

# Board of Adjustment Agenda

May 20, 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 April 15, 2021 meeting.**

**May 20, 2021**

<u>Item</u>	<u>File</u>	<u>Petitioner</u>	<u>Zone</u>	<u>Location/Request</u>	<u>Page</u>
1.	2021-022	Donald L. Yancey	R-75-s	3236 Cloverdale Road (Privacy fence)	1
2.	2021-035	Ja'Mel Brown	R-60-d	1036 Mill Street (Community Outreach Program)	2
3.	2021-008	Adena Kramer	R-85	649 Sandhurst Drive (Chickens)	3
4.	1982-251	Cadavious Jones	R-85	1776 Young Farm Road (Chickens)	4
5.	1972-133	Roosevelt Harris	R-65-d	1812 Gibson Court (Separation variance)	5
6.	2021-029	Eric Garner	R-60-s	6100 Blackstone Drive (Coverage variance)	6
7.	2021-030	Natasha Belser	R-65-s	5825 Hyde Park Drive (Privacy fence)	7
8.	2021-031	Donald Fuller	FH	Coosada Ferry Road (Mobile home)	8
9.	2021-032	Alyssa Grant	AGR-1	Wasden Road (Mobile home)	9
10.	2021-034	Baker Donelson	R-65-d	Ashley Road (Cell tower)	10
11.	2021-033	Norris Building Company	O-1	4650 Woodmere Boulevard (Variances for new ID sign)	11

***The next Board of Adjustment meeting is on June 17, 2021***

1. BD-2021-022 **PRESENTED BY:** Donald L. Yancey

**REPRESENTING:** Same

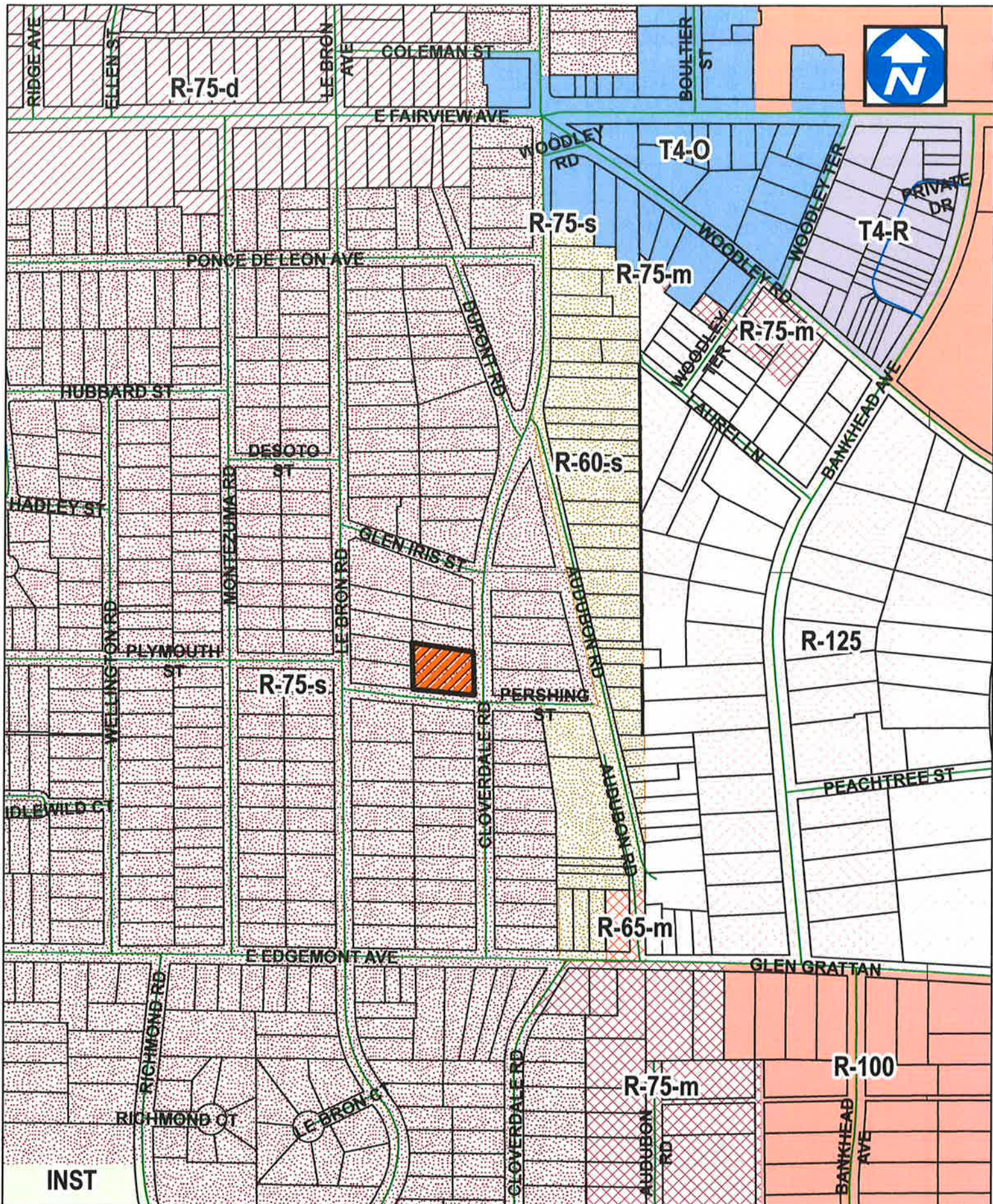
**SUBJECT:** Request a street side yard variance for a new privacy fence to be located at 3236 Cloverdale Road in an R-75-s (Single-Family Residential) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to construct a new privacy fence to come within 4 ft. of the street side yard property line (Pershing Street), whereas 30 ft. is required. *The Architectural Review Board approved the fence at the March 23, 2021 meeting.*

*The request is a 26 ft. street side yard variance.*

*This request was delayed prior to the April 15, 2021 meeting by the petitioner.*

**COUNCIL DISTRICT:** 7



Site 

1 inch = 400 feet

Item 1A



Approximate location  
of privacy fence

PERSHING ST

GLOVERDALE RD

Site 

1 inch = 50 feet  
Item 1B

2. BD-2021-035 **PRESENTED BY:** Ja'Mel Brown

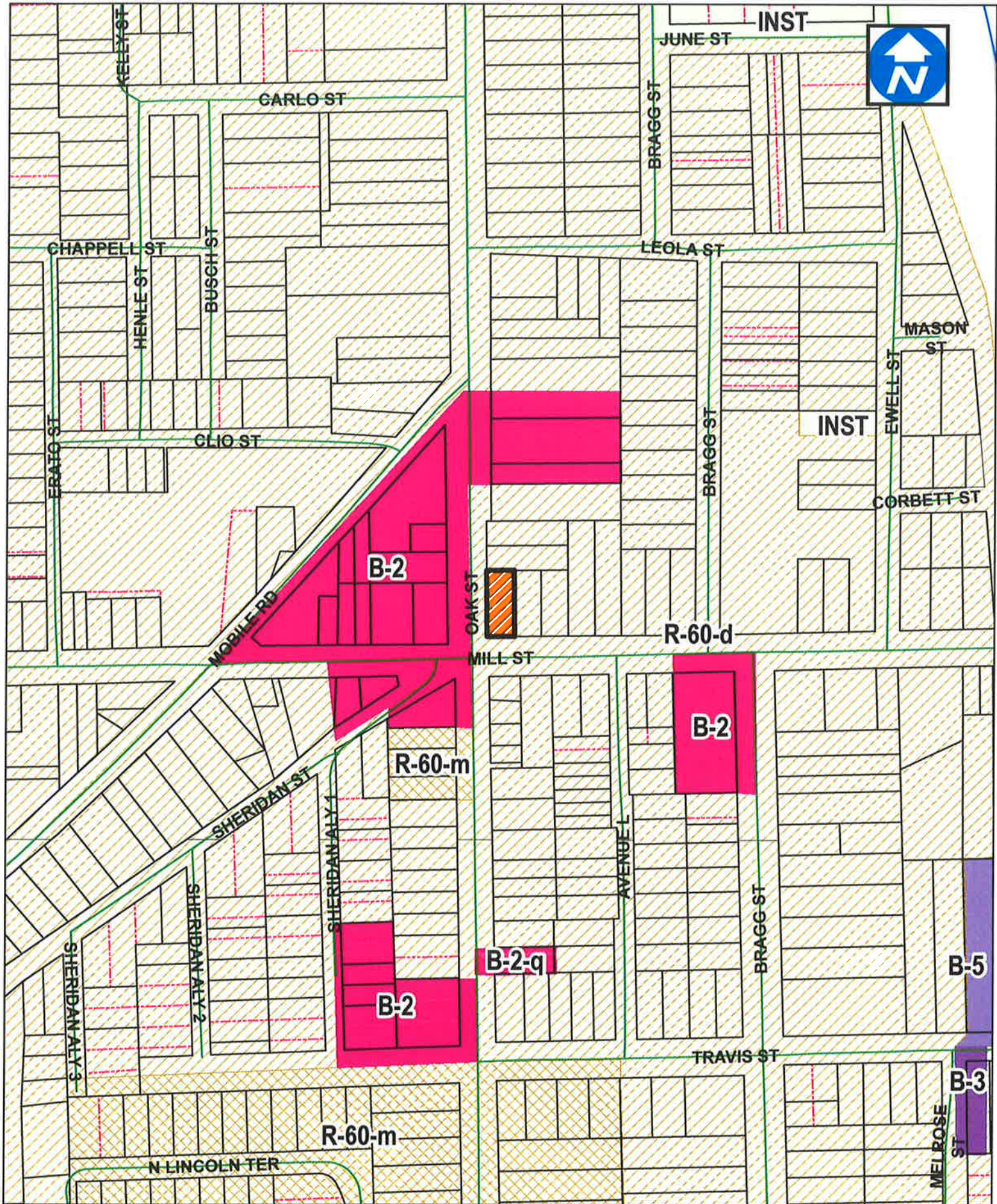
**REPRESENTING:** Ja'Mel Brown Center

**SUBJECT:** Request a special exception for a community outreach program to be located at 1036 Mill Street in an R-60-d (Duplex Residential) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to operate a non-profit community outreach program. Hours of operation will be Sunday-Saturday 8:00 am to 3:00 pm or by appointment. Monthly meetings will be held for the staff of the non-profit organization and will provide services to the community from donations that will always be collected through the non-profit organization, such as perishable items (food), clothes, and resources in forms of literature and pamphlets for the well-being of the community that's desperately in need. Parking onsite will be limited to our four (4) staff members, however there is land available across the street for additional parking. The facility will not be used for cooking, business, entertainment, nor make money for profit.

*This request is a special exception for a community outreach program.*

**COUNCIL DISTRICT: 4**



Site 

1 inch = 200 feet

Item 2A



Site 

1 inch = 40 feet

Item 2B



3. BD-2021-008 **PRESENTED BY:** Adena Kramer

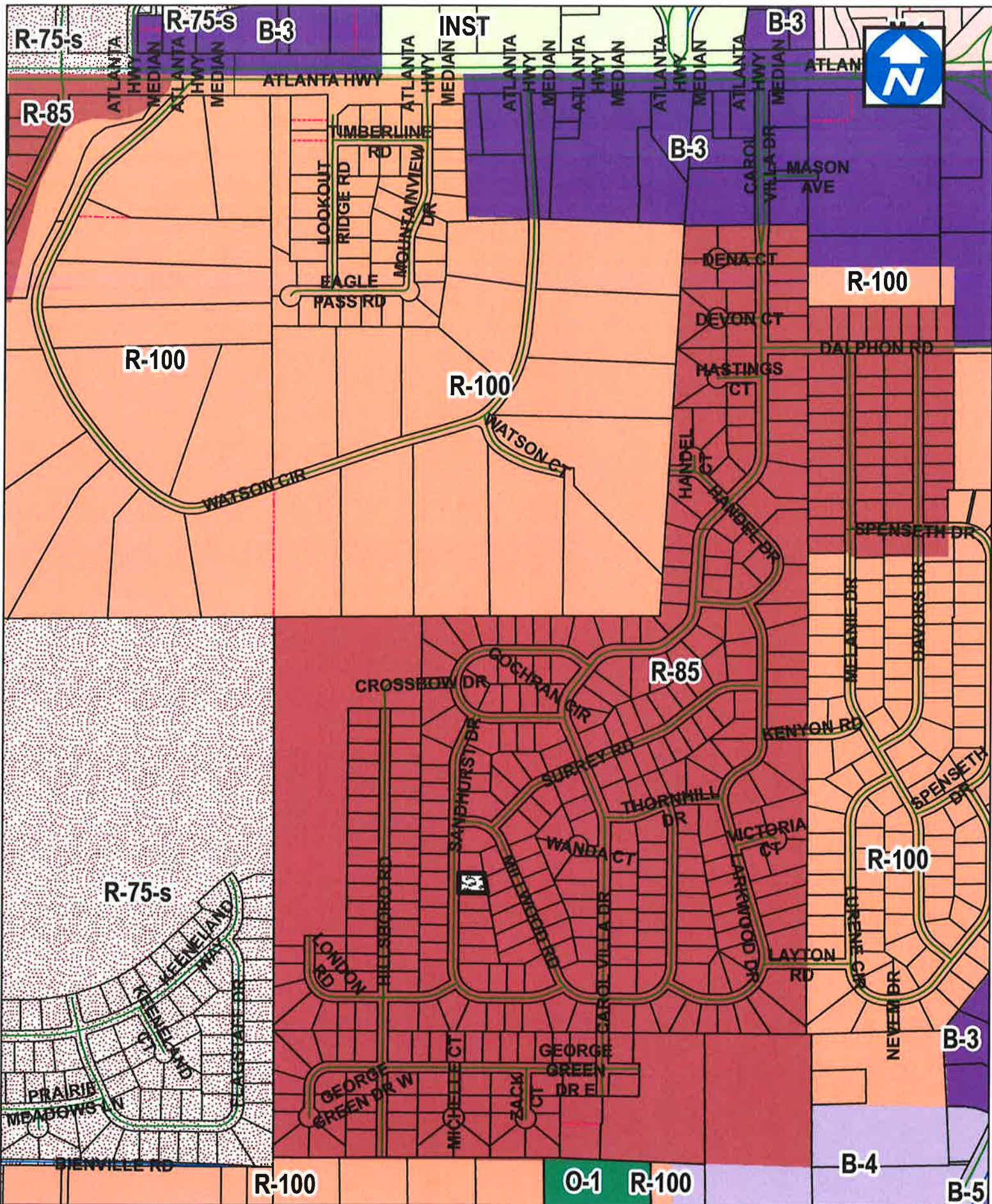
**REPRESENTING:** Same

**SUBJECT:** Request a special exception to keep chickens on the property located at 649 Sandhurst Drive in an R-85 (Single-Family Residential) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to keep six (6) chickens (no roosters). The coop will be located next to the accessory structure in the back yard. The petitioner has been provided the Chicken Guidelines and stated the coop will be in compliance.

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

**COUNCIL DISTRICT: 1**



Site 

1 inch = 600 feet

Item 3A



MILLWOOD RD

SANDHURST DR

Coop

Site 

1 inch = 40 feet

Item 3B

4. BD-1982-251 **PRESENTED BY:** Cadavious Jones

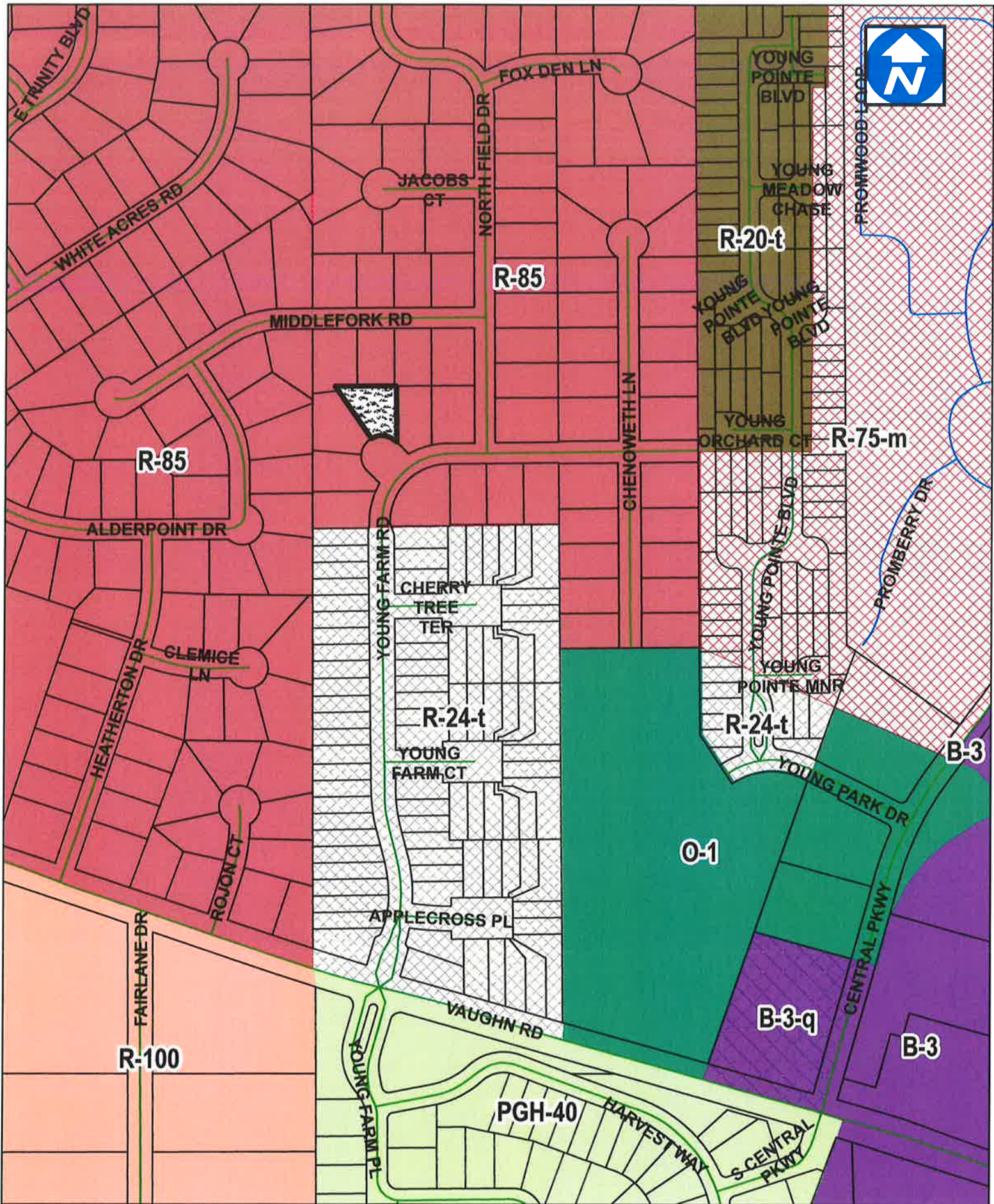
**REPRESENTING:** Same

**SUBJECT:** Request a special exception to keep chickens on the property located at 1776 Young Farm Road in an R-85 (Single-Family Residential) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to keep two (2) domesticated chickens (no roosters). The petitioner has been provided the Chicken Guidelines and stated the coop will be in compliance.

*The request is a special exception to keep two (2) chickens.*

**COUNCIL DISTRICT: 5**



Site 

1 inch = 300 feet

Item 4A



Site 

1 inch = 30 feet

Item 4B

5. BD-1972-133 **PRESENTED BY:** Roosevelt Harris

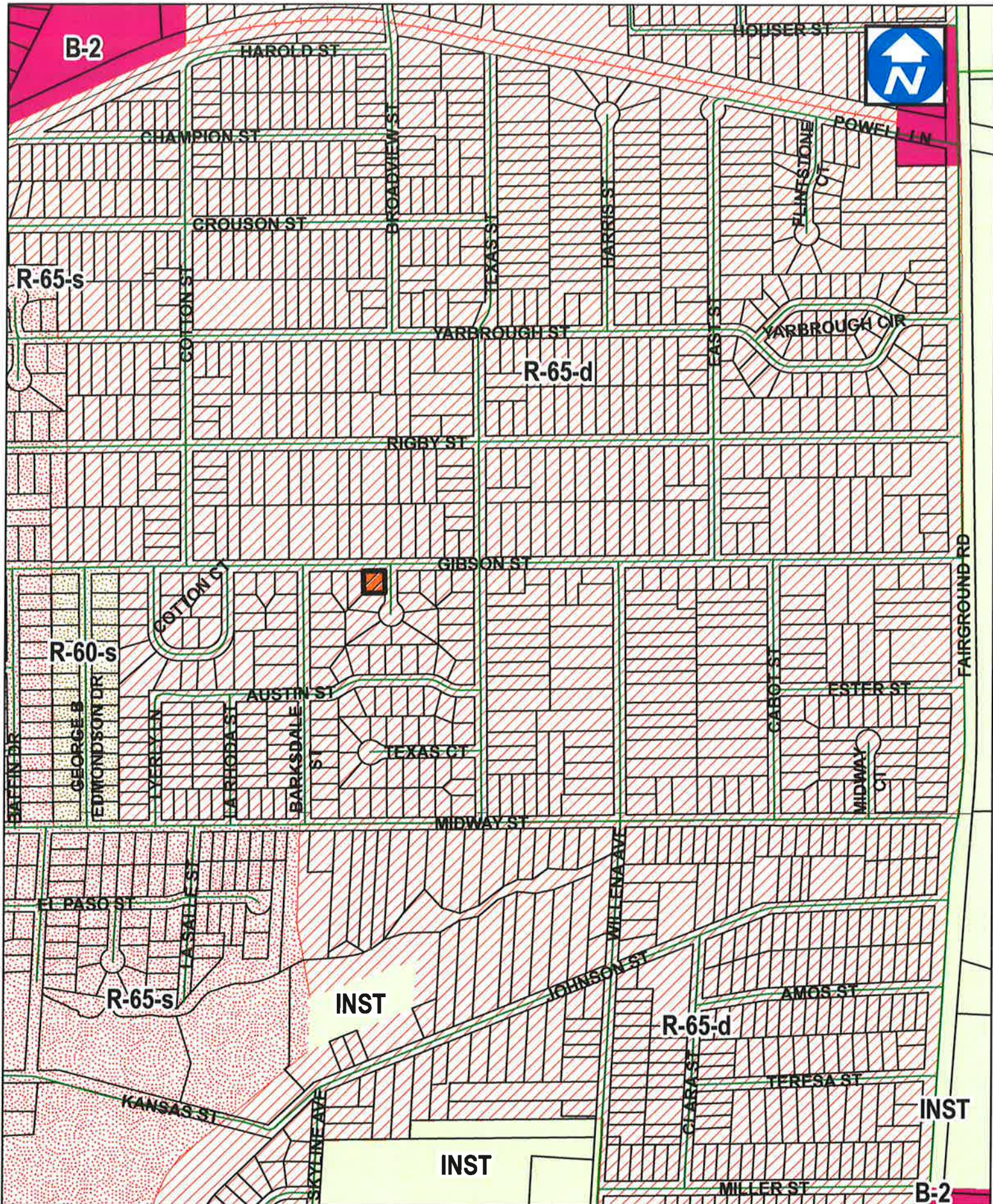
**REPRESENTING:** Same

**SUBJECT:** Request a separation between structures variance for an addition to the dwelling 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 cover an existing deck which will become an addition to the house. The covered deck will come within 2 ft. of an accessory structure, whereas a 10 ft. separation is required.

*The request is an 8 ft. separation between structures variance.*

**COUNCIL DISTRICT: 2**

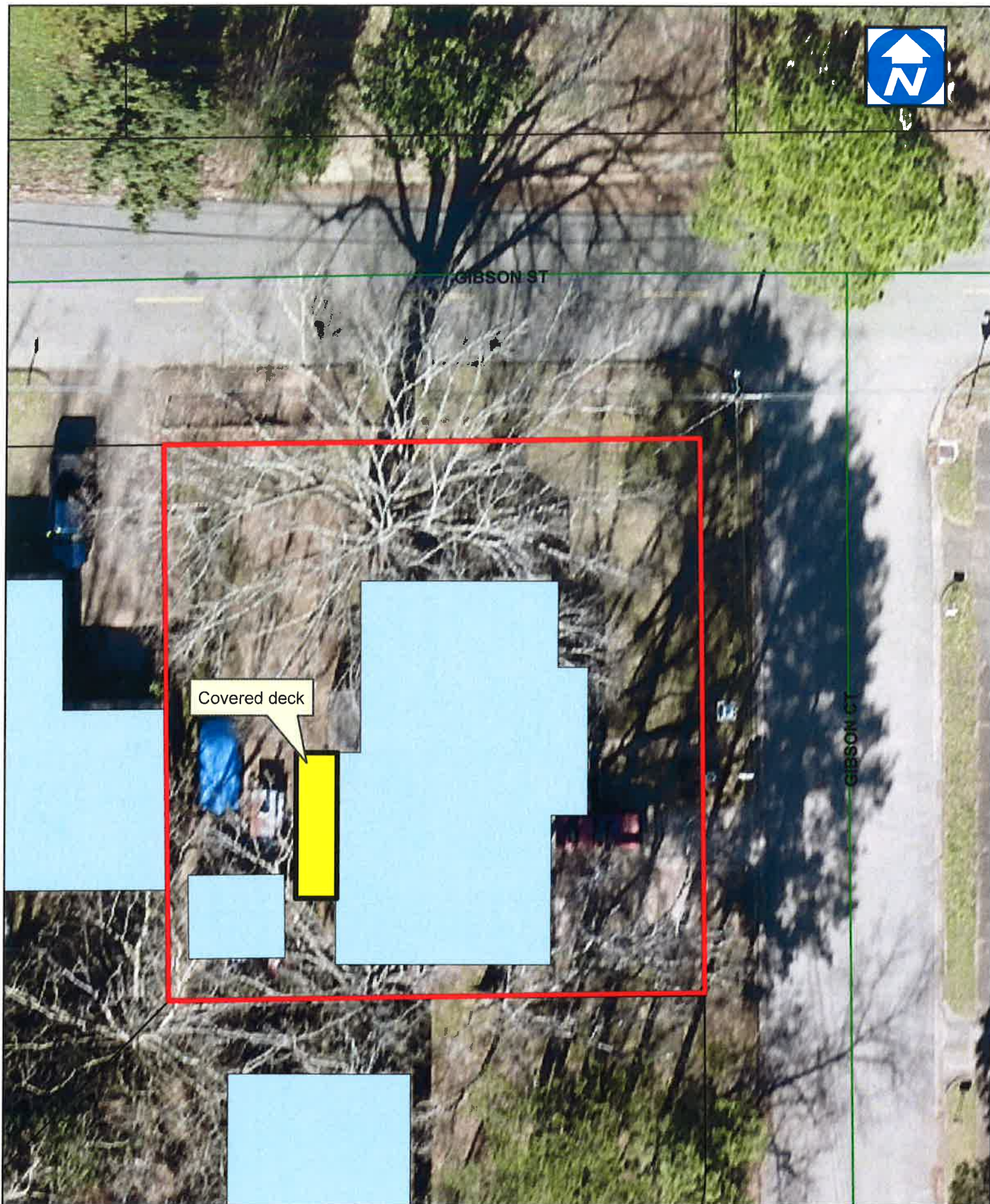


Site 

1 inch = 500 feet

Item 5A





Site 

1 inch = 20 feet

Item 5B

6. BD-2021-029 **PRESENTED BY:** Eric Garner

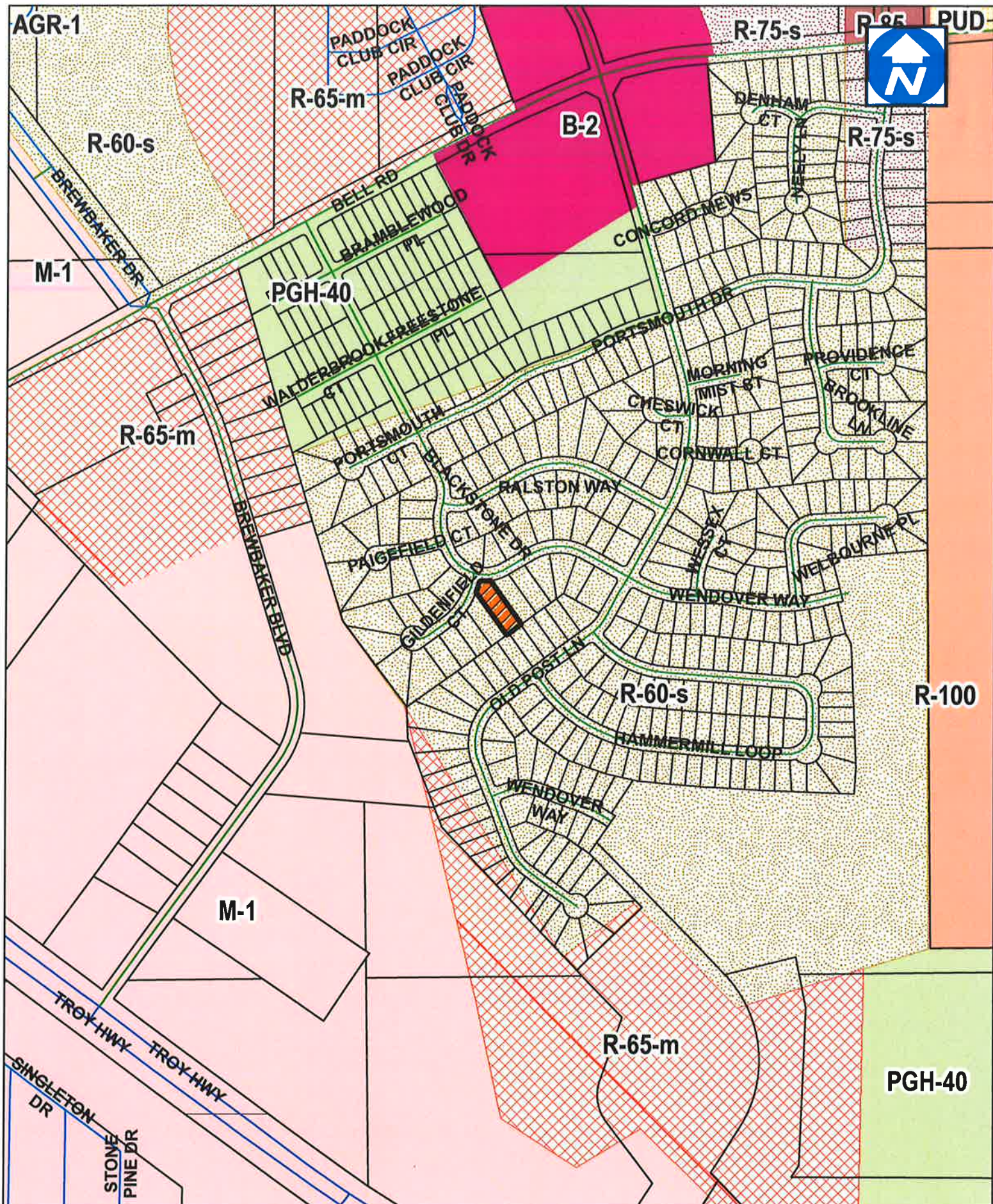
**REPRESENTING:** Same

**SUBJECT:** Request a coverage variance for an accessory structure to be located at 6100 Blackstone Drive in an R-60-s (Single-Family Residential) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to construct a 480 sq. ft. accessory structure (24' x 20' detached two car garage), which will be used to store an antique car and motorcycle. There is an existing 225 sq. ft. accessory structure on the lot, which will be a total of 705 sq. ft., whereas 360 sq. ft. is allowed. The small building shown on the aerial map is no longer on the property.

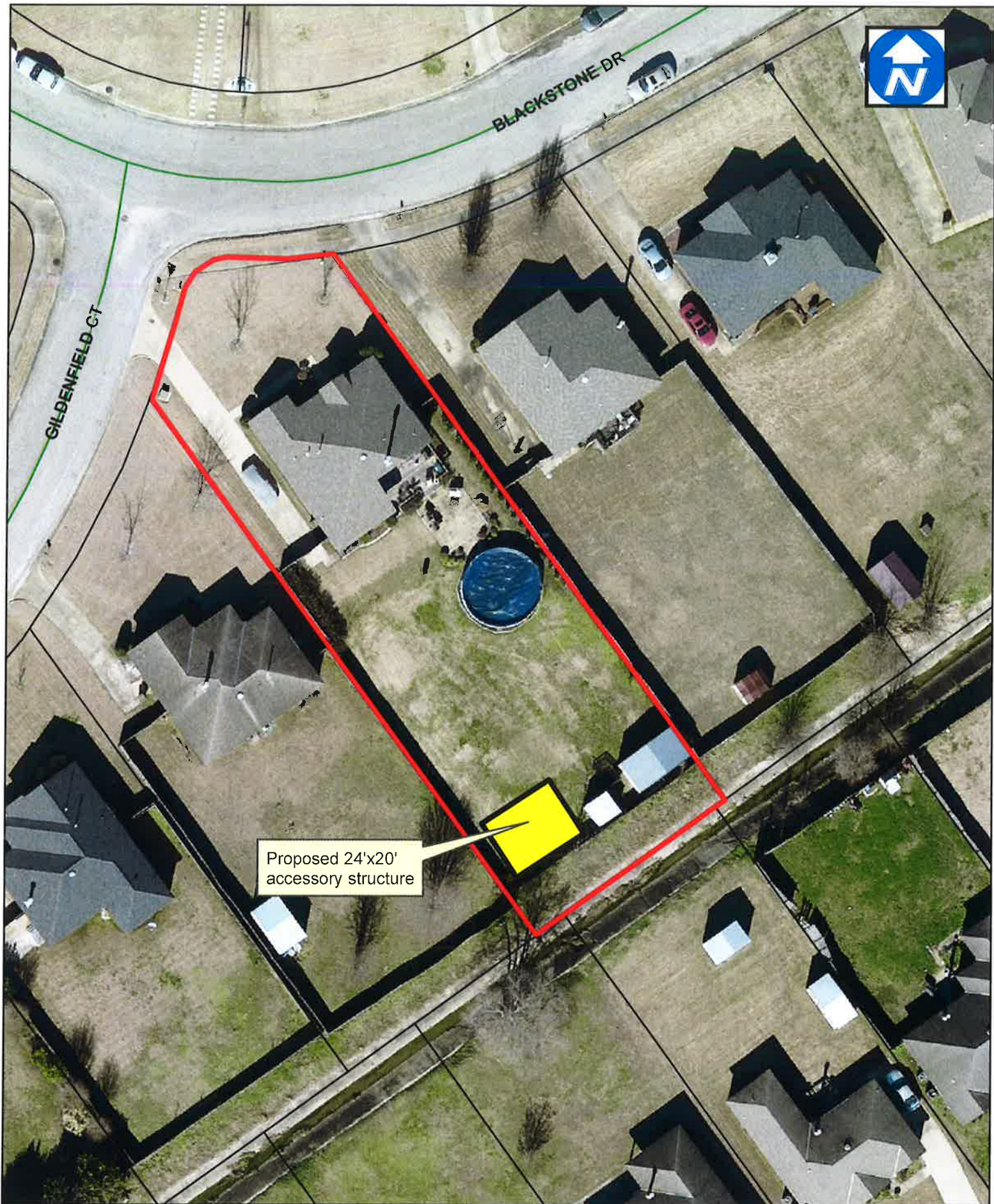
*The request is a 345 sq. ft. coverage variance.*

**COUNCIL DISTRICT: 6**



Site 

1 inch = 500 feet  
 Item lot A



Proposed 24'x20'  
accessory structure

Site 

1 inch = 40 feet

Item 6B

7. BD-2021-030 **PRESENTED BY:** Natasha Belser

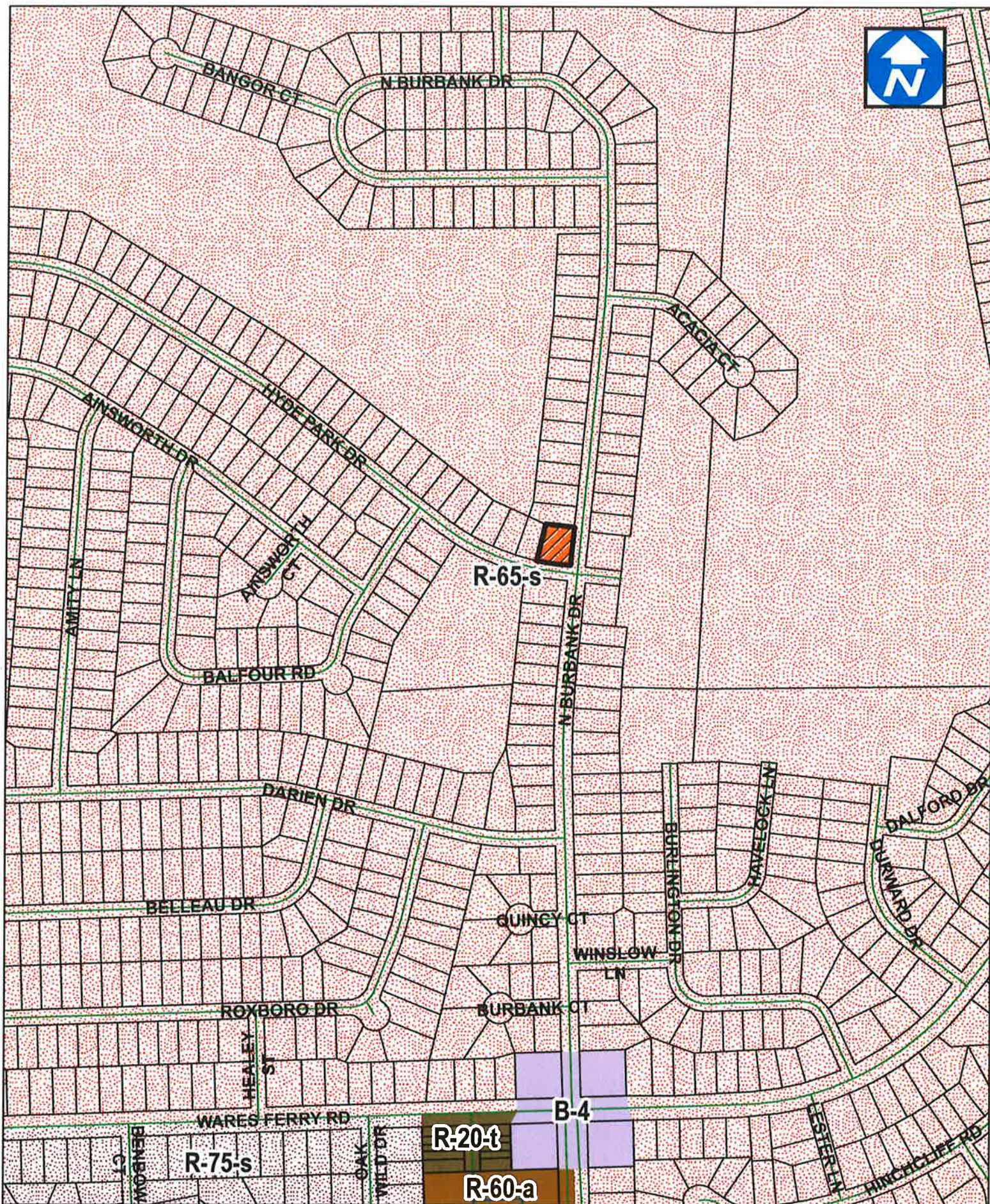
**REPRESENTING:** Natasha & Alex Belser

**SUBJECT:** Request a height variance and street side yard variance for a fence located at 5825 Hyde Park Drive in an R-65-s (Single-Family Residential) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to maintain a 6 ft. tall privacy fence, whereas 3 ft. is allowed. The fence comes within 8 ft. of the street side yard property line (North Burbank Drive), whereas 30 ft. is required.

*The requests are a 3 ft. height variance and 22 ft. street side yard variance.*

**COUNCIL DISTRICT: 1**



Site 

1 inch = 400 feet

Item 7A



Site 

1 inch = 20 feet

Item TB

8. BD-2021-031 **PRESENTED BY:** Donald Fuller

**REPRESENTING:** Randy Myers

**SUBJECT:** Request a special exception for a mobile home for living purposes to be located approximately 3,000 ft. west of Coosada Ferry Road and approximately 450 ft. north of Maddox Court\* in a FH (Flood Hazard) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to place a 32 ft. x 76 ft. mobile home on a 50 acre parcel for living purposes.

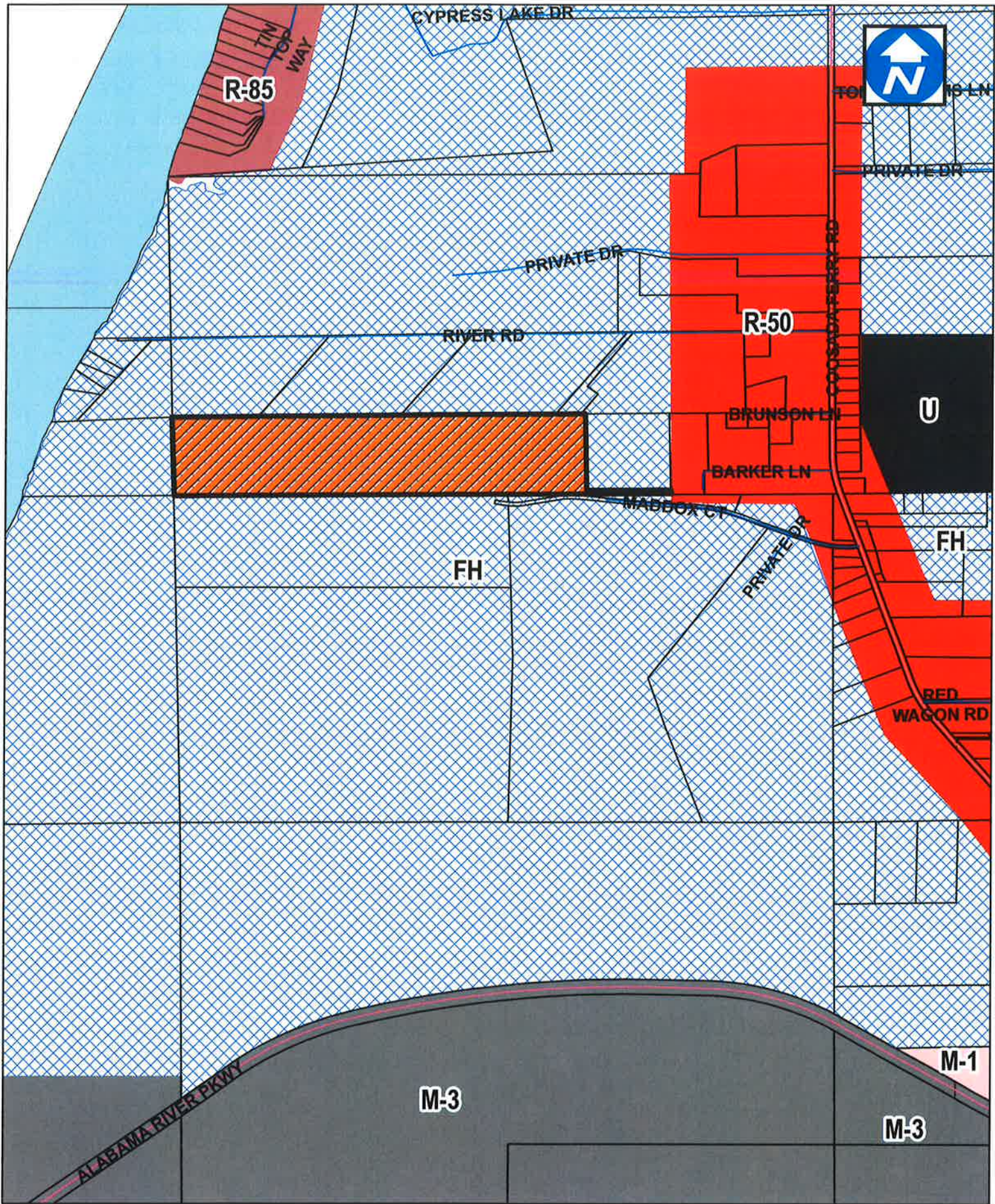
*\*Private Street*

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

**COUNCIL DISTRICT:** Police Jurisdiction

**COUNTY COMMISSION DISTRICT:** 4





Site 

1 inch = 1,000 feet

Item 8A



Site 

1 inch = 500 feet

Item 8B

9. BD-2021-032 **PRESENTED BY:** Alyssa Grant

**REPRESENTING:** Linda Roberts

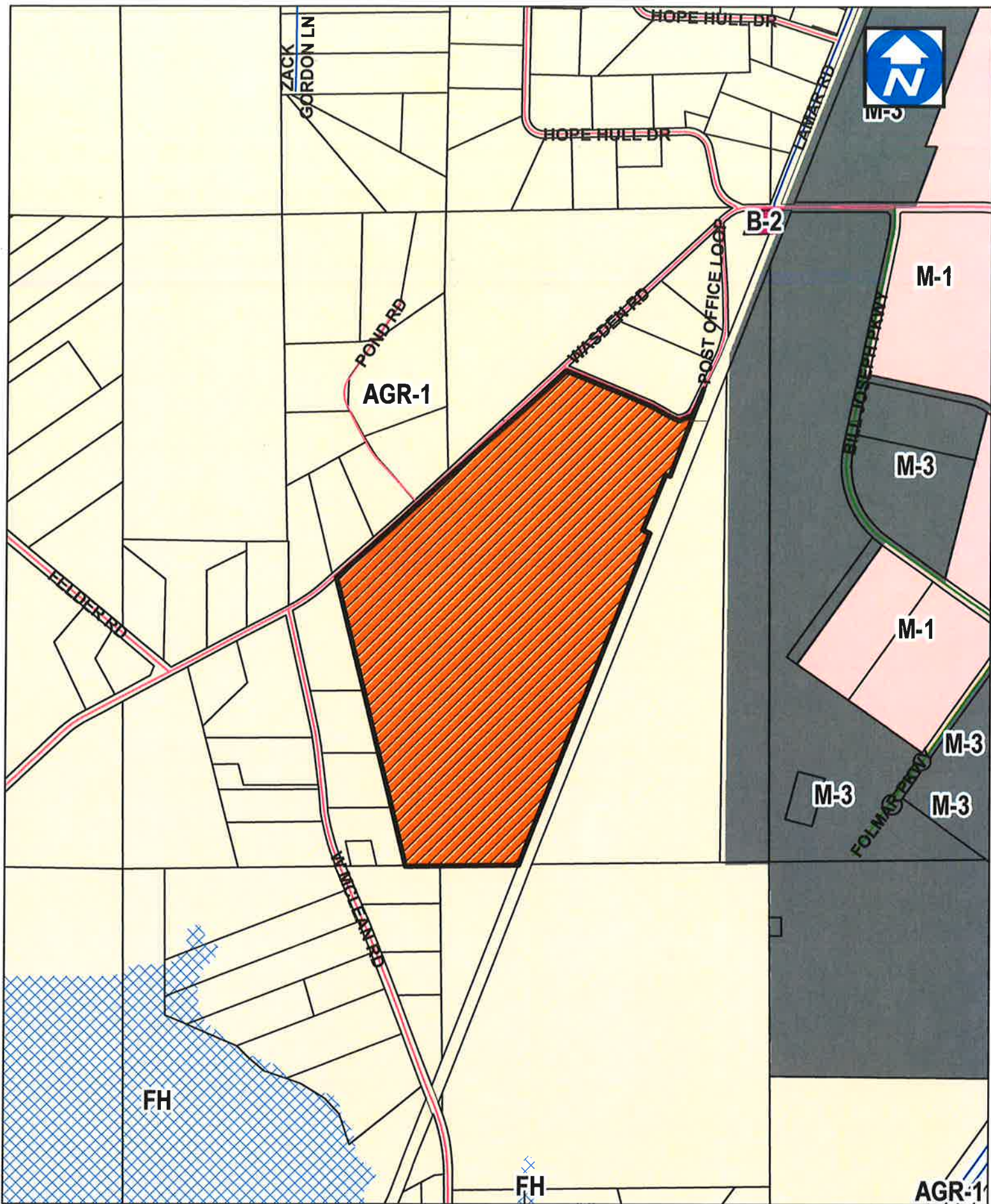
**SUBJECT:** Request a special exception for a mobile home for living purposes to be located on the south side of Wasden Road, approximately 500 ft. east of West McLean Road, in an AGR-1 (Residential Agriculture) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to place a mobile home for living purposes on a 150 acre parcel. There are several mobile homes that have been approved in this area. This mobile home would be placed in the vicinity of the northwest corner of the parcel.

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

**COUNCIL DISTRICT:** Police Jurisdiction

**COUNTY COMMISSION DISTRICT:** 2



Site 

1 inch = 1,000 feet

Item 9A



Site 

1 inch = 200 feet

Item 9B

10. BD-2021-034 **PRESENTED BY:** Baker Donelson

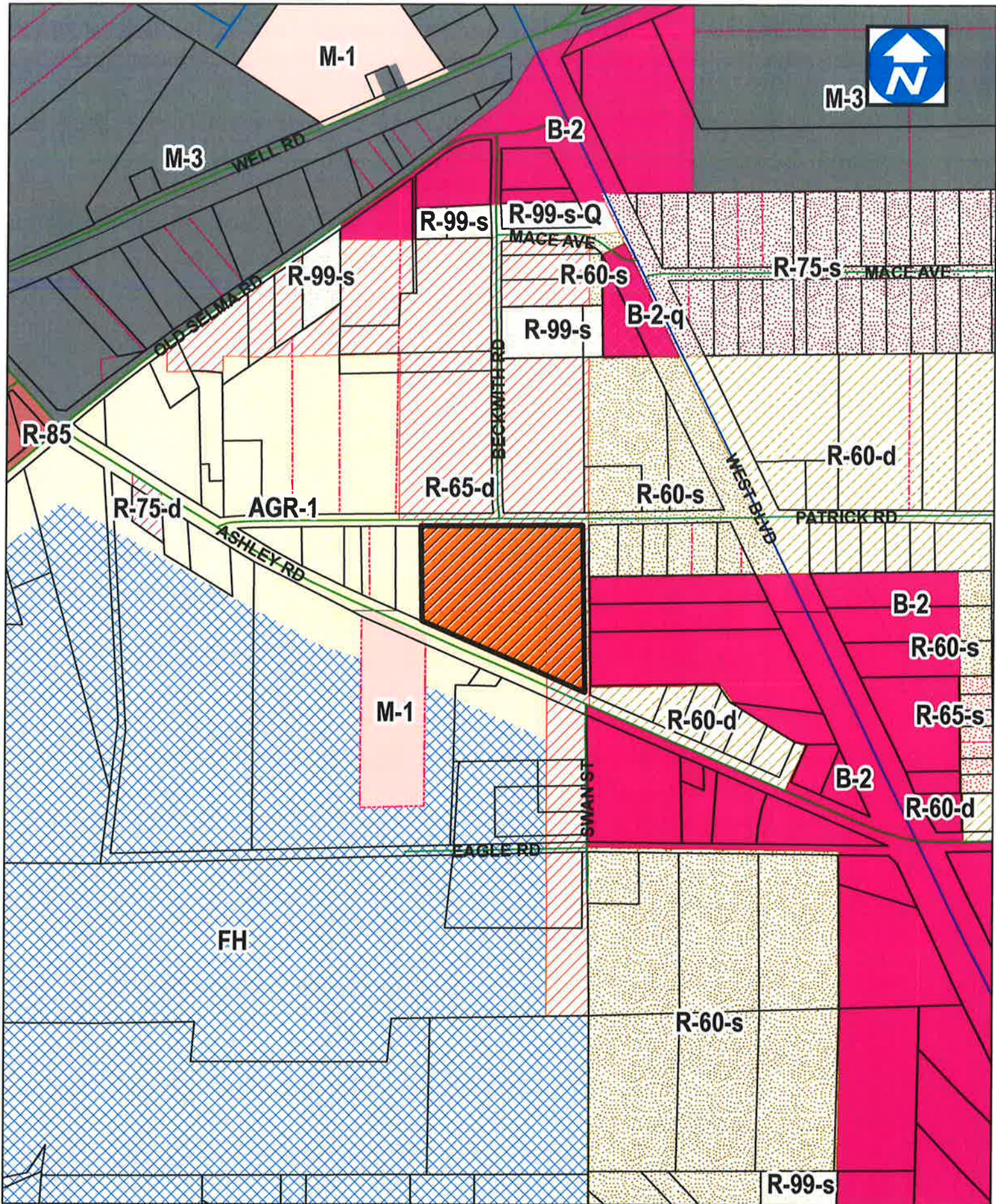
**REPRESENTING:** Tillman Infrastructure LLC

**SUBJECT:** Request a special exception for a cell tower to be located on the north side of Ashley Road, approximately 1,500 ft. west of West Boulevard, in AGR-1 (Residential Agriculture) Zoning District and an R-65-d (Duplex Residential) Zoning Districts.

**REMARKS:** This request is being made to give the petitioner permission to construct a 75 ft. x 75 ft. cell tower compound with a 195 ft. tall cell tower with a 4 ft. lightning rod and related equipment. There is an access easement to Ashley Road. The facility will be surrounded by Leland Cypress 10 ft. on centers.

*The request is a special exception for a cellular facility.*

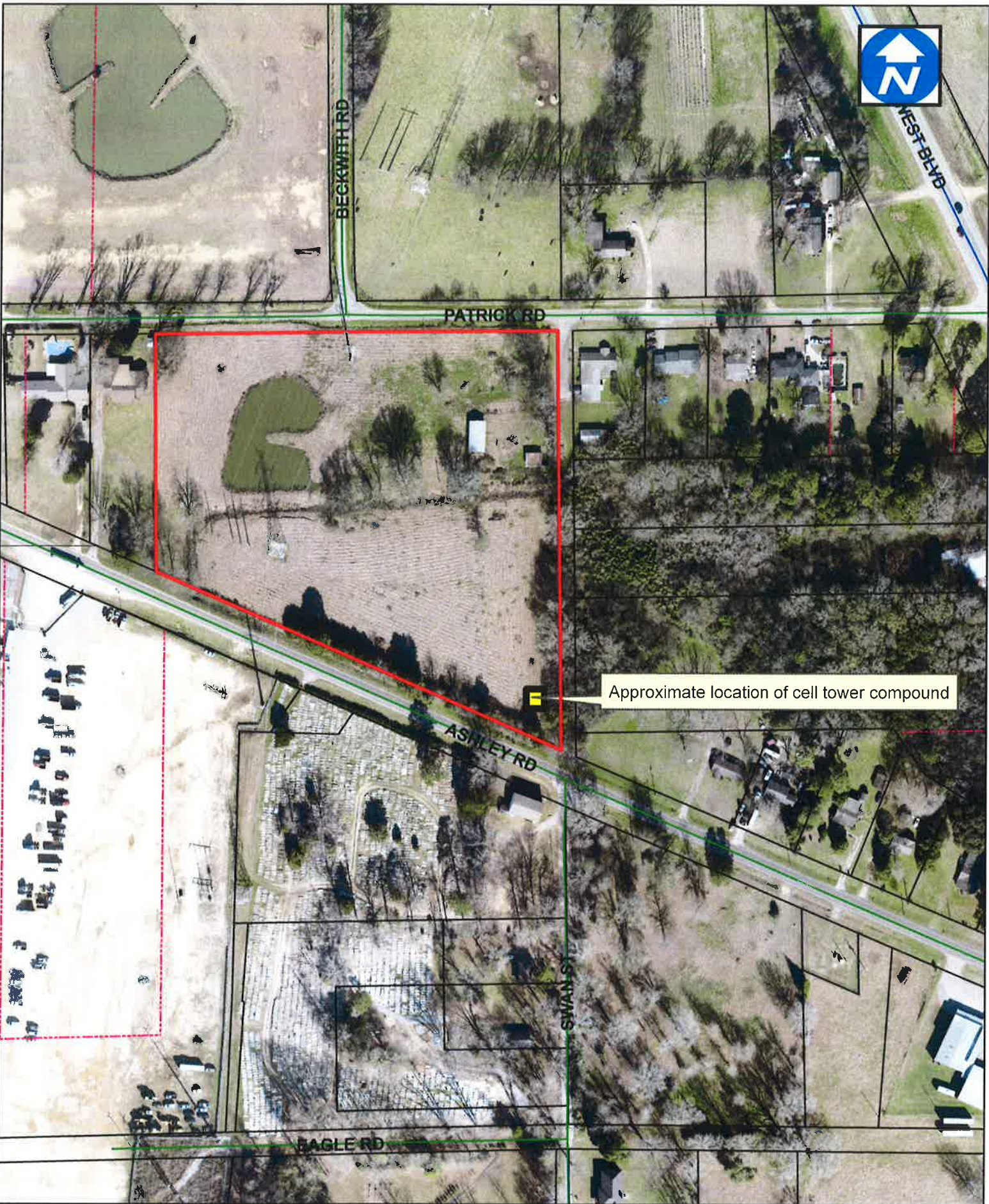
**COUNCIL DISTRICT: 4**



Site 

1 inch = 500 feet

Item 10A



Approximate location of cell tower compound

Site 

1 inch = 200 feet

Item 10B



11. BD-2021-033 **PRESENTED BY:** Norris Building Company, Inc

**REPRESENTING:** Alabama Orthopedic Specialists

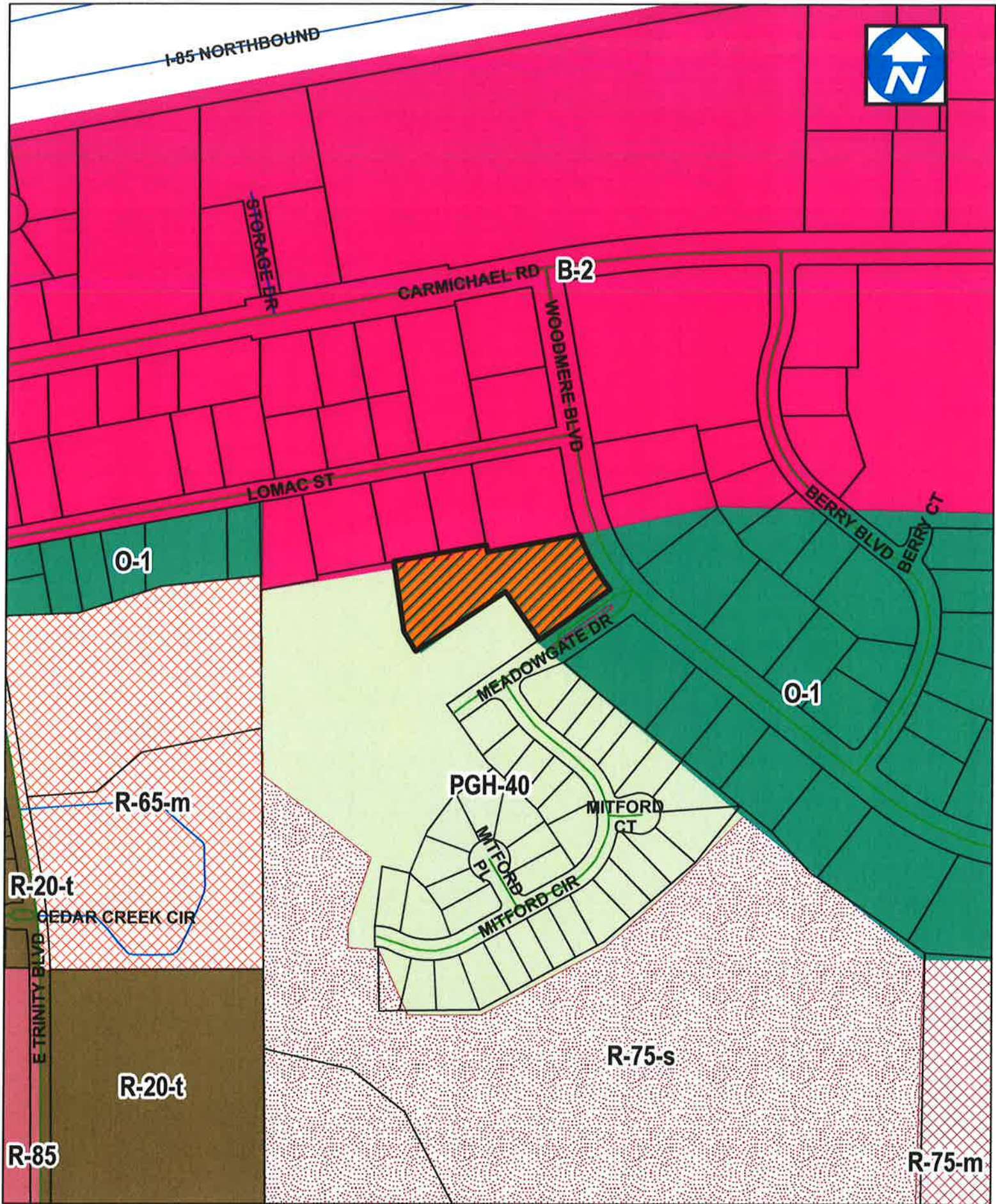
**SUBJECT:** Request a front yard variance, street side yard variance, and height variance for a new ID sign to be located a 4650 Woodmere Boulevard in an O-1 (Office) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to construct a new ID sign that will come within 7 ft. 9 ½ in. from the front property line (Woodmere Boulevard) and within 15 ft. 8 in. of the street side yard property line (Meadowgate Drive), whereas 20 ft. is required for both. The sign will be 6 ft. 10 ½ in. tall, whereas 6 ft. is allowed.

The requests are:

- 12 ft. 2 ½ in. front yard variance
- 4 ft. 4 in. street side yard variance
- 0 ft. 10 ½ in. height variance

**COUNCIL DISTRICT: 5**



Site 

1 inch = 300 feet

Item 11A



Existing sign to be demolished

Approximate location of new sign

MEADOWGATE DR

MEADOWGATE DR

WOODMERE BLVD

Site 

1 inch = 40 feet

Item 11B