

Board of Adjustment Agenda

October 17, 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 September 19, 2019 meeting

October 17, 2019

| <u>Item</u> | <u>File</u> | <u>Petitioner</u> | <u>Zone</u> | <u>Location/Request</u> | <u>Page</u> |
|-------------|-------------|--------------------------------|-------------|---|-------------|
| 1. | 2019-057 | Jeffcoat Engineers & Surveyors | M-3 | 1250 Air Base Boulevard (Church) | 1 |
| 2. | 1969-125 | Avis Love Lewis | R-100 | 1228 Federal Drive (Privacy fence) | 2 |
| 3. | 2015-042 | Thomas Scott | R-100 | 3067 Ashley Avenue (Accessory structure) | 3 |
| 4. | 2019-062 | Roosevelt Hardy | R-50 | 24 Kenilworth Street (Accessory structure) | 4 |
| 5. | 2019-061 | Earnestine Jones Derico | M-1 | 3367 Old Selma Road (Variance to Ord.17-2014) | 5 |
| 6. | 1981-022 | Soloman Perdue | R-65-s | 10 Glenview Street (Addition to the dwelling) | 6 |
| 7. | 2019-060 | Amity Construction | O-1 | 330 St. Lukes Drive (ID sign) | 7 |
| 8. | 2019-016 | Tashina Morris | R-60-d | 480 Oak Street & 2014 Luverne Street (Youth Center) | 8 |
| 9. | 2019-059 | Chris Ladnier | R-85 | 2426 Wentworth Drive (Accessory Structure) | 9 |
| 10. | 2001-019 | Raquel Gildersleeve | B-4 | 2415 East South Boulevard (Place of amusement & assembly) | 10 |

The next Board of Adjustment meeting is on November 21, 2019

1. BD-2019-057 **PRESENTED BY:** Jeffcoat Engineers & Surveyors

REPRESENTING: Antioch Baptist Church

SUBJECT: Request a setback variance, master plan approval and a special exception for a new church to be located at 1250 Air Base Boulevard in an M-3 (General Industrial) Zoning District.

REMARKS: This request is being made to give the petitioner permission to construct a new church. The building will come within 16 ft. of the west property line, whereas 35 ft. is required. There are 79 parking spaces indicated on the site plan, which exceeds the required 60 spaces for a 300 seating capacity. There is one (1) existing access drive to Air Base Boulevard and two (2) existing access drives to Hayneville Road that will remain as is.

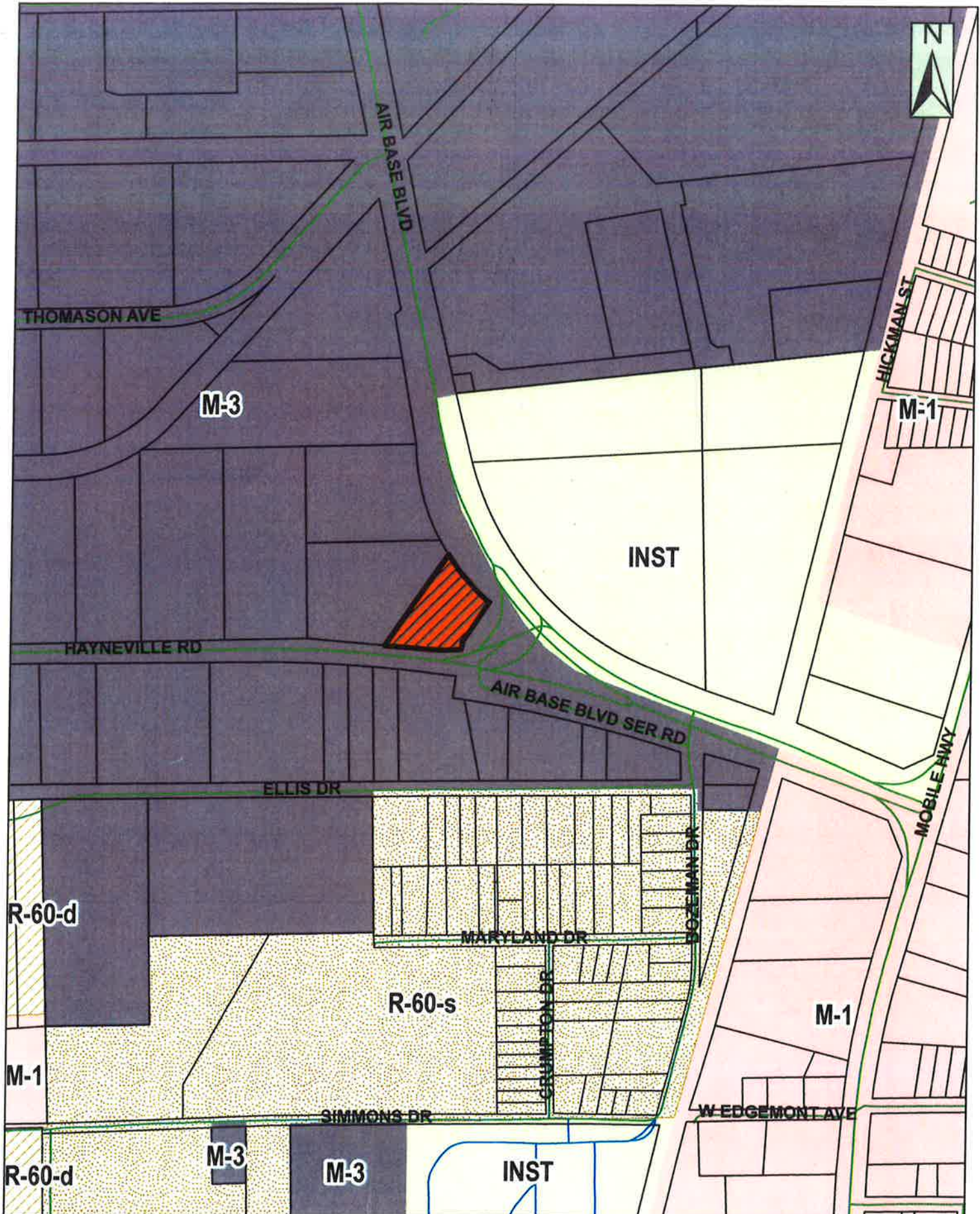
This request was delayed at the September 19, 2019 meeting due to no one being present to present this request.

The request is a 19 ft. setback variance, master plan approval and a special exception for a church.

COUNCIL DISTRICT: 4

COMMENTS _____

ACTION TAKEN: _____



Site 

1 inch = 500 feet

Item 1A

500
- R
- P
AND
6/2
- M
PB
215
- M
SAN

LEGEND

- CONCRETE MONUMENT
- IRON PIPE
- IRON PIPE FOUND
- △ POINT OF BEGINNING
- P.O.B. POINT OF COMMENCEMENT
- P.O.C. RIGHT OF WAY
- R.O.W. CHORD
- CH. PLAT OR DEED CALL
- WATER VALVE
- WATER METER
- SANITARY SEWER MANHOLE
- STORM DRAINAGE MANHOLE
- STORM GRADE
- INLET
- FIRE HYDRANT
- SIGN
- GAS METER
- GAS VALVE
- ELECTRIC METER
- TREE
- P/P POWER POLE
- L/P LIGHT POLE
- GUY WIRE
- T/P TELEPHONE POLE
- CMP CORRUGATED METAL PIPE
- 10W 10" WATER MAIN (LOCATION MHWSSB MAPS)
- SILT FENCE
- DRAINAGE ARROW

SANITARY SEWER MANHOLE
RIM EL = 177.50
NORTH INV. EL = 163.75
SOUTH INV. EL = 163.90

24" CMP STORM PIPE
INV. EL = 176.36

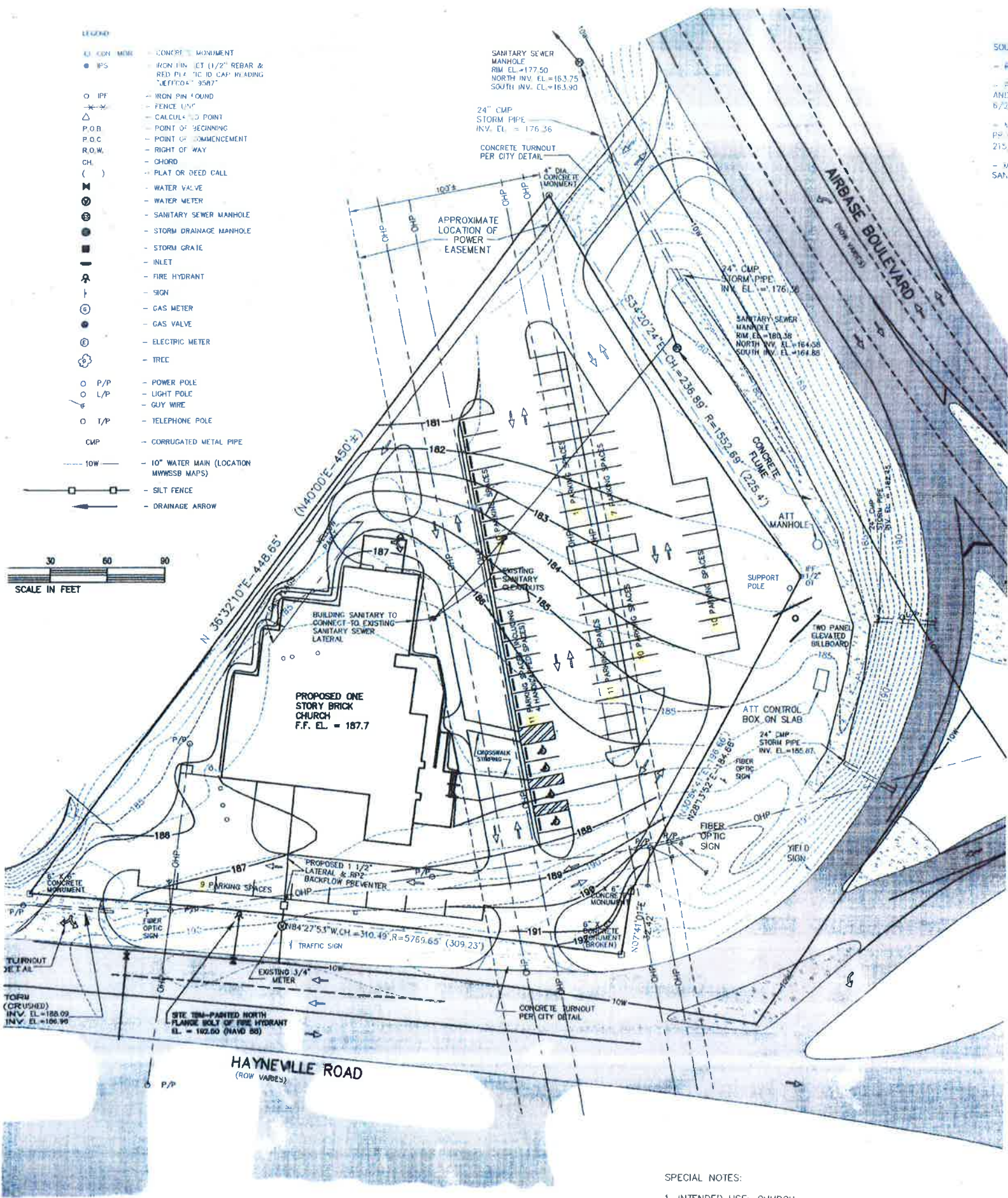
CONCRETE TURNOUT PER CITY DETAIL

APPROXIMATE LOCATION OF POWER EASEMENT

24" CMP STORM PIPE
INV. EL = 176.36

SANITARY SEWER MANHOLE
RIM EL = 180.38
NORTH INV. EL = 164.08
SOUTH INV. EL = 164.88

24" CMP STORM PIPE
INV. EL = 155.07



HAYNEVILLE ROAD
(ROW VARIES)

SPECIAL NOTES:

1. INTENDED USE: CHURCH
2. CURRENT ZONING: INSTITUTIONAL *M13* *IB*
3. PROPERTY IS CONTAINED IN LOT 72 OF THE MONTGOMERY INDUSTRIAL TERMINAL PROPERTIES PLAT NO. 1 (PB. 18, PAGE 215)

MERY

at all parts of this survey and drawing have been in accordance with the requirements of the Standards for Surveying in the State of Alabama to

LEGAL DESCRIPTION:



Site 

1 inch = 100 feet

Item 1C

2. BD-1969-125 **PRESENTED BY:** Avis Love Lewis

REPRESENTING: Same

SUBJECT: Request a front yard variance and height variance for a privacy fence to be located at 1228 Federal Drive in an R-100 (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to construct a 6 ft. privacy fence, whereas 3 ft. is allowed, and will come to the front property line, whereas 35 ft. is required.

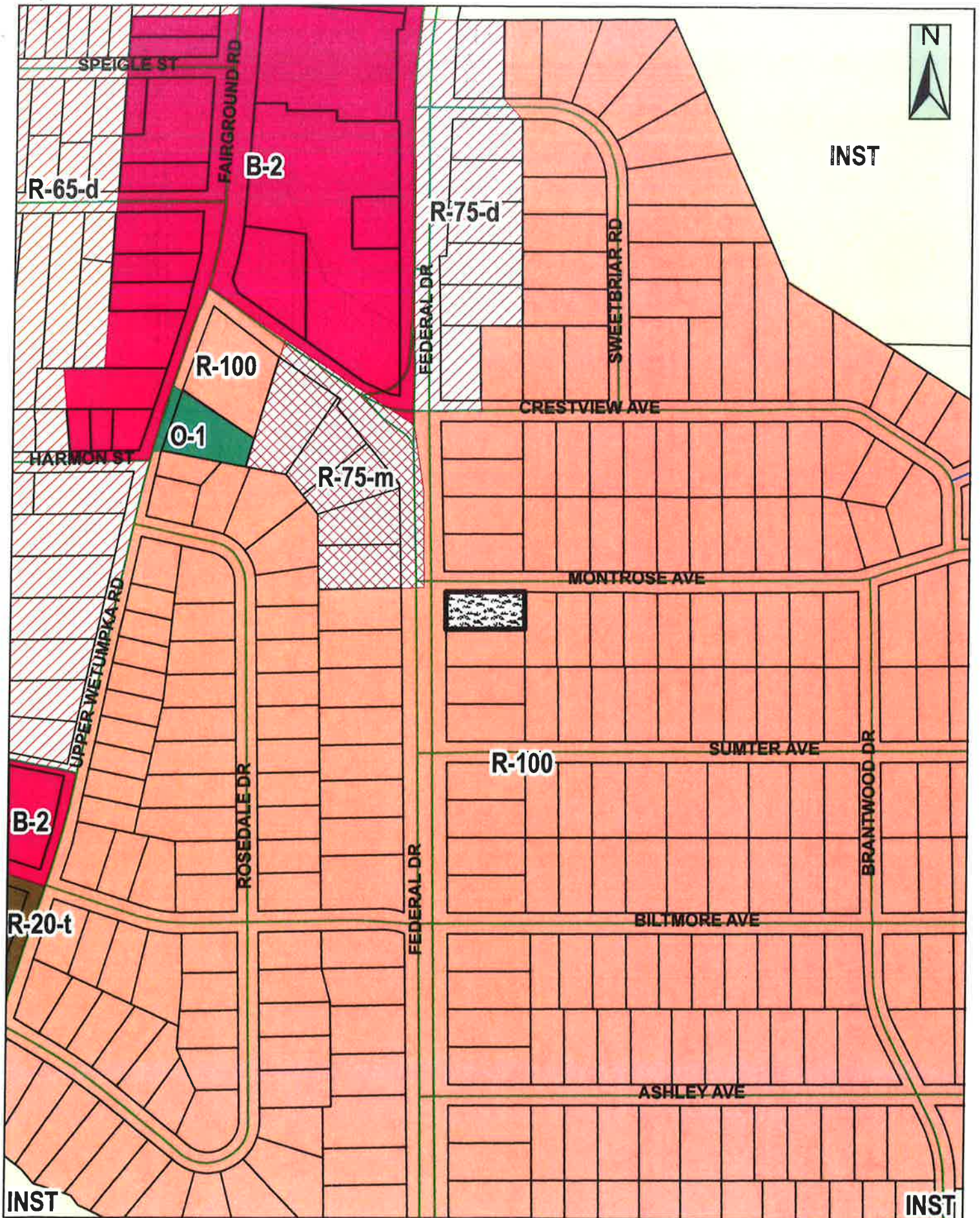
This request was delayed prior to the meeting on September 19, 2019 by the petitioner.

The requests are a 3 ft. height variance and a 35 ft. front yard variance.

COUNCIL DISTRICT: 2

COMMENTS _____

ACTION TAKEN: _____



Site 

1 inch = 300 feet

Item 2A



Site

1 inch = 50 feet

Item 26

3. BD-2015-042 **PRESENTED BY:** Thomas Short

REPRESENTING: Same

SUBJECT: Request a separation between structures variance for an existing accessory structure located at 3067 Ashley Avenue in an R-100 (Single-Family Residential) Zoning District.

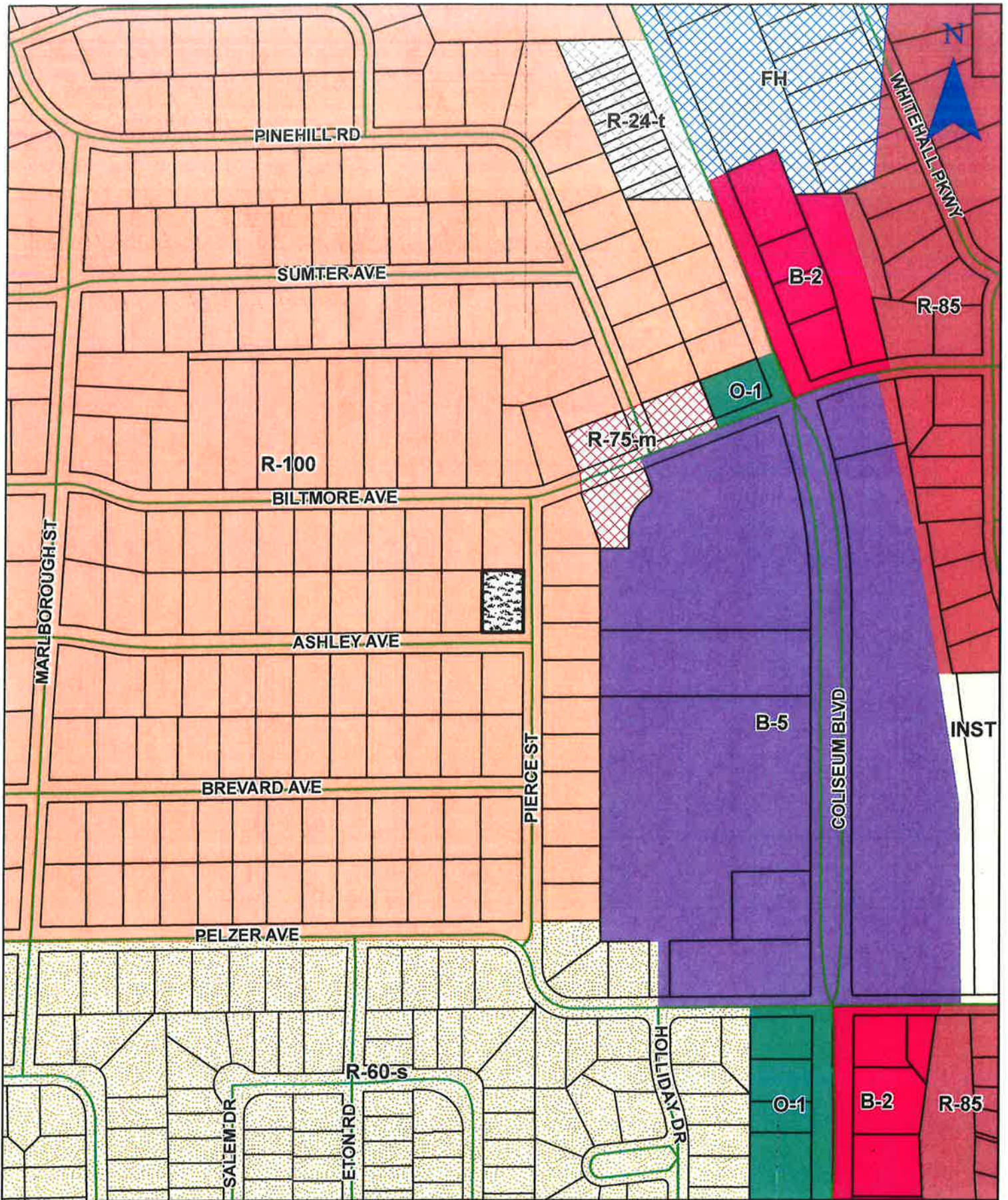
REMARKS: This request is being made to give the petitioner permission to maintain an existing accessory structure that comes to the existing dwelling, whereas a 10 ft. separation is required.

The request is a 10 ft. separation between structures variance.

COUNCIL DISTRICT: 2

COMMENTS _____

ACTION TAKEN: _____



Site Location 

1 inch = 300 feet

Item No. 3A



Site Location

1 inch = 30 feet

Item No. 3B

4. BD-2019-062 **PRESENTED BY:** Roosevelt Hardy

REPRESENTING: Same

SUBJECT: Request a special exception for an accessory structure without a main dwelling to be located 24 Kenilworth Street in an R-50 (Single-Family Residential) Zoning District.

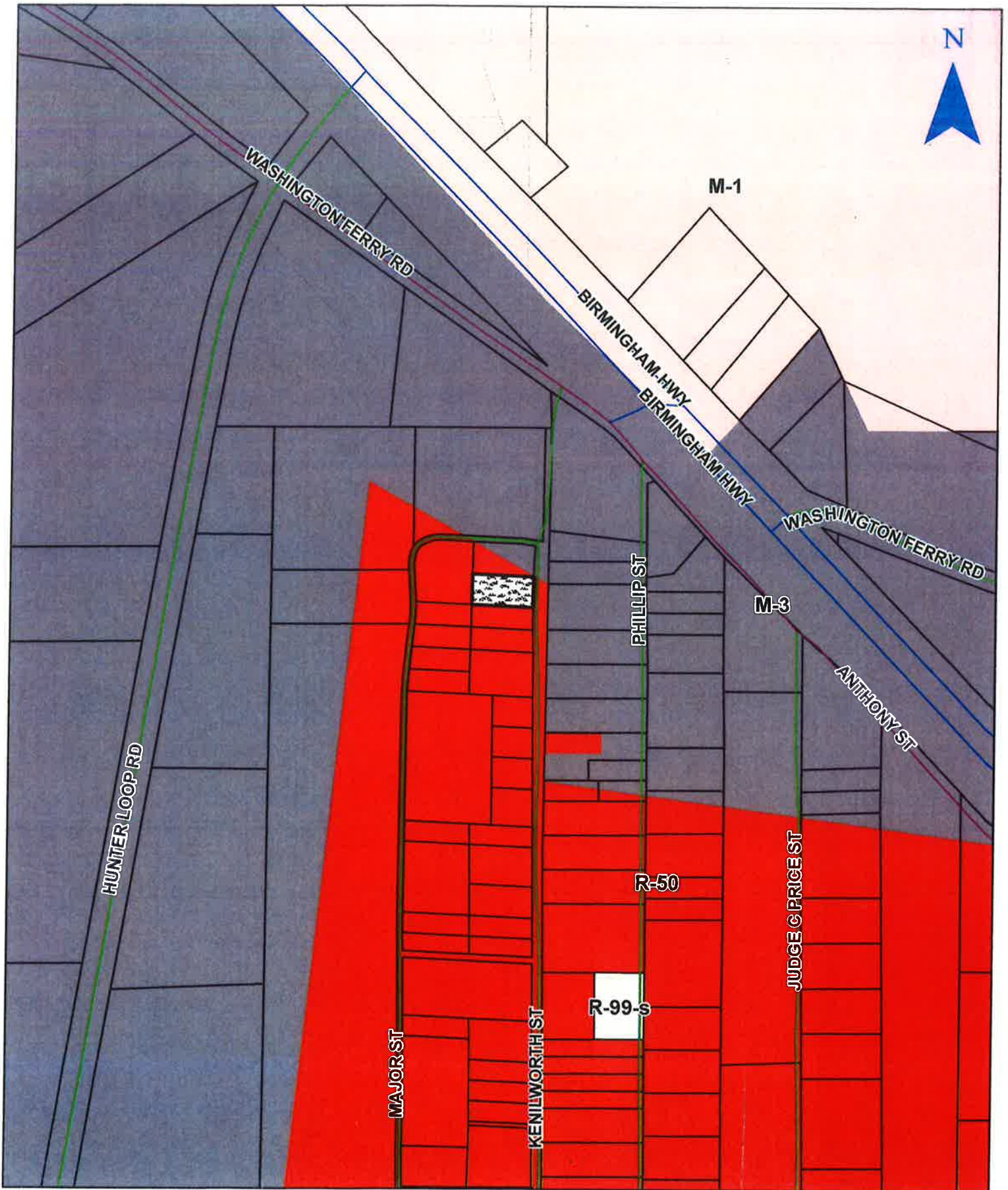
REMARKS: This request is being made to give the petitioner permission to place a 160 sq. ft. (8 ft. x 20 ft.) accessory structure on a platted lot without a main dwelling.

The request is a special exception for an accessory structure without a main dwelling.

COUNCIL DISTRICT: 4

COMMENTS _____

ACTION TAKEN: _____



Site Location 

1 inch = 300 feet

Item No. 4A



Site Location

1 inch = 30 feet

Item No. 4B

5. BD-2019-061 **PRESENTED BY:** Earnestine Jones Derico

REPRESENTING: Spotlight Lounge

SUBJECT: Request a variance to Ordinance No. 17-2014 for a building located at 3367 Old Selma Road in an M-1 (Light Industrial) Zoning District.

REMARKS: This request is being made to give the petitioner permission to locate a lounge within 148 ft. of a residential zoned district, whereas a 250 ft. buffer is required.

The variance requested is a 102 ft. variance to Ord. No. 17-2014

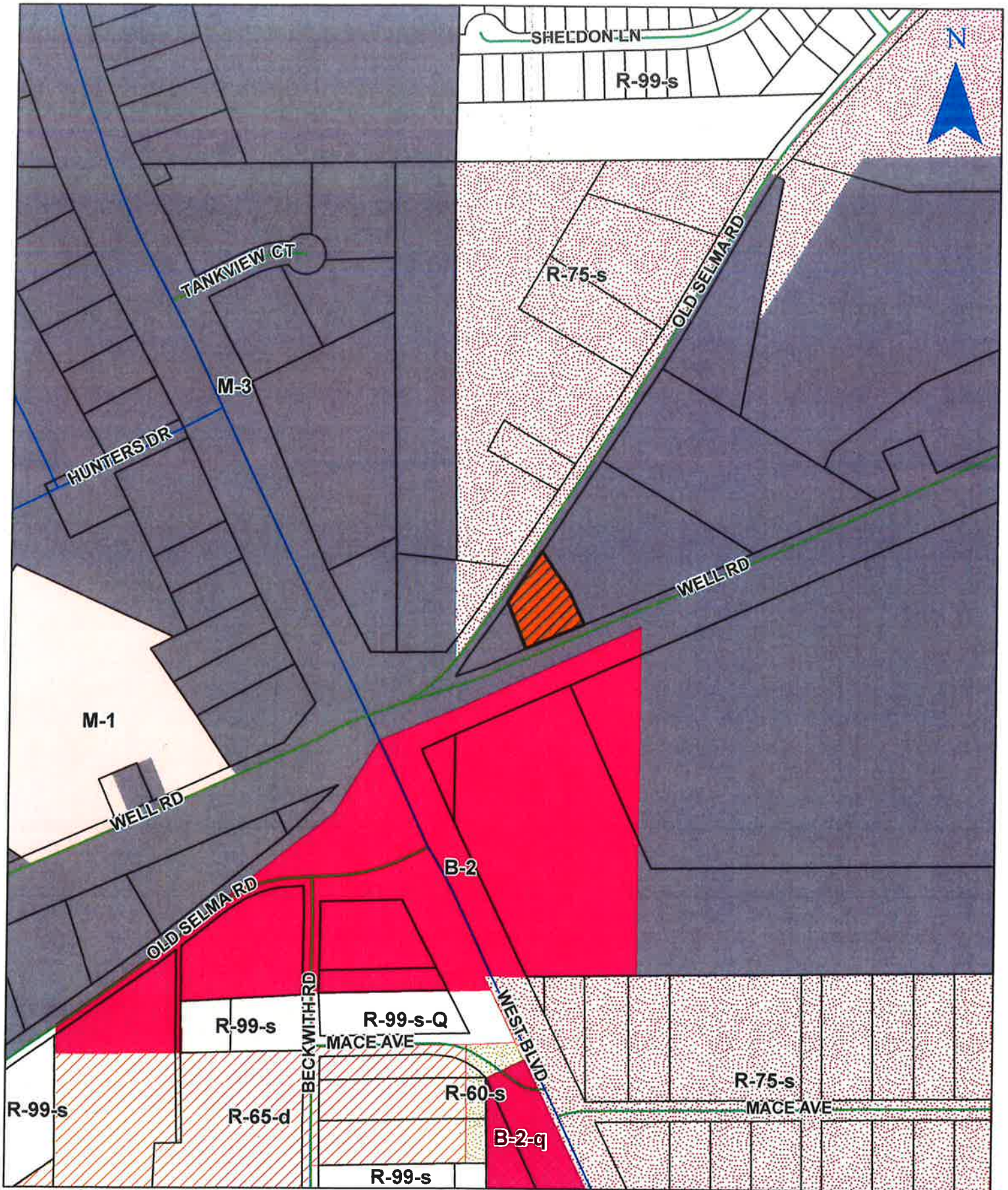
Ord. No. 17-2014

Buildings housing clubs, lounges, taverns, dance halls, musical entertainment facilities and other similar places of assembly, which serve alcoholic beverages on premise (excluding restaurants) as defined in Chapter 3, Section 3-1 of the Code of Ordinances of the City of Montgomery, Alabama, the minimum setback for structures shall be 250 ft. from any residential district boundary or planned unit development residential boundary (based on approved master plan). The distance for setback shall be measured from the closest door of the building, or closest door of a tenant space in a multi-tenant building, to any residential or PUD residential district line. Facilities operating prior to the adoption of this ordinance shall be considered legal non-conforming.

COUNCIL DISTRICT: 4

COMMENTS _____

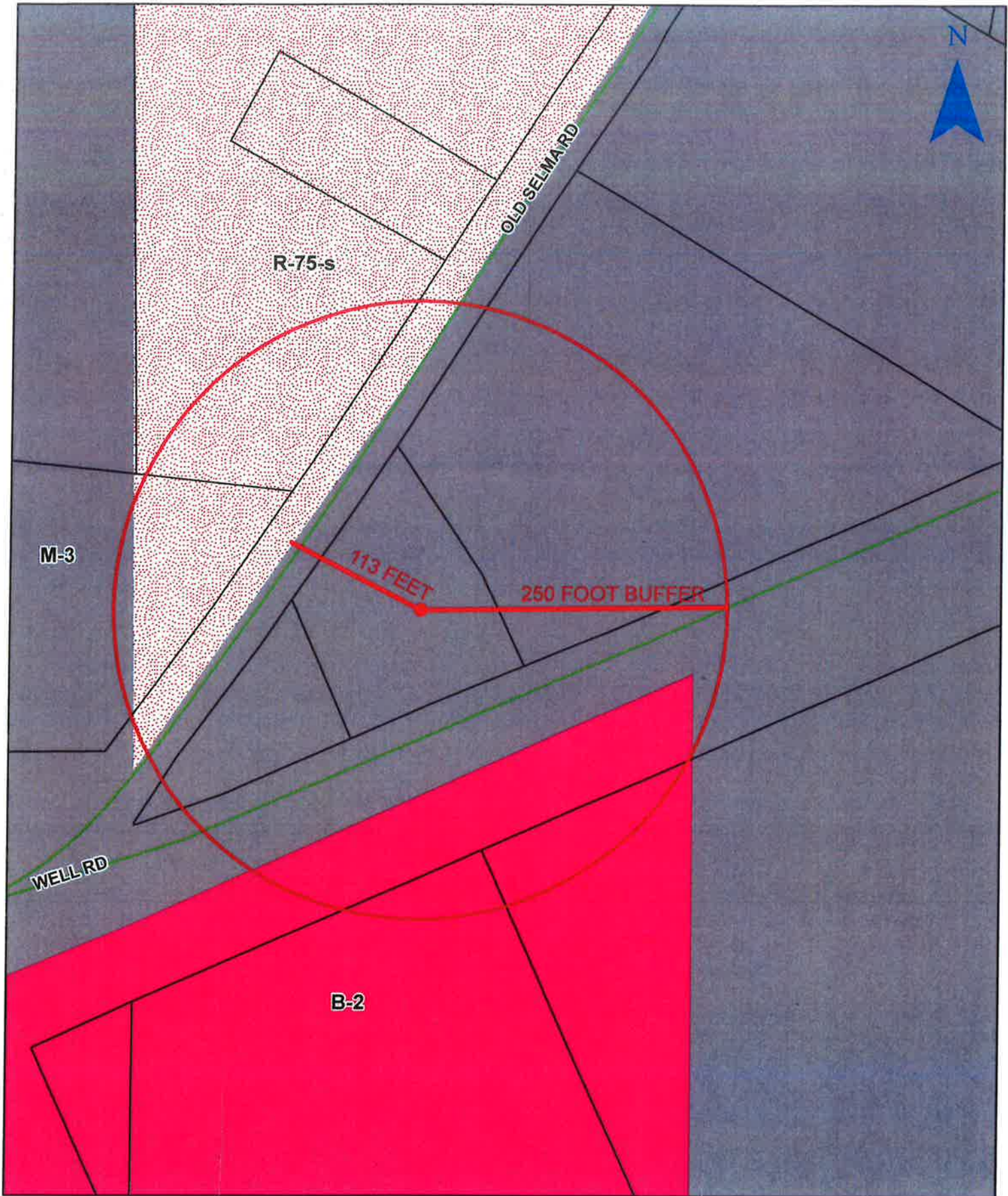
ACTION TAKEN: _____



Site Location 

1 inch = 300 feet

Item No. 5A



Site Location

1 inch = 100 feet

Item No. 5B



Site Location

1 inch = 30 feet

Item No. 50

6. BD-1981-022 **PRESENTED BY:** Solomon Perdue

REPRESENTING: Same

SUBJECT: Request a side yard variance for an addition to the dwelling located at 10 Glenview Street in an R-65-s (Single-Family Residential) Zoning District.

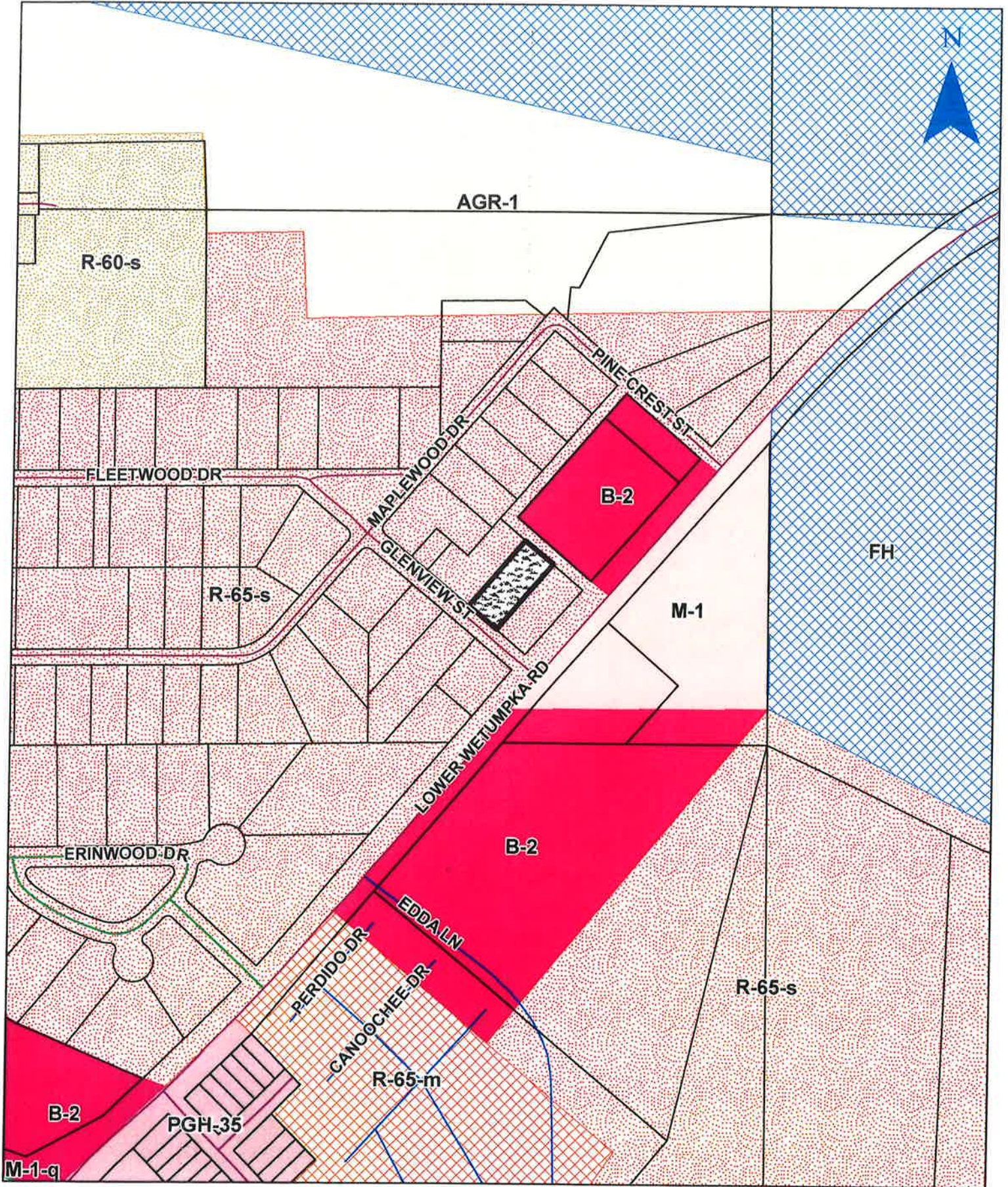
REMARKS: This request is being made to give the petitioner permission to construct a new attached carport to come within 2 ft. of the side property line, whereas 10 ft. is required.

The variance requested is an 8 ft. side yard variance.

COUNTY COMMISSION DISTRICT: 4

COMMENTS _____

ACTION TAKEN: _____



Site Location 

1 inch = 300 feet

Item No. 60A



Site Location 

1 inch = 40 feet

Item No. 60B

7. BD-2019-060 **PRESENTED BY:** Amity Construction

REPRESENTING: Alexander Pediatrics, LLC

SUBJECT: Request a front yard variance and height variance for a new ID sign to be located at 330 St. Lukes Drive in an O-1 (Office) Zoning District.

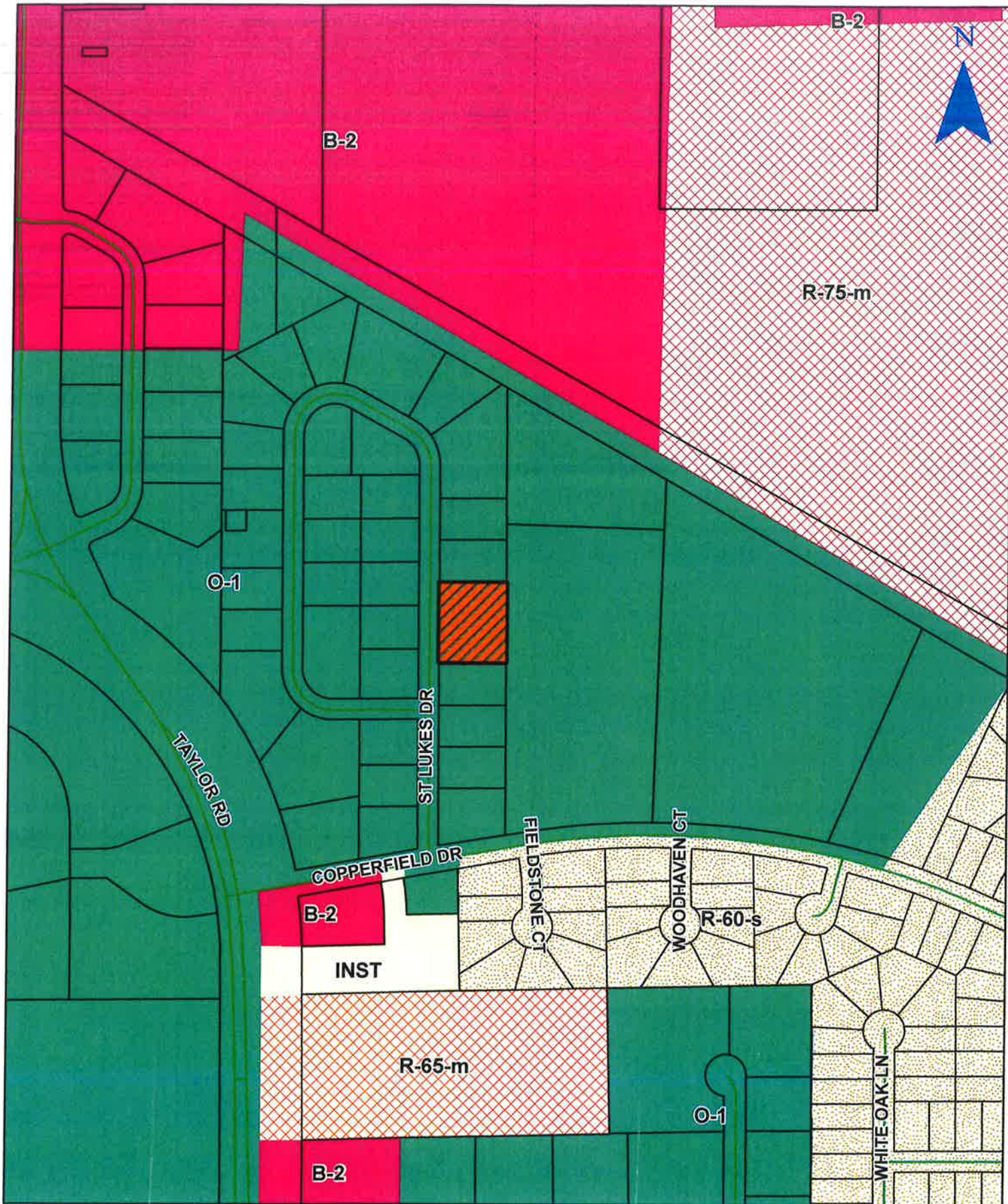
REMARKS: This request is being made to give the petitioner permission to construct an ID sign to come to within 5 ft. of the front property line, whereas 20 ft. is required, and will be 7 ft. in height, whereas 6 ft. is allowed.

The variances request are a 15 ft. front yard variance and a 1 ft. height variance.

COUNCIL DISTRICT: 9

COMMENTS _____

ACTION TAKEN: _____



Site Location 

1 inch = 300 feet

Item No. 7A

M. (6-19-17)
IN POWER POLE
ELEV-218.35

MH
RIM-219.12
INV. IN-209.98
INV. OUT-209.89

ST. LUKES DRIVE
(50' R.O.W.)

MH
RIM-218.76
INV. IN-212.53
INV. OUT-212.00

MH
RIM-217.30
INV. IN-210.86
INV. OUT-210.03

LOT-7

MH
RIM-218.54
INV. IN-210.76
INV. OUT-210.57

N89°18'52"E
162.09'

REQ'D DWARF
BURFORD HOLLY

162.09'

REQ'D DWARF
YAUPON

REQ'D CRAPE
MYRTLE

REQ'D TRIDENT
MAPLE

PROPOSED
BUILDING
(5,820 S.F.)
(FF-219.00)

LOT 6B
0.74 ACRES
MORE OR LESS

REQ'D CRAPE
MYRTLE

REQ'D TRIDENT
MAPLE

REQ'D DWARF
BURFORD HOLLY

Proposed Sign
Redwood
Cypress

• Dwarf Yaupon

10' UTILITY EASEMENT

5' SANITARY
SEWER EASEMENT

219
N89°19'11"E
162.36'

LOT-4

REQ'D DWARF
BURFORD HOLLY

REQ'D OVERCUP
OAK

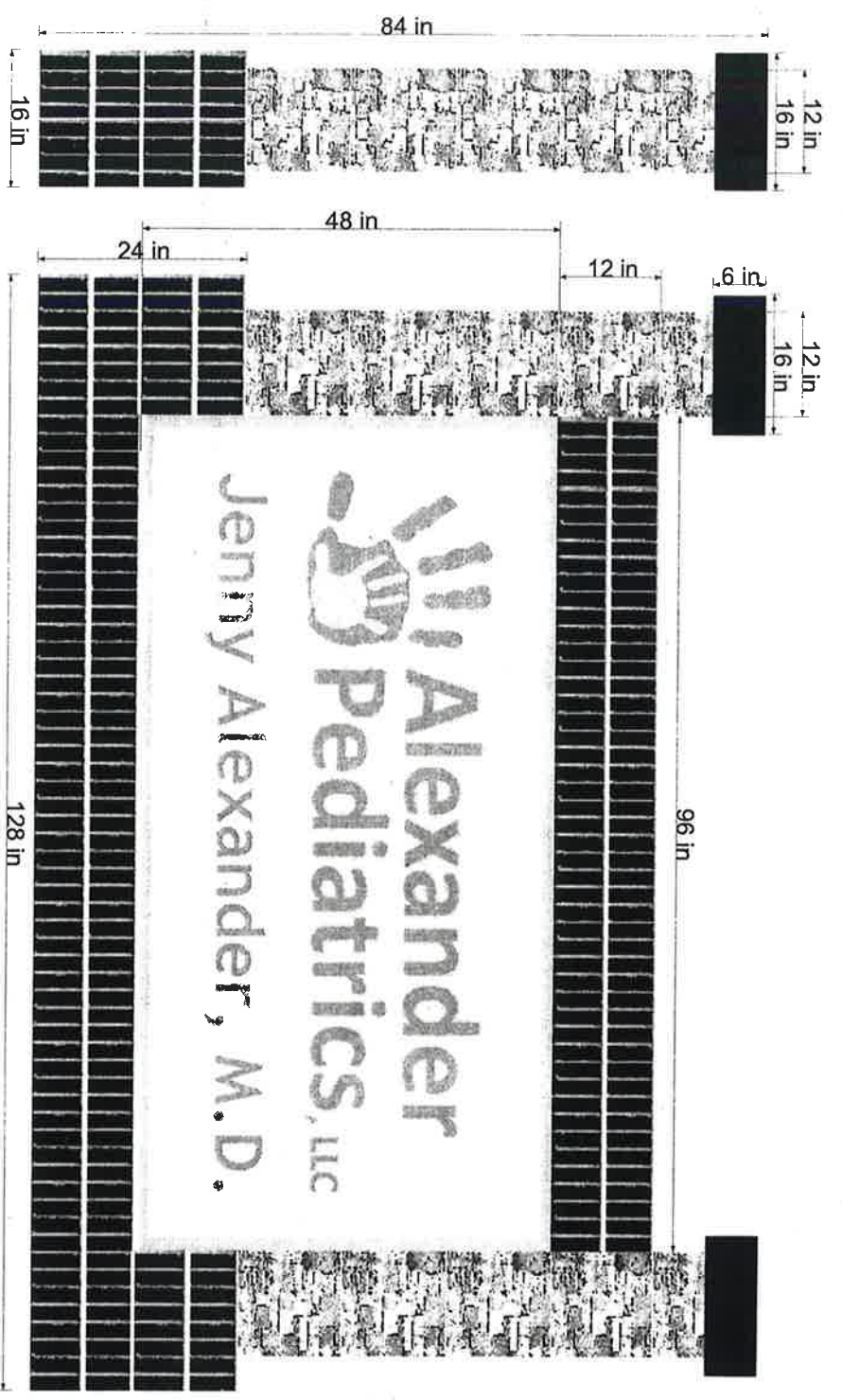
N00°38'41"W
100.00'

S00°41'36"E
100.07'

10' PVT DRAIN & UTILIT

5/8" REBAR CAPPED

7B



Pantone 182C
Pantone 2915C

2/1

double-sided brick/stone monument w/ x2 qty HDU panels routed/painted

CABINET
 OVERALL SIZE: _____
 CABINET COLOR: _____
 ILLUMINATION: LED FLUORESCENT
 FACE MATERIAL: FLAT FLEX PAN
 PAN-EMBOSSSED

CHANNEL LETTERS
 FACE-LIT BACK-LIT NON-LIT
 LED COLOR _____
 FACES _____
 TRIM CAP _____
 RETURNS _____
 RACEWAY _____

STOREFRONT SCALE:
 CUSTOMER APPROVAL SIGNATURE _____

MIDSTATE SIGNS
 INDOOR - OUTDOOR - BILLBOARDS - SERVICE
 334-262-6340
 This artwork is protected by Copyright. All Rights Reserved by Midstate Signs.

IMPORTANT---PLEASE READ OUR PROOF & PRODUCTION POLICY: At Midstate Signs, we take pride in our designs; however, the final examination of accuracy is your responsibility. Before giving approval, please examine all proofs carefully for the accuracy of information presented including but not limited to colors, spelling, grammar and punctuation, graphics, general layout, and missing or extra items. A setup fee will apply if more than two layouts are needed for approval. If order is cancelled before production is started, there will be a minimum charge of \$35 for layout time. An order cannot be cancelled once production has started.



Site Location 

1 inch = 30 feet

Item No. 7D

8. BD-2019-016 **PRESENTED BY:** Tashina Morris

REPRESENTING: T. S. Morris Youth Intervention & Ministry

SUBJECT: Request a special exception for church use and to operate a youth center on properties located at 480 Oak Street and 2014 Luverne Street in an R-60-d (Duplex Residential) Zoning District.

REMARKS: On April 18, 2019 the Board of Adjustment approved the uses below for properties along McGowan Street. This request is being made to give the petitioner permission to expand to include those same uses on the aforementioned properties. The petitioner would like to start off by using the existing structure at 480 Oak Street until she is able to build a bigger structure.

Monday & Wednesday

- 8:00 a.m. – 4:00 p.m.: Assistance with Exempt applications, Pardon applications and Voter's Restoration
- 5:00 p.m. – 7:00 p.m.: Bible study

Tuesday & Thursday

- 9:00 a.m. – 6:00 p.m.: Teenage Seminars/Activities, after school tutoring, life skill classes (teen pregnancy, drug abuse, generational curse), and soccer/kick ball.

Friday

- 5:00 p.m. – 7:00 p.m.: Seminars/Bible study

Outside Field

- Open air flea market – 1st and 3rd Saturday, 6:00 a.m. – 4:00 p.m.
- Soccer and kick ball games – 2nd and 4th Saturday, 9:00 a.m. – 2:00 p.m.
- Bible study – 2nd and 4th Saturday, 3:00 p.m. – 7:00 p.m.; Sunday, 2:00 p.m. – 7:00 p.m.

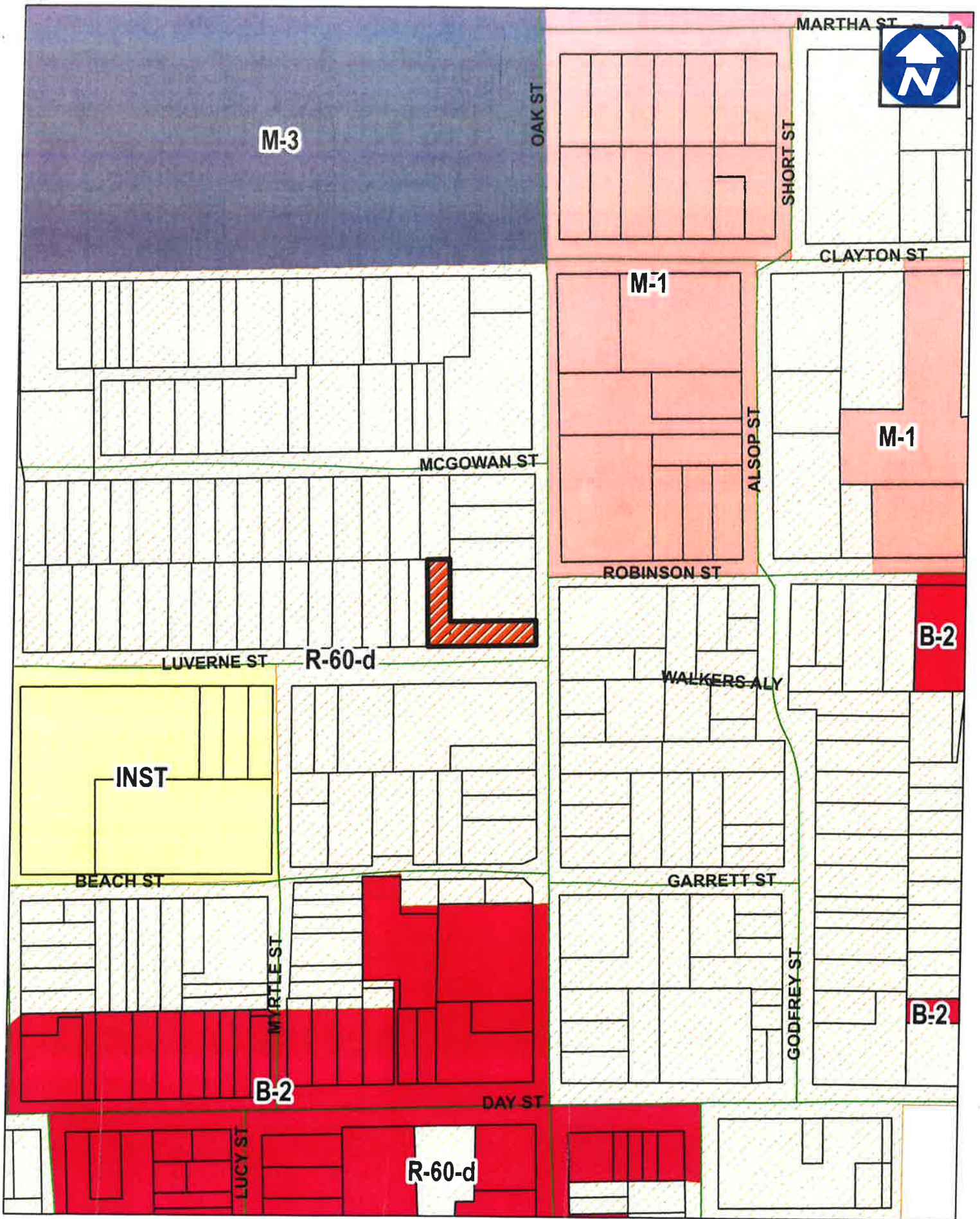
The City of Montgomery sold these properties to Ms. Morris for the purpose of operating a youth center. The property at 480 Oak Street was bought from an individual. A development plan will be submitted at a later date.

The request is a special exception for church use and to operate a youth center at 480 Oak Street and 2014 Luverne Street. (The other parcels were approved previously at the April 18th, 2019 Board of Adjustment meeting).

COUNCIL DISTRICT: 3

COMMENTS _____

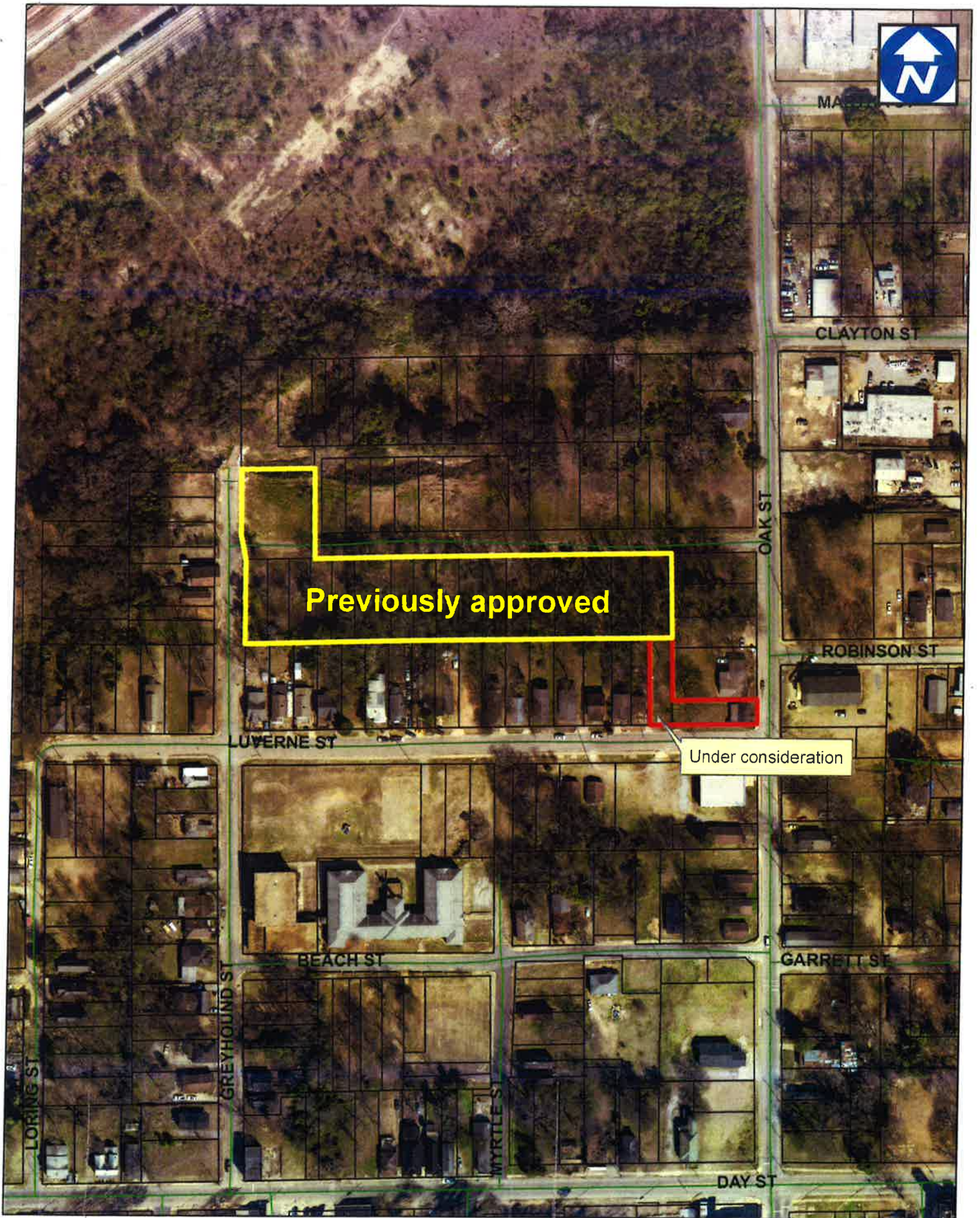
ACTION TAKEN: _____



Site 

1 inch = 200 feet

Item 8A



Site 

1 inch = 200 feet

Item 8B

9. BD-2019-059 **PRESENTED BY:** Chris Ladnier

REPRESENTING: Same

SUBJECT: Request a coverage variance for an accessory structure to be located at 2426 Wentworth Drive in an R-85 (Single-Family Residential) Zoning District.

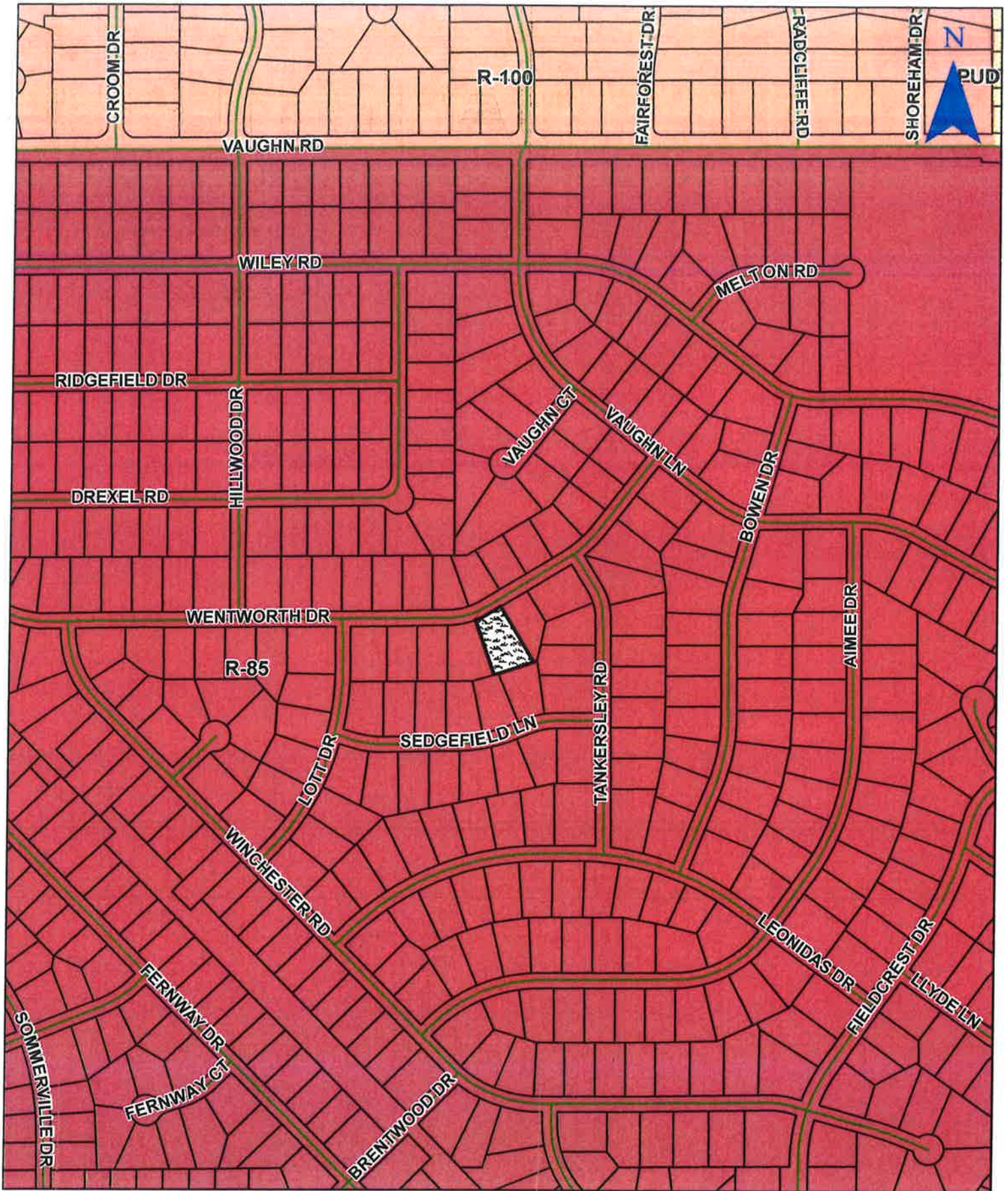
REMARKS: This request is being made to give the petitioner permission to construct an 800 sq. ft. (20 ft. 40 ft.) open carport. There is an existing 80 sq. ft. accessory structure for a total of 880 sq. ft. of coverage, whereas 765 sq. ft. is allowed.

The variance requested is a 115 sq. ft. coverage variance.

COUNCIL DISTRICT: 5

COMMENTS _____

ACTION TAKEN: _____



Site Location 

1 inch = 400 feet

Item No. 9A



Site Location

1 inch = 30 feet

Item No. 9B

10. BD-2001-019 **PRESENTED BY:** Raquel Gildersleeve

REPRESENTING: DYK Memories

SUBJECT: Request a special exception for a place of amusement and assembly to be located at 2415 East South Boulevard (Units A, B & C) in a B-4 (Commercial) Zoning District.

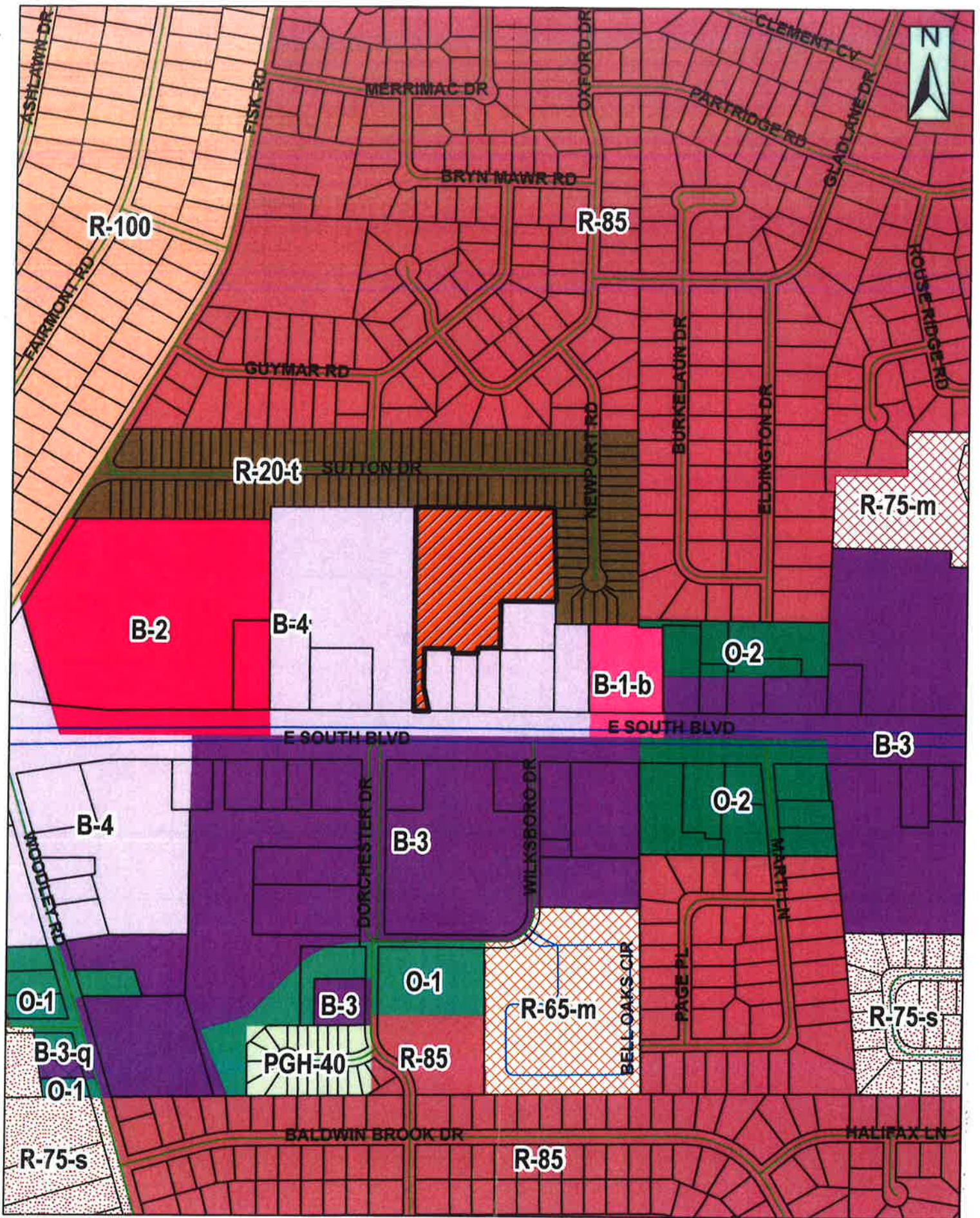
REMARKS: This request is being made to give the petitioner permission to operate and event center in in a multi-tenant shopping center. Days, hours and events will vary, however the petitioner will hold events for weddings, receptions, church conferences/meetings, birthday parties, etc. Most events would take place on the weekend and would end no later than 1:00 a.m.

The request is a special exception for a place of amusement and assembly.

COUNCIL DISTRICT: 5

COMMENTS _____

ACTION TAKEN: _____



Site 

1 inch = 500 feet

Item 10A



Site 

1 inch = 200 feet

Item 10B