

MEMORANDUM

DATE: April 19th, 2022

TO: Planning Commissioners

CC: Mayor Tab Bowling; Herman Marks; Tom Polk;
Dane Shaw, Carl Prewitt; Planning Staff

PLANNING COMMISSION MEETING

April 19th, 2022

**Pre-meeting – 2:45 p.m. (Council
Chambers)**

Meeting – 3:30 p.m. (Council Chambers)

Agenda Planning Commission

City of Decatur, AL

April 19th, 2022

Time: 3:30 PM

City Council Chambers

Commissioners: **Kent Lawrence**, *Chairman*; **Gary Borden**, *Vice Chairman*; **Daniel Culpepper**, *Secretary*; **Hunter Pepper**, **Frances Tate**; **Joseph Wynn**; **Eddie Pike**; **Myna Burroughs**; **Forrest Temple**

CALL MEETING TO ORDER

PUBLIC HEARING

ZONING

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PUBLIC HEARING**ZONING**

FILE NAME OR NUMBER: Rezoning 1389-22

ACRES: 0.33

CURRENT ZONE: B-1 (Local Shopping District)

APPLICANT: Ben Hampton for Mike Aziz

LOCATION AND OR PROPERTY ADDRESS: 1201 Moulton St W

REQUEST: Rezone 0.33 acres from B-1 to B-2

NEW ZONE: B-2 (General Business)

PROPOSED LAND USE: Commercial – package store

ONE DECATUR FUTURE LAND USE: Urban Edge, Mixed Use

ONE DECATUR STREET TYPOLOGY: Moulton St W is a Principal Arterial

COMMENTS AND RECOMMENDATIONS FROM ZONING COMMITTEE:**Comments from Zoning Committee**

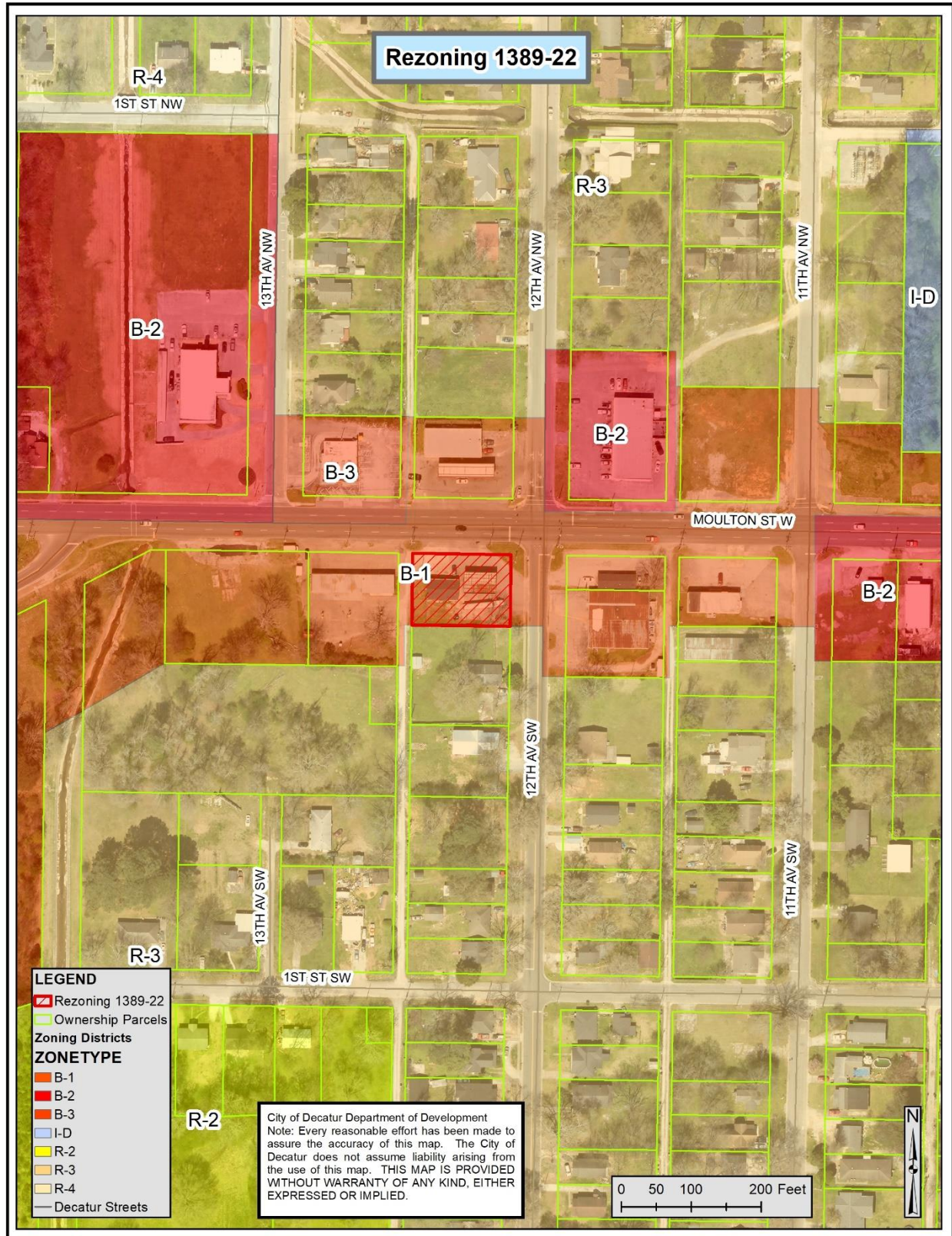
The committee didn't vote again since this was reviewed in the previous month and tabled at the Planning Commission meeting. The committee was not in favor of the request last month due to concerns over what other uses could be allowed in B-2. The applicant was encouraged to get signatures on a new petition that includes information about what is allowed in B-2 and have neighbors speak at the Planning Commission meeting. The Planning Department provided this petition with the new language. Mr. Hampton will provide this document during the Planning Commission meeting.

Pt. of Info:

Any relocation of utilities will be at the owner's expense

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:





ZONING DISTRICT COMPARISON B-1 to B-2		April 12, 2022
SECTION	B-1	B-2
USES PERMITTED	Off-premises sale of beer and table wine; neighborhood retail stores and markets, including the following types: food, general merchandise, apparel; furniture; household and hardware; radio and television; drugs and sundries; jewelry and gifts; florists; sporting goods; pet shops, photograph studios and photo retail sales. Neighborhood services including the following types: Dry cleaning and laundry pickup stations; customer operated launderettes and customer operated dry cleaning establishments; filling stations, provided, however, that gasoline storage above ground in excess of five hundred (500) gallons is prohibited; barber and beauty shops; shoe repair; offices, banks; post offices; event venues; playgrounds; parks; public building (i.e., municipal, county, state or federal, including public schools and libraries); public utilities; churches and similar places of worship; dancing and music academies; nurseries, kindergartens, or day care for children; parking lots.	Clubs; on premises and off premises sale of alcoholic beverages; Businesses licensed under the Deferred Presentment Services Act, and/or Pawnshop Act, and/or Dealers in Gold or Precious Items Act where there is a 1,500-foot separation between the closest property boundary of the legal lot on which the said business is located and the closest property boundary of any other legal lot on which any business licensed under these Acts is located. However, the above notwithstanding there may be one (1) of each type business licensed under the Deferred Presentment Services Act, and/or Pawnshop Act, and/or Dealers in Gold or Precious Items Act located on the same legal lot duly approved by the City of Decatur and in conformance with the Subdivision Regulations as amended. Any retail or wholesale business or service not specifically restricted or prohibited; and places of amusement and assembly.
USES PERMITTED ON APPEAL	Restaurants; any uses permitted or permitted on appeal in an R-4, Residential District as subject to all district requirements of said district as specified in section 25-10 of this Code.	Dry cleaners and laundries; and manufacturing incidental to a retail business where articles are sold at retail on the premises, not specifically prohibited herein; major automobile repairs. Any use permitted or permitted on appeal in the R-4, Residential District, and subject to all district requirements of an R-4 District as specified in section 25-10, hereof, other than the maximum height provision set forth therein which shall not be applicable.
USES PROHIBITED	Businesses licensed under the Deferred Presentment Services Act and/or, Pawnshop Act and/or, Dealers in Gold or Precious Items Act; and any use not permitted or permitted on appeal.	Stockyard; live animal or poultry sales; coal yards; lumber yards or mills; auto wrecking; gasoline, oil or alcohol storage above the ground in excess of five hundred (500) gallons, grist or flour mills; ice

ZONING DISTRICT COMPARISON B-1 to B-2		April 12, 2022
SECTION	B-1	B-2
		plants; junk, scrap paper, rag, storage or bailing, stone or monument works.
MINIMUM LOT AREA	It is the intent of this section that lots of sufficient size be used for any business or service use to provide adequate parking and loading space in addition to the space required for the other normal operations of the business or service.	It is the intent of this section that lots of sufficient size be used for any business or service use to provide adequate parking and loading space in addition to the space required for the other normal operations of the business or service.
MAXIMUM BUILDING AREA	None specified	None specified.
MINIMUM FRONT YARD	25 feet	25 feet
MINIMUM REAR YARD SETBACK	20 feet	20 feet
MINIMUM SIDE YARD SETBACK	Not specified, except on a lot adjoining along its side lot line a lot which is in a residential district, there shall be a side yard not less than eight (8) feet wide.	None specified.
MINIMUM FEET AT BUILDING LINE	None specified.	None specified.
MAXIMUM BUILDING HEIGHT	None specified.	None specified.
MAXIMUM HEIGHT IN STORIES	None specified.	None specified.
OFF STREET PARKING	Off-street parking: See § 25-16.	Off-street parking: See § 25-16.
OFF-STREET UNLOADING	Shall use required rear or side yard for loading and unloading.	Shall provide space for loading and unloading for structures hereafter erected or altered when same is not on lot adjoining a public or private alley.

FILE NAME OR NUMBER: Rezoning 1392-22

ACRES: 0.19

CURRENT ZONE: B-1 (Local Shopping District)

APPLICANT: Erica Powell

LOCATION AND OR PROPERTY ADDRESS: 511 19th Ave SE

REQUEST: Rezone 0.19 acres from B-1 to B-2

NEW ZONE: B-2 (General Business)

PROPOSED LAND USE: Commercial – Bar & Grill

ONE DECATUR FUTURE LAND USE: Core Neighborhood

ONE DECATUR STREET TYPOLOGY: 19th Ave SE is a Minor Arterial

COMMENTS AND RECOMMENDATIONS FROM ZONING COMMITTEE:
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Comments from Zoning Committee

The Zoning Committee was not in favor of this request

Conditions to be met

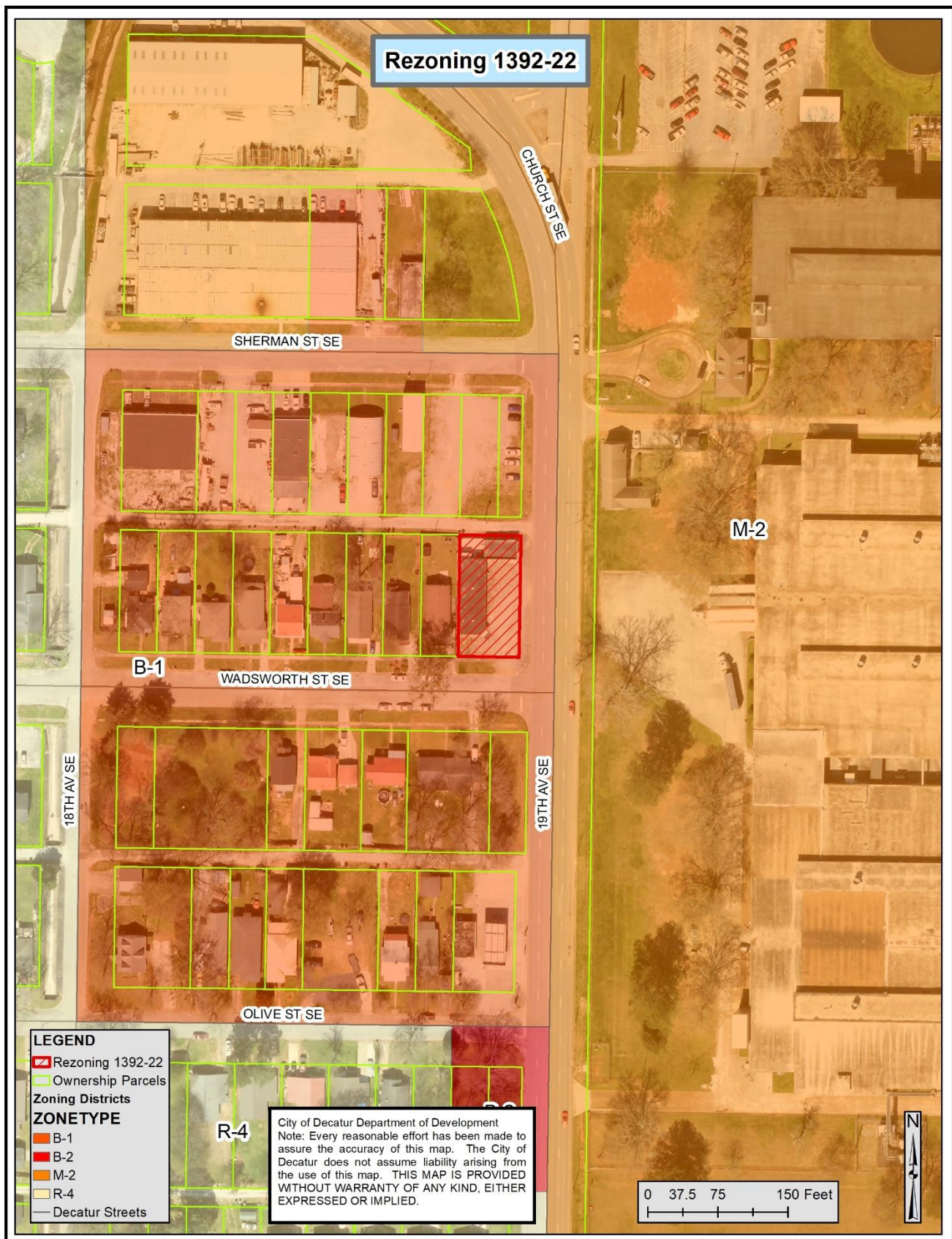
1. None

Pt. of Info:

Any relocation of utilities will be at the owner's expense

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:





ZONING DISTRICT COMPARISON B-1 to B-2		April 12, 2022
SECTION	B-1	B-2
USES PERMITTED	Off-premises sale of beer and table wine; neighborhood retail stores and markets, including the following types: food, general merchandise, apparel; furniture; household and hardware; radio and television; drugs and sundries; jewelry and gifts; florists; sporting goods; pet shops, photograph studios and photo retail sales. Neighborhood services including the following types: Dry cleaning and laundry pickup stations; customer operated laundrettes and customer operated dry cleaning establishments; filling stations, provided, however, that gasoline storage above ground in excess of five hundred (500) gallons is prohibited; barber and beauty shops; shoe repair; offices, banks; post offices; event venues; playgrounds; parks; public building (i.e., municipal, county, state or federal, including public schools and libraries); public utilities; churches and similar places of worship; dancing and music academies; nurseries, kindergartens, or day care for children; parking lots.	Clubs; on premises and off premises sale of alcoholic beverages; Businesses licensed under the Deferred Presentment Services Act, and/or Pawnshop Act, and/or Dealers in Gold or Precious Items Act where there is a 1,500-foot separation between the closest property boundary of the legal lot on which the said business is located and the closest property boundary of any other legal lot on which any business licensed under these Acts is located. However, the above notwithstanding there may be one (1) of each type business licensed under the Deferred Presentment Services Act, and/or Pawnshop Act, and/or Dealers in Gold or Precious Items Act located on the same legal lot duly approved by the City of Decatur and in conformance with the Subdivision Regulations as amended. Any retail or wholesale business or service not specifically restricted or prohibited; and places of amusement and assembly.
USES PERMITTED ON APPEAL	Restaurants; any uses permitted or permitted on appeal in an R-4, Residential District as subject to all district requirements of said district as specified in section 25-10 of this Code.	Dry cleaners and laundries; and manufacturing incidental to a retail business where articles are sold at retail on the premises, not specifically prohibited herein; major automobile repairs. Any use permitted or permitted on appeal in the R-4, Residential District, and subject to all district requirements of an R-4 District as specified in section 25-10, hereof, other than the maximum height provision set forth therein which shall not be applicable.
USES PROHIBITED	Businesses licensed under the Deferred Presentment Services Act and/or, Pawnshop Act and/or, Dealers in Gold or Precious Items Act; and any use not permitted or permitted on appeal.	Stockyard; live animal or poultry sales; coal yards; lumber yards or mills; auto wrecking; gasoline, oil or alcohol storage above the ground in excess of five hundred (500) gallons, grist or flour mills; ice

ZONING DISTRICT COMPARISON B-1 to B-2		April 12, 2022
SECTION	B-1	B-2
		plants; junk, scrap paper, rag, storage or bailing, stone or monument works.
MINIMUM LOT AREA	It is the intent of this section that lots of sufficient size be used for any business or service use to provide adequate parking and loading space in addition to the space required for the other normal operations of the business or service.	It is the intent of this section that lots of sufficient size be used for any business or service use to provide adequate parking and loading space in addition to the space required for the other normal operations of the business or service.
MAXIMUM BUILDING AREA	None specified	None specified.
MINIMUM FRONT YARD	25 feet	25 feet
MINIMUM REAR YARD SETBACK	20 feet	20 feet
MINIMUM SIDE YARD SETBACK	Not specified, except on a lot adjoining along its side lot line a lot which is in a residential district, there shall be a side yard not less than eight (8) feet wide.	None specified.
MINIMUM FEET AT BUILDING LINE	None specified.	None specified.
MAXIMUM BUILDING HEIGHT	None specified.	None specified.
MAXIMUM HEIGHT IN STORIES	None specified.	None specified.
OFF STREET PARKING	Off-street parking: See § 25-16.	Off-street parking: See § 25-16.
OFF-STREET UNLOADING	Shall use required rear or side yard for loading and unloading.	Shall provide space for loading and unloading for structures hereafter erected or altered when same is not on lot adjoining a public or private alley.

FILE NAME OR NUMBER: Rezoning 1393-22

ACRES: 2.00

CURRENT ZONE: R-2 (Single Family Residential)

APPLICANT: Aspen Properties

LOCATION AND OR PROPERTY ADDRESS: 311 Austinville Rd SW

REQUEST: Rezone 2.00 acres from R-2 to R-6

NEW ZONE: R-6 (Single Family Semi-attached Townhomes)

PROPOSED LAND USE: Townhomes

ONE DECATUR FUTURE LAND USE: Core Neighborhood

ONE DECATUR STREET TYPOLOGY: Austinville Rd is a Minor Arterial

COMMENTS AND RECOMMENDATIONS FROM ZONING COMMITTEE:
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Comments from Zoning Committee

All Zoning Committee members were in favor of this request

Conditions to be met

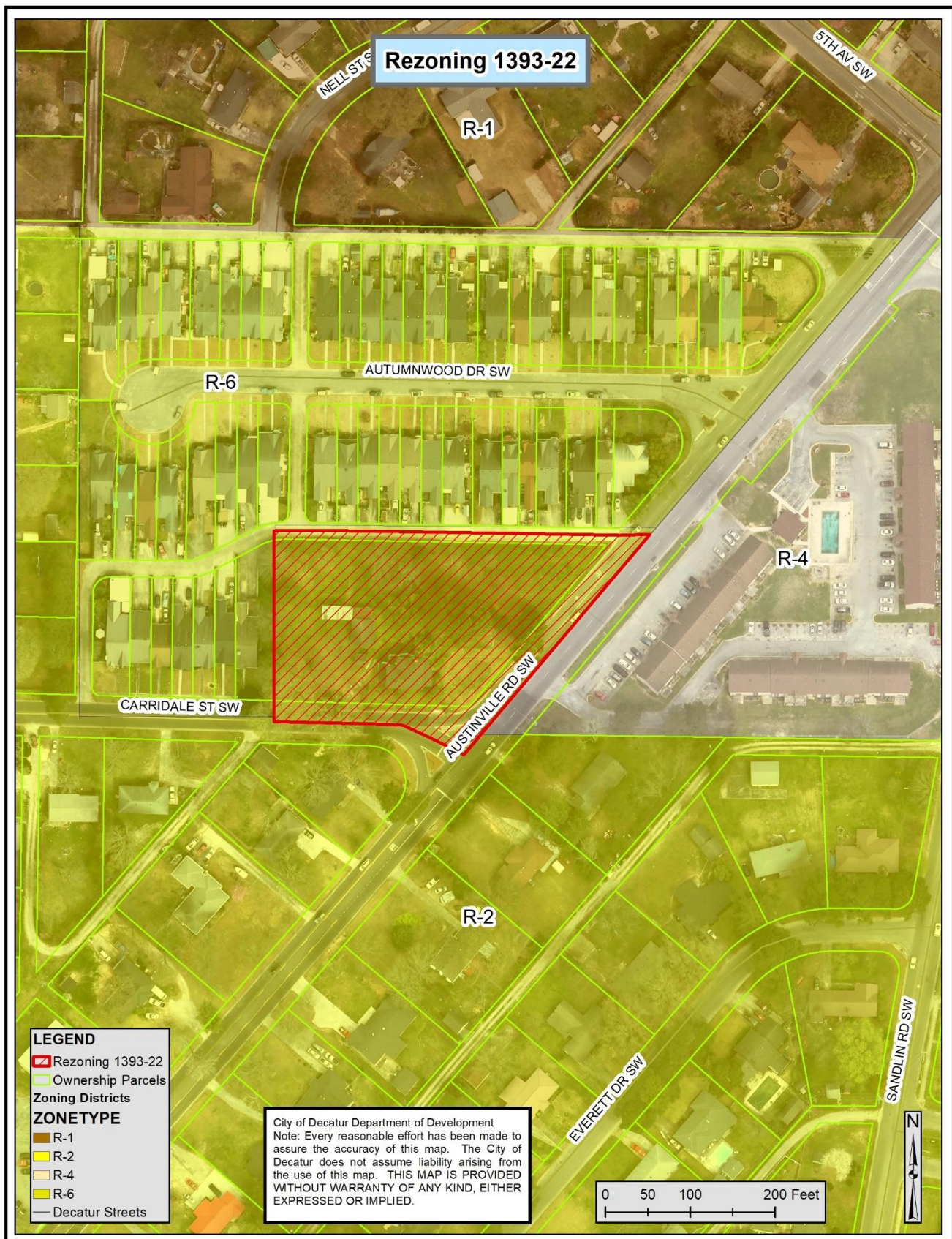
1. None

Pt. of Info:

Any relocation of utilities will be at the owner's expense

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:





ZONING DISTRICT COMPARISON R-2 TO R-6		April 12, 2022
SECTION	R-2	R-6
USES PERMITTED	<p>There is hereby created an R-2 Residential District for those areas so designated by this chapter and the zoning map of the city, which R-2 Districts shall allow: Single-family dwellings (see also regulations common to all "R" Districts, listed in section 25-10).</p> <p>a. (1)General requirements.a.Off-street parking and vehicle access shall be provided as set forth in section 25-16 hereof.b.A carport, porte-cochere, porch or structure part thereto, attached to or situated within five (5) feet of the main structure as defined in section 25-2 thereof, shall be considered as a part of the main building and shall be subject to the setback and side yard requirements of the district in which it is located.</p>	<p>There is hereby created an R-6 Residential District (single-family semi-attached) for those areas so designated by this chapter and the zoning map of the City of Decatur, Alabama, which R-6 Districts shall allow single-family semi-attached residences, subject to use regulations common to all "R" Districts as set forth in section 25-10 hereof, except that accessory structure side yard setback requirements shall be the same as required in section 25-10.2(2)(D) for the main structure, and the rear yard setbacks would remain at the minimum of five (5) feet for accessory structures, and further subject to the following requirements and conditions:</p> <p>b. (1) General requirements: (A) Single-family semi-attached dwellings shall not form long, unbroken lines of row housing. No more than eight (8) contiguous units shall be allowed.(B) Each single-family semi-attached dwelling unit shall be constructed on its own lot.(C) No unit located in an R-6 District shall be located closer than twenty (20) feet to a dedicated exterior street or exterior lot line on the perimeter of one district.(D) Maximum density (exclusive of public ROW) shall not exceed twelve (12) dwelling units per acre per development.(E) No unit within an R-6 District shall have direct access to an existing major thoroughfare as defined by the zoning ordinance or comprehensive plan; or a major thoroughfare as shall be defined by future plans adopted by the planning</p>

ZONING DISTRICT COMPARISON R-2 TO R-6		
SECTION	R-2	April 12, 2022 R-6
		commission of the City of Decatur.
USES PERMITTED ON APPEAL	There is hereby created an "R" Residential District (Residential) for those areas so designated by this chapter and the zoning map of the city, which "R" Districts shall allow: Accessory structures; gardens; playgrounds; parks; public buildings; including public schools and libraries. These uses shall also be permitted on appeal: Customary home occupations; public utilities, general hospitals for humans, except primary for mental cases; semi-public buildings; golf courses; municipal, county, state or federal use; clubs located on and embracing within its sole possessory right, one (1) tract or parcel of land not less than twenty (20) acres in size; and on premises and off premises sale of alcoholic beverage by clubs meeting the acreage requirements above when duly licensed as a class I or class II club by the city and the state alcoholic beverage control board under and pursuant to the Alcoholic Beverage Licensing Code.	There is hereby created an "R" Residential District (Residential) for those areas so designated by this chapter and the zoning map of the city, which "R" Districts shall allow: Accessory structures; gardens; playgrounds; parks; public buildings; including public schools and libraries. These uses shall also be permitted on appeal: Customary home occupations; public utilities, general hospitals for humans, except primary for mental cases; semi-public buildings; golf courses; municipal, county, state or federal use; clubs located on and embracing within its sole possessory right, one (1) tract or parcel of land not less than twenty (20) acres in size; and on premises and off premises sale of alcoholic beverage by clubs meeting the acreage requirements above when duly licensed as a class I or class II club by the city and the state alcoholic beverage control board under and pursuant to the Alcoholic Beverage Licensing Code.
USES PROHIBITED	Uses prohibited: Except as expressly permitted, or permitted on appeal, the following uses are prohibited in all residential districts, including without limitation planned residential development districts, specialty and restricted residential districts: ("R" Districts): All buildings, structures and units constructed off-site (except for modular homes as in section 25-2) without regard to whether or not such building, structures or units are designed and built in compliance with state or federal standards, including without limitation, mobile homes, manufactured homes, house trailers, and trailer coaches; trailer or manufactured home parks,	Uses prohibited: Except as expressly permitted, or permitted on appeal, the following uses are prohibited in all residential districts, including without limitation planned residential development districts, specialty and restricted residential districts: ("R" Districts): All buildings, structures and units constructed off-site (except for modular homes as in section 25-2) without regard to whether or not such building, structures or units are designed and built in compliance with state or federal standards, including without limitation, mobile homes, manufactured homes, house trailers, and trailer coaches; trailer or manufactured home parks,

ZONING DISTRICT COMPARISON R-2 TO R-6		April 12, 2022
SECTION	R-2	R-6
	courts or camps, and commercial and industrial uses, including parking lots and parking areas in connection with any of these uses, not specifically permitted.	courts or camps, and commercial and industrial uses, including parking lots and parking areas in connection with any of these uses, not specifically permitted.
MINIMUM LOT AREA	Minimum lot area: Ten thousand (10,000) square feet.	Minimum lot size: 2,000 square feet.
MAXIMUM BUILDING AREA	Maximum building area: None specified.	Maximum building area: None specified.
MINIMUM FRONT YARD	Minimum front yard setback: Thirty-five (35) feet	Minimum front yard setback: 25 feet.
MINIMUM REAR YARD SETBACK	Minimum rear yard setback: Forty (40) feet.	Minimum rear yard setback: 20 feet.
MINIMUM SIDE YARD SETBACK	Minimum side yard setbacks: Eight (8) feet.	Minimum side yard setbacks applicable only at unattached ends and to exterior lots of a development: 10 feet (one-story); 12 feet (two-story).
MINIMUM FEET AT BUILDING LINE	Minimum feet at building line: Seventy (70) feet.	Minimum lot size at building line: 20 feet.
MAXIMUM BUILDING HEIGHT	Maximum building height: Thirty-five (35) feet.	Maximum building height: Thirty-five (35) feet.
MAXIMUM HEIGHT IN STORIES	Maximum height in stories: Two and one-half (2½).	Maximum height in stories: Two and one-half (2½).
OFF STREET PARKING	(1) Residential. In all cases of new structures, provision for the Off-street parking and vehicle access shall be provided as set forth in section 25-16 hereof. Parking of two (2) vehicles shall be provided for the use of the occupants of each dwelling unit.	(1) Residential. In all cases of new structures, provision for the Off-street parking and vehicle access shall be provided as set forth in section 25-16 hereof. Parking of two (2) vehicles shall be provided for the use of the occupants of each dwelling unit.

FILE NAME OR NUMBER: Rezoning 1394-22

ACRES: 0.46

CURRENT ZONE: R-6 (Single Family Semi-attached Townhomes)

APPLICANT: Pugh Wright McAnally for Windchase Townhome Community Owners Association

LOCATION AND OR PROPERTY ADDRESS: North of 2847 Hempstead Ave SW

REQUEST: Rezone 0.46 acres from R-6 to R-5.0

NEW ZONE: R-5.0 (Single Family Patio Home – Zero Lot Line)

PROPOSED LAND USE: Single Family Residential

ONE DECATUR FUTURE LAND USE: Residential Med-High

ONE DECATUR STREET TYPOLOGY: Hempstead Ave SW is a local street

COMMENTS AND RECOMMENDATIONS FROM ZONING COMMITTEE:
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Comments from Zoning Committee

All Zoning Committee members were in favor of this request

Conditions to be met

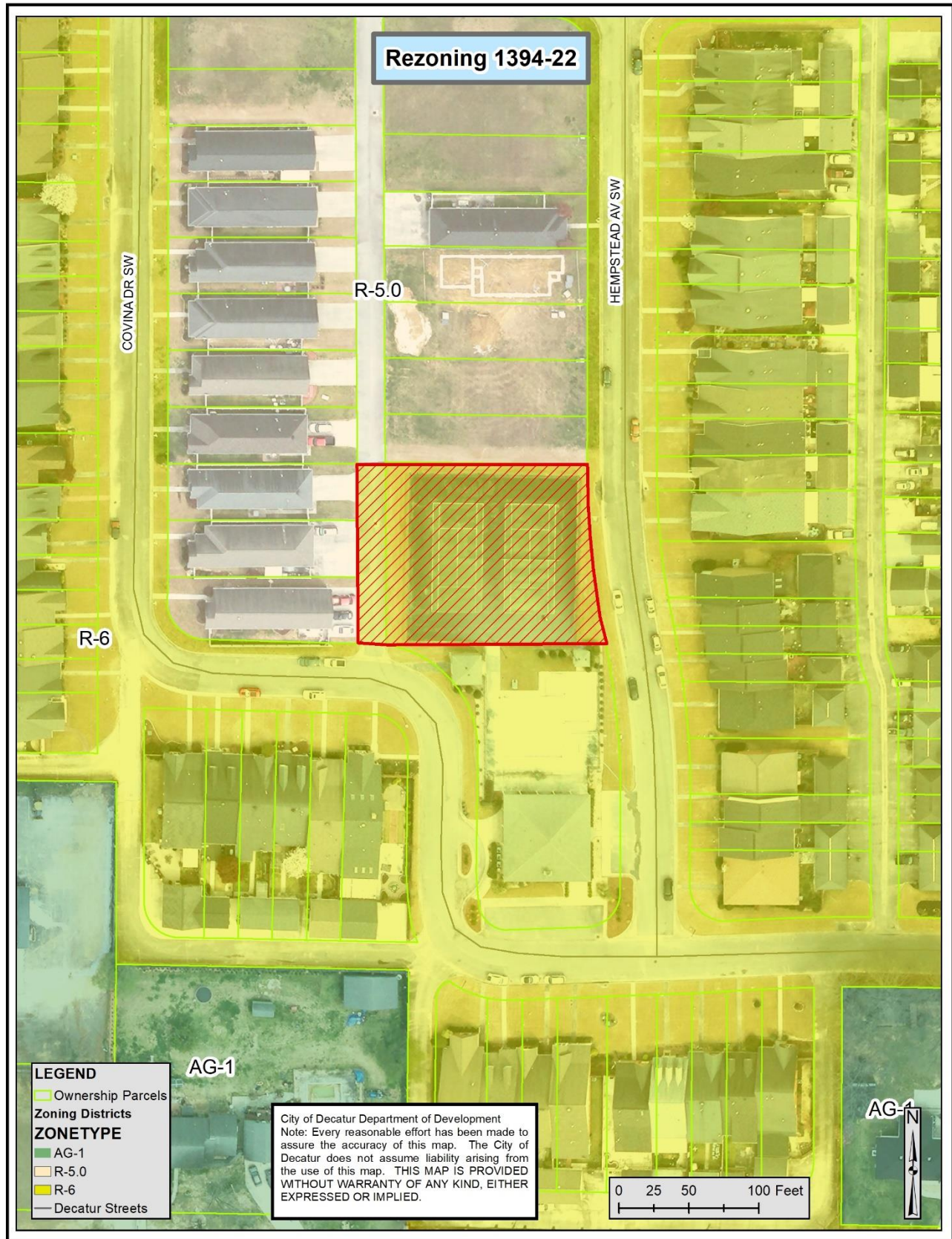
1. None

Pt. of Info:

Any relocation of utilities will be at the owner's expense

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:







ZONING DISTRICT COMPARISON R6 TO R-5.0		April 12, 2022
SECTION	R-6	R-5.0
USES PERMITTED	<p>There is hereby created an R-6 Residential District (single-family semi-attached) for those areas so designated by this chapter and the zoning map of the City of Decatur, Alabama, which R-6 Districts shall allow single-family semi-attached residences, subject to use regulations common to all "R" Districts as set forth in section 25-10 hereof, except that accessory structure side yard setback requirements shall be the same as required in section 25-10.2(2)(D) for the main structure, and the rear yard setbacks would remain at the minimum of five (5) feet for accessory structures, and further subject to the following requirements and conditions:</p> <p>c. (1) General requirements: (A) Single-family semi-attached dwellings shall not form long, unbroken lines of row housing. No more than eight (8) contiguous units shall be allowed.(B) Each single-family semi-attached dwelling unit shall be constructed on its own lot.(C) No unit located in an R-6 District shall be located closer than twenty (20) feet to a dedicated exterior street or exterior lot line on the perimeter of one district.(D) Maximum density (exclusive of public ROW) shall not exceed twelve (12) dwelling units per acre per development.(E) No unit within an R-6 District shall have direct access to an existing major thoroughfare as defined by the zoning ordinance or comprehensive plan; or a major thoroughfare as shall be defined by future plans adopted by the planning</p>	<p>There is hereby created an R-5 Zero Residential District (single-family patio home) for those areas so designated by this chapter and the zoning map of the city, which R-5 Zero Districts shall allow single-family patio home residences subject to use regulations common to all R districts as set forth in section 25-10 hereof, and further subject to the following requirements and conditions.</p> <p>(1) General requirements.</p> <ol style="list-style-type: none"> Each dwelling unit shall be constructed on its own lot except that a roof overhang of twenty-four (24) inches shall be permitted on the zero lot line. No dwelling unit within an R-5 Zero District shall have vehicle access to an existing major thoroughfare (e.g. collector street or higher classified street) as defined by the Zoning Ordinance or Comprehensive Plan, or a major thoroughfare as defined by future plans adopted by the planning commission of the city. Where a lot in an R-5 Zero District adjoins another zoning district on the side lot line there shall be a minimum side yard of ten (10) feet. All building setback lines shall be indicated on the preliminary and final plats. Perimeter setbacks: <ol style="list-style-type: none"> Reserved. Where R-5 Zero lots adjoin (in any manner or configuration) a major thoroughfare (e.g. collector street or

ZONING DISTRICT COMPARISON R6 TO R-5.0		April 12, 2022
SECTION	R-6	R-5.0
	commission of the City of Decatur.	higher classification), then an additional twenty-foot setback shall be added to those setback requirements set forth hereinbelow in subsections (2)d. through (2)f. of this section and shall be measured from the lot line.
USES PERMITTED ON APPEAL	There is hereby created an "R" Residential District (Residential) for those areas so designated by this chapter and the zoning map of the city, which "R" Districts shall allow: Accessory structures; gardens; playgrounds; parks; public buildings; including public schools and libraries. These uses shall also be permitted on appeal: Customary home occupations; public utilities, general hospitals for humans, except primary for mental cases; semi-public buildings; golf courses; municipal, county, state or federal use; clubs located on and embracing within its sole possessory right, one (1) tract or parcel of land not less than twenty (20) acres in size; and on premises and off premises sale of alcoholic beverage by clubs meeting the acreage requirements above when duly licensed as a class I or class II club by the city and the state alcoholic beverage control board under and pursuant to the Alcoholic Beverage Licensing Code.	There is hereby created an "R" Residential District (Residential) for those areas so designated by this chapter and the zoning map of the city, which "R" Districts shall allow: Accessory structures; gardens; playgrounds; parks; public buildings; including public schools and libraries. These uses shall also be permitted on appeal: Customary home occupations; public utilities, general hospitals for humans, except primary for mental cases; semi-public buildings; golf courses; municipal, county, state or federal use; clubs located on and embracing within its sole possessory right, one (1) tract or parcel of land not less than twenty (20) acres in size; and on premises and off premises sale of alcoholic beverage by clubs meeting the acreage requirements above when duly licensed as a class I or class II club by the city and the state alcoholic beverage control board under and pursuant to the Alcoholic Beverage Licensing Code.
USES PROHIBITED	Uses prohibited: Except as expressly permitted, or permitted on appeal, the following uses are prohibited in all residential districts, including without limitation planned residential development districts, specialty and restricted residential districts: ("R" Districts): All buildings, structures and units constructed off-site (except for	Uses prohibited: Except as expressly permitted, or permitted on appeal, the following uses are prohibited in all residential districts, including without limitation planned residential development districts, specialty and restricted residential districts: ("R" Districts): All buildings, structures and units constructed off-site (except for

ZONING DISTRICT COMPARISON R6 TO R-5.0		April 12, 2022
SECTION	R-6	R-5.0
	modular homes as in section 25-2) without regard to whether or not such building, structures or units are designed and built in compliance with state or federal standards, including without limitation, mobile homes, manufactured homes, house trailers, and trailer coaches; trailer or manufactured home parks, courts or camps, and commercial and industrial uses, including parking lots and parking areas in connection with any of these uses, not specifically permitted.	modular homes as in section 25-2) without regard to whether or not such building, structures or units are designed and built in compliance with state or federal standards, including without limitation, mobile homes, manufactured homes, house trailers, and trailer coaches; trailer or manufactured home parks, courts or camps, and commercial and industrial uses, including parking lots and parking areas in connection with any of these uses, not specifically permitted.
MINIMUM LOT AREA	Minimum lot size: 2,000 square feet.	Minimum lot area: Five thousand (5,000) square feet.
MAXIMUM BUILDING AREA	Maximum building area: None specified.	Maximum building area: None specified.
MINIMUM FRONT YARD	Minimum front yard setback: 25 feet.	Minimum front yard setback (also see perimeter setbacks) (1)e: Twenty (20) feet.
MINIMUM REAR YARD SETBACK	Minimum rear yard setback: 20 feet.	Minimum rear yard setback (also see perimeter setbacks) (1)e: Twenty (20) feet.
MINIMUM SIDE YARD SETBACK	Minimum side yard setbacks applicable only at unattached ends and to exterior lots of a development: 10 feet (one-story); 12 feet (two-story).	Minimum side yard setbacks (also see perimeter setbacks in subsection (1)e.): Zero (0) feet one side, ten (10) feet the other side provided however that: <ol style="list-style-type: none"> 1. A zero lot line cannot be used on the street sides of a corner lot or on the side of a lot adjacent to another zoning district. (See also section 25-14) 2. A zero lot line can be used, provided that a perpetual drainage and maintenance easement of five (5) feet shall be provided on the lot adjacent to the zero lot line property line, which with the exception of fences, shall be kept clear of structures. The fence shall be maintained in its original color and treatment unless otherwise agreed to in writing by the two affected property owners. This easement shall be shown on

ZONING DISTRICT COMPARISON R6 TO R-5.0		April 12, 2022
SECTION	R-6	R-5.0
		<p>the plat and incorporated into each deed transferring title to the property. The easement shall be approved by the city engineering department.</p> <p>3. Roof overhangs may penetrate the easement on the adjacent lot a maximum of twenty-four (24) inches, but the roof shall be so designed that water runoff from the dwelling placed on the lot line is contained within the easement and directed to the stormwater drainage system.</p> <p>4. The wall of the dwelling located on the zero lot line shall comply with the Standard Building Code and shall have no windows, doors, or appurtenances necessary to the dwelling provided, however that courts shall be permitted on the zero lot line side when the court is enclosed by three (3) walls of the dwelling unit and a solid wall of at least eight feet in height is provided on the zero lot line. The exterior of said wall shall be constructed of the same material as the exterior of the walls of the unit.</p> <p>5. The above subsection (2)f.2. required perpetual drainage and maintenance easement shall not be required if two (2) dwelling units adjoin each other on the "common" or zero lot line.</p>
MINIMUM LOT WIDTH	Minimum lot size at building line: 20 feet.	Minimum lot width at building line: Forty (40) feet.
MAXIMUM BUILDING HEIGHT	Maximum building height: 35 feet.	Maximum building height: Thirty-five (35) feet.
MAXIMUM HEIGHT IN STORIES	Maximum height in stories: Two and one-half (2½).	None specified.
OFF STREET PARKING	(1) Residential. In all cases of new structures, provision for the Off-	Off-street parking: Two (2) spaces per dwelling unit.

ZONING DISTRICT COMPARISON R6 TO R-5.0		April 12, 2022
SECTION	R-6	R-5.0
	street parking and vehicle access shall be provided as set forth in section 25-16 hereof. Parking of two (2) vehicles shall be provided for the use of the occupants of each dwelling unit.	

FILE NAME OR NUMBER: Rezoning 1395-22

ACRES: 3.04

CURRENT ZONE: B-1 (Local Shopping District) and R-1 (Single Family Residential)

APPLICANT: Jason Parker

LOCATION AND OR PROPERTY ADDRESS: 3112 Hwy 31 S

REQUEST: Rezone 3.04 acres from B-1 & R-1 to B-2

NEW ZONE: B-2 (General Business)

PROPOSED LAND USE: Commercial-Veterinarian Clinic

ONE DECATUR FUTURE LAND USE: Flex Employment Center

ONE DECATUR STREET TYPOLOGY: Hwy 31 S is a Principal Arterial

COMMENTS AND RECOMMENDATIONS FROM ZONING COMMITTEE:
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Comments from Zoning Committee

All Zoning Committee members were in favor of this request

Conditions to be met

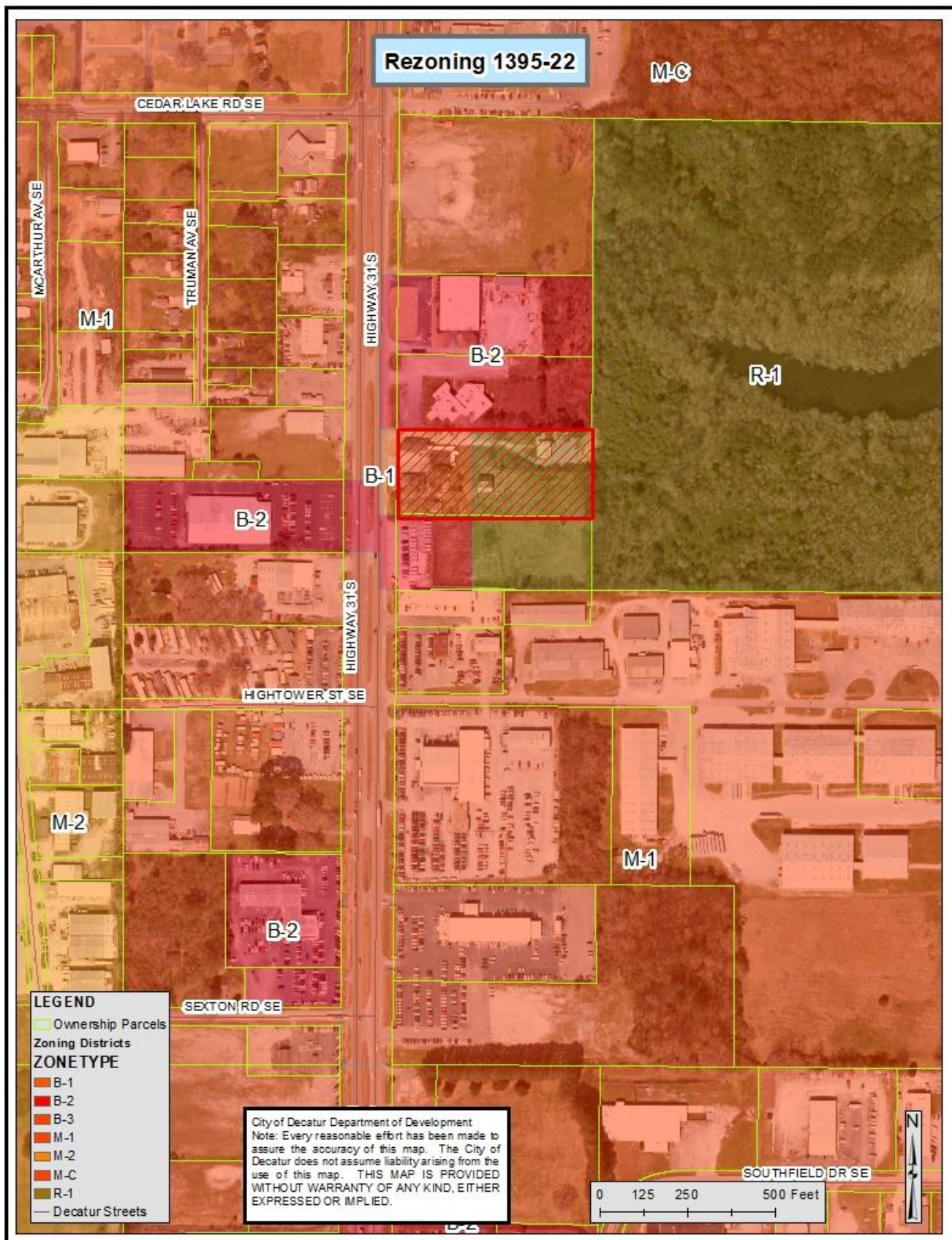
1. None

Pt. of Info:

Any relocation of utilities will be at the owner's expense

COMMENTS AND RECOMMENDATIONS FROM PLANNING COMMISSION:





ZONING DISTRICT COMPARISON B-1 to B-2		April 12, 2022
SECTION	B-1	B-2
USES PERMITTED	Off-premises sale of beer and table wine; neighborhood retail stores and markets, including the following types: food, general merchandise, apparel; furniture; household and hardware; radio and television; drugs and sundries; jewelry and gifts; florists; sporting goods; pet shops, photograph studios and photo retail sales. Neighborhood services including the following types: Dry cleaning and laundry pickup stations; customer operated laundrettes and customer operated dry cleaning establishments; filling stations, provided, however, that gasoline storage above ground in excess of five hundred (500) gallons is prohibited; barber and beauty shops; shoe repair; offices, banks; post offices; event venues; playgrounds; parks; public building (i.e., municipal, county, state or federal, including public schools and libraries); public utilities; churches and similar places of worship; dancing and music academies; nurseries, kindergartens, or day care for children; parking lots.	Clubs; on premises and off premises sale of alcoholic beverages; Businesses licensed under the Deferred Presentment Services Act, and/or Pawnshop Act, and/or Dealers in Gold or Precious Items Act where there is a 1,500-foot separation between the closest property boundary of the legal lot on which the said business is located and the closest property boundary of any other legal lot on which any business licensed under these Acts is located. However, the above notwithstanding there may be one (1) of each type business licensed under the Deferred Presentment Services Act, and/or Pawnshop Act, and/or Dealers in Gold or Precious Items Act located on the same legal lot duly approved by the City of Decatur and in conformance with the Subdivision Regulations as amended. Any retail or wholesale business or service not specifically restricted or prohibited; and places of amusement and assembly.
USES PERMITTED ON APPEAL	Restaurants; any uses permitted or permitted on appeal in an R-4, Residential District as subject to all district requirements of said district as specified in section 25-10 of this Code.	Dry cleaners and laundries; and manufacturing incidental to a retail business where articles are sold at retail on the premises, not specifically prohibited herein; major automobile repairs. Any use permitted or permitted on appeal in the R-4, Residential District, and subject to all district requirements of an R-4 District as specified in section 25-10, hereof, other than the maximum height provision set forth therein which shall not be applicable.
USES PROHIBITED	Businesses licensed under the Deferred Presentment Services Act and/or, Pawnshop Act and/or, Dealers in Gold or Precious Items Act; and any use not permitted or permitted on appeal.	Stockyard; live animal or poultry sales; coal yards; lumber yards or mills; auto wrecking; gasoline, oil or alcohol storage above the ground in excess of five hundred (500) gallons, grist or flour mills; ice

ZONING DISTRICT COMPARISON B-1 to B-2		April 12, 2022
SECTION	B-1	B-2
		plants; junk, scrap paper, rag, storage or bailing, stone or monument works.
MINIMUM LOT AREA	It is the intent of this section that lots of sufficient size be used for any business or service use to provide adequate parking and loading space in addition to the space required for the other normal operations of the business or service.	It is the intent of this section that lots of sufficient size be used for any business or service use to provide adequate parking and loading space in addition to the space required for the other normal operations of the business or service.
MAXIMUM BUILDING AREA	None specified	None specified.
MINIMUM FRONT YARD	25 feet	25 feet
MINIMUM REAR YARD SETBACK	20 feet	20 feet
MINIMUM SIDE YARD SETBACK	Not specified, except on a lot adjoining along its side lot line a lot which is in a residential district, there shall be a side yard not less than eight (8) feet wide.	None specified.
MINIMUM FEET AT BUILDING LINE	None specified.	None specified.
MAXIMUM BUILDING HEIGHT	None specified.	None specified.
MAXIMUM HEIGHT IN STORIES	None specified.	None specified.
OFF STREET PARKING	Off-street parking: See § 25-16.	Off-street parking: See § 25-16.
OFF-STREET UNLOADING	Shall use required rear or side yard for loading and unloading.	Shall provide space for loading and unloading for structures hereafter erected or altered when same is not on lot adjoining a public or private alley.
ZONING DISTRICT COMPARISON R-1 to B-2		April 12, 2022
SECTION	R-1	B-2
USES PERMITTED	There is hereby created an "R" Residential District (Residential) for those areas so designated by this chapter and the zoning map of the city, which "R" Districts shall allow: Accessory structures; gardens; playgrounds; parks; public buildings; including public schools and libraries.	Clubs; on premises and off premises sale of alcoholic beverages; Businesses licensed under the Deferred Presentment Services Act, and/or Pawnshop Act, and/or Dealers in Gold or Precious Items Act where there is a 1,500-foot separation between the closest property boundary of the legal lot on which the said business is located

ZONING DISTRICT COMPARISON R-1 to B-2		April 12, 2022
SECTION	R-1	B-2
	<p>There is hereby created an R-1 Residential District for those areas so designated by this chapter and the zoning map of the city, which R-1 Districts shall allow: Single-family dwellings (See also regulations common to all "R" Districts, listed in section 25-10).</p> <p>(1) General requirements.</p> <ol style="list-style-type: none"> Off-street parking and vehicle access shall be provided as set forth in section 25-16 hereof. A carport, porte-cochere, porch or structure part thereto, attached to or situated within five (5) feet of the main structure as defined in section 25-2 thereof, shall be considered as a part of the main building and shall be subject to the setback and side yard requirements of the district in which it is located. 	<p>and the closest property boundary of any other legal lot on which any business licensed under these Acts is located. However, the above notwithstanding there may be one (1) of each type business licensed under the Deferred Presentment Services Act, and/or Pawnshop Act, and/or Dealers in Gold or Precious Items Act located on the same legal lot duly approved by the City of Decatur and in conformance with the Subdivision Regulations as amended. Any retail or wholesale business or service not specifically restricted or prohibited; and places of amusement and assembly.</p>
USES PERMITTED ON APPEAL	<p>These uses shall also be permitted on appeal: Customary home occupations; public utilities, general hospitals for humans, except primary for mental cases; semi-public buildings; golf courses; municipal, county, state or federal use; clubs located on and embracing within its sole possessory right, one (1) tract or parcel of land not less than twenty (20) acres in size; and on premises and off premises sale of alcoholic beverage by clubs meeting the acreage requirements above when duly licensed as a class I or class II club by the city and the state alcoholic beverage control board under and pursuant to the Alcoholic Beverage Licensing Code.</p>	<p>Dry cleaners and laundries; and manufacturing incidental to a retail business where articles are sold at retail on the premises, not specifically prohibited herein; major automobile repairs.</p> <p>Any use permitted or permitted on appeal in the R-4, Residential District, and subject to all district requirements of an R-4 District as specified in section 25-10, hereof, other than the maximum height provision set forth therein which shall not be applicable.</p>
USES PROHIBITED	<p>Uses prohibited: Except as expressly permitted, or permitted on</p>	<p>Stockyard; live animal or poultry sales; coal yards; lumber yards or</p>

ZONING DISTRICT COMPARISON R-1 to B-2		April 12, 2022
SECTION	R-1	B-2
	appeal, the following uses are prohibited in all residential districts, including without limitation planned residential development districts, specialty and restricted residential districts: ("R" Districts): All buildings, structures and units constructed off-site (except for modular homes as in section 25-2) without regard to whether or not such building, structures or units are designed and built in compliance with state or federal standards, including without limitation, mobile homes, manufactured homes, house trailers, and trailer coaches; trailer or manufactured home parks, courts or camps, and commercial and industrial uses, including parking lots and parking areas in connection with any of these uses, not specifically permitted.	mills; auto wrecking; gasoline, oil or alcohol storage above the ground in excess of five hundred (500) gallons, grist or flour mills; ice plants; junk, scrap paper, rag, storage or bailing, stone or monument works.
MINIMUM LOT AREA	Fourteen thousand (14,000) square feet.	It is the intent of this section that lots of sufficient size be used for any business or service use to provide adequate parking and loading space in addition to the space required for the other normal operations of the business or service.
MAXIMUM BUILDING AREA	None specified	None specified.
MINIMUM FRONT YARD	Forty (40) feet.	25 feet
MINIMUM REAR YARD SETBACK	Forty-five (45) feet.	20 feet
MINIMUM SIDE YARD SETBACK	Fifteen (15) feet.	None specified.
MINIMUM FEET AT BUILDING LINE	One-hundred (100) feet.	None specified.
MAXIMUM BUILDING HEIGHT	Thirty-five (35) feet.	None specified.
MAXIMUM HEIGHT IN STORIES	Two and one-half (2½).	None specified.
OFF STREET PARKING	Off-street parking: See § 25-16.	Off-street parking: See § 25-16.

ZONING DISTRICT COMPARISON R-1 to B-2		April 12, 2022
SECTION	R-1	B-2
OFF-STREET UNLOADING	None specified	Shall provide space for loading and unloading for structures hereafter erected or altered when same is not on lot adjoining a public or private alley.

PLATS

FILE NAME OR NUMBER: The Ridge Phase 2 Minor Plat

ACRES: 74.76

CURRENT ZONE: AG-1

APPLICANT: Pugh Wright and McAnally for Holland Holdings LP

LOCATION AND OR PROPERTY ADDRESS: 2921 Modaus Rd SW

REQUEST: Approve minor plat

PROPOSED LAND USE: Single Family Residential

ONE DECATUR FUTURE LAND USE: Major Institution/Civic

ONE DECATUR STREET TYPOLOGY: Modaus Rd is a Minor Arterial

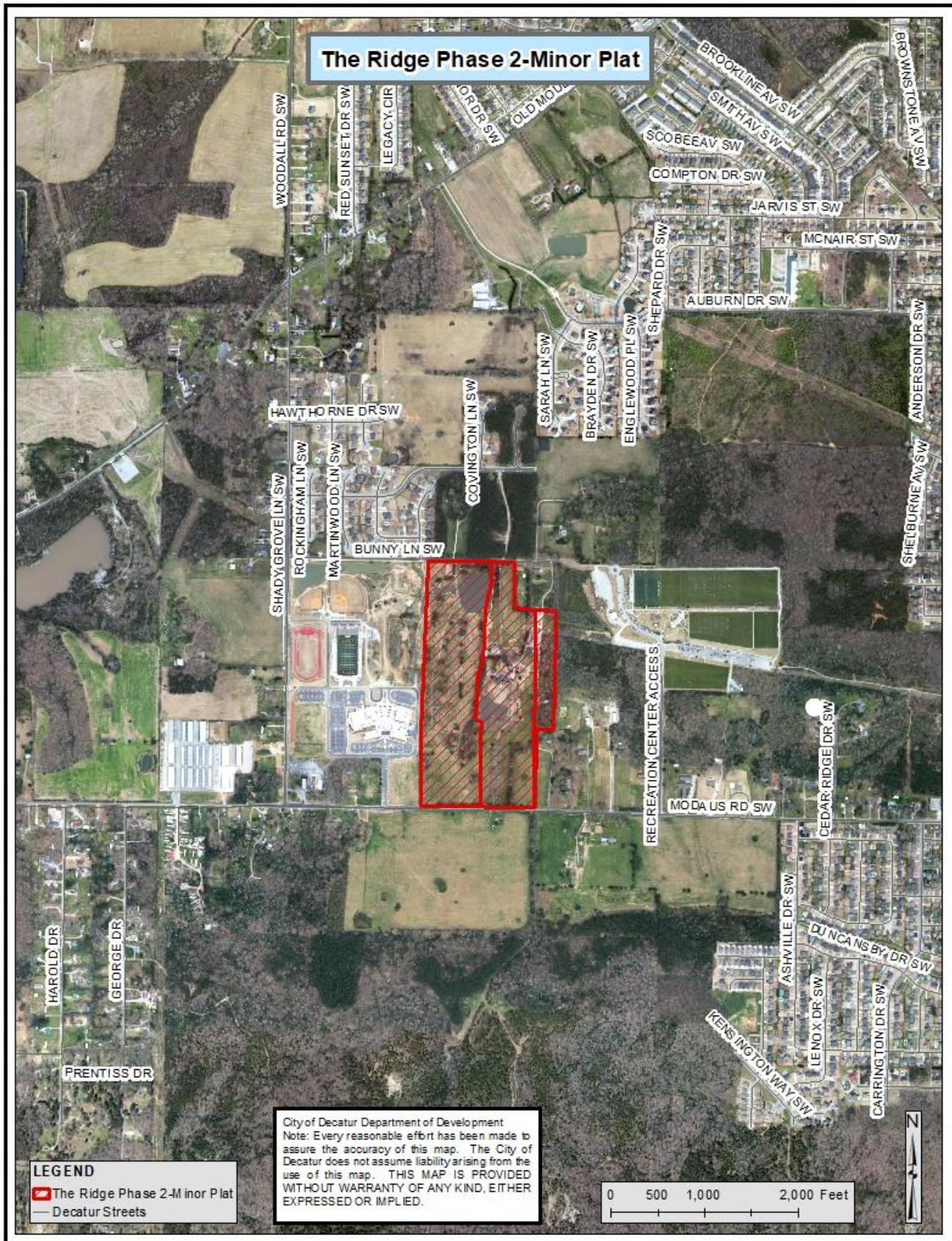
COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:

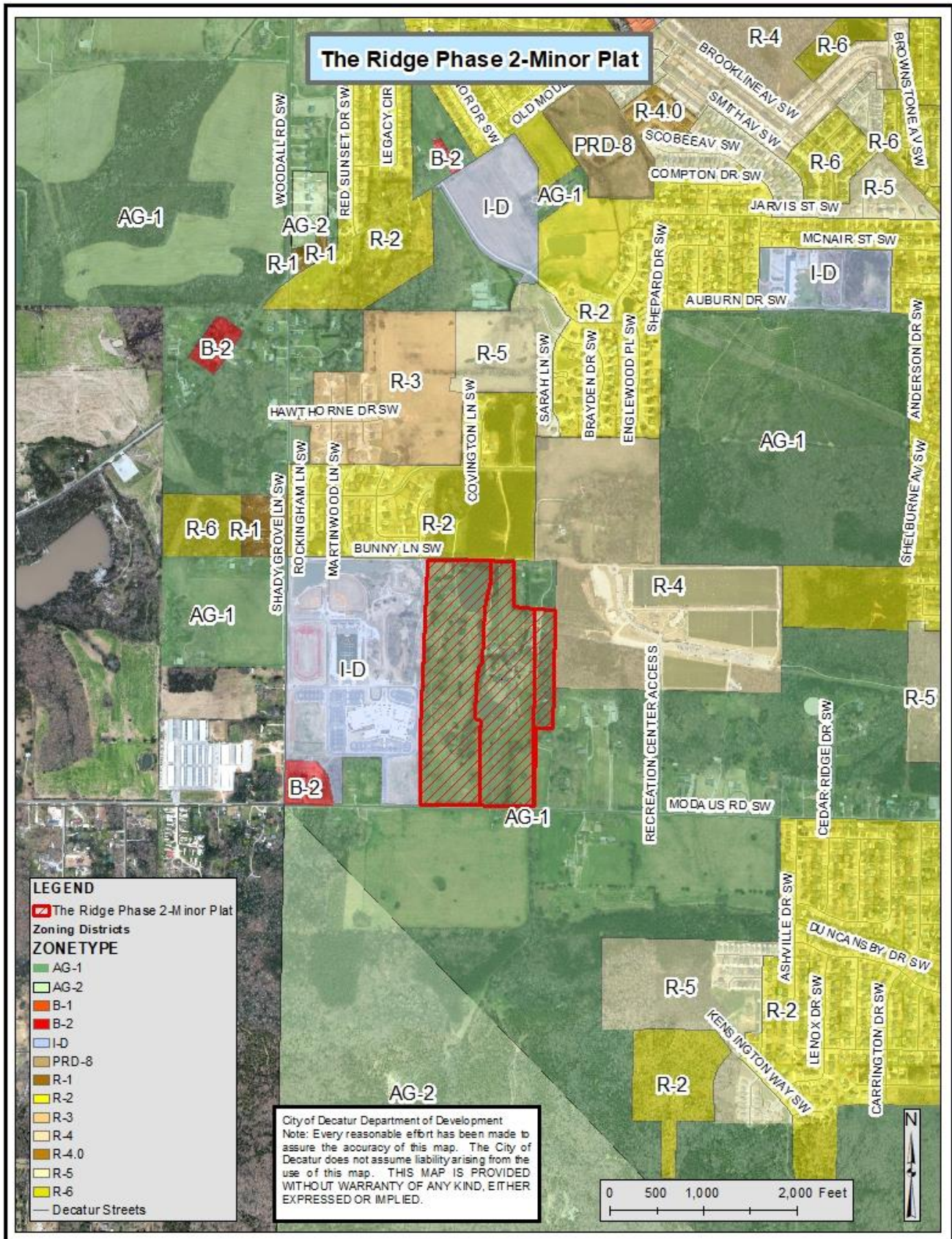
Conditions to be met:

1. Need drainage/topo map
2. Fees for APO letters
3. Copy of deed
4. Per Engineering Approval

Pt. of Info:

Any relocation of utilities will be at the owner's expense





[illegible]

FILE NAME OR NUMBER: Carridale Commons Minor Plat

ACRES: 1.52

CURRENT ZONE: AG-1

APPLICANT: Pugh Wright McAnally for Hill Construction, LLC

LOCATION AND OR PROPERTY ADDRESS: 809 Carridale St SW

REQUEST: Approve minor plat

PROPOSED LAND USE: Townhomes

ONE DECATUR FUTURE LAND USE: Core Neighborhood

ONE DECATUR STREET TYPOLOGY: Carridale St SW is a Minor Arterial

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:
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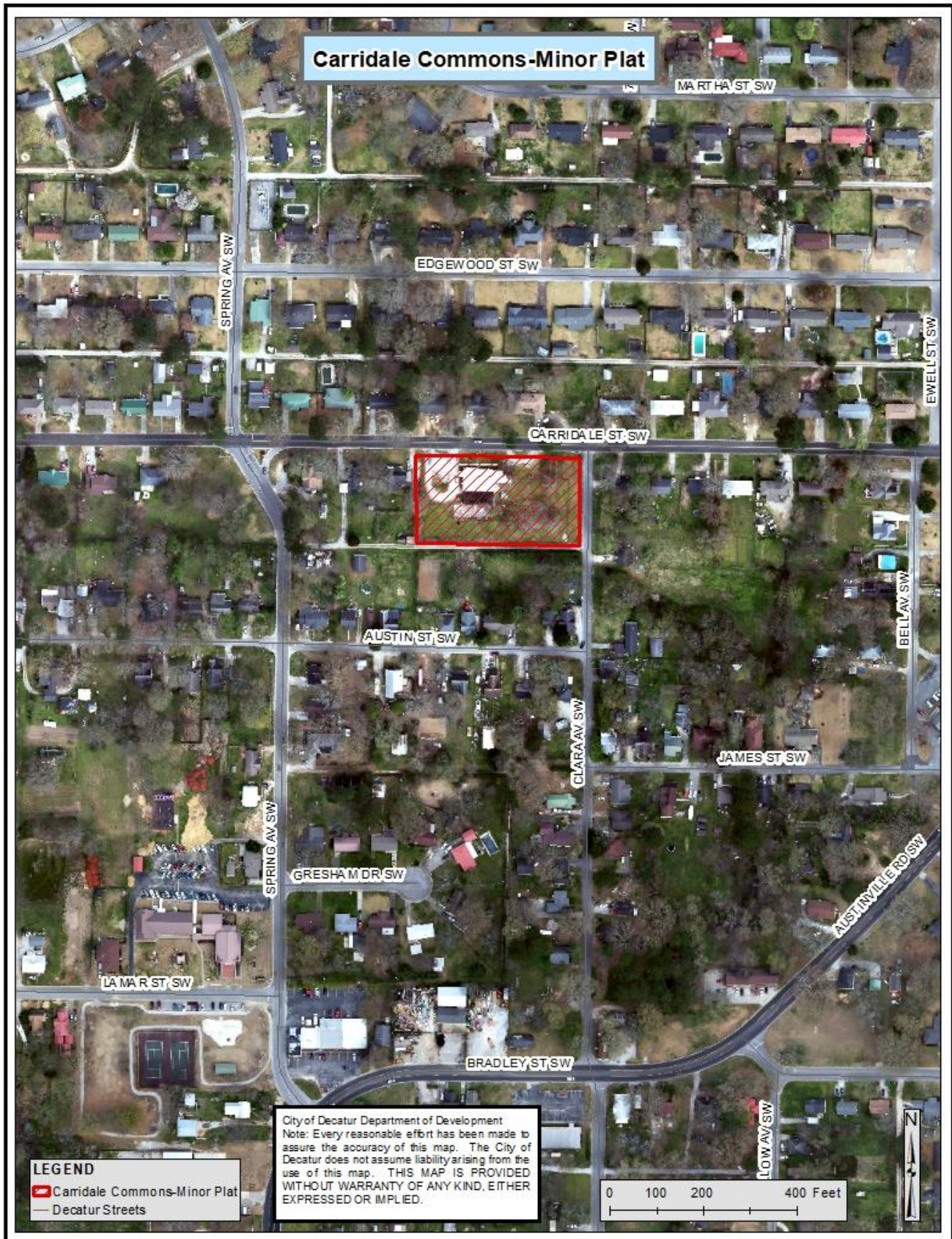
Conditions to be met:

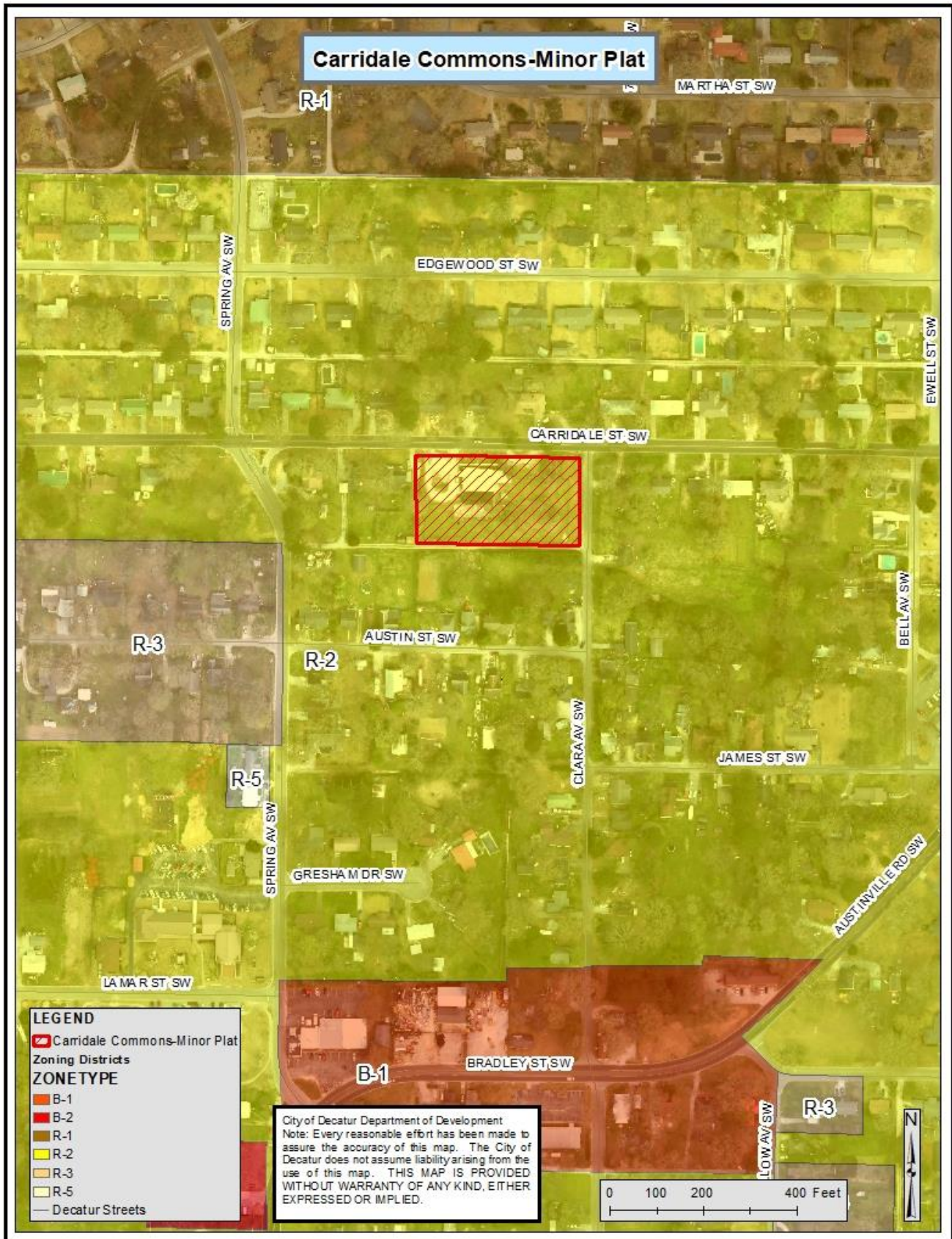
1. Drainage/topo map
2. Per Engineering Approval
3. Sewer needs to be extended to service lots 8-11, field work needs to be completed to verify that lots can be served

Pt. of Info:

Any relocation of utilities will be at the owner's expense

Certificate of Occupancy will be held until sidewalks are installed







FILE NAME OR NUMBER: Hollon Meadow Subdivision Preliminary Plat

ACRES: 27.72

CURRENT ZONE: R-6 and R-5

APPLICANT: Pugh Wright McAnally for Evergreen Living

LOCATION AND OR PROPERTY ADDRESS: 3411 Deere Rd SE

REQUEST: Preliminary Plat Approval

PROPOSED LAND USE: Single Family Residential (Townhomes and Patio Homes)

ONE DECATUR FUTURE LAND USE: Mixed Neighborhood

ONE DECATUR STREET TYPOLOGY: Deere Rd SE is a local street

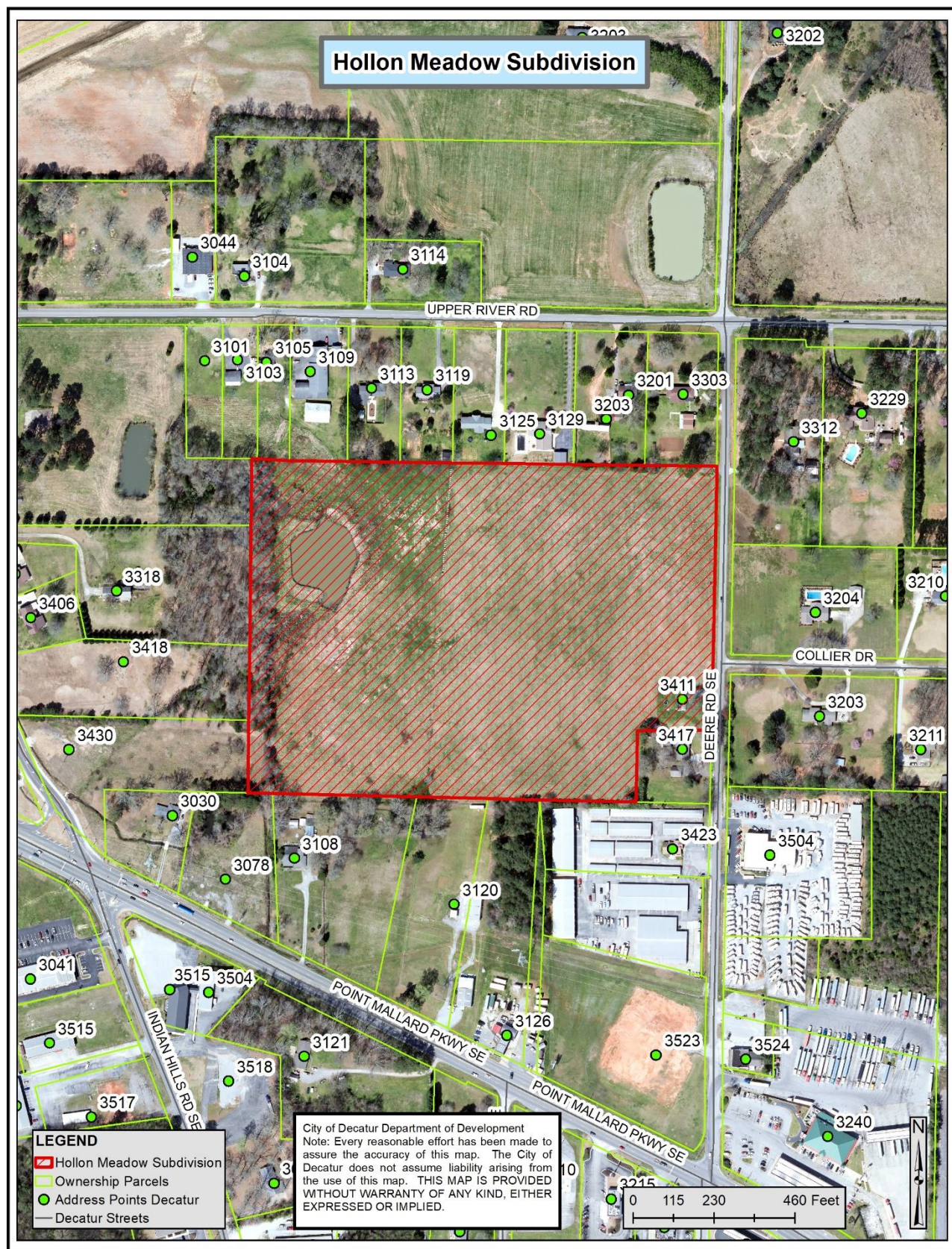
COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:
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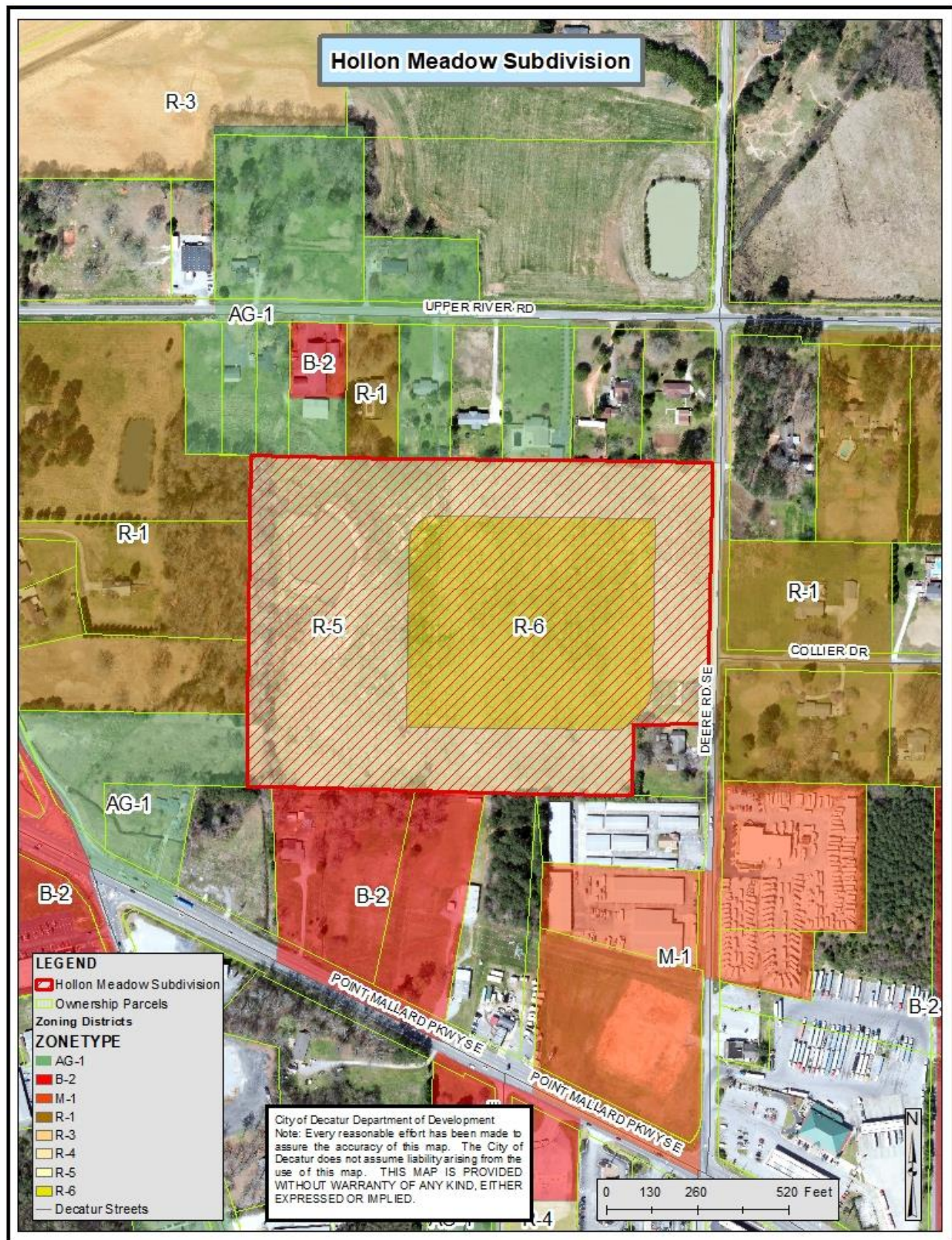
Conditions to be met:

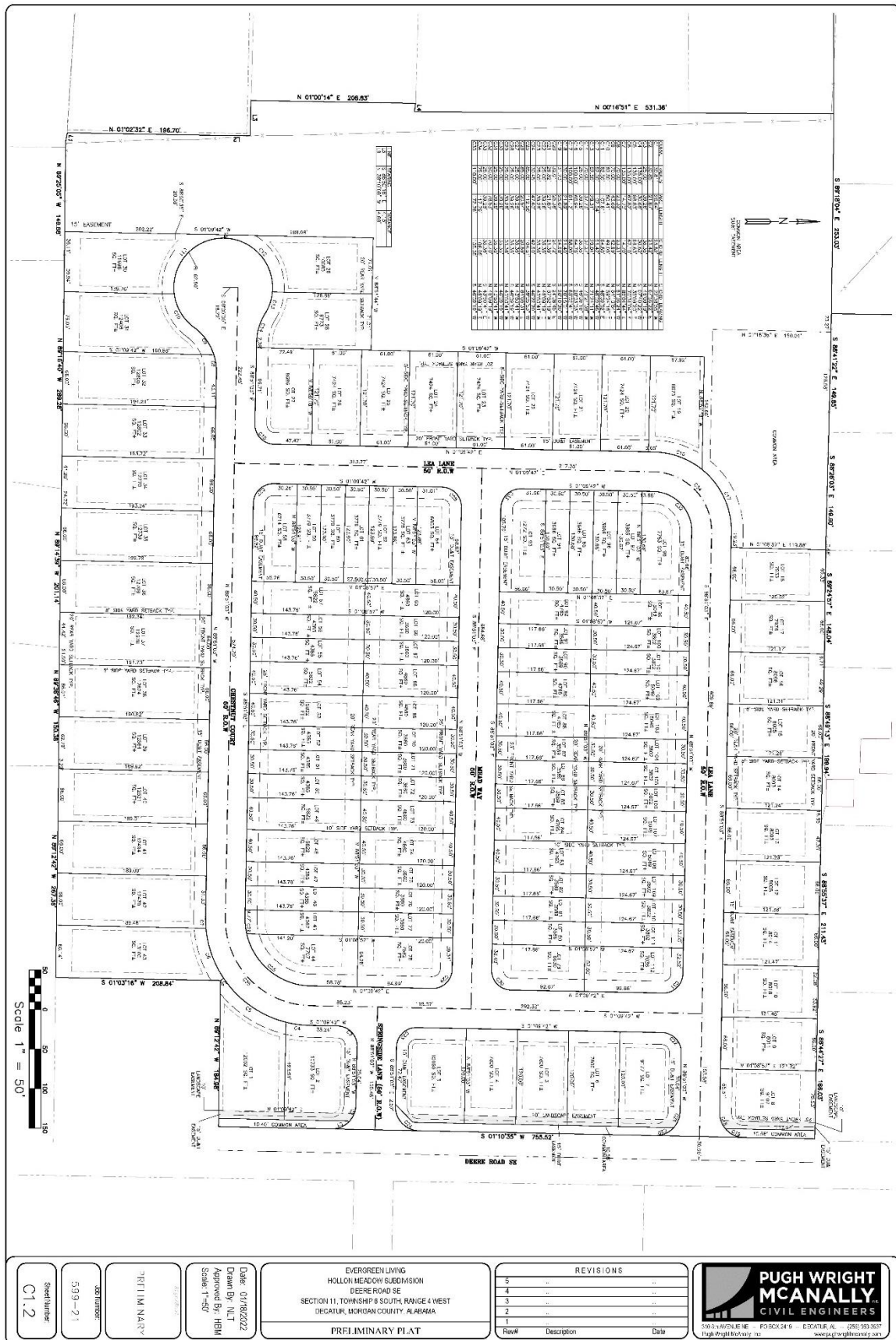
1. Per Engineering Approval
2. Show 20 ft sewer easement between lots 33 and 34

Pt. of Info:

Any relocation of utilities will be at the owner's expense







CONSENT AGENDA**CERTIFICATES**

FILE NAME OR NUMBER: Certificate 3573-22

ACRES: 108.97

CURRENT ZONE: AG-1

APPLICANT: Mid-south Testing for William McClung

LOCATION AND OR PROPERTY ADDRESS: 3824 S Chapel Hill Rd SW

REQUEST: Change lot line between two parcels totaling 108.97 acres to create two parcels of 7.44 & 101.53 acres

PROPOSED LAND USE: Single Family Residential and Agricultural

ONE DECATUR FUTURE LAND USE: Rural Edge - Agricultural

ONE DECATUR STREET TYPOLOGY: South Chapel Hill Rd SW is an Urban Collector

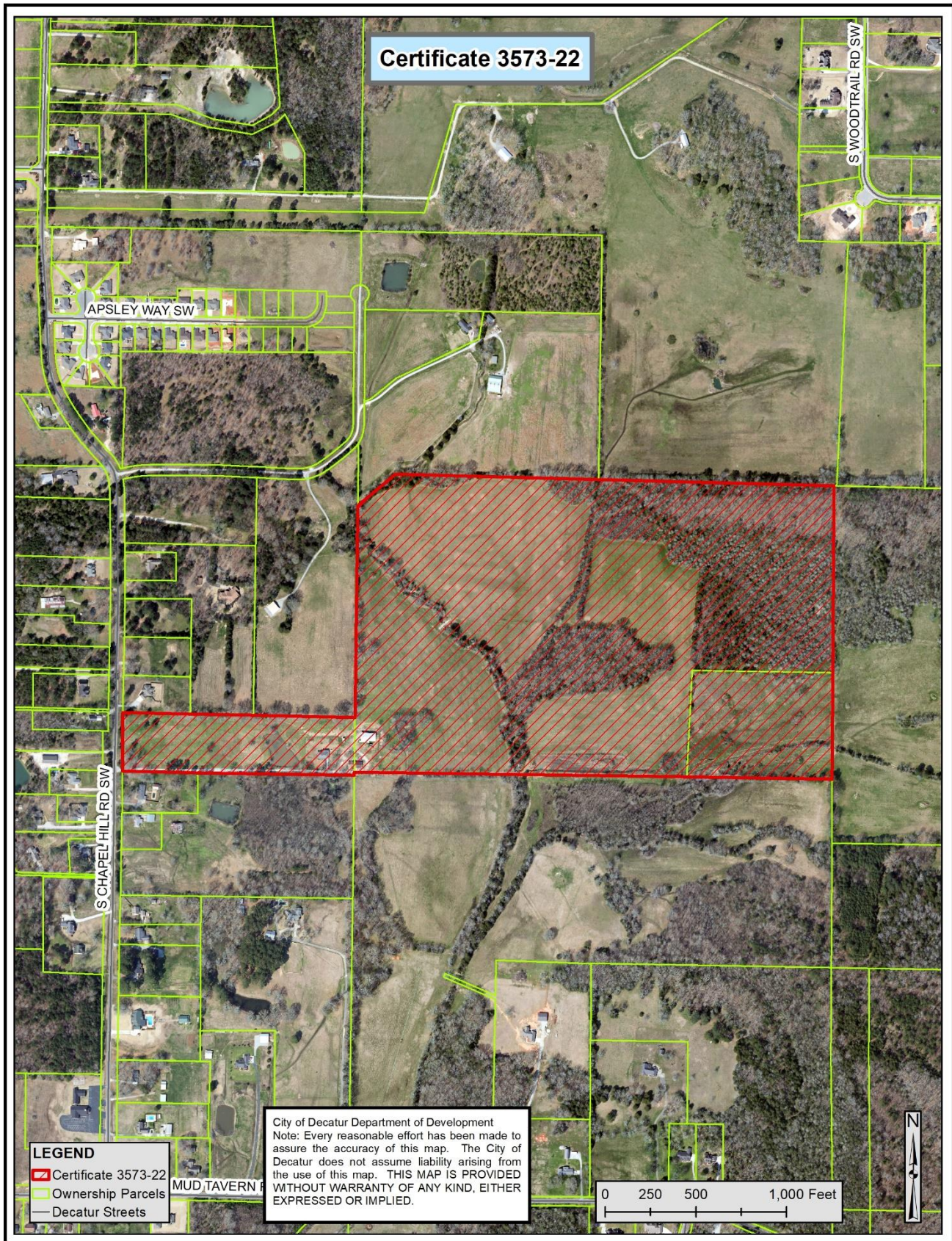
COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:**Conditions to be met:**

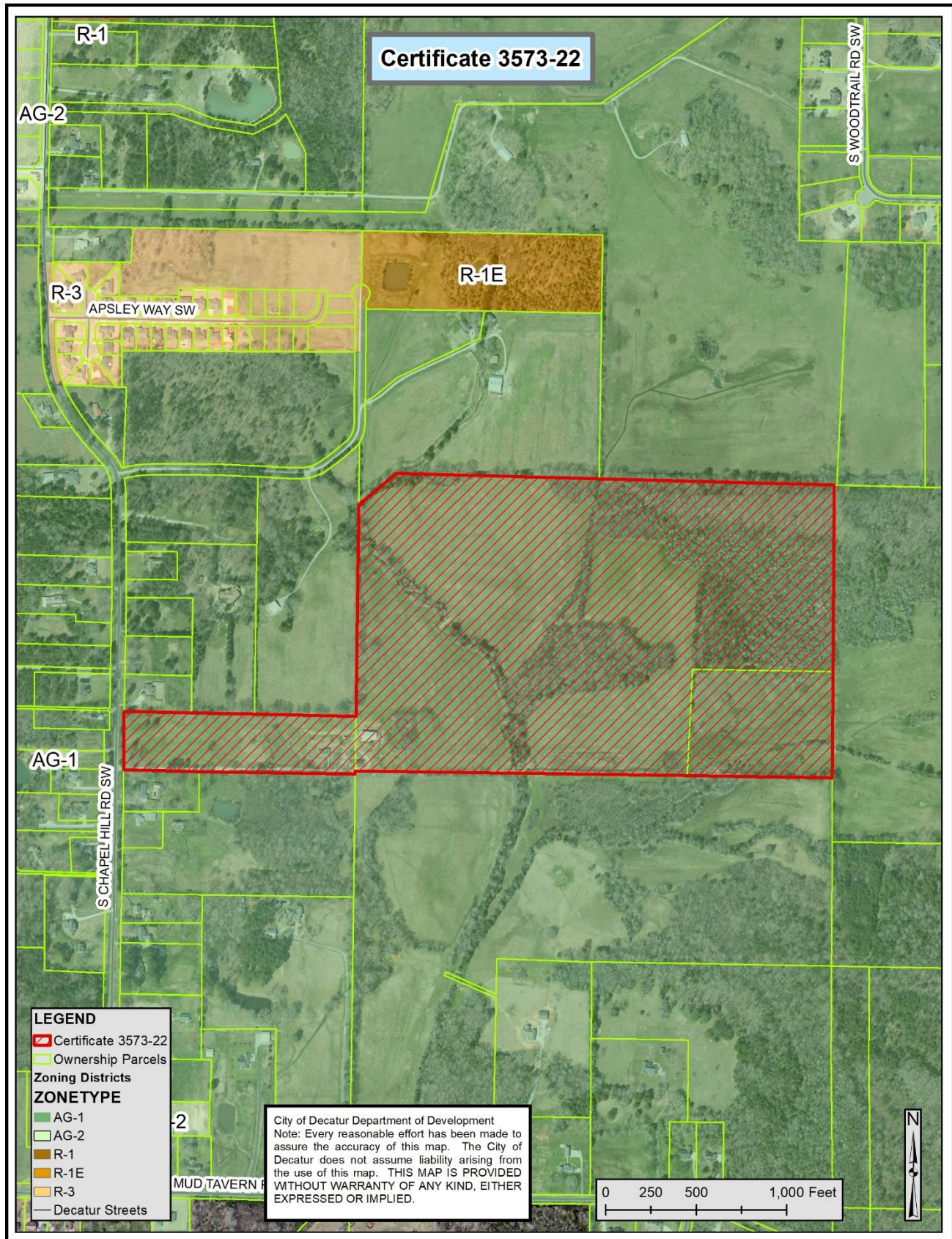
1. Recording fees
2. Signed, sealed survey with 3 state plane coordinates
3. Some of the bearings on the plat don't match the legal description. Check those differences and make sure both are correct and match.

Pt. of Info:

Any relocation of utilities will be at the owner's expense

Tract 3 will not have sewer access unless sewer main is extended







SITE PLANS

FILE NAME OR NUMBER: Site Plan 637-22

ACRES: 39.46

CURRENT ZONE: M-2 (General Industry)

APPLICANT: Bascon, Inc. for Steel Technologies

LOCATION AND OR PROPERTY ADDRESS: 3301 Mallard Fox Dr NW

REQUEST: Site Plan Approval

PROPOSED LAND USE: Industrial (Manufacturing)

ONE DECATUR FUTURE LAND USE: General Industrial

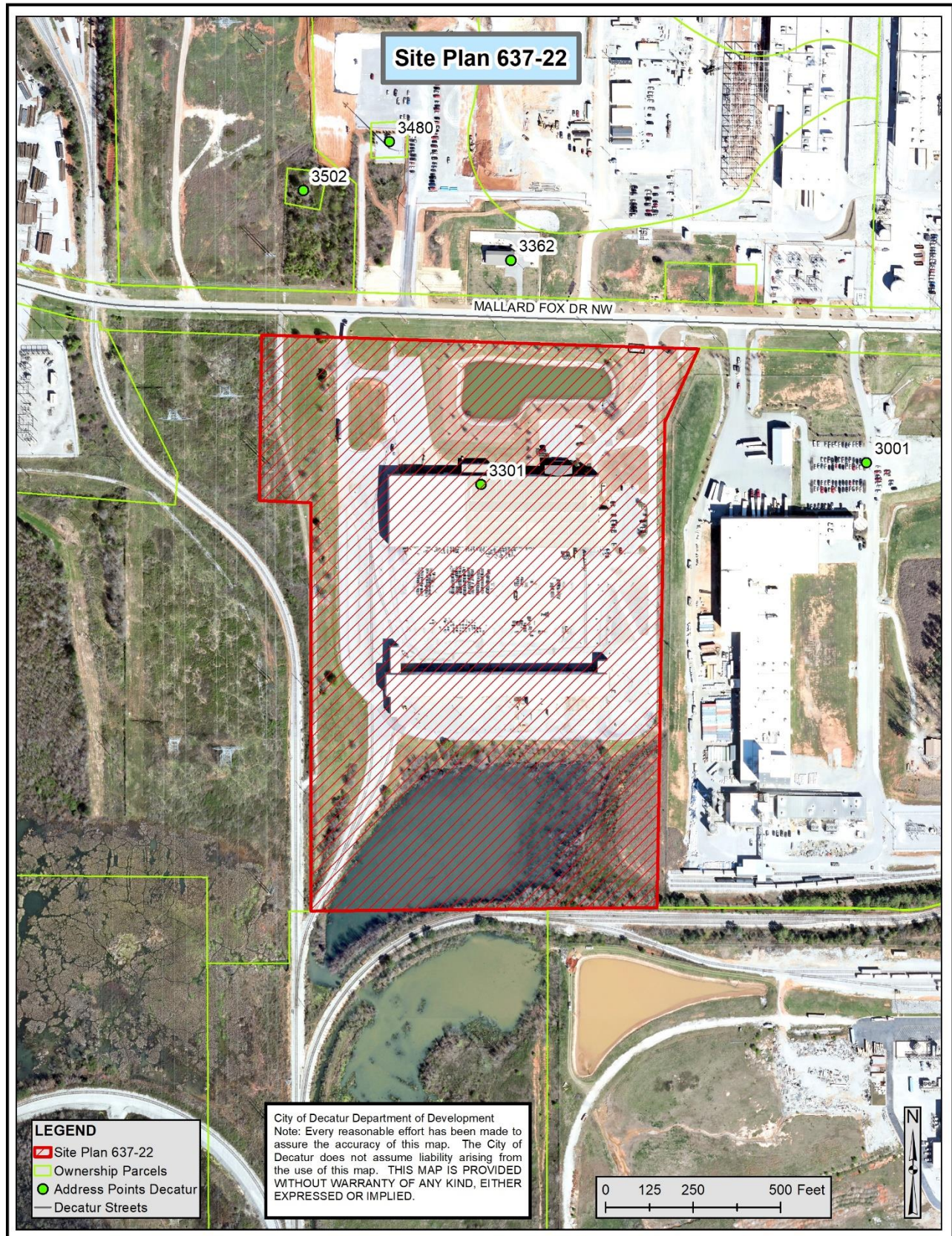
ONE DECATUR STREET TYPOLOGY: Mallard Fox Dr NW is a Minor Arterial

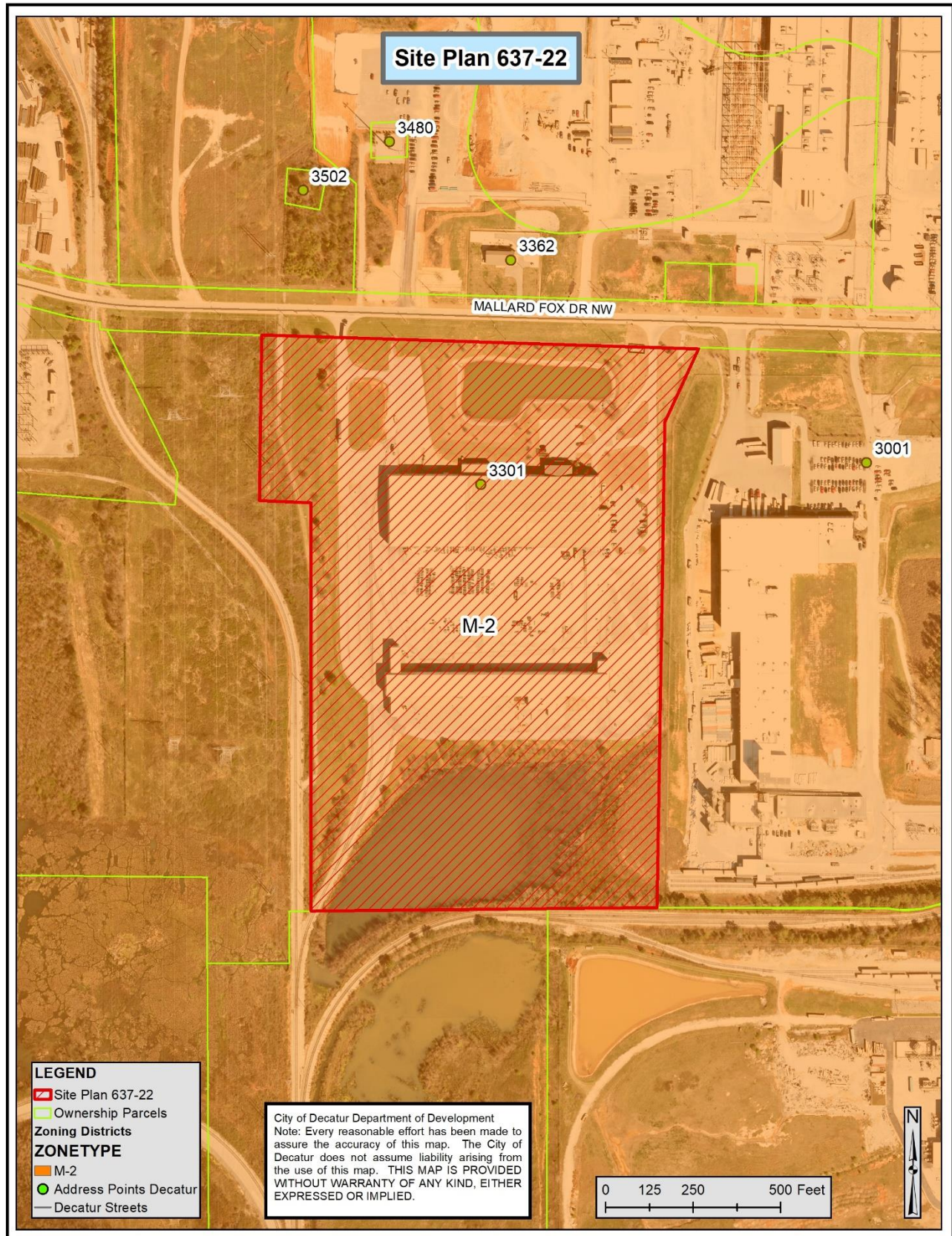
COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:**Conditions to be met:**

1. Per Engineering approval
2. Show sewer easement on west side of the property

Pt. of Info:

Any relocation of utilities will be at the owner's expense







OTHER BUSINESS**ANNEXATIONS**

FILE NAME OR NUMBER: Annexation 368-22

ACRES: 6.4

CURRENT ZONE: None

APPLICANT: Iven Holt

LOCATION AND OR PROPERTY ADDRESS: 370 McEntire Ln SW

REQUEST: Annex 6.4 acres

PROPOSED LAND USE: Industrial (Manufacturing)

ONE DECATUR FUTURE LAND USE: Mixed Neighborhood

ONE DECATUR STREET TYPOLOGY: McEntire Ln SW is an Urban Collector

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:**Conditions to be met:**

1. None

Pt. of Info:

Any relocation of utilities will be at the owner's expense





FILE NAME OR NUMBER: Annexation 369-22

ACRES: 11.31

CURRENT ZONE: None

APPLICANT: Pugh Wright and McAnally for Omega Hotel Group

LOCATION AND OR PROPERTY ADDRESS: 2319 Old Moulton Rd SW

REQUEST: Annex 11.31 acres

PROPOSED LAND USE: N/A

ONE DECATUR FUTURE LAND USE: Community Commercial & Flex Employment

ONE DECATUR STREET TYPOLOGY: Old Moulton Rd is a Minor Arterial & Beltline Rd is a Principal Arterial

COMMENTS AND RECOMMENDATIONS FROM TECHNICAL REVIEW COMMITTEE:
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Conditions to be met:

1. Copies of deeds

Pt. of Info:

Any relocation of utilities will be at the owner's expense



