

Board of Adjustment Agenda

November 17, 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 October 20, 2022 meeting.**

November 17, 2022

<u>Item</u>	<u>File</u>	<u>Petitioner</u>	<u>Zone</u>	<u>Location/Request</u>	<u>Page</u>
1.	2022-054	Patrick Byrd	R-65-d	1931 Yarbrough Street (Greenhouse)	1
2.	2022-055	Columbia Waters	PGH-40	3836 Berkshire Drive (Attached Open Carport)	2
3.	2000-010	Michael Thornton	R-75-s	Riley Road (Youth Center)	3
4.	2022-056	Daniel Blackwell	R-100	3582 Southview Avenue (Detached Open Carport)	4
5.	2022-053	Summer Whatley Matthews	R-75-s	3543 Milan Drive (Privacy Fence)	5
6.	2022-057	Thelma Harris	AGR-1	3242 Cantelou Loop (Mobile Home)	6
7.	2022-058	Tiffany L. Shakespeare	R-75-s	2242 West Aberdeen Drive (Accessory Structure – plumbing & kitchen)	7
8.	1999-191	William & Gay Foster	AGR-1	1010 Greystone Drive (Accessory Structure – living quarters)	8
9.	1985-245	Paul Schmidt	R-60-m	704 Felder Avenue (Accessory Structure)	9

The next Board of Adjustment meeting is on December 15, 2022

1. BD-2022-054 **PRESENTED BY:** Patrick Byrd

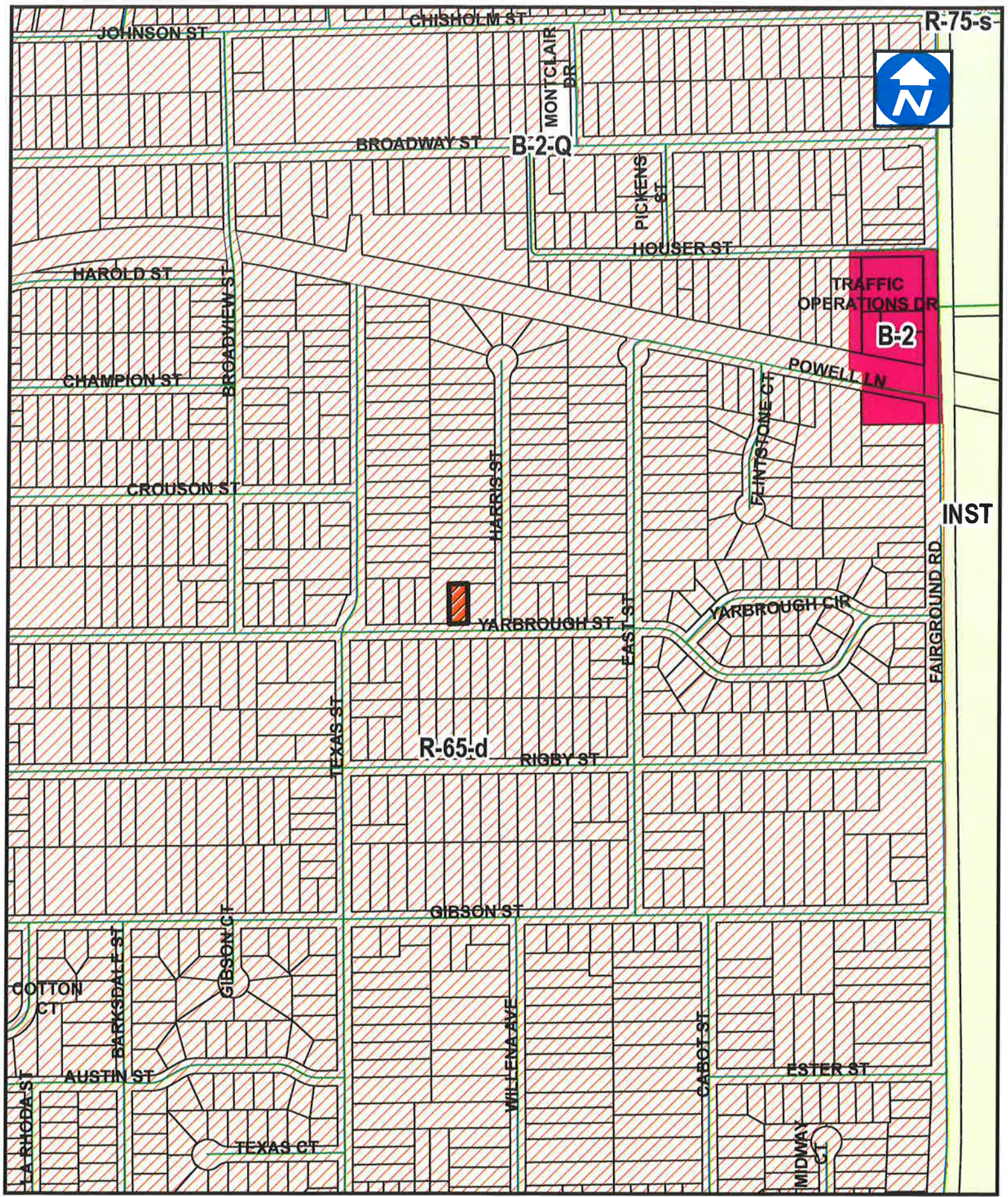
REPRESENTING: Same

SUBJECT: Request a special exception for an accessory structure without a main dwelling located at 1931 Yarbrough Street in an R-65-d (Duplex Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to maintain an accessory structure without a main dwelling to be used as a greenhouse. The residential structure that was on the property was destroyed by fire.

The request is a special exception to allow an accessory structure (greenhouse) without a main dwelling.

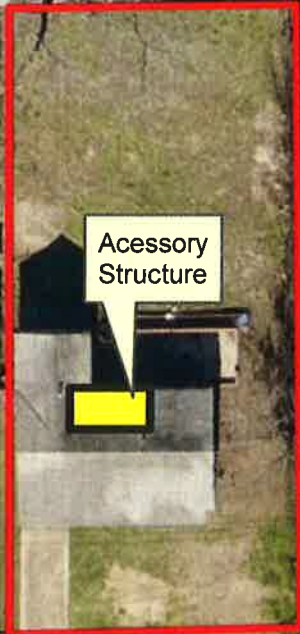
CITY COUNCIL DISTRICT: 3



Site 

1 inch = 400 feet

Item 1A



Accessory
Structure

HARRIS ST

YARBROUGH ST

Site 

1 inch = 40 feet

Item 1B

2. BD-2022-055 **PRESENTED BY:** Columbia Waters

REPRESENTING: Same

SUBJECT: Request a side yard variance for an addition to the dwelling located at 3836 Berkshire Drive in a PGH-40 (Patio Garden Home) Zoning District.

REMARKS: This request is being made to give the petitioner permission to construct an attached open carport on the south side of the property to come within 1 ft. of the side property line, whereas 10 ft. is required.

The request is a 9 ft. side yard variance.

COUNCIL DISTRICT: 2

S TURNER BLVD

E MOORE DR



B-2

INST

ACCESS RD

BEARDSLEY DR

R-85

DAERAIDA RD

R-85

BERKSHIRE DR

BERKSHIRE CT



PGH-40

R-75-s

ROYAL CREST MEWS

ROYAL CREST DR

R-50

OAK AVE

ORCHARD AVE

Site 

1 inch = 200 feet

Item 2A



BERKSHIRE DR



Proposed carport

Site 

1 inch = 20 feet

Item 2B

3. BD-2000-010 **PRESENTED BY:** Michael Thornton

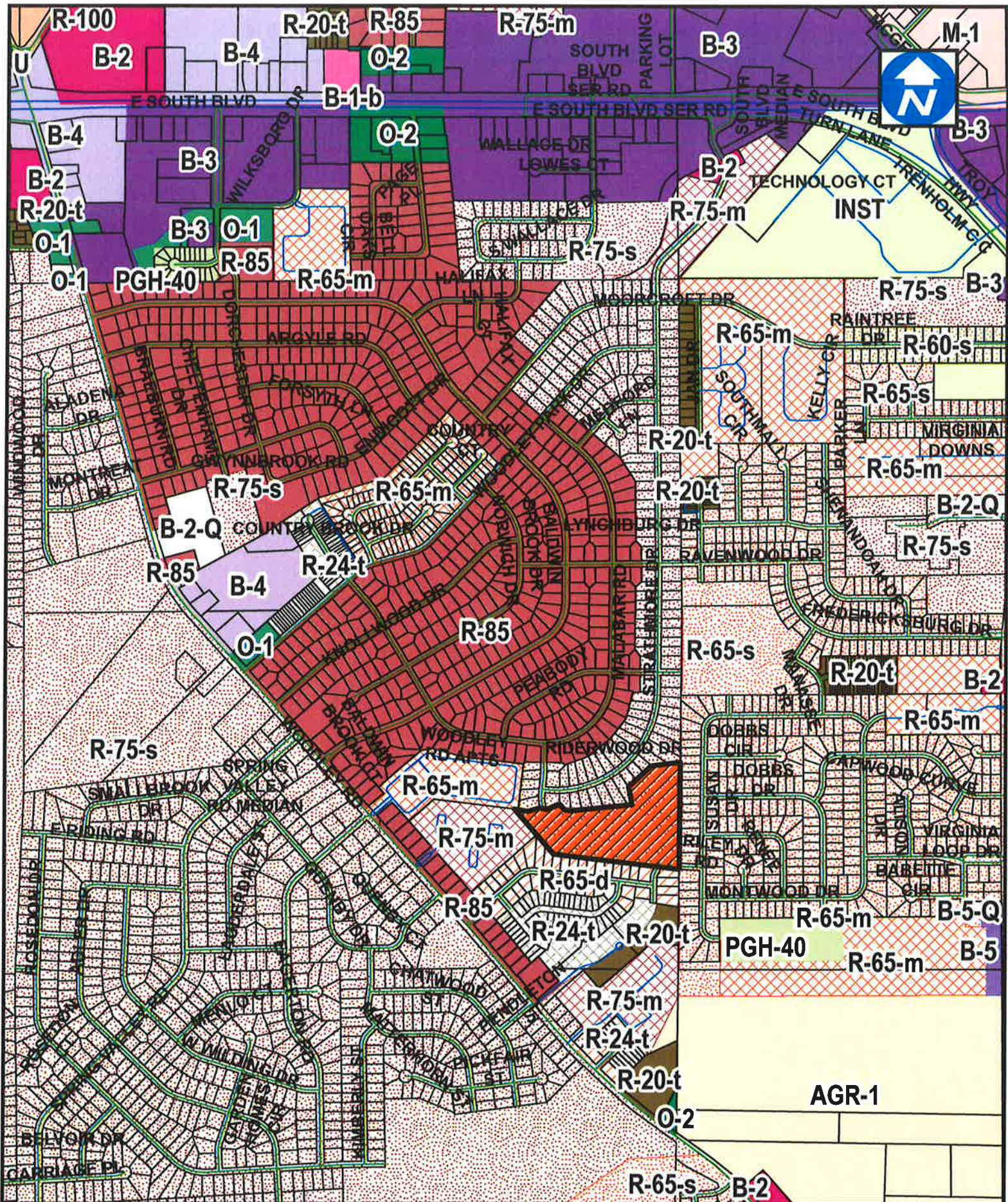
REPRESENTING: New Heights for Youth

SUBJECT: Request a special exception to operate a youth center on a parcel located at the west end of Riley Road in an R-75-s (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to operate a youth center. New Heights for Youth is a 501c3 non-profit organization that provides services at no cost to local youth, including: academic support, character education, recreation, meals, mentoring and counseling, etc. There are three (3) access points to this property from Riley Road, Shadowood Road and Riderwood Drive that will provide access to the youth center from surrounding neighborhoods. Plans for the youth center will be submitted at a later date, if approved. In 2000, the Board approved a special exception for a church to be located on this property, however was never built.

The request is a special exception to operate a youth center.

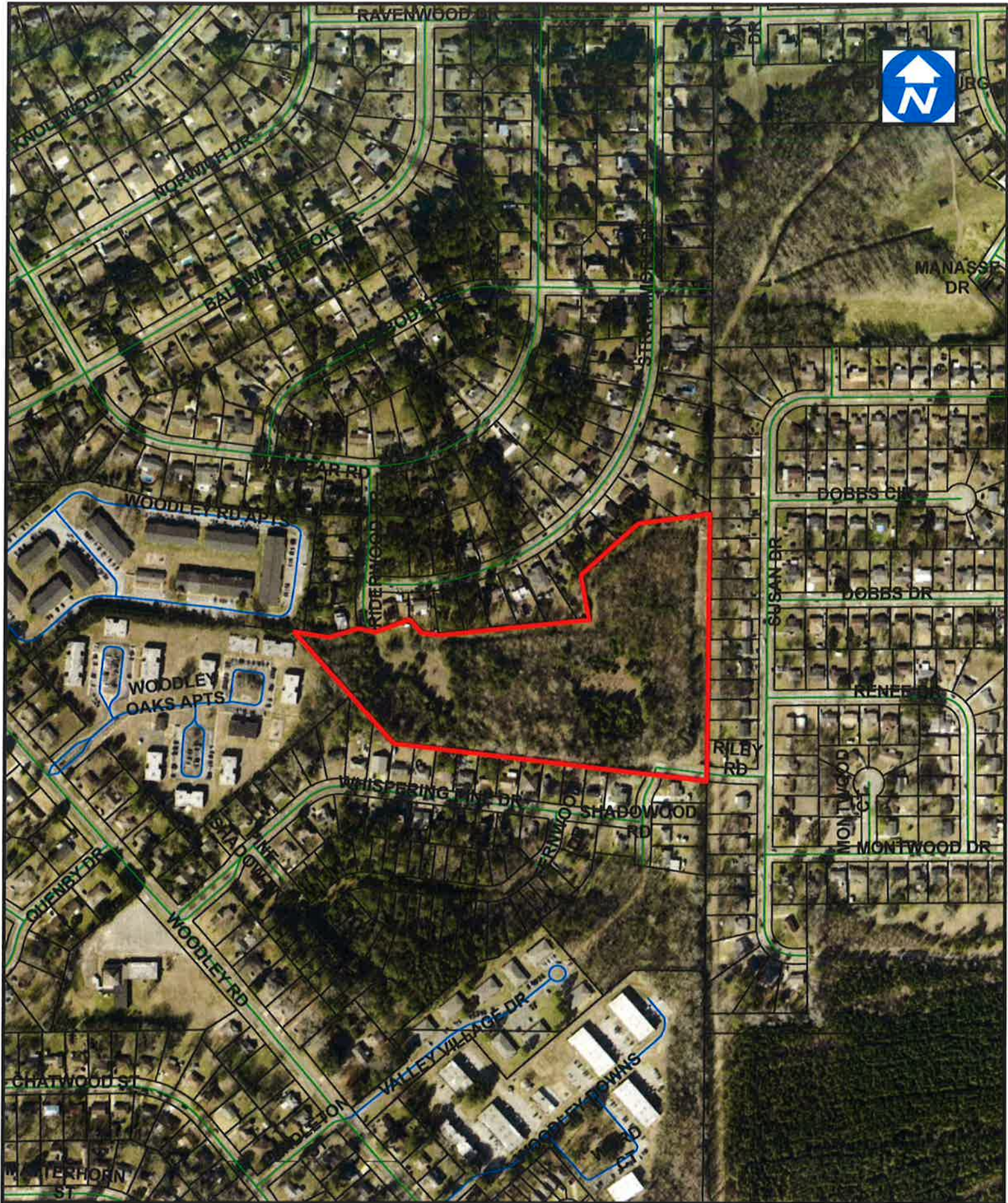
COUNCIL DISTRICT: 6



Site 

1 inch = 1,000 feet

Item 3A



Site 

1 inch = 400 feet

Item 3B

4. BD-2022-056 **PRESENTED BY:** Daniel Blackwell

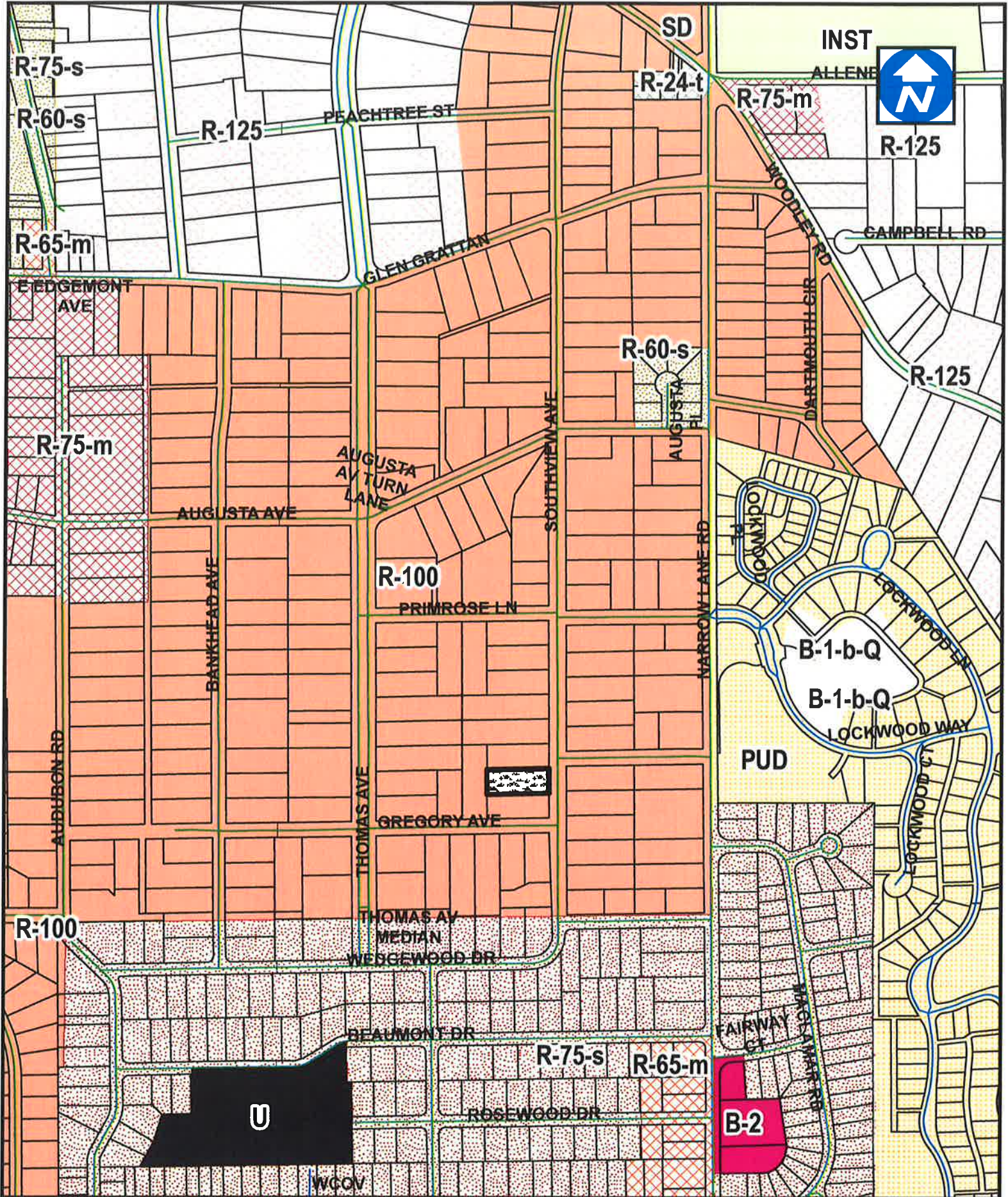
REPRESENTING: Carrissa Gibbons

SUBJECT: Request a side yard variance for an accessory structure to be located in the required side yard at 3582 Southview Avenue in an R-100 (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to construct a detached accessory structure (open carport) that will come within 2 ft. of the side property, whereas 10 ft. is required. The carport is at least 10 ft. away from the dwelling. This is going to replace an existing detached carport, which there is no approval on file for. The owner bought the property with the carport already in place.

The request is an 8 ft. side yard variance.

COUNCIL DISTRICT: 7



Site 

1 inch = 500 feet

Item 4A



Accessory Structure

SOUTHVIEW AVE

GREGORY

Site 

1 inch = 40 feet

Item 4B

5. BD-2022-053 **PRESENTED BY:** Summer Whatley Matthews

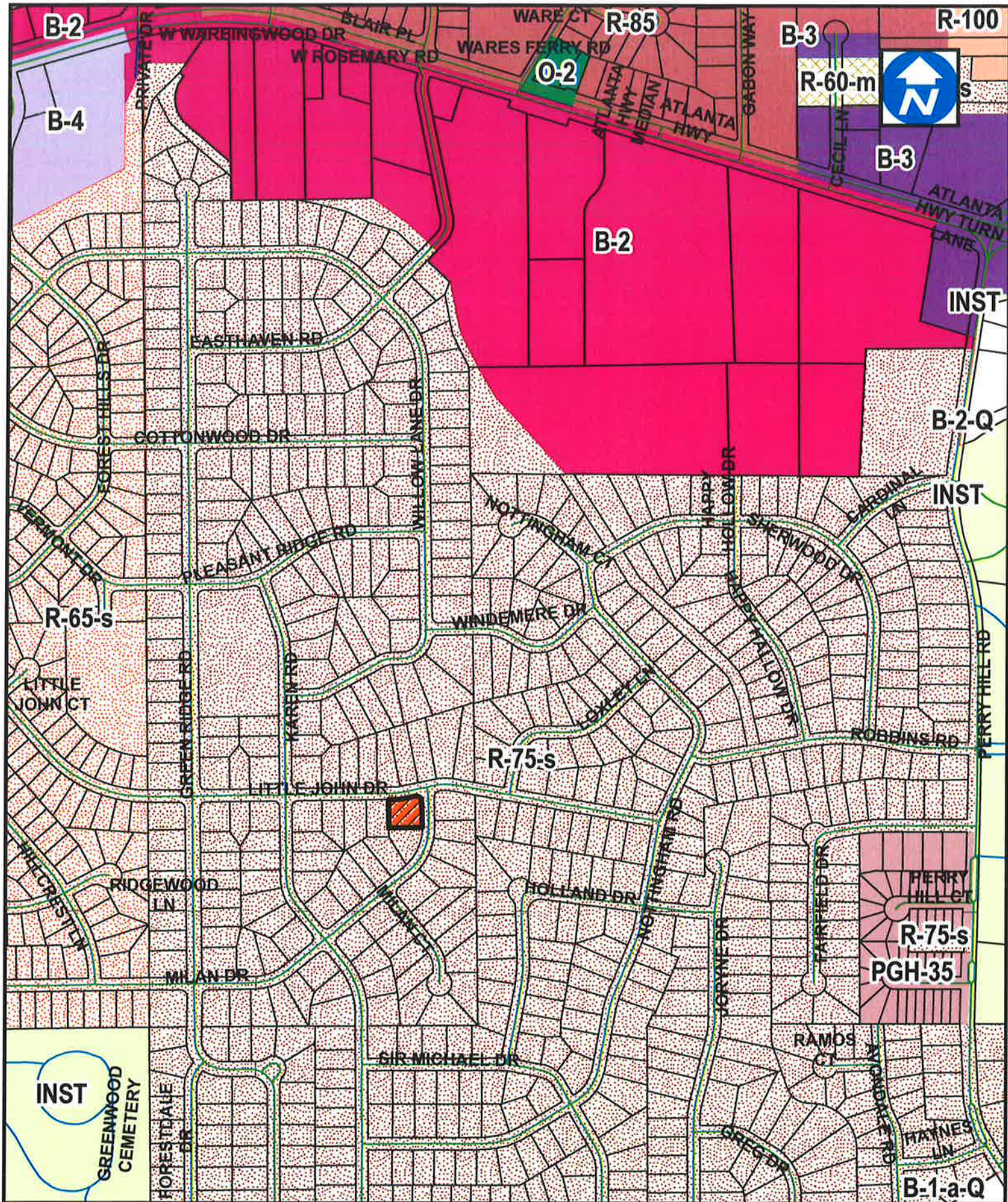
REPRESENTING: Same

SUBJECT: Request a height variance and street side yard variance to extend a privacy fence located at 3543 Milan Drive in an R-75-s (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to extend the 6 ft. privacy fence to the street side yard (Little John Drive) property line, whereas 30 ft. is required. There is approximately 10 ft. of right-of-way from the property line to the back of curb.

The request is a 3 ft. height variance and a 30 ft. street side yard variance.

COUNCIL DISTRICT: 1



Site 

1 inch = 500 feet

Item 5A



LITTLE JOHN DR

Privacy Fence

MILAN DR

Site 

1 inch = 30 feet

Item 5B

6. BD-2022-057 **PRESENTED BY:** Thelma Harris

REPRESENTING: Same

SUBJECT: Request a special exception to place a mobile home for living purposes on the property located at 3242 Cantelou Loop 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 vacant lot. There are other mobile homes in the area.

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

COUNCIL DISTRICT: Police Jurisdiction

COUNTY COMMISSION DISTRICT: 2



HAW BRANCH WAY

CANTELOU RD

CANTELOU LOOP

AGR-1

FH

SELMA HWY

SELMA HWY
MEDIAN

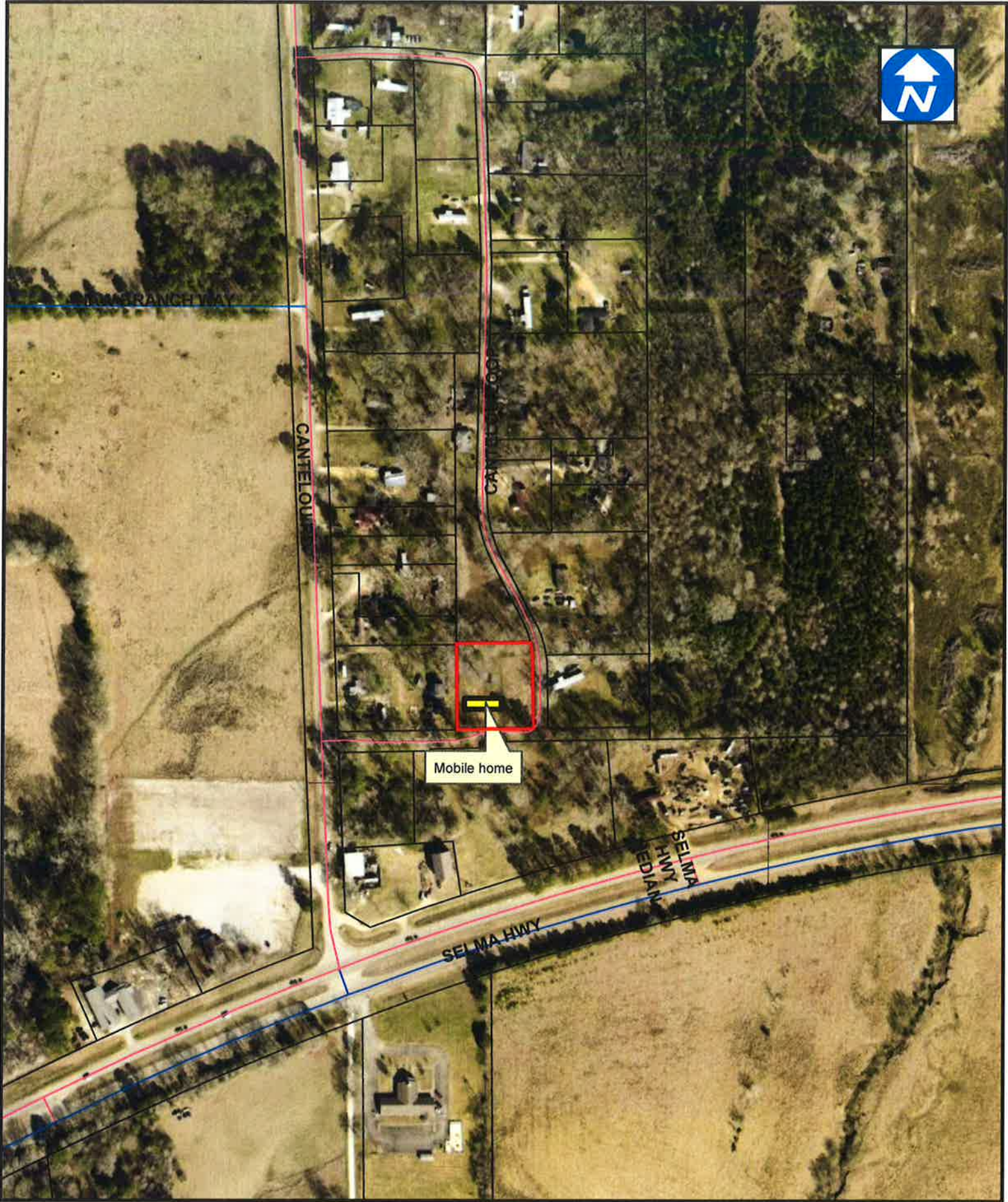
FH

AGR-1

Site 

1 inch = 400 feet

Item 6A



Mobile home

Site 

1 inch = 300 feet
Item QB

7. BD-2022-058 **PRESENTED BY:** Tiffany L. Shakespeare

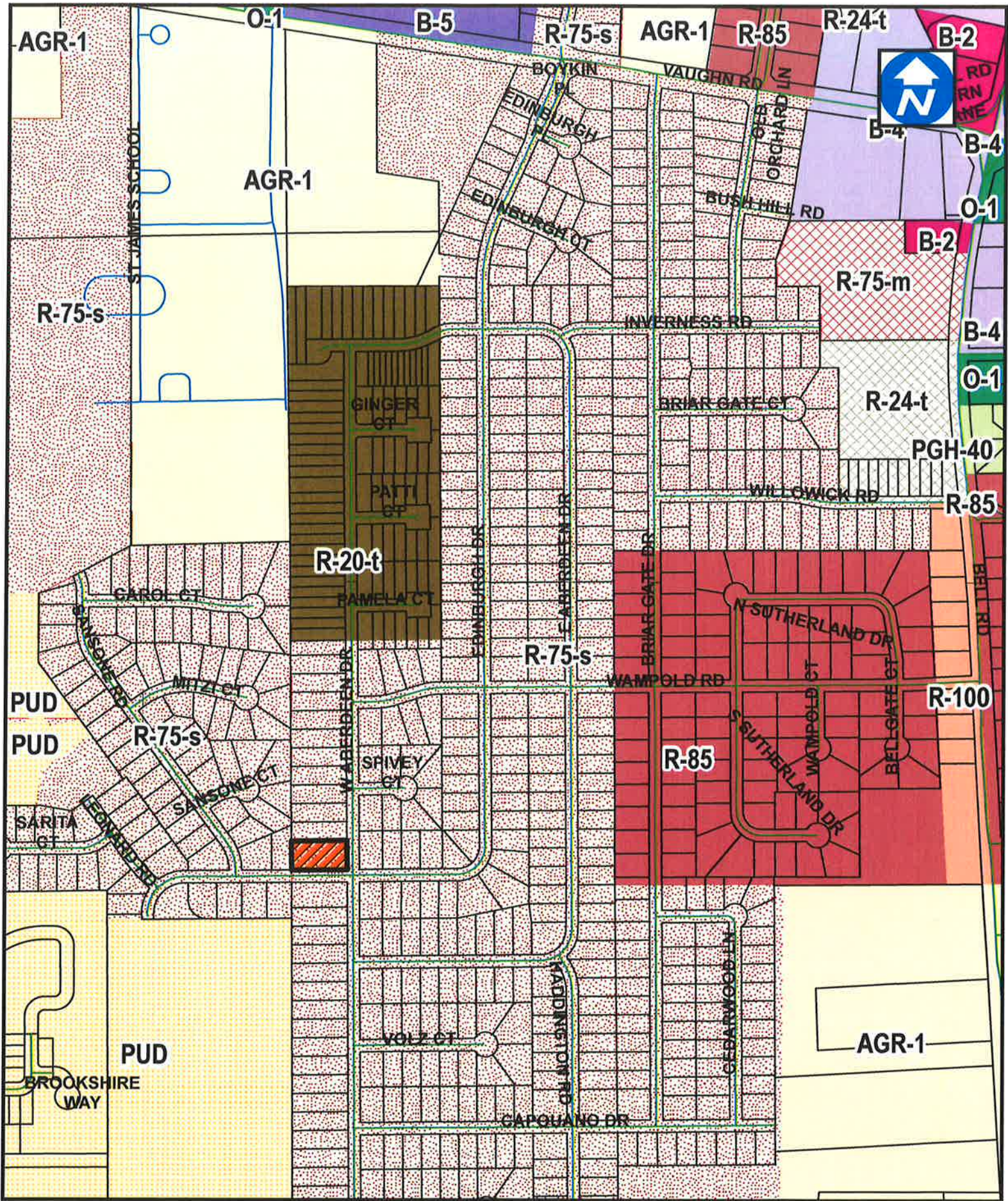
REPRESENTING: Same

SUBJECT: Request a coverage variance, a special exception for a secondary kitchen and plumbing in an accessory structure to be located at 2242 West Aberdeen Drive in an R-75-s (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to construct an additional 560 sq. ft. (14 ft. x 40 ft.) accessory structure which will contain a bathroom and small kitchen area to be used for family entertaining purposes. There is an existing 360 sq. ft. (18 ft. x 20 ft.) accessory structure, which be a total of 920 sq. ft. Per applicant, the accessory structure will not be used for living quarters.

The request is a special exception for plumbing and a 245 sq. ft. coverage variance.

COUNCIL DISTRICT: 8



Site 

1 inch = 500 feet

Item 7A



New accessory structure

EDINBURGH DR

W A BERDEEN DR

Site 

1 inch = 50 feet

Item 7B

8. BD-1999-191 **PRESENTED BY:** William & Gay Foster

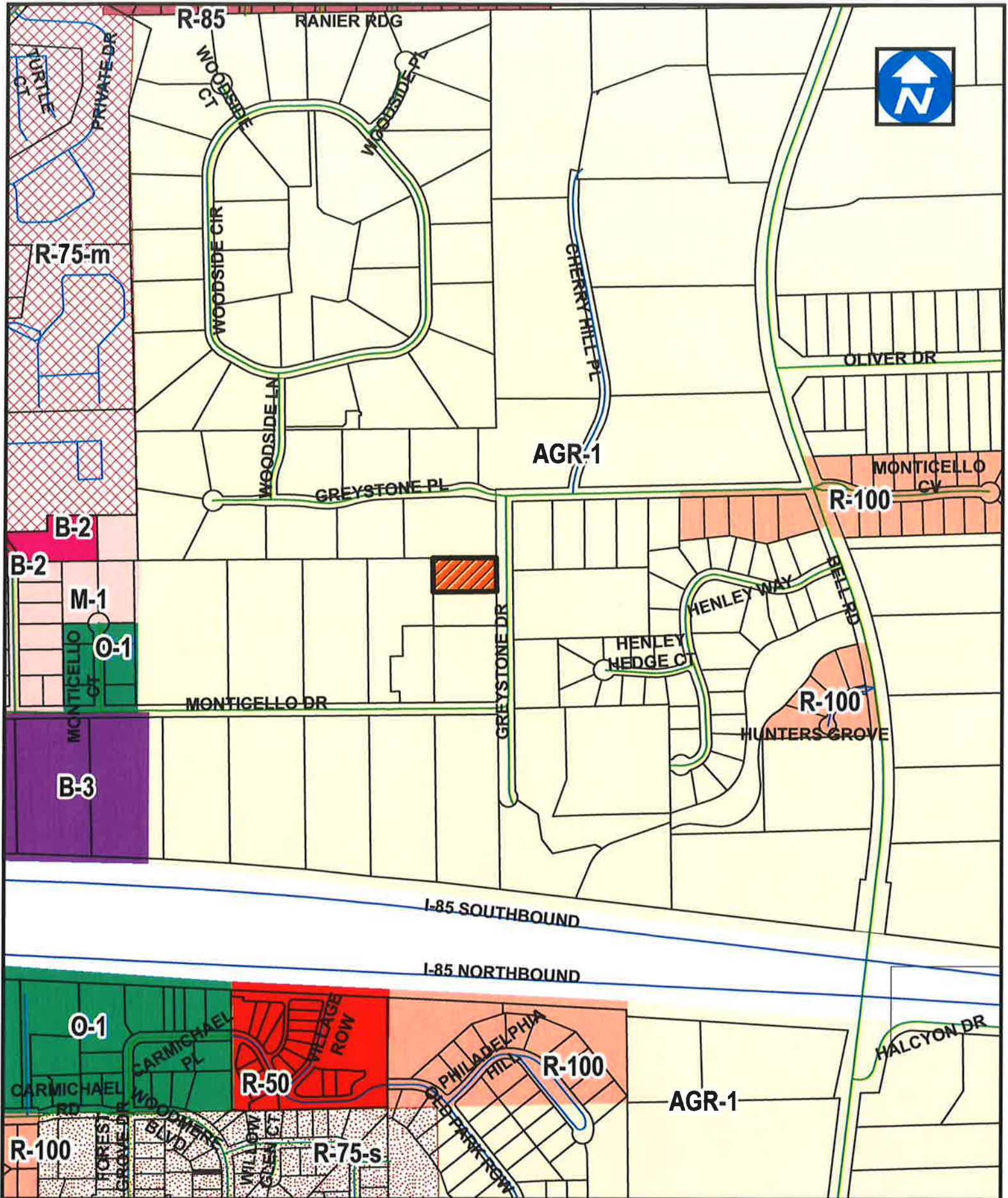
REPRESENTING: Same

SUBJECT: Request a special exception for living quarters in the accessory structure located at 1010 Greystone Drive in an AGR-1 (Residential Agriculture) Zoning District.

REMARKS: This request is being made to give the petitioner permission to use the accessory structure for living quarters for family. The owners would like to finish the attic to include a sitting area and two (2) bedrooms. In 1999, the Board approved plumbing in the accessory structure.

The request is a special exception for living quarters in the accessory structure.

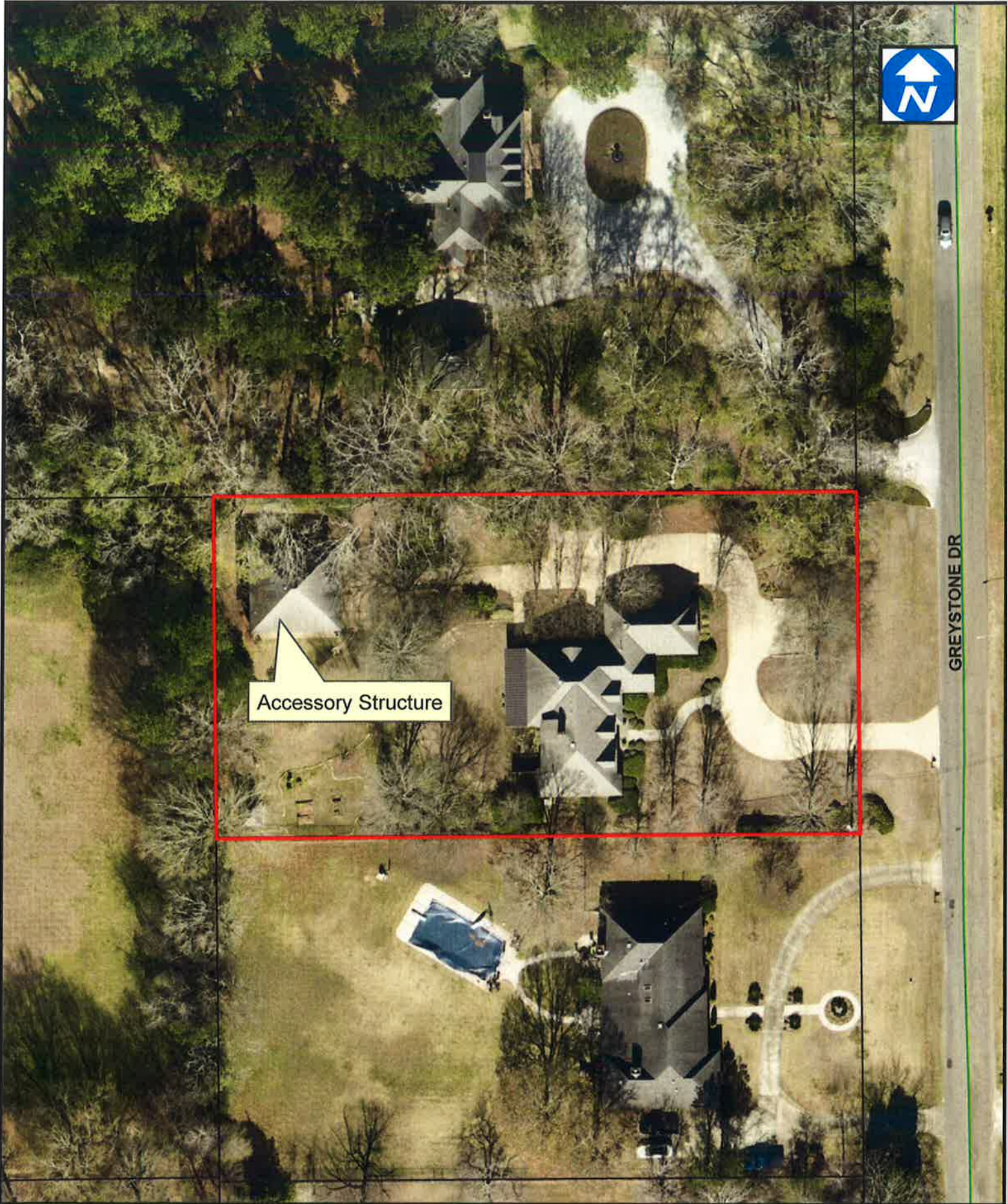
COUNCIL DISTRICT: 9



Site 

1 inch = 600 feet

Item 8A



Accessory Structure

GREYSTONE DR

Site 

1 inch = 60 feet

Item 8B

9. BD-1985-245 **PRESENTED BY:** Paul Schmidt

REPRESENTING: Same

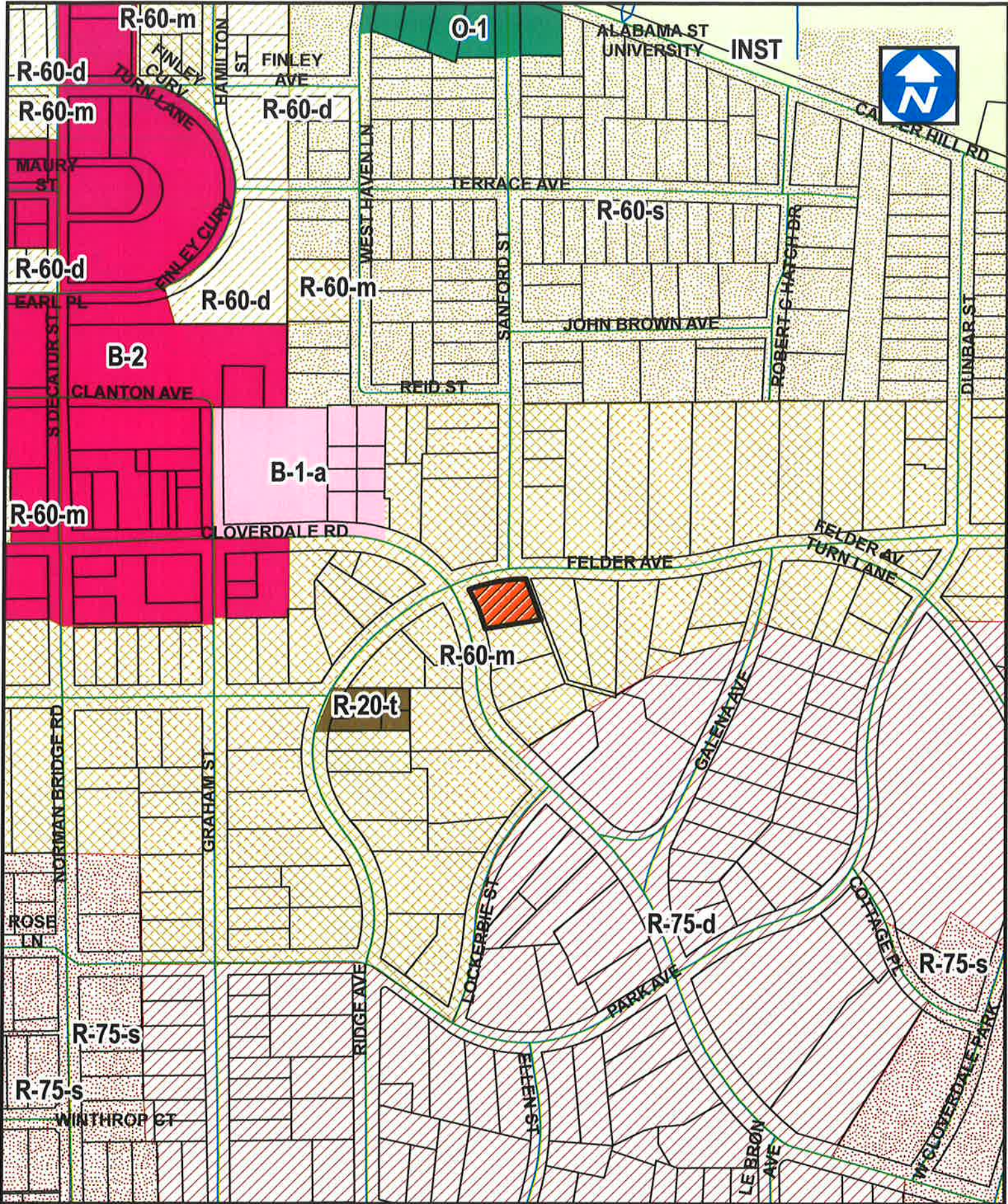
SUBJECT: Request a coverage variance for an accessory structure to be located at 704 Felder Avenue in an R-60-m (Multi-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to construct a 768 sq. ft. accessory structure, whereas 360 sq. ft. is allowed, for an open carport with storage. The accessory structure meets the setback and separation requirements.

The Architectural Review Board approved this request at the October 25, 2022 meeting.

The request is a 408 sq. ft. coverage variance.

COUNCIL DISTRICT: 7



Site 

1 inch = 300 feet

Item 9A



1 inch = 20 feet



SANFORD ST

FELDER AVE

CLOVERDALE RD

Site 

1 inch = 30 feet

Item 9C