

# Board of Adjustment Agenda

February 18, 2021 – 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.

Cory Johnson

Blake Markham

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 21, 2021 meeting.**

**February 18, 2021**

<u>Item</u>	<u>File</u>	<u>Petitioner</u>	<u>Zone</u>	<u>Location/Request</u>	<u>Page</u>
1.	2021-006	Malcolm Calhoun	B-2	4155 Lomac Street (Assisted Living Facility)	1
2.	1987-255	Sarah Ross	B-3	4343 Virginia Loop Road (Church)	2
3.	2021-005	Joseph Doss	R-65-d	2516 Clower Street (Privacy Fence)	3
4.	2021-013	Linda Hickson	R-50	817 Millard Fuller Drive (Privacy Fence)	4
5.	2021-011	Bill Blessing	PUD	1957 Woodmere Loop (Separation variance between structures)	5
6.	2005-090	Stefan Eisen Jr.	R-85	58 Creek Drive (Addition – side yard variance)	6
7.	1986-010	Tyrone Barrow	R-85	3519 Dalraida Court (Accessory Structure)	7
8.	2021-010	Scott Steen, Steenhaus	R-125	2052 Myrtlewood Drive (Variances for new dwelling)	8
9.	2021-012	Michael Russell	R-75-s	1114 Jameswood Court (Privacy Fence)	9

***The next Board of Adjustment meeting is on March 18, 2021***

1. BD-2021-006 **PRESENTED BY:** Malcolm Calhoun

**REPRESENTING:** Same

**SUBJECT:** Request a special exception to operate an assisted living facility at 4155 Lomac Street in a B-2 (Commercial) Zoning District.

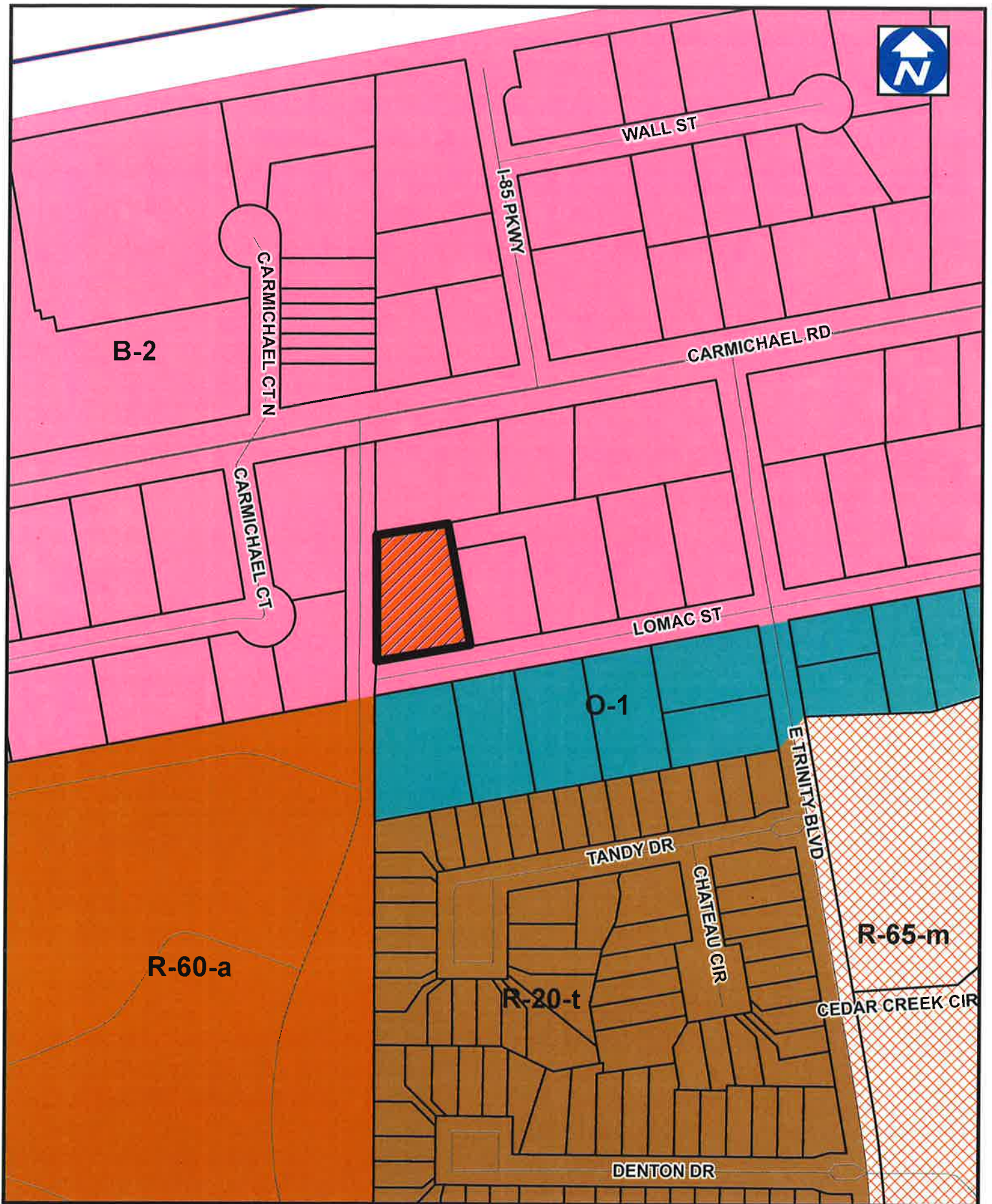
**REMARKS:** This request is being made to give the petitioner permission to operate a 40-50 bed assisted living facility. There will be a maximum of 10 employees and security will be provided at all times. Lighting from the building illuminates the parking lot.

*This request was delayed by the Board at the last meeting on January 21<sup>st</sup> so that the petitioner can research to find if there are any access easements between this property and adjacent properties.*

**Land Use Division:** In researching our records, we have found no record of an access easement relating to this lot, only a telephone and sanitary sewer easement.

*The request is a special exception for an assisted living facility.*

**COUNCIL DISTRICT: 5**



BOARD OF AJUSTMENT

SUBJECT PROPERTY



ITEM NO. 1A

1 inch = 200 feet





BOARD OF AJUSTMENT

SUBJECT PROPERTY



ITEM NO. 1B

1 inch = 50 feet

2. BD-1987-255 **PRESENTED BY:** Sarah Ross

**REPRESENTING:** Same

**SUBJECT:** Request a special exception to operate a church in a multi-tenant building located at 4343 Virginia Loop Road in a B-3 (Commercial) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to have church related services. There are approximately 35 members, which requires 7 parking spaces (there is cross-over parking through-out the strip mall).

Hours of operation

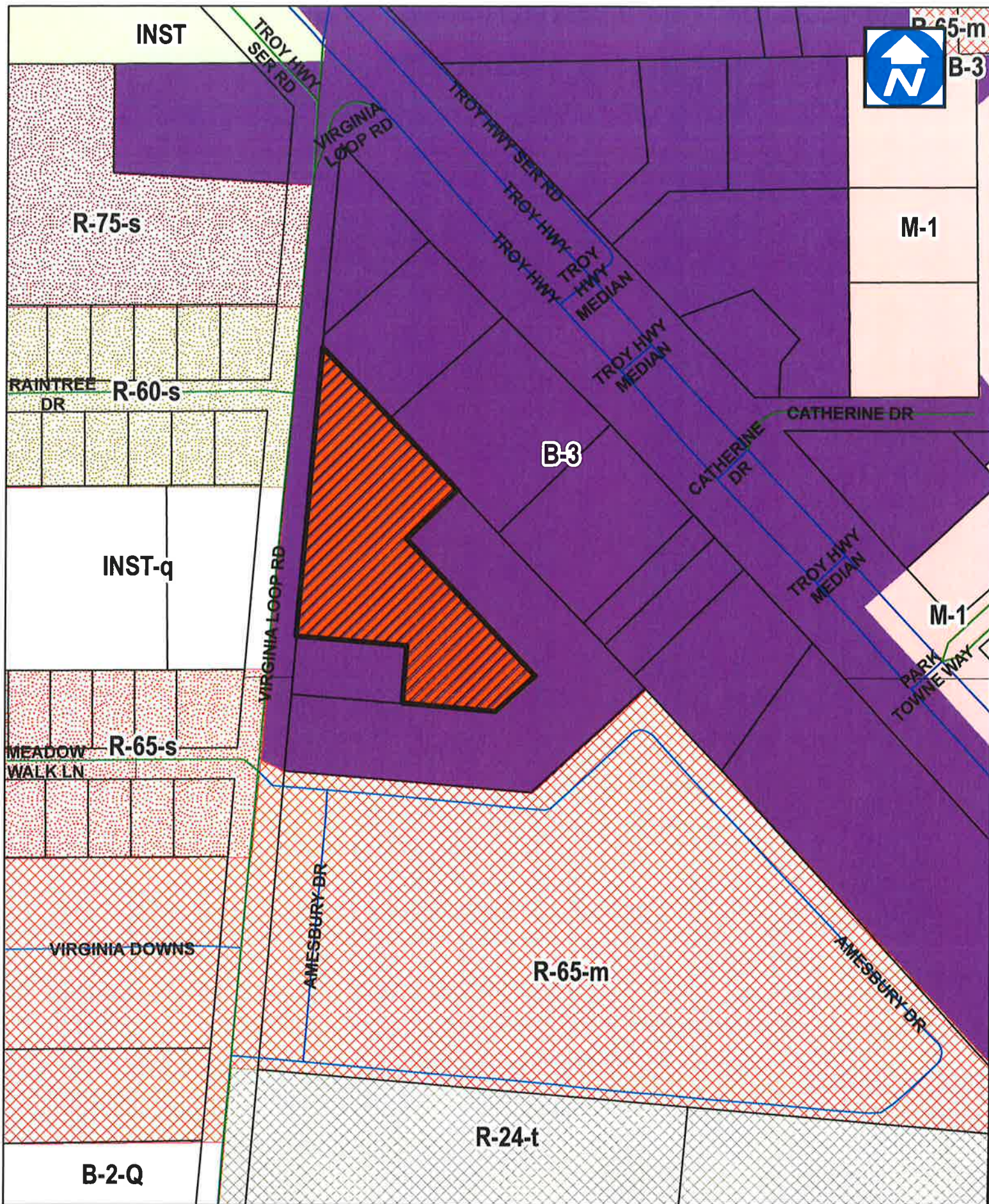
- Sunday, 10:00 a.m. – 12:00 p.m.
- Wednesday, 7:00 p.m. – 8:00 p.m.

*This request was delayed at the last meeting on January 21<sup>st</sup> due to no one being present to present the request.*

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

**COUNCIL DISTRICT: 6**





Site 

1 inch = 200 feet

Item 2A





Site 

1 inch = 100 feet

Item 2B



**COMPLAINT**

3. BD-2021-005 **PRESENTED BY:** Jenna Wood & Joseph Doss

**REPRESENTING:** Same

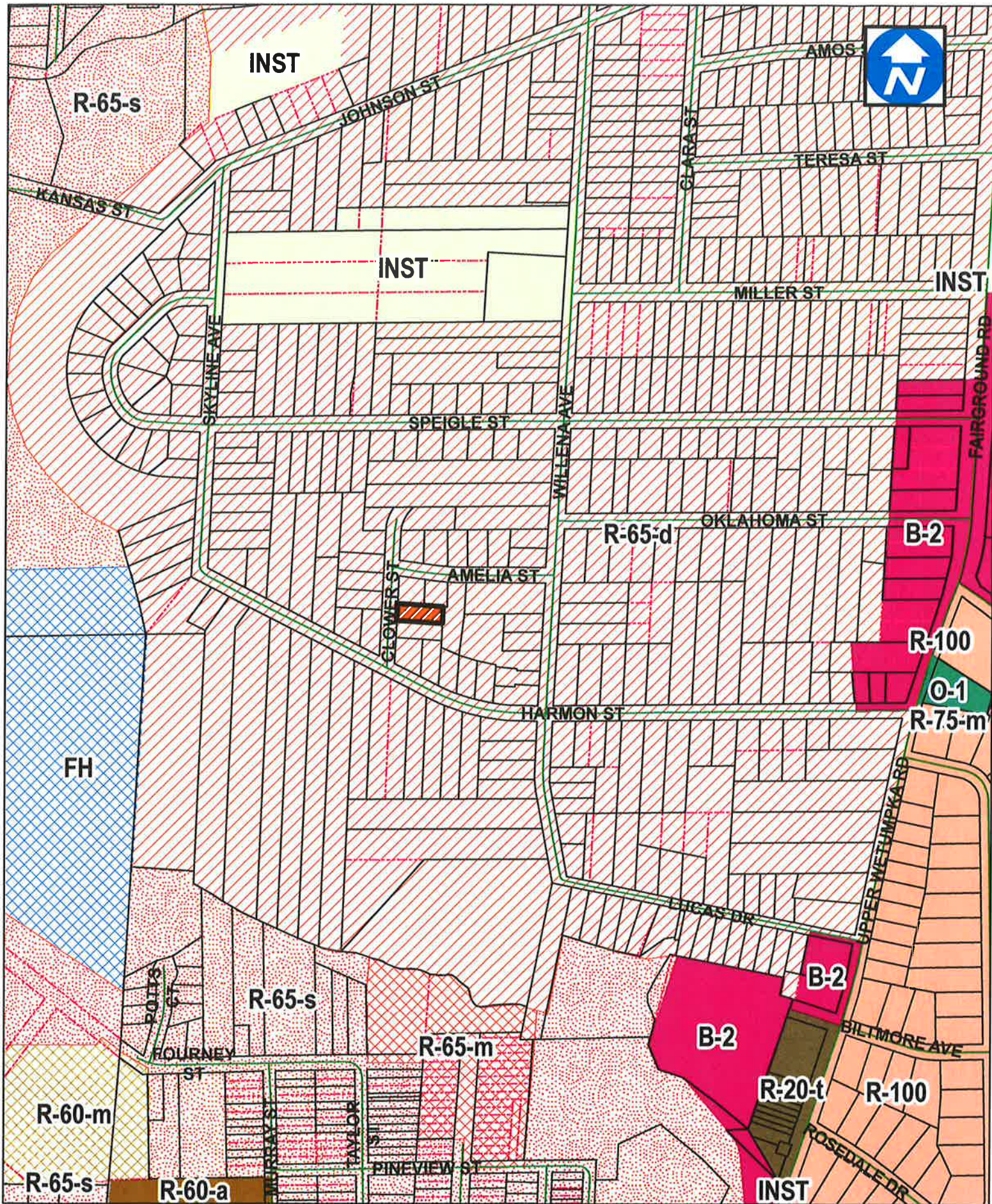
**SUBJECT:** Request a height variance and a front yard variance for an existing privacy fence located at 2516 Clower Street in an R-65-d (Duplex Residential) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to maintain a 6 ft. high privacy fence, whereas a 3 ft. height is allowed. The fence comes to and runs along the front property line.

*The requests are a 3 ft. height variance and a 30 ft. front yard variance.*

**COUNCIL DISTRICT: 2**





Site 

1 inch = 400 feet

Item 3A





AMELIA ST

GLOWER ST

Site 

1 inch = 30 feet

Item 3B



4. BD-2021-013 **PRESENTED BY:** Linda Hickson

**REPRESENTING:** Same

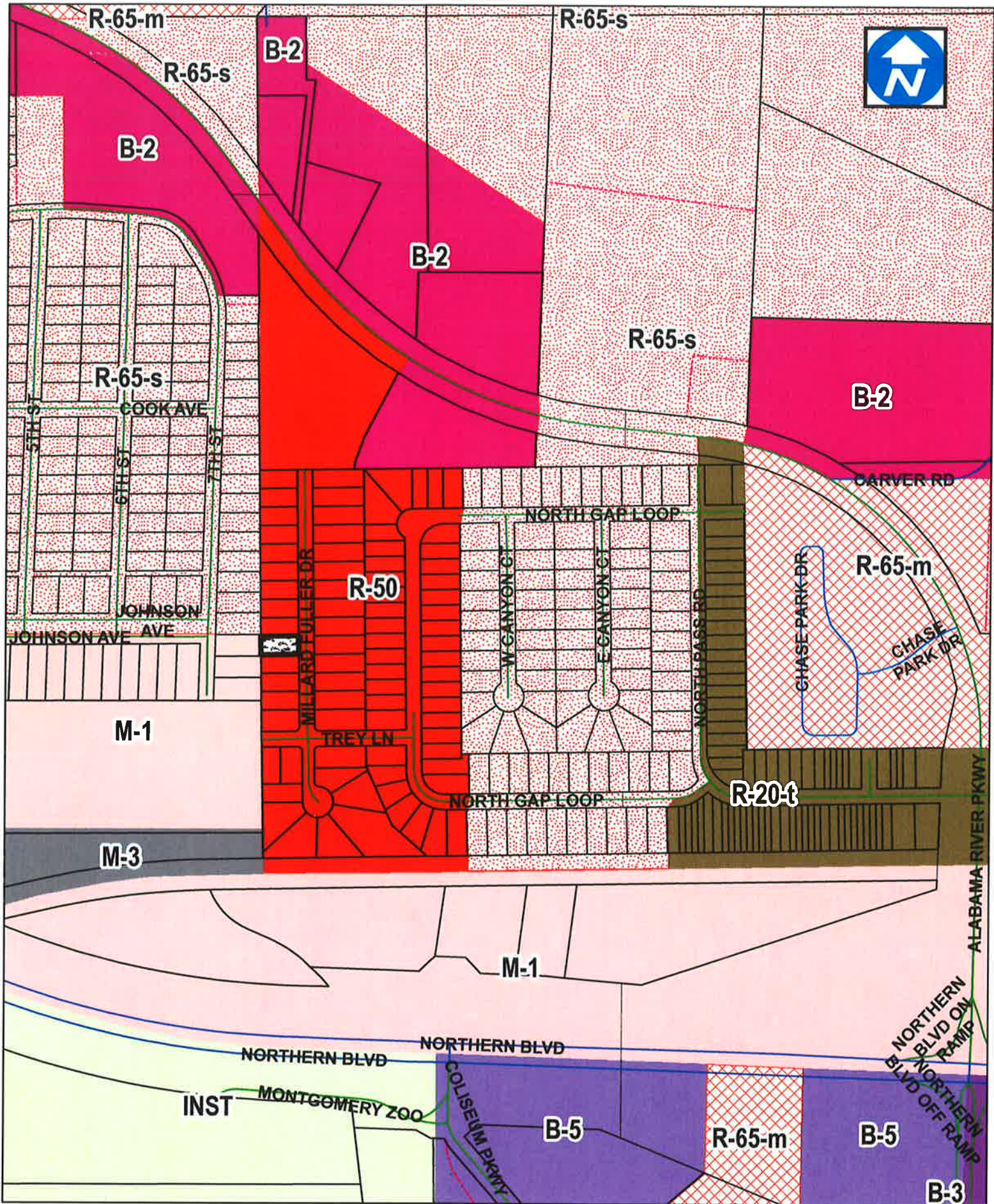
**SUBJECT:** Request a height variance and front yard variance for a privacy fence located at 817 Millard Fuller Drive in an R-50 (Single-Family Residential) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to construct a 6 ft. tall privacy fence, whereas 3 ft. is allowed. The fence will come within 5 ft. of the front property line, whereas 20 ft. is required.

*The request is a 3 ft. height variance and a 15 ft. front yard variance.*

**COUNCIL DISTRICT: 1**





Site 

1 inch = 400 feet

Item 4A





MILLARD-FULLER DR

Fence

Site 

1 inch = 20 feet

Item 48



5. BD-2021-011 **PRESENTED BY:** Bill Blessing

**REPRESENTING:** Same

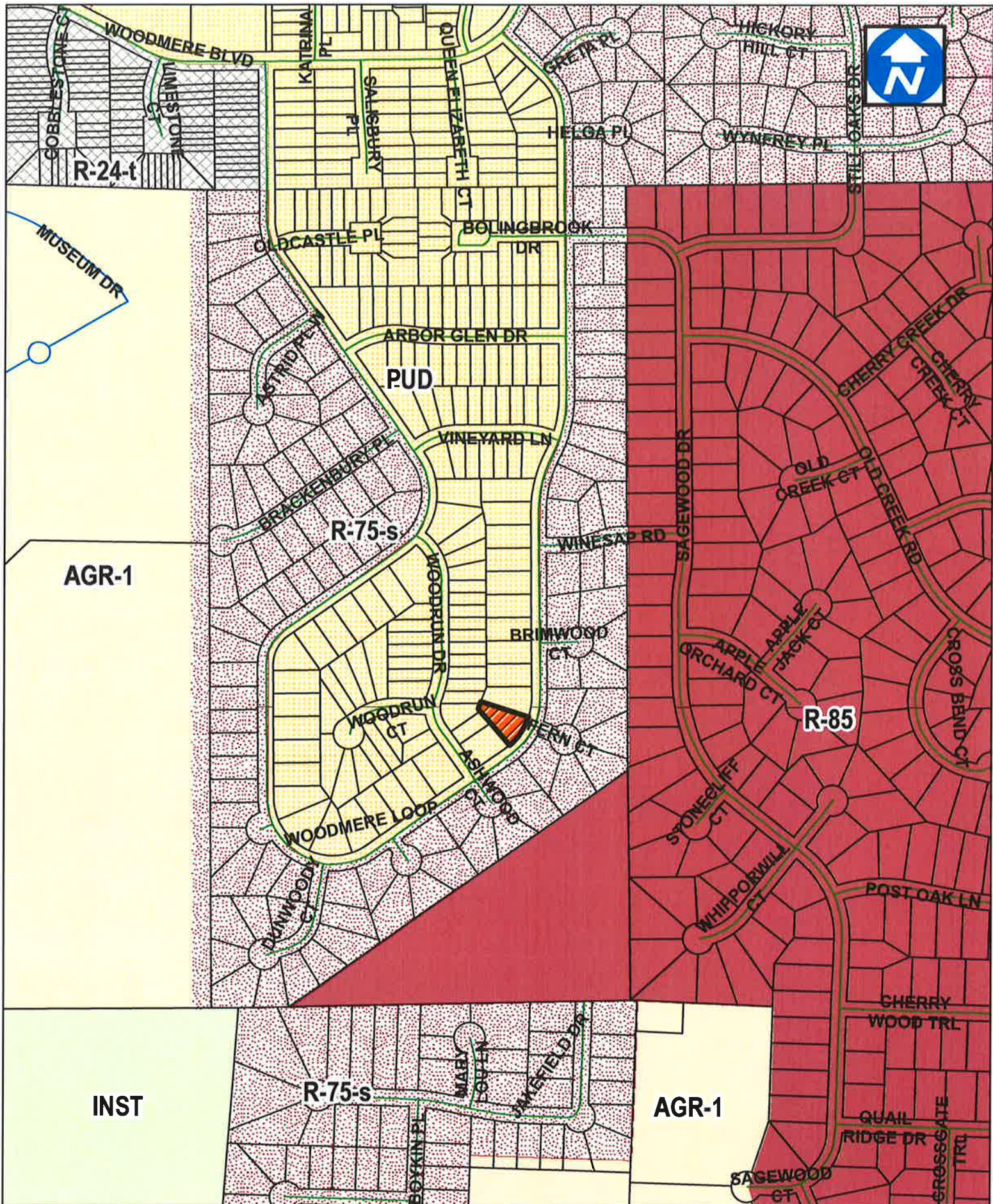
**SUBJECT:** Request a separation variance between structures for a new accessory structure located at 1957 Woodmere Loop in a PUD (Planned Unit Development) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to place a new accessory structure within 1 ft. of an existing accessory structure, whereas a 10 ft. separation is required.

*The request is a 9 ft. separation between structures variance.*

**COUNCIL DISTRICT:** 9





Site 

1 inch = 400 feet

Item 5A





Site 

1 inch = 30 feet

Item 5B



6. BD-2005-090 **PRESENTED BY:** Stefan Eisen Jr.

**REPRESENTING:** Same

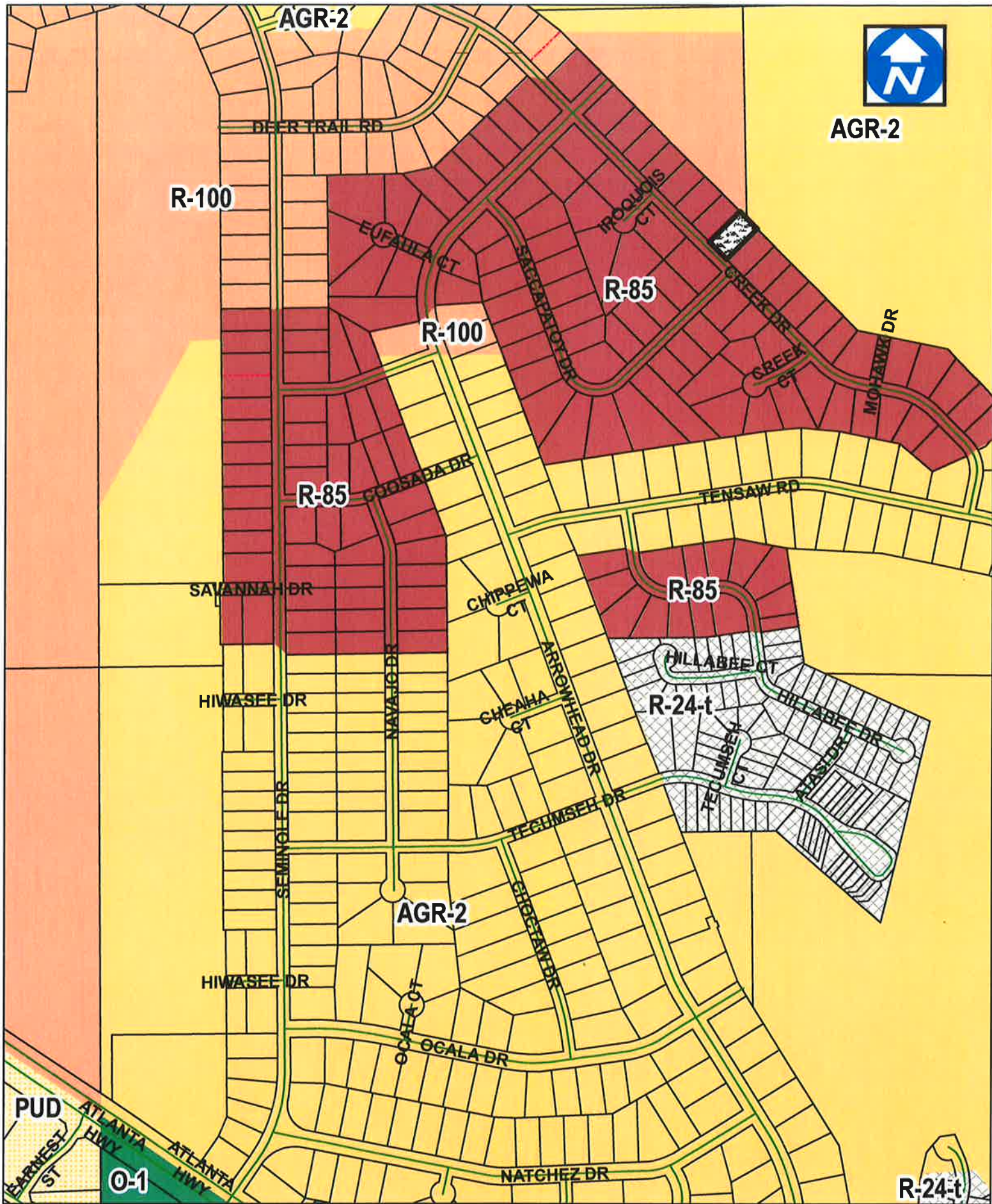
**SUBJECT:** Request a side yard variance for an addition to the dwelling located at 58 Creek Drive in an R-85 (Single-Family Residential). Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to construct an addition (open carport) that will come to the side property line, whereas 10 ft. is required. The petitioner has stated that they will install gutters & downspouts to channel the water to an existing drain on the driveway.

*The request is a 10 ft. side yard variance.*

**COUNCIL DISTRICT: 1**





AGR-2

R-100

R-85

R-100

R-85

R-85

R-24-t

AGR-2

R-24-t

PUD

0-1

Site



1 inch = 500 feet

Item 6A





Proposed addition  
(open carport)

GREEK DR

Site 

1 inch = 30 feet

Item 6B



7. BD-1986-010 **PRESENTED BY:** Tyrone Barrow

**REPRESENTING:** Same

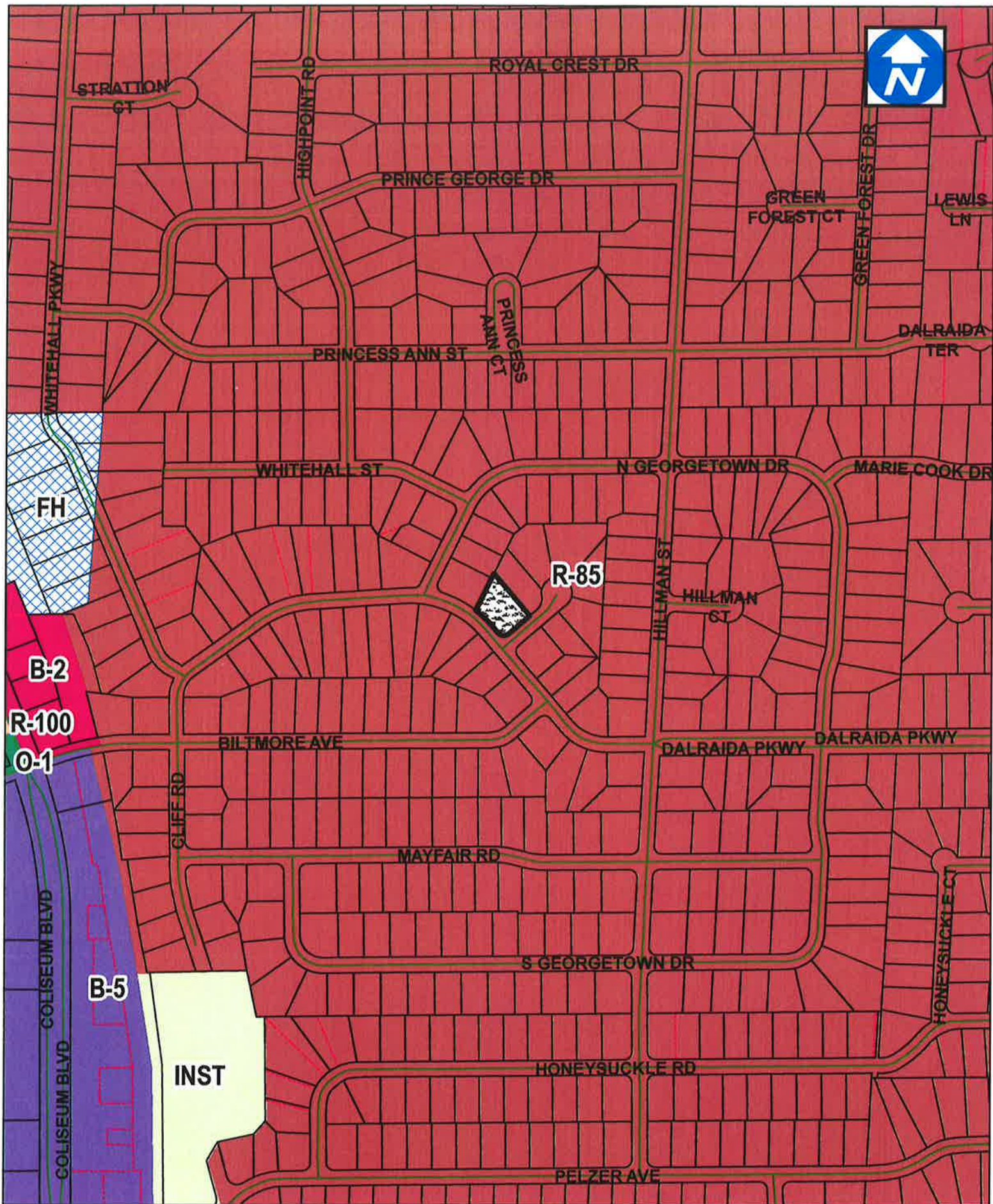
**SUBJECT:** Request a special exception for an accessory structure without a main dwelling located at 3519 Dalraida Court in an R-85 (Residential) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to maintain an accessory structure without a main dwelling. The applicant has stated it will be to store personal items and lives on the adjacent lot.

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

**COUNCIL DISTRICT: 2**





Site 

1 inch = 400 feet

Item 7A





Site 

1 inch = 30 feet

Item 7B



8. BD-2021-010 **PRESENTED BY:** Scott Steen, Steenhaus

**REPRESENTING:** Jay Robertson

**SUBJECT:** Requesting a front yard variance, a rear yard variance, and a special exception for sanitary facilities in an accessory structure for a new dwelling to be located at 2052 Myrtlewood Drive in an R-125 (Single-Family Residential) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to construct a new dwelling that will come within 40 ft. of the front property line, whereas 50 ft. is required, and within 30 ft. of the rear property line, whereas 40 ft. is required. The request also includes a special exception for place sanitary facilities in an accessory structure (pool house).

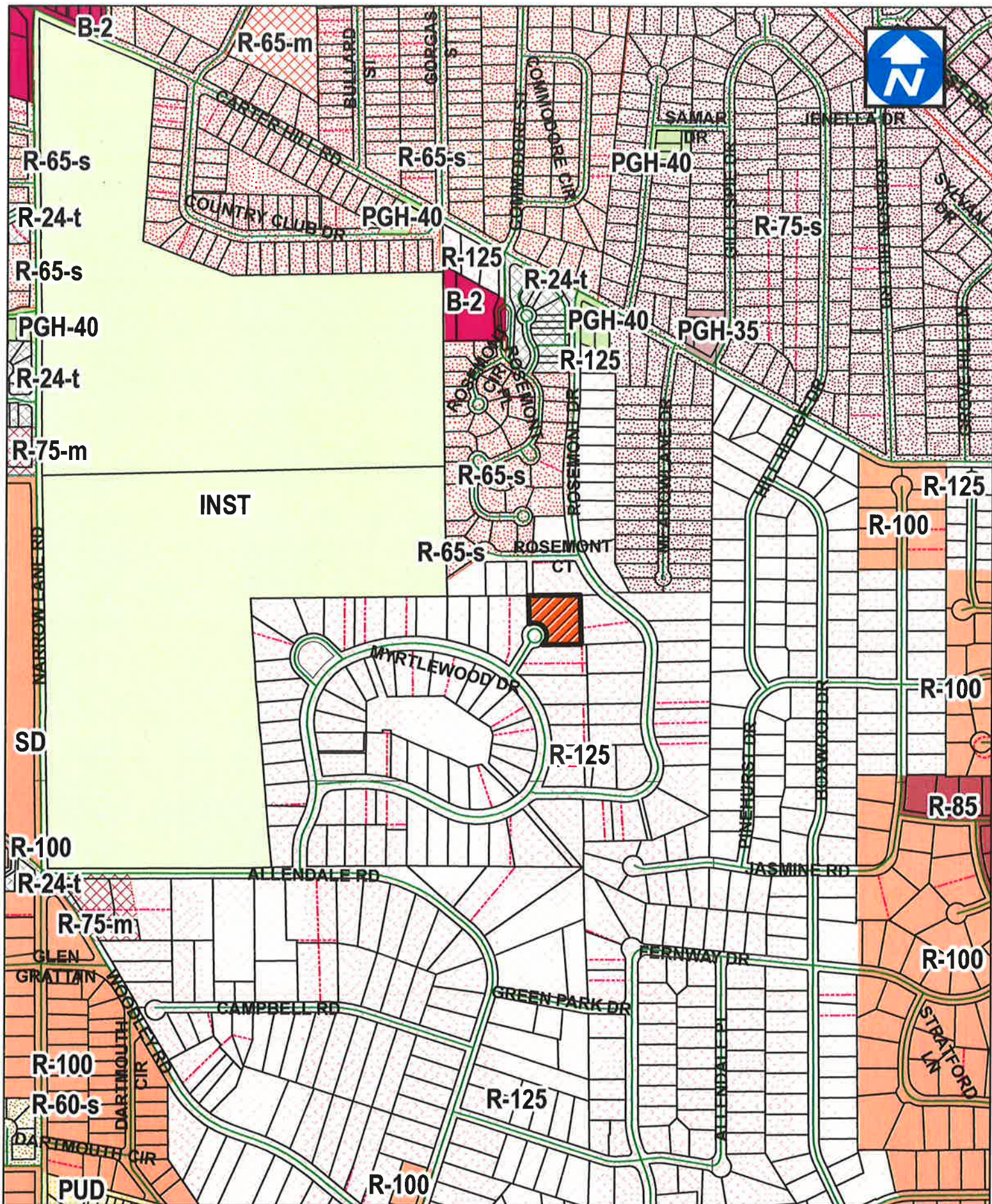
**Land Use Division:** Should the special exception for the sanitary facilities be approved it should be stipulated that the structure cannot be used for living purposes.

*The requests are:*

- *10 ft. front yard setback variance*
- *10 ft. rear yard setback variance*
- *Special exception for sanitary facilities in an accessory structure*

**COUNCIL DISTRICT: 7**



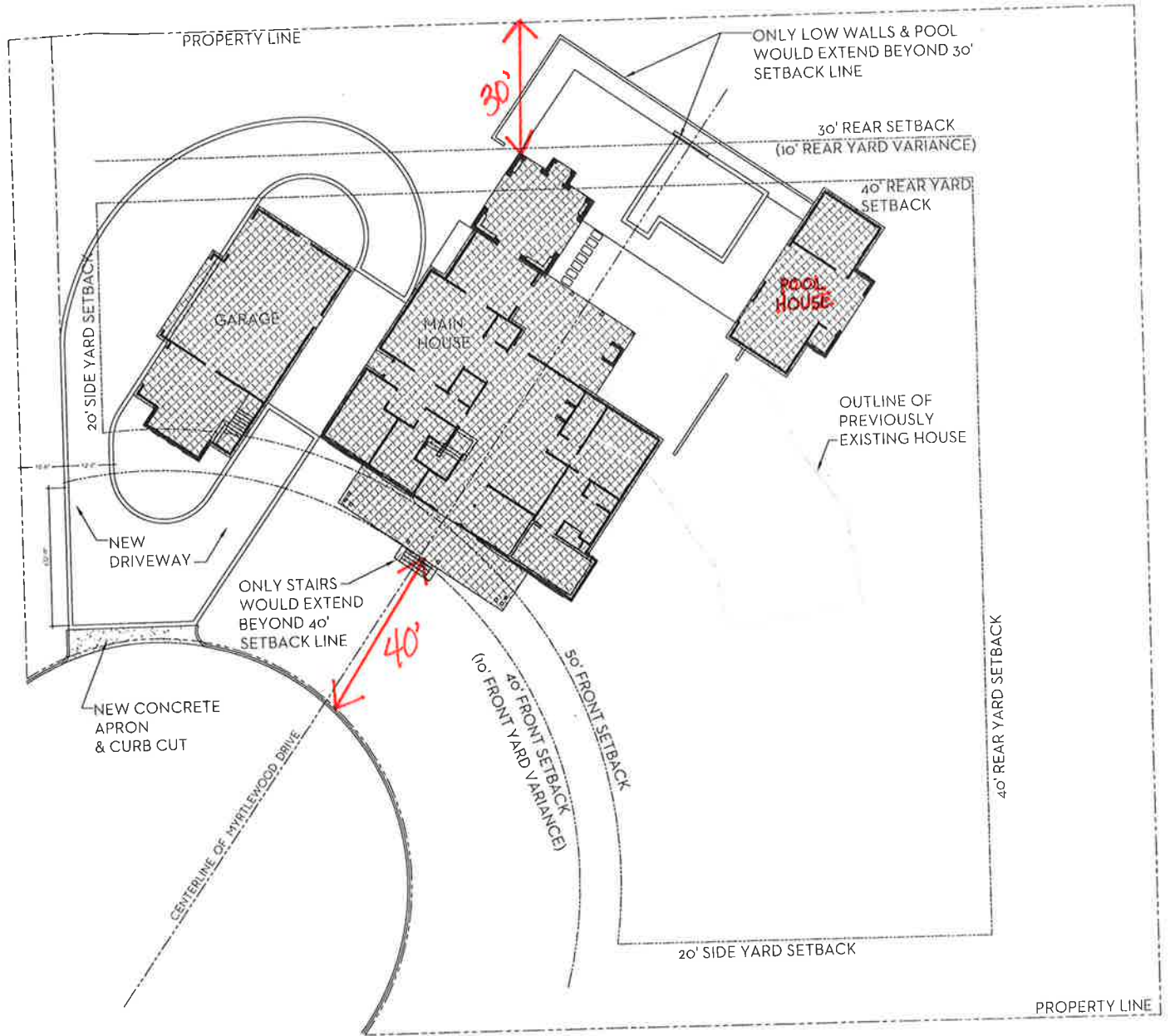


Site 

1 inch = 600 feet

Item 8A





1  
S1.01

ARCHITECTURAL SITE PLAN

SCALE: 1" = 30'

8B





Site 

1 inch = 50 feet  
Item 8C



9. BD-2021-012 **PRESENTED BY:** Michael Russell

**REPRESENTING:** Same

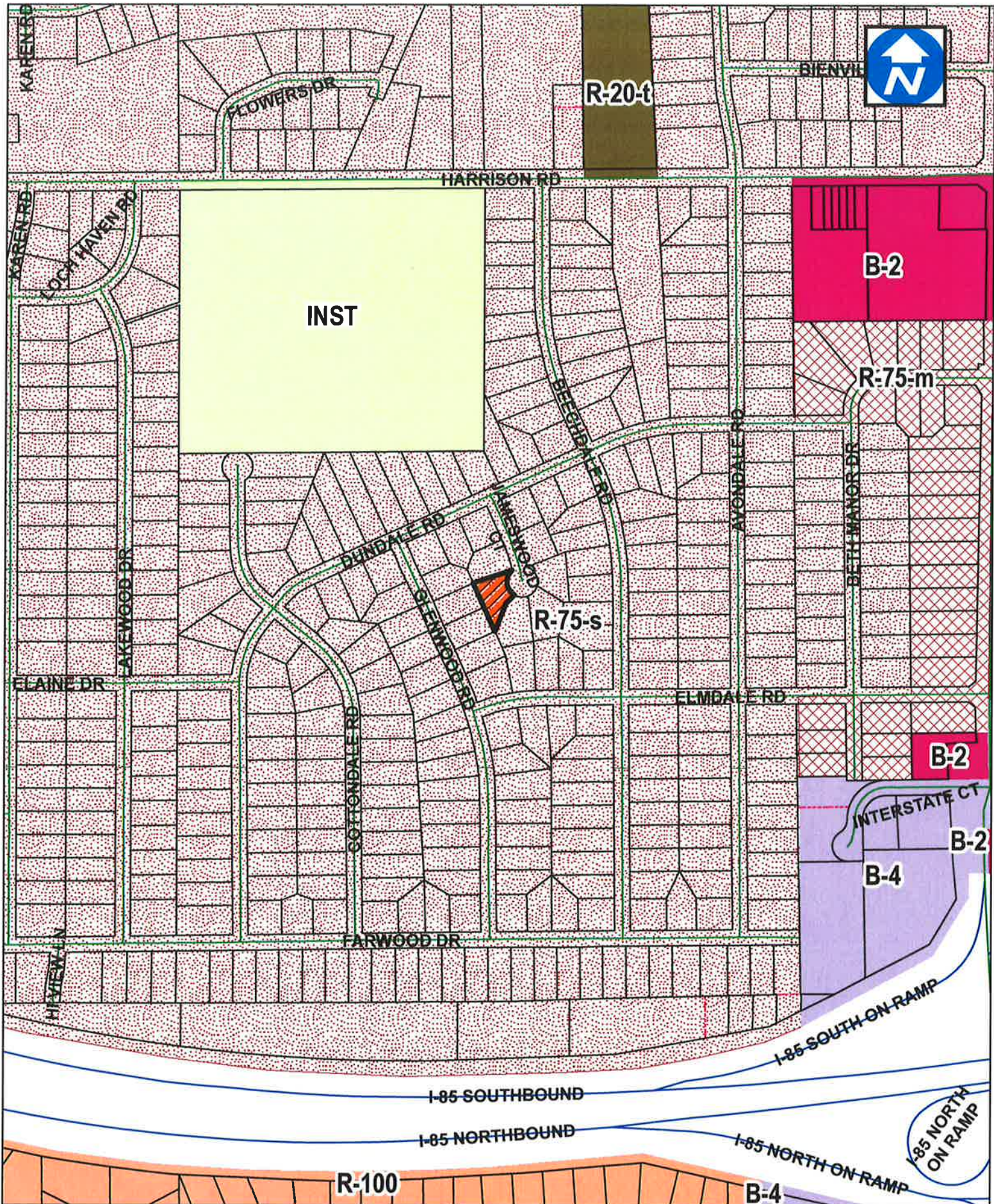
**SUBJECT:** Request a height variance and front yard variance for a privacy fence to be located at 1114 Jameswood Court in an R-75-s (Single-Family Residential) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to construct a 12 ft. tall privacy fence, whereas 3 ft. is allowed. The fence will come to the front property line, whereas 30 ft. is required.

*The request is a 9 ft. height variance and a 30 ft. front yard variance.*

**COUNCIL DISTRICT: 1**



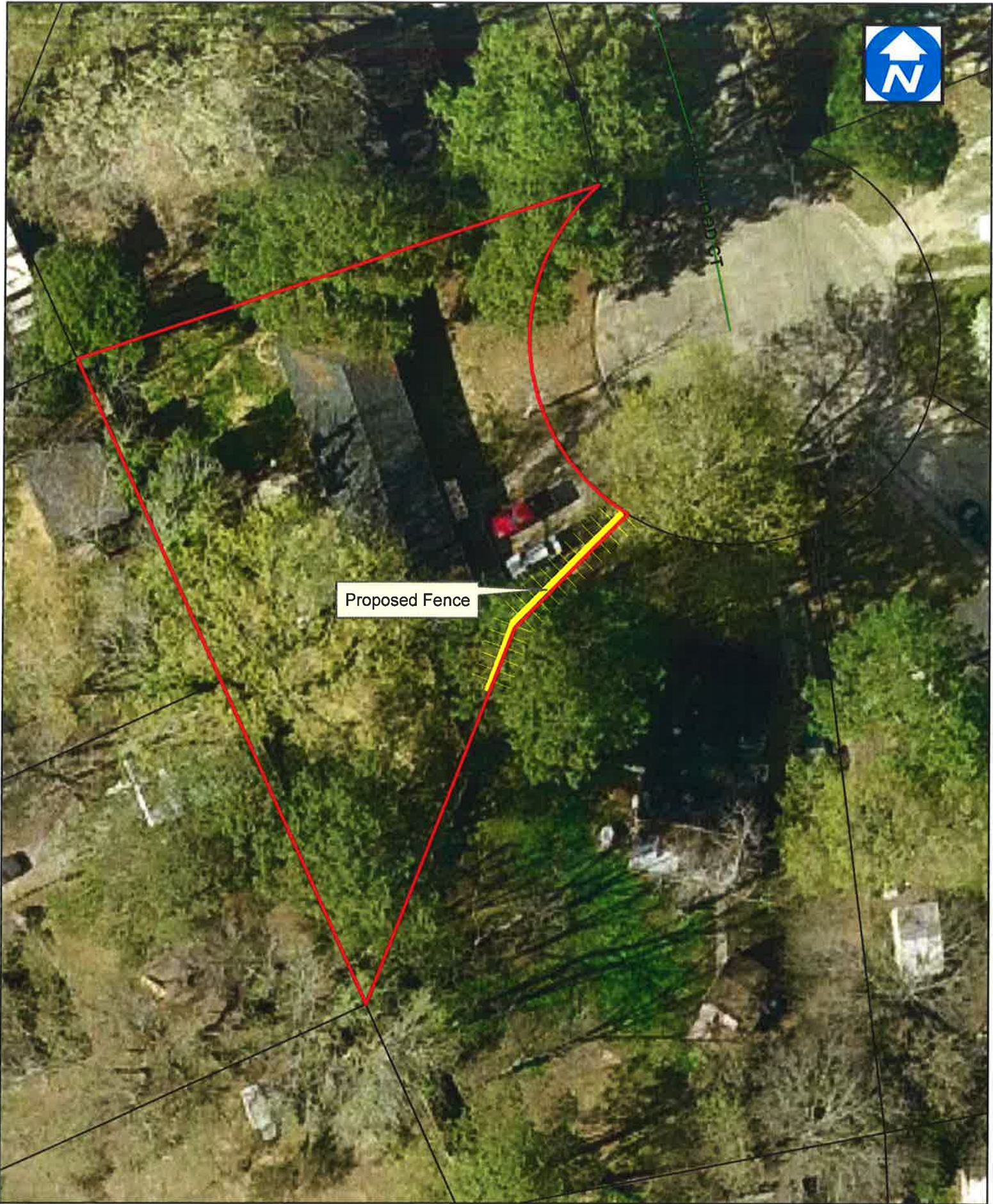


Site 

1 inch = 400 feet

Item 9A





Site 

1 inch = 30 feet

Item 96