the 10th of the month to be heard the last Tuesday of the month.



PICTURE OF EXT. SIGN



LOCATION MAP 2019 6TH AVE SE



Small Town on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Church of the Good Shepherd
MAILING ADDR: 3809 Spring Ave
CITY STATE ZIP: Decatur, AL 35603
PHONE: 256-351-9955

PROPERTY OWNER: same as above Church of the Shepherd
OWNER ADDR: 3809 Spring Ave
CITY STATE ZIP: Decatur, AL 35601
OWNER PHONE: 256-351-9955

SUBJECT ADDRESS FOR APPEAL: 3809 Spring Ave SW, Decatur, AL 35603

- NATURE OF APPEAL:**
- HOME OCCUPATION
 - USE PERMITTED ON APPEAL
 - OTHER
 - SETBACK VARIANCE
 - APPEAL OF ADMINISTRATIVE DECISION
 - SURVEY FOR VARIANCES ATTACHED
 - SIGN VARIANCE
 - DRAWINGS FOR VARIANCES ATTACHED

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

DESCRIBE APPEAL IN DETAIL: (INCLUDE: DIMENSIONS, # FT FOR VARIANCES; # FOR PARKING; HARDSHIP; TYPE OF BUSINESS.)
Request to conduct Farmers and Artisan Market on the front lawn of Good Shepherd. Vendors will be local growers + artist and they provide their own tents and tables. They are responsible for setup and tear down. Market will be Mondays only beginning the first Monday in August and ending the last day of October. Hour - 1:00 setup vendors open 2:00 - 6:00

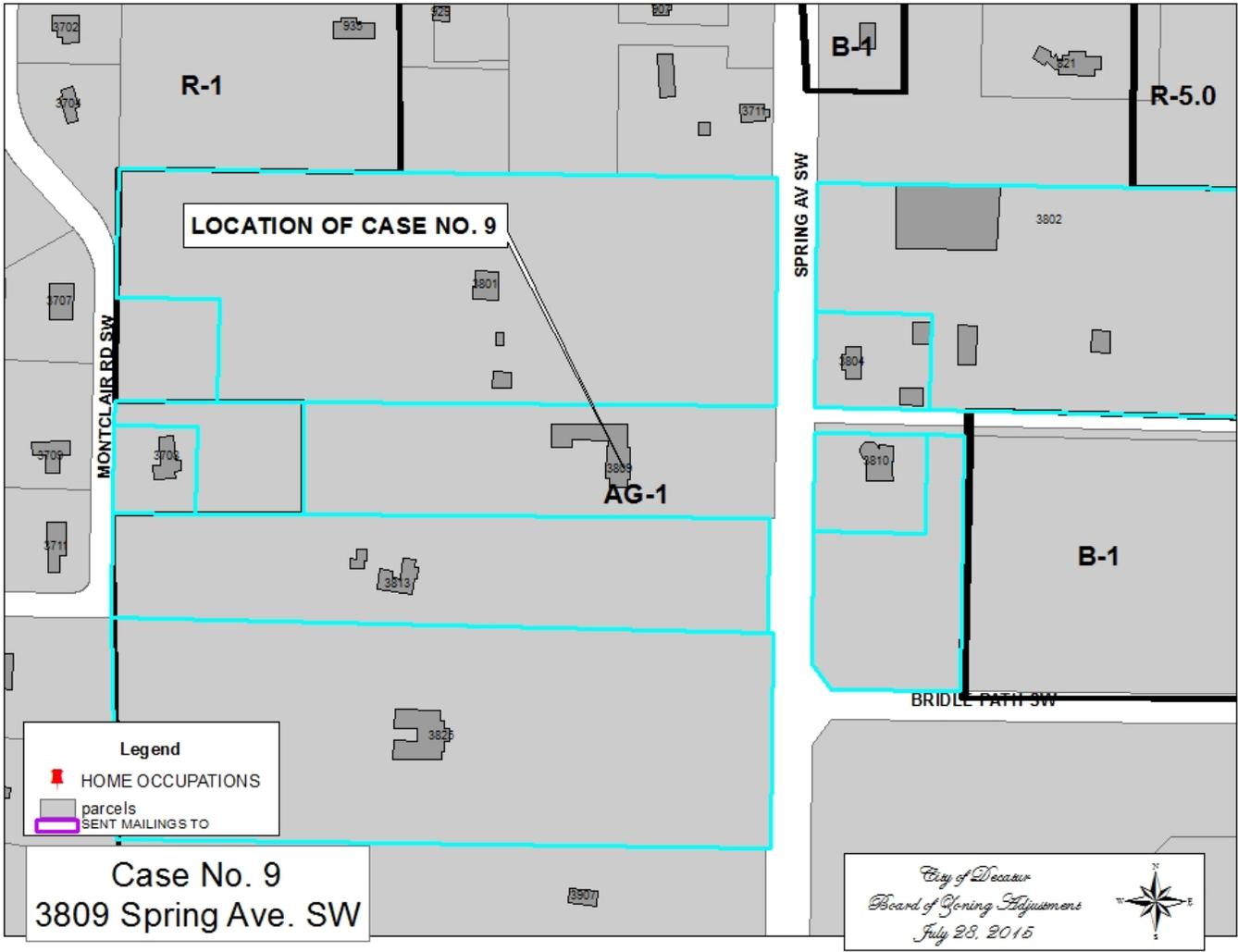
Applicant Name (print) Shelley Coxwell
Signature [Signature]
Representative Name (print) _____
Signature _____
Date _____

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

Office Use
Received
By [Signature]
Zone A6-1
Hearing July 28, 2015

The Board of Zoning Adjustment meets the last Tuesday of each month at 4:00 PM in the Council Chambers on first floor of City Hall. Applications must be filed in the BUILDING DEPARTMENT by the 10th of the month to be heard the last Tuesday of the month.

CASE NO 9 3809 SPRING AVE SW



LOCATION MAP 3809 SPRING AVE SW