

BOARD OF ZONING ADJUSTMENT

AGENDA

September 24, 2013

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MINUTES AUGUST 27, 2013

MEMBERS PRESENT: Chairman Kent Lawrence, Messrs. , Mr. Larry Wayne, Vice-Chairman George Barran

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

OTHERS PRESENT: Mr. Bob Sims, Inspector
Mr. Wally Terry, Director
.....and Custodian of Records
Mr. Herman Marks, City Attorney
Mr. Chip Alexander, Assistant City Attorney
Mrs. Karen Smith, Planner
Mr. Bill Campbell, Daily Reporter
Ms. Judy Bosworth, Recorder

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

Ms. George Barran moved to **approve** the minutes of the June meeting as printed. . Mr Larry Wayne seconded the motion. On a voice vote, the motion carried.

The Board considered the following applications and appeals.

Chairman Kent Lawrence recused himself from the Old Business and Vice-Chairman George Barran presided over the meeting.

OLD BUSINESS: Chris Armor of 812 Bradley St SW and Richard Humphries of Pugh Wright McAnally appeared before the Board again to present his variance request that was tabled from the June meeting in order to allow Mr. Armor time to go before the City Council and the Planning Commission in an effort to get the alley vacated.

Mr. Humphries stated that a portion of the alley has now been vacated which allowed Mr. Armor to request a 9 foot variance instead of a 17.5 foot variance originally needed. Mr. Humphries further stated he had spoken with Planning about some type of barrier such as a fence or trees between the building and the alley in addition to some landscaping in the front of the building.

Mr. Larry Wayne asked the question what hardship existed that prompted Mr. Armor to construct this building.

Mr. Humphries stated the structure was needed for equipment and materials and the shape of the lot and depth of the lot would not allow the structure to be constructed behind the main building.

There was discussion between Mr. Armor, Mr. Humphries and the Board as to the measures Mr. Armor could take to clean up the lot, make it more curbside appealing, and at the same time continue to be a functioning business.

Mr. Armor stated he was willing to do landscaping and buffering and also clean up the lot.

Mr. Sims stated that Mr. Armor has gotten approval from both the Planning Commission and the City Council to vacate the alley right of way; still an existing non-conforming use that did not conform to the ordinance existed Mr. Sims also stated the lot needed marked improvement and additional landscaping would be a positive step in that direction. In addition Mr. Sims stated the new structure would need to be inspected by the Building Department.

Ms. Smith stated she was in agreement with Mr. Sims and recommended the Landscaping be in compliance with Section 25-16(9)(c) (iii) and 25-16(9)(f) (i) of the Zoning Ordinance

Mr. Larry Waye moved to approve a 9 foot variance request with conditions as follows:

- 1) A rear yard buffer be put in place.
- 2) Adherences to the Zoning Ordinance from Section 25-16(9)(c) (iii) and 25(9)(f)(i) concerning landscaping.
- 3) Bring the building up to code per the City's requirements.
- 4) Have landscaping approved by Planning.

Ms. Sally Jo Green seconded the motion. On a roll call vote, the motion carried.

CASE NO 1

Application and appeal of Aryn McIntyre 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 adoption consulting office at 2710 Summerwind Dr SE, property located in a R-2 Single-Family Zoning District.

Ms. Aryn McIntyre presented this case to the Board. Ms. McIntyre stated she would like an administrative office for an adoption agency. Ms. McIntyre further explained she would meet off-site and guide the adoptive parents through the process.

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

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

CASE NO 2

Application and appeal of Mashaila C. Green 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 service at 1309 Stuart Ave SW, property located in R-2 Single-Family Zoning District.

Ms. Green presented this case to the Board. Ms. Green stated she needed an administrative office for a cleaning service. Ms. Green further stated she would do estimates over the phone or off-site and also stated the owner was aware of the request.

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

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

CASE NO 3

Application and appeal of Alfred J. Keith 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 an administrative office for a health education company at 2001 Park Terrace SE, property located in a R-5 Single-Family Patio Home Zoning District.

Mr. Alfred J. Keith III presented this case to the Board. Mr. Keith stated he was requesting a home office for an education service that would bridge the gap between the doctor and the patient in teaching the patient how to manage their disease. Mr. Keith further explained they would conduct this training off-site at hospitals and pharmacies. Additionally Mr. Keith stated the owner was aware of the request.

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

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

CASE NO 4

Application and appeal of James Kay 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 private investigation company at 2002 13th St SE, property located in a R-2 Single-Family Zoning District.

Mr. James Kay presented this case to the Board. Mr. Kay stated he would like an administrative office for a private investigation company where he would just do filing and computer work at home. Mr. Kay also stated there would be no clients coming to his home.

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

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

CASE NO 5

Application and appeal of Faustino Hernandez 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 landscaping business at 1713 Iris St SW, property located in a R-2 Single-Family Zoning District.

Mr. Hernandez and the property owner Mireyda Villalobos both presented this case to the Board. Ms. Villalobos stated Mr. Hernandez wanted an administrative office for a landscaping business. Ms. Villalobos also stated there was no heavy equipment and they were mainly working with rock and stone for landscaping. Ms. Villalobos also stated the material would be stored in a storage building on the property.

Mr. Harold Wright a next door neighbor stated he had several signatures from the neighbors stating they were opposed to additional traffic, and business signs at this property.

Mr. Hernandez stated there would be no additional traffic to his house, he would make contact by phone.

Ms. Brenda Ivy of 1705 Iris St SW stated she had many concerns and questions as follows:

- 1) Is the applicant's current business landscaping? 2) Will this business generate additional traffic to the home? 3) Is the applicant going to erect signs in the yard? 4) Is the applicant a United States Citizen? 5) Will a permit need to be issued?

Chairman, Kent Lawrence addressed her concerns and explained that the stipulation in having a home occupation is that there be no sign a business exist there. Mr. Lawrence further explained that if the neighbors ever had concerns the applicant was operating outside of what the Zoning Ordinance allows, they could bring the matter to the Building Department for review.

Mr. Sims explained to the applicant that the rocks and stones should be at the site where the work would be performed, their rear yard should not be a storage place for the stones.

Mr. Sims stated the Building Department would recommend approval.

Ms. Smith stated to Ms. Brenda Ivy the Zoning Ordinance could be found on-line and the home occupation was a part of that if she would like to look at it on-line for further clarification of a home occupation.

Ms. Smith stated the Planning Department would recommend approval.

CASE NO 6

Application and appeal of Raul de Quesada for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a lawn care business at 1503 Chestnut St SE, property located in a R-3 Single-Family Zoning District.

Mr. Raul de Quesada presented this case to the Board. Mr. de Quesada stated he would like an administrative office for a lawn care business. Mr. de Quesada further stated he would have a push mower and a riding mower that would be kept in the garage and there would be no signs of a business at the address.

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

Ms. Sally Jo Green moved to approve this home occupation request as submitted. Mr. Mike Harris seconded the motion. On a roll-call vote, the motion carried.

CASE NO 7

Application and appeal of Candice Hayes 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 at 2625 Buckingham Gate SW, property located in a R-2 Single-Family Zoning District.

Ms. Candice Hayes presented this case to the Board. Ms. Hayes stated she would like an administrative office for a cleaning business, the supplies would be stored in the garage and there would be no employees to the house.

Mr. Sims of the Building Department and Ms. Smith of the Planning Department both state they would recommend approval.

Mr. George Barran moved to approve this home occupation request. Mr. Larry Waye seconded the motion. On a roll-call vote, the motion carried.

CASE NO 8

Application and appeal of Tristan Ross 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 business at 516 Carolyn ST SW, property located in a R-1 Single-Family Zoning District.

Mr. Tristan Ross presented this case to the Board. Mr. Ross stated he would like an administrative office for a janitorial business and there would be no employees. Mr. Ross also

stated the owner was aware of the request, the supplies would be stored in a shed and no signs would be present except on the vehicle.

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

Mr. George Barran moved to approve this home occupation request. Mr. Larry Waye seconded the motion. On a roll-call vote, the motion carried.

Case 9

Application and appeal of Carolyn Cole 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 at 1917 7th St SE, in order to deliver flowers to various grave sites. The property is located in a R-3 Single-Family Zoning District.

Ms. Carolyn Cole presented this case to the Board. Ms. Cole stated she would like a home office for a delivery service delivering flowers to gravesites. Ms. Cole further stated she would buy flowers locally or on-line and there may be some assembly at her home. Ms. Cole stated a few people may come to her home annually.

Mr. Herman Marks, City Attorney asked Ms. Cole how will customers know what the arrangements looked like and how will they see a sample?

Ms. Cole stated they would come to her home or meet off-site.

Chairman, Kent Lawrence explained to Ms. Cole that she could not have customers coming to her home, the Zoning Ordinance does not allow for that.

Mr. Sims stated she could have a limited amount of material at her home. Mr. Sims stated the Building Department would recommend approval.

Ms. Smith stated the Planning Department would recommend approval.

Mr. Mike Harris moved to approve this home occupation request as submitted. Ms. Sally Jo Green seconded the motion. On a roll-call vote, the motion carried.

The meeting adjourned at 4:50

Chairman, Kent Lawrence

AGENDA SEPTEMBER 24, 2013

OLD BUSINESS:

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

CASE NO 1

Application and appeal of Clinton G. Malone for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a lawn care business at 3211 Central Parkway SW, property located in a R-4 Multi-Family Zoning District.

CASE NO 2

Application and appeal of Demetrius Purvis for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a wholesale dealer business at 1408 6th Ave SW, property located in a R-2 Single-Family Zoning District.

CASE NO 3

Application and appeal of Leonard M. Taylor for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a janitorial service at 1807 Windover Pl SW, Apt B, property located in a R-4 Multi-Family Zoning District.

CASE NO 4

Application and appeal of Angela Henry for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office to sell furniture, furniture paint, and home décor items via the internet at 3016 Lenox Dr SW, property located in a R-2 Single-Family Zoning District.

CASE NO 5

Application and appeal of Amador Gomez Rubalcaba for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a lawn care service at 313 Blackberry Dr SW, property located in a R-2Single-Family Zoning District.

CASE NO 6

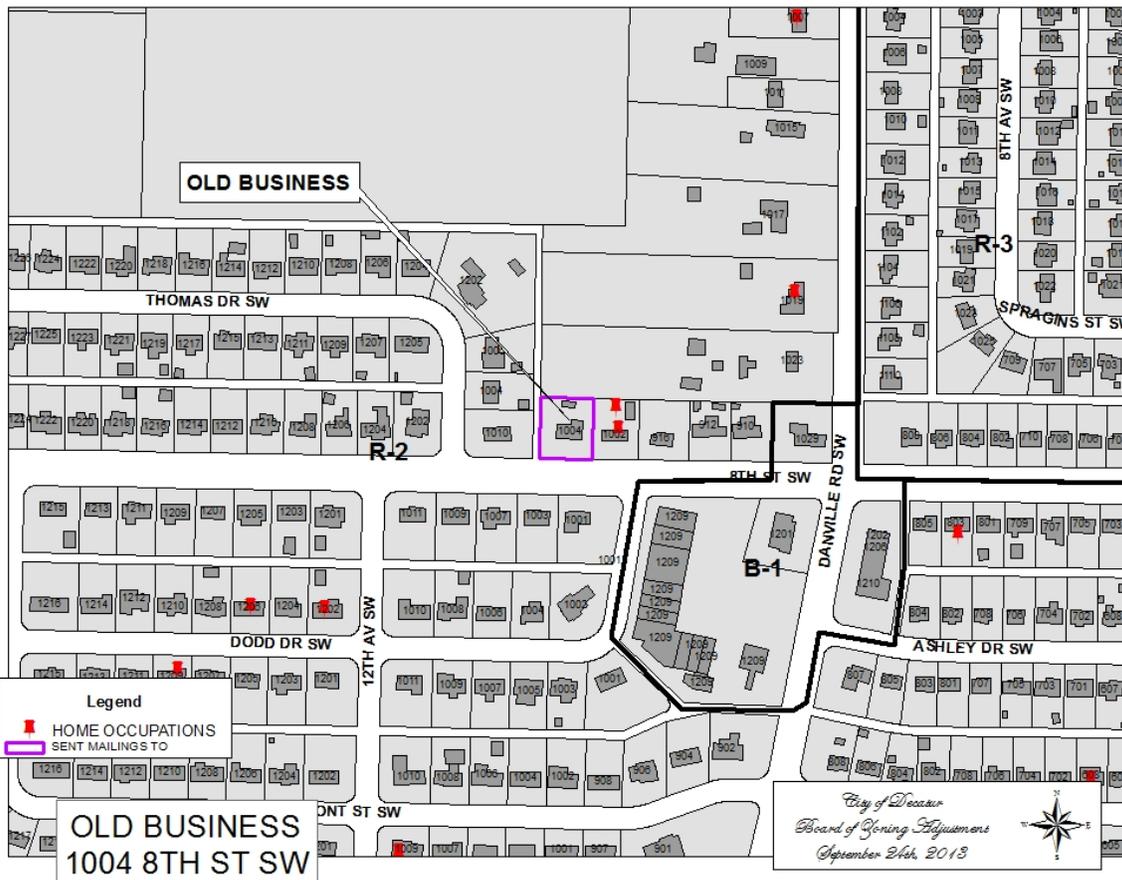
Application and appeal of Alabama Urology and Robotic Center, P.C. , for a 7 foot rear-yard setback variance from Section 25-12 of the Zoning Ordinance in order to construct a new building at 1210 14th Ave SE, property located in a MC Medical Center District.

CASE NO 7

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

OLD BUSINESS:

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





Small logo with text 'CHARMING SCALE' and a signature

Board of Zoning Adjustment

APPLICANT: Clinton G. Malone
 MAILING ADDR: 3211 central Parkway SW.
 CITY STATE ZIP: Decatur, AL 35603
 PHONE: 256-556-1946

PROPERTY OWNER: Bonnie Malone (wife)
 OWNER ADDR: 3211 central Parkway SW.
 CITY STATE ZIP: Decatur, AL 35603
 OWNER PHONE: 256-565-8722

ADDRESS FOR APPEAL: 3211 central Parkway SW, Decatur, AL 35603

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

DESCRIBE APPEAL IN DETAIL: (INCLUDE DIMENSIONS, # FT FOR VARIANCES; # FOR PARKING, HARDSHIP, TYPE OF BUSINESS.)
Home office for Lawn Care Sv.

APPLICANT SIGNATURE: Clinton Malone
 PRINT NAME: Clinton G. Malone
 DATE: 8-13-13

OFFICE USE ONLY:
 RECEIVED BY: Judy
 ZONING DISTRICT: R24
 HEARING DATE: Sept 24, 2013
 APPROVED/DISAPPROVED: _____

The Board of Zoning Adjustment meets the last Tuesday of each month at 4:00 PM in the Council Chambers on first floor of City Hall. Applications must be filed by the 10th of the month to be heard the last Tuesday of the month. Applicants MUST be present in order for the case to be heard. Request a copy of this application.

CASE NO 1 3211 CENTRAL PKWY SW

HOME OCCUPATION QUESTIONS

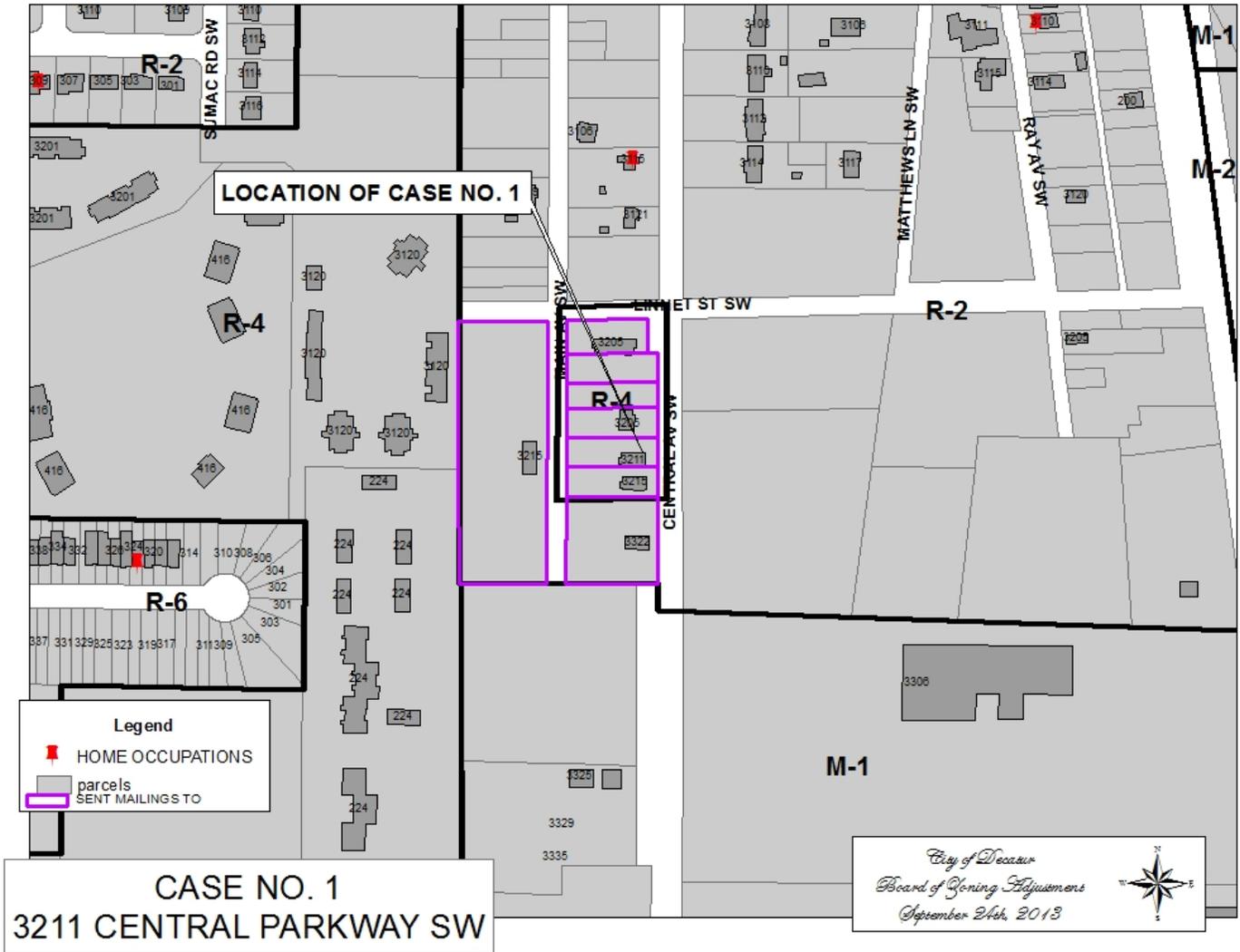
CHECK YES OR NO FOR EACH QUESTION

1. Is the use applied for, administrative office, making of crafts, sewing, etc., conducted entirely within the dwelling? YES NO
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 Phone # only
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: Clinton Malone DATE: 8-13-13

ADDRESS: 3211 Central Parkway SW
Decatur, AL 35603

QUESTIONNAIRE



LOCATION MAP 3211 CENTRAL PARKWAY SW



Board of Zoning Adjustment

APPLICANT: Demetrius Purvis
 MAILING ADDR: 1408 6th Ave SW
 CITY STATE ZIP: Decatur, AL 35601
 PHONE: (704) 488-6724

PROPERTY OWNER: Demetrius Purvis
 OWNER ADDR: 1408 6th Ave SW
 CITY STATE ZIP: Decatur, AL 35601
 OWNER PHONE: (704) 488-6724

ADDRESS FOR APPEAL: 1408 6th Ave SW Decatur, AL 35601

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

DESCRIBE APPEAL IN DETAIL: (INCLUDE DIMENSIONS, # FT FOR VARIANCES; # FOR PARKING; HARDSHIP; TYPE OF BUSINESS.)
Use my home as a Administrative office
for wholesaler for used vehicles

APPLICANT SIGNATURE: PRINT NAME: <u>Demetrius Purvis</u> DATE: <u>9-10-13</u>	OFFICE USE ONLY: RECEIVED BY: <u>Judy</u> ZONING DISTRICT: <u>R-2</u> HEARING DATE: <u>Sept 24, 2013</u> 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

CASE NO 2 1408 6TH AVE SE

HOME OCCUPATION QUESTIONS

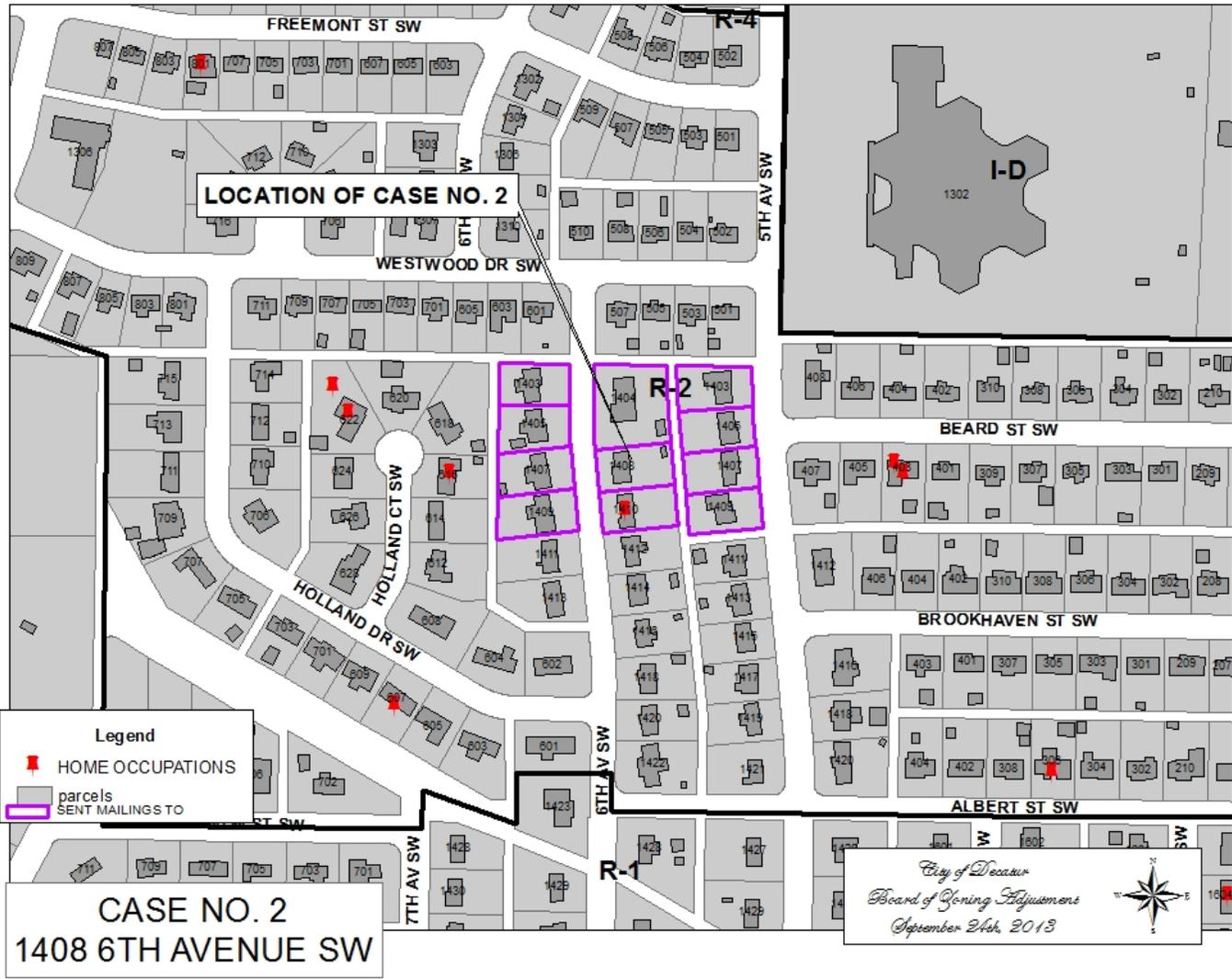
CHECK YES OR NO FOR EACH QUESTION

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

SIGNED: [Signature] DATE: 9-10-13

ADDRESS: 1408 6th Ave SW Decatur, AL 35601

1408 6th AVE SE



LOCATION MAP 1408 6TH AVE S



Board of Zoning Adjustment

APPLICANT: Leonardo M Taylor
 MAILING ADDR: 1807 Windlover Pl. SW Apt B
 CITY STATE ZIP: Decatur AL 35603
 PHONE: 256-466-1593

PROPERTY OWNER: Ellis Apartments (Roger D Ellis)
 OWNER ADDR: P O Box 210
 CITY STATE ZIP: Moulton, AL 35650
 OWNER PHONE: 256-274-2325

ADDRESS FOR APPEAL: 1807 Windlover Pl. SW Apt B
Decatur AL 35603

NATURE OF APPEAL:

HOME OCCUPATION SETBACK VARIANCE SIGN VARIANCE

USE PERMITTED ON APPEAL APPEAL OF ADMINISTRATIVE DECISION

OTHER SURVEY FOR VARIANCES ATTACHED DRAWINGS FOR VARIANCES ATTACHED

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

I would like an administrative office for
a janitorial service.

APPLICANT SIGNATURE: PRINT NAME: <u>Leonardo M. Taylor</u> DATE: <u>9-7-13</u>	OFFICE USE ONLY: RECEIVED BY: <u>Judy</u> ZONING DISTRICT: <u>R-4</u> HEARING DATE: <u>Sept 24, 2013</u> 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 15th of the month. Applicants MUST be present in order for the case to be heard. Request a copy of this application.

1807 WINDOVER PL SW, APT B

HOME OCCUPATION QUESTIONS

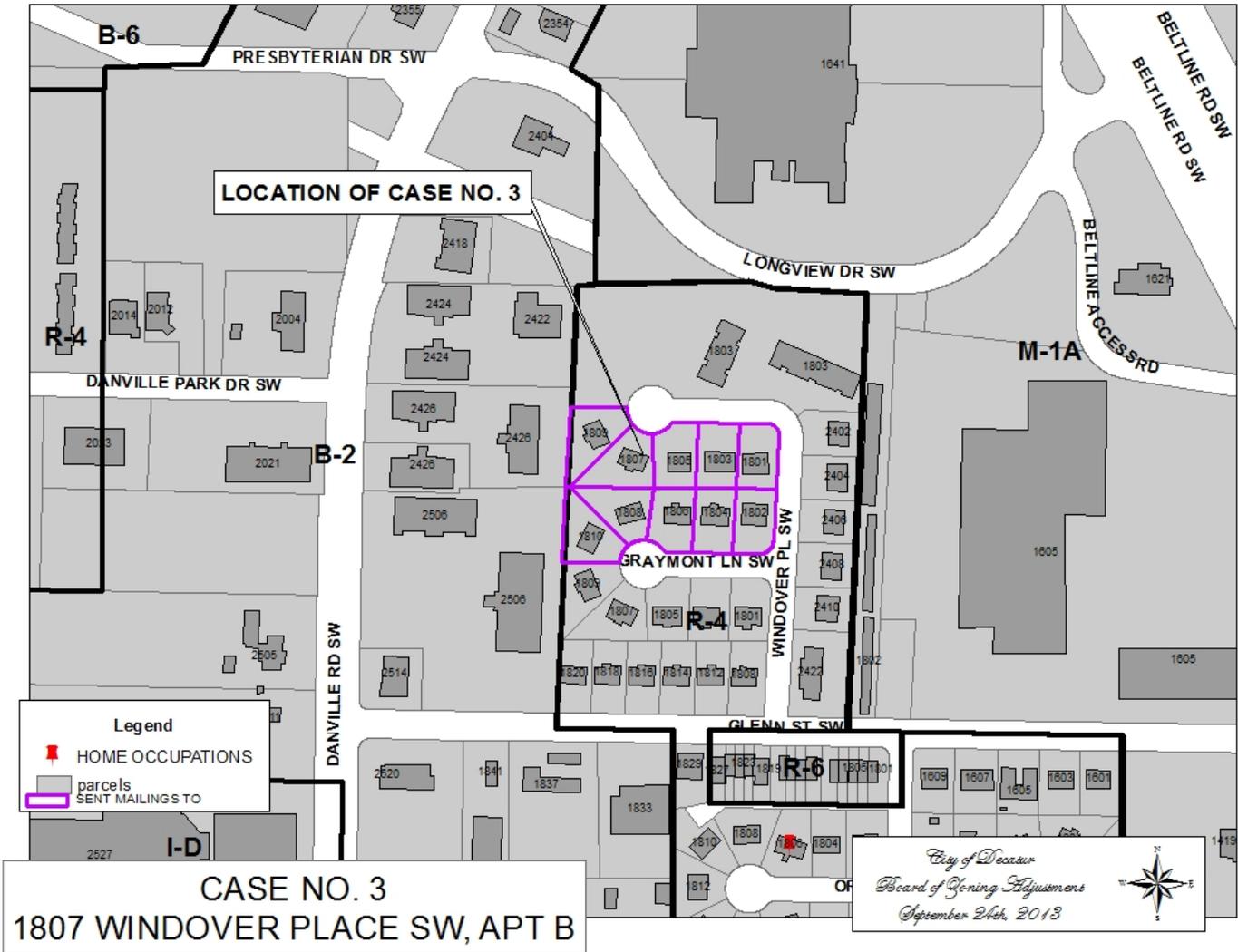
CHECK YES OR NO FOR EACH QUESTION

1. Is the use applied for, administrative office, making of crafts, sewing, etc., conducted entirely within the dwelling? YES NO ~~NO~~ L.T.
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: Edwardo Taylor DATE: 9-7-13

ADDRESS: 1807 Windover Pl S.W Apt B

QUESTIONNAIRE



LOCATION MAP 1807 WINDOVER PL SW, APT B



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

APPLICANT NAME:	<u>Angela Henry</u>
MAILING ADDRESS: PLEASE INCLUDE CITY, STATE AND ZIP	<u>3016 Lenox Dr SW</u> <u>Decatur, AL 35603</u>
PHONE:	<u>(256) 303-4566</u>
PROPERTY OWNER NAME:	<u>Jason and Angela Henry</u>
MAILING ADDRESS: PLEASE INCLUDE CITY, STATE AND ZIP	<u>3016 Lenox Dr SW</u> <u>Decatur, AL 35603</u>
PHONE:	<u>(256) 303-4566</u>

PROPERTY LOCATION/STREET ADDRESS FOR REQUEST:
3016 Lenox Dr SW Decatur, AL 35603

NATURE OF THE APPEAL:

HOME OCCUPATION SETBACK VARIANCE USE PERMITTED ON APPEAL

SIGN VARIANCE APPEAL OF ADMINISTRATIVE DECISION OTHER

DESCRIBE IN DETAIL THE REQUEST: Request the right to sell vintage and antique
furniture, home decor items, home decor/furniture print on the internet.
Zero employees, No customers will come to my house. All business
will be conducted on the internet. Admin. office

APPLICANT SIGNATURE <u>Angela Henry</u> PRINT NAME <u>Angela Henry</u> DATE <u>9-10-13</u>	OFFICE USE ONLY REVIEWED BY: <u>Judy</u> ZONING DISTRICT: <u>R-2</u> HEARING DATE: <u>Sept. 24, 2013</u> 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 of City Hall. Applications must be filed by the 10th of the month. Applicants MUST be present in order for the case to be heard. Please request a copy of this application.

CASE NO 4 3016 LENOX DR SW

HOME OCCUPATION QUESTIONS

CHECK YES OR NO FOR EACH QUESTION

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

SIGNED: _____

Angela Henry

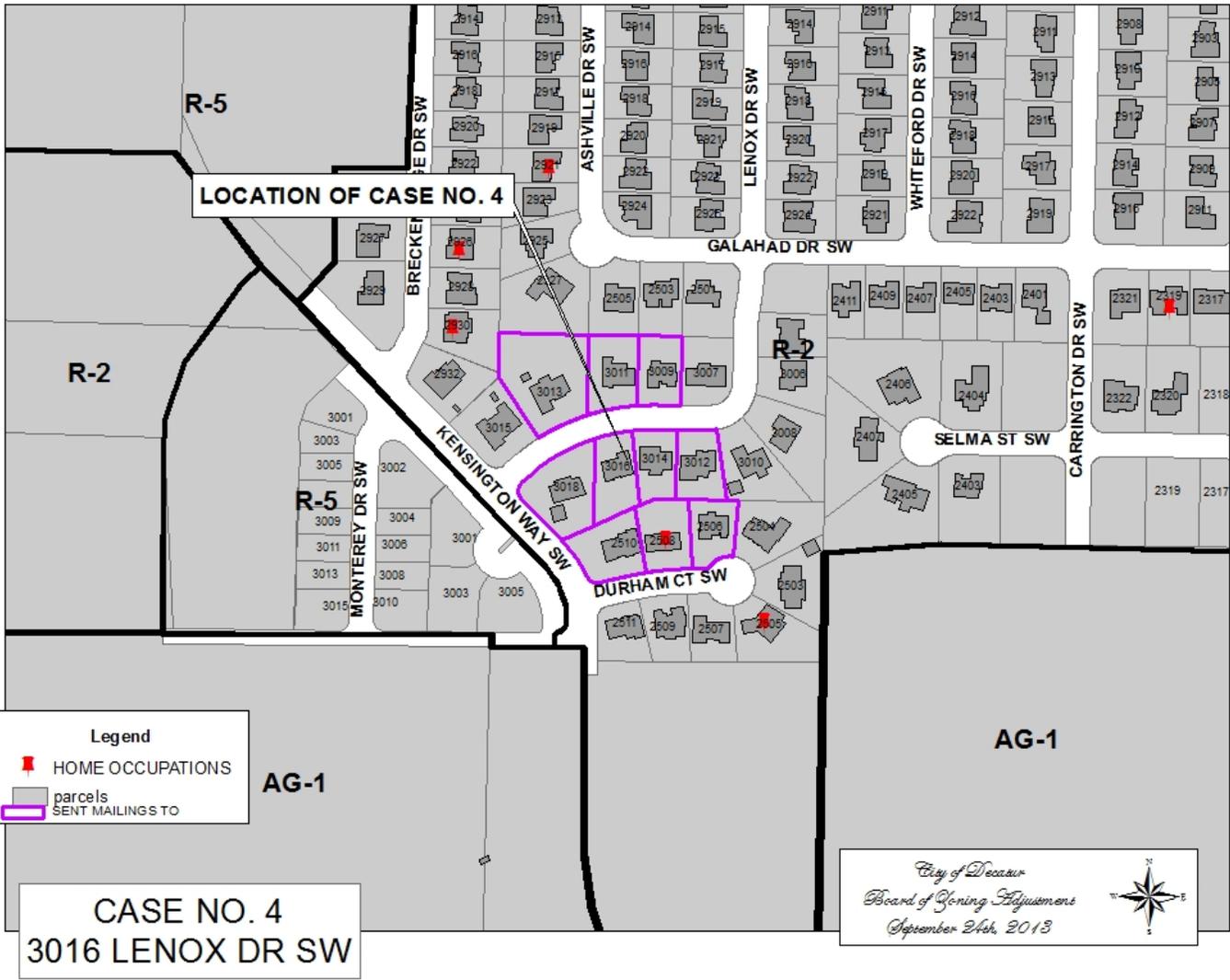
DATE: _____

9-10-13

ADDRESS: _____

3016 Lenox Dr SW Decatur, AL 35603

QUESTIONNAIRE



LOCATION MAP 3016 LENOX DR SW



City of Decatur CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Amador Gomez Rubalcaba
 MAILING ADDR: 313 BLACKBERRY DR SW
 CITY STATE ZIP: DECATUR ALA
 PHONE: 256 612 0149 256 612 0150

PROPERTY OWNER: Amador Gomez
 OWNER ADDR: 313 BLACKBERRY DR SW
 CITY STATE ZIP: DECATUR ALA 35603
 OWNER PHONE: 256.612.0149

ADDRESS FOR APPEAL: 313 BLACKBERRY DR - SW

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

DESCRIBE APPEAL IN DETAIL: (INCLUDE DIMENSIONS, # FT FOR VARIANCES, # FOR PARKING, HARDSHIP, TYPE OF BUSINESS.)
I am requesting a home office for a lawn care service.

APPLICANT SIGNATURE: [Signature]
 PRINT NAME: Amador Gomez
 DATE: 8/15/2013

OFFICE USE ONLY:
 RECEIVED BY: [Signature]
 ZONING DISTRICT: R-2
 HEARING DATE: Sept 24, 2013
 APPROVED/DISAPPROVED: _____

The Board of Zoning Adjustment meets the last Tuesday of each month at 4:00 PM in the Council Chambers on first floor of City Hall. Applications must be filed by the 10th of the month to be heard the last Tuesday of the month. Applicants MUST be present in order for the case to be heard. Request a copy of this application.

CASE NO 5 313 BLACKBERRY DR SW

HOME OCCUPATION QUESTIONS

CHECK YES OR NO FOR EACH QUESTION

1. Is the use applied for, administrative office, making of crafts, sewing, etc., conducted entirely within the dwelling? YES NO
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:

G. Amador

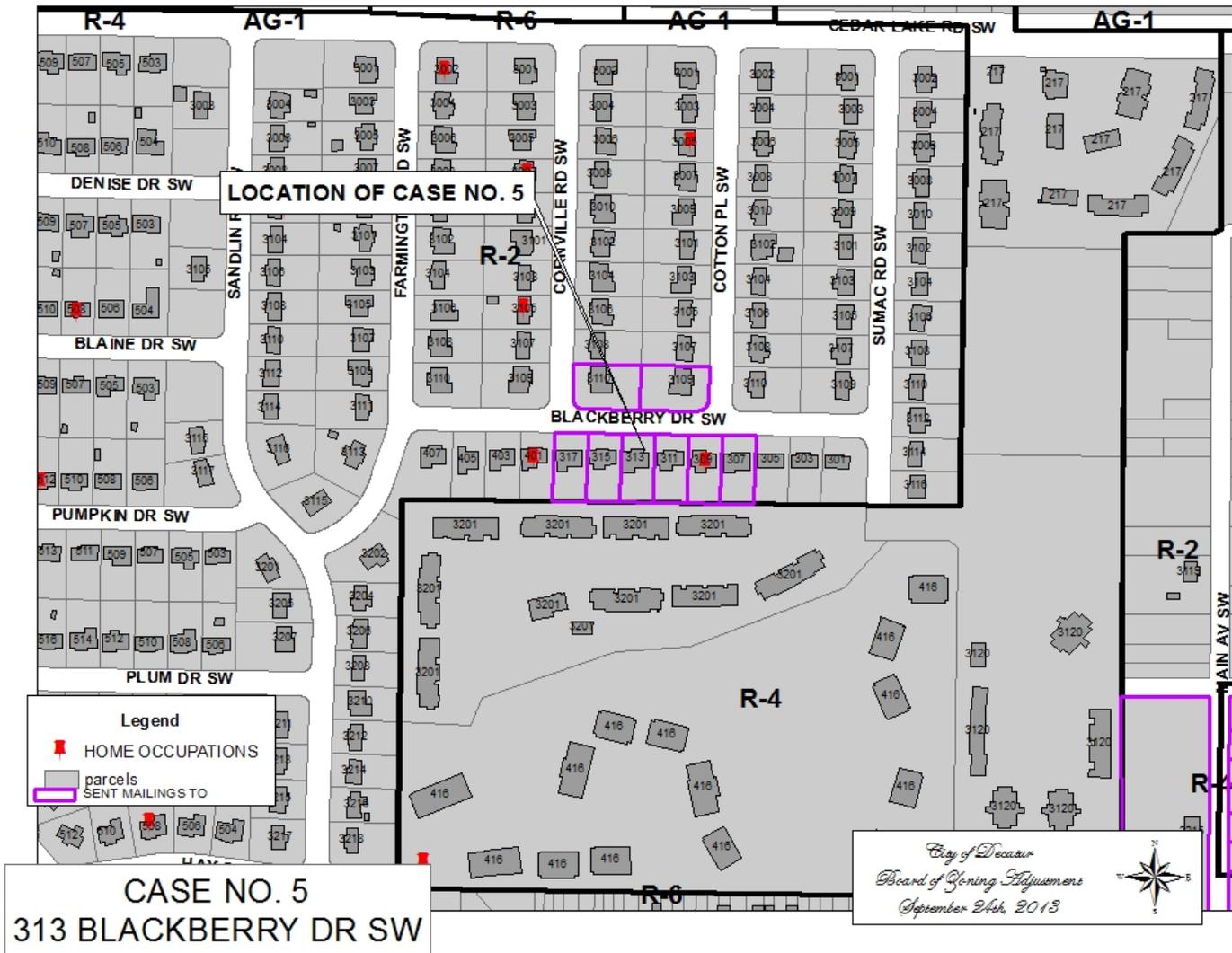
DATE:

8/15/2003

ADDRESS:

313 ELCKBERRY DR. SW

QUESTIONNAIRE



LOCATION MAP 313 BLACKBERRY DR SW



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

APPLICANT NAME:	<u>ALABAMA PROLOGY AND ROBOTIC CENTER P.C.</u>
MAILING ADDRESS: PLEASE INCLUDE CITY, STATE AND ZIP	<u>1107 14th AVE SE. SUITE G 200</u> <u>DECATUR, AL. 35601</u>
PHONE:	<u>256 353 0605 contact: TINA ALEXANDER</u>
PROPERTY OWNER NAME:	<u>EMR L.L.C.</u>
MAILING ADDRESS: PLEASE INCLUDE CITY, STATE AND ZIP	<u>4370 WILLOW BEND ROAD</u> <u>DECATUR AL. 35603</u>
PHONE:	<u>256-350-4885 contact: DR. ESTON NORWOOD</u>

PROPERTY LOCATION/STREET ADDRESS FOR REQUEST:
1210 14th AVE S.E. DECATUR, AL. 35601

NATURE OF THE APPEAL:

HOME OCCUPATION SETBACK VARIANCE USE PERMITTED ON APPEAL

SIGN VARIANCE APPEAL OF ADMINISTRATIVE DECISION OTHER

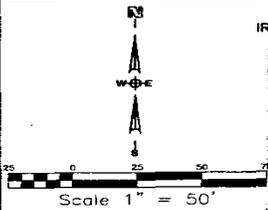
DESCRIBE IN DETAIL THE REQUEST: 7 REAR
3 FT. FRONT YARD VARIANCE ^{SETBACK}

The City of Decatur is requiring dedication of additional R.O.W. on 14th AVE S.E. resulting in our request for a 7^{FEET} front yard variance for our drop off canopy.

APPLICANT SIGNATURE <u>ALABAMA PROLOGY AND ROBOTIC CENTER P.C.</u>	OFFICE USE ONLY
PRINT NAME <u>Tina Alexander</u> <u>TINA ALEXANDER</u>	REVIEWED BY: <u>Judy</u>
DATE <u>9.9.13</u>	ZONING DISTRICT: <u>MC</u>
	HEARING DATE: <u>Sept. 24, 2013</u>
	APPROVED/DISAPPROVED: _____

The Board of Zoning Adjustment meets the LAST Tuesday of each month at 4:00 PM in the Council Chambers of City Hall. Applications must be filed by the 10th of the month. Applicants MUST be present in order for the case to be heard. Please request a copy of this application.

CASE NO 6 1210 14TH AVE SE

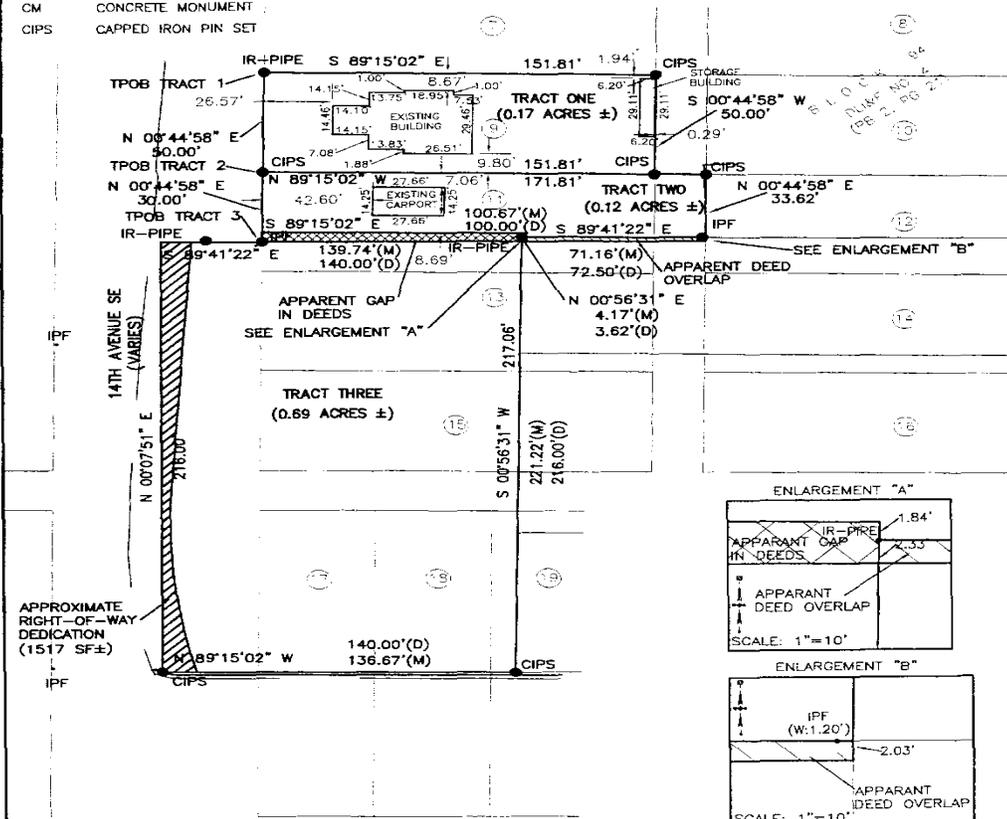


LEGEND

- CLF CHAIN LINK FENCE
- o PROPERTY CORNERS
- IPF IRON PIN FOUND
- IR-PIPE IRON PIPE FOUND
- CM CONCRETE MONUMENT
- CIPS CAPPED IRON PIN SET

GENERAL NOTES

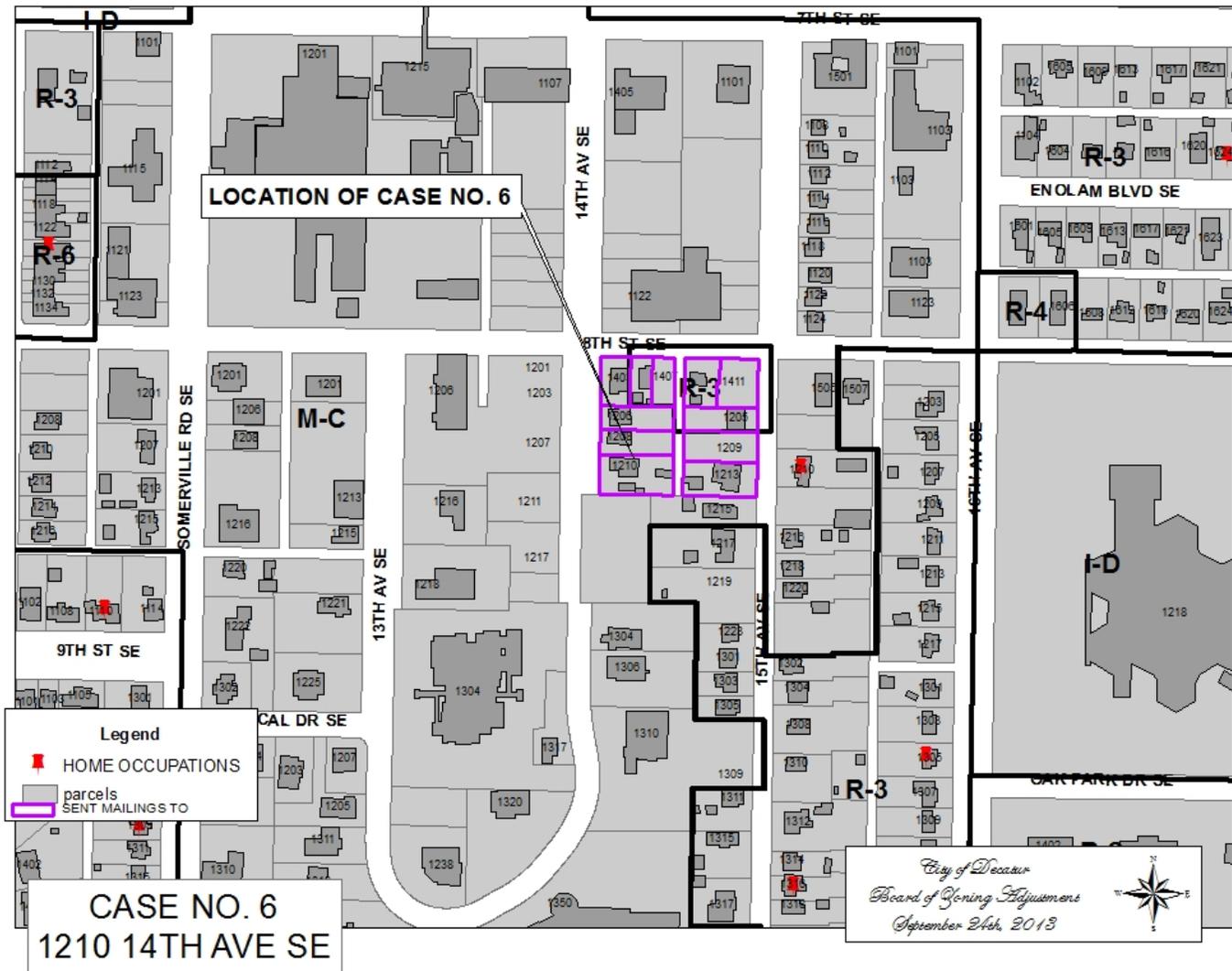
1. NORTH REFERENCE IS ALABAMA STATE COORDINATE GRID--WEST ZONE (NAD 1983) AS SHOWN HEREON.
2. ALL MEASUREMENTS SHOWN ARE TO U.S. STANDARDS AND ARE FIELD MEASUREMENTS UNLESS OTHERWISE SHOWN.
3. SOURCE OF INFORMATION USED FOR SURVEY: D.B. 2005, PG 5905
4. PROPERTY ADDRESS IS 1210 14TH AVENUE SE, DECATUR, ALABAMA 35601
5. NO ENCROACHMENTS WERE FOUND ABOVE GROUND EXCEPT AS SHOWN
6. NO SEARCH OF PUBLIC RECORDS HAS BEEN PERFORMED BY THIS FIRM TO DETERMINE IF ANY DEFECTS AND/OR AMBIGUITIES EXIST IN THE TITLE.
7. THERE WAS NO FIELD LOCATION ATTEMPTED TO DETERMINE THE EXTENT OF SUBSURFACE STRUCTURES
8. UNLESS STATED OTHERWISE, GOVERNMENTAL JURISDICTIONAL AREAS OR NEGATIVE EASEMENT, IF ANY, WHICH MIGHT AFFECT THE USE OF THIS PROPERTY WERE NOT LOCATED. THE UNDERSIGNED ASSUMES NO LIABILITY FOR ANY LOSS RESULTING FROM THE EXERCISE OF ANY GOVERNMENTAL JURISDICTION AFFECTING THE USE OF THIS PROPERTY.
9. FIELD WORK WAS COMPLETED ON 08-02-2013.



BOUNDARY SURVEY -- ERM LLC -- 1210 14TH AVENUE

DRAWING DATE: 08-07-13 DRAWN BY: RDH APPROVED BY: RWH JOB No. S-101-13 SCALE: 1"=50' PAGE 3 OF 3

PUGHWRIGHTMCANALLY



LOCATION MAP 1210 14TH AVE SE



CHARMING SCALE

Board of Zoning Adjustment

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

PROPERTY OWNER: The Church of Good Shepherch
 OWNER ADDR: 3809 Spring Ave. SW
 CITY STATE ZIP: Decatur, AL 35603
 OWNER PHONE: 256-351-9955

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

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

DESCRIBE APPEAL IN DETAIL: (INCLUDE DIMENSIONS, # FT FOR VARIANCES; # FOR PARKING; HARDSHIP; TYPE OF BUSINESS.)
Use front lawn for open air farmers market. Dates
October 7th - November 11th. Monday's only
Hours 3:00-6:30 Market for local growers only
to sell their produce. The farmers provide

APPLICANT SIGNATURE: Shelley Coxwell
 PRINT NAME: Shelley Coxwell
 DATE: 9-10-13

OFFICE USE ONLY:
 RECEIVED BY: Judy
 ZONING DISTRICT: AG-1
 HEARING DATE: Sept 24th 6:00 Council Chambers
 APPROVED/DISAPPROVED: _____

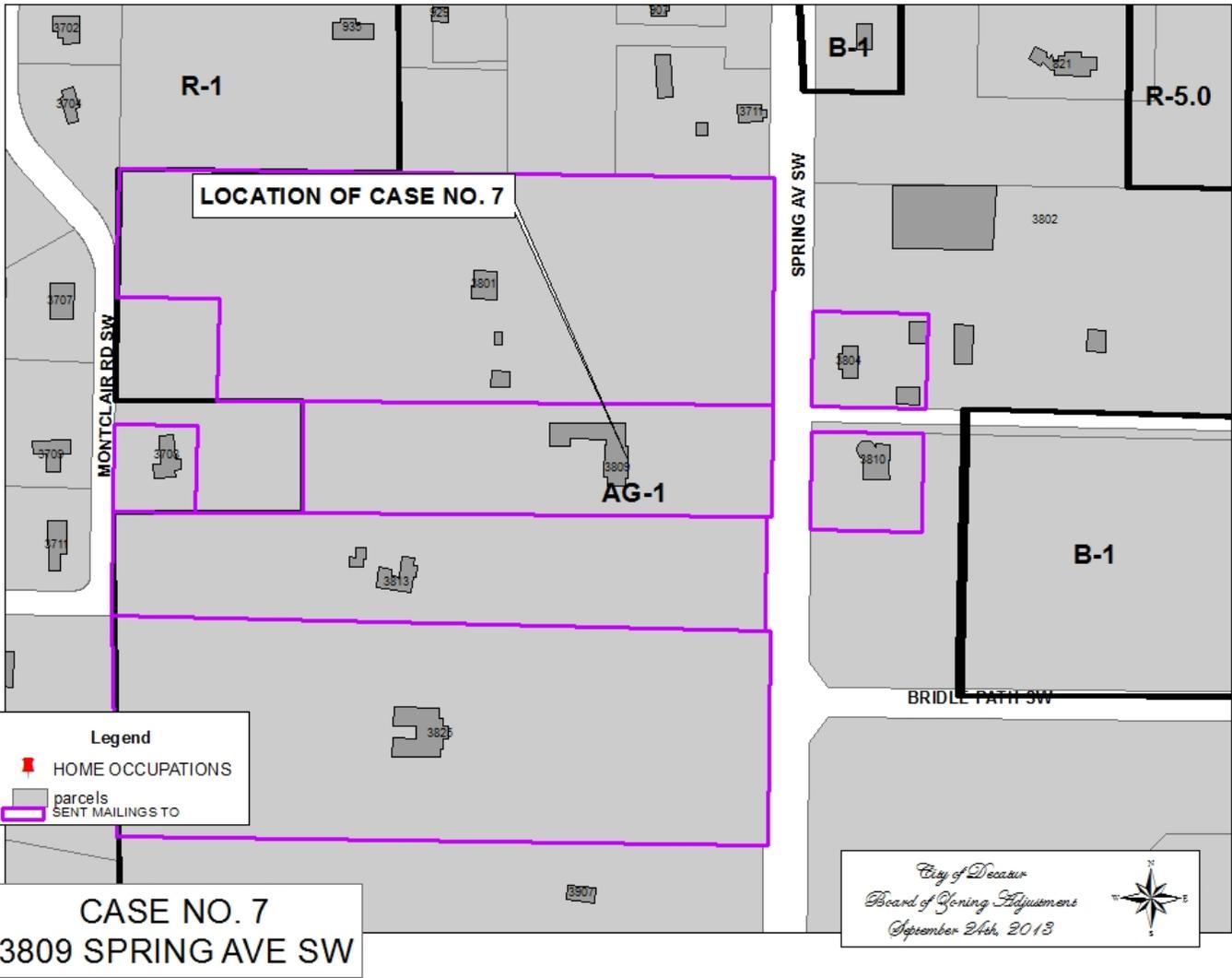
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CASE NO 7 3809 SPRING AVE SW

their own tables + white tent. Set up thirty minutes prior to market + clean up immediately after market. No taxes will be collected since the only vendors will be growers.

Parking will be in the rear and on the front lawn near church. Area will be designated with orange cones, signs and volunteers will direct traffic to the designated area. Rules established for the market are from template from the State of Alabama Farmers Market Authority.

FURTHER EXPLANATION



LOCATION MAP 3809 SPRING AVE SW