

# BOARD OF ZONING ADJUSTMENT

## AGENDA

September 2020

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## MINUTES AUGUST 2020

**MEMBERS PRESENT:** Chair, Delayne Dean, Mr. Charles Taylor, 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. in the council chambers on the 1<sup>st</sup> floor at City Hall.

Mr. Bob Sims called the roll.

The Board considered the following applications and appeals.

The minutes from the July 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. ANY QUESTIONS THE PUBLIC MAY HAVE CAN BE EMAILED TO [BOZAQUESTIONS@DECATUR-AL.GOV](mailto:BOZAQUESTIONS@DECATUR-AL.GOV)

**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.

**POINT OF INFORMATION:** Chair Dean informed the audience that each case requires 4 favorable votes. Today there are only 4 Board members at today's attendance and it will take a unanimous vote from the Board for each case before for approval. The audience was asked if anyone presenting a case today would like to defer until next month when possibly 5 Board members may be in attendance, no one came forward to table their case.

### **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.

Ms. Ulonda Milam presented this case to the Board. Ms. Milam stated her address was 1212 Freemont St SW. Ms. Milam stated she would to operate an on-line business for a boutique selling clothing, jewelry and accessories.

Mr. Steven Thomas asked Ms. Milam if she would have any employees. Ms. Milam stated she would not have any employees.

Chair, Dean asked Ms. Milam about her inventory. Ms. Milam stated she would not have much to begin with however, she would rent a space if she started to have more than she could keep at her residence.

Chair, Dean reminded Ms. Milam that her advertising could not have her address listed on any advertisements, Ms. Milam understood.

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

There were no questions from the public.

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

Mr. Joseph Perez, Planning Department, had no comment.

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. 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.

Mr. David Stover presented this case to the Board. Mr. Stover stated his name was David Stover and his address was 207 Blue Bird Lane SW. Mr. Stover stated he would like to obtain a business license for a lawn mowing service.

Chair, Dean asked Mr. Stover where he would be keeping his equipment. Mr. Stover stated he would keep all of his equipment on Hillwood Rd. at a relative's house.

Mr. Charles Taylor verified that Mr. Stover understood about advertising, Mr. Stover understood.

Mr. Charles Taylor asked Mr. Stover if he had any employees, Mr. Stover stated he did not have any employees.

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

There were no comments from the public.

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

Mr. Joseph Perez, 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. 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.

Ms. Exayani Garcia presented this case to the Board. Ms. Garcia stated her name was Exayani Manuel Garcia and her address was 2935 McDonald Dr. SW. Ms. Garcia stated she would like to have an on-line boutique selling clothing and accessories. Ms. Garcia stated she would be buying and selling wholesale.

Chair, Dean stated any questions could be emailed to [BOZAQUESTIONS@DECATUR-AL.GOV](mailto:BOZAQUESTIONS@DECATUR-AL.GOV).

Chair, Dean verified that Ms. Garcia understood the rules if she were to obtain employees and the rules for advertising, Ms. Garcia understood.

Chair, Dean asked Ms. Garcia if the business were to grow what she would do with her inventory. Ms. Garcia stated if the business got too big she would rent a space.

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

There were no questions from the public.

Mr. Bob Sims, Building Department had no comment.

Mr. Joseph Perez, Planning Department, asked Ms. Garcia if the property owner was aware of the business, Ms. Garcia stated the property owner was aware of her business.

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. 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.

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

#### **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.

Mr. Ernesto Carbajal stated his name was Ernesto Carbajal and his address was 219 Mark St SW.

Mr. Carbajal stated he would like to start a handy man business at his home.

Chair, Dean stated the public could email questions to [BOZAQUESTIONS@DECATUR-AL.GOV](mailto:BOZAQUESTIONS@DECATUR-AL.GOV)

Chair, Dean asked if he understood the rules for advertising and employees, Mr. Carbajal stated he understood.

Chair, Dean asked Mr. Carbajal if he had any trucks or trailers and what type of equipment he had.

Mr. Carbajal stated he had normal hand tools. He has a truck and trailer. There are no markings on the truck or the trailer.

Chair, Dean explained to Mr. Carbajal he was allowed to keep tools at his home like other homeowners may have, Mr. Carbajal understood.

Chair, Dean asked for further questions from the Board.

There were no comments from the public.

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

Mr. Joseph Perez, 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. 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.

Mr. Leonardo Taylor presented this case to the Board. Mr. Taylor stated his name was Leonardo Maurice Taylor and his address was 118 Raymond St. SW. Mr. Taylor stated he would like to have a business license to operate a cleaning business.

Mr. Taylor stated he needed the license to bid on a job he currently works, as the contract is coming open for renewal.

Chair, Dean asked Mr. Taylor about the type of supplies he would be storing at his home.

Mr. Taylor stated that he does not store any supplies at his home.

Mr. Taylor stated that all of the supplies are provided by the company he currently works for therefore, all of the supplies are kept at that location.

Mr. Charles Taylor asked Mr. Taylor if he had any employees. Mr. Taylor stated he did not have any employees.

Chair, Dean reminded Mr. Taylor he was allowed to have employees but they would have to meet him on the job site, Mr. Taylor understood.

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

There were no questions from the Board.

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

Mr. Joseph Perez, 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 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.

Mrs. Wanda Clay presented this case to the Board representing Anthony Clay.

Mrs. Clay stated her name was Wanda Clay and her address was 701 Ashley Dr. SW. Mrs. Clay stated that Mr. Clay would like to use one room in the house to repair computers and do some consulting.

Chair, Dean asked Mrs. Clay to explain the consulting.

Mrs. Clay explained that the consulting would be over the telephone.

Chair, Dean asked how Mr. Clay would get the computers that are to be repaired.

Mrs. Clay replied that they would pick up the computers from the clients home.

Mr. Steven Thomas asked Mrs. Clay if there would be any advertising.

Mrs. Clay replied that advertising would be on-line through social media and word of mouth.

Chair, Dean reminded Mrs. Clay that only one room in the home could be used for the business. Mrs. Clay understood.

Chair, Dean asked for further questions from the Board.

There were no questions from the public.

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

Mr. Joseph Perez, Planning Department had no comment.

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. 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.

Ms. Rosalinda Perez presented this case to the Board. Ms. Perez stated her name was Rosalinda Perez and her address was 915 Towerview St. SW.

Ms. Perez stated she would like to use one room in her home for a roofing business.

Chair, Dean verified that Ms. Perez understood the rules and regulations for a home business. Ms. Perez understood.

Mr. Charles Taylor asked Ms. Perez if she was a roofer. Ms. Perez stated she was not that her dad was the roofer.

Mr. Steven Thomas verified that Ms. Perez understood that there could not be any employees coming to her home, Ms. Perez understood.

Chair, Dean asked Ms. Perez if her father lived at the same address as she did.

Ms. Perez stated he does not live at her address.

Mr. Chip Alexander, Legal Department, advised the Board that it was fine that her father does not live at her address as long as Ms. Perez is only doing the administrative work at her home.

Chair, Dean asked Ms. Perez if she would have any of the supplies at her house. Ms. Perez replied yes there would be some shingles at the home.

Mr. Steven Thomas verified the amount of shingles that would be left at the home. Ms. Perez replied that only a small amount of shingles would be at the home, it would be whatever was left from a previous job.

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

There were no comments from the public.

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

Mr. Joseph Perez, Planning Department, had no comment.

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. 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.

Ms. Necco Mason presented this case to the Board. Ms. Mason stated her name was Necco Mason and her address was 1213 Connor St SE.

Ms. Mason stated she would like to use one room in her home for an on-line clothing and accessory business.

Chair, Dean verified that Ms. Mason understood the rules of a home occupation, Ms. Mason understood.

Chair Dean stated that questions from the public could be emailed to [BOZAQUESTION@DECATUR-AL.GOV](mailto:BOZAQUESTION@DECATUR-AL.GOV)

Chair, Dean asked for further questions from the Board.

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. 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 virtual assistant business located at 2158 Westbury Ct. SW, property is located in a R-6 Single-Family Semi-Attached Residential Zoning District.

Ms. Christin Ekwueme presented this case to the Board. Ms. Ekwueme stated her name was Christin Ekwueme and her address was 2158 Westbury Ct SW.

Ms. Ekwueme stated she would like to get a business license to run a virtual assistant from her home.

Chair, Dean stated that the public could email any questions to [BOZAQUESTIONS@DECATUR-AL.GOV](mailto:BOZAQUESTIONS@DECATUR-AL.GOV)

Chair, Dean verified that Ms. Ekwueme understood the rules and regulations of a home occupation, Ms. Ekwueme understood.

Chair, Dean asked Ms. Ekwueme to explain what a virtual assistant job is.

Ms. Ekwueme explained that a virtual assistant provides administrative support to businesses.

Mr. Steven Thomas asked Ms. Ekwueme how she would advertise her service.

Ms. Ekwueme stated she would advertise on-line, and also through the Chamber of Commerce.

Chair, Dean that she would be strictly using the room as an office and that there would not be any inventory, Ms. Ekwueme agreed.

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

There were no questions from the public.

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

Mr. Joseph Perez 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. 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).

Mr. James Morrill presented this case to the Board. Mr. Morrill stated his name was James Morrill and his address was 2512 Quince Dr. SE. Mr. Morrill stated he would like to be able to build a new house and have it fit, make even with all of the other houses in the area and have the house face 9<sup>th</sup> St.

Chair, Dean stated any questions could be e-mailed to [BOZAQUESTIONS@DECATUR-AL.GOV](mailto:BOZAQUESTIONS@DECATUR-AL.GOV)

Chair, Dean asked Mr. Morrill if the lots had been combined. Mr. Morrill was unsure.

Mr. Travis Hensley, Surveyor, stated that they had not talked to the Planning Department about combining the lots. Mr. Steve Thomas verified that the home once built would cover both lots.

Mr. Travis Hensley stated that was correct.

Mr. Steven Thomas verified that for tax purposes the lots would have to be consolidated.

Mr. Travis Hensley replied that he had not spoken to anyone about having the lots consolidated.

Mr. Bob Sims, Building Department, stated the lots would have to be combined before construction could begin and before any permits could be sold, Mr. Morrill understood.

Mr. Charles Taylor verified that what was being asked for was to have the house fit in uniformly with the other houses on 9<sup>th</sup> ST. SE

Mr. Bob Sims, Building Department, explained that the 15 ft. side yard setback will line up with the front of the house on Somerville Rd. and the side of that house will line up with the 9<sup>th</sup> St side.

Chair, Dean asked for any further questions.

There were no questions from the public.

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

Mr. Joseph Perez, Planning Department, reiterated that the lot lines would need to be adjusted.

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

## **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.

Mr. James Morrill presented this case to the Board. Mr. Morrill stated his name was James Morrill and his address was 2512 Quince Dr. SE.

Mr. Morrill stated the old setbacks needed to be 70 ft. wide. Mr. Morrill stated that the lot he has bought has a variance of 135 ft. and in order to construct 2 homes he needs a setback variance for 70 ft. Mr. Morrill states that the purchase of this lot is contingent upon him being able to make it into 2 lots so he can build 2 new homes.

Chair, Dean asked for any questions from the Board.

Chair, Dean stated that any questions from the public could be sent to [BOZAQUESTIONS@DECATUR-AL.GOV](mailto:BOZAQUESTIONS@DECATUR-AL.GOV)

Chair, Dean verified that the lot he owns currently is in compliance but he needs the variance in order to construct the 2 new homes, Mr. Morrill agrees.

Chair, Dean asked for further questions from the Board.

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

Mr. Joseph Perez, Planning Department, reminded Mr. Morrill he would need to contact the Planning Department to bring the lots into compliance, Mr. Morrill understood.

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. 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.

Mrs. Joan Schacht presented this case to the Board. Mrs. Schacht stated her name was Joan Schacht and her address was 2207 Birch St SE.

Mrs. Schacht stated she would like to tear down an old structure in her back yard and replace it with a larger structure and add an attached patio.

Mrs. Schacht states the structure would take up the back corner of her yard. Mrs. Schacht states that the structure would sit on her property line. The neighbor's fence is 5 ft. away and she doesn't feel like it will impact her neighbor.

Chair, Dean stated that any questions can be sent to [BOZAQUESTIONS@DECATUR-AL.GOV](mailto:BOZAQUESTIONS@DECATUR-AL.GOV)

Mrs. Schacht has provided a picture which shows a space between her fence and the neighbor's fence. Mrs. Schacht's fence is on her property line. The neighbor does not have their fence on their property line.

Mr. Charles Taylor verified that the chain link fence, which belongs to Mrs. Schacht is sitting on the property line, Mrs. Schacht agrees.

Mr. Steven Thomas verifies that Mrs. Schacht is wanting build all the way up to the property line where the chain link fence is sitting, Mrs. Schacht agrees.

Mr. Steven Thomas asked if there was an easement between the property lines.

Mr. Bob Sims, Building Department stated that the survey is not showing an easement between the property lines.

Mr. Steven Thomas verifies that the new fencing would connect to the new structure, Mrs. Schacht agrees.

Mrs. Schacht agrees that any roof over hang from the new structure would be on her side of the property.

Mrs. Schacht feels that maintenance, for weeds and such that will grow behind the structure, will be harder for her if she got it all the way to the property line.

Mr. Charles Taylor asked Mrs. Schacht what is preventing her from building 5 feet off of the property line.

Mrs. Schacht stated if she built 5 feet off of the property line it would prevent her from having a bigger shed and she would not be able to have the patio.

Mr. Bob Sims, Building Department, asked Mrs. Schacht to show on the picture where the doors and windows would be facing.

Mrs. Schacht stated that the doors and windows would all face into her property.

Mrs. Schacht stated that the one door would be facing her garden and another door will be facing her house.

Mrs. Schacht stated that none of the windows or door would face the neighbor. Mrs. Schacht stated she didn't have to put the window in if that would help.

Mr. Bob Sims, Building Department, told Mrs. Schacht that one of the limitations she will have building directly onto the property line, because this is a construction, is not necessarily the zoning but once you get as close as 5 feet inside of 5 feet either way to the property line you'll have to have firewalls. Special construction requirement would be needed because the construction would be closer than 5 feet to the property line so the window may not be able to be there.

Mrs. Schacht understood that the window may not be able to be there.

Mr. Sims advised Mrs. Schacht that if she would move the structure back 5 feet she would not have any issues, Mrs. Schacht understood.

Mr. Bob Sims, Building Department, asked Mrs. Schacht if the builder had spoken with anyone from the Building Department about the build. Mrs. Schacht said no she was trying to get the variance first.

Mr. Bob Sims, Building Department, advised Mrs. Schacht it would be best to talk to someone in the Building Department to know exactly what is going to be involved with the construction of the structure.

Mr. Charles Taylor asked the question again of why the structure can't be built 5 feet off of the property line.

Mrs. Schacht stated that she has an extensive flower garden that has been worked on for years and she was wanting to keep that intact and the area she is trying to use is wasted space.

Mr. Steven Thomas states to Mrs. Schacht that looking at the diagram she has provided shows the front portion to be 8 feet and with the pitch of the roof would be 16 feet. Mr. Thomas was afraid that was all the neighbors would see when they were in their back yards.

Mr. Steven Thomas states that he is hesitant because of the size and putting it right on the property line.

Mr. Steven Thomas reiterated that Mrs. Schacht needed to speak with the Building Department.

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

There were no comments from the public.

Mr. Bob Sims, Building Department, did not have any further comments.

Mr. Joseph Perez, Planning Department, had no comment.

Mr. Charles Taylor motioned to approve this case as submitted. There was further discussion about the variance by Mr. Steven Thomas. Mr. Steven Thomas seconded the motion. On a roll-call vote of 3-1 the motion DID NOT PASS.

#### **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.

Mr. Jeffery Tom, Project Manager of America's Home Place, presented this case to the Board. Mr. Tom stated that America's Home Place would be constructing a new home for Ms. Rohacek at 4860 Indian Hills Rd SE.

Chair, Dean stated that any questions can be sent to [BOZAQUESTIONS@DECATUR-AL.GOV](mailto:BOZAQUESTIONS@DECATUR-AL.GOV)

Chair, Dean stated that a 6ft height variance was being requested because the basement is not considered to be a basement since it opens up to the front, Mr. Tom replied that was correct.

Chair, Dean stated that the basement was not opening up to the rear of the house because of the way the lot slopes, Mr. Tom replied that was correct.

Chair, Dean asked if the other houses around were in line with the height requested. Mr. Tom stated there was no other house around except one and it is on the left side of the property.

Chair, Dean asked if the basement wasn't there the height would not be an issue, Mr. Tom agreed.

Chair Dean asked for further questions from the Board.

Mr. Steven Thomas inquired about America's Home Place.

There were no comments from the public.

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

Mr. Joseph Perez 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. 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.

Ms. Eleanor Bailey presented this case to the Board.

Ms. Bailey stated her name was Eleanor Bailey and her address was 214 Robinson St SW.

Chair, Dean stated that any questions can be sent to [BOZAQUESTIONS@DECATUR-AL.GOV](mailto:BOZAQUESTIONS@DECATUR-AL.GOV)

Ms. Bailey stated she would like to have a carport for her car.

Chair, Dean asked Ms. Bailey if the carport was already built.

Ms. Bailey stated that the carport had been started but was not completed yet.

Chair, Dean explained to Ms. Bailey that she needed to come before this Board before construction had begun on the carport.

Ms. Bailey stated she was unaware that a permit was necessary.

Mr. Charles Taylor stated to Ms. Bailey that the carport was almost 9 feet away from the house, actually 8 ft. 10 inches, Ms. Bailey agreed.

Mr. Charles Taylor stated to Ms. Bailey that if the carport had been within 5 ft of the house it would have eliminated a lot of problems.

Chair, Dean explained to Ms. Bailey that if it had been within 5 ft. of the house then it would have been considered part of the house and would eliminate the issue facing us today.

Ms. Bailey asked if it had been closer to the house would she have had a problem.

Mr. Bob Sims, Building Department told Ms. Baily that there would still be a front yard setback.

Mr. Charles Taylor said the setback for a front yard setback in an R-2 is 35 feet.

Mr. Bob Sims, Building Department, stated Ms. Bailey was asking for 8 ft. 10 in she would still need a variance just not for an accessory structure in the front yard.

Mr. Charles Taylor asked the distance from the front of the carport to the street.

Chair, Dean states 17 ft.

Mr. Bob Sims, Building Department agrees.

Mr. Charles Taylor commented if the carport was connected to the house a significant setback variance would still be required.

Mr. Bob Sims, Building Department, agreed.

Mr. Bob Sims, Building Department, pulled up a picture of 214 Robinson St SW and asked Ms. Bailey if that was her house. Ms. Bailey stated yes it was her house.

The Google Maps is not showing any other front yard structures at the time these photos were taken approximately in 2013.

Mr. Charles Taylor mentions that there is a metal carport that has been put up located across the street.

Mr. Bob Sims, Building Department feels like that one was not permitted either.

Mr. Steven Thomas asked Ms. Bailey if her structure was metal. Ms. Bailey replied that hers is not metal.

Mr. Charles Taylor asked Ms. Bailey if she hired a contractor to construct this structure.

Ms. Bailey replied her son has built the carport.

Mr. Charles Taylor stated he thinks a contractor would have purchased a permit before starting to build the carport.

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

There were no comments from the public.

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

Mr. Joseph Perez, Planning Department, had no comments.

Mr. Steven Thomas motioned to approve this case as submitted. Mr. Collis Stevenson seconded the motion. On a roll-call vote the motion DID NOT PASS with a 2-2 vote. The existing structure is to be torn down.

## 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.

Mr. Blake McAnally of Pugh, Wright, McAnally presented this case to the Board. Mr. McAnally stated his name is Blake McAnally and his address is 310 8<sup>th</sup> Avenue NE.

Mr. McAnally stated he was representing Mr. Gray Hughes the property owner at 1409 Fairway Dr. SE. and that Mr. Hughes was also there today.

Mr. McAnally stated they were requesting a side yard setback variance. Mr. McAnally stated that Mr. Hughes was renovating the property and wanting to enclose the existing garage and build a new garage.

Mr. McAnally stated he has spoken with the Building Department and the options of building a detached garage and moving it to the back of the property, and also looked at the option of doing an attached garage with a setback variance.

Mr. McAnally stated there were several hardships on the property.

One of the problems being it is an R-1 lot with a 45 foot front yard setback but, the houses along that lot are setback anywhere from 50 to 70 feet and this home is setback 70 ft. from the front line.

Also, on the back of the property there is a 15 ft. utility easement for drainage which collects water from the adjacent properties and from the homes along this street.

Mr. McAnally stated that to be able to go into the back yard, with a 15 ft. easement in the ditch and the house being pushed so far back, there's not any room to get a garage in because of being confined by those dimensions.

Mr. McAnally also states that pushing the garage to the back of the house would block the sight lines for the homes that are behind him and a lot of greenspace would be taken up.

Mr. McAnally is asking for an option to build a garage with an attached breezeway to the house.

Mr. McAnally stated that in doing this the 15 foot side yard setback is a factor.

Mr. McAnally stated that to be able to put a two-car garage in with a minimum width the request is for a variance of 10.5 feet in the 15 foot setback for the garage.

Chair Dean, stated that any questions from the public could be sent to [BOZAQUESTION@DECATUR-AL.GOV](mailto:BOZAQUESTION@DECATUR-AL.GOV).

Chair, Dean asked for any questions from the Board.

Chair, Dean asked how the garage would be accessed.

Mr. McAnally showed a plan of the house with the driveway being accessed from the left side of the house along with a front entry in the back half of the house.

Mr. Hughes showed a picture from his tablet showing how the landscaping buffers will look.

Mr. Charles Taylor stated the adjacent property owner did receive a copy of this request and asked if there had been any communications with them.

Mr. Hughes stated that he has talked to Mr. Jeremy Jones, the property owner next door.

Mr. McAnally stated that it would be the vision from Mr. Jones' back yard.

Mr. McAnally stated that the property is now the Cook property and used to be the golf course and he would be cutting off the view if he went in the back so that was why they are trying to pull in front, so as not to cut off that view of the old golf course for all of the neighbors.

Chair, Dean asked if the new structure would be even with what is now the back.

Mr. McAnally stated it was in the back half but, not quite even.

Chair, Dean asked about the amount a footage that was being added.

Mr. McAnally showed her the plans which showed about 5 feet being added.

Chair, Dean asked if the new structure was going to jut out.

Mr. McAnally stated it would not. That it would look monolithic as far as the look from the front elevation.

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

There were no comments from the public.

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. 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.

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

Meeting adjourned at 5:30 pm

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Delayne Dean, Chair

## September 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, September 29, 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 Santiago Gutierrez 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 construction business at 2330 Spring Av SW, property is located in a R-2 Single-Family Residential Zoning District.

### **CASE NO. 2**

Application and appeal of Banisha Yvette Wilkerson for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a cleaning service at 1202 Newman Av SW, property is located in a R-4 Multi-family Zoning District.

### **CASE NO. 3**

Application and appeal of Tracy Watson for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a mobile mechanic service at 309 6<sup>th</sup> Av NW, property is located in a R-3 Single-family Zoning District.

### **CASE NO. 4**

Application and appeal of Dorgas Sebastian Tomas 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 foundation repair business at 323 Monroe Dr. NW, property is located in a R-3 Single-Family Zoning District.

### **CASE NO. 5**

Application and appeal of Cynthia Elise Rinna 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 create and design homeschool journals at 2701 Dorchester Dr. SE, property is located in a PRD-6 Planned Residential Zoning District.

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

Application and appeal of Melea Hames 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 social media marketing agency located at 902 7<sup>th</sup> Av. SE, property is located in a R-3 Single-Family Residential Zoning District.

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

Application and appeal of Rick Wolf 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 repair business located at 1619 Runnymede Av SW, property is located in a R-2 Single-Family Residential Zoning District.

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

Application and appeal of Stephen Standifer 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 windshield repair business located at 809 5<sup>th</sup> Av SE, property is located in a R-4 Multi-family Residential Zoning District.

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

Application and appeal of Caroline Swope 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 historic consulting business located at 1038 Jackson St SE, property is located in a R-3H Single-Family Historical Residential Zoning District.

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

Application and appeal of Linton A. Barron 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 and wood working shop located at 3526 South Chapel Hill Rd. SW, property is located in an AG-1 Agricultural Zoning District.

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

Application and appeal of Jowanna Birgans for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a cleaning business at 106 Poplar Ct SE, property is located in a R-3 Single-Family Residential Zoning District.

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

Application and appeal of Tina Reeves 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 dental career coaching business at 1526 Fieldstone Circle SW, property is located in a R-5 Single-Family Patio Home Residential Zoning District.

**CASE NO. 13**

Application and appeal of Laddie Cannon 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 maintenance business at 1602 Brookridge Dr. SW Apt 1007, property is located R-4 Multifamily Residential Zoning Business.

**CASE NO. 14**

Application and appeal of Cahgan Jefferson 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 apparel business at 213 Robinson St SW, property is located in a R-2 Single-Family Residential Zoning District.

**CASE NO. 15**

Application and appeal of LAS Properties, LLC for a 25 foot setback variance from Section 25-12.1 (b) at 620 Wilson Street NE on the Highway 31 side, property is located in a M-2 General Industry Industrial Zoning District.

**CASE NO. 16**

Application and appeal of Austin Zimmerman for a 8 foot rear yard setback variance from Section 25-10.8 (2) (d) in order to construct a new home at 4408 Danville Rd. SW, property is located in a AG-1 Agricultural Zoning District.

**CASE NO. 17**

Application and appeal of D H Morris Development, LLC for a 22 foot rear yard setback variance from Section 25-10.9 (2) (d) in order to construct a new home at 2702 Harley Cir SW, property is located in a R-2 Single-Family Residential Zoning District.

**CASE NO. 18**

Application and appeal of Larry G. Monk for a 5 foot side yard setback variance from an approved 10/25/1994 variance that allowed 9 feet side yards for lots 1 – 93 in the Vestavia Court subdivision property is located at 900 Village Court in a R-5 Single-Family Patio Home Residential Zoning District.

①

Sept. 27, 2020 @ 4:00p.m.  
Council Chambers 1st Floor



### Board of Zoning Adjustment

APPLICANT: Santiago Gutierrez Hernandez  
 MAILING ADDR: ~~700~~ 2330 Spring ave SW  
 CITY, STATE, ZIP: Decatur AL 35603  
 PHONE: 256 466 0106

PROPERTY OWNER: Olivia Hernandez Torres  
 OWNER ADDR: 2330 Spring ave SW  
 CITY, STATE, ZIP: Decatur AL 35601 PHONE: 256 466 0106

ADDRESS FOR APPEAL: 2330 Spring ave SW Decatur AL 35601

#### NATURE OF APPEAL:

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

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

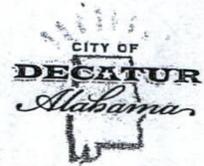
For the case to be heard\*\*\*\*\*

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

I will be using one room for paperwork and invoices for my construction business.

|  |                         |                                    |
|--|-------------------------|------------------------------------|
| Applicant Name (print) <u>Santiago Gutierrez Hernandez</u> | If applicant is using a | Office Use Received By: _____      |
| Signature <u>[Signature]</u>                               | representative for the  | Zone <u>R-2</u>                    |
| Representative Name (print) <u>Dalia Cienfuegos</u>        | request both signatures | Hearing Date <u>Sept. 29, 2020</u> |
| Signature <u>[Signature]</u>                               | are required            | Approved/Disapproved _____         |
| Date <u>8.13.2020</u>                                      |                         |                                    |

CASE NO. 1 2330 SPRING AV SW



### HOME OCCUPATION QUESTIONS

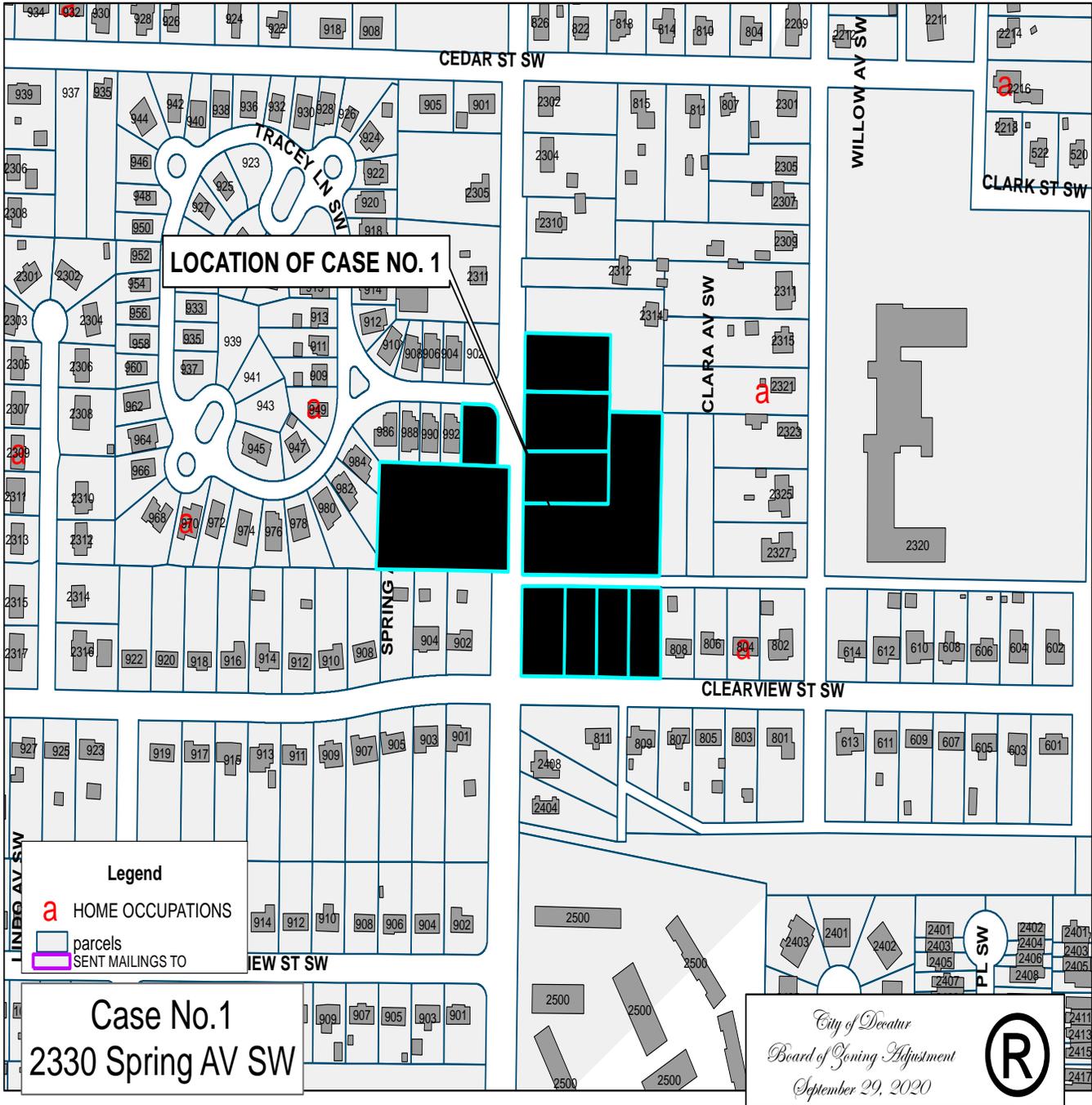
CHECK YES OR NO FOR EACH QUESTION

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

SIGNED: Santiago Gutierrez Hernandez DATE: 8.11.2020

ADDRESS: 2330 Spring Ave SW Decatur AL 35601

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



2)

Sept. 29, 2020 @ 4:00pm



A Grand City on a Charming Scale

Council Chamber 1st Floor

Board of Zoning Adjustment

APPLICANT: Banisha Yvette Milkerson  
 MAILING ADDR: 1202 Newman Ave SW  
 CITY, STATE, ZIP: Decatur, AL 35601  
 PHONE: 256 652 9685

PROPERTY OWNER: Banisha Yvette Milkerson  
 OWNER ADDR: 1202 Newman Ave SW  
 CITY, STATE, ZIP: Decatur AL 35601 PHONE: 256 652 9685

ADDRESS FOR APPEAL: 1202 Newman Ave SW Decatur, AL 35601

NATURE OF APPEAL:

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

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

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

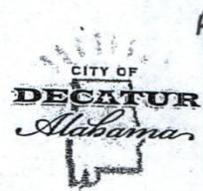
DESCRIBE APPEAL IN DETAIL: (INCLUDE DIMENSIONS, # FT FOR VARIANCES; # FOR PARKING; HARDSHIP; TYPE OF BUSINESS)

I want to use one room in my house for administrative purpose of cleaning services

Applicant Name (print) Banisha Y. Milkerson  
 Signature [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-4  
 Hearing Date Sept. 29, 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: \_\_\_\_\_

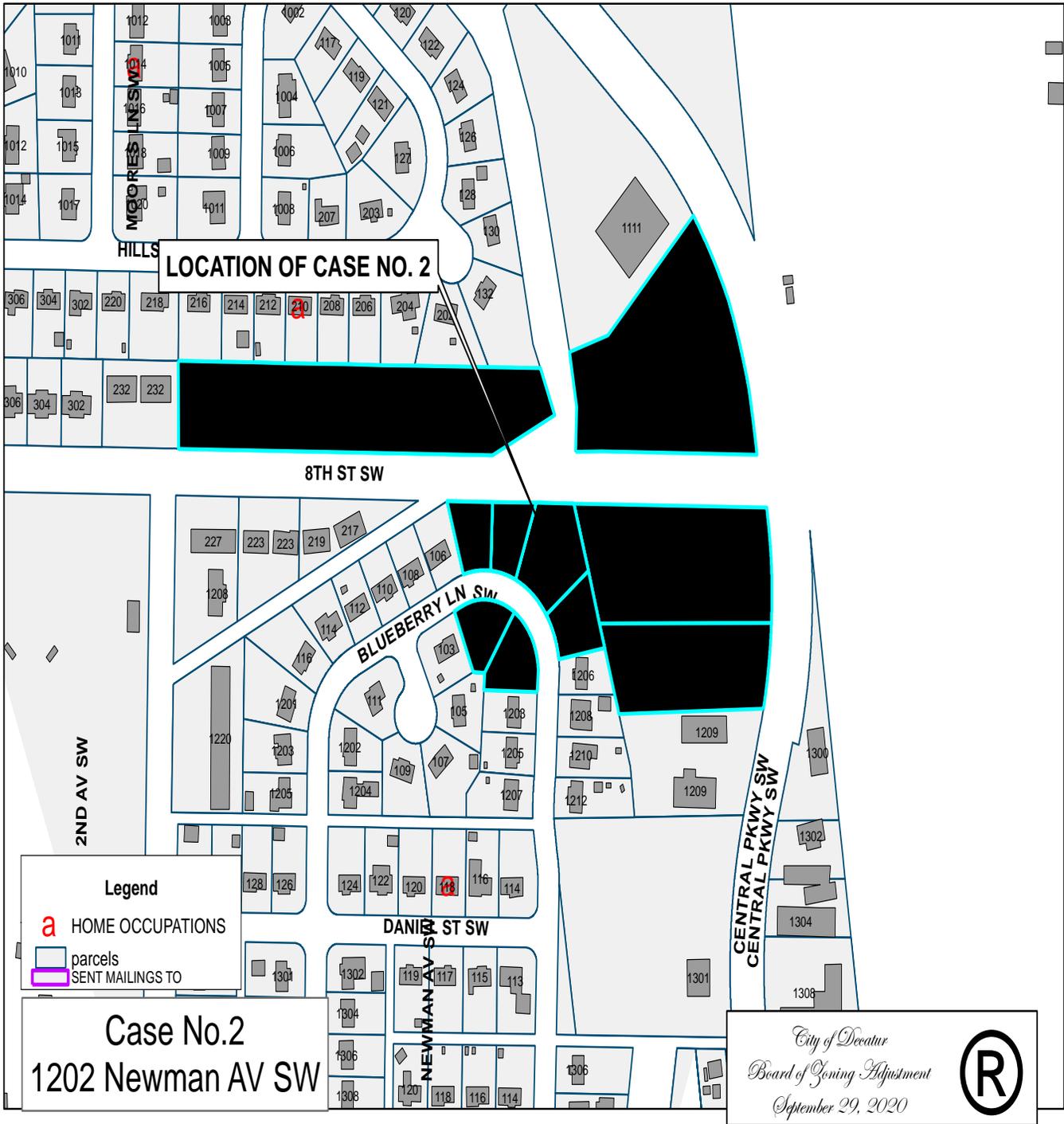
DATE: 01/17/2020

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

1202 Newman Ave SW Decatur, AL 35601

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

QUESTIONNAIRE



3

- Sept. 29, 2020 @ 4:00



CHARMING SCALE  
Council Chambers

Board of Zoning Adjustment

APPLICANT: TRACY WATSON

MAILING ADDR: 309 6TH AVE NW

CITY, STATE, ZIP: DECATUR AL 35601

PHONE: 256 565 4416

PROPERTY OWNER: TRACY WATSON

OWNER ADDR: 309 6TH AVE NW

CITY, STATE, ZIP: DECATUR AL 35601 PHONE: 256 565 4416

ADDRESS FOR APPEAL: 309 6TH AVE NW 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)

OFFICE FOR MOBILE MECHANIC SERVICE  
IN MY HOME

Applicant Name (print) TRACY WATSON

Signature [Signature]

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

Signature \_\_\_\_\_

Date 8-19-2020

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

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

Zone R-3

Hearing Date September 29

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

CASE NO. 3 309 6TH AV. NW



## HOME OCCUPATION QUESTIONS

CHECK YES OR NO FOR EACH QUESTION

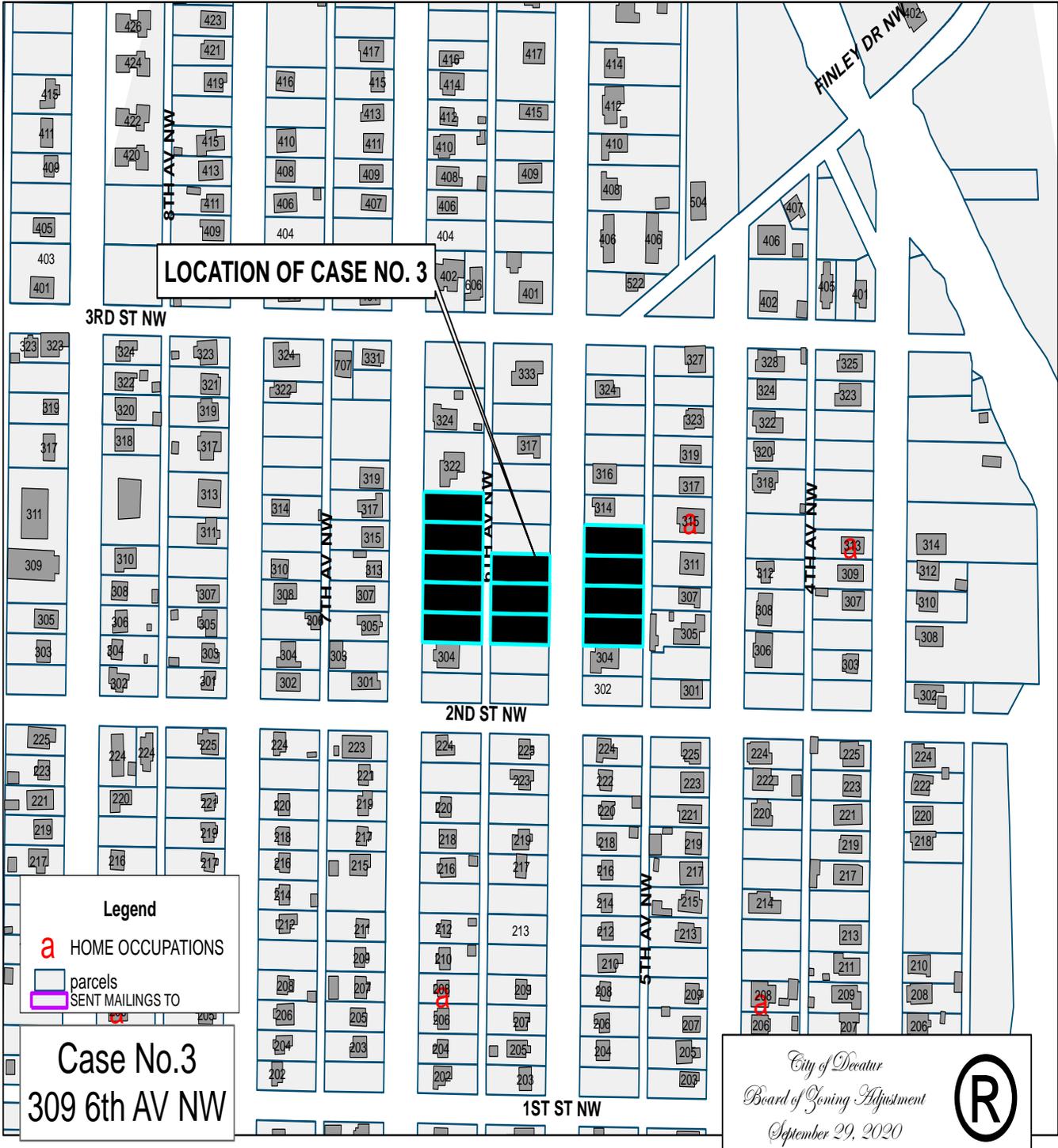
1. Is the occupation\* applied for (administrative office, making of crafts, sewing, etc.,) conducted entirely within the dwelling? YES  NO   
*\*note: This refers to only the work being done at your home.*
2. Does the occupation produce sounds, colors or other audible or visible evidence of a home occupation 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: Tyler Watson DATE: 8-19-2020

ADDRESS: 309 6TH AVE NW

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

QUESTIONNAIRE



4



Board of Zoning Adjustment

APPLICANT: Dorgas Sebastian Tomas  
 MAILING ADDR: P.O. Box 2672  
 CITY, STATE, ZIP: Decatur, AL 35602  
 PHONE: 256 476 7990

PROPERTY OWNER: Dorgas Sebastian Tomas  
 OWNER ADDR: 323 Monroe Dr. NW  
 CITY, STATE, ZIP: Decatur, AL 35601 PHONE: 256 476 7990

ADDRESS FOR APPEAL: 323 Monroe Dr. NW 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\*\*\*\*\***

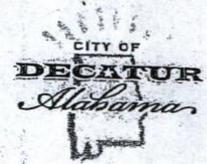
DESCRIBE APPEAL IN DETAIL: (INCLUDE DIMENSIONS, # FT FOR VARIANCES; # FOR PARKING; HARDSHIP; TYPE OF BUSINESS)

I would like to use one room of my home to use as an office for Foundation Repair business.

Applicant Name (print) Dorgas S. Tomas  
 Signature Dorgas S. Tomas  
 Representative Name (print) \_\_\_\_\_  
 Signature \_\_\_\_\_  
 Date 8/24/20

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

Office Use Received By: bd  
 Zone R-3  
 Hearing Date September 29  
 Approved/Disapproved \_\_\_\_\_



## HOME OCCUPATION QUESTIONS

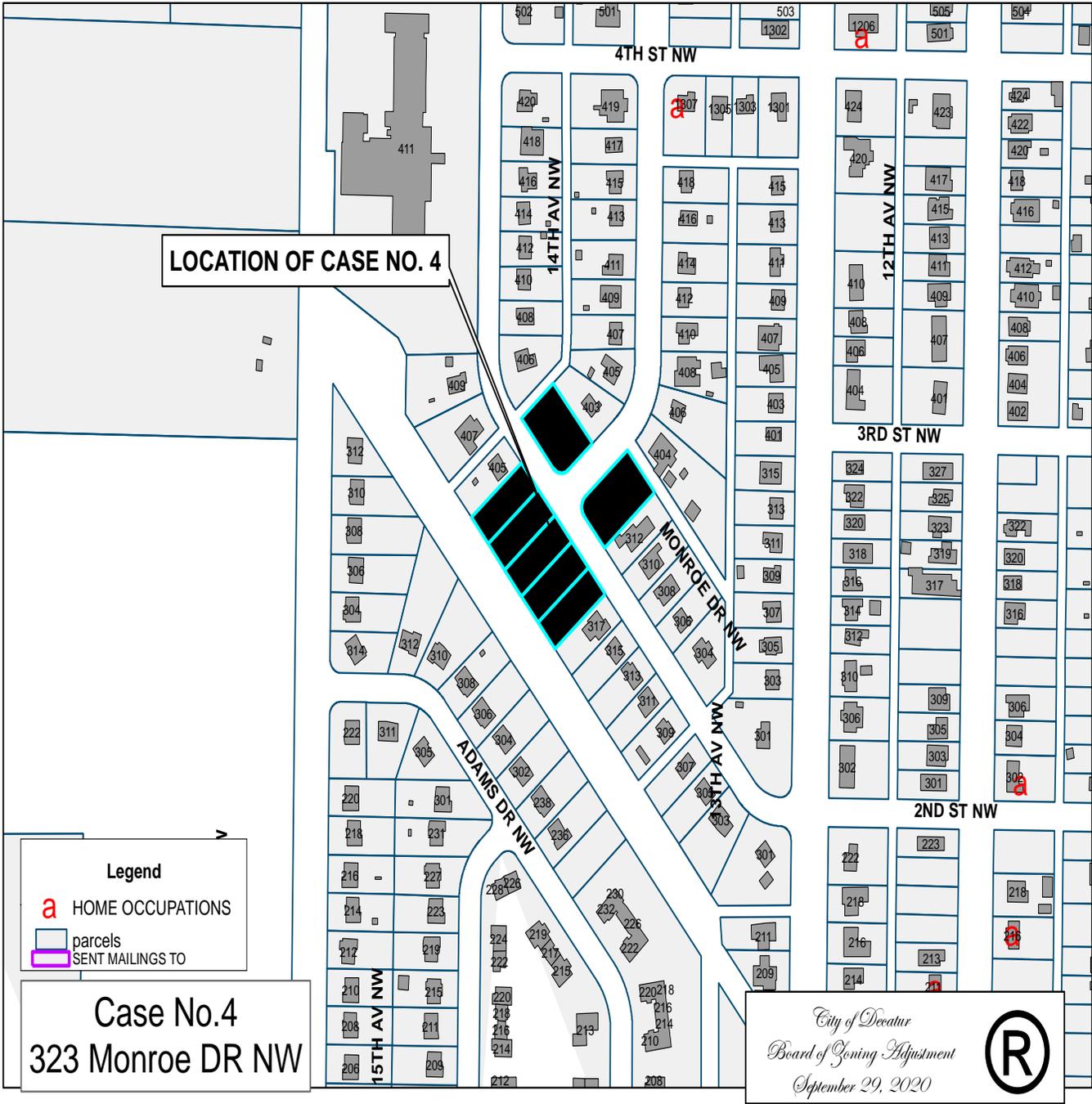
CHECK YES OR NO FOR EACH QUESTION

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: Dorcas D. Jones DATE: 8/24/20  
ADDRESS: 323 Monroe Dr. NW Decatur, AL 35601

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

QUESTIONNAIRE



LOCATION OF CASE NO. 4

**Legend**

- a HOME OCCUPATIONS
- parcels
- SENT MAILINGS TO

**Case No.4**  
**323 Monroe DR NW**

*City of Decatur*  
*Board of Zoning Adjustment*  
*September 29, 2020*



5

Sept 29, 2020



Grand City of Decatur @ 4:00 p.m

402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Cynthia Elise Pinna  
 MAILING ADDR: 2701 Dorchester Dr SE  
 CITY, STATE, ZIP: Decatur, AL 35601  
 PHONE: 256-274-3080

PROPERTY OWNER: Lee + Cynthia Pinna  
 OWNER ADDR: 2701 Dorchester Dr SE  
 CITY, STATE, ZIP: Decatur AL 35601 PHONE: 256-274-3080

ADDRESS FOR APPEAL: 2701 Dorchester Dr SE Decatur 35601

NATURE OF APPEAL:

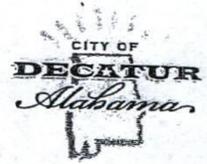
- HOME OCCUPATION
- SETBACK VARIANCE
- SIGN VARIANCE
- USE PERMITTED ON APPEAL
- APPEAL OF ADMINISTRATIVE DECISION
- OTHER
- SURVEY FOR VARIANCES ATTACHED
- DRAWINGS FOR VARIANCES ATTACHED

\*\*\*\*\*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 would like to use one room of my home to create/design homeschool products on my computer to be printed or downloaded and sold. An example product is a small nature journal.

|   |                         |                                   |
|---|-------------------------|-----------------------------------|
| Applicant Name (print) <u>Cynthia E Pinna</u> | If applicant is using a | Office Use Received By: <u>NW</u> |
| Signature <u>[Signature]</u>                  | representative for the  | Zone <u>PRD-6</u>                 |
| Representative Name (print)                   | request both signatures | Hearing Date <u>9-29-2020</u>     |
| Signature                                     | are required            | Approved/Disapproved              |
| Date <u>8.31.20</u>                           |                         |                                   |



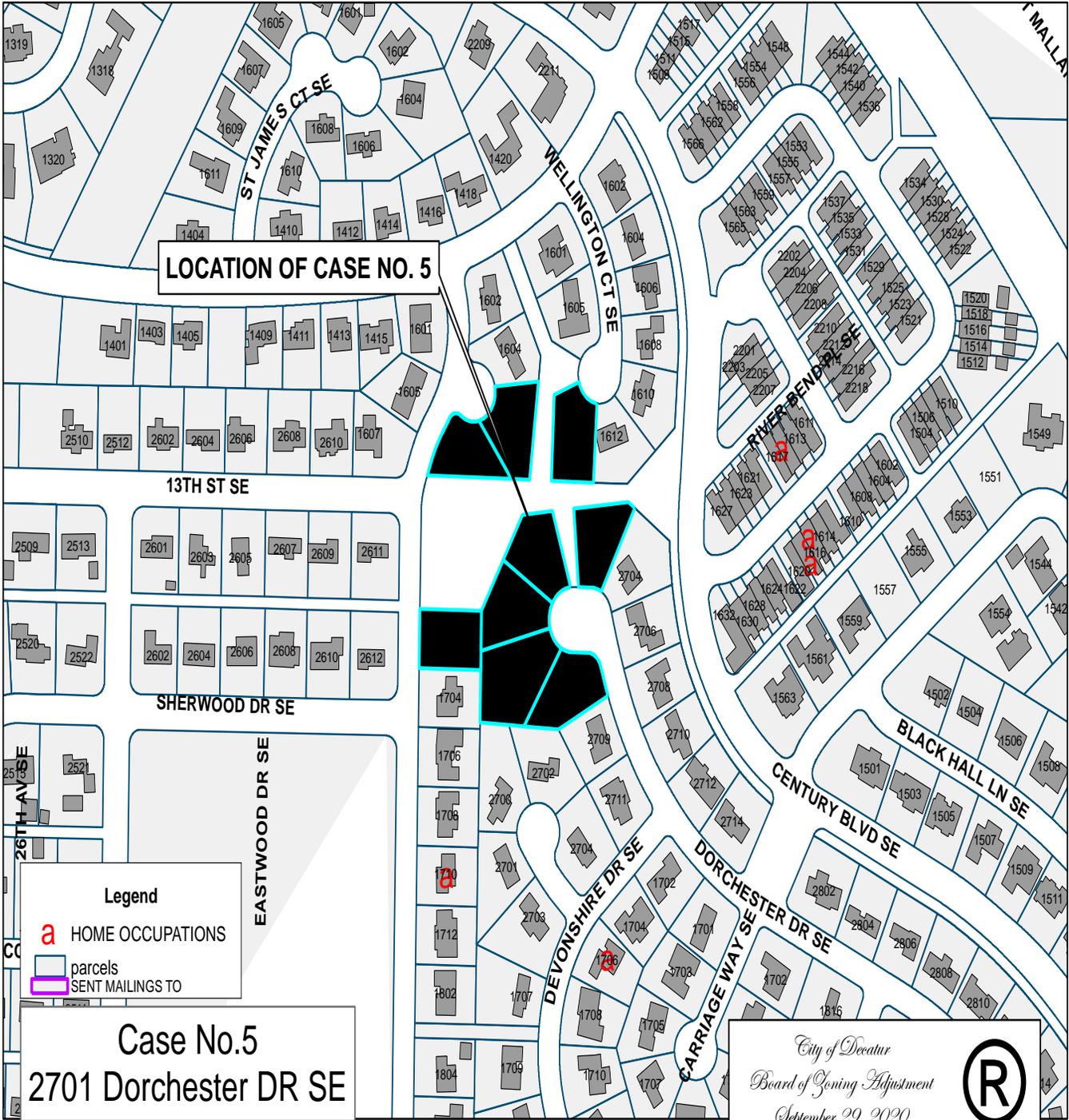
# HOME OCCUPATION QUESTIONS

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: [Signature] DATE: 8.31.20  
 ADDRESS: 2701 Dorchester Dr SE Decatur 35601

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





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

|   |  |
|---|--|
| APPLICANT NAME:   | <u>Melea Hames</u>                                   |
| MAILING ADDRESS:<br>PLEASE INCLUDE<br>CITY, STATE AND ZIP | <u>902 7th Avenue SE</u><br><u>Decatur, AL 35601</u> |
| PHONE:  | <u>256-476-4207</u>                                  |
| PROPERTY OWNER NAME:                                      | <u>Melea Hames</u>                                   |
| MAILING ADDRESS:<br>PLEASE INCLUDE<br>CITY, STATE AND ZIP | <u>902 7th Avenue SE</u><br><u>Decatur, AL 35601</u> |
| PHONE:  | <u>256-476-4207</u>                                  |

PROPERTY LOCATION/STREET ADDRESS FOR REQUEST:  
902 7th Avenue SE, Decatur, AL 35601

NATURE OF THE APPEAL:

HOME OCCUPATION       SETBACK VARIANCE       USE PERMITTED ON APPEAL

SIGN VARIANCE       APPEAL OF ADMINISTRATIVE DECISION       OTHER

DESCRIBE IN DETAIL THE REQUEST: I am creating a social media marketing agency. I will not have clients coming to my house; I will be visiting clients @ their businesses. Administrative office for my business.

|   |   |
|---|---|
| APPLICANT SIGNATURE<br><u>Melea Hames</u> | OFFICE USE ONLY<br>REVIEWED BY: <u>JW</u><br>ZONING DISTRICT: <u>R-3</u><br>HEARING DATE: <u>9.29.2020</u><br>APPROVED/DISAPPROVED: _____ |
| PRINT NAME<br><u>Melea Hames</u>          |   |
| DATE<br><u>9/13/20</u>                    |   |

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

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: Melea James DATE: 9/3/20  
ADDRESS: 902 7th Avenue SE, Decatur, AL 35601

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(256) 341-4500 • [www.DecaturAlabamaUSA.com](http://www.DecaturAlabamaUSA.com)



LOCATION OF CASE NO. 6

**Legend**  
 a HOME OCCUPATIONS  
 parcels  
 SENT MAILINGS TO

**Case No.6**  
**902 7th AV SE**

*City of Decatur*  
*Board of Zoning Adjustment*  
*September 29, 2020*



7



on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Rick Wolf  
 MAILING ADDR: 1619 Bunnymead Ave SW  
 CITY STATE ZIP: Decatur, AL 35601  
 PHONE: 256-303-0148

PROPERTY OWNER: Rick Wolf / Joni Stevens  
 OWNER ADDR: 1619 Bunnymead Ave SW  
 CITY STATE ZIP: Decatur, AL 35601  
 OWNER PHONE: 256-303-0148

ADDRESS FOR APPEAL: 1619 Bunnymead Ave 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.)

I want to use my home as an administrative office for my home repair business. Tools stored in garage

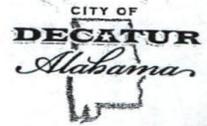
Applicant Name(print) RICK WOLF  
 Signature Rick Wolf  
 Representative Name(print) \_\_\_\_\_  
 Signature \_\_\_\_\_  
 Date 9/4/2020

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

Office Use  
 Received By Cindy  
 Zone R-2  
 Hearing Date 9/29/20 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.

CASE NO. 7 1619 RUNNYMEADE AV. SW



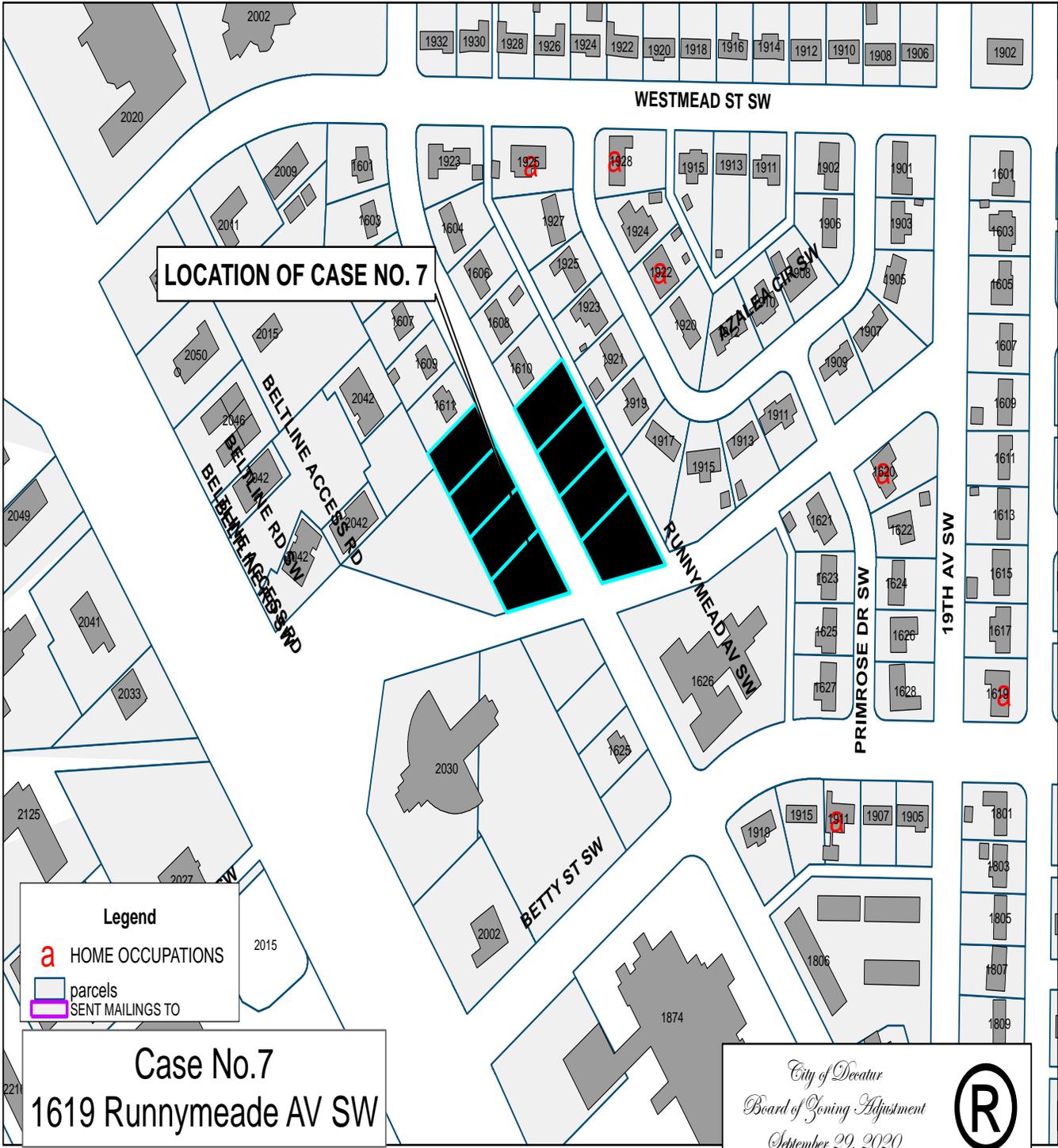
### HOME OCCUPATION QUESTIONS

CHECK YES OR NO FOR EACH QUESTION

- 1. Is the occupation\* applied for (administrative office, making of crafts, sewing, etc.,) conducted entirely within the dwelling? YES ~~X~~ NO ~~M~~  
\*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 ~~X~~
- 3. Is there advertising on the premises or your vehicles? YES \_\_ NO ~~X~~
- 4. Is more than one room within the home used for the home occupation? YES ~~M~~ NO ~~M~~ ~~X~~
- 5. Are there any explosives or highly combustible materials used or stored within the home in connection with this home occupation? YES \_\_ NO ~~X~~
- 6. Does the home occupation produce any electrical interference, smoke, dust, or noise, which may be offensive? YES \_\_ NO ~~X~~
- 7. Is there any increase in traffic connected with this home occupation? YES \_\_ NO ~~X~~
- 8. Will there be any more than one sales party at you home per quarter related to this home occupation? YES \_\_ NO ~~X~~
- 9. Will this home occupation result in increased parking demands? YES \_\_ NO ~~X~~
- 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 ~~X~~
- 11. Will there be any employees of this home occupation other than members of the family living in the home? YES \_\_ NO ~~X~~

SIGNED: Paul Wolf DATE: 9-1-20  
 ADDRESS: 1619 Bunny mead Ave SW, Decatur, AL

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8

Sept. 29, 2020 @ 4:00pm



A Grand City on a Charming Scale

Board of Zoning Adjustment

APPLICANT: Stephen Standifer  
 MAILING ADDR: 809 5th Ave SE  
 CITY, STATE, ZIP: Decatur, AL, 35601  
 PHONE: 256-345-3311

PROPERTY OWNER: Ray Dupree  
 OWNER ADDR: PO Box 2865  
 CITY, STATE, ZIP: Decatur AL 35602 PHONE: 256-527-4532

ADDRESS FOR APPEAL: 809 5th Ave SE Decatur AL 35601

NATURE OF APPEAL:

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

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

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

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

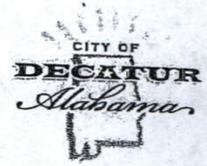
I would like to use one room in my house as an office for my windshield repair business.

Applicant Name (print) Stephen Standifer  
 Signature [Signature]  
 Representative Name (print) \_\_\_\_\_  
 Signature \_\_\_\_\_  
 Date 8/18/20

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

Office Use Received By: NW  
 Zone \_\_\_\_\_  
 Hearing Date 9.29.2020  
 Approved/Disapproved \_\_\_\_\_

CASE NO. 8 809 5<sup>TH</sup> AV. SE



## HOME OCCUPATION QUESTIONS

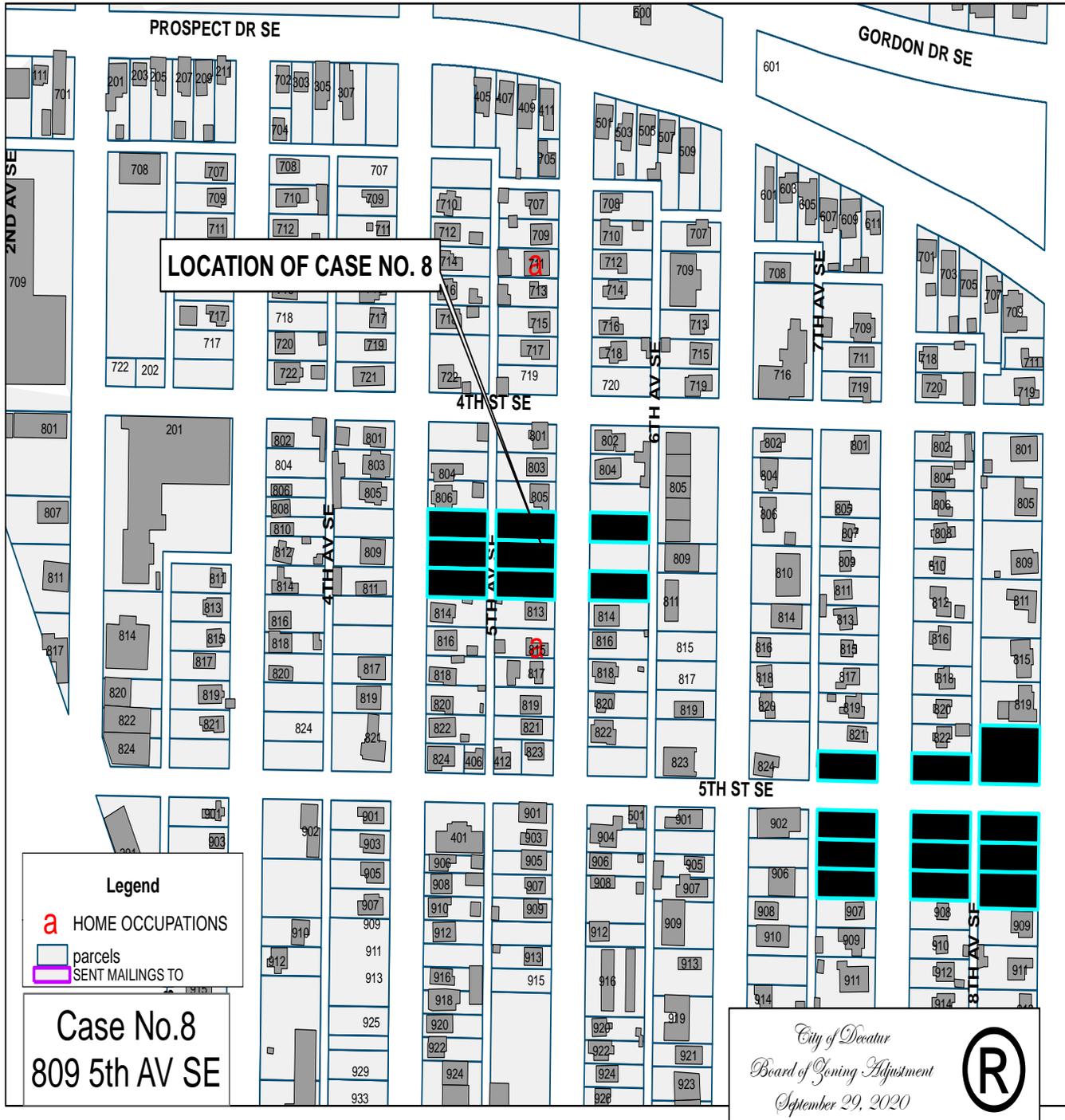
CHECK YES OR NO FOR EACH QUESTION

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

SIGNED: [Signature] DATE: 8/18/20

ADDRESS: 809 5th Ave SE Decatur AL 35601

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A Grand City on a Charming Scale

402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Caroline Swope  
 MAILING ADDR: 1038 Jackson St SE  
 CITY, STATE, ZIP: Decatur AL 35601  
 PHONE: 253-370-6984

PROPERTY OWNER: Same as above Caroline Swope c/s  
 OWNER ADDR: 1038 Jackson St SE  
 CITY, STATE, ZIP: Decatur, AL 35601 PHONE: 253-370-6984

ADDRESS FOR APPEAL: Same as above 1038 Jackson St SE c/s

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)

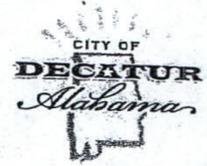
administrative office for historic consulting business  
(business meets/advises municipalities) ~~and~~  
research conducted in home office  
on computer

Applicant Name (print) Caroline Swope  
 Signature [Signature]  
 Representative Name (print) \_\_\_\_\_  
 Signature \_\_\_\_\_  
 Date Sept 9, 2020

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

Office Use Received By: lcl  
 Zone R-34  
 Hearing Date Sept 29  
 Approved/Disapproved \_\_\_\_\_

CASE NO. 9 1038 JACKSON ST. SE



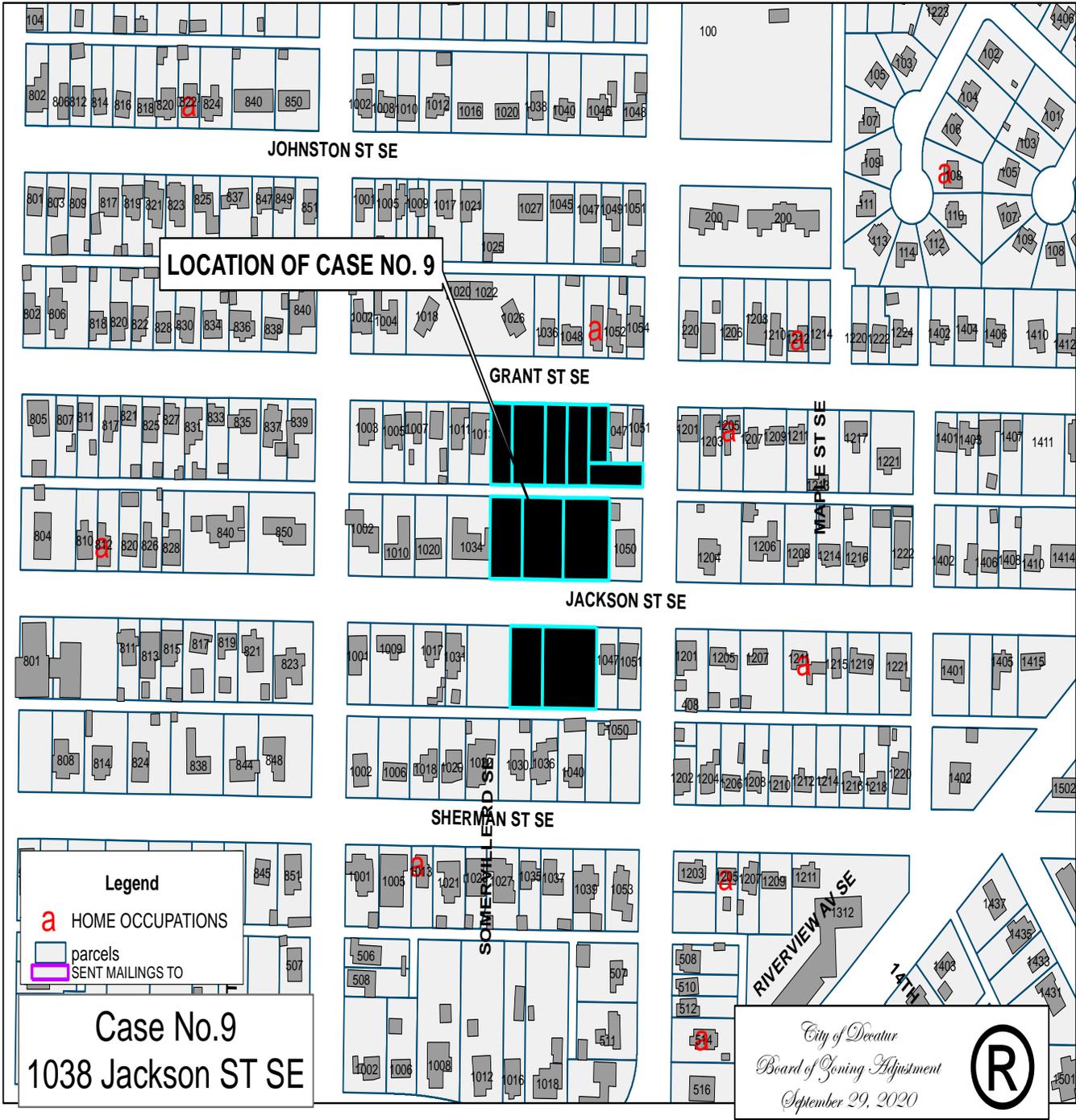
# HOME OCCUPATION QUESTIONS

CHECK YES OR NO FOR EACH QUESTION

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

SIGNED: [Signature] DATE: Sept 9, 2020  
 ADDRESS: 1038 Jackson Street SE Decatur  
35601

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10

Sept. 29, 2020 @ 4:00 p.m.  
in Council Chambers



A Grand City on a CHARMING SCALE

402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Linton A. Barron

MAILING ADDR: 3526 S. Chapel Hill Road

CITY, STATE, ZIP: Decatur, AL 35603

PHONE: 256-353-7234

PROPERTY OWNER: Linton & Doreen Barron

OWNER ADDR: 3526 S. Chapel Hill Rd

CITY, STATE, ZIP: Decatur, AL 35603 PHONE: 256-353-7234

ADDRESS FOR APPEAL: 3526 S. Chapel Hill Rd. 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 Occupation located in double garage (attached to home) for the purpose of wood turning/furniture making & administrative office.

Applicant Name (print) Linton A. Barron

Signature LINTON A. BARRON

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

Signature \_\_\_\_\_

Date Sept. 8, 2020

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

Office Use Received By: NW

Zone AG-1

Hearing Date Sept. 29, 2020

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

CASE NO. 10 3526 S. CHAPEL HILL RD. SW



## HOME OCCUPATION QUESTIONS

CHECK YES OR NO FOR EACH QUESTION

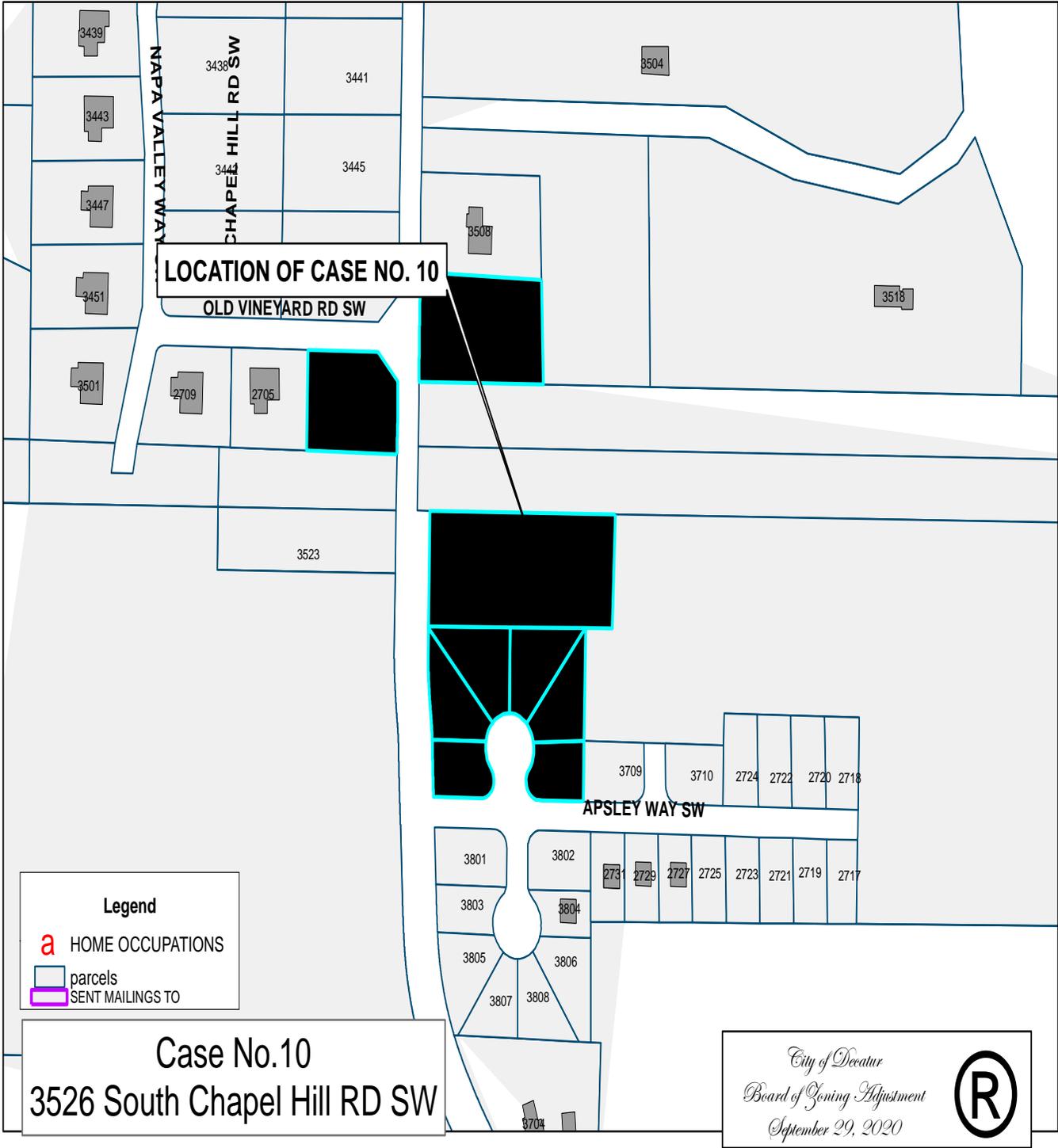
1. Is the occupation\* applied for (administrative office, making of crafts, sewing, etc.,) conducted entirely within the dwelling? YES  NO   
*\*note: This refers to only the work being done at your home.*
2. Does the occupation produce sounds, colors or other audible or visible evidence of a home occupation 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: Anton A. Barron DATE: Sept. 08, 2020

ADDRESS: 3526 S. Chapel Hill Rd. S.W. Decatur, AL 35603

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QUESTIONNAIRE



11

Sept. 29, 2020 @ 4:00pm



A Grand City on a Charming Scale  
in Council Chambers

402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Jawanna Bergans

MAILING ADDR: 106 Poplar Ct. S.E.

CITY, STATE, ZIP: Decatur AL 35601

PHONE: (256) 345-0587

PROPERTY OWNER: Carlina M<sup>o</sup> Daniels

OWNER ADDR: 12330 Main Street

CITY, STATE, ZIP: Hillsboro AL 35643 PHONE (256) 566-4035

ADDRESS FOR APPEAL: 106 Poplar Ct. S.E. 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)

J & S Best Choice Cleaning Service. Based<sup>out</sup> of the home of  
Jawanna Bergans. Admin<sup>strative</sup> Services

Applicant Name (print) Jawanna Bergans

Signature Jawanna Bergans

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

Signature \_\_\_\_\_

Date 9-9-2020

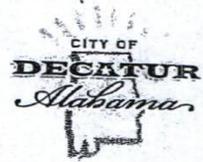
If applicant is using a  
 representative for the  
 request both signatures  
 are required

Office Use Received By: TW

Zone R-3

Hearing Date 9/29/2020

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



# HOME OCCUPATION QUESTIONS

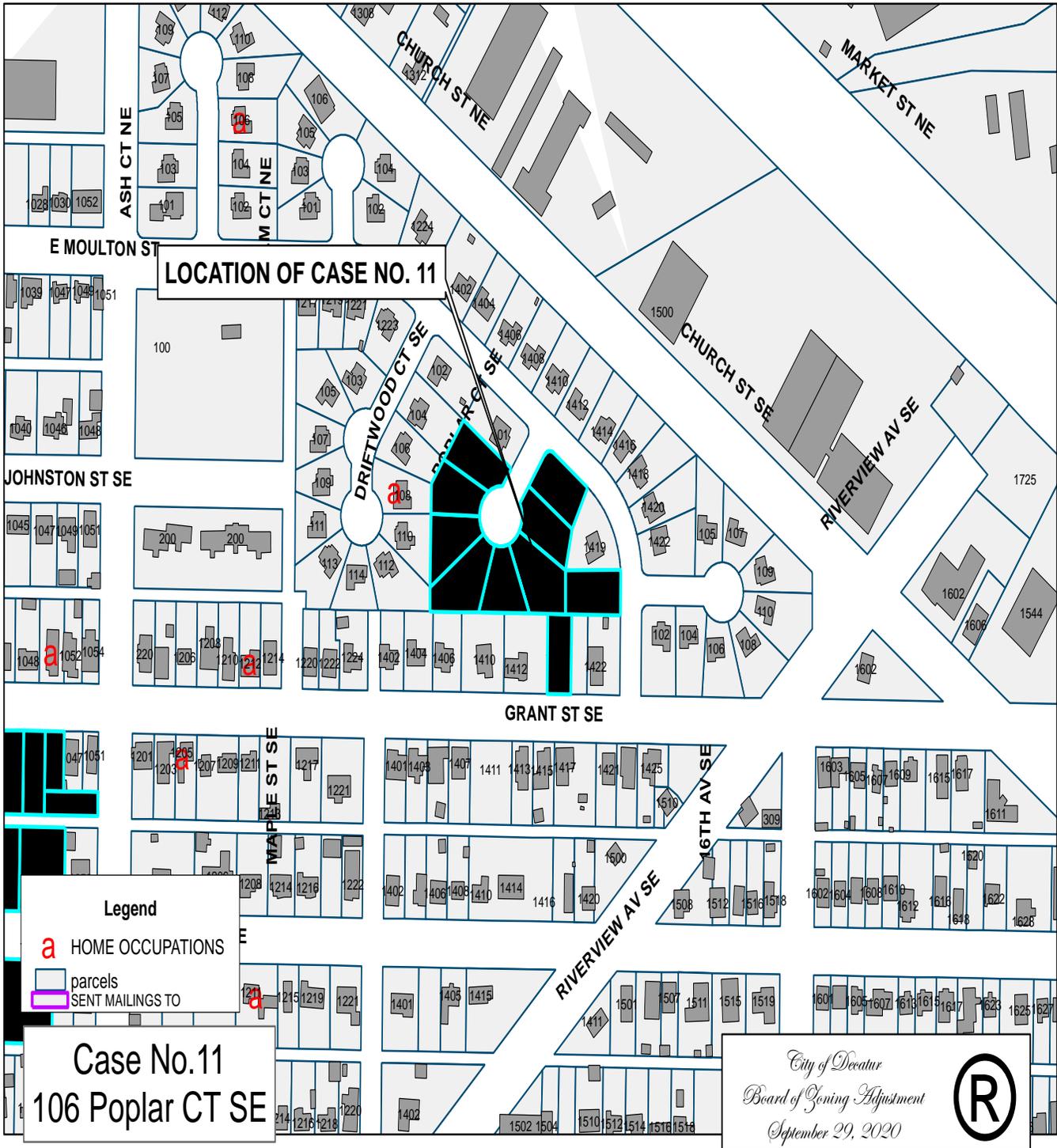
CHECK YES OR NO FOR EACH QUESTION

- 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: Jawanna Buggins DATE: 9-9-2020

ADDRESS: 106 Poplar Ct S.E. Decatur AL 35643

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LOCATION OF CASE NO. 11

**Legend**  
 a HOME OCCUPATIONS  
 parcels  
 SENT MAILINGS TO

**Case No.11**  
**106 Poplar CT SE**

*City of Decatur*  
*Board of Zoning Adjustment*  
*September 29, 2020*



13



A Grand City and CHARMING SCALE

402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Tina Reeves. ~~xxxxxx~~  
 MAILING ADDR: 1526 Fieldstone Circle  
 CITY, STATE, ZIP: Decatur AL 35603  
 PHONE: 256-303-9407

PROPERTY OWNER: Tina Reeves  
 OWNER ADDR: 1526 Fieldstone Circle  
 CITY, STATE, ZIP: Decatur, AL 35603 PHONE: 25603

ADDRESS FOR APPEAL: 1526 Fieldstone Circle 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)

Dental  
Coaching - go to them - no one in my home  
administrator office only

Applicant Name (print) Tina Reeves  
 Signature Tina Reeves  
 Representative Name (print) \_\_\_\_\_  
 Signature \_\_\_\_\_  
 Date 9/10/2020

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

Office Use Received By Cid  
 Zone R-5  
 Hearing Date 9/29/2020  
 Approved/Disapproved \_\_\_\_\_  
4:10 PM.



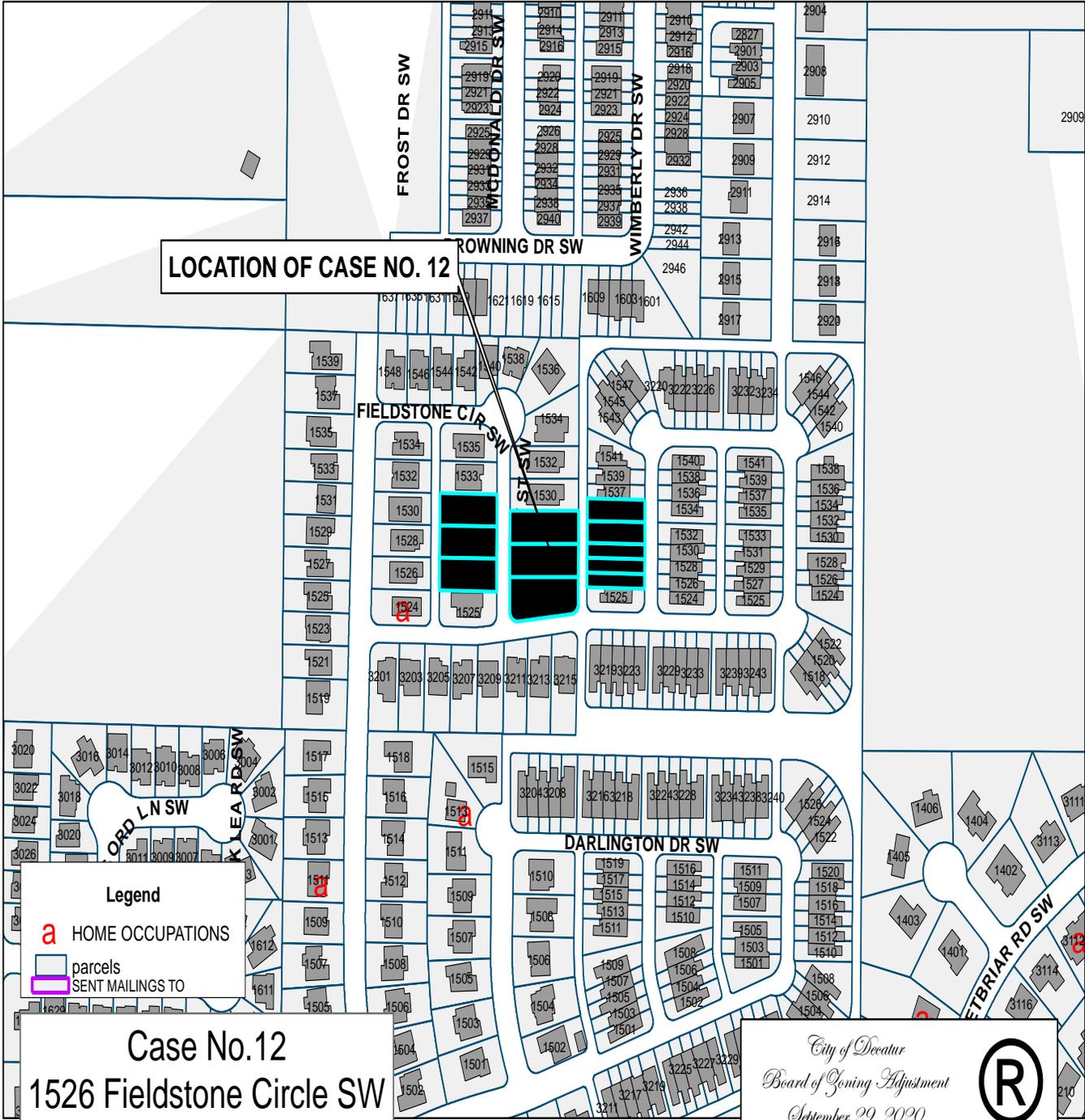
# HOME OCCUPATION QUESTIONS

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: Ina Reeves DATE: 9/10/2020  
 ADDRESS: 1526 Fieldstone Circle Decatur, AL 35603

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



LOCATION OF CASE NO. 12

Case No.12  
1526 Fieldstone Circle SW

City of Decatur  
Board of Zoning Adjustment  
September 29, 2020



13

Sept 29, 2020 @ 4:00 p.m



A Grand City on a Charming Scale  
in Council Chamber

Board of Zoning Adjustment

APPLICANT: Laddie Cannon  
 MAILING ADDR: 1602 Brookridge Dr SW APT 1007  
 CITY, STATE, ZIP: Decatur, ALABAMA 35601  
 PHONE: 256-560-5735

PROPERTY OWNER: Brookridge 171 LLC  
 OWNER ADDR: 1602 Brookridge Dr. SW  
 CITY, STATE, ZIP: Decatur, AL 35601 PHONE: 256-686-4495

ADDRESS FOR APPEAL: 1602 Brookridge Dr SW, Decatur

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\*\*\*\*\*

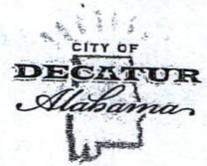
DESCRIBE APPEAL IN DETAIL: (INCLUDE DIMENSIONS, # FT FOR VARIANCES; # FOR PARKING; HARDSHIP; TYPE OF BUSINESS)

Clearing APARTMENT by checking sinks,  
commodities ALL Fixtures  
like to use own Room in my Home  
for business

Applicant Name (print) \_\_\_\_\_  
 Signature Laddie Cannon  
 Representative Name (print) \_\_\_\_\_  
 Signature \_\_\_\_\_  
 Date 9-10-2020

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

Office Use Received By: rw  
 Zone \_\_\_\_\_  
 Hearing Date 9/29/2020  
 Approved/Disapproved \_\_\_\_\_



## HOME OCCUPATION QUESTIONS

CHECK YES OR NO FOR EACH QUESTION

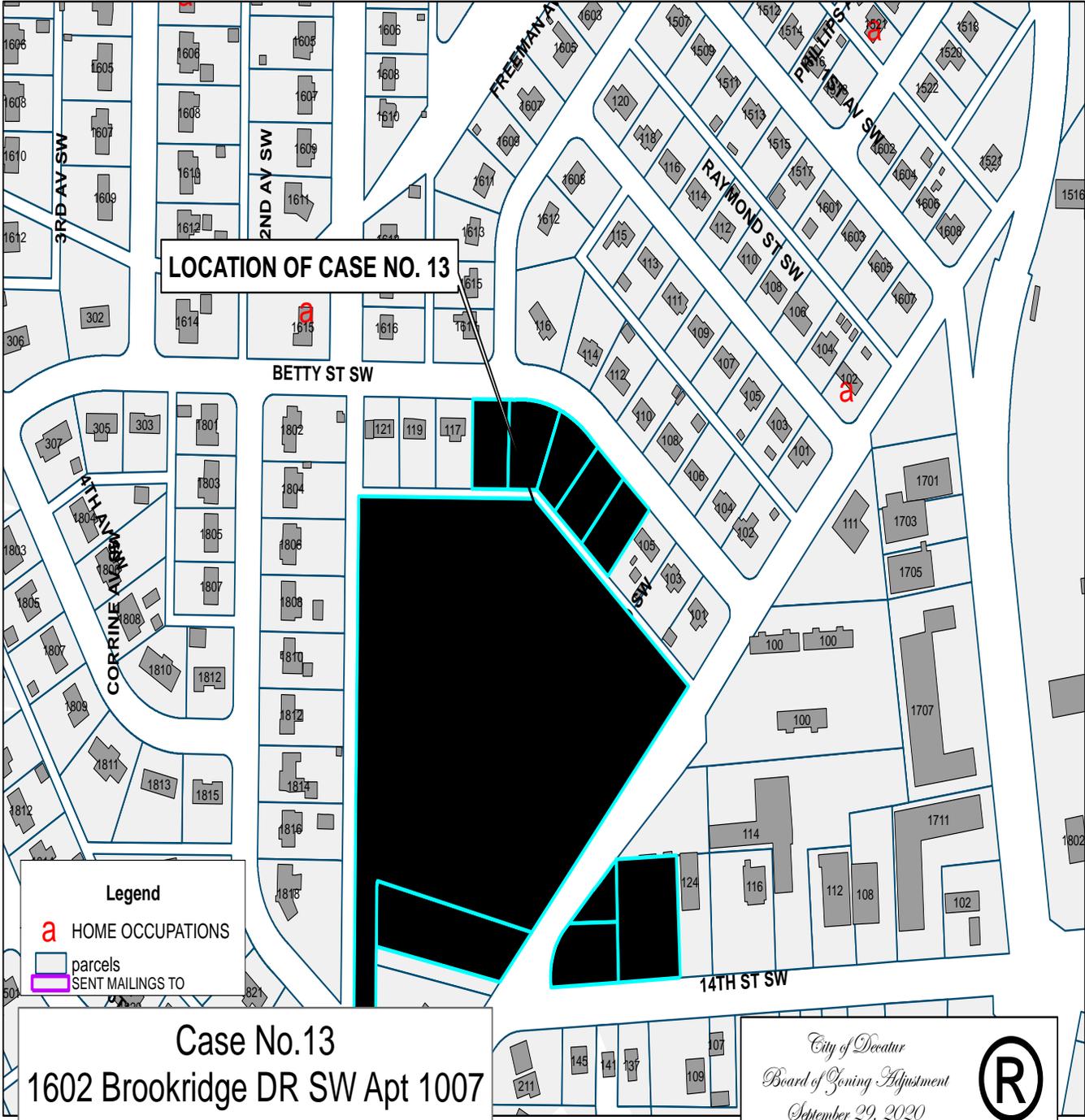
1. Is the occupation\* applied for (administrative office, making of crafts, sewing, etc..) conducted entirely within the dwelling? YES  NO   
*\*note: This refers to only the work being done at your home.*
2. Does the occupation produce sounds, colors or other audible or visible evidence of a home occupation 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: Laddie Cannon DATE: 9-19-2020

ADDRESS: 1602 Brook Ridge Dr SW Decatur

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

QUESTIONNAIRE



LOCATION OF CASE NO. 13

BETTY ST SW

14TH ST SW

**Legend**

- a HOME OCCUPATIONS
- parcels
- SENT MAILINGS TO

**Case No.13**  
 1602 Brookridge DR SW Apt 1007

*City of Decatur*  
 Board of Zoning Adjustment  
 September 29, 2020



14



*A Grand City on a Charming Scale*

402 Lee St NE 1<sup>st</sup> Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Cahgan Jefferson  
 MAILING ADDR: 213 Robinson ST SW Decatur, AL 35601  
 CITY, STATE, ZIP: Decatur, AL 35601  
 PHONE: 256-522-8377

PROPERTY OWNER: Cahgan Jefferson  
 OWNER ADDR: 213 Robinson ST SW  
 CITY, STATE, ZIP: Decatur, AL 35601 PHONE: 256-522-8377

ADDRESS FOR APPEAL: 213 Robinson 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 would like to use one room in my home for the operation & administrative tasks of running my online clothing business.

|   |                         |                                   |
|---|-------------------------|-----------------------------------|
| Applicant Name (print) <u>Cahgan Jefferson</u>      | If applicant is using a | Office Use Received By: <u>bd</u> |
| Signature <u>Cahgan Jefferson</u>                   | representative for the  | Zone <u>R-2</u>                   |
| Representative Name (print) <u>Cahgan Jefferson</u> | request both signatures | Hearing Date <u>Sept 29</u>       |
| Signature <u>Cahgan Jefferson</u>                   | are required            | Approved/Disapproved              |
| Date <u>9/10/2020</u>                               |                         |                                   |



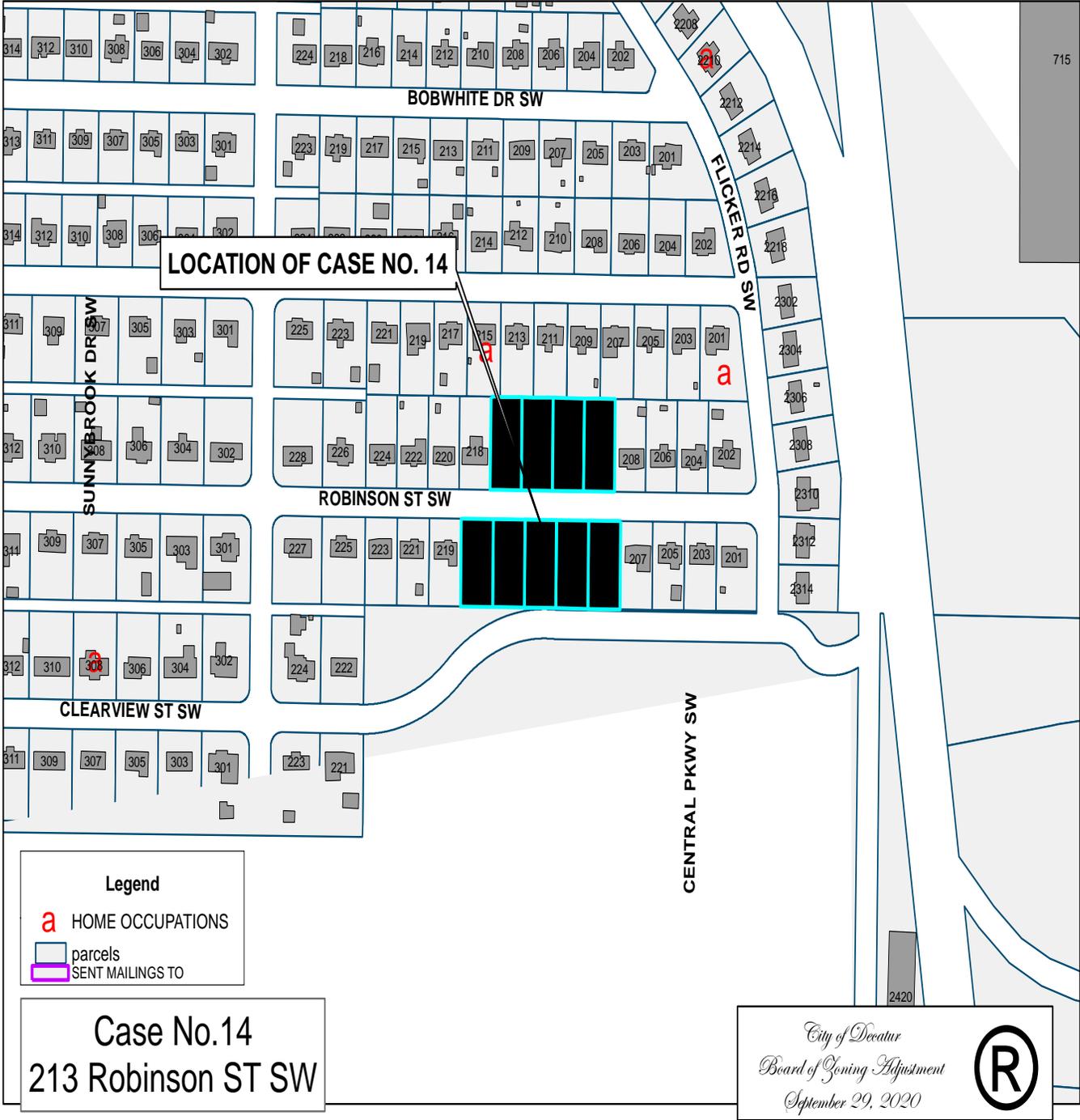
# HOME OCCUPATION QUESTIONS

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: Calgan Jefferson DATE: 9/10/2020  
 ADDRESS: 213 Robinson ST SW Decatur, AL 35601

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



15

Sept. 29, 2020  
in Council Chamber 1st Floor



Grand City of GEORGINA-3042

Board of Zoning Adjustment

APPLICANT: Harris, Caddell & Shanks, P.C.  
 MAILING ADDR: PO Box 2688  
 CITY STATE ZIP: Decatur, AL 35602  
 PHONE: 256.340.8042

PROPERTY OWNER: LAS Properties, LLC  
 OWNER ADDR: PO Box 2006  
 CITY STATE ZIP: Cullman AL 35055  
 OWNER PHONE: 256-345-1814

ADDRESS FOR APPEAL: 620 Wilson Street, 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\*\*\*\*\*

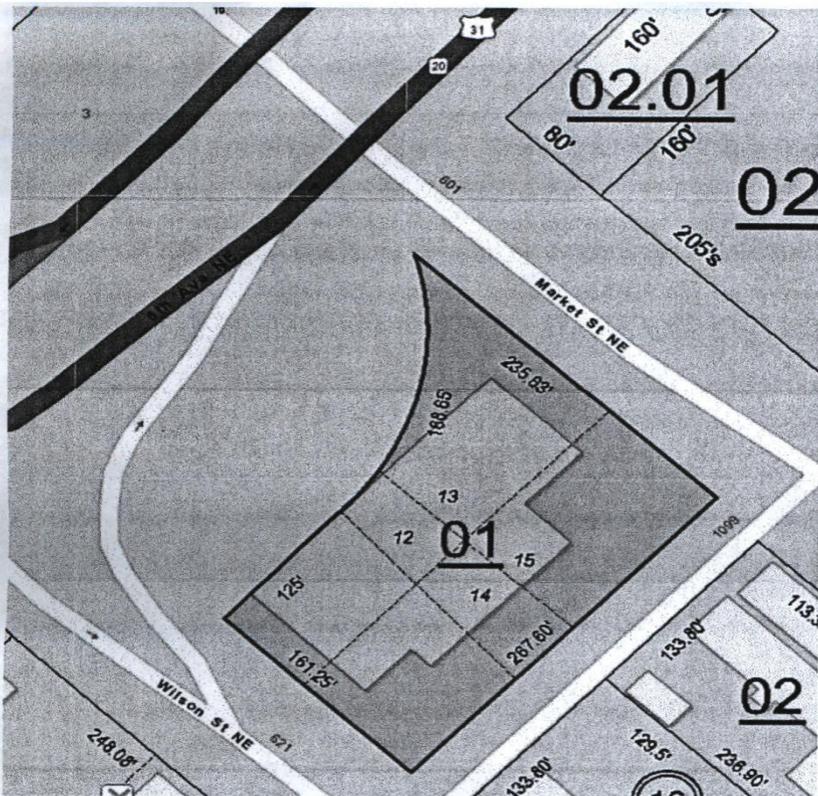
DESCRIBE APPEAL IN DETAIL: (INCLUDE DIMENSIONS, # FT FOR VARIANCES, # FOR PARKING, HARDSHIP, TYPE OF BUSINESS.)

Request is made that the setback of Code Section 25-21.1 not apply to the subject property. The City owns approx 150 feet of land between Hwy 31 and the subject property, so further setback is not warranted. Without the variance, if the current structure were destroyed, it could not be rebuilt in its present location nor at its present dimensions.

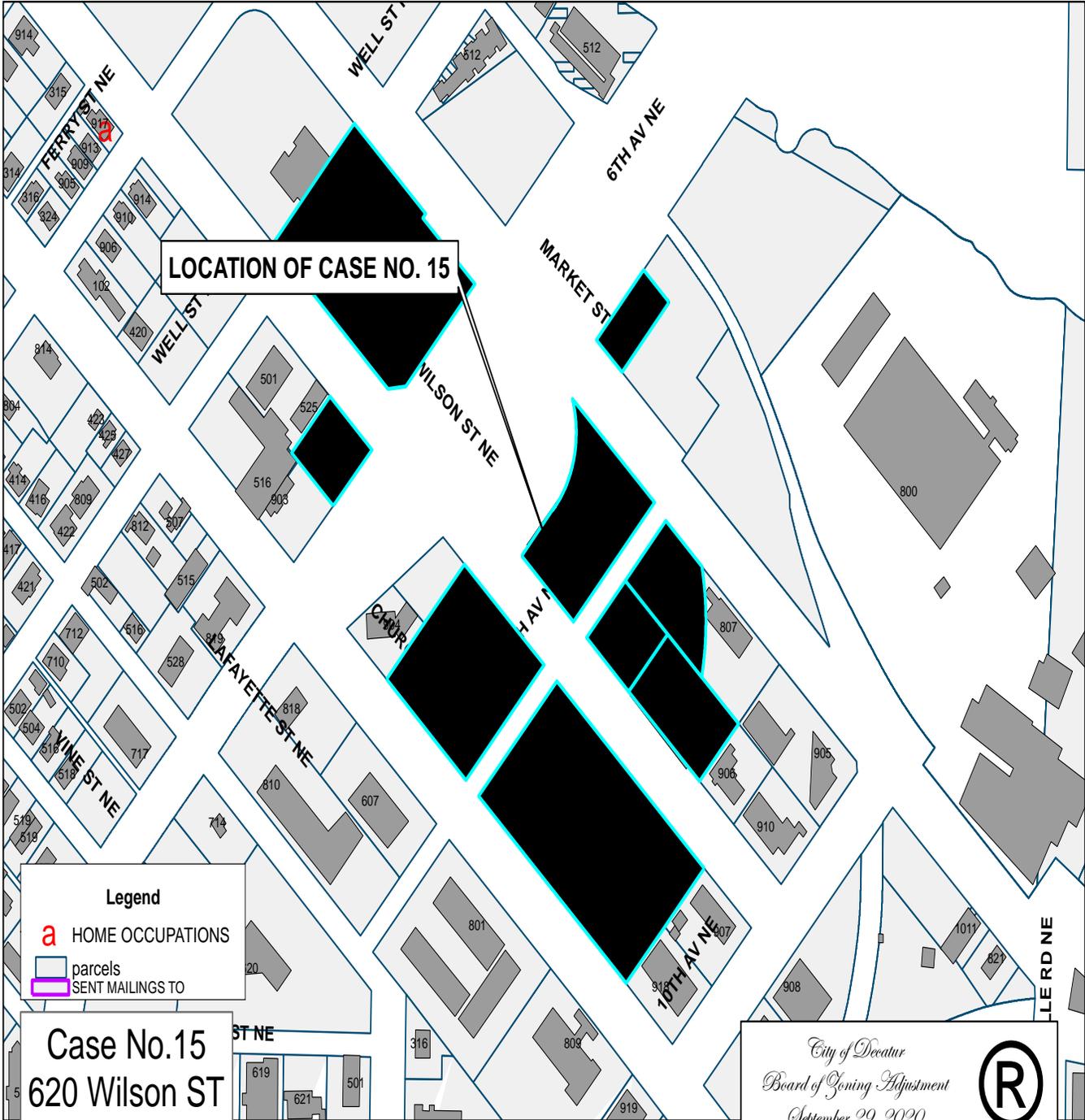
|  |  |  |
|--|--|--|
| Applicant Name (print) <u>LAS Properties, LLC</u><br>Signature <u>[Signature]</u><br>Representative Name (print) <u>Harris, Caddell &amp; Shanks PC</u><br>Signature <u>[Signature]</u><br>Date <u>8-24-2020</u> | If applicant is using a representative for the request both signatures are required. | Office Use<br>Received By <u>NW</u><br>Zone <u>M-3</u><br>Hearing Date <u>Sept. 29, 2020</u><br>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

Jeff Brown or Barney Lovelace will present case



Subject property in blue, above. 6<sup>th</sup> Avenue and  
access road shown. Property in yellow between  
roadway and subject property is owned by  
City of Decatur.  
620 Wilson Street



16

Aug 25, 2020 @ 4:00pm  
Council Chamber 1st Fl.



A Proud City on a CHARMING SCALE

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

### Board of Zoning Adjustment

APPLICANT: AUSTIN ZIMMERMAN

MAILING ADDR: 1404 MOSS CHAPEL RD

CITY, STATE, ZIP: HARTSELL AL 35640

PHONE: 256-502-3485

PROPERTY OWNER: AUSTIN ZIMMERMAN

OWNER ADDR: 4418 DANVILLE ROAD SW

CITY, STATE, ZIP: DECATUR AL 35603

PHONE: 256-502-3485

ADDRESS FOR APPEAL: 4418 Danville Road 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\*\*\*\*\***

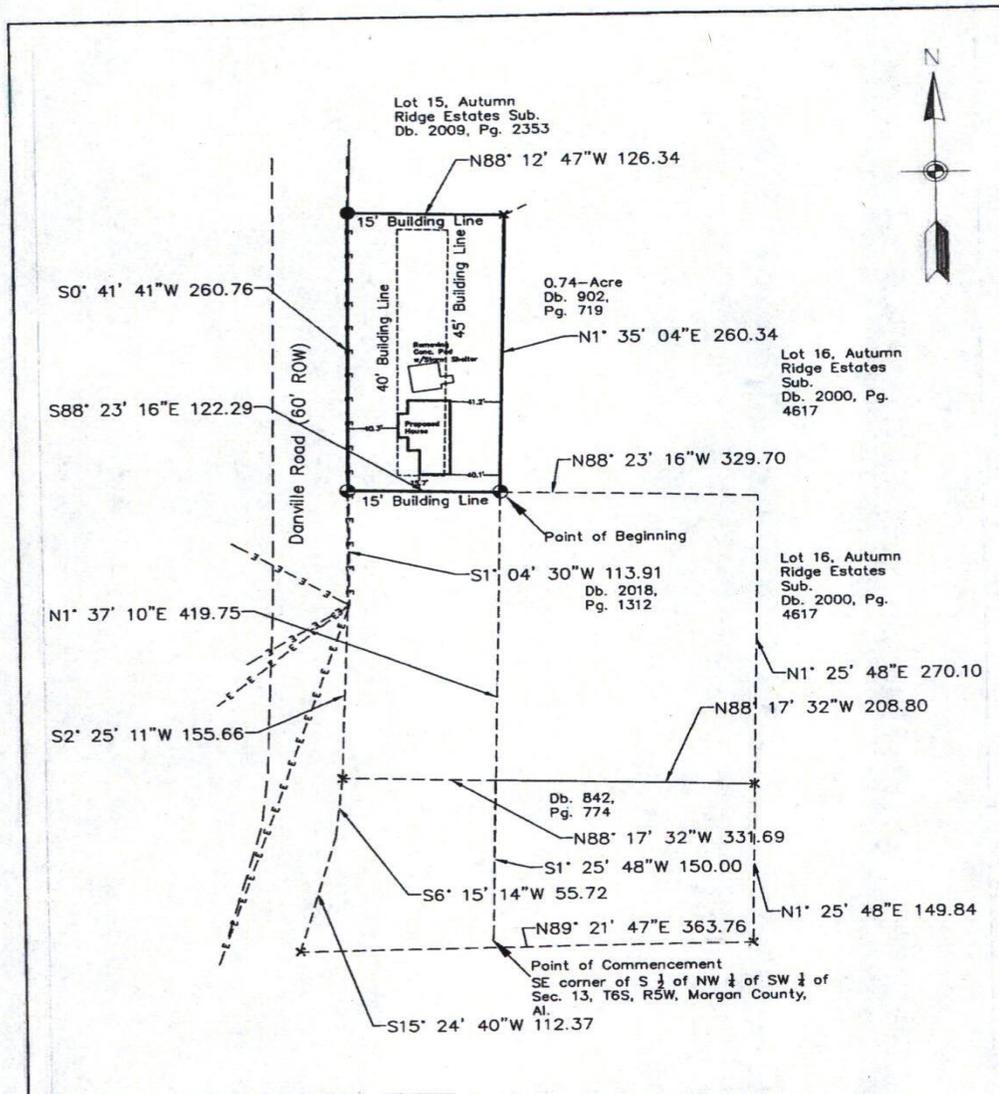
#### DESCRIBE APPEAL IN DETAIL: (INCLUDE DIMENSIONS, # FT FOR VARIANCES; # FOR PARKING; HARDSHIP; TYPE OF BUSINESS)

REAR OF THE HOME EXCEEDS MIN SET BACK STATED @ 45'. NO HOMES CAN BE BUILT BEHIND THIS PROPERTY DUE TO FLOOD ZONE. REQUESTING AN 8' VARIANCE ON REAR SET BACK

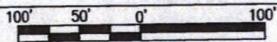
|   |  |  |
|---|--|--|
| Applicant Name (print) _____<br>Signature _____<br>Representative Name (print) <u>JEFFREY TOM</u><br>Signature <u>[Signature]</u><br>Date <u>aug-7-20</u> | If applicant is using a<br>representative for the<br>request both signatures<br>are required | Office Use Received By: _____<br>Zone <u>AG-1</u><br>Hearing Date <u>Aug. 25, 2020</u><br>Approved/Disapproved _____ |
|---|--|--|

251.652.7532

CASE NO. 16 4408 DANVILLE RD. SW



See Attached Certification Documentation for Remainder of Survey Information



Map of Survey: 4418 Danville Road SW, Decatur, Al. 35603  
Proposed Building Location

| LEGEND                           |                                |
|----------------------------------|--------------------------------|
| ● #4 Rebar Iron Pin Found        | — E — OVERHEAD UTILITY LINE(S) |
| ○ Iron Pin Capped "19288" found  | — F — FENCE                    |
| ⊙ Iron Pin Capped "Fogerman" set | — R — RECORD                   |
| ⊙ PK NAIL SET                    | ( ) NOT TO SCALE               |
| ⊙ CONG. MONUMENT FOUND           | AC ACRES                       |
| ⊙ #5 Iron Pin Rebar found        | CL CENTERLINE                  |
| X Iron Pin Capped "Greene" found | D.B. DEED BOOK                 |
| — IRON PIPE FOUND                | EASEMENT                       |
| — UTILITY POLE                   | M.B.L. MINIMUM BUILDING LINE   |
| ⊙ TELEPHONE RISER                | OD OUTSIDE DIAMETER            |
| ⊙ WATER METER                    | P.B. PLAT BOOK                 |
| ⊙ ELECTRICAL BOX                 | P.G. PAGE                      |
| △ TRANSVERSE POINT               | REF. MON. REFERENCE MONUMENT   |
| ▭ CONCRETE                       | U & D UTILITY & DRAINAGE       |
| ◇ WATER VALVE                    | ROW RIGHT OF WAY               |

I hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief. Copyrighted by David Lee Fogerman, no part of this drawing may be copied, added to, altered or reproduced by any means without written permission from David Lee Fogerman.

|                                |  |                       |  |
|--------------------------------|--|-----------------------|--|
| W.D. NO. 1086 & 1111           | XRAM Inc.<br>560 Pine Street<br>Decatur, Al. 35603 | Voice: (844) 972-6462 | NOT VALID<br>UNLESS<br>SEALED WITH<br>EMBOSSED SEAL<br>OR STAMPED WITH<br>COLORED INK SEAL |
| Field Work: 07-09-20           |  |                       |  |
| Office Work: 08-07-20          |  |                       |  |
| Drawn: DLF                     |  |                       |  |
| SHEET NO. 1 OF 3               |  |                       |  |
|                                |  | 08/07/20              |  |
| David Lee Fogerman, PLS #19253 |  | Date                  |  |

SURVEY

**State of Alabama  
County of Morgan**

I, David Lee Fagerman, a Registered Land Surveyor with the firm of XRAM Inc., hereby certify that to the best of my knowledge, information and belief, the foregoing is a true and correct map or plat of the following described property:

**Parent Tract Property Address: 4418 Danville Road, SW, Decatur, Alabama 35603**

**Original Deed Description of Tract is shown below:**

A tract of land located in NW ¼ of the SW ¼ of Section 13, Township 6 South, Range 5 West, Huntsville Meridian, Morgan County Alabama, said tract being more particularly described in Deed Book 902, at Pages 719-720, as found recorded in the Judge of Probate's office in the City of Decatur, Morgan County, Alabama, with a photocopy from page 719 of the aforementioned deed being shown as follows:

**Beginning 25 1/3 rods North of the South-East corner of the S½ of the NW¼ of SW¼, Section 13, Township 6, Range 5 West; Running thence North to the NE corner of S½ of said land; thence running West to the Decatur & Danville Road; thence South along said road 14 2/3 rods; thence East to the point of beginning; and containing ½ acre, more or less.**

**On-the-ground Survey of Tract is shown below:**

A tract of land located in NW ¼ of the SW ¼ of Section 13, Township 6 South, Range 5 West, Huntsville Meridian, Morgan County Alabama, said tract being more particularly described in Deed Book 902, at Pages 719-720, as found recorded in the Judge of Probate's office in the City of Decatur, Morgan County, Alabama, and said tract being more particularly described, based on found monumentation and possession on the ground as shown on the attached Map of Survey, as follows:

**Commence** at the unrecovered southeast corner of the S ½ of the NW ¼ of the SW ¼ of Section 13, Township 6 South, Range 5 West of the Huntsville Meridian, Morgan County, Alabama,

**Thence** N 01-deg. 37-min. 10" E a distance of 419.75-feet to an iron pin capped "Fagerman LS 19253" set for the **Point of Beginning** of the hereon described tract of land, said iron pin being located at a corner of Lot 16, Autumn Ridge Estates Subdivision, as found recorded in Plat Book 2001 at Page 11, as found in the Judge of Probate's office in the City of Decatur, Morgan County, Alabama;

**Thence** N 01-deg. 35-min. 04" E along the west line of said Lot 16 a distance of 260.34-feet to an iron pin capped "Greene" found at the common back corner of Lots 15 and 16, Autumn Ridge Estates Subdivision;

**Thence** N 88-deg. 12-min. 47" W along the south line of said Lot 15 a distance of 126.34-feet to an iron pin found at the southwest corner of Lot 15, Autumn Ridge Estates Subdivision, said iron pin found also being located on the east margin of the 60-foot wide Danville Road SW;

**Thence** S 00-deg. 41-min. 41" W along the east margin of said Danville Road SW a distance of 260.76-feet to an iron pin capped "Fagerman LS 19253" set;

**Surveyor's Notes:**

- 1) Bearing basis for this tract was from GPS data collection, using Alabama West, U.S. Survey Foot, NAD 83 coordinate system for all values.
- 2) Unless stated otherwise, jurisdictional areas, if any, which might impact the use of the premises were not located.
- 3) Unless stated otherwise, this survey was prepared without the benefit of an abstract of title.
- 4) Unless stated otherwise, only evidence of easements or structures thereto which are apparent from a casual above ground inspection of premises are shown.
- 5) Unless stated otherwise, no evidence of any type of easements, including prescriptive easements or and structures thereto were located during the survey of the premises.
- 6) No investigation was made during the performance of the survey to discover evidence of the existence of any structures which may indicate the location of buried utilities on the premises.
- 7) The premises shown and described hereon are subject to any existing easements, rights-of-way, restrictions, covenants, and set-back lines, whether or not recorded in public records.

**Surveyor's Report:**

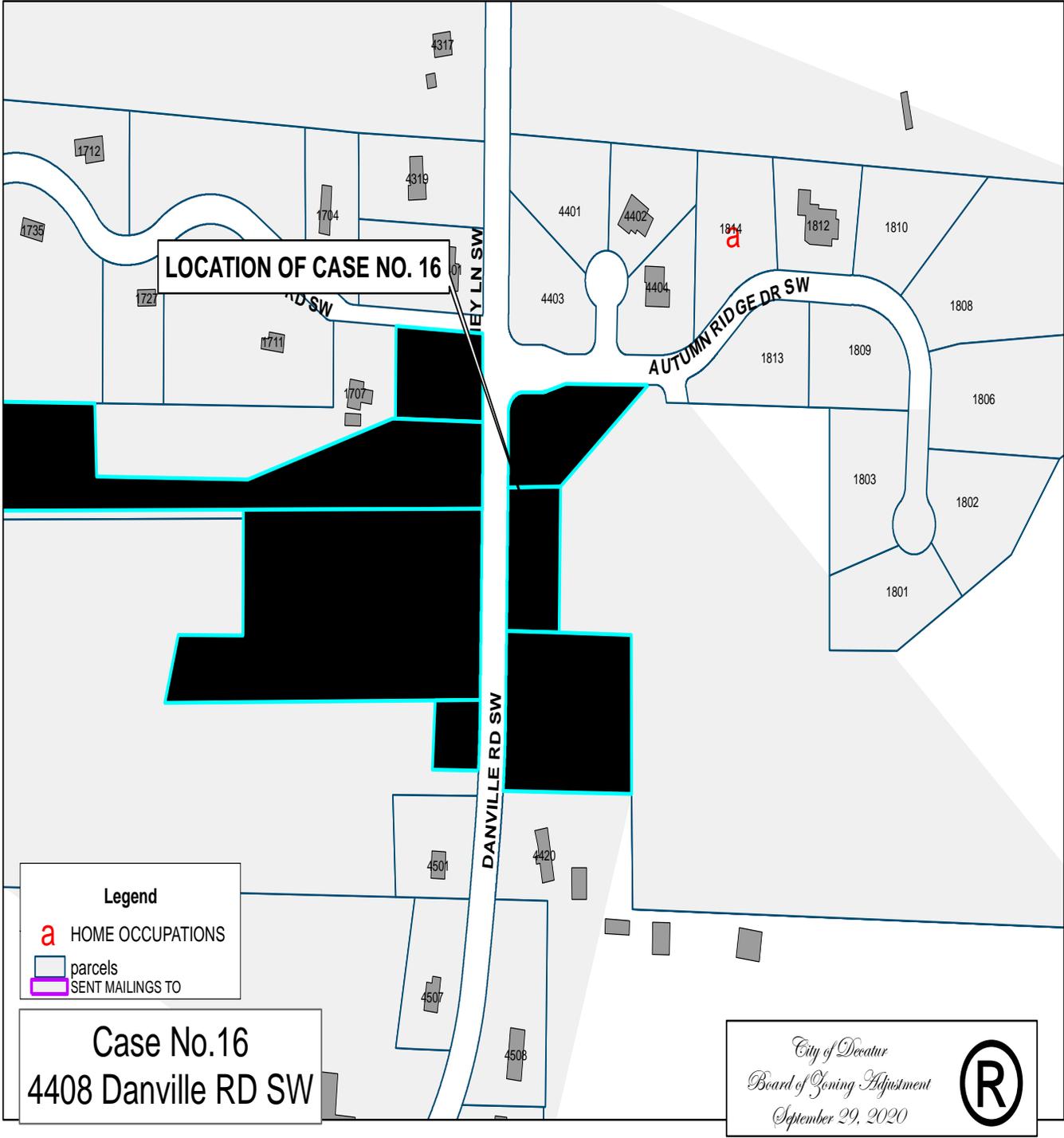
- 1) The primary deed that was used to reconstruct this property boundary was Deed Book 902, Pages 719-720.
- 2) Secondary deeds that helped in the reconstruction of the parent tract were: Deed Book 2018, Page 1312-1314, Deed Book 1088, Page 713-714, and Deed Book 2006, Page 6310.
- 3) The adjoining subdivision on the north and east boundaries of this property aided in determining the north and east lines. This subdivision is Autumn Ridge Estates, per Plat Book 2001 at Page 11 of the Plat Map records for Morgan County, Alabama.
- 4) Building footprint, as shown on the Map of Survey, was located in the field from wood stakes at the corners of the proposed building.

I hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama, to the best of my knowledge, information, and belief. Copyrighted by XRAM Inc., no part of this drawing may be copied, added to, altered, or reproduced by any means without written permission from XRAM Inc.

According to this Survey, under my supervision, this the 20th day of July 2020.

---

David Lee Fagerman, PLS #19253



19



of a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: DH Morris Development, LLC  
 MAILING ADDR: 5577 Indian Hills Road SE  
 CITY STATE ZIP: Decatur, Alabama  
 PHONE: 256-227-7489

PROPERTY OWNER: Same DH Morris Development, LLC  
 OWNER ADDR: 5577 Indian Hills Rd SE  
 CITY STATE ZIP: Decatur, AL  
 OWNER PHONE: 256-227-7489

ADDRESS FOR APPEAL: Lot 34, City View Estate 2702 Harley Cir SW.

**NATURE OF APPEAL:**

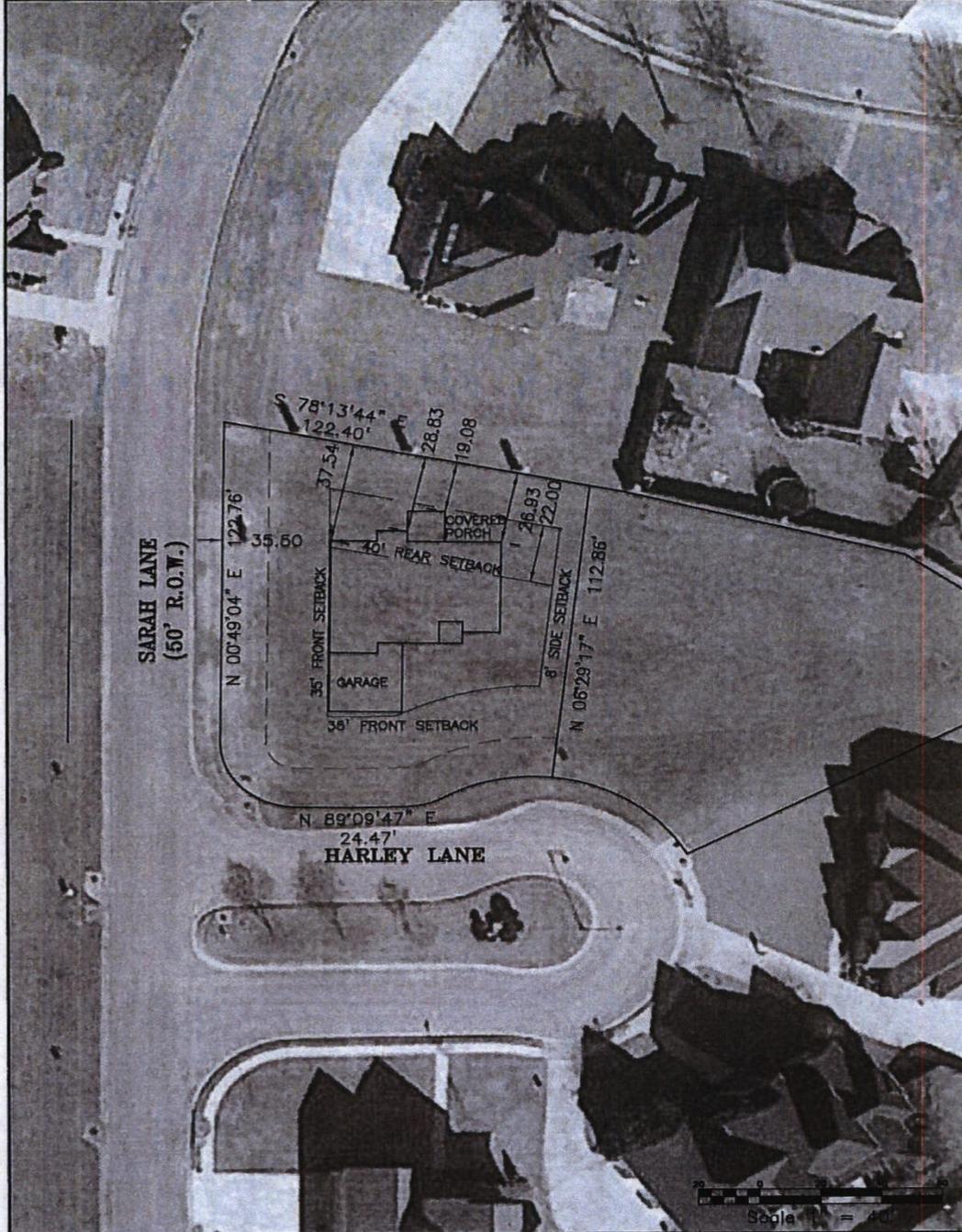
HOME OCCUPATION       SETBACK VARIANCE       SIGN VARIANCE  
 USE PERMITTED ON APPEAL       APPEAL OF ADMINISTRATIVE DECISION  
 OTHER       SURVEY FOR VARIANCES ATTACHED       DRAWINGS FOR VARIANCES ATTACHED

\*\*\*\*\* 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.)  
See attached  
Request 22' rear yard setback variance

|  |  |  |
|--|--|--|
| Applicant Name(print) <u>DH Morris Development, LLC</u><br>Signature <u>[Signature]</u><br>Representative Name(print) <u>Pepper Morris</u><br>Signature <u>[Signature]</u><br>Date <u>09/16/2020</u> | If applicant is using a representative for the request both signatures are required. | Office Use<br>Received By <u>[Signature]</u><br>Zone <u>R-2</u><br>Hearing Date <u>9/29/2020</u><br>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.



SETBACK VARIANCE REQUEST -- MORRIS DEVELOPMENT -- LOT 34 CITY VIEW ESTATES

DRAWING DATE: 09-10-20 | DRAWN BY: RWH | APPROVED BY: RWH | JOB No. PPP-142-20 | SCALE: 1"=40' | PAGE - OF -

PUGHWRIGHTMCANALLY.COM

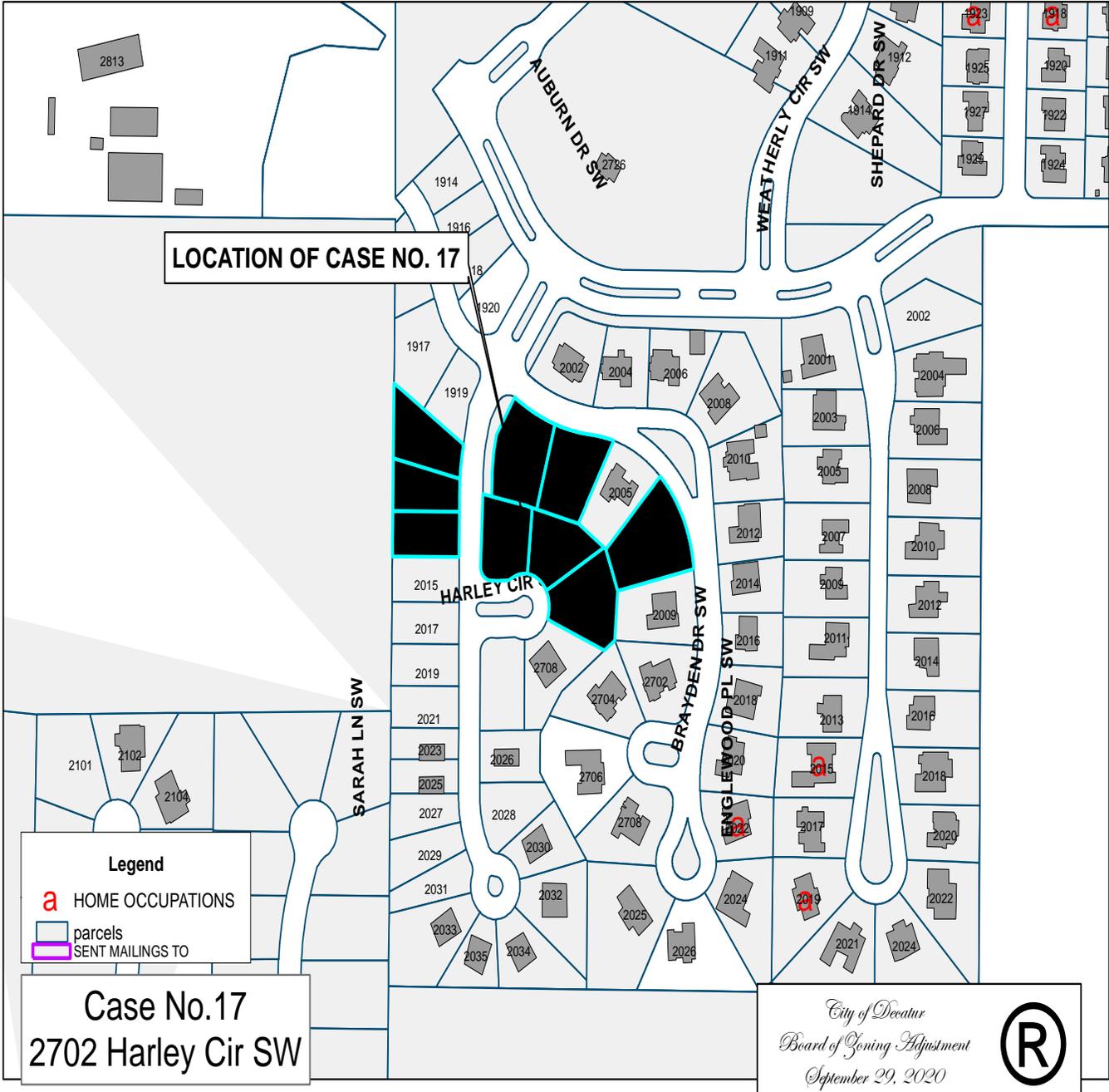
Variance Request – City View – Charlotte Addition Lot 34

We request a rear yard setback variance of 22 feet, reducing the rear yard setback from 40 feet to 18 feet. This is a corner lot with required double front setbacks which reduces the proposed building envelope. Lots 1 and 23 at the intersection of Sarah Lane and Brayden Drive are 0.45 acres and 0.42 acres respectively. This lot, Lot 34, is 0.35 acres (approximately 20% smaller). In order to match similar construction size with other homes on Harley Circle, we request this setback reduction.

The existing home adjacent to this lot is constructed approximately 58 feet from the lot line. This will provide a separation of over 70 feet from the covered porch to the existing adjacent home.

The attached sketch shows the proposed variance along with the surrounding lots.

Thank you for your consideration



18



on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Larry G. Monk
MAILING ADDR: 3706 Orange Court SW
CITY STATE ZIP: Decatur, Alabama 35603
PHONE: 256-355-3635

PROPERTY OWNER: Same Larry G. Monk
OWNER ADDR: 3706 Orange Court SW
CITY STATE ZIP: Decatur, AL 35603
OWNER PHONE: 256-355-3635

ADDRESS FOR APPEAL: 900 Village Court

NATURE OF APPEAL:
[ ] HOME OCCUPATION [x] 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
Asking for 5' sideyard setback variance

Applicant Name(print) Larry Monk
Signature [Signature]
Representative Name(print)
Signature
Date

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

Office Use
Received By [Signature]
Zone R-5
Hearing Date 9/29/2020
Approved/Disapproved

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

Variance Request – Vestavia Court, Lot 93-B

We are requesting a variance of 5'-0" to the side yard setback requirement for construction of a new home. This location was originally platted for a future roadway and was later replatted as a lot. The other lots along this street are 55-feet and 60-feet wide allowing for a 45-foot wide building envelope. Due to medical issues, our home needs to be all on one level. In order to construct a home generally matching the square footages of the surrounding homes and to more closely match the widths of the surrounding homes, we request that the side setback be reduced from 9 feet to 4 feet. This would provide a 45-foot wide building envelope that would match other lots along this street.

Thank you for your consideration



Commodore Stephen Decatur  
1779-1820

# CITY of DECATUR

P. O. Box 488 — Decatur, Alabama 35602

April 12, 1995

Mr. David Goss  
1401 7th Avenue SE  
Decatur, AL 35601

RE: Application and appeal of David Goss and Lenny Hayes for several 3-foot side yard variances to the requirements of Section 25-10.3 of the Zoning Ordinance to construct patio homes with 9 feet side yards instead of 12-foot side yards on Lot 1-93 of Vestavia Court on Spring Avenue SW, located in a R-5, Single-Family Residential Patio Home Zoning District.

Dear Mr. Goss:

Your application to the Board of Zoning Adjustment for a variance or a use permitted appeal to the Zoning Ordinance or the Sign Ordinance of City of Decatur was considered on Tuesday, April 11, 1995.

Your application was **APPROVED!**

If you have any questions, please contact our office at 351-7582.

Sincerely,

BOARD OF ZONING ADJUSTMENT

James L. Brothers  
Building Director and  
Custodian of Records

/paf

