

Board of Adjustment Agenda

July 16, 2015 – 5:00 pm

Council Auditorium

City Hall, 103 N. Perry St.

BOARD OF ADJUSTMENT MEMBERS

John Stanley, *Chairman*

K. T. Brown, *Vice-Chairman*

Beau Holmes

George C. Howell, Jr.

Steve Hughes

Bart Prince

Pickett Reese

Jennifer Shaw

Nathan Williams

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

- I. Chairman's Message
- II. Approval of Minutes from the June 18, 2014 meeting

July 16, 2015

<u>Item</u>	<u>File</u>	<u>Petitioner</u>	<u>Zone</u>	<u>Location/Request</u>	<u>Page</u>
1.	2015-046	Community Action Partnership of North AL	R-50	Liberty Street (Setback variances)	1
2.	2015-050	Jeff Mellow	R-60-s	11 Bradley Drive (Accessory Structure)	2
3.	2015-047	Gonzalez-Strength & Assoc.	PUD	Taylor Road (Church – special exception, master plan approval & setback variances)	3
4.	1980-166	Jessie Dixon	R-60-d	1400 Crane Street (Accessory Structure)	4
5.	2015-049	Susan Mallett	R-85	3841 Beardsley Drive (Addition to dwelling)	5
6.	2015-048	Gary Ledbetter	R-75-s	4315 Wares Ferry Road (Chickens, Bees & Accessory Structures)	6
7.	2015-051	Jay Sims	R-125	3243 Bankhead Avenue (Addition to dwelling)	7

Confirmation

8.	2014-045	Berry Hearn	T5	79 Commerce Street (Exception to SmartCode)	8
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The next Board of Adjustment meeting is on August 20, 2015

1. BD-2015-046 **PRESENTED BY:** Community Acton Partnership of North AL, Inc.

REPRESENTING: Same

SUBJECT: Request front yard variances, rear yard variances, and a variance between main structures for property located along Liberty Street, Lanier Lane and Elm Street in an R-50 (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to construct 17 dwellings. A 1 ft. variance between main structures at 1707 and 1713 Lanier Lane is required to have 13 ft. between main structures, whereas 14 ft. is required.

The following front yard variances and rear yard variances are being requested:

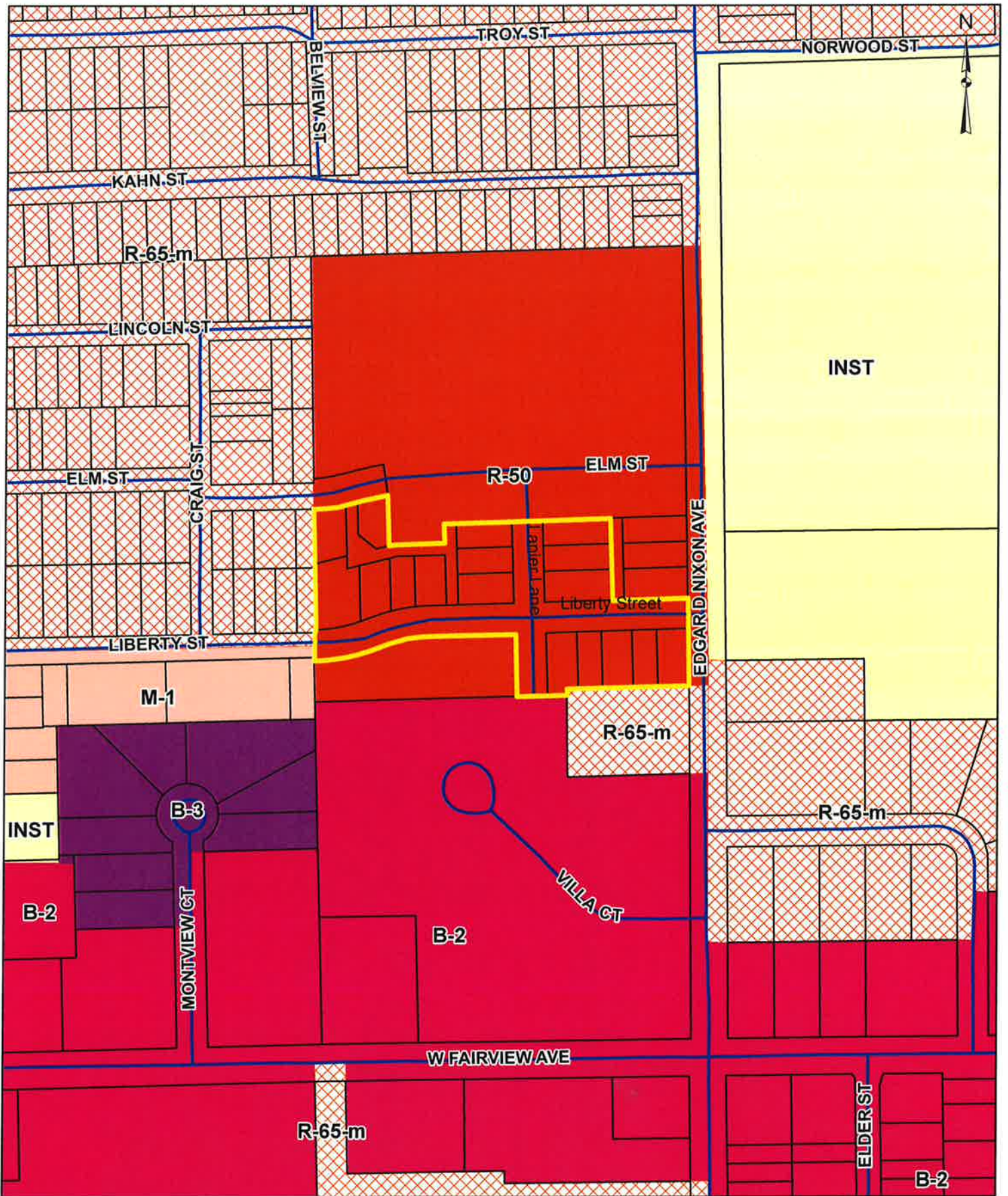
Address	Front Yard Var. (20 ft. req'd)	Rear Yard Var. (20 ft. req'd)
301 Liberty St.	10 ft.	
307 Liberty St.	10 ft.	
315 Liberty St.	10 ft.	
321 Liberty St.	10 ft.	
327 Liberty St.	10 ft.	
432 Liberty St.	10 ft.	10 ft.
436 Liberty St.	10 ft.	10 ft.
440 Liberty St.	10 ft.	10 ft.
444 Liberty St.	10 ft.	
1706 Lanier Ln.	10 ft.	
1707 Lanier Ln.	10 ft.	
1712 Lanier Ln.	10 ft.	
1713 Lanier Ln.	10 ft.	
1718 Lanier Ln.	10 ft.	
1719 Lanier Ln.	10 ft.	
439 Elm St.	10 ft.	10 ft.
443 Elm St.	10 ft.	10 ft.

Three of the lots in this subdivision were developed under T4-R guidelines which allowed dwellings to be constructed closer to the property lines than the R-50. This property was rezoned to R-50 in 2014; therefore the remaining development will have to be developed under R-50 guidelines.

COUNCIL DISTRICT: 7

COMMENTS _____

ACTION TAKEN: _____

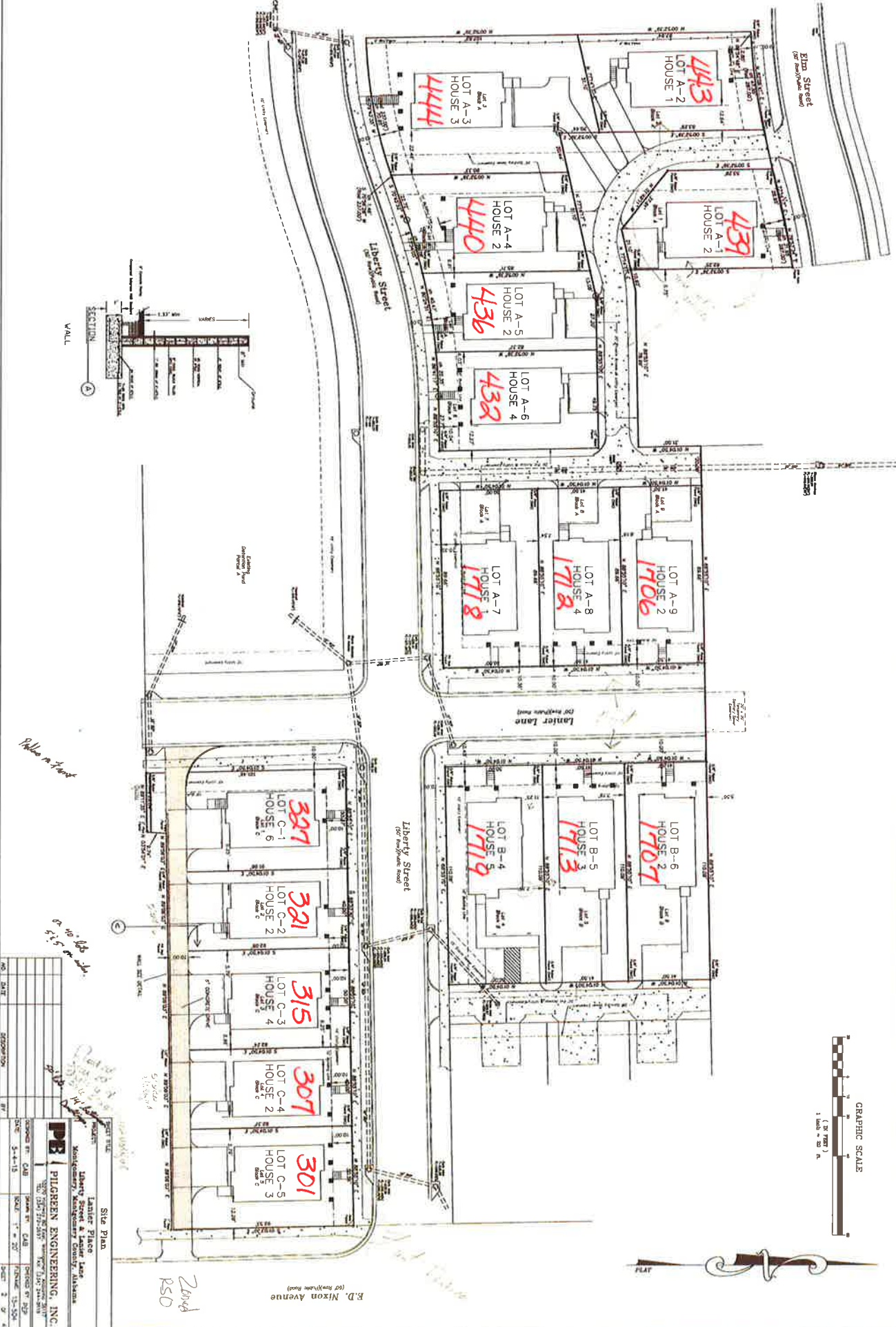


Site Location

1 inch = 200 feet

Item No. 1A

Addresses are in Red



B1

NO.	DATE	REVISION	BY
1	5-1-15	REVISED TO 304	
2			
3			

Site Plan
 Liberty Street & Lanier Lane
 Montgomery, Montgomery County, Alabama
PILORETT ENGINEERING, INC.
 100 N. BRIDGES ST., SUITE 100
 MONTGOMERY, AL 36102
 404-241-1111
 FAX: 404-241-1112
 www.pilorett.com

Rella M. Kent

*2014
2nd
RSD*

E.D. Nixon Avenue (at Lanier Lane road)



Site Location 

1 inch = 100 feet

Item No. IC

2. BD- 2015-050 **PRESENTED BY:** Jeff Mellow

REPRESENTING: Same

SUBJECT: Request a coverage variance for a new accessory structure to be located at 11 Bradley Drive in an R-60-s (Single-Family Residential) Zoning District.

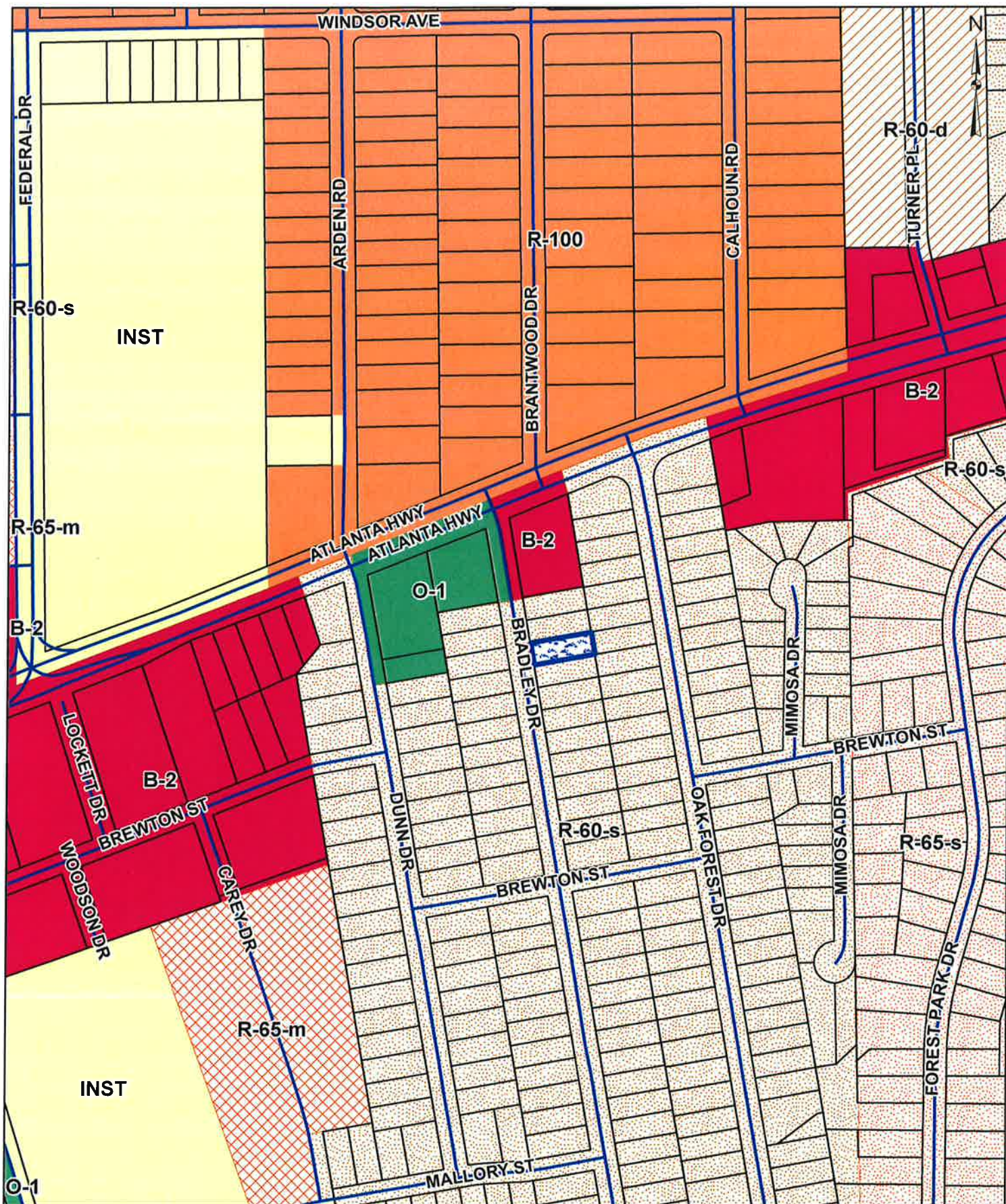
REMARKS: This request is being made to give the petitioner permission to construct a 96 sq. ft. (8 ft. x 12 ft.) accessory structure. There is an existing 324 sq. ft. (18 ft. x 18 ft.) accessory structure (garage) in the rear yard. There will be a total of 420 sq. ft. of accessory structures, whereas 360 sq. ft. is allowed.

The variance requested is a 60 sq. ft. coverage variance.

COUNCIL DISTRICT: 2

COMMENTS _____

ACTION TAKEN: _____



Site Location 

1 inch = 300 feet

Item No. 2A



Site Location

1 inch = 50 feet

Item No. 2B

3. BD-2015-047 **PRESENTED BY:** Gonzalez-Strength & Associates

REPRESENTING: Church of the Highlands

SUBJECT: Request a special exception for church use, master plan approval, and setback variances for a new building and ID signs to be located on the east side of Taylor Road, approximately 1,200 ft. north of Park Crossing in a PUD (Planned Unit Development) Zoning District.

REMARKS: This request is being made to give the petitioner permission to construct a 55,042 sq. ft. building on a 25.78 acre parcel of land. There are 1,049 parking spaces for the 1,340 seat sanctuary, whereas 268 are required. There are two (2) full access drives to a future public road. There is a left-in access and a right-in/right-out access drive to Taylor Road. The southern portion of the access drive is a joint access which will service adjoining properties in the future. The monument signs on the north side of the property, at both accesses to the future road, come within 1 ft. of the property line, whereas 35 ft. is required. The monument sign at the Taylor Road access comes within 5 ft. of the property line, whereas 35 ft. is required. All applicable requirements will be met.

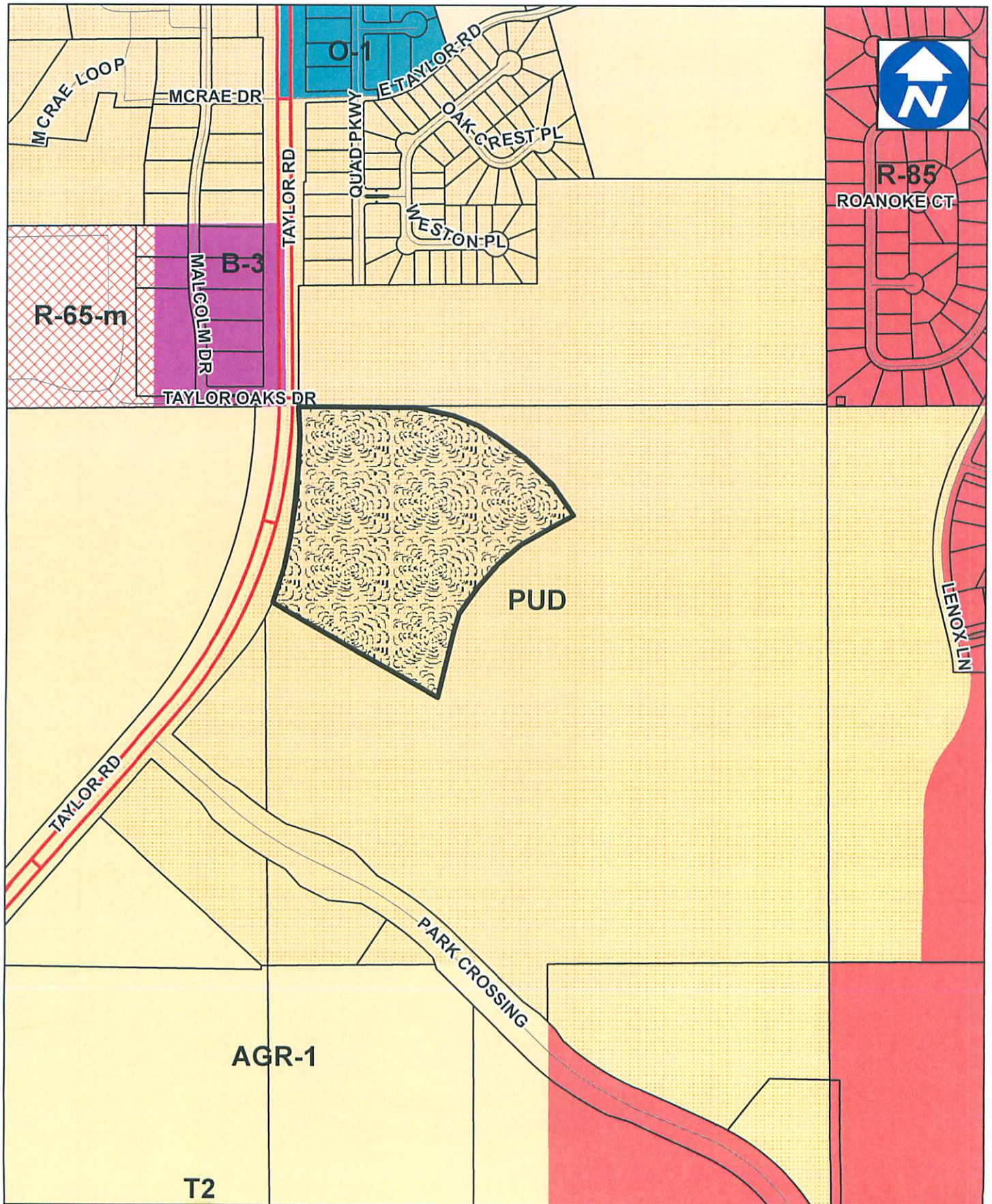
The requests are as follows:

- A special exception for church use
- Master plan approval
- A 34 ft. setback variances for two (2) ID signs, and a 30 ft. setback variance for one (1) monument sign

COUNCIL DISTRICT: 8

COMMENTS _____

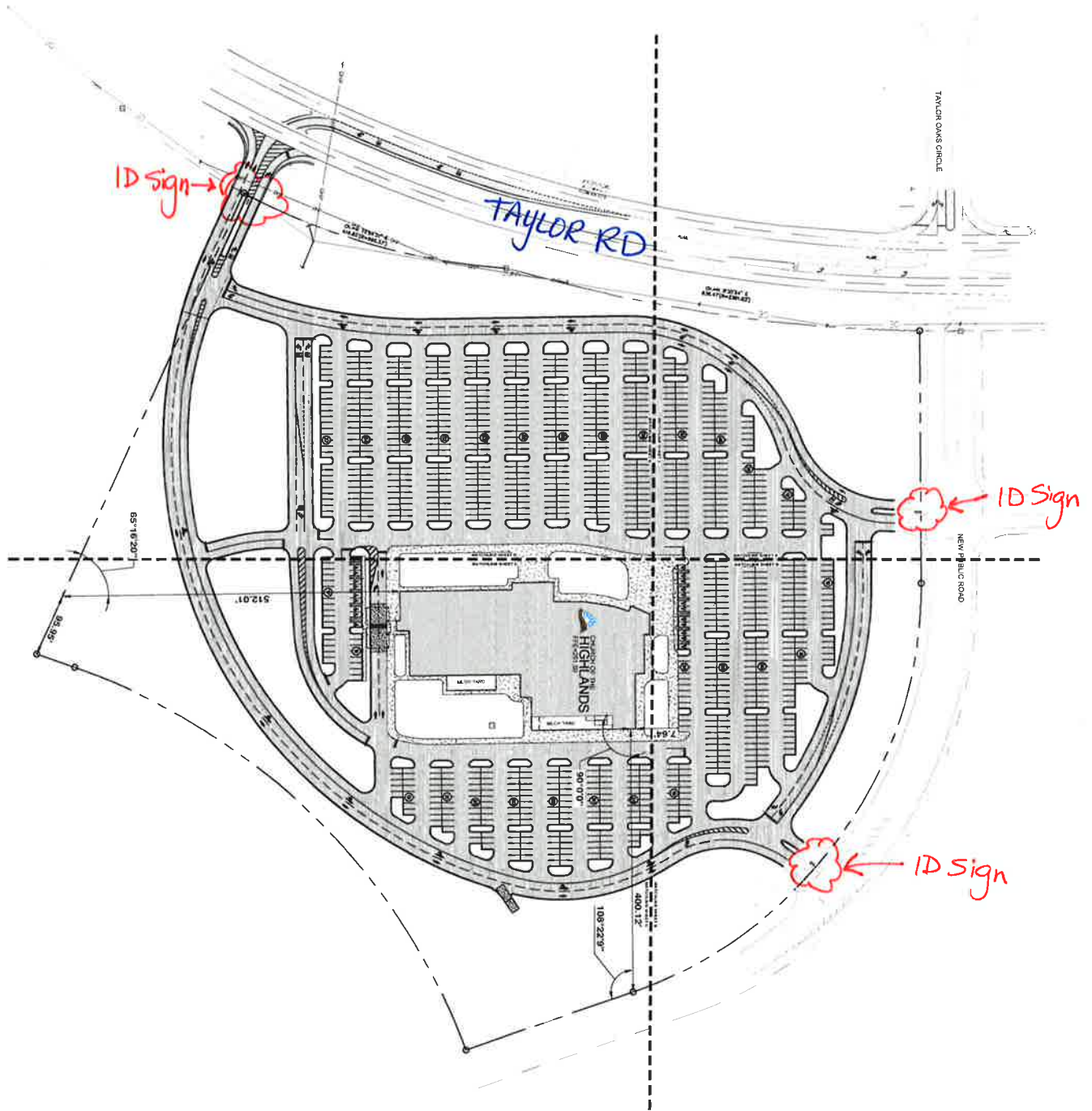
ACTION TAKEN: _____



DEVELOPMENT SITE SUBJECT PROPERTY
 1 inch = 600 feet



ITEM NO. 3A



ID Sign →

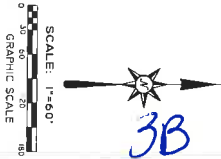
TAYLOR RD

ID Sign

ID Sign

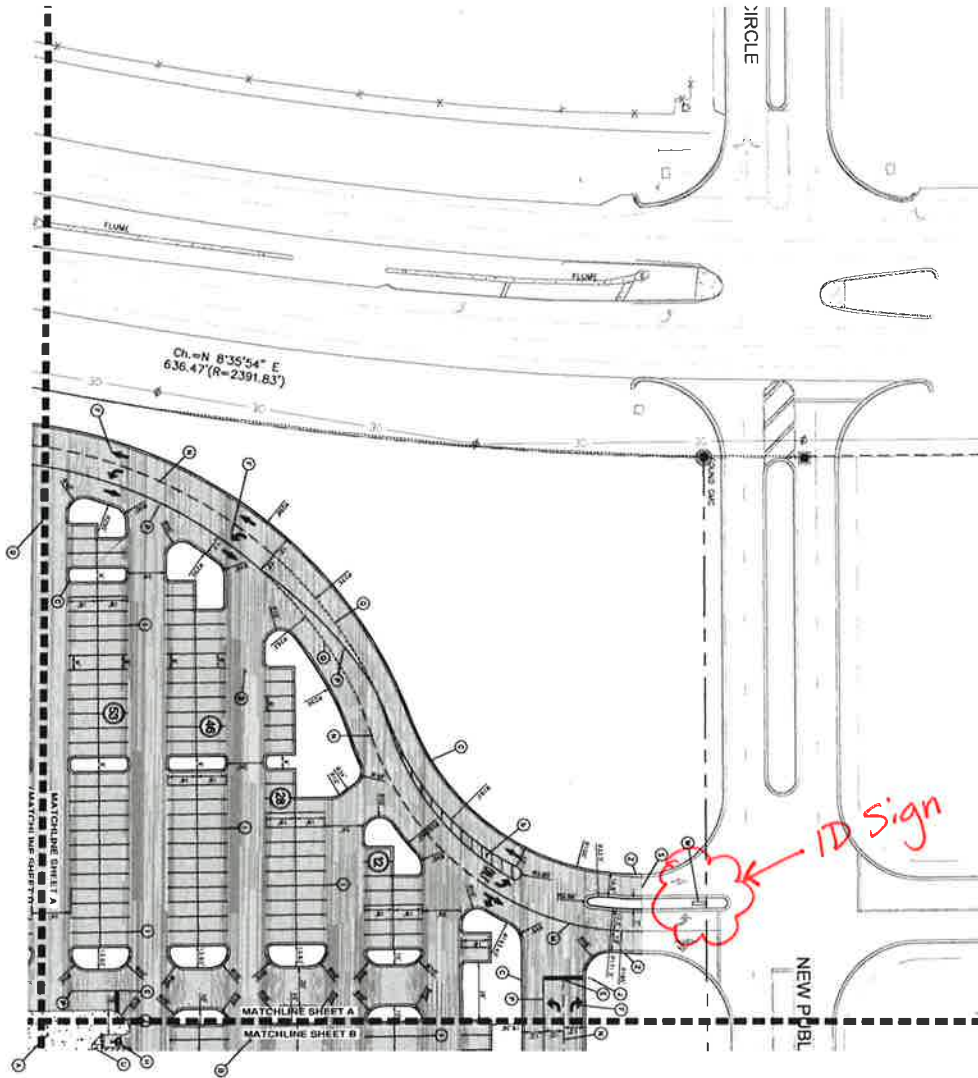
LEGEND	
	PROPOSED BUILDING
	PROPOSED PARKING
	PROPOSED DRIVEWAY
	PROPOSED ROAD
	PROPOSED UTILITY
	PROPOSED FENCING
	PROPOSED LANDSCAPING
	PROPOSED SIGN
	PROPOSED TREE
	PROPOSED LIGHT POLE
	PROPOSED STORM DRAIN
	PROPOSED EASEMENT
	PROPOSED RIGHT-OF-WAY
	PROPOSED SURVEY POINT
	PROPOSED BOUNDARY
	PROPOSED ACCESS POINT
	PROPOSED UTILITY POLE
	PROPOSED MANHOLE
	PROPOSED VALVE
	PROPOSED FIRE HYDRANT
	PROPOSED WATER METER
	PROPOSED GAS METER
	PROPOSED SEWER MANHOLE
	PROPOSED STORM MANHOLE
	PROPOSED STORM INLET
	PROPOSED STORM CATCHMENT
	PROPOSED STORM STORAGE
	PROPOSED STORM TREATMENT
	PROPOSED STORM DISCHARGE
	PROPOSED STORM OUTFALL
	PROPOSED STORM INLET
	PROPOSED STORM CATCHMENT
	PROPOSED STORM STORAGE
	PROPOSED STORM TREATMENT
	PROPOSED STORM DISCHARGE
	PROPOSED STORM OUTFALL

SEE SHEETS
C2A, C2B, C2C, & C2D
FOR ADDITIONAL
INFORMATION.



3B

	<p>GONZALEZ - STRENGTH & ASSOCIATES, INC. CIVIL ENGINEERING, LAND SURVEYING, PLANNING, TRAFFIC & TRANSPORTATION 3176 PARKWAY LAKE DRIVE HOOVER, ALABAMA 35244 PHONE: (205) 942-2486 FAX: (205) 942-3032 www.gonzalez-strength.com</p>	TITLE: SITE LAYOUT KEY MAP MONTGOMERY CAMPUS TAYLOR ROAD MONTGOMERY, ALABAMA CHURCH OF THE HIGHLANDS BIRMINGHAM, ALABAMA	SHEET NO. 1 OF 14 DATE: 6/25/15
		DESIGNER: D. SMITH, P.E. CHECKER: D. SMITH, P.E. SCALE: 1"=60' DATE: 6/25/15	NO. REV. REVISIONS 1. REQUIRED FOR APPROVAL DATE: 6/25/15



ID Sign

LAYOUT NOTES:

1. EXISTING DRIVEWAY AS SHOWN.
2. EXISTING DRIVEWAY TO BE RECONSTRUCTED TO 12' WIDE DRIVEWAY.
3. EXISTING DRIVEWAY TO BE RECONSTRUCTED TO 12' WIDE DRIVEWAY.
4. EXISTING DRIVEWAY TO BE RECONSTRUCTED TO 12' WIDE DRIVEWAY.
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18. EXISTING DRIVEWAY TO BE RECONSTRUCTED TO 12' WIDE DRIVEWAY.
19. EXISTING DRIVEWAY TO BE RECONSTRUCTED TO 12' WIDE DRIVEWAY.
20. EXISTING DRIVEWAY TO BE RECONSTRUCTED TO 12' WIDE DRIVEWAY.



3C

LEGEND	
	EXISTING STRUCTURE
	PROPOSED STRUCTURE
	EXISTING DRIVEWAY
	PROPOSED DRIVEWAY
	EXISTING ROAD
	PROPOSED ROAD
	EXISTING UTILITY
	PROPOSED UTILITY
	EXISTING TREE
	PROPOSED TREE
	EXISTING FENCE
	PROPOSED FENCE
	EXISTING SIGN
	PROPOSED SIGN
	EXISTING LIGHTING
	PROPOSED LIGHTING
	EXISTING PARKING
	PROPOSED PARKING
	EXISTING LANDSCAPE
	PROPOSED LANDSCAPE



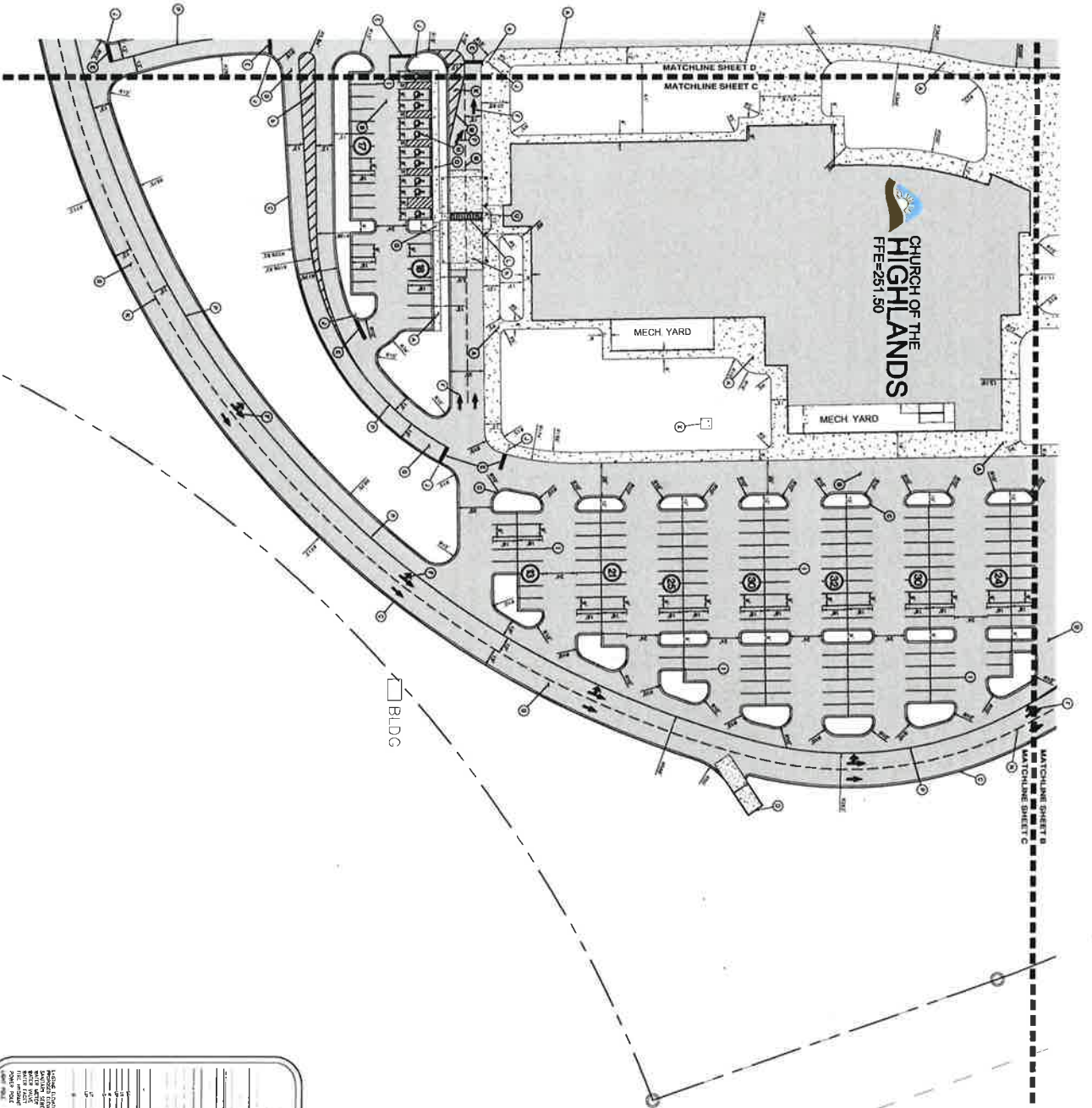
GONZALEZ - STRENGTH & ASSOCIATES, INC.
 CIVIL ENGINEERING, LAND SURVEYING, PLANNING, TRAFFIC & TRANSPORTATION
 2176 PARKWAY LAKE DRIVE
 HOOPER ALABAMA 32044
 PHONE: (205) 892-3446
 FAX: (205) 892-3043
 www.gonzalez-strength.com

SITE LAYOUT PLAN
MONTGOMERY CAMPUS
 TAYLOR ROAD
 MONTGOMERY ALABAMA
CHURCH OF THE HIGHLANDS
 BIRMINGHAM ALABAMA

NO.	REVISIONS	DATE
1	ISSUED FOR APPROVAL	05/15/15

LAYOUT NOTES:

1. EXISTING GRADE TO BE MAINTAINED.
2. EXISTING GRADE TO BE MAINTAINED.
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48. EXISTING GRADE TO BE MAINTAINED.
49. EXISTING GRADE TO BE MAINTAINED.
50. EXISTING GRADE TO BE MAINTAINED.



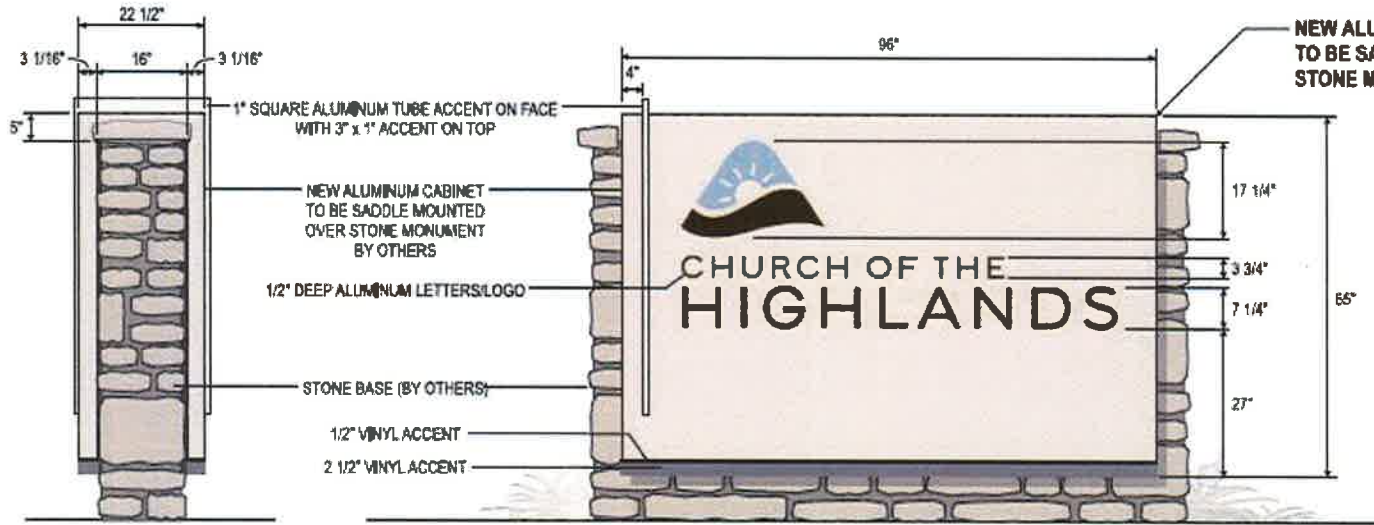
LEGEND

1" = 10'	CONCRETE
1" = 20'	ASPHALT
1" = 40'	GRAVEL
1" = 80'	SOIL
1" = 160'	WOOD
1" = 320'	STEEL
1" = 640'	GLASS
1" = 1280'	BRICK
1" = 2560'	STONE
1" = 5120'	PLASTER
1" = 10240'	PAINT
1" = 20480'	LANDSCAPE
1" = 40960'	MECHANICAL
1" = 81920'	ELECTRICAL
1" = 163840'	PLUMBING
1" = 327680'	HEATING
1" = 655360'	Cooling
1" = 1310720'	Structural
1" = 2621440'	Foundation
1" = 5242880'	Roofing
1" = 10485760'	Interior
1" = 20971520'	Exterior
1" = 41943040'	Site
1" = 83886080'	Utility
1" = 167772160'	Other

<p>GONZALEZ - STRENGTH & ASSOCIATES, INC. CIVIL ENGINEERING, LAND SURVEYING, PLANNING, TRAFFIC & TRANSPORTATION 2176 PARKWAY LAKE DRIVE HOUSTON, ALABAMA 35244 PHONE: (205) 968-8486 FAX: (205) 968-3633 www.Gonzalez-Strength.com</p>	<p>SITE LAYOUT PLAN MONTGOMERY CAMPUS TAYLOR ROAD MONTGOMERY, ALABAMA CHURCH OF THE HIGHLANDS BIRMINGHAM, ALABAMA</p>	<p>REVISIONS</p> <table border="1"> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> </tr> <tr> <td>1</td> <td>ISSUED FOR APPROVAL</td> <td>06.15.15</td> </tr> </table>	NO.	DESCRIPTION	DATE	1	ISSUED FOR APPROVAL	06.15.15
	NO.	DESCRIPTION	DATE					
1	ISSUED FOR APPROVAL	06.15.15						
<p>SCALE: 1" = 30' GRAPHIC SCALE</p> <p>3E</p>	<p>DATE: 6/15/15 DRAWN BY: B. HARRIS, P.E. CHECKED BY: T. COLE TITLE: 14C0108</p>	<p>DATE: 6/15/15 DRAWN BY: B. HARRIS, P.E. CHECKED BY: T. COLE TITLE: 14C0108</p>						

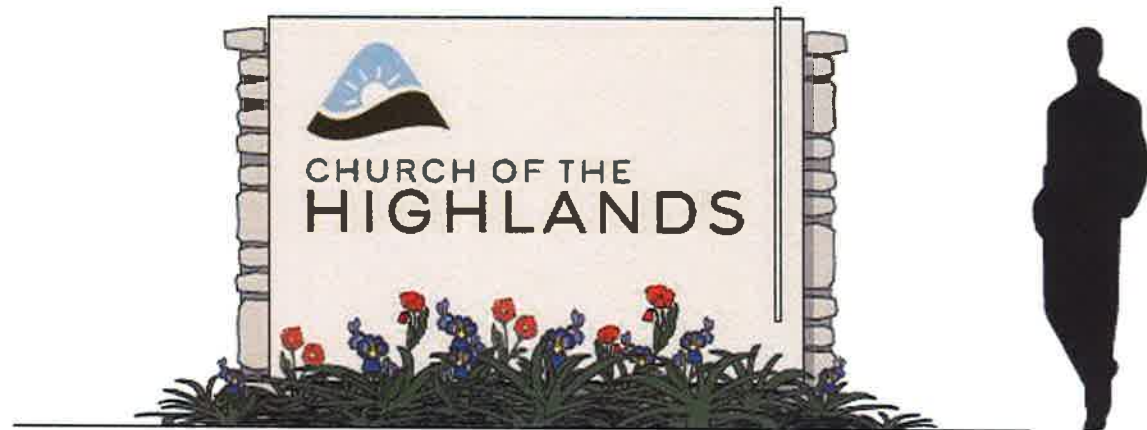


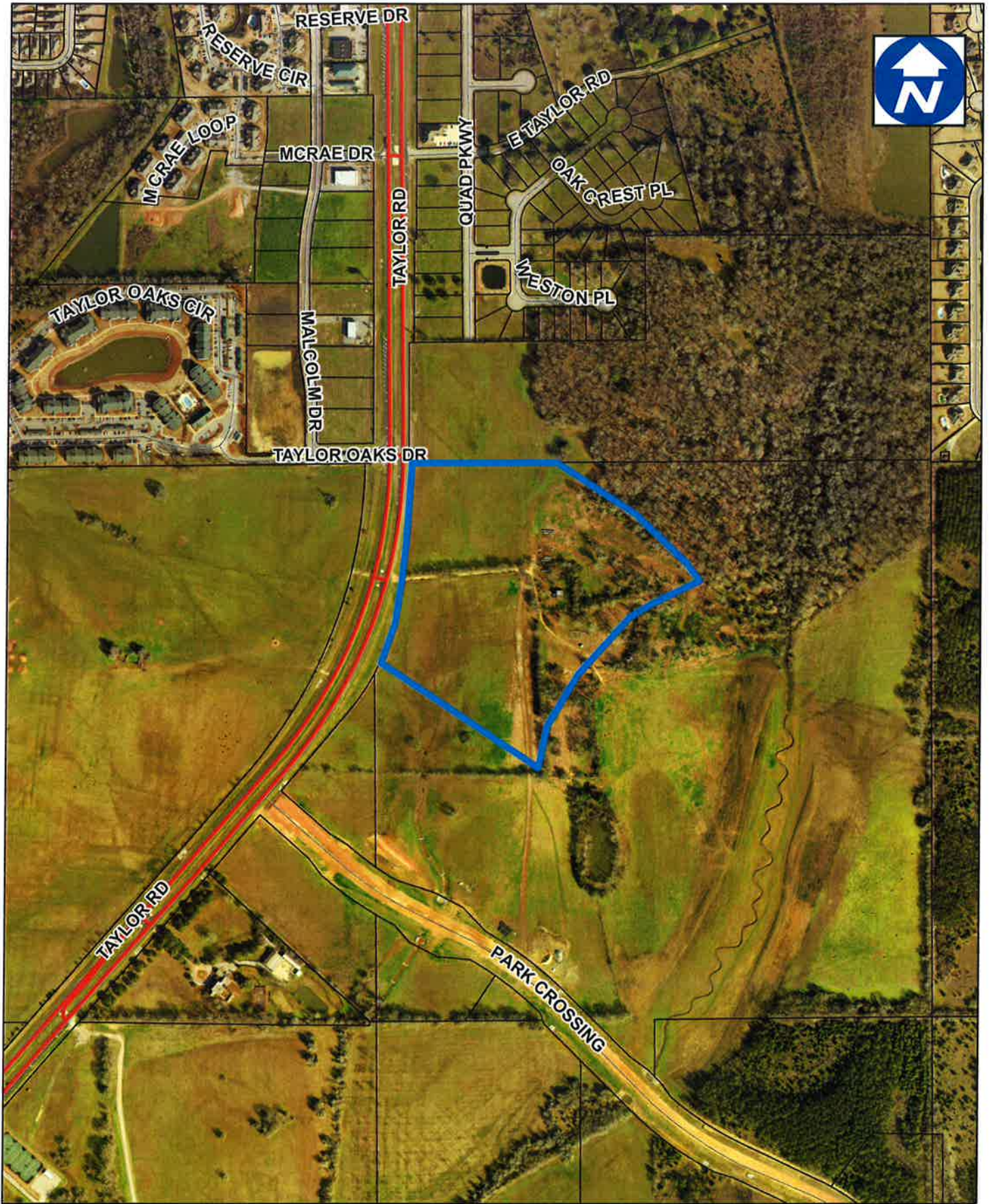
PLAN VIEW
SCALE - 3/8" = 1'-0"



SIDE VIEW
SCALE - 3/8" = 1'-0"

FRONT VIEW
SCALE - 3/8" = 1'-0"





DEVELOPMENT SITE SUBJECT PROPERTY

1 inch = 600 feet



ITEM NO. 3H

4. BD-1980-166 **PRESENTED BY:** Jessie Dixon

REPRESENTING: Same

SUBJECT: Request a coverage variance for an accessory structure to be located at 1400 Crane Street in an R-60-d (Duplex Residential) Zoning District.

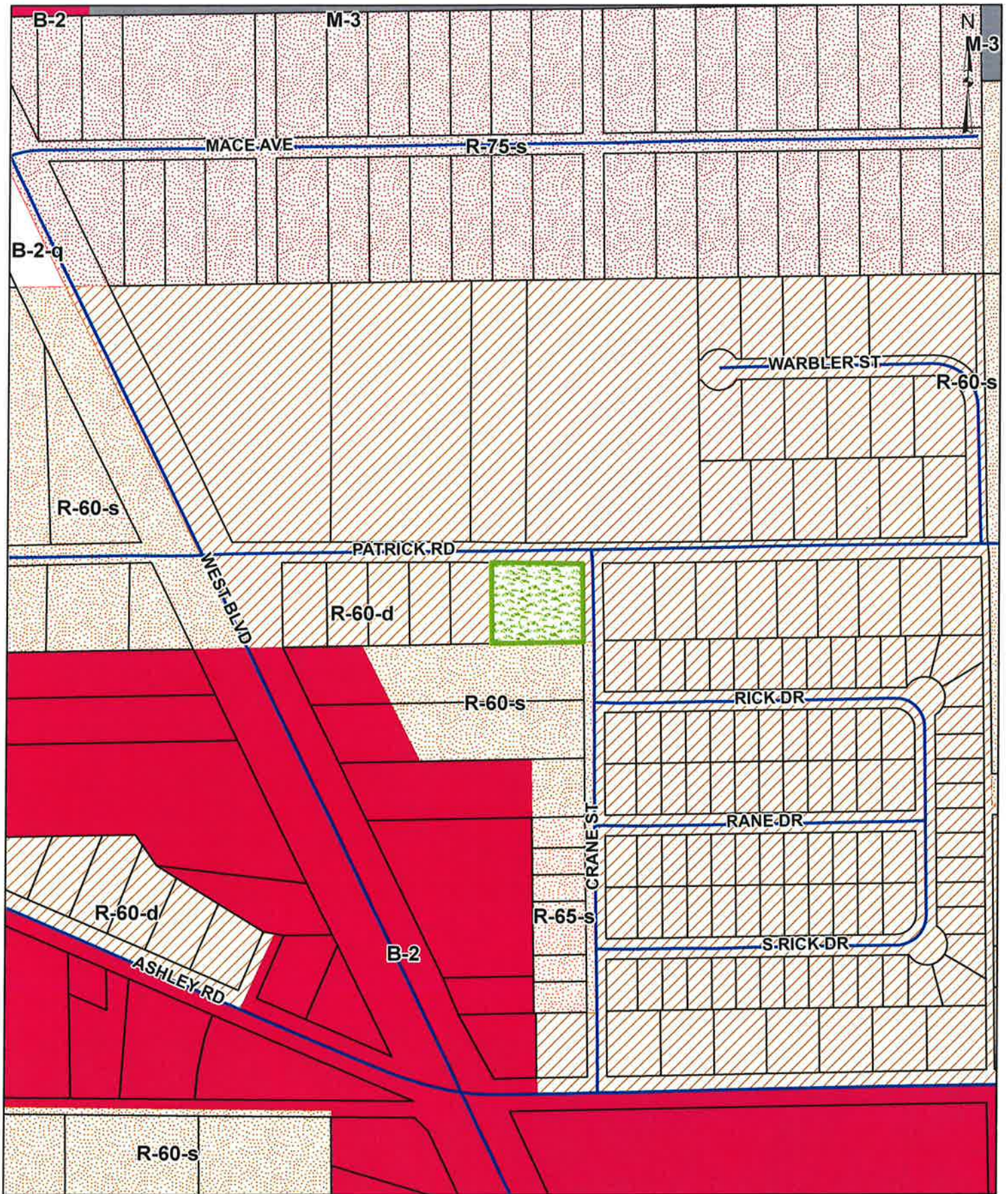
REMARKS: This request is being made to give the petitioner permission to construct a 2,000 sq. ft. (40 ft. x 50 ft.) accessory structure (garage). There are two (2) existing accessory structures totaling 1,152 sq. ft., for a total coverage of 3,152 sq. ft., whereas 360 sq. ft. is allowed. This lot is approximately 1.03 acres.

The request is a 2,792 sq. ft. coverage variance.

COUNCIL DISTRICT: 4

COMMENTS _____

ACTION TAKEN: _____



Site Location 

1 inch = 300 feet

Item No. 4A

PATRICK ROAD

N 89°58'35"E-100.37'

(50' ROW)

N 89°58'35"E-124.63'

IPS

IPF
3/4"
CT

IPF
1" CT

SCALE: 1" = 30'



20' BUILDING LINE

LOT 1
1.04 Ac±
(45092 S.F.)

ONE STORY BRICK RESIDENCE
1400 CRANE STREET

20' BUILDING LINE

CRANE STREET
(50' ROW)

GAL

NORTH-200.01'

30.00'

90.00'

90.02'

PROPOSED
40'X50'
GARGAGE

EXISTING
GRAVEL PARKING
AND DRIVE

CONCRETE
DRIVE

30.00'

60.04'

60.06'

EXISTING
SAND SURFACE
PLAYGROUND

20'

METAL
BLDG.
640 # 32'
METAL
BLDG.

16
METAL
BLDG.
512 #
36'

IPF
CAPPED
"GMC"

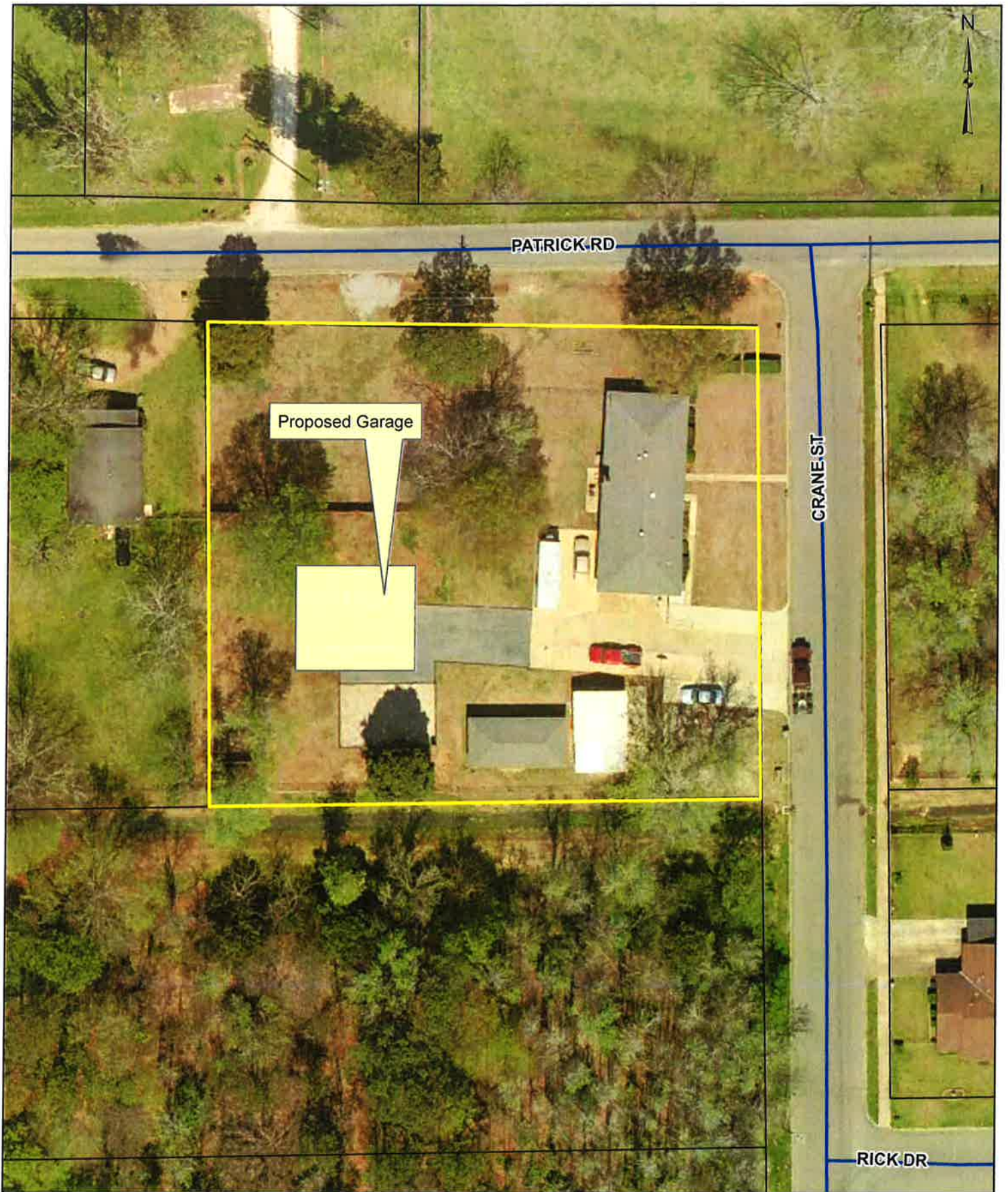
N 89°58'03"W-225.65'

7.5' SURFACE DRAINAGE EASEMENT

S 00°11'10"E-200.23'

IPS

FIE
PRI
PRI
DW



Site Location

1 inch = 50 feet

Item No. 4C

5. BD-2015-049 **PRESENTED BY:** Susan Mallett

REPRESENTING: Same

SUBJECT: Request a side yard variance for an addition to the dwelling located at 3841 Beardsley Drive in an R-85 (Single-Family Residential) Zoning District.

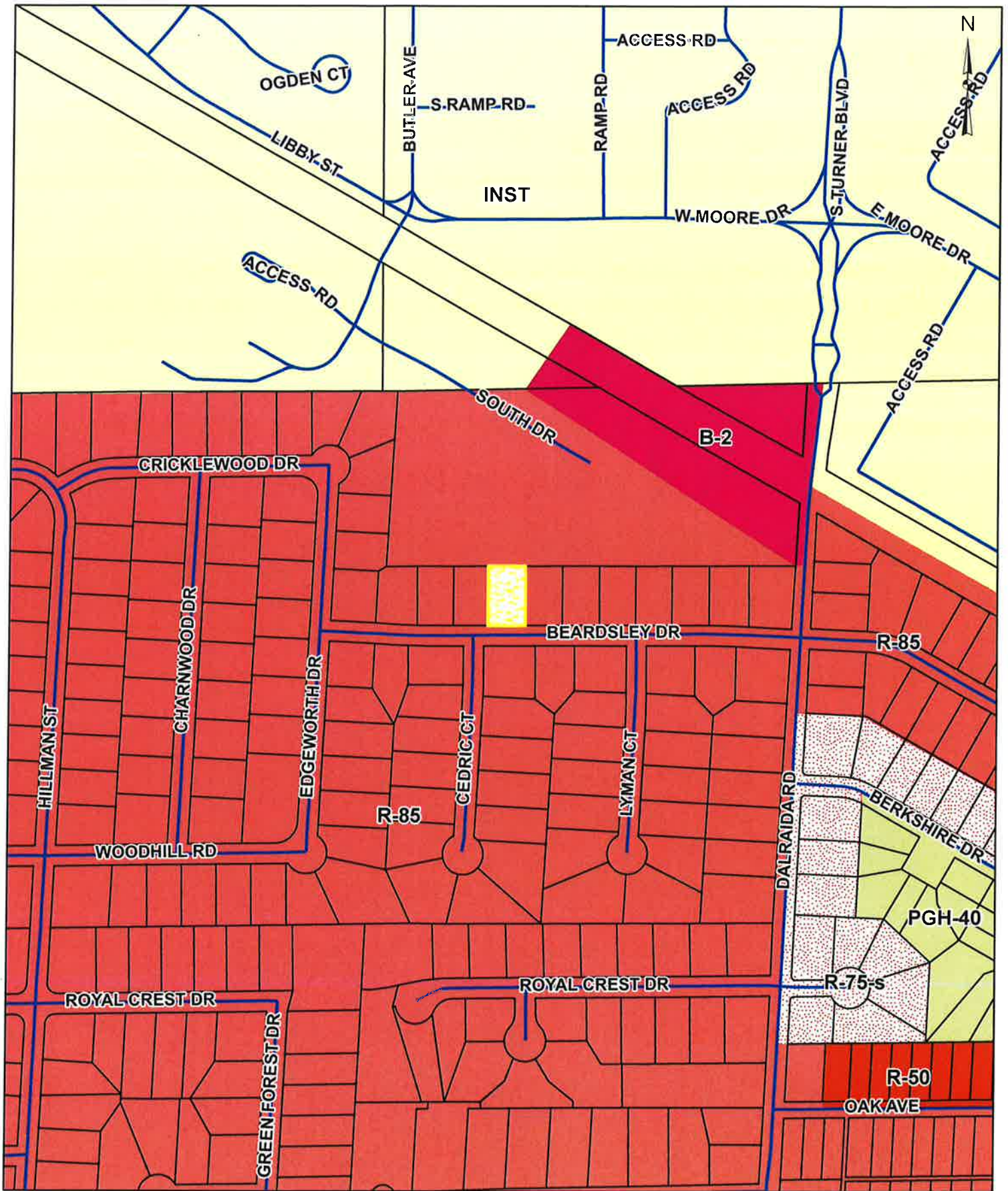
REMARKS: This request is being made to give the petitioner permission to construct a carport addition to come to the side property line, whereas 10 ft. is required.

The request is a 10 ft. side yard variance.

COUNCIL DISTRICT: 2

COMMENTS _____

ACTION TAKEN: _____



Site Location 

1 inch = 300 feet

Item No. 5A



Site Location

1 inch = 30 feet

Item No. 5B

6. BD-2015-048 **PRESENTED BY:** Gary Ledbetter

REPRESENTING: Same

SUBJECT: Request a special exception for chickens and bee hives, and a coverage variance and separation variance between structures for accessory structures located at 4315 Wares Ferry Road in R-75-s (Single-Family Residential) Zoning District.

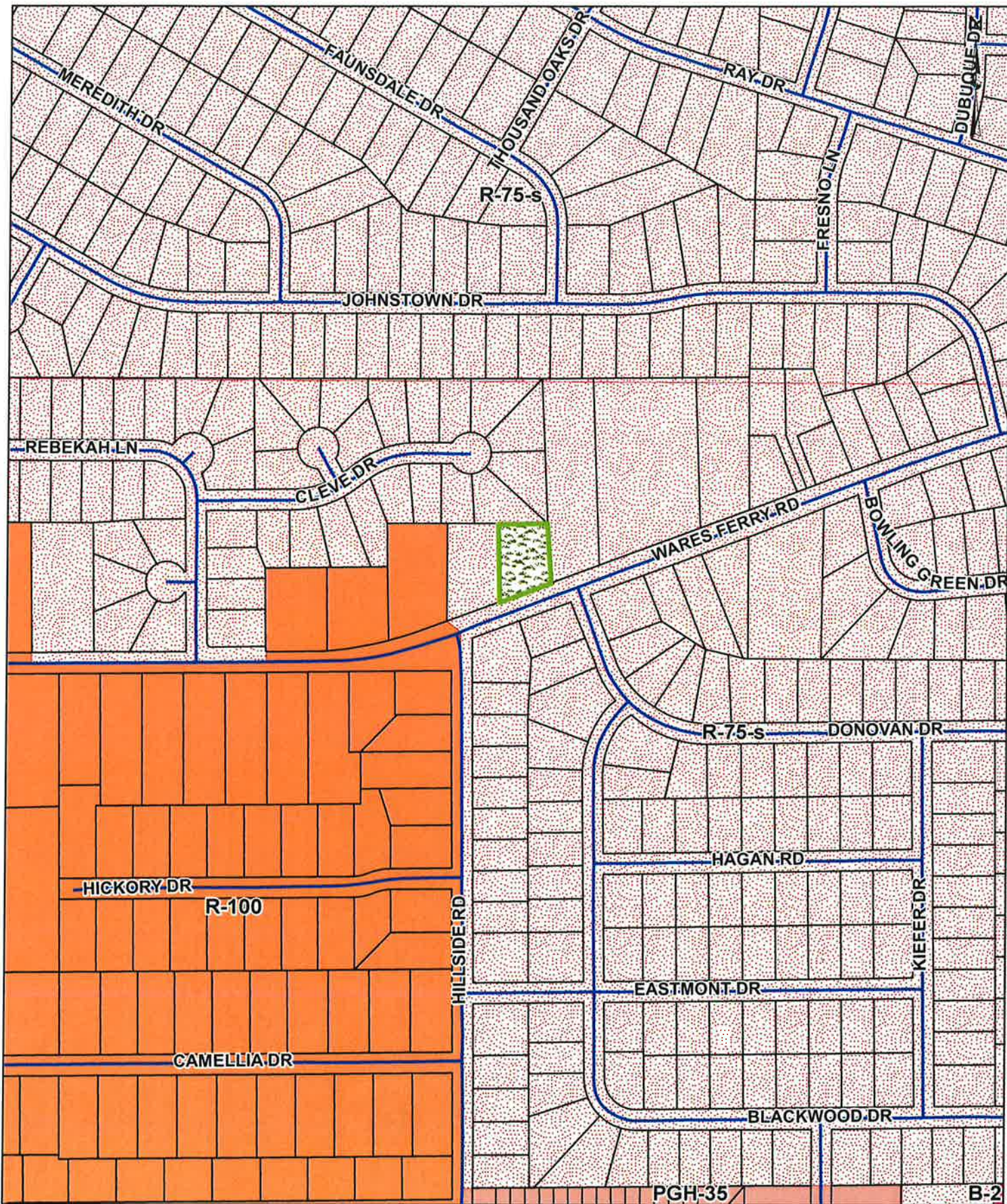
REMARKS: This request is being made to give the petitioner permission to keep 4 domesticated hens, with an enclosed coop in the rear yard. There are 20 bee hives that the petitioner keeps for a hobby. There are 3 accessory structures (12 ft. x 24 ft. each) that total 864 sq. ft. of coverage, whereas 675 sq. ft. is allowed. There is 9 ft. separation between 2 of the accessory structures, whereas 10 ft. is required.

Requests are a special exception for 4 chickens, 20 bee hives, a 189 sq. ft. coverage variance, and a 1 ft. separation variance between structures.

COUNCIL DISTRICT: 2

COMMENTS _____

ACTION TAKEN: _____



Site Location 

1 inch = 300 feet

Item No. 6A



9 feet between structures

3 Existing 12'x24' accessory structures

Existing bee hives

WARES FERRY RD

DONOVAN DR

Site Location

1 inch = 40 feet

Item No. 10B

7. BD-2015-051 **PRESENTED BY:** Jay Sims

REPRESENTING: Steve Davidson

SUBJECT: Request a side yard variance for an addition to the dwelling located at 3243 Bankhead Avenue in an R-125 (Single-Family Residential) Zoning District.

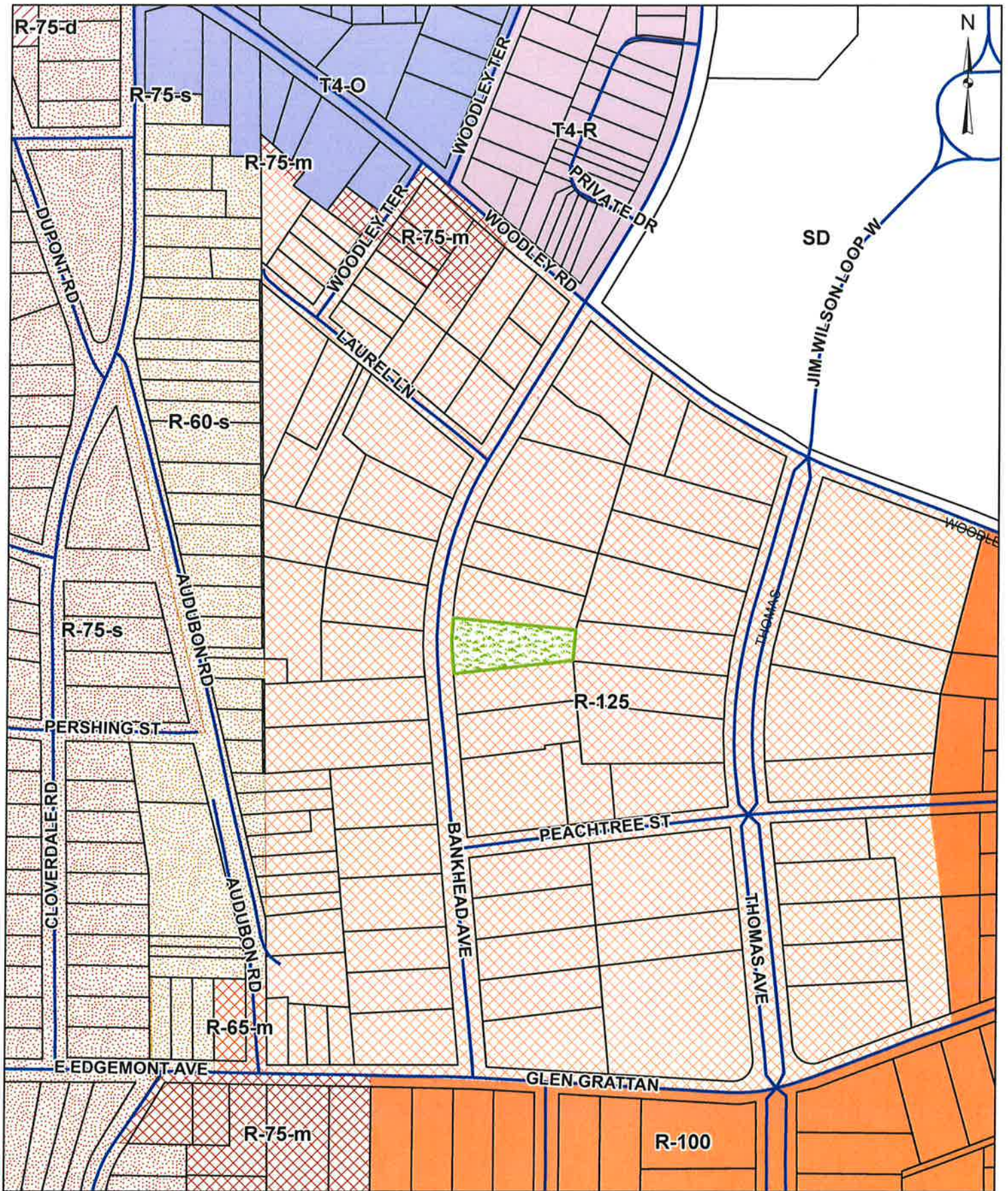
REMARKS: This request is being made to give the petitioner permission to construct an addition that will come within 2 ft. of the side property line, whereas 20 ft. is required. The addition is in line with the existing house which is "legal non-conforming"

The variance requested is a 18 foot side yard setback variance.

COUNCIL DISTRICT: 7

COMMENTS _____

ACTION TAKEN: _____



Site Location 

1 inch = 300 feet

Item No. 7A



Site Location

1 inch = 85 feet

Item No. 7C

Request for Confirmation

8. BD-2014-045 **PRESENTED BY:** Berry Hearn

REPRESENTING: Montgomery CBD, LLC

SUBJECT: Request an exception for doors that operate as sliders along a frontage for a building located at 79 Commerce Street in a T5 (Urban Center Zone) Zoning District.

REMARKS: This request is being made to give the petitioner permission to have doors that operate as sliders, which is prohibited along frontages in this district.

Section 5.6.5(f): Doors and windows that operate as sliders are prohibited along frontages.

Two-thirds of the project is located in the Lower Commerce Historic District, and received approval from the Architectural Review Board (June 25, 2014) for sliding and/or French glass doors. It was discovered during construction that sliding glass doors were installed, which were not part of the SmartCode plans that were reviewed.

This was approved as a confirmation at the June 18, 2015 Board of Adjustment meeting.

COUNCIL DISTRICT: 3

COMMENTS _____

ACTION TAKEN: _____



SITE 

1 inch = 100 feet
Item 8A



Lower
Commerce

BIBB ST

COMMERCE ST

LEE ST

MONTGOMERY ST

MOLTON
ST

SITE 

1 inch = 100 feet

Item 8B





SITE 

1 inch = 50 feet
Item 8D