

BOARD OF ZONING ADJUSTMENT

June 27, 2023

Pre-meeting – 3:30 p.m. (7th Floor)

Meeting – 4:00 p.m. (Council Chambers)

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Minutes May 2023

MEMBERS PRESENT: Delayne Dean, Mr. Brad Townson, Mr. Chester Ayers,
Rev. George Allen

SUPERNUMERARIES: None present

COPIED TO: Mr. J. Michael Maurer, Mr. Mark McCurry

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

Chair, Delayne Dean called the meeting to order at 4:07 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 February 2023 meeting were approved with corrections made. Also, the minutes from March 2023 was approved. Mr. Brad Townson motioned to approve the minutes. Mr. Chester Ayers seconded the motion. On a voice vote, the motion carried. There were no minutes for April 2023.

CASE NO. 1

Application and appeal of S & S Liquor for a 9 inch height variance from Section 25-77 (e) (3) in order to install a sign located at 1315 6th Av SE. The property is located in a R-D Redevelopment District.

Mr. Michael Rogers presented this case to the Board. Representing Singi Reddy who is doing business as A & S Liquors located at 1315 6th Av SE.

Mr. Rogers stated a request for a variance of 9 inches for the height of an existing sign, which was installed in the year 2005, was installed 9 inches higher than it should have been at a height of 22.9 feet.

Mr. Rogers stated it would cost several thousand dollars to lower the sign 9 inches and still be able to use the sign.

Mr. Rogers stated the sign has a 23-foot setback.

Mr. Rogers stated the sign is 10 inches below the top edge of the brick on one side.

Mr. Rogers stated the scope of the work is to remove the lettering, clean it and re-letter and replace the sign face.

Chair Dean asked for any 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. Brad Townsend motioned to approve this case as submitted. Rev. George Allen seconded the motion. On a roll-call vote the motion carried with an unanimous vote.

CASE NO. 2

Application and appeal of Alicia Hicks for a determination as a use permitted on appeal as allowed in Section 25-95 and defined in Article IV, as amended and adopted, of the Zoning Ordinance in order to operate a Group Day Care Facility operating from 5:00 a.m. to 5:00 p.m. located at 1115 Betty St SW. The property is located in a R-2 Single Family Residential Zoning District.

Ms. Alicia Hicks presented this case to the Board. Ms. Hicks stated her name was Alcia Hicks and her address was 1115 Betty St. SW. Ms. Hicks stated she would like to have an in home daycare operating from 5:00 a.m. until 5:30 p.m.

Chair Dean asked Ms. Hicks to amend her application showing she is requesting a Group Daycare and a Daycare because of the hours she will be operational.

Ms. Hicks understood and amended the application.

Chair Dean explained to Ms. Hicks that the definition of a daycare states only 6 children are allowed from the hours of 5:00 a.m. until 2:00 p.m. and after 2:00 p.m. to 7:00 p.m. 12 children are allowed.

Chair Dean verified that Ms. Hicks understood these rules and Ms. Hicks agreed in the affirmative.

Chair Dean asked for questions from the Board.

Mr. Brad Townsend asked Ms. Hicks if she already had clients and how many, if so.

Ms. Hicks stated she had three clients already lined up.

Mr. Brad Townsend asked if any of the children were coming from Austin Middle School. Ms. Hicks replied yes and that they were younger students.

Mr. Brad Townsend stated he had looked at photos on-line and that the driveway at her residence seemed wide and parking two cars should not be a problem, Ms. Hicks agreed.

Mr. Brad Townsend stated to Ms. Hicks, he was verifying that there would be enough space to drop the children off and to pick them the children up. Ms. Hick understood.

Chair Dean stated that emails had been received from neighbors on the street who are concerned that the rezoning was taking place.

Chair Dean explained that the approval is strictly for Ms. Hicks and not for the residence. In the event Ms. Hicks was to move, a business could not operate from the residence without getting approval from the Board of Zoning Adjustment.

Chair Dean stated the emails also stated concerns about Betty Street and the amount of traffic that traveled on that street.

Chair Dean stated to Ms. Hicks to reiterate to her clients to be careful when pulling in and out of the driveway.

Mr. Brad Townsend asked Ms. Hicks if she would have any employees. Ms. Hicks stated she would have one employee.

Chair Dean verified with Me. Bob Sims, Building Department, if having an employee was allowable.

Mr. Bob Sims, Building Department, stated it was allowable because she has to have backup for a daycare.

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. Chester Ayers motioned to approve this case as submitted. Rev. George Allen seconded the motion. On a roll-call vote the motion carried with an unanimous vote.

Meeting adjourned at 4:17p.m.

Delayne Dean, Chair

AGENDA

June 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, June 27, 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 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.

CASE NO. 2

Application and appeal of O'Reilly Automotive Stores, Inc. for a 15 foot setback variance and a 10 foot height variance from Section 25-77 (e) (3) in order to relocate the existing pole sign which has been repeatedly hit by motorists when entering and existing the drive lane located at the North end of the lot. The property is located at 1109 6th Ave SE, in a B-2 General Business Zoning District.

CASE NO. 3

Application and appeal of Frances Tate, Ceota Nonprofit, for a 12 foot rear setback from Section 25.10.10 (2) (d) and an 8 foot side yard setback from Section 25-14 in order to place the home of Judge Horton in old Decatur as part of a museum, located at 212 Church St. NW. The property is located in a R-3 Single Family Zoning Residential Zoning District.

CASE NO. 4

Application and appeal of DH Morris Development, LLC for a 1000 square foot area variance from Section 25-10.11 (2) (a) in order to build three townhomes on parcel # 03-04-19-1-028-001.000. The property is located in a R-4 Multifamily Residential Zoning District.

CASE NO. 5

Application and appeal of K.L. Enterprises, for a use permitted on appeal, from Section 25-12 in order to build an apartment complex located at 2409 Beltline Rd. SW. This request is conditional that the property is approved to be rezoned to an R-4 Multifamily Residential Zoning District.

CASE NO. 6

Application and appeal of Murphy Oil USA, Inc. for the following variances:

- Allow placement of the canopy in the 35 foot setback from Section 25-6.
- Allow a variance from the dumpster and accessory setback requirement from Section 25-163.
- Allow a variance from the off-street parking requirement and allow the use of Wal-Mart/Murphy parking agreement.

The property is located at 2800 E Spring Av. SW in a M-1A Expressway Commercial District.

0



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)

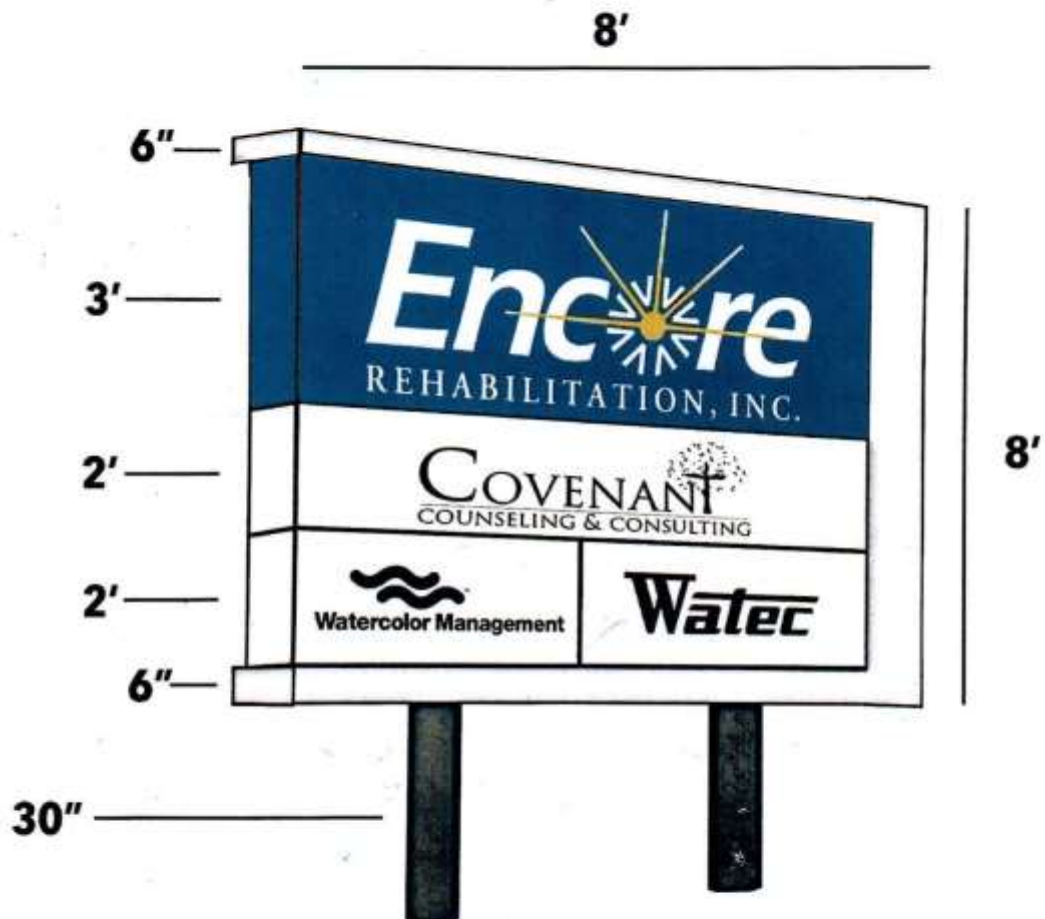
-Resubmitting application with survey and only asking
for a setback variance. Sign has been modified
to meet code.

Applicant Name (print) <u>Jonathan Henderson</u>	If applicant is using a	Office Use Received By: <u>[Signature]</u>
Signature <u>[Signature]</u>	representative for the	Zone <u>B-5</u>
Representative Name (print) _____	request both signatures	Hearing Date <u>June 27</u>
Signature _____	are required	Approved/Disapproved _____
Date _____		

21' variance request

Section 25-7B Setback Requirements

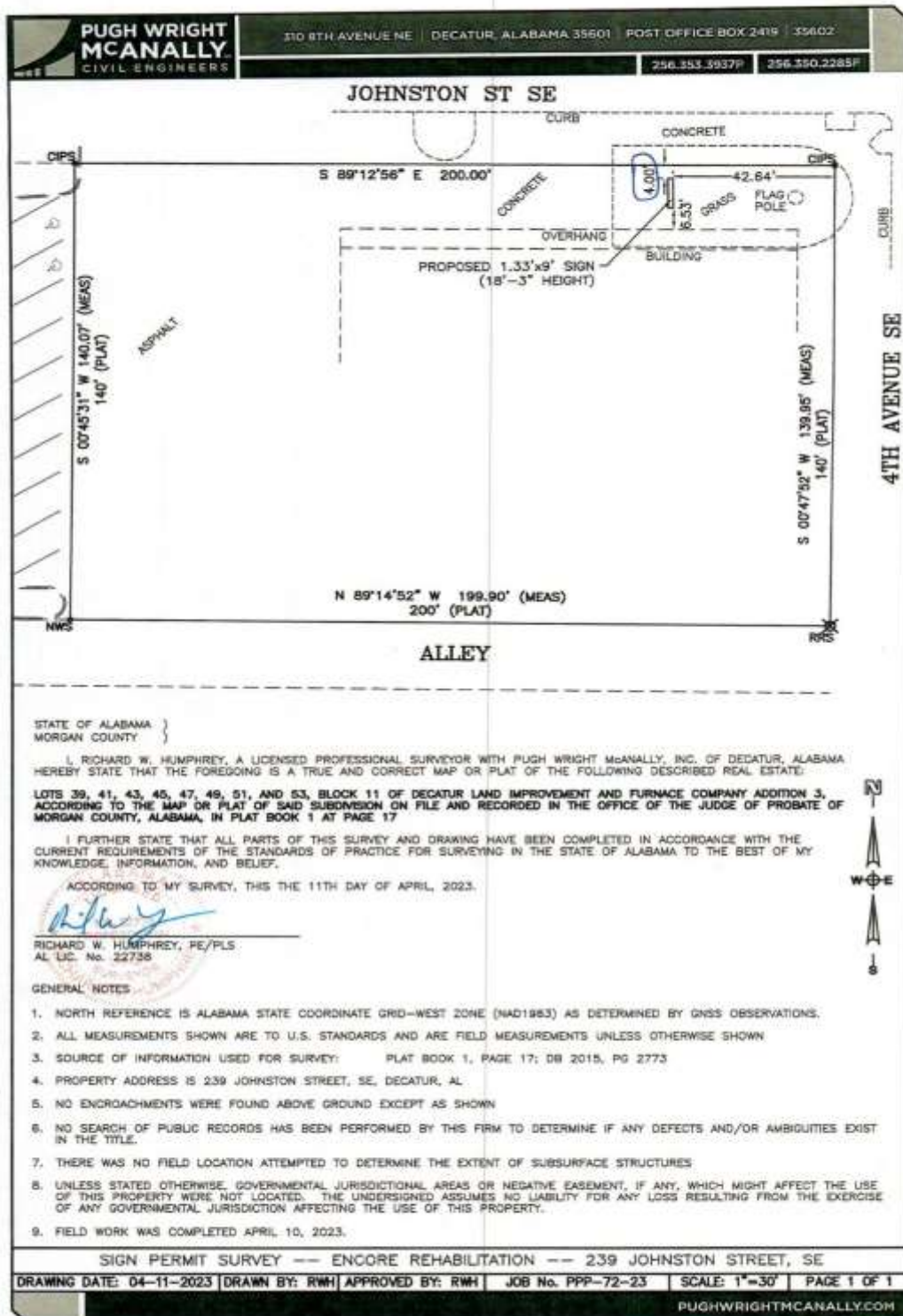
CASE NO. 1 251 JOHNSTON ST SE



PICTURE



PICTURE



SURVEY

2



402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: TRAV-AD SIGNS
MAILING ADDR: 58 Shields Rd
CITY, STATE, ZIP: Huntsville, AL 35811
PHONE: 256-536-4232

PROPERTY OWNER: O'Reilly Automotive Stores INC
OWNER ADDR: 233 South Patterson Ave
CITY, STATE, ZIP: Springfield MO 65802 PHONE: 417-829-5883

ADDRESS FOR APPEAL: 1109 6th Ave 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)

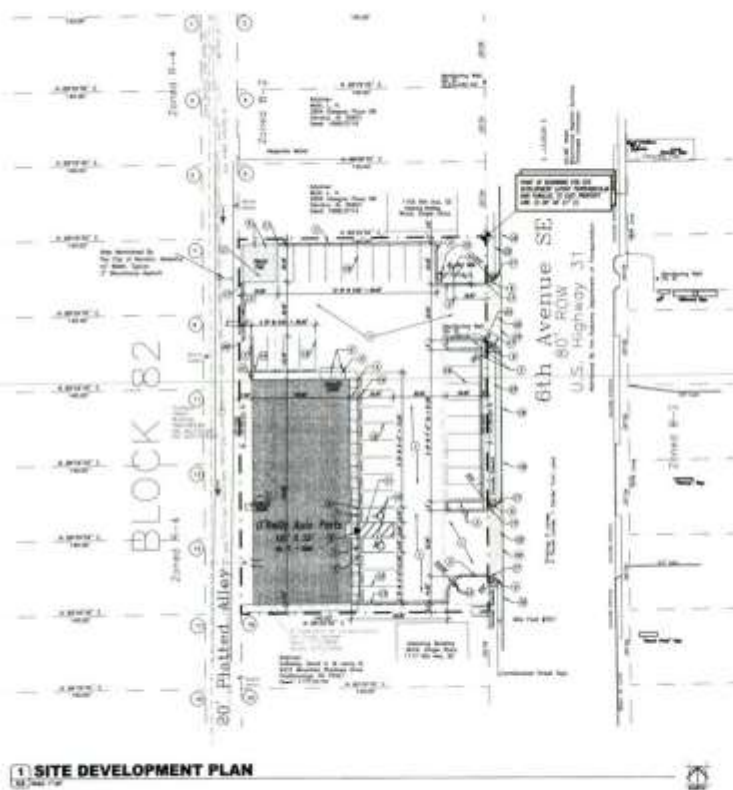
Our pole sign has been repeatedly hit by motorists entering and existing the drive lane on the North end of the lot.
We request a variance to raise this sign to 25' over all height and to keep it at it's current setback. We do not want change the square footage of the current cabinet which is 80 square feet.

Applicant Name (print) TRAV-AD SIGNS
Signature _____
Representative Name (print) MARKS HARRIS
Signature [Signature]
Date 6-9-23

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

Office Use Received By: [Signature]
Zone B-2
Hearing Date June 27, 2023
Approved/Disapproved _____

CASE NO. 2 1109 6TH AV SE



GENERAL NOTES:

KEY NOTES:

[illegible]



C2

2 1/2" x 5" ORBITAL

Reilly

222 EUN STREET
 NEW BRITAIN, CT 06053
 PHONE (203) 666-1100

NEW AUTO PARTS

1987-1995 AUTO PARTS FORGE
 1157-1115 4TH AVE. NORTH
 DECATUR, ALABAMA

A/E

ADDITION ENGINEERING, INC.
 1000 N. W. 10TH AVE., SUITE 200
 MIAMI, FL 33136
 PHONE (305) 441-1110

NEW ENVIRONMENT PLAN





402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT:	CEOTA NONPROFIT (FRANCES TATE)
MAILING ADDR:	PO BOX 802
CITY, STATE, ZIP:	DECATUR, AL 35602
PHONE:	256-353-7805

PROPERTY OWNER:	CEOTA NONPROFIT
OWNER ADDR:	PO BOX 802
CITY, STATE, ZIP:	DECATUR, AL 35602
PHONE:	256-353-7805

ADDRESS FOR APPEAL:	212 CHURCH STREET, NW
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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**

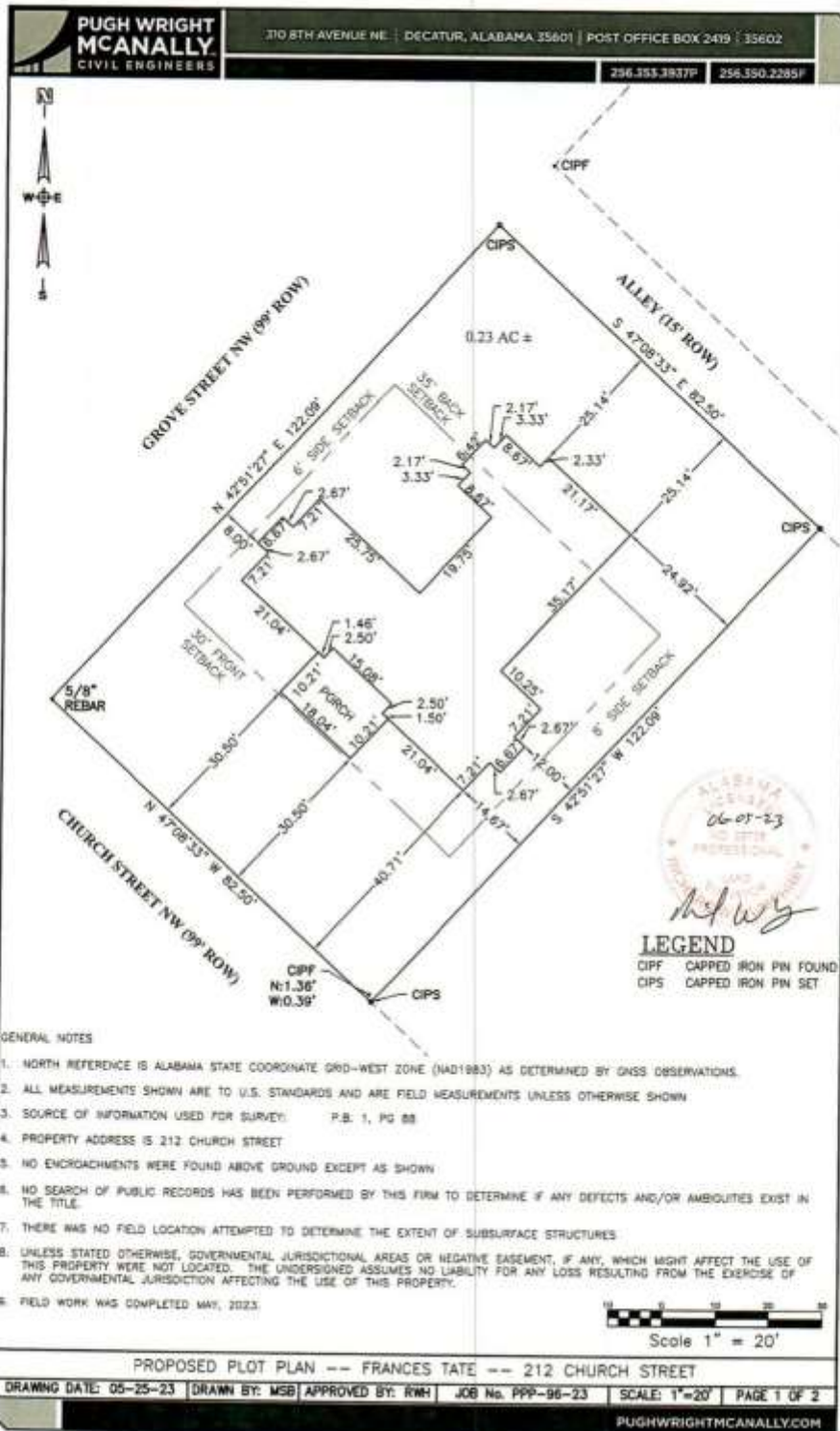
For the case to be heard*****

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

CEOTA IS WORKING WITH THE CITY TO ESTABLISH A CIVIL RIGHTS MUSEUM FOCUSING ON THE TRIAL OF SCOTTSBORO BOYS. THE HOME OF JUDGE HORTON IS BEING MOVED TO THE SITE AS PART OF THE MUSEUM IN OLD TOWN DECATUR. THE PLACEMENT OF THE HOME IN OLD TOWN DECATUR WILL REQUIRE A REAR YARD SETBACK VARIANCE OF 12 FEET (LEAVING A SETBACK OF 23 FEET) FROM AN EXISTING ALLEY RIGHT-OF-WAY. WE ALSO REQUEST A SETBACK VARIANCE ALONG GROVE STREET, NW OF 23 FEET (LEAVING A SETBACK OF 7 FEET) DUE TO THE EXCESSIVELY WIDE RIGHT-OF-WAY (99')

Applicant Name (print)	FRANCES TATE	If applicant is using a representative for the request both signatures are required	Office Use Received By: <i>JB</i>
Signature			Zone <i>R-3</i>
Representative Name (print)			Hearing Date <i>6-27-23</i>
Signature			Approved/Disapproved
Date	JUNE 9, 2023		

CASE NO. 3 212 CHURCH ST NW



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, situated within Section 18, Township 5 South, Range 4 West, Decatur, Morgan County, Alabama, and more particularly described as follows, to-wit:

BEGIN AT A 5/8 INCH REBAR AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY MARGIN OF GROVE STREET NW (99' ROW) AND THE NORTHERLY RIGHT-OF-WAY MARGIN OF CHURCH STREET (99' ROW); AND THE TRUE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE FROM THE TRUE POINT OF BEGINNING NORTH 42 DEGREES 51 MINUTES 27 SECONDS EAST (ALABAMA STATE PLANE - GRID BEARING [NAD83]) ALONG THE EASTERLY RIGHT-OF-WAY MARGIN OF GROVE STREET NW A DISTANCE OF 122.09 FEET TO A CAPPED IRON PIN (STAMPED "PWM AL/CA0021/LS") ON THE SOUTHERLY RIGHT-OF-WAY MARGIN OF AN ALLEY (15' ROW); THENCE SOUTH 47 DEGREES 08 MINUTES 33 SECONDS EAST ALONG THE SOUTHERLY RIGHT-OF-WAY MARGIN OF AN ALLEY A DISTANCE OF 82.50 FEET TO A CAPPED IRON PIN (STAMPED "PWM AL/CA0021/LS"); THENCE SOUTH 42 DEGREES 51 MINUTES 27 SECONDS WEST A DISTANCE OF 128.00 FEET TO A CAPPED IRON PIN (STAMPED "PWM AL/CA0021/LS") ON THE NORTHERLY RIGHT-OF-WAY MARGIN OF CHURCH STREET NW (99' ROW); THENCE NORTH 47 DEGREES 08 MINUTES 33 SECONDS WEST ALONG THE NORTHERLY RIGHT-OF-WAY MARGIN OF CHURCH STREET NW A DISTANCE OF 82.50 FEET TO THE TRUE POINT OF BEGINNING, LYING AND BEING WITHIN SECTION 18, TOWNSHIP 5 SOUTH, RANGE 4 WEST, DECATUR, MORGAN COUNTY, ALABAMA, AND CONTAINING 0.23 ACRES, MORE OR LESS.

That building to be constructed 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 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 25TH day of May, 2023.


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

PWM Job No. PPP-66-23
Page 1 of 2

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402 Lee St NE 1st Floor Council Chamber Board of Zoning Adjustment

APPLICANT: Debra DH Morris Development, LLC
MAILING ADDR: 5577 Indian Hills Rd. SE
CITY, STATE, ZIP: Decatur, AL 35603
PHONE: 256-227-7489

PROPERTY OWNER: DH Morris Development, LLC
OWNER ADDR: 5577 Indian Hills Rd SE
CITY, STATE, ZIP: Decatur, AL 35603 PHONE: 256-227-7489

ADDRESS FOR APPEAL: Lot on Corner of 4th and Prospect.

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)

Currently zoned R-4, but square footage only allows for two units. Asking for a 1000 SF Variance to build 3 townhomes.

Applicant Name (print) <u>DH Morris Development, LLC</u>	If applicant is using a	Office Use Received By: <u>CC</u>
Signature <u>[Signature]</u>	representative for the	Zone <u>R-4</u>
Representative Name (print) <u>Peyton Morris</u>	request both signatures	Hearing Date <u>4/27/23</u>
Signature <u>[Signature]</u>	are required	Approved/Disapproved
Date <u>6/9/2023</u>		

5



402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: K.L. ENTERPRISES, INC.

MAILING ADDR: 26741 PORTOLA PKWY IE-696

CITY, STATE, ZIP: FOOTHILL RANCH, CA. 92610

PHONE: 714 928 8812

PROPERTY OWNER: MITCHELL VENTURES, LLC.

OWNER ADDR: 898 ROCK STREET SE

CITY, STATE, ZIP: HARTSELLE ALABAMA 35640 PHONE: _____

ADDRESS FOR APPEAL: 2409 Beltline Rd 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, HARSHIP, TYPE OF BUSINESS)

R-4 Use as Appeal in M-LA Zoning District
Conditional on approval of Zoning and Amendment Petition
Also conditional on ownership change
Apartment Complex In order to build an

Applicant Name (print) KEN LIEM

Signature [Signature]

Representative Name (print) Doug McLough

Signature _____

Date _____

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

Office Use Received By _____

Zone _____

Hearing Date _____

Approved/Disapproved _____

CASE NO. 5 2409 BELTLINE RD.

6



Board of Zoning Adjustment

APPLICANT: Murphy Oil USA, Inc. C/O Gaven Ballinger
MAILING ADDR: 200 Peach Street
CITY, STATE, ZIP: El Dorado, Arkansas, 71730
PHONE: 870-866-7176

PROPERTY OWNER: Murphy Oil USA, Inc. C/O Gaven Ballinger
OWNER ADDR: 200 Peach Street
CITY, STATE, ZIP: El Dorado, Arkansas, 71730 PHONE: 870-866-7176

ADDRESS FOR APPEAL: 2800 B Spring Ave SW Decatur, Alabama 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)

See Attached

Applicant Name (print) <u>Murphy Oil USA, Inc. C/O Gaven Ballinger</u>	If applicant is using a representative for the request both signatures are required	Office Use Received By: <u>LT</u>
Signature <u>Gaven Ballinger</u>		Zone _____
Representative Name (print) <u>Wesley Miller</u> (Engineer Consultant)		Hearing Date <u>6.27.23</u>
Signature <u>Wesley Miller</u>		Approved/Disapproved _____
Date <u>6.8.23</u>		

CASE NO. 6 2800 B SPRING AV SW

Murphy USA
2800 B Spring Ave SW
Decatur, Alabama 35601

Exhibit A - Variance Request

Murphy Oil USA, Inc. is requesting the following variances from the City of Decatur, Alabama Zoning Ordinance Chapter 25, Section 25-163 & Section 25-6.

Variance from Setback Requirement

(1). Murphy Oil USA, Inc. is requesting a variance from the Setback requirement, which requires a minimum setback of 35'. Due to this development being on a small parcel of land, there are no other feasible areas to place the fuel canopy and building as identified on the site plan. It is requested that a variance be granted to allow for the placement of the fuel canopy and building as shown on the enclosed site plan. The approval of this variance will help prevent potential traffic congestion and safety issues on this development site.

Variance from Dumpster Setbacks

(2). Murphy Oil USA, Inc. is requesting a variance from the dumpster setback. Murphy is asking to allow the placement of the dumpster in the building setback. Due to this development being on a small parcel of land, there are no other feasible areas to place the dumpster as identified on the site plan. It is requested that a variance be granted to allow for the placement of the dumpster as shown on the enclosed site plan. If this variance is granted there will be no adverse impact on current or future development and will have no adverse impact on public health, safety, and general public welfare.

Variance from Parking Requirements

(3). Murphy Oil USA, Inc. is requesting a variance from the off-street parking requirements which state the parking requirements are 1 space per 250 s.f. of gross floor area. Due to this development being on a small parcel of land, there are no other feasible areas to place the required amount of parking spaces. Murphy has a parking agreement with Wal-Mart that allows Murphy's customers and employees to utilize the Wal-Mart parking area. This parking agreement with Wal-Mart is typically acceptable in other jurisdictions. Additionally, we have 12 "parking spaces" at fuel pumps for our customers. It is requested that a variance be granted to allow for the Wal-Mart/Murphy parking agreement to be approved. If this variance is granted there will be no adverse impact on current or future development and will have no adverse impact on the public health, safety, and general public welfare.

VARIANCE REQUEST

June 8, 2023



**PAN AMERICAN
ENGINEERS, LLC**

Consulting Professional
Engineers and Land Surveyors

Board of Zoning Adjustments
402 Lee Street NE
4th Floor
Decatur, Alabama 35602

Attention: Building Department
256-341-4573

Re: **Murphy USA
Variance Request**
2800 B Spring Ave SW
Decatur, Alabama
PAE Job No. 12543

We are submitting the enclosed Variance Application Form for the proposed Murphy USA fueling station located at 2800 B Spring Ave SW Decatur, Alabama 35603.

The proposed construction involves the demolition of the existing Murphy USA kiosk, fuel islands, underground tanks, overhead canopy, pavement, and associated infrastructure and the construction of a new 1,400 s.f. Murphy USA building with six (6) fuel islands under the canopy and associated infrastructure.

The following variances are being requested:

- (1). Allow placement of the canopy in the 35' setback. (Section 25-6).
- (2). Allow a variance from the dumpster & accessory setback requirement. (Section 25-163).
- (3). Allow a variance from the off-street parking requirement and allow the use of Wal-Mart/Murphy parking agreement.

The granting of this variance will not have a negative impact on the neighborhood or cause a public safety issue. This development is on a small parcel of land, and there is no other feasible area for parking, dumpster, fuel canopy, building to be placed as identified on the site plan. Additional property is not available from the neighboring properties. The granting of this variance will allow the customer traffic and fuel trucks to safely navigate through the proposed Murphy USA site without congestion or safety issues.

Enclosed herewith are the following:

- Board of Zoning Adjustment
- Exhibit "A" Variance Request
- Scaled Site Plan 5 copies.
- PAE check No. 23303 in the amount of \$50 for the filing Fee.

(Continued)

1717 Jackson Street • P.O. Box 8599 • Alexandria, LA 71306
318-473-2100 FAX: 318-473-2275 • www.paealex.com

LETTER

June 8, 2023

Re: Murphy USA
Variance Request
2800 B Spring Ave SW
Decatur, Alabama
PAE Job No. 12543

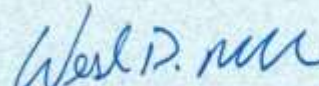
Page 2

Please place the request on the agenda for the June 27, 2023 Zoning Board of Adjustment Meeting.

If you have any questions, please contact our office for assistance.

Yours very truly,

PAN AMERICAN ENGINEERS, LLC.


Wesley D. Miller P.E.

WDM/rlv
Enclosures

LETTER PG 2

