

BOARD OF ZONING ADJUSTMENT

AGENDA

January 2022

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**SPECIAL CALL MEETING
MINUTES NOVEMBER 10, 2021**

MEMBERS PRESENT: Chair, Delayne Dean, Ms. Susana Salcido, Mr. Steven Thomas,
Rev. George Allen

SUPERNUMERARIES: None Present

OTHERS PRESENT: Mr. Chip Alexander, Asst. City Attorney
Mr. Lee Terry, Planning Department
Mr. Tom Polk, 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. Tom Polk, Building Department, called the roll.

CASE No. 1

Application and appeal of Tony Hopkins for a determination as a use permitted on appeal for a temporary business pursuant to Section 25-113 and as defined in Article V, as amended and adopted, of the Zoning Ordinance to sell Christmas trees located at **103 2nd Av SE**, property is located in a B-5 Central Business District.

Mr. Tony Hopkins presented this case to the Board. Mr. Hopkins stated his name was Tony Hopkins and his address is 2310 Selma St. SW.

Mr. Hopkins stated he was requesting permission to use the vacant lot located adjacent from the Brick Deli at the corner of Moulton St. and 2nd Av. SE.

Chair Dean asked Mr. Hopkins the dates he would be selling the trees.

Mr. Hopkins replied he would be selling the Christmas trees from the middle of November to December 18th or the 19th, 2021.

Chair, Dean asked for questions from the Board.

Mr. Steven Thomas verified from Mr. Hopkins that he had received an email from Mr. Tom Polk notating that a temporary business is required to have access to sanitary facilities.

Mr. Hopkins replied he had received the email and he would provide a portable facility or that he does have access to local businesses for that purpose.

Mr. Steven Thomas reiterated to Mr. Hopkins that he needed to state what his plan was for this situation.

Mr. Hopkins stated his plan was to use the business that he has down the street.

Mr. Steven Thomas stated to Mr. Hopkins that he would need to provide written verification as to how he was going to handle this situation.

Chair, Dean asked Mr. Hopkins where his business was located.

Mr. Hopkins stated it was Civil Ax located up the street.

Mr. Hopkins stated he had not thought having to provide any type of sanitary facilities, because he was not looking at people staying too long at the location, but does understand why it is a requirement.

Mr. Steven Thomas told Mr. Hopkins that he would need to present the plan of action and that it is a contingency for a temporary business in the City of Decatur.

Chair, Dean told Mr. Hopkins he could try to get written approval from the Brick Deli if need be, and explained others have received permission from surrounding businesses under the same circumstances.

Chair, Dean told Mr. Hopkins he would have to present back to the city what his definitive plan is for the situation.

Mr. Hopkins stated he would probably get a portable facility as not to disturb other businesses.

Mr. Larry Waye stated to Mr. Hopkins that would be the best way to proceed.

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

There were no comments.

Mr. Tom Polk, Building Department, stated to Mr. Hopkins concerning the public using the facilities at Civil Ax that would not be allowable because that business has not been issued a certificate of occupation.

Mr. Tom Polk, Building Department, stated to Mr. Hopkins that his signage would need to have a separate review and the electrical service would need to have a permit and inspections.

Mr. Lee Terry, Planning Department, had no comment.

Mr. Steven Thomas motion to approve this case with the condition Mr. Hopkins provides written information on how he is going to handle obtaining the bathroom facility. Mr. Larry Waye seconded the motion. On a roll-call vote the motion carried.

CASE NO. 2

Application and appeal of Eric Reynolds 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 handyman business located at 411 Clearview St SW, property is located in a R-2 Single-Family Residential District.

No one came forward to present the case when called. Mr. Steven Thomas motioned to postpone this case until the regular BOZA meeting scheduled for November 30, 2021. With a unanimous vote this motion carried.

Meeting adjourned at 4:15 p.m.

Chair, Delayne Dean

MINUTES NOVEMBER 2021

MEMBERS PRESENT: Chair, Delayne Dean, Mr. Collis Stevenson, Rev. George Allen

COPIED TO: Ms. Susana Salcido, Mr. Steven Thomas

SUPERNUMERARIES: Mr. Brad Townson, Mr. Larry Waye

OTHERS PRESENT: Mr. Chip Alexander, Asst. City Attorney
Mr. Lee Terry, 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 October 2021 meeting were approved without any changes. Mr. Collis Stevenson motioned to approve the minutes. Rev. George Allen seconded the motion. On a voice vote the motion carried.

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

OLD BUSINESS:

Re: April 2021 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.

Fallon Michele Gatlin came forward to respond to the questions about the complaints received about this home occupation.

Ms. Gatlin stated her name was Fallon Michele Gatlin and her address is 4404 Burningtree Mountain Cir. SE.

Chair Dean explained that in April 2021 Ms. Gatlin was approved to have a home occupation for a handy man business, Ms. Gatlin agreed.

Chair, Dean explained that it was explained in detail what having a home occupation meant.

Chair, Dean stated, from the April 2021 minutes what Ms. Gatlin had stated her job platform would be.

Chair Dean, explained that the complaints from neighbors indicate there is work being performed that is not within the guidelines of a home occupation.

Chair, Dean stated pictures had been sent to the Board indicating more work is taking place than administration only, such as cabinets being built and removed and taken other places which does not fall within the rules for a home occupation.

Chair, Dean asked Ms. Gatlin to clarify exactly, the work being completed at the home. Ms. Gatlin stated her husband is the handy man and her employee, and he does wood working as a hobby.

Ms. Gatlin stated renovations are being done to the home, which includes a lot of refurbishing cabinets and making new cabinets for themselves, family and friends.

Ms. Gatlin stated that her husband does all types of wood work in the garage.

Ms. Gatlin stated the tools in their garage are all small, nothing industrial.

Ms. Gatlin stated they do not have any construction vehicles; they do have a pick up truck.

Ms. Gatlin stated any work being performed in the garage is cut off by 9 p.m.

Ms. Gatlin stated there is not any mass production at their home.

Ms. Gatlin stated they do not build things and try to sell them.

Ms. Gatlin stated no customers come to the home.

Ms. Gatlin stated they do advertise but only as discussed in the first meeting when they obtain permission for the home occupation.

Ms. Gatlin stated there are no deliveries by big truck coming to the house.

Ms. Gatlin asked where is the proof that this work they are doing is not for personal use or friends and family or things they may be taking to get professionally painted for their own use.

Ms. Gatlin stated during the April meeting the Board made the comment that they hoped people are not just peeking into your garage to see what you are doing.

Ms. Gatlin stated she feels since the April meeting they have been cautious to do things, even personal things, because the neighbors are watching them trying to find something that they have done wrong.

Ms. Gatlin stated she feels the neighbors are harassing them.

Ms. Gatlin stated the neighbors have not approached them asking them to stop working at an earlier time.

Ms. Gatlin stated she feels they are not doing anything wrong.

Chair, Dean asked for questions from the Board.

Mr. Larry Waye asked Ms. Gatlin if she considers the work done at her house, in relation to the business, as she stated in the April meeting is strictly administrative office work operating out of one room in the home, Ms. Gatlin responded yes.

Ms. Gatlin stated there has been small things done completed at the home before it was taken to a client's home.

Ms. Gatlin stated they are a small business trying to build the business, and want to be able to move to a large warehouse one day.

Mr. Brad Townson asked Ms. Gatlin how often they are performing building related activities outside, for the business, Ms. Gatlin stated very little.

Mr. Brad Townson asked Ms. Gatlin what the percentage of time is spent on personal projects outside versus business projects, Ms. Gatlin responded 80% of the time.

Mr. Brad Townson asked Ms. Gatlin where all of these items were being placed.

Ms. Gatlin named off all of the items Mr. Gatlin had made for the home.

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

Mr. John Moore 4402 Burningtree Mountain Circle SE came forward.

Mr. Moore stated he has lived at the residence for 11 years.

Mr. Moore discussed his time in the military and learning about what the meaning of an ordinance is.

Mr. Moore stated he had received a letters from the city in March and again in November referencing the actions to be discussed about the neighbor's at 4404 and that the letter encouraged the neighbors to share the information with other neighbors, and he did.

Mr. Moore stated he had not spoken to the Gatlin's about the situation.

Mr. Moore stated he had various concerns in the March, April timeframe.

Mr. Moore stated several individuals came forward at the time in April to express their concerns about the home occupation, Mr. Moore did not he watched the live stream video from his home.

Mr. Moore stated he understood that the home occupation to operate an administrative office in one room of their home for a handyman business at 4402 Burningtrees Mountain Circle was approved in April and he respected the decision of the Board.

Mr. Moore stated the concerns that he and his neighbors expressed in April, through email and in person, had evolved into more than what was requested.

Mr. Moore stated assurances given by the Board, if the neighbors had any concerns, those concerns could be reported and the concerns would be investigated.

Mr. Moore stated he believed the home occupation has turned into more than a one room in the operation.

Mr. Moore stated he had pictures, presented to the Board, of cabinets being made and refinished.

Mr. Moore stated he had consulted legal and was told his property value could deteriorate.

Mr. Moore presented the Board with more pictures he had taken from his driveway showing various material in the Gatlin's driveway.

Mr. Moore stated he could see work being performed on cabinets while he was working in his yard and paint fumes coming from the Gatlin's home.

Mr. Moore showed a picture from their website of the items that was being constructed.

Mr. Moore discussed how he saw a commercial truck deliver materials to the home and how there were residual materials left out on the driveway.

Mr. Moore discussed how their Facebook page shows different items being made at the home, and is posted on their page.

Mr. Moore stated he had a sound recording of a sander operating at nighttime.

Chair, Dean stated to Mr. Moore why they were here.

Mr. Moore understood and explained he had given several examples and stated he felt it was out of the scope of what was approved.

Chair, Dean went over with Ms. Gatlin what they were approved to do, Ms. Gatlin agreed.

Ms. Gatlin stated some of those pictures were staged to help build the business.

Ms. Gatlin explained how they were able to use a large truck and how friends and family allowed them to use a few of the items they had refurbished for them on their Facebook page to help build the business.

Chair, Dean asked Ms. Gatlin if she felt she was in compliance of a home occupation, Ms. Gatlin stated she felt like she was in compliance.

Mr. Chip Alexander, Asst. City Attorney told the Board, options that could be approved.

The Board discussed amongst themselves.

Mr. Brad Townson asked Ms. Gatlin if the work being done outside was work for private use, and then posted on Facebook as gifted.

Ms. Gatlin stated individuals paid for the materials so they did not lose money but, they did not make any profit from them.

Chair, Dean stated to Ms. Gatlin that it was not for her to say if she was telling the truth or not.

Chair, Dean told Ms. Gatlin she had heard what the neighbors had to say and how they feel.

Chair Dean, told Ms. Gatlin if work is for friends and family then that work should be contained to the inside of the garage.

Chair, Dean stated she felt like the Board should keep things as they are.

Mr. Larry Way encouraged the Gatlin's and Mr. Moore get together and talk, Ms. Gatlin agreed.

Mr. Larry Way stated that the Board could only take the word of Ms. Gatlin that the guidelines are being abided by, and that only an administrative office is being run out of the home and encouraged Ms. Gatlin to be sure that was so, Ms. Gatlin understood.

Mr. Brad Townson reiterated to Ms. Gatlin she was approved for an administrative office and the point of this hearing is to protect the neighborhood.

Mr. Brad Townson told Ms. Gatlin to make sure it does not look like someone is running a business out of their home.

Mr. Brad Townson, told Ms. Gatlin she does not need people bringing things to their home, and whatever minimal work that is done should be kept inside of the garage, Ms. Gatlin understood.

Mr. Brad Townson recommended that it should not look like anyone's running a business out of the home regardless of what is being given away to friends or family or what's being done to get an online presence up and running.

Mr. Brad Townson stated that this Board is to help keep residential neighborhoods a neighborhood while at the same time helping residents to be able to start a business.

Chair, Dean asked the Board if they would vote on leaving things the way they were approve in April and for all in favor to say aye. On a unanimous vote it was approved to leave the ruling as it stands.

CASE NO. 1

Application and appeal of Eric Reynolds 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 handyman service located at 411 Clearview St SW, property is located in a R-2 Single Family Zoning District.

Mr. Eric Reynolds presented this case to the Board. Mr. Reynolds stated his name was Eric Reynold and his address is 411 Clearview St. SW. Mr. Reynolds stated he would like to use one room in his home for administrative purposes for a handy man business.

Mr. Larry Waye verified Mr. Reynolds understood the rules and regulations of a home occupation. Mr. Reynolds stated he understood all of the rules and regulations.

There were no questions from the Board or the public.

Mr. Bob Sims, Building Department, recommended approval.

Mr. Lee Terry, Planning Department, had no comment.

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

CASE NO. 2

Application and appeal of Belen 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 concrete business located at 1409 Runnymede Av. SW, property is located in a R-2 Single Family Residential District.

Ms. Belen Rodriguez presented this case to the Board. Ms. Rodriguez stated her name was Belen Rodriguez and her address was 1409 Runnymede Av SW. Ms. Rodriguez stated she would like to use one room in her home for an administrative office for a concrete business.

Chair, Dean asked Ms. Rodriguez about the type of equipment she would have at her home.

Ms. Rodriguez stated the equipment that would be used will be rented at this time since the business is just getting started.

Mr. Larry Waye verified Ms. Rodriguez understood the rules and regulations of a home occupation, Ms. Rodriguez understood.

Chair Dean for comments from the Board or the public.

Mr. Jimmy Hester 1414 Runnymede Av. SW spoke of how the neighborhoods have decreased in value and spoke of how residences should not be zoned business because, it devalues the neighborhood. Mr. Hester believes all businesses should be performed in a business district not in any neighborhood.

Ms. Ruth Kitty 1931 Woodmeade stated her family had lived in Decatur until transferred to another state and upon retirement moved back to Decatur. Ms. Kitty explained how her taxes had gone up because of improvements, that were made on her property and feels that taxes will not be going up anymore if there are businesses in the area.

Ms. Kitty does not believe that the City of Decatur can be OK with property values decreasing.

Ms. Dorothy Livingston 1408 Runnymede Av SW. Ms. Livingston stated single family homes are zoned as a single family home and should stay that way and was making an appeal to the board to keep it that way.

Chair, Dean verified again with Ms. Rodriguez that she was asking for an administrative office, Ms. Rodriguez agreed.

Chair, Dean explained to Ms. Rodriguez that there should not be any evidence of a business being run out of the home, and no employees could report to the home, Ms. Rodriguez understood.

Mr. Larry Waye reminded Ms. Rodriguez that there could not be any signage on the property, Ms. Rodriguez understood.

Mr. Bob Sims, Building Department, told Ms. Rodriguez to try her hardest to keep the business inside her home and make sure there is no equipment, and that there is not a lot of people showing up on the property, Ms. Rodriguez understood.

Mr. Bob Sims, Building Department, told Ms. Rodriguez that when the property starts to deteriorate and complaints start coming in the complaints are investigated. Mr. Sims asked Ms. Rodriguez to keep her neighbors happy.

Mr. Lee Terry, Planning Department, had no comment.

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

Mr. Larry Waye thanked the neighbors for coming and expressing their concerns. He reminded the audience that if they see any evidence that more than a home occupation exists report it, and

it would be investigated. Mr. Waye stated home occupations have been around for many years and will be for years to come and this process is to help people start a business, but not to operate large equipment from the home.

CASE NO. 3

Application and appeal of Brittany Boyd 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 photography business located at 2009 Crestview Dr. SE property is located in a R-1 Single Family Residential District.

Ms. Jamie Howard presented this case to the Board representing Ms. Boyd.

Ms. Howard stated she would be business partners with Ms. Boyd.

Ms. Howard stated Ms. Boyd's address would be used for the administrative office for the photography business.

Chair, Dean asked Ms. Howard if she would be Ms. Boyd's employee, Ms. Howard stated she would be Ms. Boyd's business partner.

Mr. Chip Alexander, Legal Department, told Ms. Howard for a home occupation, a partnership has to be owned and operated by the person that lives in the house and a partner who lives in another place going to the other partner's home to conduct business would not be allowed.

Mr. Chip Alexander, Legal Department stated Ms. Howard can present the case since she is listed on the application. The business cannot be in both of their names and operate as a home occupation.

Mr. Chip Alexander, Legal Department stated that Ms. Howard would have to work from a different location, and she could not report to work Ms. Boyd's home.

Chair, Dean asked Ms. Howard if she understood, Ms. Howard understood.

Ms. Howard stated all of the work would be submitted on line so she could work from her home.

Ms. Howard asked if they proceeded with the application would the business be considered a sole proprietorship, Mr. Chip Alexander replied it would be a home occupation, Ms. Howard understood.

Mr. Larry Waye asked Mr. Alexander if the business could be a LLC if the address is 2009 Crestview.

Mr. Chip Alexander, Legal Department, stated that the person who lived at the house could establish the business as a LLC but if anyone else came to the house to work then that would be a violating the home occupation.

Mr. Bob Sims, Building Department, stated that the only home occupation that allows employees is a home day care because it is required.

Chair, Dean stated she could request the home occupation since she is listed as the representative for Ms. Boyd on the application, Ms. Howard understood.

There was a discussion about how best to handle the situation.

Mr. Brad Townson, stated Ms. Howard could do anything related to the business just not at Ms. Boyd's residence, Mr. Alexander agreed.

Ms. Howard stated that location is her brother's home and she normally visits once a week.

Mr. Brad Townson explained to Ms. Howard that she couldn't be showing up at the location every day because it would look like she was an employee going to work everyday, Ms. Howard understood.

Ms. Howard explained she would take the pictures and meet Ms. Boyd at a different location to give Ms. Boyd the memory card for processing.

Mr. Chip Alexander, Legal Department explained that how the business operates is not what this process is about. Mr. Alexander stated you can't apply as a partnership it can only meet the definition if it is an individual.

Mr. Larry Waye asked Ms. Howard if she wanted to continue and get the business license in Ms. Boyd's name.

Ms. Howard was confused how the taxes would be handled if she were to proceed with the application.

Mr. Bob Sims, Building Department, explained that either Ms. Howard or Ms. Boyd would then become an employee where a 1099 or a W-2 form would be issued each year based off of whatever work is being performed.

Mr. Chip Alexander, Legal Department agreed with Mr. Sims but noted he was not an accountant.

Mr. Larry Waye explained to Ms. Howard that there are places in Decatur designed to help small businesses get started and does not cost a lot of money. Mr. Waye told Ms. Howard about the entrepreneurial center located on 4th Av SE that may be able to help.

Ms. Howard decided to go forward with the application as written.

Mr. Brad Townson 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 Leilani Dickson 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 business to sell clothing and accessories located at 1314 2nd Av. SW, property is located in a R-2 Single Family Residential District.

Ms. Leilani Dickson presented this case to the Board. Ms. Dickson stated her name was Leilani Dickson and her address was 1314 2nd Av. SW. Ms. Dickson stated she would like to use one room in her home for administrative purposes for an on-line business selling clothing through Shopify.

Ms. Dickson stated she had heard and understood all of the rules and regulations of a home occupation.

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

There were no comments.

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. 5

Application and appeal of Elias Francisco Gaspar 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 a painting business located at 2612 Poole Av SW, property is located in a R-2 Single Family Residential District.

Mr. Elias Gaspar presented this case to the Board. Mr. Gaspar stated his name was Elias Gaspar and his address was 2612 Poole Av SW. Mr. Gaspar stated he would like to use one room in his home for administrative purposes for a painting business.

Mr. Gaspar stated he understood the rules and regulations of a home occupation.

Mr. Bob Sims, Building Department asked Mr. Gaspar about the equipment he would be using and verified he did not have any employees coming to his house.

Mr. Gaspar agreed with Mr. Sims that he would not have any employees coming to his house, and he would only use typical painting equipment and it would all be stored out of site so the neighbors could not see it.

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

There were no comments.

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

CASE NO. 6

Application and appeal of Christopher Eady / Angela Eady for a 13.5 foot rear yard setback variance as allowed in Section 25-10A (2) (d) and as defined in Article VI of the Zoning Ordinance in order to add a 14 foot screened in patio at 2910 Legacy Dr. SW, property is located in a R-2 Single Family Residential District.

Mr. Christopher Eady presented this case to the Board. Mr. Eady stated his name was Christopher Eady and his address was 2910 Legacy Dr. SW. Mr. Eady stated he and his wife are requesting a 14-foot variance to add on to the back patio.

Mr. Eady stated that behind his home is a hay field and large power lines so he does not feel that anyone would be bothered with them adding onto the patio.

Mr. Eady stated he has spoken with the neighbor to the right and they are fine with the addition if they are approved for the variance.

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

There were no comments.

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. 7

Application and appeal of Howard Morris Builders for a 40-foot side yard setback variance as allowed in Section 25-2 and defined in Article VI of the Zoning Ordinance in order to place an accessory structure in the side yard at 2105 Woodland St. SE, property is located in a R-1 Single Family Residential District.

Mr. Payton Morris presented this case to the Board. Mr. Morris stated he was with Howard Morris Builders located at 5519 Indian Hills Rd SE.

Mr. Morris stated he was representing the homeowners, William and Laura Vandiver, and are requesting to place an accessory structure in the side yard.

Mr. Morris stated the accessory structure was an afterthought after the addition onto the house had been started.

Mr. Morris stated a 40-foot side yard setback was requested to construct a detached garage. Mr. Morris stated that the hardship was that 40 feet has been added onto the west side of the house and the homeowner wants the new garage to be right off the existing driveway.

Chair, Dean stated that for the record had the addition not been put on the house prior there would not have been a need to request a variance because the garage would be place behind the house, Mr. Morris agreed.

Chair, Dean stated that now with the addition the garage will be in the side yard, Mr. Morris agreed.

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

There were no comments.

Mr. Brad Townson 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 Mid-South Testing, Inc. for one-tenth (.10) foot lot width variance from Section 25-10.11 (2) (f) for the following addresses:

- 1617 North Street SE
- 1619 North Street SE
- 1621 North Street SE
- 1623 North Street SE
- 1625 North Street SE
- 1627 North Street SE
- 1629 North Street SE
- 1631 North Street SE

Property is located in a R-4 Multifamily Residential District.

Mr. Ron Stroup was representing Mid-South Testing and representing Mr. Eddy Hill the property owner.

Mr. Stroup stated that Mr. Hill has purchased the properties listed and wishes to sub-divide these properties back to the original lot lines. Mr. Hill stated that these lots are short about 1/10 of a foot for each lot.

Mr. Stroup is requesting that each lot be given a variance so that each lot will now be 49.9 foot lots.

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

There were no comments.

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

Chair Dean announced that there will not be a BOZA Meeting for the month of December, which was announce at the November 30, 2021 meeting as well. The next BOZA Meeting is to be held January 25, 2022 at 4:00p.m.

Meeting adjourned at 5:15 p.m.

Delayne Dean, Chair

AGENDA

January 2022

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, January 25, 2022 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 Sherry Painter 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 service located at 2015 Harrison St SE, property is located in a R-2 Single Family Zoning District.

CASE NO. 2

Application and appeal of Cynthia Martin 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 business for a virtual assistant business located at 416 Hay Dr. SW Apt. E8, property is located in a R-4 Multi-Family Residential Zoning District.

CASE NO. 3

Application and appeal of Darneé Clinton 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 t-shirts located at 1205 5th Av. SW D4, property is located in a R-4 Multi-Family Residential Zoning District.

CASE NO. 4

Application and appeal of Brandon Garrett 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 a dog breeding business for tea cup yorkies located at 406 11th Av SW, property is located in a R-3 Single Family Residential Zoning District.

CASE NO. 5

Application and appeal of Deneasia Caudle 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 herbal supplement business located at 1606 Tower St SE, property is located in a R-4 Multi-family Residential District.

CASE NO. 6

Application and appeal of Michael Sprague 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 locksmith and roadside service business located at 1310 Morningside Ct. SE, property is located in a R-2 Single Family Residential District.

CASE NO. 7

Application and appeal Frank Gawdun, representing Chick-Fil- A, for an 8 foot 6 inch setback variance as allowed in Section 25-21.1 (2) and as defined in Article VI of the Zoning Ordinance in order to construct a covered canopy located at 1809 Beltline Rd. SW, property is located in a B-4 Regional Shopping Business District.

CASE NO. 8

Application and appeal of Michael Petty for a 22.87 rear yard setback variance as allowed in Section 25-10.10 (2)(d) and defined in Article VI of the Zoning Ordinance in order to add 15 feet of covered outdoor space from detached garage to house at 1119 8th Av SE, property is located in a R-3 Single Family Residential Zoning District.

CASE NO. 9

Application and appeal of Saint Paul's Lutheran Church for a 22-foot setback variance as allowed in Section 25-78 (d) and defined in Article VI of the Zoning Ordinance in order to install a new monument type sign located at 1700 Carridale St. SW, property is located in a B-1 Local Shopping Business District.

CASE NO. 10

Application and appeal of James and Susan Prince for a 22 foot rear yard setback variance as allowed in Section 25-10.9 (2) (d) and defined in Article VI of the Zoning Ordinance in order to add an addition onto the back of the existing house located at 1209 Count Mallard Dr. SE property is located in a R-2 Single Family Residential Zoning District.

CASE NO. 11

Application and appeal of Francisco Hernandez for a use permitted on appeal from Section 25-12 and defined in Article VI, as amended and adopted, of the Zoning Ordinance in order to develop R-4 Multi-Family Residential Zoning District uses on the lot located at 928 Sims St. SW, property is located in a M-1A Expressway Commercial District.

CASE NO. 12

Application and appeal of Decatur Orthopedics & Sports Medicine from Section 25-78 (d) and defined in Article VI, as amended and adopted, of the Zoning Ordinance in order to install two signs that does not meet the setback requirements located at 1106 16th Av SE, property is located in a MC Medical Center District.

4

Jan. ~~10th~~ 25th at 4:00



402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Sherry Painter
MAILING ADDR: 2015 Harrison Street S.E.
CITY, STATE, ZIP: Decatur Ala
PHONE: 256-261-0374

PROPERTY OWNER: Houston & Lee
OWNER ADDR: 2114 Central Rky SW Suite H
CITY, STATE, ZIP: Decatur Ala PHONE: 355-3333

ADDRESS FOR APPEAL: 2015 Harrison Street SE
Decatur Ala
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'm using my home as my
office for my cleaning business
its 2 Bed Room 1 Bath
with carport and parking

Applicant Name (print) <u>Sherry Painter</u>	If applicant is using a representative for the request both signatures are required	Office Use Received By: <u>Cindy</u>
Signature <u>Sherry Painter</u>		Zone _____
Representative Name (print) _____		Hearing Date <u>1/25/22</u> <u>4:00</u> <u>p.m.</u>
Signature _____		Approved/Disapproved _____
Date <u>12-15-21</u>		

CASE NO. 1 2015 HARRISON 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:

Sherry Parrott

DATE:

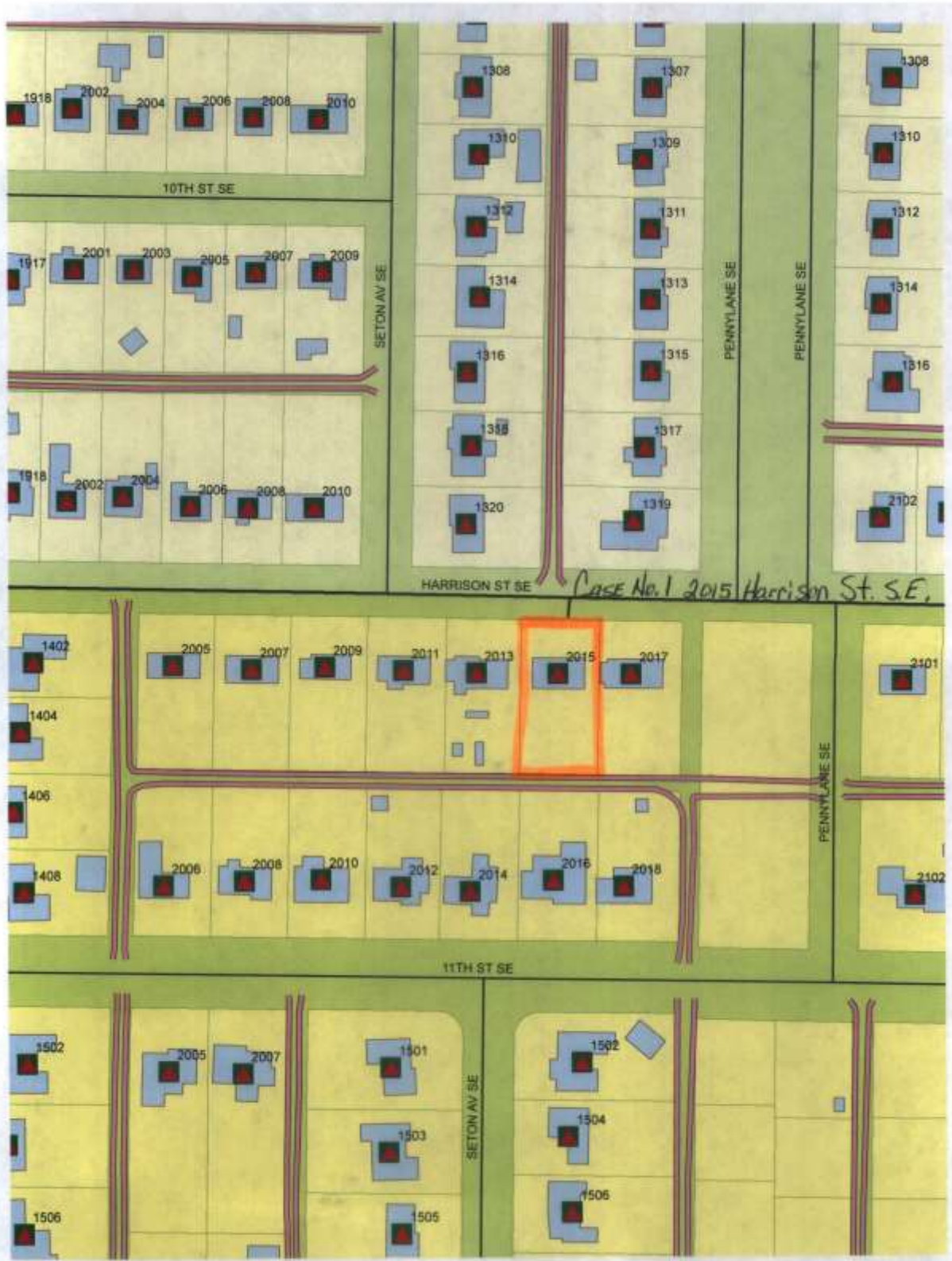
12-15-21

ADDRESS:

2015 Harrison Street
Decatur AL 35601

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

QUESTIONNAIRE



3) \$50 App Fee Due 10th of Jan. Jan. 25, 2022 @ 4:00pm.



402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Cynthia Martin DBA At Your Virtual Service
MAILING ADDR: 416 Hay Drive Apt E8
CITY, STATE, ZIP: Decatur, AL 35603
PHONE: 205-580-3248

PROPERTY OWNER: Albany Landing Apartments
OWNER ADDR: 416 Hay Drive - Management Office
CITY, STATE, ZIP: Decatur AL 35603 PHONE: 256-350-9975

ADDRESS FOR APPEAL: 416 Hay Drive Apt E8, 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)

One room of my apartment is used to conduct online remote virtual assistant services. This is a strictly online business. No products, no customers, no employees are involved in this business.

Website address is: yourvirtualservice.com

Applicant Name (print) Cynthia Martin

Signature Cynthia Martin

Representative Name (print)

Signature

Date: 12-16-21

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

Office Use Received By: _____

Zone _____

Hearing Date Jan. 25, 2022

Approved/Disapproved _____

CASE NO. 2 416 HAY DR. APT E8



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: Arthur Martin DATE: 12-16-21
ADDRESS: 416 Hay Drive Apt E8, Decatur AL 35603

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QUESTIONNAIRE



MAP

B) \$50.00 App Fee Due by the 10th of the month 11/30/21 @ 4:00pm



402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: DARNEE' CLINTON
MAILING ADDR: 1205 5TH AVE SW D4
CITY, STATE, ZIP: DECATUR, AL 35601
PHONE: (216) 880-5351

PROPERTY OWNER: PATRICK CROW
OWNER ADDR: 2011 Westprairie Dr SW
CITY, STATE, ZIP: DECATUR, AL 35601 PHONE: (256) 340-0450

ADDRESS FOR APPEAL: 1205 5TH AVE SW D4 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)

My HOME ADDRESS IS MY OFFICE. My inventory will be delivered to my current
ADDRESS. NO MONETARY TRANSACTIONS WILL TAKE PLACE AT MY HOME. All sales will be
made by mail or personal delivery selling t-shirts online.

Applicant Name (print) <u>DARNEE' CLINTON</u>	If applicant is using a	Office Use Received By: _____
Signature <u>Darnee Clinton</u>	representative for the	Zone _____
Representative Name (print) _____	request both signatures	Hearing Date <u>Jan 25, 2022</u>
Signature _____	are required	Approved/Disapproved _____
Date: <u>12/21/2021</u>		

CASE NO. 3 1205 5TH SW APT D4



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: Darnae' Clinton DATE: 11-9-2021

ADDRESS: 1205 5th Ave SW D4

(4) \$50 App Fee Due Jan-10 Meeting Date Jan 25, 2022 @ 4pm



* 402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT:	Brandon Garrett
MAILING ADDR:	406 11 th Ave SW
CITY, STATE, ZIP:	Decatur, AL 35601
PHONE:	256-642-8050 cell#

PROPERTY OWNER:	Brandon Garrett
OWNER ADDR:	406 11 th Ave SW
CITY, STATE, ZIP:	Decatur AL 35601
PHONE:	256-642-8050

ADDRESS FOR APPEAL:	406 11 th Ave SW Decatur, AL 35601
---------------------	---

NATURE OF APPEAL:

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

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

For the case to be heard*****

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

Breeding tea cup Yorkies

Applicant Name (print)	Brandon Garrett	If applicant is using a representative for the request both signatures are required	Office Use Received By: _____
Signature	<i>B. Garrett</i>		Zone _____
Representative Name (print)	Famila Hodges		Hearing Date _____
Signature	<i>Famila Hodges</i>		Approved/Disapproved _____
Date	12/22/2021		

CASE NO. 4 406 11TH 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:

B. Santo

DATE:

12/22/2021

ADDRESS:

406 11th Ave SW Decatur, AL
35601

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QUESTIONNAIRE



MAP

5



402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Deneasia Caudle
 MAILING ADDR: 1606 Tower St SE
 CITY, STATE, ZIP: Decatur, AL 35601
 PHONE: 256-606-9558

PROPERTY OWNER: Decatur Housing Authority
 OWNER ADDR: 300 Wilson St NE
 CITY, STATE, ZIP: Decatur, AL 35601 PHONE: 256-353-2191

ADDRESS FOR APPEAL: 1606 Tower St SE

NATURE OF APPEAL:

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

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

For the case to be heard*****

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

I would like to use my house to run my herbal
supplement business to sell online in one room in
my home.

Applicant Name (print) Deneasia Caudle

Signature Deneasia Caudle

Representative Name (print)

Signature

Date 1/10/22

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

Office Use Received By: Cindy

Zone R-4

Hearing Date 1/25/22 4:00 p.m.

Approved/Disapproved

CASE NO. 5 1606 TOWER 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 ☒

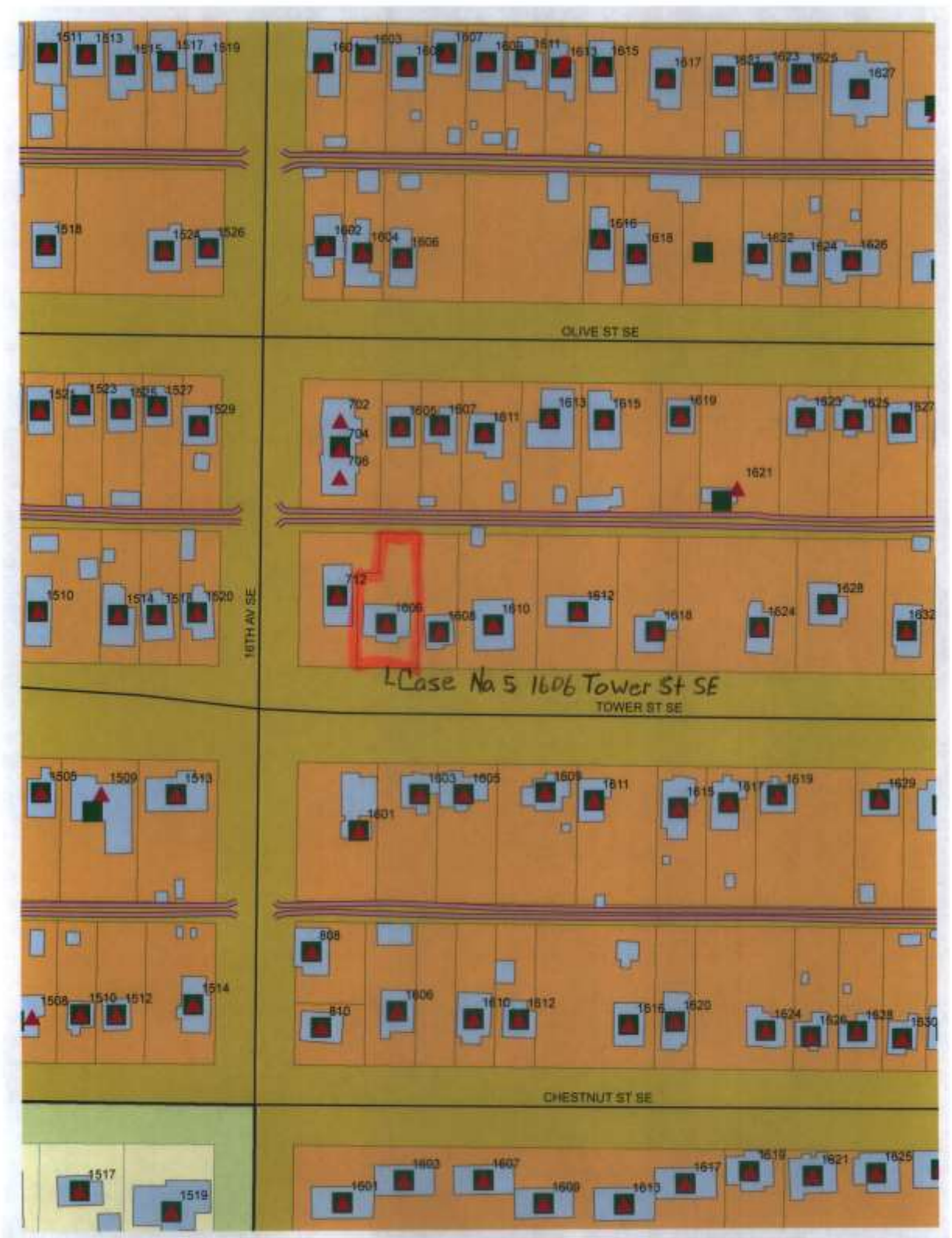
SIGNED: _____

DATE: 1/10/22

ADDRESS: 1606 Tower St SE

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QUESTIONNAIRE



MAP

(6)



402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Michael H. Sprague (Ambulock, Inc.)
MAILING ADDR: 1310 Morningside Ct SE
CITY, STATE, ZIP: Decatur, AL 35601
PHONE: 256-675-2055

PROPERTY OWNER: Michael Sprague
OWNER ADDR: 1310 Morningside Ct SE
CITY, STATE, ZIP: Decatur, AL 35601 PHONE: 256-693-3392

*

ADDRESS FOR APPEAL:

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 Locksmith & Roadside Service, To be performed
SO home OFFICE USED FOR Administrative purposes
Only.

Applicant Name (print) Michael Sprague

Signature [Signature]

Representative Name (print)

Signature

Date 1/10/22

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

Office Use Received By:

Zone R-2

Hearing Date 1/25/2022

Approved/Disapproved

CASE NO. 6 1310 MORNINGSIDE CT 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 ☐ *Vehicle Only (without Home Address)*
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: WJ

DATE: 1/10/2012

ADDRESS: 1310 MorningSide Ct, SE Decatur, AL 38601

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

QUESTIONNAIRE

⑦

pd ✓



402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Frank Gawdun

MAILING ADDR: 1743 E Mc Nair Dr Ste 200

CITY, STATE, ZIP: Tempe, AZ 85283

PHONE: 480-755-0959 EMAIL: gawdun@esencia.org or alvarez@esencia.org

PROPERTY OWNER: Grimmer - Decatur LLC

OWNER ADDR: 200 Green Springs Hwy

CITY, STATE, ZIP: Birmingham, AL 35209 PHONE: _____

ADDRESS FOR APPEAL: 1809 Beltline Rd

NATURE OF APPEAL:

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

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

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

See attached narrative.

Applicant Name (print) Frank Gawdun

Signature Frank Gawdun

Representative Name (print) _____

Signature _____

Date 11/18/2021

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

Office Use Received By: _____

Zone B-4

Hearing Date 01-25-22

Approved Disapproved _____

CASE NO. 7 1809 BELTLINE RD SW

esencia Architecture and Urban Design

1743 E. McNeil Drive, #200 Tempe, Arizona 85283
www.esencia.org 480.755.0056 Fax 480.755.0066

November 11, 2021

City of Decatur
Planning Department
402 Lee Street NE
Decatur, Alabama 35601
(256) 341-4720

Regarding:

Project Narrative
Chick-Fil-A # 795 Canopy Program
1809 Beltline Road SW
Decatur, AL 35601

Dear Planning Dept.,

Chick-Fil-A would like to submit the following documents as they are seeking a Variance and Minor Site Plan amendment for their existing site located at 1809 Beltline Rd. SW., the southwest corner of Beltline Rd. SW and the Decatur Mall main entrance drive.

The existing parcel is a .84-acre pad site currently zoned B-4 (Business District Regional Shopping) and is located within the Decatur Mall Shopping Center. The fast-food restaurant has been in operation for several years and fully developed per the City of Decatur and Decatur Mall design standards. The existing 3,822 sq. ft. fast-food restaurant building is centrally located on the Chick-Fil-A parcel. Existing site amenities include a dual lane drive-thru, equipped with two-way communication order point menu boards, and drive-up window offering for take-out food service, illuminated off street paved shared parking lot, an existing masonry screen wall trash enclosure with metal gates. The property, and street scape are fully landscaped with trees, turf and shrubbery native to the area. The existing order point menu boards and drive-thru lane was designed to encircle around the restaurant building. The main point of entry to the Chick-Fil-A is from the Decatur Mall interior loop road, there is no direct access drive form Beltline Rd. SW to the site.

Chick-Fil-A has seen success with the order point menu boards located in the queuing aisle, and they would like to install two canopies in the existing drive thru lane to help enhance their operations further. The Face-to-Face canopy a 508 sq. ft. steel structure at 9'-6" above top of pavement is proposed to be located in the drive-thru lane over the existing drive thru window on the east side of the building. The canopy support columns and overhang would encroach 8'-6" beyond the existing 60'-0" building setback line for a distance of 59'-0" along Beltline RD. SW. The proposed Face-to-Face Canopy, a 1,352 sq. ft. steel structure, at 9'-6" high from bottom of deck to top of pavement would be installed on the west side of the property near the existing order point menu boards and would be located behind the existing 35'-0" building setback line. Chick-Fil-A is seeking a Variance from Code Section 25-21.1 (2) requiring a min. 60'-0" setback along Beltline Rd. The proposed Meal Delivery canopy overhang encroaches into the setback by +/- 8'-6".

Chick-Fil-A has recognized that at their sites during peak hours of operation that the existing menu boards cannot process the orders quick enough, at some sites this has led to on site traffic congestion as well as vehicles blocking entrances to other business, or even backing up out onto the public streets creating a public safety issue. The issue is further complicated as that at several of their sites Dining Rooms are still closed causing the drive-thru lane to be the primary manner to order and pick-up food. To help improve the issue Chick-Fil-A now requires their employees to be out-fitted with Smart Tablets and work out-doors during those peak hours of operation. These efforts continue to be hampered, as the weather remains a big factor and employees only are able to work outdoors sporadically.

1 of 2

NARRATIVE PG. 1

esencia Architecture AND Urban Design

1762 E. McNair Drive, #200 Tampa, Arizona 85281
www.esencia.org 480-755-0959 Fax 480-755-0959

The city has allowed Chick-Fil-A to install these types of canopy structures at other locations across the country. Those communities have benefited from these canopies as traffic back-ups have been reduced, while providing a much more healthier employee environment.

The Face-to-Face Canopy and Meal Delivery Canopies will provide team members relief of the inclement weather conditions allowing team members to work longer shifts and serve several vehicles at one time. Public safety with regards to traffic backing up onto adjacent properties or into the street will be reduced as the drive-thru lane will produce a quicker meal delivery service.

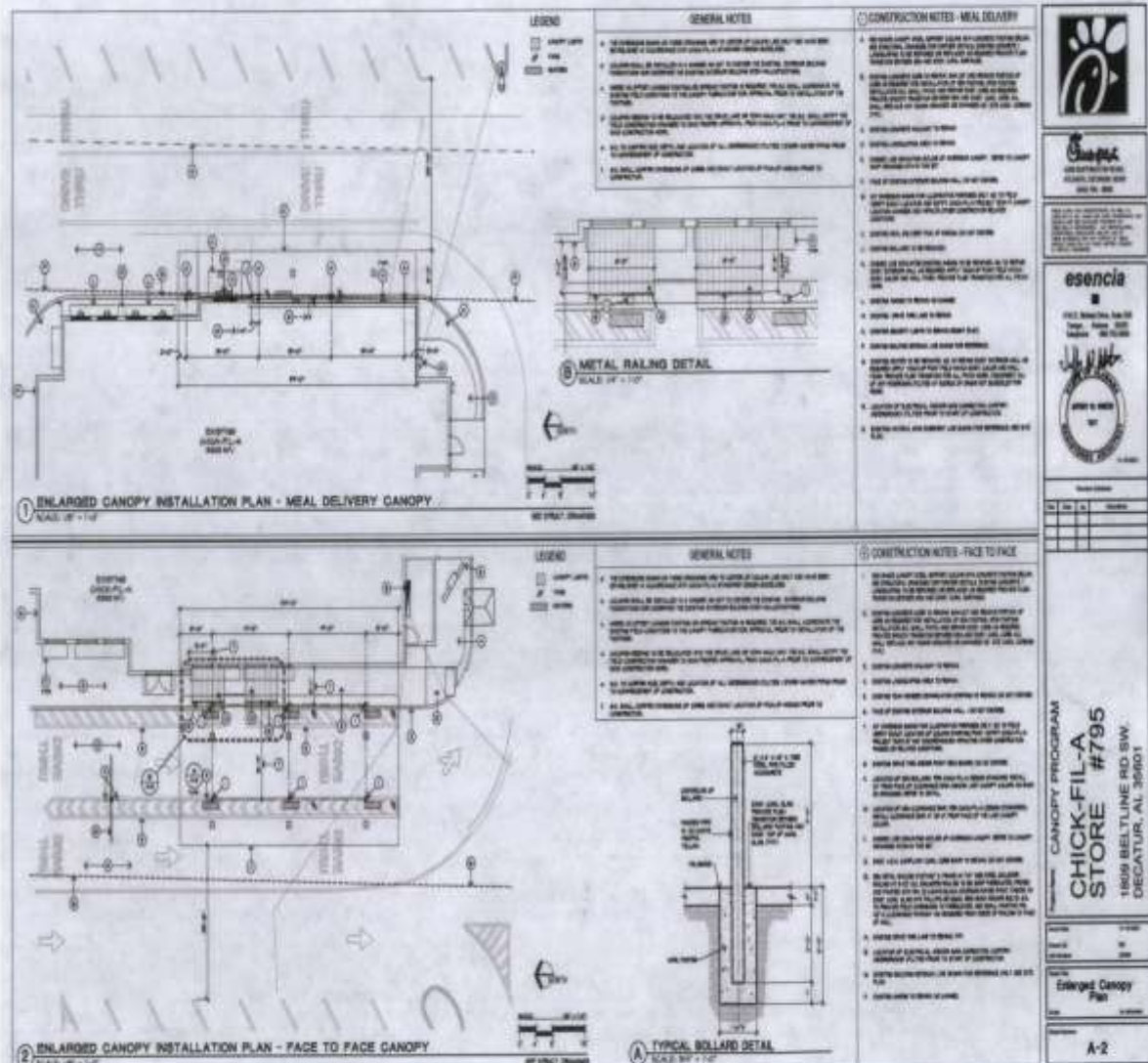
Both canopies will be independent open sided free-standing structures, constructed of steel framing, cantilevered beams with caisson footings. The supporting columns can be left exposed with powder coat paint finishes, or can be framed and wrapped, with finishes matching the existing exterior restaurant building. These design options allow the structures to remain architecturally harmonious with the rest of the Shopping Center and neighboring community. The new canopies will be outfitted with recessed L.E.D. lighting installed within a premanufactured metal deck with a powder-coat paint finish. Fans and heaters are installed to provide relief to the Team Members from the various weather conditions.

The installation of the canopies will not cause an adverse effect on the site, will not emit noise or noxious odors, nor add or alter existing drainage water flow patterns, not cause any flooding or cause a negative impact to the adjacent neighboring properties or cause property to devalue in the neighborhood. Existing landscaping will not be affected as no trees or shrubs will need to be removed for the canopy installation, pervious and non-pervious areas will not be altered. The construction of the canopies will not have an adverse effect on the neighboring parcels as all rain water from the canopies is directed to drain and daylight on to the existing pavement by the use of internal rain gutters, using the existing water flow pattern previously designed on the site and is mitigated by the properties existing drainage system already in place. Fire danger is non-existent as the canopies are constructed of steel.

With Chick-Fil-A being closed on Sundays, the construction of the canopies is a three-phase process. In the first week, the footings, and underground conduit are installed, backfill of trenching and patching the pavement occurs, the work takes place starting on Saturday at 9:00 PM and finishes on Monday morning at 6:00 AM. All excess dirt from the footing and trenching is immediately hauled off the site, so no storm water pollution occurs. During the second week, steel is erected, roof decking installed, along with the lights, and fans, in the third week, utility connections are finalized and the C of O is scheduled. Between the construction weekends, during normal hours of operation there is no impact to the site or adjacent properties as the restaurant and drive thru service remain in operation and the construction areas are safely barricaded off protecting the public during the duration of construction.

Chick-Fil-A is excited about this proactive opportunity in providing a healthier work environment for their team members as well as help provide public safety before it becomes a matter of contention. We feel the canopies are a much-needed accessory to this site and we are looking forward to working with the City of Decatur Planning Department staff to help achieve Chick-Fil-A's goals for this vibrant community.

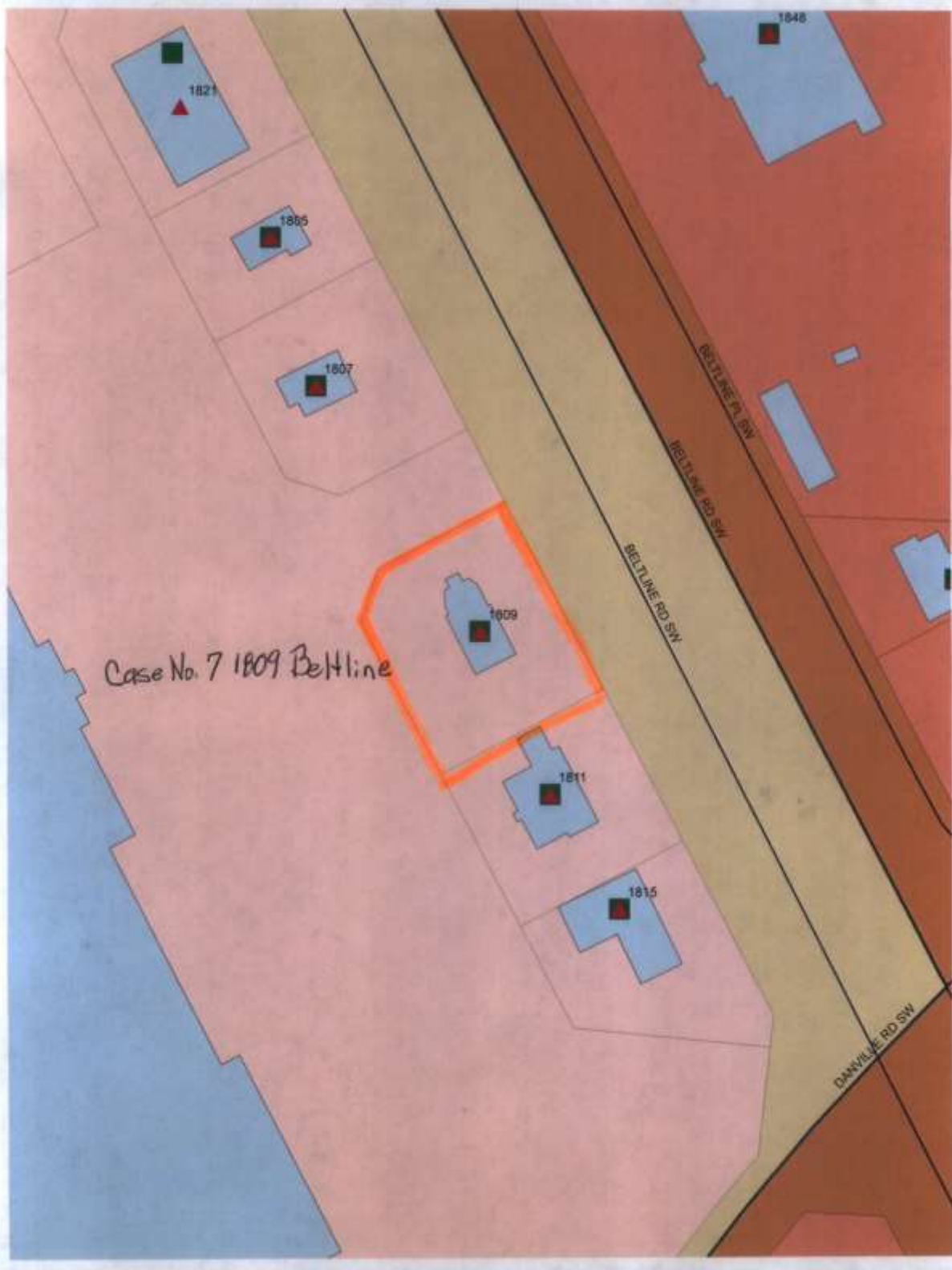
Frank Gawdun, Project Manager
esencia Architecture & Urban Design LLC
480-755-0959 ext. 121



CANOPY INSTALLATION



PICTURE



January 25, 2022 @ 4:00 p.m.



402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: MICHAEL PETTEY
MAILING ADDR: 1119 8TH AVE SE
CITY, STATE, ZIP: Decatur GA 35601
PHONE: 256-654-8633

PROPERTY OWNER: MICHAEL & LEISA PETTEY
OWNER ADDR: 1119 8TH AVE SE
CITY, STATE, ZIP: Decatur, GA 35601 PHONE: 256-654-8633

ADDRESS FOR APPEAL: 1119 8TH AVE SE Decatur, GA 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

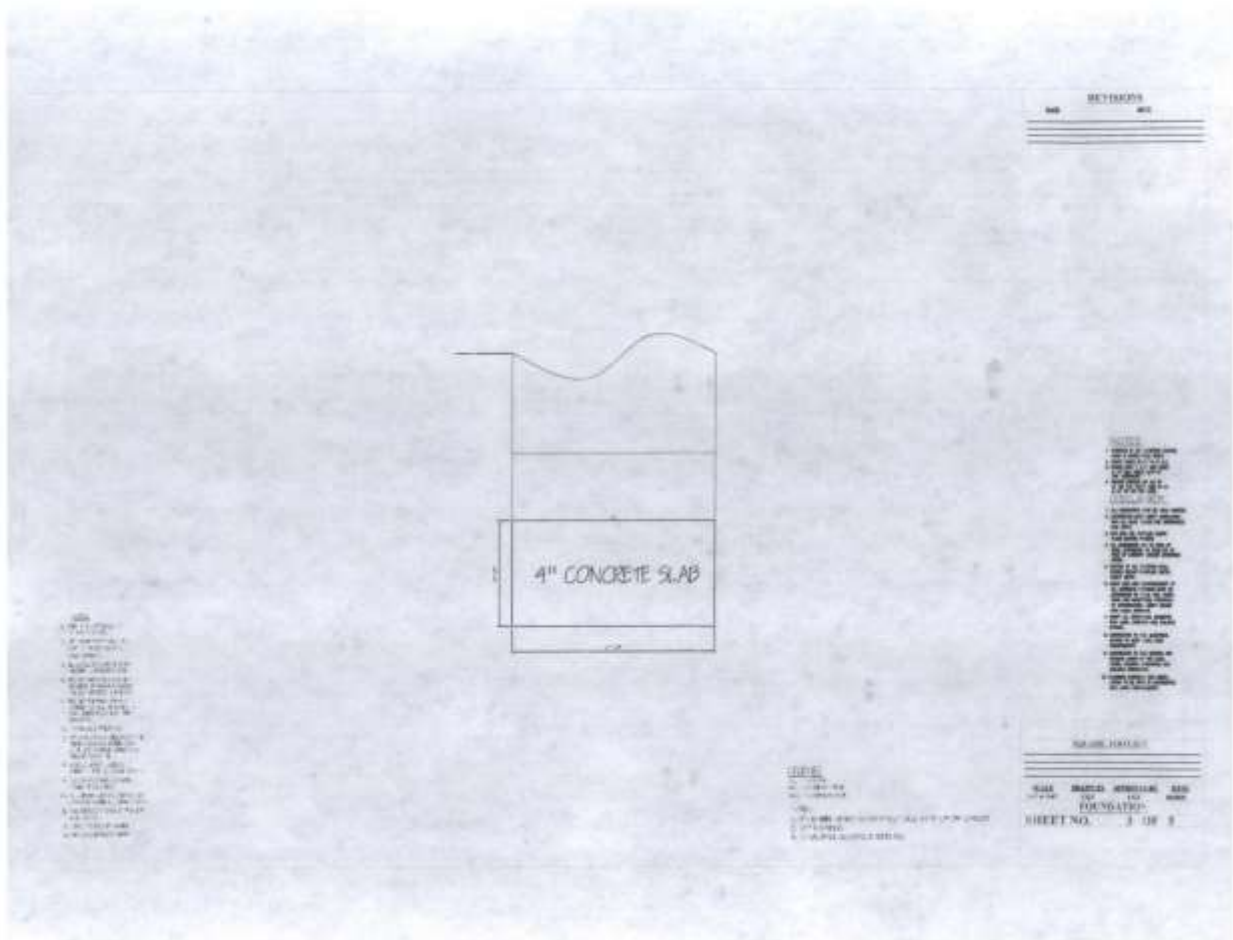
*****Applicants or Duly Appointed Representative MUST be present in order
For the case to be heard*****

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

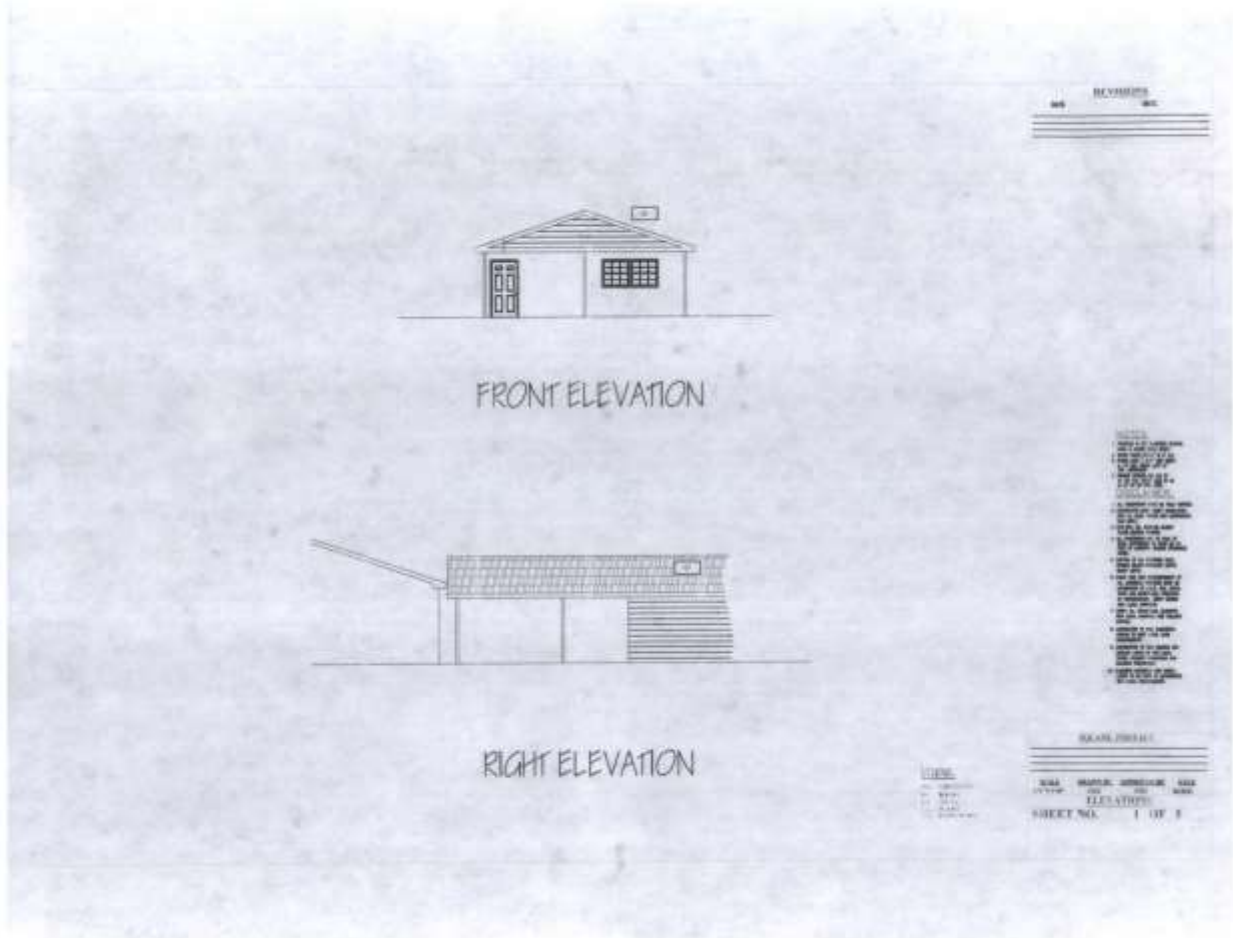
Trying to add outdoor space approximately
15' from Detached Garage to house

Applicant Name (print) MICHAEL PETTEY
Signature [Signature]
Representative Name (print) MICHAEL PETTEY
Signature [Signature]
Date 12/14/21
If applicant is using a representative for the request both signatures are required
Office Use Received By: _____
Zone R-3
Hearing Date _____
Approved/Disapproved _____

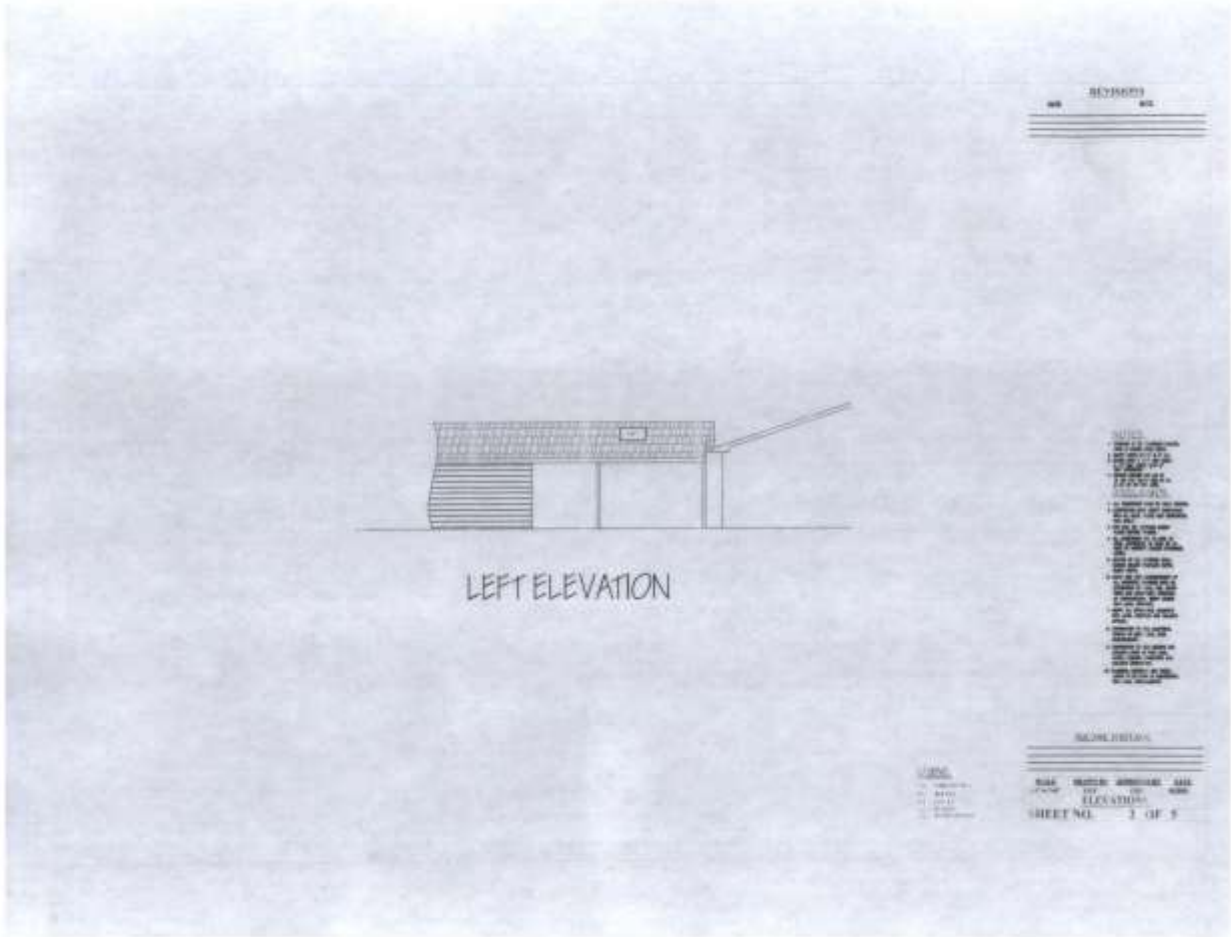
CASE NO. 8 1119 8TH AV SE



SLAB

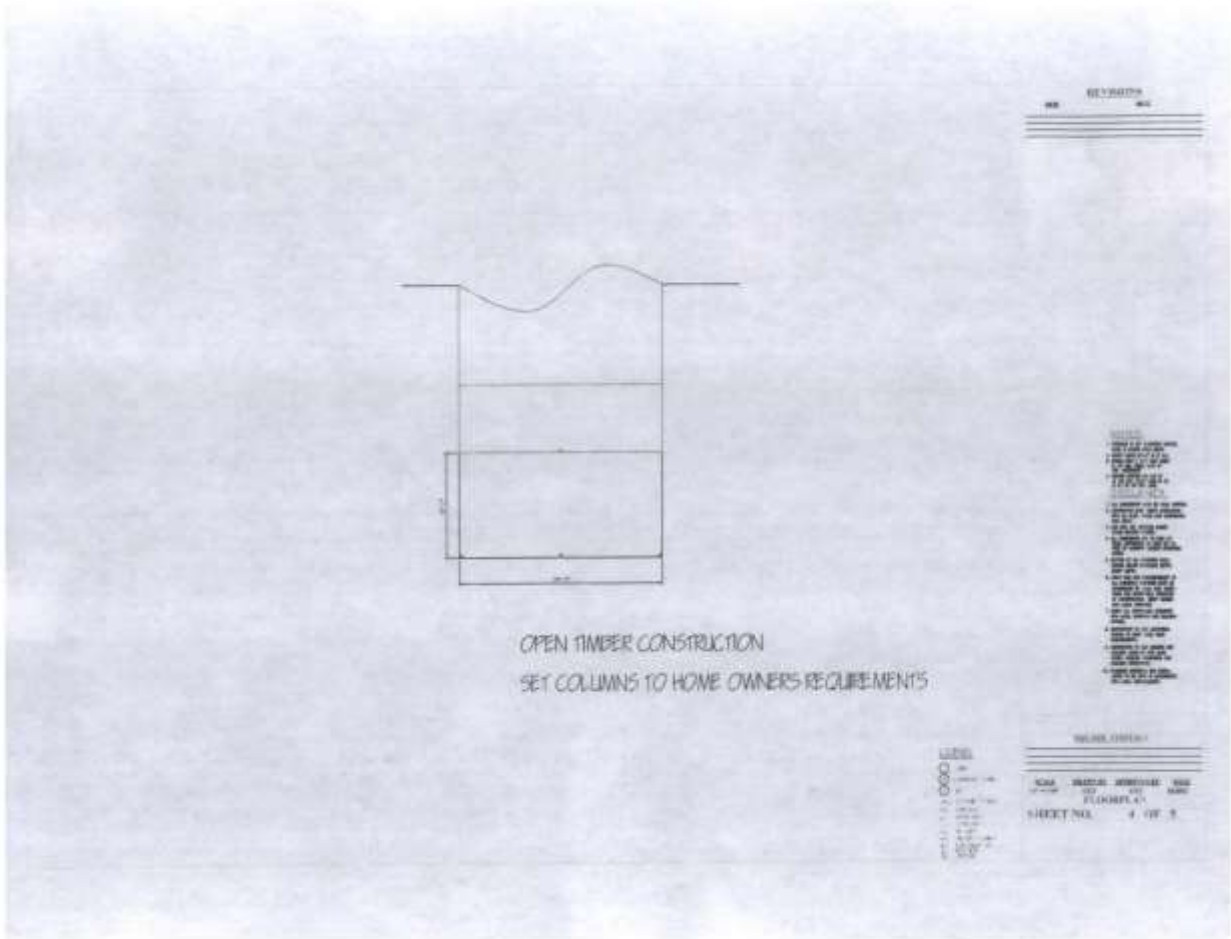


ELEVATION



ELEVATION





COLUMN PLACEMENT



MAP

1 after work due to 10:00 AM to 5:00 PM fee

Jan 25, 2022
@ 4:00 p.m

⑨



*

402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: ST. PAUL'S LUTHERAN CHURCH
MAILING ADDR: 1700 Carridale St.
CITY, STATE, ZIP: Decatur, AL 35601
PHONE: 256-306-0511

PROPERTY OWNER: ST. PAUL'S LUTHERAN CHURCH
OWNER ADDR: 1700 Carridale St.
CITY, STATE, ZIP: Decatur AL 35601 PHONE: 256-306-0511

ADDRESS FOR APPEAL: ST. PAUL'S LUTHERAN CHURCH, 1700 Carridale 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)

WE WANT TO INSTALL NEW MONUMENT TYPE SIGN
3 FEET INTO OUR PROPERTY THAT IS 53 FEET FROM THE
CORNER LINE OF CARRIDALE ROAD. IT LIES WITH EXISTING
LIGHT POLES. SEE ATTACHED PICTURE #1 THE EXISTING SIGN
PICTURE ATTACHED 2 WILL BE REMOVED

Applicant Name (print) DONALD E. OLSON

Signature [Signature]

Representative Name (print)

Signature _____

Date _____

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

Office Use Received By: _____

Zone B-2

Hearing Date 1/25/22

Approved/Disapproved _____

CASE NO. 9 1700 CARRIDALE ST. SW

Attachment 41



Stewart Signs
ONE SIGN, ONE COMPANY
1-800-237-3928 stewartsigns.com

ANNOUNCER 58

CABINET SIZE: 5'x8' / 4 Rows of 6" Tracking
Sk: 985446-2c Cust: 2139198
11/30/2021 F/dDutro, PROPOSAL
Scale: 5/8"=1" Cabinet Color: Silver Gray
Cowling Text: White

Signature _____

Date _____



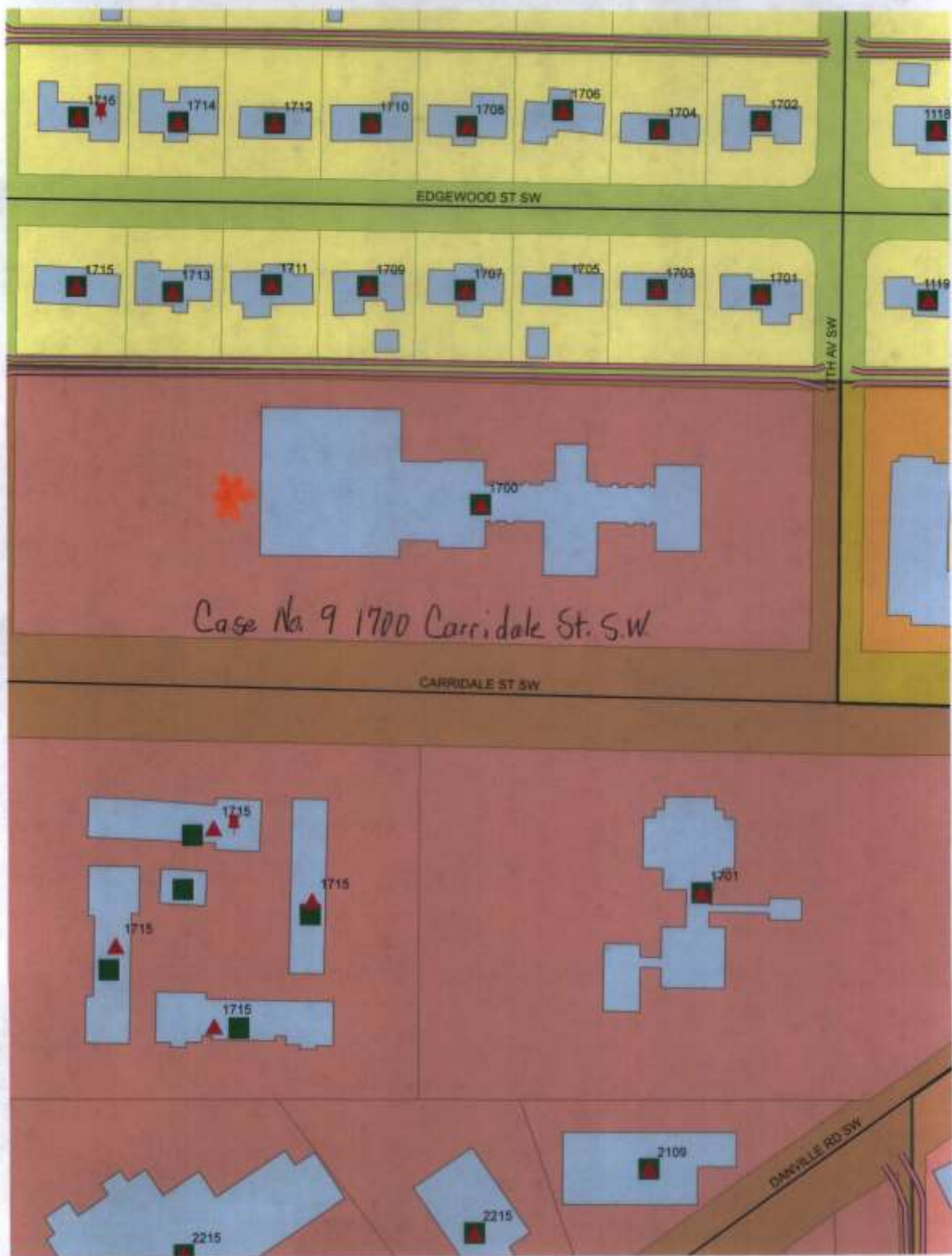
This custom artwork is not intended to provide an exact match for ink, vinyl or paint. Signs are designed for an illuminated graphic and art is based off of this premise. Non-illumination during daylight hours may result in graphics of varying appearance. Brickwork and masonry are not included in the proposal with the exception of Cornerstone products. Measurements shown are approximations; final product dimensions may vary. Original design, do not duplicate.

PROPOSED SIGN



Attachment 2

CURRENT VIEW



MAP

✓

Jan. 25, 2022 @ 4:00 pm

Jan. 10, 2022 Due
\$50.00 Fee



X 402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: JAMES & SUSAN Prince
 MAILING ADDR: 1209 COUNT MALLARD DR. S.E
 CITY, STATE, ZIP: DECATUR, AL, 35601
 PHONE: 256 606-3780

PROPERTY OWNER: James & Susan Prince
 OWNER ADDR: 1209 Count Mallard dr. SE
 CITY, STATE, ZIP: Decatur, AL 35601 PHONE: _____

X ADDRESS FOR APPEAL: _____

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)

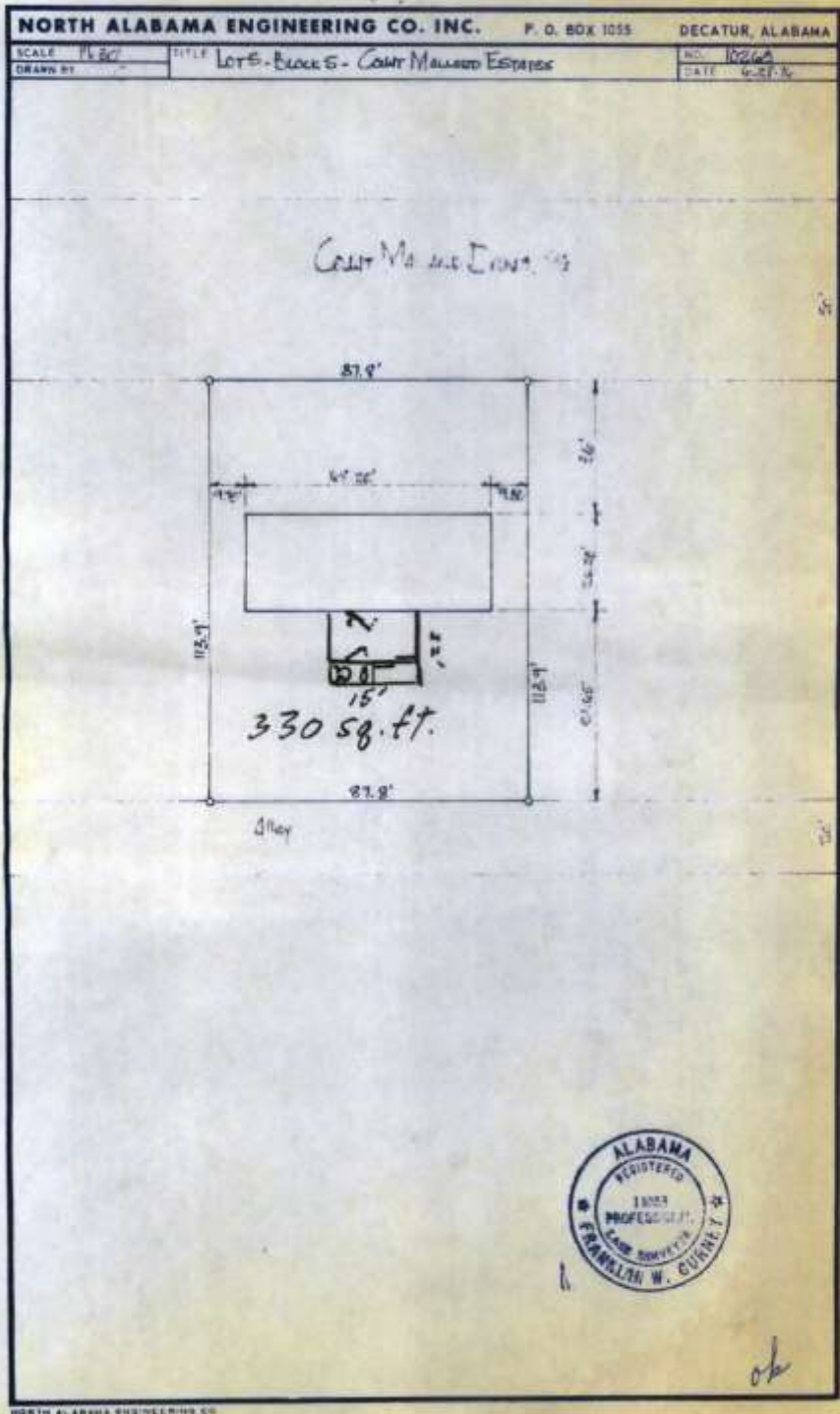
We want to add a 15'W x 22'L room addition. We
need a 22'4" variance. Photos Attached show
neighbors room addition. Ours will be similar.

Applicant Name (print) James Prince
 Signature [Signature]
 Representative Name (print) Susan Prince
 Signature [Signature]
 Date 1-6-2022

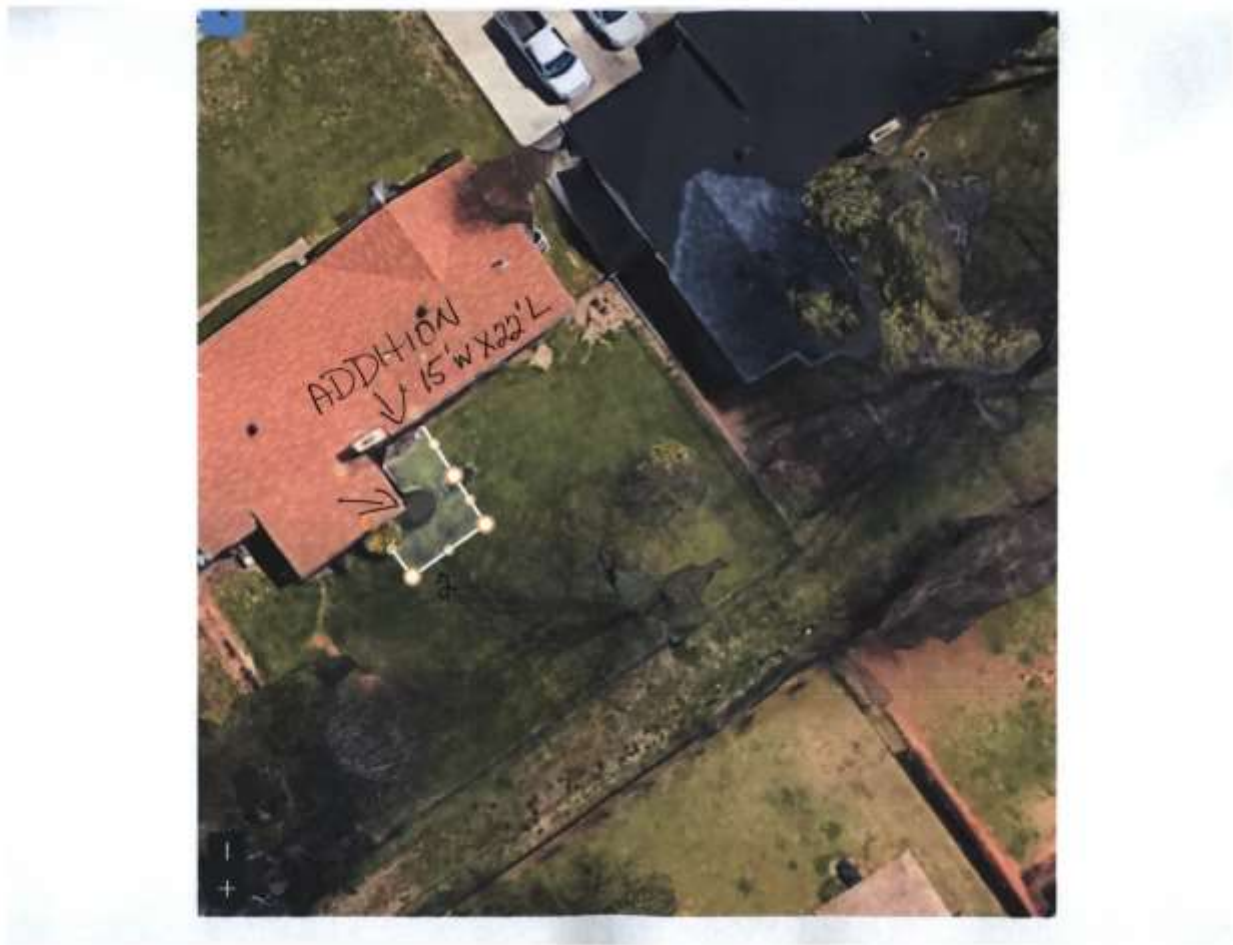
If applicant is using a
 representative for the
 request both signatures
 are required

Office Use Received By: _____
 Zone R-2
 Hearing Date Jan. 25, 2022
 Approved/Disapproved _____

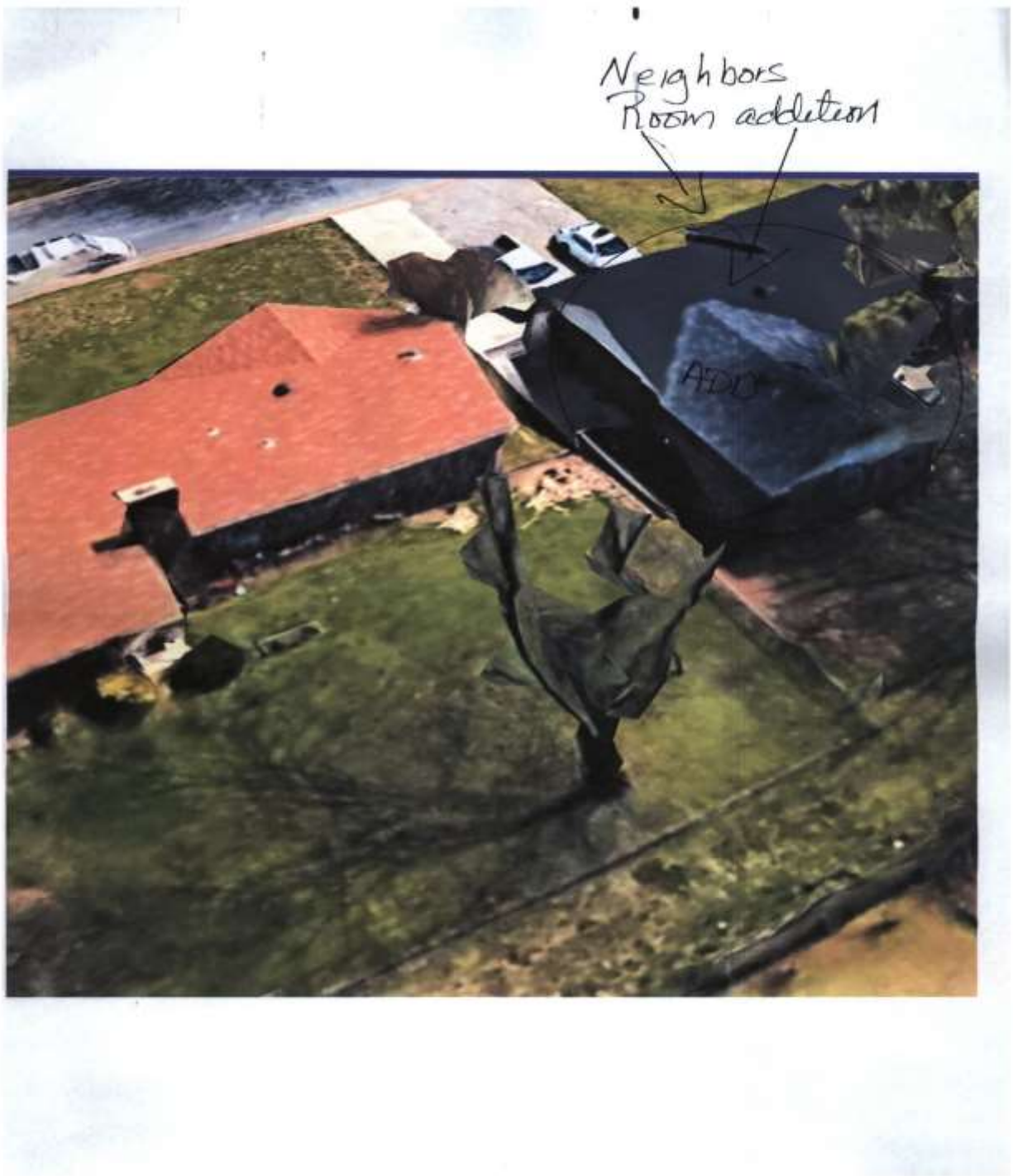
CASE NO. 10 1209 COUNT MALLARD DR SE



SURVEY



PICTURE



PICTURE



MAP

(11)



402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: FRANCISCO HERNANDEZ
MAILING ADDR: P.O. Box 695
CITY, STATE, ZIP: TRINITY, AL 35673
PHONE: (256) 214-2784

PROPERTY OWNER: SAME - FRANCISCO HERNANDEZ
OWNER ADDR: SAME - P.O. Box 695, TRINITY, AL 35673
CITY, STATE, ZIP: (256) 214-2784 PHONE: _____

ADDRESS FOR APPEAL: 928 SIMS ST.

NATURE OF APPEAL:

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

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

For the case to be heard*****

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

CERTIFICATE TO CONSOLIDATE RECORDED IN MISC. BOOK 2021 @ PAGE 8806,
CREATED AN 8.84 ACRE PARCEL, ZONED MI-A. THE OWNER IS
REQUESTING A USE ON APPEAL AS STATED IN THE ZONING ORDINANCE
FOR PROPERTIES ZONED MI-A, TO BE DEVELOPED AS ACCORDING
TO ZONE R-4. ADJUNCTION OF THIS PROPERTY HAS BEEN DEVELOPED
FOR A FITNESS CENTER AND IS UNDER CONSTRUCTION.

Applicant Name (print) Francisco Hernandez
Signature [Signature]
Representative Name (print) PIGH WRIGHT McANALLY, INC.
Signature [Signature]
Date 1/10/22

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

Office Use Received By: Cidh
Zone [Signature]
Hearing Date 1/25/22 4:00pm.
Approved/Disapproved _____

CASE NO. 11 928 SIMS ST SW

STATE OF ALABAMA)
COUNTY OF MORGAN)

I, H. Blake McAnally, a Professional Land Surveyor of Decatur, Alabama, hereby certify that the foregoing is a true and correct map or plat of the following described real estate, situated within Section 1, Township 6 South, Range 5 West, Decatur, Morgan County, Alabama, and more particularly described as follows, to-wit:

ENTIRE TRACT (8.84 Ac, MORE OR LESS)

Beginning at an iron pin on the NW corner of Springdale Acres Subdivision as recorded by map or plat in the Office of the Judge of Probate of Morgan County, Alabama, in map Book 5, at Page 2, thence South 22 degrees 59 minutes 45 seconds West (Alabama State Coordinate System Grid Bearing - West Zone [NAD1983]) along the west boundary of said subdivision a distance of 1323.04 feet to an iron pin on the northerly right-of-way margin of Sims Road, SW (80' ROW); thence North 89 degrees 33 minutes 14 seconds West along the northerly right-of-way margin of Sims Road, SW a distance of 167.70 feet to a capped iron pin and the true point of beginning of the tract herein described; thence from the true point of beginning continue North 89 degrees 33 minutes 14 seconds West along the northerly right-of-way margin of Sims Road, SW a distance of 293.71 feet to an iron pin; thence continue North 89 degrees 33 minutes 14 seconds West along the northerly right-of-way margin of Sims Road, SW a distance of 621.25 feet to a capped iron pin; thence along the northerly right-of-way margin of Sims Road, SW and along a curve to the right having a radius of 35.00 feet (chord bearing North 49 degrees 05 minutes 20 seconds West, chord distance 45.43 feet) an arc distance of 49.44 feet to an iron pin on the easterly right-of-way of Fairgrounds Road, SW (60' ROW); thence North 08 degrees 37 minutes 27 seconds West along the easterly right-of-way margin of Fairgrounds Road, SW a distance of 74.94 feet to a capped iron pin; thence North 00 degrees 38 minutes 10 seconds East along the easterly right-of-way margin of Fairgrounds Road, SW a distance of 299.37 feet to a capped iron pin; thence South 89 degrees 21 minutes 33 seconds East for a distance of 668.00 feet to a capped iron pin; thence South 00 degrees 38 minutes 27 seconds West a distance of 71.55 feet to a capped iron pin; thence South 89 degrees 00 minutes 15 seconds East a distance of 365.39 feet to a capped iron pin; thence South 44 degrees 22 minutes 08 seconds East a distance of 27.72 feet to a capped iron pin; thence South 00 degrees 59 minutes 45 seconds West a distance of 57.97 feet to a capped iron pin; thence along a curve to the right having a radius of 139.50 feet (chord bearing South 10 degrees 59 minutes 45 seconds West, chord distance 48.45 feet) an arc distance of 48.69 feet to a capped iron pin; thence South 20 degrees 59 minutes 45 seconds West a distance of 47.07 feet to a capped iron pin; thence along a curve to the left having a radius of 190.50 feet (chord bearing South 10 degrees 59 minutes 45 seconds West, chord distance 66.16 feet) an arc distance of 66.50 feet to a capped iron pin; thence South 00 degrees 59 minutes 45 seconds West a distance of 38.41 feet to a capped iron pin; thence South 45 degrees 59 minutes 45 seconds West a distance of 75.50 feet to the true point of beginning, lying and being within Section 1, Township 6 South, Range 5 West, Decatur, Morgan County, Alabama, and containing 8.84 acres, more or less;

SUBJECT TO easements shown on map.

That there are no encroachments by buildings on adjoining property; that there are no rights of way, easements, or joint driveways over or across said lot visible on the surface, except as shown on the plat.

And I further state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief.

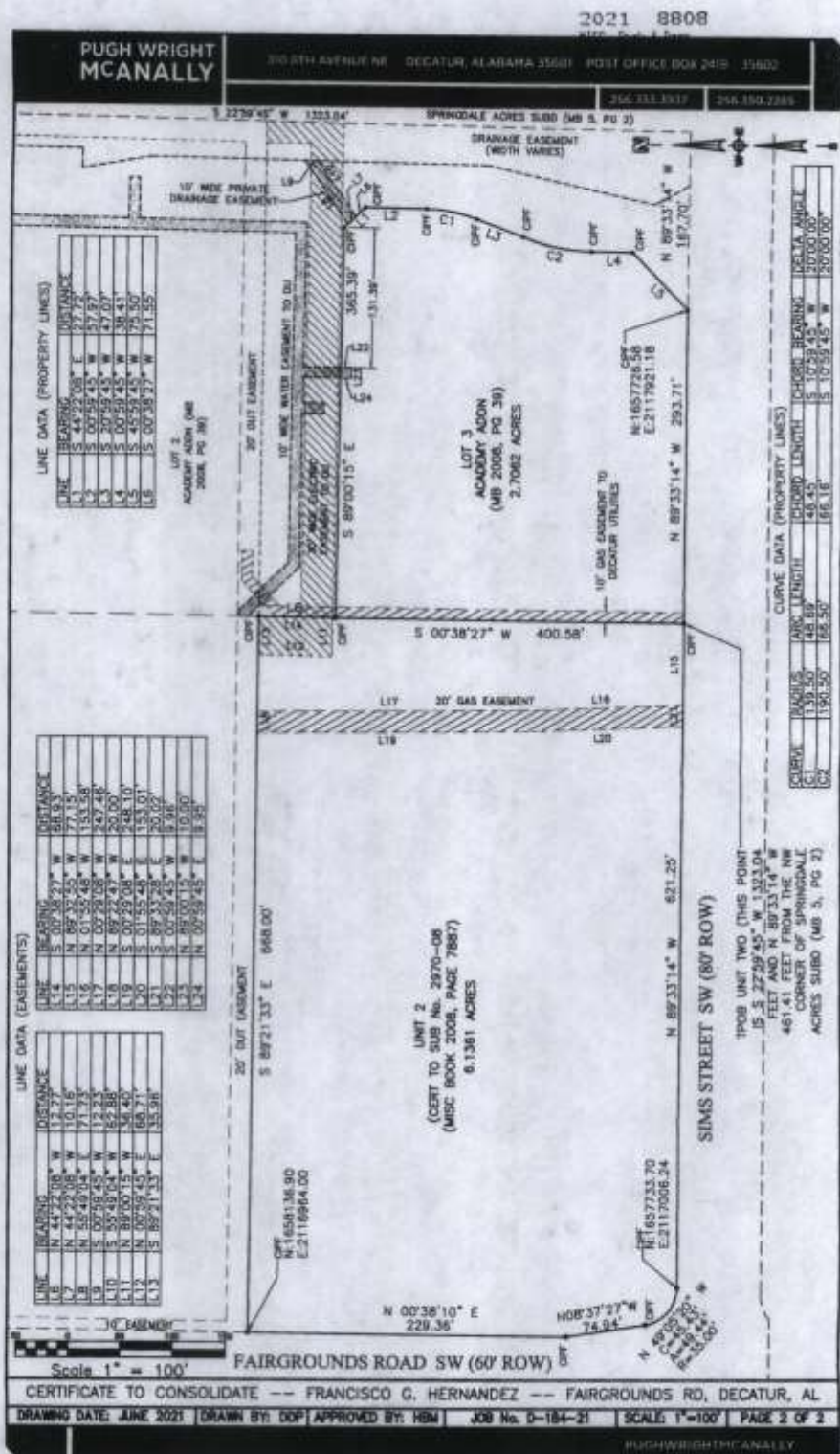
According to my survey, this the 26th day of July, 2021.

H. Blake McAnally
H. Blake McAnally
Ala. Reg. No. 22096



Pugh Wright McAnally Job No. S-185-21
Page 1 of 2

SURVEY



CERTIFICATE TO CONSOLIDATE

2021 8806

Recorded in the Above

NISC Book & Page

06-11-2021 09:10:19 AM

See Page - Probate Judge

Book 2021, Page 8096

CORRECTIVE CERTIFICATE TO CONSOLIDATE
(This Certificate is correcting the Certificate to Consolidate recorded in MISC Book 2021, starting at Page 8096, updating the last page to reflect the original two units after being consolidated)

STATE OF ALABAMA)
MORGAN COUNTY)

The Decatur City Planning Commission does hereby certify that it has received a request from **FRANCISCO G. HERNANDEZ**, the Owner of the following described real estate, situated in, Decatur, Morgan County, Alabama, to-wit:

UNIT 2 (6.1361 Ac)

Beginning at an iron pin on the NW corner of Springdale Acres Subdivision as recorded by map or plat in the Office of the Judge of Probate of Morgan County, Alabama, in map Book 5, at Page 2, thence S 22°59'45" W for a distance of 1323.04 feet to an iron pin on the northerly right-of-way margin of Sims Road (80 foot right-of-way); thence N 89°33'14" W along said right-of-way for a distance of 481.41 feet to a point and being the true point of beginning for Unit Two; thence from the true point of beginning N 89°33'14" W along said right-of-way for a distance of 621.25 feet to an iron pin; thence along a curve to the right having a radius of 35.00 feet (chord bearing N 49°05'20" E, chord distance 45.43 feet) an arc distance of 49.44 feet to an iron pin on the easterly right-of-way of Fairgrounds Road (60 foot right-of-way); thence N 8°37'27" W along the easterly right-of-way margin of Fairgrounds Road for a distance of 74.94 feet to an iron pin; thence N 00°38'10" E along the easterly right-of-way margin of Fairgrounds Road (60 foot right-of-way) for a distance of 299.37 feet to an iron pin; thence S 89°21'33" E for a distance of 668.00 feet to an iron pin; thence S 00°38'27" W for a distance of 400.59 feet to a point and the point of beginning, lying and being within Section 1, Township 6 South, Range 5 West, Decatur, Morgan County, Alabama. Also described as Unit Two in that certain Certificate to Subdivide dated July 16, 2008, and of record in MISC Book 2008, at Page 7887 in the Office of the Judge of Probate of Morgan County, Alabama.

LOT 3 (2.7062 Ac)

Lot 3, Academy Addition, as shown by map or plat of said addition on file and of record in the Office of the Judge of Probate of Morgan County, Alabama, in Map Book 2008, at Page 39.

for permission to convey, hold, sell, purchase, or otherwise treat said property in 1 (one) unit or parcel as follows, to-wit:

See Pugh Wright McAnally Job No. S-185-21 for survey and description.

It is further certified that the Decatur City Planning Commission has determined that the conveyance, holding, selling, purchasing, leasing and otherwise treating the said property in 1 (one) unit or parcel as aforesaid is in harmony and conformity with the general requirements and minimum standards of design for the subdivision of land as contained in the Subdivision Regulations of the City of Decatur, and the above described units may be conveyed without destroying the intent of said regulations, and in conformity with the general requirements and minimum standards, as aforesaid, and the said Planning Commission does hereby authorize and approve the conveyance by deed, lease, mortgage, or other form of conveyance of said above described units by said owner and by any other person having an interest therein or being a successor in the title thereto; provided, however, that said units as hereinabove particularly described and designated may not hereafter be conveyed without further approval in the Planning Commission, except in the footages and frontages as herein approved for the conveyance of said units and as complete units as hereinabove described.

Pugh Wright McAnally Job No. D-184-21

Page 1 of 3

CERTIFICATE TO CONSOLIDATE

IN WITNESS WHEREOF, the Decatur City Planning Commission has caused this certificate to be issued and executed by its chairman on this the 9th day of August, 2021.

DECATUR CITY PLANNING COMMISSION

By: J. Kent Lawrence
It's Chairman

STATE OF ALABAMA)
COUNTY OF MORGAN)

I, Michelle Stennett, a Notary Public in and for said County in said State hereby certify that J. Kent Lawrence, whose name as Chairman of the Decatur City Planning Commission is signed to the foregoing certificate and who is known to me, acknowledged before me on this day that being informed of the contents of the certificate, he, in his capacity as Chairman of the Decatur City Planning Commission executed

the same voluntarily for and as the act of said Planning Commission and with full authority.

Given under my hand and the seal of my office, this 9th day of August, 2021.



Notary Public Michelle Stennett
My Commission Expires: May 27, 2025

CERTIFICATE TO CONSOLIDATE



MAP