

Board of Adjustment Agenda

Monday, March 25, 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

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

I. Chairman's Message

II. Approval of Minutes from the February 21, 2019 meeting

Monday, March 25, 2019

<u>Item</u>	<u>File</u>	<u>Petitioner</u>	<u>Zone</u>	<u>Location/Request</u>	<u>Page</u>
1.	2019-010	Ramiro Ortiz Lopez	R-75-s	3837 MacLamar Road (Chickens)	1
2.	1973-072	Pilgreen Engineering	R-60-m	1835 Ridge Avenue (Side yard variance)	2
3.	1972-133	Barbara Harris	R-65-d	1812 Gibson Court (Privacy fence)	3
4.	2019-012	Judge W. Troy Massey	R-60-s	1734 West Fourth Street (Accessory structure w/o main dwelling)	4
5.	2019-014	Trifari F. Moore	R-60-s	1735 St. Charles Avenue (Coverage variance)	5
6.	2019-013	Chris E. Echols	R-75-s	3184 Lexington Road (Separation between structures variance)	6
7.	1988-154	David Diestelhorst	R-75-s	1241 Devonshire Drive (Privacy fence)	7

The next Board of Adjustment meeting is on April 18, 2019

COMPLAINT

1. 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.

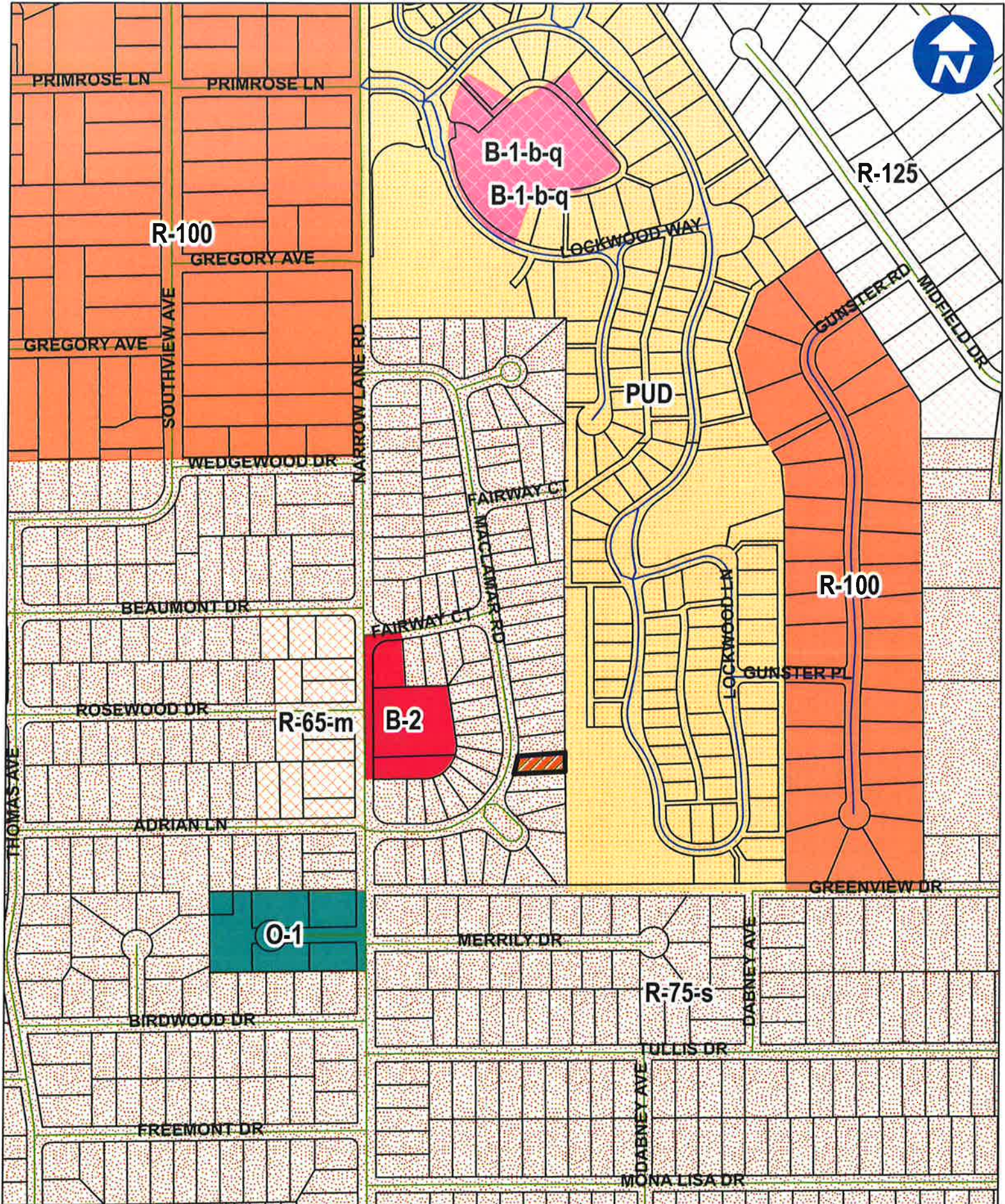
The request is a special exception to keep five (5) hens.

This request was delayed at the February 21, 2019 meeting due to no one being present to present the request.

COUNCIL DISTRICT: 5

COMMENTS _____

ACTION TAKEN: _____



Site 

1 inch = 400 feet

Item IA



Site Location

1 inch = 30 feet

Item No. 1B

2. BD-1973-072 **PRESENTED BY:** Pilgreen Engineering

REPRESENTING: Cathryn Crawford

SUBJECT: Request a side yard variance for an addition to the dwelling located at 1835 Ridge Avenue in an R-60-m (Multi-Family Residential) Zoning District.

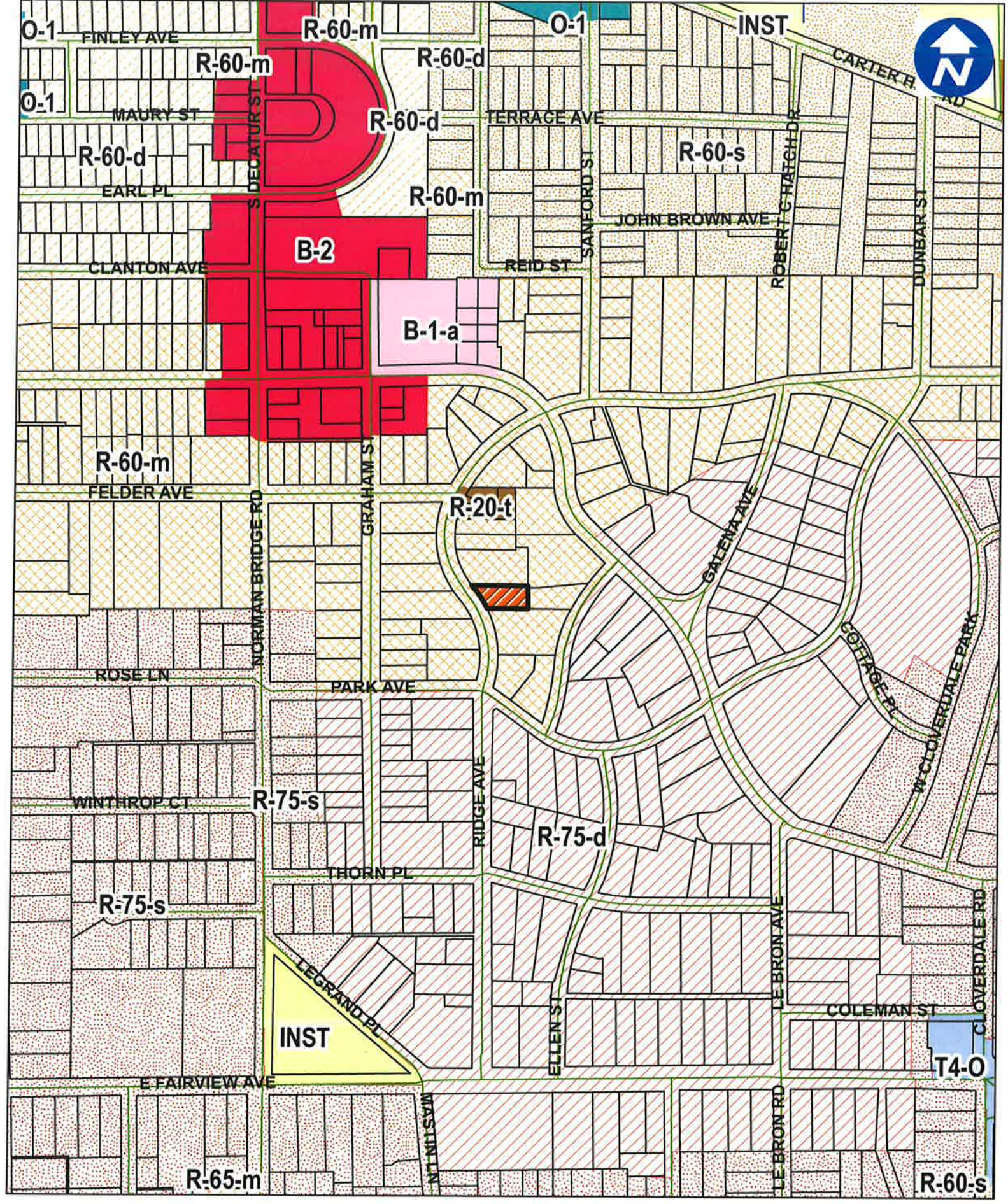
REMARKS: This request is being made to give the petitioner permission to construct an attached (awning style) carport that will come within 1 ft. of the side property line, whereas 10 ft. is required.

The request is a 9 ft. side yard variance.

COUNCIL DISTRICT: 7

COMMENTS _____

ACTION TAKEN: _____



Site 

1 inch = 400 feet

Item 2A



Site Location

1 inch = 30 feet

Item No. 2B

3. BD-1972-133 **PRESENTED BY:** Barbara Harris

REPRESENTING: Same

SUBJECT: Request a front yard variance and height variance for a new fence to be located at 1812 Gibson Court in an R-65-d (Duplex Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to construct an 8 ft. high privacy fence, whereas 3 ft. is allowed. The fence will come to the front property line (Gibson Street), whereas 30 ft. is required.

Although the dwelling faces and carries the address on Gibson Court, the legal front of this lot is Gibson Street.

Land Use Division: The applicant has agreed to angle the fence at the northwest corner of the property for the neighbors added visibility (as shown on site plan).

The requests are a 30 ft. front yard variance and a 5 ft. height variance.

COUNCIL DISTRICT: 2

COMMENTS _____

ACTION TAKEN: _____

B-2



M-1

CHAMPION ST

POWELL LN

CROUSON ST

BROADVIEW ST

HARRIS ST

EAST ST

YARBROUGH ST

RIGBY ST

R-65-d

FAIRGROUND RD

R-65-s

COTTON ST

GIBSON ST

COTTON CT

CABOT ST

BAFFIN DR

R-60-s

AUSTIN ST

ESTER ST

LYERLY LN

LA RHODA ST

TEXAS ST

TEXAS CT

MIDWAY CT

INST

MIDWAY ST

SUNSET ST

EL PASO ST

LA SALLE ST

INST

R-65-d

AMOS ST

R-65-s

JOHNSON ST

WILLENA AVE

CLARA ST

TERESA ST

KANSAS ST

INST

MILLER ST

SPEIGLE ST

SKYLINE AVE

B-2

Site



1 inch = 500 feet

Item 3A



GIBSON ST

GIBSON CT



Site 

1 inch = 20 feet
Item 3B

4. BD-2019-012 **PRESENTED BY:** Judge W. Troy Massey

REPRESENTING: Same

SUBJECT: Request a special exception for an accessory structure without a main dwelling, a coverage variance, and side and rear yard variances for the accessory structure to be located at 1734 West Fourth Street in an R-60-s (Single-Family Residential) Zoning District.

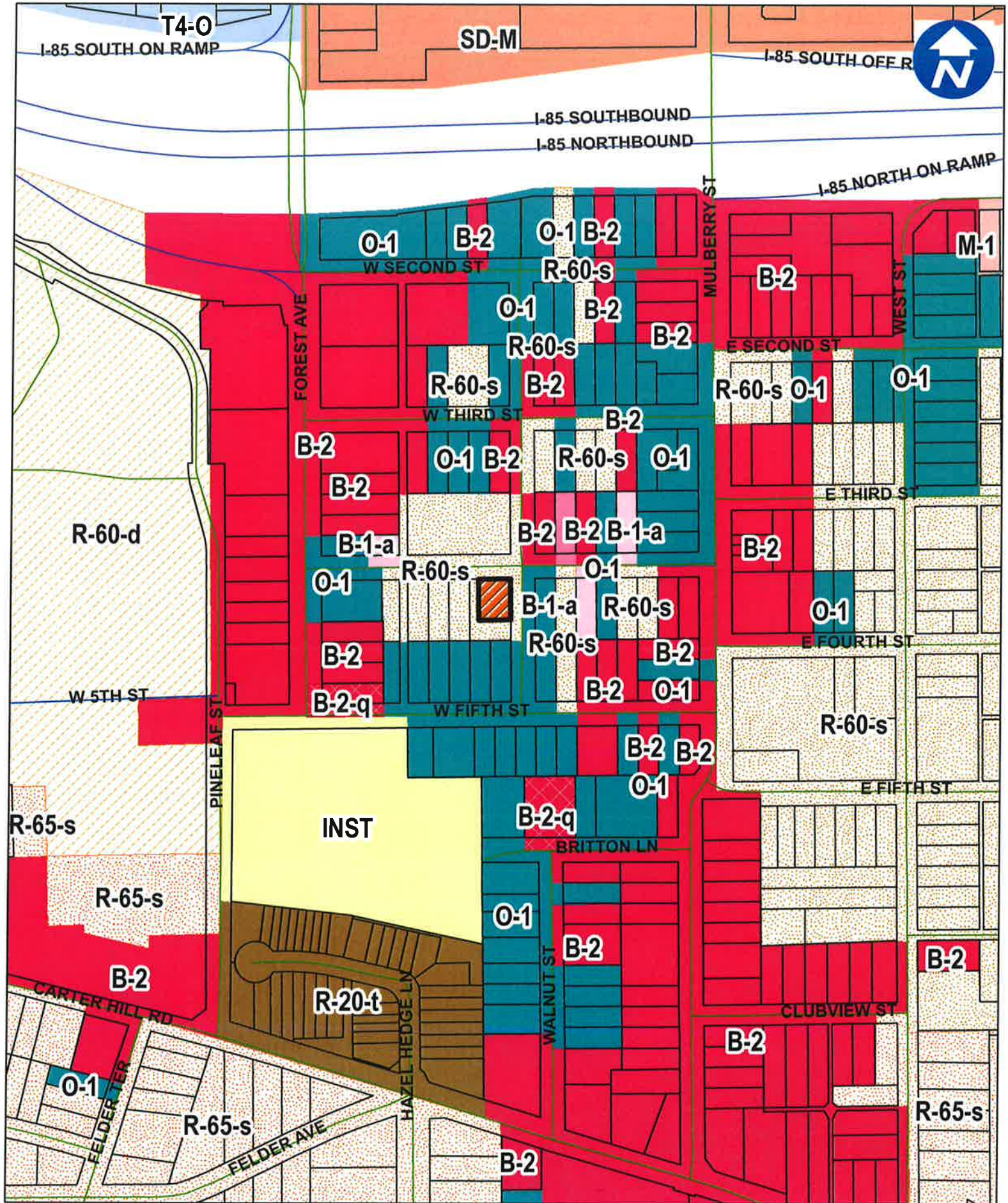
REMARKS: This request is being made to give the petitioner permission to construct a 22 ft. x 50 ft. enclosed accessory structure for storage of one (1) recreational vehicle. The accessory structure is 1,100 sq. ft., whereas 360 sq. ft. of coverage is allowed. The accessory structure will come within 2 ft. of both the side and rear property lines, whereas 5 ft. is required. The property has been used for RV parking (tailgating) for several years.

The requests are a special exception for an accessory structure without a main dwelling, a 740 sq. ft. coverage variance, and a 3 ft. side and 3 ft. rear yard variance.

COUNCIL DISTRICT: 3

COMMENTS _____

ACTION TAKEN: _____



Site 

1 inch = 300 feet

Item 4A



Site Location

1 inch = 20 feet

Item No. 4B

5. BD-2019-014 **PRESENTED BY:** Trifari F. Moore

REPRESENTING: Same

SUBJECT: Request a coverage variance for a new accessory structure to be located at 1735 St. Charles Avenue in an R-60-s (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to place an 80 sq. ft. (8 ft. x 10 ft.) accessory structure in the rear yard with an existing 400 sq. ft. (20 ft. x 20 ft.) accessory structure, for a total of 480 sq. ft., whereas 360 sq. ft. is allowed.

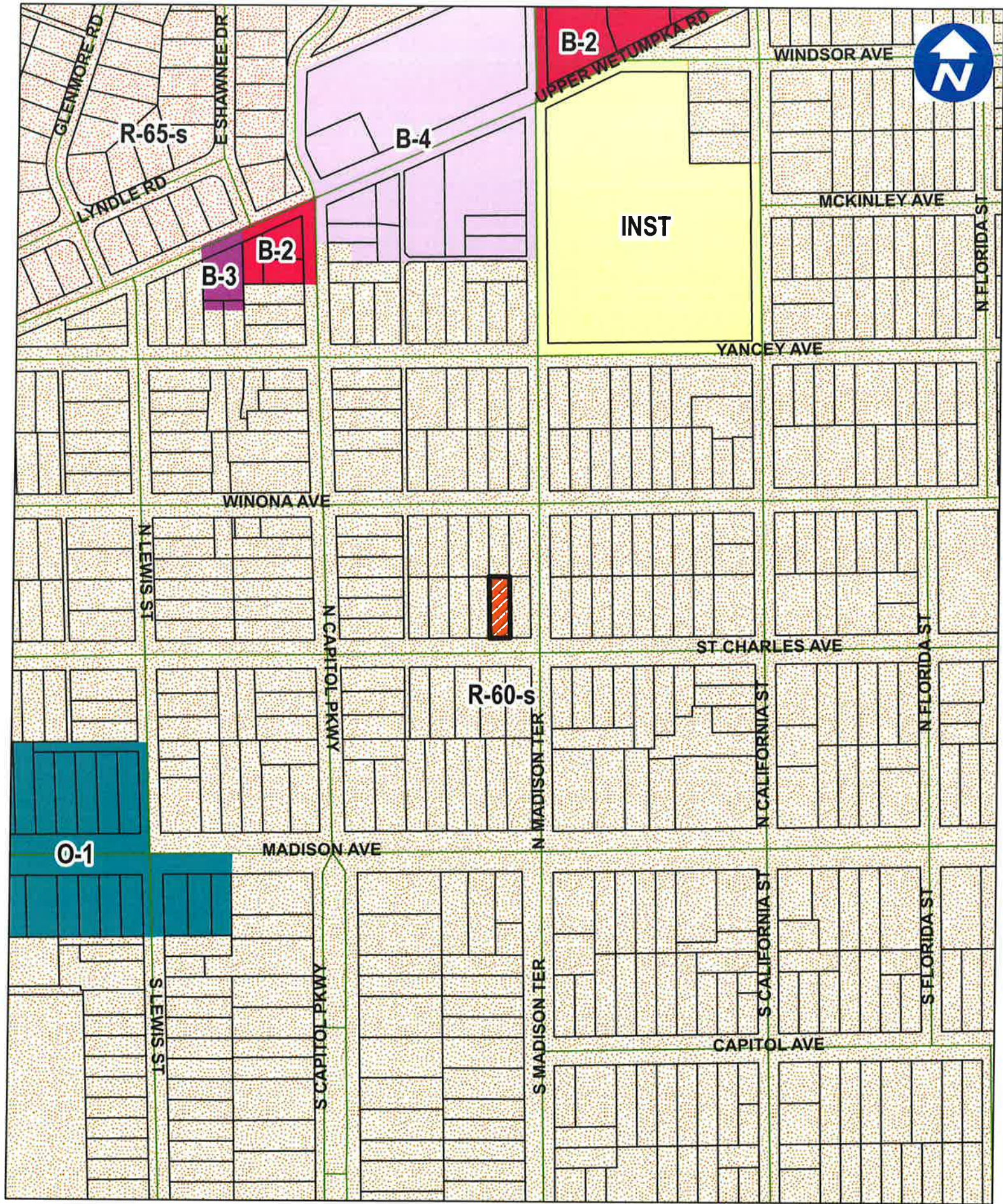
The request will go to the Architecture Review Board at a later date.

The request is a 120 sq. ft. coverage variance.

COUNCIL DISTRICT: 3

COMMENTS _____

ACTION TAKEN: _____



Site 

1 inch = 300 feet

Item 5A



Site Location

1 inch = 30 feet

Item No. 5B

6. BD-2019-013 **PRESENTED BY:** Chris E. Echols

REPRESENTING: Same

SUBJECT: Request a separation between structures variance for an addition to the dwelling located at 3184 Lexington Road in an R-75-s (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to construct an addition to the dwelling that will come within 7 ft. of an existing accessory structure, whereas a 10 ft. separation is required.

The request is a 3 ft. separation between structures variance.

COUNCIL DISTRICT: 7

COMMENTS _____

ACTION TAKEN: _____



R-75-s

INST

R-75-d

E FAIRVIEW AVE

LEGRAND PL

RIDGE AVE

ELLEN ST

MASTIN LN

R-65-m

ARLINGTON RD

PONCE DE LEON AVE

WILMINGTON RD

R-65-d

HUBBARD ST

MT VERNON DR

R-75-s



HADLEY ST

NORMAN BRIDGE RD

LEXINGTON RD

WELLINGTON RD

MONTEZUMA RD

S HULL ST

PLYMOUTH ST

IDLEWILD CT

R-65-m

R-65-m

B-2

Site 

1 inch = 300 feet

Item 6A



Site Location

1 inch = 30 feet

Item No. 6B

7. BD-1998-154 **PRESENTED BY:** David Diestelhorst

REPRESENTING: Same

SUBJECT: Request a height variance, front yard variance and an additional street side yard variance for a privacy fence to be located at 1241 Devonshire Drive in an R-75-s (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to construct additional privacy fencing that will be 6 ft. in height, whereas 3 ft. is allowed. The proposed fence will come to the street side yard (Marlowe Drive) property line, whereas 30 ft. is required. The proposed fence will come to the front property line (Devonshire Drive) property line, whereas 30 ft. is required. The fence will have an offset at the driveway for vehicle access.

Land Use Division: The Board of Adjustment approved a 25 ft. street side variance and a 3 ft. height variance at the October 1, 1998 meeting.

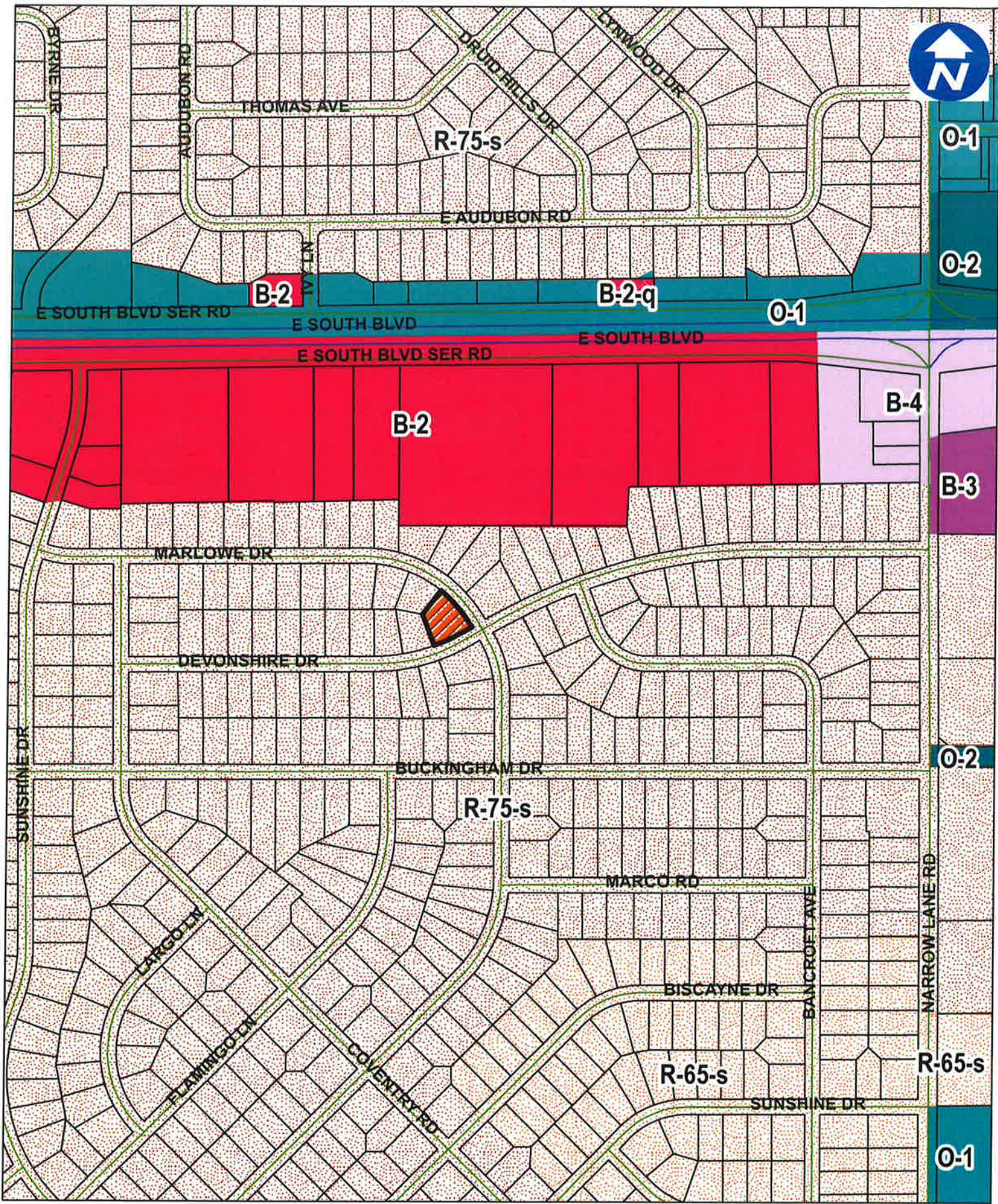
Traffic Engineering: The fence as proposed will cause a line of sight issue. The fence needs to be setback 35 ft. from the right-of-way intersection.

The request is an additional 5 ft. street side setback variance, a 3 ft. height and a 30 ft. front setback variance.

COUNCIL DISTRICT: 5

COMMENTS _____

ACTION TAKEN: _____



Site 

1 inch = 400 feet

Item 7A



Site Location

1 inch = 30 feet

Item No. 7B