

BOARD OF ZONING ADJUSTMENT

AGENDA

AUGUST 2021

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MINUTES JULY 2021

MEMBERS PRESENT: Chair, Delayne Dean, Mr. Steven Thomas, Mrs. Susana Salcido,

SUPERNUMERARIES: Mr. Brad Townson, Mr. Larry Wayne

OTHERS PRESENT: Mr. Chip Alexander, Asst. City Attorney
Mr. Matthew Marques, Planning Department
Mr. Jimmy Hilley, Planning Department
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 1st floor at City Hall.

Mr. Bob Sims, Building Department, called the roll.

The minutes from the June 2021 meeting were approved without any changes. Mrs. Susana Salcido motioned to approve the minutes. Mr. Steven Thomas seconded the motion. On a voice vote the motion carried.

POINT OF INFORMATION: TODAY'S MEETING IS BEING BROADCAST LIVE VIA YOUTUBE DUE TO THE COVID-19 PANDEMIC. ANY QUESTIONS THE PUBLIC MAY HAVE, CAN BE EMAILED TO 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 the rules and regulations were understood.

CASE NO. 1

Application and appeal of Robin Crow 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 crafts/sewing and home interior business located at 3704 S. Chapel Hill Rd. SW, property is located in an AG-1 Agricultural Zoning District.

This case was moved to the end of the docket when no one came forward to present the case.

CASE NO. 2

Application and appeal of Juan G. Duque 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 residential remodeling business located at 3110 Battlement Road SW, property is located in a R-2 Single Family Residential Zoning District.

Ms. Camilla Duque, applicant's daughter, interpreted for Mr. Juan G. Duque.

Ms. Duque stated her name was Camilla Duque and her address was 3110 Battlement Rd. SW.

Mr. Juan Duque stated his name.

The rules and regulations were explained to Mr. Duque.

Mr. Duque acknowledged he understood the rules and regulations.

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

Mr. Steven Thomas asked Mr. Duque about the signage he would use and explained the rule that signage placed in the yards of clients can only be in place for 10 days, Mr. Duque acknowledged he understood.

No comments were made from the public.

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

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

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

CASE NO. 3

Application and appeal of Diana Clemons 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 care business located at 722 3rd Av. SE, property is located in a R-4 Multi- Family Residential Zoning District.

Ms. Diana Clemons presented this case to the Board. Ms. Clemons stated her name was Diana Clemons and her address was 722 3rd Av. SE. Ms. Clemons stated she would like to use one room in her home for her lawn care business.

Ms. Clemons stated she did not have any employees and that she understood all of the rules and regulations for a home occupation.

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

There were no questions from the public.

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

Mr. Matthew Marques, Planning Department, verified Ms. Clemons owned the property. Ms. Clemons stated she did own the property.

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

CASE NO. 4

Application and appeal of Casi Gaskin 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 craft and sewing business located at 2517 Circle Dr. SE, property is located in a R-1 Single Family Residential Zoning District.

Ms. Casi Gaskin presented this case to the Board. Ms. Gasking stated her name was Casi Gaskin and her address was 2517 Circle Dr. SE. Ms. Gaskin stated she would like to use one room in her home for her craft and sewing business.

Chair, Dean asked Ms. Gaskin about the equipment she would be using.

Ms. Gaskin replied she would be using a heat press and sewing machine and other typical crafting items.

Chair, Dean, verified the size of heat press Ms. Gaskin would be using.

Ms. Gaskin stated the heat press was tabletop sized and that it was not an industrial size heat press.

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

There were no question from the public.

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

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

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

CASE NO. 5

Application and appeal of Myrna 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 operate an administrative office for a crawlspace repair business located at 1504 11th Av. SE, property is located in a R-2 Single Family Residential Zoning District.

This case was moved to the end of the docket when no one came forward to present the case.

CASE NO. 6

Application and appeal of Tracy Kauffman 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 travel agency business located at 306 Mark St. SW, property is located in a R-2 Single Family Residential Zoning District.

This case was withdrawn before the start of this meeting.

CASE NO. 7

Application and appeal of Travis Bates 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 business located at 306 Denver Place SW, property is located in a R-5 Single Family Patio Home Residential Zoning District.

This case was moved to the end of the docket when no one came forward to present the case.

CASE NO. 8

Application and appeal of Alexis Saavedra Ramirez for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI. As amended and adopted, of the Zoning Ordinance to operate an administrative office for a residential remodeling business located at 1515 Phillips Av. SW, property is located in a R-3 Single Family Residential Zoning District.

Mr. Alexis Ramirez presented this case to the Board. Mr. Ramirez stated his name was Alexis Saavedra Ramirez and his address was 1515 Phillips Av SW. Mr. Ramirez stated he would like to use one room in his home for his remodeling business.

Chair, Dean asked for any questions from the Board.

Mr. Larry Wayne asked Mr. Ramirez where he learned to remodel homes.

Mr. Ramirez stated he had learned from his father.

Mr. Steven Thomas asked Mr. Ramirez if he would be remodeling commercial buildings as well as residential. Mr. Ramirez stated he would work on residential only.

Chair, Dean asked Mr. Ramirez what type of equipment he would be using.

Mr. Ramirez stated he would only be using regular household tools.

There were no comments from the public.

Mr. Steven Thomas motioned to approve this case as submitted. Mr. Larry Wayne seconded the motion. ON a roll call vote the motion carried.

CASE NO. 9

Application and appeal of Trent Standridge, Country Financial, for the following:

- 5 foot area variance
- 1.5 foot height variance
- 8 foot setback variance

From Section 25-78 (d) in order to install a sign located at 713 6th Av SE, property is located in a B-6 Business Office Zoning District.

Mr. Trent Standridge presented this case to the Board. Mr. Standridge stated his name was Trent Standridge and his address was 713 6th Av SE.

Mr. Standridge stated he would like to have a sign variance.

Mr. Larry Waye verified that Mr. Standridge was asking for a sign variance to be 6 feet wide and 5 feet tall.

Mr. Standridge agreed he was asking for a sign variance to be 6 feet wide and 5 feet tall.

Chair, Dean verified the variance would be for a finished sign size, Mr. Standridge agreed.

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

There were no comments.

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

CASE NO. 10

Application and appeal of M H Outdoor Media from Section 25-72 (18) in order to perform work that exceeds \$7500.00 to an off premise sign located at 1211 Beltline Rd SW, property is located in a M-1A Expressway Commercial District.

Mr. Thomas Thrash presented this case to the Board. Mr. Thrash stated the project address is at 1211 Beltline Rd. SW.

Mr. Thrash stated M H Outdoor Media is asking to put a digital billboard on the existing location.

Mr. Thrash stated the size of the billboard would remain the same as the billboard that is presently located at this site.

Mr. Thrash stated the only alterations would be the transformation to digital and the electrical upgrade, and the end of the billboard widened to be more visible to the traffic.

Chair, Dean asked for question 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 comment.

Mr. Larry Waye 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 Schoel Engineering from Section 25-16 (2) (f) for a 21 parking space variance located at 2900 Spring Av SW, property is located in a M-1A Expressway Commercial District.

Ms. Liz Willmot presented this case to the Board. Ms. Willmot stated her name was Liz Willmot representing Schoel Engineering and the property owner. Ms. Willmot stated the address for the project was 2900 Spring Av SW.

Ms. Willmot stated the request is to be able to share 21 parking spaces between two restaurants.

Ms. Willmot stated when the property was originally purchased; the intended use was for a Freddy's restaurant and two retail spaces.

Ms. Willmot stated that the property owner might use the site for an additional restaurant instead of the retail spaces.

Ms. Willmot stated the restaurant considering moving into the location would only use half of the 2500 square feet and use the other half as a storage unit for this restaurant and for potentially other new restaurants in the future.

Ms. Willmot stated the variance is for parking.

The Freddy's franchise, that is located in Madison, Al., does approximately 70% of that business through the drive-up window and the owner assuming the same the will be true with the operation at this location.

Ms. Willmot stated that the hardship for this request is that the square footage of the building, at this time, has be considered as the whole restaurant even though only half of it would be used for seating.

Ms. Willmot stated that if the request is granted that 14 more parking spaces would be required and space for the additional 14 parking spaces has been found.

Chair, Dean verified that none of the space would be used for retail only the two restaurants, Ms. Willmot agreed.

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

Mr. Larry Waye verified that if the building was used for only the one restaurant and not the storage then there would already be sufficient parking, Ms. Willmot agreed.

Ms. Willmot stated the construction documents are being updated to show the additional 14 parking spaces and there will be 79 parking spaces.

Mr. Larry Waye verified that the square footage property as a whole had to be considered and that is the reason for requesting 21 additional parking spaces, Ms. Willmot agreed.

There were no more questions from the Board or the public.

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

Mr. Matthew Marques, Planning Department, asked if a condition could be put on the motion to include that the half of the building designated for storage be limited so a restaurant could not go into that space.

Mr. Chip Alexander, Asst. City Attorney, stated that yes that condition could be added if the Board motioned for that condition to be placed on the request.

There was a discussion about how the decision to request the 21 additional spaces had been determined by the Board and Mr. Alexander and Mr. Sims.

Since the whole building was being considered in the request, it was determined that a condition did not need to be put on the request. No further discussion was needed.

Mr. Larry Wayne motioned to approve this case as submitted. Mr. Steven Thomas seconded the motion. Ms. Susana Salcido recused herself when called upon for a vote. With a unanimous vote of the four remaining Board members the motion carried.

CASE NO. 1

Application and appeal of Robin Crow 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 crafts/sewing and home interior business located at 3704 S. Chapel Hill Rd. SW, property is located in an AG-1Agricultural Zoning District.

This case was DISMISSED with a motion by Steven Thomas and seconded by Brad Townson, on a roll call vote the motion carried.

CASE NO. 5

Application and appeal of Myrna 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 operate an administrative office for a crawlspace repair business located at 1504 11th Av. SE, property is located in a R-2 Single Family Residential Zoning District.

This case was DISMISSED with a motion by Steven Thomas and seconded by Brad Townson, on a roll call vote the motion carried.

CASE NO. 7

Application and appeal of Travis Bates 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 business located at 306 Denver Place SW, property is located in a R-5 Single Family Patio Home Residential Zoning District.

This case was DISMISSED with a motion by Larry Wayne and seconded by Steven Thomas, on a roll call vote the motion carried.

OLD BUSINESS:

MAY 2021 CASE NO. 18

Application and appeal of an Administrative Decision by Jesse Longhi from Section 25-2 (1) and Section 25-10.11 (2) in order to place an accessory structure in the front yard located at 701 Westwood Dr. SW, property is located in a R-2 Single-Family Residential Zoning District.

Variance was approved with the condition that a permit be obtained by the builder.

The Building Department is requesting the Board consider adding another condition to the above case.

The Building Department is recommending a 30- day timeframe from June 29, 2021 to obtain the permit by a duly licensed builder. If the permit is not purchased by said time- frame then the variance becomes null and void.

Mr. Jesse Longhi addressed the Board.

Mr. Longhi acknowledged he did not see his attorney's from Burney and Burney in the audience. He assumed they had an extra court appearance that had to be made.

Mr. Longhi also acknowledged he did not see Mr. and Mrs. Anderson who were the prime contractor for the work that was done at the home located at 701 Westwood Dr. SW. Mr. Longhi stated he was on his own as he normally is.

Mr. Longhi explained about the carport.

Mr. Longhi stated the carport was placed over the concrete driveway.

Mr. Longhi stated the carport was placed on his property, not even close to the property line.

Mr. Longhi stated he had not had any problems with the neighbors that no one had any complaints.

Mr. Longhi stated he has had conversations with Mr. Sims, Building Department, Mr. Longhi pointed at Mr. Sims.

Mr. Longhi stated that Mr. Sims has had conversations with Mrs. Anderson and was unaware if Mr. Sims had spoken with the contractors from Tennessee; Mr. Sims stated he had not been able to get in touch with the contractor from Tennessee.

Mr. Longhi stated the contractors were a large company named Tennessee Steel.

Mr. Longhi stated he understood the contractor is now spending most of their time in Nashville, Tennessee and working on the arsenal and that was all he could say about their work or any government work.

Mr. Longhi stated Tennessee Steel was a reputable company he had checked the company out before Mrs. Anderson had selected them.

Mr. Longhi stated that the carport is a temporary portable structure.

Mr. Longhi stated that the carport could be taken down in about two (2) hours and that would not be any problem if that is the decision of the Board.

Mr. Longhi stated if the decision from the Board was to take the carport down then it would be taken down. Mr. Longhi stated that his attorney said the fact is even though the carport is there an effort had been made through Mrs. Anderson to obtain any kind of permissions or to build there.

Mr. Longhi stated that Mrs. Anderson assumed since the carport was portable and removable there is not normally any type of restrictions put on the carport.

Mr. Longhi stated that there are at least eight that are built like his but not as good as his carport. The other carports are aluminum.

Mr. Longhi states that there are carports like it going down Danville Road SW and these carports go right up to the road and are built right to the house.

Mr. Longhi assumes Mrs. Anderson took this into consideration but should have told them if there could be a problem if the carport was improper or not portable enough.

Again, Mr. Longhi stated that the carport can be taken down in two (2) hours, if need be.

Mr. Longhi stated that he was at a loss as to why the emphasis is on his son's home verses all of the neighbors who have carports.

Mr. Longhi stated he went by and talked to a couple of owners who have carports and asked if they had to come through a board like this and they said no they left it to their contractor and he took money from them for the permission.

Mr. Longhi stated that he interviewed three (3) contractors' three (3) sales people. The first one has businesses in Huntsville, Athens and in Decatur, he said he would not build anything...he will build portable building and put them on a lot but will not build carports.

Mr. Longhi stated that this contractor stated there was too much ruckus with it and does not want to go through that.

Mr. Longhi stated that the second contractor had built about half a dozen carports but Mr. Longhi was in the city and he may not be able to build in the city that he could do the county like he had been doing.

Mr. Longhi stated he asked this contractor what would it take to build in the city.

Mr. Longhi stated that this contractor stated it would take extra money to build in the city. You would have to pay somebody.

Mr. Longhi stated he asked this contractor pay them for what?

Mr. Longhi stated this contractor said for permission.

Mr. Longhi stated he replied OK and didn't have a problem with that because he was used to that situation because he was a contracting officer at the U. S. Army Space Missile Defense Command and did a lot business with contractors all over.

Mr. Longhi stated that was in Huntsville and on the arsenal part of the time and on Research Park part of the time and did not have any problems.

Mr. Longhi stated that the 3rd contractor he spoke told him the conditions: has to be on the property, has to be non-intrusive, being that it is portable they cannot go down 20 feet with pylons.

Mr. Longhi stated he told this contractor he felt like he had met all of those conditions.

Mr. Longhi stated that this contractor told him he would do it for him but it would cost him some extra money that there are some people he has to pay.

Mr. Longhi stated he told this contractor that he would take his word for at that and that he cannot argue with him.

Mr. Longhi asked this contractor whether he would have to do the work at night putting the structure up if it was still a problem and left it at that.

Mr. Longhi stated that was when he went to go see Burney and Burney.

Mr. Longhi stated the lawyers have been in court and thinks they are short handed.

Mr. Longhi stated he asked Mrs. Anderson to come and she will not come and said Mrs. Anderson said she would not come that she is not going there.

Mr. Longhi stated that Mrs. Anderson said she had done the best she could do. She had given him a portable building that is on your property that is over your driveway/concrete driveway where it is supposed to be.

Mr. Longhi stated he told Mrs. Anderson ok and that was all she would do.

Mr. Longhi stated that Mrs. Anderson stated she may come but he did not think that she would.

Mr. Longhi stated it was not far from Hazel Green to here but she did not want to go through this process.

Chair, Dean stated to Mr. Longhi that 2 months ago it was proven it was a portable building on your property, over the driveway. Mr. Longhi nodded his head in agreement.

At that time a condition for approval had been set for a building permit be purchased by the contractor, after the fact the structure had already been placed.

Chair, Dean stated that last month a time line of 30 days had been put onto that in order to provide time for the builder to get the permit and it is obvious that the builder is not going to purchase a permit.

Mr. Longhi stated that the subcontractor was not going to do anything and was only a subcontractor to Mrs. Anderson.

Mr. Longhi stated that Mrs. Anderson wants to help him out.

Mr. Longhi stated that he had bought a portable wooden structure from Mrs. Anderson for his property in Hazel Green and she was terrific.

Mr. Longhi stated that the people who did that work brought it in, laid it down and it can be lifted and taken off of his property.

Mr. Longhi stated that Mrs. Anderson was reputable and means well but she may not have had all of the facts.

Mr. Longhi stated that Mrs. Anderson said she had gotten into a problem similar to this in Elkmont but she did not tell him what happened.

Mr. Longhi stated he was sorry and explained why he is living with his son.

Mr. Longhi stated he was here recruiting for a school, primary school.

Mr. Longhi stated he was looking for locations.

Mr. Longhi stated about 75 educators would be employed and looking for people to work in the kitchen at this school.

Mr. Longhi stated that there are good buildings here that he could use for this purpose.

Mr. Longhi stated that he had a lot of people here who were wanting to help him but has not received any support from the city.

Mr. Longhi stated if he goes to the county it was a little bit better.

Mr. Longhi stated that he and his wife may be moving back to Hazel Green or they may move to Madison.

Mr. Longhi stated that Madison was being very receptive and they would probably build a school there.

Chair, Dean told Mr. Longhi that none of that was relative to this issue, Mr. Longhi understood.

Chair, Dean told Mr. Longhi that as a Board, what has been approved previously still stands. The condition now is that a permit has not been obtained by the contractor, which was put in the original agreement. Mr. Longhi nodded his head in agreement.

Chair, Dean stated a change needed to be made to allow Mr. Longhi to purchase the building permit.

Mr. Longhi stated that he had previously purchased several building permits back when he was working on the arsenal when he had secured several buildings after 9/11 one being on Wynn Drive.

Mr. Longhi stated they had put in secure post and secured things with the building that he cannot tell what those were and there were not any incidents at all.

Mr. Longhi stated that there was a Muslim church on Sparkman Drive and those people were just terrific.

Mr. Longhi stated he had contractors who had purchased building permits but he did not have to get the permits so he was not aware of what was involved in purchasing a permit.

Mr. Longhi stated that when he first came here for the permit, they said the permit, would be \$50.00.

Mrs. Susana Salcido asked if someone could tell Mr. Longhi where to go to purchase the permit.

Mr. Bob Sims, Building Department, told Mr. Longhi that he would need to go to the fourth (4th) Floor in city hall to purchase the permit however, the \$50.00 was probably the application fee to attend the BOZA meeting.

Mr. Longhi stated he found out later on that it was just to attend this meeting.

Mr. Bob Sims, told Mr. Longhi that he did not have permission to put the structure up where he put it up.

Mr. Longhi, stated that the structure was put up by a contractor.

Mr. Bob Sims, stated it was put up by a contractor who did not know the process.

Mr. Longhi stated that this contractor has done work in the city and the city was unaware that the work had been done.

Mr. Longhi stated that this contractor has put up structures in the county. And, he has done a bunch in Madison County and that was where he had gotten his back-ground from.

Mr. Larry Wayne stated he did not think the issue was the builder or if that builder was reputable or not, it was a matter of process, Mr. Longhi nodded in agreement.

Mr. Larry Wayne stated that the process is to purchase a building permit before a structure is built.

Mr. Larry Wayne stated you cannot build without a building permit.

Mr. Larry Wayne stated that where the structure was placed needed to have a variance because it was not under the normal guidelines of where that type of building could be placed.

Mr. Larry Wayne stated to Mr. Longhi that is the reason the attendance to this meeting is required so the Board can approve the variance to have the building placed and built.

Mr. Larry Wayne stated that the variance was granted after the fact and that the structure had already been built and one of the conditions was that the builder would come and simply get a building permit, which is a normal process.

Mr. Larry Wayne states that since the builder is not going to purchase a permit the Board is willing to allow Mr. Longhi to purchase the building permit, Mr. Longhi agrees.

Mr. Larry Wayne told Mr. Longhi that he still has to meet the 30-day extension which ends Thursday July 29th, 2021.

Mr. Larry Waye explains to Mr. Longhi that he will need to go to the fourth (4th) Floor in city hall and get the building permit, Mr. Longhi nods in acknowledgement.

Mr. Larry Waye again tells Mr. Longhi that the permit has to be purchased by Thursday the 29th and the variance that the Board granted would be in effect and then Mr. Longhi could move forward based on the building permit.

Mr. Larry Waye asked Mr. Longhi if that made sense, Mr. Longhi stated it does.

Mr. Longhi stated that he has had building and structures put up and has never had to put in for a building permit it was always the contractor who purchased the permit.

The Board was in agreement with Mr. Longhi that the builder should have purchased the permit but did not so, now they are willing to allow Mr. Longhi to step into that role and the previous agreement will be null and void.

Mr. Longhi asked what process he needed to take to purchase the permit.

Mr. Bob Sims, Building Department, explained he needed to go to the fourth (4th) Floor, fill out the permit application just like the structure had not been built yet, stating what size the carport is going to be when completed, Mr. Longhi understood.

Mr. Sims told Mr. Longhi that the big thing for this structure was that the building had to be behind the property line for the house. Mr. Longhi stated that it is behind the property line.

Mr. Sims explained to Mr. Longhi that when the building permit is issued the inspectors from the building department will come out to do an inspection for structural soundness and to measure the best way it can be done.

Mr. Longhi stated he had a wheel.

Mr. Sims stated that the Building Department has a wheel but, what is needed the most is a survey showing the front of the house to the property line and usually a land surveyor does that but, believes the Building Department has figured that out to the best of their abilities.

Mr. Sims states that he would have to make sure that the structure is behind the property line because if it is over the property line it is in the city right of way (ROW), Mr. Longhi replied it is not.

Mr. Sims told Mr. Longhi that if he is behind the property line great; if he is in front of the property line he may have to move it back.

Mr. Sims told Mr. Longhi that the Board cannot grant anything in the ROW only up to the ROW, Mr. Longhi replied ok. Mr. Sims told Mr. Longhi the only way to get something approved to be in the ROW was to go before the city council.

Mr. Sims, again explained to Mr. Longhi to go to the Fourth (4th) floor in city hall tomorrow July 28th and fill out a permit application. One of the guys will look over it and may ask you some questions then the permit will be generated and someone will come out and do the inspection probably us and a couple of others.

Mr. Sims explained to Mr. Longhi that the Building Department was really wanting to talk to the builder contractor because he did work on the property and we were wanting to talk to him but, that was not going to happen.

Mr. Longhi agreed and then stated that Mr. and Mrs. Anderson own the business and subbed the labor to Tennessee Steel and states he has talked to Tennessee Steel and they do not care. They have been paid and without documentation, he understands the point.

Mr. Larry Wayne asked Mr. Longhi if he agrees to adjust the conditions of the agreement.

Mr. Longhi stated that if he can make it right by buying or filing the builders permit he will do that.

Mr. Longhi stated that he knows it is on his property, he knows where it is placed, he knows how many feet he has between the structure and his neighbors yard and has at least two (2) or three (3) feet.

Mr. Longhi states that he is not holding anything against Decatur or the people here.

Mr. Longhi states that he will take down the structure if needed.

Mr. Longhi states he can take it down in two (2) hours.

The Board states hopefully it would not come to that.

Chair, Dean reminded Mr. Longhi that it was all about following the process.

Chair, Dean told Mr. Longhi that they were amending their first decision to help him, Mr. Longhi agreed.

Chair, Dean asked Mr. Chip Alexander if he had something he would like to say.

Mr. Alexander told Mr. Longhi that 99% of his job was taking care of the city and looking out for the city's best interest.

Mr. Alexander stated to Mr. Longhi that something he said several times during his presentation, he cannot let slide. To the degree that contractors told you that in order to get something built on your property you have to come pay somebody, the inference he got from it was to grease somebody's palm to get it built.

Mr. Alexander stated to Mr. Longhi that may not have been what he was implying but that was what it sounded like.

Mr. Longhi agreed that was what it sounded like to him.

Mr. Alexander assured Mr. Longhi that was not the truth. And if he was dealing with contractors who told him that was the truth, they are not reputable businessmen and they do not need to be doing business in the City of Decatur and thinks some of them are not.

Mr. Alexander told Mr. Longhi that if he is coming to get a permit then he is coming to get a permit, and that he is not coming to grease anybody's palm.

Mr. Alexander assured Mr. Longhi the City of Decatur has not operated that way and the City of Decatur will not operate that way.

Mr. Alexander told Mr. Longhi that someone gave him some bad information.

Mr. Alexander told Mr. Longhi that if he wanted to come and build something and buy a permit and follow the correct steps he was welcome to do that. If he was going to continue saying he was having to pay someone off to get the building then for Mr. Longhi to tear the building down and move it out of the way.

Mr. Alexander told Mr. Longhi that the City does not care and the City does not take bribes and will not act like we do.

Chair, Dean asked for comments from the public.

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

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

Mr. Larry Way motioned to adjust the motion from last month requiring the builder to get a building permit allowing Mr. Longhi to get the building permit as long as it meets the original 30 day deadline which ends this Thursday the 29th of July 2021. Mr. Steven Thomas seconded the motion. On a roll call vote the motion carried.

Meeting adjourned at 4:56 p.m.

Delayne Dean, Chair

AGENDA

August 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, August 31, 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.

CASE NO. 1

Application and appeal of Tamara Weatherby 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 business selling home, electronics and yard décor, located at 303 Courtney Dr. SW Apt #38, property is located in a R-4 Multi-family Residential District.

CASE NO. 2

Application and appeal of Abraham Johnson 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 mobile detailing business located at 1602 Brookridge Dr. Apt #114, property is located in a R-4 Multi-family Residential District.

CASE NO. 3

Application and appeal of Nikita Coman 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 business selling crafts located at 1401 Smith Av SW, property is located in a R-5 Single-Family Patio Home Residential District.

CASE NO. 4

Application and appeal of Jahmirris Smith 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 property rental business located at 1219 Moulton St E, property is located in a R-3 Single Family Residential District.

CASE NO. 5

Application and appeal of Jahmirris Smith 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 logistics business located at 1219 Moulton St E, property is located in a R-3 Single Family Residential District.

CASE NO. 6

Application and appeal of Maurice 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 administrative office for a vocom business located at 1706 Woodmeade St SW, property is located in a R-2 Single Family Residential District.

CASE NO. 7

Application and appeal of Jeffrey Ellis 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 specialty tree removal service business located at 1817 Cumberland Av SW, property is located in a R-2 Single Family Residential District.

CASE NO. 8

Application and appeal of Bryan V. Johnson 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 skilled metal artisan located at 2410 Stratford Rd SE, property is located in a R-1 Single Family Residential District.

CASE NO. 9

Application and appeal of Charles P. Beddow 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 land surveyor's business located at 1409 Plaza St SE, property is located in a R-2 Single Family Residential District.

CASE NO. 10

Application and appeal of Michael L. Smith 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 arts and crafts business located at 2206 Woodland St SE, property is located in a R-1 Single Family Residential District.

CASE NO. 11

Application and appeal of Billy and Erica Allen from Section 25-16 (2) (f) for a 23 parking space variance located at 701 Sycamore St NW, property is located in a B-1 Local Shopping Business Zoning District.

CASE NO. 12

Application and appeal of Samuel King from Section 25-14 for a 13.61 foot variance in order to build a 20 x 20 carport located at 1901 7th St SE, property is located in a R-3 Single Family Residential District.

CASE NO. 13

Application and appeal of Justin Roberts from Section 25-14 for a 4 foot setback variance in order to align a new construction home with the existing homes located at 2805 Hempstead Av. SW, property is located in a R-5.0 Single Family Zero Lot Line Patio Home Residential District.

CASE NO. 14

Application and appeal of Justin Roberts from Section 25-14 for a 3 foot setback variance in order to construct a new home located at 464 Covina Dr. SW that will match the existing homes. This property is located in a R-5.0 Single Family Zero Lot Line Patio Home Residential District.

CASE NO. 15

Application and appeal of Peyton Morris, River Road Manor, LLC from Section 25-10.10 (2) (c) for a 1 foot 9 inch front yard setback variance in order to correct a block survey error located at 3015 Lisa Ln. SE, property is located R-3 Single Family Residential District.

CASE NO. 16

Application and appeal of Darryl Osborn from Section 25-78 (d) for a 13 foot setback variance in order to replace a damaged sign located at 2605 Danville Rd. SW, property is located in a B-1 Local Shopping Business District.

CASE NO. 17

Application and appeal of Brandon Price, Building Construction Associates, from Section 25-76 (a) (2) for a 10 foot height variance in order to install a 30 foot sign located at 2804 Spring Av SW, property is located in a M-1A Expressway Commercial District.

CASE NO. 18

Application and appeal of Mark McCurry, Stone Assets LLC, from Section 25-10.a (2) (c) for an 11.2 foot setback variance in order to add an addition to the front of the house located at 1601 10th Av. SE, property is located in a R-2 Single Family Residential District.

CASE NO. 19

Application of Tony Hopkins for a use permitted on appeal from Section 25-11 in order to have a restaurant located at 209 'C' 2nd Av SE, property is located in a B-5 Central Business District.

① \$50.00 App Fee Meeting Aug. 31, 2021 @ 4:00



* 402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Tamara Weatherby
MAILING ADDR: 303 Courtney Dr Apt #38
CITY, STATE, ZIP: Decatur, AL, 35601
PHONE: 256-227-9280

PROPERTY OWNER: Tamara Weatherby
OWNER ADDR: 303 Courtney Dr Apt #38
CITY, STATE, ZIP: Decatur, AL, 35601 PHONE: 256 973 1625
256 227 9280

ADDRESS FOR APPEAL: 303 Courtney Dr. Apt #38 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)

one room of my home for online sale to sale items
off of pallets.

Applicant Name (print) Tamara Weatherby
Signature Tamara Weatherby
Representative Name (print) _____
Signature _____
Date 7/22/21

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

Office Use Received By: NW
Zone R-4
Hearing Date 8/31/21
Approved/Disapproved _____

CASE NO. 1 303 COURTNEY DR. APT #38



HOME OCCUPATION QUESTIONS

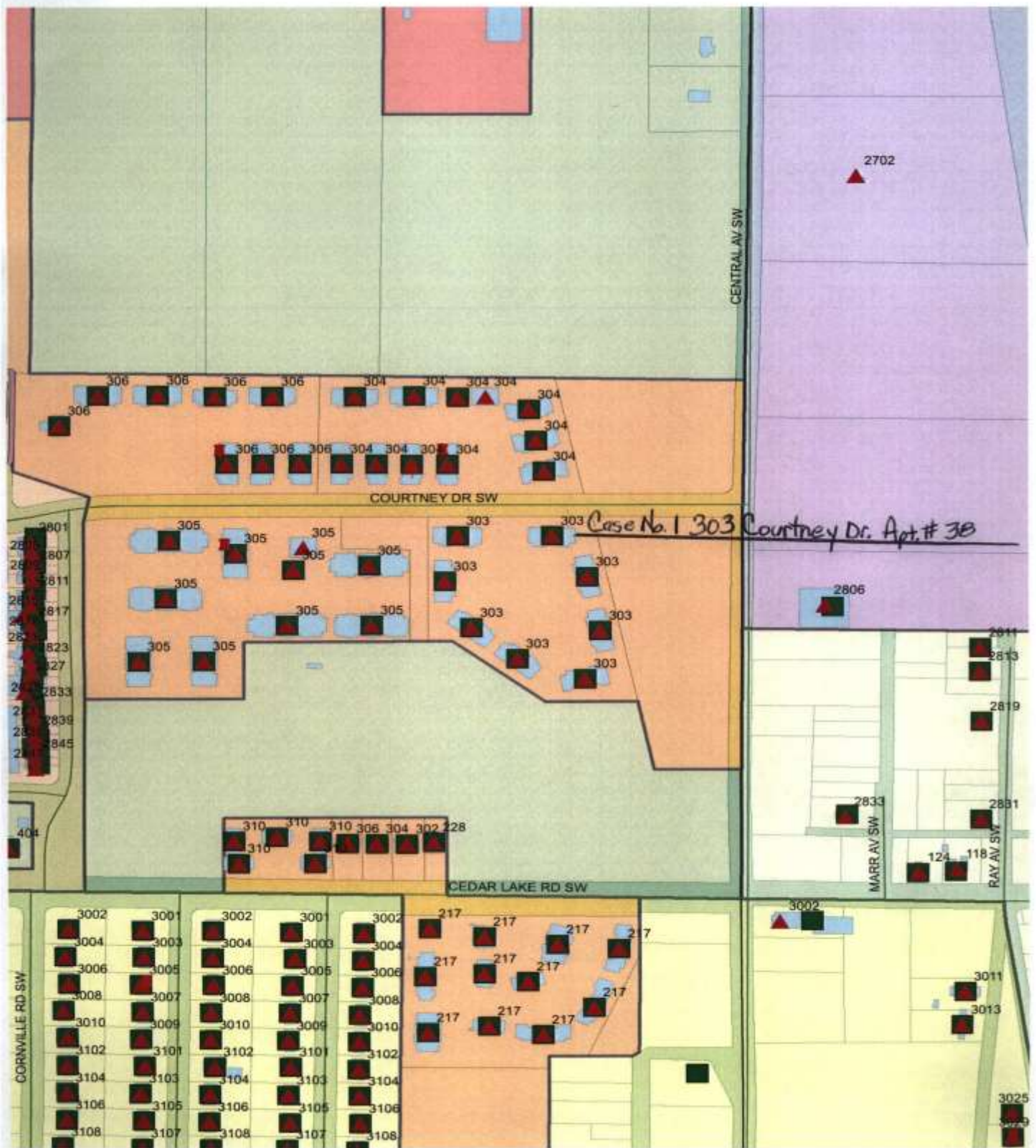
CHECK YES OR NO FOR EACH QUESTION

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 ☒ ^{TW}
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: Jamie Weale DATE: 7/22/21
ADDRESS: 303 Courtney Dr Apt # 38 Decatur, AL 35601

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QUESTIONNAIRE



② \$50.00 APP FEE Due by Aug 10th Meeting 8/31/21 @ 4:00 p.m.



* 402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Curtis Johnson / Abraham Johnson

MAILING ADDR: 1602 Brookridge dr. Apt. 114

CITY, STATE, ZIP: Decatur, AL 35601

PHONE: 256-221-9696

PROPERTY OWNER: Tina Lash

OWNER ADDR: Brookridge dr. sw

CITY, STATE, ZIP: Decatur, AL 35601 PHONE: 256-345-5344

ADDRESS FOR APPEAL: 1602 Brookridge dr. Apt 114 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)

Mobile detailing - admin only

Applicant Name (print) ABRAHAM JOHNSON

Signature Abraham Johnson

Representative Name (print)

Signature

Date 7-26-21

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

Office Use Received By: tw

Zone R-4

Hearing Date 8/31/21

Approved/Disapproved

CASE NO. 2 1602 BROOKRIDGE DR.



HOME OCCUPATION QUESTIONS

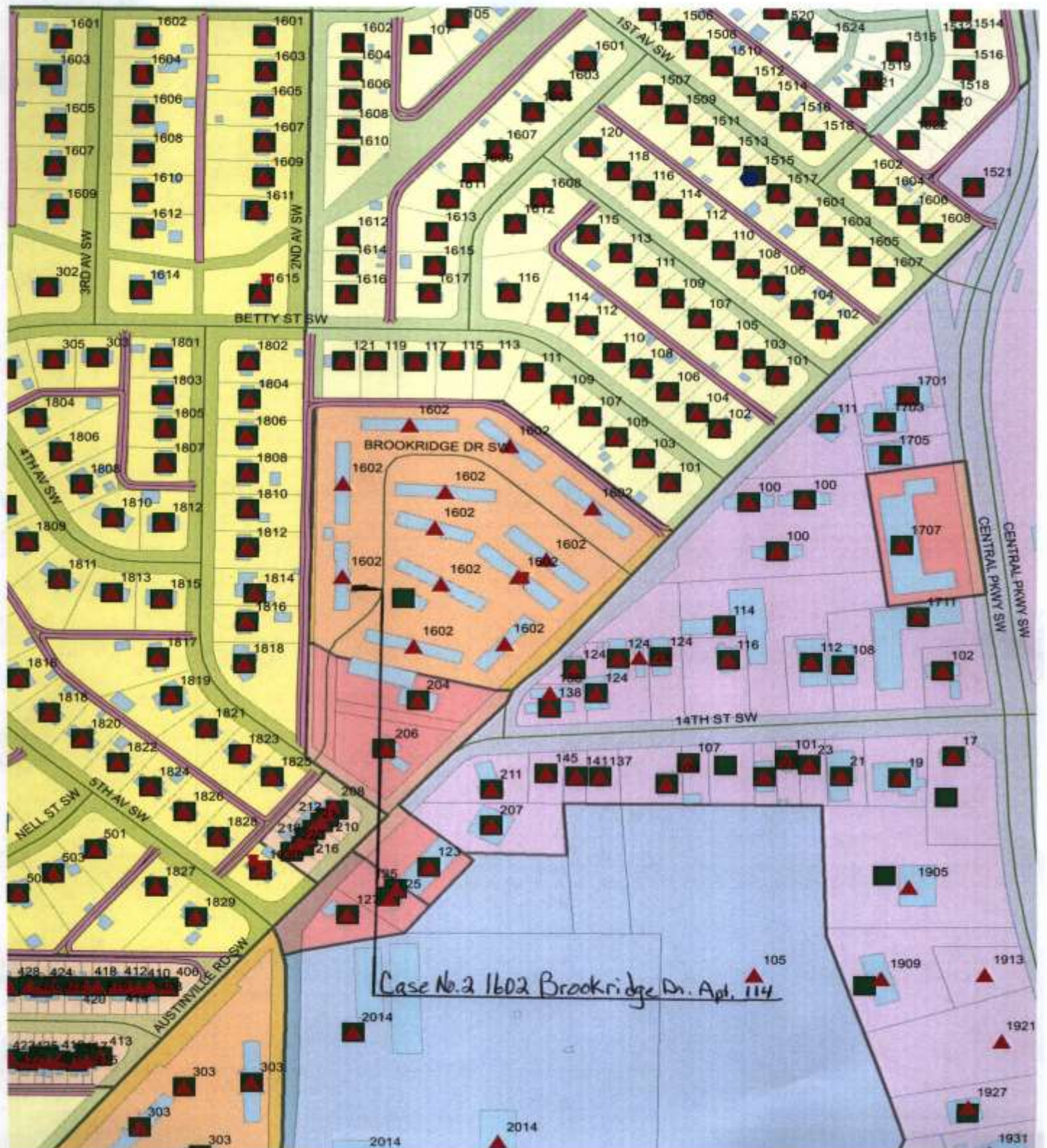
CHECK YES OR NO FOR EACH QUESTION

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: Curtis Johnson Abraham Johnson DATE: 7-26-21
ADDRESS: 1602 Brookridge dr. Apt. 114 decatur, AL 35601

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QUESTIONNAIRE



3) \$5000 App fee Due by 10th of the month Meeting 8/31 @ 4:00 p.m.

* 402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Nikita Coman

MAILING ADDR: 1401 Smith Ave SW

CITY, STATE, ZIP: Decatur, AL 35603

PHONE: 256-466-5328

PROPERTY OWNER: Sergio Jimenez

OWNER ADDR: 200 Kectron PKWY 153 H

CITY, STATE, ZIP: Spring Hill, TN 37174 PHONE: 931-334-5786

ADDRESS FOR APPEAL: 1401 Smith 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)

I will be using one room in my home for crafting and
conducting sales online

Applicant Name (print) Nikita Coman

Signature Nikita Coman

Representative Name (print)

Signature

Date 8/2/2021

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

Office Use Received By: tw

Zone R-5

Hearing Date 8/31/2021

Approved Disapproved

CASE NO. 3 APPLICATION 1401 SMITH AV SW



HOME OCCUPATION QUESTIONS

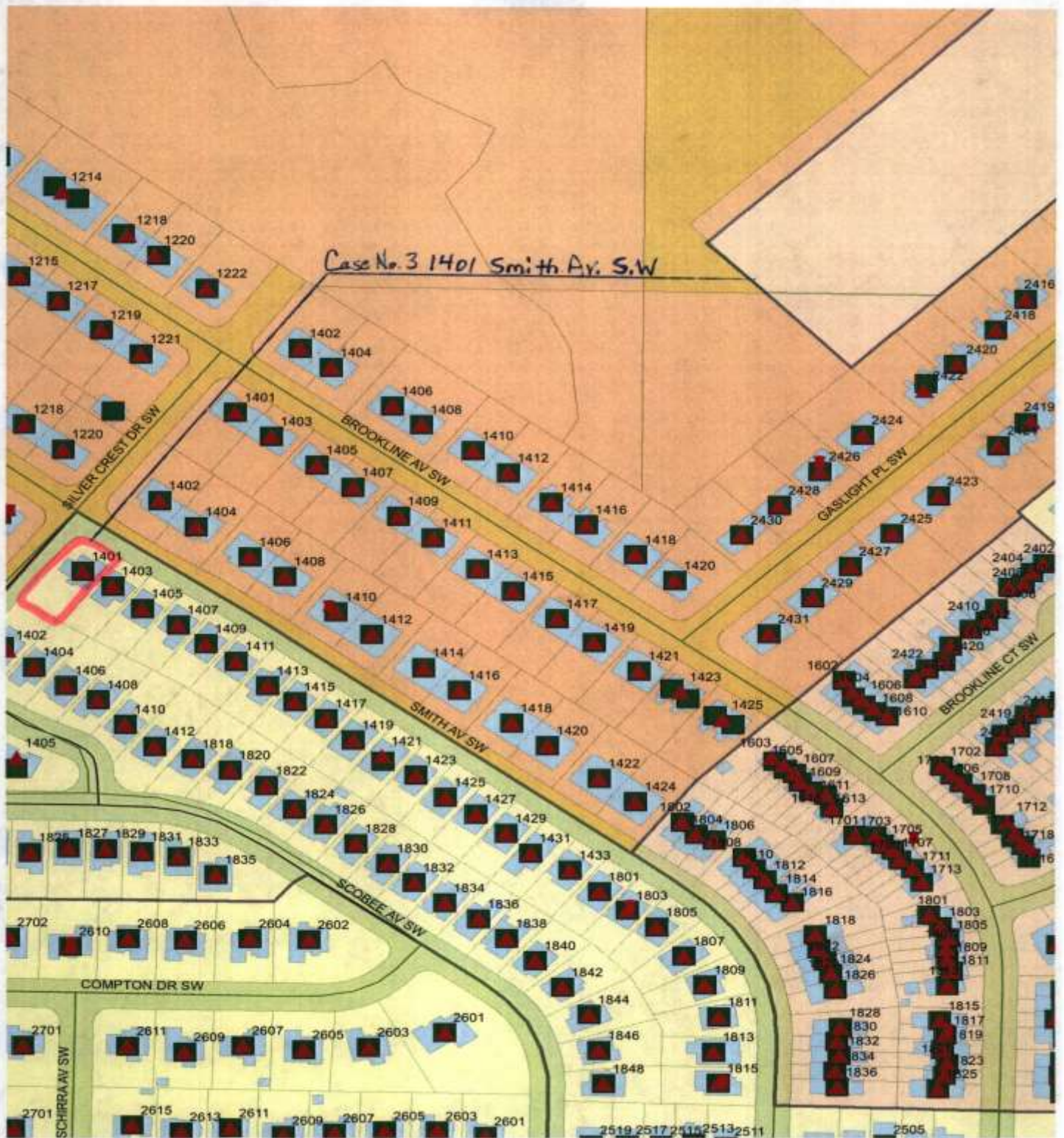
CHECK YES OR NO FOR EACH QUESTION

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: Nikita Coman DATE: 8/2/2021
ADDRESS: 1401 Smith Ave SW Decatur, AL 35603

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QUESTIONNAIRE



44



402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Jahmirri S Smith
MAILING ADDR: 1219 Moulton ST E
CITY, STATE, ZIP: Decatur, AL 35601
PHONE: 256 227 9086

PROPERTY OWNER: Carl Lyle
OWNER ADDR: 1219 Moulton ST E
CITY, STATE, ZIP: Decatur, AL 35601 PHONE: 256 642-9933

ADDRESS FOR APPEAL: 1219 Moulton ST 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)

I would like to use a room out of my home for a executive office for my property rental business.

Applicant Name (print) Jahmirri S Smith
Signature [Signature]
Representative Name (print) _____
Signature _____
Date 8/2/21

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

Office Use Received By: _____
Zone R-3
Hearing Date 8/31/21
Approved/Disapproved _____

CASE NO. 4 1219 MOULTON ST E.



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: 8/2/01
ADDRESS: 121a Monitor St E Decatur AL 35601

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QUESTIONNAIRE



5



402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Jahmiris Smith
MAILING ADDR: 1219 Moulton St E Decatur, AL 3
CITY, STATE, ZIP: Decatur, AL 35601
PHONE: 256 227-9086

PROPERTY OWNER: Carl Lyle
OWNER ADDR: 1219 Moulton St E
CITY, STATE, ZIP: Decatur, AL 35601 PHONE: 256 442 9453

ADDRESS FOR APPEAL: 1219 Moulton St 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)

I would like to use one room of my home for a executive office of my business, which is a small logistic.

Applicant Name (print) Jahmiris Smith
Signature [Signature]
Representative Name (print) _____
Signature _____
Date 8/2/21

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

Office Use Received By: _____
Zone R-3
Hearing Date 8/31/21
Approved/Disapproved _____

CASE NO. 5 1219 MOULTON ST E.



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: Jahmicia Smith DATE: 8/2/21
ADDRESS: 1219 Moulton St E Decatur, AL 35601

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

QUESTIONNAIRE



⑥ \$50.00 App. Fee Meeting 8/31 @ 4:00pm



* 402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Maurice Moore
MAILING ADDR: 1706 Woodmead St
CITY, STATE, ZIP: Decatur AL 35601
PHONE: 256-288-2617

PROPERTY OWNER: Latonya Moore
OWNER ADDR: 1706 Woodmead St
CITY, STATE, ZIP: Decatur AL 35601 PHONE: 256-476-6894

ADDRESS FOR APPEAL: 1706 Woodmead St 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 a ^{VOLCOM} room in my home for administrative work.
I will be parking my truck on my property in Trane AL.
TRUCK DRIVER

Applicant Name (print) Maurice Moore
Signature [Signature]
Representative Name (print) _____
Signature _____
Date _____

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

Office Use Received By: dw
Zone R-2
Hearing Date 8/31/21
Approved/Disapproved _____

CASE NO. 6 1706 WOODMEADE 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 ☒
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8. Will there be any more than one sales party at you home per quarter related to this home occupation? YES ☐ NO ☒
9. Will this home occupation result in increased parking demands? YES ☐ NO ☒
10. Will there be any deliveries to the home other than the usual common carrier trucks serving a residential area such as UPS, FedEx, Airborne Freight? YES ☐ NO ☒
11. Will there be any employees of this home occupation other than members of the family living in the home? YES ☐ NO ☒

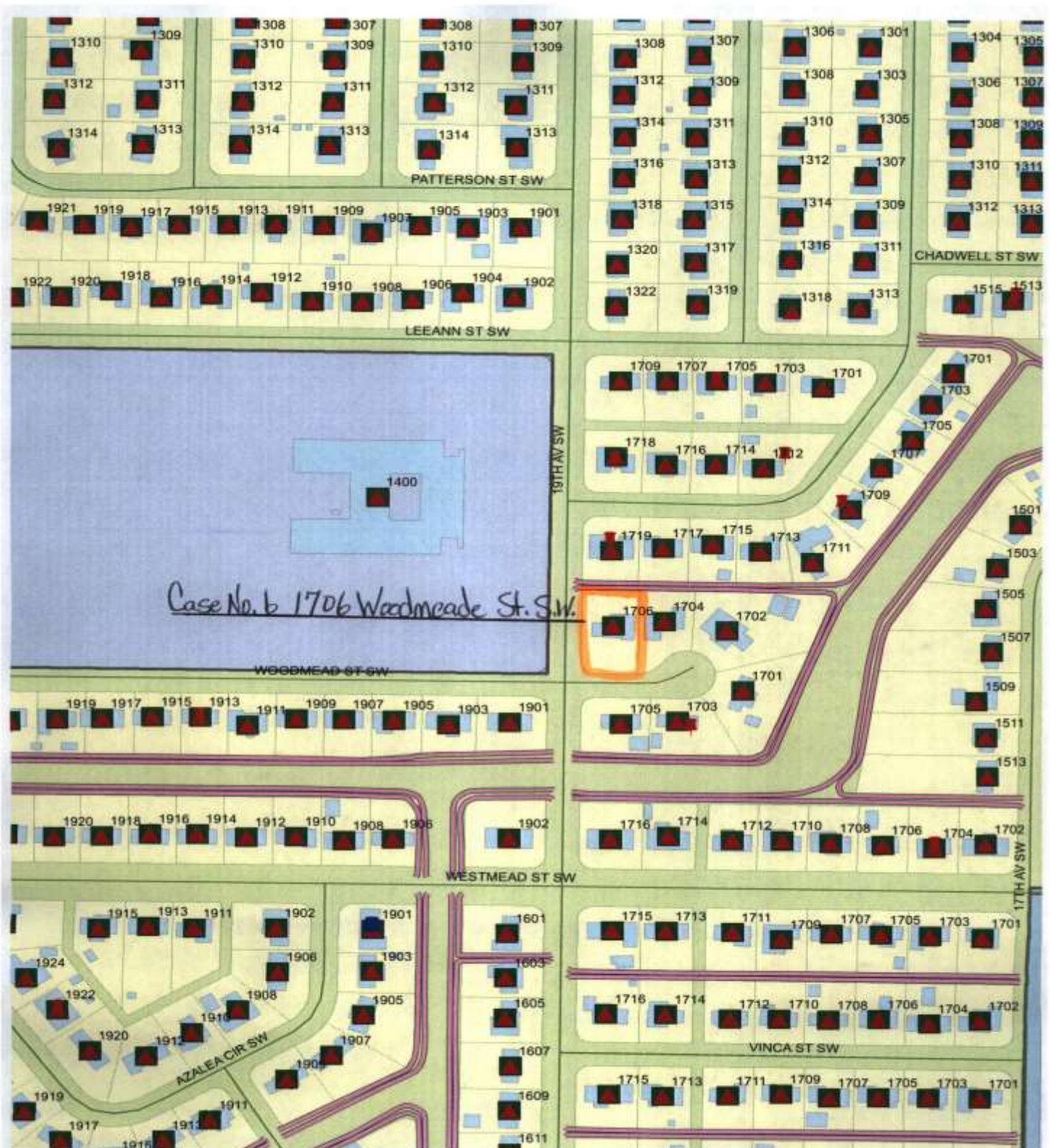
SIGNED: 

DATE: 8-3-21

ADDRESS: 1706 Vandrum St Decatur AL 35601

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

QUESTIONNAIRE



9



A Grand City with a Charming Scale

Board of Zoning Adjustment

APPLICANT: Jeffrey R Ellis
MAILING ADDR: 1817 Cumberland Ave SW
CITY STATE ZIP: Decatur AL 35603
PHONE: (256) 309-8689

PROPERTY OWNER: Jeffrey R Ellis
OWNER ADDR: 1817 Cumberland Ave SW
CITY STATE ZIP: Decatur AL 35603
OWNER PHONE: (256) 309-8689

ADDRESS FOR APPEAL: 1817 Cumberland AVE SW

☒ 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 to have home office for part-time specialty tree removal service. There will be no large equipment or commercial vehicles stored on the premises. Only saws, PPE, climbing equipment and small quantities of fuel and oil will be stored in detached shop behind residence.

Applicant Name(print): Jeffrey R Ellis
Signature: [Signature]
Representative Name(print):
Signature:
Date: 8/10/21

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

Office Use
Received By: mw
Zone: R-2
Hearing Date: 8/31/21
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 10th of the month to be heard the last Tuesday of the month.

CASE NO. 7 1817 CUMBERLAND AV. SW



HOME OCCUPATION QUESTIONS

CHECK YES OR NO FOR EACH QUESTION

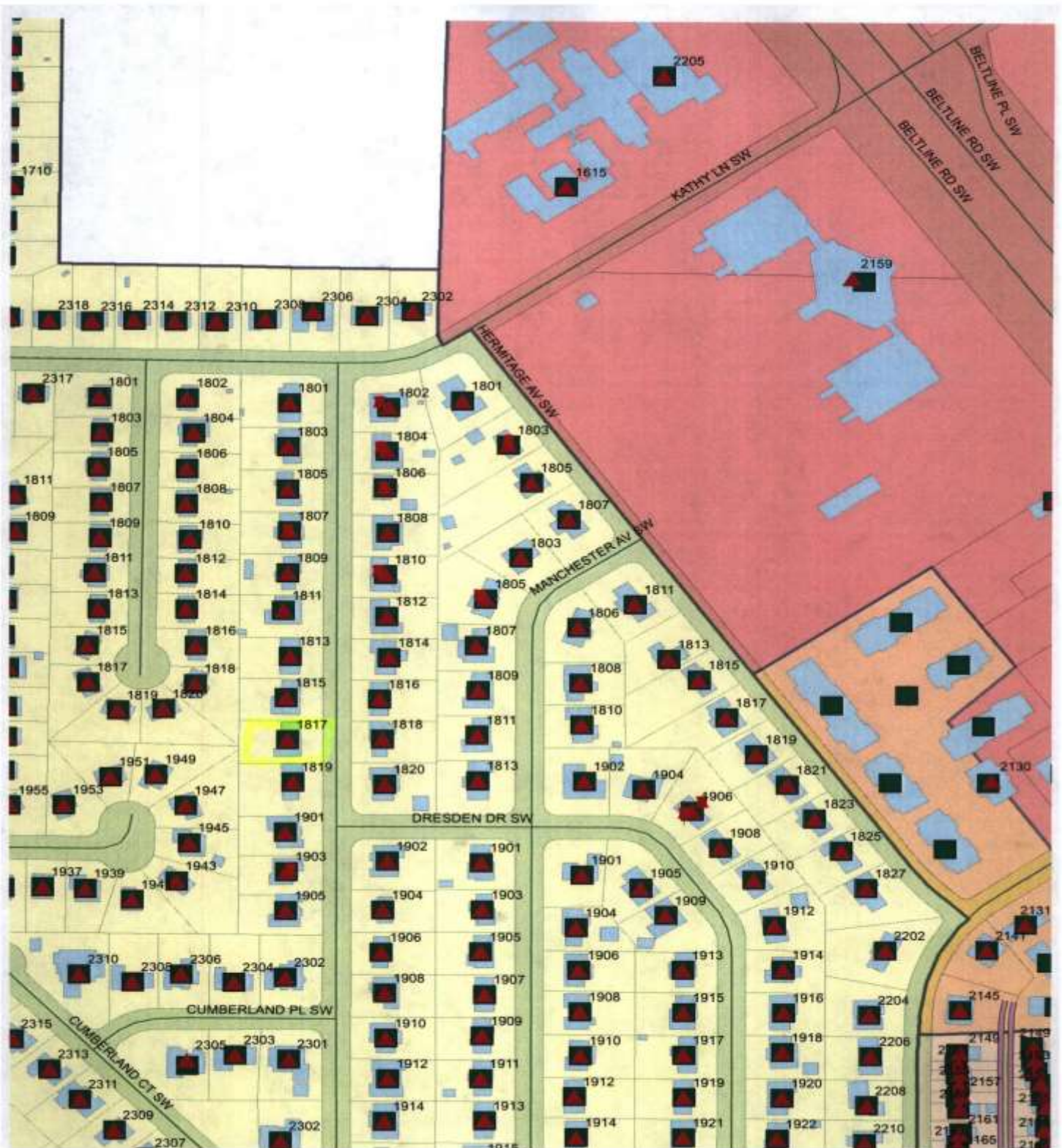
1. Is the occupation* applied for (administrative office, making of crafts, sewing, etc.,) conducted entirely within the dwelling? YES ☒ NO ☒ *JE*
**note: This refers to only the work being done at your home.*
2. Does the occupation produce sounds, colors or other audible or visible evidence of a home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

ADDRESS: _____

Jeffrey R. Ellis
1817 Cumberland Ave SW



8



402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Bryan V. Johnson
MAILING ADDR: 2410 Stratford Rd SE
CITY, STATE, ZIP: Decatur AL 35601
PHONE: 256-280-2957

PROPERTY OWNER: Bryan V. Johnson
OWNER ADDR: 2410 Stratford Rd SE
CITY, STATE, ZIP: Decatur, AL 35601 PHONE: 256-280-2957

ADDRESS FOR APPEAL: 2410 Stratford Rd SE, 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)

Skilled Artisan - with metal

home for administrative office only

Applicant Name (print) Bryan V. Johnson

Signature [Signature]

Representative Name (print) _____

Signature _____

Date _____

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

Office Use Received By: Cidy

Zone R-1

Hearing Date Aug. 31st 4:00pm

Approved/Disapproved _____

CASE NO. 8 2410 STRATFORD RD. 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 ☒

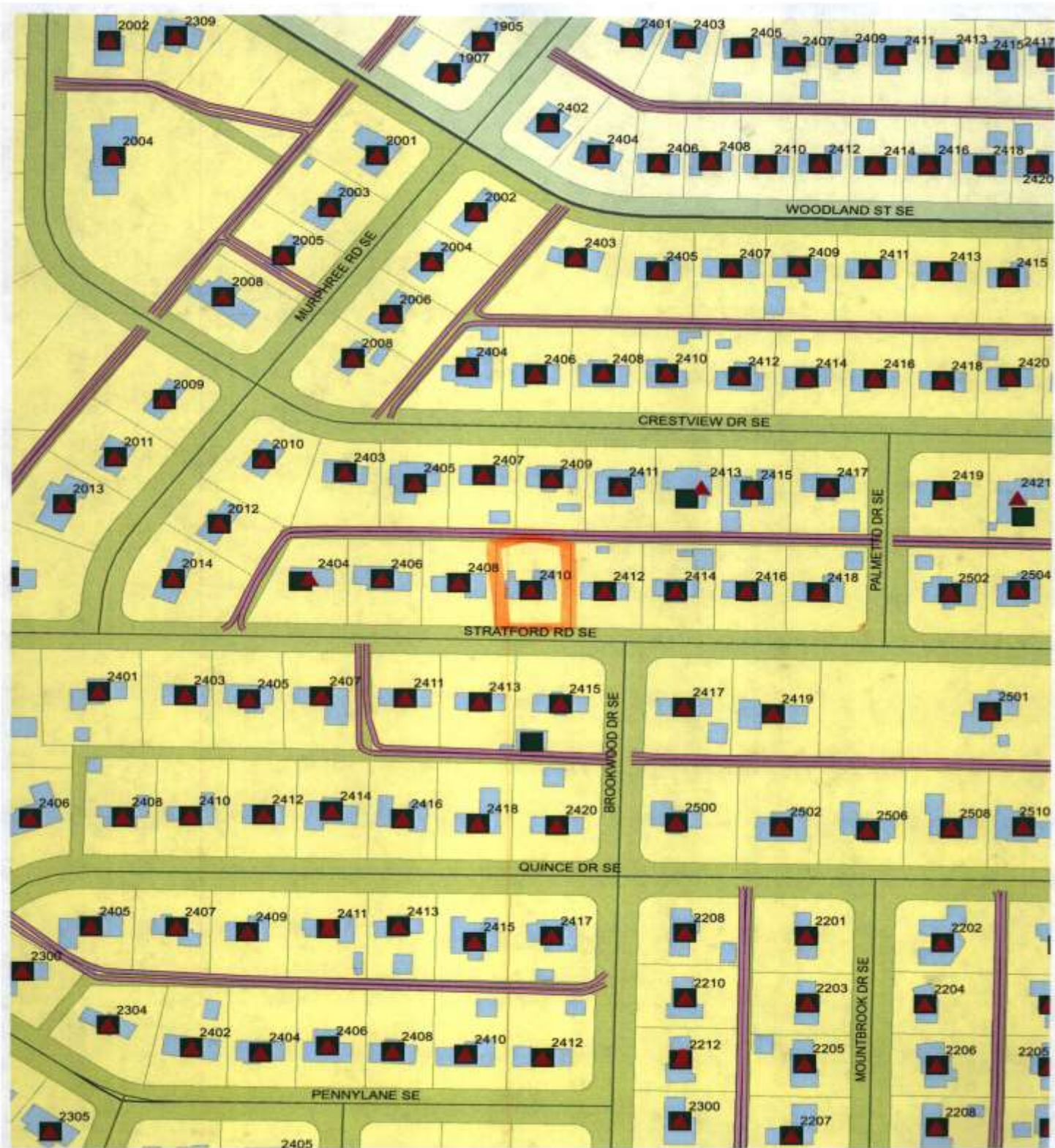
SIGNED: _____

DATE: _____

ADDRESS: _____

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

QUESTIONNAIRE



⑨ Meeting Aug. 31, 2021 @ 4:00pm \$50.00 App Fee Due 8/10

402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: CHARLES P. BERNOW JR.
MAILING ADDR: 1409 PLAZA STREET
CITY, STATE, ZIP: DECATUR, ALABAMA 35603
PHONE: 256-345-2949

PROPERTY OWNER: JOHN KEITH FROST
OWNER ADDR: 1409 PLAZA STREET
CITY, STATE, ZIP: DECATUR ALABAMA, 35603 PHONE: 256-520-1781

ADDRESS FOR APPEAL: 1409 PLAZA STREET, 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)

ADMINISTRATIVE OFFICE FOR BERNOW & ASSOCIATES, LLC
I AM A REGISTERED LAND SURVEYOR IN THE STATE
OF ALABAMA & WANT TO PRACTICE FROM THE ABOVE
LISTED RESIDENCE. I AM A SOLE PROPRIETOR & WOULD
LIKE TO PRACTICE FROM A DEN IN THE RESIDENCE 41-600 AS59

Applicant Name (print) CHARLES P. BERNOW JR.
Signature [Signature]
Representative Name (print) _____
Signature _____
Date AUGUST 9, 2021

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

Office Use Received By: Cindy
Zone R-2
Hearing Date 8/31/21 4:00
Approved Disapproved pm.

CASE NO. 9 1409 PLAZA 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 your 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: AUGUST 9, 2021
ADDRESS: 1409 PARA STREET, Decatur AL 35603

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

QUESTIONNAIRE

⑩ Meeting 8/31 @ 4:00p.m. \$ 50 App Fee



* 402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: ARCADIA Millworks, LLC

MAILING ADDR: 2206 WOODLAND ST SE

CITY, STATE, ZIP: DECATUR, AL 35601

PHONE: 256-606-0223

PROPERTY OWNER: Michael L. Smith

OWNER ADDR: 2206 WOODLAND ST SE

CITY, STATE, ZIP: DECATUR, AL 35601 PHONE: 256-606-0223

ADDRESS FOR APPEAL: 2206 WOODLAND ST 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)

The residence will be used as an office (90%) for arts and crafts business. Some transfer of merchandise will occur (NO SALES) and some paint repair of stock (<10%)

Applicant Name (print) Michael L. Smith

Signature [Signature]

Representative Name (print)

Signature

Date 8/18/2021

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

Office Use Received By: TLW

Zone R-1

Hearing Date 8/31/21

Approved/Disapproved

CASE NO. 10 2206 WOODLAND 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:

DATE: 8/8/2021

ADDRESS:

2206 WOODLAND ST SE, Decatur, AL 35601

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

QUESTIONNAIRE



6)

#50.00 Fee

June 29, 2021 @ 4:00pm

Hyper week
10th



402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Billy & Erica Allen
MAILING ADDR: 1805 Devonshire Dr. SE
CITY, STATE, ZIP: Decatur, Al. 35601
PHONE: (256) 642-9537 or (256) 525-9433

PROPERTY OWNER: Billy & Erica Allen
OWNER ADDR: 1805 Devonshire Dr. SE
CITY, STATE, ZIP: Decatur, Al. 35601 PHONE: (256) 642-9537

ADDRESS FOR APPEAL: 701 Sycamore St. NW

NATURE OF APPEAL:

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

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

For the case to be heard*****

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

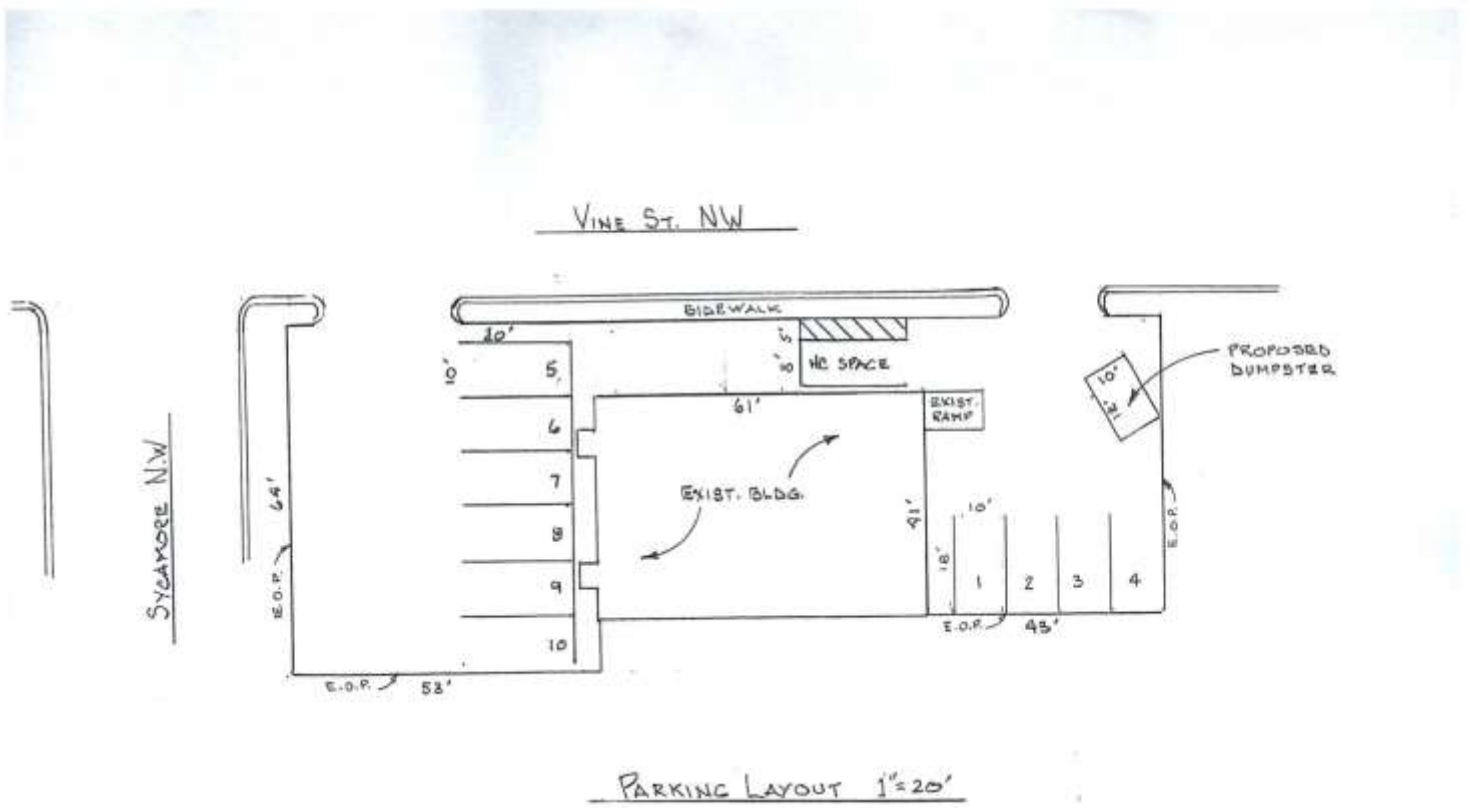
Requesting a 23 parking space variance.

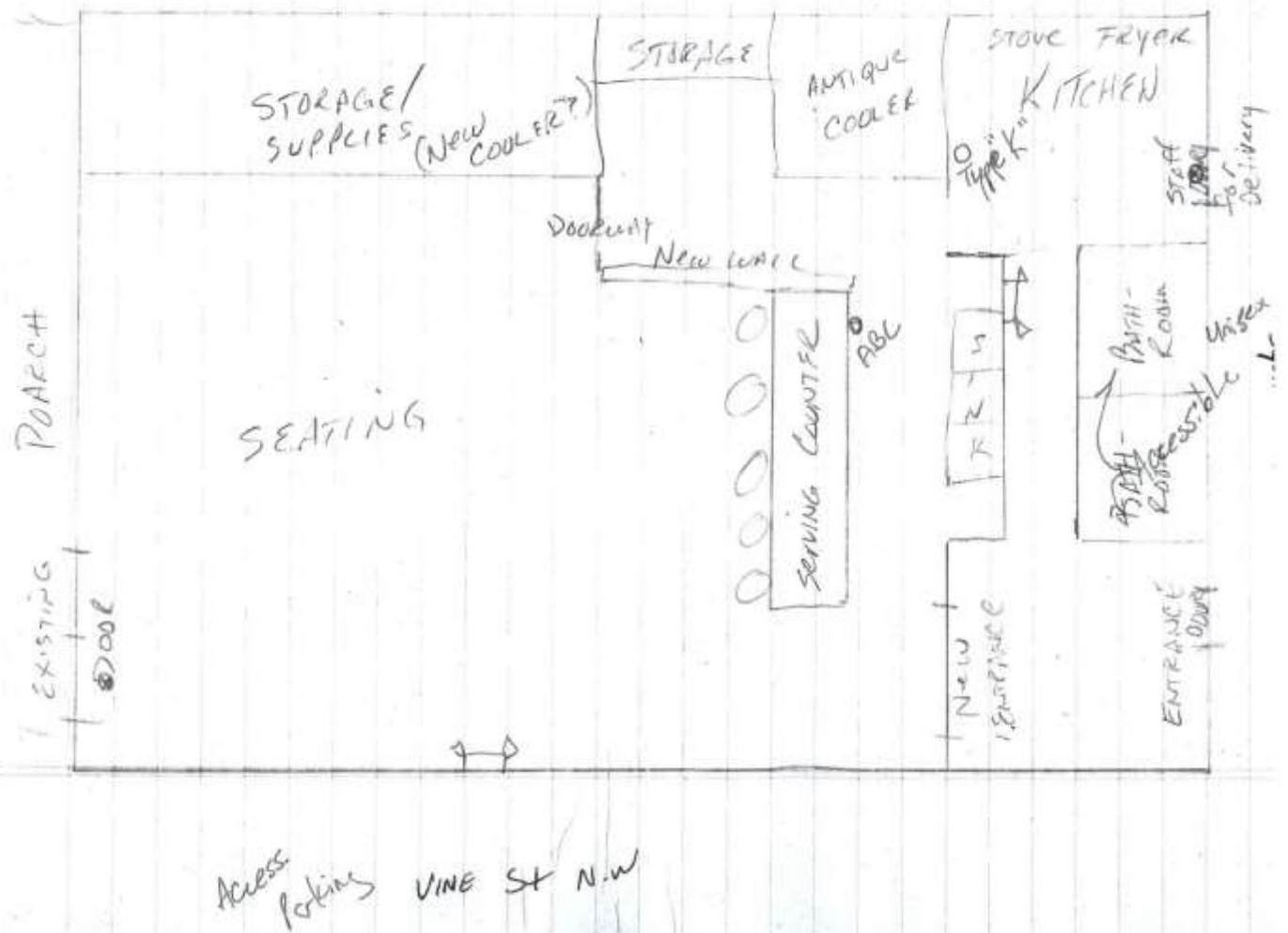
Applicant Name (print) Erica + Billy Allen
Signature Erica + Billy Allen
Representative Name (print) _____
Signature _____
Date 6/9/2021

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

Office Use Received By: _____
Zone B-1
Hearing Date _____
Approved/Disapproved _____

CASE NO. 11 701 SYCAMORE ST. NW





(12)

Meeting is 8/31/21 @ 4:00pm



402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: SAMUEL King
MAILING ADDR: 1901 7th ST. SE.
CITY, STATE, ZIP: DECATUR, AL 35601
PHONE: 256-466-7310

PROPERTY OWNER: SAMUEL King
OWNER ADDR: same 1901 7th ST SE
CITY, STATE, ZIP: DECATUR AL 35601 PHONE: 256-466-7310

ADDRESS FOR APPEAL: 1901 7th ST. SE.

NATURE OF APPEAL:

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

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

For the case to be heard*****

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

ADDING CAR PORT. 20 X 20 FEET 13.61 FT. VARIANCE TO BUILD

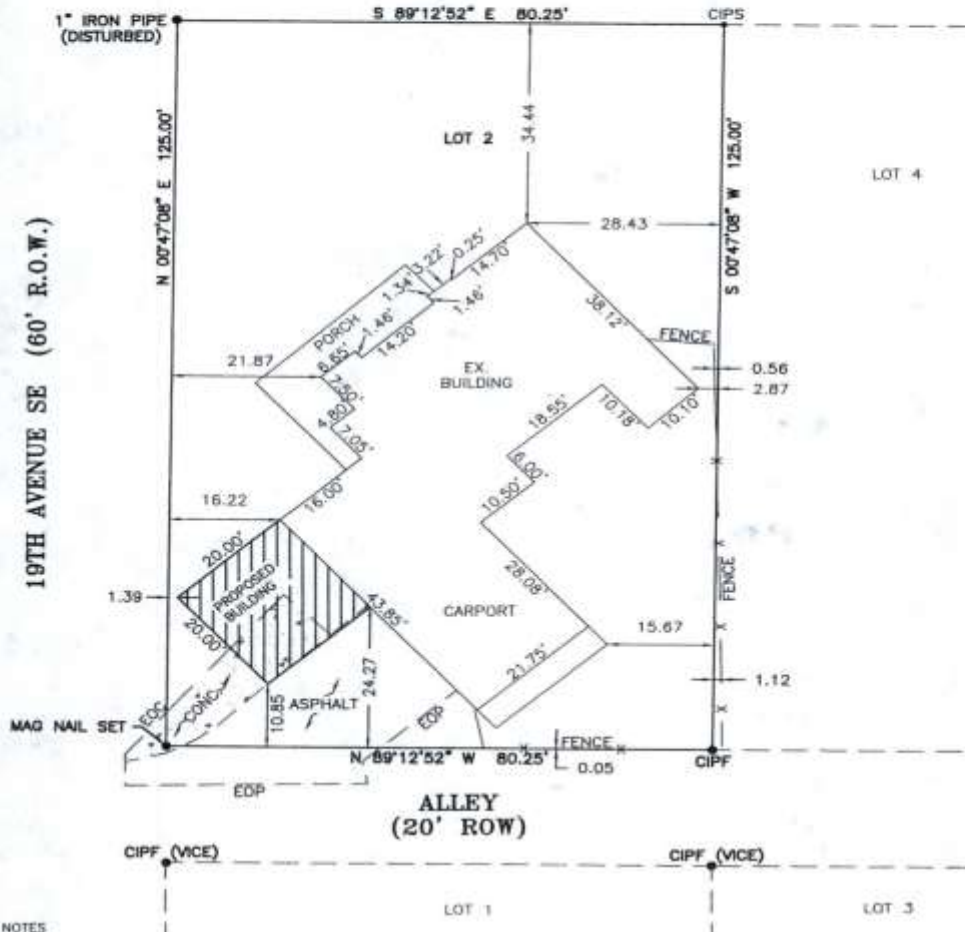
Applicant Name (print) Samuel King
Signature Samuel King
Representative Name (print) _____
Signature _____
Date 8-4-21

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

Office Use Received By: TW
Zone R-3
Hearing Date 8/31/21
Approved/Disapproved _____

CASE NO. 12 1901 7TH ST SE

7TH STREET (80' R.O.W.)

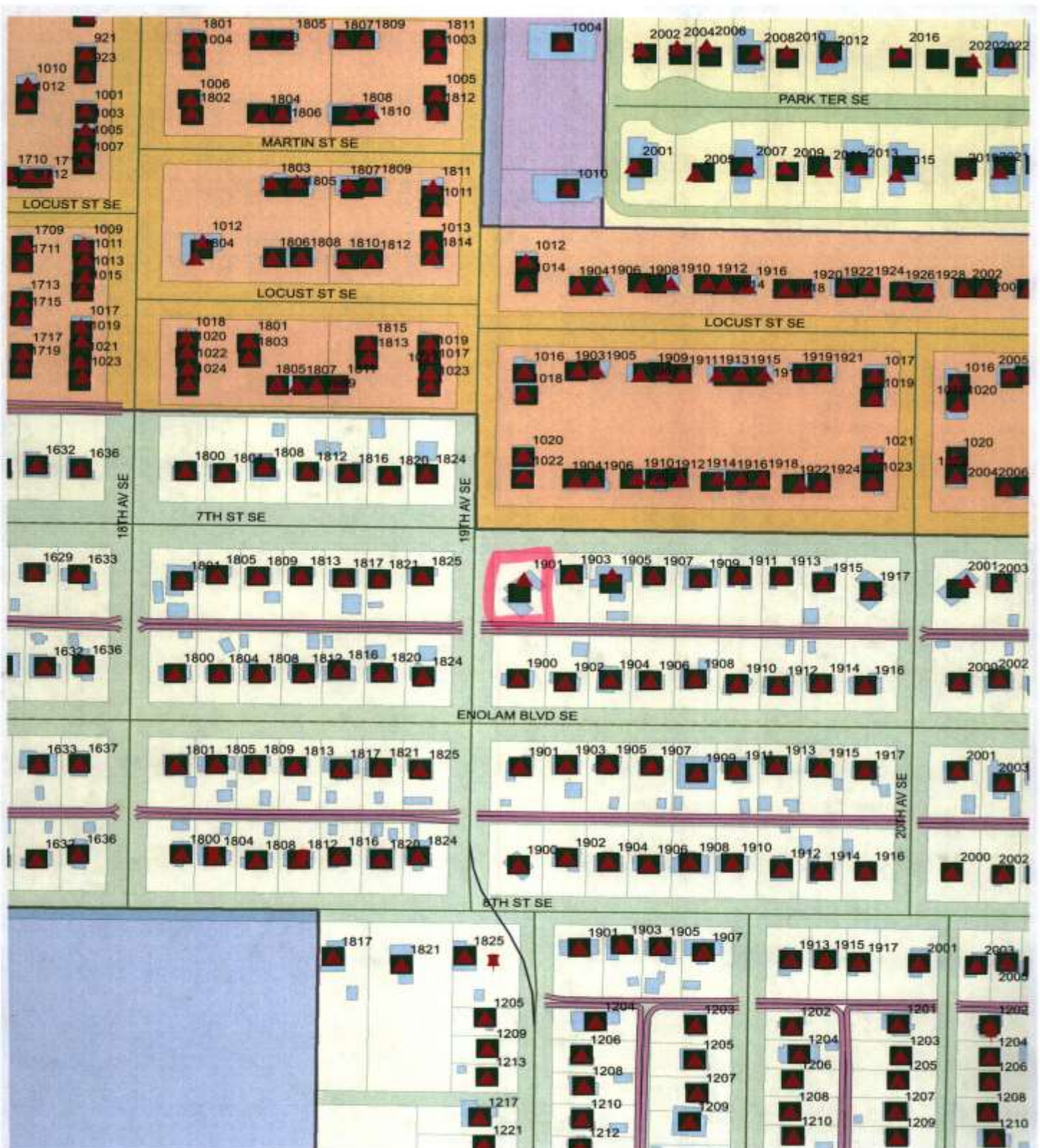


PROPOSED PLOT PLAN -- SAMUEL KING -- 1901 7TH ST SE, DECATUR, AL 35601

DRAWING DATE: 07-19-21 DRAWN BY: JSL APPROVED BY: RWH JOB No. PPP-208-21 SCALE: 1"=20' PAGE 2 OF 2

PUGHWRIGHTMCANALLY.COM

PLOT PLAN



13

402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Justin Roberts

MAILING ADDR: 1822 Brookmeade Road SE

CITY, STATE, ZIP: Decatur, AL 35601

PHONE: 256-565-4749

PROPERTY OWNER: Justin Roberts

OWNER ADDR: 1822 Brookmeade Road SE

CITY, STATE, ZIP: Decatur, AL 35611

PHONE: 256-565-4749

ADDRESS FOR APPEAL: 2805 Hempstead Avenue 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)

This lot is a double-front lot at the corner of Hempstead Ave and Courtney Drive. Courtney Drive has a 60-foot right-of-way which is larger than the typical 50-foot width and causes this lot to narrow to less than the typical building area width of 30' in this neighborhood. We request a variance of 4 feet to the setback along Courtney Drive in order to match the existing homes.

Applicant Name (print) Justin Roberts

Signature [Signature]

Representative Name (print) Richard Humphrey

Signature [Signature]

Date 08-09-21

If applicant is using a

representative for the

request both signatures

are required

Office Use Received By: TLW

Zone R-5.0

Hearing Date 8/31/21

Approved/Disapproved

CASE NO. 13 2805 HEMPSTEAD AV SW

14



402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Justin Roberts
MAILING ADDR: 1822 Brookmeade Road SE
CITY, STATE, ZIP: Decatur, AL 35601
PHONE: 256-565-4749

PROPERTY OWNER: Justin Roberts
OWNER ADDR: 1822 Brookmeade Road SE
CITY, STATE, ZIP: Decatur, AL 35601 PHONE: 256-565-4749

ADDRESS FOR APPEAL: 464 Covina Drive 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)

This lot is at the corner of Courtney Drive and Covina Drive. Courtney Drive has a 60-foot wide right-of-way which is larger than the typical 50-foot and curves into this lot creating a narrow portion that is not sufficient for a house similar to the surrounding houses. We request a variance of 3 feet to the setback along Courtney Drive leaving a 12-ft setback

Applicant Name (print) Justin Roberts
Signature [Signature]
Representative Name (print) Richard Humphrey
Signature [Signature]
Date 08-07-21

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

Office Use Received By: TW
Zone R-6
Hearing Date 8/31/21
Approved Disapproved

CASE NO. 14 464 COVINA DR. SW



CERTIFICATE TO SUBDIVIDE



15

Aug 31, 2021 @ 4:00pm

402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: River Road Manor LLC
MAILING ADDR: 5519 Indian Hills Road
CITY, STATE, ZIP: Decatur, AL 35603
PHONE: 256-227-7489

PROPERTY OWNER: River Road Manor LLC
OWNER ADDR: 5519 Indian Hills Road
CITY, STATE, ZIP: Decatur, AL 35603 PHONE: 256-227-7489

ADDRESS FOR APPEAL: 3015 Lisa Ln 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)

We request a front yard setback variance of 1'-9" beginning at 8 feet from the west lot line and extending east for 14'-0". This is to cover a staking error that was realized upon completion of the block survey and is to cover a bay window. The main building line is behind the typical setback line.

Applicant Name (print) Peyton Morris

Signature [Signature]

Representative Name (print) _____

Signature _____

Date 8/9/2021

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

Office Use Received By: [Signature]

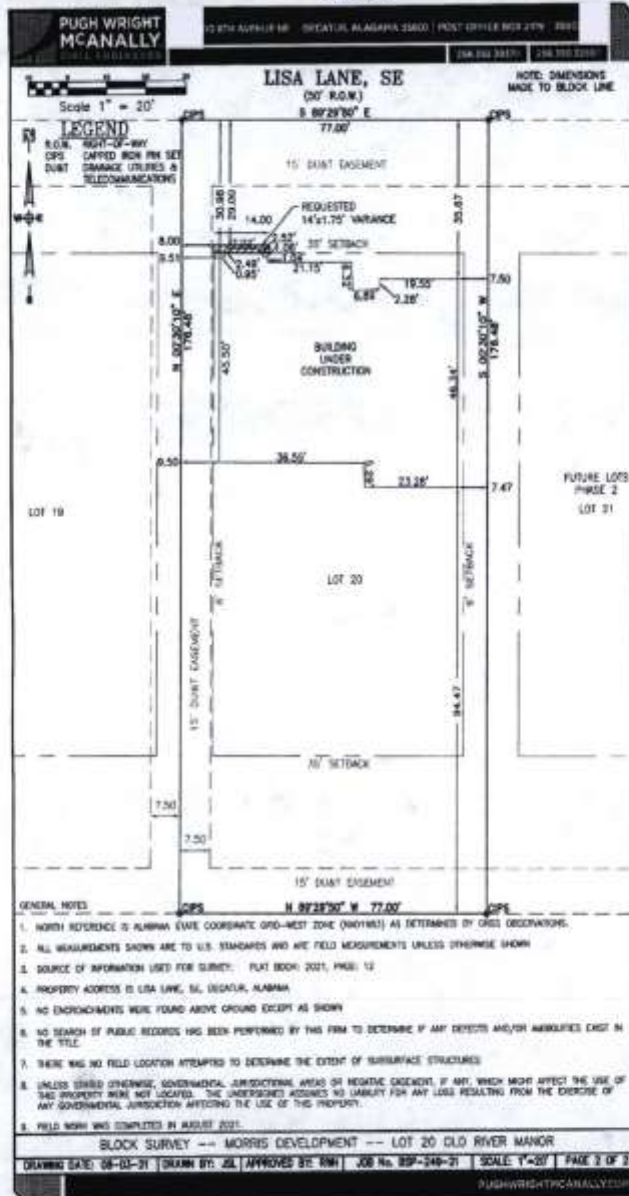
Zone _____

Hearing Date 8/31/21

Approved/Disapproved _____

CASE NO. 15 3015 LISA LANE SE

3015



BLOCK LINE SURVEY

16

8/31 @ 4:00 p.m.



A Grand Georgia CREAMING SCALE

Board of Zoning Adjustment

APPLICANT: DARRYL OSBORN
MAILING ADDR: 2605 DANVILLE Rd. SW
CITY STATE ZIP: DECATUR, AL 35603
PHONE: 256 303 8757

PROPERTY OWNER: Same AS Above Darryl Osborn
OWNER ADDR: 2605 Danville Rd SW
CITY STATE ZIP: Decatur, AL 35603
OWNER PHONE: 256 303-8757

ADDRESS FOR APPEAL: 2605 Danville Rd SW Decatur, AL 35603

☐ HOME OCCUPATION ☒ NATURE OF APPEAL: ☒ 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)

Requesting 13' front yard setback to replace damaged 14' 80sf sign w/ 12.5' tall 30sf sign. Previous sign was blow over and destroyed in a storm. The setback request is due to parking constraints. I want to located the smaller sign where the larger one once stood. If I have to set the sign back further I will ~~lose~~ lose 2 parking spaces as well as visibility from the north.

Applicant Name(print): DARRYL OSBORN
Signature: [Signature]
Representative Name(print): A/A Darryl Osborn
Signature: [Signature]
Date: 8-26-2021

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

Office Use
Received By B-1
Zone B-1
Hearing Date 8/31/21
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 10th of the month to be heard the last Tuesday of the month.

CASE NO. 16 2605 DANVILLE RD. SW



Sign location before storm damage



With variance, sign remains in the same landscaped bed
as the previous one and has visibility East and West Bound
North South



If variance is denied, the sign is blocked by the building to the north and we lose two parking places.

18



402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Building Construction Associates

MAILING ADDR: 204 Pride Lane

CITY, STATE, ZIP: Decatur, AL 35603

PHONE: 256-351-2322

PROPERTY OWNER: HLA PROPERTIES, LLC

OWNER ADDR: 512 GOOCH LANE

CITY, STATE, ZIP: MADISON, AL 35758

PHONE: 256-318-1142

ADDRESS FOR APPEAL: 2804 SPRING AVE, 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)

WE ARE REQUESTING A SIGN HEIGHT VARIANCE FOR FREDDY'S FROZEN CUSTARD LOCATED ON SPRING AVE IN DECATUR.

We are requesting a variance from §25-76(a)(2) -
we would like to erect a sign with a maximum height of 30' instead of 20'

Freddy's is a multi tenant space but no other detached signs will be allowed on the property.

Applicant Name (print) Brandon Price

Signature [Signature]

Representative Name (print) _____

Signature _____

Date July 29, 2021

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

Office Use Received By: _____

Zone M-2A

Hearing Date 8/31/21

Approved/Disapproved _____

CASE NO. 17 2804 SPRING AV. SW

8

402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Mark McCurry (STONE ASSETS LLC)
MAILING ADDR: 1226 Brandywine Lane SE
CITY, STATE, ZIP: Decatur AL 35601
PHONE: 256-777-0889

PROPERTY OWNER: Mark McCurry (STONE ASSETS LLC)
OWNER ADDR: 1226 Brandywine Lane SE
CITY, STATE, ZIP: Decatur AL 35601 PHONE: 256 777-0889

ADDRESS FOR APPEAL: 1601 10th 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)

PROPOSED 6'x11' ADDITION TO FRONT OF HOUSE ENCRUACHES THE 40' 35' MINIMUM FRONT YARD SETBACK. A 11.2' VARIANCE IS REQUESTED. NOTE: THE PROPOSED ADDITION MATCHES THE EXISTING COVERED PORCH. THE PROPOSED ADDITION WILL NOT EXTEND ANY CLOSER TO THE STREET RIGHT-OF-WAY THAN THE EXISTING COVERED PORCH.

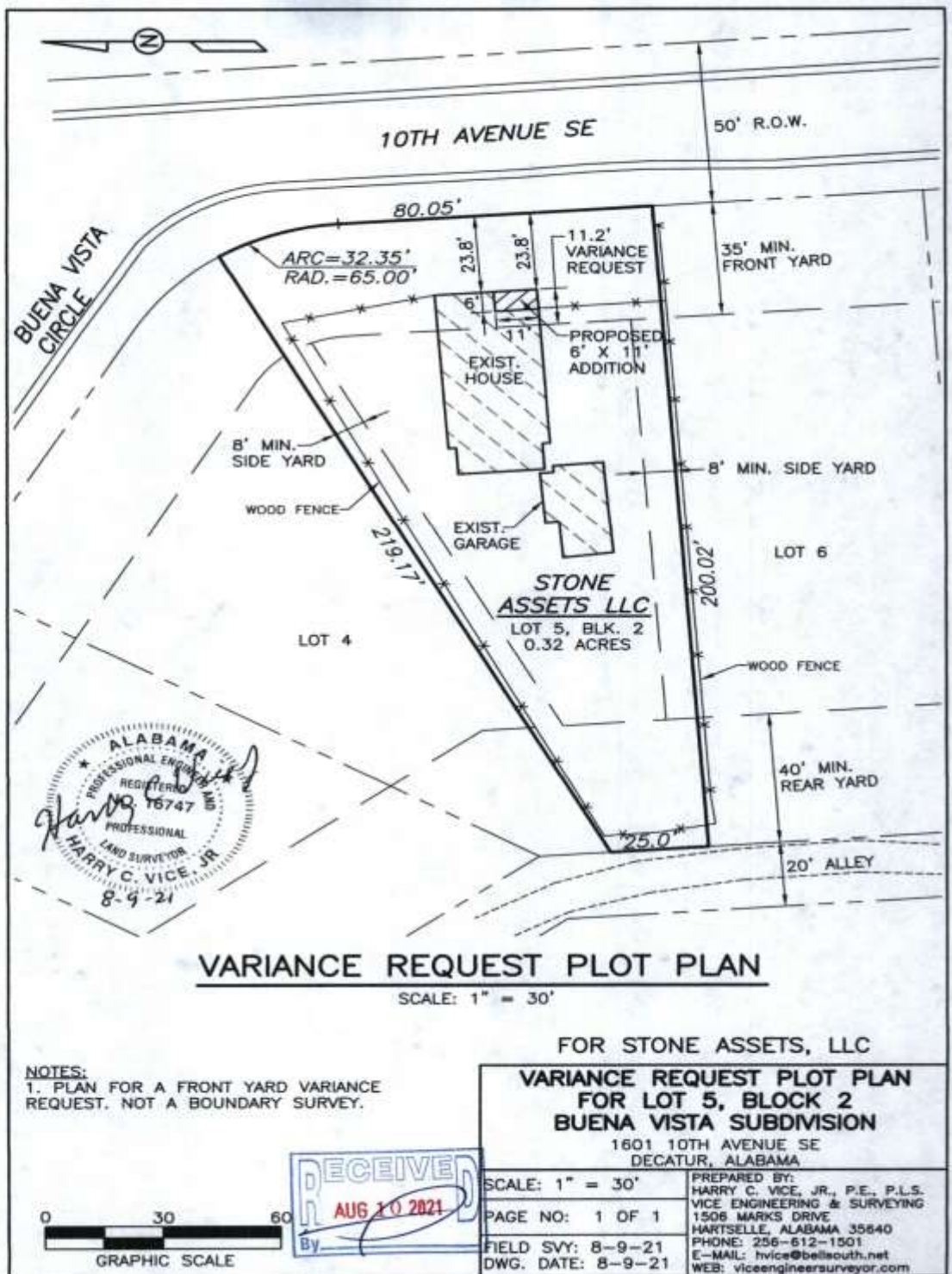
Applicant Name (print): Mark McCurry
Signature: Mark McCurry
Representative Name (print): Deanna Hernandez
Signature: Deanna Hernandez
Date: 8-9-21

If applicant is using a representative for the request both signatures are required AUG 10 2021

Office Use Received By: _____
Zone R-2
Hearing Date _____
Approved/Disapproved _____

include survey

CASE NO. 18 1601 10TH AV. SE



PLOT PLAN

20

Aug. 31, 2021 @ 4:00 p.m.



* 402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Tony Hopkins
MAILING ADDR: 2310 Selma Street
CITY, STATE, ZIP: Decatur, AL 35603
PHONE: 256-990-2175

PROPERTY OWNER: Mike Jones
OWNER ADDR: _____
CITY, STATE, ZIP: Decatur, AL 35601 PHONE: 256-654-5764

ADDRESS FOR APPEAL: 209C 2nd 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)

Restuarant use. B5 Zoning District

Applicant Name (print) Tony Hopkins
Signature Tony Hopkins
Representative Name (print) Tony Hopkins
Signature Tony Hopkins
Date 8-10-2021

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

Office Use Received By: tw
Zone B5
Hearing Date 8/31/21
Approved/Disapproved

CASE NO. 19 209 'C' 2ND AV. SE

