

Board of Adjustment Agenda

May 19, 2022 – 5:00 p.m.

Council Auditorium

City Hall, 103 N. Perry St.

BOARD OF ADJUSTMENT MEMBERS

John Stanley, *Chairman*

K. T. Brown, *Vice-Chairman*

Amerika Blair

Beau Holmes

George C. Howell, Jr.

Blake Markham

Bart Prince

Pickett Reese

Jennifer Shaw

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

I. Chairman's Message

II. Approval of Minutes from the April 21, 2022 meeting.

May 19, 2022

<u>Item</u>	<u>File</u>	<u>Petitioner</u>	<u>Zone</u>	<u>Location/Request</u>	<u>Page</u>
1.	2022-021	Shane & Melissa Heath	AGR-1	Mitchell Young Road (Mobile home)	1
2.	1969-125	Avis Love Lewis	R-100	1228 Federal Drive (Privacy fence)	2
3.	2021-025	Gloria McElroy-Taylor	B-4	2415 East South Blvd. (Unit S) (Church & outreach ministry)	3
4.	1993-281	Ryan Hawkins	B-5	1983 Coliseum Boulevard (Private school – classroom)	4
5.	2022-022	Ryan Hawkins	M-3	1440 Furnace Street (Private school – training & storage yard)	5
6.	2022-024	Pastor David Harris	M-1	410-A North Eastern Boulevard (Church)	6
7.	2022-023	Moses C. Carter	R-60-d	3123 Rane Drive (Privacy fence)	7
8.	1962-084	Drew Linn	M-1	1501 Maxwell Boulevard (Above ground fuel tanks)	8
9.	2022-025	Kenneth Kemper	R-100	3961 Hickory Drive (Accessory structures & RV storage)	9

The next Board of Adjustment meeting is on June 16, 2022

1. BD-2022-021 **PRESENTED BY:** Shane & Melissa Heath

REPRESENTING: Same

SUBJECT: Request a special exception to place a mobile home for living purposes on the west side of Mitchell Young Road, approximately 2,500 ft. north of Selma Highway, in an AGR-1 (Residential Agriculture) Zoning District.

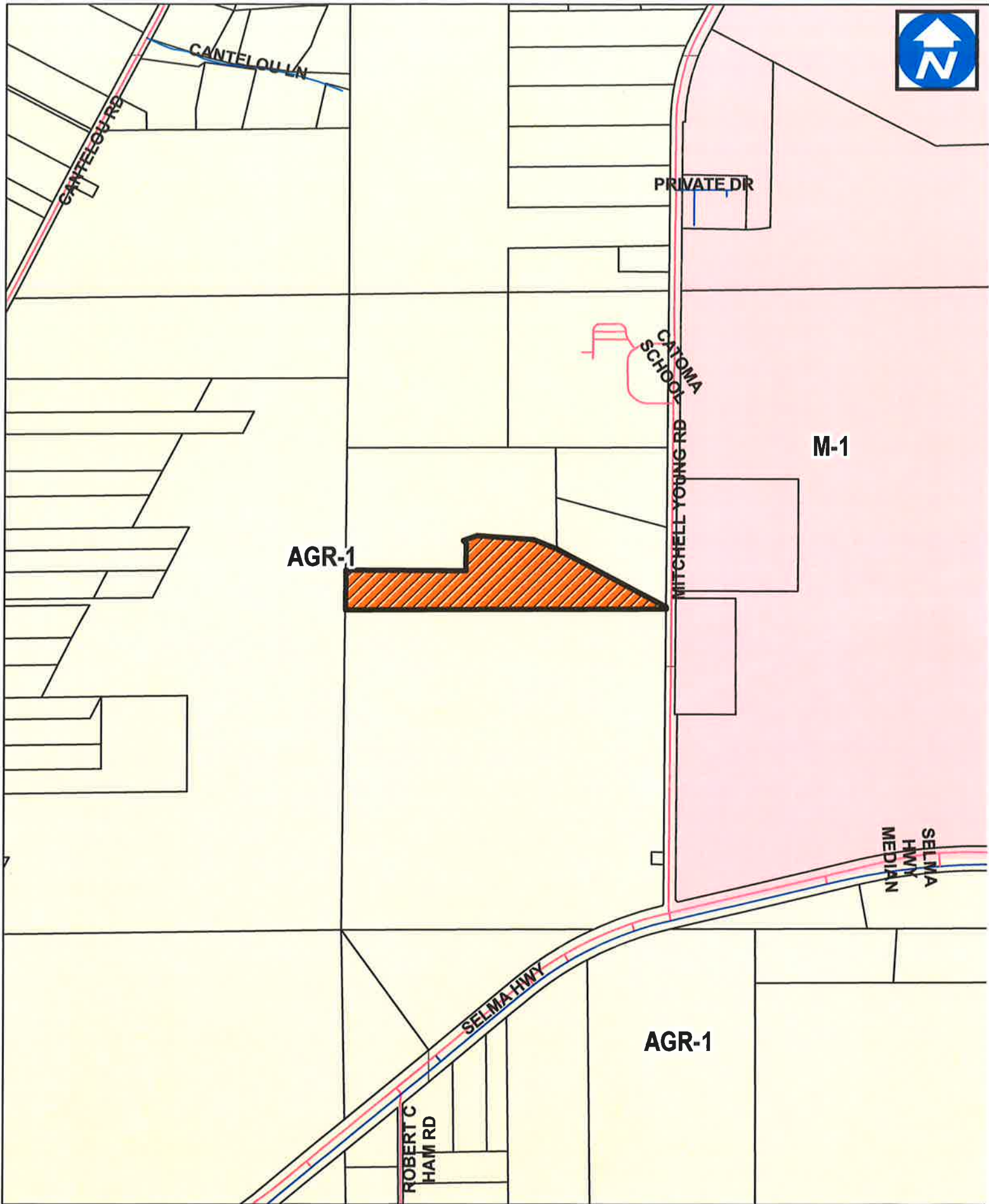
REMARKS: This request is being made to give the petitioner permission to place a mobile home on a 22 acre parcel. The mobile home is approximately 2,400 sq. ft. and will be on a permanent foundation. The mobile home will be placed approximately 1,000 ft. off of Mitchell Young Road.

This request was delayed at the April 21st meeting so that the Inspections Department can determine whether this is a manufactured or modular home.

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

COUNCIL DISTRICT: Police Jurisdiction

COUNTY COMMISSION: 2



Site 

1 inch = 1,000 feet

Item 1A



Site 

1 inch = 300 feet

Item 1B

2. BD-1969-125 **PRESENTED BY:** Avis Love Lewis

REPRESENTING: Same

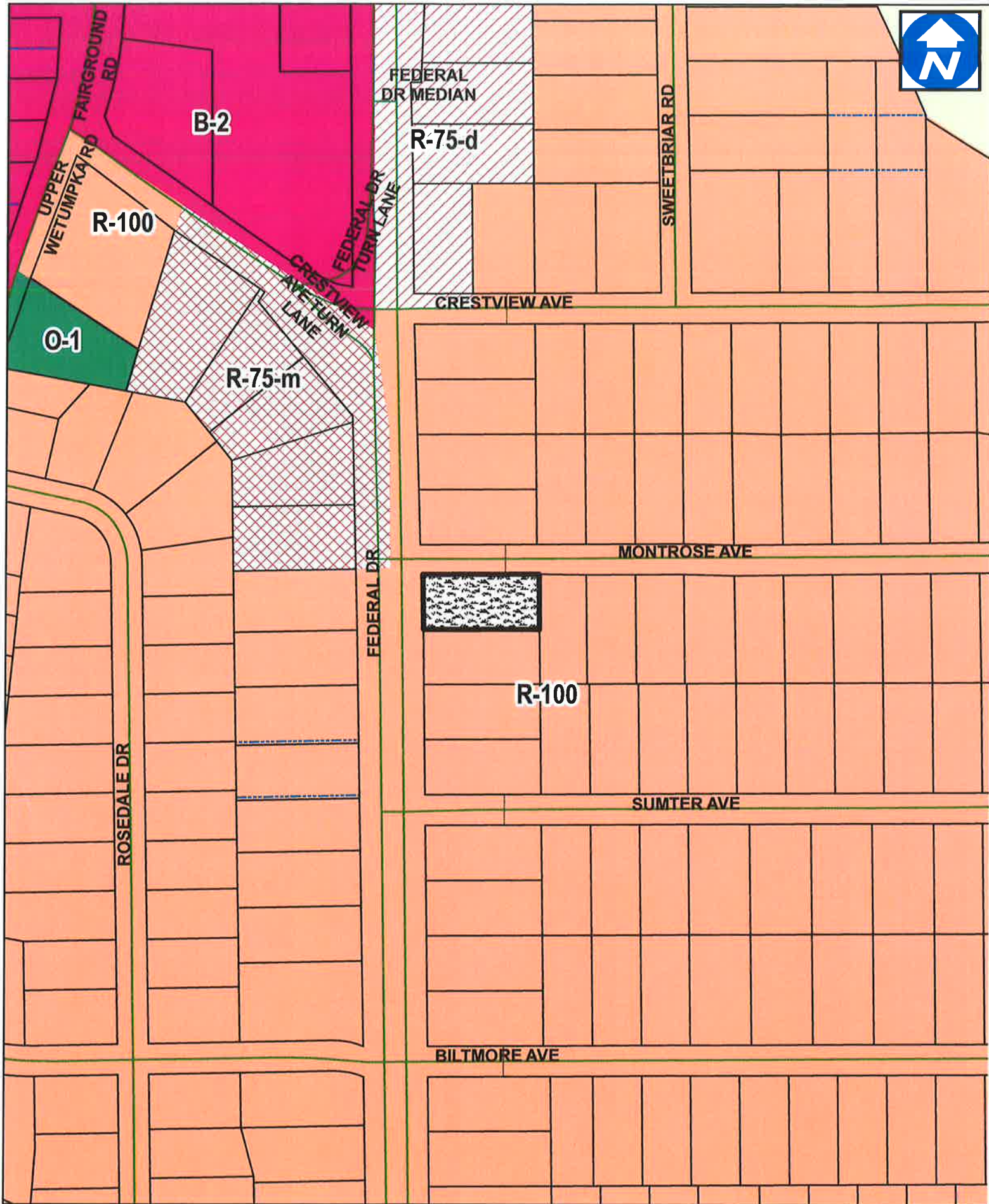
SUBJECT: Request a height variance, front yard variance and street side yard variance for a new privacy fence to be located at 1228 Federal Drive in an R-100 (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to construct a 7 ft. privacy fence, whereas 3 ft. is allowed. The proposed fence will come within 10 ft. of the front property line (Federal Drive) and to the street side yard property line (Montrose Avenue), whereas a 35 ft. is required for both.

On October 17, 2019 the Board of Adjustment approved a 7 ft. privacy fence on the south property line to come within 10 ft. of the front property line.

The requests are a 4 ft. height variance, 25 ft. front yard variance (Federal Drive) a 35 ft. street side yard variance (Montrose Avenue).

COUNCIL DISTRICT: 2



Site 

1 inch = 200 feet

Item 2A



Site 

1 inch = 40 feet

Item 2B

3. BD-2021-025 **PRESENTED BY:** Gloria McElroy-Taylor

REPRESENTING: Charity Bible Ministries

SUBJECT: Request a special exception for a church and outreach ministry to be located in a multi-tenant building located at 2415 East South Boulevard, Unit S, in a B-4 (Commercial) Zoning District.

REMARKS: This request is being made to give the petitioner permission to use Unit S for church and outreach ministry as follows:

Sunday school: 9:30 a.m. – 10:30 a.m.

Worship service: 11:00 a.m. – 1:00 p.m.

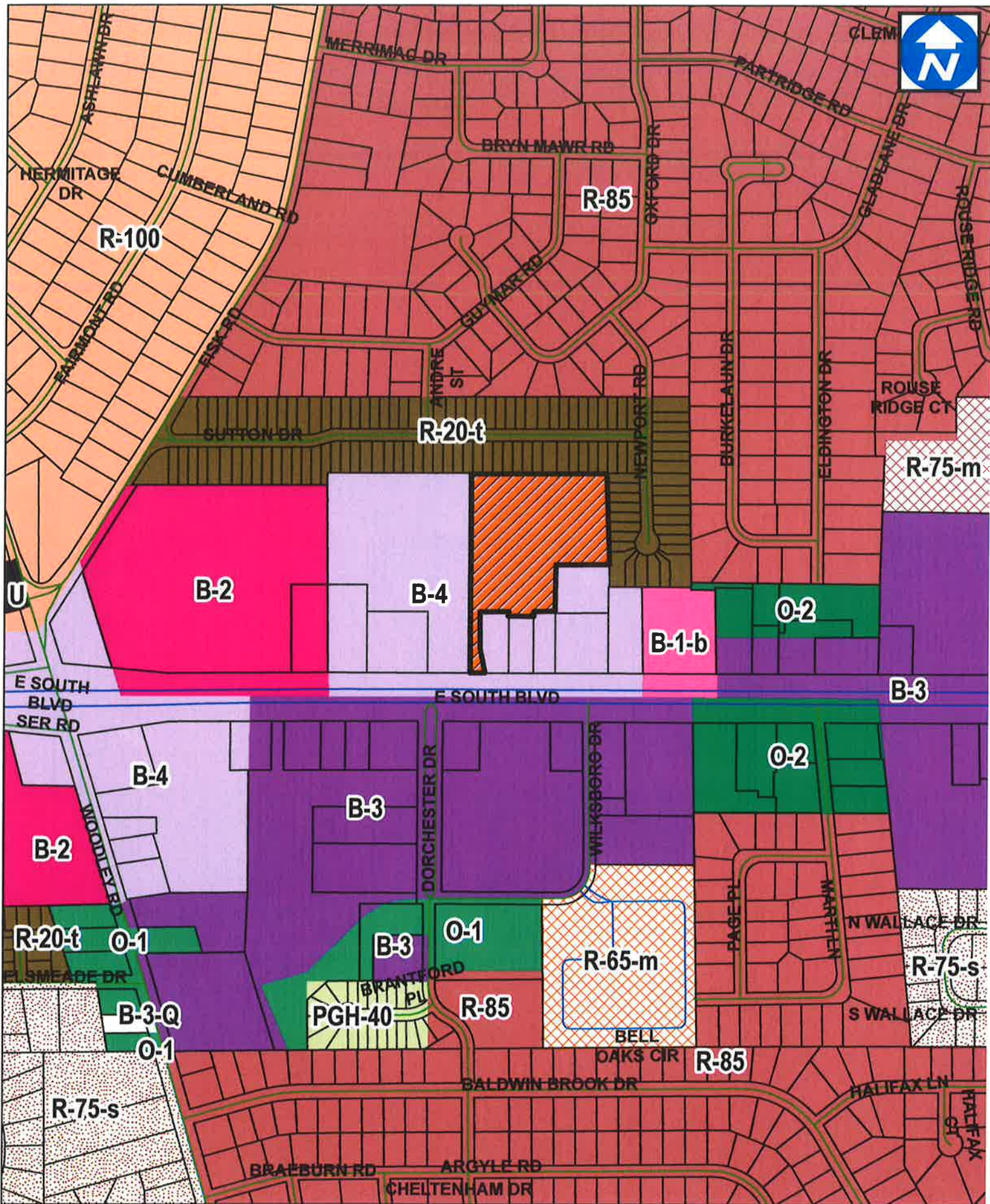
Bible study: 3:00 p.m. – 4:00 p.m. (Saturday).

Summer enrichment: 8:00 a.m. – 12:00 p.m.

Continual help for the homeless on a larger scale

The request is a special exception for church use.

COUNCIL DISTRICT: 5



Site 

1 inch = 500 feet

Item 3A



Site 

1 inch = 100 feet
Item 3B

4. BD-1993-281 **PRESENTED BY:** Ryan Hawkins

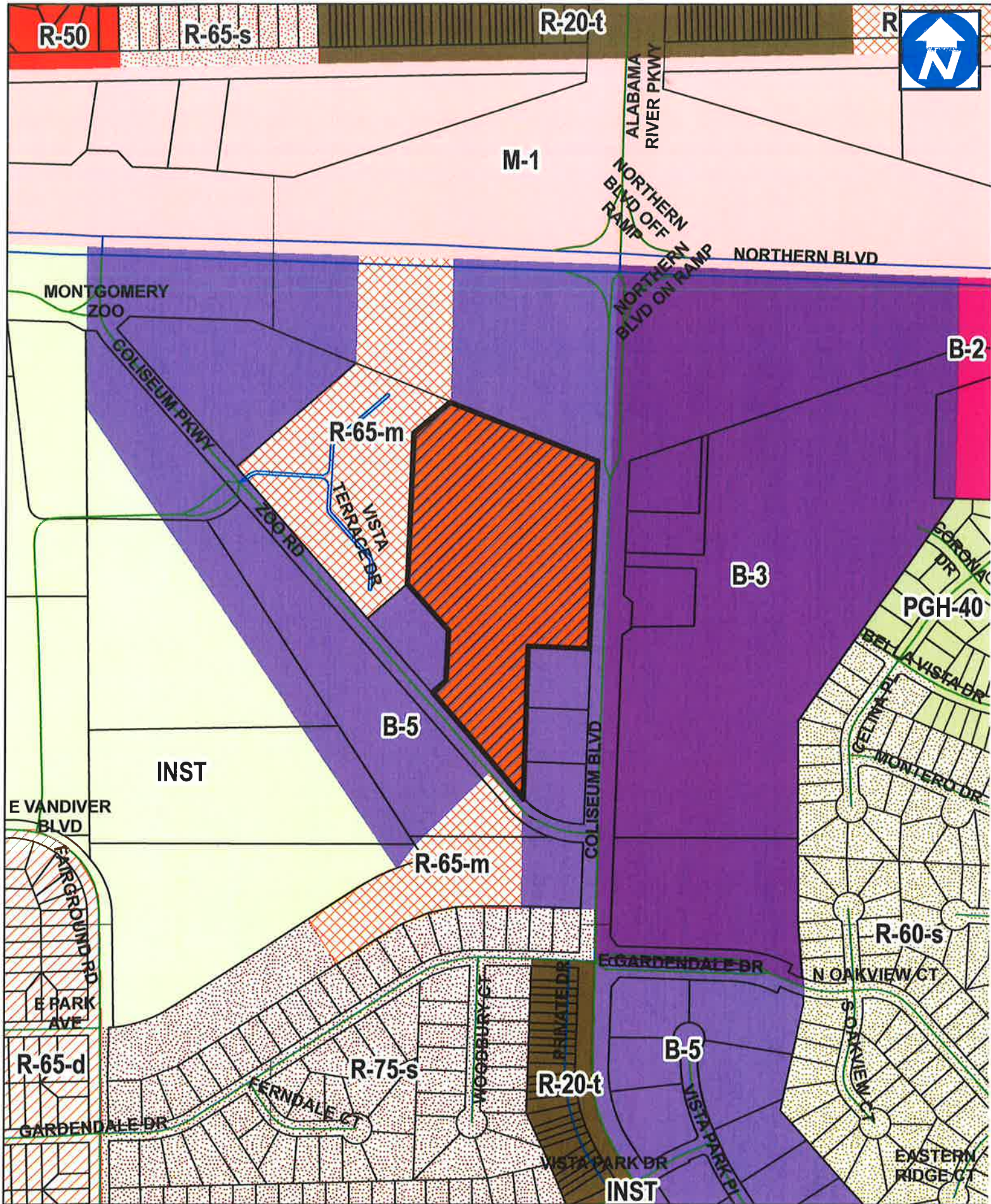
REPRESENTING: Midstate Driving Academy

SUBJECT: Request a special exception for a private school to be located in a multi-tenant building located at 1983 Coliseum Boulevard in a B-5 (Commercial) Zoning District.

REMARKS: This request is being made to give the petitioner permission to operate a truck driving school (classroom only). There will be no trucks kept on this site (see next item for truck training and storage). Classroom hours will be Monday – Friday: 9:00 a.m. – 9:00 p.m. 10 students per month on an on-going basis. Classes will be offered in-person and virtual.

The request is a special exception for a private school (truck driving school).

COUNCIL DISTRICT: 2



Site 

1 inch = 400 feet
 Item 4A



Proposed truck driving school (classroom)

Site 

1 inch = 200 feet

Item 4B

5. BD-2022-022 **PRESENTED BY:** Ryan Hawkins

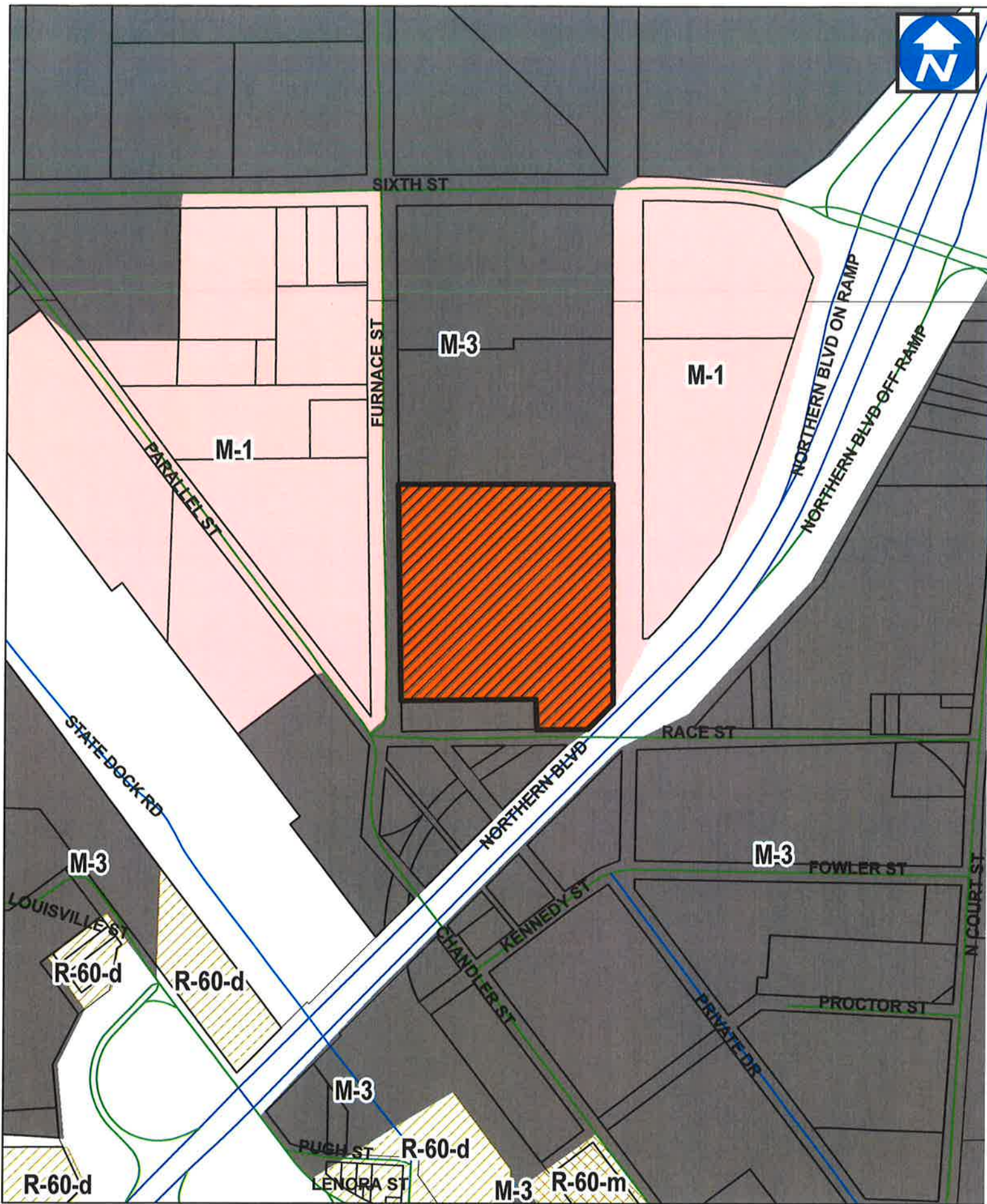
REPRESENTING: Midstate Driving Academy

SUBJECT: Request a special exception for a private school to be located at 1440 Furnace Street in an M-3 (General Industrial) Zoning District.

REMARKS: This request is being made to give the petitioner permission to operate a truck driver training yard and storage yard.

The request is a special exception for a private school (truck driver training and storage yard).

COUNCIL DISTRICT: 3



Site 

1 inch = 400 feet
Item 5A



Site 

1 inch = 200 feet

Item 5B

6. BD-2022-024 **PRESENTED BY:** Pastor David Harris

REPRESENTING: Abundant Life Church.

SUBJECT: Request a special exception for a church to be located in a multi-tenant building located at 410-A North Eastern Boulevard in an M-1 (Light Industrial) Zoning District.

REMARKS: This request is being made to give the petitioner permission to use Unit A for church use as follows. There are approximately 20 members, which require 4 parking spaces. A letter from the property management company is on file designating 10 parking spaces to the church.

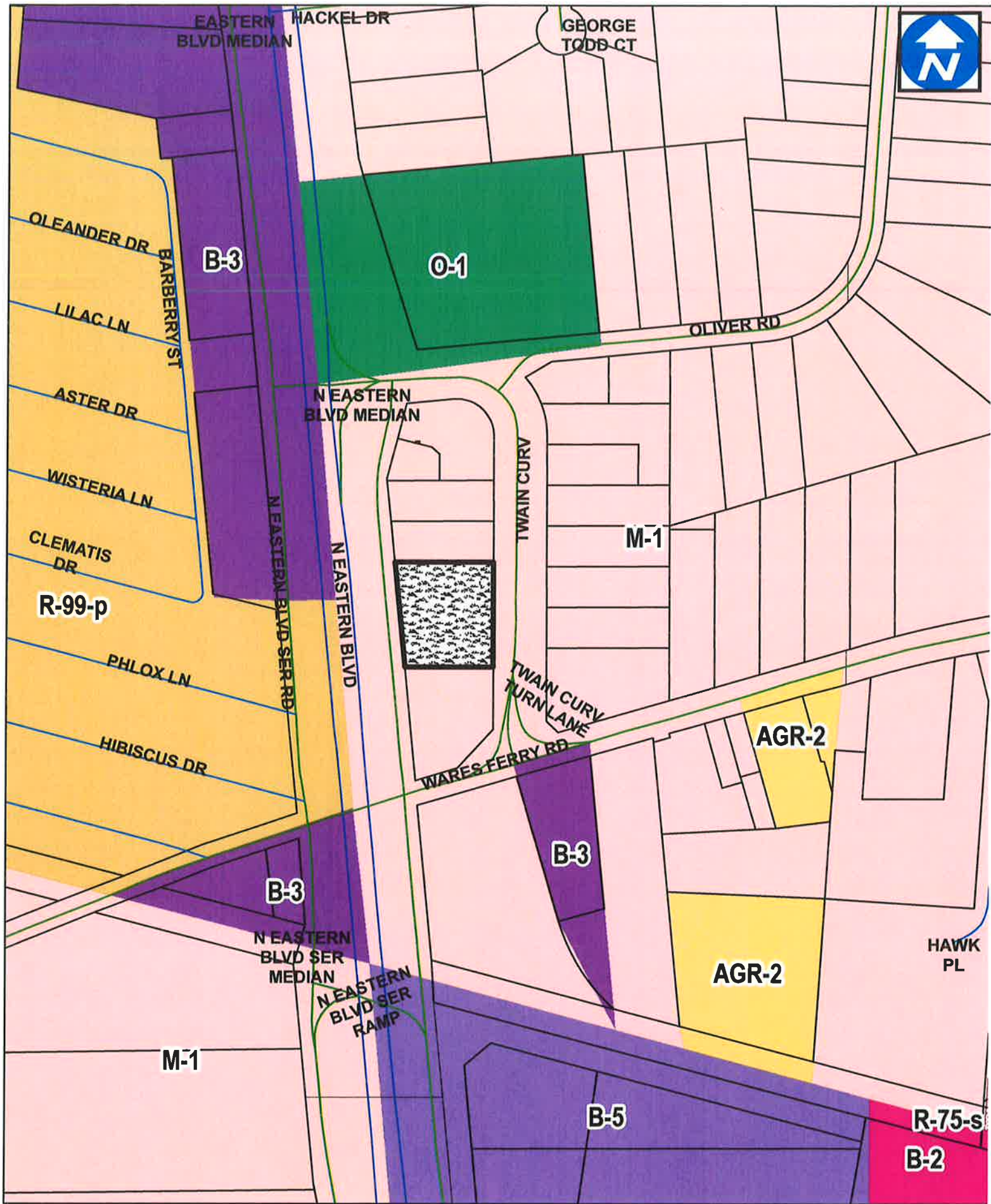
Service Hours

Sunday: 10:30 a.m.

Thursday: 7:00 p.m.

The request is a special exception for church use.

COUNCIL DISTRICT: 2



Site 

1 inch = 300 feet

Item 6A



Proposed church

Site 

1 inch = 100 feet

Item WB

7. BD-2022-023 **PRESENTED BY:** Moses C. Carter

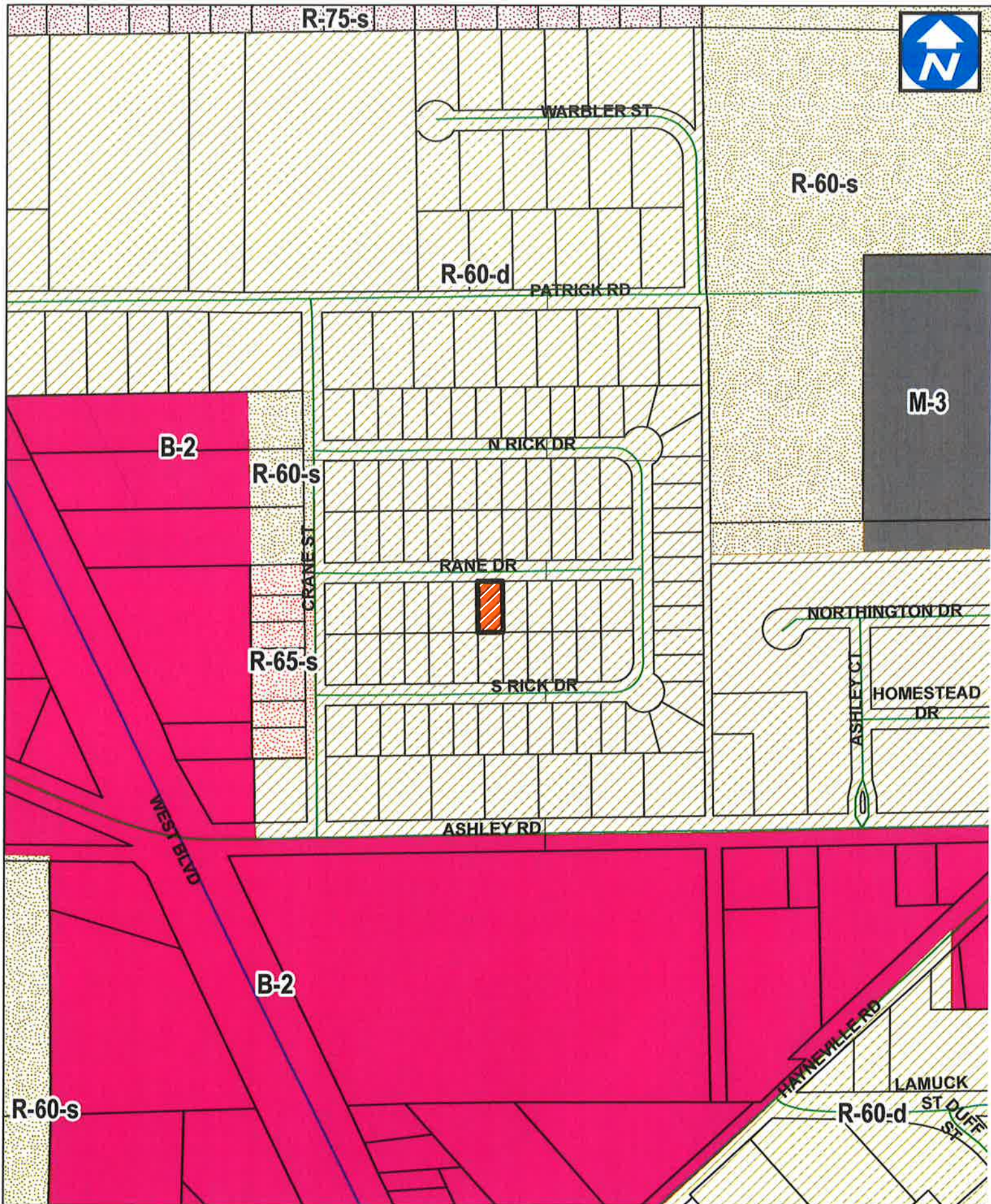
REPRESENTING: Same

SUBJECT: Request a height variance and front yard variance for a privacy fence located at 3123 Rane Drive in an R-60-d (Duplex Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to maintain a 6 ft. high privacy fence that tapers down to 4 ft., whereas 3 ft. is allowed. The fence comes to the front property line on both the east and west property lines, whereas a 20 ft. front yard is required

The variances requested are a 3 ft. height variance and a 20 ft. front yard variance.

CITY COUNCIL DISTRICT: 4



Site 

1 inch = 300 feet

Item 7A



RANE DR

Existing fences



Site

1 inch = 30 feet

Item 7B

8. BD-1962-084 **PRESENTED BY:** Drew Linn

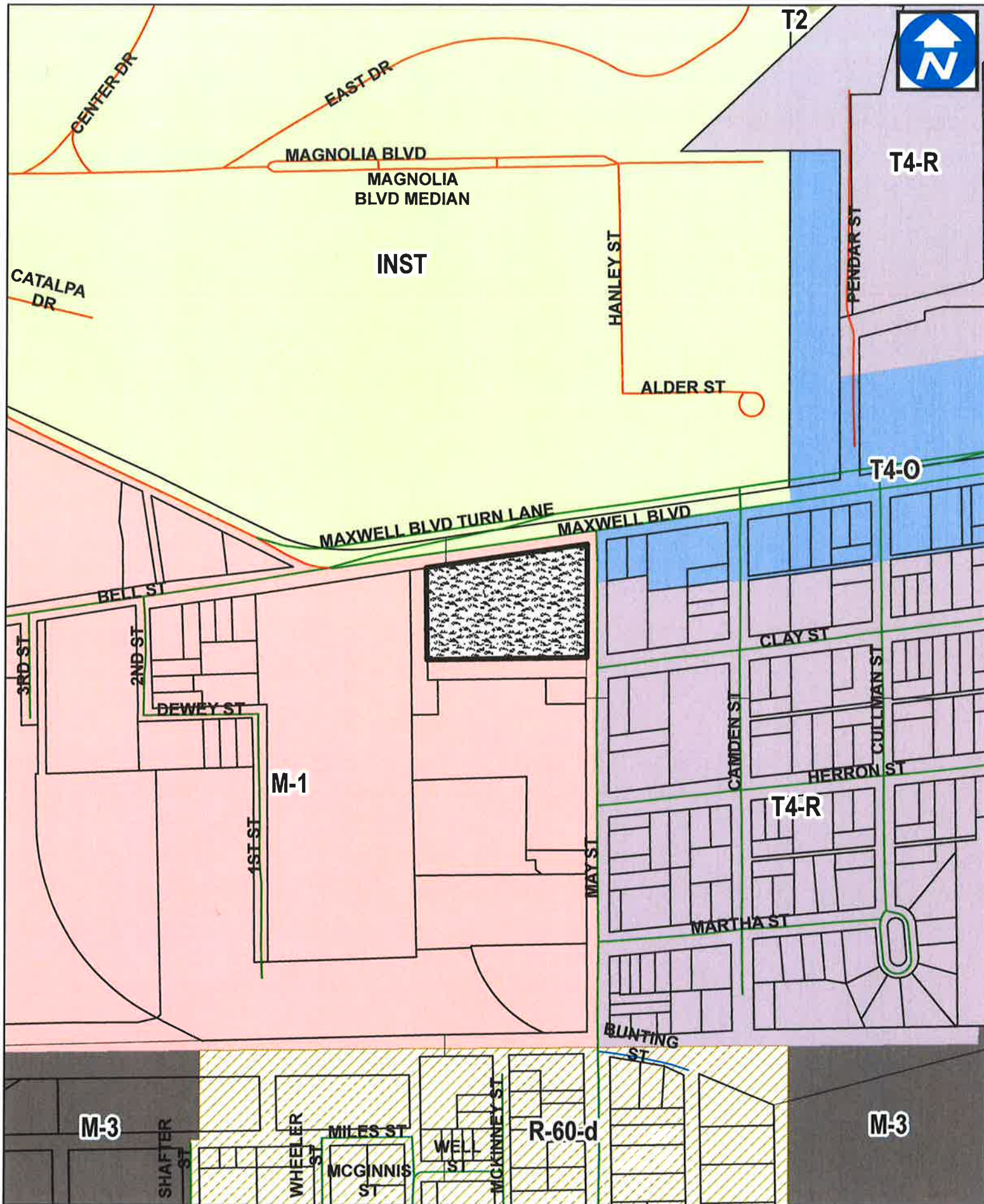
REPRESENTING: Southland Transport Group

SUBJECT: Request a special exception for an above ground fuel storage tank to be located at 1501 Maxwell Boulevard in an M-1 (Light Industrial) Zoning District.

REMARKS: This request is being made to give the petitioner permission to place a 10,000 gallon above ground fuel storage tank, whereas a tank in excess of 500 gallons is permitted on appeal.

The request is a special exception for a 10,000 gallon above ground fuel storage tank.

COUNCIL DISTRICT: 2



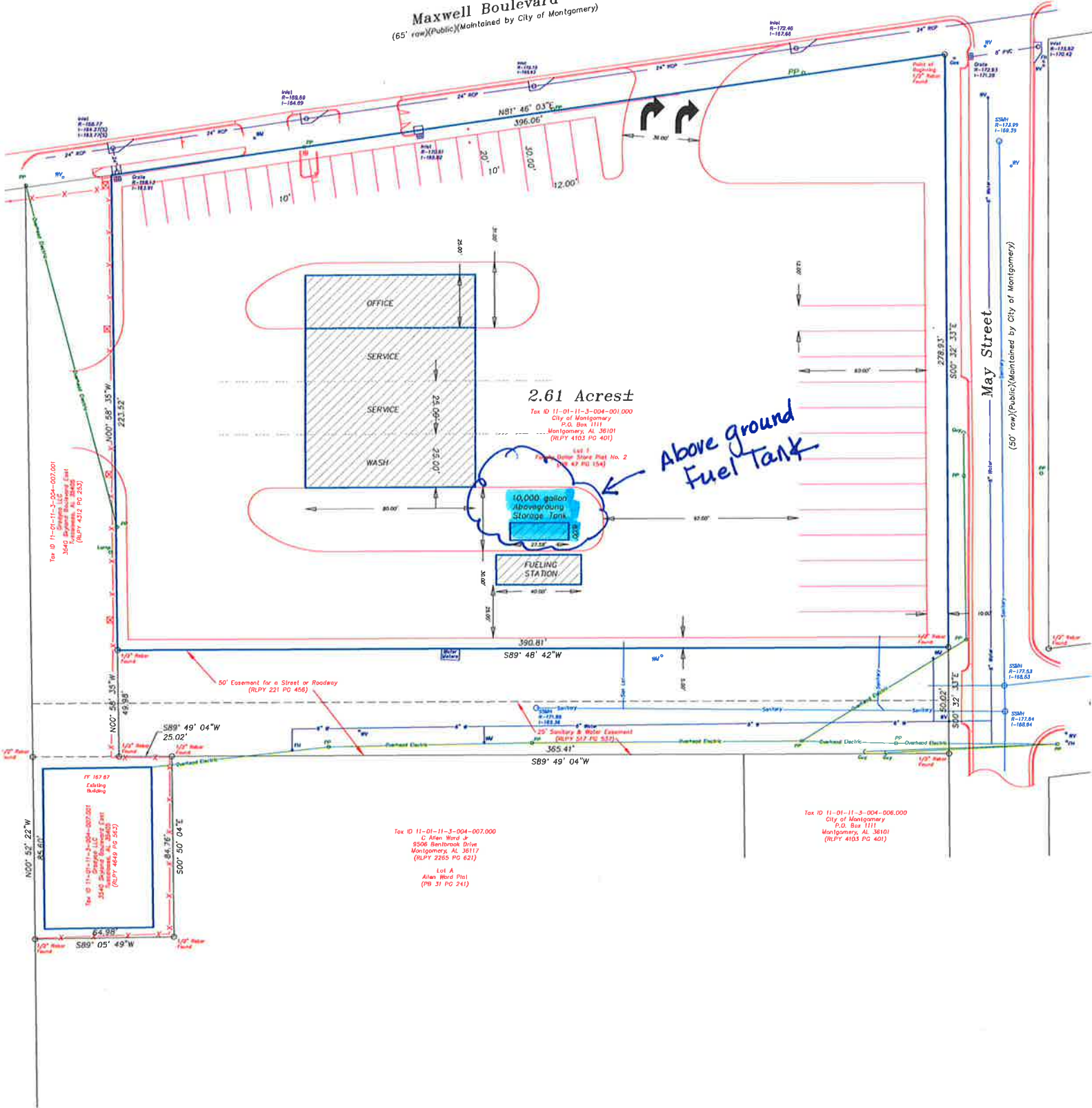
Site 

1 inch = 300 feet

Item 8A

4
N

Maxwell Boulevard
(65' row)(Public)(Maintained by City of Montgomery)



2.61 Acres±

Tax ID 11-01-11-3-004-001.000
City of Montgomery
P.O. Box 1111
Montgomery, AL 36101
(RLPY 4103 PG 401)

*Above ground
Fuel Tank*

10,000 gallon
Aboveground
Storage Tank

FUELING
STATION

May Street
(50' row)(Public)(Maintained by City of Montgomery)

Tax ID 11-01-11-3-004-007.000
D. Allen Ward &
3506 Bankers Drive
Montgomery, AL 36117
(RLPY 2265 PG 621)
Lot A
Allen Ward Plat
(PB 31 PG 241)

Tax ID 11-01-11-3-004-008.000
City of Montgomery
P.O. Box 1111
Montgomery, AL 36101
(RLPY 4103 PG 401)

8C



Site 

1 inch = 200 feet

Item 8D

9. BD-2022-025 **PRESENTED BY:** Kenneth Kemper

REPRESENTING: Same

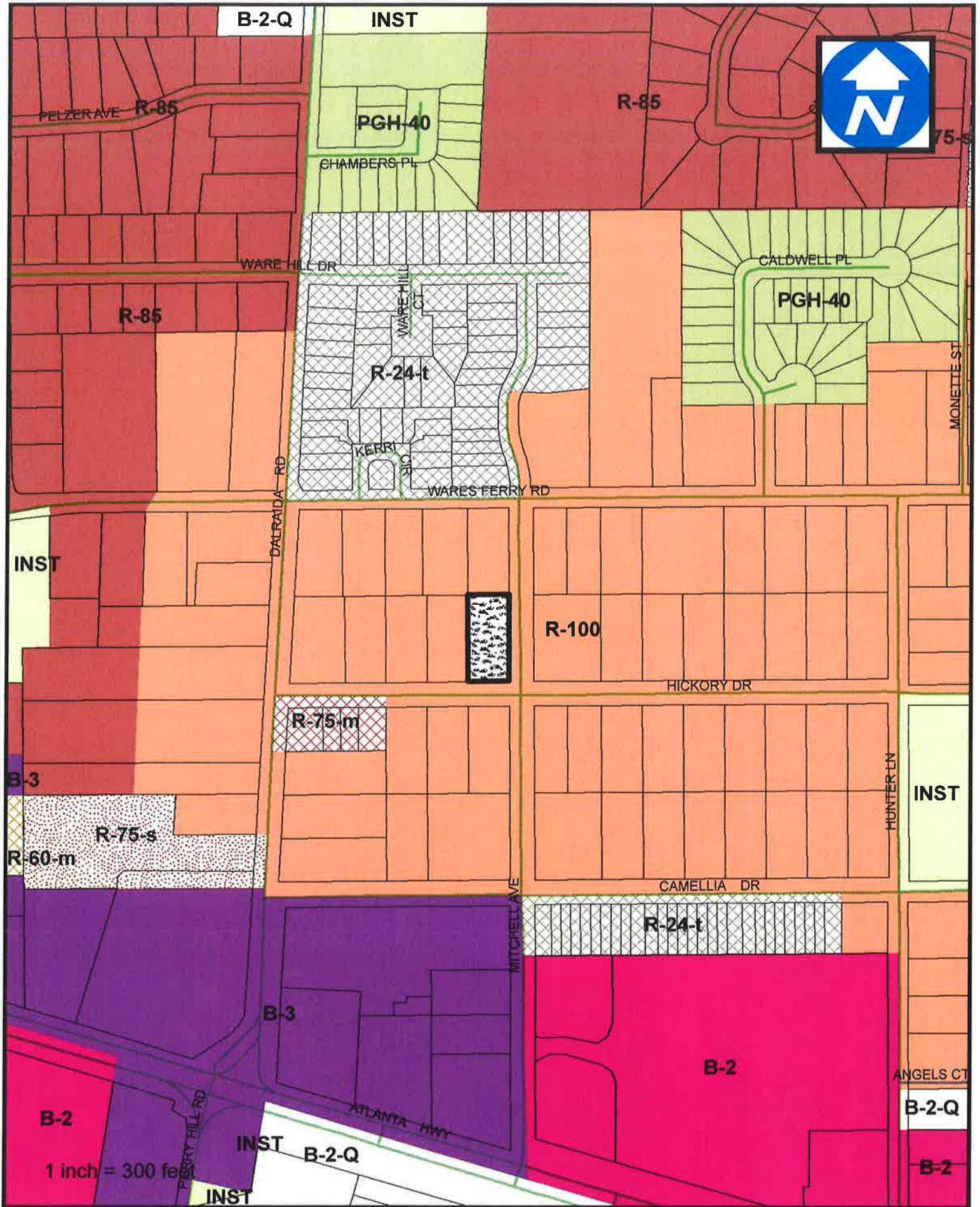
SUBJECT: Request a coverage variance and a separation between structures variance for new accessory structures, and storage of a recreational vehicle located at 3961 Hickory Drive in an R-100 (Single Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to construct two (2) additional accessory structures (detached carports). There are two (2) existing accessory structures totaling 650 sq. ft. The two (2) new detached carports total 925 sq. ft. (A: 35 ft. x 15 ft. & B: 20 ft. x 20 ft.) for a total coverage of 1,575 sq. ft., whereas 900 sq. ft. is allowed. Structure 'A' has been constructed (without a permit) and meets setback and separation requirements. Structure 'B' is proposed to be constructed within 1 ft. of the main dwelling, whereas 10 ft. separation is required.

Staff Comment(s): Dating back to October 2021, our office received a complaint of the RV being parked in the driveway in front of the house. The owner called our office and we explained what the Zoning regulations are for storing an RV on the property. Mr. Kemper complied by moving the RV to the rear yard and covering it with a soft cover. Recently, Mr. Kemper has installed a hard cover carport specifically for RV.

The request if a 675 sq. ft. coverage variance and a 9 ft. separation between structures variance.

CITY COUNCIL DISTRICT: 1



Site 

1 inch = 300 feet
Item QA



Site

1 inch = 50 feet
Item 9B

3961 Hickory Drive

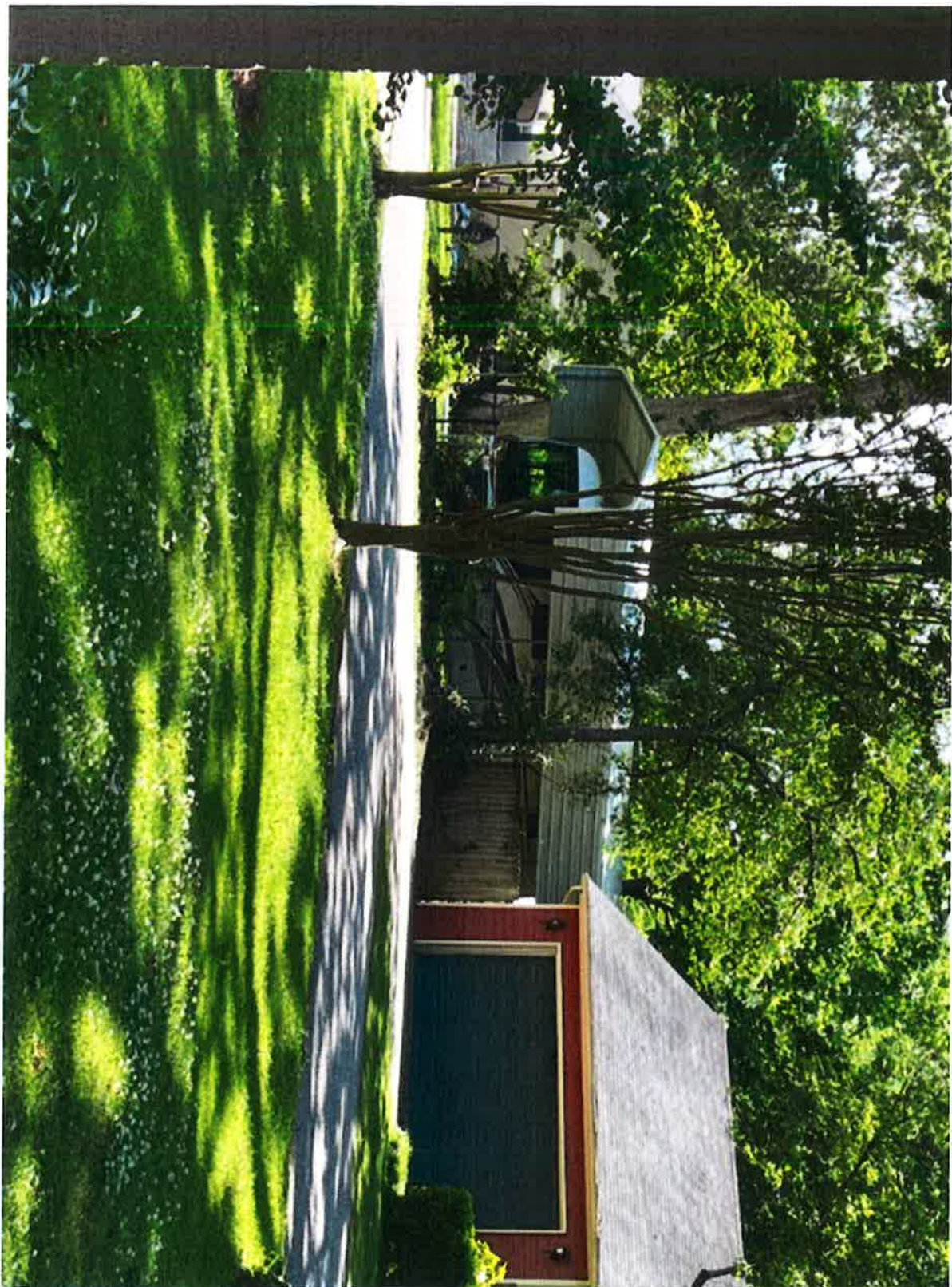
Old cover over RV



Old cover over RV

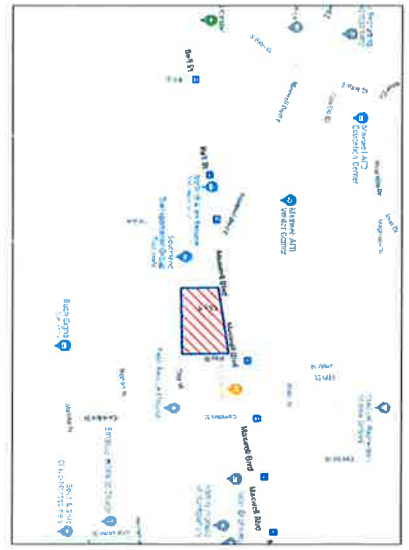
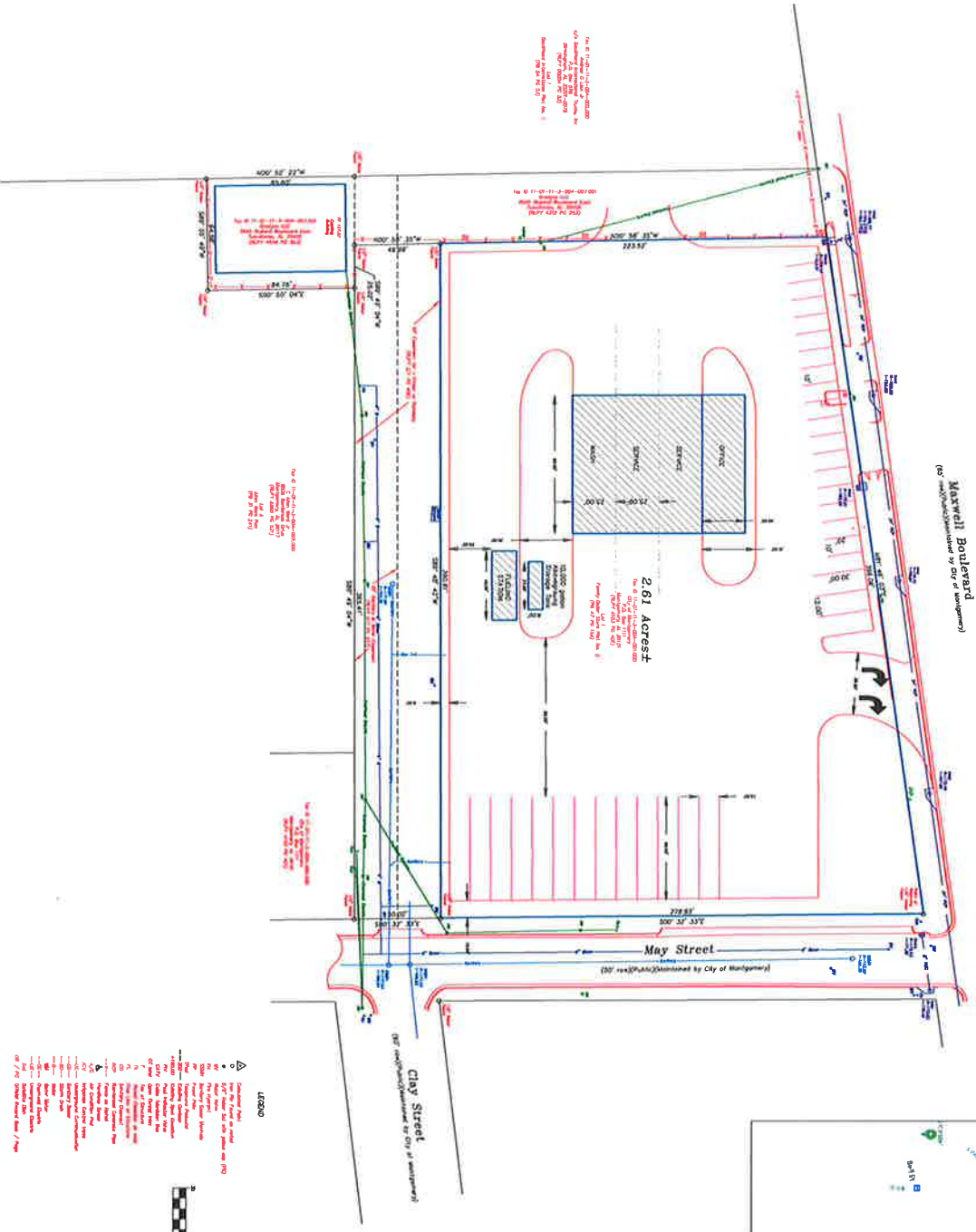


New cover over RV



New cover over RV





- LEGEND**
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NO.	DATE	DESCRIPTION	BY

SHEET TITLE
Preliminary Site Plan
 Project:
 Southland International
 1501 Maxwell Boulevard
 Montgomery, Alabama 36104

PBE PILGREEN ENGINEERING, INC.
 1301 S.W. 15th Street, Suite 300
 Ft. Lauderdale, FL 33304
 Phone: (954) 775-8899 Fax: (954) 774-8818
 Email: info@pilgreen.com

DESIGNED BY: JMB
 DRAWN BY: MJB
 DATE: 8 Mar 2022 SCALE: 1" = 30'
 CHECKED BY: MJB
 PLOTTED: 22-001
 email: info@pilgreen.com SHEET 2 of 1