

BOARD OF ZONING ADJUSTMENT

AGENDA

March 2023

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Minutes February 2023

MEMBERS PRESENT: Delayne Dean, Mr. Brad Townsend, Mr. Chester Ayers

SUPERNUMERARIES: Mr. J. Michael Maurer, Mr. Mark McCurry

COPIED TO: Rev. George Allen

OTHERS PRESENT: Mrs. Ruth Priest, Asst. City Attorney
Mr. Lee Terry, Planning Department
Mr. Bob Sims, Building Inspector
Mr. Tom Polk, Recorder

Chair, Delayne Dean called the meeting to order at 4:00 p.m. in the council chambers on the first floor at City Hall.

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

The minutes from the January 2023 meeting were approved. Mr. Brad Townson motioned to approve the minutes. Mr. Chester Ayers seconded the motion. On a voice vote, the motion carried.

CASE NO. 1

Application and appeal of Cosquella Washington for a 1 foot side yard variance from Section 25-10.10 (2) (e) of the Zoning Ordinance in order to add an addition onto the back of the house, property is located at 903 9th Ave SE in a R-3 Single Family Residential District.

Ms. Cosquella Washington presented this case to the Board. Ms. Washington stated her name was Cosquella Washington and her address was 903 9th Ave SE. Ms. Washington stated she would like a 1- foot side yard variance in order to put an addition onto the back of her house.

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

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

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

Mr. Brad Townsend motioned to approve this case as presented. Mr. Mark McCurry seconded the motion. On a roll-call vote the motion carried.

CASE NO. 2

Application and appeal Mid-South Signs for a 176.38 square foot variance from Section 25-77 (e) (1) of the Zoning Ordinance in order for branding signage is seen from each side of the building. This property is located at 1227 6th Av SE, located in a R-D Redevelopment District.

Mr. Scott Bridmore with Mid-South Sign Company presented this case to the Board. Mr. Bridmore stated he was requesting permission to add additional signage on the new car wash.

Mr. Bridmore gave handouts to the Board for the proposed signage to be placed on the building.

Mr. Bridmore stated the additional signage was needed because of the layout of the building.

Mr. Bridmore stated the company would like to stay with the same type of signage, which is located at other locations.

Chair Dean, stated the hand out pictures appeared to be flipped as opposed to the proposed signage to the building here in Decatur.

Mr. Bridmore agreed and stated the company wanted to keep the branding the same on all of their buildings as far as the signage on the polish tunnels since that was a unique feature to the business.

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

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

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

Mr. Chester Ayers motioned to approve this case as submitted. Mr. Michael Maurer seconded the motion. On a roll-call vote the motion carried.

CASE NO. 3

Application and appeal Cameron L. Buurma for the following variances located at 1820 College St. SE. The property is located in a R-3 Single Family Residential District.

- A) 3.83 side yard setback variance from Section 25-10.10 (2) (e) of the Zoning Ordinance.
- B) 2.94 foot side yard setback variance from Section 25-10.10 (2) (e) of the Zoning Ordinance.
- C) 11.26 front yard setback variance from Section 25-10.10 (2) (c) of the Zoning Ordinance.

Mr. Cameron Buurma presented this case to the Board. Mr. Buurma stated his name was Cameron Buurma and his address was 1820 College St. SE. Mr. Buurma stated he was requesting permission to do an expansion and renovate on his home.

Mr. Buurma stated he would like on the East side of the house, to put a carport over the existing driveway to avoid the elements.

Mr. Buurma stated on the front of the house on the right side he would like to extend the house 5 feet creating a new front porch and closing in the existing porch.

Mr. Buurma stated this would put the house in alignment with some of the other homes in the area.

Mr. Buurma stated on the left side of the house the extension would enlarge the living room and the master bedroom.

Chair Dean asked Mr. Buurma if the carport would be longer than the house, Mr. Buurma stated that the carport would not be any longer than the house.

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

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

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

Mr. Mark McCurry motioned to approve this case as submitted. Mr. Chester Ayers seconded the motion. On a roll-call vote the motion carried.

CASE NO. 4

Application and appeal Wendy Treadway for a 19-foot side yard setback variance from Section 25-20 of the Zoning Ordinance in order to build a garage located at 2702 Harley Circle SW; property is located in a R-2 Single Family Residential District.

Mr. Bobby Davis presented this case to the Board. Mr. Davis stated he was representing his daughter, Wendy Treadway who is present.

Mr. Davis stated they were at the BOZA meeting for the month of January 2023 asking for a variance on a detached garage that Ms. Treadway wanted to build on her property.

Chair Dean, asked Mr. Davis to state her address.

Mr. Davis the address was 2702 Harley Circle SE in Decatur 35603.

Chair Dean, while looking at the application, stated it looked like the request was for a smaller area.

Mr. Davis agreed and stated that on the advice of the board he had spoken to the city to ask about changes, which could be made to better satisfy the city and we actually shortened the garage by 5 feet and rearranged the building so it will be at least 5 feet plus off of the property line.

Mr. Davis stated since the building has been shortened and rearranged a building variance is not needed on the back anymore only a side variance is needed.

Mr. Davis stated advice was given to them to get support from the neighborhood it may help the board to make a decision.

Mr. Davis gave the board a document showing fifteen signatures from immediate neighbors around his daughter's house.

Mr. Davis stated everyone on Harley Circle signed the document and everyone on Sarah Lane, the street to the side of his daughter's home, except for one, multiple people on Bradenton, which is the street behind her home, including the neighbor that backs up to her house.

Mr. Davis stated that Scotty Hogan signed the document as well as a few others.

Mr. Davis stated they could have gotten more than fifteen but were advised to get 5 and felt like getting a few more.

Mr. Davis stated the structure would be built to match the house.

Mr. Davis stated the brick will match the house and the pitch on the roof will be the same.

Mr. Davis stated he believes those requirements are what the local HOA (Home Owners Association) requires.

Mr. Brad Townsend asked Mr. Davis if he had brought this request to the attention of the HOA.

Mr. Davis responded that he had been working with Brad Pounders, Ron Stroup and Marianne Scott from the beginning on this plan.

Mr. Davis stated each of the three told him he would need to get past this process.

Mr. Brad Townsend asked Mr. Davis if the three people mentioned were members of this HOA.

Mr. Davis stated that they are on the architectural committee of the HOA.

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

Mr. Michael Maurer asked Mr. Davis, if this board approves the request, and then the HOA as an entity that says no then you cannot build the structure, is that true.

Mr. Davis stated that situation has not been crossed yet, however he felt there would be things they could do.

Mr. Davis stated they would sit down and talk about the build once the request is approved.

Mr. Davis stated that Mr. Pounders, Mr. Stroup and Ms. Scott told him and his daughter they needed to get past this point before that option could be presented.

Chair, Dean stated if the board were to approve the request, the approval of this board does not supersede the HOA as was stated last month. Mr. Davis stated understood.

Chair Dean stated to Mr. Davis that the HOA's rules apply, not the boards, Mr. Davis stated he understood.

Mr. Davis stated he would like to have the approval of the board.

Chair Dean, asked for further questions from the board. There were no further questions.

Chair Dean asked for questions from the public.

Mr. Jeremy Goforth, 1912 Weatherly Circle came forward to speak.

Mr. Goforth stated he was the president of the HOA at Cityview and has had the position for almost a year.

Mr. Goforth stated he had not spoken to Mr. Davis about the request.

Mr. Goforth stated he had spoken to Ms. Treadway about the request approximately a month ago. However, what they spoke about was not really in regards to this request and so he had not seen the plans for this request nor has the board seen the plans for this structure.

Mr. Goforth stated there was a new architectural committee and the only one of the three still on that committee was Marianne Scott.

Mr. Goforth stated, as a board, approval was not being recommended at this time.

Mr. Goforth stated the proper steps have not been followed, and that the architectural committee and the board are not on the same page with this request.

Mr. Goforth stated that he had to speak to Ms. Treadway a couple of weeks ago because of four-wheeler and dirt bikes and other non-legal vehicles continue to be a nuisance in the neighborhood, which is against the covenants and the bylaws.

Chair Dean stopped Mr. Goforth and told him the board was aware of that situation. Emails have been received from neighbors and activity on the property had no bearing on this board decision.

Mr. Goforth understood but was letting the board know why the HOA felt the way they feel.

Mr. Goforth stated that Ms. Treadway stated the structure would be used for storage.

Mr. Goforth feels that if a "man cave" is built upstairs this will escalate into a bigger problem for the neighborhood.

Mr. Goforth reiterated that the HOA board is not in favor of the request.

Chair Dean reiterated the BOZA board does not supersede any of the HOA's decisions, Mr. Goforth understood.

Mr. Bill Harwell, 1919 Brayden Drive SW asked Mr. Davis if the structure would have an upstairs.

Mr. Davis stated yes to be used for storage.

Mr. Harwell asked Mr. Davis if a washroom would be in the structure, Mr. Davis replied there would not.

Mr. Harwell asked why the 5-foot rear yard setback was not needed.

Mr. Bob Sims, Building Department, replied because with the redesign it is 5 feet away from the rear property line.

Mr. Bob Sims, Building Department, stated if a structure 5 feet from the rear and five feet away from the house the structure becomes an accessory structure, Mr. Harwell understood.

Mr. Harwell stated he is concerned with the appearance of Sarah Lane. Mr. Harwell stated that looking down Sarah Lane there is a clean look and if the structure is built the structure would break the nice clean look.

Chair Dean, asked Mr. Davis if the structure could be lined up with the house.

Mr. Davis stated that the survey shows this was the best place to build the structure without encroaching into the 5-foot rule from the house and why the design was shortened up.

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

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

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

Mr. Brad Townsend motioned to approve this case as submitted. Mr. Chester Ayers seconded the motion. On a roll-call vote for 3 in favor and 2 against the motion did not pass.

CASE NO. 5

Application and appeal of Edgar Poj Guare for the following variances located at 803 9th St. SE. The property is located in a R-3 Single Family Residential District.

- A) 11 inch side yard setback variance from Section 25-10.10 (2) (e) of the Zoning Ordinance.
- B) 2.91 foot side yard setback variance from Section 25-10.10 (2) (e) of the Zoning Ordinance.

Mr. Edgar Poj Guare presented this case to the Board. Mr. Poj Guare stated his name was Edgar Poj Guare and his address was 803 9th St SE.

Mr. Poj Guare stated he would like to use a nonconforming lot in order to build a new house.

Mr. Poj Guare stated in order to use the nonconforming lot to build the house he needs to get approval for the variances requested.

Chair Dean stated she understood that without the approval of the variances the new home would have to be very narrow, Mr. Poj Guare agreed and stated the home would have to be a two story house and would not look nice in that neighborhood.

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

There was a discussion about the existing house located on the lot. The home is condemned and is to be demolished. Mr. Poj Guare is wanting approvals for the new build so no delays will occur when the building begins.

Mr. Michael Maurer asked a question about the distance the new home would be from the existing fence if the house is replaced. Mr. Poj Guare replied that the house would be 5 foot one inch.

Mr. Michael Maurer asked how close the house is to the fence at this time. Mr. Poj Guare replied four foot. The house has been grandfathered as sitting on a non-conforming lot.

Chair Dean verified that the new house would be further away from the fence, Mr. Poj Guare agreed.

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

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

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

Mr. Michael Maurer motioned to approve this case as submitted. Mr. Chester Ayers seconded the motion. On a roll-call vote the motion carried.

CASE NO. 6

Application and appeal of Charlotte Dozier for a use permitted on appeal from Section 25-12.1 of the Zoning Ordinance in order to have a trailer court located at 135 Russell Rd, property is located in an AG-1 Agricultural District.

Ms. Charlotte Dozier presented this case to the Board. Ms. Dozier stated her name was Charlotte Dozier and her address was 135 Russell Rd SW. Ms. Dozier stated and her husband both owned the property.

Ms. Dozier stated they own a home at 137 Russell Rd SW and that neither property is located in a subdivision.

Ms. Dozier stated that their property line is the county line and there are no other homes in the area.

Ms. Dozier stated they were not wanting a trailer court as stated in the agenda but to place a single mobile home on the lot.

Ms. Dozier stated a power pole and a septic tank are already in place because, years ago a mobile home sat on the lot.

Chair Dean explained that a trailer court is a use permitted on appeal in an agricultural district so it would not affect the zoning if it is approved, that is something that is allowed in the current zoning.

Chair Dean asked for questions from the Board.

Mr. Brad Townsend asked Ms. Dozier if the mobile home to be placed on the lot had been selected, Ms. Dozier stated yes.

Ms. Dozier explained where the mobile home would be purchased.

Ms. Dozier stated the underpinning requirements are understood.

Ms. Dozier stated a singlewide home has been considered and asked if that was a possibility for them.

Ms. Dozier stated the requirements the city has described in the ordinance pertains to a double wide and not a singlewide and asked if the same requirements would still have to be met.

Mr. Bob Sims, Building Department, explained to the Board that the Building Department recommends that the RMH District guidelines be followed, however this Board could alter the guidelines as they saw fit in regards to this request.

Chair Dean verified that Ms. Dozier did not intend to place any other mobile homes on the property, Ms. Dozier agreed.

Mr. Bob Sims, Building Department, stated that the RMH guidelines state only one home per lot is allowed.

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

Mr. Bob Sims, Building Department, asked Ms. Dozier to show on the map exactly where the mobile home would be placed.

Ms. Dozier pointed on the map where her home is located and where the mobile home will be located.

Mr. Bob Sims, Building Department, verified that there would only be one home per parcel, Ms. Dozier agreed.

Mr. Lee Terry, Planning Department, reiterated that the Board could put a condition on the request that the RMH guidelines be followed with that the exception the minimum width requirements did not have to be met.

Mr. Brad Townsend motioned to approve this case with the condition that the RMH guidelines are met with the exception that a single wide mobile home can be placed on the one parcel. Mr. Mark McCurry seconded the motion. On a roll-call vote the motion carried.

Meeting adjourned at 4:40

Delayne Dean, Chair

AGENDA

March 2023

The Board of Zoning Adjustment of the City of Decatur will hold a public meeting in the COUNCIL CHAMBERS ON THE FIRST FLOOR OF City Hall, 402 Lee Street NE, on Tuesday, March 28, 2023 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. Submit questions via email at bozaquestions@decatur-al.gov.

CASE NO. 1

Application and appeal of Cassandra D. Tatum for a determination as a use permitted on appeal as allowed in Section 25-95 and as defined in Article IV, as amended and adopted, of the Zoning Ordinance in order to operate a Group Day Care Facility operating from 8:00 a.m. to 5:00 p.m. located at 1911 7th St SE. The property is located in a R-3 Single-Family Residential Zoning District.

CASE NO. 2

Application and appeal of Habitat for Humanity of Morgan County for a 1.72 foot front yard setback variance from Section 25-10.3 (2) (d) of the Zoning Ordinance after the initial placement of a porch has encroached into the setback, located at 408 Fairmont Court SW. The property is located in a R-5 Single Family Residential District.

CASE NO. 3

Application and appeal of Decatur Family Eye Care, LLC (Jonathan Davis) for a 15 foot setback variance from Section 25-77 (e) (3) in order to place a sign located at 2026 6th Av SE. The property is located in a B-2 General Business District.

CASE NO. 4

Application and appeal of Michael A. Burnett II or Kristin H. Burnett for a 20 foot rear yard setback variance from Section 25-10.8 (2) (d) in order to extend the house toward the rear lot line located at 2307 Horsetree Place SE. The property is located in a R-1 Single-Family Residential District.

CASE NO. 5

Application and appeal of Encore Rehabilitation, Inc. for a 72 square foot area variance from Section 25-77 (c)(3) and a 25 foot setback variance from Section 25-78 in order to install a sign located at 251 Johnston St SE. The property is located in a B-5 Central Business District.

① \$50.00 App. Fee March 28, 2023 @ 4:00pm
1st Floor Council Chambers



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

APPLICANT:	Cassandra D. Tatum
MAILING ADDR:	1911 7 th St. SE
CITY STATE ZIP:	Decatur, AL 35601
PHONE:	256-606-1994
PROPERTY OWNER:	Cassandra D. Tatum
OWNER ADDR:	1911 7 th St. SE
CITY STATE ZIP:	Decatur, AL 35601
OWNER PHONE:	256-606-1994

☒ ADDRESS OF APPEAL: 1911 7th St. SE

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

- ☒ DAY CARE (6 OR LESS) ☐ NIGHTTIME HOME CARE (6 OR LESS)
☐ GROUP DAY CARE (7 TO 12) ☐ GROUP NIGHTTIME CARE (7 TO 12 CHILDREN)

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

Hrs: 8a-5p

Parking is available; Fenced in yard with
play equipment, no dog, no pool

<u>C. Tatum</u> APPLICANT SIGNATURE <u>Cassandra D. Tatum</u> PRINT NAME DATE: <u>2/16/23</u>	OFFICE USE ONLY REVIEWED BY: _____ HEARING DATE: <u>2</u> ZONING DISTRICT: <u>R-3</u> APPROVED/DISAPPROVED: _____
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The Board of Zoning Adjustment meets the last Tuesday of each month at 4:00 PM in the Council Chambers on first floor of City Hall. Applications must be filed by the 10 of the month to be heard on the last Tuesday. Applicants MUST be present in order for the case to be heard. Request a copy of this application.

CASE NO. 1 1911 7TH STREET SE

2



402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Habitat for Humanity of Morgan County
MAILING ADDR: 1125 Central Pkwy
CITY, STATE, ZIP: Decatur AL 35601
PHONE: 256-340-9609

PROPERTY OWNER: Habitat for Humanity
OWNER ADDR: 1123 Central Pkwy
CITY, STATE, ZIP: Decatur AL 35603 PHONE: 256-340-9609

ADDRESS FOR APPEAL: 408 Fairmont Court SW

NATURE OF APPEAL:

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

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

For the case to be heard*****

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

Size of porch was increased after initial placement of house
causing a 1.72 foot intrusion onto setback
See attached survey.

Applicant Name (print) <u>Marlon Morris</u>	If applicant is using a representative for the request both signatures are required	Office Use Received By: _____
Signature <u>Marlon Morris</u>		Zone <u>R-5</u>
Representative Name (print) _____		Hearing Date <u>March 28th 2023</u>
Signature _____		Approved/Disapproved _____
Date _____		

CASE NO. 2 408 FAIRMONT COURT SW



SURVEY

STATE OF ALABAMA)
COUNTY OF MORGAN)

I, Richard W. Humphrey, 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, to-wit:

LOT 9 ACCORDING TO THE MAP OF SURVEY OF DENVER PLACE PHASE II
RECORDED IN PLAT BOOK 2018 AT PAGE 7 IN THE OFFICE OF THE JUDGE OF
PROBATE, MORGAN COUNTY, ALABAMA

That the building under construction on said lot is shown on the above plat; that there are no encroachments by buildings on adjoining property; that there are no rights of ways, easements, or joint driveways over or across said lot visible on the surface except as shown on the plat, and the street address is 408 Fairmont Court SW, Decatur, AL 35603.

And I further certify (or 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 16th day of February, 2023.



Richard W. Humphrey, PE/PLS
Ala. Reg. No. 22738

③



402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Decatur Family Eye Care LLC (Jonathan Davis)
 MAILING ADDR: 1313 13th Ave SE
 CITY, STATE, ZIP: Decatur, AL 35601
 PHONE: 256-353-1787

PROPERTY OWNER: Matthew 6:22 Properties LLC (Jonathan Davis)
 OWNER ADDR: 2806 Dorchester Dr. SE
 CITY, STATE, ZIP: Decatur, AL 35601 PHONE: 662-571-1654

ADDRESS FOR APPEAL: 2026 6th Ave SE, Decatur, AL 35601

NATURE OF APPEAL:

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

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

For the case to be heard*****

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

Appeal to request a 15ft setback variance to allow for a single occupied property sign; Hardship: if 15ft setback is enforced, sign would either block adjacent business' sign or be located in a driveway; Due to nature of US 31 ROW, there will still be a large setback from highway if variance is approved; Optometry clinic - relocating and improving a medical office which has been vacant for 5+ years

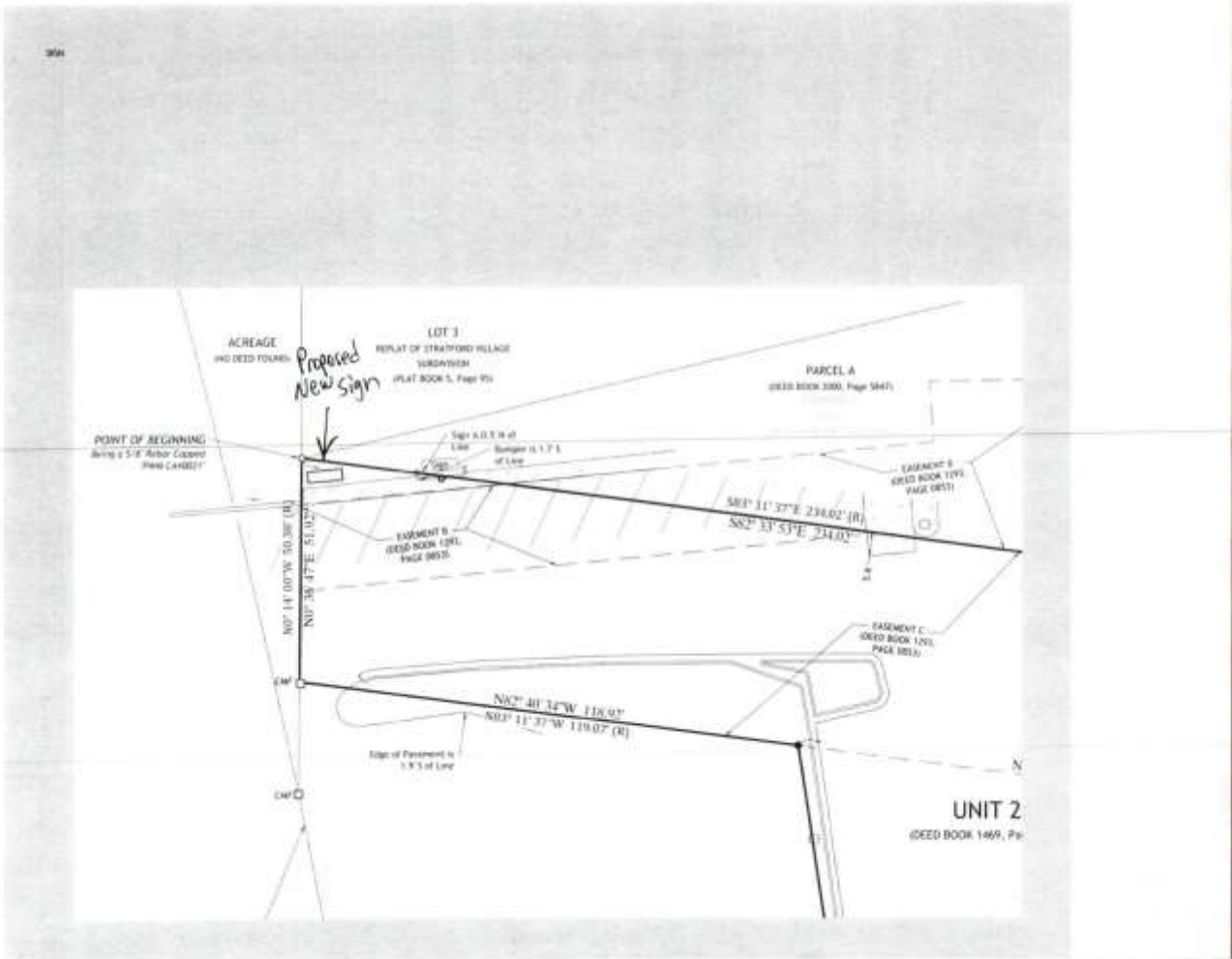
Sign Dimensions: less than 15ft high, less than 80 sq ft each side (monument sign)

Applicant Name (print) <u>Jonathan Davis</u>	If applicant is using a	Office Use Received By:
Signature <u>Jonathan Davis</u>	representative for the	Zone <u>B-2</u>
Representative Name (print) <u>Jonathan Davis</u>	request both signatures	Hearing Date
Signature <u>Jonathan Davis</u>	are required	Approved Disapproved
Date <u>3-9-23</u>		

CASE NO. 3 2026 6TH AVENUE SE



SURVEY



SURVEY PAGE. 2



IMAGE

4



402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Michael A. Burnett II or Kristin H Burnett
MAILING ADDR: 2307 Horsetree Place SE
CITY, STATE, ZIP: Decatur, AL 35601
PHONE: _____

PROPERTY OWNER: Michael A. Burnett II or Kristin H Burnett
OWNER ADDR: 2307 Horsetree Place SE
CITY, STATE, ZIP: Decatur, AL 35601 PHONE: _____

ADDRESS FOR APPEAL: 2307 Horsetree Place 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)

Rear of house was damaged in recent storms. During the repairs, owner wants to extend house toward the rear lot line approx. 15 feet. This will require a 20-ft rear setback variance along the middle 75 feet of the rear of the lot. The house was originally built with a larger than required front yard which limited space in the rear yard. The lot backs up to undeveloped TVA property.

Applicant Name (print) Kristin H Burnett
Signature [Signature]
Representative Name (print) Peyton Morris
Signature _____
Date _____

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

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

CASE NO. 4 2307 HORSETREE PLACE SE



402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Encove Rehabilitation, Inc.
MAILING ADDR: 251 Johnston St
CITY, STATE, ZIP: Decatur, AL 35601
PHONE: 256-612-9163

PROPERTY OWNER: Henderson Plash Properties, LLC
OWNER ADDR: 251 Johnston St
CITY, STATE, ZIP: Decatur, AL 35601 PHONE: 256-612-9163

ADDRESS FOR APPEAL: 251 Johnston 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)

Setback Variance - only have 20' from road to work with.

Sign Variance - we have over 40,000 sq ft with S-7
companies working out of this building. Need
adequate signage for tenants

Applicant Name (print) Jonathan Henderson
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-5
Hearing Date _____
Approved/Disapproved _____

March 13 2023: TX 9163
14 : TX 9163

Chapter 25, Article III; 25-77(6); 25-78

CASE NO. 5 251 JOHNSTON STREET SE



DIAGRAM



PICTURE