

BOARD OF ADJUSTMENT MEETING AGENDA

May 16, 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 April 18, 2024 meeting.**

May 16, 2024

<u>Item</u>	<u>File#</u>	<u>Applicant</u>	<u>Zoning</u>	<u>Location/Request</u>	<u>Page</u>
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The next Board of Adjustment meeting is on June 20, 2024

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

REPRESENTING: The Ranch ATV Park

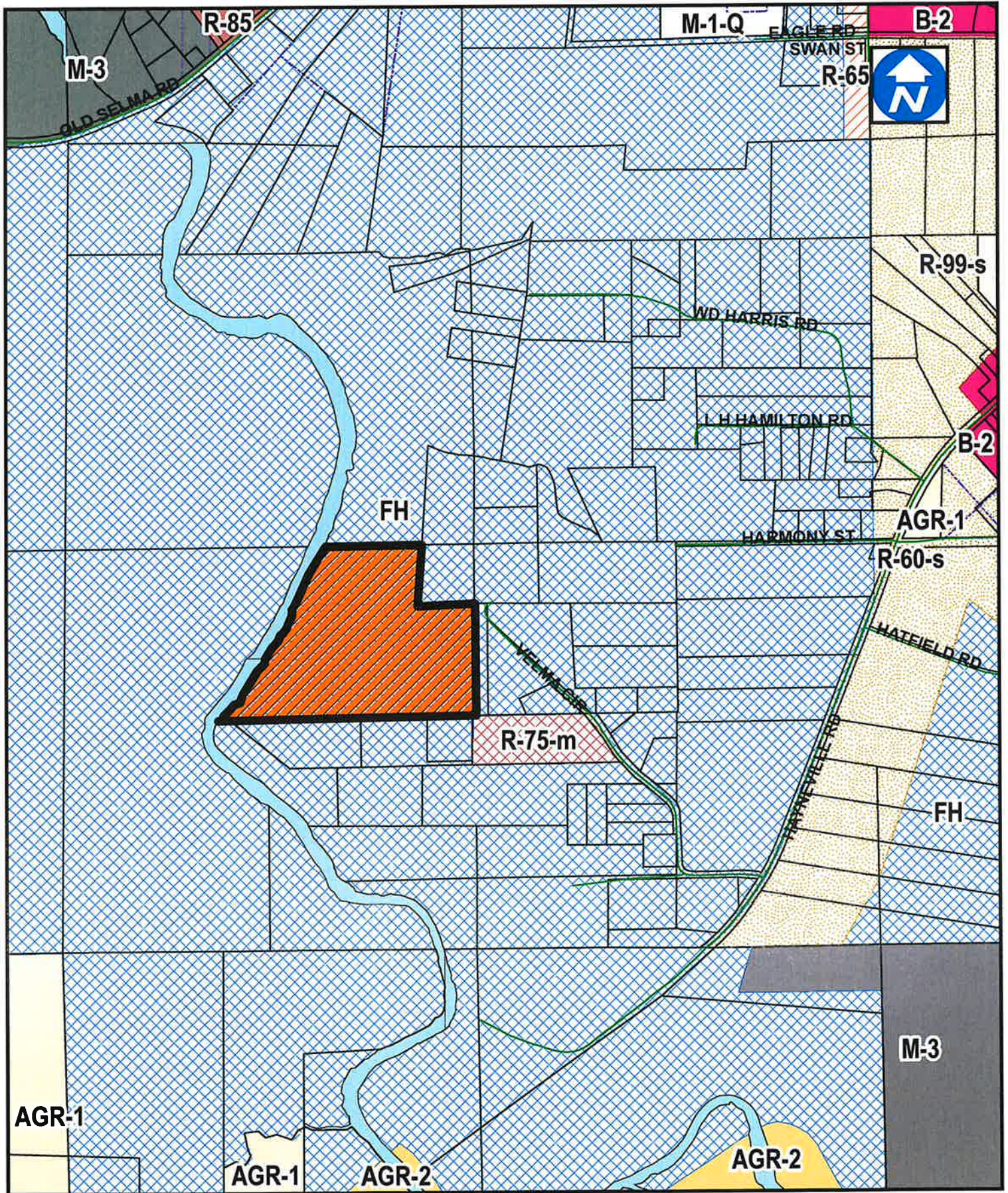
SUBJECT: Request a special exception for a commercial recreational facility to be located at 4785 Velma Circle in an FH (Flood Hazard) Zoning District.

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.

The Board delayed this request at the April 18, 2024 meeting.

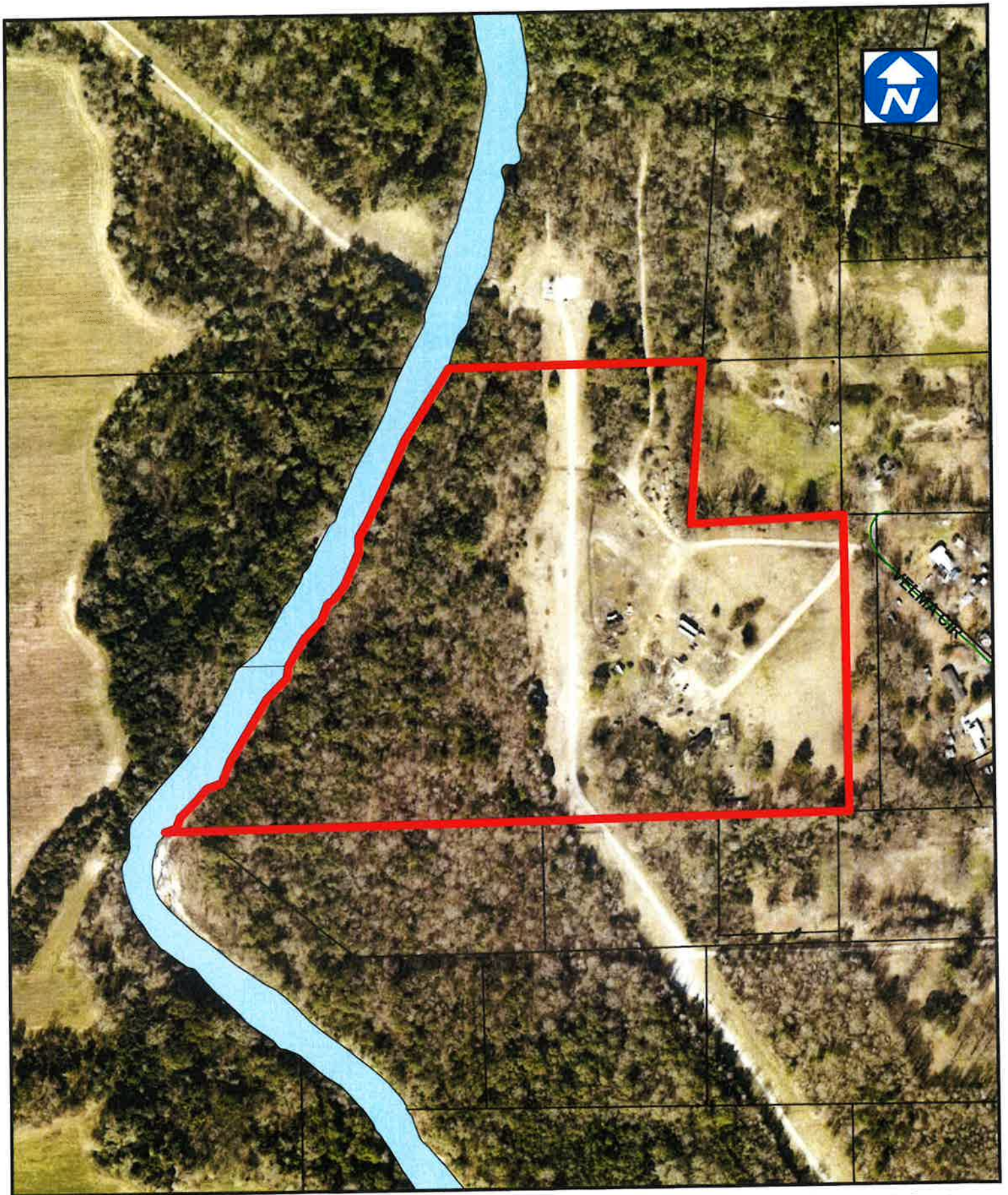
COUNCIL DISTRICT: 4



Site 

1 inch = 800 feet

Item 1A



Site 

1 inch = 300 feet

Item 1B

2. 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

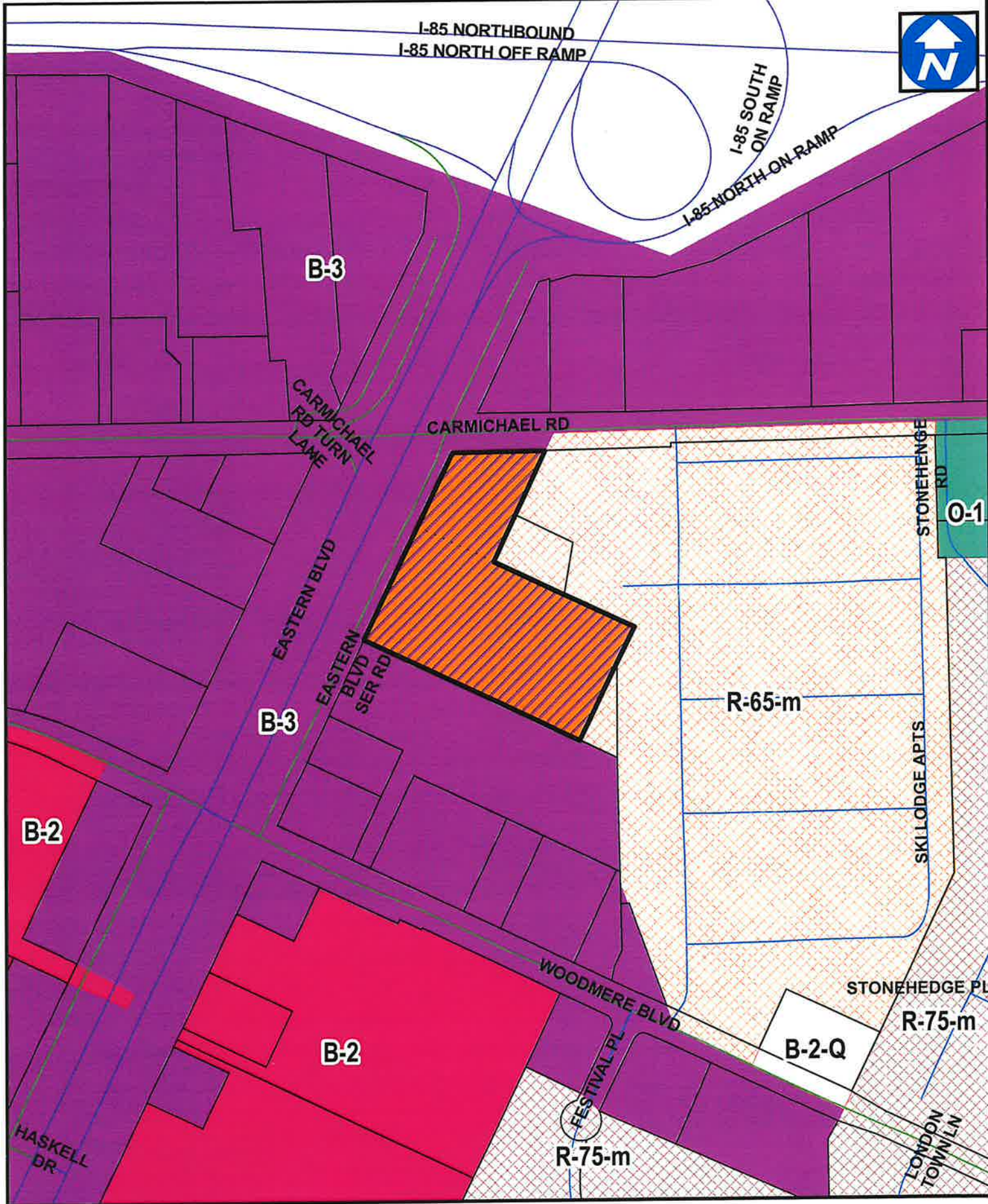
Physical Location: 1323 Eastern Blvd

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 = 300 feet

Item 2B

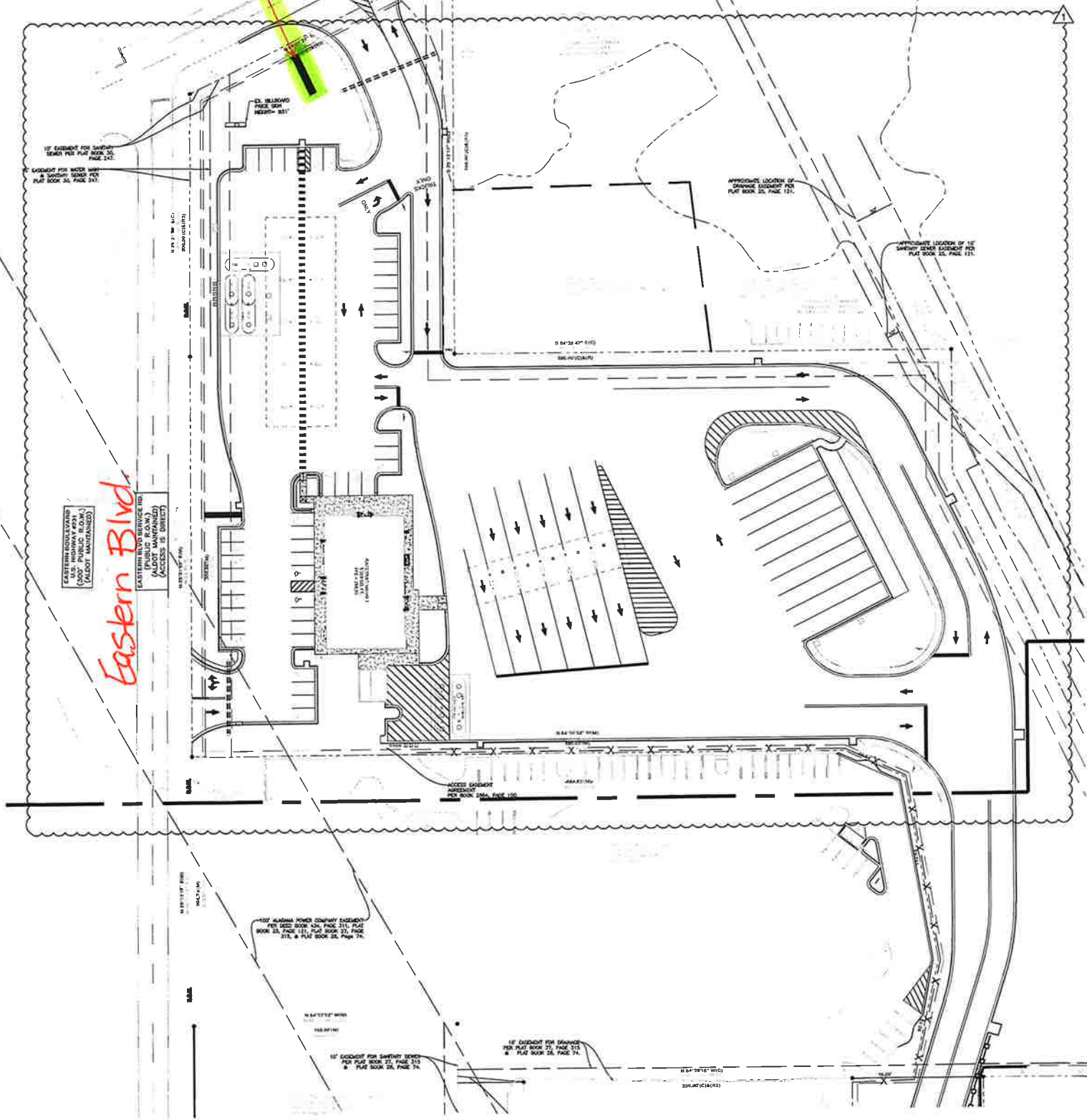
PROPOSED INTERSTATE SIGN
200' HEIGHT
500 SF

Carmichael Rd.

N
↑

TH
TH

Eastern Blvd.



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

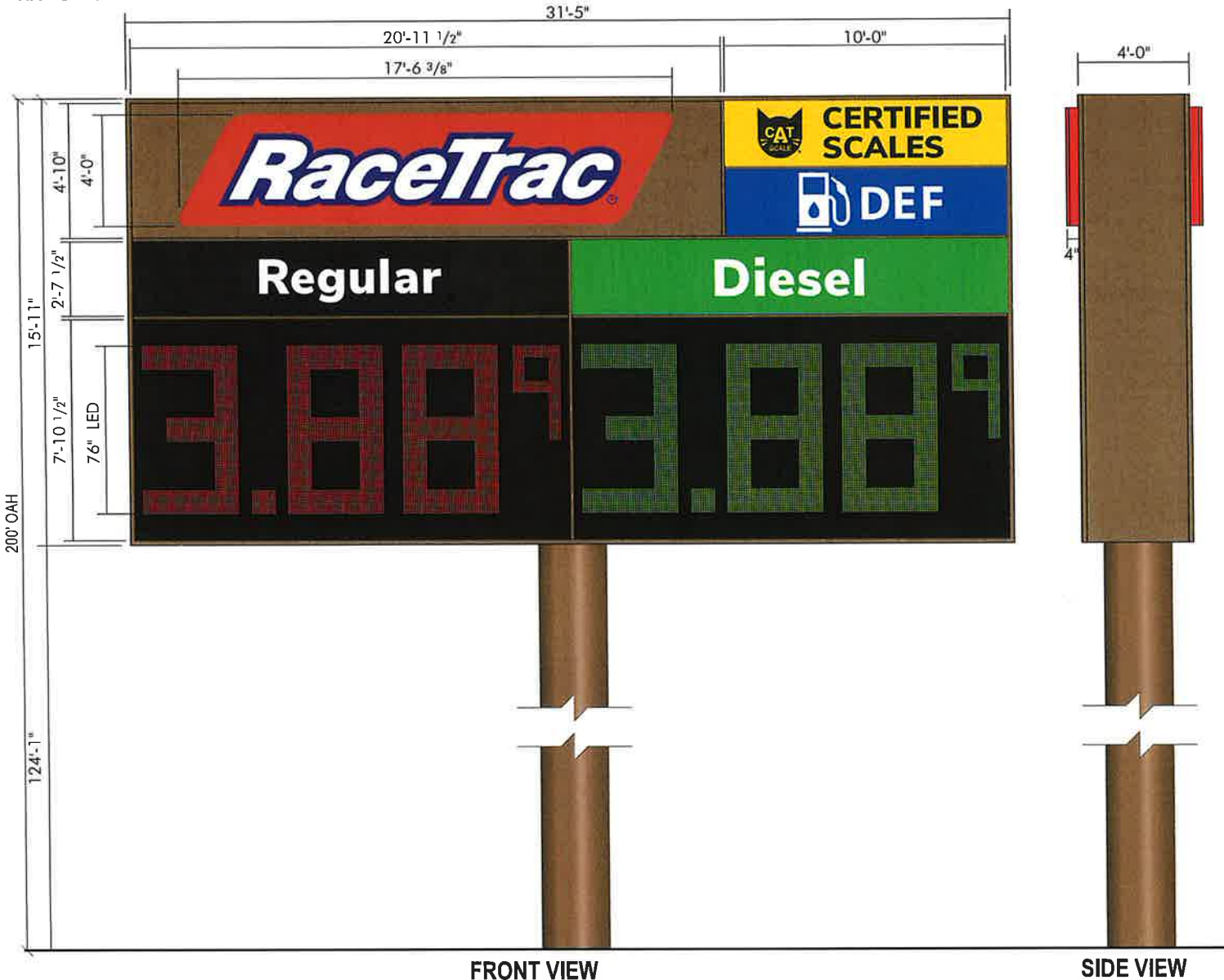
FOUNDATION INFORMATION PROVIDED BY RACETRAC. MANUFACTURER RESPONSIBLE FOR HAVING A LICENSED ENGINEER VALIDATE FOUNDATION DESIGN PRIOR TO INSTALL

DOUBLE FACED

QUANTITY 1

ALL FUEL GRADE PANELS TO BE ACCESSIBLE FROM TOP OF SIGN

2D



**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 retainer 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





Proposed ID sign

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

SITE 

1 inch = 200 feet

Item 2E

3. BD-2024-005 **PRESENTED BY:** Grace Mehm

REPRESENTING: Same

SUBJECT: Request side yard and rear yard variances for a new accessory structure be located at 3313 Vermont Drive in a R-65-s (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to replace an existing 8 ft. x 10 ft. storage shed on existing slab in the rear yard. The structure will be 3 ft. 3 in. from the side property line and 4 ft. 3 in. from the rear property line, whereas 5 ft. is required for both.

The request is a 1 ft. 9 in. side yard variance and a 9 in. rear yard variance for the storage shed.

CITY COUNCIL DISTRICT: 1

Variance Request Part II

Physical Location: 3313 Vermont Drive

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?

We are attempting to replace an existing structure (shed)
that is on a concrete slab. Shed is non electrical.

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?

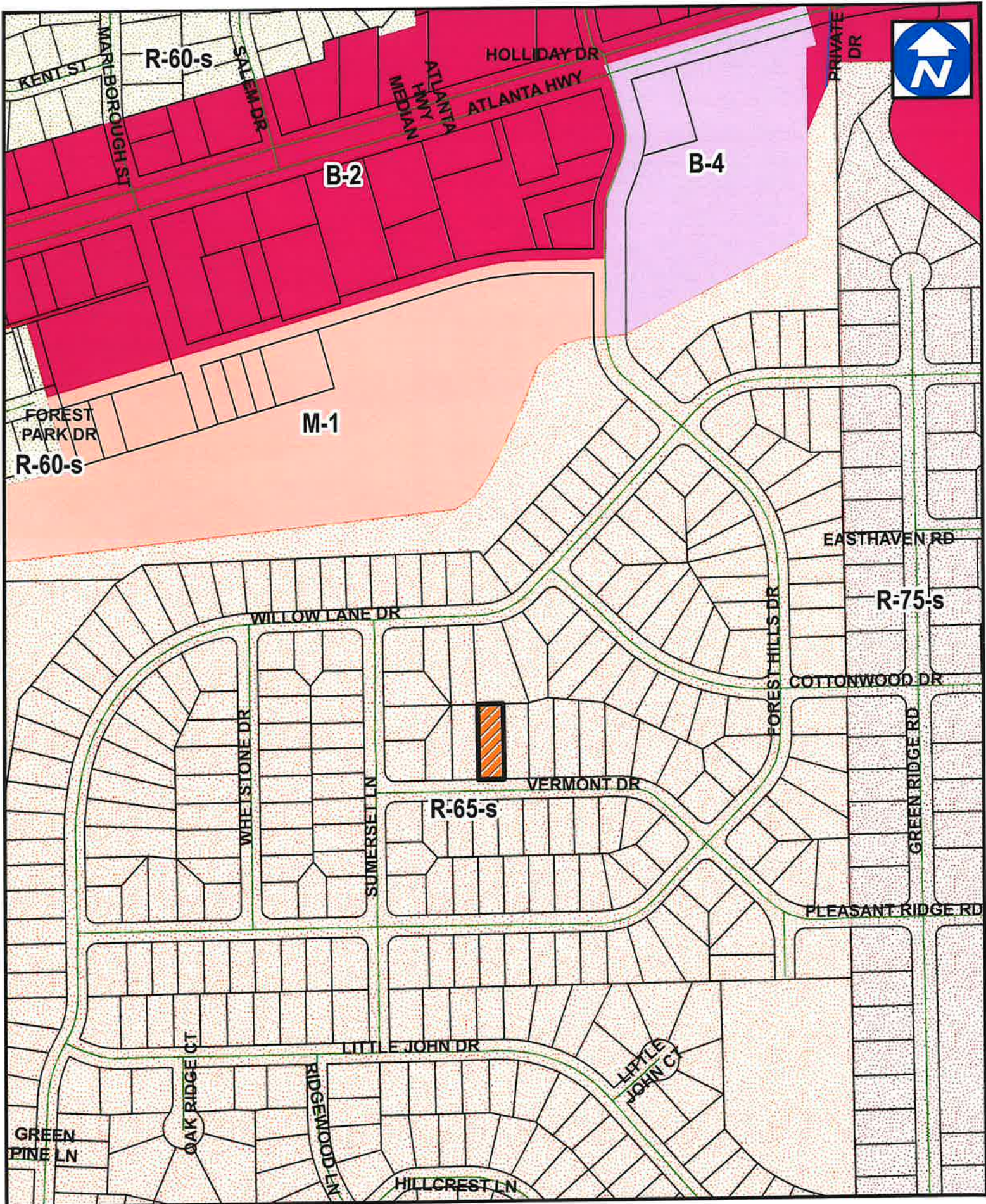
N/A

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

slab of concrete + shed both existed before we
purposed and we just want to replace shed.

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?

N/A



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 NOT A LEGAL DOCUMENT.
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 NOT SURVEY GRADE

SITE 

1 inch = 300 feet

Item 3B

WILLOW
LANE DR



Storage
building

VERMONT DR

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

SITE

1 inch = 50 feet

Item 3C

4. **BD-2024-009 PRESENTED BY:** Montgomery Christian School

REPRESENTING: Same

SUBJECT: Request rear yard and side yard variances for a new mobile classroom to be located at 3265 McGehee Road in an R-85 (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to place a mobile classroom that will come within 12 ft. 1 in., and within 11 ft. of the side property line, whereas 35 ft. is required for both.

The requests are a 22 ft. 11 in. rear yard variance and a 24 ft. side yard variance.

COUNCIL DISTRICT: 5

Variance Request

Part II

Physical Location: 3265 McGehee Road, Montgomery, AL 36111

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?

The proposed building is a mobile classroom building to be used as
additional library and classroom space. The property includes two easements,
one of which runs through the middle of the property.

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?

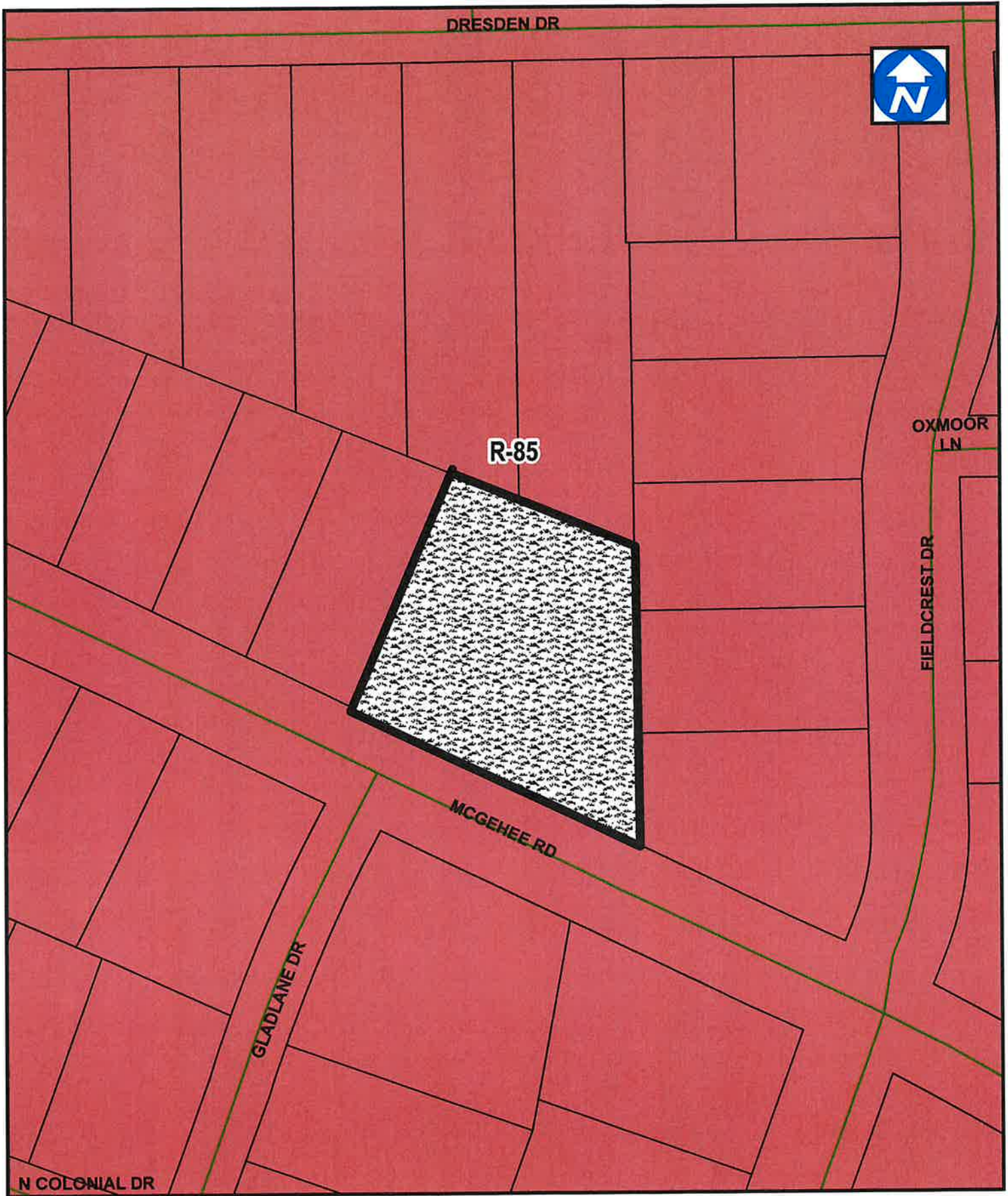
Setback requirements, specifically the minimum depth of rear yard,
would deprive the school of adding additional classroom space. The property
in front is currently playground space used for physical education of students.

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

The actions of the applicant do not produce any special conditions
or circumstances.

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 special privilege will be granted to the applicant with
approval of the variance hereby requested.



Site 

1 inch = 100 feet
Item 4B



Site 

1 inch = 100 feet

Item 4D

5. BD-2024-006 **PRESENTED BY:** Pilgreen & Bostick Engineering, Inc.

REPRESENTING: Same

SUBJECT: Request a rear yard variance for a sign to be located at 1641 Windsor Hill Court in a O-1-Q (Office District Qualified) Zoning District.

REMARKS: This request is being made to give the petitioner permission to place an identification sign 1 ft. 6 in. from the rear property line (Perry Hill Road), whereas 20 ft. is required. The sign placement would be in line with the existing sign of business to the north of this property.

The request is an 18 ft. 6 in. rear yard variance for an ID sign.

CITY COUNCIL DISTRICT: 7

Variance Request Part II

Physical Location: 1641 Windsor Hill Court

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?

There is a 20' sign setback for our property. The property to the north has a sign that is 1.5' off the Perry Hill ROW. We want our sign in line with theirs so our sign is not blocked.

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?

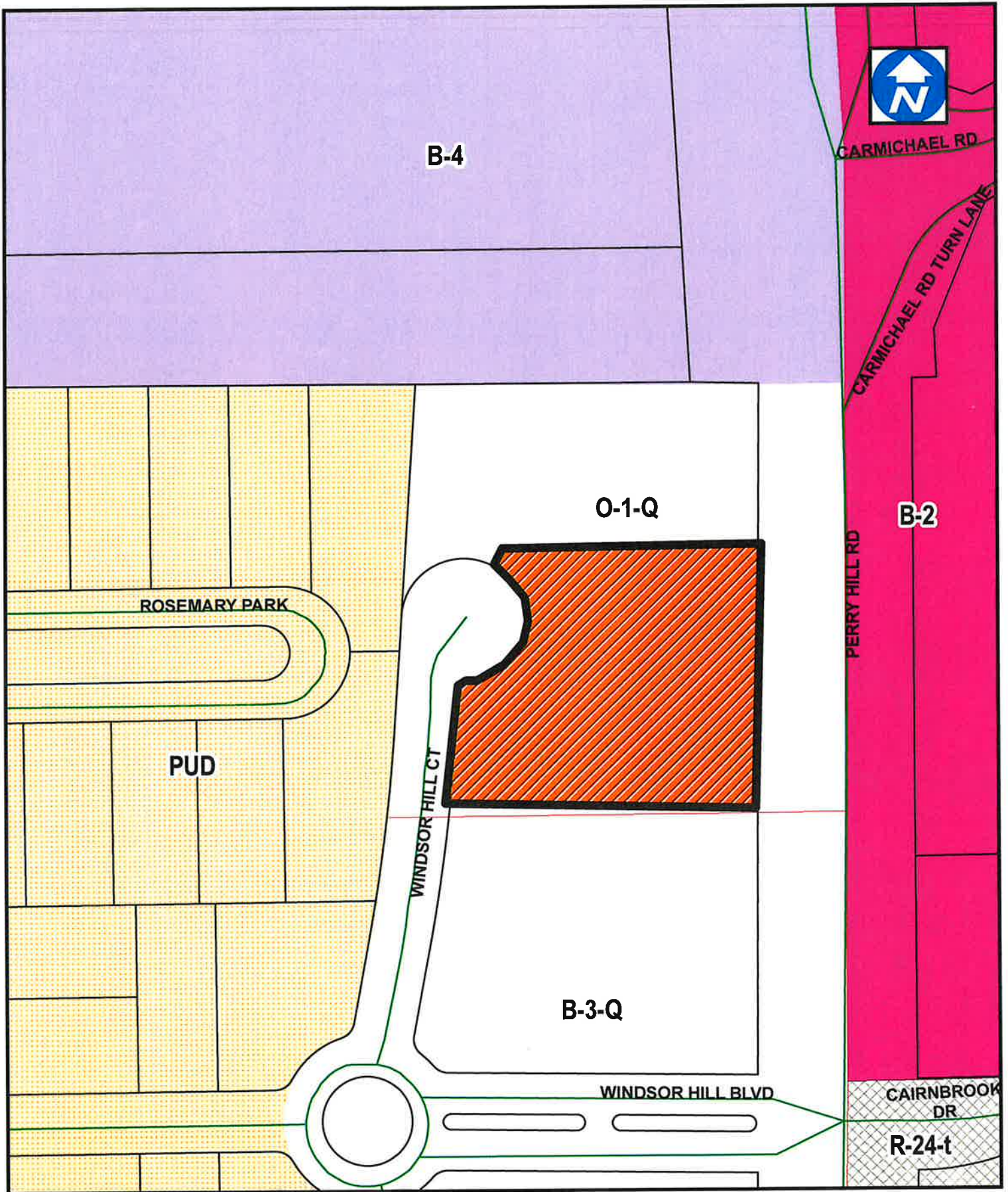
Our sign will not be in the same line of sight as the neighboring property to the north.

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

No

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?

Yes, the property to the north has already built a sign 1.5' off of the Perry Hill ROW and this will cause the view of our sign to be blocked.



Site 

1 inch = 100 feet

Item 5B



Site 

1 inch = 100 feet

Item 5D

6. BD-2024-002 **PRESENTED BY:** Augustin Carbajal

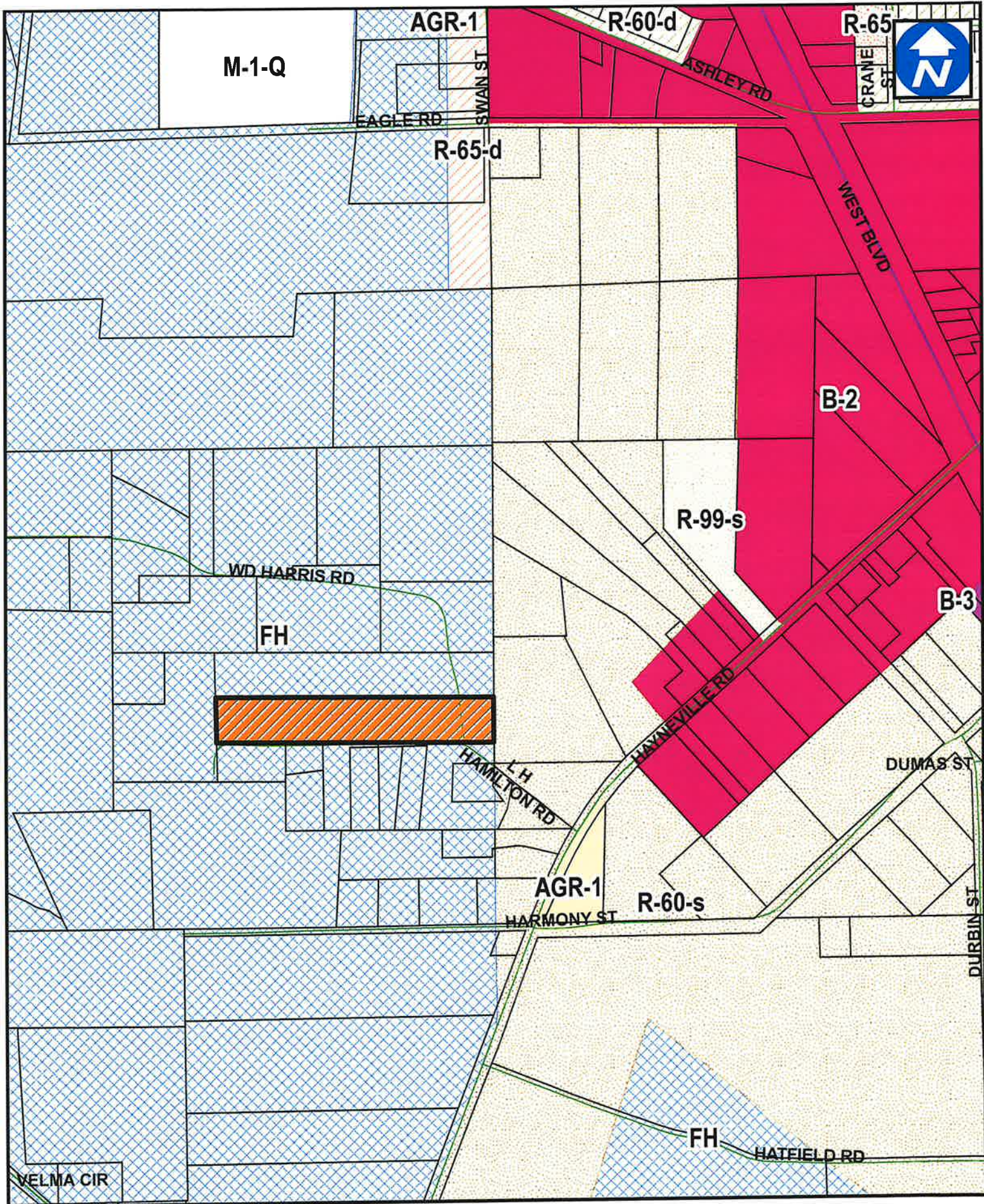
REPRESENTING: Same

SUBJECT: Request a special exception for a mobile home for living purposes to be located on the northwest corner of L. H. Hamilton Road and W. D. Harris Road in a FH (Flood Hazard) Zoning District.

REMARKS: This request is being made to give the petitioner permission to place one (1) additional mobile home on 4.8-acre parcel with one (1) existing mobile home.

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

CITY COUNCIL DISTRICT: 4



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

SITE 

1 inch = 500 feet

Item 6A



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

SITE 

1 inch = 200 feet

Item WB

7. BD-2024-007 **PRESENTED BY:** Ready Mix USA

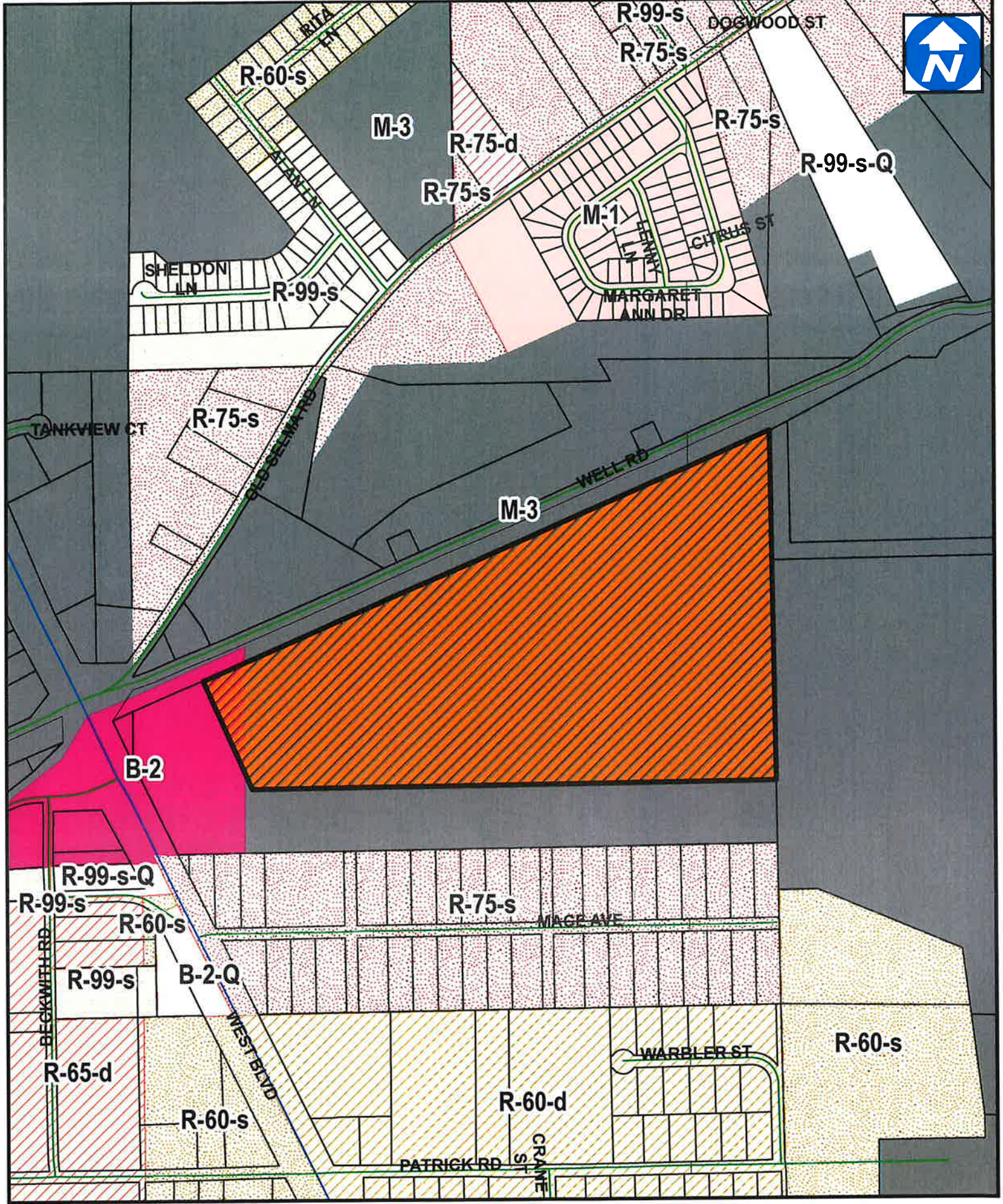
REPRESENTING: Same

SUBJECT: Request a special exception for a portable concrete plant to be located at 1241 West Boulevard in an M-3 (General Industrial) Zoning District.

REMARKS: This request is being made to give the petitioner permission to operate a portable concrete plant with an office trailer onsite. This is to serve the west and southwest Montgomery market.

The request is a special exception to operate a portable concrete plant.

COUNCIL DISTRICT: 4



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

SITE 

1 inch = 500 feet

Item 7A



Portable concrete plant

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

SITE 

1 inch = 500 feet

Item 7B

8. BD-2024-010 **PRESENTED BY:** Cheryl Harvey

REPRESENTING: Same

SUBJECT: Request front yard, side yard, and separation between structures variances for an accessory structure to be located in the required front yard at 620 Karen Road in an R-75-s (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to maintain a 17' x 20' detached carport that comes within 15 ft. of the front property line, whereas 30 ft. is required; and within 9 ft. of the side property line, whereas 10 ft. is required. The detached carport comes within 4 ft. of the dwelling, whereas 10 ft. separation is required.

The variances requested are:

- Front – 15 ft. variance to come within 15 ft. of the front property line
- Side – 1 ft. variance to come within 9 ft. of the side property line
- Separation between structures – 6 ft. variance to come within 4 ft. of the main dwelling

COUNCIL DISTRICT: 1

**Variance Request
Part II**

Physical Location: 620 Karen Road

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?

This carport structure is needed to due my early morning work shifts at 4.00 am. Its very difficult removing frozen ice or snow from my vehicles-

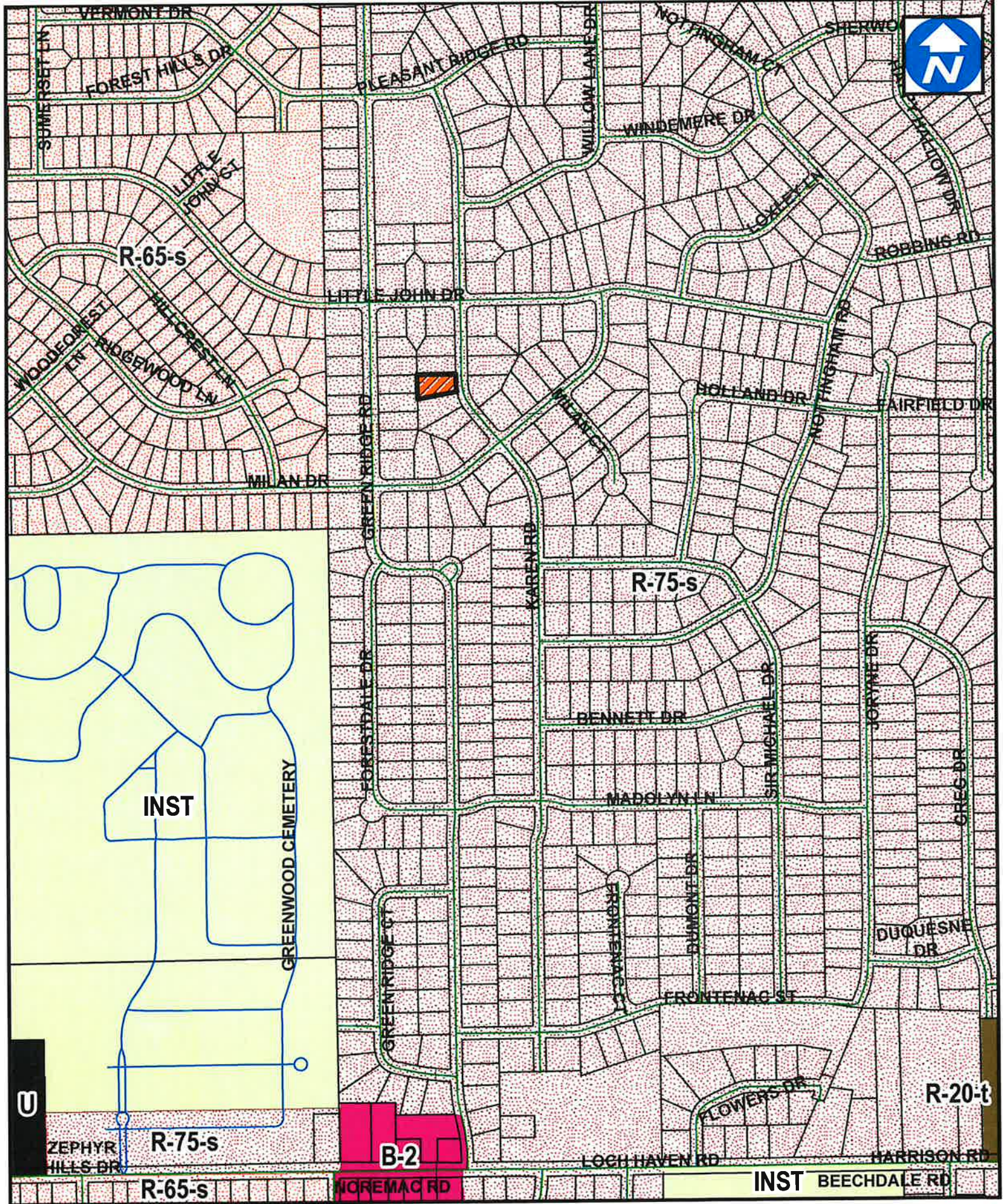
- 2. What literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the Zoning Ordinance?

Unknown

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

Yes.

- 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?



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SITE 

1 inch = 500 feet

Item 88



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

SITE 

1 inch = 30 feet

Item 8C

9. BD-1987-106 **PRESENTED BY:** Kelly T. Lee, Administrator

REPRESENTING: Estate of R.D. Wright

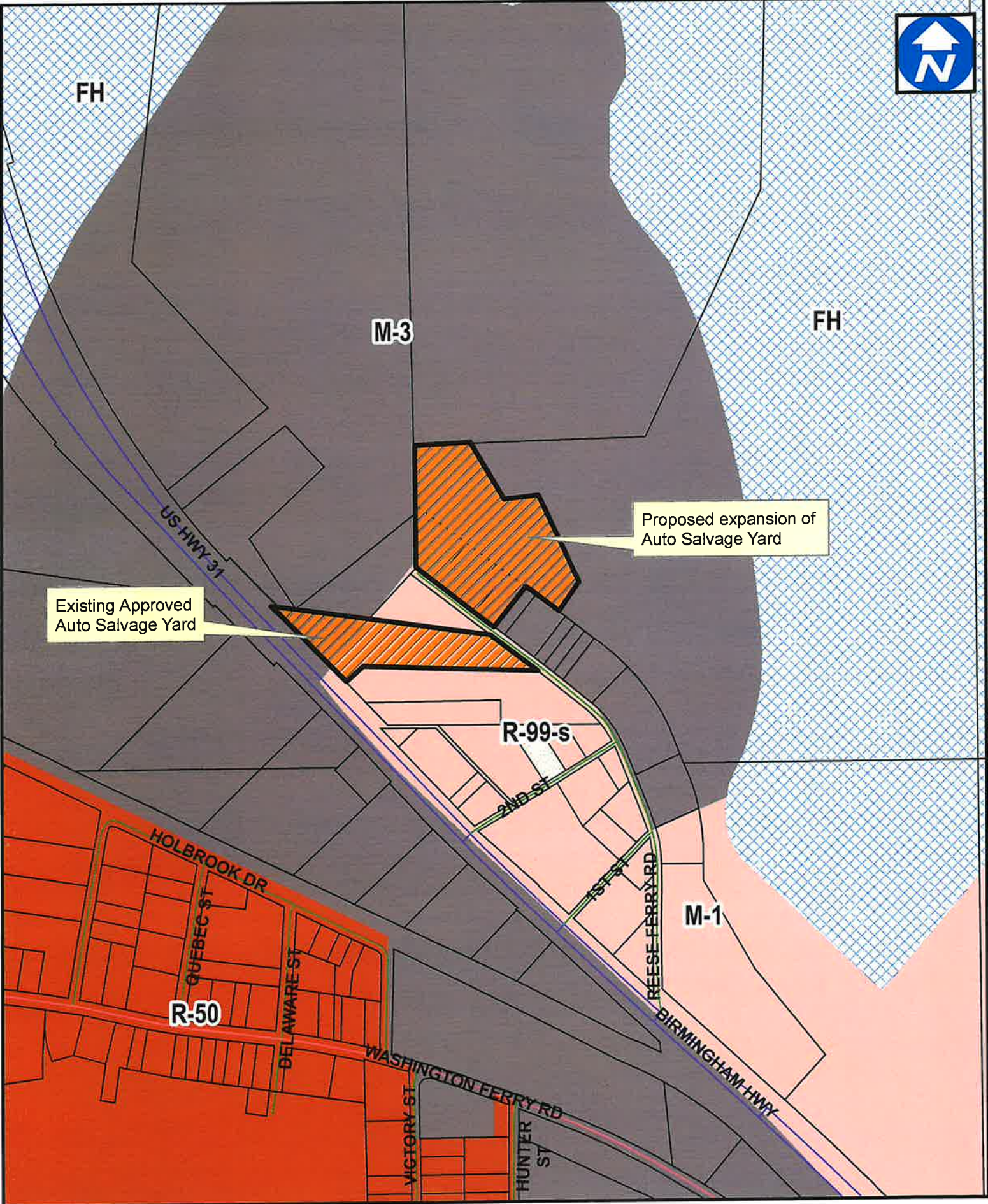
SUBJECT: Request a special exception for an auto salvage yard to be located at the north end of Reese Ferry Road in an M-3 (General Industrial) Zoning District.

REMARKS: This request is being made to give the petitioner permission to expand an existing auto salvage yard operation to the property at the north end of Reese Ferry Road.

This request is a special exception for an auto salvage yard.

COUNCIL DISTRICT: Police Jurisdiction

COUNTY COMMISSION DISTRICT: 2



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

SITE 

1 inch = 500 feet

Item 9A



Proposed expansion of
Auto Salvage Yard

Existing Approved
Auto Salvage Yard

US-HWY-31

REESE FERRY RD

2ND ST

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

SITE 

1 inch = 200 feet

Item 9B

10. BD-2024-011 **PRESENTED BY:** Jim Massey

REPRESENTING: Same

SUBJECT: Request exceptions to Section 5.5.4(e), 5.5.5(b), and Table 11 of the SmartCode Standards for the property located at 630 South Decatur Street in a T4-R (General Urban Restricted) Zoning District.

REMARKS: This request is being made for the following:

Section 5.5.4(e)

Exception to allow the parking to come to the front property line (South Decatur Street), whereas a 20 ft. setback is required.

Section 5.5.5(b)

Exception to not provide a streetscreen, whereas a streetscreen between 3.5 and 8 ft. shall be required for the purpose of masking a parking lot from the thoroughfare.

Table 11

Exception to allow a retail store in mid-block, whereas they are only allowed at corner locations.

Limited Retail: The building area available for retail use is limited to the first story of buildings at corner locations, not more than one per block, and by the requirement of 4.0 assigned parking places per 1,000 sq. ft. of retail space in addition to the parking requirement of each dwelling. The specific use shall be further limited to neighborhood store, or food service seating no more than 40.

The requests are exceptions for the following:

1. *Section 5.5.4(e): allow parking to come to the front property line (South Decatur Street).*
2. *Section 5.5.5(b): to not provide a streetscreen.*
3. *Table 11: to allow a retail store mid-block.*

COUNCIL DISTRICT: 3

Variance Request

Part II

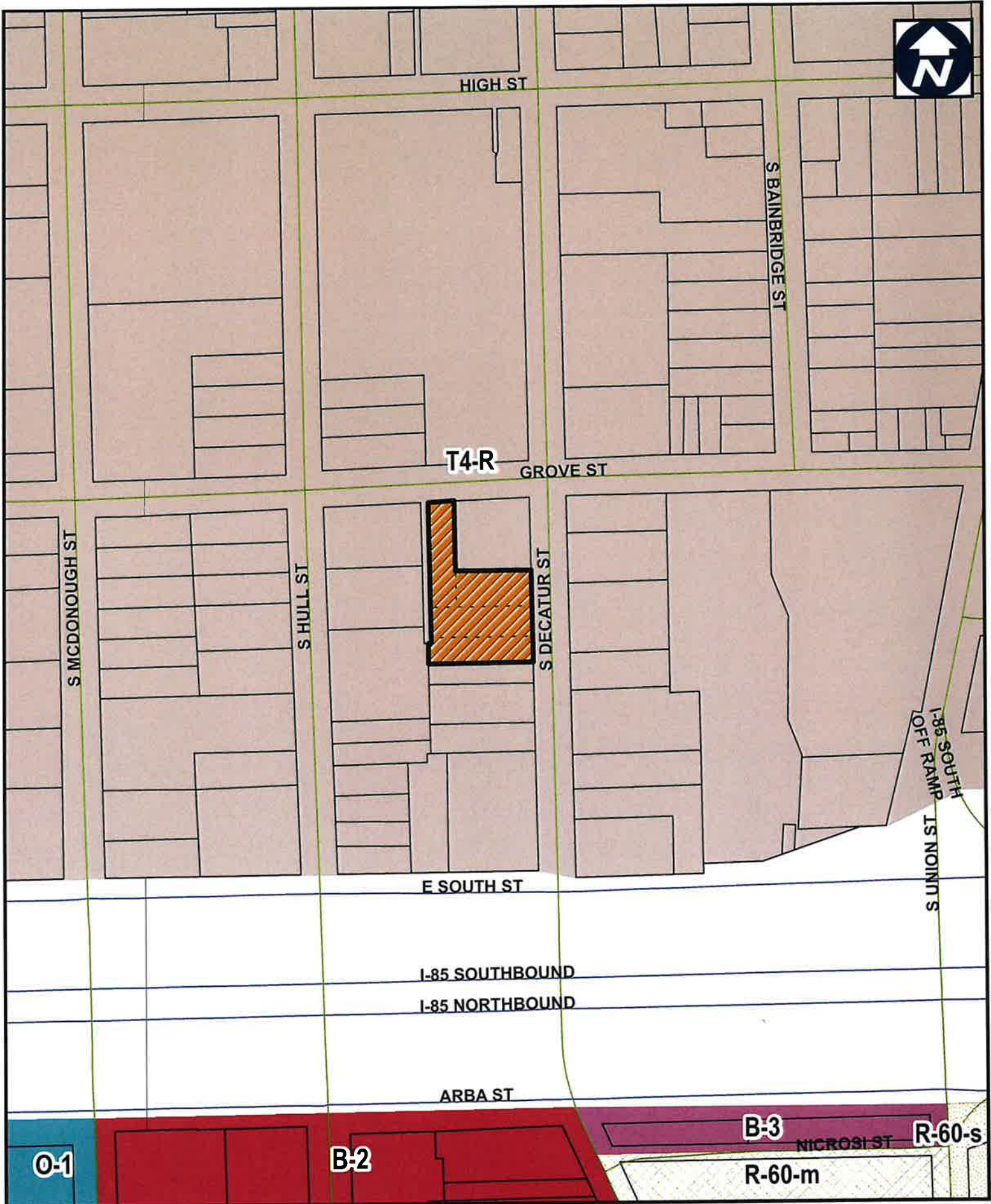
Physical Location: 630 S. Decatur St.

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? The building at 630 S. Decatur St was occupied by a longtime retail business and we are requesting to continue with the use of its previous occupant.
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? Other retail businesses are operating in the same type of zoning and are continuing to thrive and add value to their respective areas.
3. Does the special conditions and circumstances result from the actions of the applicant? No.
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.



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

SITE 

1 inch = 200 feet

Item 10B



630 S. Decatur St.





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

SITE 

1 inch = 100 feet

Item 10D

11. BD-2024-008 **PRESENTED BY:** Shalanda Sanders

REPRESENTING: Same

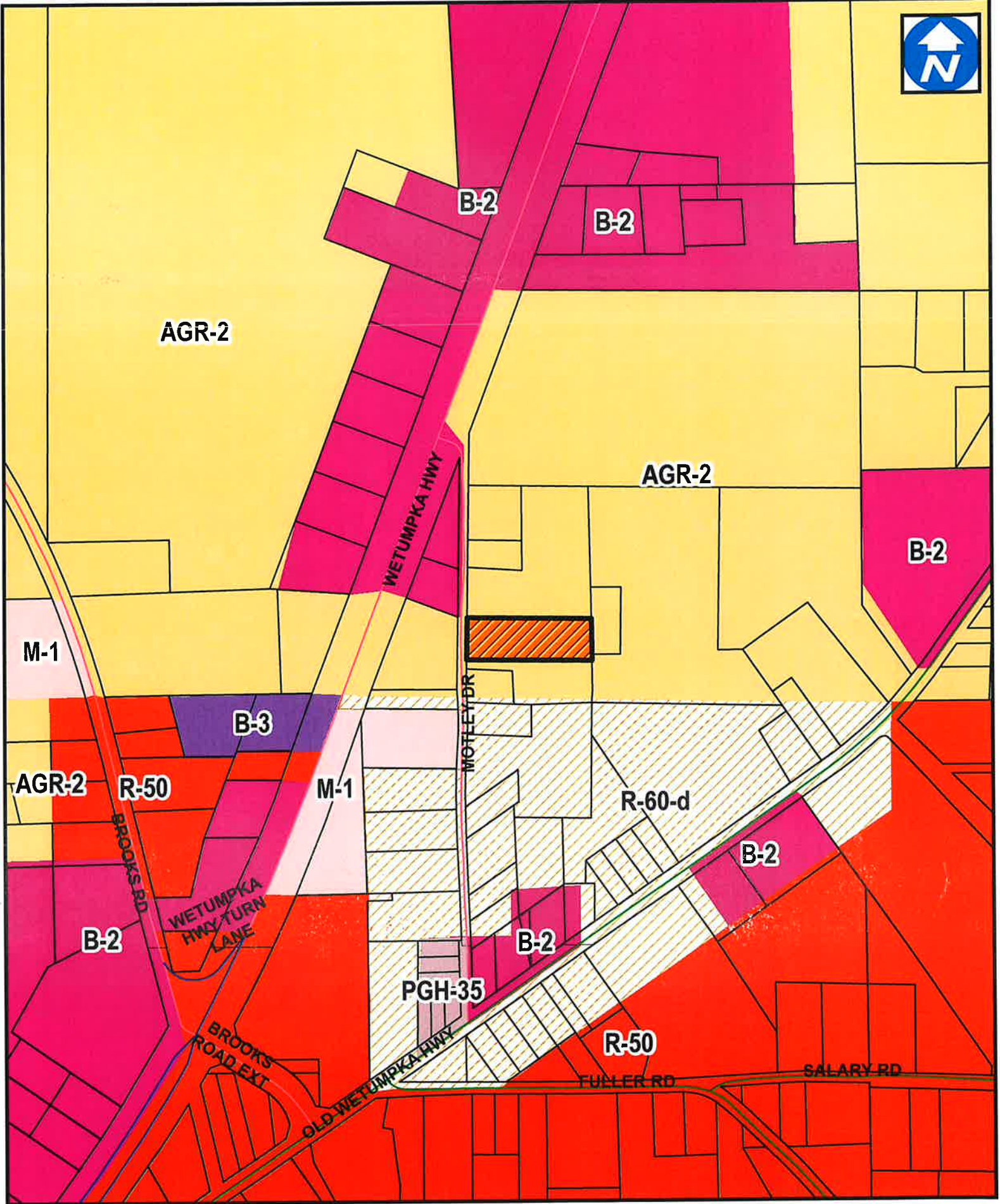
SUBJECT: Request a special exception for a mobile home for living purposes to be located on east side of Motley Drive, approximately 600 ft. south of Wetumpka Highway, in an AGR-2 (General Agriculture) Zoning District.

REMARKS: This request is being made to give the petitioner permission to place a mobile home for living purposes on a 1.3-acre parcel of land.

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

COUNCIL DISTRICT: Police Jurisdiction

COUNTY COMMISSION DISTRICT: 2



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

SITE 

1 inch = 400 feet

Item 11A



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

SITE 

1 inch = 200 feet

Item 11B

12. BD-2024-009 **PRESENTED BY:** K. McGhee Construction

REPRESENTING: Kayla Brown

SUBJECT: Request a rear yard variance for an addition to the dwelling located at 3800 Royal Crest Mews in an R-75-s (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to building an attached garage that will 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

Variance Request

Part II

Physical Location: _____

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?

The garage will be only 10 feet from property line

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?

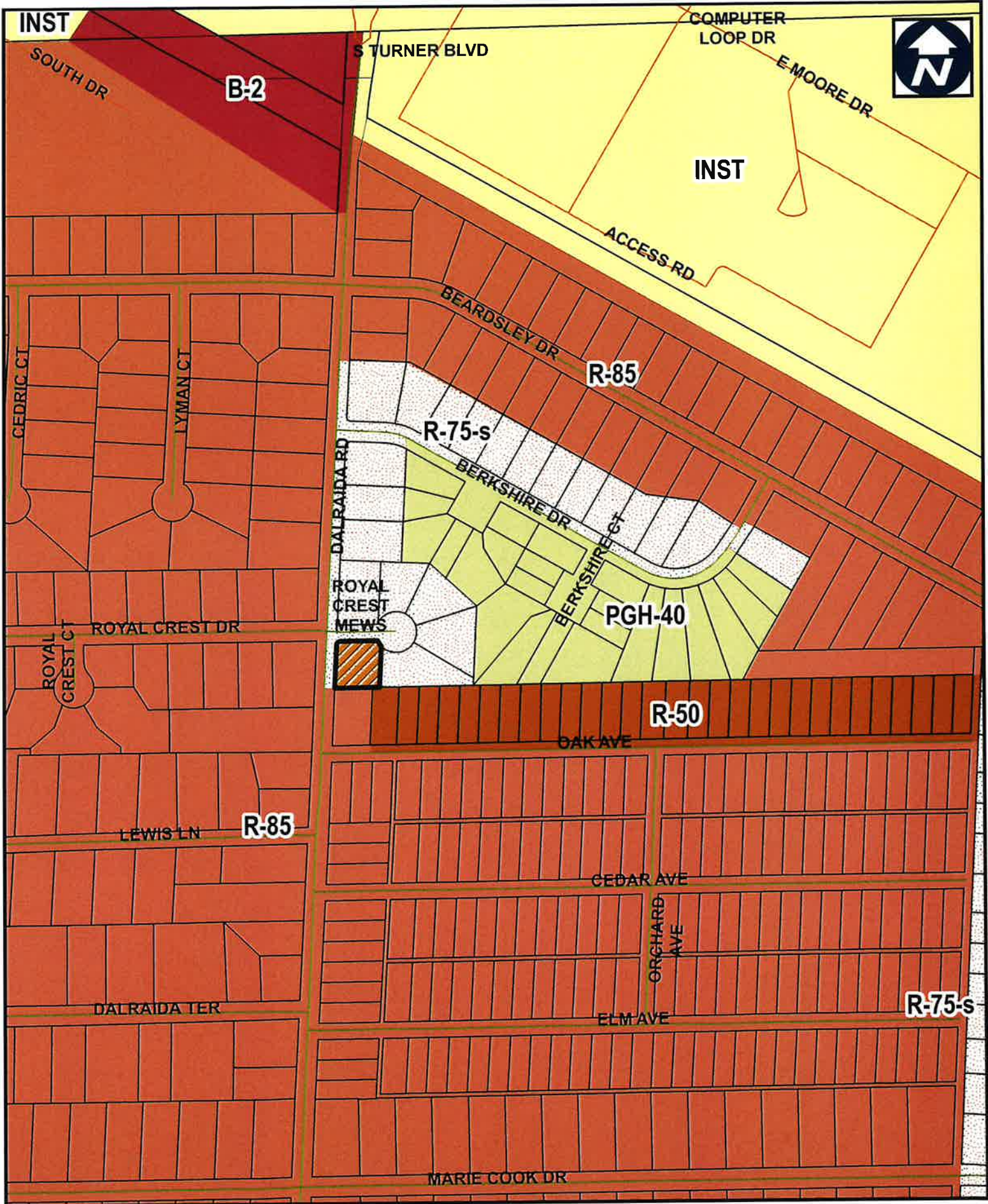
This is the only area a garage will work

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

No

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?

It will allow the owner to park her car and enter her home safely.



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

SITE 

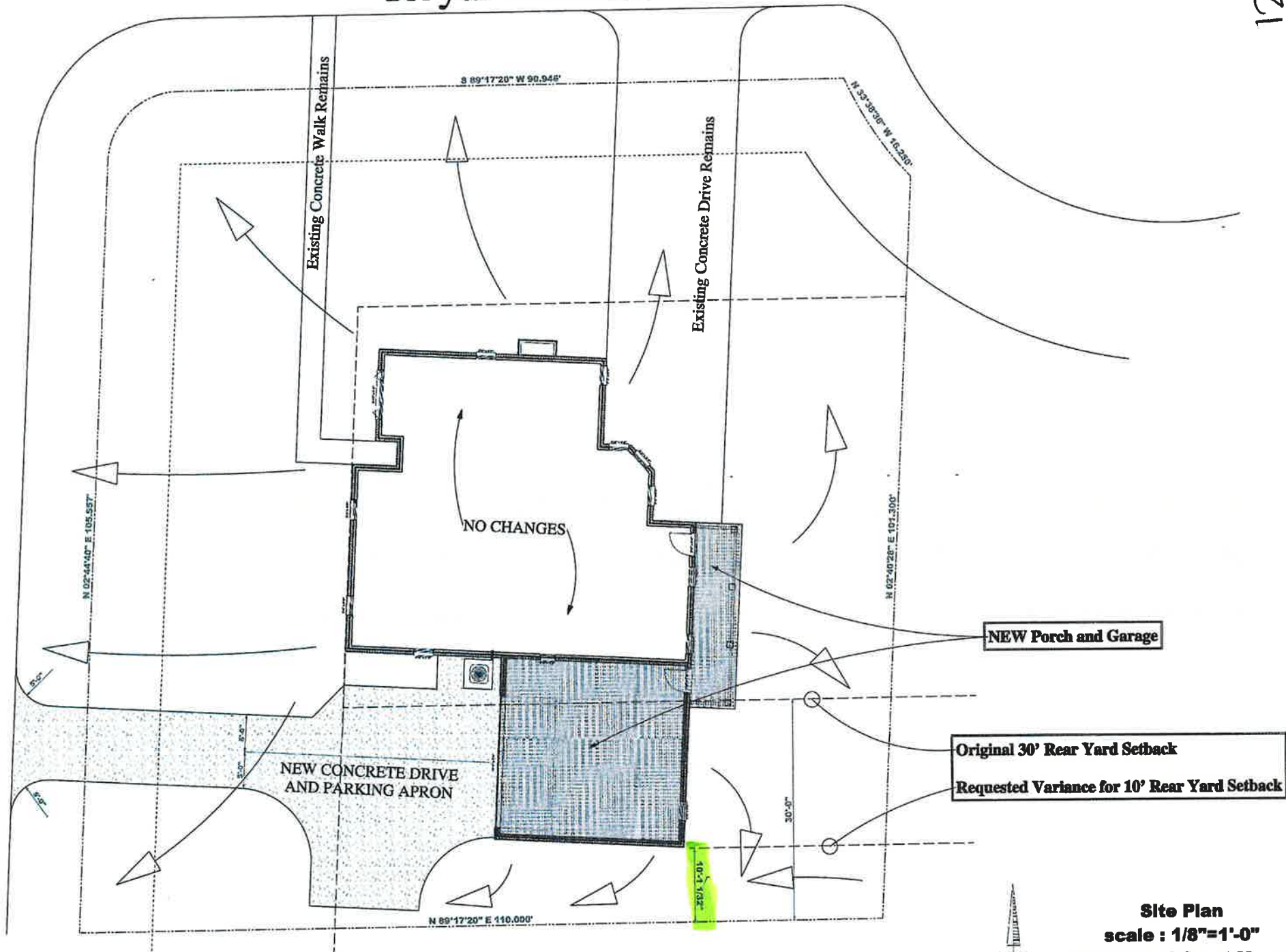
1 inch = 300 feet

Item 12B

Dalraida Road

Royal Crest Mews

12C



Site Plan
scale : 1/8"=1'-0"
3800 Royal Crest Mews
Lot 1



ROYAL CREST DR

ROYAL CREST MEWS

DALRAIDA RD

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

1 inch = 40 feet

Item 12D

13. BD-2024-012 **PRESENTED BY:** Yandiel Rivera

REPRESENTING: Same

SUBJECT: Request rear yard, side yard, and coverage variances for a detached accessory structure to be located at 423 Conrad Street in an R-65-d (Duplex Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to construct an 812 sq. ft. (29 ft. x 28 ft.) detached garage, whereas 585 sq. ft. is allowed. The garage will come within 1 ft. 6 in. from the rear property line and within 2 ft. of the side property line, whereas 5 ft. is required for both.

The requests are a 227 sq. ft. coverage variance, 3 ft. 6 in. rear yard variance, and 3 ft. side yard variance.

COUNCIL DISTRICT: 3

Variance Request Part II

Physical Location: 423 Conrad St.

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?

odd shaped lot (in curve)

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?

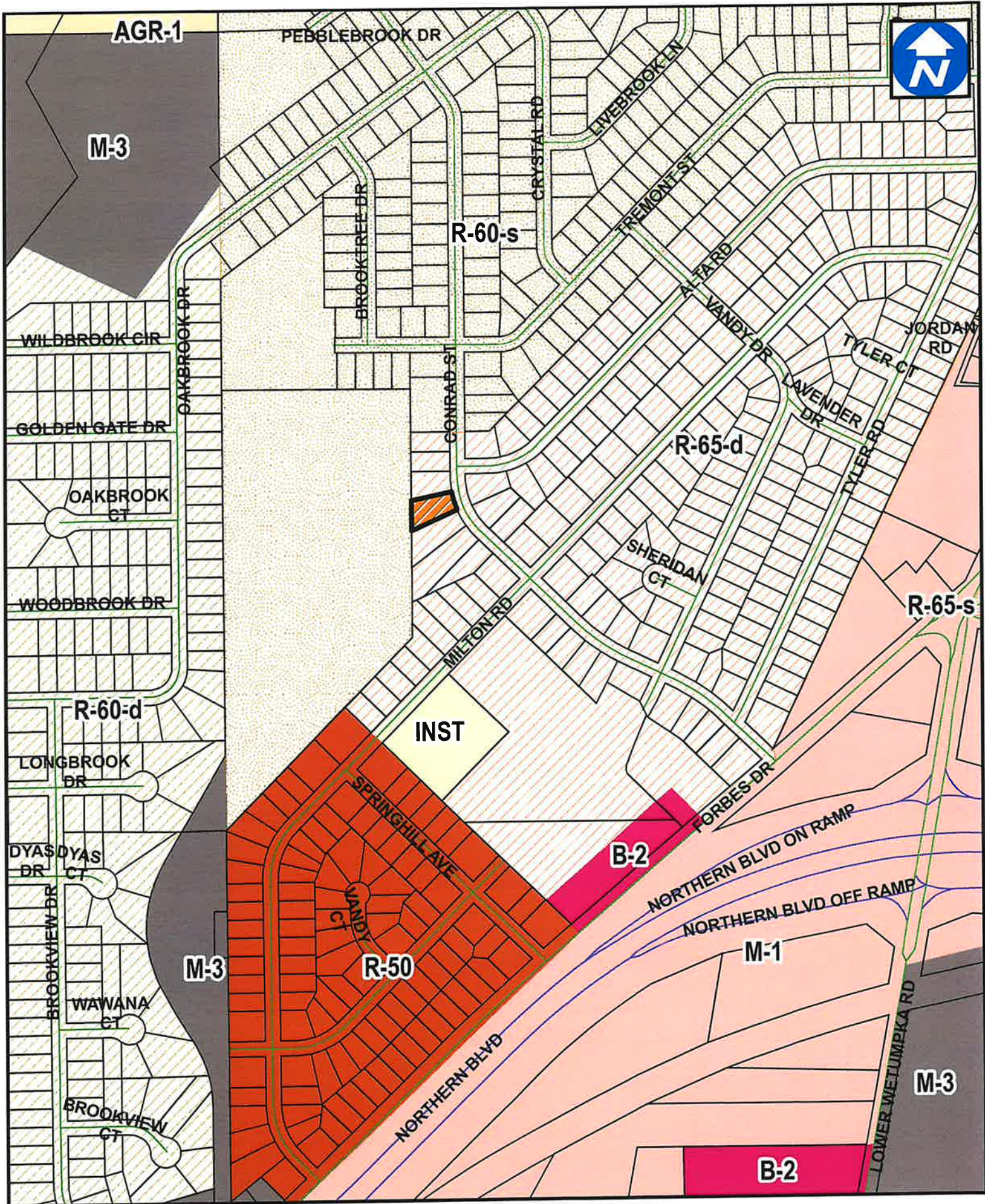
the shape of the lot ~~is~~ was out of the control of the applicant/owner.

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

NO

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

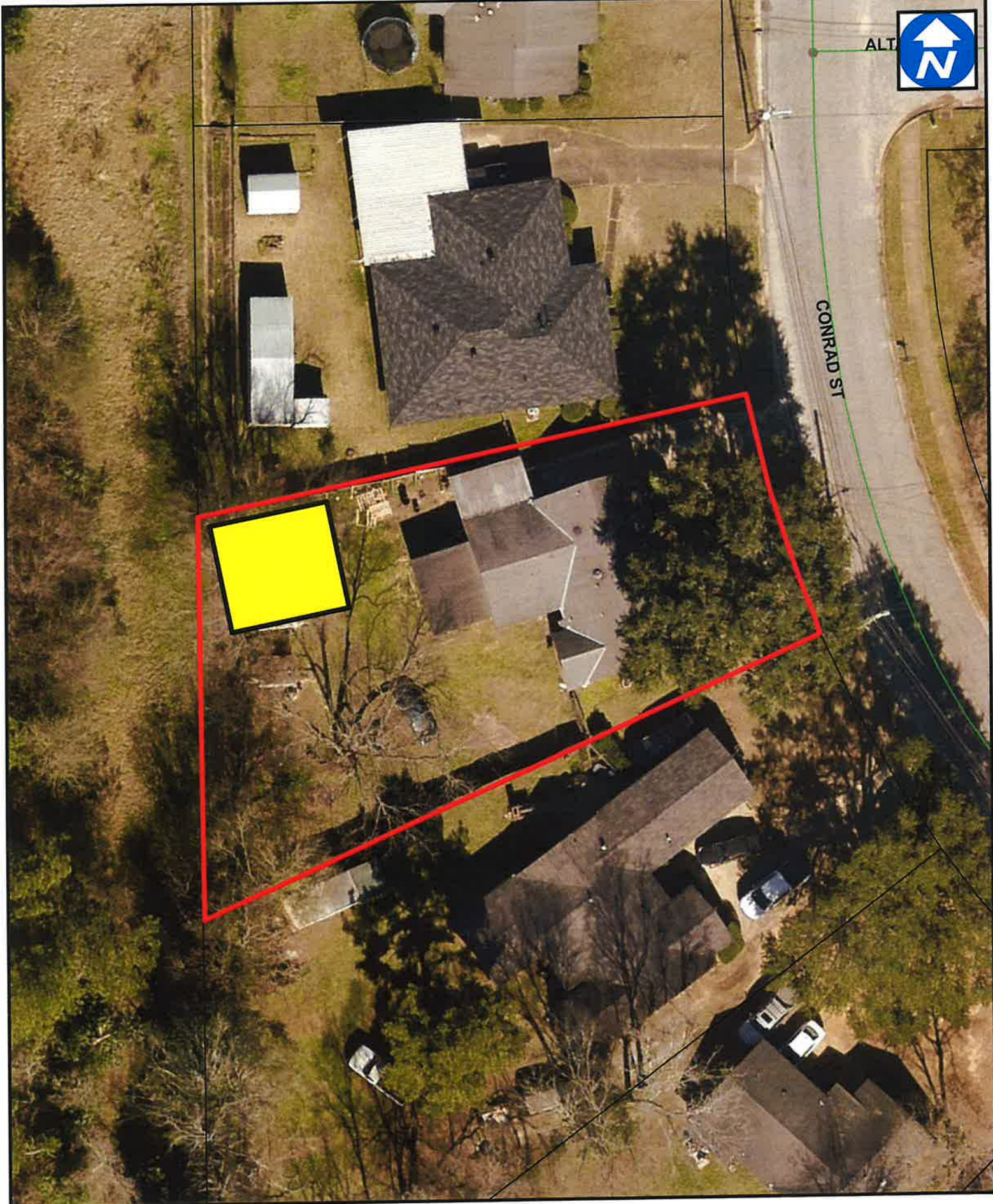


MAP FOR REFERENCE ONLY.
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SITE 

1 inch = 400 feet

Item 13B



ALT

CONRAD ST



MAP FOR REFERENCE ONLY.
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NOT SURVEY GRADE

SITE 

1 inch = 30 feet

Item 13C