

Board of Adjustment Agenda

July 19, 2018 – 5:00 pm

Council Auditorium

City Hall, 103 N. Perry St.

BOARD OF ADJUSTMENT MEMBERS

John Stanley, *Chairman*

K. T. Brown, *Vice-Chairman*

Beau Holmes

George C. Howell, Jr.

Steve Hughes

Bart Prince

Pickett Reese

Jennifer Shaw

Nathan Williams

**Land Use Division
25 Washington Ave., 4th Floor
Montgomery, AL 36104
(334)625-2722**

I. **Chairman's Message**

II. **Approval of Minutes from the June 21, 2018 meeting**

July 19, 2018

<u>Item</u>	<u>File</u>	<u>Petitioner</u>	<u>Zone</u>	<u>Location/Request</u>	<u>Page</u>
1.	2018-038	Jarvis & Barbara Jerido	B-3	5771 Woodmere Boulevard (Front yard variance)	1
2.	2018-044	Jones Brothers Roofing	R-65-s	3152 Lynchburg Drive (Addition to dwelling)	2
3.	2018-042	Johnny Bannister	R-60-d	814/820 Clayton Street (Church – special exception)	3
4.	2018-040	MDM Services, Inc.	T4-O	Madison Avenue (Exception to SmartCode)	4
5.	2018-041	Steward & Ayata Hayles	R-75-s	4307 Balboa Road (Accessory structures)	5
6.	2018-006	J. Barrett Penney	R-60-m	728 Felder Avenue (Fence columns)	6

The next Board of Adjustment meeting is on August 16, 2018

1. BD-2018-038 **PRESENTED BY:** Jarvis & Barbara Jerido

REPRESENTING: Tropical Freeztopia

SUBJECT: Request a front yard variance for an existing building located at 5771 Woodmere Boulevard in a B-3 (Commercial) Zoning District.

REMARKS: This request is being made to give the petitioner permission to maintain a 16 ft. x 10 ft. concession building that will come within 17.5 ft. of the front property line (Woodmere Boulevard) property line, whereas 30 ft. is required.

The Board of Adjustment denied a 29.03 ft. front yard variance at the June 21, 2018 meeting. Several board members suggested the applicant look into moving the building to a location further from Woodmere Boulevard, which this proposal does.

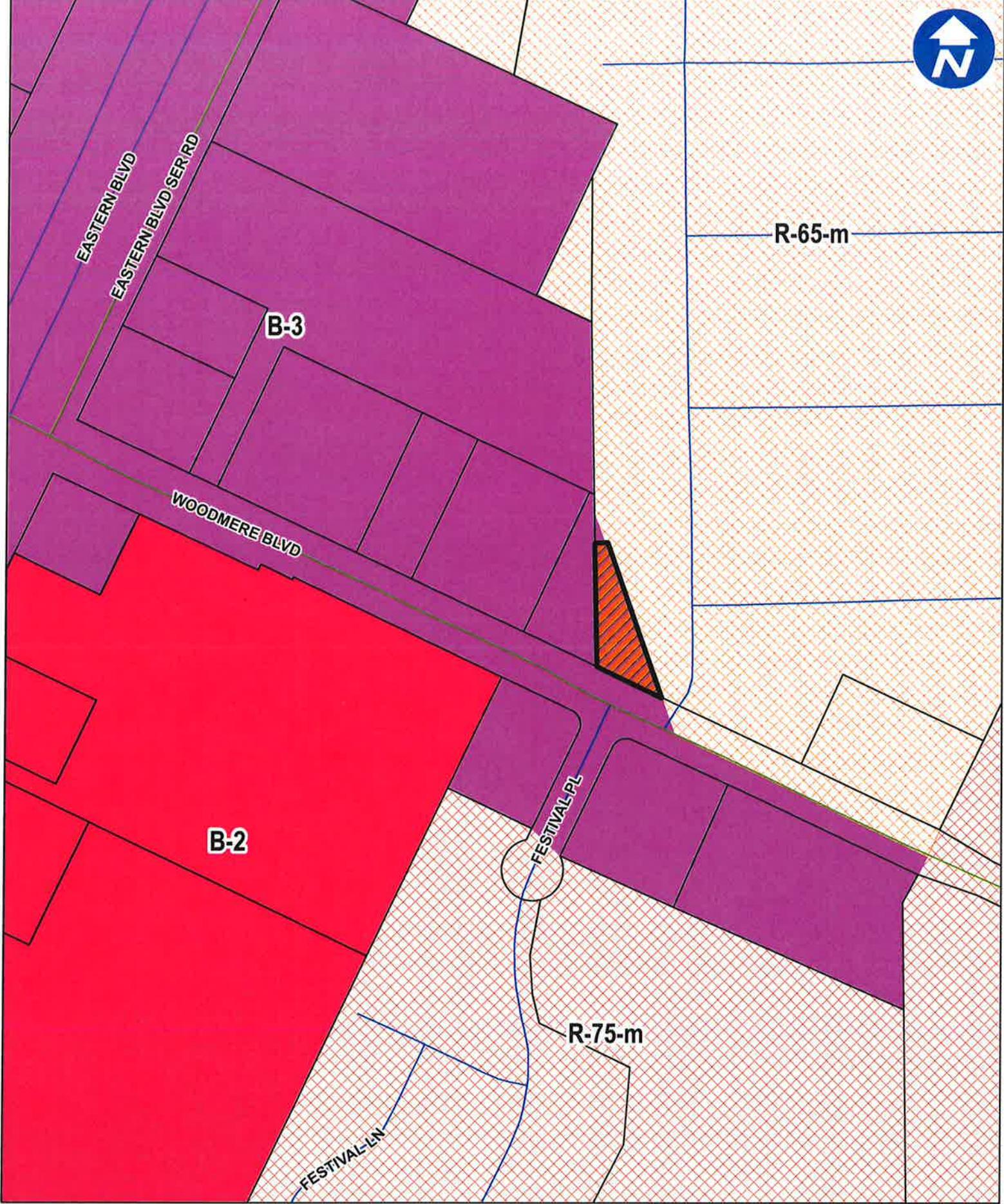
Land Use Division: The applicant placed the building not knowing a building permit was required.

The request is a 12.7 ft. front yard variance.

COUNCIL DISTRICT: 9

COMMENTS _____

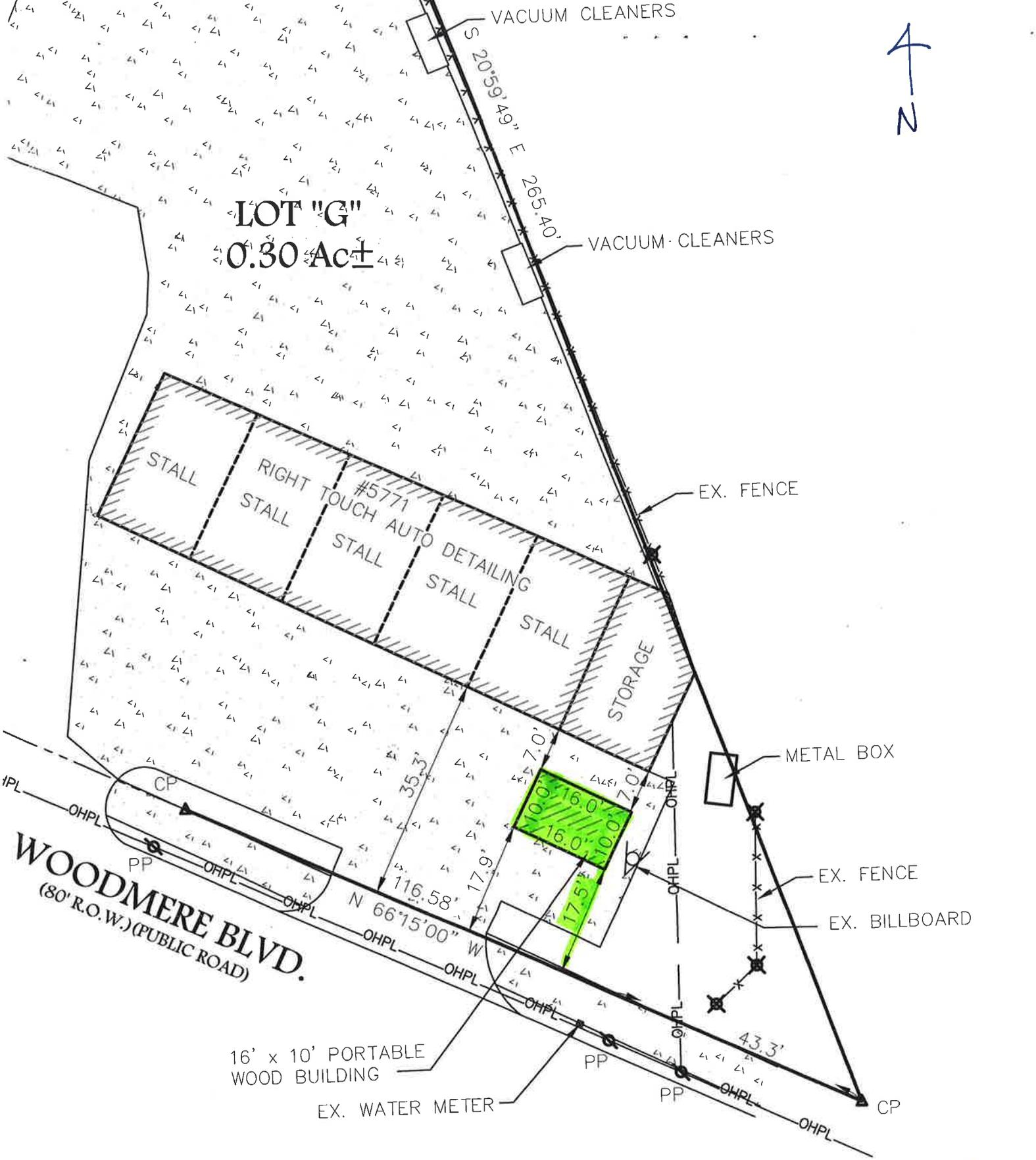
ACTION TAKEN: _____



Site 

1 inch = 200 feet

Item 1A



ECE Surveying & Design, LLC

540 South Perry Street, Suite #5,
 Montgomery, Alabama 36104
 PH (334) 271-4092 & (334) 263-0450

IB



Site 

1 inch = 40 feet

Item 1C

2. BD-2018-044 **PRESENTED BY:** Jones Brothers Roofing

REPRESENTING: Daryl Baker

SUBJECT: Request a side yard variance for an addition to the dwelling located at 3152 Lynchburg Drive in an R-65-s (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to construct a new 20 ft. x 20 ft. attached carport to come to the side property line, whereas 10 ft. is required.

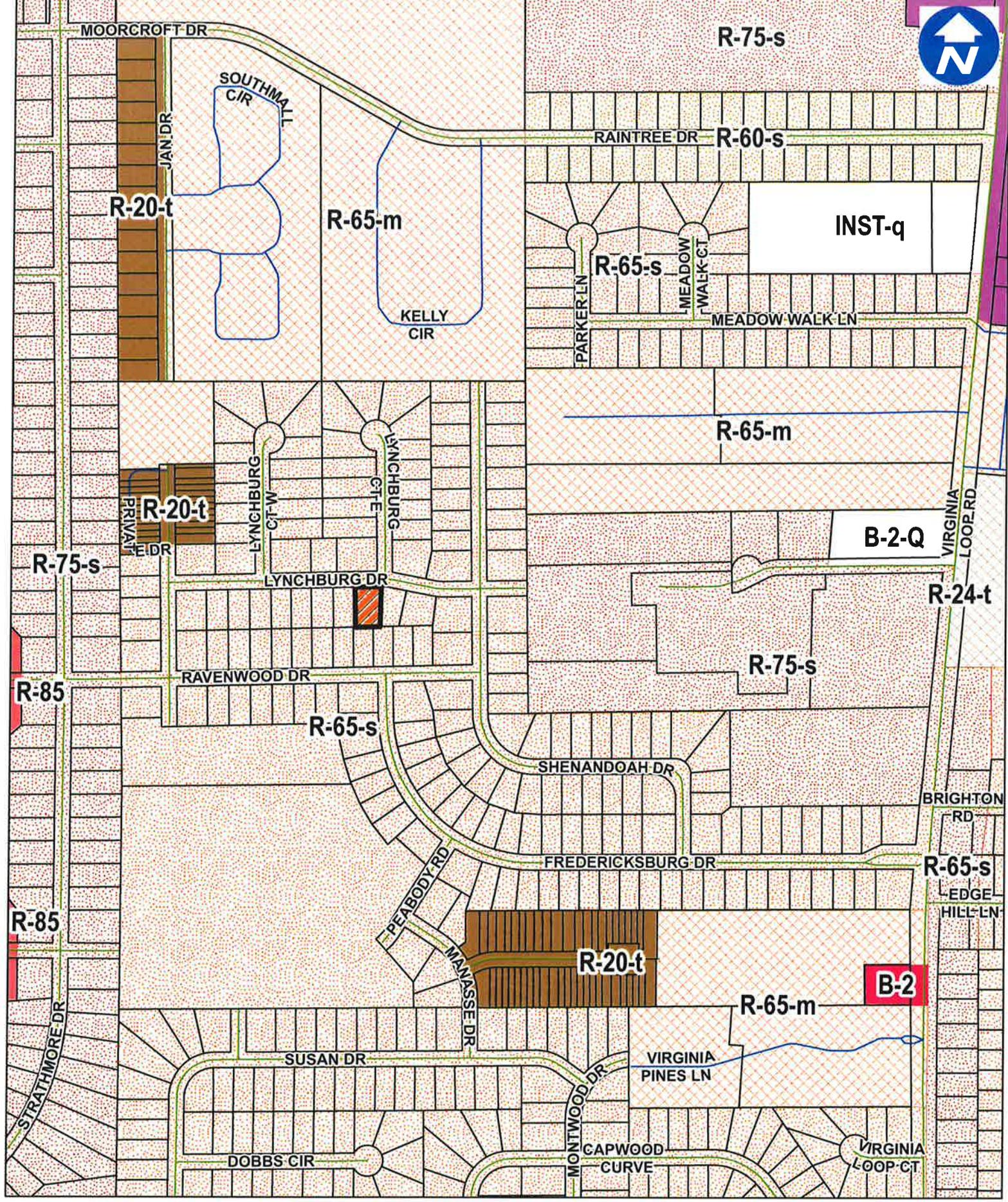
Land Use Division: Gutters and downspouts will be required to direct drainage from the adjoining property.

The request is a 10 ft. side yard variance.

COUNCIL DISTRICT: 6

COMMENTS _____

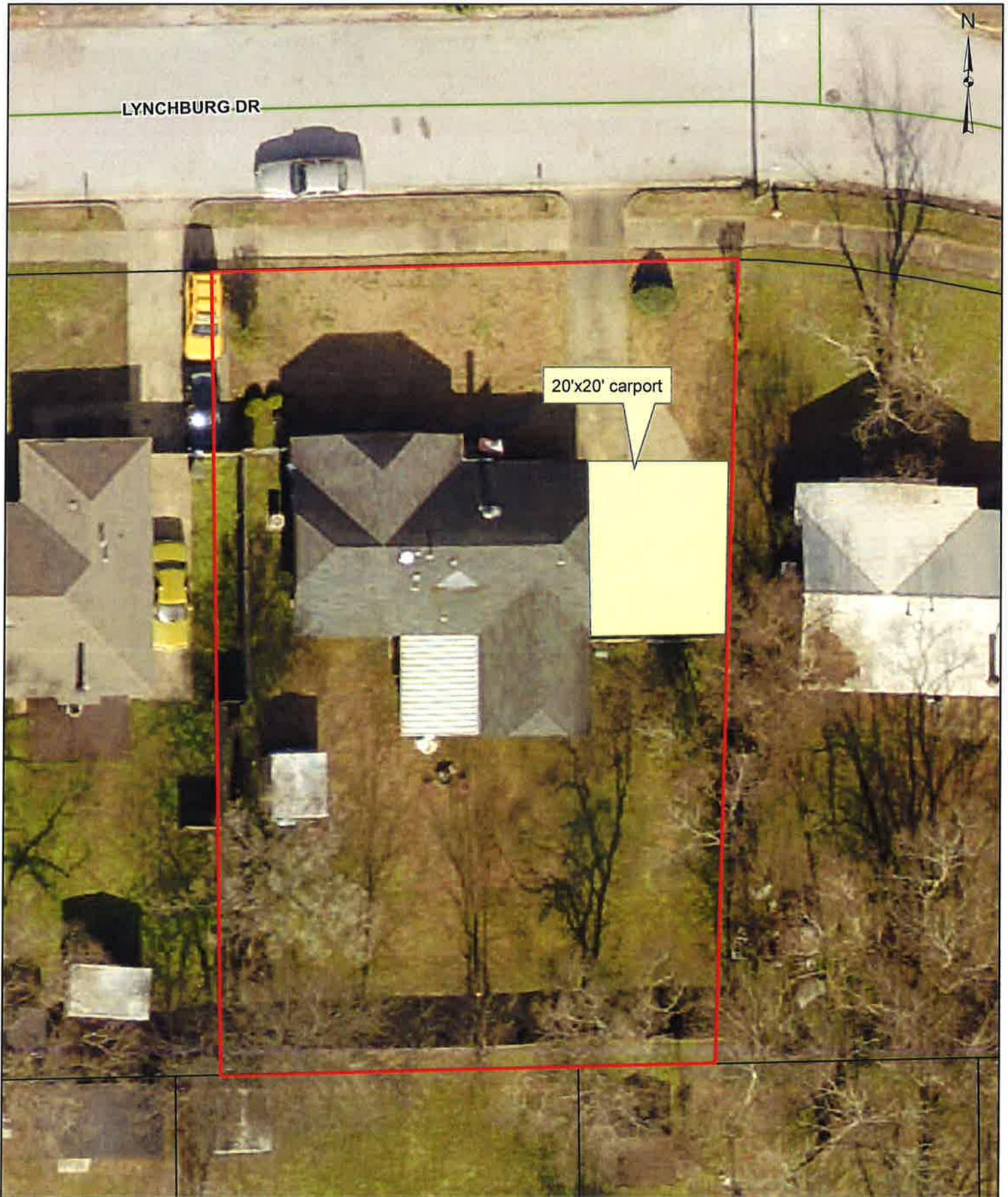
ACTION TAKEN: _____



Site 

1 inch = 400 feet

Item 2A



Site Location

1 inch = 20 feet

Item No. 2B

3. BD-2018-042 **PRESENTED BY:** Johnny Bannister

REPRESENTING: Same

SUBJECT: Request a special exception for a church to be located at 814 and 820 Clayton Street and 812 Martha Street in an R-60-d (Duplex Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to use these properties church purposes. The proposed 3,500 sq. ft. building will have a 100 seat sanctuary. Services will be Sunday 10 a.m. – 12 noon and Wednesday 6:30 p.m. – 8:30 p.m. (choir practice).

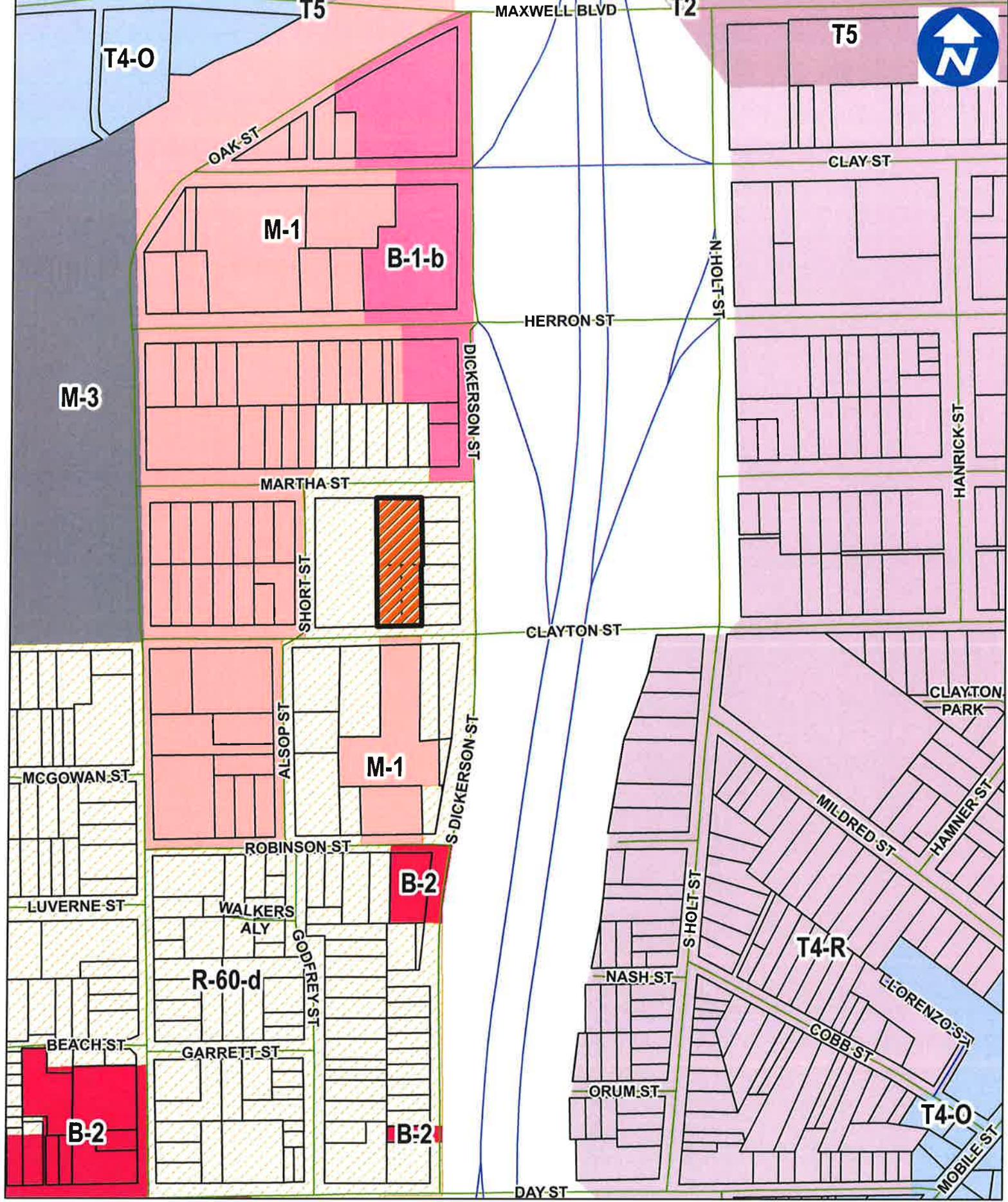
A master plan will be submitted for departmental reviews at a later date.

The request is a special exception for church use.

COUNCIL DISTRICT: 3

COMMENTS _____

ACTION TAKEN: _____



Site 

1 inch = 300 feet

Item 3A



MARTHA ST

Subject Property

CLAYTON ST

DICKERSON ST

SIDICKERSON ST



Site Location

1 inch = 50 feet

Item No. 3B

4. BD-2018-040 **PRESENTED BY:** MDM Services, Inc.

REPRESENTING: Circle K Stores, Inc.

SUBJECT: Request an exception to SmartCode for a new building to be located on the south side of Madison Avenue, between North Hull Street and North McDonough Street, in a T4-O (General Urban Zone-Open) SmartCode Zoning District.

REMARKS: This request is being made to give the petitioner permission to construct a new convenience store. The canopy will come within 32 ft. of the Madison Avenue property line, within 47 ft. 10 in. of the North McDonough Street property line, and within 57 ft. 10 in. of the North Hull Street property line. SmartCode allows a 0 ft. – 24 ft. max front setback. This property will have three (3) frontages. Several buildings will be demolished and property will be replatted for the redevelopment of this site.

The request is an exception to allow a front setback up to 57 ft. 10 in.

COUNCIL DISTRICT: 3

COMMENTS _____

ACTION TAKEN: _____



RANDOLPH ST

COLUMBUS ST

T4-0

T4-0

E-JEFFERSON ST

N MCDONOUGH ST

N DECATUR ST

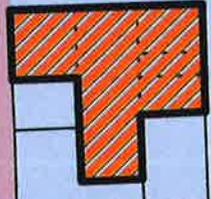
N BAINBRIDGE ST

N PERRY ST

N LAWRENCE ST

N HULL ST

MADISON AVE



MONROE ST

T5 DEXTER AVE

S BAINBRIDGE ST

S PERRY ST

S LAWRENCE ST

S MCDONOUGH ST

S HULL ST

S DECATUR ST

WASHINGTON AVE

Site 

1 inch = 300 feet

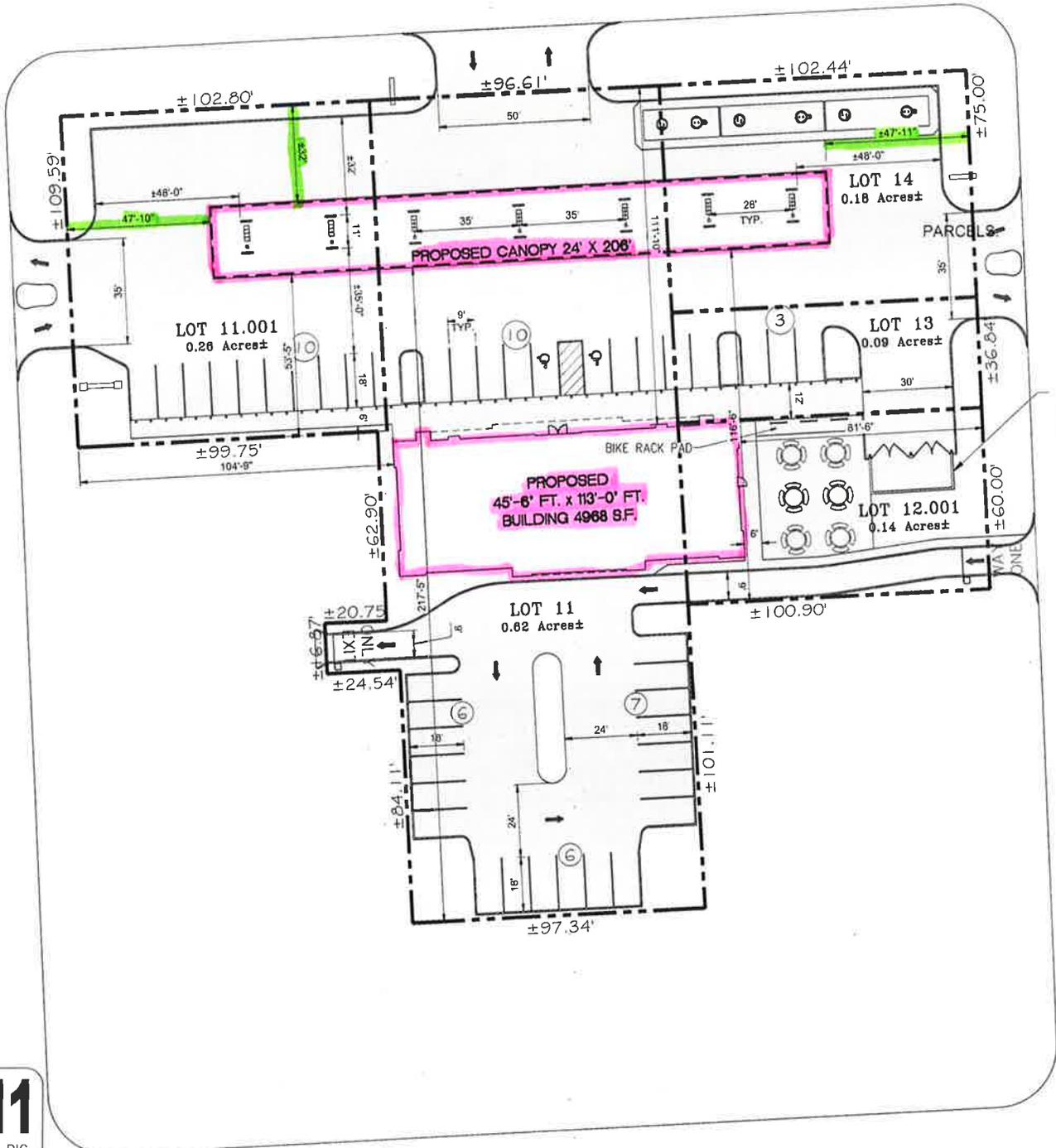
Item 4A



Madison Ave

N McDonough St

N Hull St

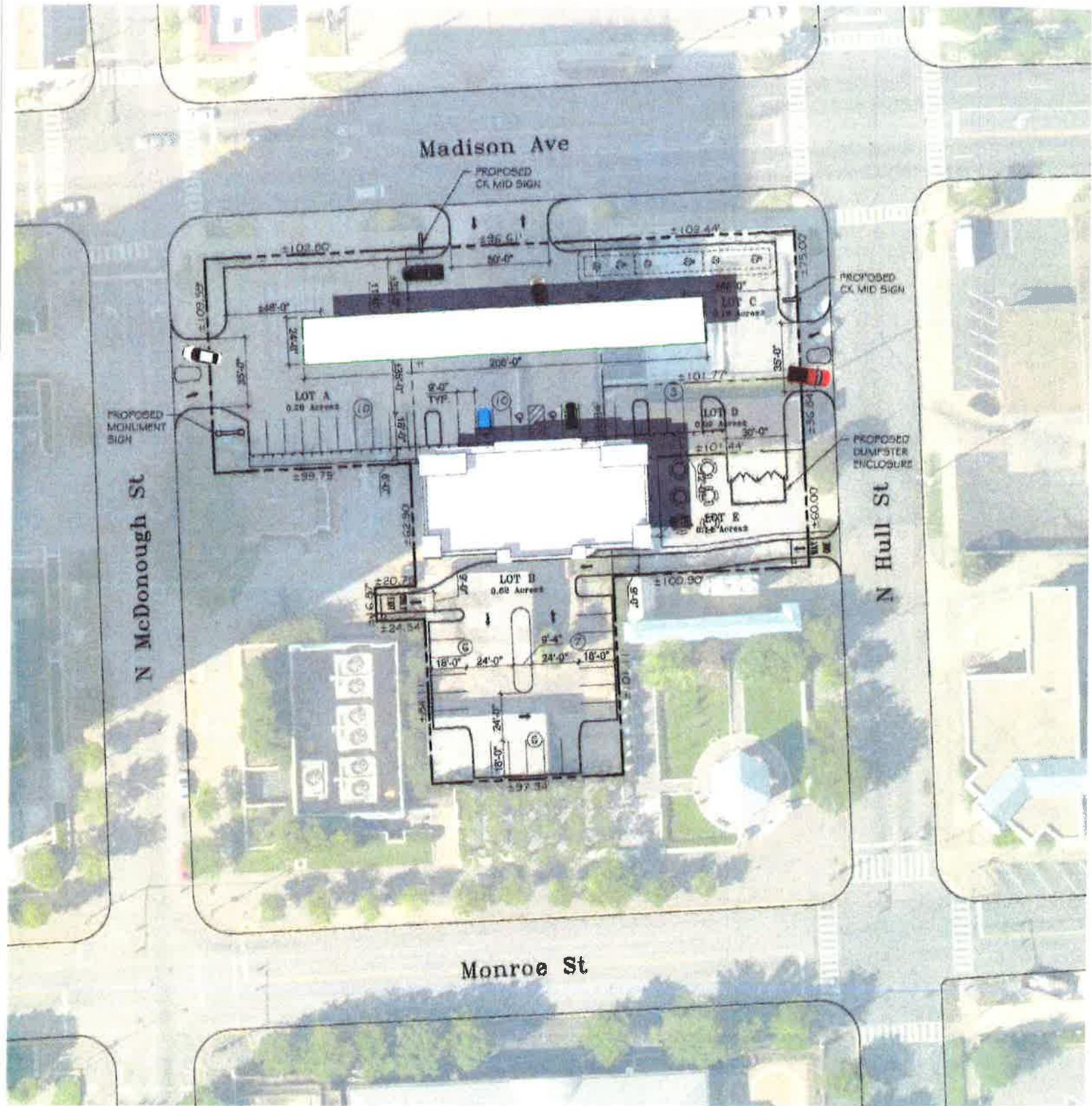


Monroe St

One Call 811

CALL 811 BEFORE YOU DIG. KNOW WHAT'S BELOW. IT'S DIAL 811 OR 800.292-8525 FIRST. CALL AND THE SERVICE ARE FREE.

4B



CONCEPTUAL SITE PLAN

SCALE: 1"=30'-0"

HC





Site 

1 inch = 100 feet

Item 4E

5. BD-2018-041 **PRESENTED BY:** Steward & Ayata Hayles

REPRESENTING: Homes by Hayles LLC

SUBJECT: Request a variance for an accessory structure in the required side yard, a separation between structures variance, a side yard variance and a rear yard variance to maintain two (2) accessory structures on the property located at 4307 Balboa Road in an R-75-s (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to maintain an existing carport and storage building. The carport is located in the required side yard, comes within 1 inch of the dwelling, whereas a 10 ft. separation is required, and is within 1 ft. 10 in. of the side property line, whereas 10 ft. is required. The storage building comes within 3 ft. of the rear property line, whereas 5 ft. is required.

Land Use Division Comment(s): Gutters and downspouts will be required to direct drainage away from the adjoining property.

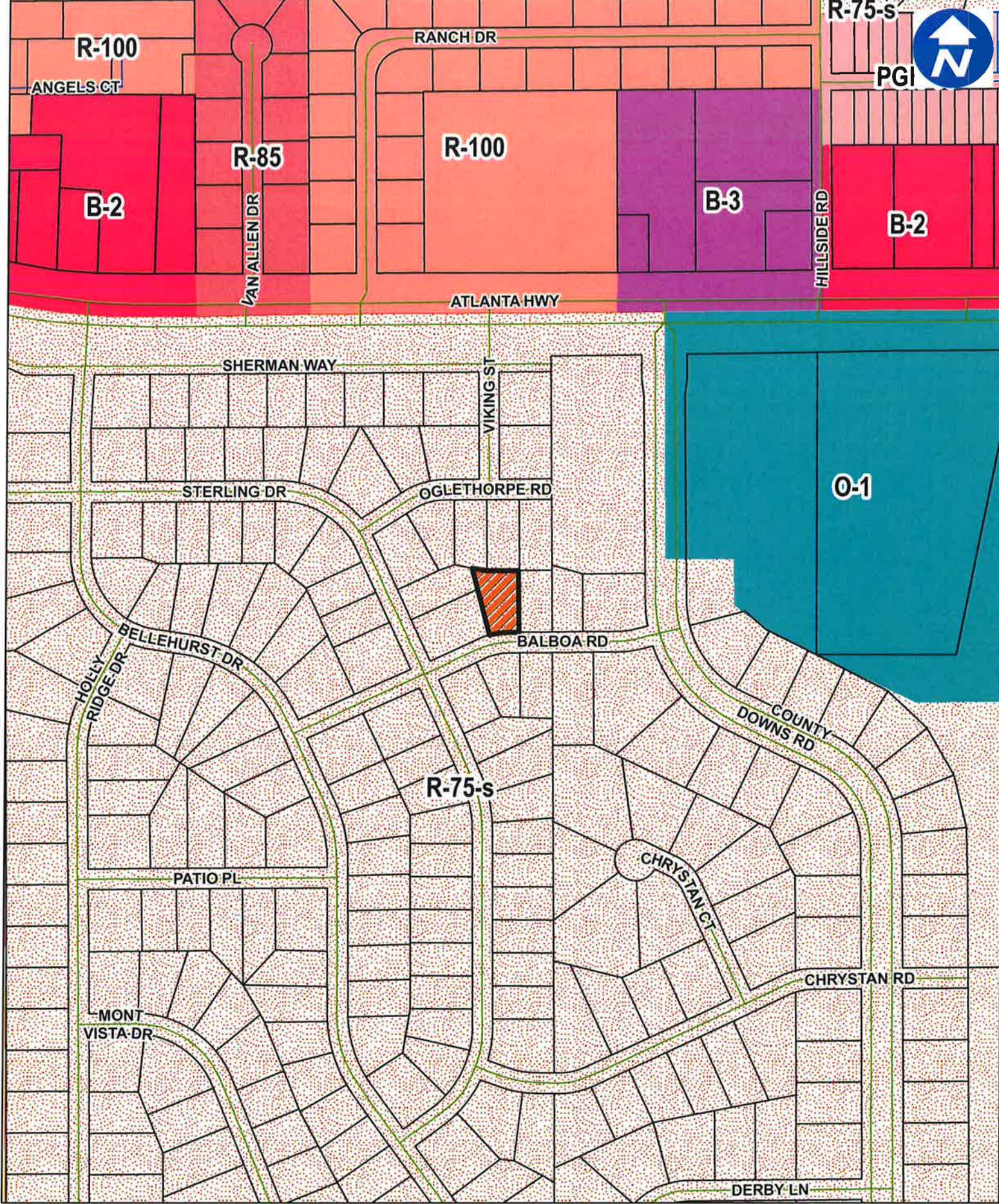
The variances requested as follows:

- A 9 ft. 11 in. separation between structures variance
- An 8 ft. 2 in. side yard variance for an existing carport located in the required side yard
- A 2 ft. rear yard variance for an existing storage building

COUNCIL DISTRICT: 1

COMMENTS _____

ACTION TAKEN: _____



R-75-s

PGI



R-100

RANCH DR

ANGELS CT

R-85

R-100

B-2

VAN ALLEN DR

B-3

HILLSIDE RD

B-2

ATLANTA HWY

SHERMAN WAY

VIKING ST

STERLING DR

OGLETHORPE RD

O-1

BELLEHURST DR

BALBOA RD

HOLLY RIDGE DR

COUNTY DOWNS RD

R-75-s

CHRYSTAN CT

PATIO PL

CHRYSTAN RD

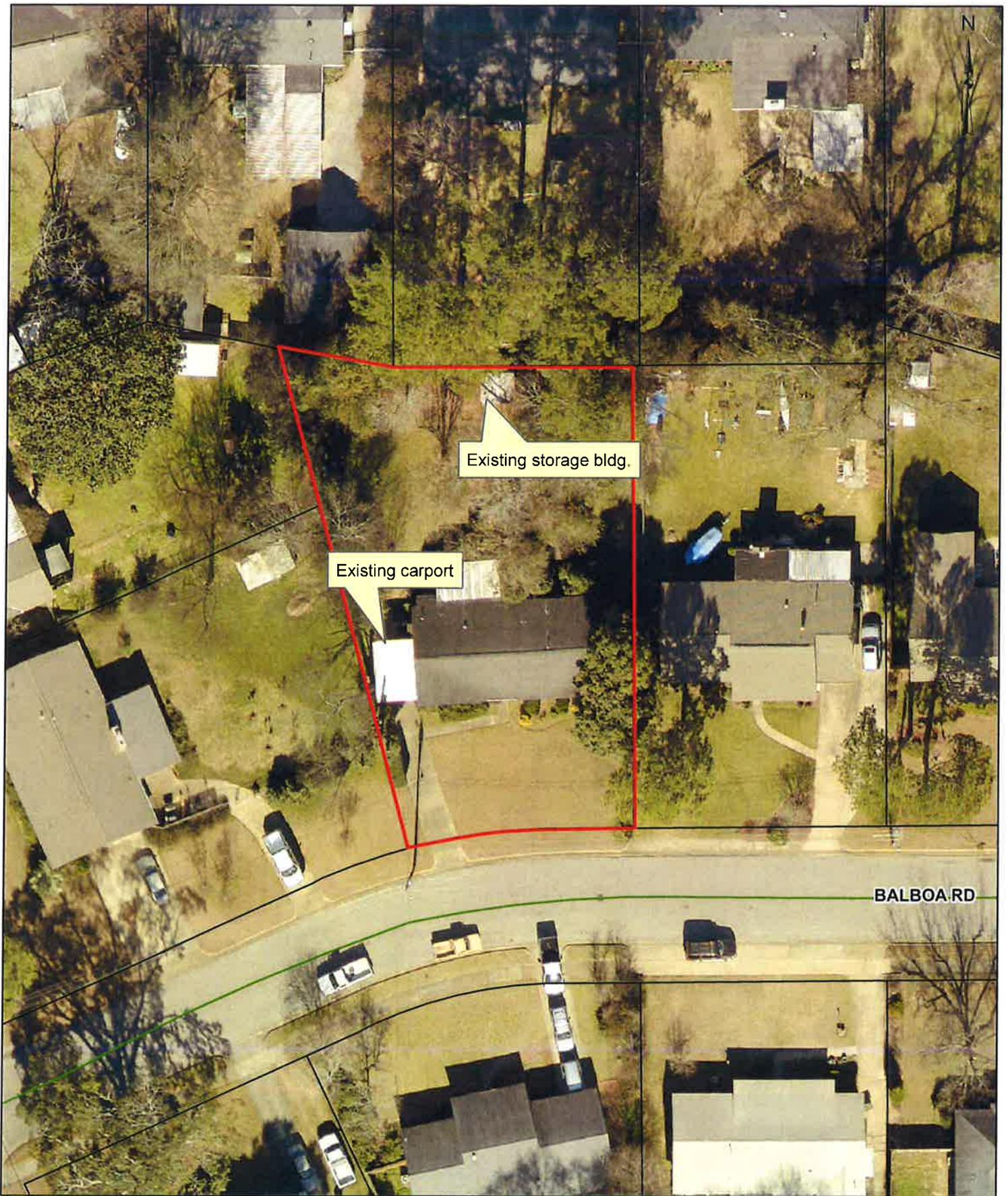
MONT VISTA DR

DERBY LN

Site 

1 inch = 300 feet

Item 5A



Site Location

1 inch = 40 feet

Item No. 5B

6. BD-2018-006 **PRESENTED BY:** J. Barrett Penney, AIA, NCARB

REPRESENTING: Dr. Brian Richardson

SUBJECT: Request a height variance for fence columns to be located at 728 Felder Avenue in an R-60-m (Multi-Family Residential) Zoning District.

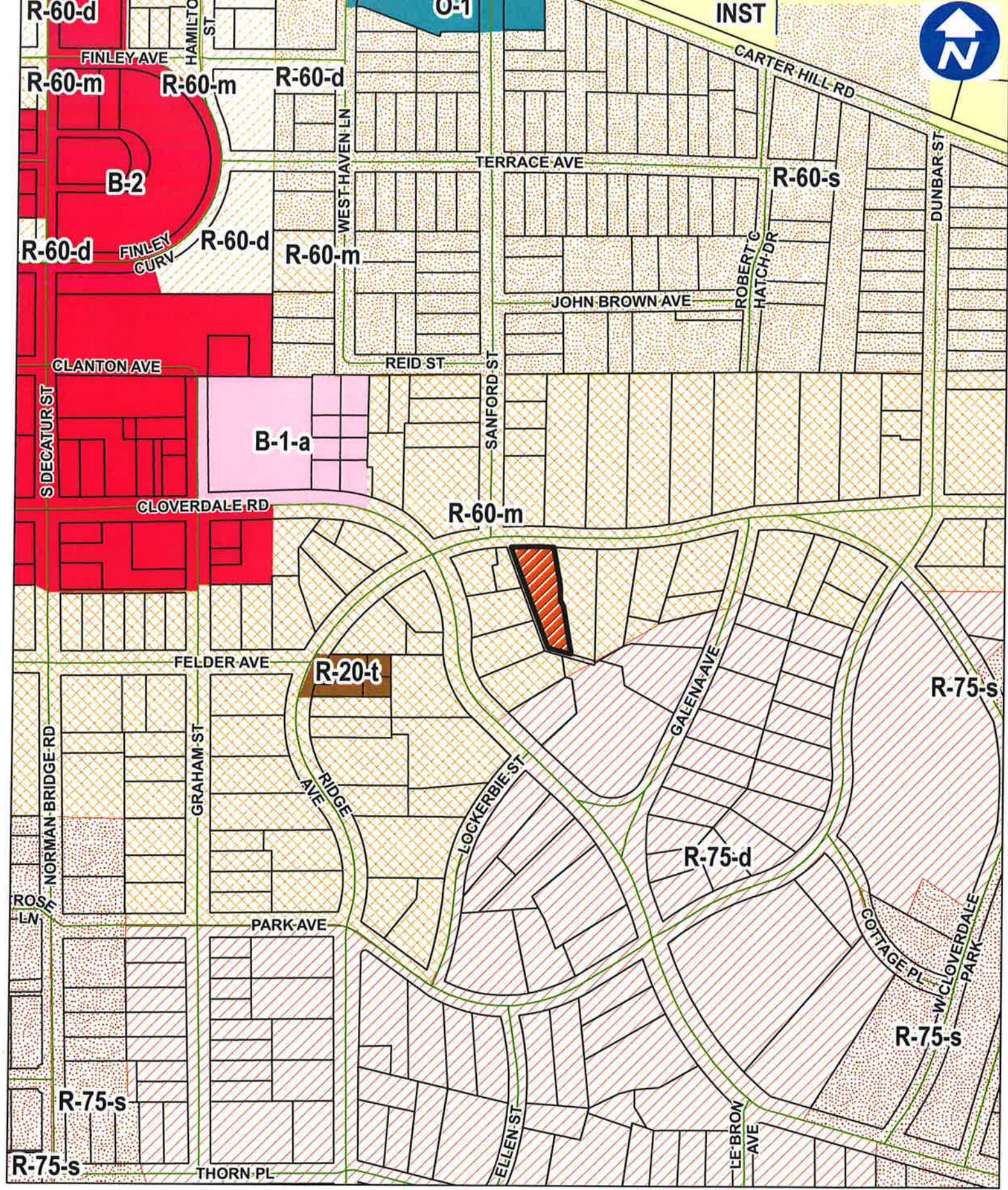
REMARKS: This request is being made to give the petitioner permission to construct five (5) brick columns that are 8 ft. in height, whereas 7 ft. is allowed. The two (2) columns supporting the gates will have a light fixture on the top (style to be determined).

The request is a 1 ft. height variance.

COUNCIL DISTRICT: 7

COMMENTS _____

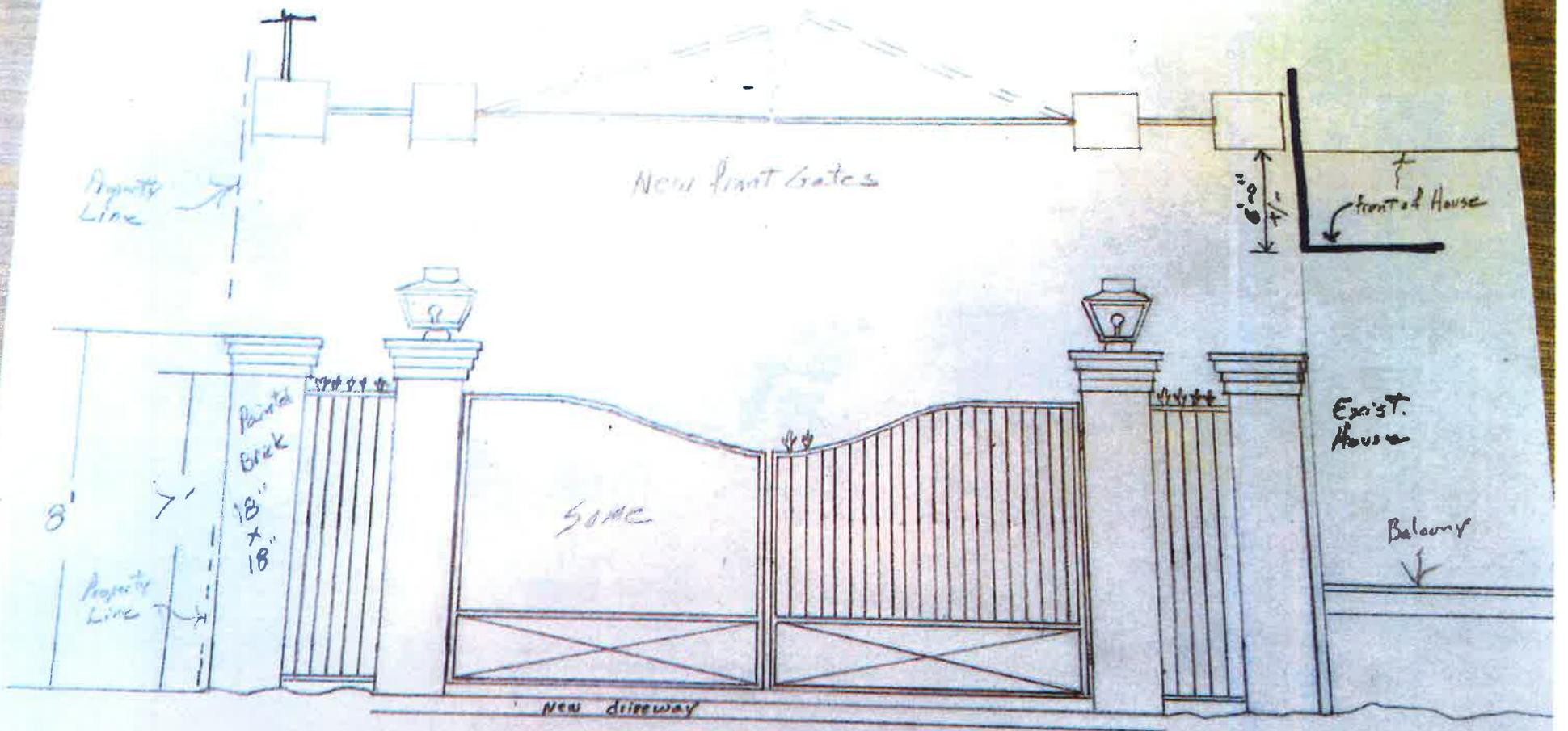
ACTION TAKEN: _____



Site 

1 inch = 300 feet

Item 6.A



Scale 1/2" = 1'

Richardson Residence
728 Folder Ave.

ELEVATION OF FRONT GATE & FENCE

6/2



Site Location

1 inch = 40 feet

Item No. 60C