



Board of Zoning Adjustment

January 30, 2024

Pre-meeting – 3:30 p.m. (7th Floor)

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

Table of Contents

| | |
|---|-----------|
| MINUTES NOVEMBER 2023 | 3 |
| AGENDA JANUARY 2024 | 8 |
| CASE NO. 1 211 WEST MOULTON ST | 10 |
| APPLICATION NO. 2 | 11 |
| LETTER..... | 12 |
| LETTER..... | 13 |
| SURVEY..... | 14 |
| SURVEY..... | 15 |
| PARKING LAYOUT..... | 16 |
| LIFE SAFETY | 17 |
| TOPO | 18 |
| CASE NO. 2 514 TAMMY ST. SW | 19 |
| HOME OCCUPATION APPLICATION | 20 |
| HOME OCCUPATION QUESTIONNAIRE..... | 21 |
| CASE NO. 3 611 MARTHA ST. SW | 22 |
| HOME OCCUPATION APPLICATION | 23 |
| HOME OCCUPATION QUESTIONNAIRE..... | 24 |
| CASE NO. 4 703 FINK ST. N W..... | 25 |
| SURVEY..... | 26 |
| PLAT | 27 |
| PICTURE..... | 28 |
| CASE NO. 5 609 BANK ST. NW..... | 29 |
| SIGN APPLICATION | 30 |
| PICTURE 1 | 31 |
| PICTURE 2 | 32 |
| PICTURE 3 | 33 |
| PICTURE 4 | 34 |
| CASE NO. 6 4303 JADE CIR. SE | 35 |
| SURVEY..... | 36 |
| SURVEY..... | 37 |
| PICTURE..... | 38 |
| PICTURE..... | 39 |

Minutes November 2023

MEMBERS PRESENT: Delayne Dean, Mr. Brad Townson, Mr. Chester Ayers,
SUPERNUMERARIES: Mr. Mike 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
Mr. Tom Polk, Development Services Manager and Recorder

Chair, Delayne Dean called the meeting to order at 4:05 p.m. in the council chambers on the first floor at City Hall.

Chair asked that role be called. Present as noted above.

Chair asked if October minutes required any corrections. There were no corrections made. Mr. Brad Townson motioned to approve the minutes Mr. Mark McCurry seconded the motion. On a voice vote, all yes, the motion carried. The minutes from the October 2023 meeting were approved.

CASE NO. 1

Application and appeal of Stephen Graham for a 2000 square foot area variance from Section 25-10.11 (2) (a) of the Zoning Ordinance in order to build a multifamily dwelling unit located at 504 Somerville Rd. Property is located in a R-4 Multifamily Residential District.

Steve Graham presented his case to the Board. Mr. Graham stated his address as 1210 College Street SE. Mr. Graham stated he has purchased two lots at the corner of Sherman St and Somerville Rd. SE. Both lots are zoned for multi-family units and both lots have 7000 square feet. Mr. Graham stated he wants to use the lots for their intended purpose in the beginning. The lot at the corner of Sherman and Somerville Road once had a triplex that burnt and was bulldozed.

Chair asked if there were questions from the Board. Mr. Maurer asked where the parking for the residents would be provided. Mr. Graham stated he discuss that with the Building and Planning Departments. Chair asked for comments from the public. None. Chair asked for comment from the Building Department. Mr. Townson asked how case #1 and #2 were being handled. Mr. Bob Sims replied individually, as separate cases. Chair asked for comments from the Planning Department. None. Chair called for Public comments. None. Chair closed call for public testimony. Chair asked the Board for its ruling. Brad Townson made a motion to approve. Mike Maurer made a second. Chair called for role. All yes, the motion was approved.

CASE NO. 2

Application and appeal of Stephen Graham for a 2000 square foot area variance from Section 25-10.11 (2) (a) of the Zoning Ordinance in order to build a multifamily dwelling unit located at 1203 Sherman St. SE. Property is located in a R-4 Multifamily Residential District.

Steve Graham presented his case to the Board. Mr. Graham stated his address as 1210 College Street SE.

Chair asked if there were questions from the Board. None. Chair asked for Public comments. None. Chair asked for comments from the Building Department. None. Chair asked for comments from the Planning Department. None. Chair closed call for public testimony. Chair asked the Board for its ruling. Brad Townson made a motion to approve. Mark McCurry made a second. Chair called for role. All yes, the motion was approved.

CASE NO. 3

Application and appeal of an administration decision for Mr. Cortez Elliott as allowed in Section 25-11 of the Zoning Ordinance in order to have a daycare located at 2618 Briar Av. SW. Property is located in a B-6 Business Office District.

Cortez Elliott presented this case to the Board. Mr. Elliott stated his address as 2819 Montrose Drive SW. Mr. Elliott stated he was denied a Certificate of Occupancy. Mr. Elliott stated he would provide a fence for the front and side yards. Mr. Elliott stated he cannot find a reason why a daycare would not be allowed. Mr. Elliott stated the B-6 zone “sticks-out” to include this property. Mr. Elliott stated he searched the sex-offender register and found none within 2000 feet of the property.

Chair asked if there were questions from the Board. None. Chair asked for Public comments. None. Chair asked for comments from the Building Department. None. Chair asked for comments from the Planning Department. None. Chair closed call for public testimony. Chair asked the Board for its ruling. Chester Ayers made a motion to vote on the variance. Mark McCurry made a second. Chair called for role. All yes, the motion was approved.

CASE NO. 4

Application and appeal of Interplan, LLC for a 29 parking space variance from Section 25-16 of the Zoning Ordinance and a 9 foot setback variance from 25-12 and 25.21.1 (2) in order to install a canopy located at 1809 Beltline Road. Property is located B-4 Regional Shopping Business District.

Ms. Kendra Lewis, with Interplan LLC, presented this case before the Board. Ms. Lewis stated her address as 220 East Central Parkway Suite 4000, Altamonte Springs, FL. Ms. Lewis stated Interplan is proposing to redevelop this Chic-Fil-A, the scope of work is a building addition to the rear at the building to expand the kitchen. Add a dual fulfillment line at the drive-through in order to increase queuing capacity onsite. This will help reduce offsite stacking, in hopes to improve traffic flow. As a result of this scope of work, Interplan is seeking a parking space

reduction and a variance to reduce the front yard setback. The scope of work would include a canopy over the new pick-up area.

Chair DeLayne Dean stated Ms. Kendra Lewis is not on the application. Ms. Lewis stated her name is included in the (other) paperwork. Chair asked if there were questions from the Board. Mike Maurer asked if the restaurant would be closed while renovations were underway. Ms. Lewis stated that the restaurant would be closed during renovations. Chair asked for Public comments. None. Chair asked for comments from the Building Department. None. Chair asked for comments from the Planning Department. None. Chair closed call for public testimony. Chair asked the Board for its ruling. Mike Maurer made a motion. Mark McCurry made the second. Chair called for role. All yes, the motion was approved.

CASE NO. 5

Application and appeal of an administration decision of Trav-Ad Signs from Section 25-76 (p) in order to install a directional sign for Marriott Courtyard located at the corner of Old Moulton Rd and Courtyard Circle, this property is located at 1209 Courtyard Circle in a B-2 General Business District.

Mr. Parks Harris, with Trav-Ad Signs, presented this case before the Board. Mr. Harris stated his address as 214 Dorchester Drive SE.

Mr. Harris stated Marriott is upgrading their signage and would like to add a directional sign to direct traffic. This sign would be consistent will other Marriott signage.

Mr. Harris stated the existing directional sign is damaged.

Ms. DeLayne Dean asked if the original sign had a variance.

Mr. Bob Sims stated the current sign is not located at 1209 Courtyard Circle, it's at the corner of Old Moulton and Courtyard Circle. It's not on Marriott's property.

Mr. Harris stated hewas out-of-pocket. Mr. Harris thought it was on Marriott's property."

Mr. Sims stated that the existing directional sign is not on Marriott property and that the property had been annexed into the City of Decatur after the hotel was constructed.

Mr. Townson asked where the proposed sign will be located.

Mr. Maurer asked how they could install a sign on someone else's property.

Ms. Dean asked Legal if the application would have to come from the owner of the property.

Legal stated this would be a billboard, a non-conforming use. The owner of the property could petition the Board.

Ms. Dean stated the Board could not grant a variance to Marriott for a property the applicant does not own. Mr. Harris stated this was news to him that the sign was not on their property. Ms.

Dean asked Mr. Harris if he would like the Board to deny or table his application. Mr. Harris stated he was not aware the existing sign had been removed. There was discussion on where the existing sign is located and property lines nearby using GIS using meeting monitors. Chair asked if there were questions from the Board. None. Chair asked for Public comments. None. Chair asked for comments from the Building Department. None. Chair asked for comments from the Planning Department. None. Chair closed call for public testimony. Chair asked the Board for its ruling. Brad Townson made a motion to vote. Mark McCurry made second motion. All voted no.

CASE NO. 6

Application and appeal of Trav-Ad Signs from Section 25-77 (a) (3) in order to install a second attached sign on the Westmeade Baptist Church Building located at 1626 Runnymede Avenue SW. The property is located in an R-4 Multifamily Residential Zoning District.

Ken Comer, with Trav-Ad-Signs, presented this case before the Board. Mr. Comer stated he is presenting this case and case 7 for Westmeade Baptist Church. Mr. Comer introduced Senior Pastor Mr. Calpin and Church representative Ben Tinley. Mr. Comer covered the scope of work indicated in the application and its attachments. Ms. Dean asked Mr. Comer if page 57 of the agenda package includes what is being asked in the application. Mr. Comer confirmed yes. Chair asked if there were questions from the Board. Mr. Brad Townson asked if this case was asking a variance to allow two on-premises signs versus one. Mr. Bob Sims confirmed the application is asking for a second sign. Mr. Comer stated both signs are 14.5 square feet total. Chair asked if there were any more questions from the Board. None. Chair asked for Public comments. None. Chair asked for comments from the Building Department. None. Chair asked for comments from the Planning Department. None. Chair closed call for public testimony. Chair asked the Board for its ruling. Mr. Mark McCurry made first motion to vote. Mr. Mike Maurer made second. All yes votes.

CASE NO. 7

Application and appeal of Trav-Ad Signs from Section 25-73 (2) for an area variance for on premises directional signs as follows located at Westmeade Baptist Church Building located at 1626 Runnymede Avenue. The property is located in an R-4 Multifamily Residential Zoning District.

- 26 square foot area variance to install 1 30 square foot directional sign.
- 8 square foot area variance to install 6 directional signs.

The property is located in an R-4 Multifamily Residential Zoning District.

Mr. Bob Sims stated this property is located in an M-1-A zoning district Ken Comer, with Trav-Ad-Signs, presented this case before the Board. Mr. Comer covered the scope of work indicated in the application and its attachments. Chair asked if there were questions from the Board. Ms. DeLayne Dean asked if all signs, with the exception of the sign that is near the volleyball court, are they close to buildings, not in the parking lot, not in drive aisles. Mr. Comer stated the sign to the right of the main entrance will be mounted near the portico, about 15 feet from portico. Mr. Comer stated there was one sign in a parking lot island. Chair asked for Public comments. None. Chair asked for comments from the Building Department. Mr. Bob Sims clarified the term directional signs as found in the zoning ordinance. Chair asked for comments from the Planning

Department. None. Chair closed call for public testimony. Chair asked the Board for its ruling. Mr. Mark McCurry made first motion to vote. Mr. Mike Maurer made second. All yes votes.

CASE NO. 8

Application and appeal Two Capital Partners (C/O Zach Moore) for a 28 foot front yard setback variance from Section 25-12 and 25.21.1 of the Zoning Ordinance in order to allow:

- The proposed building align with the Krispy Kreme building.
- Allow stacking of cars on lot 2 allowing access to the property from the rear of the property.

The property is located at 1646 Beltline Road SW in a M-1A Expressway Commercial Zoning District.

Zack Moore, with Two Capital Partners, presented this case to the Board. Mr. Moore stated his address as 1646 Beltline Road SW. Mr. Moore described the case as indicated on the application. Mr. Moore stated the reason for this variance request is to reduce car stacking for the proposed oil change business. At this business, clients do not get out of their cars to get the oil changed. The lot size and building layout does not allow the needed stacking without this variance. Chair asked if there were questions from the Board. None. Chair asked for Public comments. None. Chair asked for comments from the Building Department. None. Chair asked for comments from the Planning Department. None. Chair closed call for public testimony. Chair asked the Board for its ruling. Brad Townson made a motion to approve. Mark McCurry made a second. Chair called for role. All yes, the motion was approved.

Meeting adjourned at 5:05 p.m.

DeLayne Dean, Chair

AGENDA January 2024

The Board of Zoning Adjustment of the City of Decatur will hold a public meeting on the **7TH FLOOR** OF City Hall, 402 Lee Street NE, on Tuesday, January 30th, 2024 at 4:00 p.m., and 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.

CASE NO. 1

Application and appeal of an administrative decision to deny Calvin Washington a certificate of occupancy for non-compliance of Section 25-11 and 25-16 (2) (b) of the Zoning Ordinance in order to provide 88 spaces of off street/off premise parking for an event center located at 211 West Moulton Street SW. Property for the event center is zoned B-1 Business District.

CASE NO. 2

Application and appeal of an administrative decision to deny Kanavis Lee a home occupation in order to operate a home office for a mobile bar located at 514 Tammy Street SW. The property for the home occupation is zoned R-2 Residential Single Family District.

CASE NO. 3

Application and appeal of an administrative decision to deny Javier E Romero a home occupation in order to operate a general printing business located at 611 Martha Street SW. The property for the home occupation is zoned R-1 Residential Single Family District.

CASE NO. 4

Application and appeal of Posey and Cameron Horton III for a fourteen foot (14') front yard setback variance from Section 25-10.10 (2) (c) of the Zoning Ordinance in order to construct a new detached single family dwelling located at 703 Fink Street NW. The property for the setback variance is zoned R-3 Residential Single Family District.

CASE NO. 5

Application and appeal of Responsible Partners, LLC for a sign variance from Section 25-77 (c) (1) in order to replace an existing painted sign located at 609 Bank Street NW. The property for the sign variance is zoned B-5 Central Business District.

CASE NO. 6

Application and appeal of Frank Pate for a seven foot (7') rear yard variance from Section 25-10.9 (2) (d) of the Zoning Ordinance in order to construct a rear covered patio located at 4303 Jade Circle SE. The property for the set-back variance is zoned R-2 Residential Single Family District.



402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Calvin L Washington

MAILING ADDR: 1437 S Brownstone CT SW

CITY, STATE, ZIP: Decatur, AL, 35603

PHONE: _____



PROPERTY OWNER: Calvin L Washington

OWNER ADDR: 1437 S Brownstone CT SW

CITY, STATE, ZIP: Decatur, AL, 35603

PHONE: _____

ADDRESS FOR APPEAL: 211 West Moulton Street 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)

Requesting to park offsite (2 properties) for business under zone B-1. Currently do not have enough parking spaces as is. Mr. Calvin Washington has received Consent Use 215 2nd Avenue SW, Decatur, AL vacant lot adjacent to 211 West Moulton St SW. Mr. Washington has also received Consent Use 302 Moulton Street West, Decatur AL. This is an entertainment based business with not enough parking, occupying 42,000 sq ft for Lot 1 + 11,000 sq ft for Lot 2.

Applicant Name (print) Calvin L Washington

Signature _____

Representative Name (print) _____

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. 1 211 WEST MOULTON ST



402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Calvin Washington
MAILING ADDR: PO BOX 5718
CITY, STATE, ZIP: Decatur AL 35603
PHONE: 256-226-5453

PROPERTY OWNER: Calvin Washington
OWNER ADDR: 211 West Moulton St
CITY, STATE, ZIP: Decatur AL PHONE: 256-226-5453

ADDRESS FOR APPEAL: 211 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 lot is too small for 92 spaces.
Asking for off site parking.

Applicant Name (print) Calvin Washington If applicant is using a representative for the request both signatures are required
Signature [Signature]
Representative Name (print) _____
Signature _____
Date _____

Office Use Received By: [Signature]
Zone B-1
Hearing Date Jan. 30, 2024
Approved/Disapproved _____

2023/12/12: See the attached. Tom

Application No. 2



To whom it May Concern:

My name is Frank Pate owner of Sun Solutions LLC. We currently hold the lease for the property at 215 2nd Ave. SW, Decatur, AL. the property includes a vacant lot adjacent to 211 West Moulton St. SW. I give my express consent to Optimum to use for overflow parking.

Sincerely,

A handwritten signature in cursive script that reads "Frank Pate".

Frank Pate
256-214-3384



Letter

Onwer of the Property

302 Moulton Street West

Decatur, Alabama 35601

To whom it May Concern:

My name is **Cedrick McCoy** owner of the property at 302 Moulton Street West, Decatur, AL. The property is vacant across the street to 211 West Moulton St. SW. I give my express consent to Optimum to use for parking on both lots of 302 Moulton St.

Sincerely,

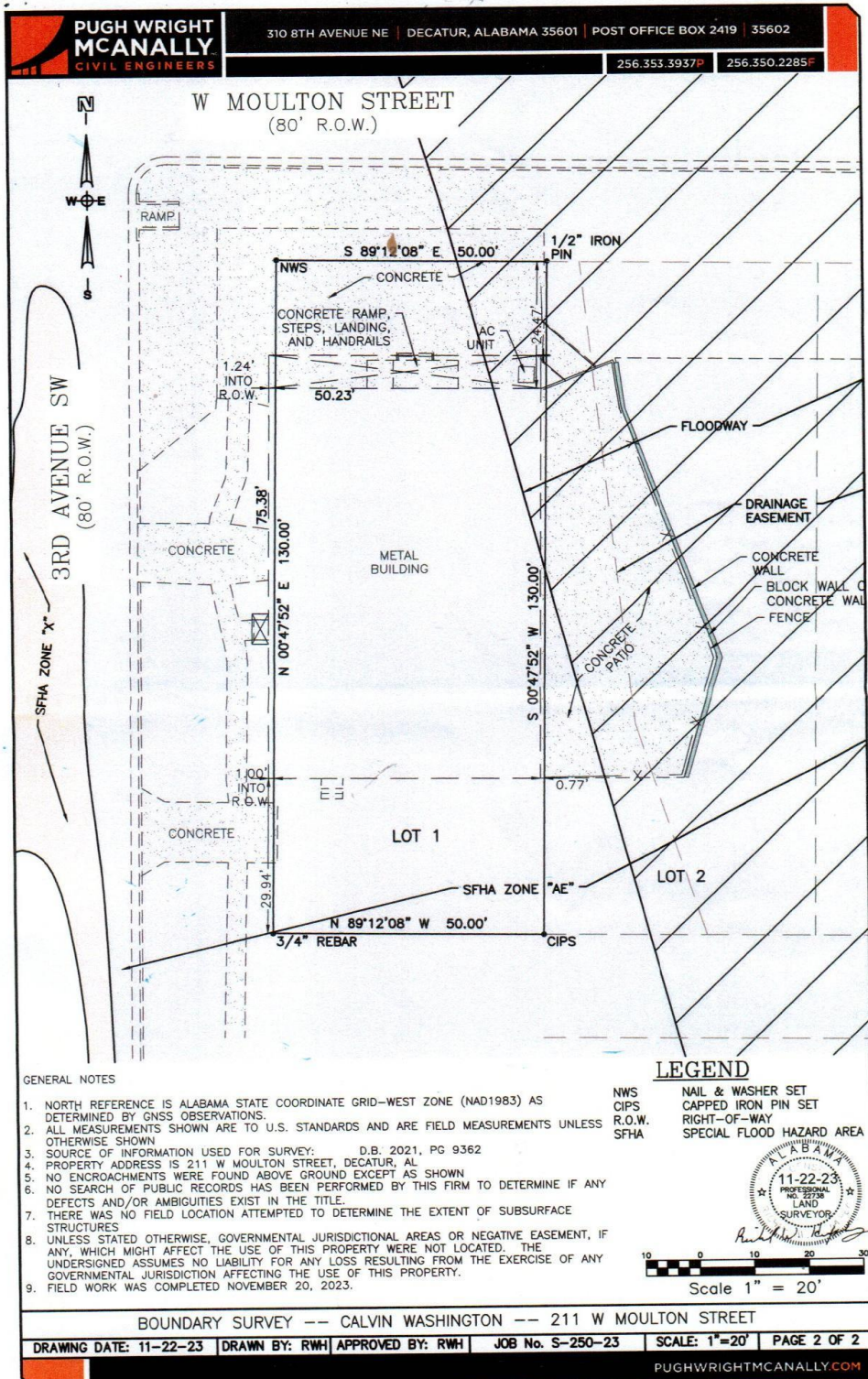


Cedrick McCoy

256-947-7762



Letter



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 19, Township 5 South, Range 4 West, Morgan County, Alabama, and more particularly described as follows, to-wit:

LOT 1, BLOCK 3, DECATUR LAND IMPROVEMENT AND FURNACE COMPANY ADDITION NO. 2, DECATUR, ALABAMA, AS SHOWN BY MAP OR PLAT OF SAID SUBDIVISION ON FILE AND OF RECORD IN THE OFFICE OF THE JUDGE OF PROBATE OF MORGAN COUNTY, ALABAMA, IN MAP BOOK 1 AT PAGE 13

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

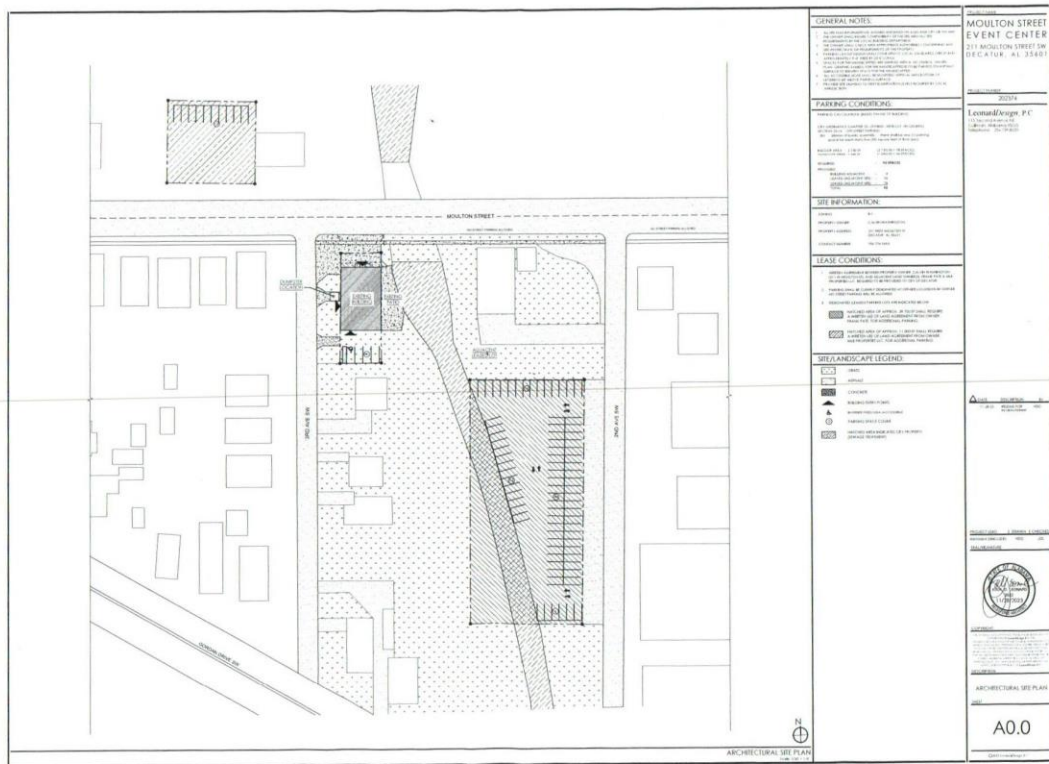
And I further state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief.

According to my survey, this the 22ND day of November, 2023.

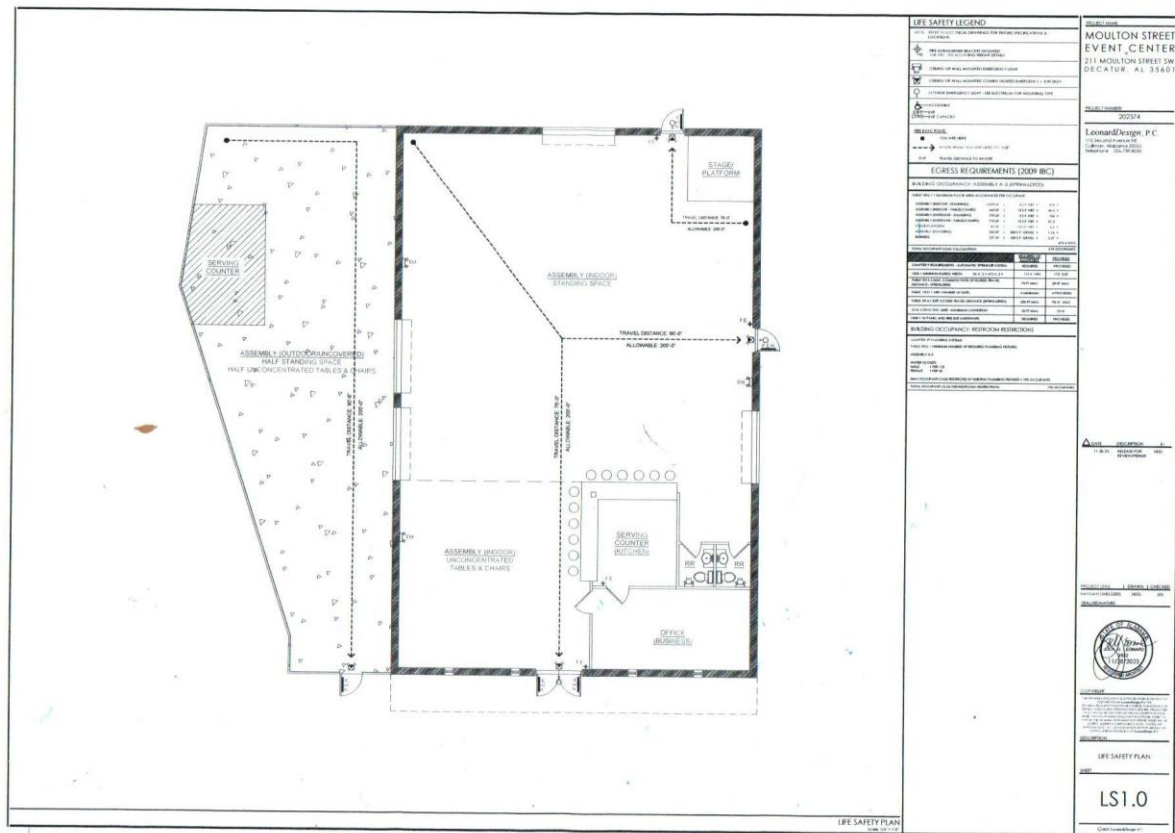

Richard W. Humphrey, PE/PLS
Ala. Reg. No. 22738

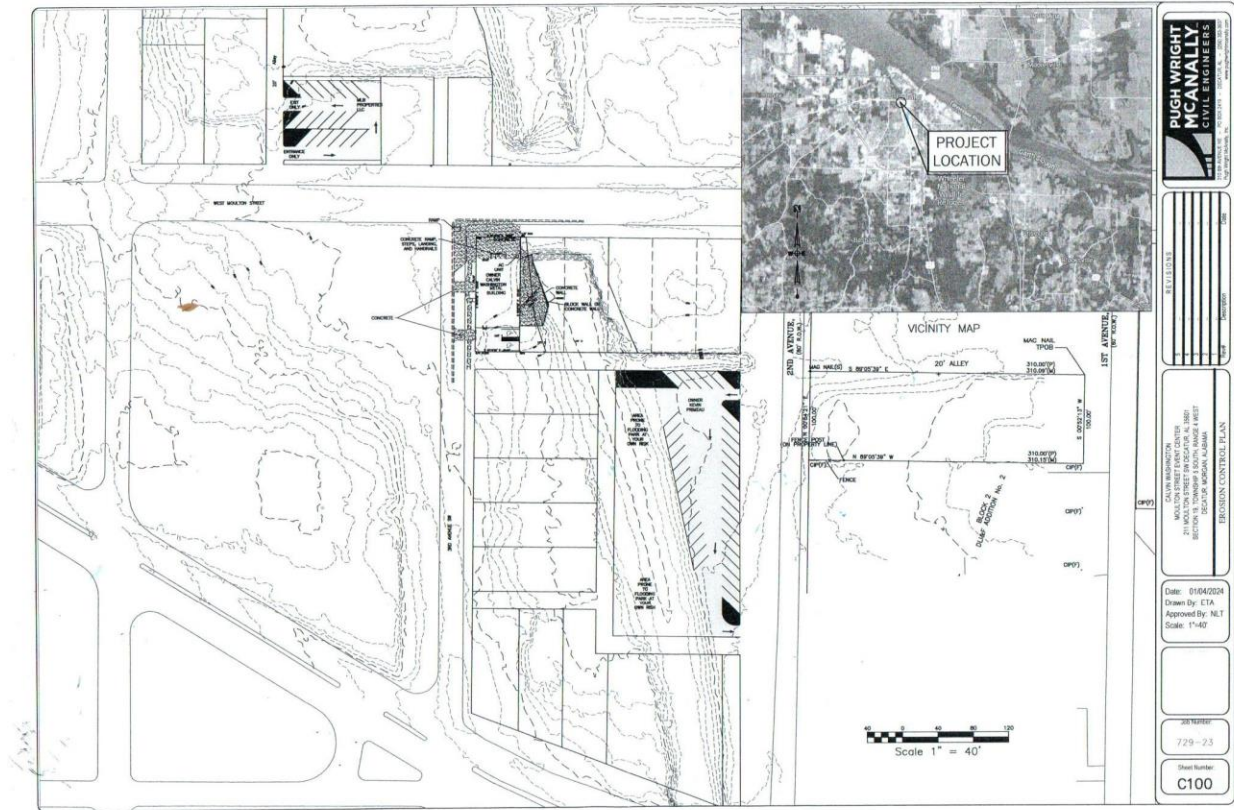
PWM Job No. S-250-23
1 of 2

Survey



Parking Layout





Topo



402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Kanavis Lee
MAILING ADDR: 514 Tammy St SW
CITY, STATE, ZIP: Decatur, AL 35603
PHONE: (256) 559-7775

PROPERTY OWNER: Tonya Lee
OWNER ADDR: 514 Tammy St SW
CITY, STATE, ZIP: Decatur, AL 35603 PHONE: (256) 556-3806

→ ADDRESS FOR APPEAL: 514 Tammy St SW Decatur, AL 35603

NATURE OF APPEAL:

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

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

For the case to be heard*****

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

Equipment and office space and outside to storage
the ↑ trailer.
mobile

Applicant Name (print) Kanavis Lee

Signature Kanavis Lee

Representative Name (print)

Signature

Date

If applicant is using a
representative for the
request both signatures

are required



Office Use Received By: Tom

Zone R-2

Hearing Date 1-30

Approved/Disapproved

CASE NO. 2 514 TAMMY ST. SW



A Grand City on a Charming Scale

BUILDING DEPARTMENT
P O BOX 488
DECATUR, AL 35602
www.DecaturAlabamaUSA.com
256.341.4582 Fax: 256.341.4572

Application for Residential Home Occupations

| | |
|--|---------------------------------------|
| Print name of applicant (signature at bottom): | Kanavis Lee |
| Address of applicant: | 514 Tammy St SW Decatur, AL 35603 |
| Name of property owner: | Tonya Lee |
| Address of property owner: | 514 Tammy St SW Decatur, AL 35603 |
| Address of proposed residential home occupation: | |
| Email address of applicant: | info@sipandtrips.com |
| Telephone of applicant: | (256) |
| Name of home occupation business: | SIP + Trips LLC |
| Describe the nature of home business being applied for: | |
| | 1 room for equipment and office space |
| | Admin Office Only |
| COMPLETE and SIGN Home Occupation Questionnaire | |
| Applicant hereby certifies that the information on this application is true and correct and understands that any false or misleading information shall render the Home Occupation void. Applicant agrees to notify the City of Decatur if any of the above represented circumstances change and to permit the City of Decatur to conduct as needed inspections of the premises, during normal business hours, to ensure the accuracy of these representations. | |
| Signature of Applicant: | Kanavis Lee (Name at top of page) |
| Date Signed: | December 13, 2023 |

FOR OFFICE USE ONLY:

| | | | |
|--------------------------|---------------|------------------|---|
| Date Received: | 12/13/23 | Received By: | Tony B |
| Permit Number: | | Entered By: | |
| Current Zoning: | R-2 | Approved Yes/No: | |
| #1 Approved / Denied by: | DEATED Tony B | Notes: | Outside storage of Mobile Bar must go before BOZA for determination |
| #2 Approved / Denied by: | | | COPY OF THIS NOTE TO CUSTOMER |



Page 1 of 2

Home Occupation Application



A Grand City on a Charming Scale

BUILDING DEPARTMENT
P O BOX 488
DECATUR, AL 35602
www.DecaturAlabamaUSA.com
256.341.4570 Fax: 256.341.4572

Home Occupation Questionnaire

Check YES or NO for each question:

1. Is the occupation* applied for (administrative office, making of crafts, sewing, etc.) conducted entirely within the dwelling? *This refers to only the work being done at the address. YES ☒ NO ☐
2. Does the occupation produce sounds, colors or other audible or visible evidence of a home occupation being present? YES ☐ NO ☒
3. Will any activity take place outdoors at your residence? YES ☐ NO ☒ *YES outside*
4. Will there be any signs or advertising at your residence? YES ☐ NO ☒
5. Will there be any advertising on your vehicle(s)? YES ☐ NO ☒
6. Is more than one room within the home used for the home occupation? YES ☐ NO ☒
7. Are there any explosives, toxic, or highly combustible materials used or stored within the home in connection with this home occupation? YES ☐ NO ☒
8. Does the home occupation produce any electrical interference, smoke, dust, or noise, which may be offensive? YES ☐ NO ☒
9. Will customers visit you at your residence? YES ☐ NO ☒
10. Is there any increase in traffic connected with this home occupation? YES ☐ NO ☒
11. Will there be any more than one sales party at your home per quarter related to this home occupation? YES ☐ NO ☒
12. Will this home occupation result in increased parking demands? YES ☐ NO ☒
13. Will you accept deliveries from commercial suppliers, other than UPS/FedEx/DHL, etc.? YES ☐ NO ☒
14. Will there be any employees of this home occupation other than members of the family living in the home? YES* ☐ NO ☒ * If YES, No employees coming to house. Employees must meet at jobsite.

Applicant hereby certifies that the information on this application is true and correct and understands that any false or misleading information shall render this Home Occupation Questionnaire void. Applicant agrees to notify the City of Decatur if any of the above represented circumstances change and to permit the City of Decatur to conduct as needed inspections of the premises, during normal business hours, to ensure the accuracy of these representations.

Signature of Applicant: Kammi Lee Date: December 13, 2023
Telephone: (256) Email: info@sipandtrips.com
Address of Home Occupation: 514 Tammy St SW Decatur AL 35603

CITY OF
DECATUR
Alabama

A Grand City on a CHARMING SCALE

402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

#3
APPLICANT: JAVIER E. ROMERO U.
MAILING ADDR: 611 Martha St SW
CITY, STATE, ZIP: DECATUR ALABAMA 35601
PHONE: 714-418-8362

PROPERTY OWNER: JAVIER ROMERO
OWNER ADDR: 611 Martha St. SW
CITY, STATE, ZIP: DECATUR ALABAMA 35601 PHONE: 714-418-8362

ADDRESS FOR APPEAL: 611 Martha St. SW Decatur AL. 35601

NATURE OF APPEAL:

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

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

For the case to be heard*****

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

General printing C Banners, sublimation, vinyl,

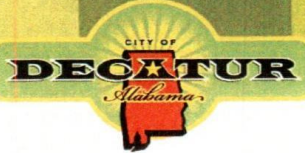


Applicant Name (print) Javier Romero
Signature [Signature]
Representative Name (print) Carlos Romero
Signature [Signature]
Date 12/14/2023

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

Office Use Received By: [Signature]
Zone R-1
Hearing Date 1-30-2024
Approved/Disapproved

CASE NO. 3 611 MARTHA ST. SW



A Grand City on a CHARMING SCALE

BUILDING DEPARTMENT
P O BOX 488
DECATUR, AL 35602
www.DecaturAlabamaUSA.com
256.341.4582 Fax: 256.341.4572

Application for Residential Home Occupations

| | |
|--|---|
| Print name of applicant (signature at bottom): JAVIER ENRIQUE ROMERO URETA | |
| Address of applicant: 611 MARTHA ST SW 35601 | |
| Name of property owner: JAVIER ROMERO | |
| Address of property owner: 611 MARTHA ST SW 35601 | |
| Address of proposed residential home occupation: 611 Martha St SW 35601 | |
| Email address of applicant: clamaromero@outlook.com | |
| Telephone of applicant: 714-418-8362 | |
| Name of home occupation business: MAJOR PRINTS STUDIOS | |
| Describe the nature of home business being applied for: GENERAL PRINTING | |
| | |
| | |
| | |
| | |
| | |
| | |
| COMPLETE and SIGN Home Occupation Questionnaire | |
| Applicant hereby certifies that the information on this application is true and correct and understands that any false or misleading information shall render the Home Occupation void. Applicant agrees to notify the City of Decatur if any of the above represented circumstances change and to permit the City of Decatur to conduct as needed inspections of the premises, during normal business hours, to ensure the accuracy of these representations. | |
| Signature of Applicant: (Name at top of page) | |
| Date Signed: _____ | |
| FOR OFFICE USE ONLY: | |
| Date Received: 12/14/2023 | Received By: |
| Permit Number: _____ | Entered By: _____ |
| Current Zoning: B-1 | Approved Yes/No: <input checked="" type="checkbox"/> No |
| #1 Approved / Denied by: | Notes: _____ |
| #2 Approved / Denied by: _____ | |

Page 1 of 2

20231214: Denied see questionnaire. Manufacturing signs.

Home Occupation Application



Grand City

CHARMING SCALE

BUILDING DEPARTMENT

P O BOX 488

DECATUR, AL 35602

www.DecaturAlabamaUSA.com

256.341.4570 Fax: 256.341.4572

Home Occupation Questionnaire

Check YES or NO for each question:

1. Is the occupation* applied for (administrative office, making of crafts, sewing, etc.) conducted entirely within the dwelling? *This refers to only the work being done at the address. YES ☒ NO ☐
2. Does the occupation produce sounds, colors or other audible or visible evidence of a home occupation being present? YES ☐ NO ☒
3. Will any activity take place outdoors at your residence? YES ☐ NO ☒ *YES outside*
4. Will there be any signs or advertising at your residence? YES ☐ NO ☒
5. Will there be any advertising on your vehicle(s)? YES ☐ NO ☒
6. Is more than one room within the home used for the home occupation? YES ☐ NO ☒
7. Are there any explosives, toxic, or highly combustible materials used or stored within the home in connection with this home occupation? YES ☐ NO ☒
8. Does the home occupation produce any electrical interference, smoke, dust, or noise, which may be offensive? YES ☐ NO ☒
9. Will customers visit you at your residence? YES ☐ NO ☒
10. Is there any increase in traffic connected with this home occupation? YES ☐ NO ☒
11. Will there be any more than one sales party at your home per quarter related to this home occupation? YES ☐ NO ☒
12. Will this home occupation result in increased parking demands? YES ☐ NO ☒
13. Will you accept deliveries from commercial suppliers, other than UPS/FedEx/DHL, etc.? YES ☐ NO ☒
14. Will there be any employees of this home occupation other than members of the family living in the home? YES* ☐ NO ☒ * If YES, No employees coming to house. Employees must meet at jobsite.

Applicant hereby certifies that the information on this application is true and correct and understands that any false or misleading information shall render this Home Occupation Questionnaire void. Applicant agrees to notify the City of Decatur if any of the above represented circumstances change and to permit the City of Decatur to conduct as needed inspections of the premises, during normal business hours, to ensure the accuracy of these representations.

Signature of Applicant: Kammi Lee Date: December 13, 2023

Telephone: (256) Email: info@sipandtrips.com

Address of Home Occupation: 514 Tammy St SW Decatur AL 35603



Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Posey and Carmen Horton III
MAILING ADDR: 703 Fink St. NW
CITY, STATE, ZIP: Decatur, AL 35601
PHONE: 917-399-2166

PROPERTY OWNER: Posey and Carmen Horton III
OWNER ADDR: 703 Fink St
CITY, STATE, ZIP: Decatur AL 35601 PHONE: 914-426-5074

ADDRESS FOR APPEAL: 703 Fink Street NW, 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*****

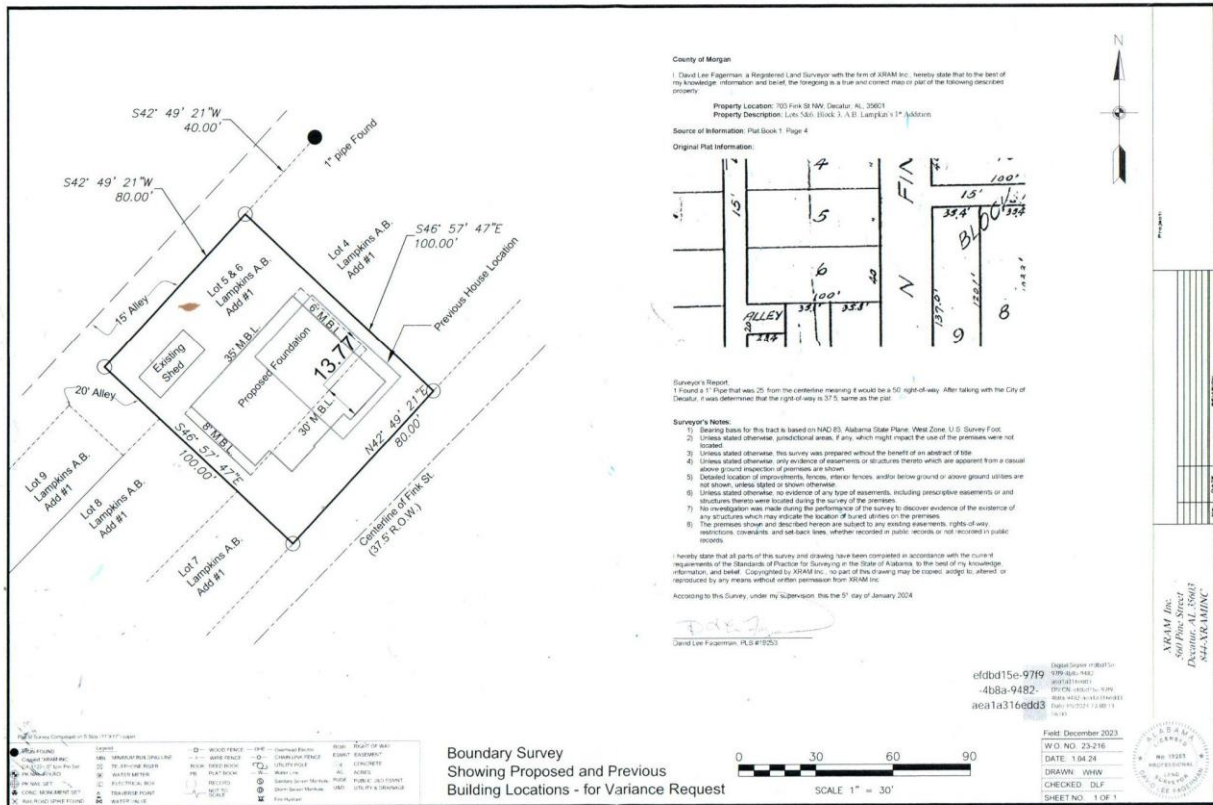
DESCRIBE APPEAL IN DETAIL: (INCLUDE DIMENSIONS, # FT FOR VARIANCES; # FOR PARKING; HARDSHIP; TYPE OF BUSINESS)

Front Building line variance of 13.77-feet, per attached Boundary Survey, is requested. There was an existing house on this property for several years that exceeded the Front Building line by approximately 15-feet. This building was torn down in the 2023 reframe due to the poor condition of the building. This new house is intended to replace the previous home. This property has been in the same family for several years.

Applicant Name (print) Posey + Carmen + Horton III If applicant is using a
Signature Carmen Horton + Posey Horton III representative for the
Representative Name (print) David Fogerman ^{RS} request both signatures
Signature D. Fogerman MRA are required
1/8/24

Office Use Received By: [Signature]
Zone R-3
Hearing Date 1/30/24
Approved ☒ Disapproved ☐

CASE NO. 4 703 FINK ST. N W



Survey

[illegible]

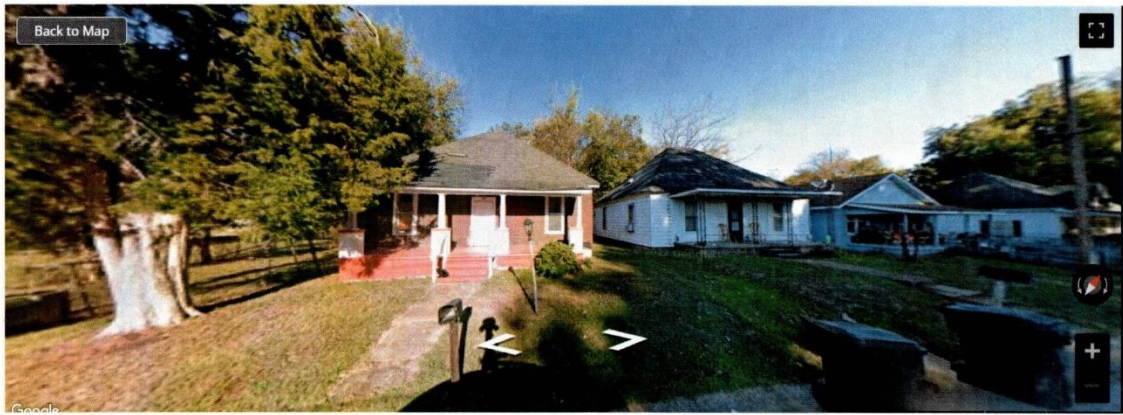
W.H. McCLURE Sur., Ofcs.
LAMPKIN & THOMASON
by John R. Thomason
A.B. Lampkin

The State of Alabama) I, Frank J. Davis, a Notary Public in and
for said County and State hereby certify, A. B. Lampton
and O. H. R. Thompson composing the firm of Lampton &
Thompson, whose names are signed to the foregoing map
is out, and who are known to me to be the persons who
are being interested in the contents of the map
or plot they executed the same voluntarily on the day
the same bears date.

Given under my hand this 23rd day of December 1908
FRANK J. DAVIS
Notary Public

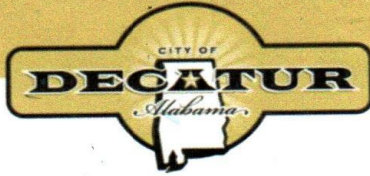
The State of Alabama, Morgan County
OFFICE OF JUDGE OF PROBATE
I hereby certify that the within
Bills
was filed in this office for re-
cord on the 23rd day of
December A. M. 1902
at Newbern and
recorded in Vol. Plat Book
page 20
this 27th day of Jan'y 1902
at Townsend
W. E. Skaggs
Judge of Probate





Picture

#5



A Grand City on a CHARMING SCALE

Board of Zoning Adjustment

| | |
|-----------------|------------------------------|
| APPLICANT: | 609 Market |
| MAILING ADDR: | 609 Bank Street NW Suite A-3 |
| CITY STATE ZIP: | Decatur, AL 35601 |
| PHONE: | 256-595-2017 |
| PROPERTY OWNER: | Stogie Holdings, LLC |
| OWNER ADDR: | 154 Franklin Rd |
| CITY STATE ZIP: | Westwood, TN 35033 |
| OWNER PHONE: | 615-400-0526 |

ADDRESS FOR APPEAL: 609 Bank Street NW Suite A-3 Decatur AL 35601

| | | | | |
|--|--|--|--|---|
| <input type="checkbox"/> HOME OCCUPATION | | <input type="checkbox"/> SETBACK VARIANCE | | <input checked="" type="checkbox"/> SIGN VARIANCE |
| <input type="checkbox"/> USE PERMITTED ON APPEAL | | <input type="checkbox"/> APPEAL OF ADMINISTRATIVE DECISION | | |
| <input type="checkbox"/> OTHER | <input type="checkbox"/> SURVEY FOR VARIANCES ATTACHED | | <input type="checkbox"/> DRAWINGS FOR VARIANCES ATTACHED | |

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

| | |
|--|---|
| DESCRIBE APPEAL IN <u>DETAIL</u> : (INCLUDE: DIMENSIONS, # FT FOR VARIANCES; # FOR PARKING; HARDSHIP; TYPE OF BUSINESS.) | |
| We are wanting to Replace the Existing mural that has faded due to no maintenance or upkeep | |
| Applicant Name(print) Michael Locasio | If applicant is using a representative for the request both signatures are required. |
| Signature <i>[Signature]</i> | |
| Representative Name(print) | |
| Signature | |
| Date | Office Use Received By <i>[Signature]</i> Zone B-5 Hearing Date <u>Jun 30, 2024</u> Approved/Disapproved |

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 **10th of the month** to be heard the last Tuesday of the month.

CASE NO. 5 609 BANK ST. NW

DENIED - See bottom. Copy of denial sent to client

DECATUR

Sign Permit

Job Site Address: 69 Bank Street Ste A:B Decatur AL 35601

Applicant Name: Michael Laccasio Property Owner: Sign Holdings LLC

Address: 1809 Oakmont Dr SE Email: mlaccasio@gmail.com

City, State, Zip: Cullman AL 35055 Phone#: 256-595-2017

Company Name: Responsible Solutions LLC Owner Contractor Yes ☐ No ☒

***** 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: 1

3. List total square footage of each sign and dimensions: Total Square Footage of all signs: 540 (this sign type requires DRA approval in B-5)

List all signs that are to remain and new signage:

| |
|----------------------------|
| 1. Present wall mural |
| 2. |
| 3. Add mural over existing |
| 4. |
| 5. |
| 6. |

4. Height of building that signage is or will be attached: 1500

5. Distance sign will extend above roofline: 0

6. List the total linear footage of building frontage: 50

7. Distance Marquee or Awning will extend from wall face: 0

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 \$ 0,800

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

DENIED

RECEIVED

DEC 1 8 2023

City of Decatur, AL Building Department

***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: [Signature] Date: 12.10.2023

Permit #
Initials

Chapter 25 Article III of the Code of Decatur

Does not meet Sec 25-77(c)(1) COD

Sign Application



DESCRIPTION:
Mural art using the 609 Social logotype on the top with the parking arrow on bottom.

This uses the white stroke around both black boxes like the other signage.

The Coke art has the two-tone bevelled border like the example Luke Davis sent on 11/14.

Art is under 200 sq. ft. and allows for lighting above the mural.



609 Social Market & Provisions Coca-Cola Mural Option 1a | 11/14/23

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Picture 1



DESCRIPTION:
Mural art using the 609 Social logotype on the top with the parking arrow on bottom.

This uses the white stroke around both black boxes like the other signage.

The Coke art has the two-tone bevelled border like the example Luke Davis sent on 11/14.

Art is OVER 200 sq. ft. and would require a variance from the City, if possible.



609 Social Market & Provisions Coca-Cola Mural Option 1b | 11/14/23

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DESCRIPTION:

Mural art using the 609 Social logotype on the top with the parking arrow on bottom.

This REMOVES the white stroke around both black boxes.

The Coke art has a single color border like the example Luke Davis sent on 11/14.

Art is under 200 sq. ft. and allows for lighting above the mural.



609 Social Market & Provisions Coca-Cola Mural Option 2a | 11/14/23

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Picture 3



DESCRIPTION:
Mural art using the 609 Social logotype on the top with the parking arrow on bottom.

This REMOVES the white stroke around both black boxes.

The Coke art has a single color border like the example Luke Davis sent on 11/14.

Art is OVER 200 sq. ft. and would require a variance from the City, if possible.



609 Social Market & Provisions Coca-Cola Mural Option 2b | 11/14/23

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Picture 4



402 Lee St NE 1st Floor Council Chamber

Board of Zoning Adjustment

APPLICANT: Frank Pate

MAILING ADDR: 1710 Eastwood Drive SE

CITY, STATE, ZIP: Decatur, AL 35601

PHONE: 256-214-3384

PROPERTY OWNER: Michael Mcleod

OWNER ADDR: 4303 Jade Cir SE

CITY, STATE, ZIP: Decatur, AL 35603 PHONE: (205) 533-5720

ADDRESS FOR APPEAL:

NATURE OF APPEAL:

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

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

For the case to be heard*****

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

Owner would like to add a covered patio to the back of home 11'x36'. the 11' projection of the roof would extend the roof past the current back house closest to the property line. We are asking for 9' of variance where the rear set back is currently.

Applicant Name (print) Frank Pate

Signature Frank Pate

Representative Name (print) Dylan Pate

Signature Dylan Pate

Date 1-9-2024

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

Office Use Received By: [Signature]

Zone R-2

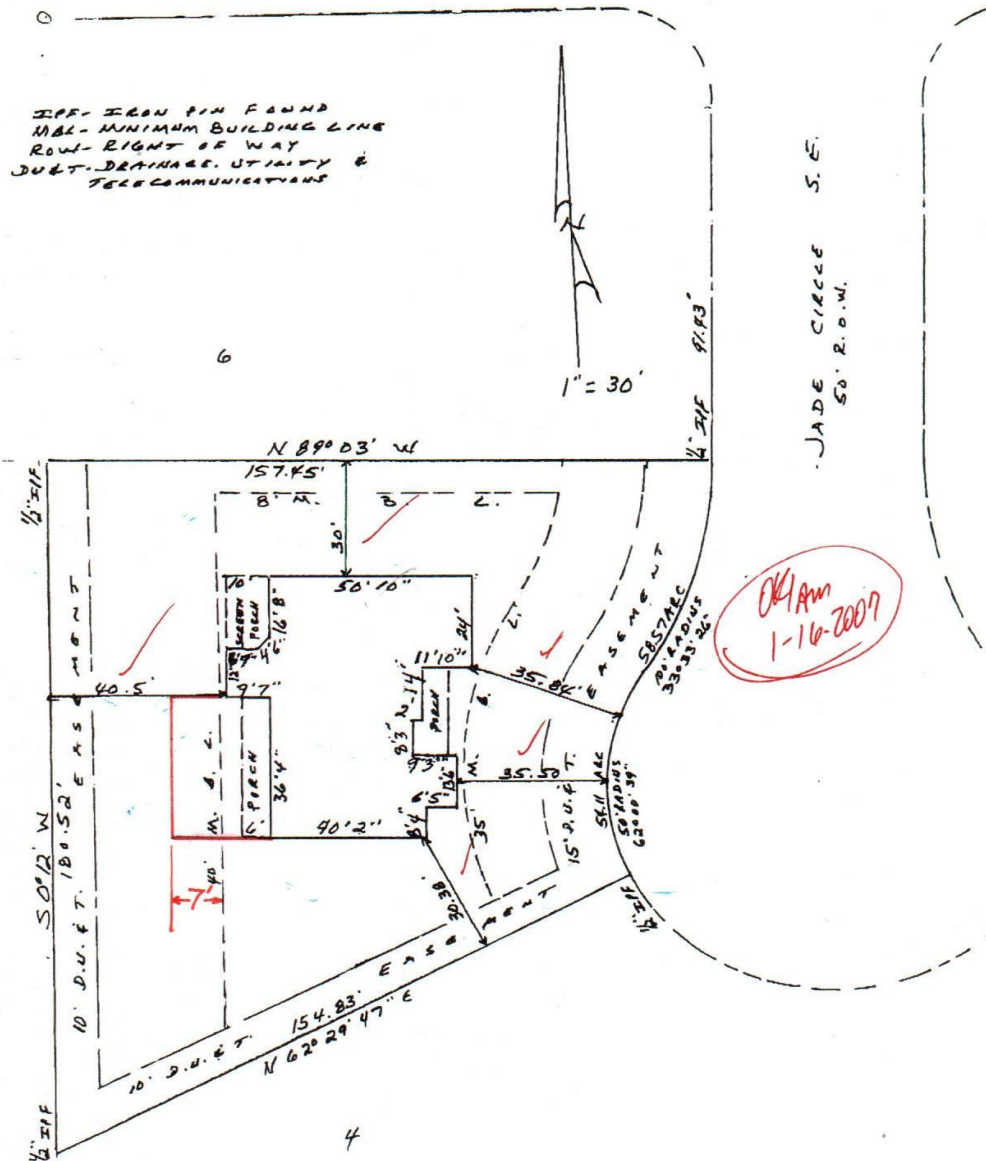
Hearing Date 1/30/24

Approved/Disapproved

CASE NO. 6 4303 JADE CIR. SE

BUILDING PERMIT PLAT
SOURCE-SUBDIVISION PLAT
CLIENT-TOM HALL
BLOCK LINE SURVEY
FIELD SURVEY 12-27-06

JADE POINTE S.E.




STATE OF ALABAMA)
MORGAN COUNTY)

I, James R. Bedingfield, a registered Land Surveyor of Decatur Alabama, hereby 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.

Lot 5, Crown Pointe Addition No. 3, Decatur Alabama, as shown by map or plat of said addition, on file and of record in the Office of the Judge of Probate of Morgan County Alabama, situated, lying and being in the City of Decatur, Morgan County Alabama.

that the buildings now erected on said property are within the boundaries of same, that there are no rights-of-way, easements or joint driveways over or across said property visible on the surface, that there are no electrical or telephone wires, (excluding wires which serve the premises only) or structures or supports thereof, including poles, anchors and guy wires on or over said premises except as shown, and that the correct street address is 4303 Jade Circle SE., Decatur Alabama. That I have examined the FIA Flood Insurance Rate Maps dated December 16, 2005, Panel No. 01103C0095E and found that the above described property is located in a Zone X flood zone.

According to my survey this the 31st day of October, 2006.
According to my survey this the 28th day of December, 2006.

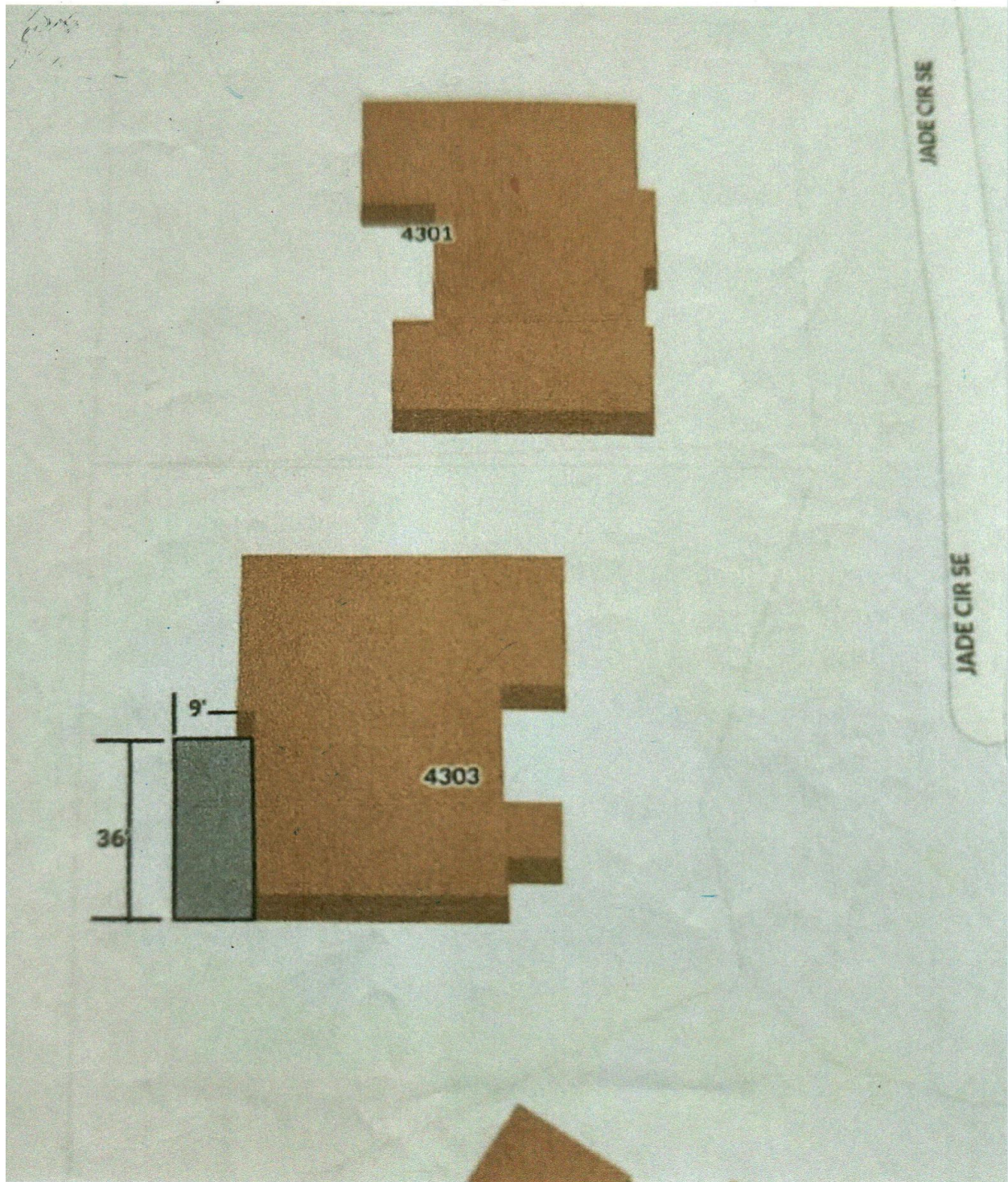

James R. Bedingfield Reg. #9788
1415D Kathy Lane SW.,
Decatur Alabama
353-8645



Survey



Picture



Picture