

# BOARD OF ZONING ADJUSTMENT

## AGENDA

**AUGUST 2020**

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## Minutes July 2020

**MEMBERS PRESENT:** Chair, Delayne Dean, Mr. Charles Taylor, Ms. Susana Salcido,  
Mr. Collis Stevenson

**SUPERNUMERARIES:** Mr. Steven Thomas

**OTHERS PRESENT:** Mr. Chip Alexander, Asst. City Attorney  
Mr. Matthew Marques, Planner  
Mr. Joseph Perez, 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 June 2020 meeting were approved without any changes. Mr. Charles Taylor motioned to approve the minutes. Mr. Collis Stevenson 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.

**POINT OF INFORMATION:** The rules and regulations of a home occupation were explained to each applicant requesting a home occupation. Each applicant acknowledged they understood the rules and regulations.

### **CASE NO. 1**

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.

Mr. Bryan Ramirez presented this case to the Board. Mr. Ramirez stated his name was Bryan Ramirez and his address was 741 Kennilworth Rd. SW. Mr. Ramirez stated he would like to use one room in his home for administrative purposes for his remodeling business.

Chair, Delayne Dean verified that Mr. Ramirez understood the rules and regulations about employees and signage. Mr. Ramirez stated he understood.

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

Chair, Delayne Dean asked for questions from the Board.

Mr. Charles Taylor asked Mr. Ramirez if he had any type of trailers. Mr. Ramirez stated not at this time he was in the process of purchasing a trailer.

Mr. Charles Taylor asked Mr. Ramirez where his equipment was stored. Mr. Ramirez stated in his garage.

Chair Delayne Dean asked if there were any further questions from the Board or the public, there were no questions.

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

Mr. Matthew Marques, Planning Department had no comment.

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

## **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.

Ms. Milam notified the Board she would not be able to attend this meeting because of an illness. This case was tabled until August 2020 meeting.

## **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.

Mr. Cordell Clay presented this case to the Board. Mr. Clay stated his name was Cordell Clay and his address was 302 12<sup>th</sup> Av NW. Mr. Clay stated he would like to use one room in his home for his fencing business.

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

Chair Delayne Dean asked for questions from the Board.

Mr. Charles Taylor asked Mr. Clay if the property owner was aware that he was wanting to operate a business from his home. Mr. Clay stated yes he was aware and has approved of the business.

Chair Delayne Dean asked Mr. Clay if he understood the conditions for having employees and for advertising. Mr. Clay stated yes he understood.

Chair, Delayne Dean asked Mr. Clay where he would store the supplies. Mr. Clay stated that all of the supplies would be shipped directly to the job site so no supplies would be stored at his home.

Chair, Delayne Dean asked Mr. Clay if he had a trailer. Mr. Clay stated he was in the process of purchasing a trailer.

Chair, Delayne Dean asked for any further questions.

Mr. Bob Sims, Building Department asked Mr. Clay how he would advertise. Mr. Clay stated he would advertise using social media and using yard sign. Mr. Sims advised Mr. Clay that using yard sign is permissible however, the signs cannot be posted on street lights or street signs.

Mr. Sims told Mr. Clay yard signs were only permissible in the yards of his clients and after 10 days those sign needed to be removed. Mr. Sims told Mr. Clay that he was allowed to put signs on his vehicles as long as he did not have his home address on the signs, Mr. Clay understood.

Matthew Marques, Planning Department had no comment.

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

#### **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.

Mr. Timothy Cunningham presented this case to the Board. Mr. Cunningham stated his name was Timothy Cunningham and his address was 602 Clearview St SW. Mr. Cunningham stated he would like to use one room in his home for his lawn care business.

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.

Chair, Delayne Dean asked Mr. Cunningham if he understood about the conditions for having employees and advertising, Mr. Clay understood.

Chair, Delayne Dean asked Mr. Cunningham about storage of his equipment. Mr. Cunningham stated he had a storage building and also a trailer he kept his riding mower and other small equipment on.

Mr. Charles Taylor asked about the storage of gasoline. Mr. Cunningham stated he would purchase the gas as needed on his way to a job.

Mr. Charles Taylor asked Mr. Cunningham if the property owner was aware that he was wanting to operate this business from the home. Mr. Cunningham stated he was aware and approved of the business.

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

Mr. Bob Sims, Building Department, explained to Mr. Cunningham that if he used yard signs he could only put them out on job sites and had to be removed within 10 days. Mr. Sims told Mr. Cunningham that he was allowed to put signs on his vehicles, Mr. Cunningham understood.

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

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

## **CASE NO. 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.

Ms. Washington presented this case to the Board. Ms. Washington stated her name was DeAuhjdrah Washington and her address was 2115 Central Parkway SW Apt K 13.

Ms. Washington stated she would like to use one room in her home for her on-line clothing boutique. Ms. Washington stated she did not have any employees but she does use models but the models do not come to her home, they meet on location somewhere.

Ms. Washington that she advertises on social media and has business cards. Ms. Washington stated that she was also on the Official Black App which is an African American business app which promotes black businesses.

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

Chair Delayne Dean asked for questions from the Board.

Ms. Susana Salcido asked Ms. Washington to verify the purchasing process. Ms. Washington stated that customers could place an order on line or call her personally and then the items were shipped to her house and she would use the post office to ship the order to the customer.

Mr. Charles Taylor asked Ms. Washington if Park Place Apartments were aware she was wanting to operate a business from her home, Ms. Washington stated yes they were aware.

Chair, Delayne Dean reminded Ms. Washington that she would need to keep the inventory to one room in her home and if it grew to more than one room then she would need to move to another location, Ms. Washington understood.

Chair, Delayne Dean asked Ms. Washington if she understood about employees, Ms. Washington understood.

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

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

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

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

## **CASE NO. 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.

Mr. Cecilo Rodriguez presented this case to the Board. Mr. Rodriguez stated his name was Cecilo Rodriguez and his address was 402 Bellemeade St. SW. Mr. Rodriguez stated his yard is very narrow and he would like permission to put a swimming pool in his side yard. Mr. Rodriguez stated placing the pool in the side yard would not meet the required setbacks. Mr. Rodriguez stated he would make the area safe by placing fencing around the pool.

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

Chair, Delayne Dean asked for questions from the Board and from the public.

Mr. Charles Taylor asked Mr. Rodriguez what was his hardship and why was this the only place he could put the pool. Mr. Rodriguez stated there was not enough room to put the pool anywhere else and he could not put it any further in the back yard because power lines run over the top where the swimming pool would sit.

Mrs. Sheila Rivers, owner of 404 Bellemeade St. SW asked why the pool can't be placed on the other side of the house, on the Sandlin Rd. side.

Mr. Bob Sims, Building Department, replied that the property, 402 Bellemeade St. has a double front yard setback since it is located on a corner lot.

Mrs. Rivers stated that the proposed location of the pool will be located directly beside the bedrooms of her property and feels it will cause a noise disturbance if someone is trying to sleep, day or night. Mrs. Rivers stated that she is trying to get the house ready to sell and feels like this will create a hardship for selling her property.

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

Mrs. Susan Salcido asked Mr. Bob Sims, Building Department, if the power lines causes a hardship or not.

Mr. Bob Sims, Building Department, replied that the Board could not grant a variance to put the pool under the power lines because it is actually an easement for the utilities, also it would be a safety hazard to locate a pool under power lines.

Mr. Rodriguez told Mrs. Rivers that he would be willing to put a tall fence around the pool to help buffer the sounds.

Mrs. Rivers stated that a fence would not help block the sounds coming from the pool. Mrs. Rivers feels the noise levels will be too loud for someone who is trying to sleep in the bedroom if the pool is that close to her house.

Mr. Steven Thomas verified that if Mr. Rodriguez were to put the pool a small way back that he would not have to ask for a variance it was the couple of feet Mr. Rodriguez was wanting to move the pool up that is causing the problem, there was not any opposition to this justification.

Mrs. Rivers showed the Board pictures she had taken of the property, and showed how close the pool would sit to her property.

Chair, Delayne Dean stated the point she keeps coming back to is if the pool was placed further in the back yard it would still be the same distance to Mrs. Rivers property. Chair, Dean stated that the relationship to the property line is not changing, it is only how much of the pool is going

to be placed in the side yard, because there is not enough room to go from the back yard line all the way back.

Mr. Bob Sims, Building Department, explained to Mrs. Rivers exactly what Chair Dean was referring to, Mrs. Rivers understood.

Mr. Bob Sims, Building Department, explained to Mrs. Rivers if the property was addressed off of the Sandlin Rd side then the pool could be located on the other side of the house. However, since the property has a double front yard setback it cannot be located on that side of the house, Mrs. Rivers understood.

A discussion continued about how the pool would be placed on the property and how the pool would have to be at least 5 feet away from Mrs. Rivers property. Mr. Rodriguez ensured Mrs. Rivers that he would build a privacy fence around the pool.

Mr. Bob Sims, Building Department assured Mrs. Rivers that the dimensions for the pool would be measured and verified to be at least 5 feet off the property line as outlined in the city ordinance for an accessory structure.

Chair, Delayne Dean asked for any further questions.

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 as submitted. Mr. Charles Taylor seconded the motion. On a roll call vote the motion carried.

#### **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.

This case was moved to the end because no one came forward when called to present this case to the Board.

#### **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.

Mrs. Cathy Denmark presented this case to the Board. Mrs. Denmark said her name was Cathy Denmark and her address was 2732 Longfellow Dr. SW. Mrs. Denmark stated she would like to have a variance to add on to her existing bathroom to make it wheel chair compliant.

Chair, Delayne Dean verified that the addition would not extend out any further than what the neighbor's house extends. Mrs. Denmark agreed. Mrs. Denmark stated she needed an additional 5 feet added on to the house.

Chair, Delayne Dean stated that this meeting was being streamed on line and any questions could be emailed to [bozaquestions@decatur-al.gov](mailto:bozaquestions@decatur-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 comments.

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

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

#### **CASE NO. 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.

This case was called again and DISMISSED when no one came forward to present the case.

Meeting adjourned at 4:50 pm

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Chair, Delayne Dean

## AGENDA August 2020

The Board of Zoning Adjustment of the City of Decatur will hold a public meeting in the COUNCIL CHAMBERS ON THE FIRST FLOOR OF City Hall, 402 Lee Street NE, on Tuesday, August 25, 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 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. 2

Application and appeal of David L. Stover, for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a lawn care business located at 207 Blue Bird Lane SW, property is located in a R-4 Multi-Family Residential Zoning District.

### CASE NO. 3

Application and appeal of Exayani Manuel Garcia, 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 clothing and accessories boutique located at 2935 McDonald Dr. SW, property is located in a R-6 Single-Family Semi-Attached Residential Zoning District.

### CASE NO. 4

Application and appeal of Alicia Petrona Alvarado, 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 residential cleaning service located at 1807 Windover Pl. SW Apt. A, property is located in a R-4 Multi-Family Residential Zoning District.

### CASE NO. 5

Application and appeal of Ernesto Carbajal, for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a handyman business located at 219 Mark St SW, property is located in a R-2 Single-Family Residential Zoning District.

#### **CASE NO. 6**

Application and appeal of Leonardo 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 cleaning service located at 118 Raymond St SW, property is located in a R-2 Single-Family Residential Zoning District.

#### **CASE NO. 7**

Application and appeal of Anthony 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 computer consulting and repair business located at 701 Ashley Dr. SW, property is located in a R-2 Single-Family Residential Zoning District.

#### **CASE NO. 8**

Application and appeal of Rosalinda Perez, for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a roofing business located at 915 Towerview St SW, property is located in a R-2 Single-Family Residential Zoning District.

#### **CASE NO. 9**

Application and appeal of Necco Flucker Mason, 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 apparel business located at 1213 Connor St SE, property is located in a R-4 Multi-Family Residential Zoning District.

#### **CASE NO. 10**

Application and appeal of Christin Ekwueme, 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 business located at 2158 Westbury Ct. SW, property is located in a R-6 Single-Family Semi-Attached Residential Zoning District.

#### **CASE NO. 11**

Application and appeal of James Morrill for the following setback variances in order to construct a new home located at 1114 9<sup>th</sup> St. SE, property is located in a R-3 Single-Family Residential Zoning District.

- 15 foot side yard setback variance from the Somerville Rd. SE side from Section 25-14.
- 6 foot 8 inch front yard setback variance from the 9<sup>th</sup> St. SE Section 25-10.10 (2) (c).

#### **CASE NO. 12**

Application and appeal of James Morrill for a 3.68 foot lot width reduction from Section 25-10.9 (2) (f) at 2218 Morgan Av SW, property is located in a R-2 Single-Family Residential Zoning District.

**CASE NO. 13**

Application and appeal of Joan B. Schacht for a 5 foot side yard variance from Section 25-10 (2) ( e ) (2) in order to place an accessory structure in the back yard at 2207 Birch St SE, property is located in a R-1 Single-Family Residential Zoning District.

**CASE NO. 14**

Application and appeal of an Administrative Decision by Kelly Rohacek from Section 25-10.8 (2) (g) for a 6 foot height variance in order to construct a new home located at 4860 Indian Hills Rd SE, property is located in an AG-1 Agricultural District.

**CASE NO. 15**

Application and appeal of an Administrative Decision by Eleanor Bailey from Section 25-2 (1) in order to place an accessory structure in the front yard located at 214 Robinson St SW, property is located in a R-2 Single-Family Zoning District.

**CASE NO. 16**

Application and appeal of Gray Hughes for a 10.6 foot side yard setback variance from Section 25-10.8 (2) ( e ) in order to build an attached garage at 1409 Fairway Dr. SE, property is located in a R-1 Single-Family Zoning Residential District.



City of 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 Wlonda Milam  
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.



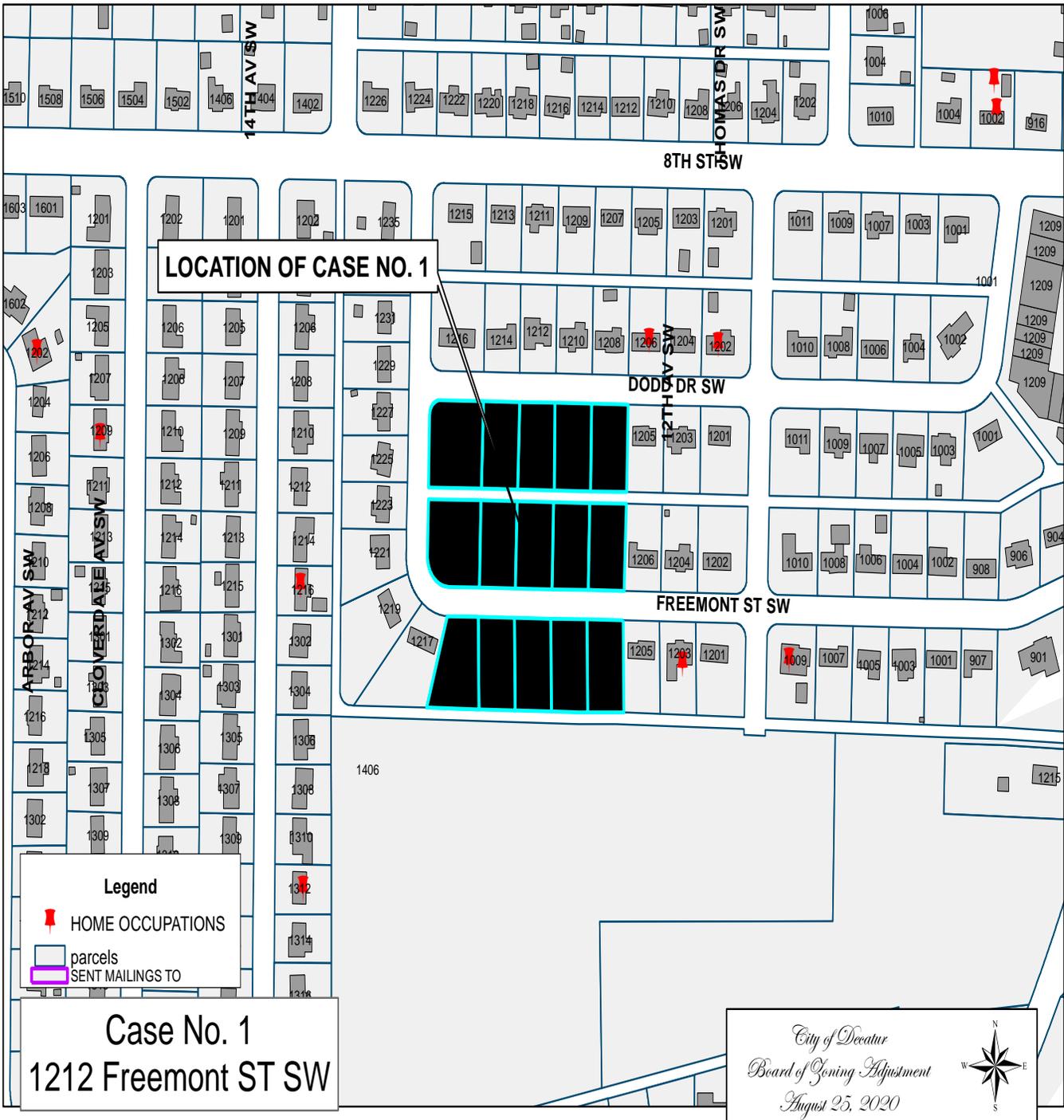
# HOME OCCUPATION QUESTIONS

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 Freeman St SW Decatur, Ala,  
35601

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





Aug 25, 2020

© 4:00pm

Council Chambers

Board of Zoning Adjustment

APPLICANT: David L Stover  
 MAILING ADDR: 207 Blue Bird Ln SW Decatur, AL  
 CITY, STATE, ZIP: Decatur, AL 35601  
 PHONE: 256-616-2367

PROPERTY OWNER: Greenbriar Apartment Homes  
 OWNER ADDR: 2119 Westmead Dr. Suite 9 Decatur  
 CITY, STATE, ZIP: Decatur AL PHONE: \_\_\_\_\_

ADDRESS FOR APPEAL: 207 Blue Bird Ln. SW Decatur, 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

\*\*\*\*\*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)

for office in my house for my business  
for lawn care business

Applicant Name (print) DAVID L Stover  
 Signature David L Stover  
 Representative Name (print) \_\_\_\_\_  
 Signature \_\_\_\_\_  
 Date 7/20/20

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

Office Use Received By: TLW  
 Zone R-4  
 Hearing Date 8-25-2020  
 Approved/Disapproved \_\_\_\_\_



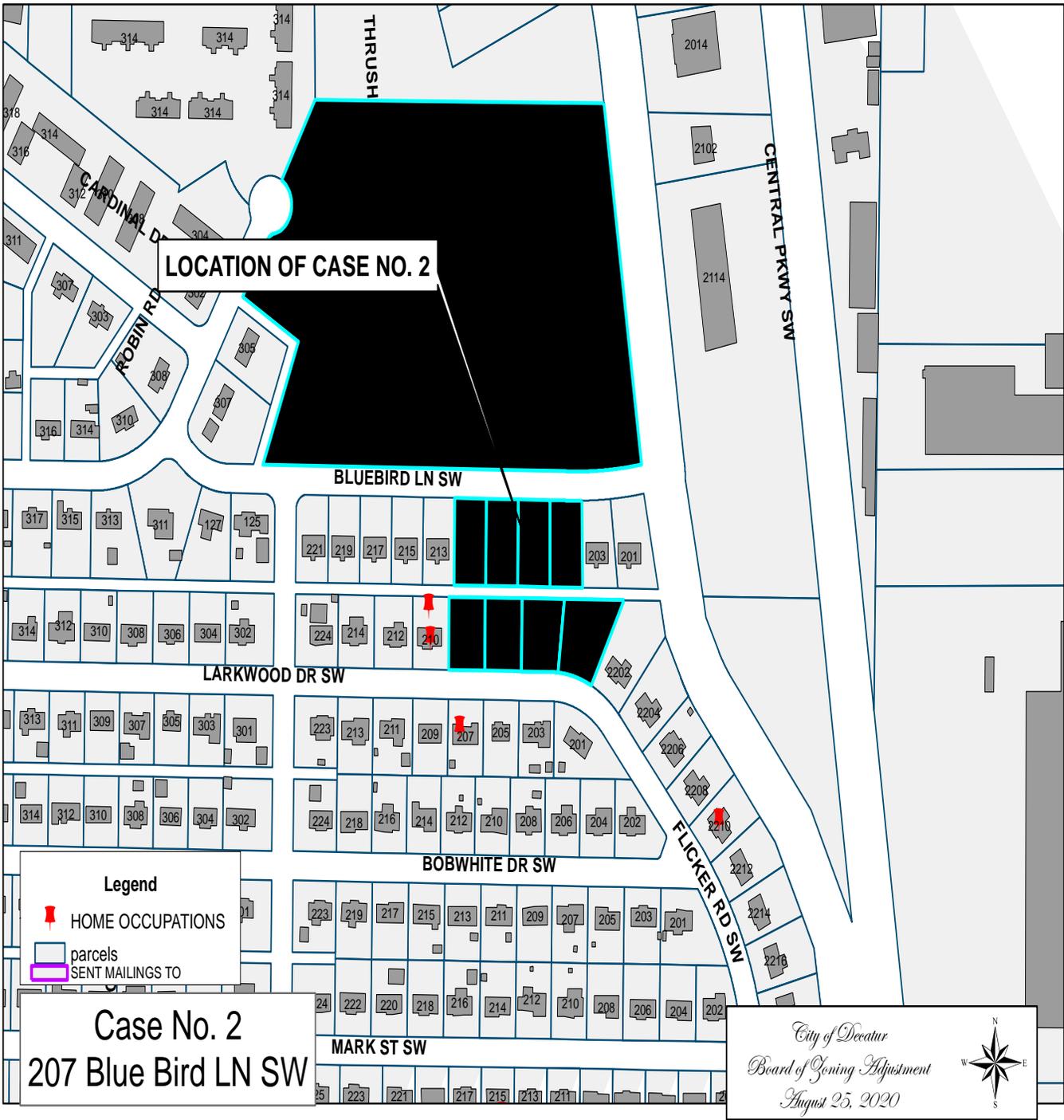
# HOME OCCUPATION QUESTIONS

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.
- 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: David J. Strain DATE: 7/20/20  
 ADDRESS: 207 Blue Bird Ln SW Decatur, AL

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



2

Aug. 25, 2020  
4:00 PM



City Hall, Council Chamber 402 Lee St NE @ 4:00PM

Board of Zoning Adjustment

APPLICANT: EXAYANI MANUEL GARCIA  
MAILING ADDR: 2935 MCDONALD DR SW  
CITY, STATE, ZIP: DECATUR, AL 35603

PROPERTY OWNER: DONNIE COWAN  
OWNER ADDR: 2935 MCDONALD DR SW  
CITY, STATE, ZIP: DECATUR, AL 35603

ADDRESS FOR APPEAL: 2935 MCDONALD 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

\*\*\*\*\*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 starting an online boutique store I will be buying wholesale clothing, shoes, and accessories to sell on my website and other social media platforms I will not be having no traffic but everything will be shipped out to

Applicant Name (print) EXAYANI MANUEL  
Signature Exayani Manuel  
Representative Name (print) EXAYANI MANUEL  
Signature Exayani Manuel G.  
Date 07-27-20

Office Use Received By: TW  
Zone \_\_\_\_\_  
Hearing Date 8.25.2020  
Approved/Disapproved \_\_\_\_\_

CASE NO. 3 2935 MCDONALD DR. SW



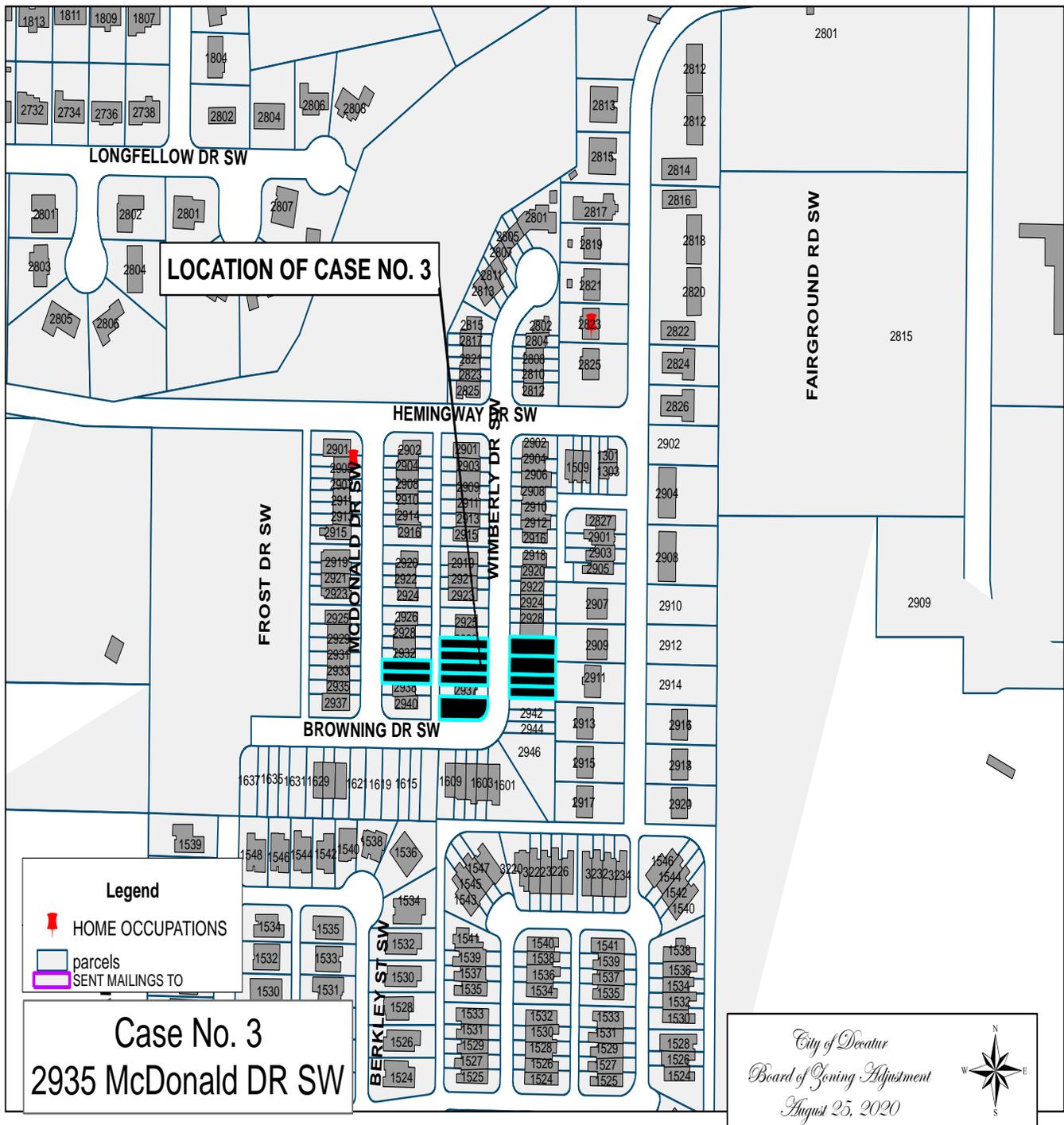
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10. Will there be any deliveries to the home other than the usual common carrier trucks serving a residential area such as UPS, FedEx, Airborne Freight? YES  NO
11. Will there be any employees of this home occupation other than members of the family living in the home? YES  NO

SIGNED: Y. Kuzman, Mervis DATE: 07-27-20  
 ADDRESS: 2935 McDonald Dr SW Decatur,  
AL 35603

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*A Proud City in a Thriving State*

### Board of Zoning Adjustment

APPLICANT: AUCIA PETRONA ALVARADO  
 MAILING ADDR: 1807 Windover Pl. SW Apt. A  
 CITY, STATE, ZIP: Decatur, AL 35103  
 PHONE: (256) 345-0075

PROPERTY OWNER: Pedro Garcia  
 OWNER ADDR: P.O. Box 162  
 CITY, STATE, ZIP: Town Creek, AL 35072 PHONE: (815) 603-7467

ADDRESS FOR APPEAL: 1807 Windover Pl. SW Apt. A Decatur, AL 35103

#### 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)

For-Home Cleaning Services  
Cleaning supplies will be storage in my vehicle  
Home office only

Applicant Name (print) Alicia P. Alvarado  
 Signature Alicia P. Alvarado  
 Representative Name (print) \_\_\_\_\_  
 Signature \_\_\_\_\_  
 Date 07/28/2020

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

Office Use Received By: Aidy  
 Zone R-4  
 Hearing Date 8/25/2020  
 Approved/Disapproved \_\_\_\_\_



## HOME OCCUPATION QUESTIONS

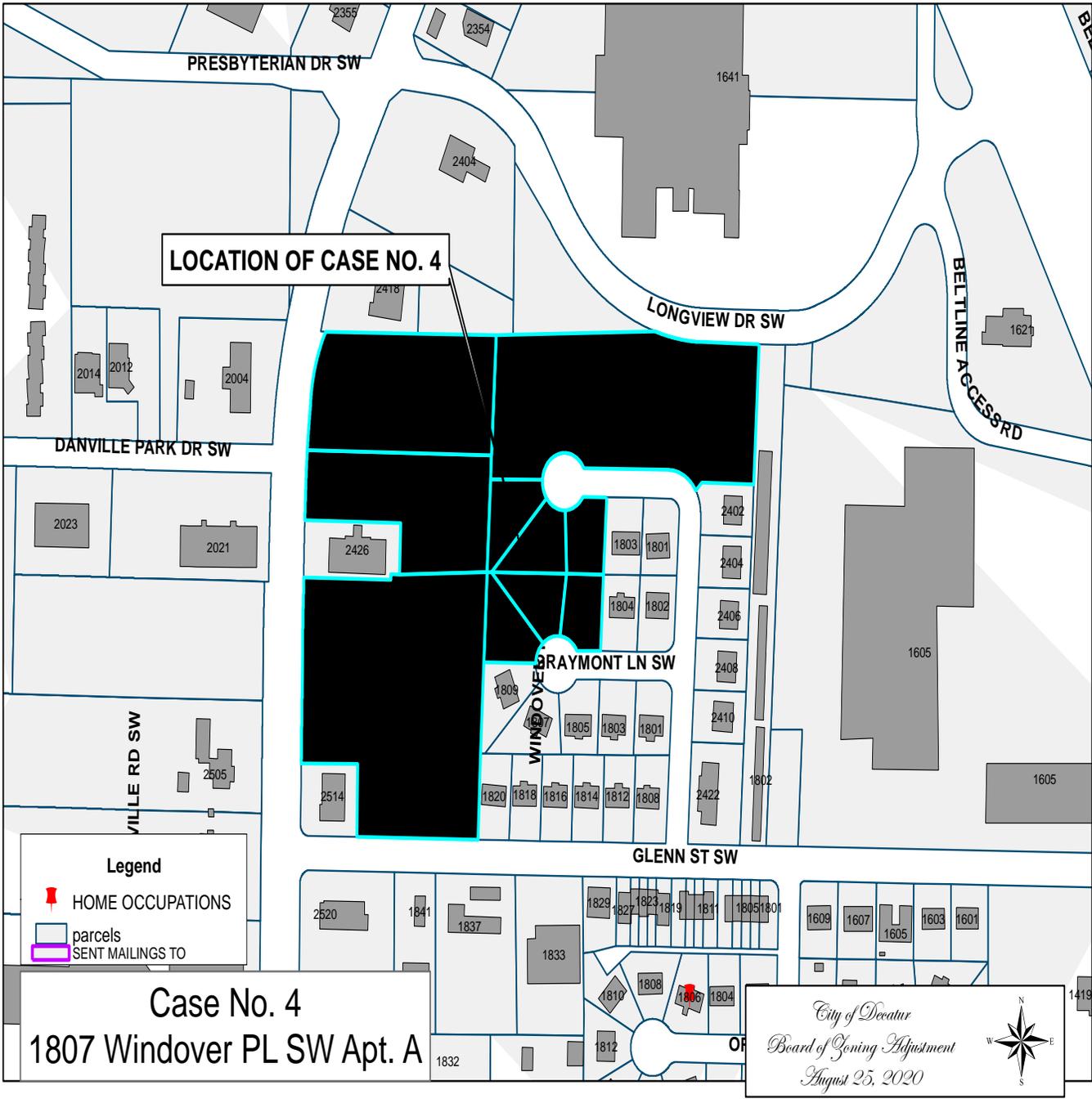
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10. Will there be any deliveries to the home other than the usual common carrier trucks serving a residential area such as UPS, FedEx, Airborne Freight? YES  NO
11. Will there be any employees of this home occupation other than members of the family living in the home? YES  NO

SIGNED: Steve Starnad DATE: 07/28/2020

ADDRESS: 1807 Windover Pl. SW APT A Decatur, AL 35601

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4



*Official City Seal*

Aug 25, 2020  
4:00 PM

Council Chambers  
Board of Zoning Adjustment

APPLICANT: Ernesto Carbajal  
MAILING ADDR: 219 Mark st sw  
CITY, STATE, ZIP: Decatur AL 35601  
PHONE: (256)-309-4083

PROPERTY OWNER: Ernesto Carbajal  
OWNER ADDR: 219 Mark st sw  
CITY, STATE, ZIP: Decatur AL 35601 PHONE: (256) 309-4083

ADDRESS FOR APPEAL: 219 mark 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)

Im going to use a room in my house for my paper work  
for a handy man business

Applicant Name (print) Ernesto Carbajal  
Signature E C  
Representative Name (print) \_\_\_\_\_  
Signature \_\_\_\_\_  
Date \_\_\_\_\_

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

Office Use Received By: bd  
Zone R-2  
Hearing Date August 25, 2020  
Approved/Disapproved \_\_\_\_\_



## HOME OCCUPATION QUESTIONS

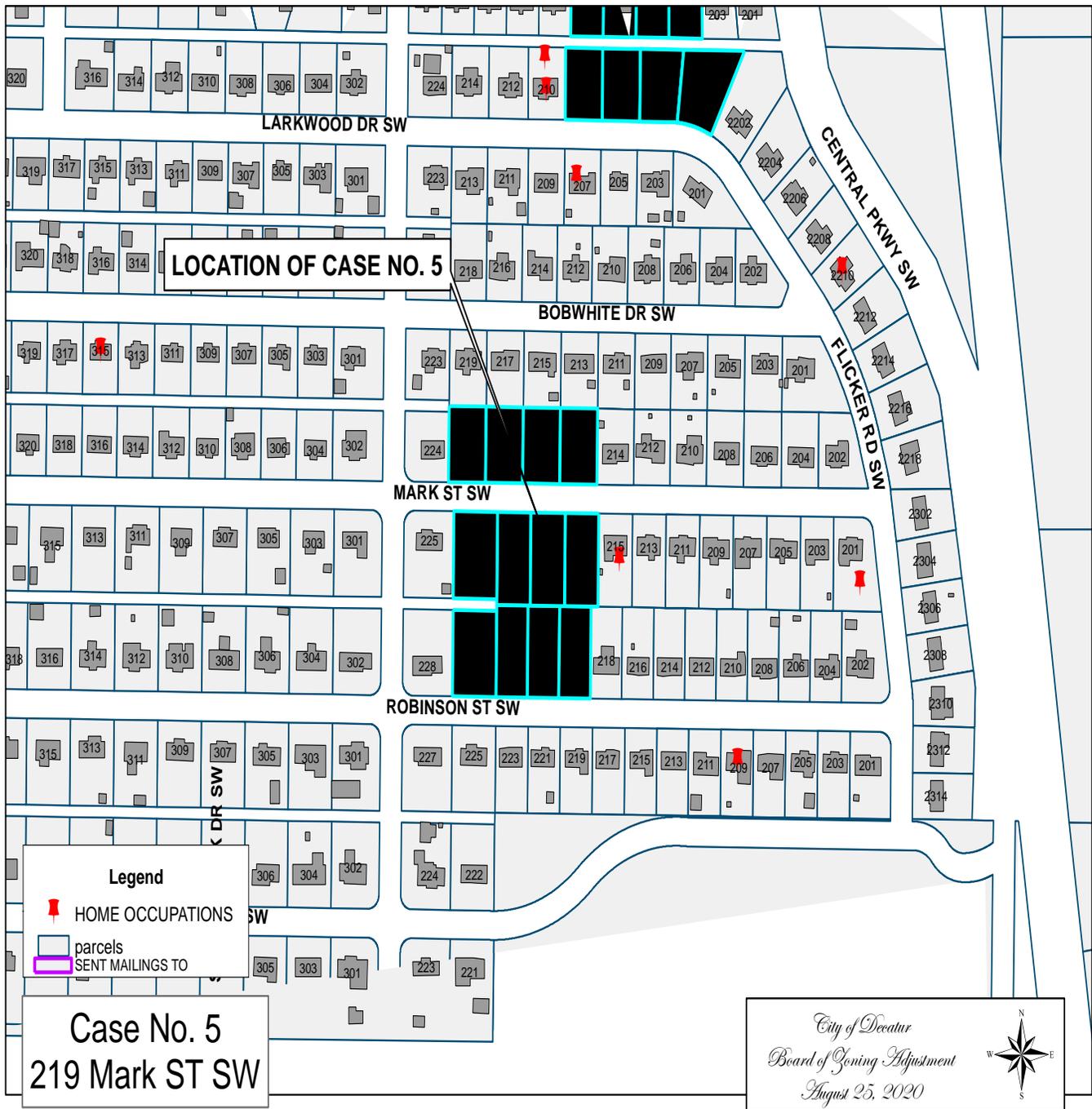
CHECK YES OR NO FOR EACH QUESTION

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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: Ernesto Carbajal DATE: JUL-29-20  
ADDRESS: 219 Mark st se Decatur AL 35601

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QUESTIONNAIRE



Aug 25, 2020 @ 4:00pm  
in Council Chamber 1st Floor



Board of Zoning Adjustment

APPLICANT: Leonardo M Taylor  
 MAILING ADDR: 118 Raymond St. S.W  
 CITY, STATE, ZIP: Decatur AL 35201  
 PHONE: 256 - 466 - 1593

PROPERTY OWNER: Leonardo M Taylor  
 OWNER ADDR: 118 Raymond St. S.W  
 CITY, STATE, ZIP: Decatur AL 35201 PHONE: 256-466-1593

ADDRESS FOR APPEAL: 118 Raymond 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)

one room in the home for paper work  
 for my cleaning service.

Applicant Name (print) Leonardo Taylor  
 Signature Leonardo Taylor  
 Representative Name (print) \_\_\_\_\_  
 Signature \_\_\_\_\_  
 Date 8-3-20

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

Office Use Received By: TW  
 Zone \_\_\_\_\_  
 Hearing Date 8.25.2020  
 Approved/Disapproved \_\_\_\_\_

CASE NO. 6 118 RAYMOND ST SW



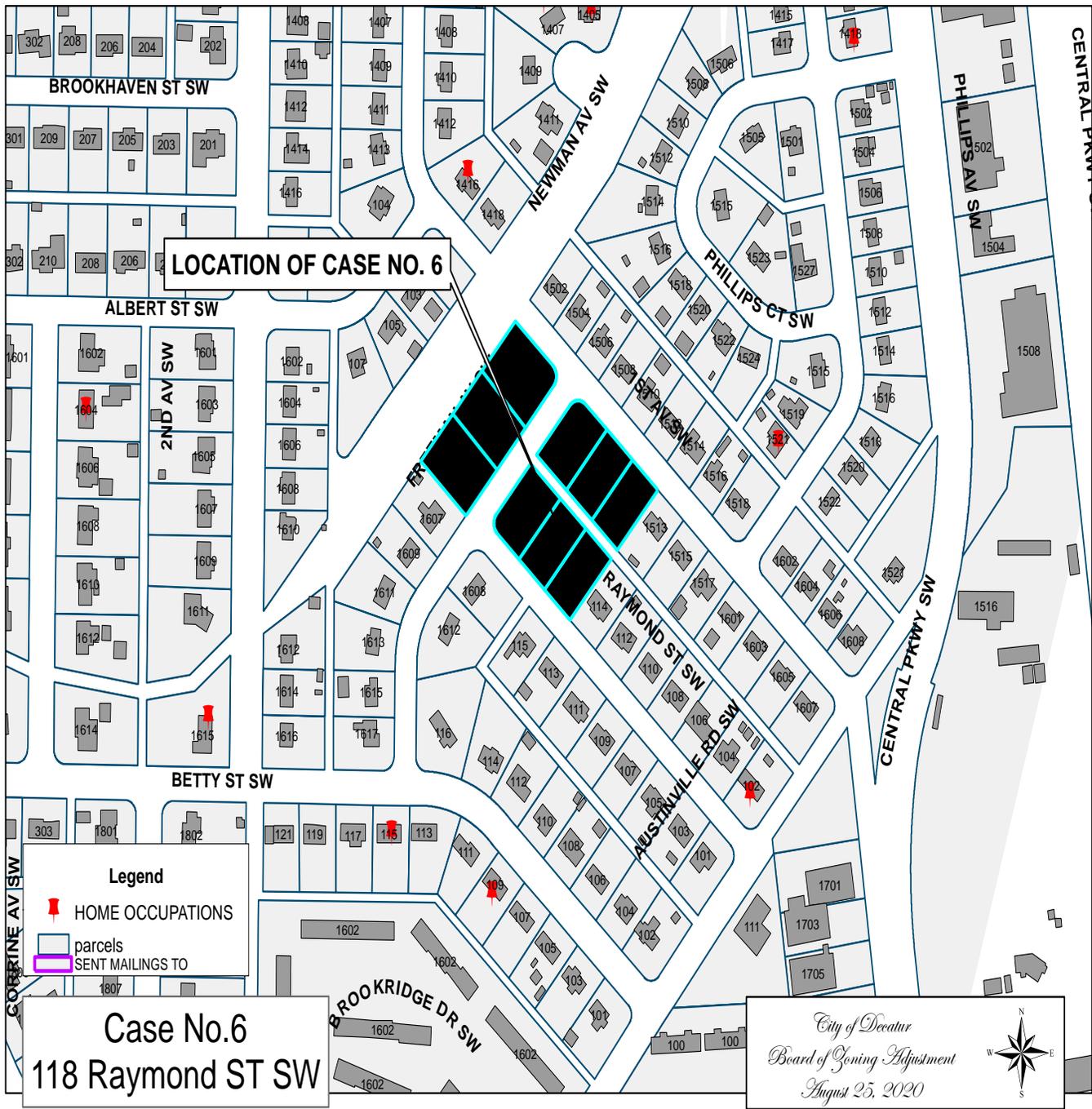
# HOME OCCUPATION QUESTIONS

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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: Leonardo M. Taylor DATE: 8-3-20  
 ADDRESS: 118 Raymond St. S.W

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①



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

APPLICANT NAME:	<u>Anthony Clay</u>
MAILING ADDRESS: PLEASE INCLUDE CITY, STATE AND ZIP	<u>701 Ashley DR SW</u> <u>Decatur, AL 35001</u>
PHONE:	<u>(256) 340-1580</u>
PROPERTY OWNER NAME:	<u>Anthony &amp; Wanda Clay</u>
MAILING ADDRESS: PLEASE INCLUDE CITY, STATE AND ZIP	<u>701 Ashley DR SW</u> <u>Decatur, AL 35001</u>
PHONE:	<u>(256) 340-1580</u>

PROPERTY LOCATION/STREET ADDRESS FOR REQUEST:  
701 Ashley DR SW, Decatur, AL 35001

NATURE OF THE APPEAL:

HOME OCCUPATION       SETBACK VARIANCE       USE PERMITTED ON APPEAL

SIGN VARIANCE       APPEAL OF ADMINISTRATIVE DECISION       OTHER

DESCRIBE IN DETAIL THE REQUEST: requesting to use a ~~room~~ room in my house  
for an office to be able to consult & repair customers  
computers.

APPLICANT SIGNATURE <u>Anthony Clay</u> PRINT NAME <u>Anthony Clay</u> DATE <u>07/31/2020</u>	<b>OFFICE USE ONLY</b> REVIEWED BY: <u>BD</u> ZONING DISTRICT: <u>R-2</u> HEARING DATE: <u>August 25, 2020</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 10<sup>th</sup> of the month. Applicants MUST be present in order for the case to be heard. Please request a copy of this application.



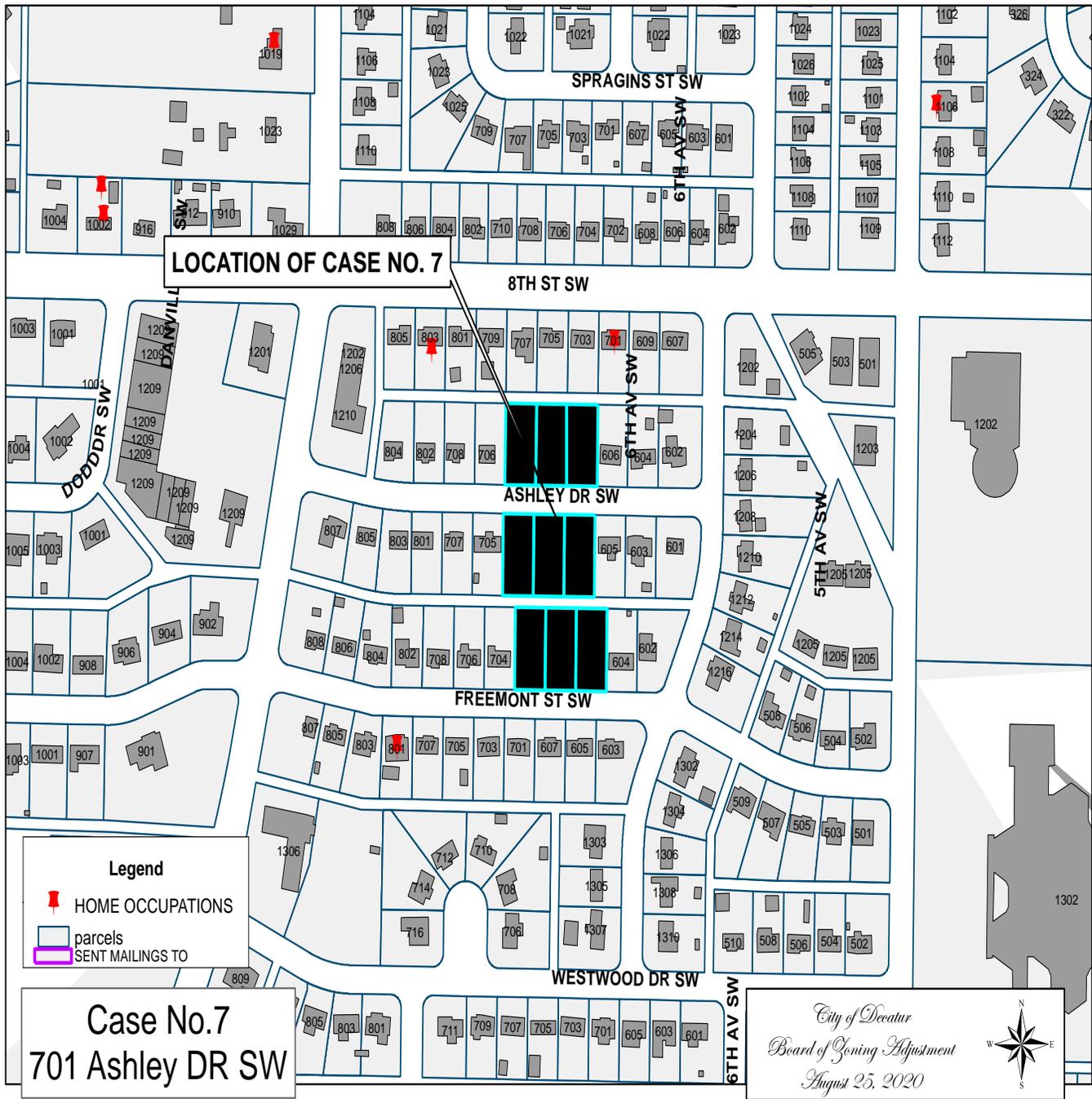
## HOME OCCUPATION QUESTIONS

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11. Will there be any employees of this home occupation other than members of the family living in the home? YES  NO

SIGNED: Anthony Clay DATE: 7/31/2020  
ADDRESS: 701 Ashley Pkwy, Decatur AL 35601

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8



*A Proud City* CHARMING PLACE

### Board of Zoning Adjustment

APPLICANT: Rosalinda Perez

MAILING ADDR: 915 Towerview St SW

CITY, STATE, ZIP: Decatur AL 35601

PHONE: 256-642-8787

PROPERTY OWNER: Alejandro Hernandez

OWNER ADDR: 915 Towerview St SW

CITY, STATE, ZIP: Decatur AL 35601 PHONE: 256-898-5471

ADDRESS FOR APPEAL: 915 Towerview 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)

I want to use one room for my office on my Roofing Business

\_\_\_\_\_

\_\_\_\_\_

Applicant Name (print) Rosalinda Perez

Signature Rosalinda Perez

Representative Name (print) \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

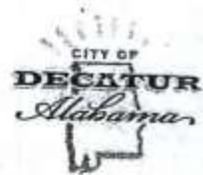
If applicant is using a representative for the request both signatures are required

Office Use Received By: hd

Zone R-2

Hearing Date August 25

Approved/Disapproved \_\_\_\_\_



# HOME OCCUPATION QUESTIONS

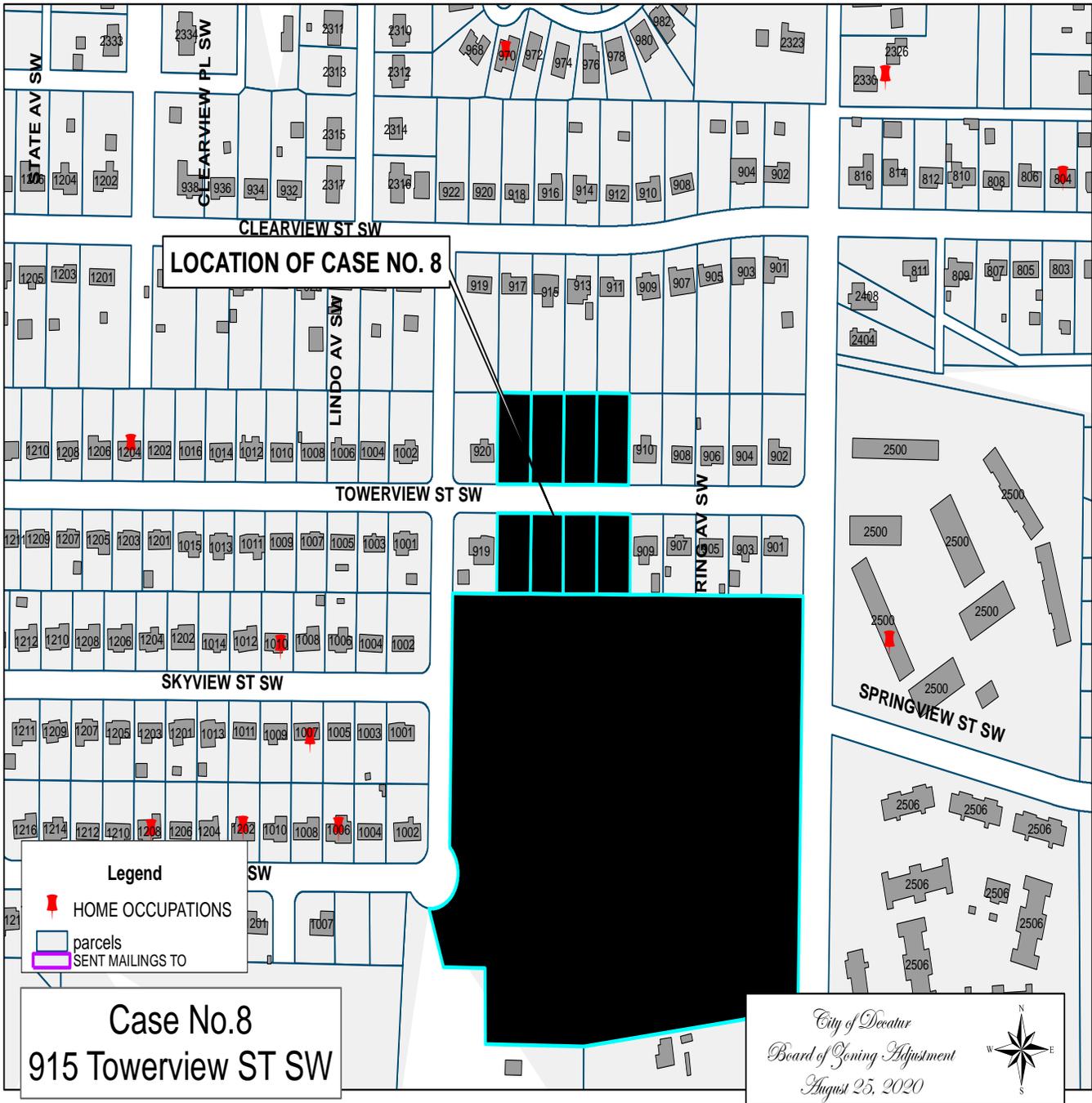
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SIGNED: Paalinda Perez DATE: 08-09-2020

ADDRESS: 915 Tavernier St SW Decatur AL 35601

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



9

Aug. 25, 2020 @ 4:00 p.m.  
in Council Chambers 1st Floor



Board of Zoning Adjustment

FL

APPLICANT: NECCO ~~FLUCKER~~ MASON

MAILING ADDR: 1213 Connor St SE

CITY, STATE, ZIP: Decatur, AL 35603

PHONE: 256-642-9233

PROPERTY OWNER: NECCO FLUCKER MASON

OWNER ADDR: 1213 Connor St SE

CITY, STATE, ZIP: Decatur, AL 35603 PHONE: 256-642-9233

ADDRESS FOR APPEAL: 1213 Connor St SE, 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)

I will be using one room in my home for online apparel womens, mens, + children accessories.

Applicant Name (print) Necco Tucker Mason

Signature Necco Tucker Mason

Representative Name (print) \_\_\_\_\_

Signature \_\_\_\_\_

Date 8-10-20

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

Office Use Received By: \_\_\_\_\_

Zone R-4

Hearing Date August 25, 2020

Approved/Disapproved \_\_\_\_\_

CASE NO. 9 1213 CONNOR ST SE



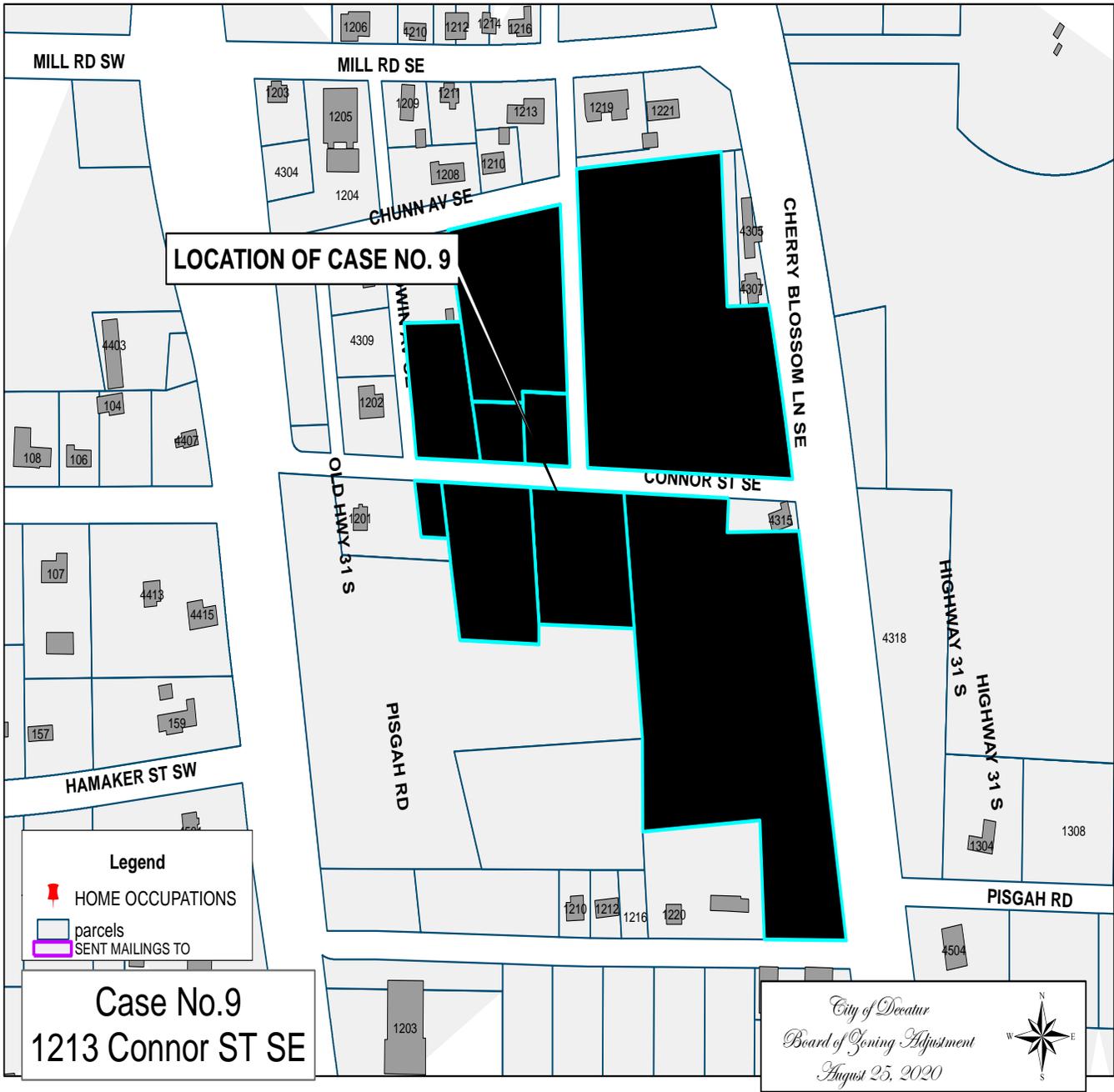
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11. Will there be any employees of this home occupation other than members of the family living in the home? YES  NO

SIGNED: Decco Tucker Mason DATE: 8-10-20  
 ADDRESS: 1213 Conner St SE, Decatur, AL 35603

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10



*A Grand City in a Grand State* DECATUR, GEORGIA

### Board of Zoning Adjustment

APPLICANT: Christin Ekwueme

MAILING ADDR: 2158 Westbury Ct SW

CITY, STATE, ZIP: Decatur, AL 35603

PHONE: 678-517-0792

PROPERTY OWNER: Christin Ekwueme

OWNER ADDR: 2158 Westbury Ct. SW

CITY, STATE, ZIP: Decatur, AL 35603 PHONE: 678-517-0792

ADDRESS FOR APPEAL: 2158 Westbury Ct. 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)

I'd like to use 1 room in my home to operate an online business.

Applicant Name (print) Christin Ekwueme

Signature *Christin Ekwueme*

Representative Name (print) [Signature]

Signature \_\_\_\_\_

Date 8/7/2020

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

Office Use Received By: \_\_\_\_\_

Zone R-6

Hearing Date August 25, 2020

Approved/Disapproved \_\_\_\_\_

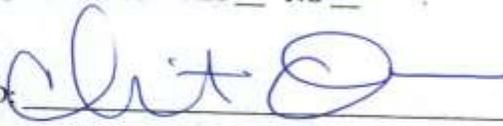
**CASE NO. 10 2158 WESTBURY CT SW**

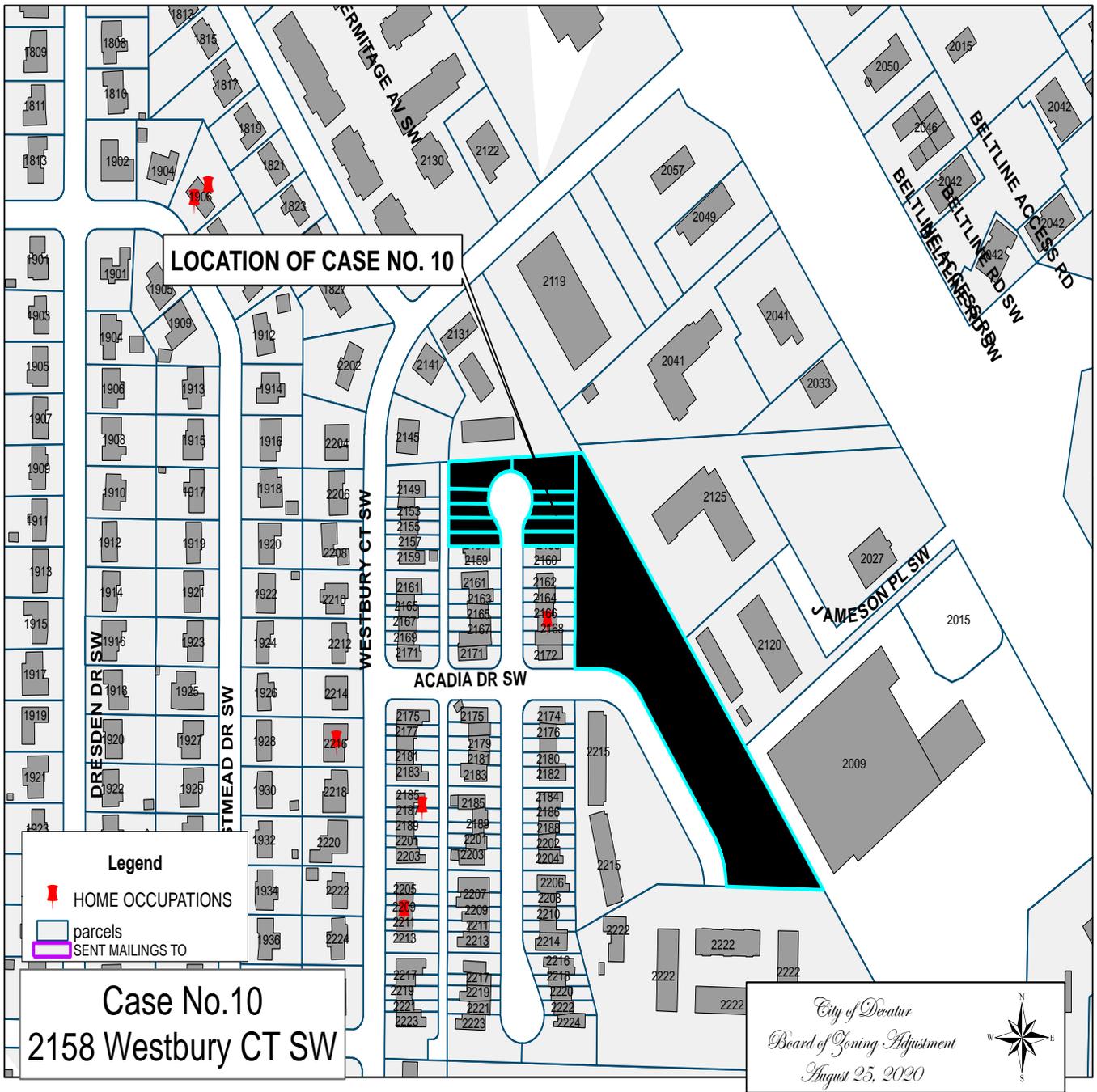


# HOME OCCUPATION QUESTIONS

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8. Will there be any more than one sales party at you home per quarter related to this home occupation? YES  NO
9. Will this home occupation result in increased parking demands? YES  NO
10. Will there be any deliveries to the home other than the usual common carrier trucks serving a residential area such as UPS, FedEx, Airborne Freight? YES  NO
11. Will there be any employees of this home occupation other than members of the family living in the home? YES  NO

SIGNED:  DATE: 8/10/2020  
 ADDRESS: 2158 Westbury Ct. SW Decatur, AL 35603



**LOCATION OF CASE NO. 10**

**Legend**

- HOME OCCUPATIONS
- parcels SENT MAILINGS TO

**Case No.10**  
**2158 Westbury CT SW**

*City of Decatur*  
*Board of Zoning Adjustment*  
*August 25, 2020*



11



St. Grand City of GEORGINA SCALE

Board of Zoning Adjustment

APPLICANT: JAMES MORRILL  
 MAILING ADDR: 2512 QUINCE DR  
 CITY STATE ZIP: DECATUR, AL 35601  
 PHONE: 256-309-7748

PROPERTY OWNER: JAMES MORRILL  
 OWNER ADDR: 2512 QUINCE DR  
 CITY STATE ZIP: DECATUR, AL 35601  
 OWNER PHONE: 256-309-7748

ADDRESS FOR APPEAL: 1114 9TH STREET S.E.

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\*\*\*\*\*

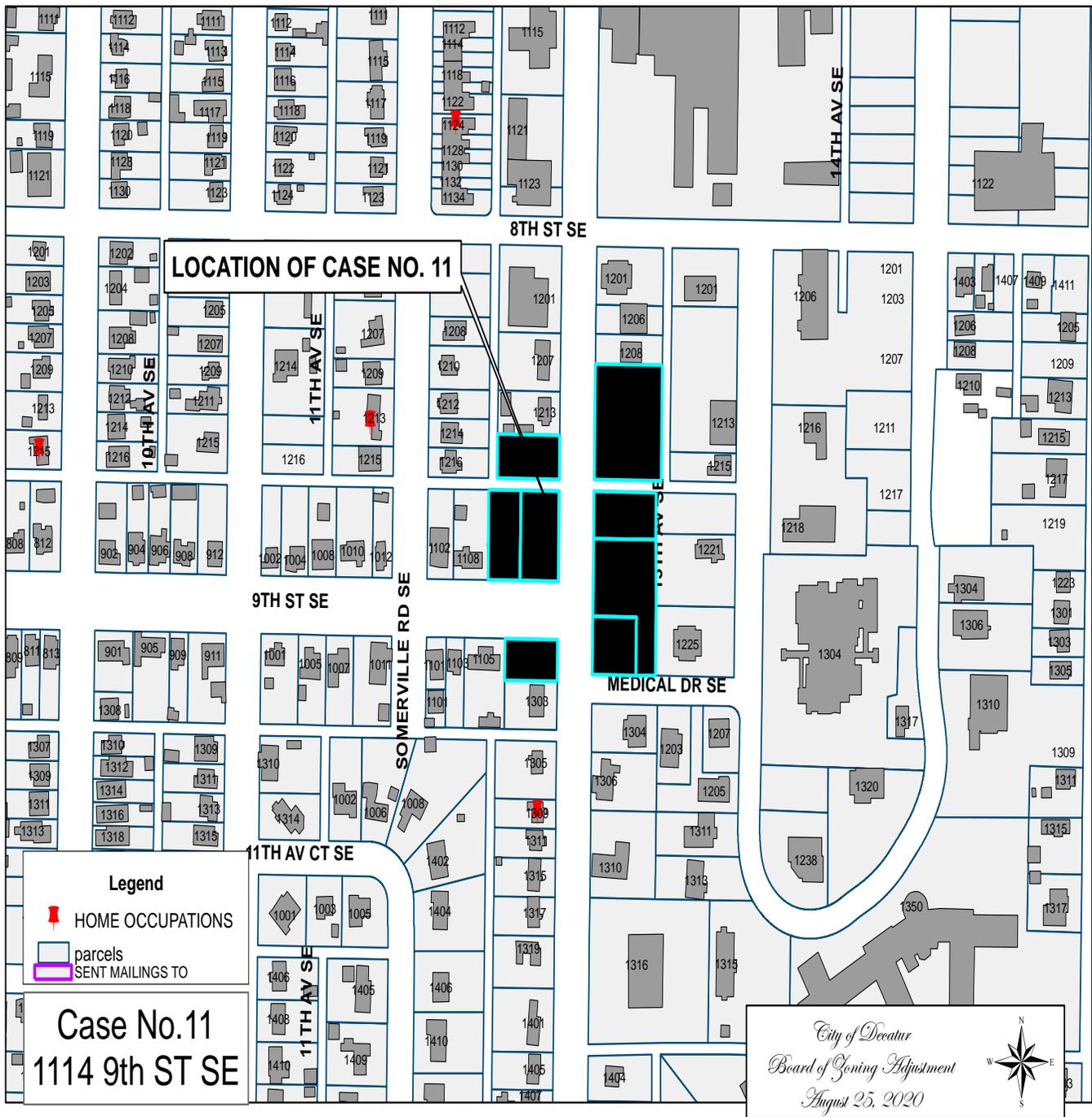
DESCRIBE APPEAL IN DETAIL: (INCLUDE DIMENSIONS, # FT FOR VARIANCES, # FOR PARKING, HARDSHIP, TYPE OF BUSINESS)  
ZONE R-3 SEE ATTACHED PLOT  
REQUEST SETBACK VARIANCES FOR THE RESIDENTIAL  
PARCEL CONSISTING OF LOTS 22 & 23 ACCORDING TO  
DECATUR LAND IMPROVEMENT & FURNACE COMPANY'S ADDITION #4.  
ADDRESS - 1114 9TH ST. SE. VARIANCES REQUESTED:  
9TH STREET SETBACK OF 23.2' - A 6.8' VARIANCE  
SOMERVILLE RD SETBACK OF 15.0' - A 15.0' VARIANCE

Applicant Name(print) <u>JIM MORRILL</u>	If applicant is using a representative for the request both signatures are required.	Office Use
Signature <u>James D. Morrill</u>		Received By <u>Amey</u>
Representative Name(print) <u>TRAVIS HENSLEY</u>		Zone <u>R-3</u>
Signature <u>Travis Hensley</u>		Hearing Date <u>8.25.2020</u>
Date <u>JULY 27, 2020</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 10th of the month to be heard the last Tuesday of the month.

CASE NO. 11 1114 9TH ST. SE





**LOCATION OF CASE NO. 11**

**Legend**

-  HOME OCCUPATIONS
-  parcels SENT MAILINGS TO

**Case No.11**  
**1114 9th ST SE**

*City of Decatur*  
*Board of Zoning Adjustment*  
*August 25, 2020*



Board of Zoning Adjustment

APPLICANT: James Morrill  
 MAILING ADDR: 2512 Quince Dr  
 CITY, STATE, ZIP: Decatur, AL 35601  
 PHONE: 256-309-7748

PROPERTY OWNER: Quinton Craig Corum  
 OWNER ADDR: 129 Archery Rd  
 CITY, STATE, ZIP: Decatur, AL 35603 PHONE: 256-345-6032

\* ADDRESS FOR APPEAL: 2218 Morgan Ave 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)

PROPOSED SUBDIVISION OF LOT 8 & LOT 10 (REF. D.B. 2012 PG. 1152) BK 6 OF RAILROAD ASSOC. ADDITION AS SHOWN ON ATTACHED PLAT OF SURVEY. LOT 10A AS SHOWN ON SHEET 2 OF SAID PLAT WOULD BE 66.32' WIDE. ZONE R-2 REQUIRES 70' WIDTH. REQUEST A 3.68' VARIANCE ALLOWING LOT 10A WITH A WIDTH OF 66.32'.

Applicant Name (print) <u>JAMES MORRILL</u>	If applicant is using a	Office Use Received By: <u>BD</u>
Signature <u>James D. Morrill</u>	representative for the	Zone _____
Representative Name (print) <u>TRAVIS HENSLEY</u>	request both signatures	Hearing Date <u>8/25/2020</u>
Signature <u>Wm Travis Hensley</u>	are required	Approved/Disapproved _____
Date <u>July 15, 2020</u>		

2012 1152  
Recorded in the Above  
DEED Book & Page  
02-23-2012 04:10:42 PM  
Gres Cain - Probate Judge  
State of Alabama, Morgan County

STATE OF ALABAMA     )  
                                  )  
MORGAN COUNTY        )

**DEED IN LIEU OF FORECLOSURE**

KNOW ALL MEN BY THESE PRESENTS THAT:

I, Kristopher Wayne Hale, a single man (hereinafter "Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) cash and other valuable consideration, to him in hand paid by Jack D. Corum and Dorothy M. Corum, husband and wife,, (hereinafter "Grantees") the receipt of which is hereby acknowledged, do by these presents grant, bargain, sell and convey unto the said Grantees, as joint tenants, with right of survivorship, the following described real estate situated in Morgan County, Alabama, to-wit:

The South ½ of Lot 8 and Lot 10, Block 6 of Railroad Association Addition as recorded in Plat Book 1, at Page 27, in the Office of the Judge of Probate of Morgan County, Alabama.

This is a deed in lieu of foreclosure to satisfy the indebtedness secured by that certain mortgage from Grantor to Grantees as evidenced by mortgage appearing of record in Mortgage Book 2008, at Page 4549 in the Office of the Judge of Probate of Morgan County, Alabama. For good and valuable consideration the undersigned does hereby waive any right of redemption arising under or by virtue of the laws of the State of Alabama.

TO HAVE AND TO HOLD to the said Grantees, as joint tenants, with right of survivorship, their heirs and assigns forever.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this Thursday day of 2/23/12, 2012.

Kristopher Wayne Hale (SEAL)  
Kristopher Wayne Hale

RECORDED DEED

STATE OF ALABAMA )  
 )  
MORGAN COUNTY )

I, the undersigned, a notary public in and for said county, in said state, hereby certify that Kristopher Wayne Hale, a single man, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 23rd day of February, 2012

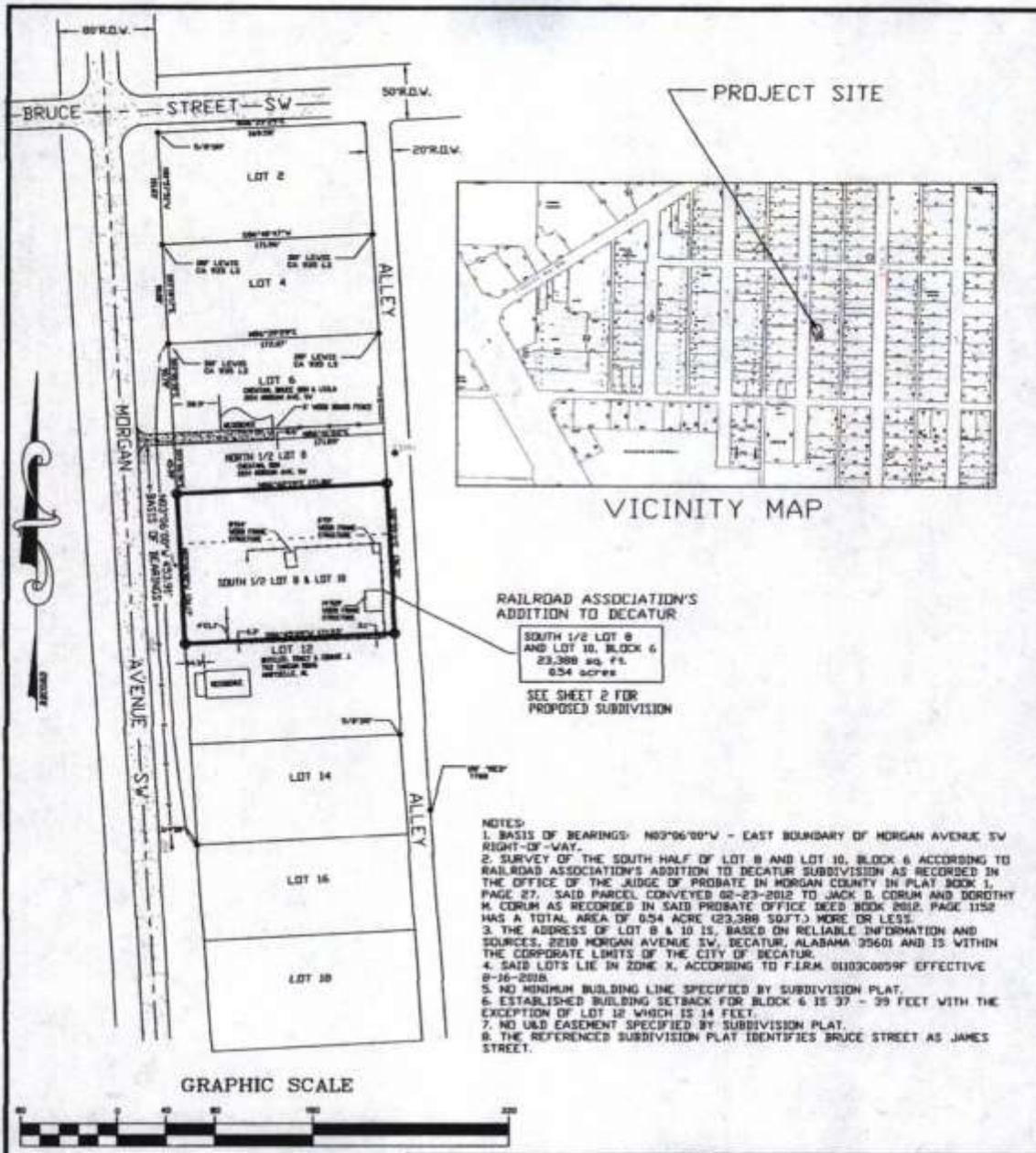
Thomas P. Hillgrove  
Notary Public  
My Commission Expires: \_\_\_\_\_  
My Commission Expires 09-01-2015

Address of Grantees: 140 Hankins St SW  
Decatur, AL 35603

This instrument prepared by:  
Thomas A. Caddell  
Harris, Caddell & Shanks, P.C.  
P. O. Box 2688  
Decatur, AL 35602-2688  
(256) 340-8046

Term/Cashier: RECORD-10 / cindys  
Tran# 13115.201083.363676  
AFF Special Fee (Act 95-424) 5.00  
FIL Filing Fee 1.00  
REC Recording fee 6.00  
Total Fees: \$ 12.00

State of Alabama, Morgan County  
I certify this instrument was filed on  
02-23-2012 04:10:44 PM  
and recorded in DEED Book  
2012 at pages 1152 - 1153  
Gres Cain - Probate Judge

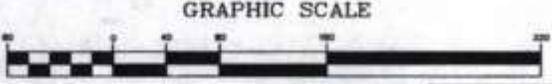


RAILROAD ASSOCIATION'S  
ADDITION TO DECATUR

SOUTH 1/2 LOT 8  
AND LOT 10, BLOCK 6  
23,388 sq. ft.  
0.54 acres

SEE SHEET 2 FOR  
PROPOSED SUBDIVISION

- NOTES:
1. BASIS OF BEARINGS: N02°06'00"W - EAST BOUNDARY OF MORGAN AVENUE SW RIGHT-OF-WAY.
  2. SURVEY OF THE SOUTH HALF OF LOT 8 AND LOT 10, BLOCK 6 ACCORDING TO RAILROAD ASSOCIATION'S ADDITION TO DECATUR SUBDIVISION AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE IN MORGAN COUNTY IN PLAT BOOK 1, PAGE 27. SAID PARCEL CONVEYED 02-29-2012 TO JACK B. CORUM AND DOROTHY M. CORUM AS RECORDED IN SAID PROBATE OFFICE DEED BOOK 2612, PAGE 1158 HAS A TOTAL AREA OF 0.54 ACRE (23,388 SQ.FT.) MORE OR LESS.
  3. THE ADDRESS OF LOT 8 & 10 IS, BASED ON RELIABLE INFORMATION AND SOURCES, 2218 MORGAN AVENUE SW, DECATUR, ALABAMA 35601 AND IS WITHIN THE CORPORATE LIMITS OF THE CITY OF DECATUR.
  4. SAID LOTS LIE IN ZONE X, ACCORDING TO F.I.R.M. 010300059F EFFECTIVE 0-16-2018.
  5. NO MINIMUM BUILDING LINE SPECIFIED BY SUBDIVISION PLAT.
  6. ESTABLISHED BUILDING SETBACK FOR BLOCK 6 IS 37 - 39 FEET WITH THE EXCEPTION OF LOT 12 WHICH IS 14 FEET.
  7. NO USD EASEMENT SPECIFIED BY SUBDIVISION PLAT.
  8. THE REFERENCED SUBDIVISION PLAT IDENTIFIES BRUCE STREET AS JAMES STREET.

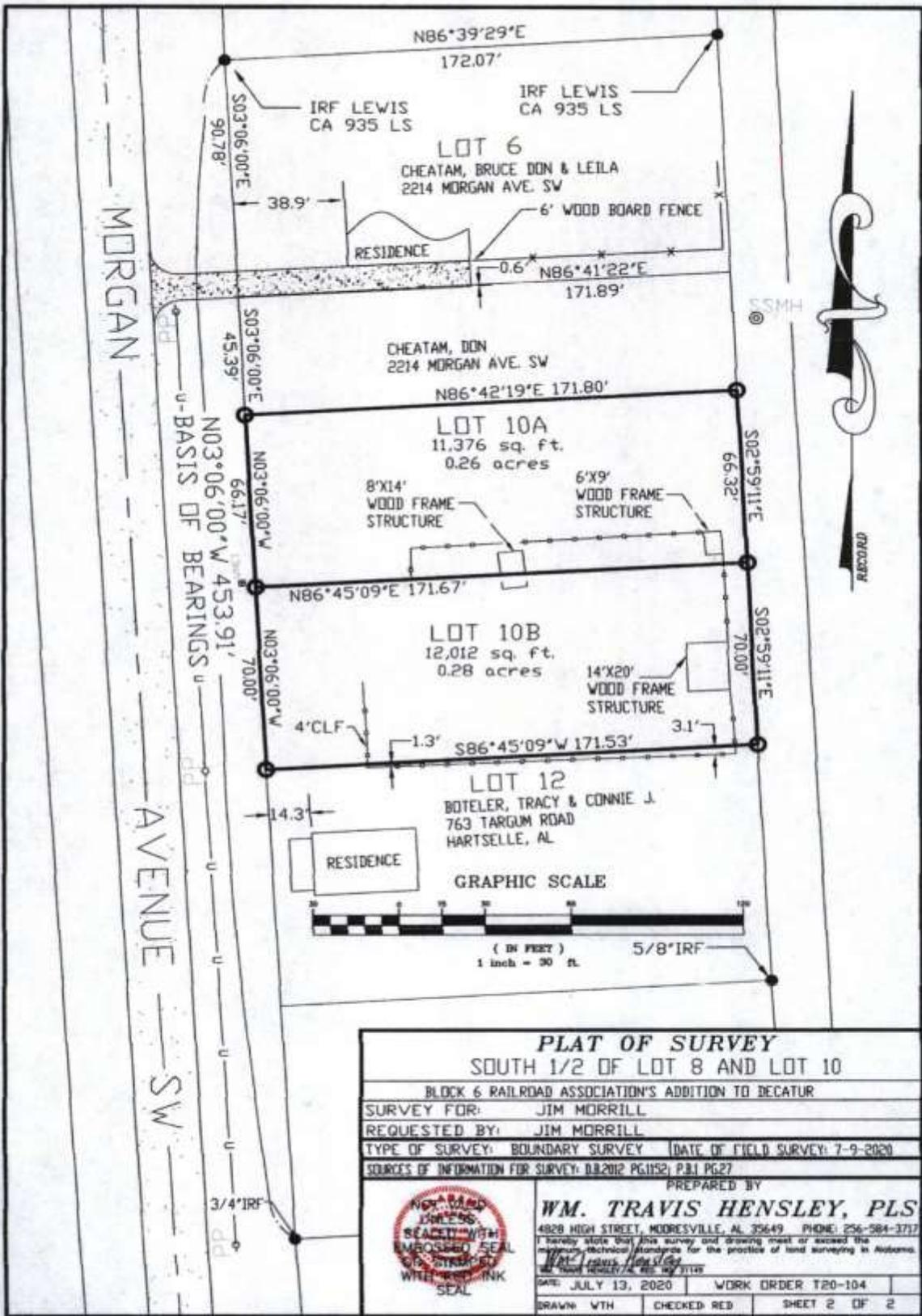


- LEGEND
- IRON ROD FOUND (201)
  - CONCRETE MONUMENT FOUND
  - CAPED IRON SET HENSLEY PLS 31145 (202)
  - ▲ NAIL SET
  - UTILITY POLE
  - U- OVERHEAD UTILITY LINES
  - F- FENCE
  - ▨ CONCRETE
  - ( ) RECORD
  - ⊕ CENTERLINE
  - D.B. DEED BOOK
  - E.S.M. EASEMENT
  - M.B. MORGAN BUILDING LINE
  - P.B. PLAT BOOK
  - P.L. PAGE
  - R.O.W. RIGHT OF WAY
  - U&D UTILITY & DRAINAGE

<b>PLAT OF SURVEY</b>	
SOUTH 1/2 OF LOT 8 AND LOT 10	
BLOCK 6 RAILROAD ASSOCIATION'S ADDITION TO DECATUR	
SURVEY FOR: JIM MORRILL	
REQUESTED BY: JIM MORRILL	
TYPE OF SURVEY: BOUNDARY SURVEY	DATE OF FIELD SURVEY: 7-9-2020
SOURCES OF INFORMATION FOR SURVEY: U&D 2012 PG 1152; P.B. PG 27	
PREPARED BY	
<b>WM. TRAVIS HENSLEY, PLS</b>	
4828 HIGH STREET, MOORESVILLE, AL 35649 PHONE: 256-584-3717	
I hereby state that this survey and drawing meet or exceed the minimum technical standards for the practice of land surveying in Alabama.	
<i>Wm Travis Hensley</i>	
WM TRAVIS HENSLEY, AL REG. NO. 5476	
DATE: JULY 13, 2020	WORK ORDER T20-104
DRAWN: WTH	CHECKED: RED
SHEET 1 OF 2	

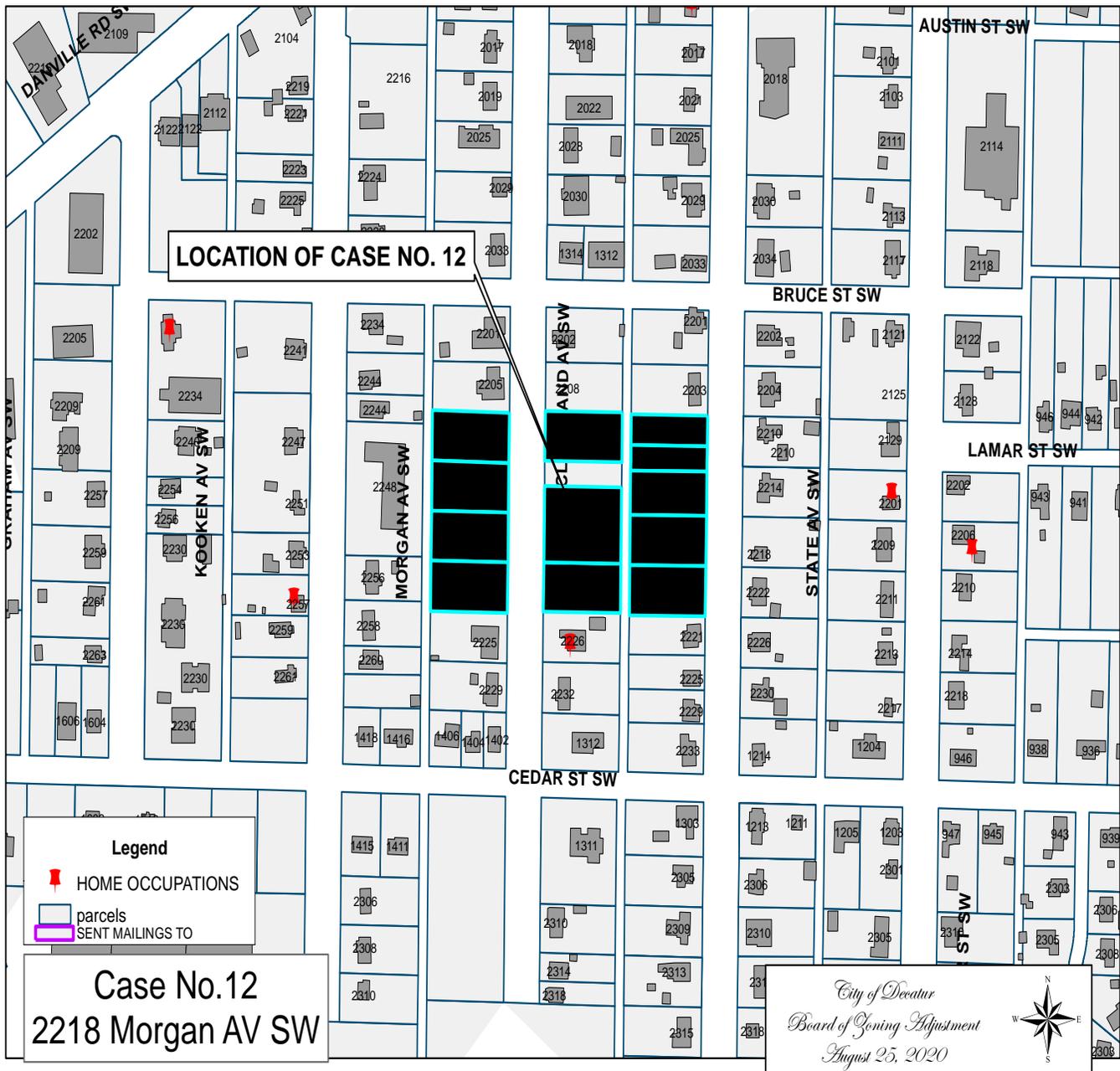


SURVEY



<b>PLAT OF SURVEY</b>		
SOUTH 1/2 OF LOT 8 AND LOT 10		
BLOCK 6 RAILROAD ASSOCIATION'S ADDITION TO DECATUR		
SURVEY FOR:		JIM MORRILL
REQUESTED BY:		JIM MORRILL
TYPE OF SURVEY:		BOUNDARY SURVEY
DATE OF FIELD SURVEY:		7-9-2020
SOURCES OF INFORMATION FOR SURVEY: D&R 2012 PG1152; P&I PG27		
PREPARED BY		
<b>WM. TRAVIS HENSLEY, PLS</b>		
4828 HIGH STREET, MOORESVILLE, AL 35649. PHONE: 256-584-3717		
I solemnly state that this survey and drawing meet or exceed the minimum technical standards for the practice of land surveying in Alabama.		
<i>Wm Travis Hensley</i>		
DATE: JULY 13, 2020		
WORK ORDER T20-104		
DRAWN: WTH	CHECKED: RED	SHEET 2 OF 2

SURVEY



13



*A Grand Day in Decatur*

### Board of Zoning Adjustment

APPLICANT: Joan B. Schacht

MAILING ADDR: 2207 Birch St. SE

CITY, STATE, ZIP: Decatur, AL 35601

PHONE: 256 654-6789

PROPERTY OWNER: (Same as Above) Joan B. Schacht

OWNER ADDR: 2207 Birch St. SE

CITY, STATE, ZIP: Decatur, AL 35601 PHONE: 256 654-6789

ADDRESS FOR APPEAL: 2207 Birch St. SE

#### NATURE OF APPEAL:

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

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

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

I would like to remove my existing shed in my backyard and replace it with a Garden Shed and covered patio. I am asking a variance so that the new shed may butt up to the fence which is on my property line. This would only affect my neighbor at 2209 Birch St. 5 foot <sup>side</sup> yard variance for an accessory structure.

Applicant Name (print) Joan B. Schacht

Signature Joan B. Schacht

Representative Name (print) \_\_\_\_\_

Signature \_\_\_\_\_

Date August 5, 2020

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

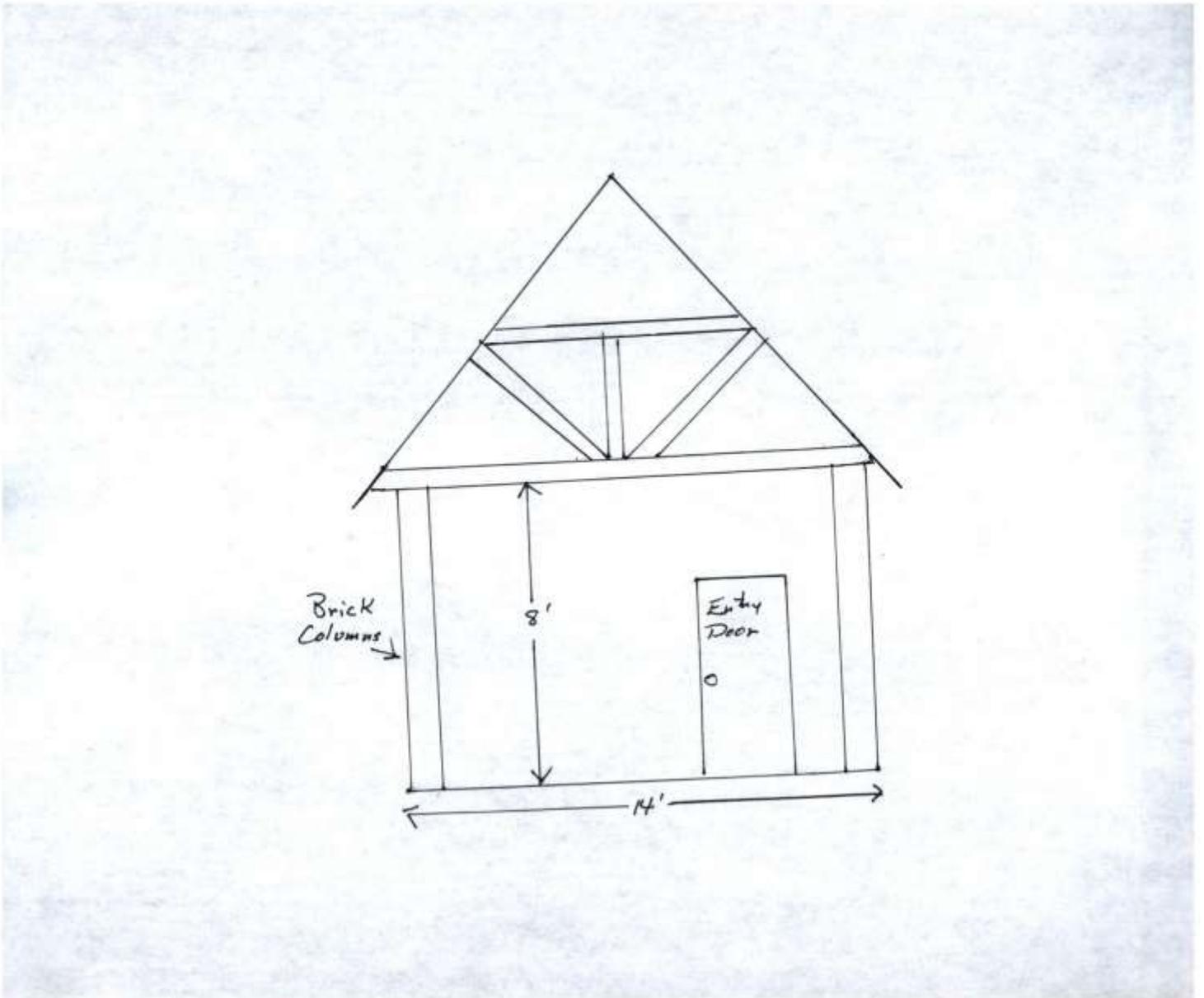
Office Use Received By: Cindy

Zone R-1

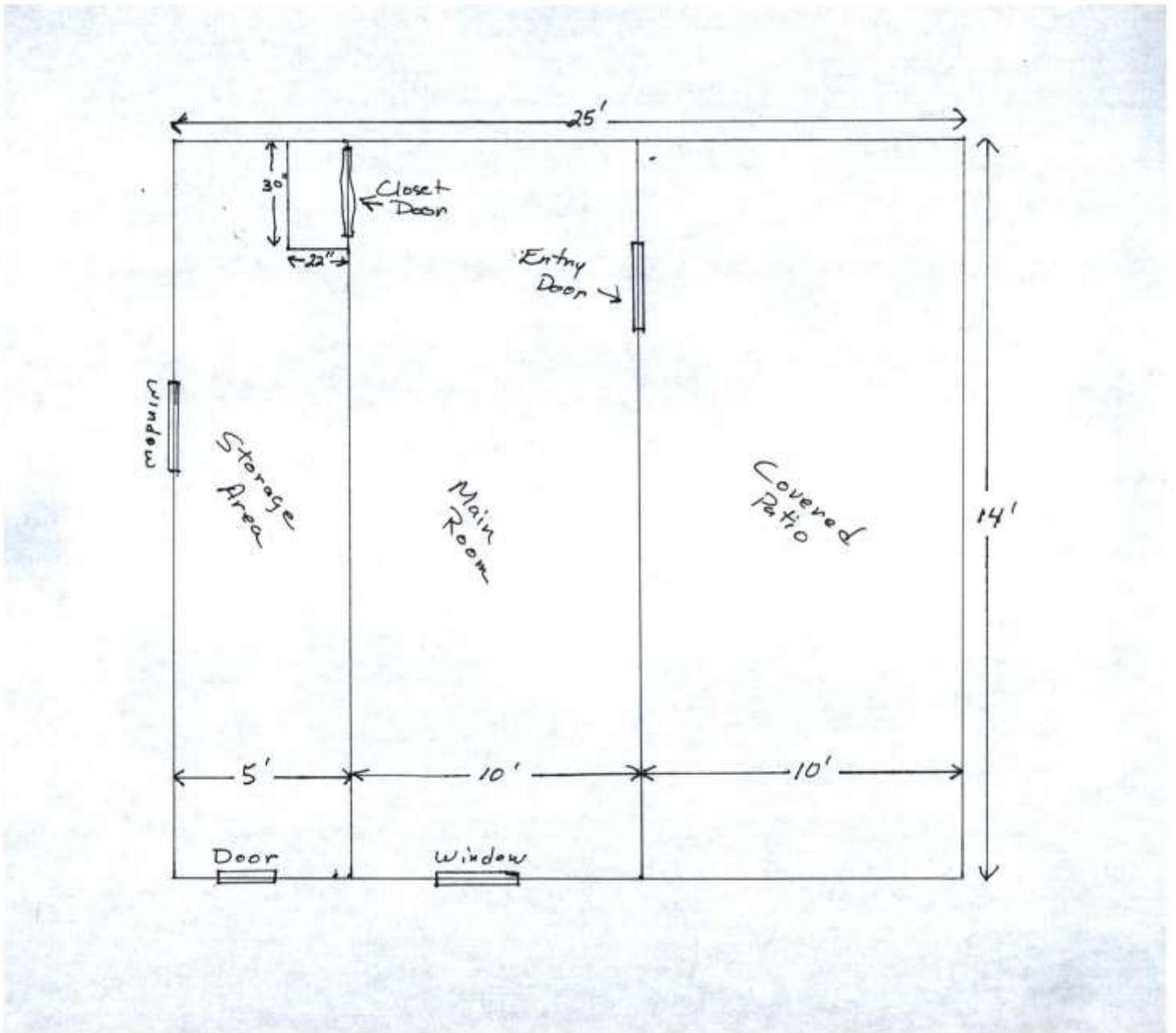
Hearing Date 8/25/20 4:00pm

Approved/Disapproved \_\_\_\_\_

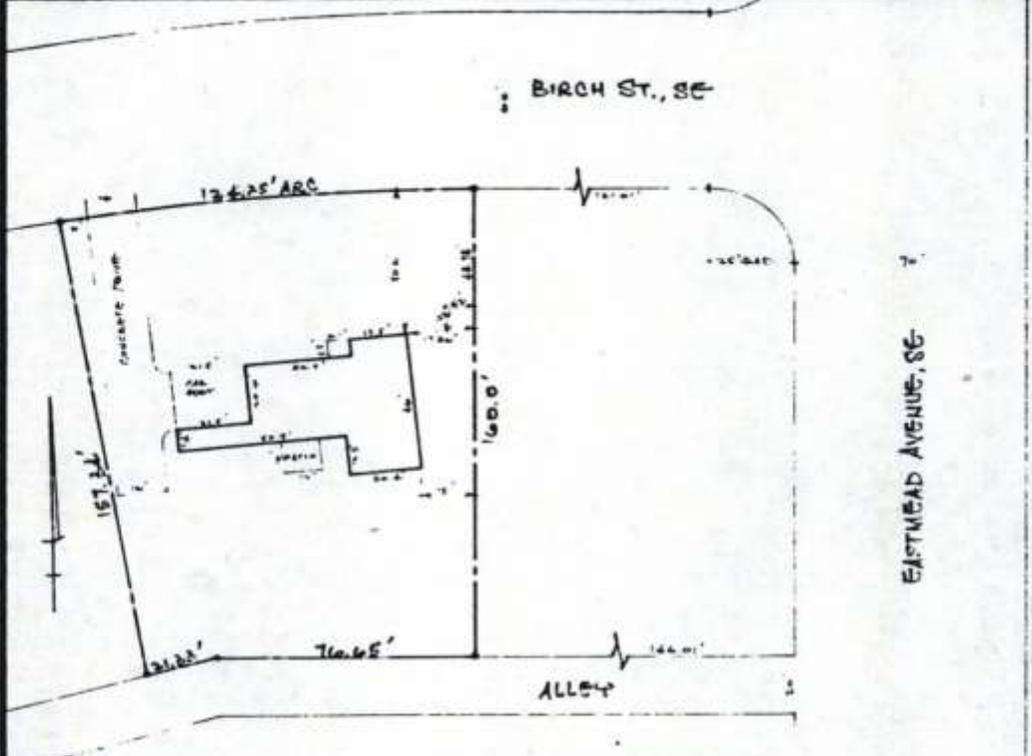
CASE NO. 13 2207 BIRCH ST SE



**DRAWING**



DRAWING



I, Darrell E. Reeser, a registered Land Surveyor of Decatur, Alabama, hereby certify that this is a true and correct map or plat of the following described property:

Lot 27 of a Re-Plat of and an Addition to Pennyacres Subdivision, Decatur, Alabama, as shown by map or plat of said addition on file and of record in Map Book 2 at Page 51 in the Office of the Judge of Probate of Morgan County, Alabama; situated, lying and being in the City of Decatur, Morgan County, State of Alabama;

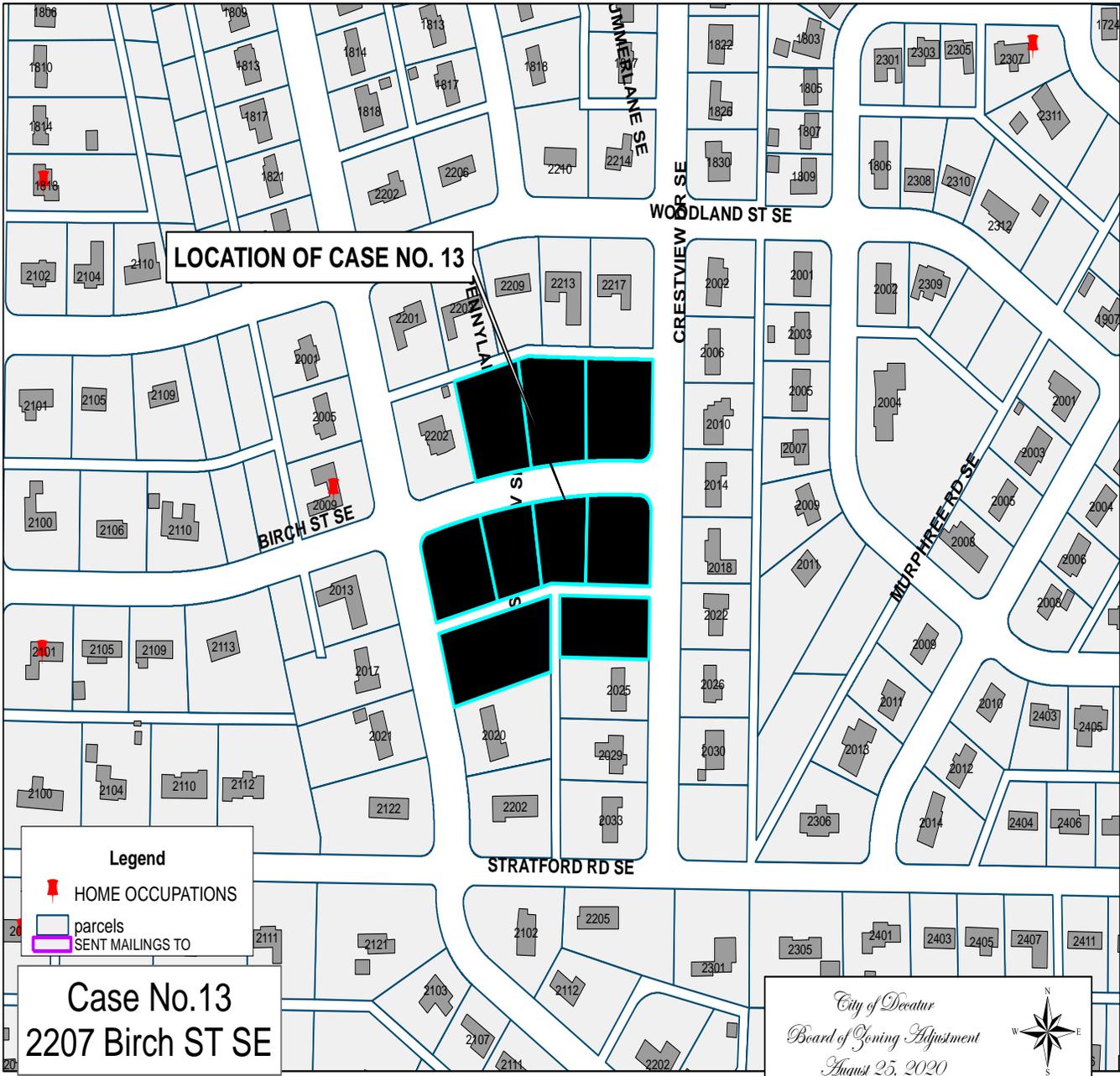
that except as shown on the above plat, the buildings now erected on said property are within the boundaries of same; that there are no rights-of-way, easements or joint driveways over or across said land visible on the surface; that there are no electric or telephone wires (excluding wires which serve the premises only), or structures or supports therefor, including poles, anchors and guy wires, on or over said premises, except as shown; that I have examined the FIA Flood Insurance Rate Maps dated September 5, 1979, and found that the above described property is not in a Zone A special flood hazard area; and that the correct street address is 2207 Birch Street, SE, Decatur, Alabama;

According to my survey, this the 26th day of October, 1983.

*Darrell E. Reeser*  
 Darrell E. Reeser, Registered Professional Land Surveyor  
 No. 72156 Reg. #12158

According to my re-survey, this the 20th day of March, 1984.  
*Darrell E. Reeser*  
 Darrell E. Reeser, Reg # 72156





14



City Hall, Council Chamber 402 Lee St NE @ 4:00PM

### Board of Zoning Adjustment

APPLICANT: KELLY ROHACEK, NATASHA & DILLON ENNEVOR  
 MAILING ADDR: 1523 SOMERVILLE RD SE.  
 CITY, STATE, ZIP: DECATUR, AL. 35601  
 PHONE: 256-457-9689

PROPERTY OWNER: KELLY ROHACEK / NATASHA & DILLON ENNEVOR  
 OWNER ADDR: 4860 INDIAN HILLS ROAD  
 CITY, STATE, ZIP: DECATUR, AL. 35601  
 PHONE: 256-457-9689

ADDRESS FOR APPEAL: 4860 INDIAN HILLS ROAD DECATUR 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

**\*\*\*\*\*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)

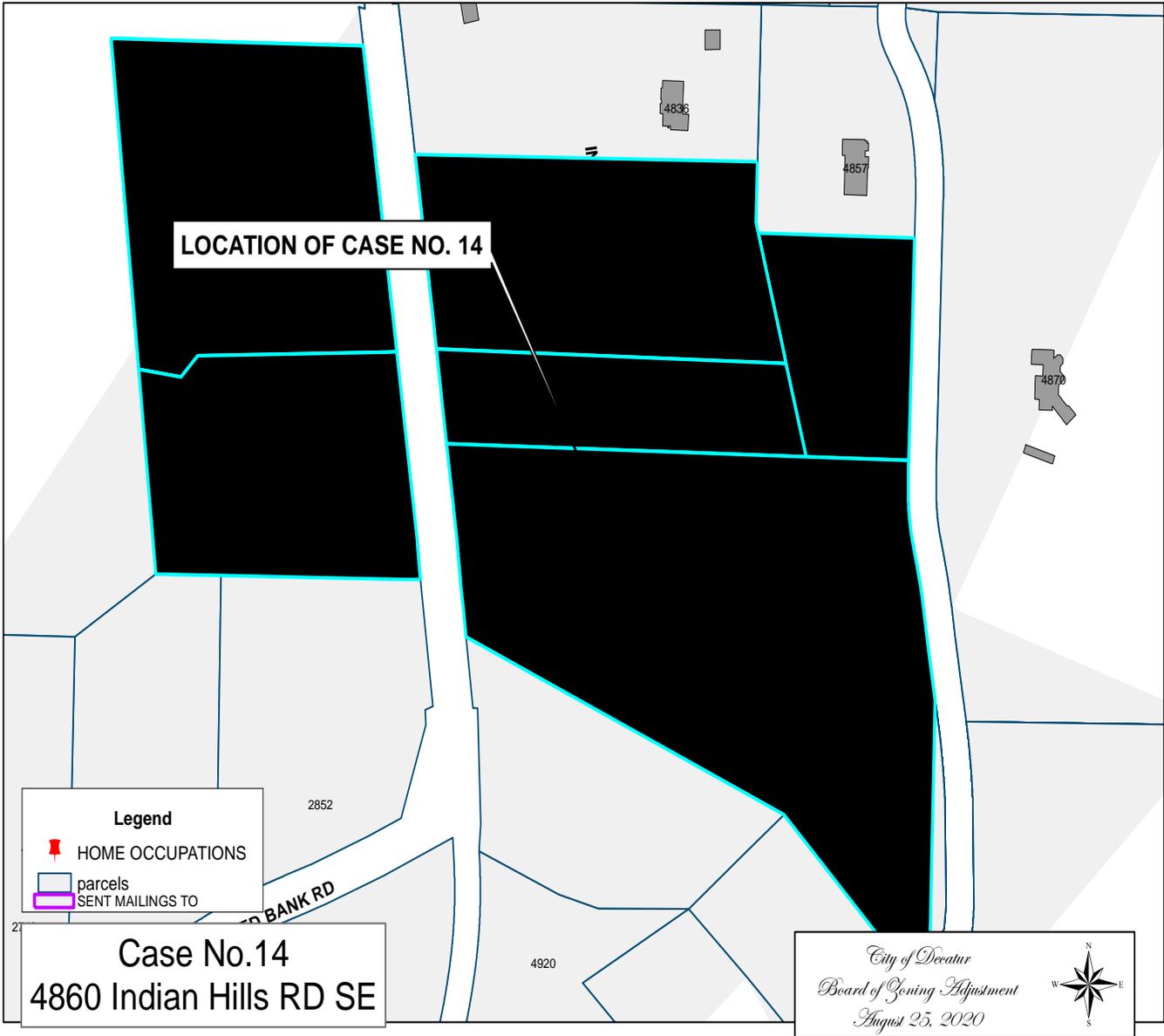
HOME HAS FRONT FACING WALK OUT BASEMENT. DECATUR INSPECTIONS IS COUNTING BASEMENT FLOOR AS 1ST LEVEL ILO FIRST FLOOR MAIN LEVEL MAKING THE HOME EXCEED HIGHT RESTRICTIONS FOR DECATUR. BASEMENT CANNOT FACE BACK OF HOME DUE TO LOT SLOPING FORWARD. HOME IS APROX 400+ FEET FROM MAIN ROAD. APPLYING FOR 6' VARIANCE ON HIGHT.

Applicant Name (print) KELLY ROHACEK  
 Signature Kelly Rohacek  
 Representative Name (print) JEFFREY TOM. AHP.  
 Signature Jeffrey Tom  
 Date AUG-6-20

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

Office Use Received By [Signature]  
 Zone AG-1  
 Hearing Date Aug 25, 2020  
 Approved/Disapproved \_\_\_\_\_





15



Board of Zoning Adjustment

APPLICANT: Eleanor Bailey  
 MAILING ADDR: 214 Robinson St  
 CITY, STATE, ZIP: Decatur, AL 35601  
 PHONE: 256-353-7763

PROPERTY OWNER: Eleanor Bailey  
 OWNER ADDR: 214 Robra  
 CITY, STATE, ZIP: Decatur Ala PHONE: 256-353-7763

ADDRESS FOR APPEAL: 214 Robinson St.

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)

BUILDING CARPORT ON DRIVEWAY  
ITS AN ACCESORRY IN FRONT OF  
HOUSE

Applicant Name (print) ELEANOR BAILEY  
 Signature Eleanor Bailey  
 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 August 25, 2020  
 Approved/Disapproved \_\_\_\_\_

LOT GRADING  
TYPE "A"



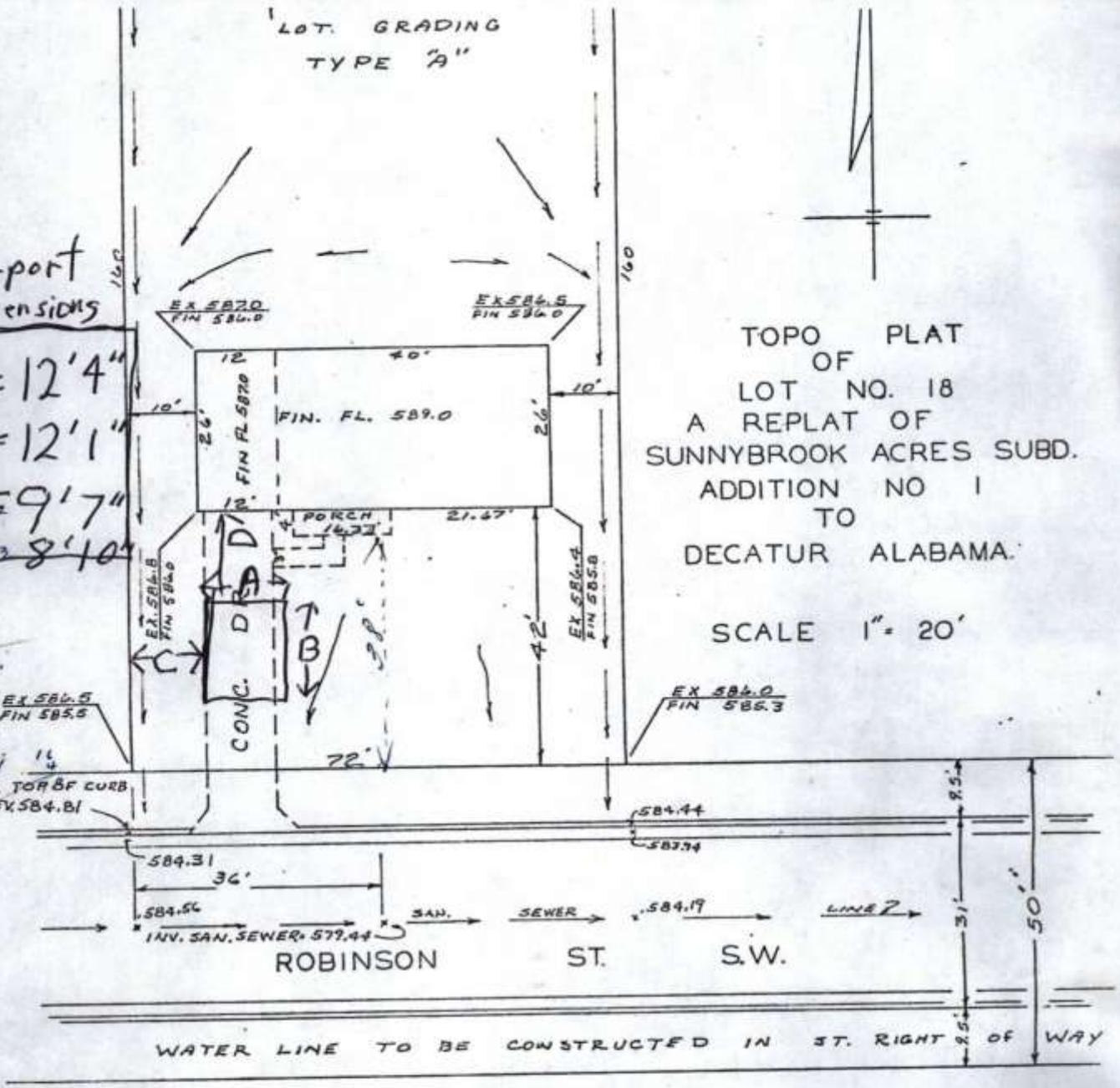
carport  
Dimensions

A = 12' 4"  
B = 12' 1"  
C = 9' 7"  
D = 8' 10"

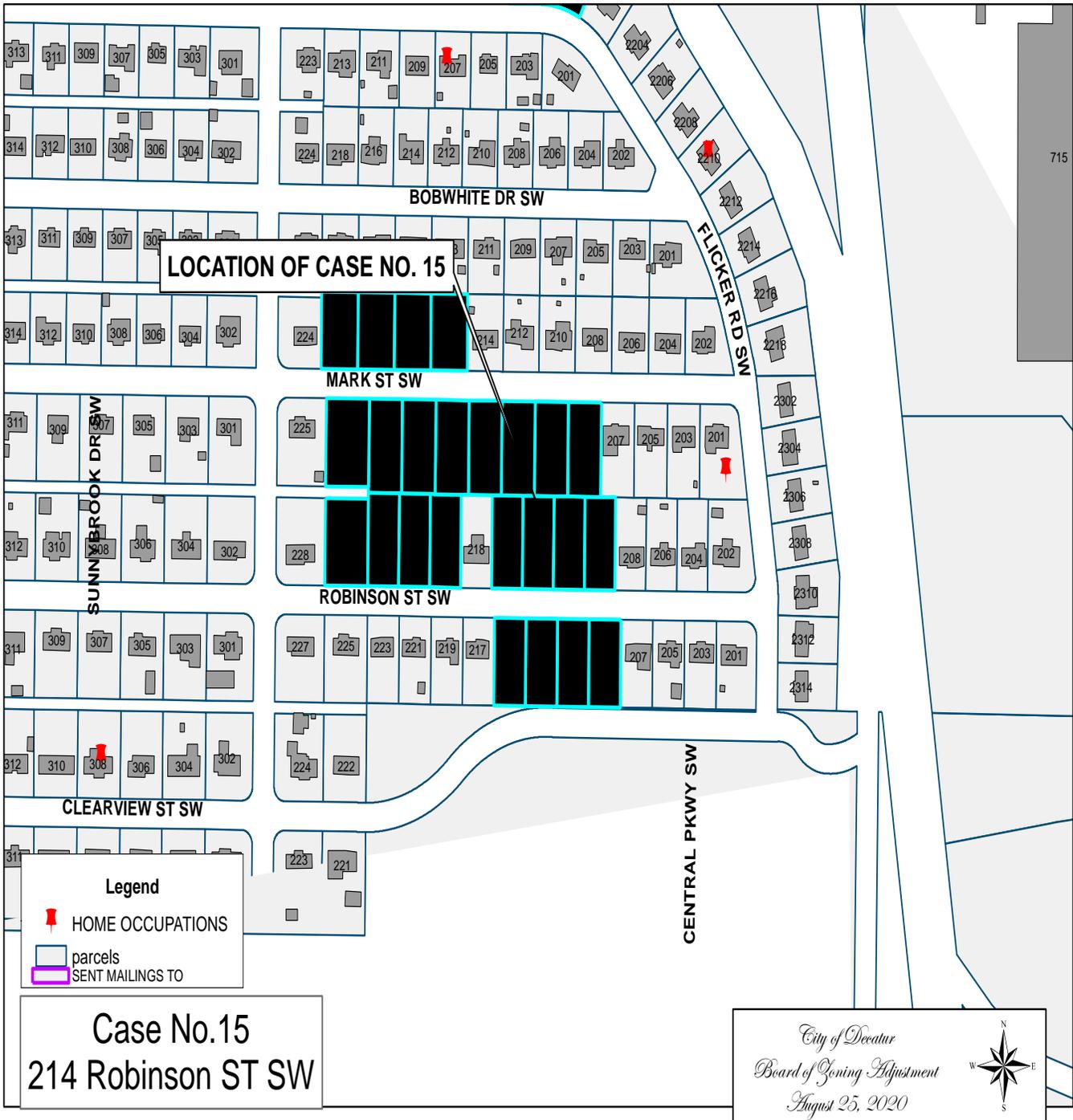
27  
17  
33  
22  
6  
EX 584.5  
FIN 585.5  
32  
38  
75  
14  
18 IN. TORR BF CURB  
ELEV. 584.81

TOPO PLAT  
OF  
LOT NO. 18  
A REPLAT OF  
SUNNYBROOK ACRES SUBD.  
ADDITION NO 1  
TO  
DECATUR ALABAMA.

SCALE 1" = 20'



Handwritten notes: 1/5-1/30/52, 1/6-5/30/52



16



THE CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Gray Hughes  
 MAILING ADDR: 1409 FAIRWAY DR. SE  
 CITY STATE ZIP: DECATUR, AL 35601  
 PHONE: (256) 318-4436

PROPERTY OWNER: SAME Gray Hughes  
 OWNER ADDR: 1409 Fairway Dr. SE  
 CITY STATE ZIP: Decatur, AL 35601  
 OWNER PHONE: 256 318 4436

ADDRESS FOR APPEAL: 1409 Fairway Dr. SE

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

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

DESCRIBE APPEAL IN DETAIL: (INCLUDE DIMENSIONS, # FT FOR VARIANCES, # FOR PARKING, HARDSHIP, TYPE OF BUSINESS)  
See attached 10 foot 6 in sideyard setback  
for an attached garage

Applicant Name (print) GRAY HUGHES  
 Signature [Signature]  
 Representative Name (print) FRESH WEIGHT MANAGEMENT  
 Signature [Signature]  
 Date 8/10/20

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

Office Use  
 Received By [Signature]  
 Zone R-1  
 Hearing Date 8.25.2020  
 Approved/Disapproved

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

Variance Request – 1409 Fairway Drive, SE

We are requesting a variance of 10'-6" to the side yard setback requirement for construction of a garage connected to the existing house by breezeway. We discussed deleting the breezeway in order to consider the garage an accessory structure, but are unable to place the garage in the rear of the house. The house is set back approximately 69 feet from the right-of-way allowing for a larger front yard than is required. Because of this front yard depth and the 15' wide Utility and Drainage Easement in the rear of the lot, there is too little room in the rear of the house to construct the proposed garage.

With the breezeway connection and considering the garage as an addition to the existing home, the garage could be constructed on the side of the house as shown. This would encroach into the existing 15' side setback.

By constructing the garage in the location proposed, we will be able to retain the mature tree and green space at the rear of the lot and maintain the visibility for the neighboring house to the green space behind our lots.

Because of the large front yard, large utility easement in the rear, and in an effort to maintain as much of the existing mature landscaping and green space, we request this variance to the side yard setback requirement.

Thank you for your consideration

SCALE 1" = 30'  
DRAWN BY

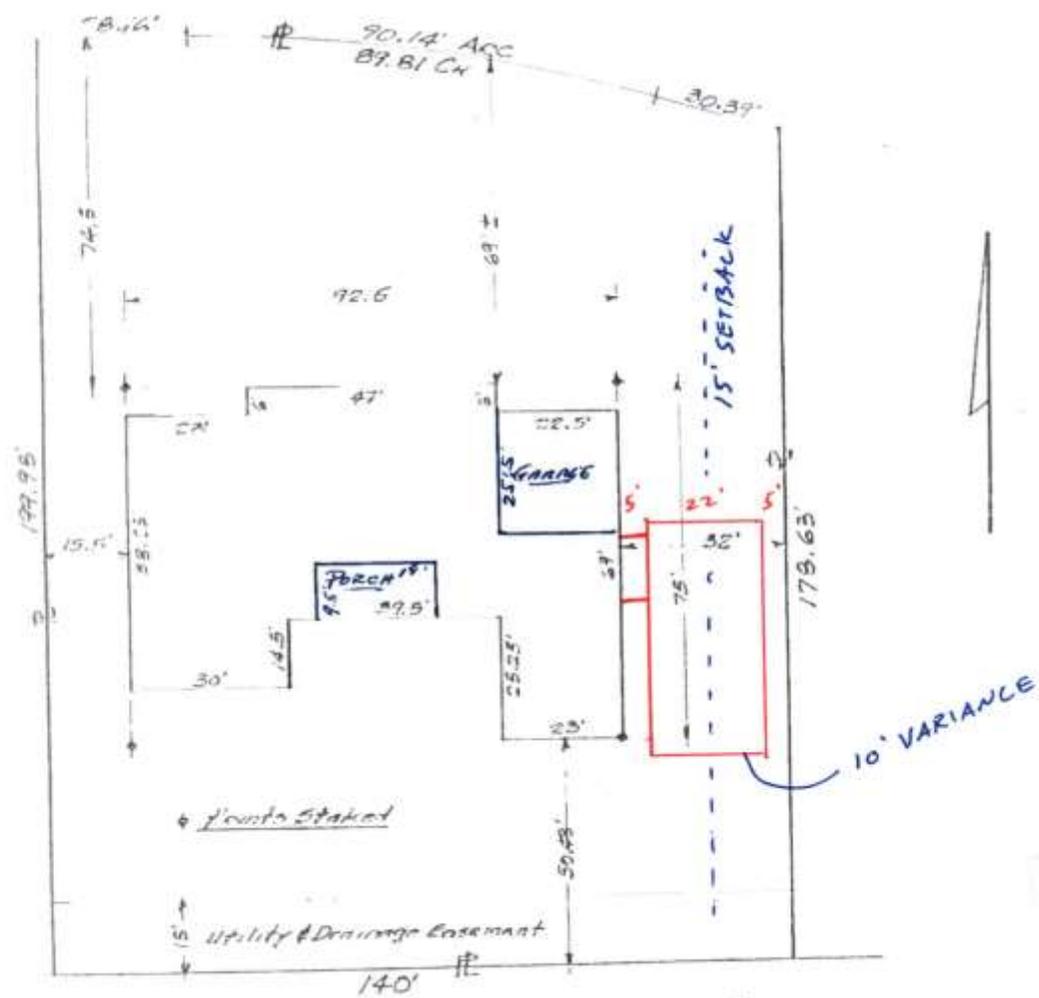
TITLE R/S STAKED PLAT 10' & 2' JUNCTION CURB RATES SURVEY

NO. 1540  
DATE



AS STAKED TO FRAME 1/2 LINE 1 & 2

FAIRWAY DRIVE S.E.



R-1 ZONING REQUIREMENTS:  
Front Yard = 40' MIN.

