

# Board of Adjustment Agenda

February 21, 2019 – 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

Cory Johnson

Bart Prince

Pickett Reese

Nathan Williams

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

**I. Chairman's Message**

**II. Approval of Minutes from the January 17, 2019 meeting**

**February 21, 2019**

<u>Item</u>	<u>File</u>	<u>Petitioner</u>	<u>Zone</u>	<u>Location/Request</u>	<u>Page</u>
1.	2019-006	Reverend Lilly S. Miller	B-3	5754 Carmichael Parkway (Church)	1
2.	2019-008	Marcus Collins	B-3	5060 Vaughn Road (Church)	2
3.	2019-009	Mary Daniels	AGR-2	6636 Dowell Lane (Mobile home)	3
4.	2019-004	Bobbie Holmes	AGR-2	3060 Savage Drive (Mobile home)	4
5.	2019-005	James M. Collins	PUD	Park Crossing (Church)	5
6.	2019-007	Goodwyn, Mills & Cawood	B-2	Carmichael Court (Variance to Landscape Ordinance)	6
7.	2019-010	Ramiro Ortiz Lopez	R-75-s	3837 MacLamar Road (Chickens)	7
8.	2019-011	J. M. Garrett & Son	AGR-1	5214 Patterson Road (Volunteer Fire Department)	8

***The next Board of Adjustment meeting is on March 21, 2019***

1. BD-2019-006 **PRESENTED BY:** Reverend Lilly S. Miller, Pastor

**REPRESENTING:** Refuge Temple A.M.E. Zion Church

**SUBJECT:** Request a special exception for a church to be located at 5754 Carmichael Parkway in a B-3 (Commercial) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to use an existing building for church use. There are 50-60 members which would require 12 parking spaces, and there are 24 parking spaces on-site.

**Services:**

Sunday (Sunday school and Worship): 9:30 a.m. – 12:30 p.m.

Wednesday (Bible Study): 7:00 – 8:00 p.m.

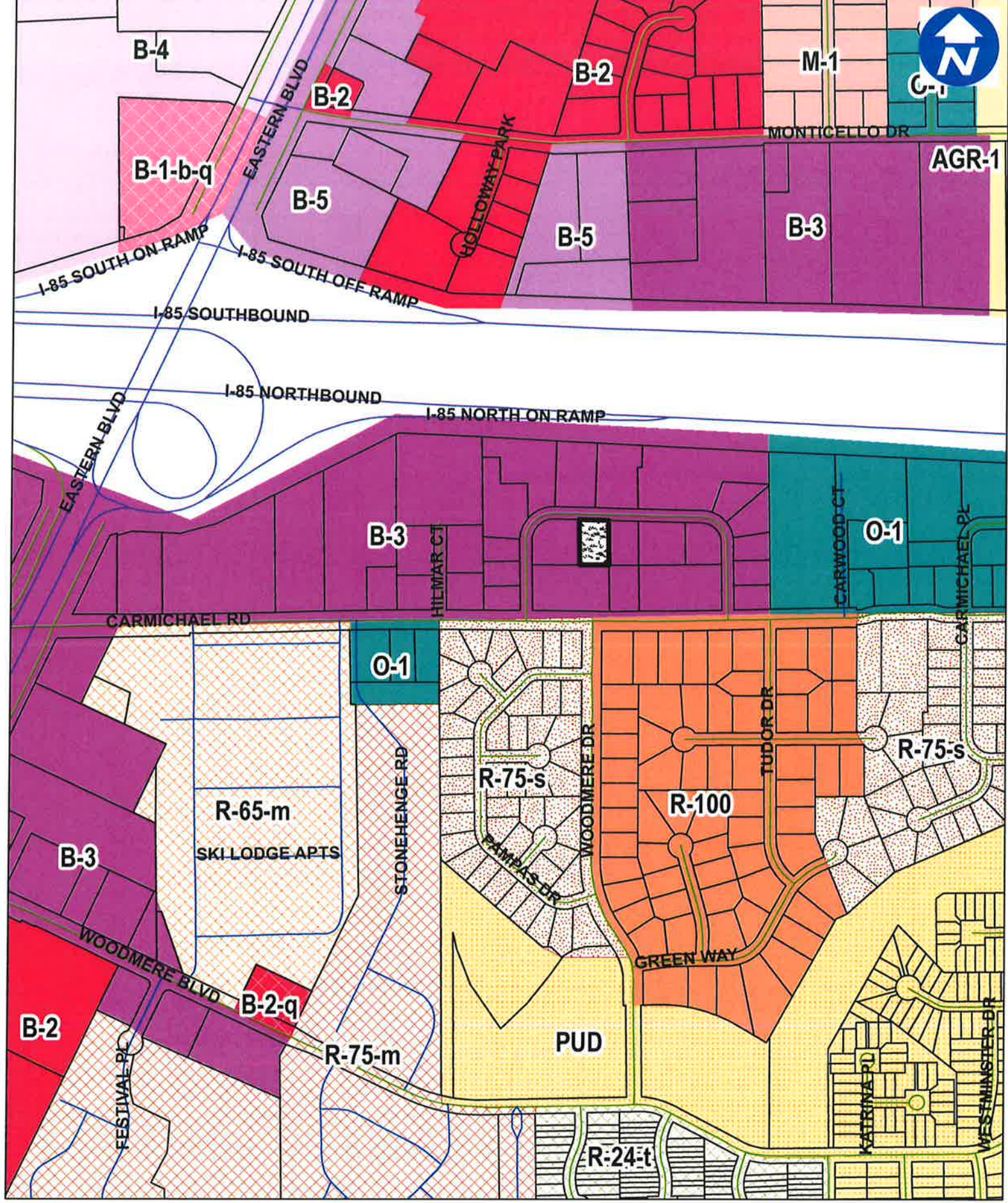
*The request is a special exception for church use.*

**COUNCIL DISTRICT: 9**

*COMMENTS* \_\_\_\_\_

*ACTION TAKEN:* \_\_\_\_\_





Site 

1 inch = 500 feet

Item 1A





Site Location

1 inch = 30 feet

Item No. 1B

2. BD-2019-008 **PRESENTED BY:** Marcus Collins

**REPRESENTING:** Grace Community Church

**SUBJECT:** Request a special exception for a church to be located at 5060 Vaughn Road in a B-3 (Commercial) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to occupy a tenant space in a multi-tenant building for church use. There are approximately 75 members, which would require 15 parking spaces, which is adequately met by the shopping center's parking lot.

**Services:**

Sunday: 9:00 a.m. – 12:00 p.m.

Wednesday: 6:30 p.m. – 8:00 p.m.

*The request is a special exception for church use.*

**COUNCIL DISTRICT: 8**

*COMMENTS* \_\_\_\_\_

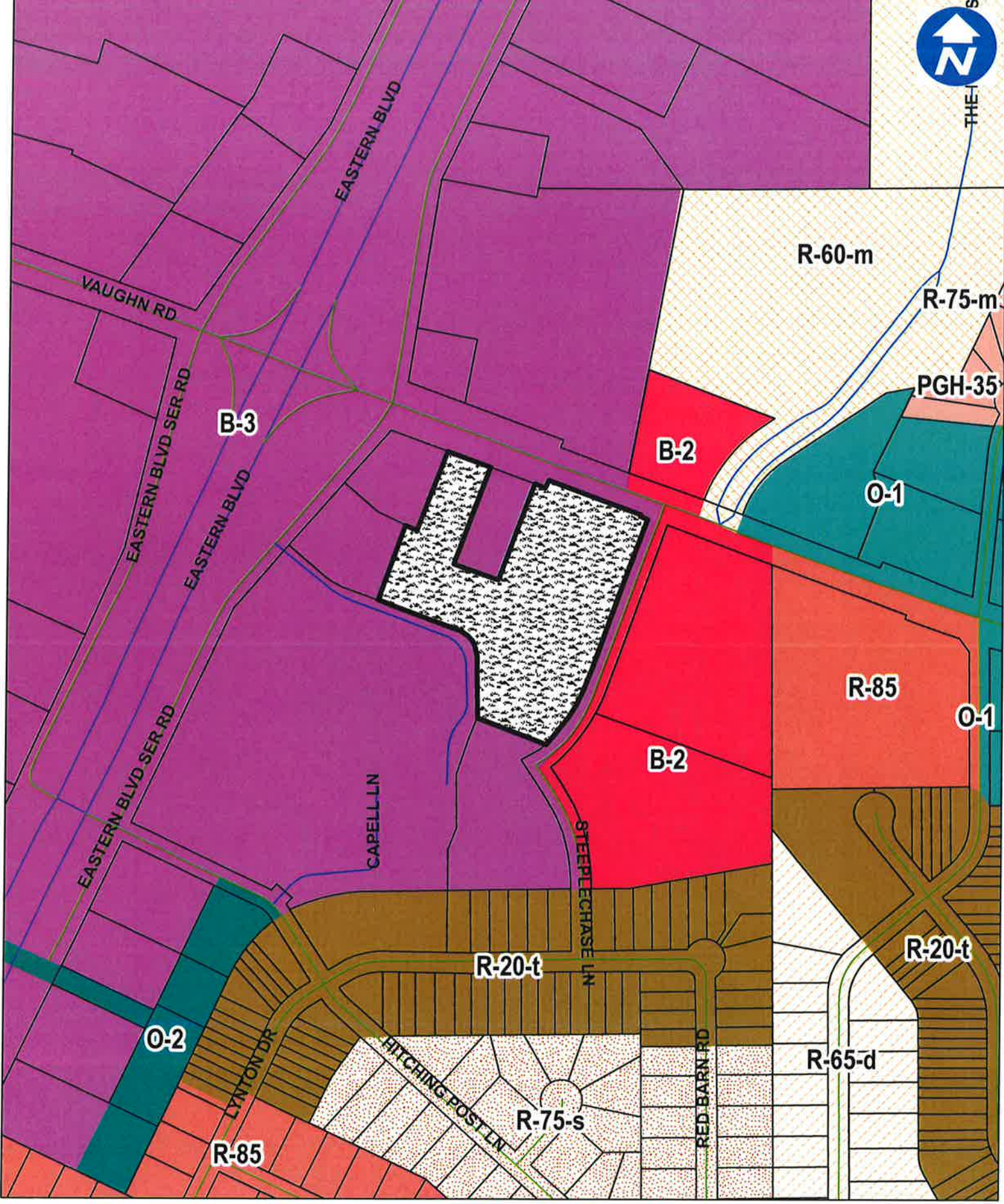
*ACTION TAKEN:* \_\_\_\_\_





THE

S



Site 

1 inch = 300 feet

Item 2A





Proposed Church

Site 

1 inch = 200 feet  
Item 2B



3. BD-2019-009 **PRESENTED BY:** Mary Daniels

**REPRESENTING:** Same

**SUBJECT:** Request a special exception for a mobile home to be located at 6636 Dowell Lane in an AGR-2 (General Agriculture) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to place a mobile home on a platted lot for living purposes. The existing dwelling will be demolished prior to the placement of the mobile home. The mobile will be setback at least 50 ft. off the front property line.

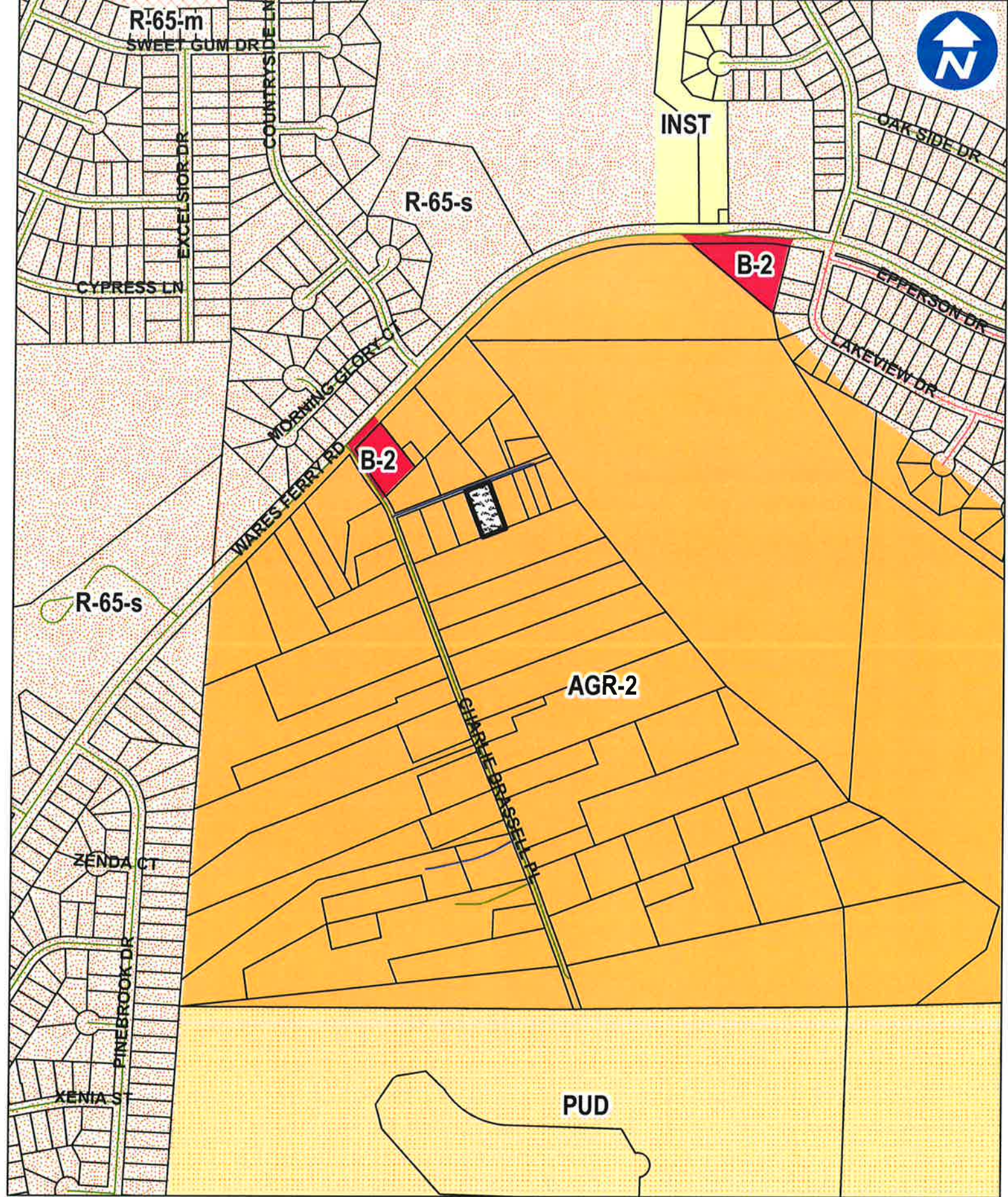
*The request is a special exception for a mobile home.*

**COUNCIL DISTRICT: 1**

*COMMENTS* \_\_\_\_\_

*ACTION TAKEN:* \_\_\_\_\_





Site 

1 inch = 500 feet

Item 3A





Site Location 

1 inch = 30 feet

Item No. 3B



4. BD-2019-004 **PRESENTED BY:** Bobbie Holmes

**REPRESENTING:** Same

**SUBJECT:** Request a special exception for a mobile home to be located at 3060 Savage Drive in an AGR-2 (General Agriculture) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to place a mobile home on a 5.8 acre parcel of land with an existing mobile home. The two houses that show up on the aerial map have been demolished, and this mobile home will be in place of one of those houses.

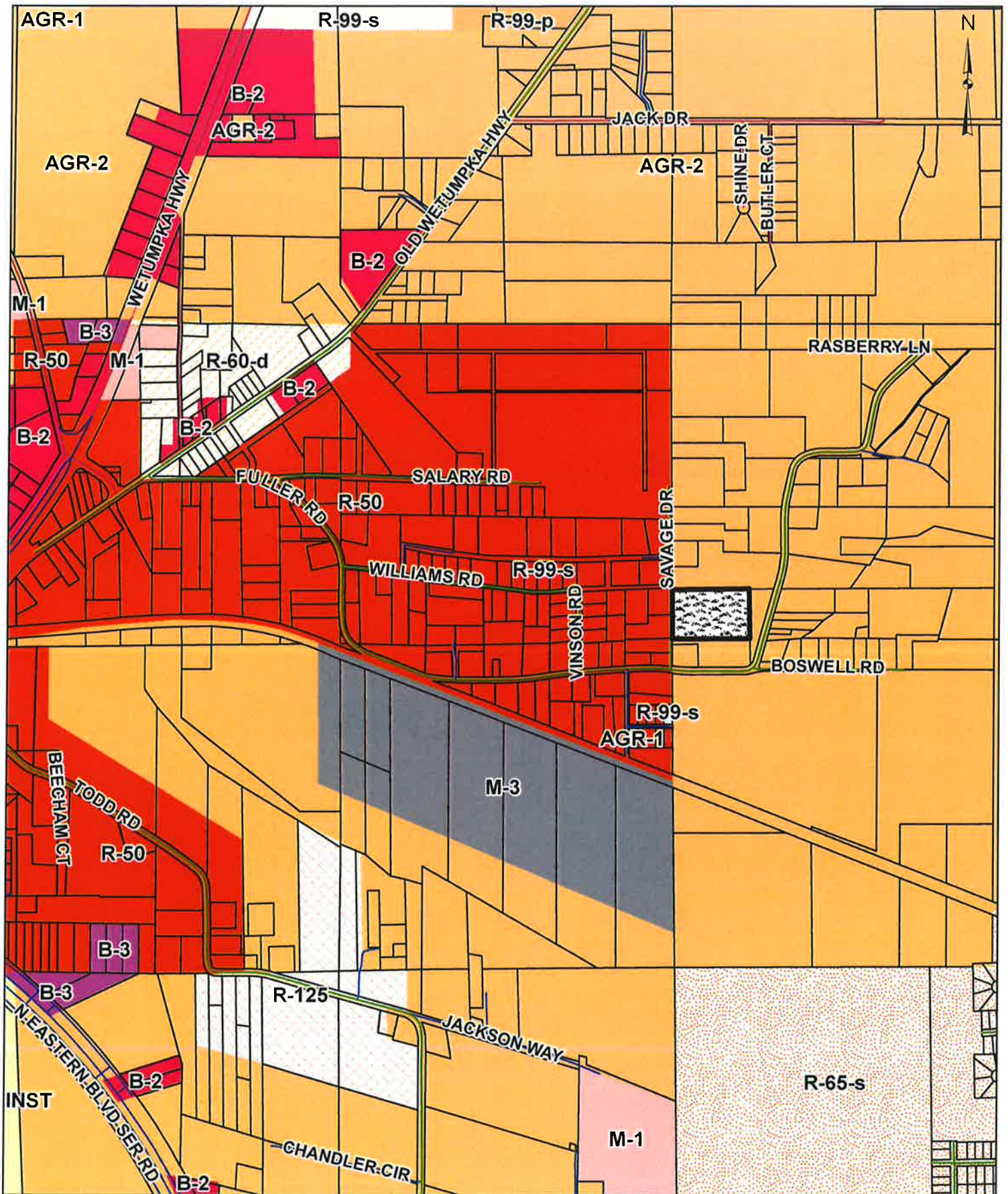
*A special exception for a mobile home for living purposes.*

**COUNCIL DISTRICT: 2**

*COMMENTS* \_\_\_\_\_

*ACTION TAKEN:* \_\_\_\_\_





Site Location 

1 inch = 1,000 feet

Item No. 4A





Site Location

1 inch = 100 feet

Item No. 48



5. BD-2019-005 **PRESENTED BY:** James M. Collins

**REPRESENTING:** The Church of Jesus Christ of Latter-Day Saints

**SUBJECT:** Request a special exception for a church to be located on the north side of Park Crossing, approximately 270 ft. west of Ray Thorington Road, in a PUD (Planned Unit Development) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to use a 4.5 acre parcel of land for church use. There are 641 seats in the sanctuary which requires 129 parking spaces and 214 paved parking spaces are indicated on the site plan. There is one right-in/right-out access drive, and one (1) full access drive to Park Crossing.

**Land Use Division:** A detailed development plan will be required for review and approval by the various departments.

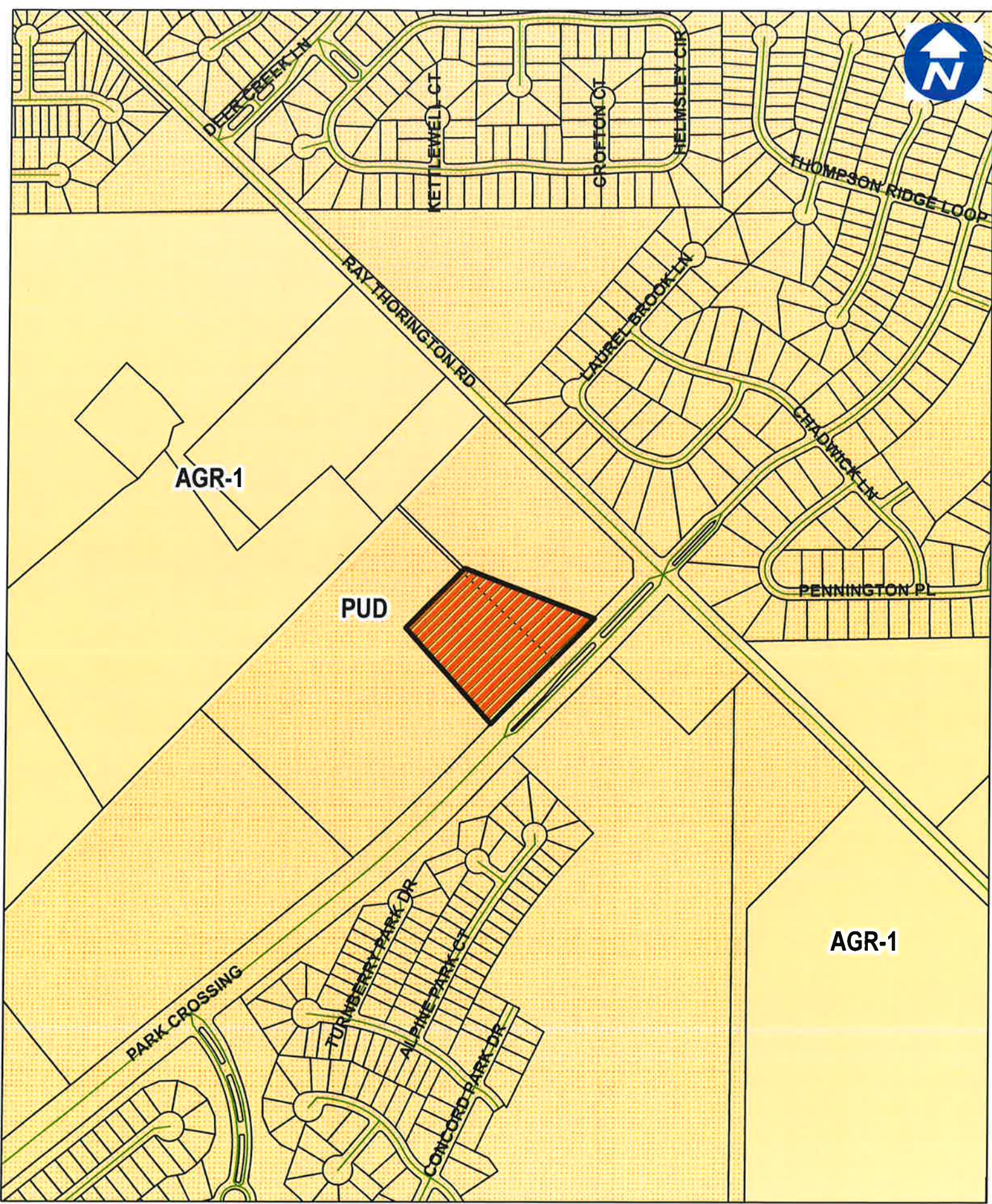
*The request is a special exception for church use.*

**COUNCIL DISTRICT: 8**

*COMMENTS* \_\_\_\_\_

*ACTION TAKEN:* \_\_\_\_\_





AGR-1

PUD

PENNINGTON PL

AGR-1

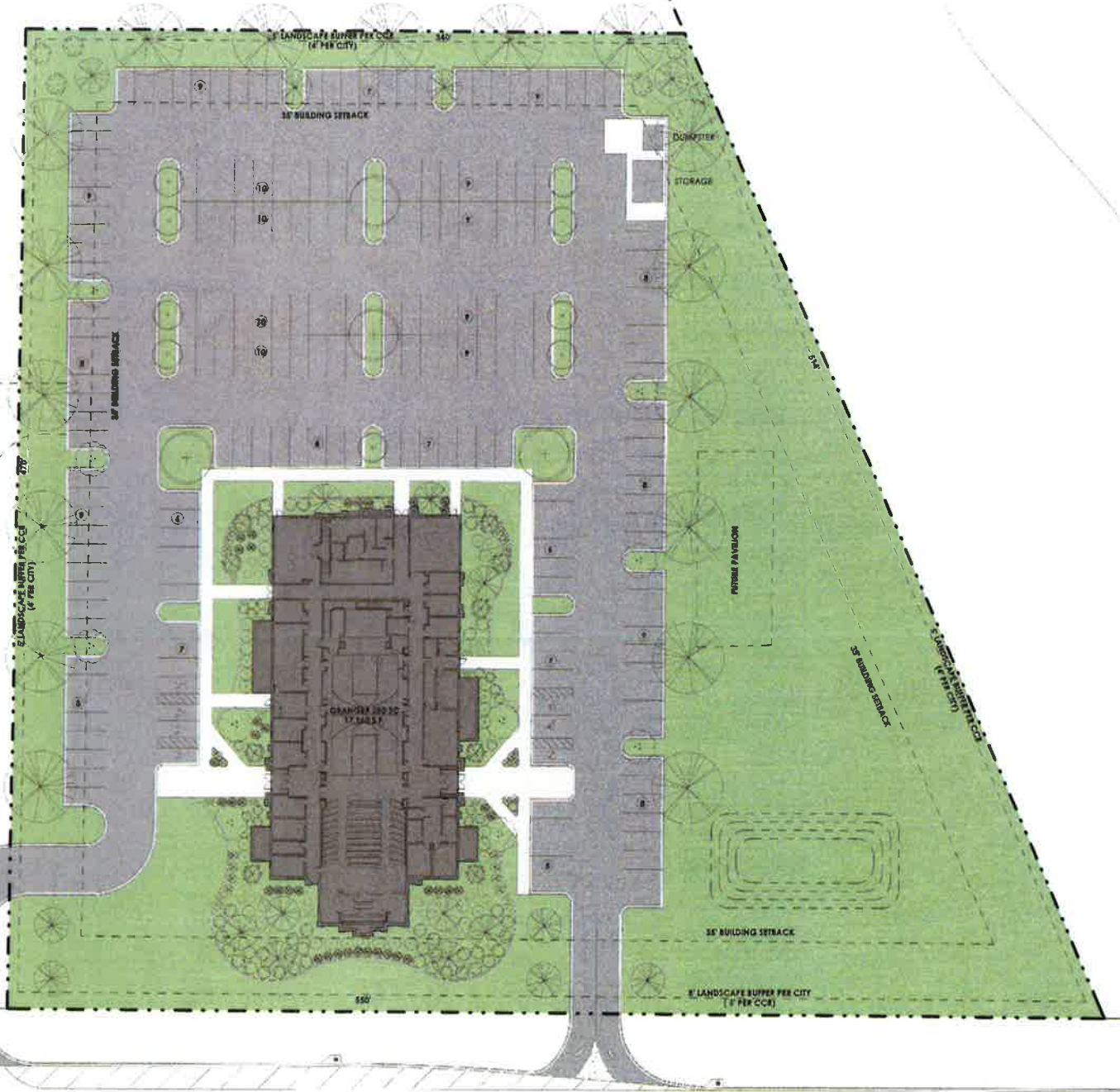
Site 

1 inch = 500 feet

Item 5A



4  
2



SCHEMATIC SITE PLAN  
 2505 CHRIST OF LATTER-DAY SAINTS  
 LABAMA  
 THE CHURCH OF  
 MONTGOMERY

5B





Site Location

1 inch = 100 feet

Item No. 50



6. BD-2019-007 **PRESENTED BY:** Goodwyn, Mills & Cawood

**REPRESENTING:** The Health Care Authority for Baptist Health

**SUBJECT:** Request a variance to Ord. 63-2005 (Landscape Ordinance) for the property located at 4122 Carmichael Court in a B-2 (Commercial) Zoning District.

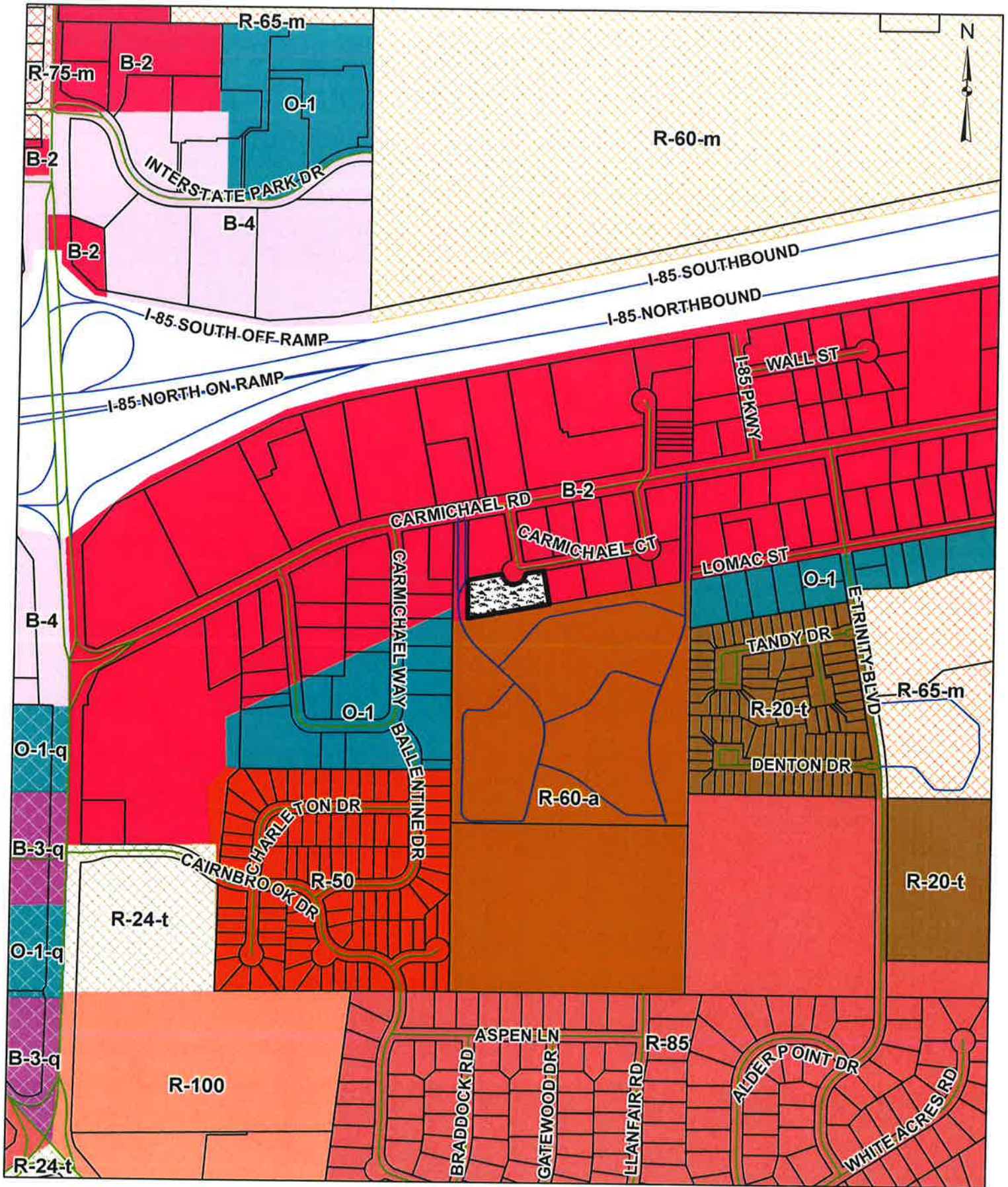
**REMARKS:** This request is being made to give the petitioner permission to not provide the required 10 ft. wide landscape buffer abutting residential property on the south property line.

**Urban Forester:** There was not enough space to provide the buffer. Additional landscaping (trees and shrubbery) has been added to the plan to make up for the lack of a buffer. Urban Forestry has no objection.

**COUNCIL DISTRICT: 5**

**COMMENTS** \_\_\_\_\_

**ACTION TAKEN:** \_\_\_\_\_



Site Location 

1 inch = 500 feet

Item No. 6A





Site Location

1 inch = 50 feet

Item No. 60B

**COMPLAINT**

7. BD-2019-010 **PRESENTED BY:** Ramiro Ortiz Lopez

**REPRESENTING:** Same

**SUBJECT:** Request a special exception to keep chickens on the property located at 3837 MacLamar Road in an R-75-s (Single-Family Residential) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to keep five (5) hens in the rear yard. The complaint also consisted of a rooster, which the petitioner has stated he has gotten rid of. There is a coop in the rear yard for the hens.

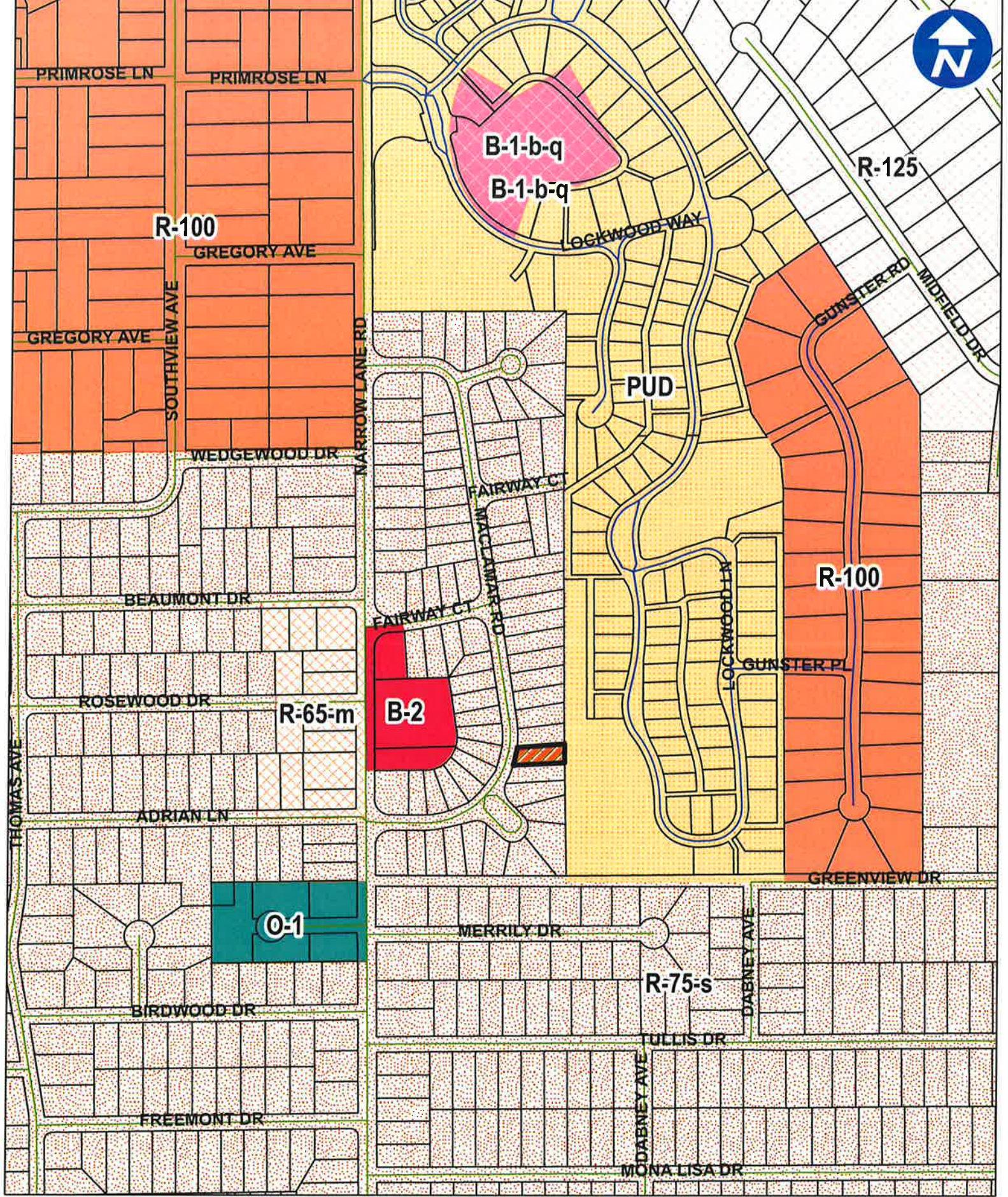
*The request is a special exception to keep five (5) hens.*

**COUNCIL DISTRICT: 5**

*COMMENTS* \_\_\_\_\_

*ACTION TAKEN:* \_\_\_\_\_





Site 

1 inch = 400 feet

Item 7A





Site Location

1 inch = 30 feet

Item No. 7B



8. BD-2019-011 **PRESENTED BY:** J. M. Garrett & Son

**REPRESENTING:** Rolling Hills Lakes VFD Station #3

**SUBJECT:** Request a special exception for volunteer fire station to be located at 5214 Patterson Road in an AGR-1 (Residential Agriculture) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to construct a 60 ft. x 60 ft. (3,600 sq. ft.) building to be used as a volunteer fire station. There are two (2) access drives to Patterson Road. All applicable requirements will be met.

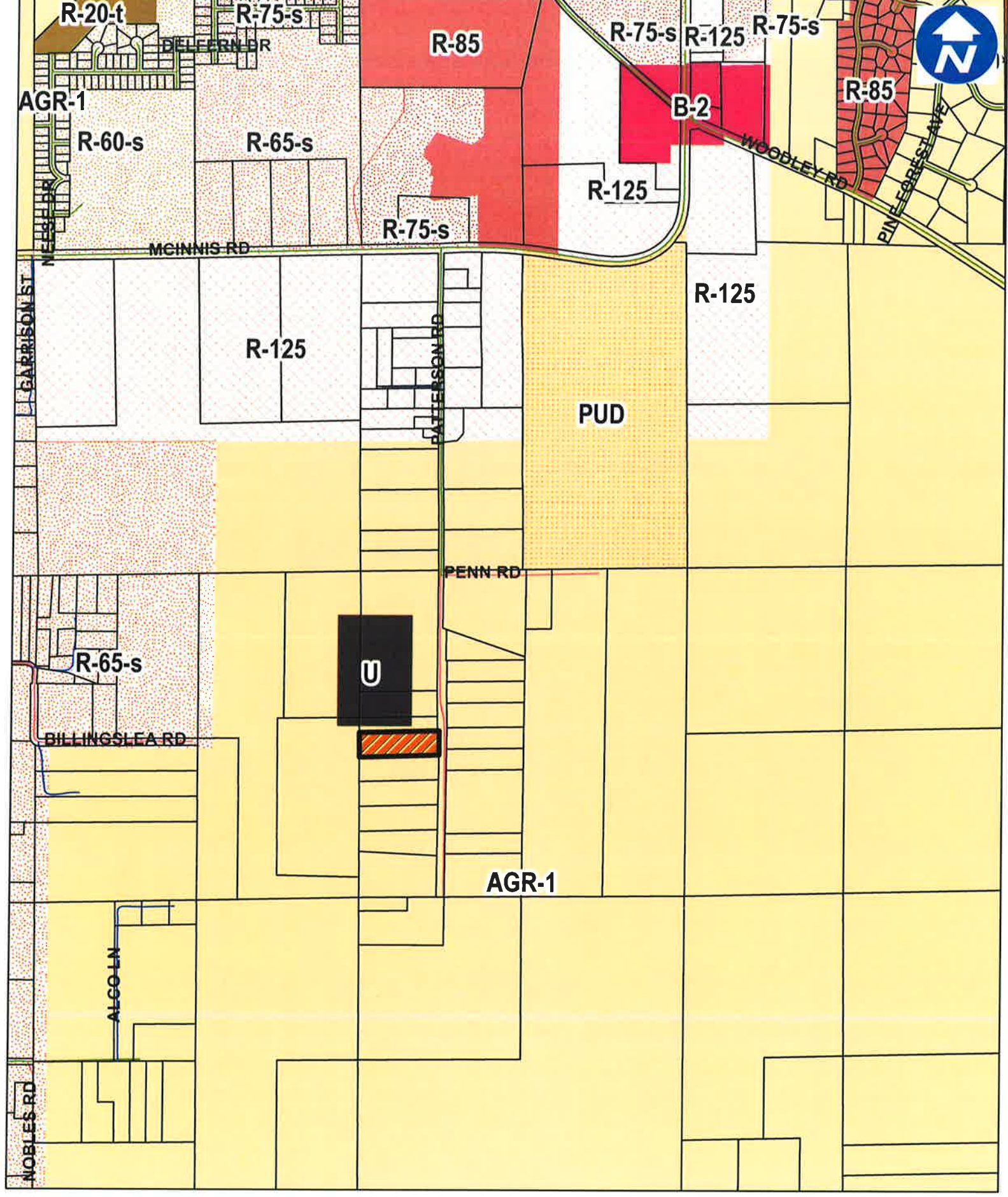
**COUNCIL DISTRICT:** Police Jurisdiction

**COUNTY COMMISSION DISTRICT:** 5

*COMMENTS* \_\_\_\_\_

*ACTION TAKEN:* \_\_\_\_\_





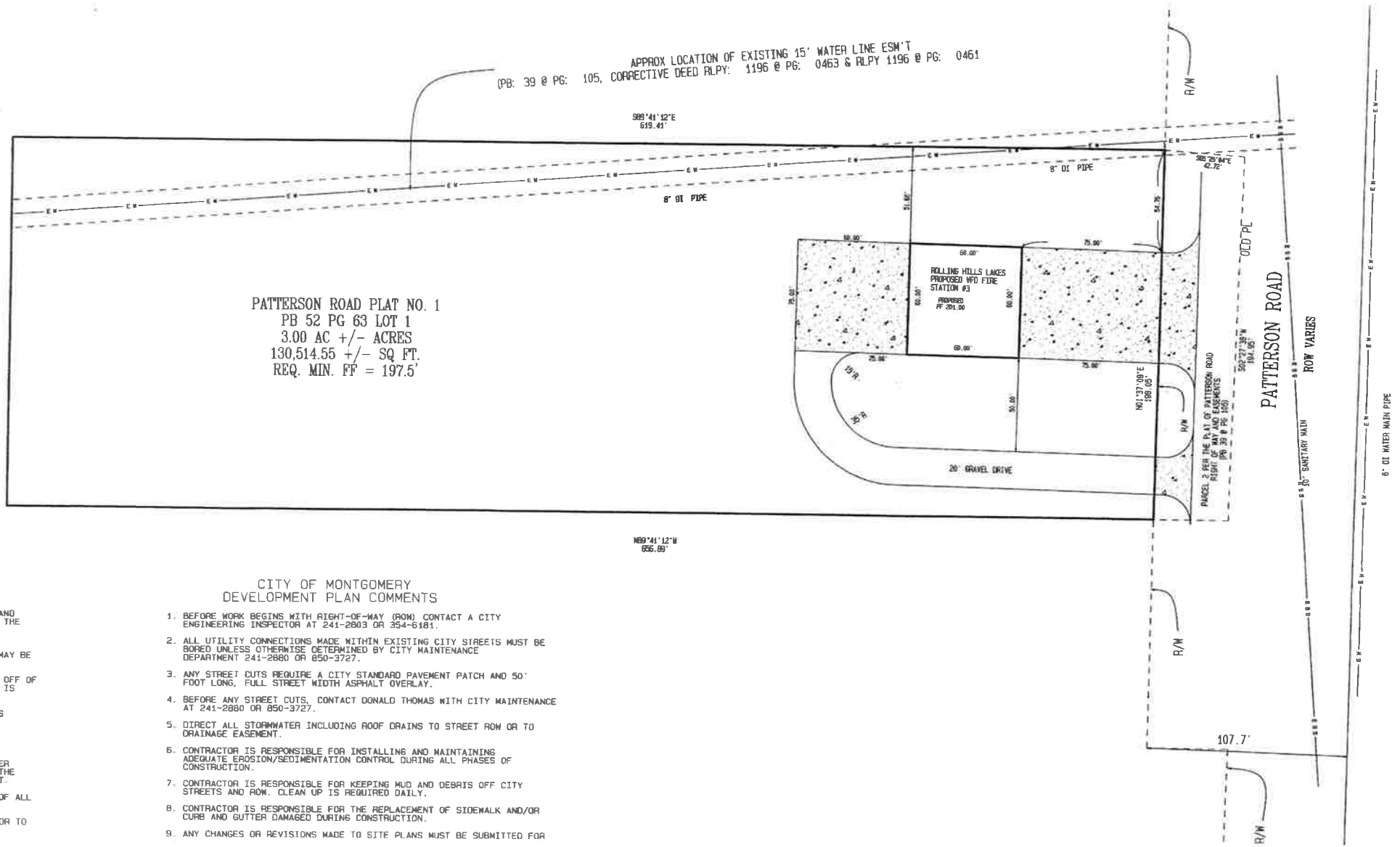
Site 

1 inch = 1,000 feet  
 Item 8A





88



PATTERSON ROAD PLAT NO. 1  
 PB 52 PG 63 LOT 1  
 3.00 AC +/- ACRES  
 130,514.55 +/- SQ FT.  
 REQ. MIN. FF = 197.5'

APPROX LOCATION OF EXISTING 15" WATER LINE ESM'T  
 (PB: 39 @ PG: 105, CORRECTIVE DEED RLPY: 1196 @ PG: 0463 & RLPY 1196 @ PG: 0461)

S89°41'12"E  
 619.41'

N89°41'12"W  
 656.83'

CITY OF MONTGOMERY  
 DEVELOPMENT PLAN COMMENTS

1. BEFORE WORK BEGINS WITH RIGHT-OF-WAY (ROW) CONTACT A CITY ENGINEERING INSPECTOR AT 241-2803 OR 354-6181.
2. ALL UTILITY CONNECTIONS MADE WITHIN EXISTING CITY STREETS MUST BE BORED UNLESS OTHERWISE DETERMINED BY CITY MAINTENANCE DEPARTMENT 241-2880 OR 850-3727.
3. ANY STREET CUTS REQUIRE A CITY STANDARD PAVEMENT PATCH AND 50' FOOT LONG, FULL STREET WIDTH ASPHALT OVERLAY.
4. BEFORE ANY STREET CUTS, CONTACT DONALD THOMAS WITH CITY MAINTENANCE AT 241-2880 OR 850-3727.
5. DIRECT ALL STORMWATER INCLUDING ROOF DRAINS TO STREET ROW OR TO DRAINAGE EASEMENT.
6. CONTRACTOR IS RESPONSIBLE FOR INSTALLING AND MAINTAINING ADEQUATE EROSION/SEDIMENTATION CONTROL DURING ALL PHASES OF CONSTRUCTION.
7. CONTRACTOR IS RESPONSIBLE FOR KEEPING MUD AND DEBRIS OFF CITY STREETS AND ROW. CLEAN UP IS REQUIRED DAILY.
8. CONTRACTOR IS RESPONSIBLE FOR THE REPLACEMENT OF SIDEWALK AND/OR CURB AND GUTTER DAMAGED DURING CONSTRUCTION.
9. ANY CHANGES OR REVISIONS MADE TO SITE PLANS MUST BE SUBMITTED FOR

THE STANDARDS AND SPECIFICATIONS OF THE CITY OF MONTGOMERY DEPARTMENT OF PUBLIC WORKS SHALL APPLY TO THIS PROJECT.  
 PERMITS AS MAY BE REQUIRED BY THE CITY OF MONTGOMERY DEPARTMENT OF PUBLIC WORKS SHALL BE OBTAINED BY THE CONTRACTOR PRIOR TO THE START OF CONSTRUCTION.  
 EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.  
 THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND EASEMENTS FROM THE CITY OF MONTGOMERY DEPARTMENT OF PUBLIC WORKS.  
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND EASEMENTS FROM THE CITY OF MONTGOMERY DEPARTMENT OF PUBLIC WORKS.  
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND EASEMENTS FROM THE CITY OF MONTGOMERY DEPARTMENT OF PUBLIC WORKS.





Site Location

1 inch = 100 feet

Item No. 8C