

Board of Adjustment Agenda

June 18, 2020 – 5:00 p.m.

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 May 21, 2020 meeting

June 18, 2020

<u>Item</u>	<u>File</u>	<u>Petitioner</u>	<u>Zone</u>	<u>Location/Request</u>	<u>Page</u>
1.	2020-020	Warren Golson	AGR-1	1081 East McLean Road (Mobile home)	1
2.	2020-019	Wesley Willis	R-125	2425 Cherokee Drive (Sanitary facilities in accessory structure)	2
3.	2020-017	Larry Henson	R-60-d	1231 South Lawrence Street (Privacy fence)	3
4.	2020-018	Wiley Bruce Spivey	R-65-d	3054 Willena Avenue (Chickens)	4
5.	2020-021	Kenyatta Mathews	PGH-35	10 Rosewood Place (Coverage variance)	5
6.	1972-080	Patrick Thomas	B-3	620 Eastern Boulevard (Parking variance)	6
7.	1996-148	The Broadway Group	B-4	2296 East South Boulevard (Parking variance)	7
8.	2020-022	Jack Bader	R-85	2740 Oxford Drive (Side yard variance - carport)	8
9.	2020-023	Kitchener L. Harding	R-75-s	416 East Fairview Avenue (Poultry & livestock)	9
10.	2020-024	Kyle Kyser Jr.	O-1	1311 Old Oak Place (Rear yard variance)	10
11.	2020-016	Moon Consulting	B-2	EastChase Parkway (Variances for 2 hotels)	11

The next Board of Adjustment meeting is on July 16, 2020

1. BD-2020-020 **PRESENTED BY:** Warren Golson

REPRESENTING: Same

SUBJECT: Request a special exception for mobile home for living purposes to be located at 1081 East McLean Road in an AGR-1 (Residential Agriculture) Zoning District.

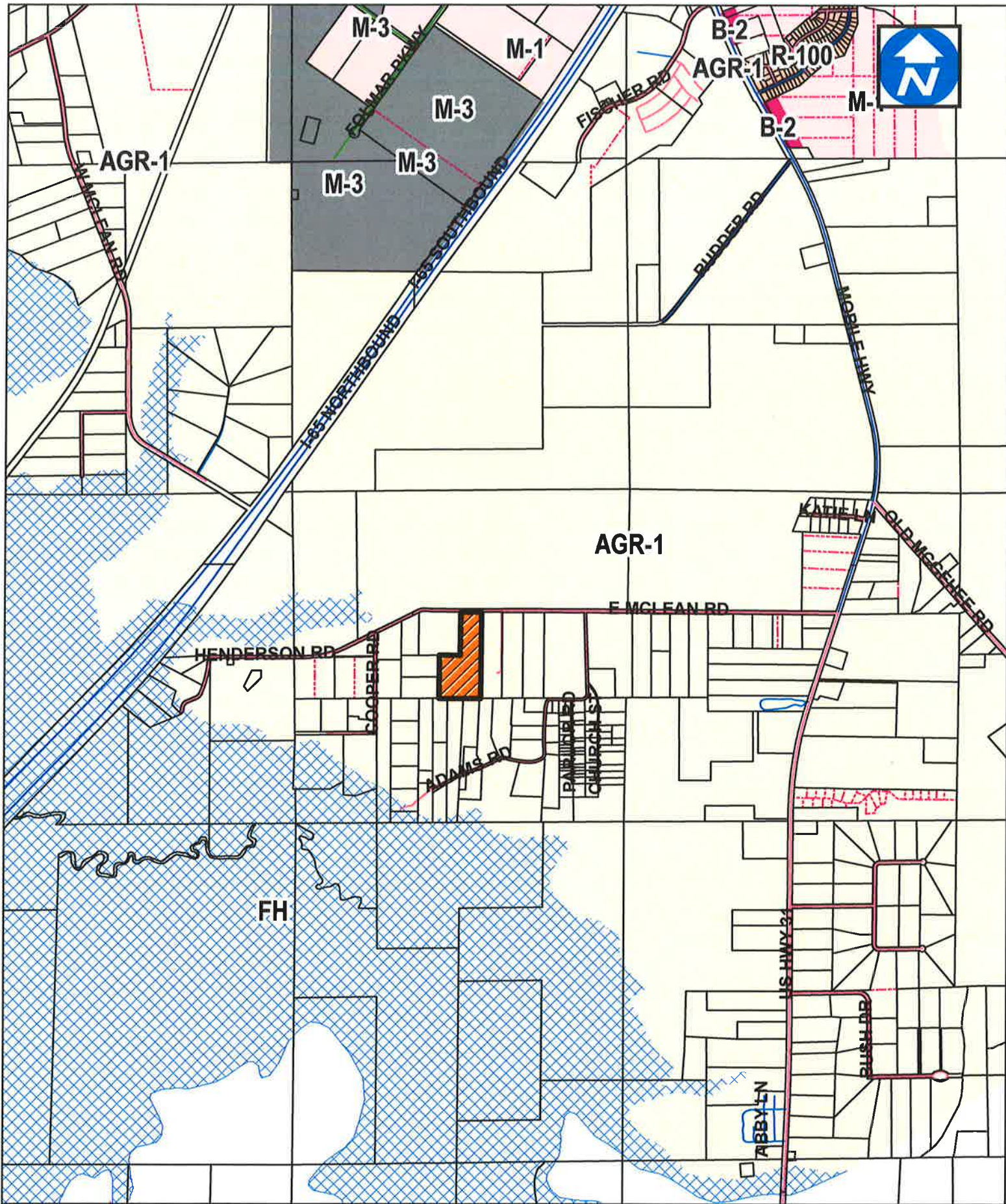
REMARKS: This request is being made to give the petitioner permission to place a mobile home for living purposes on a 15 acre parcel of land with an existing dwelling.

The request is a special exception for a mobile home for living purposes.

COUNCIL DISTRICT: Police Jurisdiction

COMMENTS _____

ACTION TAKEN: _____



Site 

1 inch = 2,000 feet

Item 1A



Site 

1 inch = 200 feet

Item IB

2. BD-2020-019 **PRESENTED BY:** Wesley Willis

REPRESENTING: Same

SUBJECT: Request a special exception for sanitary facilities in an existing accessory structure to be located at 2425 Cherokee Drive in an R-125 (Single-Family Residential) Zoning District

REMARKS: This request is being made to give the petitioner permission to install sanitary facilities in an existing accessory structure.

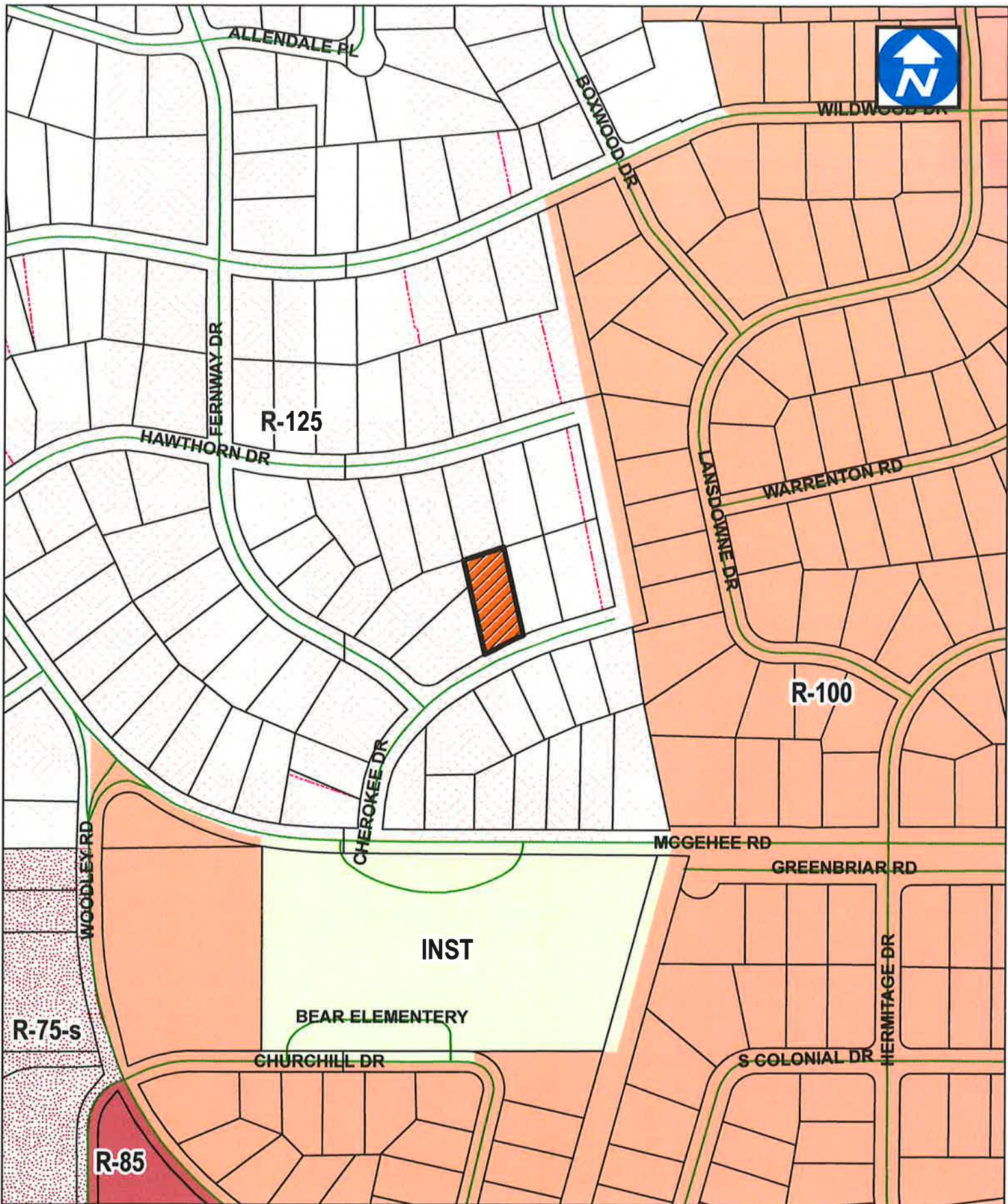
Land Use Control: If approved it should be stipulated the structure cannot be used for living purposes.

The request is a special exception for sanitary facilities in an accessory structure.

COUNCIL DISTRICT: 7

COMMENTS _____

ACTION TAKEN: _____



Site 

1 inch = 300 feet

Item 2A



Site 

1 inch = 50 feet

Item 2B

3. BD-2020-017 **PRESENTED BY:** Larry Henson

REPRESENTING: Same

SUBJECT: Request a height variance for an existing privacy fence located at 1231 South Lawrence Street in an R-60-d (Duplex Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to maintain an 8 ft. high privacy fence, whereas a 7 ft. is allowed.

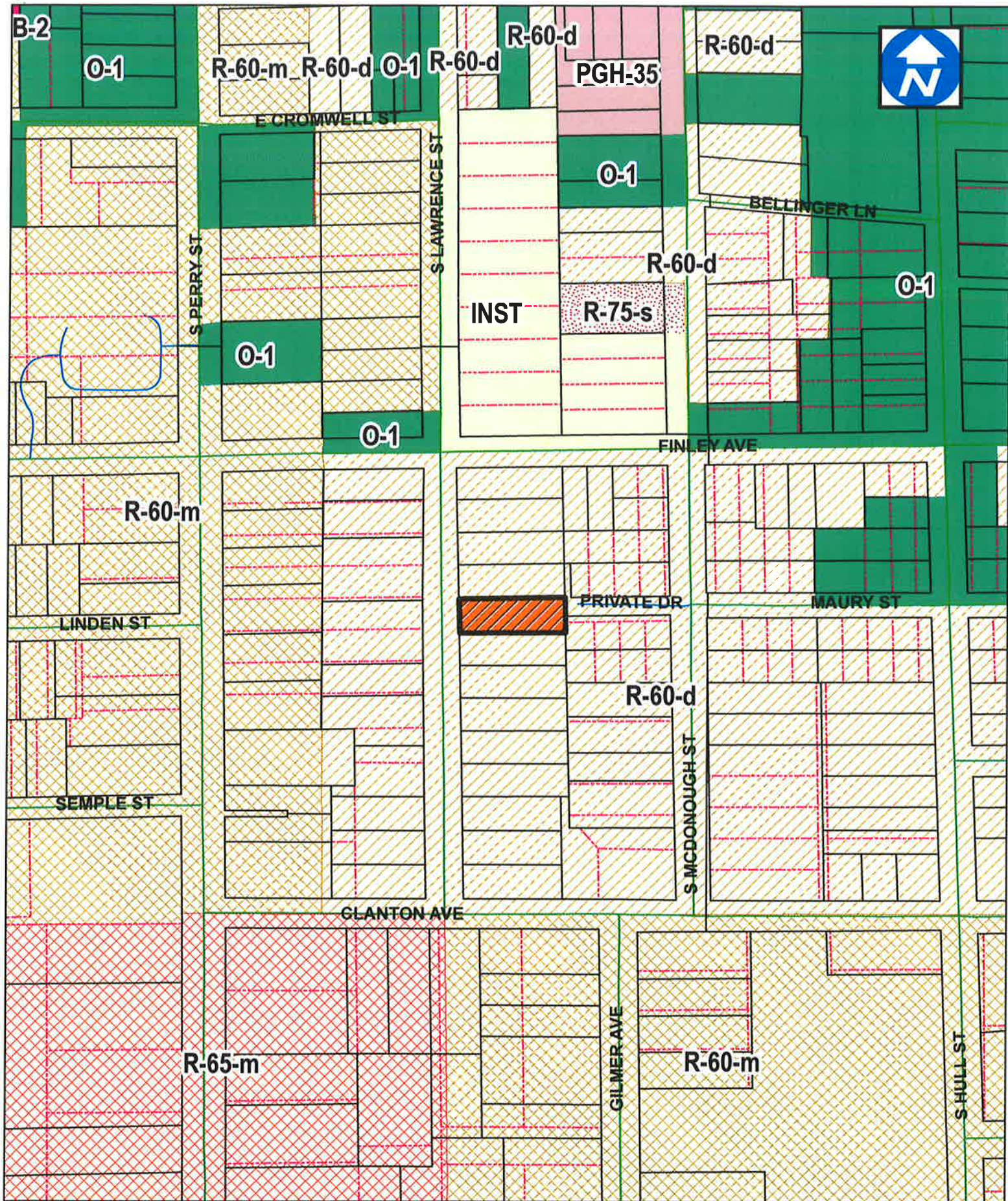
This request will also be heard by the Architectural Review Board at the June 23rd meeting.

They request is a 1 ft. height variance for a privacy fence.

COUNCIL DISTRICT: 3

COMMENTS _____

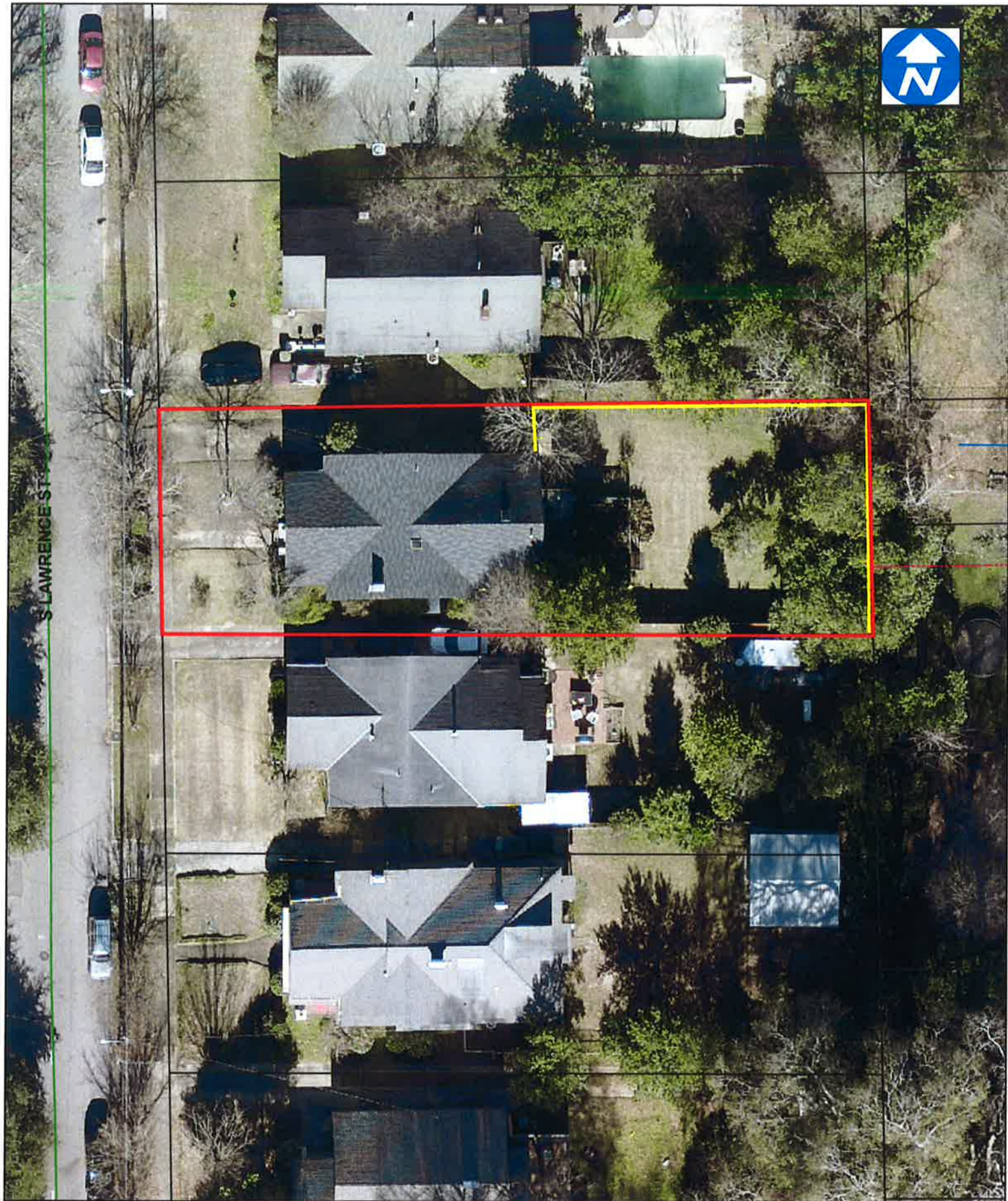
ACTION TAKEN: _____



Site 

1 inch = 200 feet

Item 3A



Site 

1 inch = 30 feet

Item 3B

COMPLAINT

4. BD-2020-018 **PRESENTED BY:** Wiley Bruce Spivey

REPRESENTING: Mr. Reynoso

SUBJECT: Request a special exception to keep chickens at 3054 Willena Avenue in an R-65-d (Duplex Residential) Zoning District,

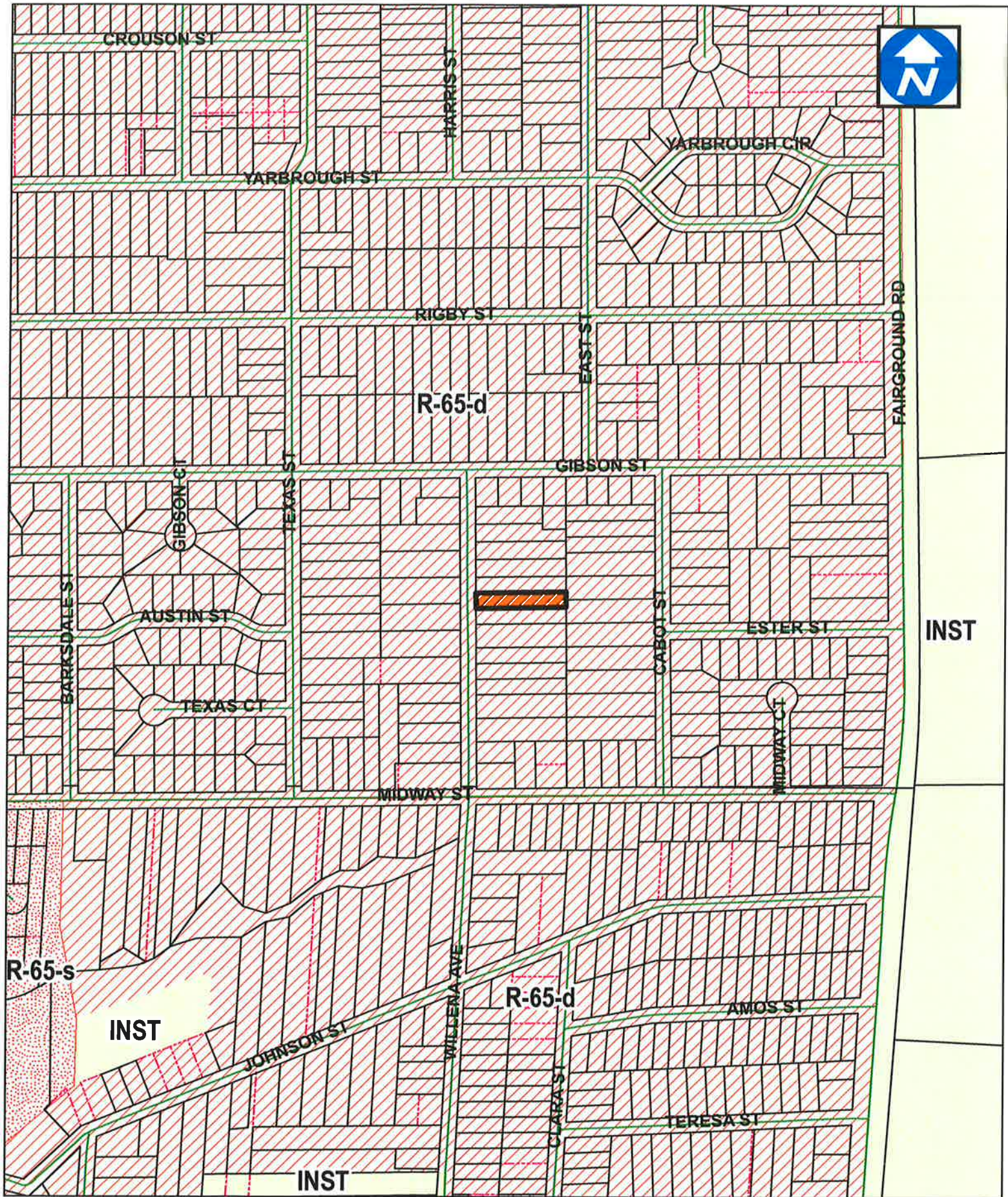
REMARKS: This request is being made to give the petitioner permission to keep six (6) chickens. The petitioner has the “Chicken Guidelines” and has stated they are in compliance.

The request is a special exception to keep six (6) chickens.

COUNCIL DISTRICT: 2

COMMENTS _____

ACTION TAKEN: _____



Site 

1 inch = 400 feet

Item 4A



WILLENA AVE



Site 

1 inch = 50 feet

Item 4B

5. BD-2020-021 **PRESENTED BY:** Kenyatta Mathews

REPRESENTING: Same

SUBJECT: Request a coverage variance for an accessory structure to be located at 10 Rosewood Place in a PGH-35 (Patio Garden Home) Zoning District.

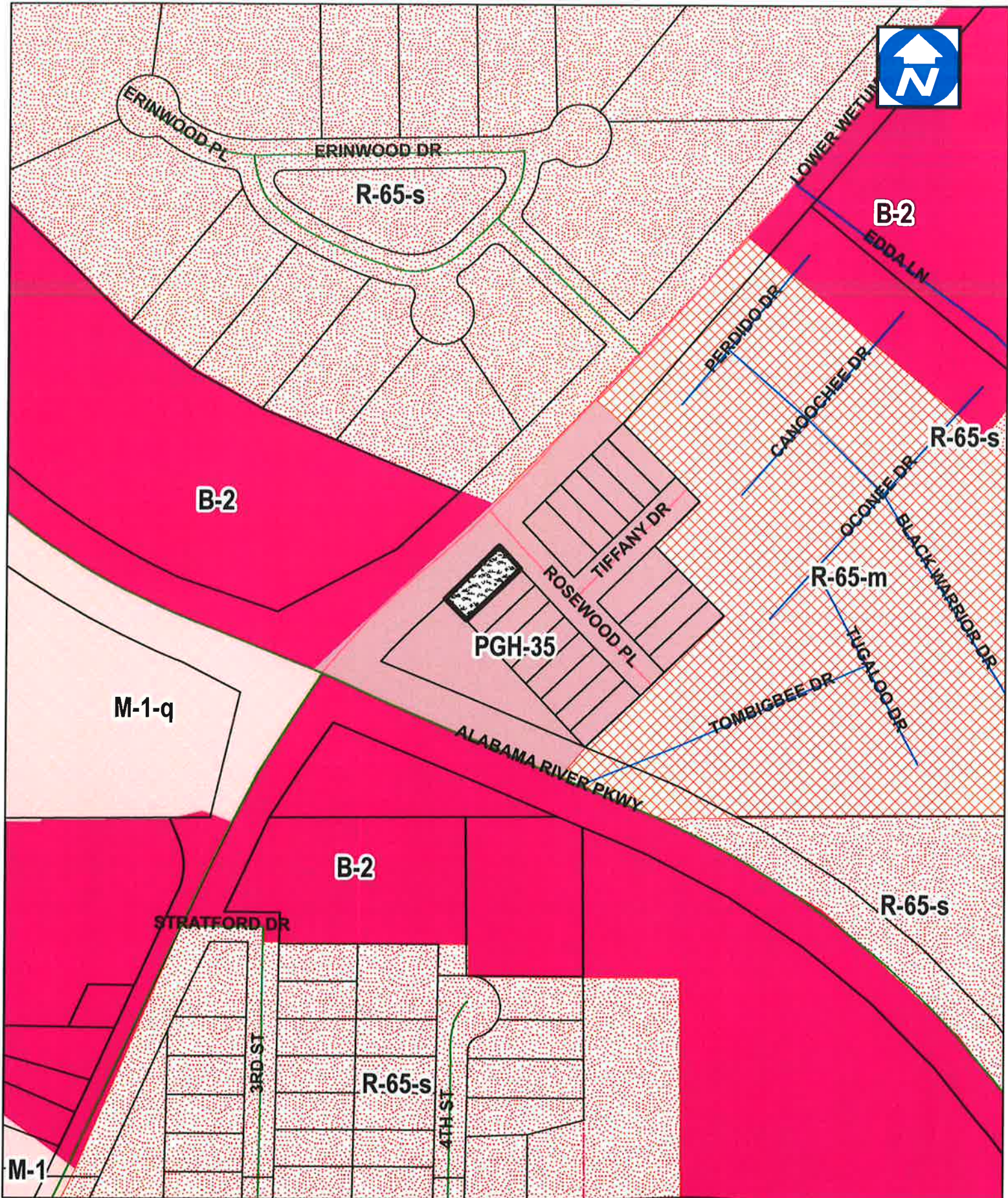
REMARKS: This request is being made to give the petitioner permission to erect a 200 sq. ft. accessory structure, whereas a 131 sq. ft. coverage is allowed.

The request is a 69 sq. ft. coverage variance.

COUNCIL DISTRICT: Police Jurisdiction

COMMENTS _____

ACTION TAKEN: _____



Site 

1 inch = 200 feet
Item 5A



Site 

1 inch = 40 feet

Item 5B

6. BD-1972-080 **PRESENTED BY:** Patrick Thomas

REPRESENTING: River Region Kids

SUBJECT: Request a parking variance for an addition to a building located at 620 Eastern Boulevard in a B-3 (Commercial) Zoning District.

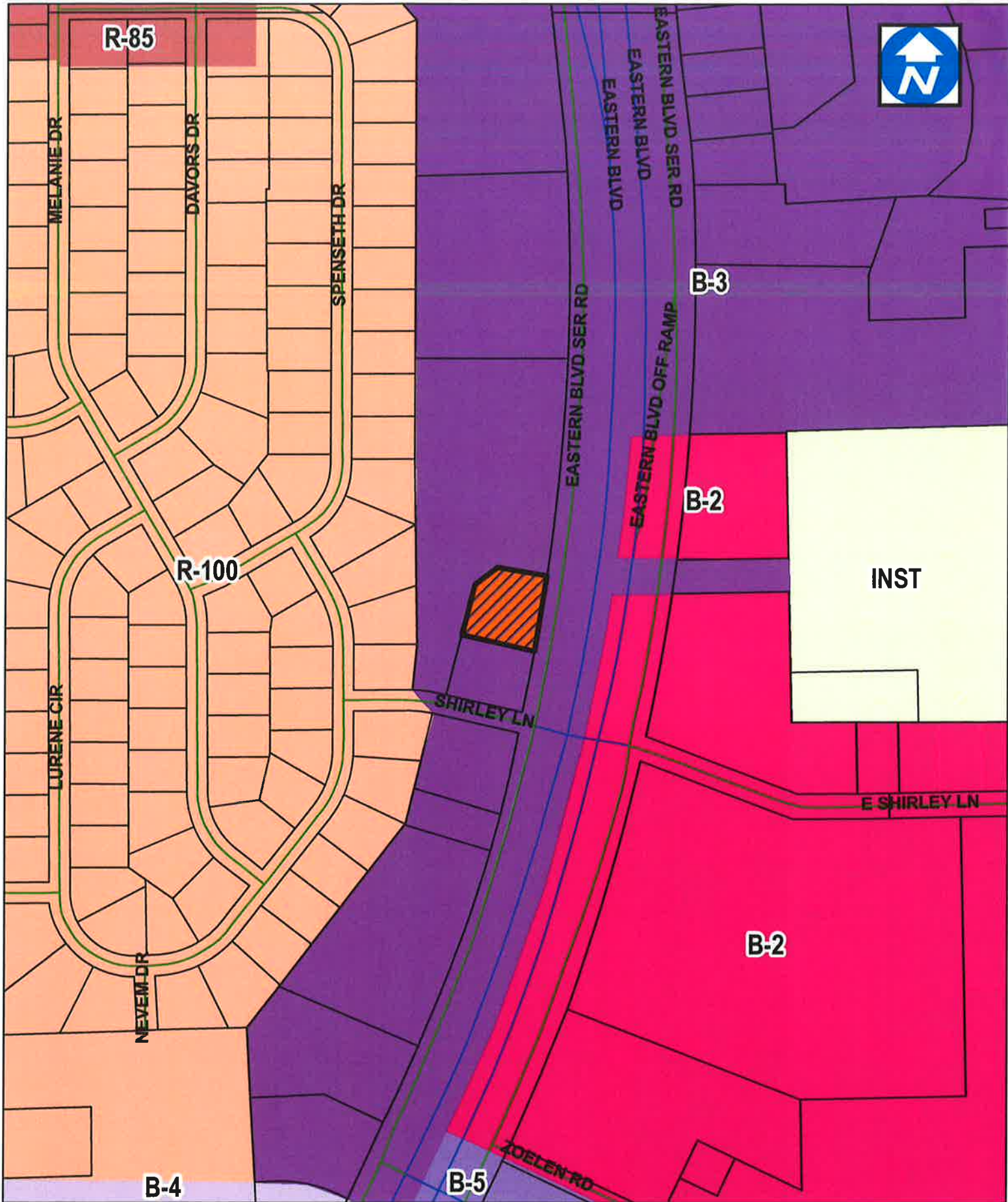
REMARKS: This request is being made to give the petitioner permission to construct an addition without any additional parking. The total sq. ft. of the building would require 31 parking spaces, whereas the request is to maintain only the existing 12 parking spaces.

The request is a 19 space parking variance.

COUNCIL DISTRICT: 1

COMMENTS _____

ACTION TAKEN: _____



Site 

1 inch = 300 feet

Item 6A



FH
250'-0" ±

10' R EAST COMMERCE DEVELOPMENT PLAN NO.4
(N52°06'10" E 70.30') 70.30'

(S80°09'05"E 122.40') S80° 41'30"E 122.40'

(N14°29'55"E 122.41') N13°57'30"E 121.85'

(CH=510'00"± W 182.55') CH=509' 20'00" W 182.55'
EASTERN BOULEVARD SERVICE ROAD
(TANGENT CENTER LINE RADIUS = 4583.66')

(N77°25'40"W 179.30') 179.30'

LOT C

CURB

10' WATER MAIN & SANITARY SEWER BASE

BLOCK WALL

NEW CONCRETE SIDEWALKS

NEW ADDITION
TYPE-V-B
1,497 nSF
1,627 gSF

EXISTING BUILDING
TYPE-V-B CONSTRUCTION
3,493 nSF
3,685 gSF

10' SANITARY SEWER BASE

EXISTING WOODEN COVER

EXISTING WOODEN COVER

EXISTING CONC PAD

EXISTING CONC PAD

EXISTING CONC PAD

EXISTING CONC PAD

55' DRAINAGE EASEMENT

CONCRETE DITCH

EXHIBIT 200E FOR 18A
REBAR CAPTIVED W/ CONCRETE

LEGEND

- | | | | |
|-------|------------------------|-------|--|
| 6 | POWER BOX | - - - | NOT TO SCALE |
| , | POWER POLE | () | FIELD MEASURED |
| - - - | FENCE LINE | - | IRON FOUND (AS NOTED) |
| ⊙ | MANHOLE | P | CALCULATED POINT |
| + | CABLE JUNCTION BOX | (| SET #6 REBAR (CAPPED W/ GLEN) (TANNER 20099) |
| 5 | TELEPHONE JUNCTION BOX | ⊙ | PAINTED PK NAIL IN CONCRETE |
| ⊗ | FIRE HYDRANT (714) | ⊙ | WATER METER |

FH
200'-0" ±

6B



Site 

1 inch = 40 feet

Item 6C

7. BD-1996-148 **PRESENTED BY:** The Broadway Group

REPRESENTING: Retail Store

SUBJECT: Request a parking variance for a new building to be located at 2296 East South Boulevard in a B-4 (Commercial) Zoning District.

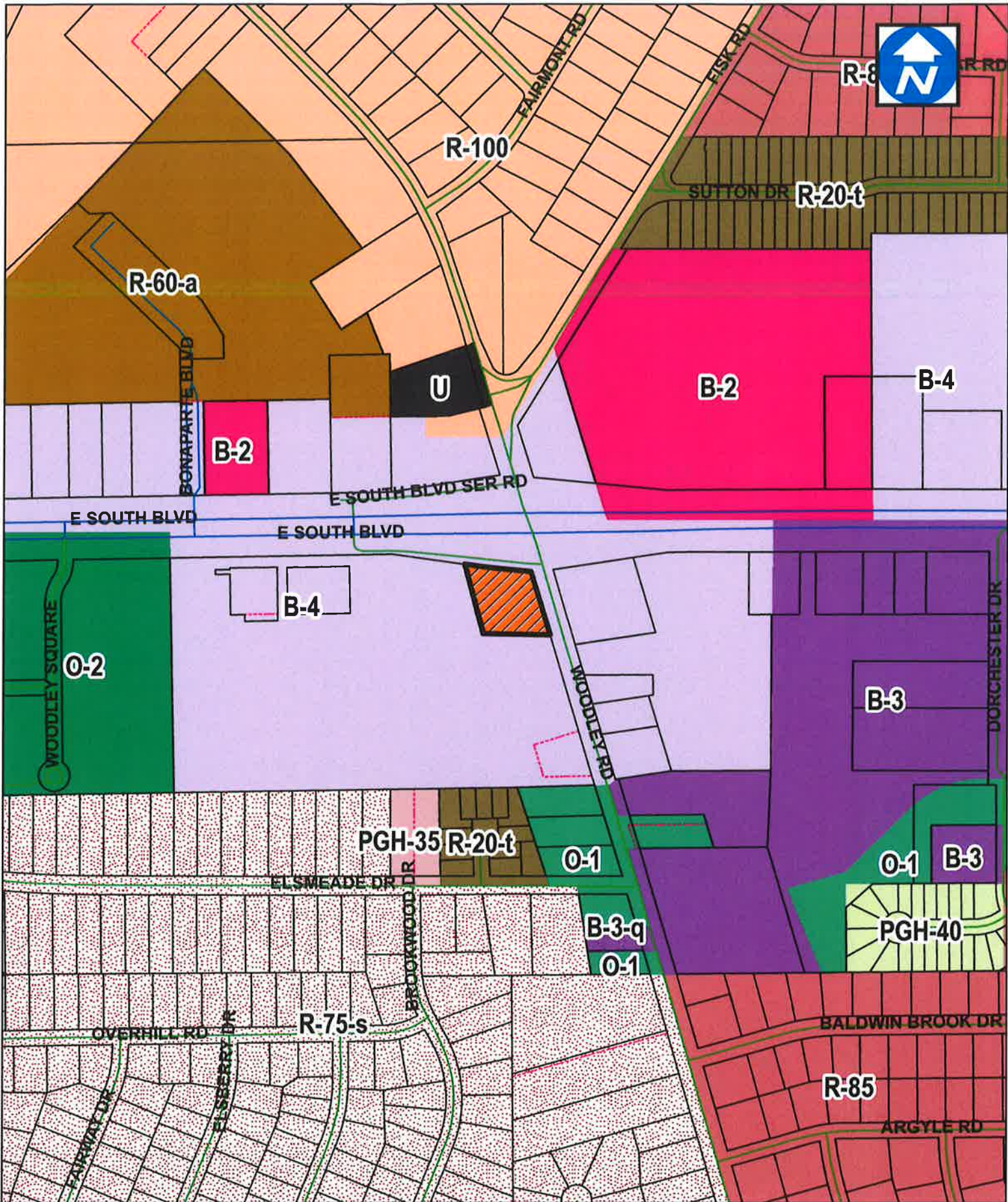
REMARKS: This request is being made to give the petitioner permission to construct a new building with 30 paved parking spaces, whereas 67 are required. The applicant is adding additional landscape to the 25% allowed (17 spaces), which leaves a parking deficit of 20 parking spaces.

The request is a 20 space parking variance.

COUNCIL DISTRICT: 6

COMMENTS _____

ACTION TAKEN: _____



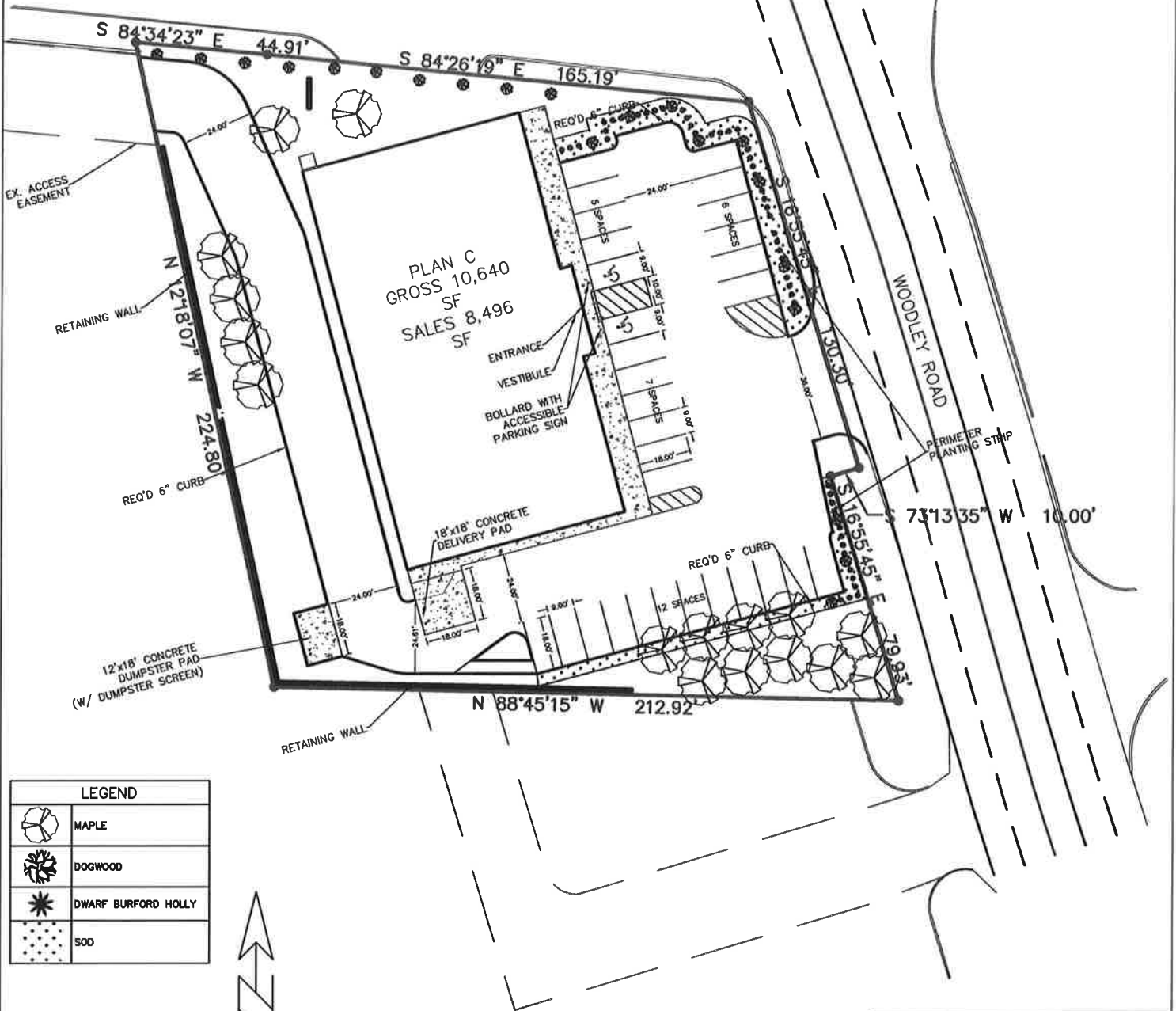
Site 

1 inch = 400 feet

Item 7A

PRELIMINARY SITE PLAN		MONTGOMERY (WOODLEY RD)		
PROTOTYPE:	C	DEVELOPER	DESIGNER	DATE
BLDG/SALES S.F.:	10640	COMPANY: THE BROADWAY GROUP	COMPANY: THE BROADWAY GROUP	5/7/2020
ACREAGE:	1.018	NAME: BOB BROADWAY	NAME:	
PARKING SPACES:	30	PHONE: (256) 533-7287	PHONE: (256) 533-7287	

*67 PARKING STALLS REQ'D. BY CODE.
37 TREES PLANTED TO REDUCE NUMBER OF STALLS



LEGEND	
	MAPLE
	DOGWOOD
	DWARF BURFORD HOLLY
	SOD



NOTE
DIMENSIONS SHOWN ALONG PROPERTY, RIGHT-OF-WAY AND/OR LEASE LINES ARE PRELIMINARY AND SHOWN FOR INFORMATIONAL PURPOSES ONLY

The Broadway Group
Commercial Real Estate Development
216 Westside Square • Huntsville, AL 35801
Phone: (256) 533-7287 • Fax: (256) 533-7236

7B



Site 

1 inch = 200 feet

Item TC

8. BD-2020-022 **PRESENTED BY:** Jack Bader

REPRESENTING: Same

SUBJECT: Request a side yard variance for an addition to the dwelling located at 2740 Oxford Drive in an R-85 (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to erect an attached carport. The carport will come to the side property line, whereas 10 ft. is required.

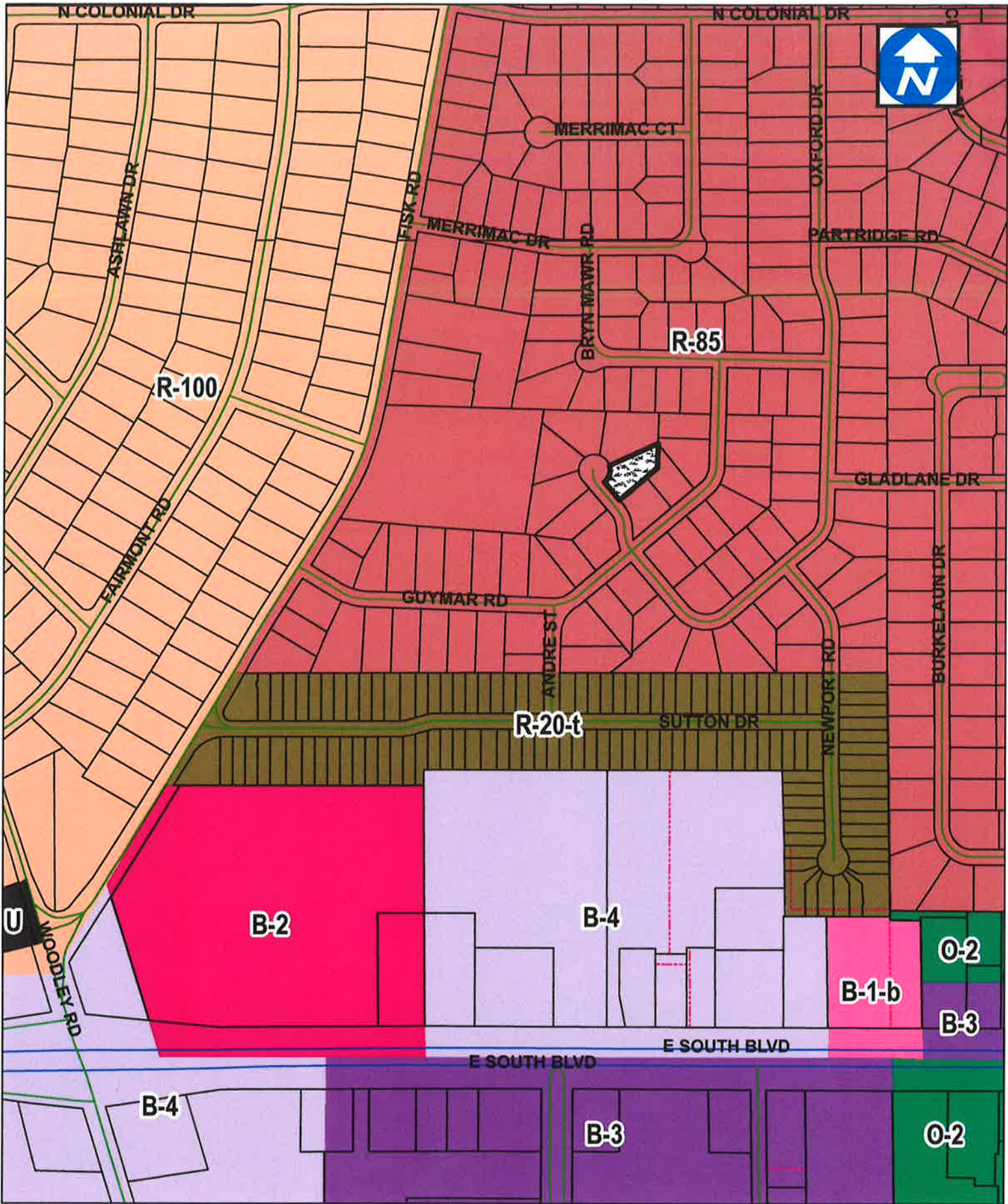
Land Use Division: Gutters and downspouts will be required to direct the drainage from the adjoining property.

The request is a 10 ft. side yard variance.

COUNCIL DISTRICT: 5

COMMENTS _____

ACTION TAKEN: _____



Site 

1 inch = 400 feet

Item 8A



Site 

1 inch = 40 feet

Item 8B

COMPLAINT

9. BD-2020-023 **PRESENTED BY:** Kitchener L. Harding

REPRESENTING: Same

SUBJECT: Request a special exception to keep poultry and livestock at 416 East Fairview Avenue in an R-75-s (Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to keep the following:

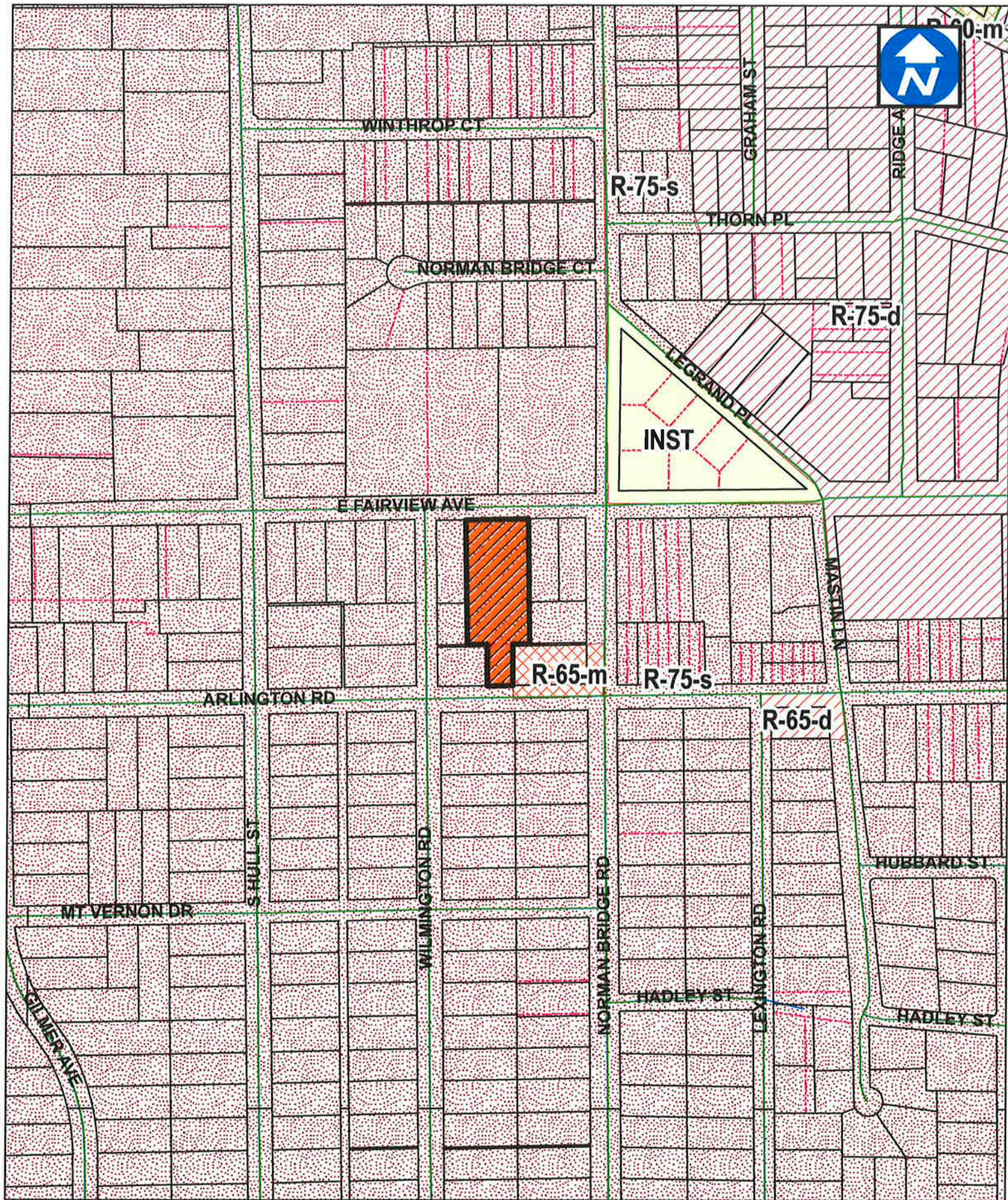
- Up to 25 chickens (4 chicks and 18 adult chickens currently)
- 4 goats (Nigerian dwarfs)
- 15 turkeys

This parcel is 1.17 +/- parcel.

COUNCIL DISTRICT: 7

COMMENTS _____

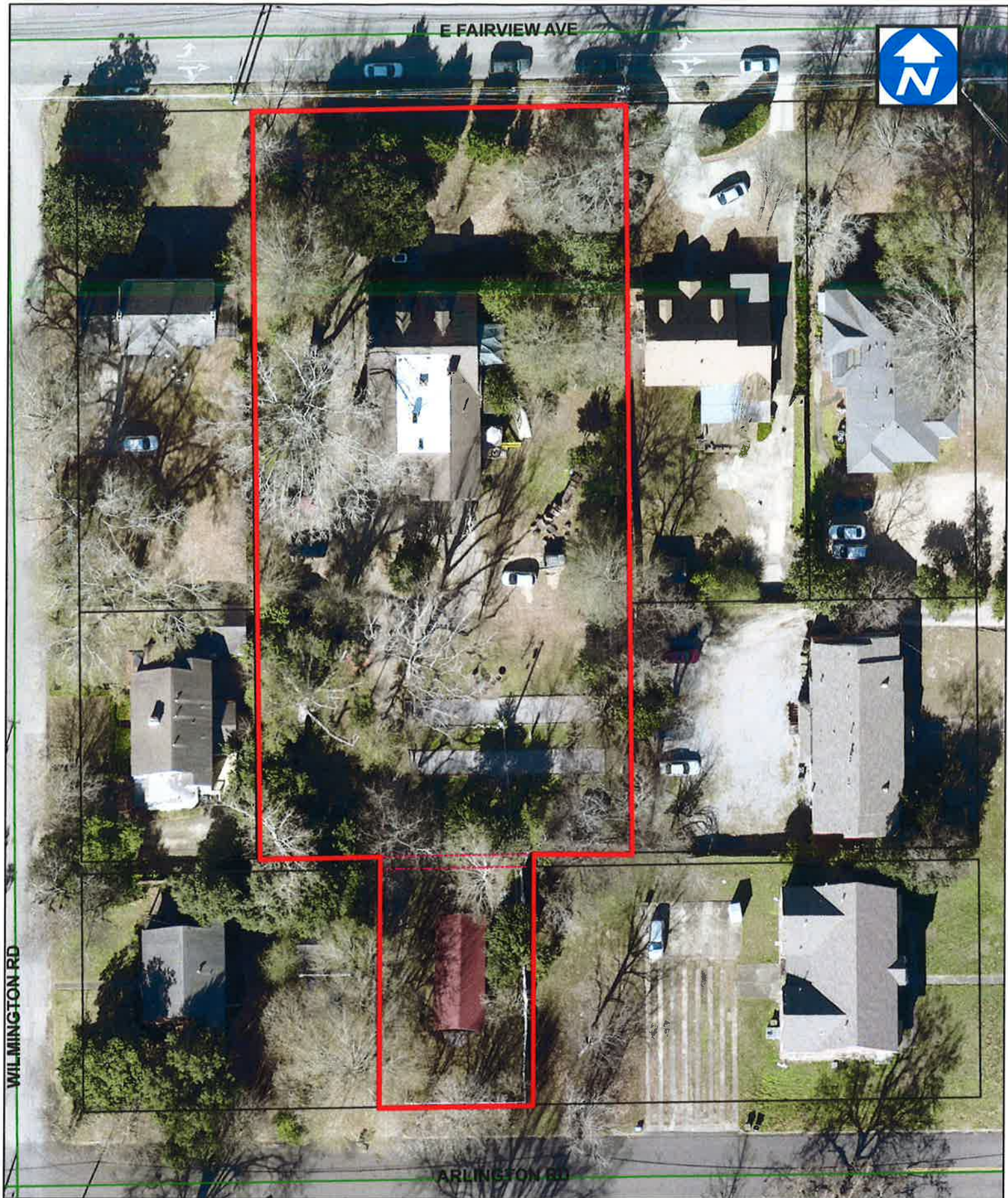
ACTION TAKEN: _____



Site 

1 inch = 300 feet

Item 9A



Site 

1 inch = 50 feet

Item 9B

10. BD-2020-024 **PRESENTED BY:** Kyle Kyser Jr.

REPRESENTING: KMB Alley, LLC

SUBJECT: Request a rear yard variance for a new building to be located at 1311 Old Oak Place in an O-1 (Office) Zoning District.

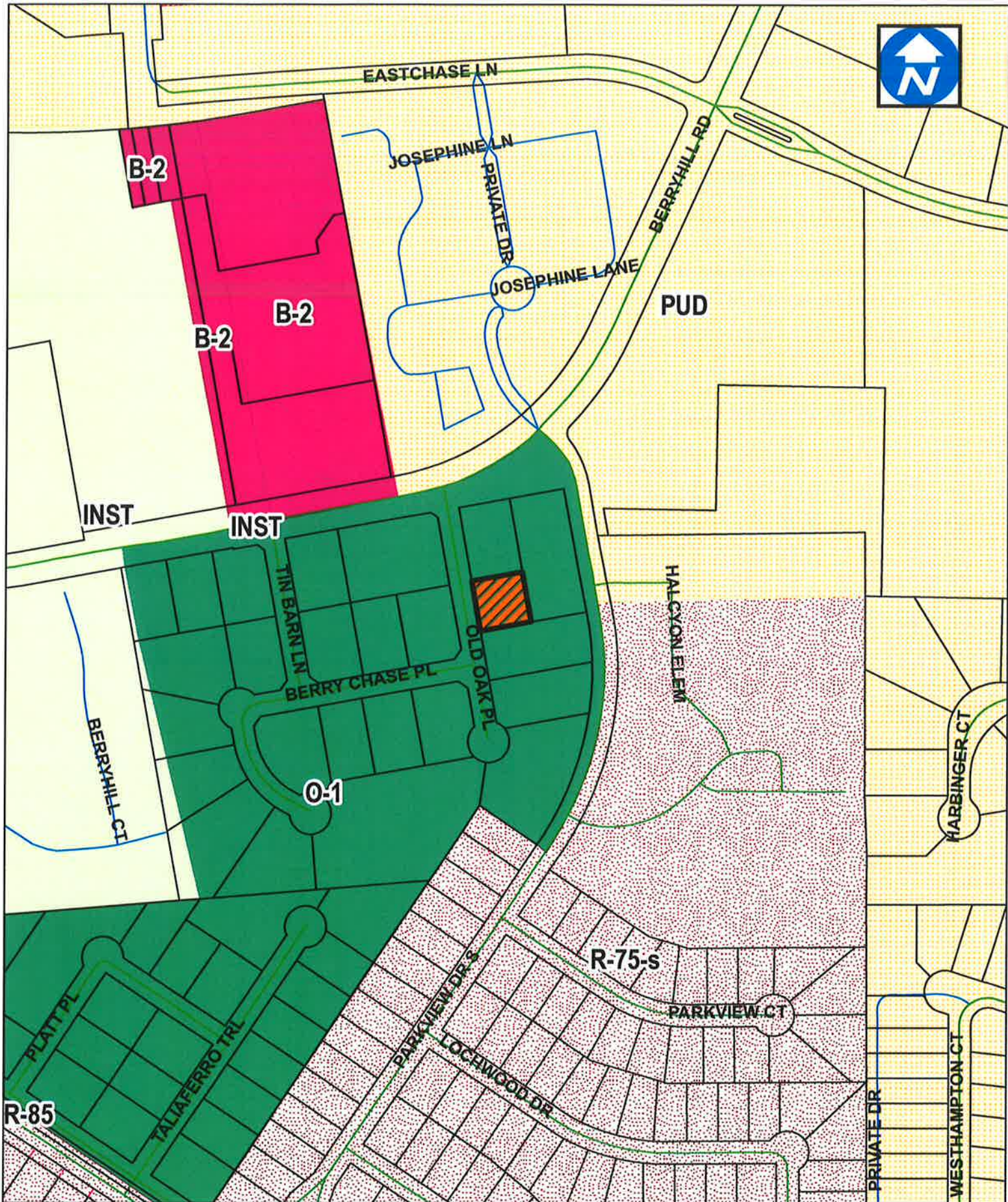
REMARKS: This request is being made to give the petitioner permission to construct a new building to come within 10 ft. of the rear property line, whereas 20 ft. is required.

The request is a 10 ft. rear yard variance.

COUNCIL DISTRICT: 9

COMMENTS _____

ACTION TAKEN: _____



Site 

1 inch = 300 feet

Item IOA

BERRYHILL ROAD

NEW 3/4" PIPE

FINISHED SITE DRAINAGE TYPICAL
NOTE: SITE DRAINAGE IS TO BE
DIRECTED TO THE STREET AND THE
REAR DRAINAGE EASEMENT ONLY

10'-0" UTILITY EASEMENT
20'-0" BUILDING LINE

S11°44'37"E
180.15'

N11°44'37"W
180.15'

D L D O A K P L A C E

29 PARKING
SPACES SHOWN

S78°12'50"W
124.60'

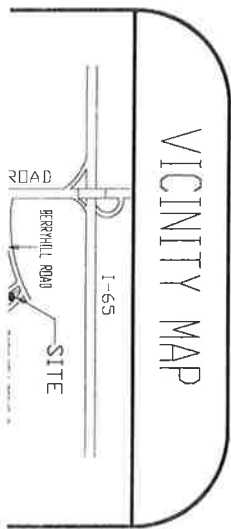
N10°14'01"W
119.77'

23 PARKING
SPACES SHOWN

N79°39'54"E
124.60'

S11°47'10"E
120.00'

10'-0" UTILITY & DRAINAGE EASEMENT
10'-0" UTILITY EASEMENT
20'-0" BUILDING LINE



SITE PLAN

SCALE: 1" = 20'-0"
3,500 S.F.

LOB



Site 

1 inch = 100 feet

Item 10C

11. BD-2020-016 **PRESENTED BY:** Moon Consulting

REPRESENTING: Ram Montgomery

SUBJECT: Request a height variance, story variance, and variance to the Landscape Ordinance for two (2) new buildings located on the southeast corner of EastChase Parkway and Minnie Brown Road in a B-2 (Commercial) Zoning District.

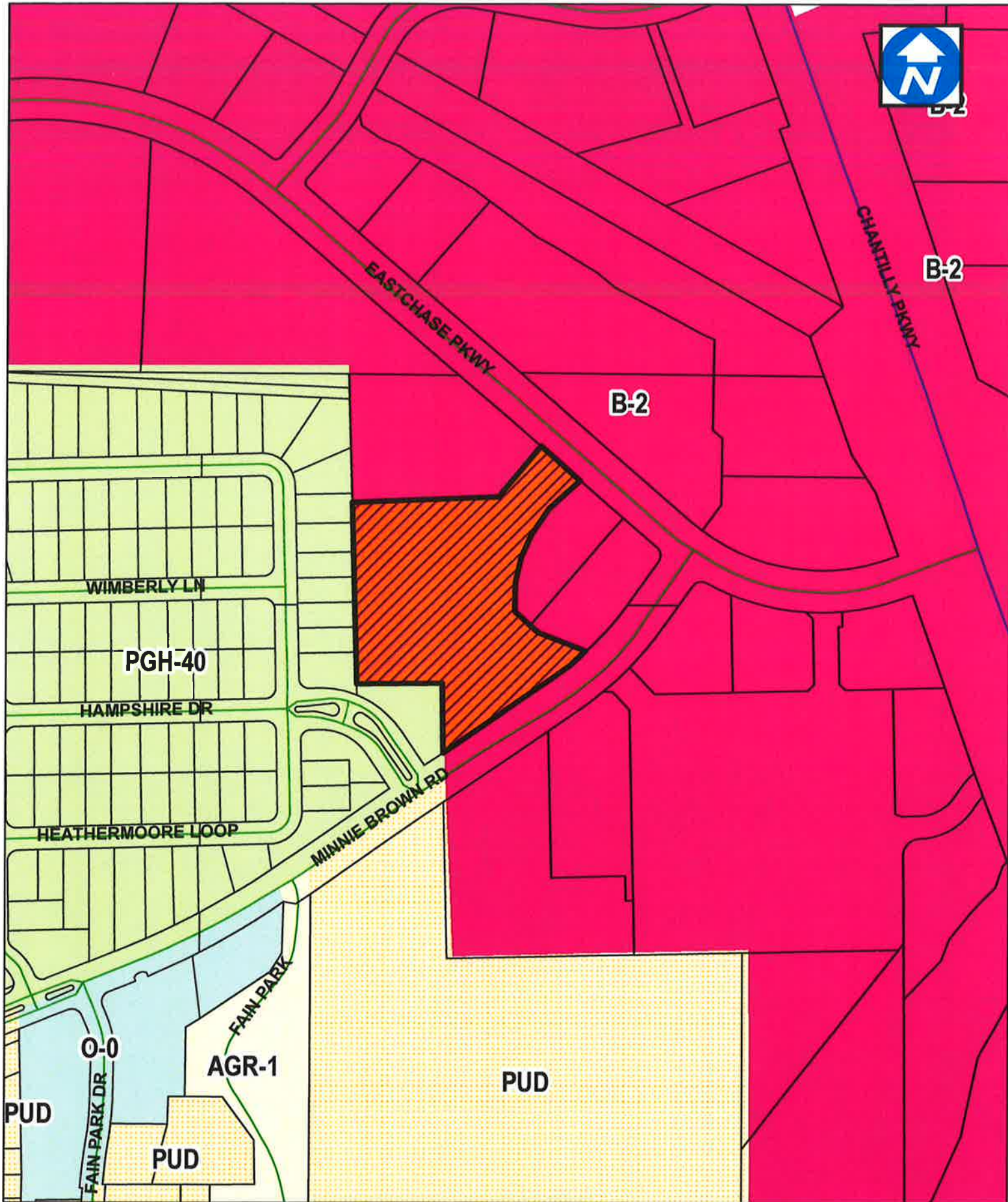
REMARKS: This request is being made to give the petitioner permission to construct two (2) hotels that will not exceed 61 ft. in height, whereas a 45 ft. is allowed. Both hotels will be 4 stories, whereas 3 stories are allowed. A 10 ft. landscape buffer is required between commercial and residential zonings. The buffer between this site and the Coventry retention pond parcel will be reduced to one (1) foot.

The requests are a 16 ft. height variance, a one (1) story variance, and a 9 ft. landscape buffer variance.

COUNCIL DISTRICT: 9

COMMENTS _____

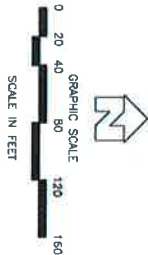
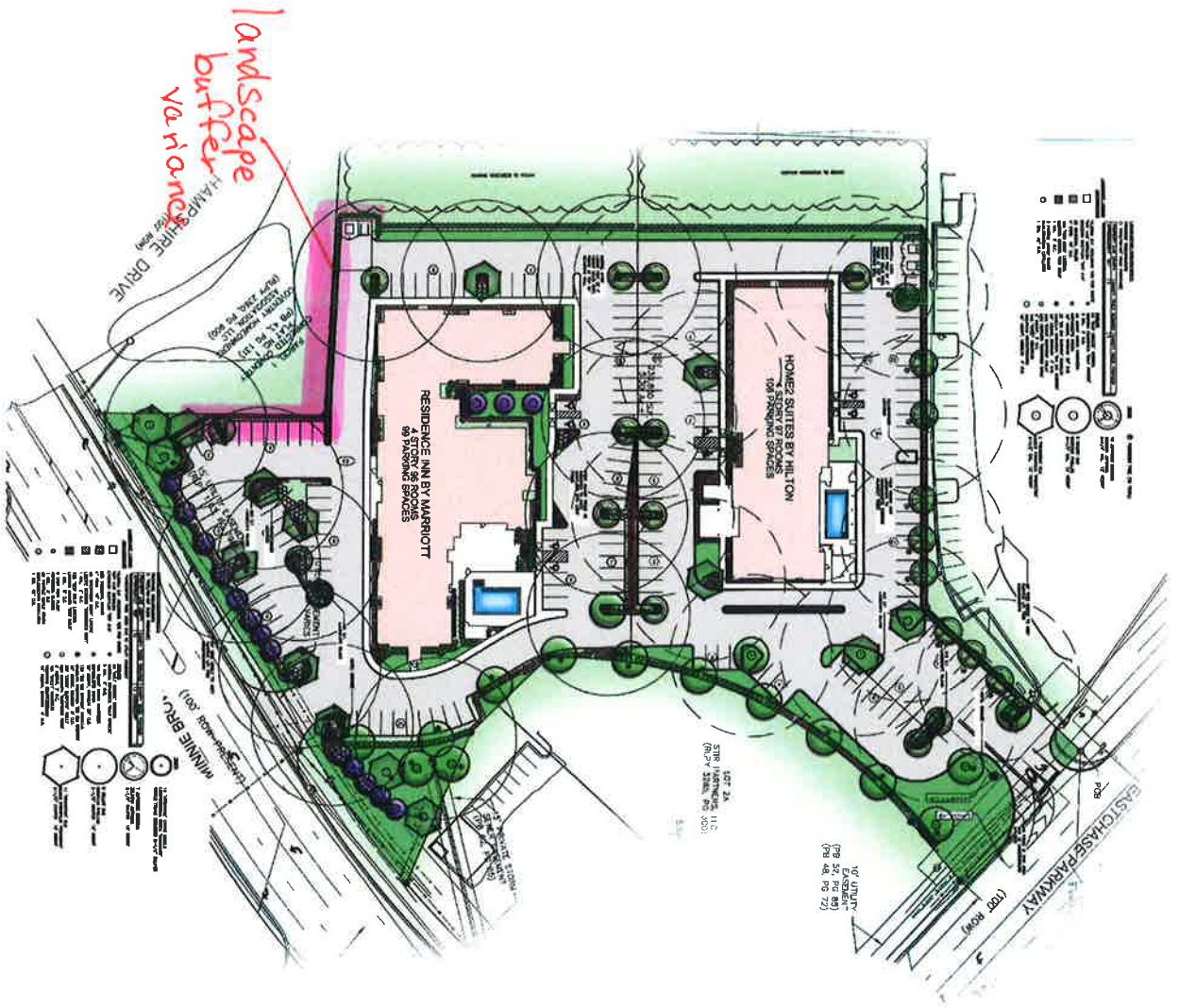
ACTION TAKEN: _____



Site 

1 inch = 300 feet

Item 11A



PARKING SUMMARY HOME2 SUITES

100' UTILITY
 (P8 48, P8 72)
 100' UTILITY
 (P8 48, P8 72)
 100' UTILITY
 (P8 48, P8 72)

HOTEL ROOMS SUMMARY - 87 SUITES

CITY CENTER HOTEL ROOMS
 100' UTILITY
 (P8 48, P8 72)
 100' UTILITY
 (P8 48, P8 72)

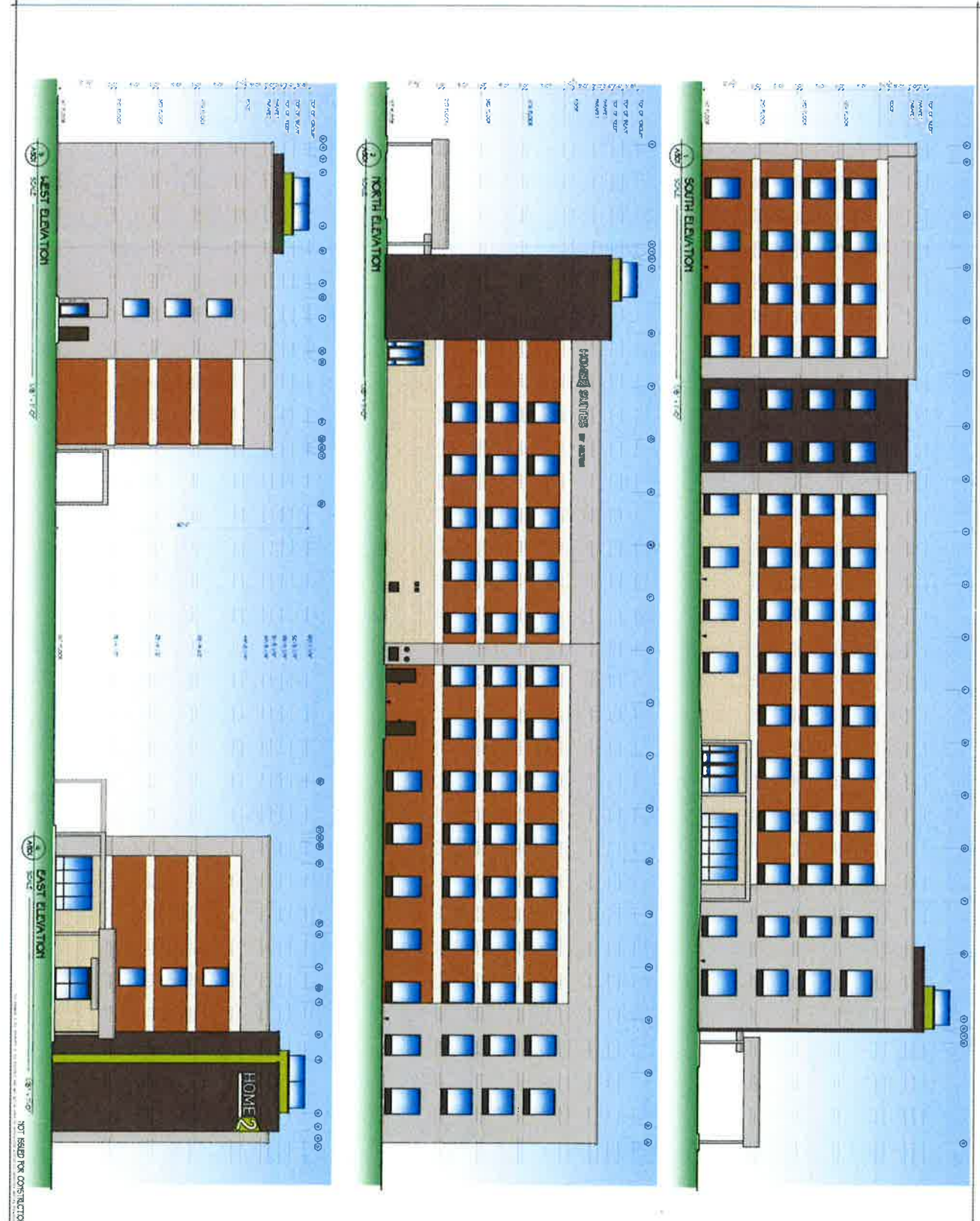
PARKING SUMMARY RESIDENCE INN

CITY CENTER HOTEL ROOMS
 100' UTILITY
 (P8 48, P8 72)
 100' UTILITY
 (P8 48, P8 72)

Alan D. Holt, A.S.T.A.
 LANDSCAPE ARCHITECT, P.A.
 A.I. LAST 5172
 PO BOX 2589 PANAMA CITY, FL 32402
 TELEPHONE: (850) 913-5906 E-MAIL: land@alanholt.com

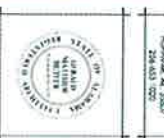


11B

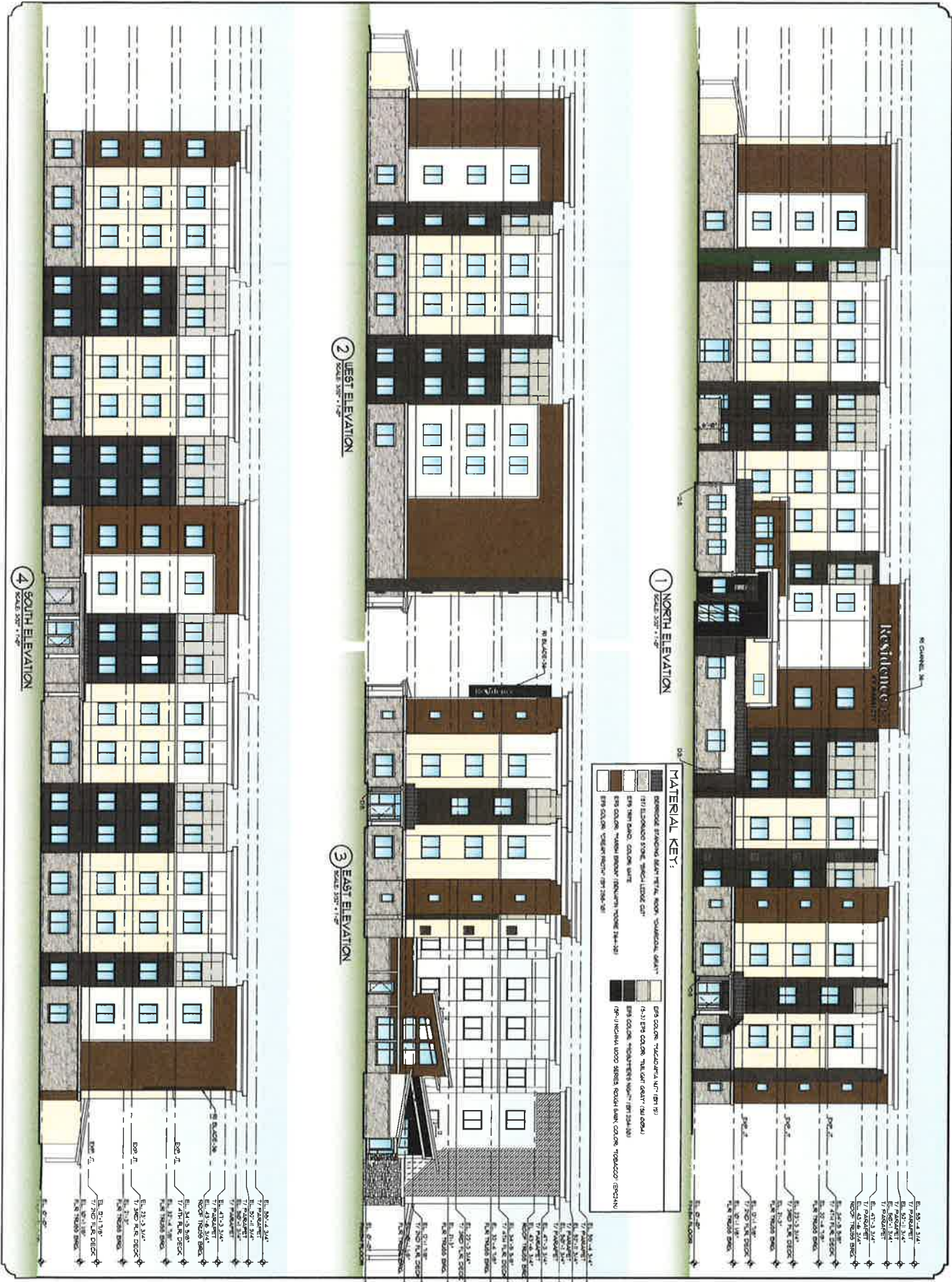


PROJECT NAME	RAM MONTGOMERY HOSPITALTY TWO, LLC
PROJECT ADDRESS	EASTCHASE PARKWAY & MINNIE BROWN ROAD MONTGOMERY, ALABAMA 36117
DATE	2017.04.20
SCALE	AS SHOWN
DESIGNER	2P design studio
DATE	2017.04.20
PROJECT NUMBER	2017.04.20
PROJECT NAME	RAM MONTGOMERY HOSPITALTY TWO, LLC
PROJECT ADDRESS	EASTCHASE PARKWAY & MINNIE BROWN ROAD MONTGOMERY, ALABAMA 36117
DATE	2017.04.20
SCALE	AS SHOWN
DESIGNER	2P design studio
DATE	2017.04.20
PROJECT NUMBER	2017.04.20

HOME 2 SUITES BY HILTON
 RAM Montgomery Hospitality Two, LLC
 Eastchase Parkway & Minnie Brown Road
 Montgomery, Alabama 36117



11C



PRELIMINARY NOT FOR CONSTRUCTION

SHEET NO. **A2.1**

EXTERIOR ELEVATIONS

JOB NO. 20106

DATE 05/11/20

RESIDENCE INN by MARRIOTT
GEN 9 NEAUHAUS, HONED
EAST CHASE MONTGOMERY, AL
A NEW 96 ROOM HOTEL

JOB TITLE

ARCHITECTURAL GROUP III
201 S. Nappanee St. Elkhart Indiana 46514-1953 • 574/293-0008
architecturalgroup3.com

Handwritten: IID



Site 

1 inch = 200 feet

Item 11E