

# BOARD OF ZONING ADJUSTMENT

## AGENDA

**July 2020**

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## MINUTES JUNE 2020

**MEMBERS PRESENT:** Chair, Delayne Dean, Mr. Charles Taylor, Ms. Susana Salcido,  
**Rev.** George Allen

**SUPERNUMERARIES:** Mr. Steven Thomas

**OTHERS PRESENT:** Mr. Chip Alexander, Asst. City Attorney  
Mr. Matthew Marques, Planner  
Mr. Bob Sims, Building Inspector  
Mrs. Nancy Whiteside, Recorder

Chairperson, Delayne Dean called the meeting to order at 4:00 p.m. on 7<sup>th</sup> floor at City Hall.

Mr. Bob Sims called the roll.

The Board considered the following applications and appeals.

The minutes from the May 2020 meeting were approved without any changes. Mr. Charles Taylor motioned to approve the minutes. Mr. Steven Thomas seconded the motion. On a voice vote the motion carried.

**POINT OF INFORMATION:** TODAY'S MEETING IS BEING BROADCAST LIVE VIA YOUTUBE DUE TO THE COVID-19 PANDEMIC.

### **CASE NO. 1**

Application and appeal of Nelson 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 masonry business located at 1019 Moulton St. E., property is located in a R-3 Single-Family Residential Zoning District.

Mr. Nelson Hernandez presented this case to the board. Mr. Hernandez stated his name was Nelson Hernandez and his address was 1019 East Moulton St. Mr. Hernandez stated he would like to use one room in his home for administrative purposes for his masonry business.

Chair, Delayne Dean asked Mr. Hernandez if the property owner was aware that he was wanting to run a business from this address, Mr. Hernandez stated yes.

Mr. Charles Taylor asked Mr. Hernandez about the type of equipment he would be using. Mr. Hernandez stated at this time he had a trailer and a couple of scaffolds. Mr. Hernandez stated he does have other equipment that is kept in storage and not stored on the property.

Mr. Charles Taylor asked Mr. Hernandez if he had any employees, Mr. Hernandez stated no he does not have any employees. Mr. Taylor reminded Mr. Hernandez that if he did acquire any employees that they could not meet him at his home they would need to meet him at the job site or another location, Mr. Hernandez understood.

Mr. Charles Taylor asked Mr. Hernandez if he had any signage. Mr. Hernandez stated he had a sign on his truck. Mr. Taylor reminded Mr. Hernandez that he could not have his street address listed on any signage phone, numbers, social media are all acceptable, Mr. Hernandez understood.

Chair, Delayne Dean, asked if the supplies needed for the job would be delivered to the job site, Mr. Hernandez stated yes.

Rev. George Allen asked Mr. Hernandez if he would ever have several pallets of brick stored at his home, Mr. Hernandez stated no.

Chair, Delayne Dean asked for any further questions.

Chair Delayne Dean stated that this meeting was being streamed on line and any questions could be emailed to [bozaquestions@decatour-al.gov](mailto:bozaquestions@decatour-al.gov) and 90 seconds was allowed for the public to submit any concerns. There were no concerns submitted.

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

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

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

## **CASE NO. 2**

Application and appeal of Martrena Haley 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 online fashion accessory business located at 1806 Runnymede Ave. SW Apt# 203 D, property is located in a R-4 Multifamily Residential Zoning District.

Ms. Martrena Haley presented this case to the Board. Ms. Haley stated her name was Martrena Haley and her address was 1806 Runnymede Ave SW Apt #203 D. Ms. Haley stated she would like to start an on-line business selling fashion accessories.

Chair, Delayne Dean asked Ms. Haley if she would be keeping inventory at her home. Ms. Haley stated yes she would keep inventory at her home.

Mr. Steven Thomas reminded Ms. Haley that customers could not come to her home, Ms. Haley understood.

Chair, Delayne Dean verified that Ms. Haley would be selling on-line only, Ms. Haley stated yes.

Mrs. Susana Salcido, asked Ms. Haley if she had heard from the previous case what was allowed for advertising.

Mr. Steven Thomas explained to Ms. Haley that her home address was not allowed any advertisements. Mr. Thomas explained to Ms. Haley that she was allowed to have business name, phone numbers and social media accounts listed, Ms. Haley understood.

Mr. Charles Taylor asked how her inventory would be delivered to her home. Ms. Haley stated she would order her inventory from a whole sale website and it would be delivered via common carrier.

Mr. Charles Taylor asked Ms. Haley if the property owner was aware that she was wanting to run a business from her home. Ms. Haley stated yes they were aware and offered to show a letter from the property owners to the Board. The Board declined to read the letter.

Chair, Delayne Dean asked for any further questions.

Chair, Delayne Dean stated the email address where questions could be submitted by the public and advised there would be 90 seconds allowed for submission.

There were no questions submitted.

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

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

Mr. Charles Taylor motioned to approve this case as submitted. Rev. George Allen seconded the motion. On a roll call vote the motion carried.

### **CASE NO. 3**

Application and appeal of LaTasha Jones Campbell 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 online craft sales located at 3102 Sumac Road SW, property is located in a R-2 Single-Family Residential Zoning District.

Ms. LaTasha Campbell presented this case to the Board. Ms. Campbell stated her name was LaTasha Jones Campbell and her address was 3102 Sumac Rd. SW. Ms. Campbell stated she would like to obtain a business license for on-line craft sales.

Chair, Delayne Dean stated the email address where questions could be submitted by the public.

Chair, Delayne Dean asked for questions from the Board.

Ms. Susana Salcido verified that Ms. Campbell understood about the advertising for the business and her inventory being kept in one room in her home.

Ms. Campbell stated she did not have any questions.

Chair, Delayne Dean asked Ms. Campbell if she would be making the crafts herself. And, if so what type of crafts would she be creating. Ms. Campbell stated she would be making the crafts herself and that she made small wooden signs.

Chair, Delayne Dean reminded Ms. Campbell that there could not be any customers coming to her home, Ms. Campbell understood.

Mr. Steven Thomas asked Ms. Campbell how she advertises. Ms. Campbell replied at the moment she is only advertising on Instagram.

Chair, Delayne Dean verified there were no comments from the public.

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

Mr. Matthew Marques, Planning Department, asked if there would be any noises or smells. Ms. Campbell stated no she actually only paints the design onto the wood.

Mrs. Susana Salcido motioned to approve this case submitted. Mr. Steven Thomas seconded the motion. On a roll call vote the motion carried.

#### **CASE NO. 4**

Application and appeal of Pam Alford 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 cookie business located at 4501 Willow Bend Rd. SE, property is located in a R-2 Single-Family Residential Zoning District.

Mrs. Pam Alford presented this case to the Board. Mrs. Alford stated her name was Pam Alford and her address was 4501 Willow Bend Rd. Mrs. Alford stated her minor daughter would like to have a cookie baking business.

Chair, Delayne Dean stated the email address where questions could be submitted by the public.

Mr. Steven Thomas reminded Mrs. Alford that her home address cannot be displayed on any advertisements and that customers cannot come to their home to pick up orders, all of the orders will have to be delivered, Mrs. Alford understood.

Chair, Delayne Dean reminded Mrs. Alford that there could not be any employees unless they lived in the same home, Mrs. Alford understood.

Mrs. Alford stated that they did obtain their servicing certificate. Mr. Charles Taylor verified that a copy of that letter had been submitted.

Chair, Delayne Dean asked for any further questions from the Board.

Chair, Delayne Dean verified there were no comments from the public.

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. Rev. George Allen seconded the motion. On a roll-call vote the motion carried.

#### **CASE NO. 5**

Application and appeal of Andrew C. Strong 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 music production business at 2731 Longfellow Dr. SW, property is located in a R-2 Single-Family Residential Zoning District.

Mr. Andrew Strong presented this case to the Board. Mr. Strong stated his name was Andrew C. Strong III and his address was 2731 Longfellow Dr. SW. Mr. Strong stated he would like a business license to have a music production business at his home.

Rev. George Allen asked Mr. Strong if he would be recording or producing on the site. Mr. Strong replied that he would be doing some production. Rev. Allen replied that production of music could be a problem for him.

Mr. Matthew Marques, Planning Department, asked Mr. Strong to explain what he meant by production. Mr. Strong explained that he plays piano and the piano music will go into a computer device and he will have on headphones and no one else will be able to hear. Mr. Marques asked Mr. Strong if he would be doing this by himself, Mr. Strong replied yes.

Rev. George Allen asked Mr. Strong if there would be any bands coming to his home. Mr. Strong stated no bands would be coming to his home.

Mr. Steven Thomas expressed to Mr. Strong that the Board had been notified with concerns that bands were already coming to the house. Mr. Strong denied that bands were coming to the house. Mr. Thomas stated to Mr. Strong that there could not be any clients coming to the home, Mr. Strong understood.

Rev. George Allen expressed to Mr. Strong that the neighbors seem to feel that there have already been recordings taking place at the home because of the noise level. Mr. Strong feels like he knows his neighbors well enough that they would have come to him and expressed their concerns if this indeed was a fact.

Mrs. Susana Salcido asked Mr. Strong to be vigilant in the sounds which were coming from his property so it will not disturb his neighbors, Mr. Strong understood and agreed.

Mr. Steven Thomas asked Mr. Strong if the music performed electronically was only in one room in the house, Mr. Strong replied yes however, he has a piano which, is in another room, may be what the neighbors are hearing.

Mr. Steven Thomas asked Mr. Strong if he had a production studio at his home, Mr. Strong replied no.

Chair, Delayne Dean asked for questions from the audience.

Mr. William Smith, 2705 Longfellow Dr. SW came forward. Mr. Smith stated he had concerns about a business in the subdivision. Mr. Smith was under the impression that Mr. Strong was requesting for the neighborhood to be rezoned as a business district. Mr. Smith stated that the subdivision has a covenants, which he understands that this committee cannot enforce, however he would like to see the residences follow the rules.

Mr. Charles Taylor interjected to Mr. Smith that Mr. Strong was not requesting for the subdivision to be rezoned as a business district.

Mr. Taylor explained what Mr. Strong is requesting is for a home occupation business which is allowed.

Mr. Taylor explained The Board of Zoning and Adjustment cannot rezone anything and an administrative office is permitted in a residential zoning district. Mr. Taylor explained that Mr. Strong is asking to use one room in his home for this business.

Mr. Smith continued stating that a business was opposed in the Braswell Subdivision.

Mr. Charles Taylor asked Mr. Smith if he was aware that there were already home occupations located in the Braswell Subdivision. Mr. Smith stated he was not aware of any home occupations in the Braswell Subdivision.

Mr. Smith was directed to look at the monitor which had a location map showing where home occupations are currently located in the Braswell Subdivision.

Mr. Smith questioned the legality of these businesses because of the covenant that is in place for the Braswell Subdivision.

Mr. Charles Taylor explained to Mr. Smith that the businesses were legal and it would be up to the neighborhood to enforce any portion of the conveyance that they felt was being compromised.

Mrs. Susana Salcido explained to Mr. Smith that Mr. Strong was asking for the administration portion of the music business in his home. Mr. Smith understood the request but he was against the business being operated out of the home regardless the type of business. Mr. Smith was against home deliveries coming to the home. The Board explained to Mr. Smith that home deliveries take place every day in that subdivision at this time and this would not make any difference.

Rev. George Allen explained to Mr. Smith that Mr. Strong would not have customers coming into his house. Mr. Smith responded that he could not be sure that would not happen.

Chair, Delayne Dean explained to Mr. Smith that there could not be any customers coming to Mr. Strong's house.

Rev. George Allen explained to Mr. Strong that if customers were observed going to and from Mr. Strong's house then the neighborhood should report that to the Building Department.

Mrs. Juanita Smith, 2705 Longfellow Dr. SW came forward. Mrs. Smith asked about the rezoning from a R-2 zoning to a business zone.

Chair, Delayne Dean explained to Mrs. Smith that there would not be any rezoning. Chair Dean explained that this would allow for an administrative office for Mr. Strong's business within his home, that is what a use permitted on appeal is.

Mrs. Smith asked why Mr. Strong had to request permission, why he couldn't just start the business.

Mr. Chip Alexander, Asst. City Attorney, explained to Mrs. Smith the way a zoning ordinance works. Mr. Alexander stated uses permitted on appeal can't be allowed unless BOZA approves the business. The businesses are allowed, in a neighborhood, if BOZA approves it.

Mr. Alexander explained it is a check and balance system to ensure it is not a business type that will disrupt a neighborhood. Mr. Alexander explained that no one should be able to tell a business is being run out of the home. If there seems to be people coming and going from the home then this activity should be reported to the Building Department where an investigation will begin.

Mr. Alexander stated that there should not be any semi-trucks coming into the neighborhood however, delivery trucks such as FedEx, UPS etc... are allowed. Mr. Alexander explained that all business should be conducted within that one room in his home. Mr. Alexander stated that the home address cannot be displayed as to encourage customers to come to the home to do business. Mr. Alexander stated that all business had to be conducted on line in that room or off site.

Mr. Alexander stated that this is not a rezoning. The business is permitted if BOZA determines that it will not be a disturbance to the neighborhood.

Mrs. Smith inquired if the neighborhood covenants and restrictions are null and void.

Mr. Alexander responded that the covenants is enforceable but only through the Morgan County Courts. Mr. Alexander explained that the covenants are private agreements between parties which the city does not enforce, Mrs. Smith understood.

Mr. Bill Smith asked about the other home occupations that are in the neighborhood currently and if these businesses operate outside of the guidelines which are outline here in these meetings how are they enforced.

Mr. Bob Sims, Building Department, explained to Mr. Smith if it was suspected that a home with a home occupation was operating outside of the guide lines then a neighbor should report the suspicious activity to the Building Department and it would be investigated and if need be then the business license would be revoked.

Chair, Delayne Dean, called for any further questions.

Mr. Bob Sims, Building Department, asked Mr. Strong about a shed that was moved into the back yard and how big is the shed.

Mr. Strong replied that the shed was 10x15.

Mr. Sims asked Mr. Strong how far off of the property line did the shed sit. Mr. Sims stated that any accessory structure had to be 5 feet off the sides and 5 feet off the rear. If the structure is under 200 square feet then no permit is required. Mr. Sims asked Mr. Strong if there was any electric run to the structure.

Mr. Strong replied that there was not any electrical run to the structure.

Mr. Sims verified that Mr. Strong was not planning on running his business in that structure. Mr. Strong replied he was not going to run the business from the structure.

Mr. Strong stated that the structure was much further than 5 feet off of the setbacks and that he would verify that the size of the structure was under 200 square feet.

Mrs. Susana Salcido asked what steps Mr. Strong would need to take if the structure is over the 200 square feet.

Mr. Bob Sims replied Mr. Strong would need to come to the Building Department and purchase a building permit and then have an inspection to see how the building is anchored and that all of the building codes are met.

Chair, Delayne Dean stated that there had been a petition presented from the neighborhood and email and that these articles will become part of the official minutes.

Mr. Bob Sims reminded Mr. Strong if business is being conducted in the structure there would be an investigation.

Rev. George Allen motioned to approve this case to the board. Mr. Charles Taylor seconded the motion. On a roll call vote the motion carried.

PETITION TO STOP THE APPLICATION OF **ANDREW C. STRONG** FOR A ZONING ORDINANCE CHANGE AT **2731 LONGFELLOW DRIVE SW, DECATUR, ALABAMA**. MR. STRONG HAS ASKED TO SET UP AN ADMINISTRATIVE OFFICE FOR A MUSIC PRODUCTION BUSINESS AT HIS RESIDENCE.

WE OPPOSE THIS APPLICATION FOR SEVERAL REASONS BUT THE MAIN ONES ARE:

1. THE NEIGHBORHOOD COVENANT FORBIDS ANY BUSINESS OF ANY KIND AND
2. IF YOU HAVE AN ADMINISTRATIVE OFFICE FOR A MUSIC PRODUCTION BUSINESS, IT COULD EASILY TURN INTO MUSIC DAY AND NIGHT.

SIGNED, THE RESIDENTS OF BRASWELL SUBDIVISION:

Bonnie + Marilyn Carter	2803 Longfellow Ct
May Ann McElmire	2703 Longfellow Ln
William C. Smith	2705 Longfellow Dr
Juanita Smith	2705 Longfellow Dr.
Evelyn Moore	2807 Moore Ct SW
James L Cook	2805 Moore Ct SW.
John Vener	2804 Longfellow Dr. SW
Risa Taylor	2802 Longfellow Dr. SW
Pat Essary	2801 Longfellow Ct SW
Chh	2804 Longfellow Ct. SW.
Fred Brown	2803 Moore Ct SW
Joan Terry	2729 Longfellow Dr. SW
Rud Mills	2806 " CT
Christina N. Kakaras	2808 Longfellow Dr SW
Nancy Walden	2806 Longfellow Dr. SW
Fred Gillespie	2708 THOREAU AVE SW, DECATUR, AL
Zane Powell	1818 FITZGERALD DR SW Decatur AL
J. Wilson	2805 Longfellow Ct SW over

ADDENDUM TO PETITION BY RESIDENTS OF BRASWELL SUBDIVISION CONCERNING THE APPLICATION OF ANDREW C. STRONG FOR A ZONING ORDINANCE CHANGE AT 2731 LONGFELLOW DRIVE SW, DECATUR, ALABAMA. MR. STRONG HAS ASKED TO SET UP AN ADMINISTRATIVE OFFICE FOR A MUSIC PRODUCTION BUSINESS AT HIS RESIDENCE.

1. WE HAVE BEEN INFORMED THAT MR STRONG HAS ALREADY BEEN OPERATING A MUSIC PRODUCTION BUSINESS IN HIS DETACHED GARAGE AT HIS RESIDENCE AND THE NOISE HAS BEEN DISTURBING OTHER RESIDENTS.
2. THERE WAS AN ADDITIONAL STORAGE BUILDING THAT WAS MOVED ONTO THE PROPERTY AT THE END OF MAY, 2020. THE STORAGE BUILDING IS APPROXIMATELY 24X12 AND TO OUR KNOWLEDGE A PERMIT WAS NOT OBTAINED FROM THE CITY OF DECATUR.
3. OUR SUBDIVISION HAS ALWAYS OPPOSED BUSINESSES IN THE NEIGHBORHOOD AND WILL CONTINUE TO DO SO. THERE IS NOTHING PERSONAL ABOUT THIS PETITION.

To Whom it May Concern,

This letter is in Regards to Andrew Strong request for opening and administrative office at his home Case #5 2731 Langfellow Dr. S.W.. My husband and I live next door to Mr. Strong and we are greatly opposed to his request to open this business. We been dealing with late night music playing that has disturbed us and our entire household. There are people going in and out of Mr. Strong home all night with no regards to our property or the noise level.

The building he has already placed on his property only came about because he drove through our property to get it there.

Mr Strong already show no regards for our privacy or ability to enjoy our home. We can only imagine that this would increase greatly the approval for his office

for a music Production business

our neighbor is a quiet  
respectful one we would like  
to keep it this way,

Please take into strong  
consideration our disapproval  
of Mr. Strong application for  
this business to come about,

We greatly appreciate your  
efforts with this matter  
as we have have privacy  
between us and his friends

Thank you for your help  
with this matter.

Respectfully Your  
Jimmy and Dot Terry  
2729 Longfellow Dr. S.W.  
Decatur Al 35603

Re: Case # 5

256-303-  
9539

## **CASE NO. 6**

Application and appeal of Kanavis Derez Lee 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 disc jockey business at 1013 Terrehaute Ave. SW, property is located in a R-2 Single-Family Residential Zoning District.

Mr. Kanavis Lee presented this case to the board. Mr. Lee stated his name was Kanavis Derez Lee and his address is 1013 Terrehaute Ave. SW. Mr. Lee stated he would like to have an administrative office for a disc jockey business at his home.

Mr. Charles Taylor asked Mr. Lee if he would have any employees and how he was going to be advertising.

Mr. Lee stated he would be working by himself and he only advertises on Facebook at this time.

Mr. Charles Taylor told Mr. Lee that he cannot have his street address listed on any advertisements, website and phone number were permitted, Mr. Lee understood.

Chair, Delayne Dean asked Mr. Lee if the property owner was aware he was wanting to start a business at this address, Mr. Lee replied yes.

Chair, Delayne Dean asked Mr. Lee what type of equipment he would be using. Mr. Lee stated he had 2 speakers and one sub-woofer.

Chair, Delayne Dean how Mr. Lee how he transported the equipment. Mr. Lee stated in a 4x6 trailer that is stored at his home.

Chair, Delayne Dean reminded Mr. Lee if he acquired any employees the employee could not meet at his home they would need to meet at the venue or another location, Mr. Lee understood.

Chair, Delayne Dean stated the email address where questions could be submitted by the public. No comments were submitted.

Chair, Delayne Dean asked for further questions from the Board.

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

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

Mr. Steven Thomas motioned to approve this case submitted. Rev. George Allen seconded the motion. On a roll call vote the motion carried.

## **CASE NO. 7**

Application and appeal of Kanavis Derez Lee 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 preservation services business at 1013 Terrehaute Ave. SW, property is located in a R-2 Single-Family Residential Zoning District.

Mr. Kanavis Lee presented this case to the Board. Mr. Lee stated his name was Kanavis Lee and his address was 1013 Terrehaute Av. SW. Mr. Lee stated he would like to use one room in his house for a preservation service business.

Chair, Delayne Dean stated the email address where questions could be submitted by the public. No comments were submitted.

Chair, Delayne Dean asked for questions from the Board.

Chair, Delayne Dean asked Mr. Lee to explain what a preservation service business is exactly. Mr. Lee explained that he would receive work orders from banks or real estate companies to over- see getting properties ready for inspections doing small jobs or hiring contractors to do work, if necessary.

Chair, Delayne Dean verified that the work would be administrative work only and that none of the work would be taking place at his home, Mr. Lee replied only administrative.

Chair, Delayne Dean reminded Mr. Lee that employees nor contractors would be able to meet him at his home, Mr. Lee understood.

Mr. Steven Thomas reminded Mr. Lee that his home address could not be listed on any advertisements, Mr. Lee understood.

Chair Delayne Dean asked for any further questions from the board and verified that there were no comments submitted through the website.

Mr. Bob Sims, Building Department, asked Mr. Lee if he was aware of the state contractor's laws, Mr. Lee replied he was aware of the state contractor's laws.

Mr. Sims explained to Mr. Lee that as he hired contractor's to do work, outside of general maintenance work, he would be acting as a general contractor which, at that time, may require him to have a state general contractor's license or home builder's license based on the dollar amount for the scope of work, Mr. Lee understood.

Mr. Sims advised Mr. Lee to be careful and not do any work and not be properly licensed because if so and caught could get him into trouble at a local level as well as a state level, Mr. Lee understood.

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

Mrs. Susana Salcido motioned to approve this case submitted. Mr. Steven Thomas seconded the motion. On a roll call vote the motion carried.

## **CASE NO. 8**

Application and appeal of Jasmin Sharpley 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 on-line athletic clothing and accessories business at 1216 Goldridge Dr. SW # 3, property is located in a R-4 Zero Multi-Family Zero Lot Line Residential Zoning.

Ms. Jasmin Sharpley presented this case to the board. Ms. Sharpley stated her name was Jasmin Sharply and her address was 1216 Goldridge Dr. SW #3. Ms. Sharpley stated she would like to obtain a business license for an on-line business for an athletic clothing and accessories business.

Chair, Delayne Dean stated the email address where questions could be submitted by the public.

Mr. Steven Thomas reminded Ms. Sharpley that there could not be any customers coming to her home and that there could not be any semi-truck deliveries to her home but regular home delivery services were permitted, Ms. Sharpley understood.

Mr. Steven Thomas reminded Ms. Sharpley that her home address could not be on any of her advertisements however, web addresses or social media and phone numbers were permitted, Ms. Sharpley understood.

Chair, Delayne Dean asked Ms. Sharpley about her inventory. Ms. Sharpley replied she would only keep a few items on hand and the other items would be ordered as needed.

Mr. Charles Taylor asked Ms. Sharpley if Weaver Reality was aware of her opening a business in her apartment. Ms. Sharpley stated yes. Ms. Sharpley stated Weaver Reality requested a business proposal and she has a letter from Weaver Reality stating they were fine with the business.

Chair, Delayne Dean asked if there were any emails from the public, there was not.

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

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

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

## **CASE NO. 9**

Application and appeal of an Administrative Decision by Stephen Pate from Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to store and bottle for resale alcoholic beverage at 2205 College St. SE, property is located in a R-1 Single-Family Residential Zoning District.

Mr. Stephen Pate presented this case to the board. Mr. Pate stated his name was Stephen Pate and his address was 2205 College St SE. Mr. Pate stated he was wanting to start his own liquor brand and was looking to have an administrative decision overturned.

Chair, Delayne Dean stated the email address where questions could be submitted by the public.

Chair, Delayne Dean stated that there has been several emails received about this case and would be made part of the minutes.

Mr. Steven Thomas asked Mr. Pate to explain the business model.

Mr. Pate explained that he would pick up one barrel of 5 year old aged whiskey from a distiller in Tennessee. He would bring the whiskey and the bottles from Tennessee back to his home garage where he would bottle and label the whiskey.

Mr. Pate stated he could bottle the whiskey inside his home or inside the garage whichever way the board would approve for him to proceed.

Mr. Pate explained that he had a bottler that was about the size of a coffee maker, he would bottle, label and package the whiskey then the ABC Board would pick up the processed whiskey from his home and store it for him until he sold the whiskey to bars, restaurants or liquor stores.

Mr. Steven Thomas verified the description of the business as Mr. Pate had stated and asked Mr. Pate to explain the volume. Mr. Thomas verified that Mr. Pate had stated he would have only one barrel at a time, Mr. Pate agreed.

Mr. Steven Thomas asked Mr. Pate to verify how he would transfer the whiskey from Tennessee back to Alabama. Mr. Pate said he would be transferring the barrel of whiskey back into Alabama in the back of a pickup truck.

Mr. Steven Thomas verified that Mr. Pate would be transporting only one barrel at a time, Mr. Pate agreed.

Mr. Thomas verified that the business model would be strictly bottling and labeling the whiskey.

Mr. Thomas verified that Mr. Pate would not be aging the whiskey at his home, Mr. Pate agreed and stated he could not afford more than one barrel at a time and that the board was welcome to verify that by coming to his home.

Rev. George Allen, asked Mr. Pate if he would have anyone bottling the whiskey for him. Mr. Pate stated he would be doing the bottling himself.

Mr. Charles Taylor verified that the ABC Board would pick up the whiskey after it was bottled. Mr. Pate stated yes the ABC Board would pick it up at his house however, if that would be a problem he could take it to them himself.

Rev. George Allen asked Mr. Pate how many pints he would get out of a barrel. Mr. Pate stated he would get approximately 250 bottles out of a barrel. Mr. Pate stated he would put the bottles directly back into the cases he took the bottles from so it would not create any extra debris.

Mrs. Susana Salcido asked Mr. Pate what were the ABC Board rules for storing the whiskey in his home. Mr. Pate presented a letter from the Licensing and Compliance Supervisor, Laura Tucker, Showing that the ABC Board had approved the business proposal.

Chair, Delayne Dean stated to Mr. Pate that he was asking for an Appeal of an Administrative Decision which was a decision that the Building Department had passed down.

Mr. Bob Sims, Building Department, stated that was correct.

Mr. Steven Thomas verified the type of truck which would be used to pick up the whiskey from Mr. Pate's home. Mr. Pate stated that it would be a truck approximately the size of a FEDX or UPS truck only if he could not deliver it to them personally.

Rev. George Allen asked if that would be legal for the ABC Board to pick up inside of a neighborhood.

Mr. Chip Alexander, Legal Department, stated that would be legal given that the ABC Board can technically go anywhere they want too and also, given the size of the truck which would be used would make it legal.

Mr. Steven Thomas asked Mr. Pate if the business model showed how many barrels of whiskey he would be processing in any given time. Mr. Pate replied he does not know exactly how long it would take however, he would have to sell the first barrel before he can start processing a second barrel.

Mr. Steven Thomas reiterated that Mr. Pate's business model noting that after the whiskey was bottled and labeled and after the ABC Board had picked up the whiskey the neighborhood would not have to worry with the whiskey being on the property and being a fire concern, Mr. Pate agreed.

Chair, Delayne Dean noted that several complaints have been noted about the home becoming a liquor store with customers coming and going. Mr. Pate assured the board that would not happen and the delivery truck should only come once a month. Mr. Pate stated if the delivery truck coming to his house would be a problem for the neighbors he would transport the cases to the ABC's warehouse himself.

Chair, Delayne Dean told Mr. Pate if he were to get approved he may want to transport the whiskey out of the home himself just until the neighbors were satisfied that he is not running a liquor store from his home.

Chair, Delayne Dean called for any further questions from the board.

Mr. Steven Thomas went over the business concept again then asked Mr. Pate how he would unload the barrel from the pickup truck. Mr. Pate stated he would roll it off.

Chair, Delayne Dean asked if there had been any questions submitted by email or if there were any comments from the audience. There were no further comments.

Mr. Bob Sims, Building Department, no comment.

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

Mrs. Susana Salcido motioned to approve this with the condition that Mr. Pate only processes and store only one barrel at a time on his property. Mr. Charles Taylor seconded the motion. With a roll call vote the motion FAILED with a 3-2 vote.

**Whiteside, Nancy**

---

**From:** Sims, Bob  
**Sent:** Thursday, June 25, 2020 12:23 PM  
**To:** Whiteside, Nancy  
**Subject:** Fwd: Case No.9-resale alcoholic beverage at 2205 College St.SE

Can you forward this to the BOZA Members

Begin forwarded message:

**From:** Pat Smith <patsmith828@gmail.com>  
**Date:** June 25, 2020 at 11:50:05 AM CDT  
**To:** BOZAQuestions <BOZAQuestions@decatur-al.gov>  
**Subject:** Case No.9-resale alcoholic beverage at 2205 College St.SE



As owners of 2203 College St.SE, my husband and I strongly oppose a liquor store next door or in the neighborhood.  
Patricia L. Smith  
Sent from my iPhone

**Whiteside, Nancy**

---

**From:** Sims, Bob  
**Sent:** Monday, June 29, 2020 11:51 AM  
**To:** Whiteside, Nancy  
**Subject:** Fwd: Zoning June 30 Case #9

Sent from my iPhone

Begin forwarded message:

**From:** Charter <jdye2101@charter.net>  
**Date:** June 29, 2020 at 11:27:51 AM CDT  
**To:** BOZAQuestions <BOZAQuestions@decatur-al.gov>  
**Subject:** Zoning June 30 Case #9

Being a property owner in the neighborhood I am opposed to this amendment. I think it's probably a good investment and there is plenty of places to start up a small business. But not in a residential neighborhood. J B Dye

Please acknowledge receipt of this email. Thanks  
Sent from my iPhone

## **CASE NO. 10**

Application and appeal of Tom and Lynne Coleman for the following variance in order to construct a garage at 430 Sherman St SE, property is located in a R-3H Single Family Historical Residential Zoning District.

- 1) 30 foot setback variance from Section 25-10.10 (2) (d) of the Zoning Ordinance.
- 2) 2.4 foot side yard variance from Section 25-10.10 (2) (e) of the Zoning Ordinance.

Mrs. Lynn Coleman presented this case to the Board. Mrs. Coleman stated her name was Lynn Coleman and her address is 1214 Darrowby Lane SW. Mrs. Coleman stated she and her husband have purchased a home at 430 Sherman St SE in the historical district which had been condemned by the city when it was purchased. Mrs. Coleman stated the house was in an unsafe condition and they started rebuilding the home before the focus was put on the garage.

Mrs. Coleman stated the home does not have a driveway and they are wanting to build a garage in the rear of the home. Mrs. Coleman stated that the house already sits outside of the setbacks. They are asking to a build the garage with access from the alley directly behind the house.

Chair, Delayne Dean stated the email address where questions could be submitted by the public.

Chair, Delayne Dean reminded Mrs. Coleman that the BOZA Board can only grant her the setback variances which she was asking for and that the historical preservation board would have the final approval on design and plans, Mrs. Coleman understood.

Chair, Delayne Dean asked for any further questions from the board.

Mr. Charles Taylor asked Ms. Coleman if there were other garages in the area there are located behind the houses, Mrs. Coleman replied yes there are garages located behind houses already in that neighborhood. Mrs. Coleman named several different styles of garages located in the neighborhood.

There were no comments from the public and no further questions from the board.

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

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

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

## **CASE NO. 11**

Application and appeal of Zane Mattox for a 6-8 foot height variance from Section 25-10.8 (2) (h) of the Zoning Ordinance in order to construct a new residence at 2025 Lancelot Dr. SW, Hopkins Farm Subdivision, property is located in a AG-1 Agricultural Zoning District.

Chair, Delayne Dean stated the email address where questions could be submitted by the public.

Mr. Zane Mattox presented this case to the board. Mr. Mattox stated his name was Zane Mattox and his address is 2910 Ashville Drive SW. Mr. Mattox stated he is requesting a 6- 8 foot height variance in order to build a new home at 2025 Lancelot Drive SW on 3.5 acres which they own.

Mr. Mattox stated that the new home will sit approximately 140 to 150 feet to the property line and the house will sit another 40 feet. Mr. Mattox stated they would be approximately 190 feet from the nearest neighboring house.

Chair, Delayne Dean asked Mr. Mattox if he had any plans to sub-divide the 3.5 acres. Mr. Mattox replied no they did not.

Chair, Delayne Dean asked for any further questions from the board.

Chair, Delayne Dean asked if there were any comments from the public, there was not.

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

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

Mr. Chip Alexander, Legal Department, advised the board to make a condition on this case to approve an 8 foot height because there could not be an approval for a variable.

Mr. Steven Thomas motioned to approve this case for an 8 foot height variance. Rev. George Allen, seconded the motion. On a roll call vote the motion carried.

## **CASE NO. 12**

Application and appeal of Lamar Advertising for a height variance from Section 25-76 (a) (3) of the Zoning Ordinance, to raise the height of an off premises sign to 40 feet located at 423 Beltline Rd SW, property is located in a M-1A Expressway Zoning Commercial District.

Mr. Rod Bayless presented this case to the board. Mr. Bayless stated his name was Rod Bayless and his address was 3440 South Chapel Hill Road SW, Decatur, Al.

Mr. Bayless stated he was representing Lamar advertising.

Lamar Advertising is opposed to relocating or receiving just compensation for the removal of the billboard on Highway 20 at Apple Lane Farms.

Mr. Bayless stated there are 2 separate options that could be utilized. One being to relocate the sign at Apple Lane Farms and the other is to ask for just compensation.

Mr. Bayless stated instead of either of those 2 options Lamar Advertising is asking to raise the current billboard located at the Cracker Barrel on Beltline Rd SW a little west of where it sits now and add 10 feet of height for a total of 40 feet in height.

Mr. Bayless stated he feels like this proposal would be more cost efficient for the City of Decatur than what is allocated for the relocation assistance program.

Chair, Delayne Dean stated the email address where questions could be submitted by the public.

There were no comments from the public.

Chair, Delayne Dean asked for further questions from the board.

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

Mr. Matthew Marques, Planning Department, asked whether the sign was going to be digital or static. Mr. Bayless replied it would be static.

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

### **CASE NO. 13**

Application and appeal of an Administrative Decision by Dale Sebourn from Section 25-18 of the Zoning Ordinance in order to place a manufactured home at 1114 Woodall Rd. SW, property is located in a AG-1 Agricultural Zoning District.

Mr. Dale Sebourn presented this case to the board. Mr. Sebourn stated his name was Dale Sebourn and his address is 2016 Shady Grove Lane SW Decatur, AL. Mr. Sebourn stated he would like to sell the lot he owns at 1114 Woodall Rd. SW.

Mr. Sebourn stated there had been a condemned house on the lot and he had it removed. Mr. Sebourn stated he would like to have the lot permitted for the allowance of a mobile home. Mr. Sebourn stated the lot is located within the city limits and mobile homes are not permitted unless it already has a mobile home on the lot.

Chair, Delayne Dean stated the email address where questions could be submitted by the public. There were no comments from the public.

Chair, Delayne Dean asked for further questions from the board.

Mr. Charles Taylor asked Mr. Sebourn if the other mobile homes had been grandfather into the city limits. Mr. Sebourn stated he was unsure but that was his assumption.

Mrs. Susana Salcido asked Mr. Sebourn if the home across from his lot was a manufactured home. Mr. Sebourn replied he did not believe so however, there were several around the area which were manufactured homes.

Chair, Delyane Dean asked for further questions from the board.

Mr. Bob Sims, Building Department, stated generally if a manufactured home was located within the city limits before the property was annexed into the city limits they are allowed to continue that use as long as the manufactured home has not been removed for longer than one year, after that it loses its grandfather status.

Mr. Steven Thomas asked Mr. Sebourn if the home which was removed from the lot was a manufactured home or a stick built home, Mr. Sebourn replied it was a regular home.

Chair, Delayne Dean, verified with Mr. Sebourn that the hardship for him was the other manufactured homes around the area. Mr. Sebourn replied yes, he feels like it will be hard to sell the lot if it's not allowed manufactured home to be placed on it.

Chair, Delayne Dean asked for any further questions from the board.

There were no questions from the audience or by email.

Mr. Bob Sims, Building Department, the board to consider restricting the lot to the \*R-MH guidelines from Section 25.10.4. Throwing out Section 1 B, D, E and throwing out Section B. The guidelines not mentioned Section 1 A, C, F, G, H, I, J, K, L Section 2 and Section 3 would be enforced. This variance will go with the lot until whoever the property owner is comes back before the BOZA Board and asks for this variance to be changed.

Mr. Steven Thomas verified what Mr. Sims was proposed.

Mr. Matthew Marques, Planning Department, asked Mr. Sebourn how far back he felt a mobile home would sit off of the road and asked what is around the property. Mr. Sebourn stated that there was a tree line on the north and east sides of the property. Mr. Marques stated that was how he saw the property on the GIS.

Mr. Charles Taylor motioned to approve this case with the conditions from Section 25.10.4 for the R-MH guidelines using Section 1 A, C, F, F,G, H, I ,J, K, L Section 2 and Section 3. Rev. George Allen seconded the motion. On a roll call vote the motion carried.

#### Sec. 25-10.4. - R-MH Residential District.

There is hereby created an R-MH Residential District (single-family manufactured housing) for those areas so designated by this chapter and the zoning map of the city, which R-MH Districts shall allow single-family manufactured housing residences, subject to use regulations common to all "R" Districts as set forth in section 25-10 hereof, and further subject to the following requirements and conditions:

(1) *General requirements:*

- a. Each manufactured home shall be installed on its own lot.
- ~~b. No manufactured home or lot within a R-MH District shall have vehicle access to an existing major thoroughfare (e.g. "collector street" or higher classified street) as defined by the zoning ordinance or comprehensive plan, or a major thoroughfare as defined by future plans adopted by the planning commission of the city.~~
- c. There shall be a minimum separation of thirteen (13) feet between structures on separate lots.
- ~~d. All building setback lines shall be indicated on the preliminary and final plats.~~
- ~~e. Perimeter setbacks:
  - ~~1. Where R-MH lots adjoin (in any manner or configuration) a major thoroughfare (e.g. collector street or higher classification), then an additional twenty-foot setback shall be added to those setback requirements set forth hereinbelow and shall be measured from the lot line.~~~~
- f. A manufactured home installed on site, shall have a length not to exceed four (4) times its width, with the length measured along the longest axis and the width measured at the narrowest part of the other axis, with the minimum width not less than twenty-four (24) feet. This measurement shall only include the enclosed living area and shall not include garages, carports, decks or storage areas.
- g. All manufactured homes shall have and be attached to a permanent masonry underpinned foundation which extends from the ground to the bottom of the exterior wall and surrounds the entire dwelling, the underpinned foundation being either brick, block, rock, painted masonry painted the same color as the building, or other material approved by the building director.
- h. Each manufactured home shall be blocked and anchored in compliance with applicable law, rule or regulation.
- i. All towing devices, wheels, axles, hitches, and license plates shall be removed.
- j. All manufactured homes shall have permanent steps, porches or decks on all outside doorways, the supports for which shall be permanently anchored in the ground.

- k. All manufactured homes shall have at least a nominal 3:12 roof pitch and the roof shall have a surface of wood shake shingles, asphalt composition shingles, fiberglass shingles or metal tiles.
- l. Manufactured homes shall be installed as provided in the rules of the Alabama Manufactured Housing Commission Administrative Procedures Code.

(2) *Specific requirements:*

- a. Minimum lot area: Five thousand (5,000) square feet.
- b. Maximum building area: None specified.
- c. Minimum lot width at building line: Fifty (50) feet.
- d. Minimum front yard setback (see also perimeter setbacks): Twenty (20) feet.
- e. Minimum rear yard setback (see also perimeter setbacks): Twenty (20) feet.
- f. Minimum side yard setback (see also perimeter setbacks): Five (5) feet one side, eight (8) feet the other.
- g. Maximum building height: Thirty-five (35) feet.
- h. Off-street parking: Two (2) spaces per dwelling unit.
- i. Maximum density: Seven (7) dwelling units per gross acre.

(3) *Uses prohibited:* Any use not permitted or permitted on appeal, is prohibited.

(Ord. No. 98-3434, § 6, 3-2-98; Ord. No. 05-3835, § 9, 7-11-05)

#### **CASE NO. 14**

Application and appeal of Tony Rodriguez for a 12 foot front yard setback variance from Section 25-10.10 (2) ( c ) in order to construct a front porch at 1120 9<sup>th</sup> Ave. SE, property is located in a R-3 Single Family Zoning District. Mr. Mike Petty presented this case to the board. Mr. Petty stated his name was Mike Petty and his address was 1119 8<sup>th</sup> Av SE. Mr. Petty stated he was representing Mr. Rodriguez in this case. Mr. Petty stated Mr. Rodriguez is a personal friend to him.

Mr. Petty stated that the Building Department told him he would need a variance to extend the porch on the front side of the home. Mr. Petty stated that he had submitted a survey of the property. Mr. Petty stated that the front porch would sit within the 12 foot variance.

Chair, Delayne Dean asked for questions from the board.

Mr. Charles Taylor asked Mr. Petty if the porch was going to extend out 12 feet.

Mr. Petty stated that the porch would be within the backside of the 12 feet.

Mr. Charles Taylor asked Mr. Petty what was the dimensions of the porch going to be.

Mr. Petty stated that the dimensions were going to be 12 feet wide by 8 feet deep.

Mr. Charles Taylor asked if the porched would be roofed, Mr. Petty stated yes.

Mr. Bob Sims, Building Department, asked Mr. Petty how far from the foundation of the house would the porch come out, Mr. Petty stated 8 feet.

Mr. Bob Sims, stated that there would only be a need for a 6 foot front yard variance instead of a 12 foot yard variance.

Mr. Sims stated if the 12 foot variance is granted then the porch could be built to 16 feet. Mr. Petty stated he requested what the building department had to ask for to make sure he was granted enough space.

Chair, Delayne Dean, stated the email address where questions could be submitted by the public.

There were no comments from the public.

Mr. Charles Taylor verified that 6 feet is all that is needed according to the survey.

Mr. Bob Sims, replied yes if he is wanting to go 8 feet from the front of the house. Mr. Sims stated that the most he would need is 6 feet to get 8 feet from the front of the house. Mr. Sims explained to Mr. Petty why the 12 feet is not needed.

Mr. Petty stated that the plans were drawn up for a 12 foot wide 8 foot deep front porch.

Mr. Bob Sims stated that there should only be a need for a 7 foot variance and this would allow for an overhang as well.

Mr. Charles Taylor verified that it would be safe in saying 7 feet for the variance.

Mr. Bob Sims stated yes 7 feet would be enough.

Mr. Steven Thomas asked if the paper work would need to be changed.

Mr. Bob Sims, explained that there would not be a need to change the paper work. Mr. Sims explained that a request can always be granted for less than what was asked for but it cannot be for more unless it is re-advertised, Mr. Thomas understood.

Chair, Delayne Dean asked if there were any comments from the public, there was not any comments.

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

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

Mr. Steven Thomas motioned to approve this case with the condition it was for only a 7 foot variance. Mr. Charles Taylor seconded the motion. On a roll call vote the motion carried.

Other business: Mr. Bob Sims, Building Department requested that the BOZA meetings be moved to the Turner-Surles Building located at 702 Sycamore St NW for the duration of the COVID-19 Crisis to have ample room for everyone in attendance.

Meeting adjourned at 6:00pm

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Chair, Delayne Dean

## July 2020 AGENDA

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, July 28, 2020 at 4:00 p.m. and also broadcast live on City of Decatur You Tube Channel at <https://www.youtube.com/c/CityofDecaturAl> 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. Questions can also be submitted via email at [bozaquestions@decatur-al.gov](mailto:bozaquestions@decatur-al.gov).

### CASE NO. 1

Application and appeal of Bryan Ramirez 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 home remodeling business located at 741 Kennilworth Rd. SW., property is located in a R-2 Single-Family Residential Zoning District.

### CASE NO. 2

Application and appeal of Ulonda Milam 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 sales for miscellaneous products at 1212 Freemont St SW, property is located in a R-2 Single-Family Residential Zoning District.

### CASE NO. 3

Application and appeal of Cordell Clay 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 fence business located at 302 12<sup>th</sup> Av NW, property is located in a R-3 Single-Family Residential Zoning District.

### CASE NO. 4

Application and appeal of Timothy F. Cunningham for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a lawn care business located at 602 Clearview St SW, property is located in a R-2 Single-Family Residential Zoning District.

### CASE NO. 5

Application and appeal of DeAuhjdrah Washington for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for an on-line clothing boutique located at 2115 Central Parkway SW Apt K 13, property is located in a R-4 Multi-Family Residential Zoning District.

**CASE NO. 6**

Application and appeal of Cecilo Rodriguez of an Administrative Decision of the Building Official from Section 25-2 (1) and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to place a swimming pool on the side yard at 402 Bellemeade St. SW, property is located in a R-2 Single Family Residential Zoning District.

**CASE NO. 7**

Application and appeal of Thomas Strong of an Administrative Decision of the Building Official from Section 25-2 (1) and as defined in Article VI, as amended and adopted, of the Zoning Ordinance use an existing detached garage at 123 Hamaker St SW, property is located in a R-1 Single Family Residential Zoning District.

**CASE NO. 8**

Application and appeal of Cathy Denmark for a 5 foot rear yard setback variance, from Section 25-10.9 (2) (d) in order to construct a master bathroom at 2732 Longfellow Dr. SW, property is located in a R-2 Single Family Residential Zoning District.

①



*Quality* on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Bryan Ramirez  
 MAILING ADDR: 741 Kennilworth Rd SW  
 CITY STATE ZIP: Decatur AL, 35603  
 PHONE: 256-466-0162

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PROPERTY OWNER: Pedro Ramirez  
 OWNER ADDR: 741 Kennilworth Rd SW  
 CITY STATE ZIP: Decatur AL 35603  
 OWNER PHONE: 256-221-4034

ADDRESS FOR APPEAL: 741 Kennilworth Rd SW Decatur AL, 35603

**NATURE OF APPEAL:**

HOME OCCUPATION       SETBACK VARIANCE       SIGN VARIANCE

USE PERMITTED ON APPEAL       APPEAL OF ADMINISTRATIVE DECISION

OTHER       SURVEY FOR VARIANCES ATTACHED       DRAWINGS FOR VARIANCES ATTACHED

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

Home Remodeling business, use one room in home as administrative office.

Applicant Name(print) <u>Bryan Ramirez</u> Signature <u>Bryan Ramirez</u> Representative Name(print) _____ Signature _____ Date _____	If applicant is using a representative for the request both signatures are required.	Office Use Received By <u>bd</u> Zone <u>R-2</u> Hearing Date <u>July 28</u> Approved/Disapproved _____
---	--	---

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



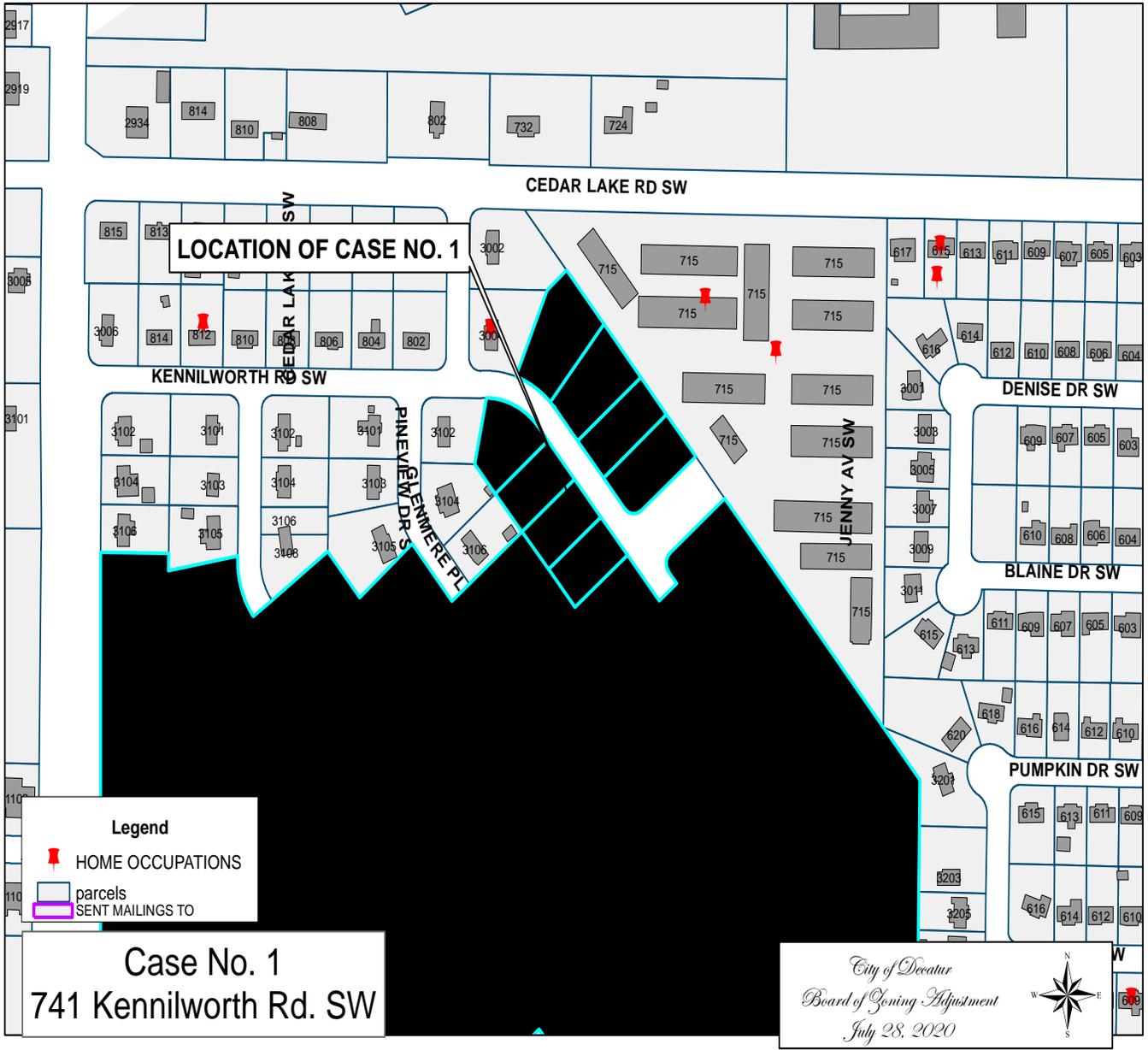
# HOME OCCUPATION QUESTIONS

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  *B.R.*  
\*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  *B.R.*
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  *B.R.*
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: Byron K... [Signature] DATE: 6-15-20  
 ADDRESS: 711 Kennilworth Rd SW

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





*Quality* on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Wlonda Milam  
 MAILING ADDR: 1212 Freemont St SW  
 CITY STATE-ZIP: Decatur, AL, 35601  
 PHONE: (256) 345-1281

PROPERTY OWNER: Wlonda Milam  
 OWNER ADDR: 1212 Freemont St SW  
 CITY STATE ZIP: Decatur, AL, 35601  
 OWNER PHONE: (256) 345-1281

ADDRESS FOR APPEAL: ~~1212~~ 1212 Freemont St SW, Decatur, AL 35601

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

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

**DESCRIBE APPEAL IN DETAIL:** (INCLUDE: DIMENSIONS, # FT FOR VARIANCES; # FOR PARKING; HARDSHIP; TYPE OF BUSINESS.)  
Using home <sup>primarily</sup> to sale online goods such as, clothes, shoes, eye lashes, lip gloss and ect. -- Using home ~~office~~ office only.

Applicant Name (print): Wlonda Milam  
 Signature: [Signature]  
 Representative Name (print): \_\_\_\_\_  
 Signature: \_\_\_\_\_  
 Date: 10-29-2020

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

Office Use  
 Received By: Cindy  
 Zone: \_\_\_\_\_  
 Hearing Date: 7/28/20 4:00  
 Approved/Disapproved: pm

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



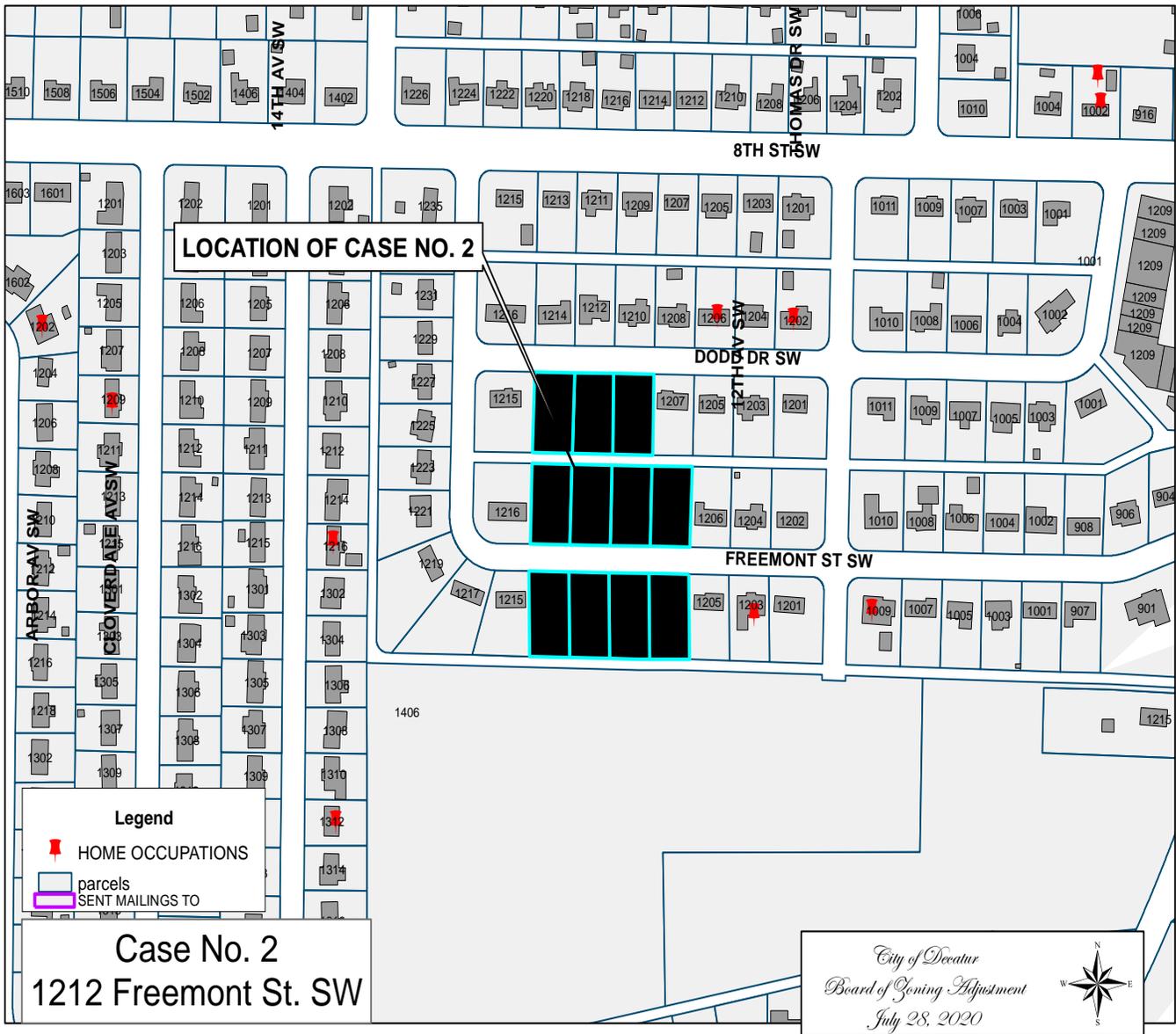
# HOME OCCUPATION QUESTIONS

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: Wm Mih DATE: 6-29-2020  
 ADDRESS: 1212 Freemant St SW Decatur, Ala,  
35601

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



**LOCATION OF CASE NO. 2**

**Legend**

-  HOME OCCUPATIONS
-  parcels
-  SENT MAILINGS TO

**Case No. 2**  
**1212 Freemont St. SW**

*City of Decatur*  
*Board of Zoning Adjustment*  
*July 28, 2020*





4:00 p.m  
July 28, 2020

and of CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Cordell Clay  
 MAILING ADDR: 302 12th AVE NW  
 CITY STATE ZIP: Decatur, AL 35601  
 PHONE: (256) 227-9443

PROPERTY OWNER: Harold Payne  
 OWNER ADDR: 1829 Fox Meadow Trail SE  
 CITY STATE ZIP: Cullman, AL 35055  
 OWNER PHONE: (256) 347-2634

ADDRESS FOR APPEAL: 302 12th AVE NW

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

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

DESCRIBE APPEAL IN DETAIL: (INCLUDE DIMENSIONS, # FT FOR VARIANCES, # FOR PARKING, HARDSHIP, TYPE OF BUSINESS.)  
I will be using 1 room out the home for my office. For my fencing business.

Applicant Name (print) <u>Cordell Clay</u> Signature <u>Cordell Clay</u> Representative Name (print) _____ Signature _____ Date <u>7-2-2020</u>	If applicant is using a representative for the request both signatures are required.	Office Use Received By <u>Lacey</u> Zone _____ Hearing Date <u>7/28/2020</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 10<sup>th</sup> of the month to be heard the last Tuesday of the month.

702  
TURNER Squires Sycamore St



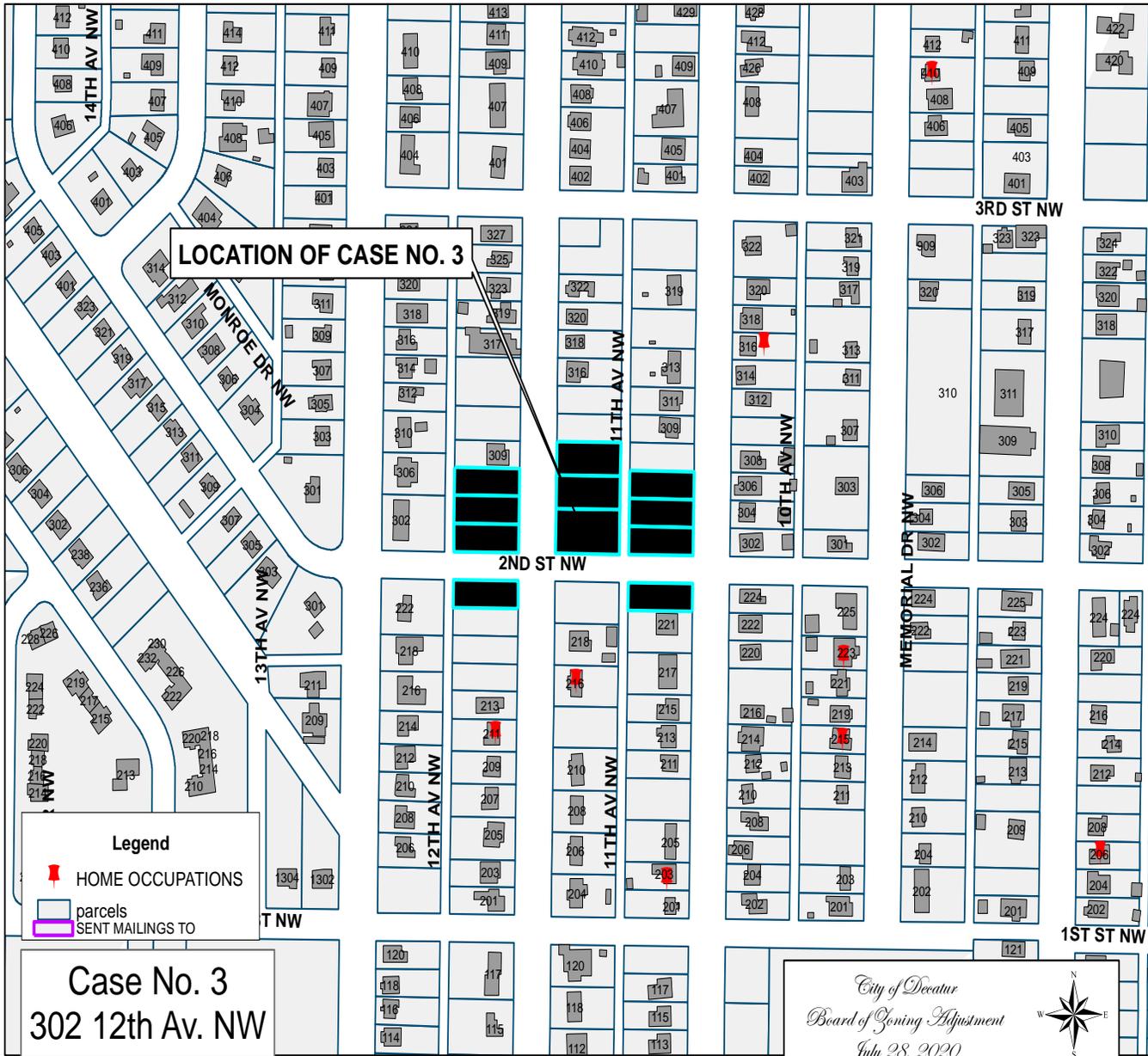
### HOME OCCUPATION QUESTIONS

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: Cozell Clay DATE: 7-2-2020  
 ADDRESS: 302 12th AVE NW

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



**LOCATION OF CASE NO. 3**

**Legend**

- HOME OCCUPATIONS
- parcels
- SENT MAILINGS TO

**Case No. 3**  
**302 12th Av. NW**

*City of Decatur*  
*Board of Zoning Adjustment*  
*July 28, 2020*



4



Turner-Surles Center 702 Sycamore St NW @ 4:00PM

Board of Zoning Adjustment

APPLICANT: Timothy F. Cunningham  
 MAILING ADDR: 602 Clearview St. S.W.  
 CITY, STATE, ZIP: Decatur AL, 35601

PROPERTY OWNER: ~~Jim Morrill~~ Jim Morrill  
 OWNER ADDR: 2308 Rosemont Street S.E.  
 CITY, STATE, ZIP: Decatur AL, 35601

ADDRESS FOR APPEAL: 602 Clearview St SW

NATURE OF APPEAL:

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

\*\*\*\*\*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)

Lawncare  
One room in my home for office building Lawncare

Applicant Name (print) Timothy F Cunningham  
 Signature [Signature]  
 Representative Name (print) \_\_\_\_\_  
 Signature \_\_\_\_\_  
 Date 7-7-20

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

Office Use Received By: \_\_\_\_\_  
 Zone R-2  
 Hearing Date July 28  
 Approved/Disapproved \_\_\_\_\_

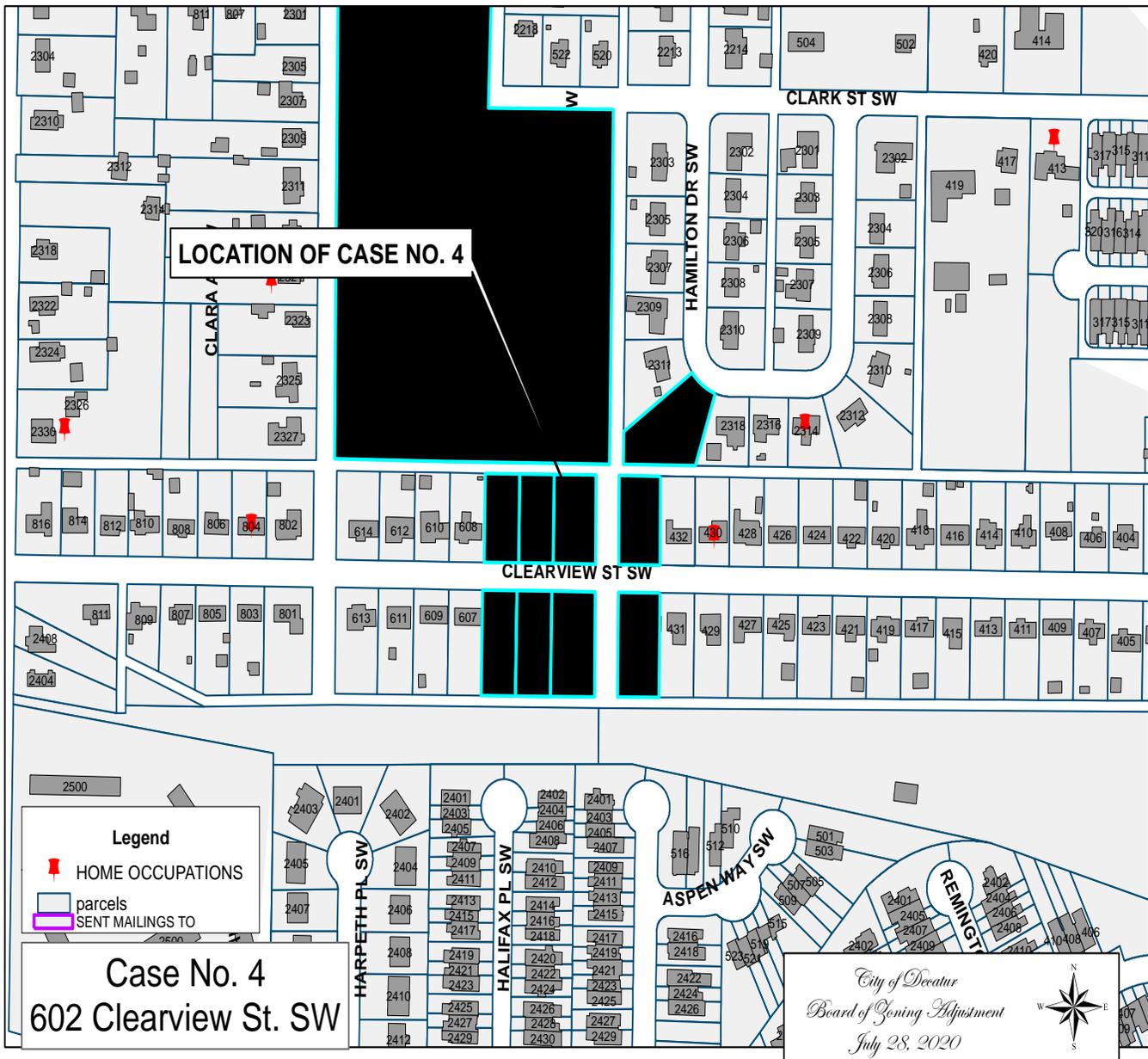


### HOME OCCUPATION QUESTIONS

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.
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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: *Sandra P. [Signature]* DATE: July 6, 2020  
 ADDRESS: 602 Clearview St. SW Decatur AL 35601



5

702 Sycamore St N  
@ 4:00 p.m.



on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: De'Aubra Washington  
MAILING ADDR: 2115 Central Parkway SW Apt K13  
CITY STATE ZIP: Decatur, AL 35601  
PHONE: 256-445-0521

PROPERTY OWNER: Parkway Place Apartments  
OWNER ADDR: 2115 Central Pkwy SW 3-4  
CITY STATE ZIP: Decatur, AL 35601  
OWNER PHONE: 256-355-4004

ADDRESS FOR APPEAL: 2115 central parkway sw Apt K-13

**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 for a  
Antique clothing

Applicant Name (print) De'Aubra Washington  
Signature [Signature]  
Representative Name (print) \_\_\_\_\_  
Signature \_\_\_\_\_  
Date 7/9/20

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

Office Use  
Received By [Signature]  
Zone R-4  
Hearing Date 7.28.2020  
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 10<sup>th</sup> of the month to be heard the last Tuesday of the month.



### 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
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- 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: \_\_\_\_\_

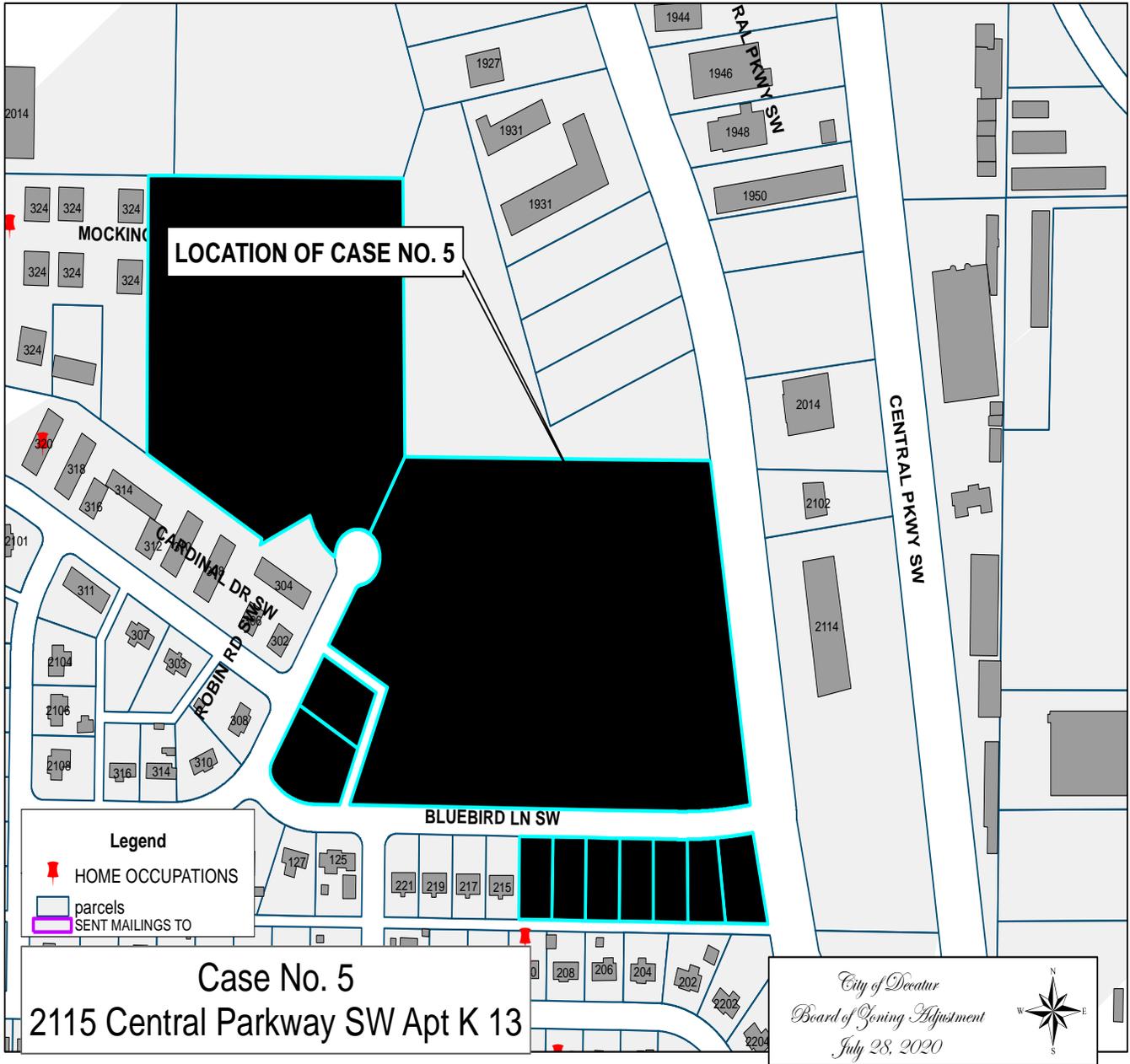
*[Handwritten Signature]*

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

*6/23/20*

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

*2115 central parkway SW Apt K-13*





City of CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Cecilia Rodriguez  
MAILING ADDR: 402 Bellemead St Sw.  
CITY STATE ZIP: Decatur AL 35601  
PHONE: (256) 509 6459

PROPERTY OWNER: Cecilia Rodriguez  
OWNER ADDR: 402 Bellemead St Sw.  
CITY STATE ZIP: Decatur AL 35601  
OWNER PHONE: (256) 509 6459

ADDRESS FOR APPEAL: 402 Bellemead St. S.W.

- 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.)  
Placing swimming pool on side yard and not in back yard.

Applicant Name(print) Cecilia Rodriguez  
Signature [Signature]  
Representative Name(print) C  
Signature \_\_\_\_\_  
Date July 1, 2020

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

Office Use  
Received By [Signature]  
Zone \_\_\_\_\_  
Hearing Date 7/28/2020  
Approved/Disapproved \_\_\_\_\_

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

July 1, 2020

To whom it may concern:

My name is Cecilio Rodriguez and I would like to install a 15'x30' above ground pool on my property at 402 Bellemeade St SW Decatur, AL, 35607. I have assured the pool will be 10' from my house and 8' from the fence along my property. I will install a 4' deck around the pool with a gate for safety purposes. I have attached the application with clearance from the utility department, a lot plan with the pool drawn on it and a picture of the type of deck I would like to install.

Please consider approving the location for my pool.

Sincerely,

Cecilio Rodriguez

**LETTER**





To: WENDY BENITEZ  
Email: RODRIGUEZBROS@BELLSOUTH.NET

05/28/2020, 05:03 PM

Below lists utilities that were stasured by USIC as Excavation Site Clear.

Please note there may be other Utilities which include private facilities that may be present in the work area and are NOT the responsibility of USIC to locate or mark.

**Follow all Federal, State, and Local Laws.**

<u>Ticket Number</u>	<u>Address</u>
201492426	402 BELLEMEADE ST SW

<u>Utility</u>	<u>Locate Date/Time</u>	<u>Ticket Status</u>
Charter Communications - AL	05/28/2020, 05:03 PM	Excavation Site Clear

You are receiving this notification because your contact information is listed on the above ticket from the One Call System. If you have any questions regarding this notification, please contact USIC at 1-800-762-0592 or reply to this email [TicketNotification@usicllc.com](mailto:TicketNotification@usicllc.com).

Excavation Site Clear Notification  
Generated May 28, 2020 05:03 PM, CDT

Page 1 of 1

LINE LOCATE





**PROPOSED FINISHED POOL**



Application for Swimming Pool Permit

Job Site Address: 402 Bellemade St SW Decatur, AL 35601

Applicant Name: Cecil Rodriguez Phone#: (256) 509-6459
Address: 402 Bellemade St SW Email: rodriguezbruce@bellsouth.net
City, State, Zip: Decatur, AL 35601
Company Name: Owner Contractor Yes [ ] No [ ]

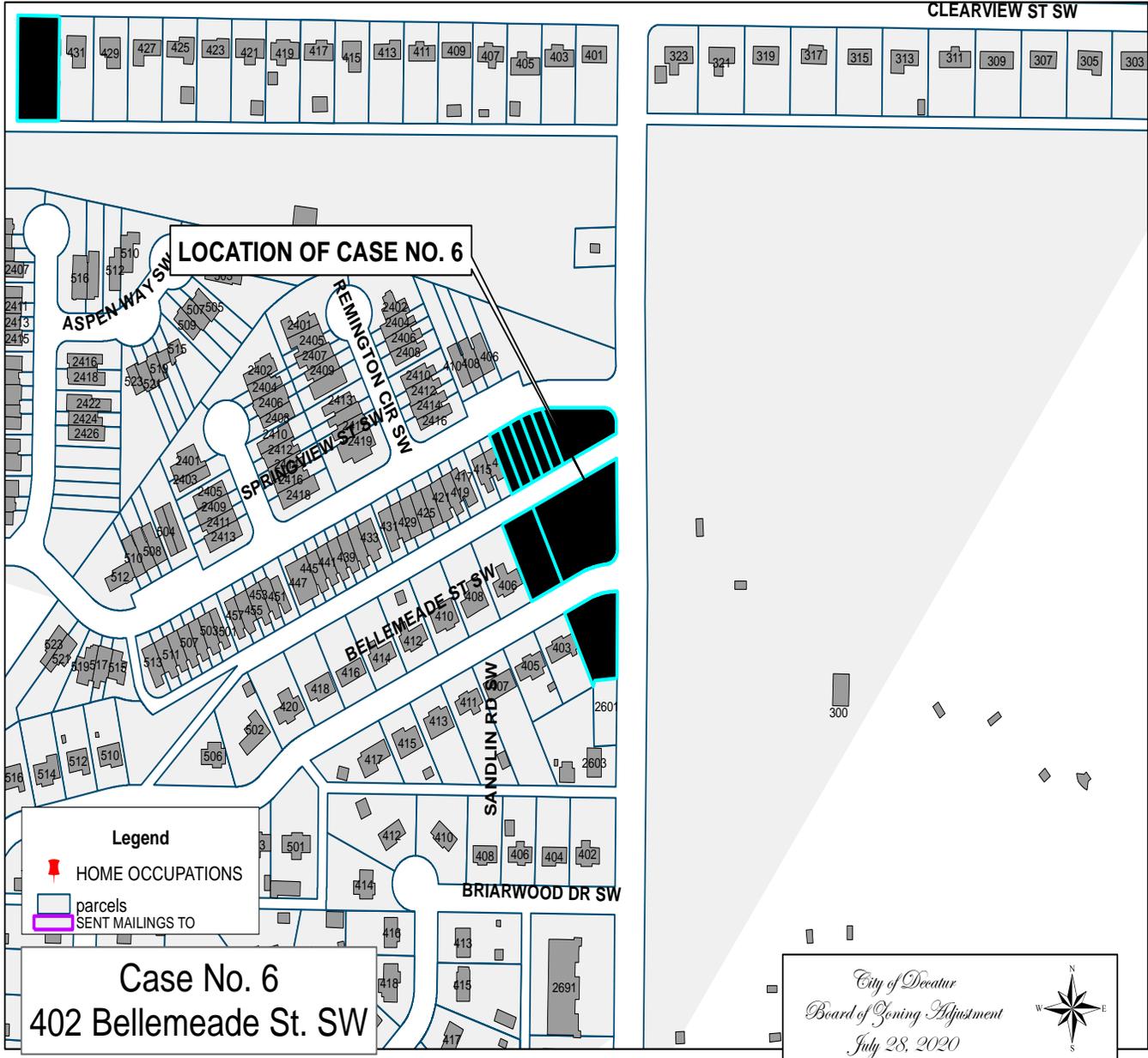
Property Owner: Same Phone#:
Address: Email:
City, State, Zip:

Describe pool type, size, lighted, heated:
15' x 30' no heat
Electrical Contractor: Bailey and McJannet Electrical
Gas Contractor if heated: no heat
Where will the Backwash/Drain terminate? to city easment
Important: The person obtaining this permit is responsible for meeting the barrier requirements of the most current building code adopted by the City. A barrier is required at all time during the construction process. Barrier requirements must be explained to the property owner by the pool installer if owner is not the pool installer. A copy of barrier requirements can be obtained at the Building Department.
Signature of Property Owner affirming notice of barrier requirements:
X

Contract Amount: \_\_\_\_\_

Providing Utility Approval: Company
Printed Name of Agent: DAVID F. ROY
Signature: [Signature]
Applicant Signature: \_\_\_\_\_
Printed Name: \_\_\_\_\_
Date: \_\_\_\_\_

NOTICE
Separate permits are required for electrical, plumbing, mechanical, and fuel gas work. This permit becomes null and void if work or construction authorized is not commenced within six months, or if construction or work is suspended or abandoned for a period of six months at any time after work is commenced. Connection of utilities must be authorized by the Building Department. Failure to make corrections to substandard construction materials or installations shall result in withholding of utilities.
I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.



7



Turner-Surles Center 702 Sycamore St NW @ 4:00PM

Board of Zoning Adjustment

APPLICANT: Thomas Strong 123 Waymaker Flint, AL  
 MAILING ADDR: 1116 Way thru the woods  
 CITY, STATE, ZIP: Decatur, AL 35603

PROPERTY OWNER: Thomas Strong  
 OWNER ADDR: 1116 Way thru the woods  
 CITY, STATE, ZIP: Decatur AL 35603

ADDRESS FOR APPEAL: 123 Hamaker Flint, AL

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

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For the case to be heard\*\*\*\*\*

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

want to Energize my Garage so I can maintain property. Store my lawn mower, Intending on building a home on property, would like to use the garage until I Build An House, to keep the property up and nice

Applicant Name (print) Thomas Strong  
 Signature [Signature]  
 Representative Name (print) \_\_\_\_\_  
 Signature \_\_\_\_\_  
 Date 7-7-20

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

Office Use Received By: Cidj  
 Zone \_\_\_\_\_  
 Hearing Date 7/28/2020  
 Approved/Disapproved \_\_\_\_\_

8



Turner-Surles Center 702 Sycamore St NW @ 4:00PM

Board of Zoning Adjustment

APPLICANT: CATHY DENMARK

MAILING ADDR: 2732 LONGFELLOW DR SW

CITY, STATE, ZIP: Decatur AL 35603

PHONE:

PROPERTY OWNER: Cathy DENMARK

OWNER ADDR: 2732 LONGFELLOW DR SW

CITY, STATE, ZIP: Decatur AL 35603

ADDRESS FOR APPEAL: 2732 Longfellow Dr. S.W.

NATURE OF APPEAL:

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

\*\*\*\*\* Applicants or Duly Appointed Representative MUST be present in order

For the case to be heard\*\*\*\*\*

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

I Am asking for a 5ft <sup>Rear yard</sup> Variance to make an addition to my master bathroom to make it wheel chair acceptable and will require the access.  
I have obtained a VA Grant and in order to meet the turn around allowance for curb free shower and wheelchair access I need the variance

Applicant Name (print) CATHY DENMARK  
 Signature [Handwritten Signature]  
 Representative Name (print) \_\_\_\_\_  
 Signature \_\_\_\_\_  
 Date \_\_\_\_\_

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

Office Use Received By: \_\_\_\_\_  
 Zone R-2  
 Hearing Date July 28  
 Approved/Disapproved \_\_\_\_\_

