

Board of Adjustment Agenda

July 15, 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*

Regina Coley

Beau Holmes

George C. Howell, Jr.

Cory Johnson

Blake Markham

Bart Prince

Pickett Reese

**Land Use Division
25 Washington Ave., 4th Floor
Montgomery, AL 36104
(334)625-2722**

I. Chairman's Message

II. Approval of Minutes from the June 17, 2021 meeting.

July 15, 2021

<u>Item</u>	<u>File</u>	<u>Petitioner</u>	<u>Zone</u>	<u>Location/Request</u>	<u>Page</u>
1.	2021-18	Johnny Perkins	R-65-s	3117 Ravenwood Drive (Multiple variances)	1
2.	2021036	John L. Scott	R-85	Lynton Drive (Privacy fence)	2
3.	2000-046	Tillford/ Sandra Thomas	B-2	3368 Harrison Road (Church)	3
4.	2021-042	Bertha M. Tate	R-60-d	3402 Homeview Street (Church)	4
5.	2021-043	Calvin Perkins	AGR-1	300 Church Street (Mobile home)	5
6.	1998-169	Barganier Davis Williams Architects	R-65-s	2332 Rosemont Circle (Front & rear yard variance)	6
7.	1972-123	Crystal Johnson	R-100	3601 Audubon Road (Variance to Flood Ordinance)	7
8.	2021-041	T & G Consulting Group	R-85	707 Dalraida Road (Rear yard variance)	8
9.	2021-044	Brandon S. Stoudemier	T4-R	538 South Decatur Street (Vet Clinic)	9

The next Board of Adjustment meeting is on August 19, 2021

COMPLAINT

This item was delayed by the Board at the April 15, 2021 meeting requesting a survey of the property.

A survey was not provided for the June 17, 2021 meeting and the BOA gave the petitioner until the July 15th meeting to provide a survey.

1. BD-2021-018 **PRESENTED BY:** Johnny Perkins

REPRESENTING: Same

SUBJECT: Request a coverage variance, rear yard variance, side yard variance, and a separation between structures variance for accessory structures located at 3117 Ravenwood Drive in an R-65-s (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to maintain the following three (3) accessory structures:

Building A – 30 ft. 30 ft. x 40 ft. detached garage

2 ft. off side property line

1 ft. off rear property line

2 ½ ft. from Building B

Building B – 10 ft. x 16 ft. storage building – comes to the rear property line

Building C – 10 ft. x 10 ft. gazebo – 4 ft. off side property line

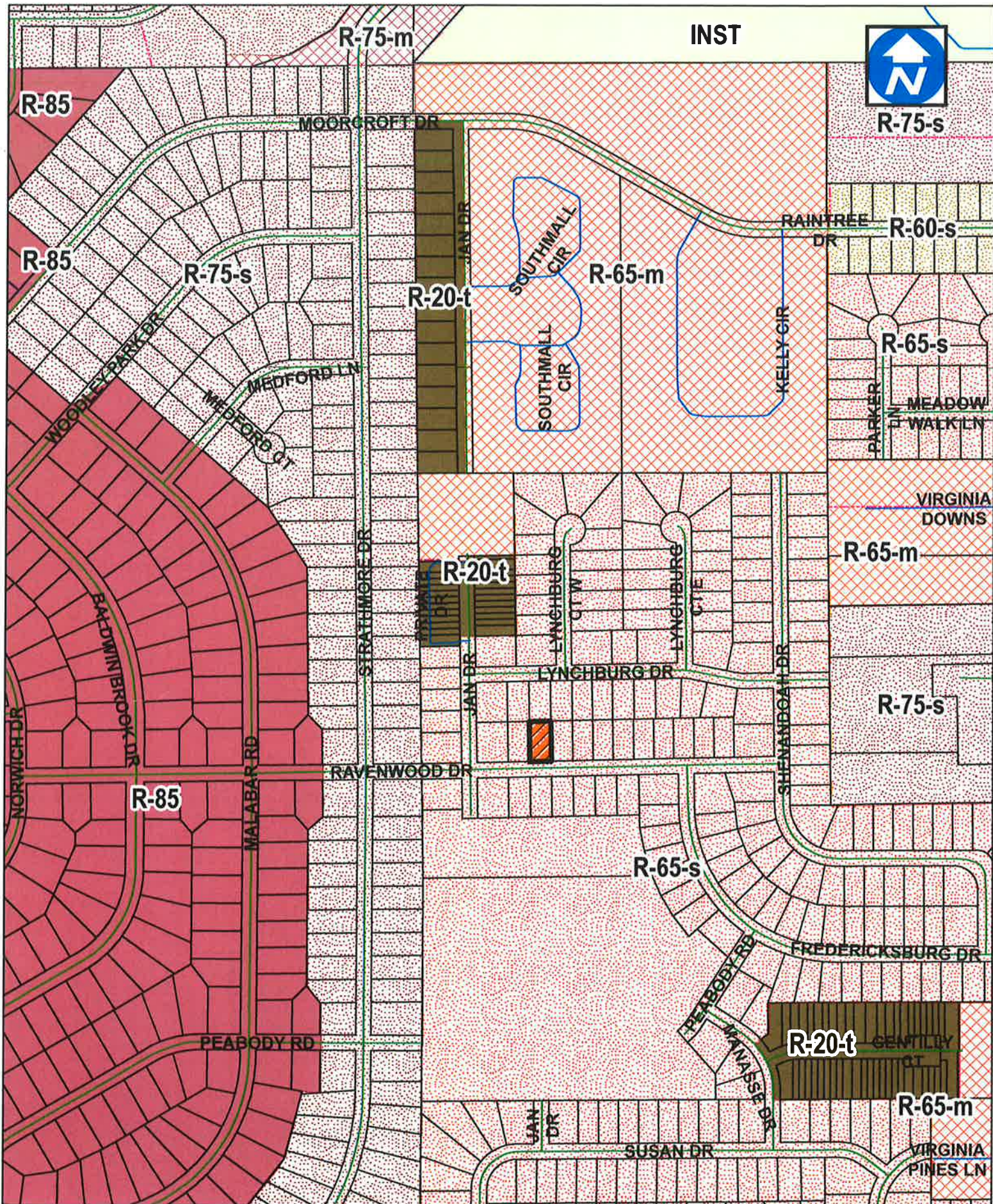
2 ½ ft. between Building A and Building B

2 ft. between Building B and Building C

The requests are:

- 875 sq. ft. coverage variance (585 sq. ft. is allowed, total coverage 1,460 sq. ft.)
- 5 ft. rear yard variance
- 3 ft. side yard variance
- 8 ft. separation between structures variance (whereas 10 ft. is required)

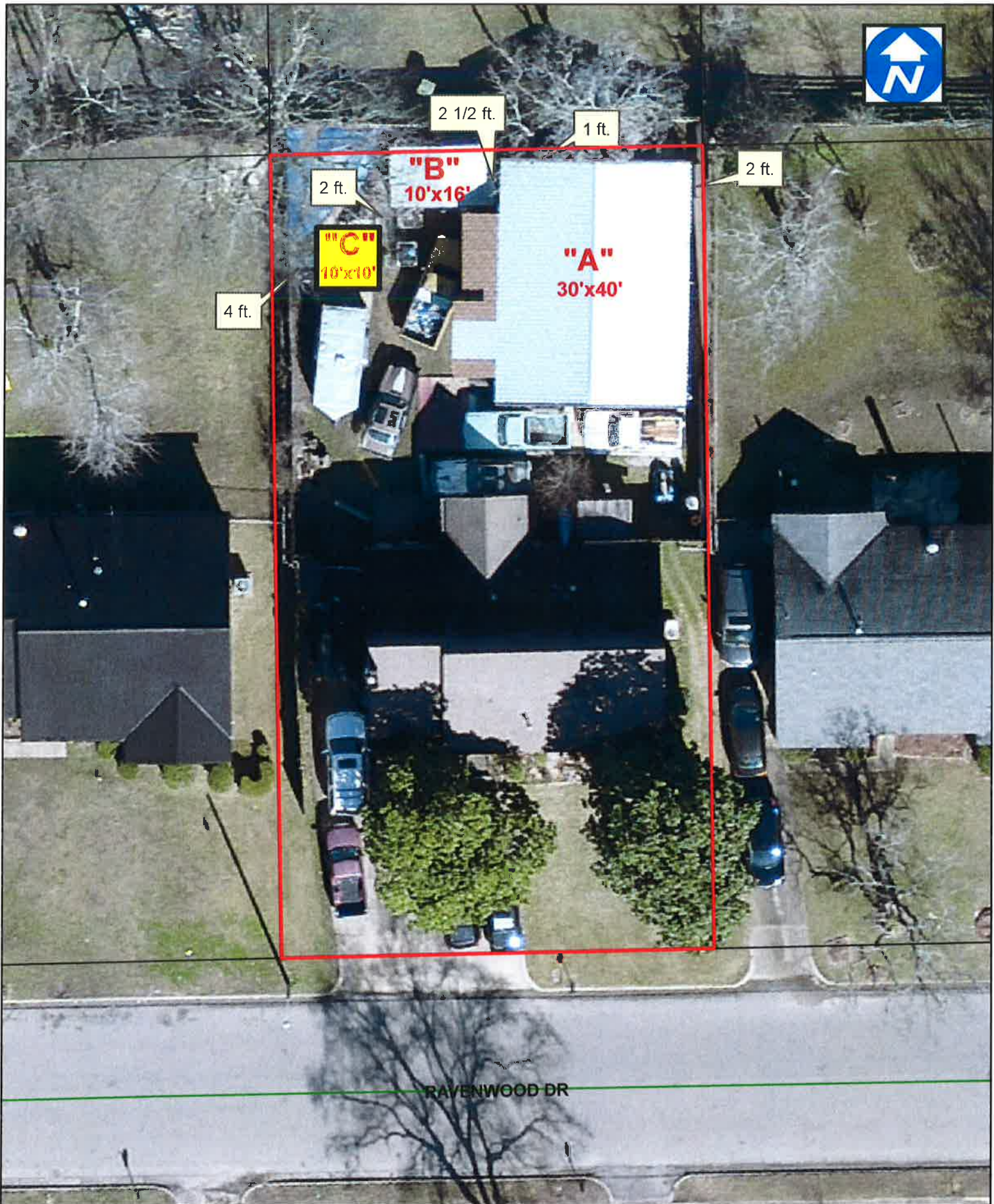
COUNCIL DISTRICT: 6



Site 

1 inch = 400 feet

Item 1A



Site 

1 inch = 20 feet

Item 13

2. BD-2021-036 **PRESENTED BY:** John L. Scott

REPRESENTING: Same

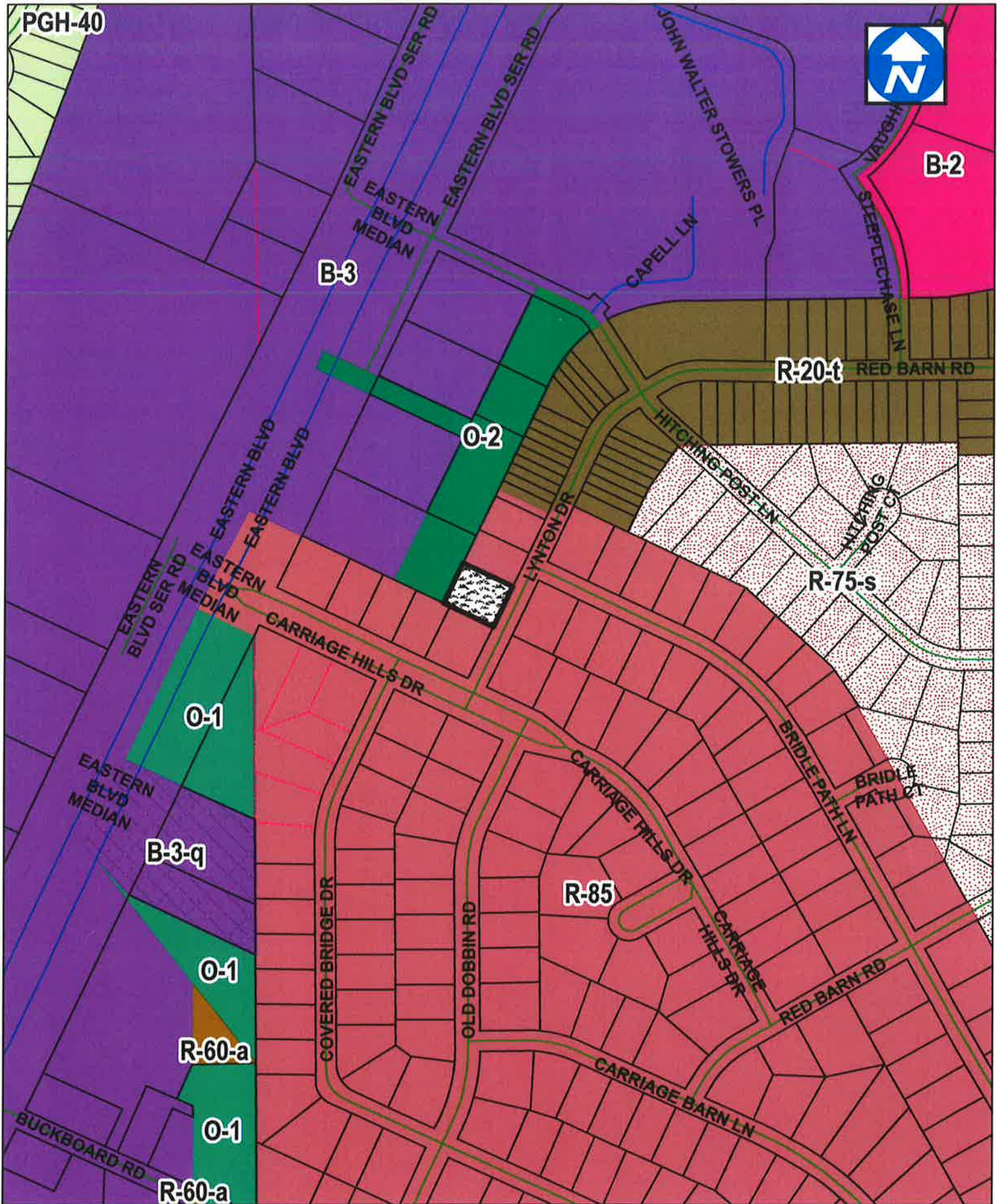
SUBJECT: Request a height variance for a new privacy fence to be located 3072 Lynton Drive in as R-85 (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to construct a 36 ft. section (approximately) of 12 ft. high privacy fence replacing the existing fence. The petitioner has indicated the height is needed for privacy and security for an in-ground pool.

This request was delayed at the June 17, 2021 meeting due to the petitioner not being present.

The request is a 5 ft. height variance for a section of privacy fence.

COUNCIL DISTRICT: 8



Site 

1 inch = 300 feet

Item 2A



Proposed 12 ft.
section of fence

Site 

1 inch = 30 feet
Item 2B

3. BD-2000-046 **PRESENTED BY:** Tillford or Sandra Thomas

REPRESENTING: Same

SUBJECT: Request a special exception for a church to be located at 3368 Harrison Road in a B-2 (Commercial) Zoning District.

REMARKS: This request is being made to give the petitioner permission to operate a church in an existing building. There is a paved area that would allow at least 23 parking spaces. There are 25-50 members in the congregation.

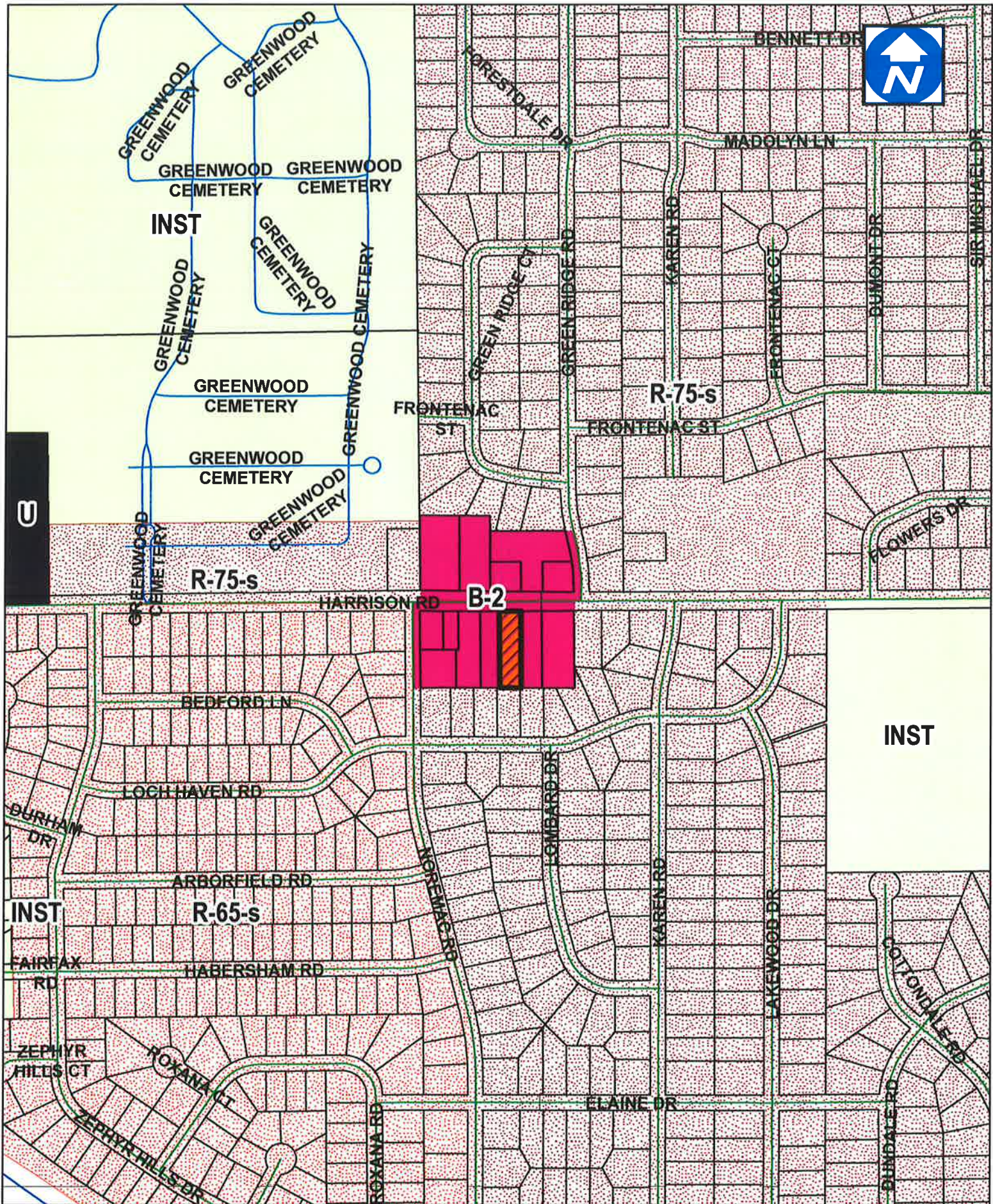
Service hours

- Sunday Service: 8:00 a.m. – 1:00 p.m.
- Wednesday (Bible Study): 6:00 p.m. – 7:00 p.m.
- Four (4) Special Sunday Services: 2:00 p.m. – 4:00 p.m.

Land Use Division: If approved, parking spaces will be required to be designated.

The request is a special exception for a church.

COUNCIL DISTRICT: 7



Site 

1 inch = 400 feet

Item 3A



HARRISON RD



Proposed Church

Site Location 

1 inch = 40 feet

Item No. 3B

4. BD-2021-042 **PRESENTED BY:** Bertha M. Tate

REPRESENTING: Same

SUBJECT: Request a special exception for church use and setback variances for an open carport to be located at 3402 Homeview Street in an R-60-d (Duplex Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to construct an 18 ft. x 40 ft. open carport to be used as an ‘outdoor church’. The petitioner has indicated that there will be approximately 10-12 regular church members and most will walk to the services. There will be 3-5 gravel parking spaces provided onsite.

Service hours

- Sunday 11 a.m. (varies) to 7 p.m.
- Revivals 3 nights – up to a week
- Noon day Prayer

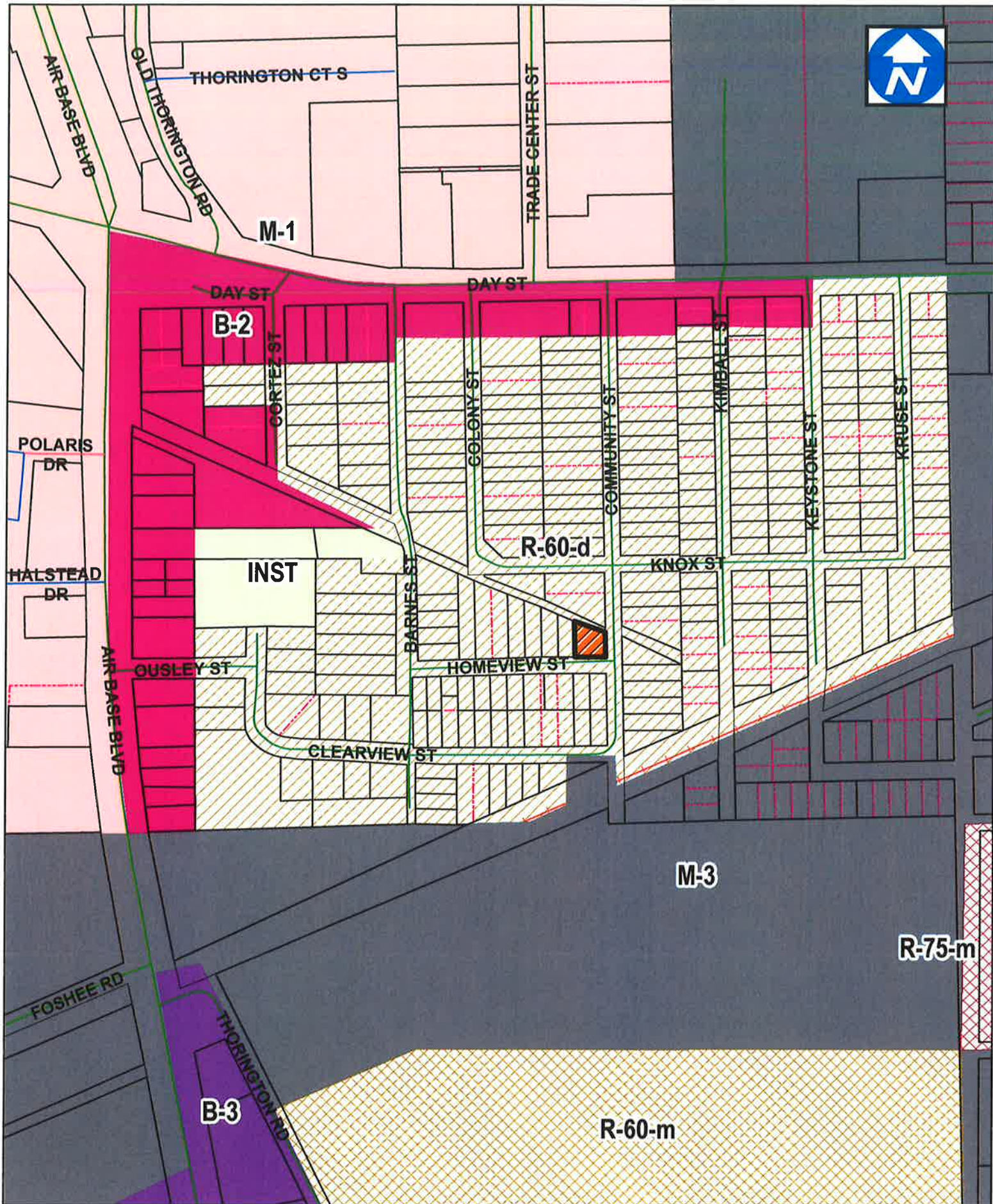
The carport will come to the property lines as follows:

- 10 ft. from the west property line (side). 25 ft. variance
- 20 ft. from the north property line (rear). 15 ft. variance
- 23 ft. from the east property line (Community Street). 12 ft. variance
- 30 ft. from the south property line (Homeview Street). 5 ft. variance

Whereas all setbacks are required to be 35 ft.

The requests are a special exception for church use and setback variances as shown.

COUNCIL DISTRICT: 4



Site 

1 inch = 300 feet

Item 4A



COMMUNITY ST



Site Location

1 inch = 20 feet

Item No. 4B

5. BD-2021-043 **PRESENTED BY:** Calvin Perkins

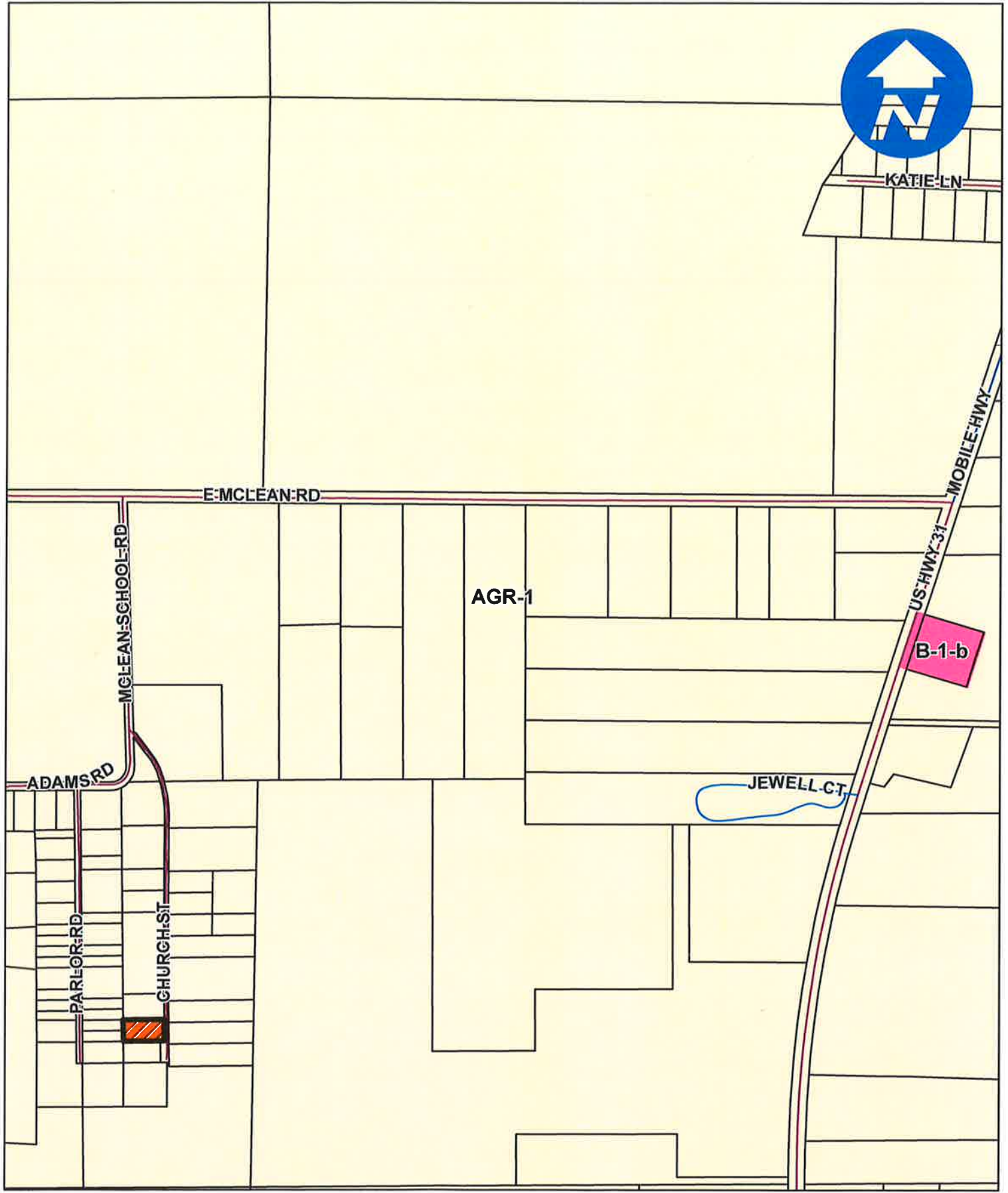
REPRESENTING: Same


SUBJECT: Request a special exception for a mobile home for living purposes, and front and side setback variances, located at 300 Church Street in an AGR-1 (Residential Agriculture) Zoning District.

REMARKS: This request is being made to give the petitioner permission to maintain a mobile home for living purposes. The mobile home is located 22.10 ft. from the front property line, whereas 50 ft. is required; and 20.68 ft. from the side property line, whereas 25 ft. is required.

The requests are a special exception for a mobile home, a 27.90 ft. front yard variance and a 4.32 ft. side yard variance.

COUNTY COMMISSION DISTRICT: 2



Site Location 

1 inch = 600 feet

Item No. 5A



Site Location

1 inch = 30 feet

Item No. 5B

6. BD-1998-169 **PRESENTED BY:** Barganier Davis Williams Architects

REPRESENTING: Helen Crump Wells

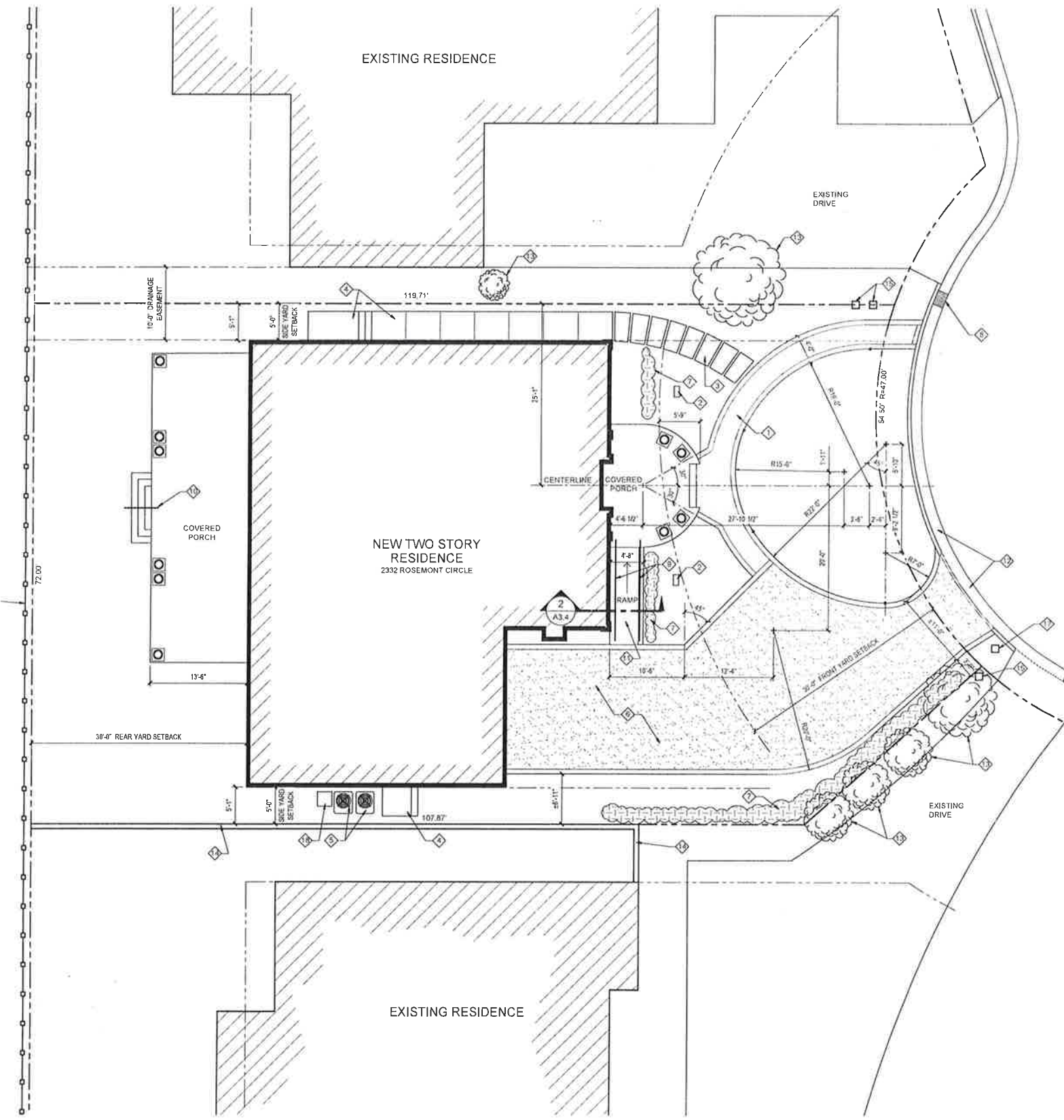
SUBJECT: Request a front yard variance and rear yard variance for a new dwelling to be located at 2332 Rosemont Circle in an R-65-s (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to construct a new dwelling that will come within 24 ft. 3 in. of the front property line and within 16 ft. 6 in. of the rear property line, whereas 30 ft. is required for both.

Land Use Division: On November 5, 1998 the Board of Adjustment approved a 3 ft. side yard variance for both side yards, to allow the dwelling to come within 5 ft. of the side property lines.

The requests are a 5 ft. 9 in. front yard variance and a 13 ft. 6 in. rear yard variance.

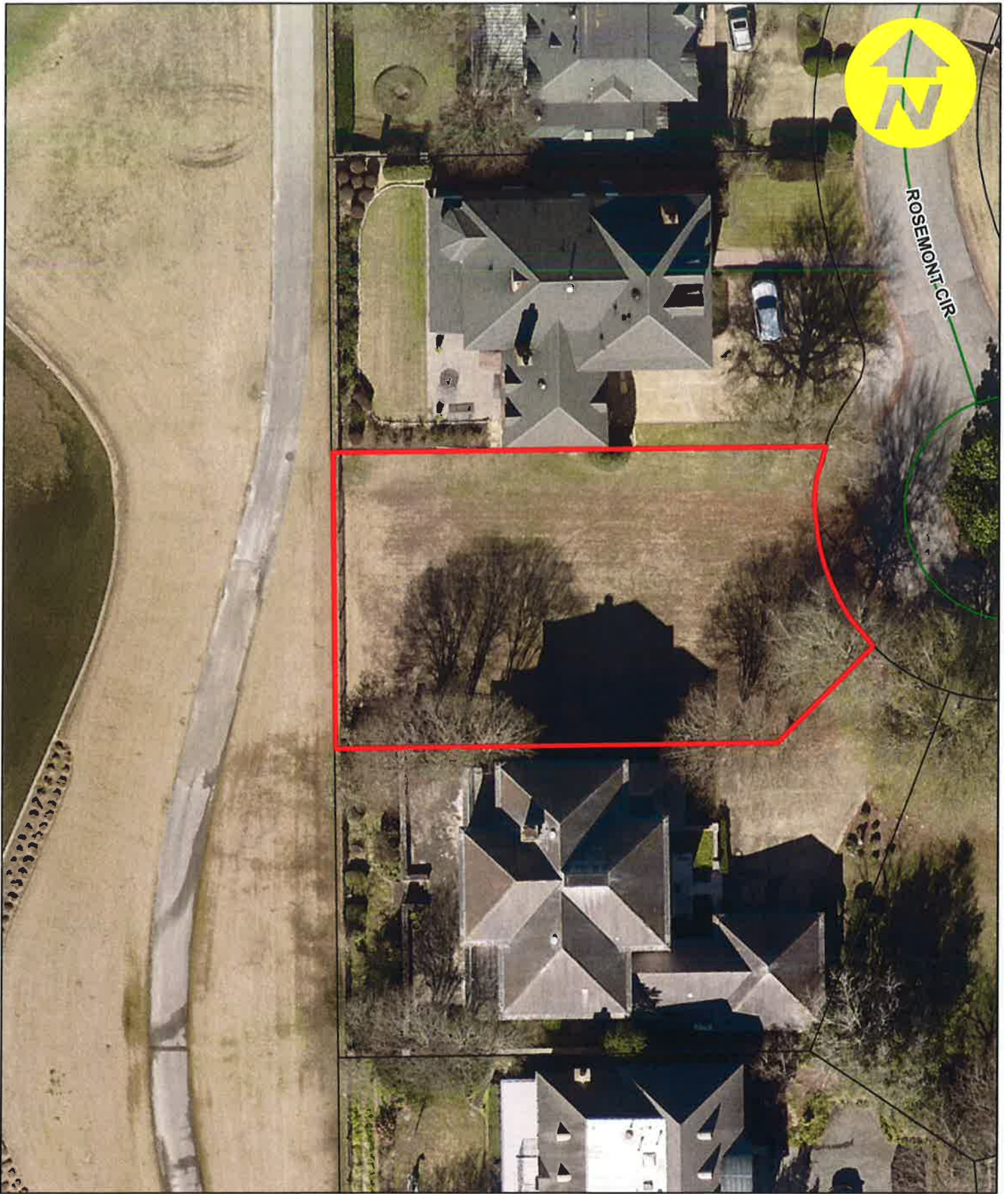
COUNCIL DISTRICT: 7





SITE PLAN
 SCALE: 1/8"=1'-0"

LB



ROSEMONT CIR

Site Location



1 inch = 30 feet

Item No. 100

7. BD-1972-123 **PRESENTED BY:** Crystal Johnson

REPRESENTING: Same

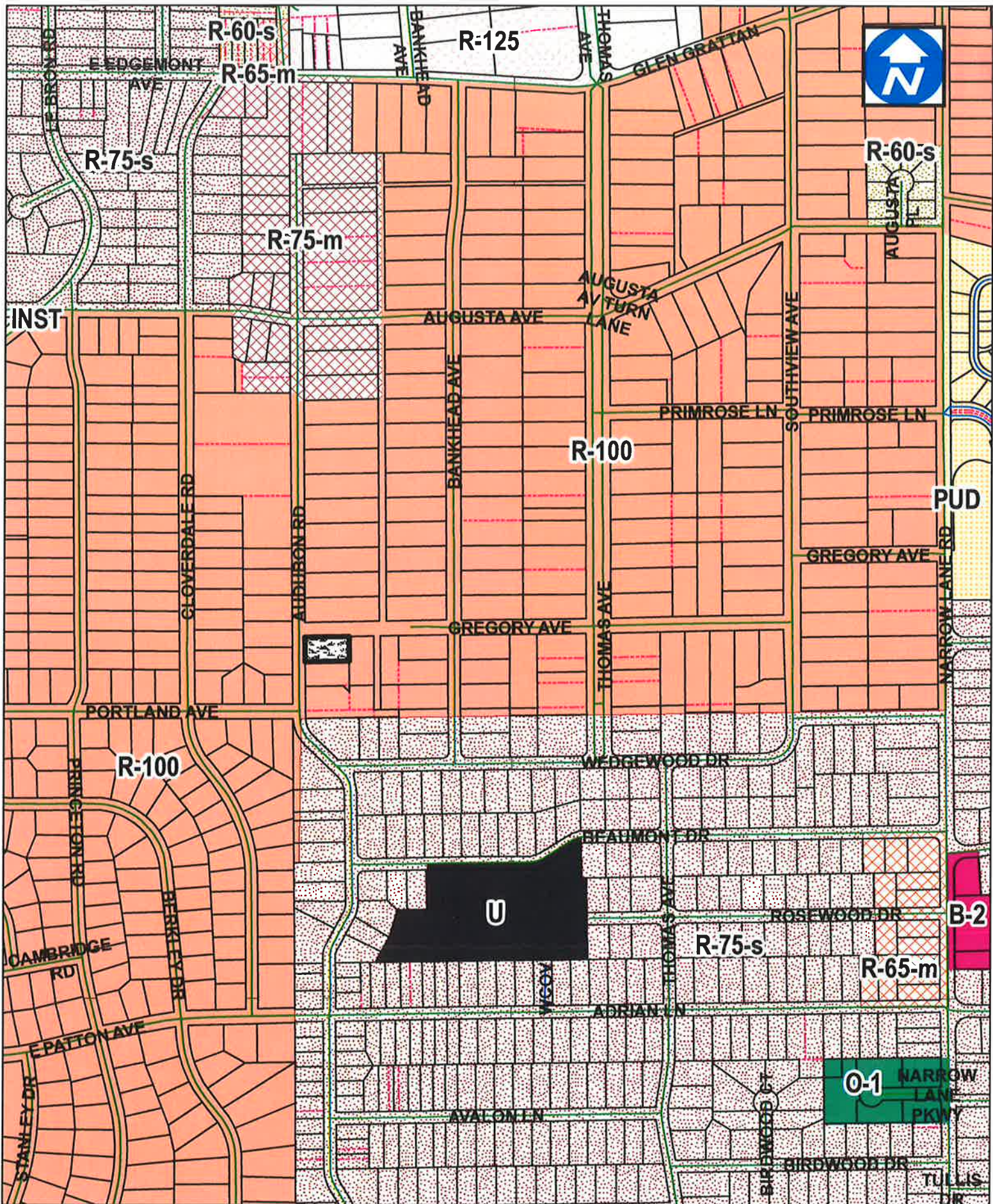
SUBJECT: Request a variance to the Flood Ordinance (Ord. 37-2005) for an existing dwelling located at 3601 Audubon Road in an R-100 (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to repair a dwelling damaged by fire. The dwelling was constructed at 204.4 ft. MSL (Mean Sea Level), whereas the base flood elevation is 204.0 MSL (FEMA) and the City requires 2 ft. above the base flood elevation which is 206.0 ft. MSL. The dwelling is 1.6 ft. below the City's requirement and 0.4 ft. above FEMA's requirement.

The request is a 1.6 ft. variance to the Flood Ordinance (Ord. 37-2005)

Land Use Division: The dwelling was constructed prior to the Flood Ordinance and exceeds the 50% rebuilding guidelines.

COUNCIL DISTRICT: 7



Site 

1 inch = 500 feet

Item 7A



Site Location

1 inch = 30 feet

Item No. 7B

8. BD-2021-041 **PRESENTED BY:** T & G Consulting Group

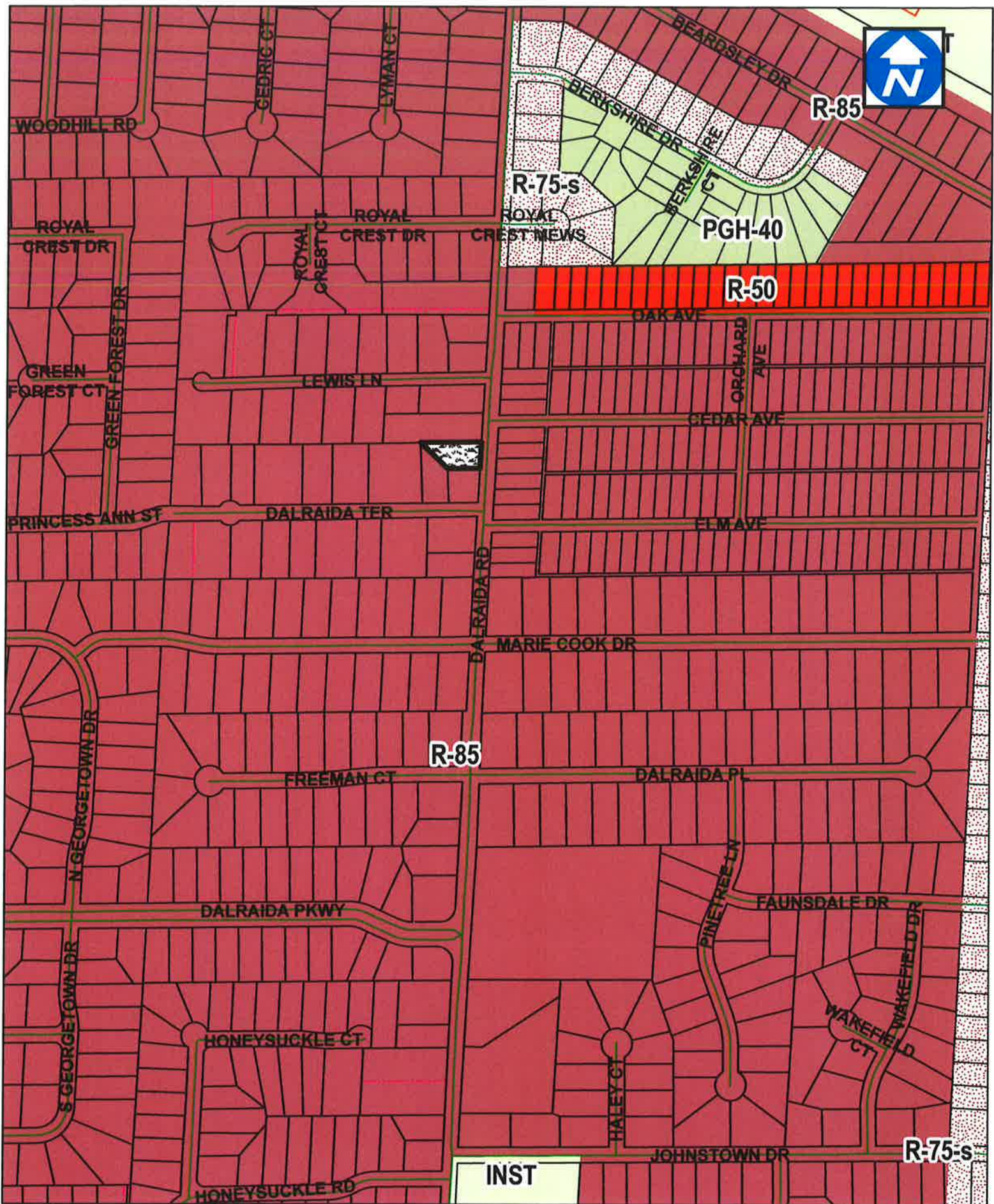
REPRESENTING: Javoil Peagler

SUBJECT: Request a rear yard variance for an addition to a dwelling located at 707 Dalraida Road in an R-85 (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to construct an addition to come within 10 ft. of the rear property line, whereas 30 ft. is required.

The request is a 20 ft. rear yard variance.

COUNCIL DISTRICT: 2

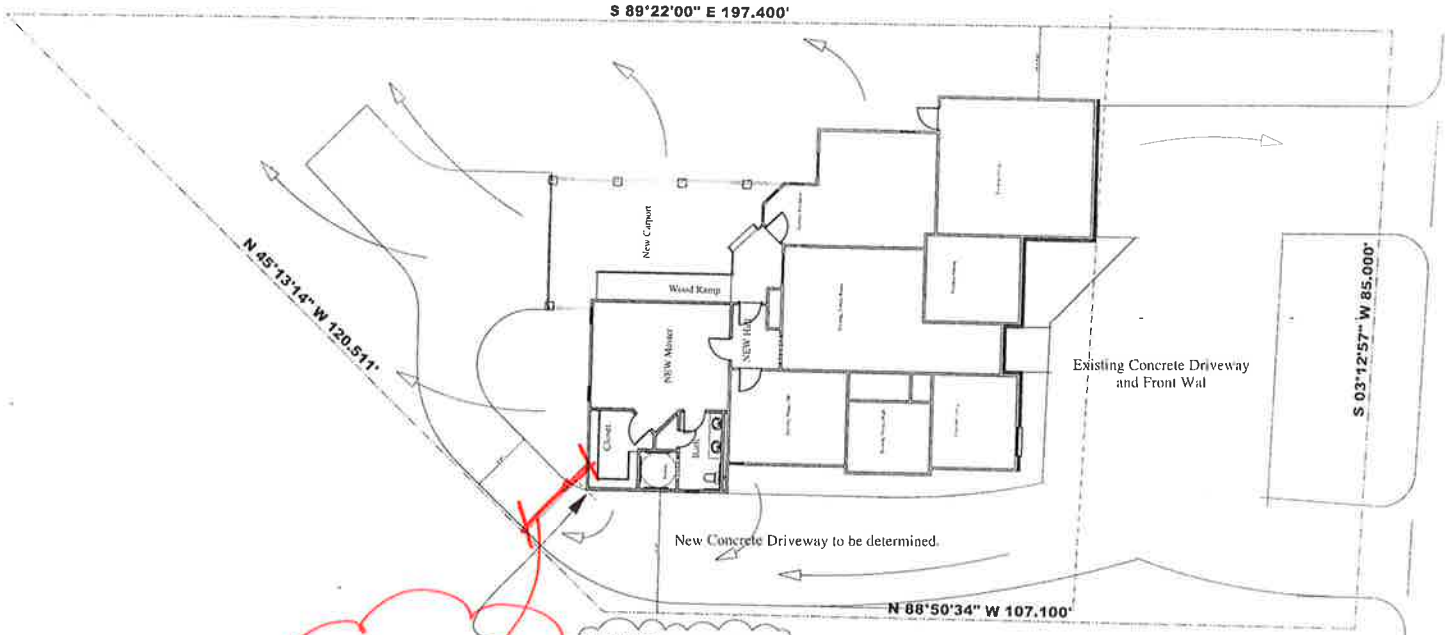


Site 

1 inch = 400 feet

Item 8A

C D E F G H I



10 ft. off property line

VARIANCE REQUESTED TO ALLOW 10' REAR BUILDING LINE AT THIS CORNER.

707 Daltraida Road



Site Plan
scale : 1/8"=1'-1"
707 Daltraida Ro
Montgomery, Alab

Lot Drainage type

Andy Bozeman plan #

SB



DALRAIDA RD



Site Location

1 inch = 30 feet

Item No. 8C

9. BD-2021-044 **PRESENTED BY:** Brandon S. Stoudenmier

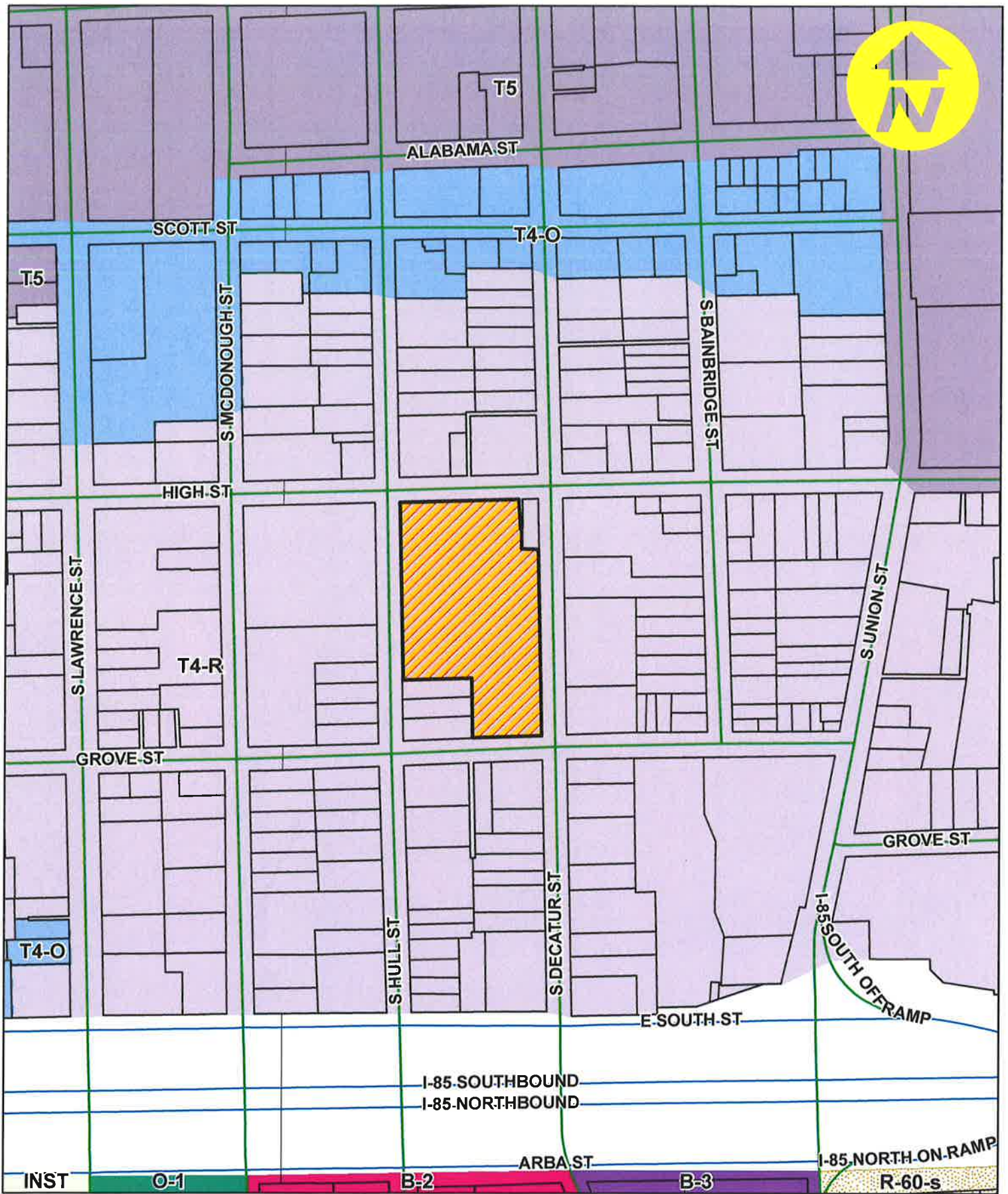
REPRESENTING: River Paws Pet Resort, LLC

SUBJECT: Request an exception to SmartCode for a veterinary clinic and kennel to be located at 538 South Decatur Street in a T4-R (General Urban Zone-Restricted) Zoning District.

REMARKS: This request is being made to give the petitioner permission to operate a veterinary clinic and kennel in an existing building. There will be no outside runs. The petitioner has stated that the insulation of the building should be adequate to contain the noise.

The request is an exception to SmartCode to allow a veterinary clinic and kennel.

COUNCIL DISTRICT: 3



Site Location 

1 inch = 300 feet

Item No. 9A



HIGH ST

Proposed Vet Clinic/Kennel

S DECATUR ST

GROVE ST

S HULL ST

Site Location 

1 inch = 100 feet

Item No. 9B