



## **Board of Zoning Adjustment**

**DATE: August 29, 2023**

**TO: Board of Zoning and Adjustments: Delayne Dean,  
Chair, Brad Townsend, Chester Ayers, George Allen, Michael  
Maurer, and Mark McCurry**

### **BOARD OF ZONING ADJUSTMENT**

**August 29, 2023**

**Pre-meeting – 3:30 p.m. (7<sup>th</sup> Floor)**

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

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## **Minutes July 2023**

**MEMBERS PRESENT:** Delayne Dean, Mr. Brad Townson, Mr. Chester Ayers,

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

**COPIED TO:** Mr. George Allen

**OTHERS PRESENT:** Mrs. Ruth Priest, Asst. City Attorney  
Mr. Tommie Williams, Planning Department  
Mr. Bob Sims, Building Inspector  
Mrs. Nancy Whiteside. Recorder

Chair, Delayne Dean called the meeting to order at 4:0 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 June 2023 meeting were approved Mr. Chester Ayers motioned to approve the minutes. Mr. Brad Townson seconded the motion. On a voice vote, the motion carried.

### **CASE NO. 1**

Application and appeal of K.L. Enterprises, for a use permitted on appeal, from Section 25-12 of the Zoning Ordinance 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.

Mr. Douglas McCullough presented this case to the Board. Mr. McCullough stated K.L Enterprises is wanting to have the zoning changed for the property located at 2409 Beltline Rd SW from a M-1A Expressway Commercial Zoning District to a R-4 Multifamily Zoning District in order to build a hotel.

Chair Dean stated to Mr. McCullogh that this Board cannot rezone property. That is the right of the city council but, this Board can approve the use, if the property is approved to be rezoned. Mr. McCullough understood.

Chair Dean stated to Mr. McCullogh that the property is contingent to annexation by the city council, but must be sub-divided by the county and be assigned a new zoning district to a M-1A by the Planning Department. Mr. McCullough understood.

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

There were no comments.

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

Mr. Tommie Williams, Planning Department, stated he approved the motion with the conditions that annexation by the city council is approved and, the property is sub-divided by the county and is assigned a new zoning district to a M-1A by the City Council.

Mr. Chester Ayers motioned to approve this case with the conditions that the property is sub-divided by the county, annexation is approved the city council and, assigned a new zoning district to a M-1A by the City Council. Mr. Mark McCurry seconded the motion. On a roll-call vote of 5-0 the motion carried.

## **CASE NO. 2**

Application and appeal of Davenport Family Dentistry and Decatur Family Eye Care for a variance to Sections 25-77(e) (4), 25-77 (e) (5), 25-76 (p), and 25-72 (7) to construct an off premise business center sign in a B-2 General Business District. These properties are located at 2020 Stratford Ct. SE and 2026 6<sup>th</sup> Ave. SE.

Dr. Paul Bishop presented this case to the Board. Dr. Bishop stated his name was Dr. Paul Bishop and his address is 2034 Stratford Court SE.

Jonathan Davis owner of Decatur Family Eye Care, Matthew 6:22 Properties also presented. Dr. Davis stated his business address was 2026 6<sup>th</sup> Avenue SE.

Dr. Bishop stated that he and Dr. Davis were requesting to have a 15 foot setback variance to place a joint sign which is presented in the paper work.

Dr. Bishop also stated there were questions about off premise signs and where the property line is located.

Dr. Bishop stated, based on where he and Dr. Davis see the property line that the line goes diagonally as opposed to perpendicular.

Dr. Bishop stated that the sign will sit on each of their properties and therefore the sign would not be an off premises sign.

Dr. Bishop stated the existing Davenport Family Dentistry sign would be taken down, cleaned up, the landscaping updating the look and put in the joint sign.

Ruth Priest, Asst. City Attorney, asked Dr. Davis to sign the application for the variance. Dr. Davenport was the only signer at the time the application was turned in to the office.

Chair Dean asked for questions from the Board.

Chair Dean asked about the hardship and why this request

Dr. Davenport replied if the sign is moved further from where he and Dr. Davis has proposed placing the sign, one of them would not be on their property.

Dr. Davenport stated Dr. Davis has previously been granted a zero setback variance and Dr. Davis' sign would be closer to 6<sup>th</sup> Avenue. Dr. Davis acknowledged this was correct.

Dr. Davenport stated a compromise was trying to be made by putting the signs together, as opposed to having two separate signs having different designs and descriptions.

Chair Dean asked if there was enough space on both properties for signage. Dr. Davenport replied yes.

Chair Dean asked for other questions from the Board.

Chair Dean asked for comments from the public.

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

Mr. Tommie Williams, Planning Department, had no comment.

Mrs. Ruth Priest, Legal Department, stated for the city, there needs to be provisions, in a legal document, stating contingencies, in case there is a disagreement over what may happen, if someone buys the property or there is some other type of ownership or receivership.

Mrs. Priest stated, there could be a lot of issues that arise that are not covered in the legal document which was turned in with the application packet.

Mrs. Priest stated there needed to be some type of a more formally drafted legal document. This document would need to be filed with the probate judge.

Chair Dean called for a motion.

Mr. Brad Townsend motioned and Mike Maurer seconded the motion. On a roll-call vote of 4-1 the motion carried. Chair Dean voted negative.

Chair Dean explained to the applicants the motion was approved.

Chair Dean stated, after the vote was complete, that the recommendation from the Legal Department, to obtain the legal agreement between Dr. Davenport and Dr. Davis needed to be followed.

Chair Dean stated that the statement included in the packet was not legally sufficient to cover the future. Dr. Davenport replied in the affirmative.

### **CASE NO. 3**

Application and appeal of Rodney and Cindy Darby, for a 8 foot setback variance from Section 25-10.3 (1) (e) (2) of the Zoning Ordinance in order to construct a residence at 3915 Palomino Dr. SW. This property is located in a R-5 Residential District.

Mr. Richard Humphry with Pugh, Wright, McAnally Inc. presented this case to the Board. Mr. Humphry stated his name was Richard Humphry and address was 310 8<sup>th</sup> Av NE Decatur.

Mr. Humphry stated he was representing the Mr. and Mrs. Darby.

Mr. Humphry stated the property at 3915 Palomino Dr. SW was plotted with a 28 foot setback and the request is to reduce the set-back to 20 feet in order to construct a new residence.

Mr. Humphry was asked by Chair Dean to amend the application to reflect an 8 foot setback variance. The application shows a 5 foot setback variance, Mr. Humphry made the correction.

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

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

Mr. Tommie Williams, Planning Department, had no comments.

Mr. Brad Townsend motioned to approve this case as submitted. Mr. Mike Maurer seconded the motion. On a roll-call vote of 5-0 the motion carried.

#### **CASE NO. 4**

Application and appeal of H.M. Nowlin for a 12 foot setback variance from Section 25-10.3 (1) (e) (2) and a variance from Section 25-10.3 (1) (b) of the Zoning Ordinance in order to build a new house and construct a driveway with a cut onto Castle Gate Blvd. SW located at 2201 Sorrento Pl. SW. This property is located in a R-5 Residential Zoning District.

Mr. H.M. Nowlin presented this case to the Board. Mr. Nowlin stated his office address is 118 East Moulton St. and his name is H.M. Nowlin.

Mr. Nowlin stated he was the owner and developer of Almon Place Subdivision.

Mr. Nowlin stated the lot located at 2201 Sorrento Place Lot 32 was platted in 2006 and the original phase was platted in 2001.

Mr. Nowlin stated this lot has a double front yard setback and narrows from front to back making it difficult to put a useable plan together to fit on the lot.

Mr. Nowlin stated the purchasers of the lot has drawn house plans to fit on this lot if a 12-foot side yard setback is approved.

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

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

Mr. Tommie Williams, Planning Department, stated that the driveway on Castlegate Boulevard would not change the aesthetics of the neighborhood since there are existing driveways on Castlegate Boulevard already.

Mr. Chester Ayers motioned to approve this case as submitted. Mr. Mike Maurer seconded the motion. On a roll-call vote of 5-0 the motion carried.

Chair asked for any new business. There was no new business.

Motion to adjourn by Mike Maurer. Everyone was in favor. Chair Dean adjourned the meeting.

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DeLayne Dean, Chair

Time of adjournment 4:13 p.m.

## **AGENDA August 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, August 30, 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. Questions may be submitted via email at [bozaquestions@decatur-al.gov](mailto:bozaquestions@decatur-al.gov).

### **CASE NO. 1**

Application and appeal of Teresa Satchel for a determination as allowed in Section 25-93(d) and as defined in Article IV, as amended and adopted, of the Zoning Ordinance in order to operate a Group Nighttime Care Facility operating The property is located at 514 13<sup>th</sup> Av. NW in a R-4 Multi-Family Residential District

### **CASE NO. 2**

Application and appeal of Electronic Express for a 104 square foot variance from Section 25-77(e) (2) in order to install a LED lit sign located at 303 Beltline Place SW. The property is located in a M-1A Expressway Commercial District.

### **CASE NO. 3**

Application and appeal of St. James Cumberland Presbyterian Church in America for a 10 foot setback variance from Section 25-78 (d) in order to install a LED lit sign located at 920 West Moulton St. The property is located in an ID Industrial District.

### **CASE NO. 4**

Application and appeal of Dayton L. Spain and Mary M. Spain for a 10 foot setback variance from Section 25-20 in order to build an accessory building located at 2302 Cumberland Ct. SW. The property is located in a R-2 Single Family Residential District.

### **CASE NO. 5**

Application and appeal of Luis Burgos for the following variances in order to build a new home.

- 19 foot setback variance from Section 25-10.10 (2) (c).
- 5 foot side yard setback variance from Section 25-10.10 (2) (e).

The property is located at 415 10<sup>th</sup> Av NW located in a R-3 Single Residential District.

\$50 App Fee



Aug. 29, 2023 @ 4:00 p.m.  
In the Council Chambers 1<sup>st</sup> Floor City Hall

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

APPLICANT:	Teresa Satchel
MAILING ADDR:	P.O. Box 5294 Decatur AL 35601
CITY STATE ZIP:	Decatur AL
PHONE:	(256) 227-5970
PROPERTY OWNER:	Mary Ann Reynolds
OWNER ADDR:	514 13 <sup>th</sup> Ave. NW Decatur AL 35601
CITY STATE ZIP:	Decatur AL 35601
OWNER PHONE:	(256) 221-8664

ADDRESS OF APPEAL: 514 13<sup>th</sup> Ave. NW Decatur AL 35601

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

<input type="checkbox"/> DAY CARE (6 OR LESS)	<input type="checkbox"/> NIGHTTIME HOME CARE (6 OR LESS)
<input type="checkbox"/> GROUP DAY CARE (7 TO 12)	<input checked="" type="checkbox"/> GROUP NIGHTTIME CARE (7 TO 12 CHILDREN)

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

Parking on gravel trail in front of house fence - yes, hours of operation 6am - 6pm  
pool - No  
dog - No no permanent playground equipment

<p>Teresa F. Satchel APPLICANT SIGNATURE</p> <p>Teresa F. Satchel PRINT NAME</p> <p>DATE: 7/20/23</p>	<p>OFFICE USE ONLY</p> <p>REVIEWED BY: _____</p> <p>HEARING DATE: _____</p> <p>ZONING DISTRICT: _____</p> <p>APPROVED/DISAPPROVED: _____</p>
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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 51413<sup>TH</sup> AVE. NW

402 Lee St NE 1<sup>st</sup> Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: ELECTRONIC EXPRESS

MAILING ADDR: 418 HARDING INDUSTRIAL DR.

CITY, STATE, ZIP: NASHVILLE, TN 37211

PHONE: (615) 497-4276

PROPERTY OWNER: Grand Express, LLC

OWNER ADDR: 418 HARDING INDUSTRIAL DR.

CITY, STATE, ZIP: NASHVILLE, TN 37211

PHONE: (615) 497-4276

ADDRESS FOR APPEAL: 303 BELTLINE PLACE 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)

INSTALL ONE 10' X 20' (200 SQ FT) LED LIGHTED "ELECTRONIC EXPRESS" BUILDING SIGN ON BUILDING FRONT ELEVATION. INSTALL ONE 18" X 64' (96 SQ FT) SET OF LED LIGHTED CHANNEL LETTERS ON BUILDING FRONT ELEVATION.

296 SQ FT OF TOTAL SIGNAGE FOR BUILDING FRONT ELEVATION

FRONT ELEVATION LENGTH: 146'

Since front of building is set back over 450' from Road

Applicant Name (print) Sam Yazdian

If applicant is using a

Office Use Received By: \_\_\_\_\_

Signature \_\_\_\_\_

representative for the

Zone \_\_\_\_\_

Representative Name (print) David Yazdian

request both signatures

Hearing Date \_\_\_\_\_

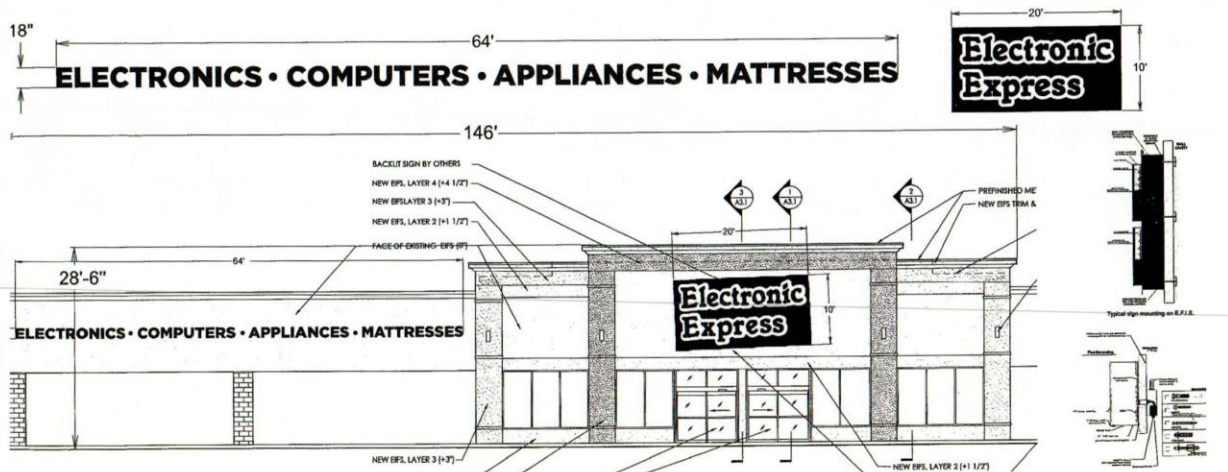
Signature \_\_\_\_\_

are required

Approved/Disapproved \_\_\_\_\_

Date \_\_\_\_\_

CASE NO. 2 303 BELTLINE PL SW



18" tall channel letters with 10' x 20' logo sign Drawing # J071123A

DIGRAM



## Sign Permit

Job Site Address: 303 BELTLINE PLACE SW DECATUR, AL 35603	
Applicant Name: ELECTRONIC EXPRESS	Property Owner: ELECTRONIC EXPRESS
Address: 303 BELTLINE PLACE SW	Email: david@electronicexpress.com
City, State, Zip: DECATUR, AL 35603	Phone#: (615) 497-4276
Company Name: ELECTRONIC EXPRESS	<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Contractor         Yes <input type="checkbox"/> No <input type="checkbox"/>

\*\*\*\*\* Attached and Detached signs are separate permits but this form can be used for both\*\*\*\*\*

Application to (circle): Erect New Change Faces Maintenance Altering

1. ATTACHED SIGN TYPES (circle all that apply): Wall Roof Marquee Awning Projecting  
 2. Number of signs: 2 (this sign type requires DRA approval in B-5)  
 3. List total square footage of each sign and dimensions: Total Square Footage of all signs: 296.00  
 List all sign types that are to remain and new signage:

1. 10' X 20' - 200 SQ FT
2. 18" X 64' - 96 SQ FT
3.
4.
5.
6.

4. Height of building that signage is or will be attached: 28' 6"  
 5. Distance sign will extend above roofline: NA  
 6. List the total linear footage of building frontage: 146'  
 7. Distance Marquee or Awning will extend from wall face: NA  
 8. Have plans for Awning been submitted to Building Dept. (circle): yes no  
 9. Will this sign be an LED type sign? (circle) yes no

Project Cost \$46523.00

INTERNALLY LIGHTED WITH LED'S

1. DETACHED SIGN TYPES (circle all that apply): Business Center Single business Directional Billboard

2. Number of signs

3. List all signs that are to remain and new signage:

Total sign height: Total Square Footage: Setback from property lines: Distance from other signs on lot:

1.			
2.			
3.			
4.			
5.			

4. List the total linear road frontage (in feet) that the signs are or will be located.

1.	2.	3.	4.
----	----	----	----

5. Will this be a LED type sign? (circle) yes no

Project Cost

**\*ALL NEW AND NONCONFORMING SIGNS REQUIRE A SURVEY**

**\*ALL NEW AND ALTERED DETACHED SIGNS MUST HAVE AN ENGINEERED STAMPED FOOTING DETAIL OR PROOF OF MEETING WINDLOAD REQUIREMENTS.**

**\* SIGNS THAT DO NOT HAVE EXISTING POWER WILL NEED AN ELECTRICAL PERMIT**

**\*A GRAPHICAL REPRESENTATION OF THE SIGN IS REQUIRED**

**\*\*Failure to obtain necessary inspections and approvals will result in sign permit being void and sign(s) erected pursuant thereto subject to removal\*\*\*\***

I hereby certify that I have read and examined this application and know the same to be true and correct. All the provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

Signature of Applicant: \_\_\_\_\_

Date 07/17/2023

Permit # \_\_\_\_\_

Initials \_\_\_\_\_

**SIGN PERMIT**

Meeting Date Aug 29, 2023 Paper work in my 10th \$50 App Fee



\* 402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: St. James Cumberland Presbyterian Church In America  
MAILING ADDR: 920 West Moulton St.  
CITY, STATE, ZIP: Decatur, AL 35601  
PHONE: 256-355-0827 / 256-466-0312 (Clerk, Leo Carroll)

PROPERTY OWNER: St. James Cumberland Presbyterian Church in America  
OWNER ADDR: 920 W. Moulton St.  
CITY, STATE, ZIP: Decatur, AL 35601 PHONE: 256-355-0827 / 256-466-0312 (Clerk)

ADDRESS FOR APPEAL: 920 West Moulton St

NATURE OF APPEAL:

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

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

For the case to be heard\*\*\*\*\*

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

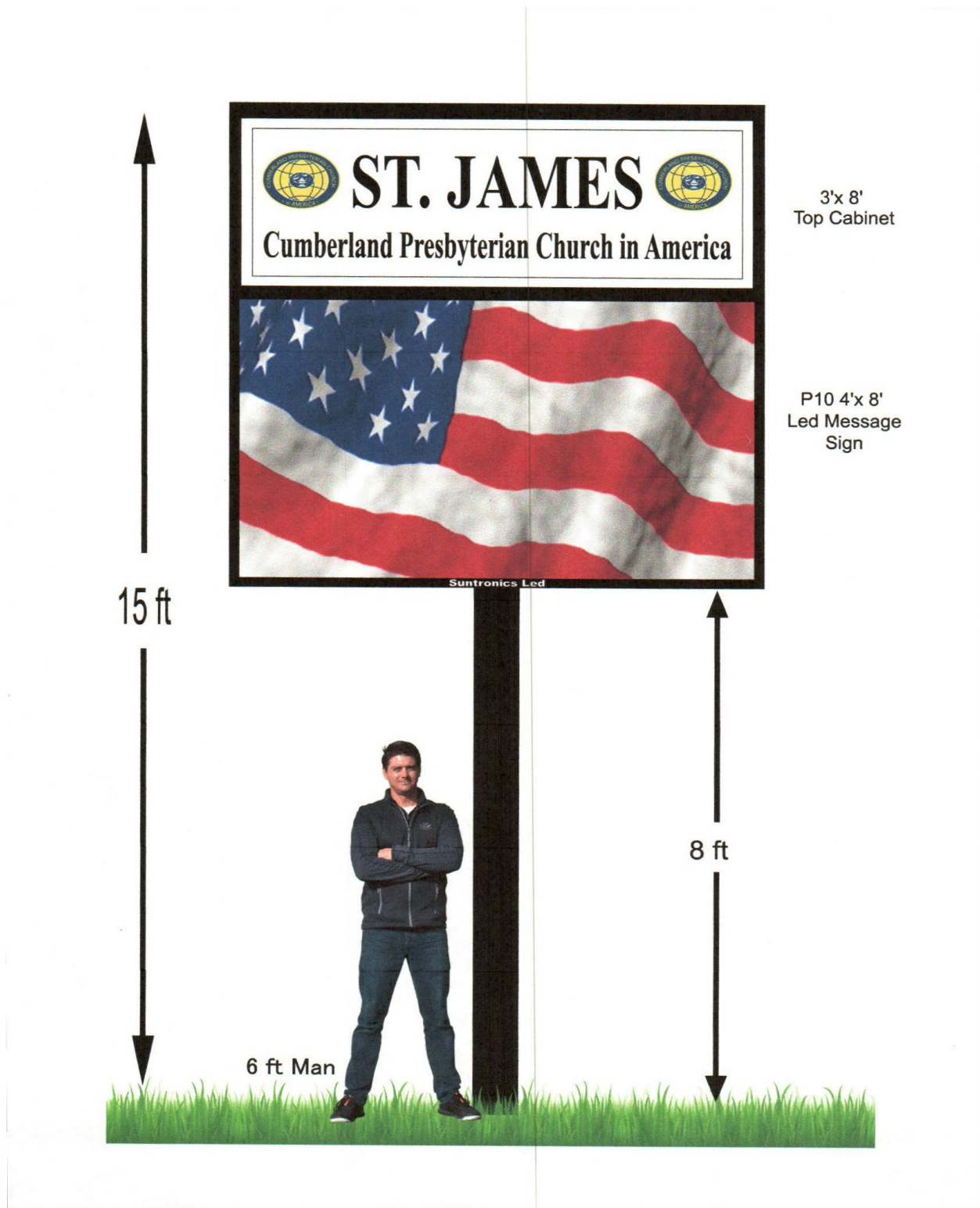
The existing detached sign (14'10" high and 52 sq. ft) for St. James C.P. Church in America was installed in 2002 per City of Decatur permit within 15 ft setback. The church desires to replace existing sign with a new Led sign (15 ft high and 56 sq. ft) in the same location. We're appealing for a variance to install new sign in same location at 15 ft setback instead of new 25 ft setback to ID Zone.

Applicant Name (print) \_\_\_\_\_  
Signature \_\_\_\_\_  
Representative Name (print) Leo Carroll  
Signature Leo Carroll  
Date 7-20-23

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

Office Use Received By: \_\_\_\_\_  
Zone \_\_\_\_\_  
Hearing Date 8/29/23  
Approved/Disapproved \_\_\_\_\_

CASE NO. 3 920 WEST MOULTON ST.



**DIAGRAM**



**EXISTIN SIGN**



402 Lee St NE 1<sup>st</sup> Floor Council Chamber

Board of Zoning Adjustment

APPLICANT:	<u>Dayton L. &amp; Mary M. Spain</u>
MAILING ADDR:	<u>2302 Cumberland Ct. SW</u>
CITY, STATE, ZIP:	<u>Decatur, AL 35603</u>
PHONE:	<u></u>

PROPERTY OWNER:	<u>Dayton L. &amp; Mary M. Spain</u>
OWNER ADDR:	<u>2302 Cumberland Ct. SW</u>
CITY, STATE, ZIP:	<u>Decatur, AL 35603</u>
PHONE:	<u>713-213-0766</u>

ADDRESS FOR APPEAL:	<u>2302 Cumberland Ct. SW, Decatur, AL 35603</u>
---------------------	--

**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)

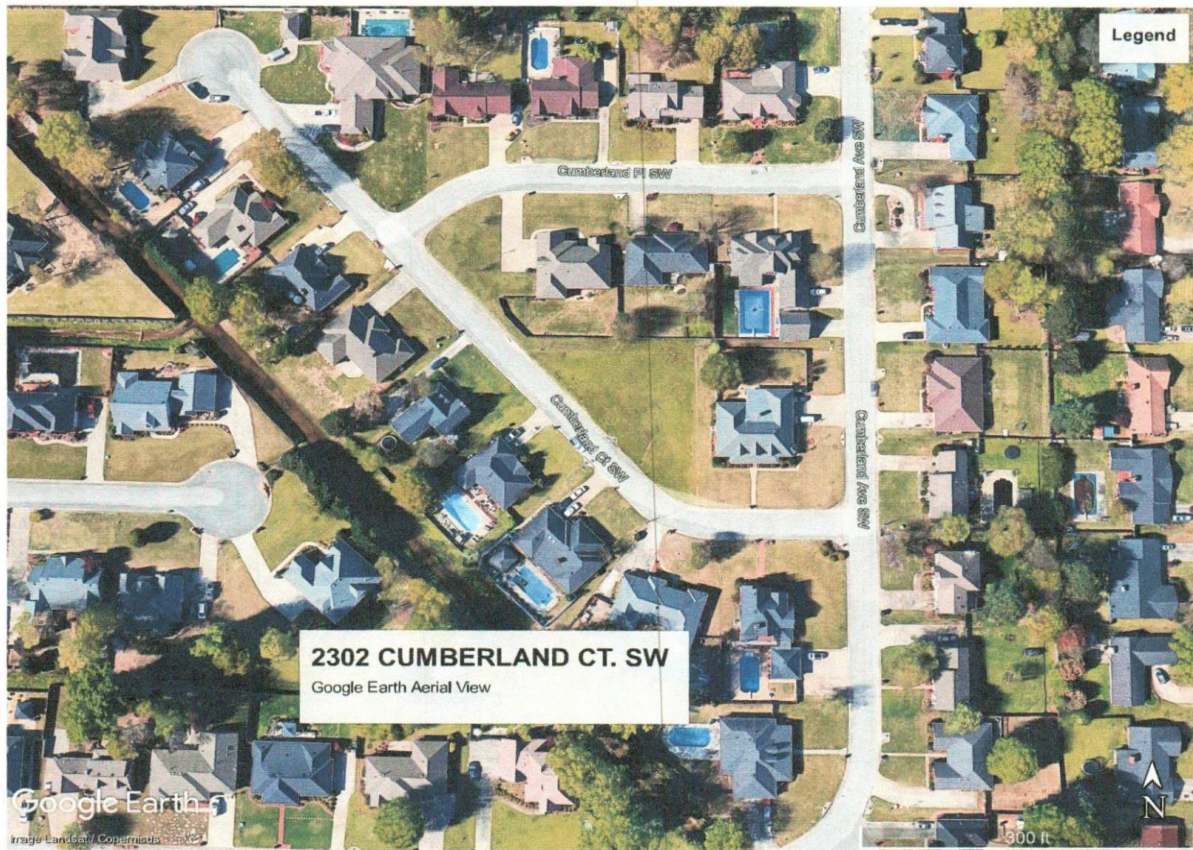
Request for a variance to Sec. 25-20 - Corner visibility in residence and local business districts. to allow an approximate 10-foot encroachment inside the required 35-foot setback for the placement of a proposed workshop accessory building. The proposed workshop building will be located where an existing 6-foot tall backyard fence is presently and in line with the existing house and accessory garage on the adjacent lot to the north.

Applicant Name (print) Dayton L. & Mary M. Spain If applicant is using a  
Signature [Signature] representative for the  
Representative Name (print)  request both signatures  
Signature  are required  
Date 8/1/2023

Office Use Received By: Cindy  
Zone R-2  
Hearing Date 8/29/23 4:00 p.m.  
Approved/Disapproved

**CASE NO. 4 2302 CUMBERLAND CT. SW**





**PICTURE**



**Picture 1**

Looking North from the southeast corner of the yard which is at the northwest corner of the intersection of Cumberland Ct. SW and Cumberland Ave. SW; which is a tee intersection. Notice the existing house and accessory garage buildings of the neighbors to the north (Lot 55) which we are proposing to align with.

**PICTURE 1**



**Picture 2**

This picture is taken in the same direction as Picture 1, but closer to the neighboring Lot 55. It give a closer view of the adjacent house and accessory garage building as well as DU water and sanitary sewer line locations marking and the drainage pipe between Lots 55 & 58. It also shows the edge of the existing driveway on Lot 58.

**PICTURE 2**



**Picture 3**

This picture is looking south (opposite of pictures 1 & 2) from just north of the property line between Lots 55 & 58 within the west Right-of-Way on Cumberland Ave. SW toward the intersection with Cumberland Ct. SW; also showing the DU water and sanitary sewer location marking.

**PICTURE 3**



**Picture 4**

This picture is looking north from the center of the driveway for Lot 58 in line with the existing Lot 58 backyard privacy fence along the Cumberland Ave. and the house and accessory garage on the adjacent Lot 55.

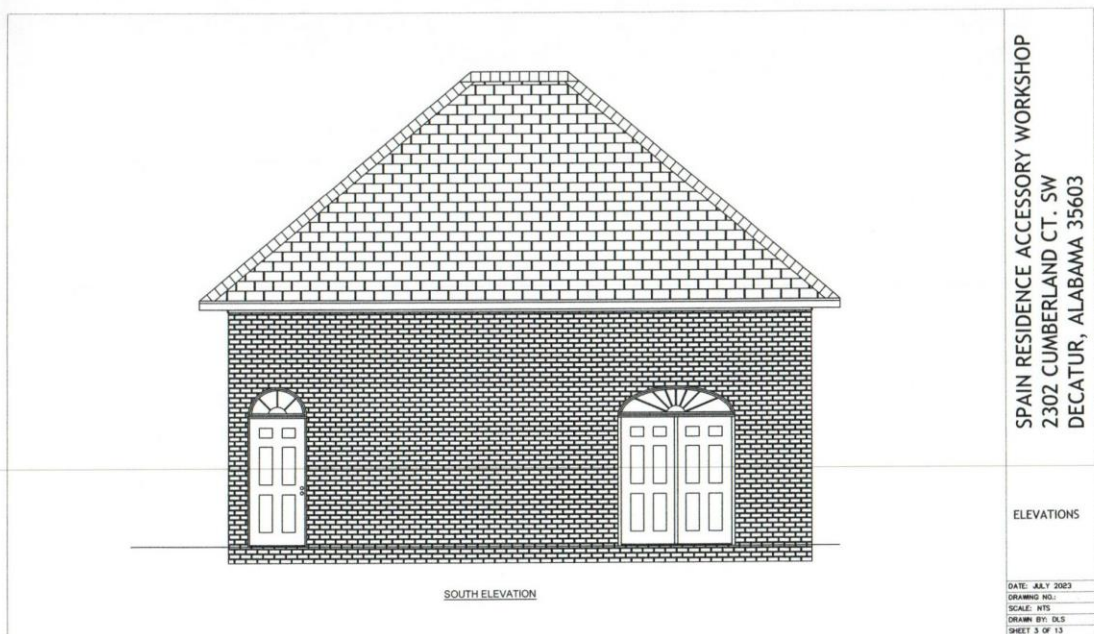
**PICTURE 4**



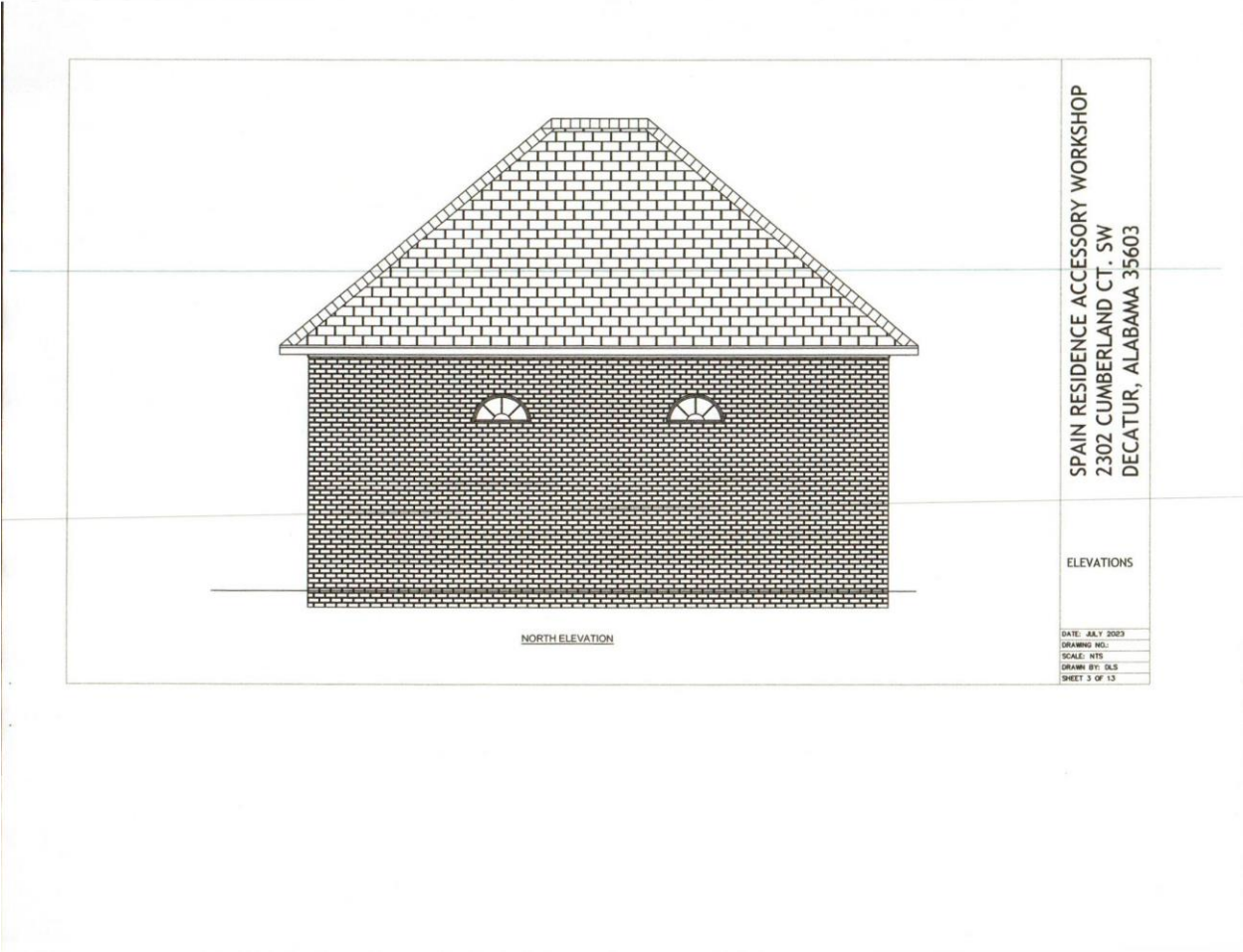
**Picture 5**

This pictures is looking north along the east side of the existing house on Lot 58 as is currently currently viewed from a vehicle on traveling east on Cumberland Ct. and approaching Cumberland Ave. The proposed workshop will be located behind the existing backyard privacy fence and in front of the existing accessory garage on Lot 55.

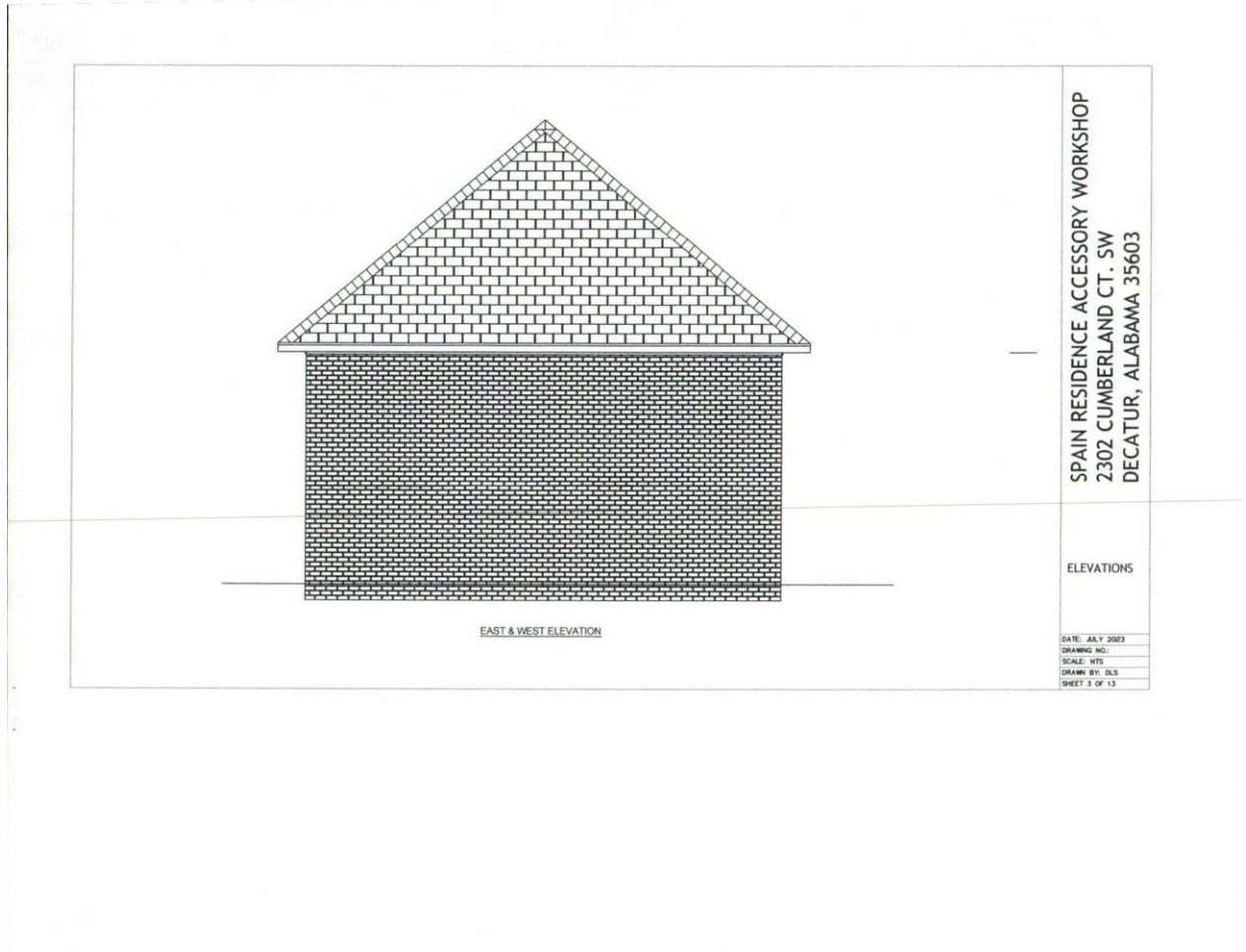
**PICTURE 5**



**SOUTH ELEVATION**



**NORTH ELEVATION**



**EAST & NORTH ELEVATION**

CITY OF  
**DECATUR**  
Georgia

CHARMING SCALE

402 Lee St NE 1<sup>st</sup> Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Luis Burgos  
MAILING ADDR: 213 Sedgewick Dr Owens Cross Road  
CITY, STATE, ZIP: ALABAMA 35763  
PHONE: (256) 298-1846

PROPERTY OWNER: Luis Burgos Figueroa  
OWNER ADDR: 213 Sedgewick Dr Owens Cross Road  
CITY, STATE, ZIP: AL 35763 PHONE: (256) 298-1846

ADDRESS FOR APPEAL: 415 10 Ave NW Decatur 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

*Front yard setback*  
For the case to be heard\*\*\*\*\*

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

19' 0" VARIANCE The house is ALINE with the The Third  
house in the right. Neighbors fence is on my property.

Applicant Name (print) Luis Burgos Figueroa

Signature Luis

Representative Name (print)

Signature

Date 8/7/2023

If applicant is using a

representative for the

request both signatures

are required

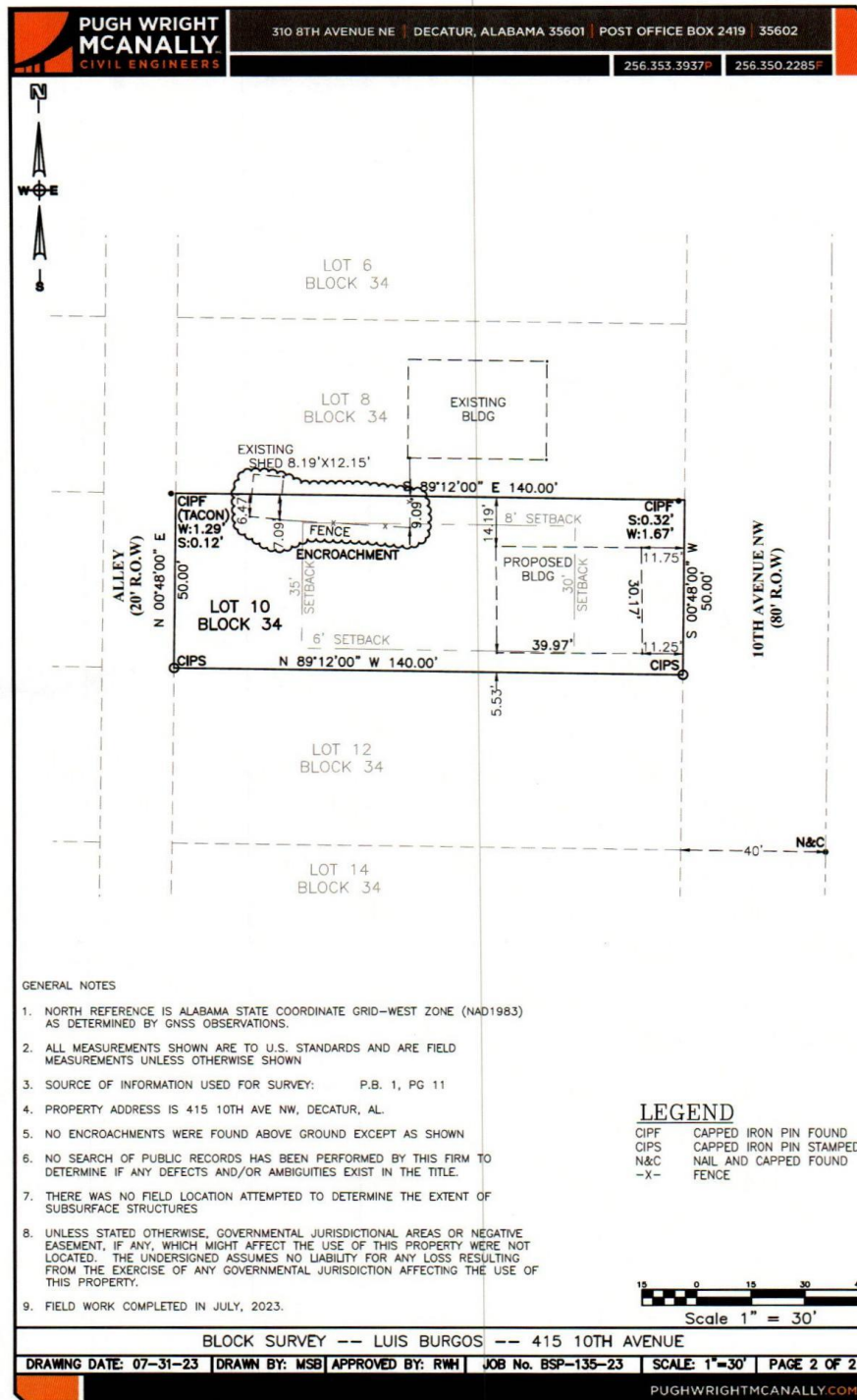
Office Use Received By: \_\_\_\_\_

Zone R3

Hearing Date \_\_\_\_\_

Approved/Disapproved

CASE NO. 5 415 10<sup>TH</sup> AVE NW



**SURVEY**