

BOARD OF ADJUSTMENT MEETING AGENDA

April 18, 2024 – 5:00 p.m.

Council Auditorium, 103 N. Perry St., Montgomery, AL

MEMBERS

John Stanley, *Chairman*

George Howell, *Vice-Chairman*

Quentin Burke

Beau Holmes

Blake Markham

Bart Prince

Barry Robinson

Pickett Reese

Jennifer Shaw

Warren Adams
Executive Secretary



CITY OF **MONTGOMERY**, ALABAMA

- I. Chairman's Message
- II. Approval of Minutes from the March 21, 2024 meeting.

April 18, 2024

<u>Item</u>	<u>File#</u>	<u>Applicant</u>	<u>Zoning</u>	<u>Location/Request</u>	<u>Page</u>
1.	1999-179	Bill Wilson, P.E.	B-3	1323 Eastern Boulevard (ID Sign – height variance)	1
2.	1999-039	Garrick Oliver	FH	4785 Velma Circle (Commercial Recreational Facility)	2
3.	2024-004	Melinda Sellers	M-3	Wasden Road (Power Substation)	3

The next Board of Adjustment meeting is on May 16, 2024

1. BD-1999-179 **PRESENTED BY:** Bill Wilson, P.E.

REPRESENTING: RaceTrac, Inc.

SUBJECT: Request a height variance for an ID sign to be located at 1323 Eastern Boulevard in a B-3 (Commercial) Zoning District.

REMARKS: This request is being made to give the petitioner permission to install a 200 ft. tall ID sign to be visible from I-85, whereas 45 ft. maximum height is allowed. Each face of the sign will be 500 sq. ft. (31'5" x 15'11"). Sign location is in compliance with the setback requirement of 10 ft. from any street property line.

The request is a 155 ft. height variance for an ID sign.

CITY COUNCIL DISTRICT: 9

Variance Request

Part II

Physical Location: 1323 Eastern Blvd

A variance is a deviation from the terms of the Zoning Ordinance that apply to a particular property. Variances may be appropriate where strict application of the regulations would create a hardship on the owner, due to unusual circumstances such as parcel shape, size or topography.

To aid staff in determining that the required hardship findings can be made in this particular case, please answer the following questions with regard to your request. **These findings must be made by the Board of Adjustment in order for a variance to be granted** (please attach a separate sheet if necessary).

Article III, Section 3 (c) requires you to demonstrate that a hardship exists by providing **all** of the following:

1. What special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district?

RaceTrac is providing EDO (Expanded Diesel Offer) pumps for 18-wheelers/trucks, and with the surrounding area(s) being highly congested & populated, site & brand visibility is vital for larger vehicles in order for them to make quicker decisions, keeping the general public safer in regards to traffic flow.

2. What literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the Zoning Ordinance?

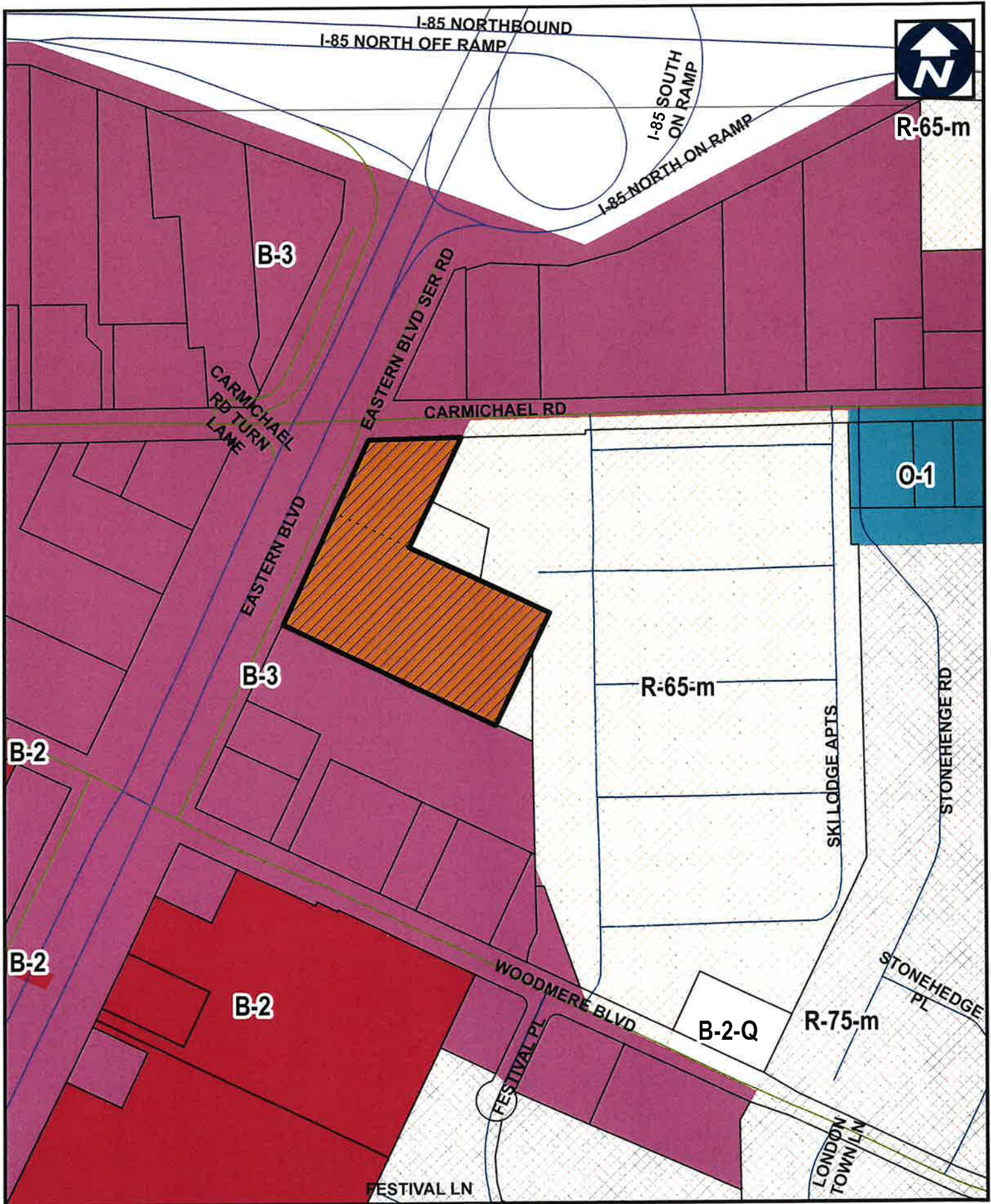
There are adjacent sites/facilities that have Advertising Signs/structures that surpass 45' in height.

3. Does the special conditions and circumstances result from the actions of the applicant?

No, special conditions/circumstances result from site location and type of service/product being provided to the general public, specifically EDO/truck pumps. Adjacent sites/facilities have Advertising Signs/structures that surpass 45' in height.

4. By granting the variance requested, will it grant to the applicant any special privilege that is denied by the Zoning Ordinance to other lands, structures, or buildings in the same district?

No, there are Adjacent sites/facilities that have Advertising Signs/structures that surpass 45' in height.



MAP FOR REFERENCE ONLY.
 NOT A LEGAL DOCUMENT.
 MEASUREMENTS ARE APPROXIMATE,
 NOT SURVEY GRADE

SITE 

1 inch = 302 feet

Item 1B

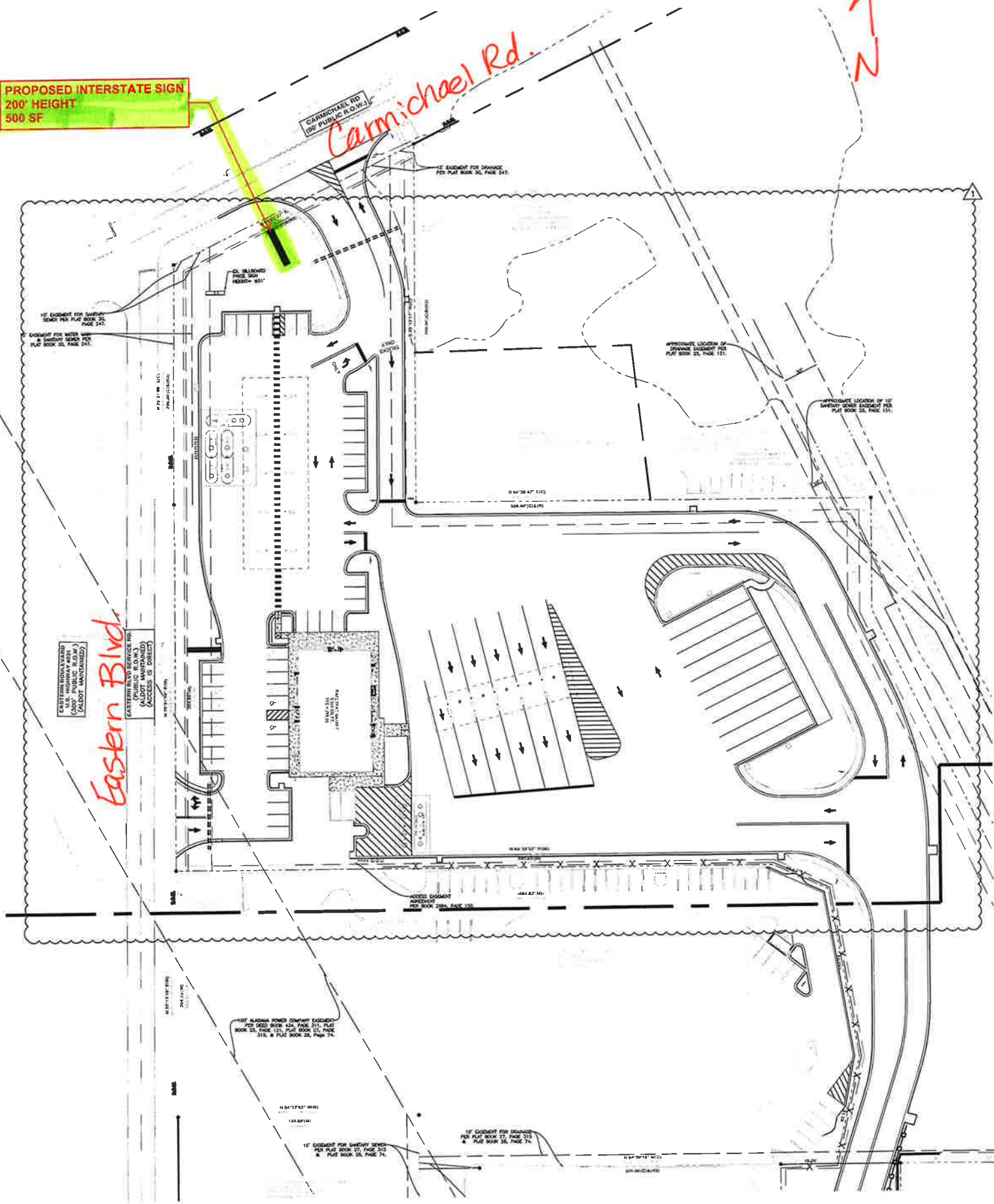
PROPOSED INTERSTATE SIGN
200' HEIGHT
500 SF

Carmichael Rd.

N

Eastern Blvd.

TH
TH



10' ALABAMA POWER COMPANY EASEMENT
FOR SEWER MAIN SEE PAGE 311, PAGE
BOOK 25, PAGE 131, PLAT BOOK 27, PAGE
316, & PLAT BOOK 28, PAGE 74.

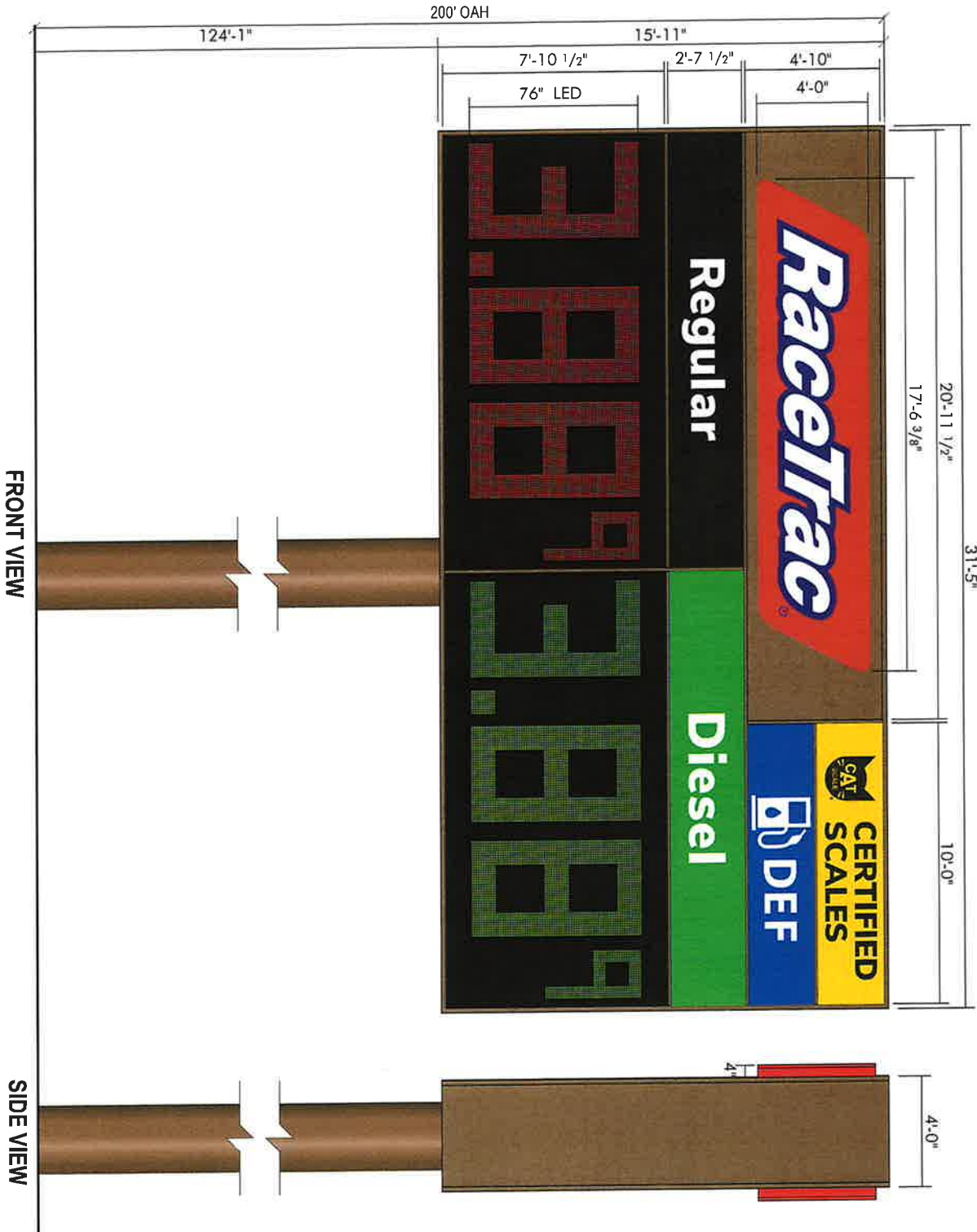
10' EASEMENT FOR SANITARY SEWER
FOR PLAT BOOK 27, PAGE 313
& PLAT BOOK 28, PAGE 74.

10' EASEMENT FOR DRIVEWAY
FOR PLAT BOOK 27, PAGE 313
& PLAT BOOK 28, PAGE 74.

IC

500 SqFt Price Sign - 76" LED - N3 - INTERSTATE

*All sign components to be UL listed. All wiring to conform to UL specifications. Installations 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
 QUANTITY 1
 ALL FUEL GRADE PANELS TO BE ACCESSIBLE FROM TOP OF SIGN



Sloan Sign Box 3
 LED Interior Illumination

Specifications:

Sign Faces:

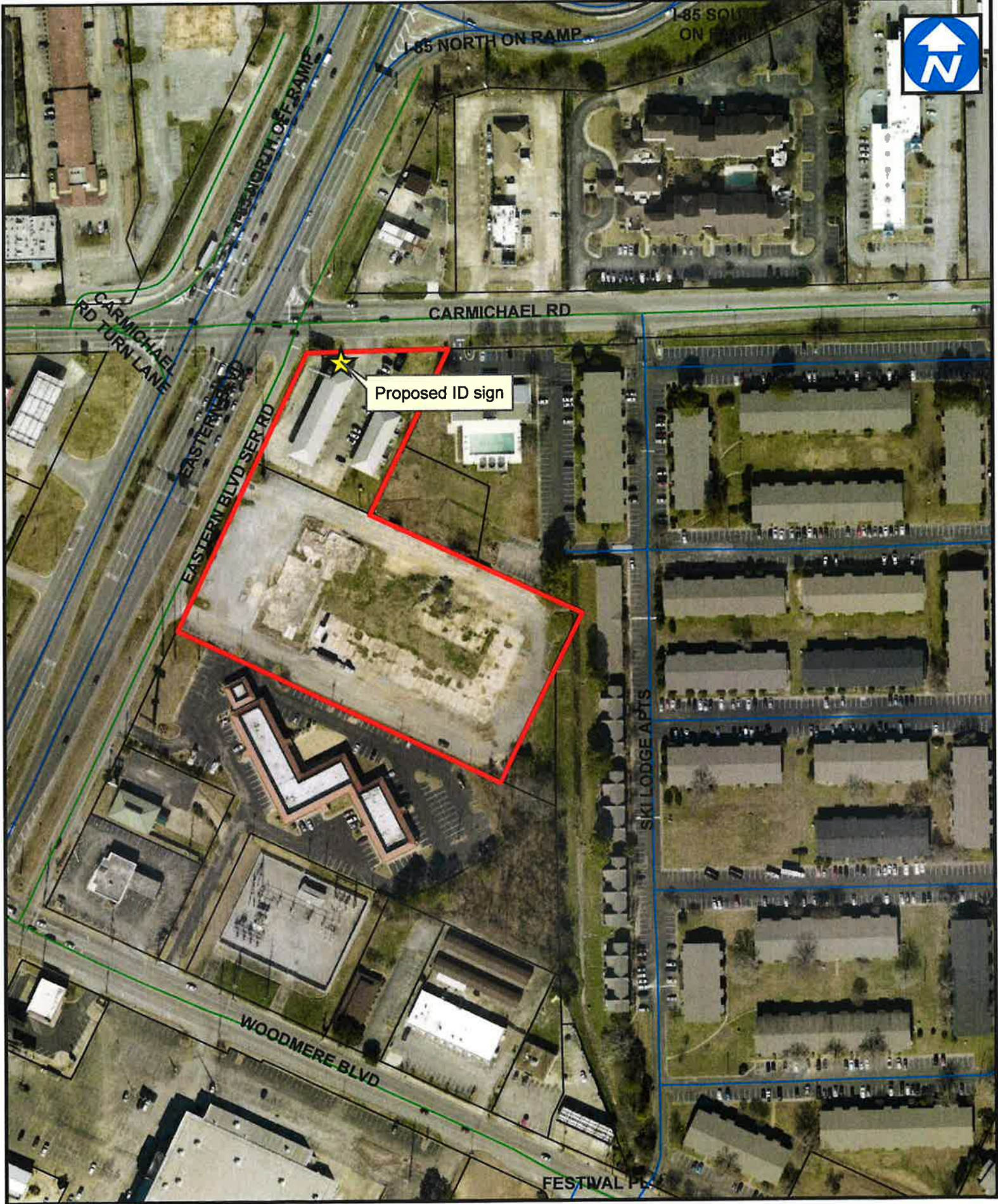
- Logo panel: Aluminum panel painted Bronze C3 with parallelogram mounted to the surface. Parallelogram to be channel letter-type construction with .177" thick Polycarbonate face panels with 2nd surface applied translucent vinyl graphics. Parallelogram copy to be digital print provided by Miratec. Systems with red background and 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 retainers to be 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.



See Color Schedule on Page 2

GENERAL NOTE: ALL WORK SHALL BE IN COMPLIANCE WITH RECOGNIZED INDUSTRY STANDARDS. MANUFACTURERS RECOMMENDATIONS AND ALL APPLICABLE STATE AND LOCAL CODES. NO SUBSTITUTIONS ALLOWED.



Proposed ID sign

MAP FOR REFERENCE ONLY.
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SITE 

1 inch = 200 feet

Item IE

2. BD-1999-039 **PRESENTED BY:** Garrick Oliver

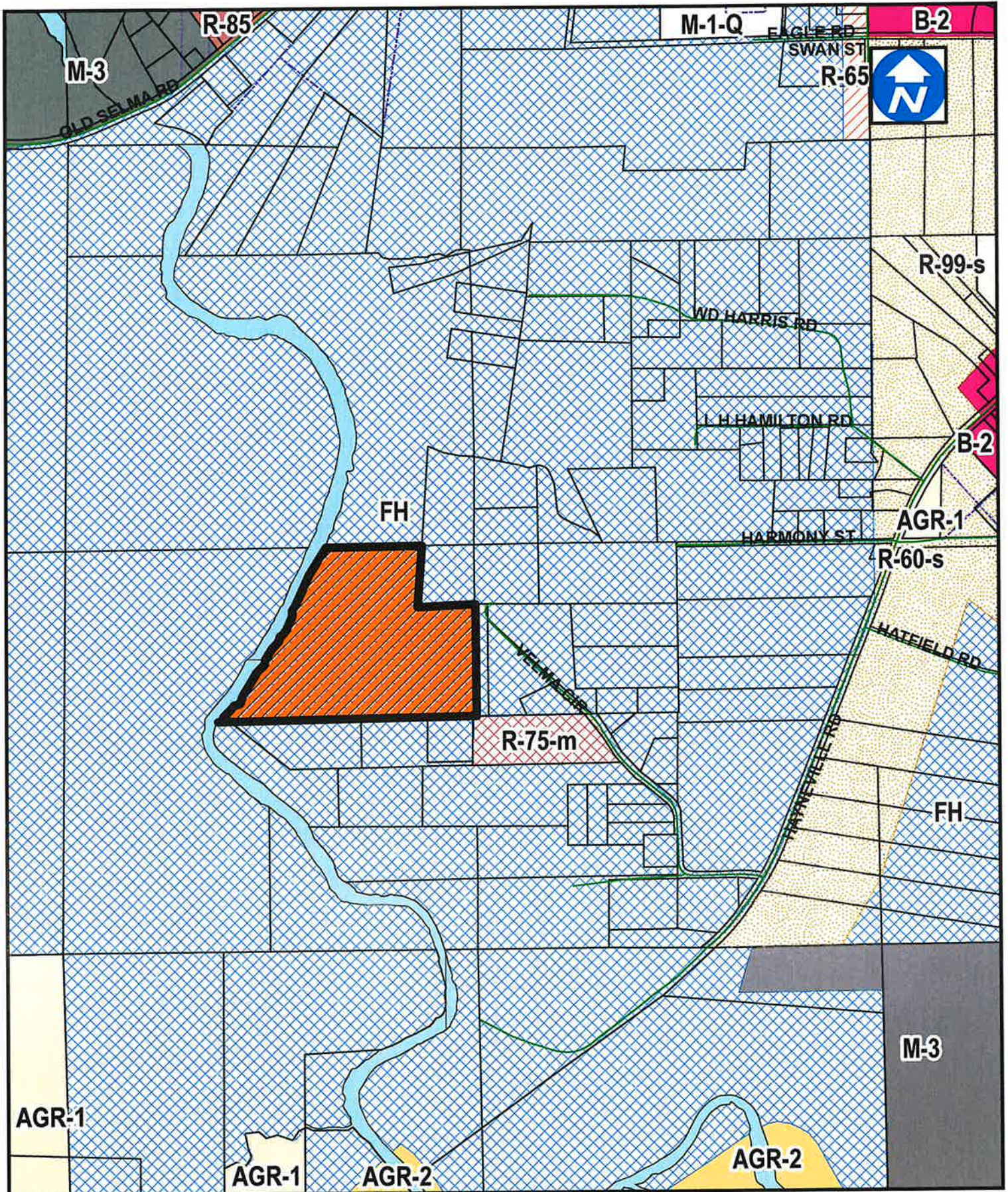
REPRESENTING: The Ranch ATV Park

SUBJECT: Request a special exception for a commercial recreational facility to be located at 4785 Velma Circle in an FH (Flood Hazard) Zoning District.

REMARKS: This request is being made to give the petitioner permission to operate an all-terrain vehicle (ATV) park for commercial use. Mr. Oliver has been operating for a couple of years, not knowing he's not in compliance with zoning. In applying for a small black business grant through the Montgomery Police Department for his business, he is required to obtain a business license and to get one he needs approval from the BOA. The Park can be rented out to various groups for riding events, to individuals to ride for a flat fee for the day, once-a-month events, and Sunday is free-ride and BBQ Day. For all events, there are two (2) MPD off-duty officers that work security. The facility will close no later than 12:00 a.m.

The request is a special exception for a commercial recreational facility.

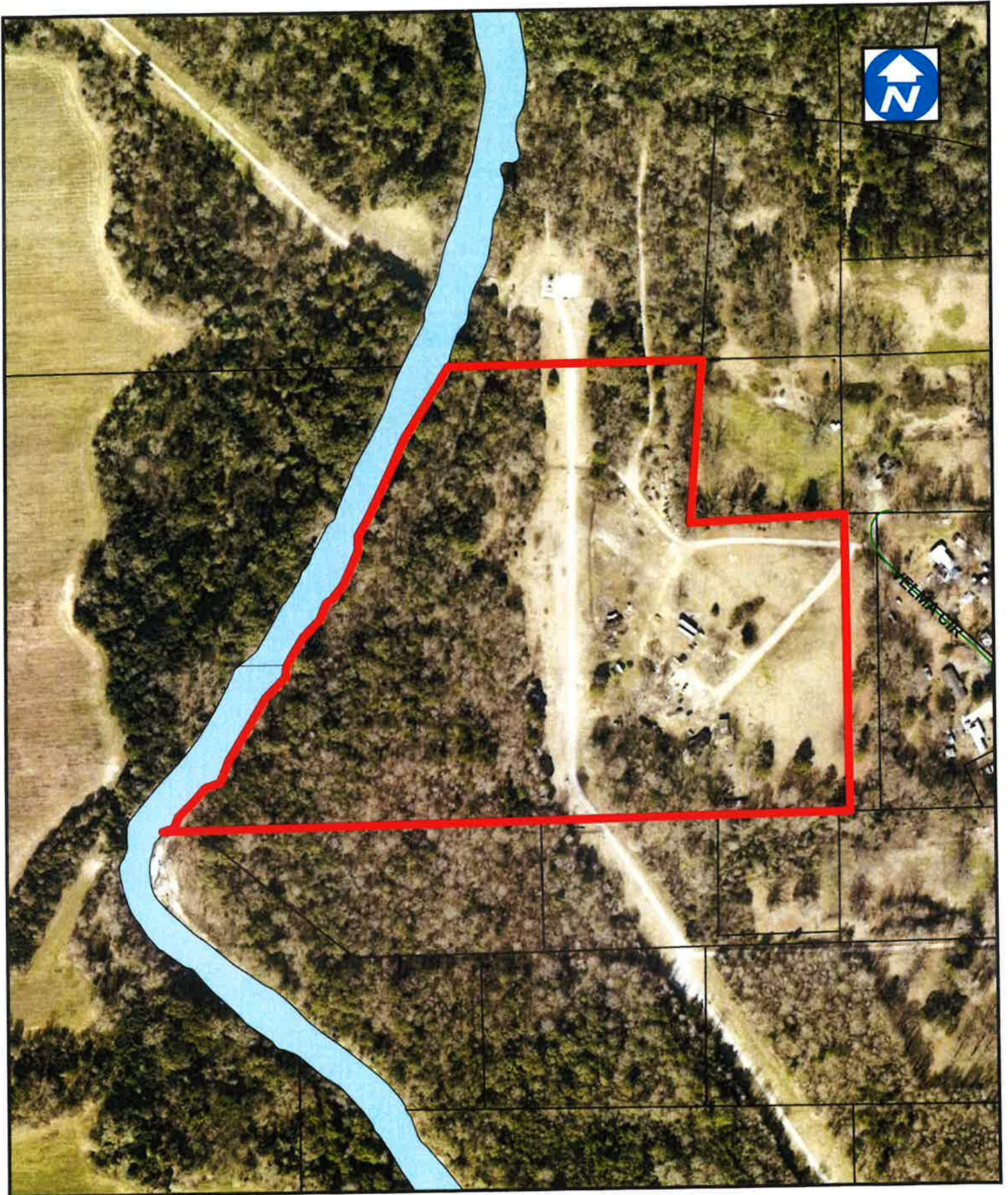
COUNCIL DISTRICT: 4



Site 

1 inch = 800 feet

Item 2A



Site 

1 inch = 300 feet

Item 2B

3. BD-2024-004 **PRESENTED BY:** Melinda Sellers

REPRESENTING: Same

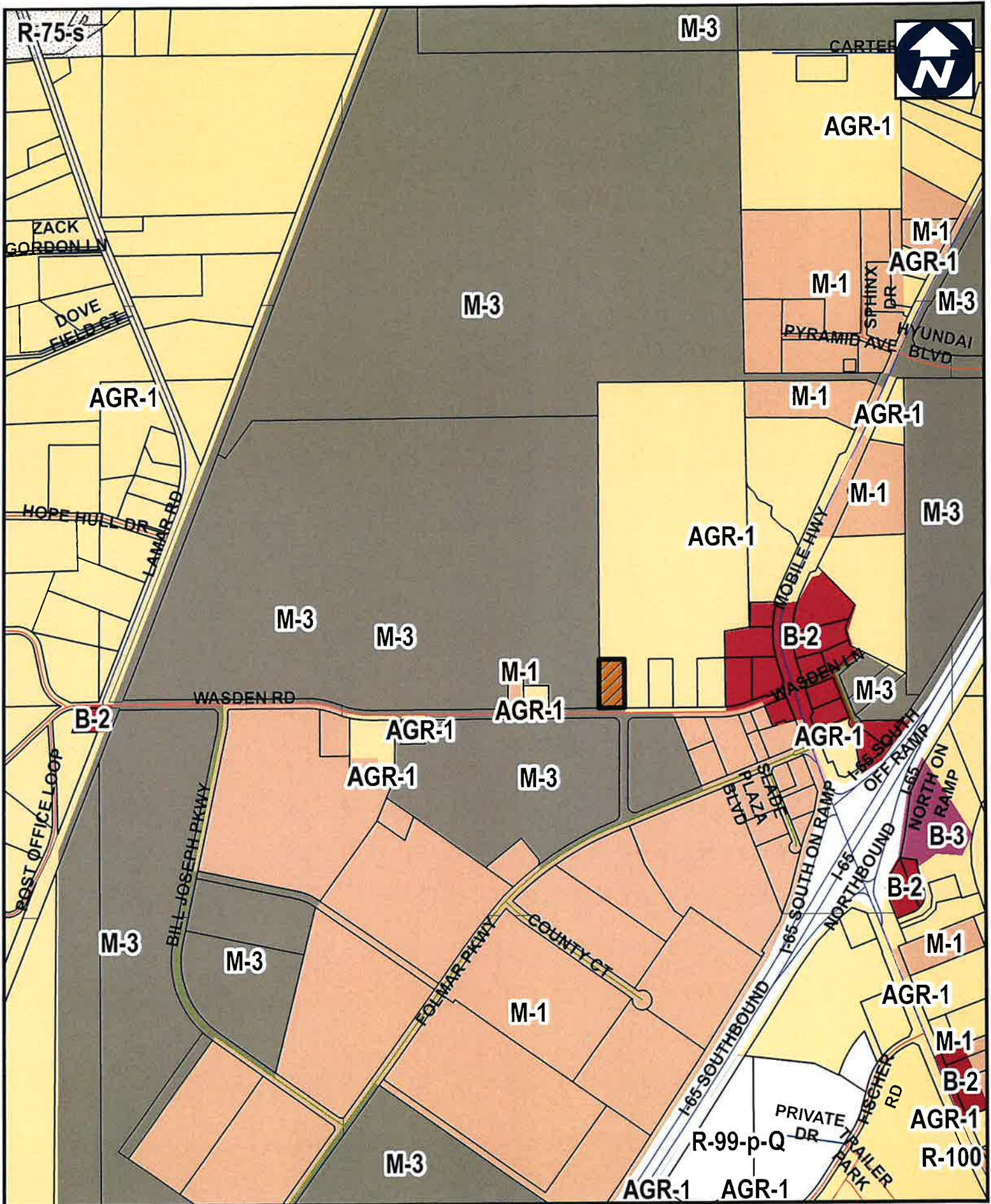
SUBJECT: Request a special exception for a power substation to be located on the north side of Wasden Road, approximately 700 ft. west of Mobile Highway, in an M-3 (General Industry) Zoning District.

REMARKS: This request is being made to give the petitioner permission to construct a power substation.

The request is a special exception for a power substation.

COUNCIL DISTRICT: Police Jurisdiction

COUNTY COMMISSION DISTRICT: 2

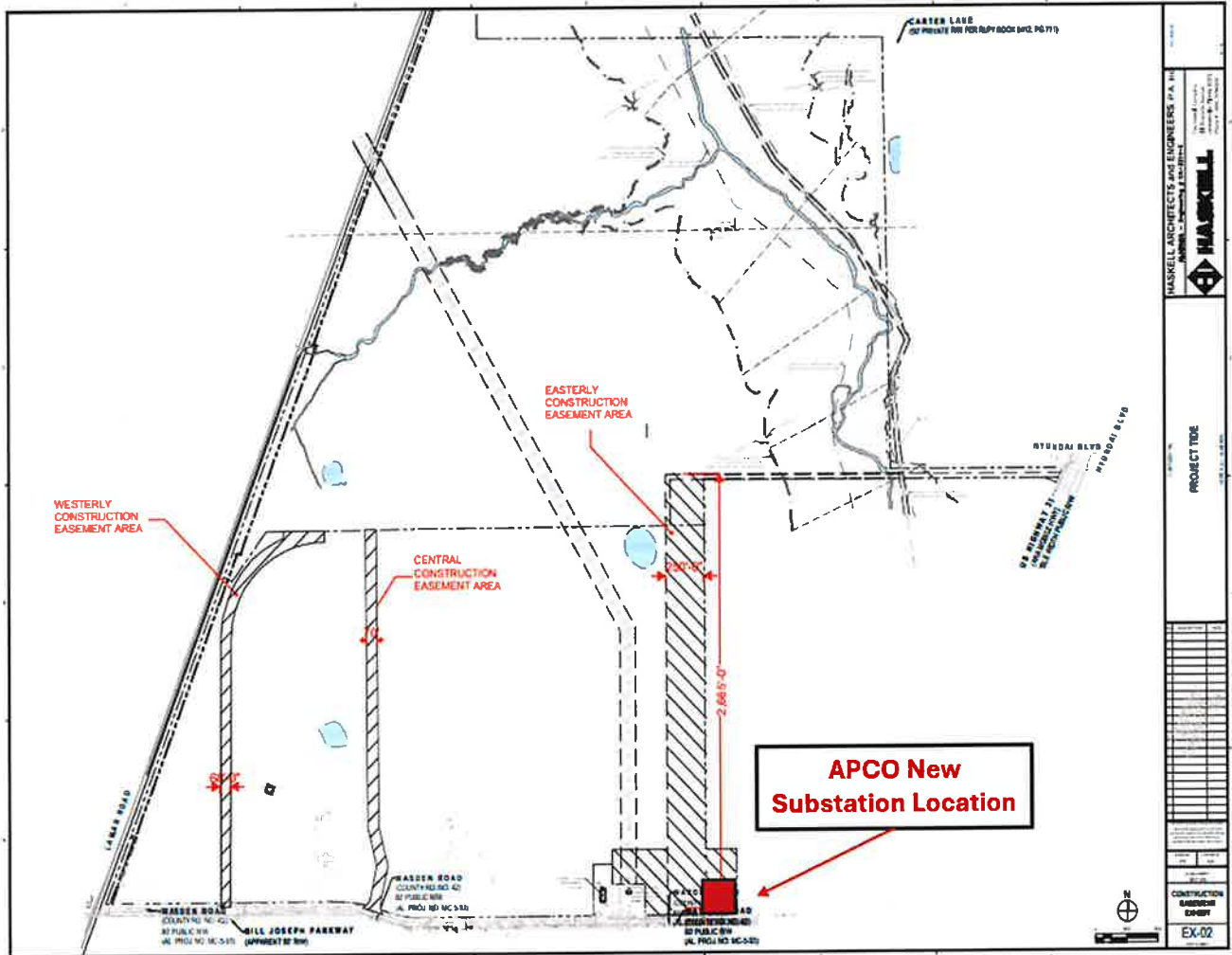


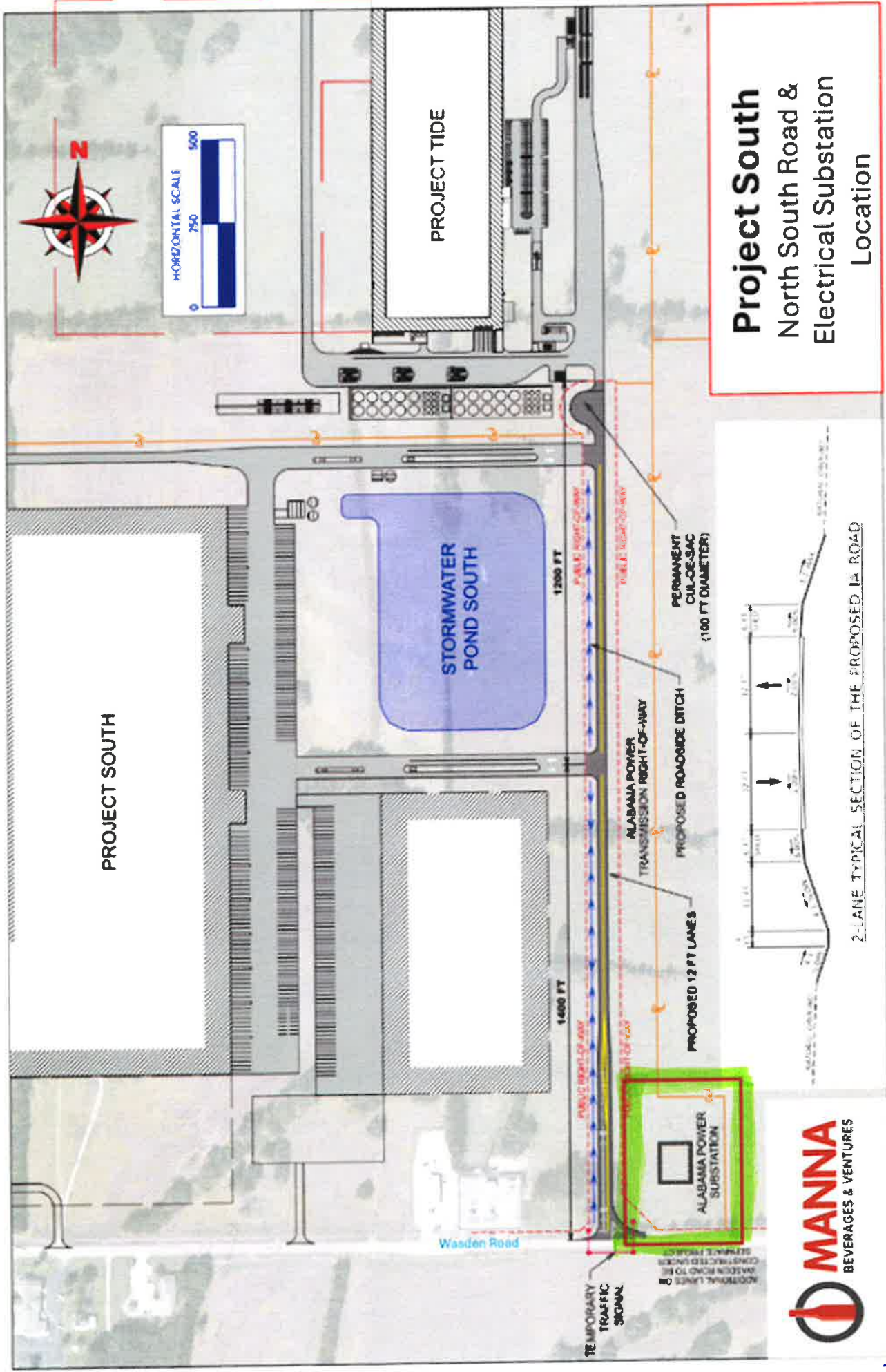
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SITE 

1 inch = 1,000 feet

Item 3A





Project South North South Road & Electrical Substation Location

PROJECT SOUTH

STORMWATER
POND SOUTH

PROJECT TIDE

TEMPORARY
TRAFFIC
SIGNAL

ADDITIONAL LANES
ON WOODEN ROAD TO BE
CONSTRUCTED UNDER
SEPARATE PROJECT

ALABAMA POWER
SUBSTATION



PROPOSED 12 FT LANES

ALABAMA POWER
TRANSMISSION RIGHT-OF-WAY

PROPOSED ROADSIDE DITCH

PERMANENT
CUL-DE-SAC
(100 FT DIAMETER)

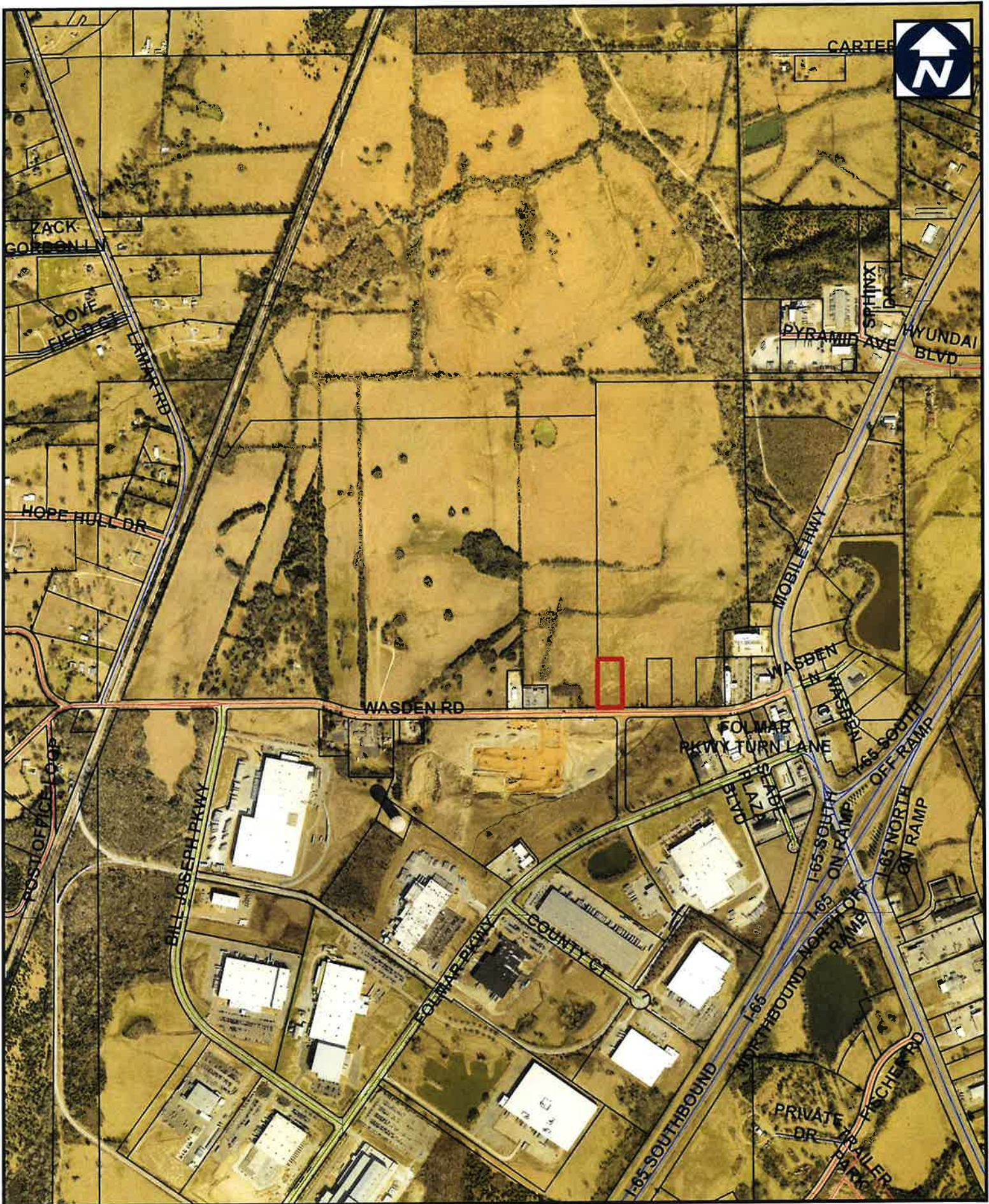


2-LANE TYPICAL SECTION OF THE PROPOSED IA ROAD

MANNA
BEVERAGES & VENTURES



32



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SITE 

1 inch = 1,000 feet

Item 3D