

# BOARD OF ZONING ADJUSTMENT

## AGENDA

March 2021

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## **MINUTES FEBRUARY 2021**

**MEMBERS PRESENT:** Chair, Delayne Dean, Mr. George Allen, Mr. Steven Thomas and Mr. Collis Stevenson

**SUPERNUMERARIES:** Mr. Larry Wayne

**OTHERS PRESENT:** Mr. Chip Alexander, Asst. City Attorney  
Mr. Matthew Marques  
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 minutes from the January 2020 meeting were approved without any changes. Mr. Steven Thomas motioned to approve the minutes. Mr. George Allen 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.

### **CASE NO. 1**

Application and appeal of Jwanna Gray 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 operate an administrative office for an on-line cosmetic business located at 506 Leslie St SW, property is located in a R-2 Single-Family Residential Zoning District.

Ms. Jwanna Gray presented this case to the Board. Ms. Gray stated her name was Jwanna Gray and her address was 506 Leslie St SW. Ms. Gray stated she would like to use one room in her home for an on-line cosmetic business.

Chair Dean verified that Ms. Gray heard and understood all of the rules and regulations for a home occupancy, Ms. Gray stated she understood.

Chair, Dean verified that all of the work would be done on-line, Ms. Gray agreed.

Chair, Dean asked for questions from the Board.  
There were no questions from the Board and there were no questions from the public.

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

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

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

## **CASE NO. 2**

Application and appeal of Derrick M. Sharpley for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to operate an administrative office for a T-shirt and apparel business located at 2801 Sandlin Rd SW APT #107 A, property is located in a R-4 Multifamily Residential Zoning District.

Mr. Derrick Sharpley presented this case to the Board. Mr. Sharpley stated his name was Derrick Sharpley and his address was 2801 Sandlin Rd. SW Apt # 107 A. Mr. Sharpley stated he would like to start this business to help out children that are hemophiliac's to make them aware of their potential even though they may have this disease.

Mr. George Allen asked Mr. Sharpley what type of equipment he would be using to make these items.

Mr. Sharpley stated he has reached out to a third party service to help with the distribution of the t-shirts and things. Mr. Sharpley stated all transactions would be completed on-line.

Chair, Dean verified that Mr. Sharpley would not have any customers coming to his home, Mr. Sharpley agreed.

Chair, Dean verified that Mr. Sharpley would not have any employees, Mr. Sharpley agreed.

Chair, Dean reminded Mr. Sharpley if he acquires any employees he could not have them report to his home, Mr. Sharpley understood.

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

There were no comments.

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

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

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

**CASE NO. 3**

Application and appeal of Sharone Balentine 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 operate an administrative office for a cleaning business located at 3201 Wheat Av SW, property is located in a R-2 Single-Family Residential Zoning District.

Ms. Sharone Balentine presented this case to the Board. Ms. Balentine stated her name was Sharone Balentine and her address was 3201 Wheat Av. SW. Ms. Balentine stated she would like to use one room in her home for administrative purposes for her cleaning business.

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

Chair, Dean asked for questions from the Board.

Larry Waye, asked Ms. Balentine where she would keep her cleaning supplies.

Ms. Balentine stated the cleaning supplies would be kept in her office.

Mr. George Allen asked Ms. Balentine if she would be storing any dangerous material, Ms. Balentine stated she would not.

Mr. Larry Waye acknowledged that a correction was needed on the questionnaire form submitted by Ms. Balentine..

Chair, Dean agreed. And, asked Ms. Balentine to make the correction and to initial the correction, Ms. Balentine made the correction.

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

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

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

Mr. George Allen motioned to approve this case as submitted. Mr. Larry Waye seconded the motion. On a roll-call vote the motion carried.

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

Application and appeal of Latasha Shackelford 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 operate an administrative office for selling hair and hair bonnet products located at 1213 Goldridge Dr. SW Unit D, property is located in a R-4.0 Multi-Family Zero Lot Line Residential Zoning District.

Ms. Latasha Shackelford presented this case to the Board. Ms. Shackelford stated her name was Latasha Shackelford and her address was 1213 Goldridge Dr. SW Unit D. Ms. Shackelford stated she would like to use one room in her home for an on-line based business to sell virgin hair products.

Ms. Shackelford stated she would not have any customers coming to her home.

Ms. Shackelford stated she has product shipped to and from her home.

Chair, Dean asked Ms. Shackelford if her landlord was aware that she was wanting to run this business from her home, Ms. Shackelford stated yes.

Chair, Dean verified that Ms. Shackelford understood all of the rules and regulations of a home occupation. Ms. Shackelford stated she understood.

Chair, Dean asked for further comments from the Board or the public, there were no comments.

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

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

Mr. Collis Stevenson motioned to approve this request as submitted. Mr. George Allen seconded the motion. In a roll-call vote the motion carried.

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

Application and appeal of Jose Alejandro Villarreal 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 operate an administrative office for flooring installation business located at 125 Bluebird Lane SW, property is located in a R-2 Single-Family Residential Zoning District.

Mr. Jose Alejandro Villarreal presented this case to the Board. Mr. Villarreal stated his name was Jose Alejandro Villarreal and his address was 125 Bluebird Lane SW. Mr. Villarreal stated he would like to use one room in his home for administrative purposes for his flooring installation business.

Chair, Dean verified that Mr. Villarreal was asking to use one room in his home to operate the business, Mr. Villarreal agreed.

Mr. Villarreal stated he only kept small tools at his home.

Mr. Larry Waye asked Mr. Villarreal if supplies for each job was delivered to the job sites, Mr. Villarreal agreed that all supplies are delivered to each job site.

Chair, Dean asked for further questions from the Board or the public.  
There were no further questions.

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

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

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

## **CASE NO. 6**

Application and appeal of Juan Ramirez Sebastian 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 operate an administrative office for tree service located at 202 Albert St SW, property is located in a R-2 Single-Family Residential Zoning District.

Mr. Juan Ramirez Sebastian presented this case to the Board. Mr. Sebastian stated his name was Juan Ramirez Sebastian and his address is 202 Albert St. SW. Mr. Sebastian stated he would like to use one room in his home for administrative purposes for his tree service.

Mr. Larry Waye acknowledged that a correction was needed on the questionnaire form submitted by Mr. Sebastian.

Chair, Dean verified the correction needed and asked Mr. Sebastian make the correction, Mr. Sebastian made the correction.

Chair Dean asked Mr. Sebastian about the type of equipment he would be using.

Mr. Sebastian said he would be using a bucket truck.

Chair, Dean asked if the bucket truck would be parked at his home. Mr. Sebastian stated yes however, he was looking for somewhere else to keep it parked.

Chair, Dean asked Mr. Chip Alexander, Legal Department, if Mr. Sebastian was able to park the bucket truck at his home.

Chip Alexander, Legal Department, stated keeping the bucket truck at the residence should not be a problem.

Chair, Dean asked for any further questions from the Board or the public, there was no further questions.

Mr. Bob Sims, Building Department, commented that the Building Department received a letter from a neighbor opposing the business in the neighborhood. The letter stated bringing a business into the neighborhood would bring down the property value, make the neighborhood look bad and overall give a bad reputation to the neighborhood.

Mr. Bob Sims, Building Department asked Mr. Sebastian if he only had the bucket truck.

Mr. Sebastian stated he had the bucket truck and a trailer.

Mr. Bob Sims, Building Department, asked Mr. Sebastian if he parked the bucket truck in the driveway.

Mr. Sebastian stated he had no room to park the bucket truck and trailer at his home and would have to park at an off-site parking lot.

There was a discussion if a condition should be made to have the bucket truck and trailer to be parked off-site.

The Board agreed that they agreed with the neighbor they do not want the neighborhood to lose its value or to become an eyesore.

Chair, Dean encouraged Mr. Sebastian to look for alternative parking places for both the bucket truck and trailer and reminded him that no employees could report to his home.

Mr. Matthew Marques, Planning Department, asked Mr. Sebastian if the bucket truck could be parked so the neighbors could not see it.

Mr. Sebastian stated he would look for a different spot to park the truck.

The Board did not put any conditions in place for this case.

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. 7**

Application and appeal of Carlos Sebastian 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 operate an administrative office for an outdoor cleaning service located at 323 Monroe Dr. NW, property is located in a R-3 Single-Family Residential Zoning District.

Mr. Carlos Sebastian presented this case to the Board. Mr. Sebastian stated his name was Carlos Sebastian and his address was 323 Monroe Dr. NW. Mr. Sebastian stated he would like to use one room in his home for administrative purposes for his outdoor cleaning service.



Chair, Dean explained the rules and regulations of a home occupancy to Mr. Sebastian and asked him if he understood these rules. Mr. Sebastian stated he understood.

Chair, Dean asked Mr. Sebastian if the homeowner was aware that he would be running this business from the home. Mr. Sebastian stated the homeowner was aware.

Chair Dean asked for questions from the Board.

Mr. Steven Thomas asked Mr. Sebastian if he was working with businesses at this time.

Mr. Sebastian responded that his goal was to work with businesses cleaning up the outside of their property.

Mr. Sebastian stated he wanted to obtain his license before he began building his business.

Chair, Dean asked for other questions from the Board or the public.

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

Mr. Matthew Marques, Planning Department had no comment.

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

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

Application and appeal of Rosetta Jones 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 operate an administrative office for a cleaning business located at 1803 Cypress St SE, property is located in a R-4 Multi-Family Residential Zoning District.

This case was withdrawn before today's meeting.

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

Application and appeal of Chandra Dancy 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 operate an administrative office for an on-line clothing boutique located at 914 Towerview St SW, property is located in a R-2 Single-Family Residential Zoning District.

Ms. Chandra Dancy presented this case to the Board. Ms. Dancy stated her name was Chandra Dancy and her address is 914 Towerview St SW. Ms. Dancy stated she would like to use one room in her home for an on-line clothing boutique.

Ms. Dancy stated the homeowner was aware she was operating the business from the home.

Ms. Dancy stated all business would be on-line only, no customers would come to the home, and that she would not have any employees.

Ms. Dancy stated she understands all of the rules and regulations for a home occupancy.

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

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

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

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

### **CASE NO. 10**

Application and appeal of Stephanie Eubanks 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 operate an administrative office for a cottage food license to sell cookies and baked goods located at 1011 Ashenbury Park SW, property is located in a Single-Family Patio Home Residential Zoning District.

Ms. Stephanie Eubanks presented this case to the Board. Ms. Eubanks stated her name was Stephanie Eubanks and her address is 1011 Ashenbury Park SW. Ms. Eubanks stated she would like to obtain her business license under the Cottage Food Law to sell cookies and other baked goods from her home.

Ms. Eubanks stated she had successfully completed all of the requirements the health department requires.

Chair, Dean asked for questions from the Board.

Mr. George Allen asked Ms. Eubanks if she had had customers coming to her home.

Ms. Eubanks stated that customers did pick up goods from her front porch.

Chair Dean reminded Ms. Eubanks that customers could not come to her house and that she would need to meet the customer.

Chair Dean reminded Ms. Eubanks her home address cannot be listed on any advertisements. Ms. Eubanks stated she had to list her home address on the labels of her baked good.

Chair Dean agreed and explained she could not place the address on any advertisements only business name, phone number, social media and such. Ms. Eubanks understood.

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

There were no comments.

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

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

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

## **CASE NO. 11**

Application and appeal of Chiquita L. Mosley 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 operate an administrative office for a janitorial business located at 1309 19<sup>th</sup> Av SW, property is located in a R-2 Single-Family Residential Zoning District.

Ms. Chiquita Mosley presented this case to the Board. Ms. Mosley stated her name is Chiquita Mosley and her address is 1309 19<sup>th</sup> Av SW. Ms. Mosley stated she would like to use one room in her home for administrative purposes for a janitorial service.

Chair, Dean verified Ms. Mosley heard and understood the rules and regulations of a home occupation, Ms. Mosley stated she understood.

Chair, Dean verified that the property owner was aware that Ms. Mosley wanted to operate a business from her home, Ms. Mosley stated yes.

Chair, Dean asked for question from the Board.

Mr. Larry Waye, asked Ms. Mosley if she was keeping any cleaning supplies at the home or on the job sites. Ms. Mosley stated the supplies would be kept in her garage.

Mr. Larry Waye, asked if any dangerous chemicals are included in the cleaning supplies, Ms. Mosley stated no.

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

There were no comments.

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

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

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

## **CASE NO. 12**

Application and appeal of Jennifer Karlovich 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 operate an administrative office for an e-commerce store selling small gifts located at 2004 Stratford Rd SE, property is located in a R-1 Single Family Residential Zoning District.

Ms. Jennifer Karlovich presented this case to the Board. Ms. Karlovich stated her name is Jennifer Karlovich and her address is 2004 Stratford Rd. SE. Ms. Karlovich stated she would like to one room in her home for an e-commerce store selling small seasonal gifts and t-shirts on-line.

Chair, Dean verified that Ms. Karlovich heard and understood the rules and regulations of a home occupancy, Ms. Karlovich understood.

Chair Dean asked for questions from the Board or the public.

There were no comments.

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

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

Mr. George Allen motioned to approve this case as submitted. Mr. Larry Waye seconded the motion. ON a roll-call vote the motion carried.

## **CASE NO. 13**

Application and appeal of Edwin Temaj Jimenez 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 operate an administrative office for a general outdoor maintenance business located at 1802 Chestnut St. SE, property is located in a R-4 Multi-family Residential Zoning District.

Mr. Edwin Jimenez presented this case to the Board. Mr. Jimenez stated his name is Edwin Jimenez and his address is 1802 Chestnut St SE. Mr. Jimenez stated he would like to use one room in his home for administrative purposes for an outdoor cleaning service.

Chair Dean verified that Mr. Jimenez heard and understood the rules and regulations of a home occupation, Mr. Jimenez understood.

Mr. George Allen verified that Mr. Jimenez understood that if he had employees they could not go to his house. Mr. Jimenez stated he does not have any employees at this time and he does understand they cannot come to his house.

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

There were no comments.

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

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

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

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

Application and appeal of Manuel Diaz Rodriguez 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 operate an administrative office for a general outdoor maintenance business located at 1617 Chestnut St. SE Apt. D, property is located in a R-4 Multi-family Residential Zoning District.

Mr. Manuel Rodriguez presented this case to the Board. Mr. Rodriguez stated his name is Manuel Diaz Rodriguez and his address is 1617 Chestnut St SE Apt D. Mr. Rodriguez stated he would like to use one room in his home for administrative purposes for an outdoor cleaning service.

Chair Dean asked for questions from then Board.

Mr. George Allen verified that Mr. Rodriguez wanted to use one in his home for administrative purposes, Mr. Rodriguez agreed.

Chair Dean verified Mr. Rodriguez had no employees.

The Board verified that only small hand tools would be used.

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

There were no comments.

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

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

Mr. Larry Waye 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 The Pentecostal Tabernacle Church for a 21-foot setback variance from Section 25-78 of the Zoning Ordinance, in order to install a sign at 3612 Spring Av. SW, property is located in a AG-1 Agricultural Zoning District.

Mr. Jake Sparks presented this case to the Board representing The Pentecostal Church located at 3612 Spring Av SW

Mr. Sparks stated the church was asking for a 21-foot setback variance in order to install a church sign.

Mr. Sparks stated The Farm Subdivision comes within 16 feet of the back of the curb and prevents the existing sign from being seen from the street and a tree line on the other side prevents it as well on the adjoining property. Mr. Sparks stated that is the reasons they are asking for the 21-foot setback.

Chair, Dean stated that the Board studied the property by Google Maps and could see the sign would still be a significant way from the road and the sign would not impede anyone's view.

Mr. Sparks stated that this new sign would be in line with other church signs along Spring Av or even sitting back further than some signs.

Mr. Sparks stated this sign would be 4 feet from the property line.

Chair, Dean verified Mr. Sparks would meet the sign requirements as stated in the City of Decatur Zoning Ordinance, Mr. Sparks agreed.

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

There were no comments.

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

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

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

## **CASE NO. 16**

Application and appeal of Stratford Investments, LLC for a 15 foot setback variance from Section 25-77 ( e ) (3) in order to install a sign at 1320 Stratford Rd. SE, property is located in a B-2 General Business Zoning District.

Mr. Matt Young present this case to the Board. Mr. Young stated he was the owner and representative of Stratford Investments.

Mr. Young stated he was looking to improve the Stratford corridor and to improve the signage, which was originally built in 1979.

Mr. Young stated the old sign will be demolished and replaced with a new sign which will mimic the design of the the Renasant Bank sign across the street.

Mr. Young stated the Stratford Investment sign would be 23.5 feet away from the curb.

Mr. Young stated the Stratford Investment sign would be one of the furthest signs away from the street as the signs stand currently.

Chair, Dean the footprint of the new sign.

Mr. Young stated the new sign would the same width and height with the front being a bit narrower and the back a bit wider to create more of an angle to the sign since the property is in a curve on Stratford Rd.

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

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

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

Mr. George Allen motioned to approve this case as submitted. Mr. Larry Waye seconded the motion. On a roll –call vote the motion carried.

## **CASE NO. 17**

Application and appeal of Thomas and Marthalyn Biles for a 20 foot rear yard setback variance from Section 25-10.9 (2) (d) in order to build a new residence at 4003 Saddlehorn Bend SW, property is located in a R-2 Single-Family Zoning District.

Mr. Richard Humphrey with Pugh, Wright and McAnnally, 310 8<sup>th</sup> Av SE presented this case to the Board.

Mr. Humphrey stated that the floor plan for the house the Biles would like to build, on this lot, which is pie shaped and located inside a curve, does not meet the requirements for a side entry garage.

Mr. Humphrey stated that the garage is going to be placed behind the house, and it encroaches on the 40-foot rear yard setback, and a 20 foot rear yard setback variance is being request for that reason.

Chair, Dean stated the Board agreed that the lot was very narrow.  
Chair, Dean asked for questions from the Board or the public.

There were no comments.

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

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

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

### **CASE NO. 18**

Application and appeal of Rhodes Ferry Apartments for a 10 foot setback variance from Section 25-76 (n) (1) in order to place a sign at 1050 Harborview Dr. NE, property is located in a R-4 Multi-family Residential Zoning District.

Ms. Joanne Casey presented this case to the Board. Ms. Casey stated her address was 1050 Harborview Dr. NE, Rhodes Ferry Apartments.

Ms. Casey stated they were asking for a 10 foot variance in order to put up a property sign for the apartments.

The Board viewed pictures, which were included in the application.

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

There were no comments.

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

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

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

Meeting adjourned at 5:03 pm

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Delayne Dean, Chair



## **AGENDA March 2021**

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, March 30, 2021 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 Danny Appleton 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 operate an administrative office for a plumbing business located at 2909 Leighsdale Av SW, property is located in a R-2 Single-Family Residential District.

### **CASE NO. 2**

Application and appeal of Johnetta Moore 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 operate an on-line clothing boutique located at 306 Denver Place SW, property is located in a R-6 Single-Family Semi-Attached Residential District.

### **CASE NO. 3**

Application and appeal of John Sutherlin 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 operate an administrative office for a lawn service located at 1220 Goldridge Dr. Apt 4, property is located in a R-4.0 Multi-Family Zero Lot Line Residential District.

### **CASE NO. 4**

Application and appeal of Amber L. Hinton 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 operate an administrative office for a counseling service located at 1910 Westmeade St. SW, property is located in a R-2 Single-Family Residential Zoning District.

**CASE NO. 5**

Application and appeal of Raven Mobley 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 operate an on-line website selling original artwork located at 4701 Tomahawk Trail SE, property is located in a R-2 Single-Family Residential Zoning District.

**CASE NO. 6**

Application and appeal of Carly Cross 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 in order to operate a bread baking business located at 422 Sherman St. SE, property is located in an R-3H Historical Single-Family Residential District.

**CASE NO. 7**

Application and appeal of Devaki D'Leela Barker 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 in order to operate a day care located at 522 11<sup>th</sup> Av NW, property is located in a R-4 Multi-family Residential Zoning District.

**CASE NO. 8**

Application and appeal of Fallon Michele Gatlin 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 in order to operate an administrative office for a handyman business located at 4404 Burningtree Mountain Cir. SE, property is located in a R-1 Single-Family Residential Zoning District.

2

#50 App Fee

March 30, 2021 @ 4:00pm



CHASING SCALE

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

Board of Zoning Adjustment

APPLICANT: DANNY APPLETON  
MAILING ADDR: 2909 Leighsdale Ave SW  
CITY, STATE, ZIP: Decatur AL 35603  
PHONE: 256-551-8115

PROPERTY OWNER: DANNY APPLETON  
OWNER ADDR: 2909 Leighsdale Ave SW  
CITY, STATE, ZIP: Decatur AL PHONE: 256-580-5444

ADDRESS FOR APPEAL: 2909 Leighsdale Ave SW Decatur AL 35603

NATURE OF APPEAL:

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

\*\*\*\*\*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)

plumbing    Dining Room For administrative purposes

Applicant Name (print) DANNY APPLETON  
Signature Danny Appleton  
Representative Name (print) \_\_\_\_\_  
Signature \_\_\_\_\_  
Date 2-23-21

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

Office Use Received By: kw  
Zone R-2  
Hearing Date 3/30/21  
Approved/Disapproved \_\_\_\_\_

CASE NO. 1 2909 LEIGHSDALE AV SW



## HOME OCCUPATION QUESTIONS

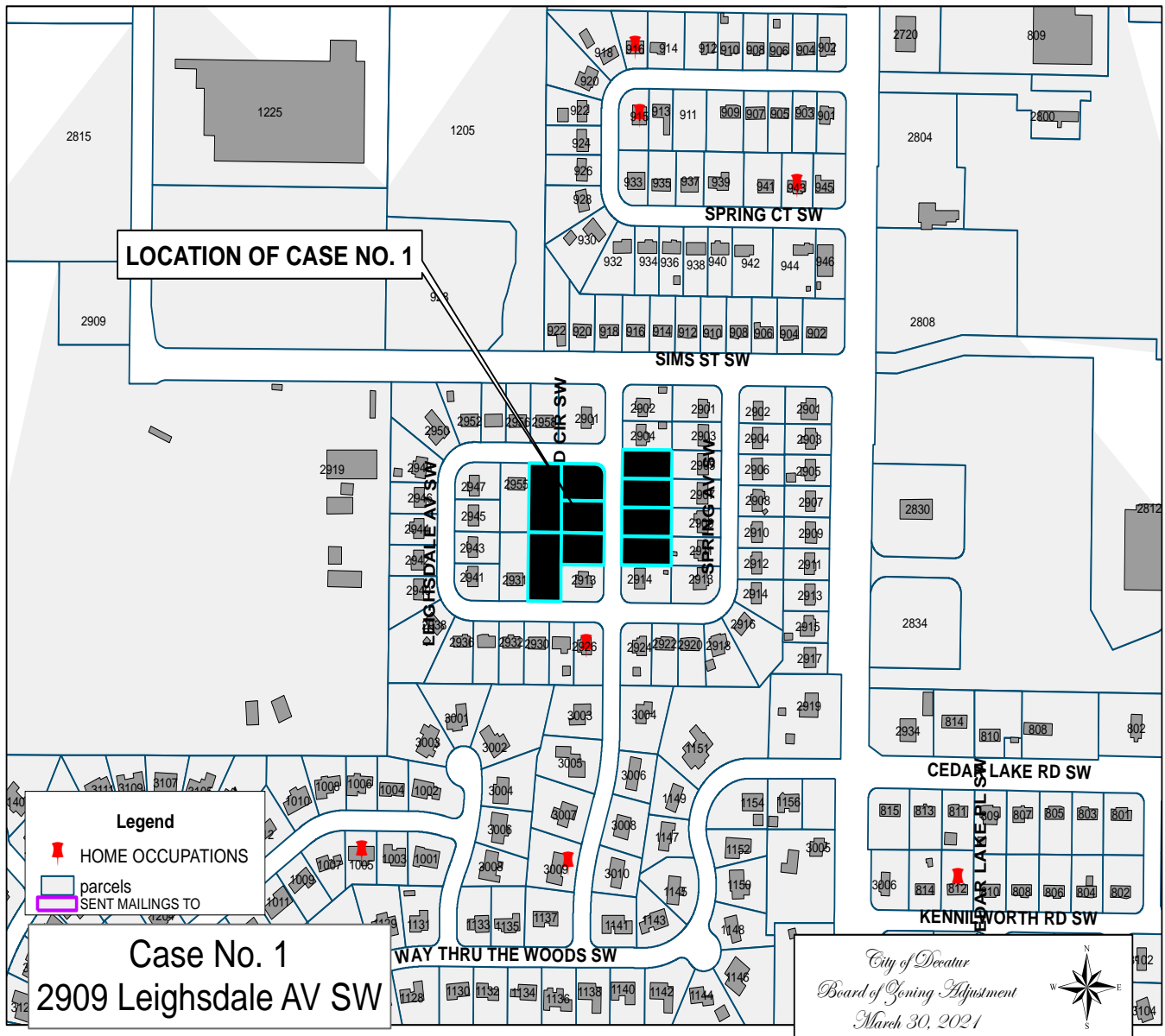
CHECK YES OR NO FOR EACH QUESTION

1. Is the occupation\* applied for (administrative office, making of crafts, sewing, etc.,) conducted entirely within the dwelling? YES ☒ NO ☒ *DA*  
*\*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 ☒ *DA* 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: Danny Appleton DATE: 2-23-21  
ADDRESS: 2909 Leighsdaile Ave SW Decatur AL 35602

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





(3) \$50.00 App fee Due 3/10 Meeting 3/30/21 @ 4:00 pm



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

Board of Zoning Adjustment

APPLICANT: Johnetta Moore  
MAILING ADDR: 306 Denver Pl S.W.  
CITY, STATE, ZIP: Decatur, AL 35603  
PHONE: (256) 345-2940

PROPERTY OWNER: Johnetta Moore  
OWNER ADDR: 306 Denver Pl S.W.  
CITY, STATE, ZIP: Decatur, AL PHONE: 256-345-2940

ADDRESS FOR APPEAL: 306 Denver Pl S.W.

NATURE OF APPEAL:

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

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

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

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

Online clothing boutique want to use my home  
as a office only

Applicant Name (print) Johnetta Moore  
Signature Johnetta Moore  
Representative Name (print) \_\_\_\_\_  
Signature \_\_\_\_\_  
Date 3-5-2021

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

Office Use Received By: Cindy  
Zone R-6  
Hearing Date 3/30/21 @ 4:00 pm  
Approved/Disapproved \_\_\_\_\_

CASE NO. 2 306 DENVER PL. SW



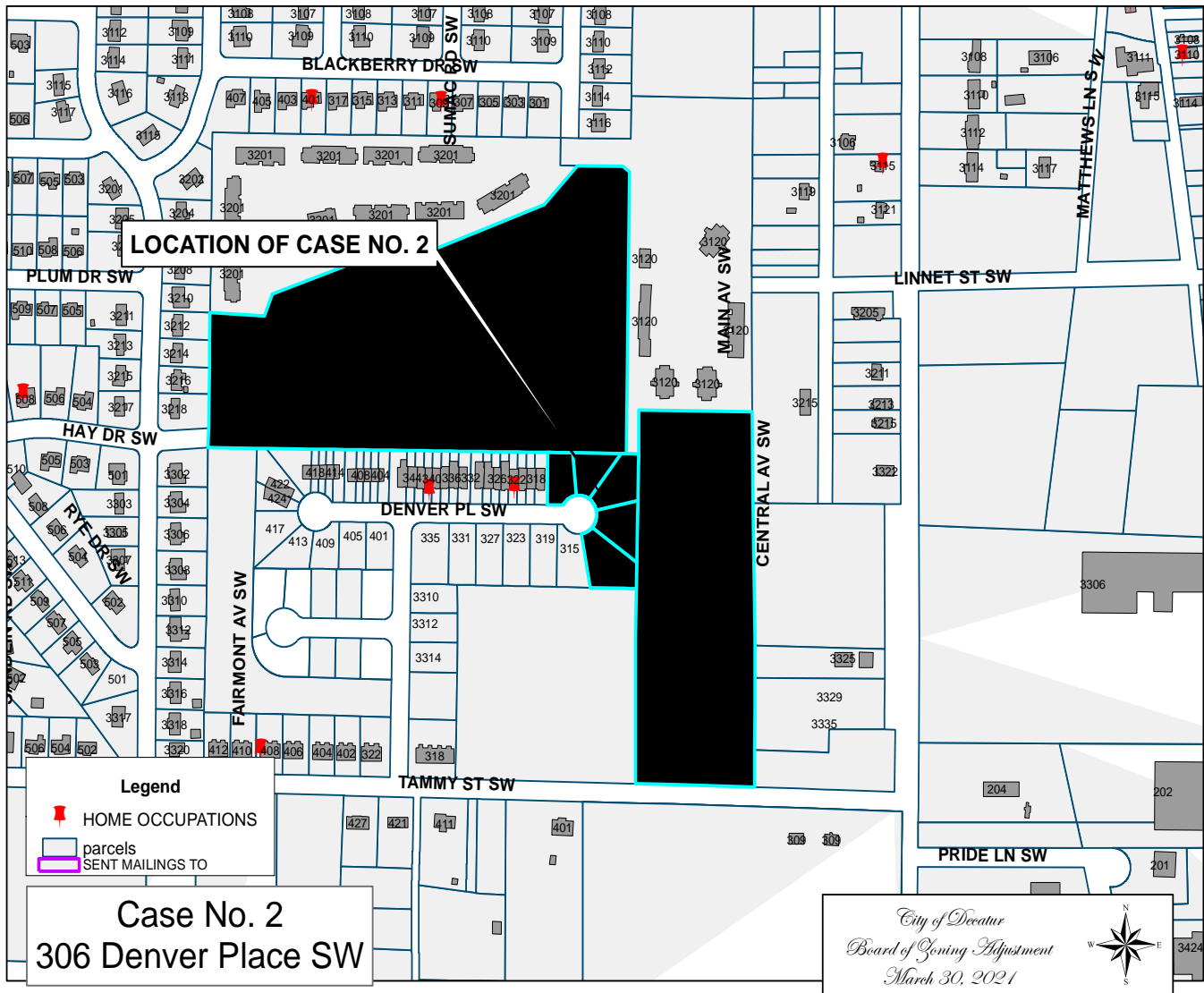
## HOME OCCUPATION QUESTIONS

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: Johnetta Moore DATE 3-5-2021  
ADDRESS: 306 Denver PL S.W.

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





3) \$50 App Fee

March 30, 2021 @ 4:00pm



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

Board of Zoning Adjustment

APPLICANT: JOHN SUTHERLIN

\* MAILING ADDR: 1220 GOLDRIDGE DR APT 4 DECATUR, AL 35603

CITY, STATE, ZIP: DECATUR, AL 35603

PHONE: 256-221-2804

PROPERTY OWNER: WEAVER REALTY

\* OWNER ADDR: 905 6TH SE

CITY, STATE, ZIP: DECATUR, AL 35601

PHONE: \_\_\_\_\_

\* ADDRESS FOR APPEAL: 1220 GOLDRIDGE DR APT 4 DECATUR, AL 3

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 JOHN SUTHERLIN WILL BE USING ONE ROOM OUT OF APARTMENT  
LIVING SPACE FOR ADMINISTRATIVE PURPOSE'S. FOR LAWN SERVICE.

Applicant Name (print) JOHN SUTHERLIN

Signature John Sutherlin

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

Signature \_\_\_\_\_

Date 3/4/21

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

Office Use Received By: Mr

Zone R-4.0

Hearing Date 3/30/21

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

CASE NO. 3 1220 GOLDRIDGE DR. APT 4



## HOME OCCUPATION QUESTIONS

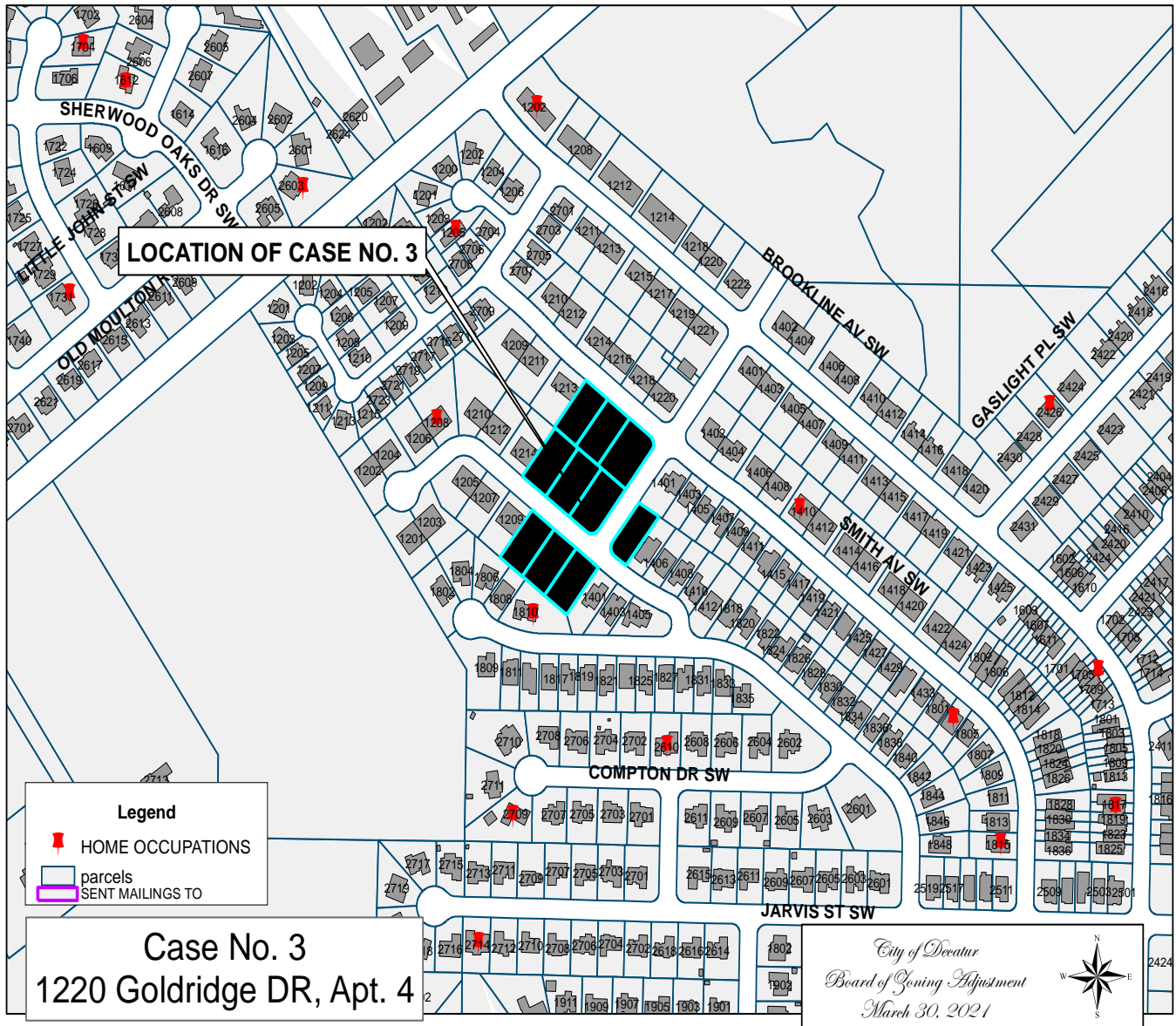
CHECK YES OR NO FOR EACH QUESTION

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: John Luther DATE: 3/4/21  
ADDRESS: 1220 GILBRIDGE DR APT 4 DECATUR, AL 35603

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QUESTIONNAIRE





(4)

\$50 App Fee

March 30, 2021 @ 4:00pm



CHARMING SCALE

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

Board of Zoning Adjustment

APPLICANT: Amber L. Hinton  
MAILING ADDR: 1910 Westmead St. SW  
CITY, STATE, ZIP: Decatur, AL 35601  
PHONE: 470-561-1904

PROPERTY OWNER: Yes.  
OWNER ADDR: 1910 Westmead St. SW  
CITY, STATE, ZIP: Decatur, AL 35601 PHONE: 470-561-1904

ADDRESS FOR APPEAL: 1910 Westmead 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)

- Co-Therapy - ~~Individual~~ In Home Services.  
Paraprofessional Services (Practice)  
Working with children who have autism and/or  
behavioral issues. Specializing in ABA Therapy and  
Behavioral Therapy. Will conduct sessions at client's  
home. Using my home as an office.

Applicant Name (print) Amber L. Hinton  
Signature [Signature]  
Representative Name (print) \_\_\_\_\_  
Signature \_\_\_\_\_  
Date \_\_\_\_\_

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

Office Use Received By: rw  
Zone R-2  
Hearing Date 3/30/21  
Approved/Disapproved \_\_\_\_\_

CASE NO. 4 1910 WESTMEADE ST SW



## HOME OCCUPATION QUESTIONS

CHECK YES OR NO FOR EACH QUESTION

1. Is the occupation\* applied for (administrative office, making of crafts, sewing, etc.,) conducted entirely within the dwelling? YES ☒ NO ☐  
\*note: This refers to only the work being done at your home.
2. Does the occupation produce sounds, colors or other audible or visible evidence of a home occupation being present? YES ☐ NO ☒
3. Is there advertising on the premises or your vehicles? YES ☐ NO ☒
4. Is more than one room within the home used for the home occupation? YES ☐ NO ☒
5. Are there any explosives or highly combustible materials used or stored within the home in connection with this home occupation? YES ☐ NO ☒
6. Does the home occupation produce any electrical interference, smoke, dust, or noise, which may be offensive? YES ☐ NO ☒
7. Is there any increase in traffic connected with this home occupation? YES ☐ NO ☐
8. Will there be any more than one sales 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 ☒

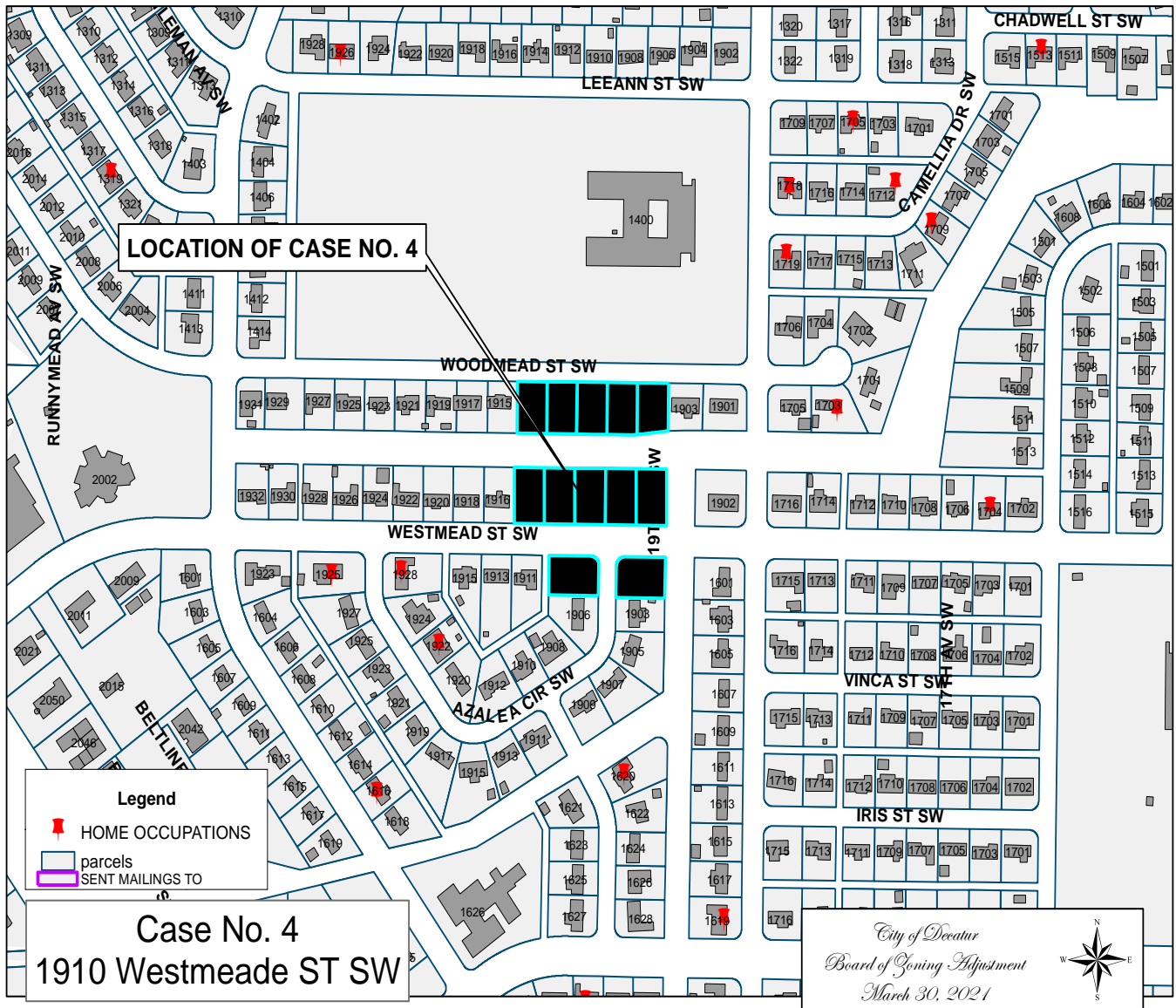
SIGNED: \_\_\_\_\_

DATE: 03/05/91

ADDRESS: 1910 Westmead St. SW, Decatur, AL 35601

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QUESTIONNAIRE





5



*A Grand City on a CHARMING SCALE*

# Board of Zoning Adjustment

APPLICANT: Raven Mobley  
 MAILING ADDR: 4701 Tomahawk Trail SE  
 CITY STATE ZIP: Decatur, AL 35603  
 PHONE: 843-359-0479

PROPERTY OWNER: Charles Mobley, Jr. and Raven Mobley  
 OWNER ADDR: 4701 Tomahawk Trail SE  
 CITY STATE ZIP: Decatur, AL 35603  
 OWNER PHONE: 843-359-0865 843-359-0479

ADDRESS FOR APPEAL: Home Occupation 4701 Tomahawk Trail SE

**NATURE OF APPEAL:**

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

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

DESCRIBE APPEAL IN DETAIL: (INCLUDE DIMENSIONS, # FT FOR VARIANCES, # FOR PARKING, HARDSHIP, TYPE OF BUSINESS)  
HOME OFFICE ONLY  
I am an independent artist, setting up my website so that I can sell my artwork online. I will be using my home studio - 12 ft. 3 in x 12 ft. to work out of. I will not need a parking lot or anything extra shipped in via special shipping.

Applicant Name(print): Raven Mobley  
 Signature: [Signature]  
 Representative Name(print): \_\_\_\_\_  
 Signature: \_\_\_\_\_  
 Date: 3/5/2021

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

Office Use  
 Received By: Cindy  
 Zone: R-2  
 Hearing Date: 3/30/21  
 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.

CASE NO. 5 4701 TOMAHAWK TR. 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 ☒

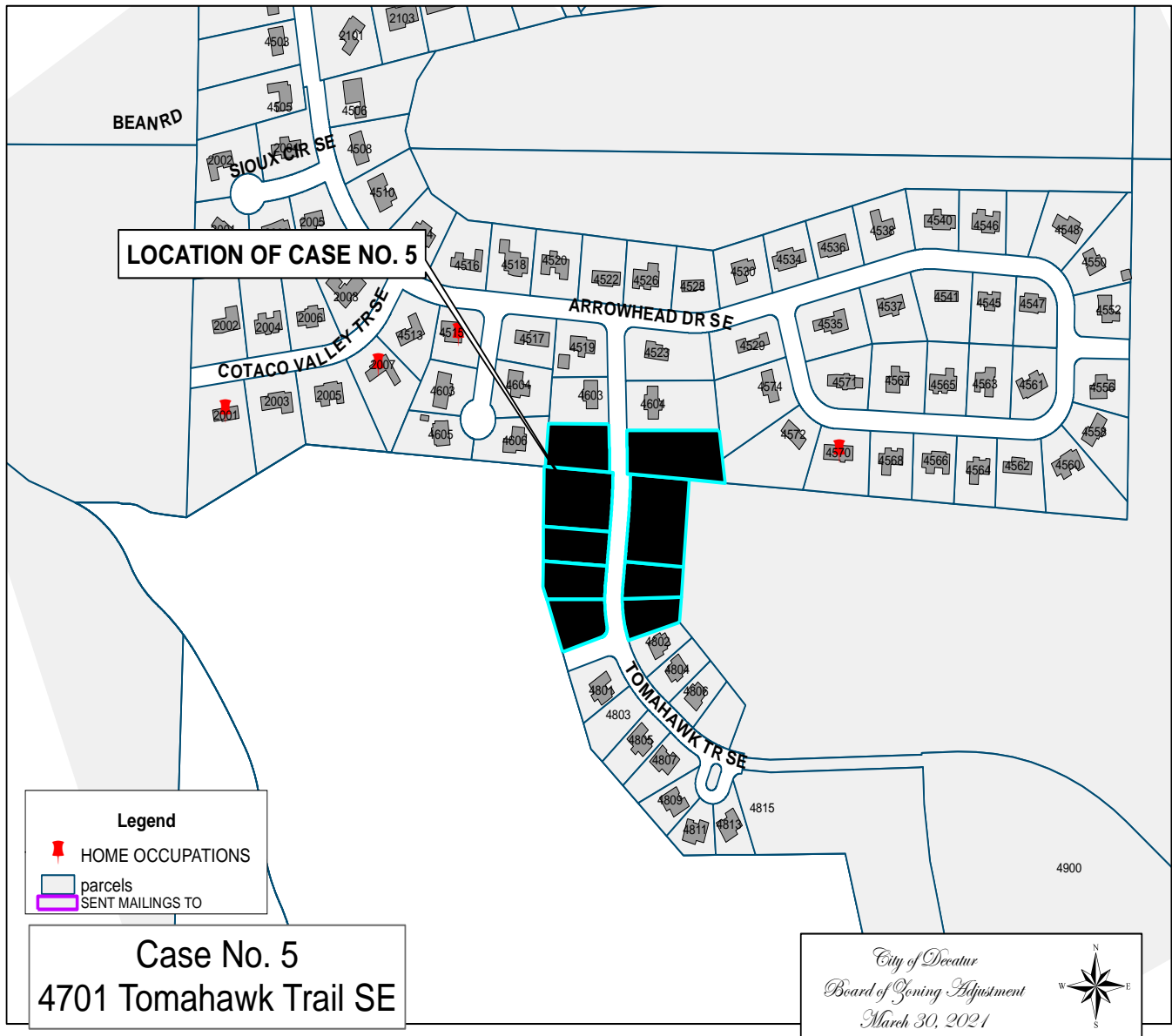
SIGNED: [Signature] DATE: 3/5/21

ADDRESS: 4701 Tomahawk Trail SE, Decatur, AL 35603

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

QUESTIONNAIRE







*A Grand City on a Charming Scale*

Board of Zoning Adjustment

APPLICANT: CARLY CROSS  
MAILING ADDR: 422 SHERMAN ST SE  
CITY STATE ZIP: DECATUR, AL 35601  
PHONE: 256-668-4033

PROPERTY OWNER: CARLY CROSS  
OWNER ADDR: 422 SHERMAN ST SE  
CITY STATE ZIP: DECATUR, AL 35601  
OWNER PHONE: 256-668-4033

ADDRESS FOR APPEAL: 422 SHERMAN ST SE DECATUR, AL 35601

☒ 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)

Cottage bakery preparing sourdough bread  
to be sold at the Morgan County Farmers  
market.

Applicant Name(print): CARLY CROSS  
Signature: Carly Cross  
Representative Name(print): \_\_\_\_\_  
Signature: \_\_\_\_\_  
Date: \_\_\_\_\_

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

Office Use  
Received By: Tw  
Zone: R-3H  
Hearing Date: 3-30-21  
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.

CASE NO. 6 422 SHERMAN ST SE

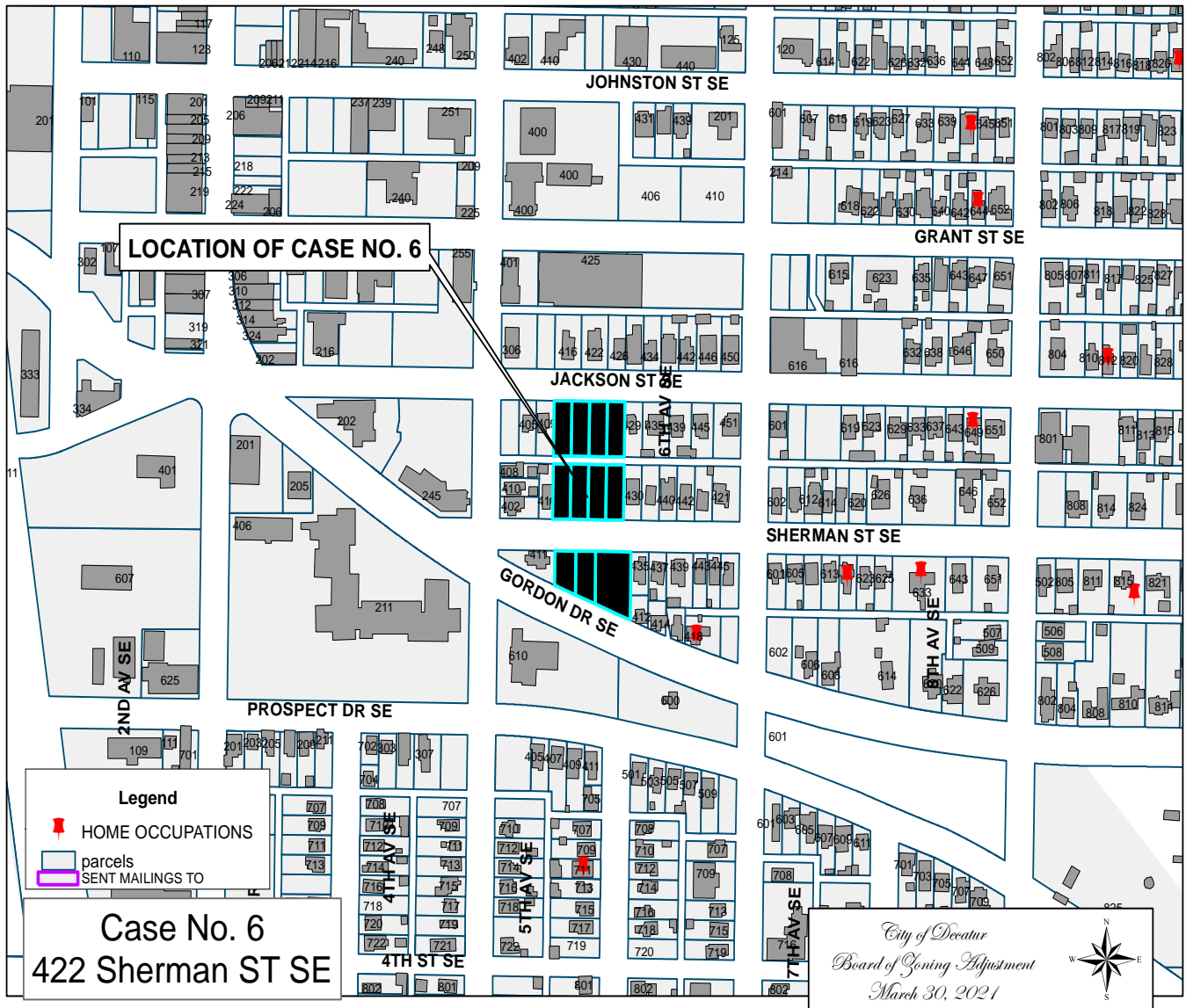


## HOME OCCUPATION QUESTIONS

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: Carly Gross DATE: 3.8.21  
ADDRESS: 422 SHERMAN ST SE DECATUR, AL 35601







#50.00 Application Fee

due by the 10<sup>th</sup> of the month to be heard that month, meeting  
Always the last Tuesday of each month.

CITY OF DECATUR BOARD OF ZONING ADJUSTMENT  
APPLICATION FOR HOME CHILD CARE FACILITY

Devaki D'Leela Barker

APPLICANT:	<u>D'Leela Barker</u>
MAILING ADDR:	<u>522 11th av NW</u>
CITY STATE ZIP:	<u>Decatur, al 35601</u>
PHONE:	<u>256 227-9256</u>
PROPERTY OWNER:	<u>Devaki D. Barker</u>
OWNER ADDR:	<u>522 11th av NW</u>
CITY STATE ZIP:	<u>Decatur, al 35601</u>
OWNER PHONE:	<u>256 227-9256</u>

ADDRESS OF APPEAL:	<u>522 11th av NW Decatur, al 35601</u>
--------------------	---

MARK CLASS OF DAY CARE YOU DESIRE: (READ ORDINANCE TO DETERMINE CLASSES)

- |  |   |
|--|---|
| <input type="checkbox"/> DAY CARE (6 OR LESS)                | <input type="checkbox"/> NIGHTTIME HOME CARE (6 OR LESS)                    |
| <input checked="" type="checkbox"/> GROUP DAY CARE (7 TO 12) | <input checked="" type="checkbox"/> GROUP NIGHTTIME CARE (7 TO 12 CHILDREN) |

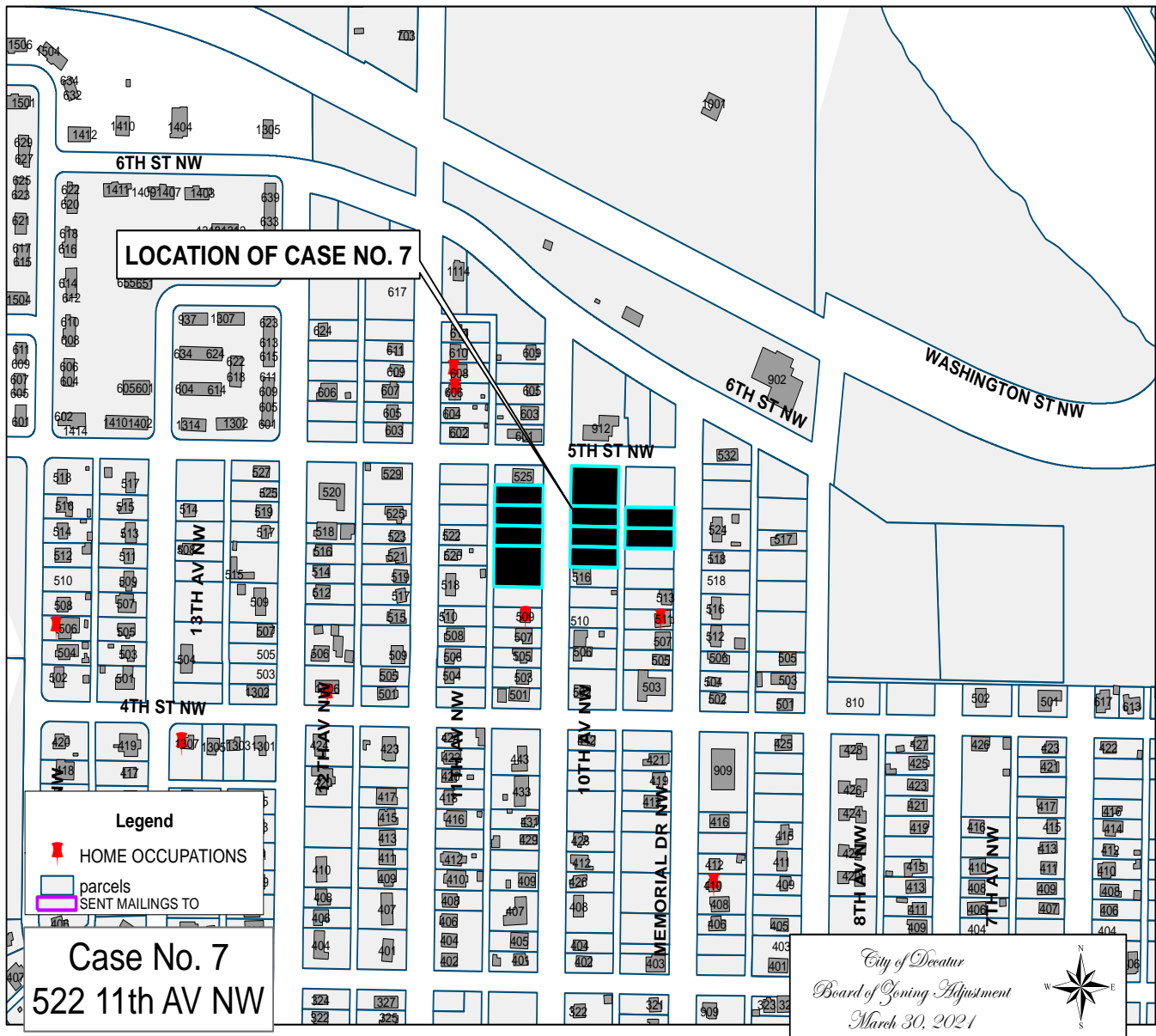
DESCRIBE HOURS OF OPERATION; PARKING ARRANGEMENTS; PLAY AREA and EQUIPMENT; DO YOU HAVE FENCE, DOG, OR POOL.

6a - 6 p  
Play area will be designed w/ fence.  
Small dog (caged in private dog fence)  
No pool  
Parking in front driveway and back yard entry

<u>Devaki D. Barker</u> APPLICANT SIGNATURE	<b>OFFICE USE ONLY</b>  REVIEWED BY: _____ HEARING DATE: <u>3/30/21</u> ZONING DISTRICT: <u>R-4</u>  APPROVED/DISAPPROVED: _____
<u>D'Leela Barker</u> PRINT NAME	
DATE: <u>3-1-21</u>	

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 of the month to be heard on the last Tuesday. Applicants MUST be present in order for the case to be heard. Request a copy of this application.

CASE NO. 7 522 11<sup>TH</sup> AV NW



⑧ \$50 App Fee

March 30, 2021 @ 4:00pm



CHASING SCALE

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

Board of Zoning Adjustment

APPLICANT: Fallon Michele Gatlin  
MAILING ADDR: 4404 Burningtree <sup>mtn</sup> Cir Se  
CITY, STATE, ZIP: Decatur AL 35603  
PHONE: 203 947-0965

PROPERTY OWNER: Fallon Michele Gatlin  
OWNER ADDR: ~~8477~~ 4404 Burningtree mtn circle  
CITY, STATE, ZIP: Decatur AL 35603 PHONE: 203 947-0965

ADDRESS FOR APPEAL: 4404 Burningtree mtn Cir Se Decatur AL 35603

NATURE OF APPEAL:

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

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

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

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

Started handyman LLC - will be doing admin  
from home.

Running admin work from home

Applicant Name (print) Fallon Michele Gatlin  
Signature Fallon Gatlin  
Representative Name (print) \_\_\_\_\_  
Signature \_\_\_\_\_  
Date 03.9.21

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

Office Use Received By: Tw  
Zone R-1  
Hearing Date 3/30/21  
Approved/Disapproved \_\_\_\_\_

CASE NO. 8 4404 BURNINGTREE MTN CR. 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 ☒

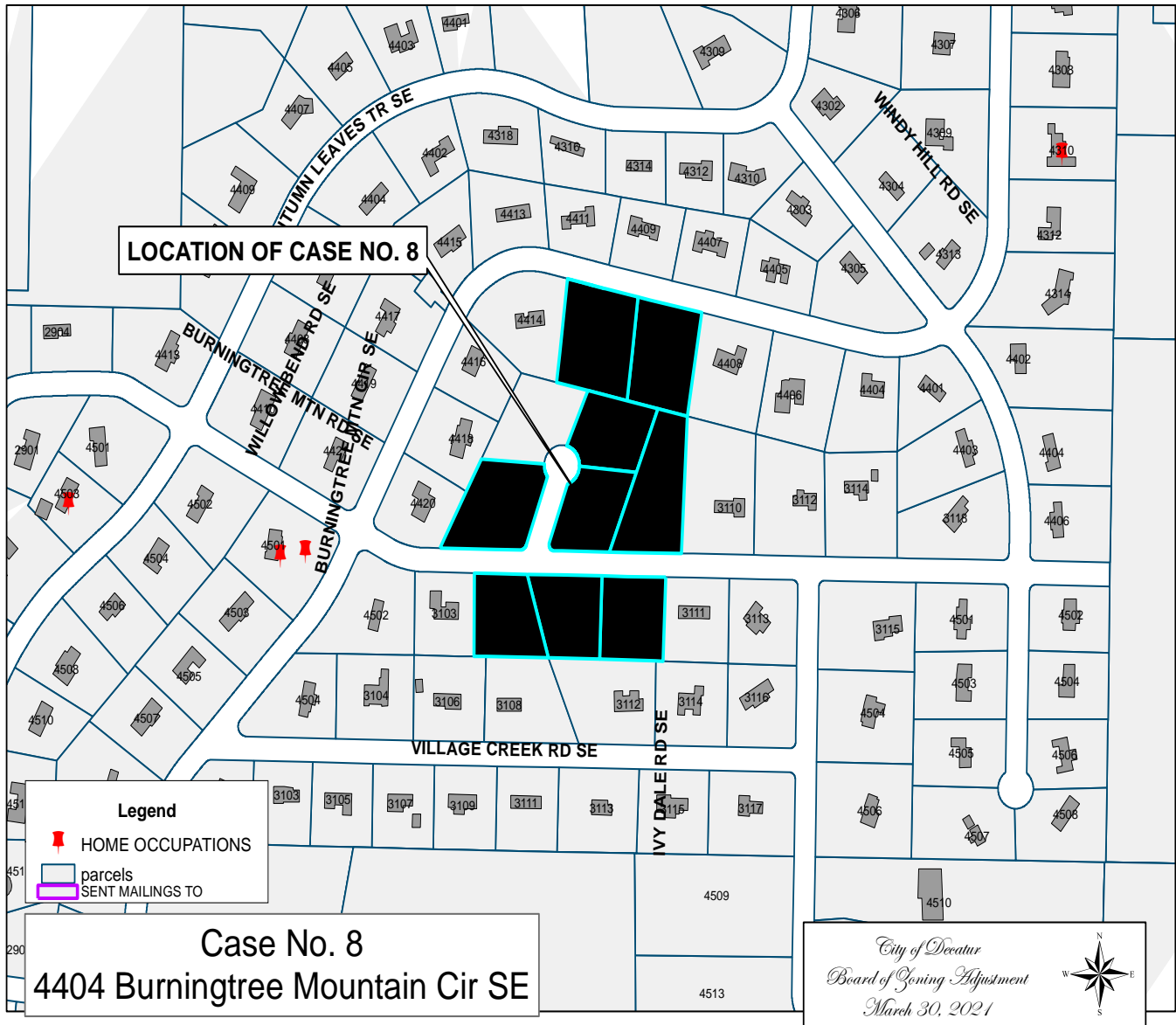
SIGNED: Fallen Whetlin DATE: 03.9-21

ADDRESS: 4401 Burningtrees mtn circle se  
Decatur AL 35603

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





9)



CHARMING SCALE

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

Board of Zoning Adjustment

APPLICANT: Kim Terry  
MAILING ADDR: 3504 Danville Rd  
CITY, STATE, ZIP: Decatur, AL 35603  
PHONE: 256 214-0993

PROPERTY OWNER: Greg + Kim Terry  
OWNER ADDR: 337 Ironman Rd  
CITY, STATE, ZIP: Hartselle AL 35640 PHONE: 256 214-0993

ADDRESS FOR APPEAL: 3504 Danville Rd Decatur 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)

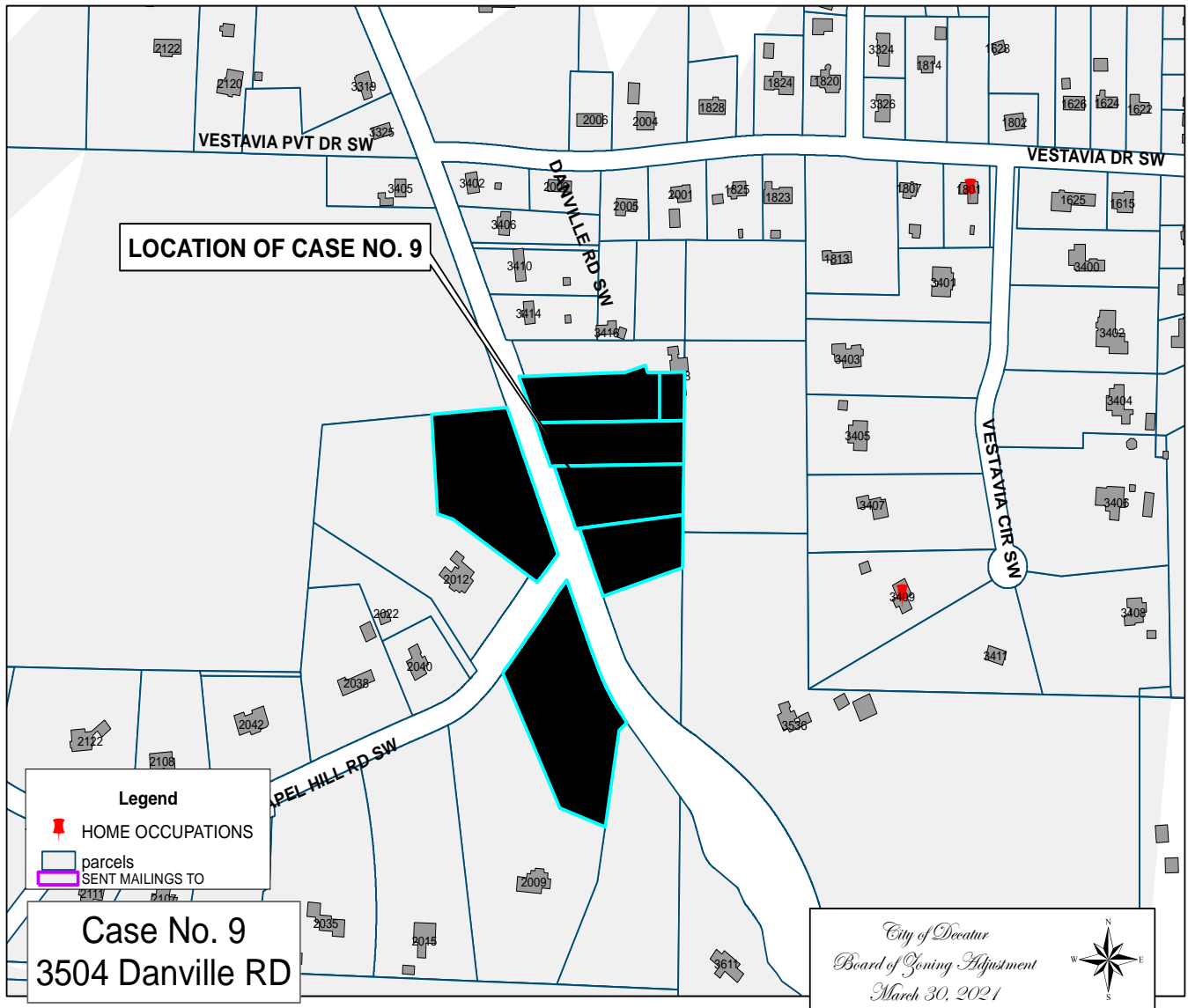
Put sign less than 25 ft from property line.

Applicant Name (print) Kim Terry  
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 B-C  
Hearing Date [Signature]  
Approved/Disapproved \_\_\_\_\_

CASE NO. 9 3504 DANVILLE RD. SW





⑩

#50.00 App

March 30, 2021 @ 4:00pm



CHARMING SCALE

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

Board of Zoning Adjustment

APPLICANT: Jeuron McMillan  
MAILING ADDR: 29811 Windsor Lane,  
CITY, STATE, ZIP: Harvest AL 35749  
PHONE: 704 560-3807

PROPERTY OWNER: Jeuron McMillan  
OWNER ADDR: 29811 Windsor Lane  
CITY, STATE, ZIP: Harvest AL, 35749 PHONE: 704 560-3807

ADDRESS FOR APPEAL: 1407 8th Street 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)

- Applying for square foot variance to build a house
- Property has already been approved for 50 ft. variance (10/27/2020)
- Applying for a 21,400 square foot area variance.

Applicant Name (print) Jeuron McMillan

Signature [Signature]

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

Signature \_\_\_\_\_

Date 3/4/21

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

Office Use Received By: Nur

Zone R-3

Hearing Date March 30, 2021

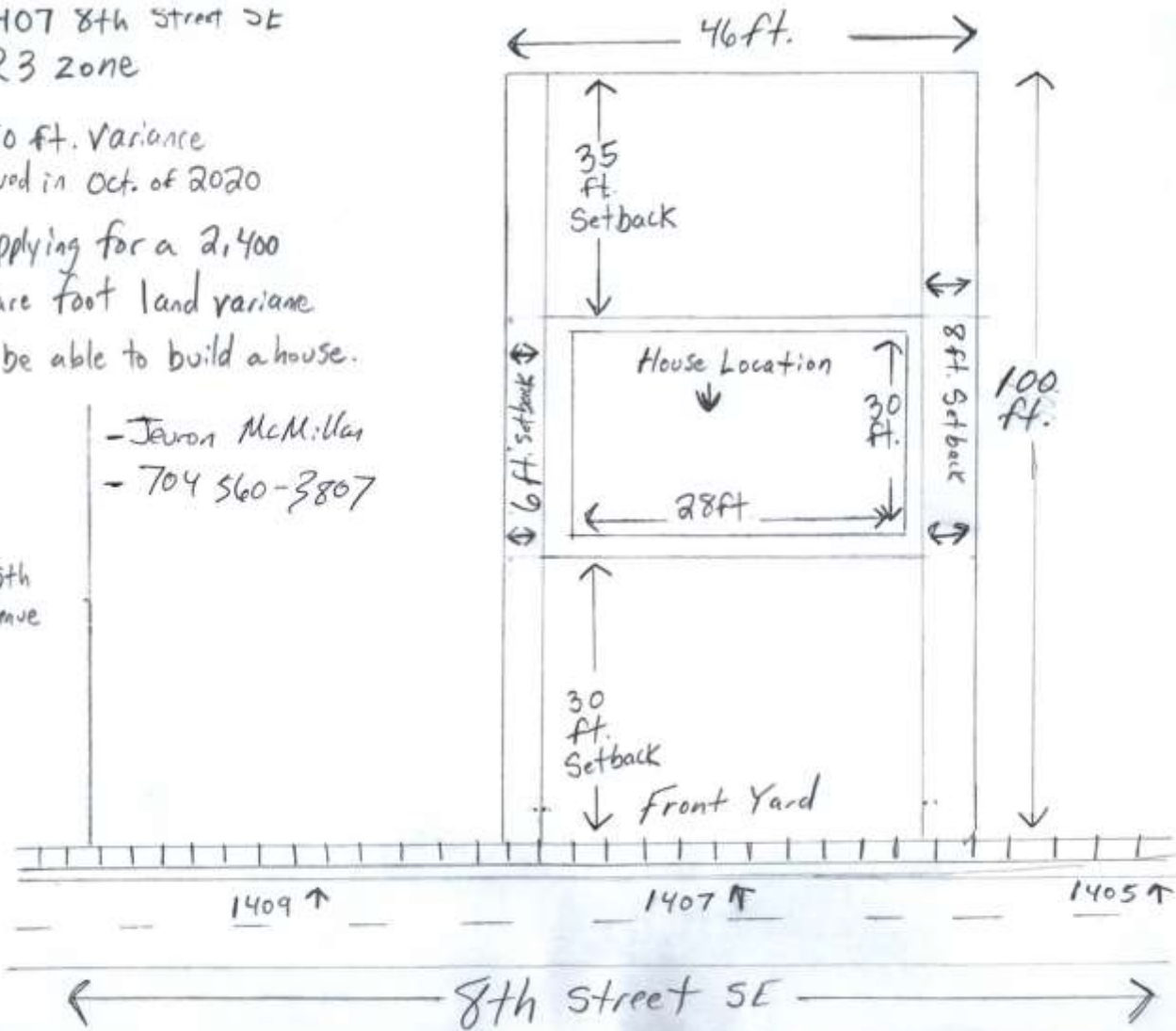
Approved/Disapproved \_\_\_\_\_

CASE NO. 10 1407 8TH ST. SE

- 1407 8th Street SE
- R3 zone
- 50 ft. Variance approved in Oct. of 2020
- Applying for a 2,400 Square foot land variance to be able to build a house.

- Jevon McMillan  
- 704 560-3807

← 15th Avenue





- Search
- Pay Tax
- Print

<b>PARCEL #:</b> 03 09 29 1 003 003.000	<b>Baths:</b> 0.0 <b>N/C Sqft:</b> 0
<b>OWNER:</b> HANLY MICHAEL RON	<b>SOMRVLERO</b> <b>Bed Rooms:</b> 0 <b>Land Sch:</b> 5/5P13/03R003
<b>ADDRESS:</b> 1630 MAGNOLIA STREET SE DECATUR AL 35601	<b>Land:</b> 20,700 <b>Imp:</b> 0 <b>Total:</b> 20,700
<b>LOCATION:</b> 1407 8TH STREET SE AL	<b>Acres:</b> 0.000 <b>Sales Info:</b> 10/12/1993 \$0

&lt;&lt; Prev Next &gt;&gt; [ 1 / 1 Records ] Processing...

Tax Year : 2020

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[LAND](#)
[IMPROVEMENTS](#)
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 ☒ Recent ☐ Previous

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  - Collection
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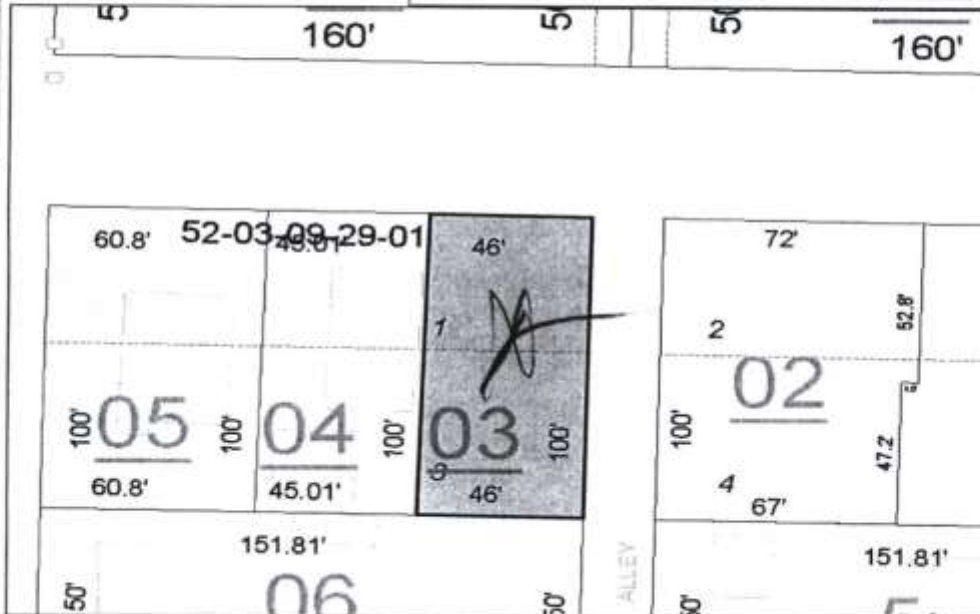
## NEW

## COUNTY MAP

## Parcel Search

**Disclaimer:** Information and data provided by any section of this website are being provided "as-is" without warranty of any kind. The information and data may be subject to errors and omissions.

**AMANDA S. SCOTT, CPA**  
 Revenue Commissioner  
 Morgan County  
 892 Lee Street SE  
 Decatur, AL 35601  
 (256) 353-4022



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