

Board of Adjustment Agenda

July 21, 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 June 16, 2022 meeting.

July 21, 2022

| <u>Item</u> | <u>File</u> | <u>Petitioner</u> | <u>Zone</u> | <u>Location/Request</u> | <u>Page</u> |
|-------------|-------------|-----------------------------|-------------|--|-------------|
| 1. | 2000-148 | Bill Wilson, P.E. | B-2/M-1 | 5705 Troy Highway (ID Sign) | 1 |
| 2. | 2022-040 | Flowers & White Engineering | PUD | 7146 Fain Park Loop (New dwelling) | 2 |
| 3. | 2022-032 | Andy Puerta | R-65-d | 317 Chisholm Street (Privacy fence) | 3 |
| 4. | 2022-033 | Reginald Jenkins | R-75-s | 3425 Woodpark Drive (Access structures) | 4 |
| 5. | 2011-013 | Roosevelt Hardy | R-50 | 16 Kenilworth Street (Accessory structures) | 5 |
| 6. | 2022-034 | Don Greer | FH | 1787 Greer Farm Drive (Mobile home) | 6 |
| 7. | 1996-120 | Charles & Kathy Liles | R-85 | 2468 Capstone Drive (Accessory structures) | 7 |
| 8. | 2022-035 | Johnnie R. Johnson Jr. | R-75-s | 667 Mary Ann Drive (Privacy fence) | 8 |
| 9. | 2022-037 | Daniel Builders, LLC | PUD | 8830 Birchfield Place (New dwelling) | 9 |
| 10. | 2022-036 | ReConnect Worship Assembly | B-2 | 1024 Monticello Park (Church) | 10 |
| 11. | 2022-038 | Kameesha Lewis | AGR-1 | 230 Cillie Lane (Mobile home) | 11 |
| 12. | 2022-039 | Kelly Hernandez | R-75-s | 420 East Ogden Avenue (Chickens) | 12 |

The next Board of Adjustment meeting is on August 18, 2022

1. BD-2000-148 **PRESENTED BY:** Bill Wilson, P.E.

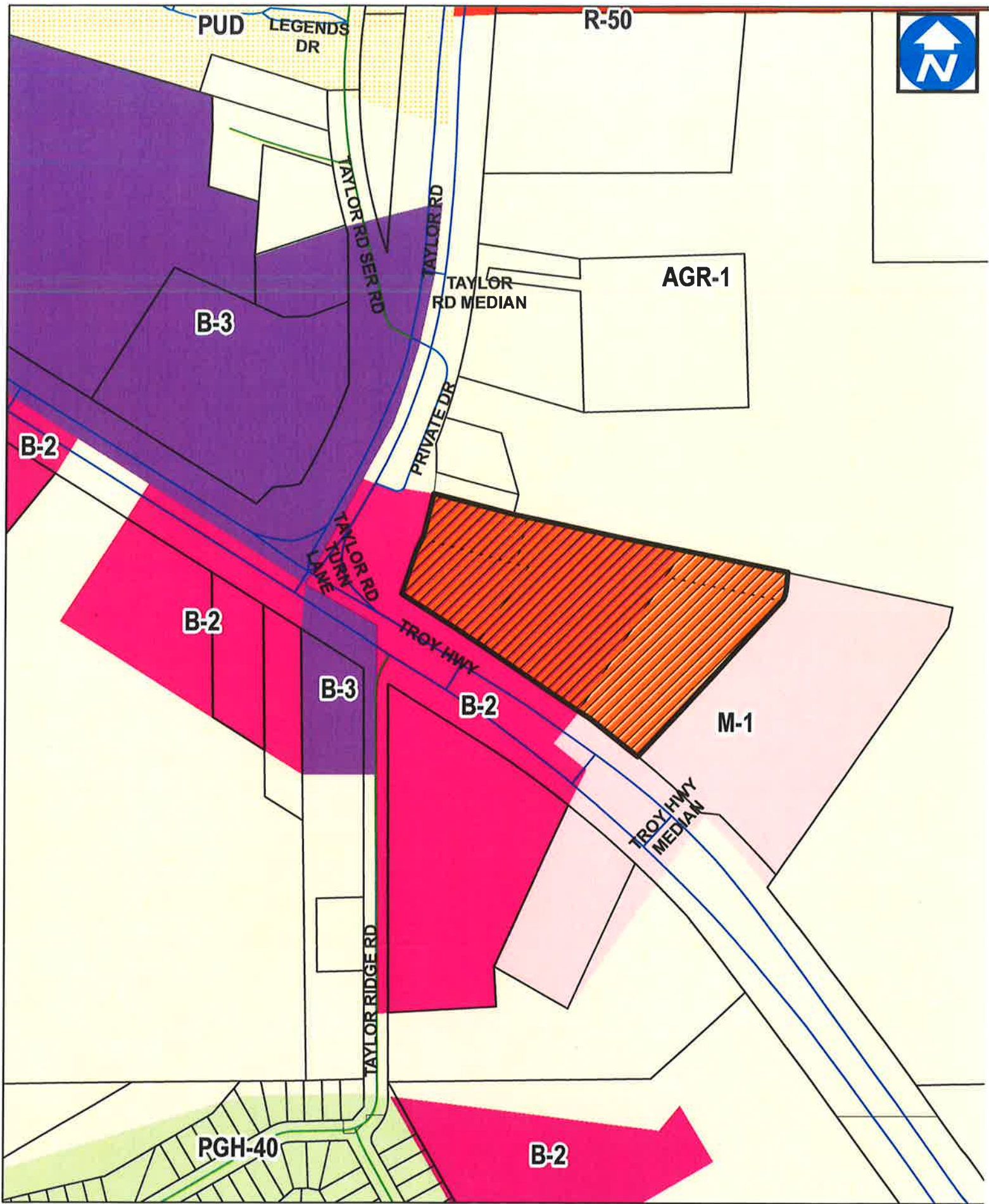
REPRESENTING: RaceTrac, Inc.

SUBJECT: Request setback variances for new ID signs to be located at 5705 Troy Highway in B-2 (Commercial) and M-1 (Light Industrial) Zoning Districts.

REMARKS: This request is being made to give the petitioner permission to construct two (2) new pylon signs that will come to the Troy Highway property line and the Taylor Road property line, whereas 10 ft. is required for both. Both signs will be 45 ft. in height which complies with zoning. There is at least 100 ft. of right-of-way from the property line to the edge of pavement of Taylor Road, and at least 40 ft. of right-of-way from the property line to the edge of pavement of Troy Highway.

The request is a 10 ft. setback variance for two (2) new ID signs.

COUNCIL DISTRICT: 8



Site 

1 inch = 300 feet

Item 1A

Taylor Rd.



Troy Hwy.



CONTACT RACETRAC PETROLEUM INC. PROJECT MANAGER PRIOR TO ANY REVISIONS TO THE PLAN SUPPLIED BY RACETRAC PETROLEUM, INC.

| <p>0 20 40 80</p> | | <p>SITE DESIGN NOTES:</p> <ol style="list-style-type: none"> 1. ALL UTILITIES SHALL BE DEPTH TO 4 FT. 2. ALL UTILITIES SHALL BE DEPTH TO 4 FT. 3. ALL UTILITIES SHALL BE DEPTH TO 4 FT. 4. ALL UTILITIES SHALL BE DEPTH TO 4 FT. 5. ALL UTILITIES SHALL BE DEPTH TO 4 FT. 6. ALL UTILITIES SHALL BE DEPTH TO 4 FT. 7. ALL UTILITIES SHALL BE DEPTH TO 4 FT. 8. ALL UTILITIES SHALL BE DEPTH TO 4 FT. 9. ALL UTILITIES SHALL BE DEPTH TO 4 FT. 10. ALL UTILITIES SHALL BE DEPTH TO 4 FT. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|----------------|--|----------------|-------|--------|--------|--|---------|--------|--|---------|--------|--|-------------|--------|--|-------|--------|--|--|----------|-------------|-------|--------------------|------|--|---------------|------|--|----------|------|--|---------|------|--|-------|------|--|
| <p>LAND USE SUMMARY (ON SITE)</p> <table border="1"> <tr> <th>Category</th> <th>Area (sq. ft.)</th> <th>Notes</th> </tr> <tr> <td>Office</td> <td>10,000</td> <td></td> </tr> <tr> <td>Storage</td> <td>20,000</td> <td></td> </tr> <tr> <td>Parking</td> <td>50,000</td> <td></td> </tr> <tr> <td>Truck Scale</td> <td>10,000</td> <td></td> </tr> <tr> <td>Other</td> <td>10,000</td> <td></td> </tr> </table> | | Category | Area (sq. ft.) | Notes | Office | 10,000 | | Storage | 20,000 | | Parking | 50,000 | | Truck Scale | 10,000 | | Other | 10,000 | | <p>SITE DESIGN STANDARDS</p> <table border="1"> <tr> <th>Standard</th> <th>Requirement</th> <th>Notes</th> </tr> <tr> <td>Building Footprint</td> <td>100%</td> <td></td> </tr> <tr> <td>Site Coverage</td> <td>100%</td> <td></td> </tr> <tr> <td>Lot Area</td> <td>100%</td> <td></td> </tr> <tr> <td>Setback</td> <td>100%</td> <td></td> </tr> <tr> <td>Other</td> <td>100%</td> <td></td> </tr> </table> | Standard | Requirement | Notes | Building Footprint | 100% | | Site Coverage | 100% | | Lot Area | 100% | | Setback | 100% | | Other | 100% | |
| Category | Area (sq. ft.) | Notes | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Office | 10,000 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Storage | 20,000 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Parking | 50,000 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Truck Scale | 10,000 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Other | 10,000 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Standard | Requirement | Notes | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Building Footprint | 100% | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Site Coverage | 100% | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Lot Area | 100% | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Setback | 100% | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Other | 100% | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

Know what's below.
Call before you dig.

| | | | | |
|--|---|---|------------|-------------|
| <p>SITE PLAN</p> <p>RT 1578 - TROY HWY</p> <p>TROY HWY @ TAYLOR RD MONTGOMERY, AL MONTGOMERY COUNTY</p> | <p>RACETRAC PETROLEUM INC 200 GALLERIA PARKWAY SE SUITE 900 ATLANTA GA 30339 (770) 431-1600</p> | <p>THESE PLANS ARE SUBJECT TO FEDERAL COPYRIGHT LAWS. ANY USE OF SAME WITHOUT THE EXPRESSED WRITTEN PERMISSION OF RACETRAC PETROLEUM, INC. IS PROHIBITED.</p> | <p>NO.</p> | <p>DATE</p> |
|--|---|---|------------|-------------|

300 SqFt Price Sign - (2) 61" LED - N1/N2

VARIANCE REQUIRED

*All sign components to be UL listed. All wiring to conform to UL specifications. Installation to be per NEC requirements. All signs to bear UL labels.

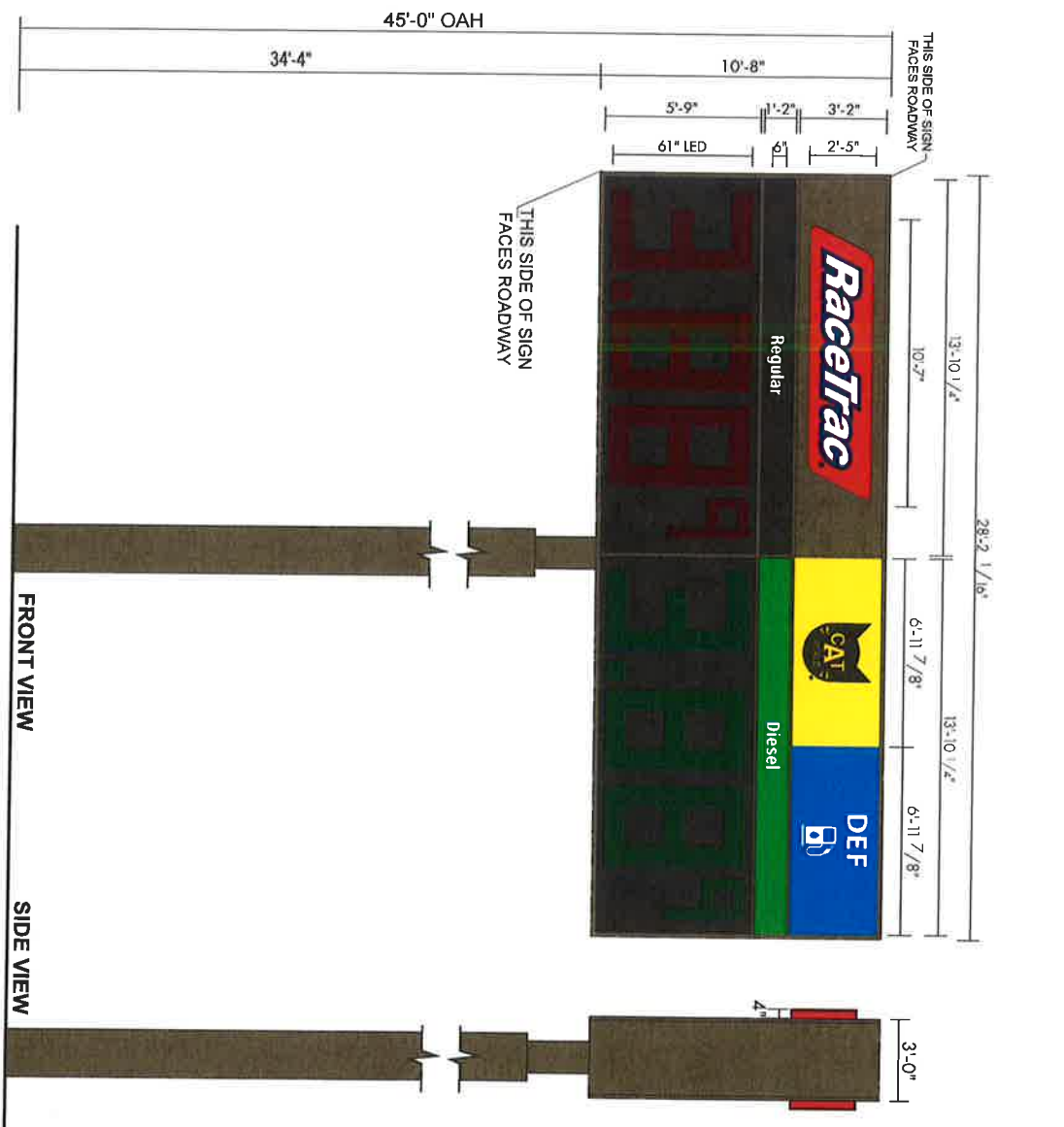
STAMPED, SEALED ENGINEERING REQUIRED

FOUNDATION INFORMATION PROVIDED BY RACETRAC. MANUFACTURER RESPONSIBLE FOR HAVING A LICENSED ENGINEER VALIDATE FOUNDATION DESIGN PRIOR TO INSTALL

DOUBLE FACED

QUANTITY 2

ALL FUEL GRADE PANELS TO BE ACCESSIBLE FROM TOP OF SIGN



Sloan Sign Box 3
LED Interior Illumination

Specifications:

Sign Faces:

- Logo panel: Aluminum panel painted Bronze C3 with parallelogram mounted to the surface. Parallelogram to be channel letter-type construction with .177" thick Polycarbonate face panels with 2nd surface applied translucent vinyl graphics. Parallelogram copy to be digital print provided by Miratec Systems with red background with blue area of logo graphic also printed. Cabinet and trim cap to be painted Red C1.
- Regular Unleaded Product Panel: Solar Grade Polycarbonate; Background to be 1st surface applied opaque vinyl Black C6; "Regular" to be show-through white.
- Diesel Product Panel: Solar Grade Polycarbonate; Background to be 1st surface applied translucent vinyl Green C7; "Diesel" to be show-through white.

Interior Illumination: Sloan Sign Box 3 LED Interior Illumination powered by low voltage power supplies. This is behind fuel grade panels, only.
Sign Frame: 2" x 2" x .25" steel tube with .063 aluminum cladding painted Bronze C3.
Extruded aluminum 1-1/2" wide Divider Bars installed to retain sign panels. Face dividers and retainer to be painted painted Bronze C3.
Sign Support: Internal steel pipe support to be welded to steel saddle bracket at top and bottom of sign frame.
External steel sign support to meet building and local sign codes. Size of steel and footing as required per site requirements.
TRAVEL CENTER: 1/8" white acrylic push thru letters

5725 Troy Highway
Montgomery, AL 36116



See Color Schedule on Page 2

GENERAL NOTE: ALL WORK SHALL BE IN ACCORDANCE WITH RECOGNIZED INDUSTRY STANDARDS. MANUFACTURER'S RECOMMENDATIONS AND ALL APPLICABLE STATE AND LOCAL CODES. NO SUBSTITUTIONS ALLOWED.



Site 

1 inch = 200 feet

Item ID

2. BD-2022-040 **PRESENTED BY:** Flowers & White Engineering

REPRESENTING: Providence Partners LLC

SUBJECT: Request a rear yard variance for a dwelling to be located at 7146 Fain Park Loop in a PUD (Planned Unit Development) Zoning District.

REMARKS: This request is being made to give the petitioner permission to construct a new dwelling that comes within 7.8 ft. of the rear property line, whereas a 15 ft. is required.

The variance requested is a 7.2 ft. rear yard variance.

COUNCIL DISTRICT: 9



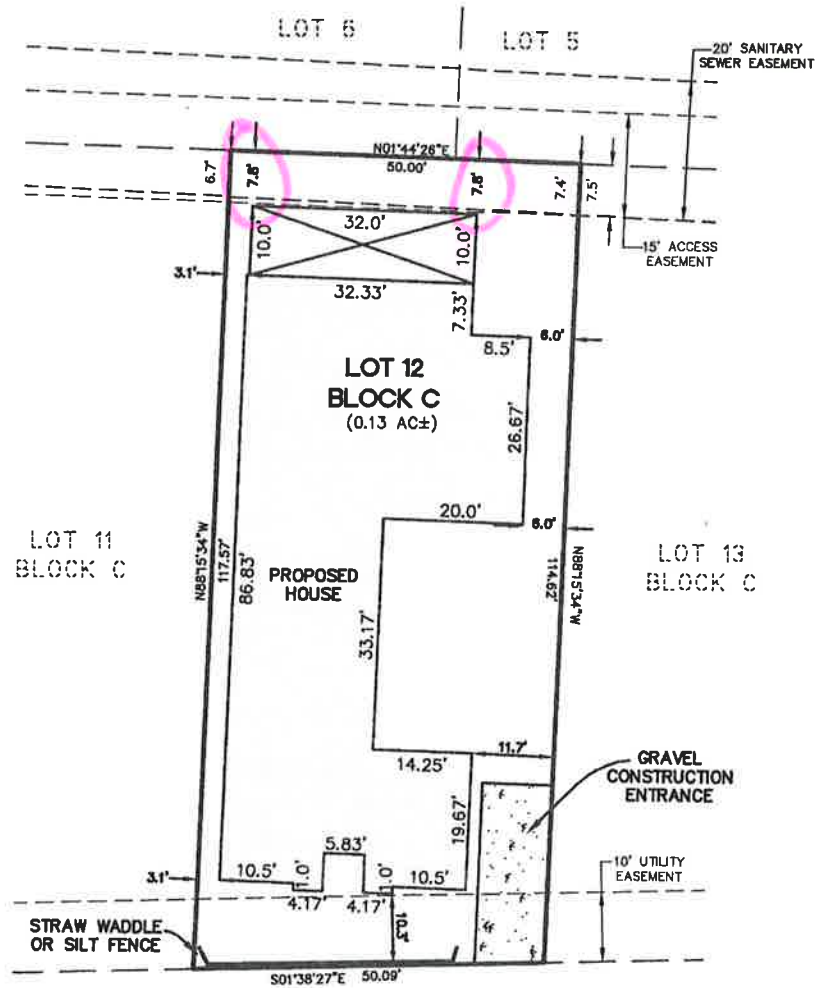
Site

1 inch = 300 feet

Item 2A

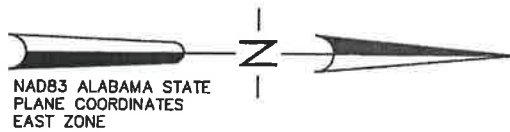
SITE PLAN FOR: LOT 12, BLOCK C

WYNNHURST PLAT NO. 1
(PLAT BOOK 56, PAGE 55)



FAIN PARK LOOP
(54' ROW)

WASH OUT AREA AT THE
END OF CULDE-SAC



SCALE: 1"=20'

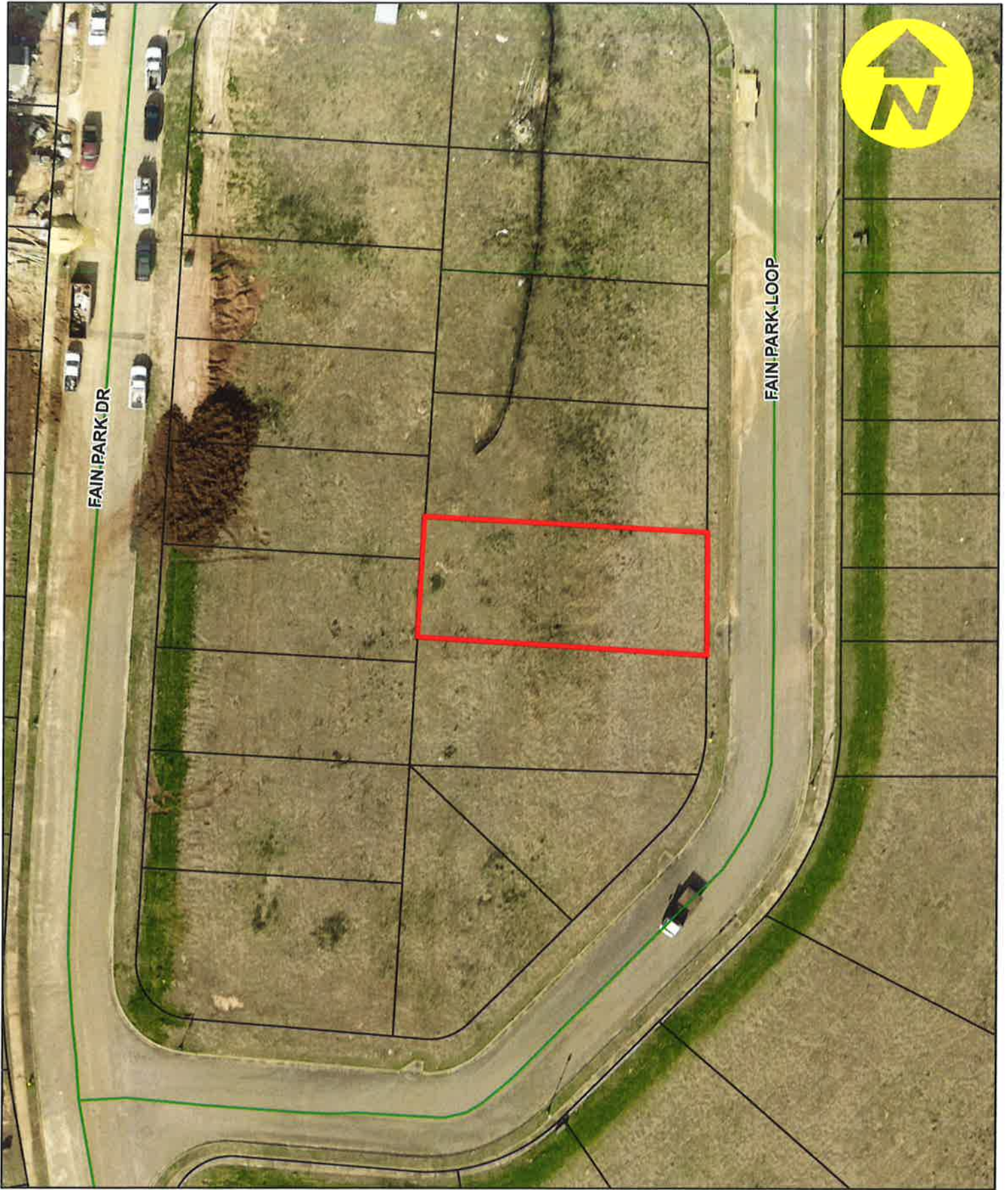
DATE: 6-23-22



Flowers & White
ENGINEERING, L.L.C.

PO BOX 231286 MONTGOMERY, AL 36123
PH. 336.356.7600 - FAX. 334.356.1231

2B



Site Location

1 inch = 50 feet

Item No. 2C

COMPLAINT

3. BD-2022-032 **PRESENTED BY:** Andy Puerta

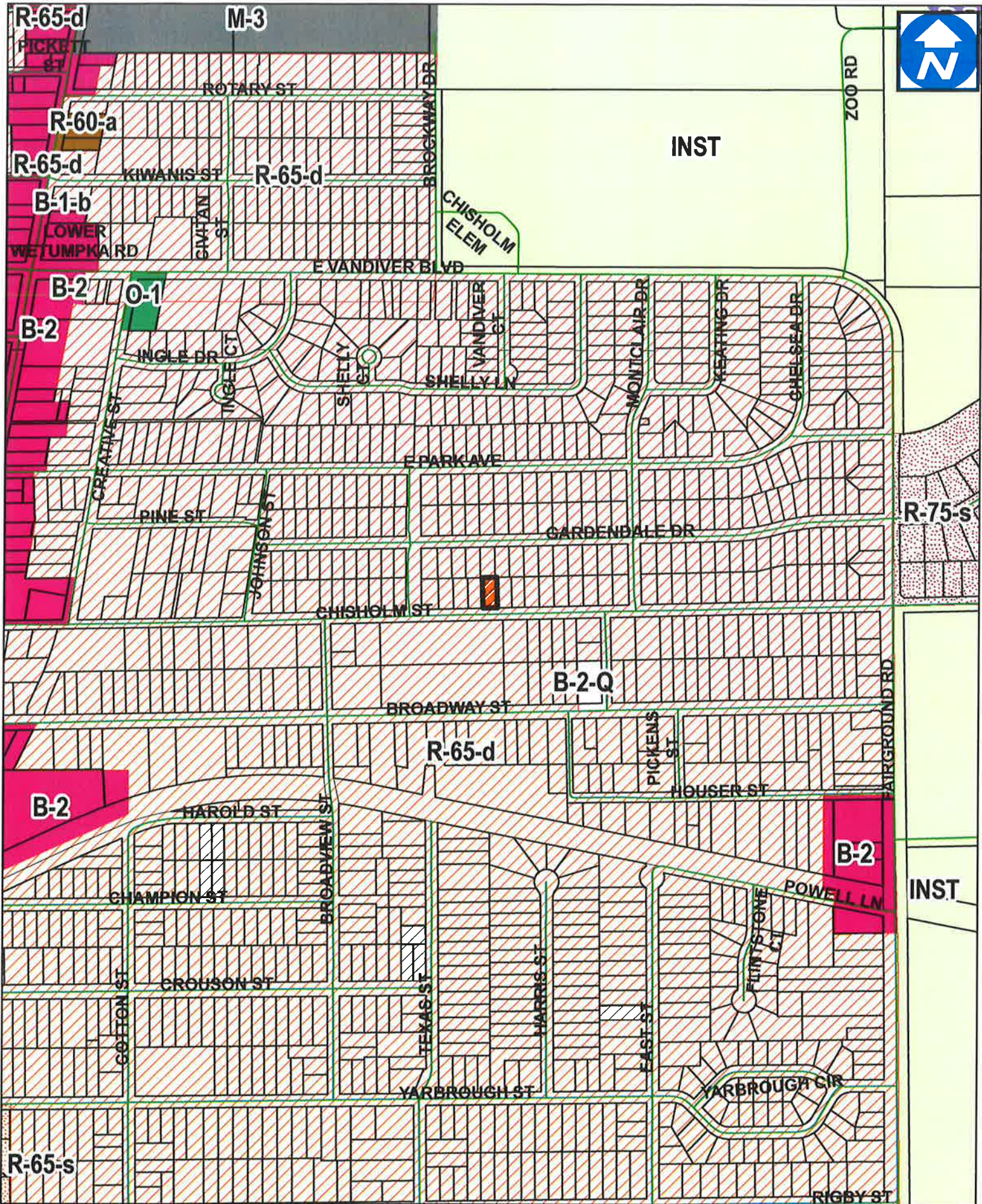
REPRESENTING: Same

SUBJECT: Request a height and front yard variance to maintain a privacy fence located at 317 Chisholm Street in an R-65-d (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 privacy fence comes to the front property line, whereas 30 ft. is required.

The variances requested are a 3 ft. height variance and a 30 ft. front yard variance.

COUNCIL DISTRICT: 3

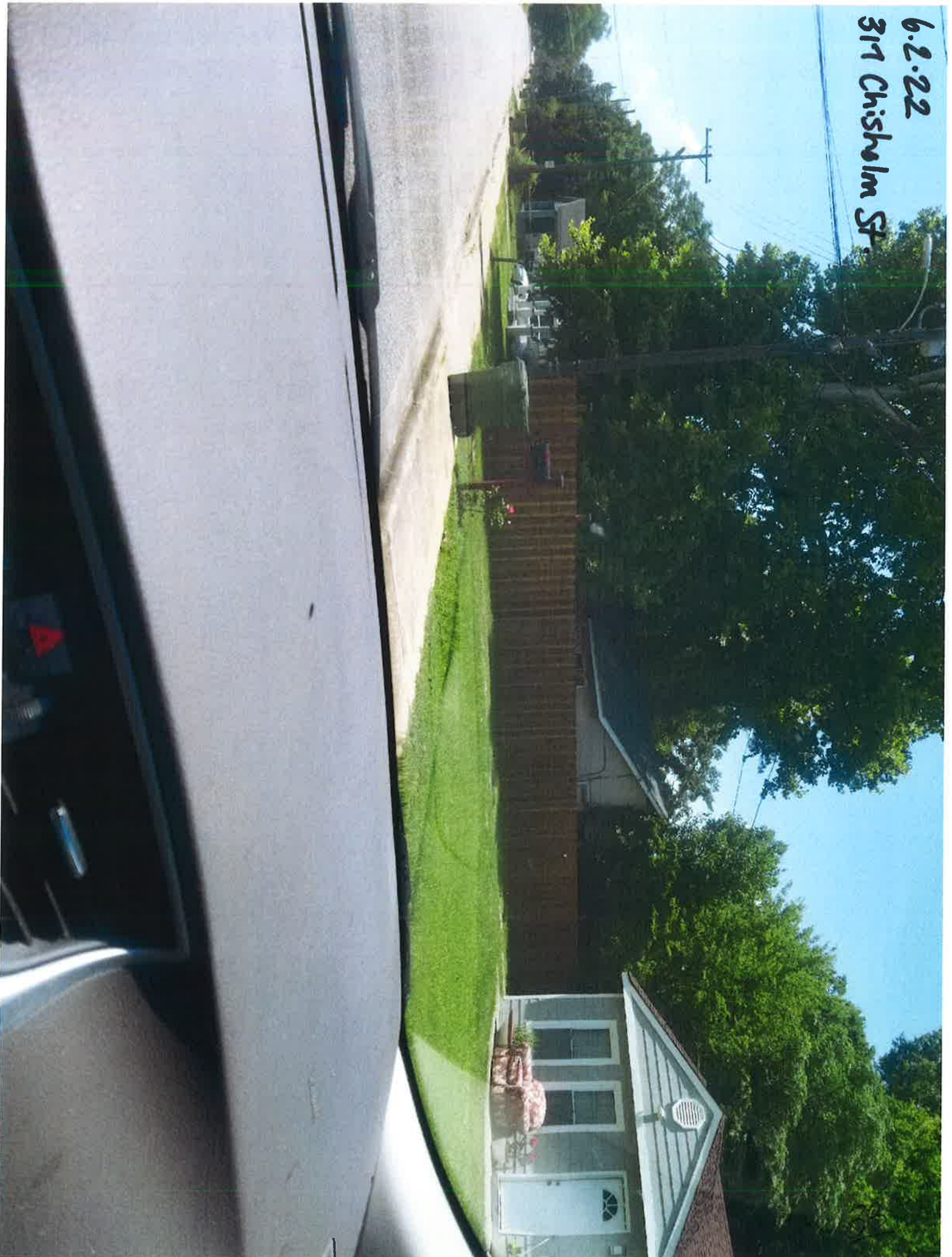


Site 

1 inch = 500 feet

Item 3A

6.2.22
317 Chisholm St.





Site Location

1 inch = 20 feet

Item No. 30

4. BD-2022-033 **PRESENTED BY:** Reginald Jenkins

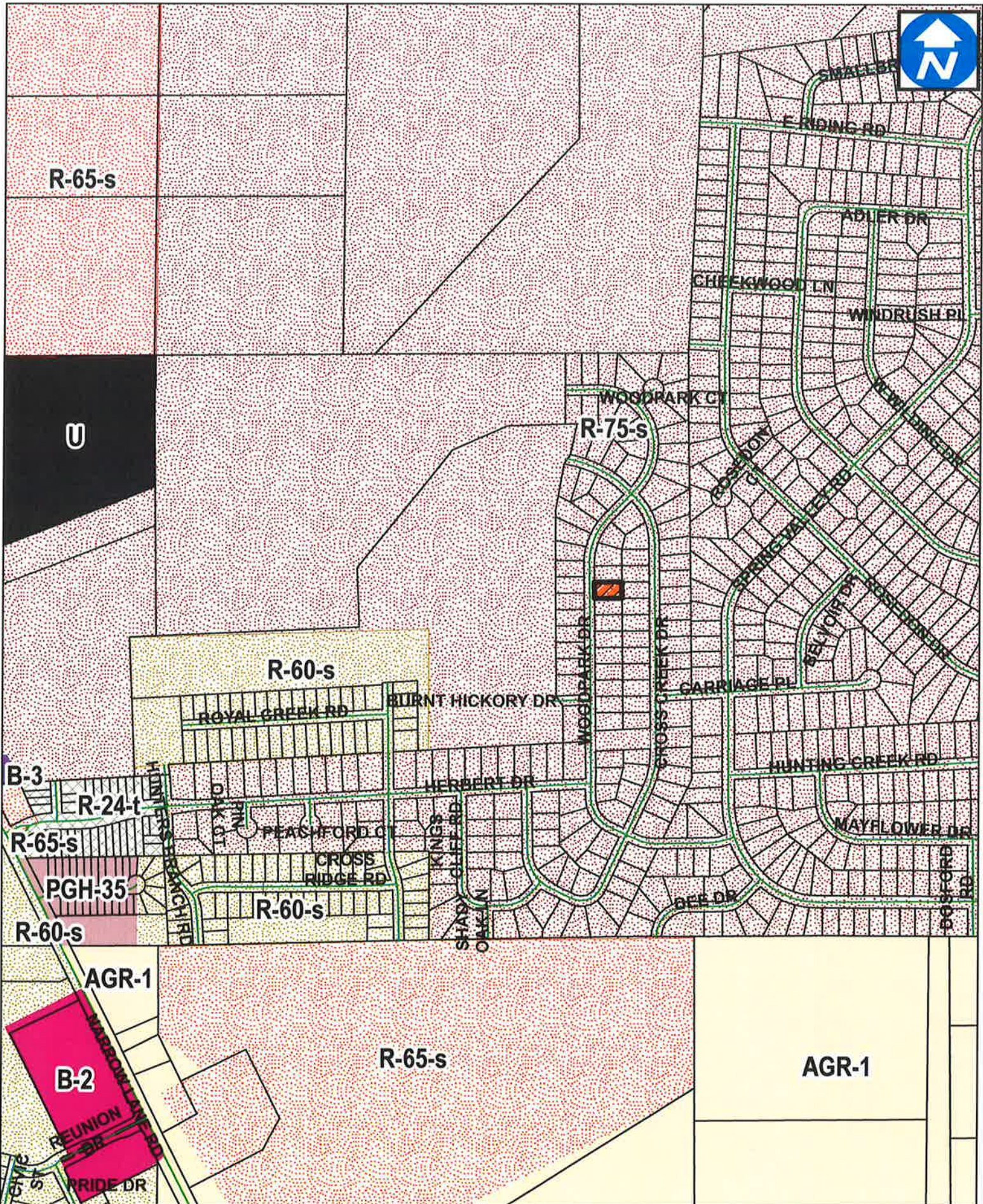
REPRESENTING: Same

SUBJECT: Request a separation between structures variance for accessory structures located at 3425 Woodpark Drive in an R-75-s (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to maintain two (2) accessory structures that are 7 ft. apart, whereas a 10 ft. separation is required.

The request is a 3 ft. separation between structures variance.

COUNCIL DISTRICT: 6



Site 

1 inch = 600 feet

Item 4A



Site Location

1 inch = 30 feet

Item No. 4B

5. BD-2011-013 **PRESENTED BY:** Roosevelt Hardy

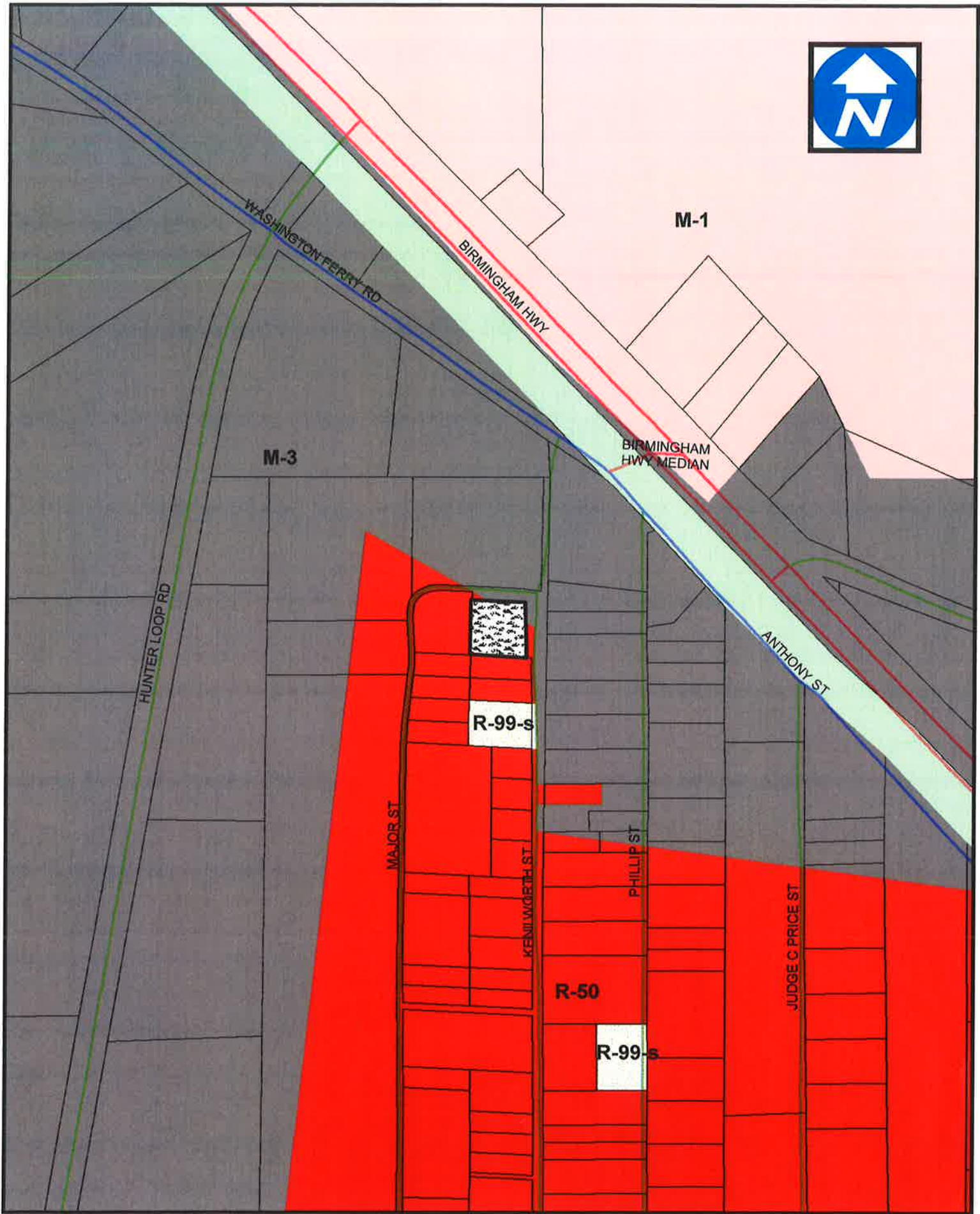
REPRESENTING: Same

SUBJECT: Request a coverage variance and a separation between structures variance for accessory structures to be located at 16 Kenilworth Street in an R-50 (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to construct an additional 400 sq. ft. (20 ft. x 20 ft.) accessory structure. There are two (2) existing accessory structures totaling 360 sq. ft., which brings the total coverage to 760 sq. ft., whereas 300 sq. ft. is allowed. The two (2) existing accessory structures are separated by 2 ft., whereas a 10 ft. separation is required.

The requests are a 460 sq. ft. coverage variance and an 8 ft. separation between structures variance.

COUNCIL DISTRICT: 4



Site 

1 inch = 300 feet
Item 5A



Site

1 inch = 50 feet

Item 5.B

6. BD-2022-034 **PRESENTED BY:** Don Greer

REPRESENTING: Same

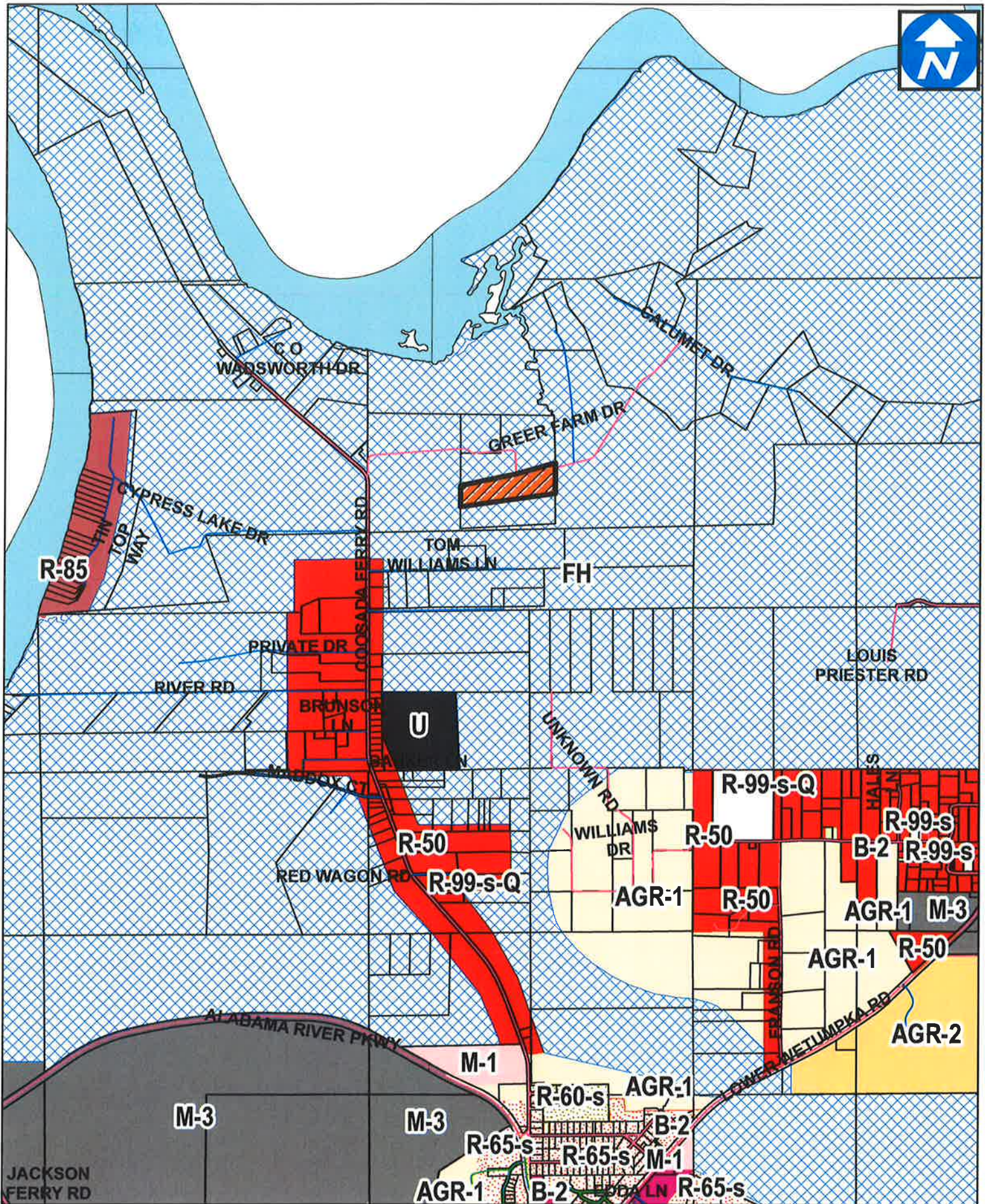
SUBJECT: Request a special exception to place a mobile home for living purposes to be located at 1787 Greer Farm Drive in a FH (Flood Hazard) Zoning District.

REMARKS: This request is being made to give the petitioner permission to place a mobile home for living purposes on a 14.42 acre parcel with an existing dwelling. The applicant has stated that the mobile home will be used for an elderly family member.

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

CITY COUNCIL DISTRICT: Police Jurisdiction

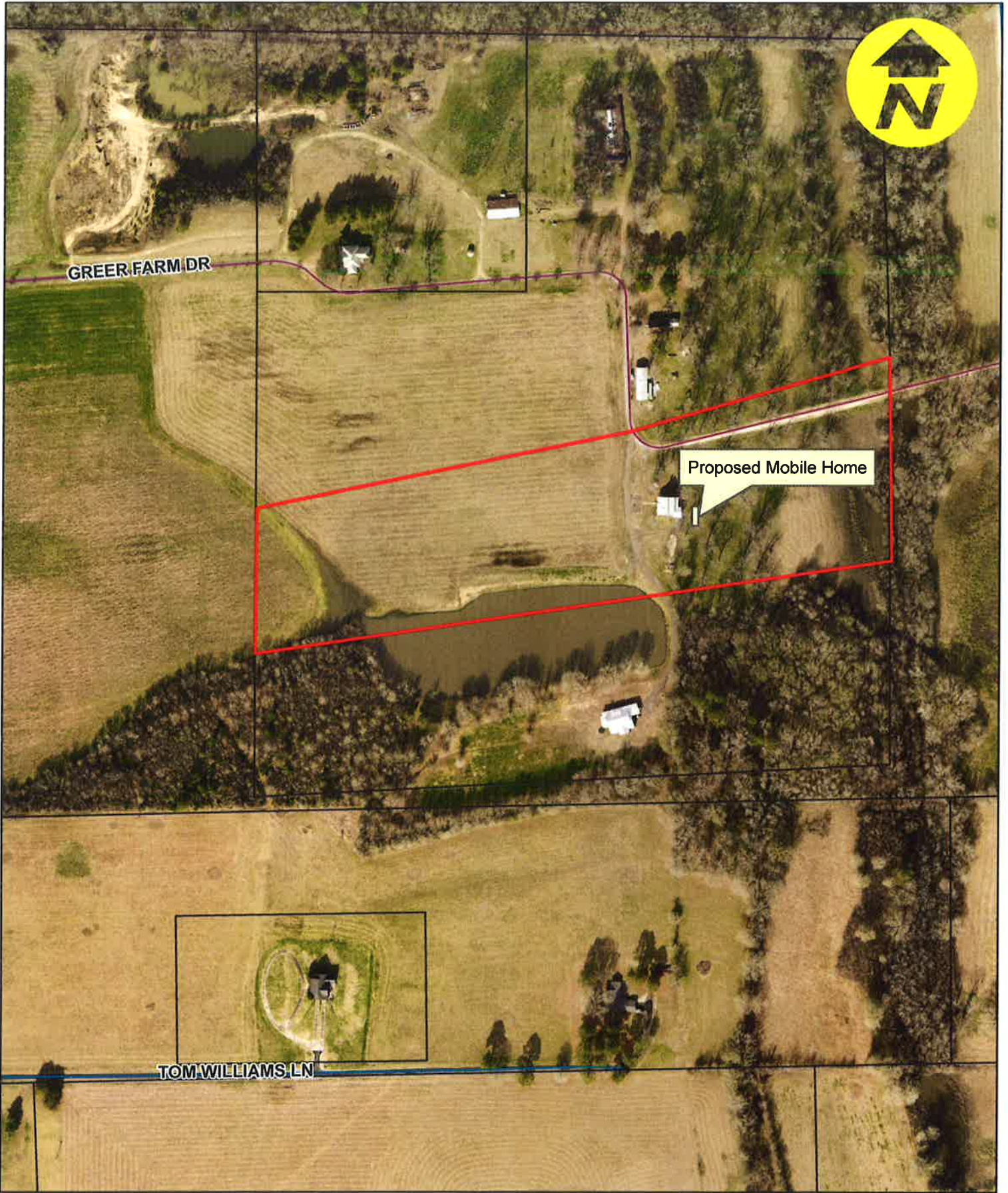
COUNTY COMMISSION DISTRICT: 4



Site 

1 inch = 2,000 feet

Item 6A



GREER FARM DR

Proposed Mobile Home

TOM WILLIAMS LN

Site Location

1 inch = 300 feet

Item No. 6B

7. BD-1996-120 **PRESENTED BY:** Charles & Kathy Liles

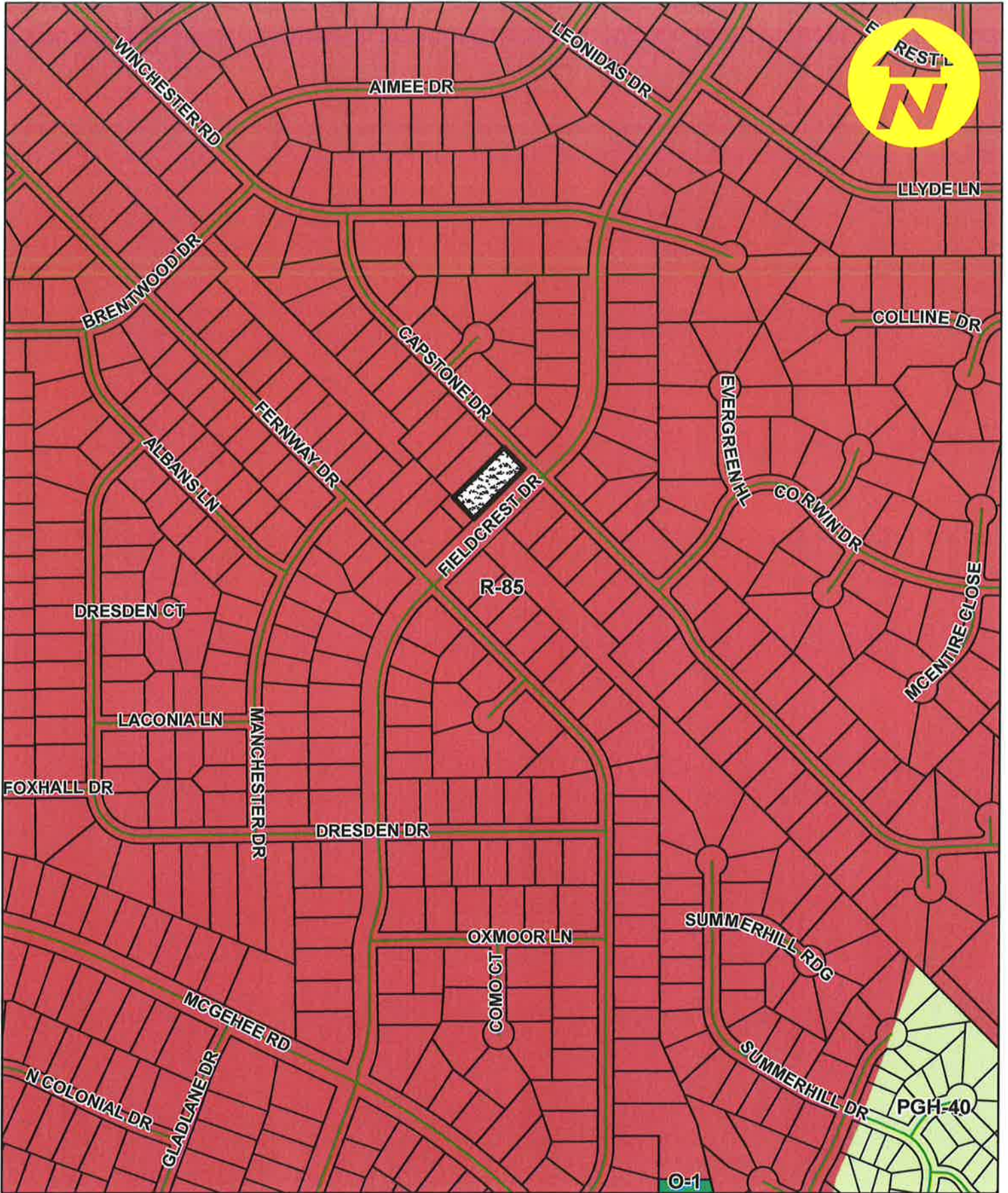
REPRESENTING: Same

SUBJECT: Request a street side yard variance for accessory structures to be located at 2468 Capstone Drive in an R-85 (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to add an 8 ft. x 10 ft. accessory structure that will come within 4 ft. of the street side yard (Fieldcrest Drive) property line, whereas 30 ft. is required. An existing 10 ft. x 12 ft. accessory structure will be relocated and will come within 5 ft. of the street side yard (Fieldcrest Drive) property line, 30 ft. is required. Both will be behind the privacy fence.

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

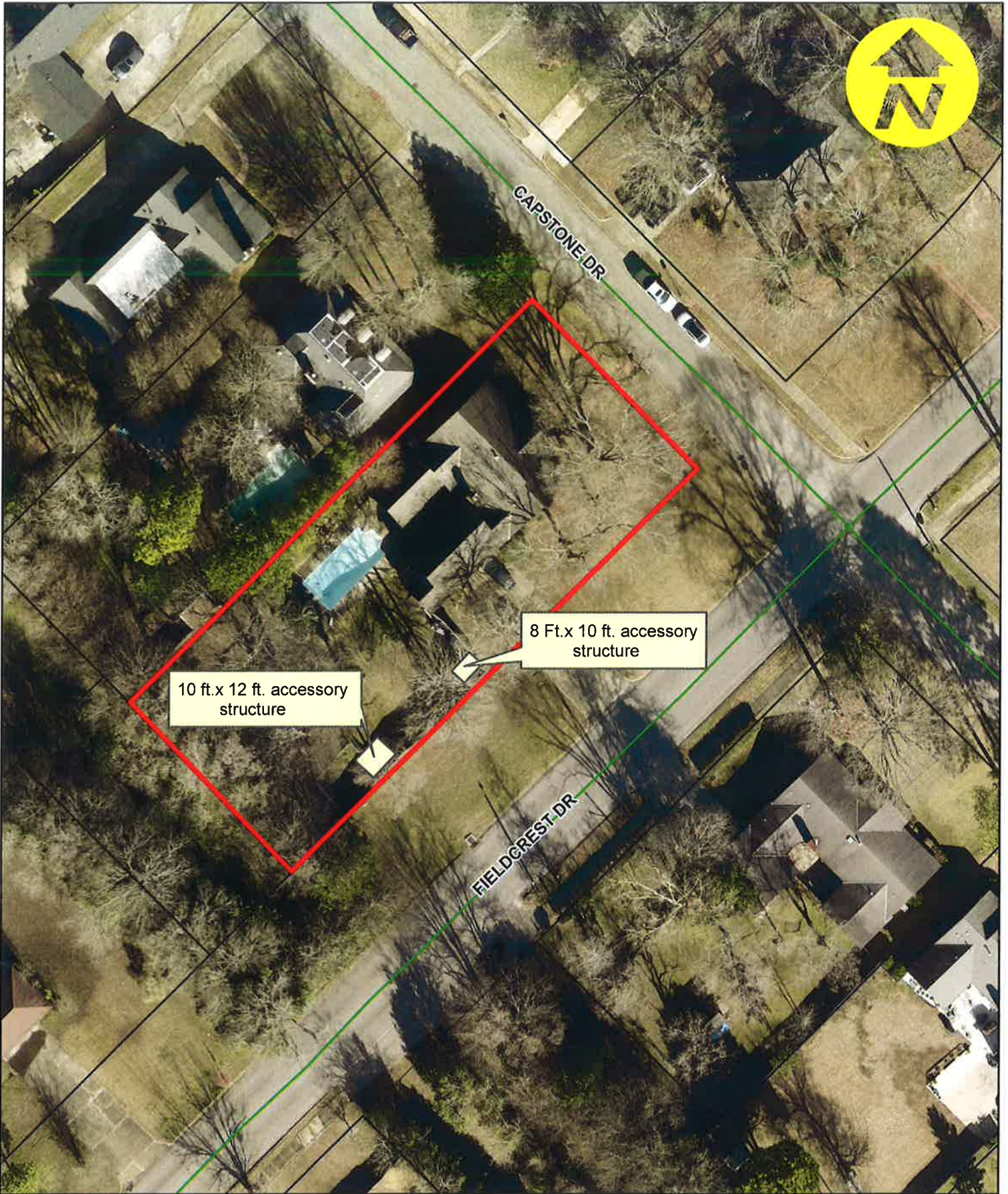
COUNCIL DISTRICT: 5



Site Location 

1 inch = 400 feet

Item No. 7A



Site Location

1 inch = 50 feet

Item No. 7B

8. BD-2022-035 **PRESENTED BY:** Johnnie R. Johnson Jr.

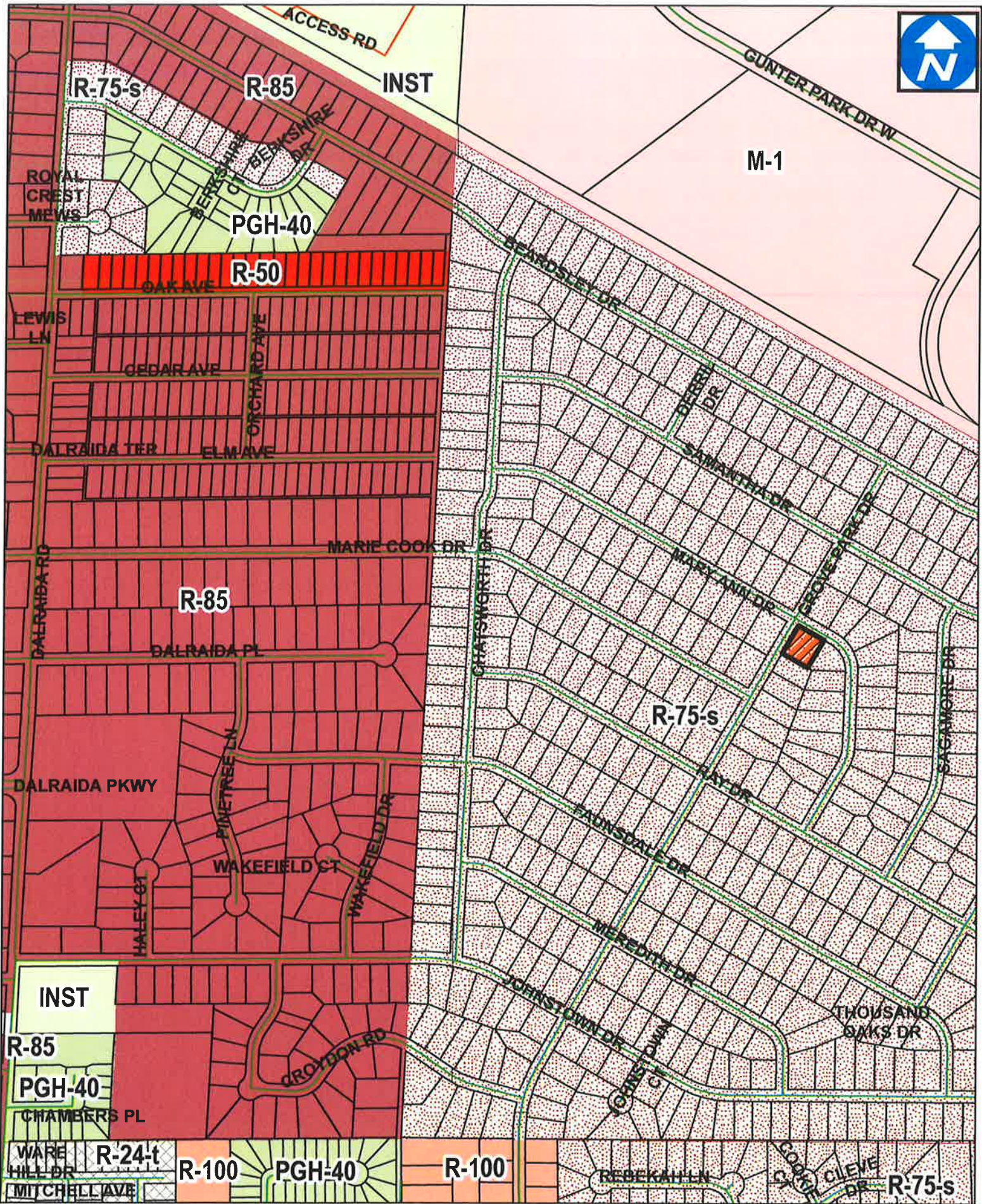
REPRESENTING: Same

SUBJECT: Request a height variance and street yard variance for a privacy fence to be located at 667 Mary Ann Drive in an R-75-s (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to extend a 6 ft. privacy fence to come within 5 ft. of the street side yard (Grove Park Drive) property line, whereas 30 ft. is required and a 3 ft. height is allowed. There is approximately 12 ft. of right-of-way on Grove Park Drive.

The request is a 3 ft. height variance and a 25 ft. street side yard variance.

CITY COUNCIL DISTRICT: 2



Site 

1 inch = 500 feet

Item 8A



GROVE PARK DR

MARY ANN DR

Proposed extension

Existing 6 ft. fence

Site 

1 inch = 30 feet

Item 8B

9. BD-2022-037 **PRESENTED BY:** Daniel Builders, LLC

REPRESENTING: Same

SUBJECT: Request a street side yard variance for a dwelling to be located at 8830 Birchfield Place in a PUD (Planned Unit Development) Zoning District.

REMARKS: This request is being made to give the petitioner permission to construct a new dwelling to come within 18 ft. 2 in. of the street side yard (Birch Way) property line, whereas 20 ft. is required.

The request is a 1 ft. 10 in. street side yard variance.

COUNCIL DISTRICT: 8

R-50

R-75-s

PUD

AGR-1

R-85

R-85

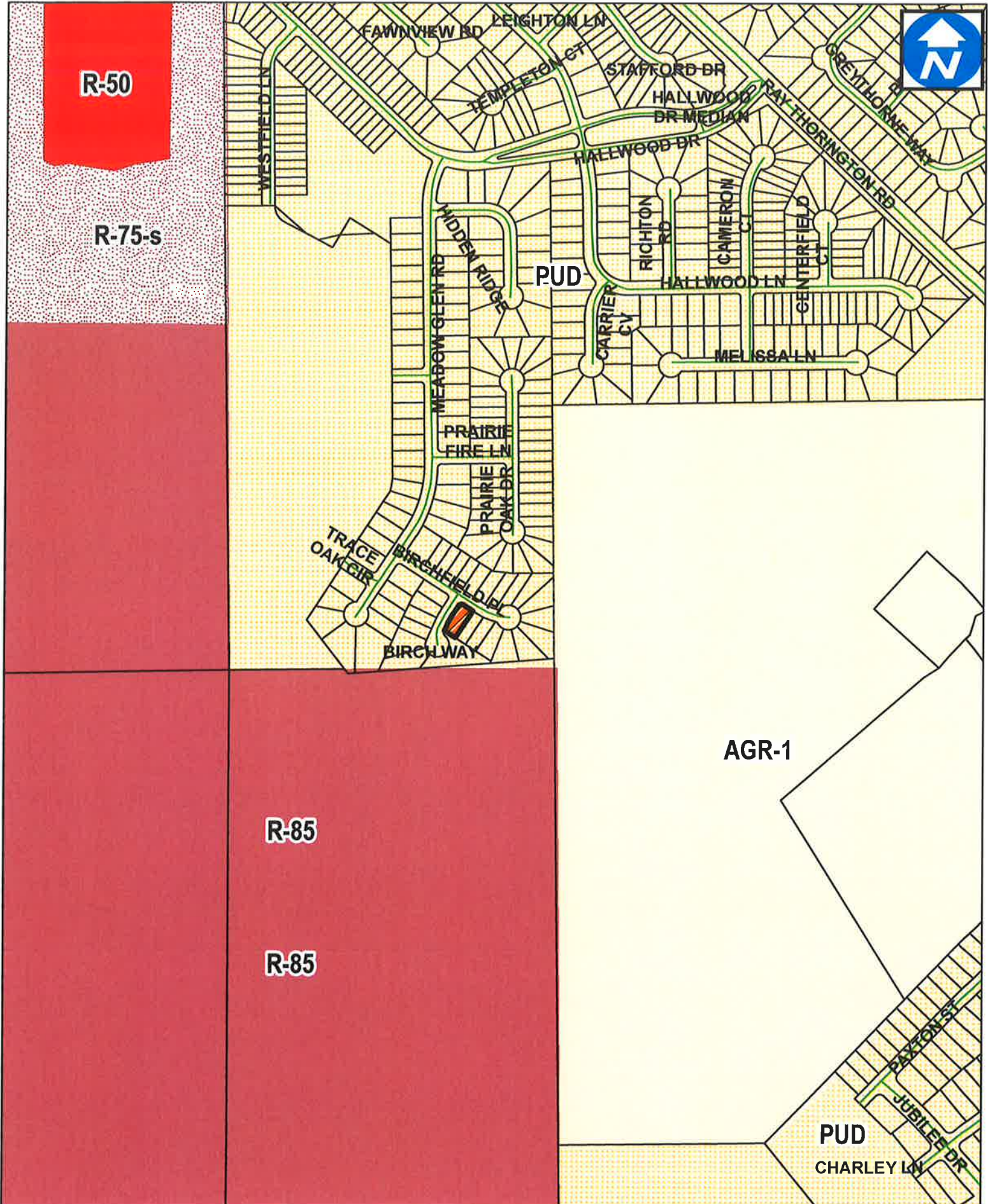
PUD

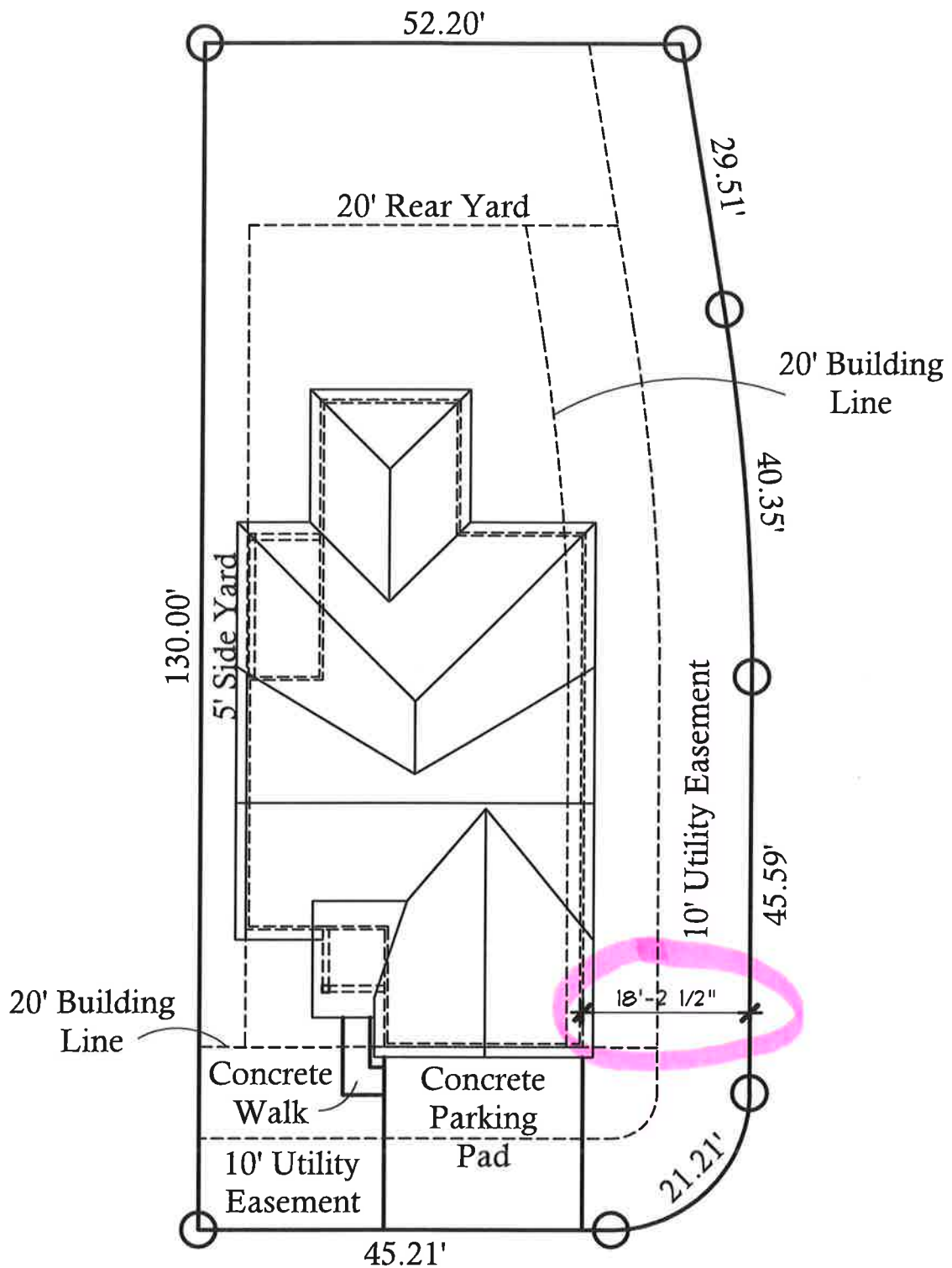
CHARLEY LN

Site 

1 inch = 500 feet

Item 9A





8830 BIRCHFIELD PLACE

LOT: 17W

THORINGTON TRACE PLAT 7

MONTGOMERY, ALABAMA

site plan

SCALE: 1" = 20'-0"

9B



Site Location

1 inch = 30 feet

Item No. 92

10. BD-2022-036 **PRESENTED BY:** ReConnect Worship Assembly

REPRESENTING: Same

SUBJECT: Request a special exception for church use in a building located at 1024 Monticello Park in a B-2 (Commercial) Zoning District.

REMARKS: This request is being made to give the petitioner permission to use an existing building for church use.

Hours of services

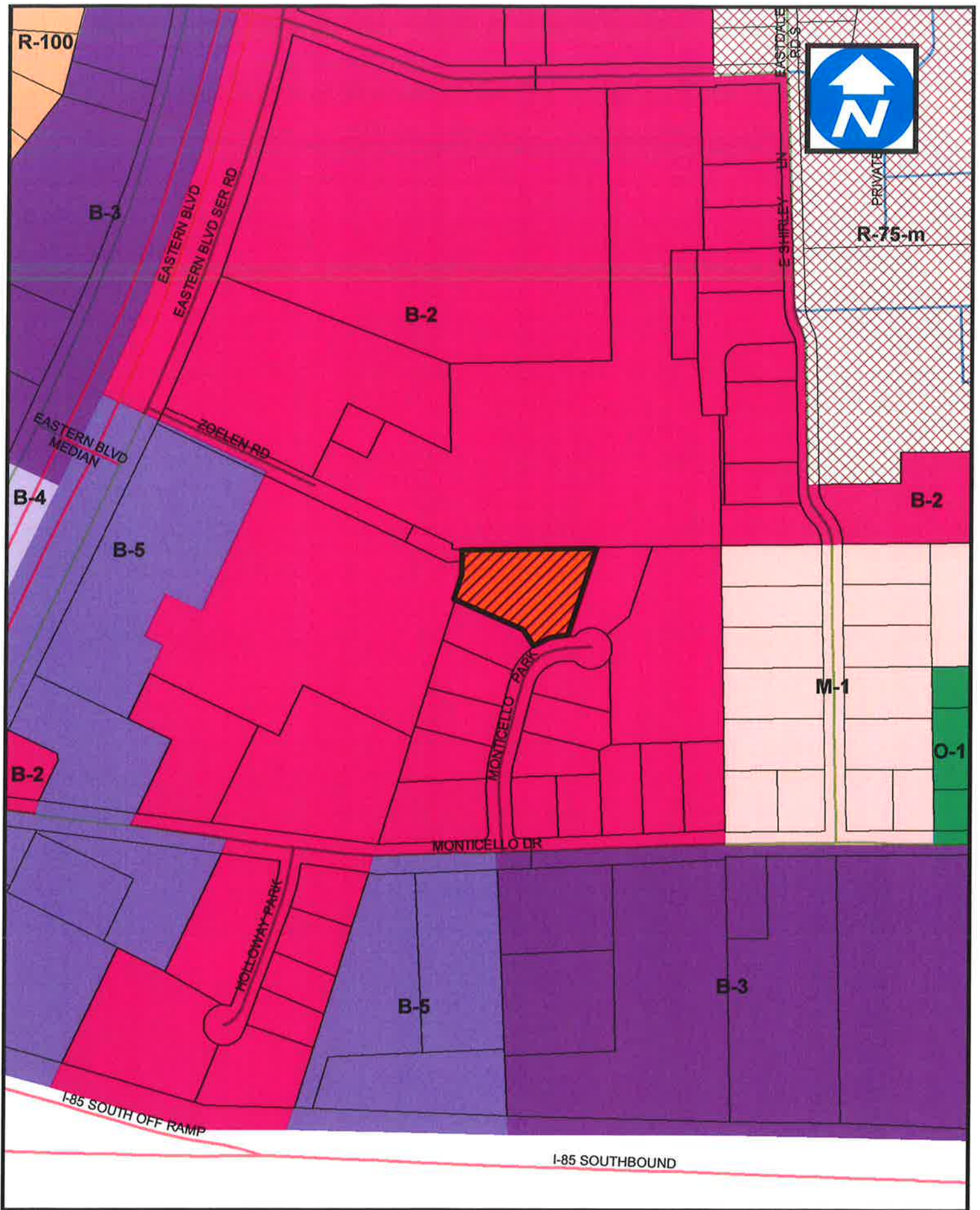
Sunday: 10:00 a.m. – 2:00 p.m.

Tuesday & Thursday: 6 p.m. – 9:00 p.m.

There are approximately 75 members which requires 15 parking spaces. There are eight (8) existing paved parking spaces and seven (7) proposed gravel spaces with bumpers, if approved

The request is a special exception for church use.

COUNCIL DISTRICT: 1



Site 

1 inch = 300 feet
Item 10A



Site 

1 inch = 100 feet
Item 10B

11. BD-2022-038 **PRESENTED BY:** Kameesha Lewis

REPRESENTING: Same

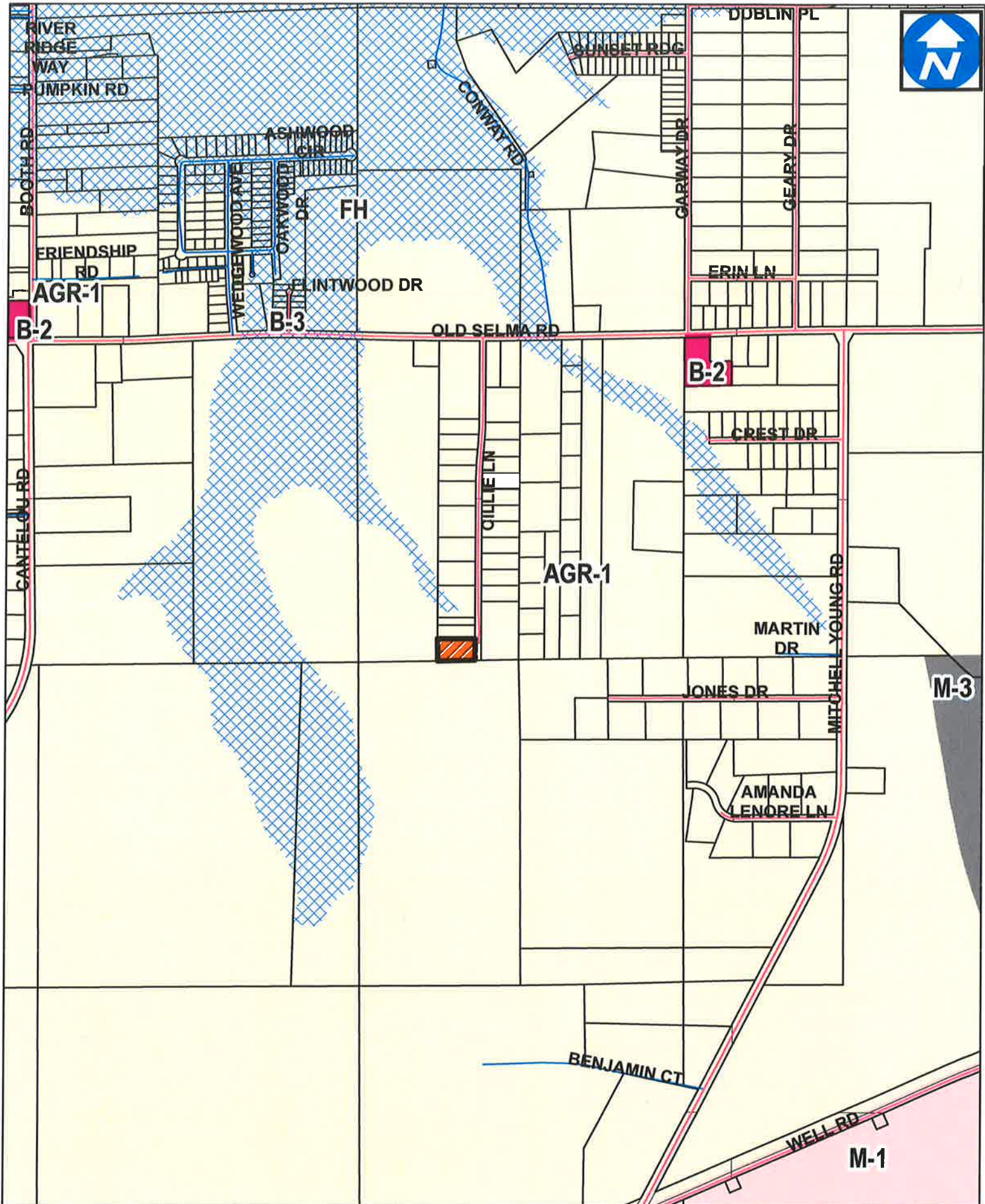
SUBJECT: Request a special exception to place an additional mobile home for living purposes to be located at 230 Cillie Lane in an AGR-1 (Residential Agriculture) Zoning District.

REMARKS: This request is being made to give the petitioner permission to place a second mobile home (28 ft. x 56 ft.) on a 1.2 acre platted lot. The other mobile home shown on the aerial map is uninhabitable and will be removed, per applicant.

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

CITY COUNCIL DISTRICT: Police Jurisdiction

COUNTY COMMISSION DISTRICT: 2



Site 

1 inch = 1,000 feet

Item 11A



Site Location 

1 inch = 50 feet

Item No. 11B

COMPLAINT

12. BD-2022-039 **PRESENTED BY:** Kelly Hernandez

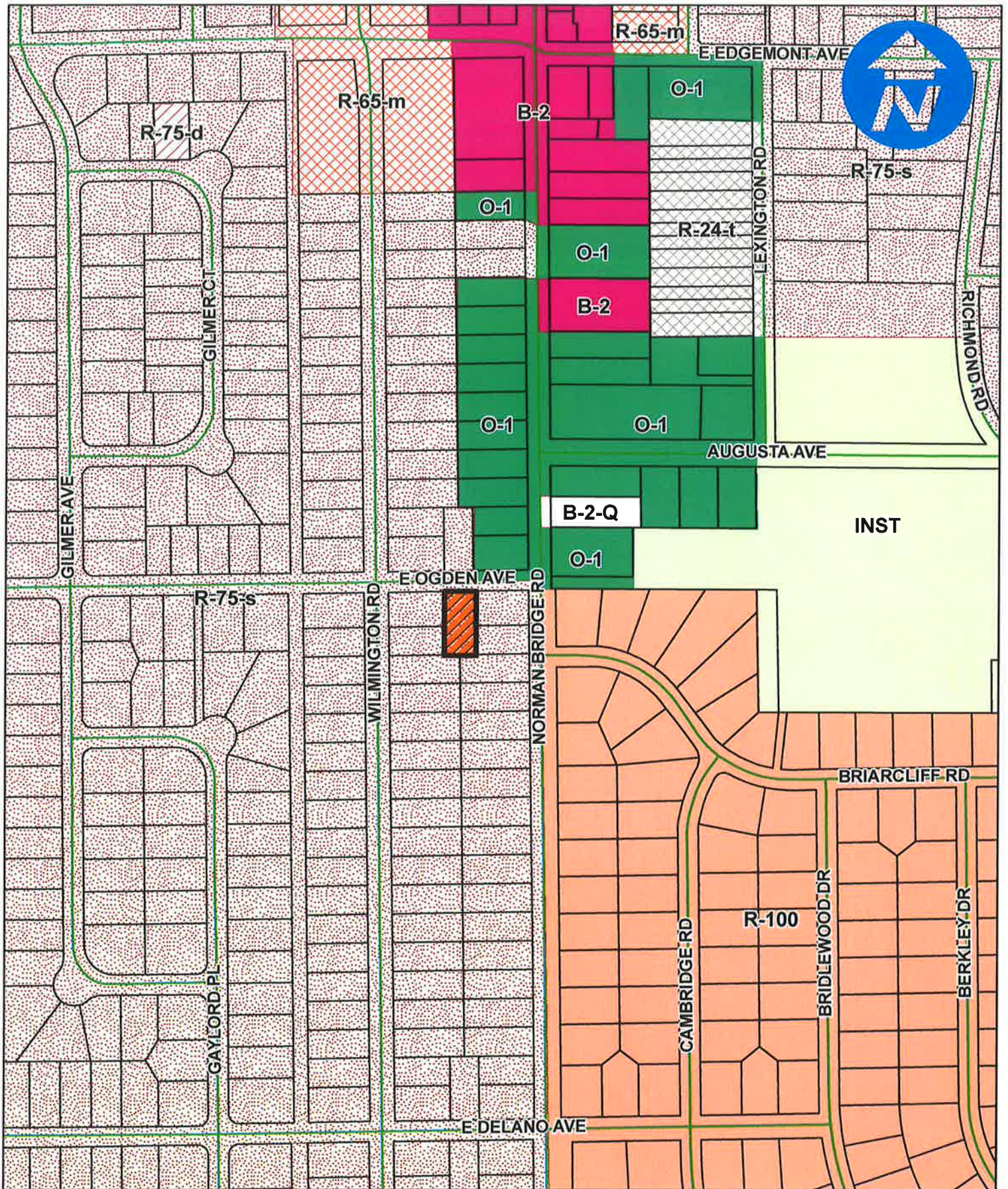
REPRESENTING: Same

SUBJECT: Request a special exception to keep chickens at 420 East Ogden Avenue in an R-75-s (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to keep 12 chickens. The applicant has been given the “Chicken Guidelines” and has stated they will be followed.

The request is a special exception to keep 12 chickens.

COUNCIL DISTRICT: 7



Site Location 

1 inch = 300 feet

Item No. 12A



Site Location

1 inch = 30 feet

Item No. 12B