

Board of Adjustment Agenda

October 15, 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 September 17, 2020 meeting.

October 15, 2020

<u>Item</u>	<u>File</u>	<u>Petitioner</u>	<u>Zone</u>	<u>Location/Request</u>	<u>Page</u>
1.	2020-041	Curtis Drew	R-75-s	912 Avondale Road (Accessory structure & RV)	1
2.	2002-120	Faye Lantz	AGR-1	Lamar Road (Mobile home)	2
3.	2020-042	Myong Kim	R-100	416 Arrowhead Drive (Chickens)	3
4.	1992-101	Trey Norris	O-2	201 Technacenter Drive (Addition to building)	4
5.	1972-057	Tom & Darby Mitchell	R-100	1748 Croom Drive (Abatement of Nuisance)	5

The next Board of Adjustment meeting is on November 19, 2020

1. BD-2020-041 **PRESENTED BY:** Curtis Drew

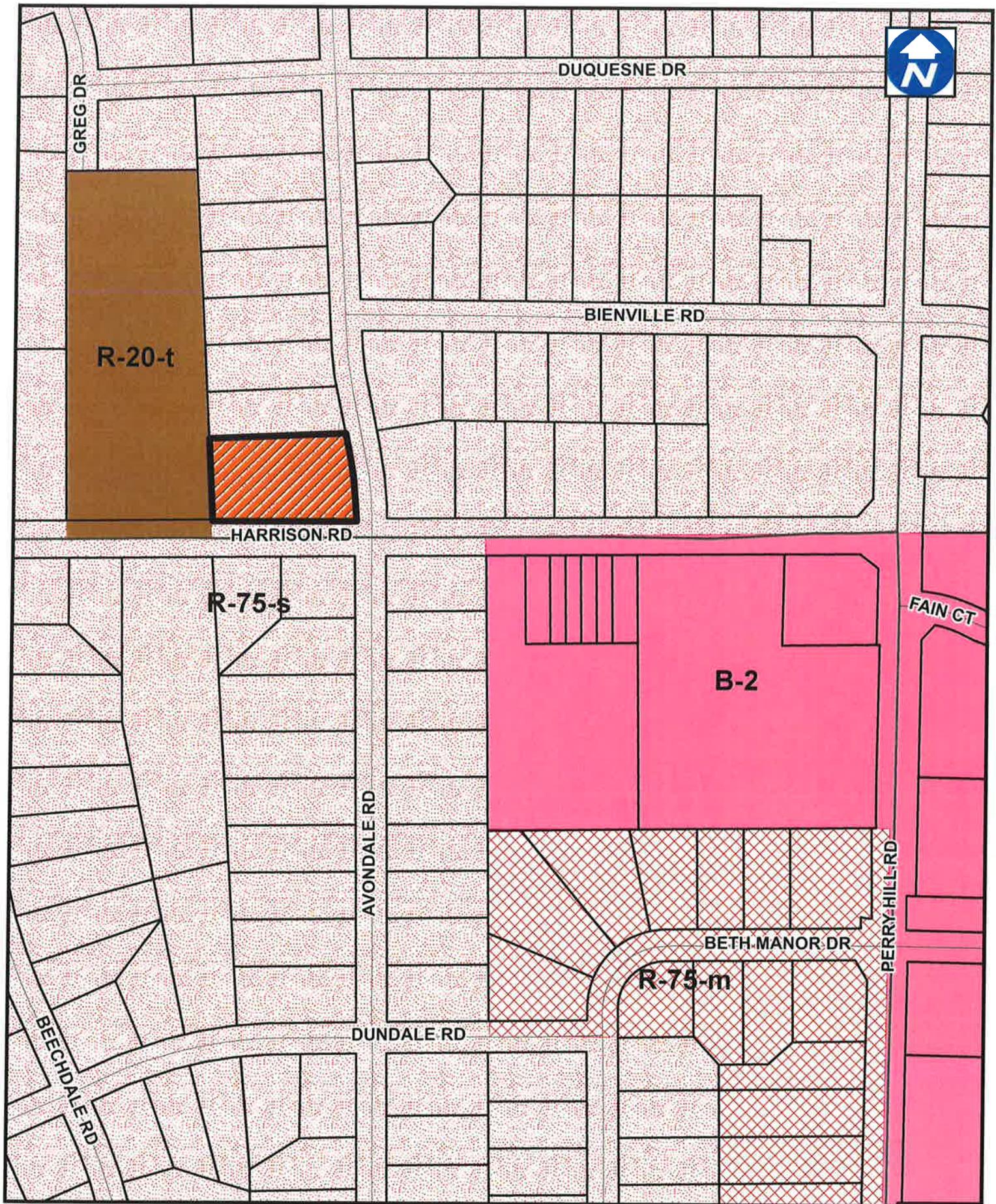
REPRESENTING: Same

SUBJECT: Request a special exception to store a recreational vehicle in the required front and side yard, a front yard variance and a separation between structures variance to maintain an accessory structure on the property located at 912 Avondale Road in an R-75-s (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to store a recreational vehicle (RV). The RV is stored under a detached RV carport cover that is 23 ft. off the front property line, whereas 30 ft. is required. The RV cover is also 3 ft. from the dwelling and 3 ft. off an existing utility shed, whereas a 10 ft. separation between structures is required for both.

The requests are a special exception to store a recreational vehicle in the required front and side yards, a 7 ft. front yard variance, and 7 ft. separation between structures variances.

COUNCIL DISTRICT: 1



BOARD OF ADJUSTMENT SUBJECT PROPERTY



ITEM NO. 1A

1 inch = 200 feet



BOARD OF AJUSTMENT SUBJECT PROPERTY



ITEM NO. 1B

1 inch = 50 feet

2. BD-2002-120 **PRESENTED BY:** Faye Lantz

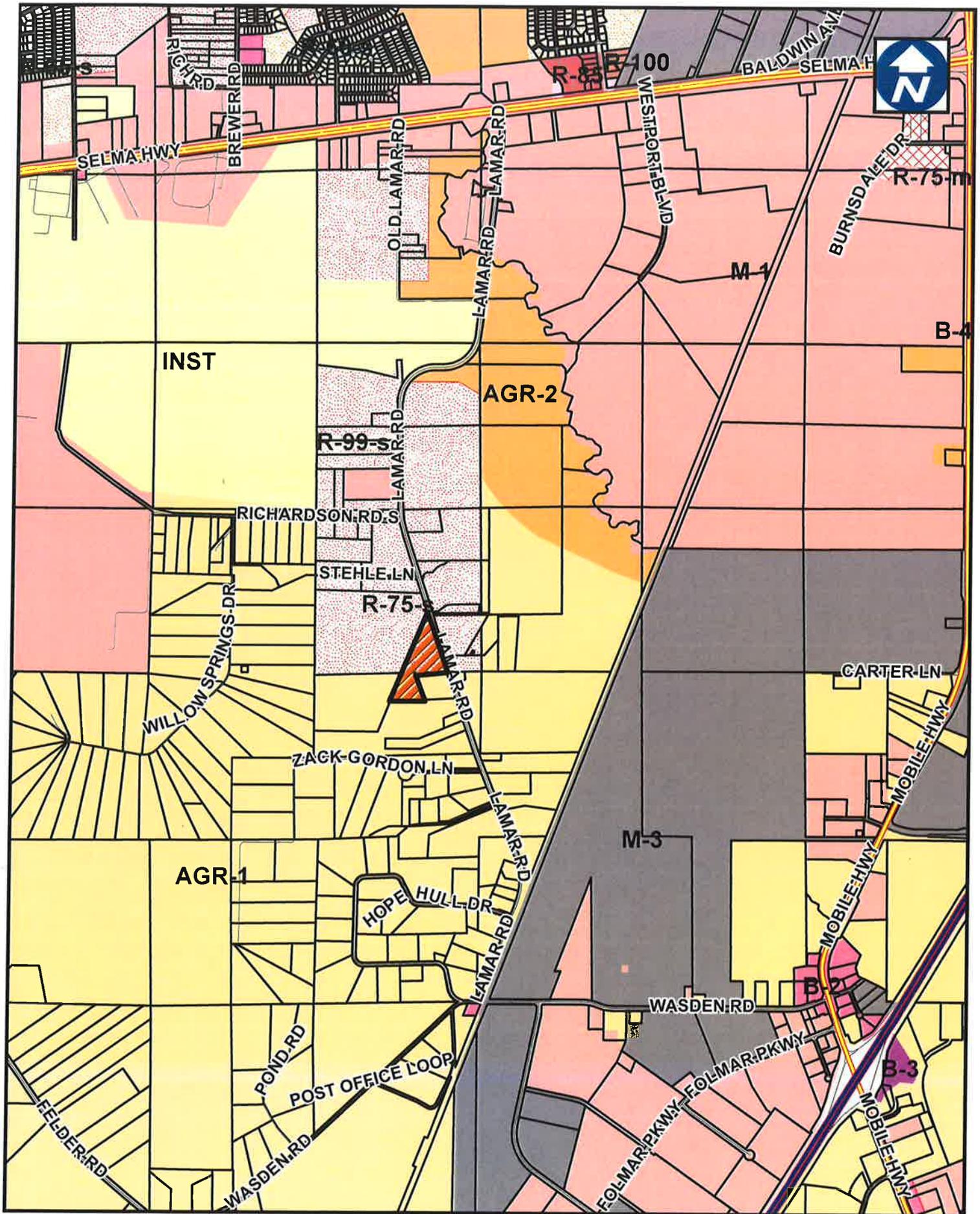
REPRESENTING: Same

SUBJECT: Request a special exception for a mobile home for living purposes to be located on the west side of Lamar Road, approximately 1,600 ft. south of Stehle Lane, in an AGR-1 (Residential Agriculture) Zoning District.

REMARKS: This request is being made to give the petitioner permission to place a mobile home on an 11.60 acre parcel of land. The mobile home will be used for living purposes.

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

COUNTY COMMISSION DISTRICT: 2



BOARD OF ADJUSTMENT

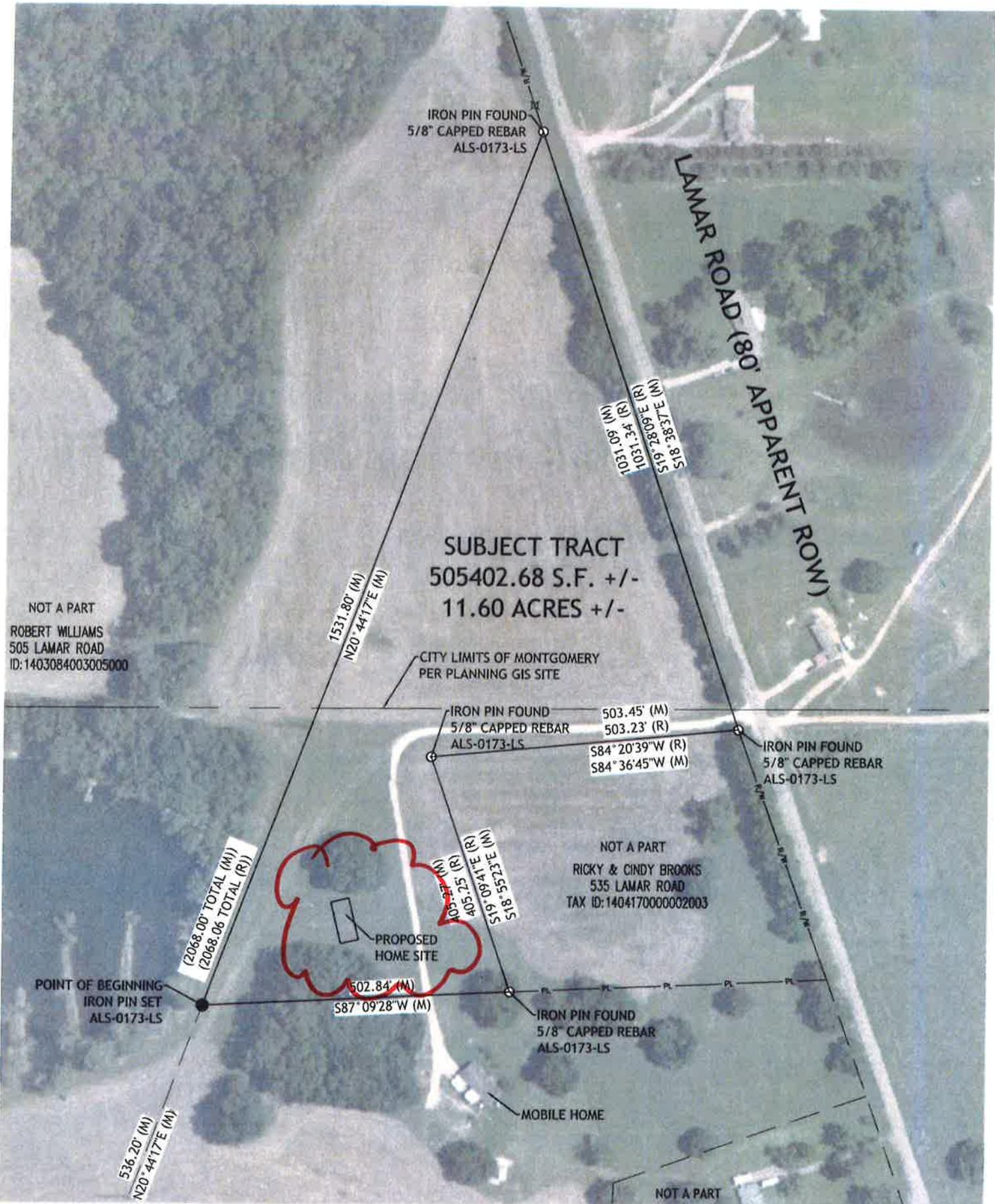
SUBJECT PROPERTY

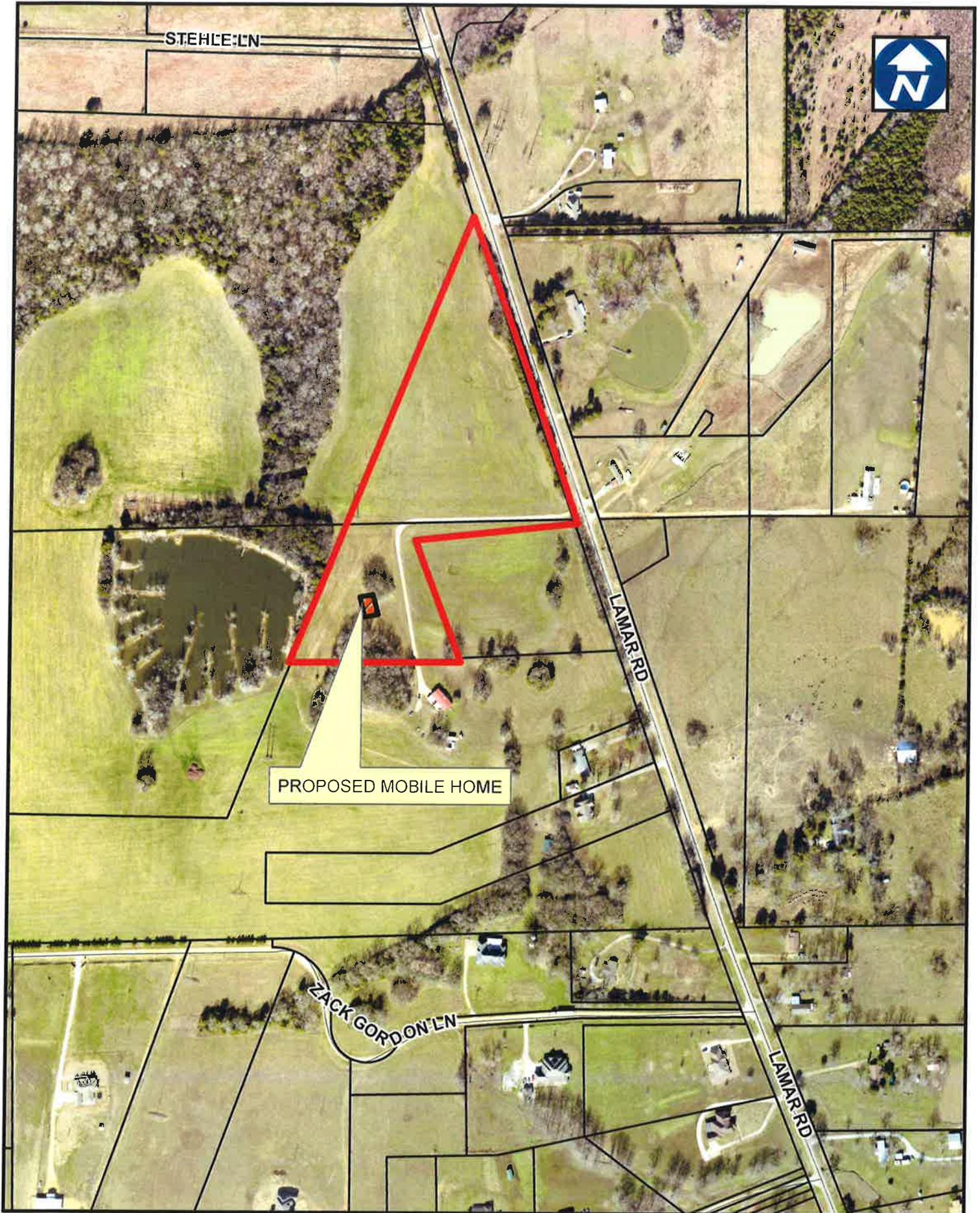


ITEM NO.

2A

1 inch = 2,000 feet





BOARD OF ADJUSTMENT
1 inch = 400 feet

SUBJECT PROPERTY



ITEM NO.

2C

COMPLAINT

3. BD-2020-042 **PRESENTED BY:** Myong Kim

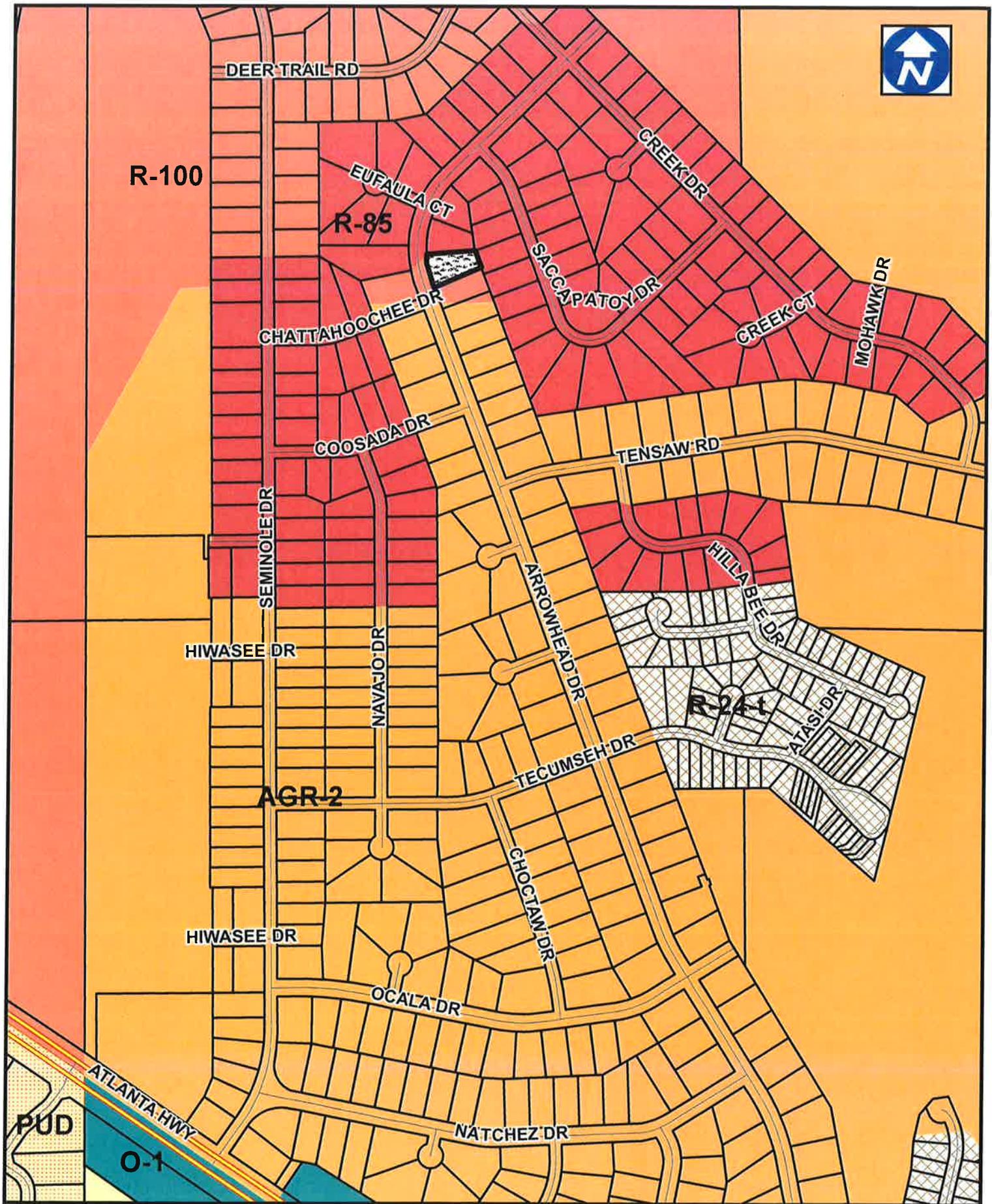
REPRESENTING: Same

SUBJECT: Request a special exception to keep chickens on the property located at 416 Arrowhead Drive in an R-100 (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to keep up to five (5) chickens. Petitioner has stated she has no roosters.

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

COUNCIL DISTRICT: 1



BOARD OF AJUSTMENT

SUBJECT PROPERTY



ITEM NO.

3A

1 inch = 500 feet



BOARD OF ADJUSTMENT SUBJECT PROPERTY



ITEM NO. 3B

1 inch = 50 feet

4. BD-1992-101 **PRESENTED BY:** Trey Norris, Norris Building Company Inc.

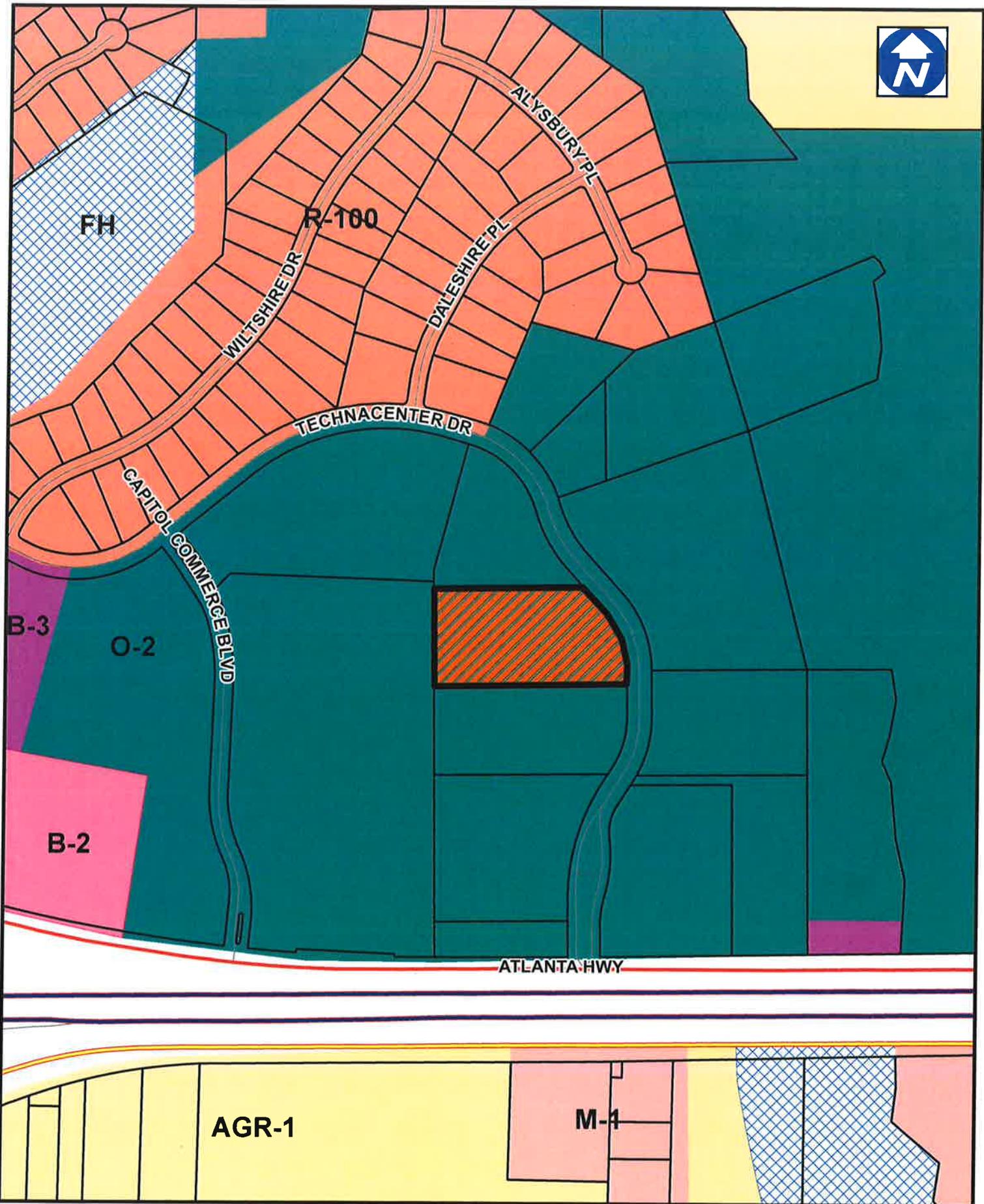
REPRESENTING: Sykes Enterprises, Inc.

SUBJECT: Request a side yard variance for an addition to the building located at 201 Technacenter Drive in an O-2 (Office) Zoning District.

REMARKS: This request is being made to give the petitioner permission to construct an addition that will come within 7 ft. of the side property line, whereas 20 ft. is required.

The request is a 13 ft. side yard variance.

COUNCIL DISTRICT: 1



BOARD OF AJUSTMENT

SUBJECT PROPERTY



ITEM NO. 4A

1 inch = 400 feet



NEW PATIO

TECHNACENTER DR

BOARD OF ADJUSTMENT SUBJECT PROPERTY



ITEM NO. 4B

1 inch = 100 feet

5. BD-1972-057 **PRESENTED BY:** Tom and Darby Mitchell

REPRESENTING: Same

SUBJECT: Request an abatement of a nuisance for a recreational vehicle being stored at 1748 Croom Drive in an R-100 (Single-Family Residential) Zoning District.

REMARKS: This request is for an abatement of a nuisance concerning a recreational vehicle being stored in the rear yard of 1748 Croom Drive and is adjacent to the rear yard of 1761 Wentworth Drive (home of the petitioners). The RV meets the requirements of the Zoning Ordinance; however the petitioners feel this is a nuisance to their comfort.

The request is an abatement of a nuisance by the removal of the subject recreational vehicle.

Sections 9 and 10.5 from the Zoning Ordinance

9. Abatement of Uses Creating Hazards or Nuisances

The Board of Adjustment may require the conduct of any conforming or non-conforming, which results in unreasonable noise, smoke, gas, vibration, fumes, dust, fire, radio interference, explosion hazard, or nuisance to surrounding property to be modified or changed to abate such hazard to health, comfort, and convenience. The Board may direct the Administrative Official to issue an abatement order, but no such order may be directed only after a public hearing by the Board, notice of which shall be sent by certified mail to the owners or operators of the property on which the use is conducted, in addition to due notice by advertisement in a newspaper of general circulation. A hearing to consider issuance of an abatement order shall be held by the Board either upon petition signed by any person affected by the hazard or nuisance, or upon the initiative of the Board. An abatement order shall be directed by the Board only upon reasonable evidence of hazard or nuisance, and such order shall specify the date by which the hazard or nuisance shall be abated.

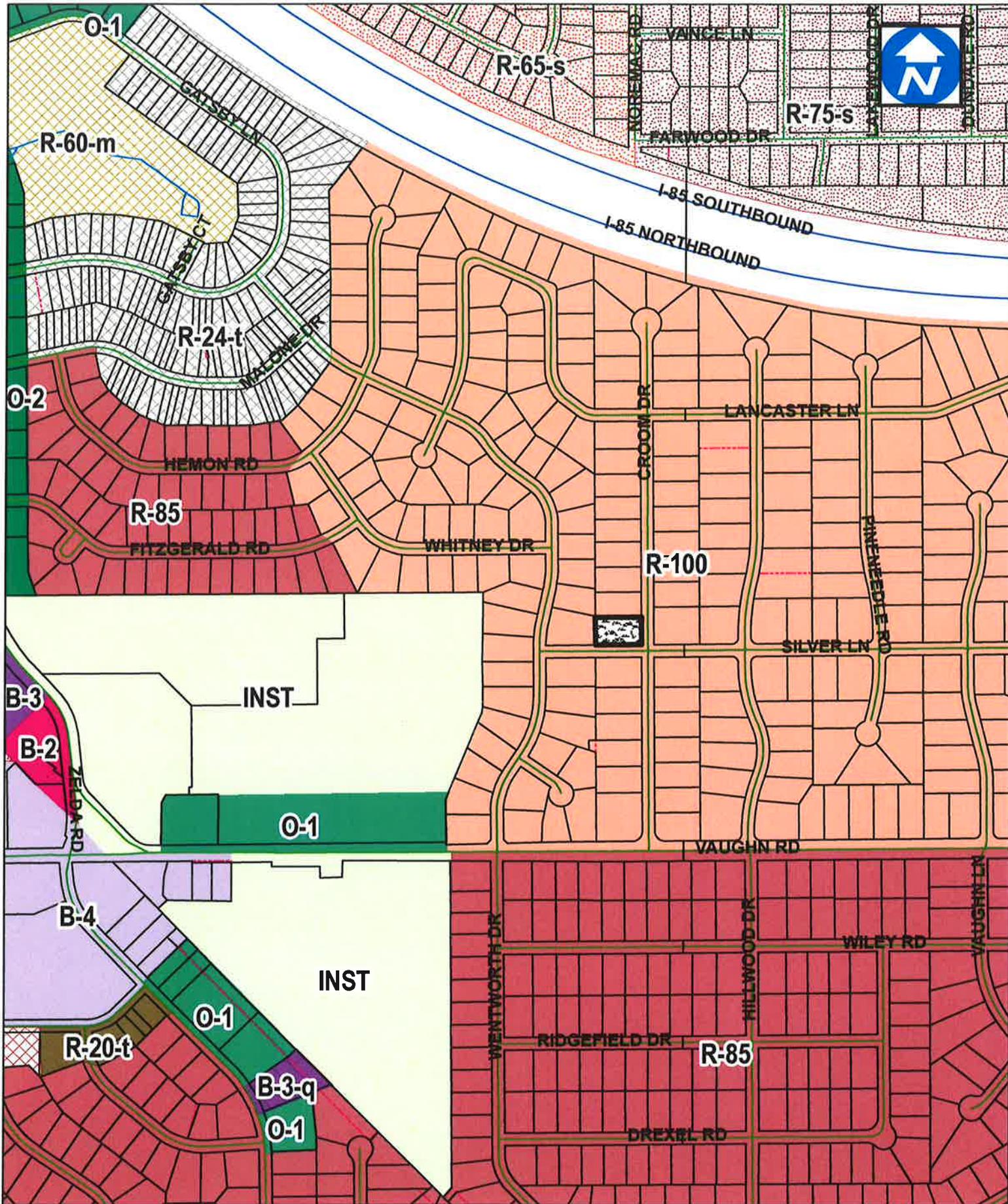
10.5 Recreational Vehicles (Ord. No. 31-73)

The following regulations apply to recreational vehicles stored outside an approved travel trailer park:

- a. Recreational vehicles may not be stored on public streets.
- b. Recreational vehicles shall be stored in such a manner as to be substantially hidden from public view.
- c. Recreational vehicles stored on private property shall be stored behind building setback lines as defined by this Ordinance.
- d. Individual recreational vehicles may be stored on private property as long as they are in compliance with the above requirements. Upon objection by residents of neighboring property the Board of Adjustment shall have the power to modify the above requirements or to revoke the privilege of storing recreational vehicles on private property in individual cases. Provided, however, that such action of the Board shall not take place until after a public hearing on the matter has been held.

This request was delayed prior to the August 20, 2020 meeting by the petitioner.

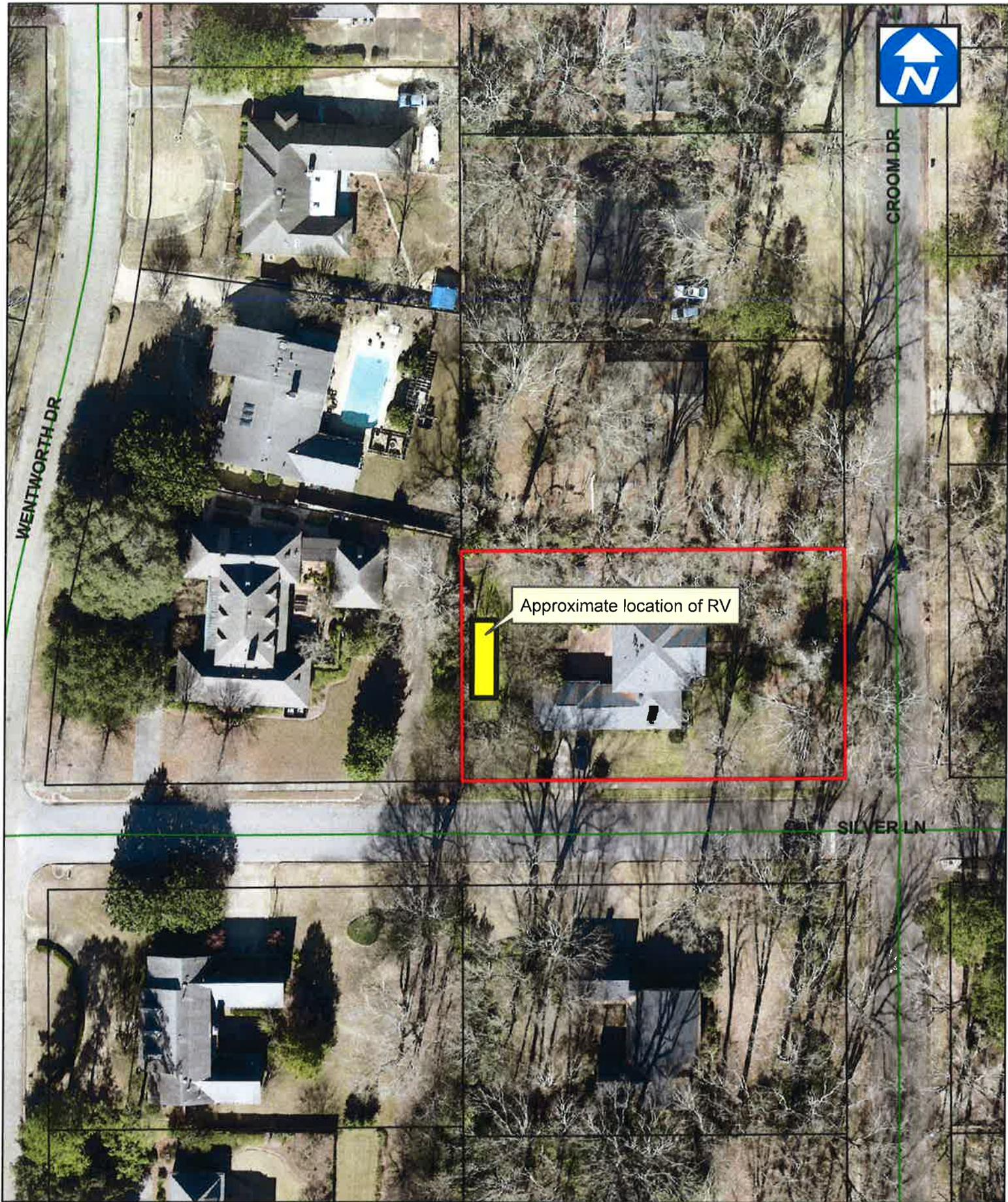
COUNCIL DISTRICT: 7



Site 

1 inch = 500 feet

Item 5A



WENTWORTH DR

CROOM DR

SILVER LN

Approximate location of RV

Site 

1 inch = 60 feet

Item 5B