

# Board of Adjustment Agenda

January 21, 2016 – 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

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

- I. **Chairman's Message**
- II. **Approval of Minutes from the December 17, 2015 meeting**
- III. **Election of Officers**

**January 21, 2016**

<u>Item</u>	<u>File</u>	<u>Petitioner</u>	<u>Zone</u>	<u>Location/Request</u>	<u>Page</u>
1.	1954-035	Emily Whisenhunt	R-75-d	805 Cloverdale Road (New fence)	1
2.	1968-037	Brandon Stoudenmier	T4-R	444 South Hull Street (Exception to SmartCode)	2
3.	2016-001	Chris Rogers	PUD	EastChase Lane (Height variance)	3
4.	2016-002	Flowers & White Engineering	B-3	5665 Carmichael Road (Parking variance)	4
5.	1972-048	Glynn Wilson Clark	B-4	1100 Ann Street (Rear yard, coverage, and parking variances)	5

*The next Board of Adjustment meeting is on February 18, 2016*

1. BD-1954-035 **PRESENTED BY:** Emily Whisenhunt

**REPRESENTING:** Same

**SUBJECT:** Request a height variance and setback variance for a new fence to be located 805 Cloverdale Road in an R-75-d (Duplex Residential) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to replace a wall that is in disrepair with a wrought iron fence with brick columns. The current wall goes around trees that are no longer there, and is leaning and cracking in several areas. The new fence will have 7 ft. tall brick columns, whereas 3 ft. is allowed, with wrought iron fencing in between. The new fence will be on the Cottage Place property line, whereas a 30 ft. setback is required (this is a double-fronting lot).

*The requests are a 4 ft. height variance and a 30 ft. setback variance.*

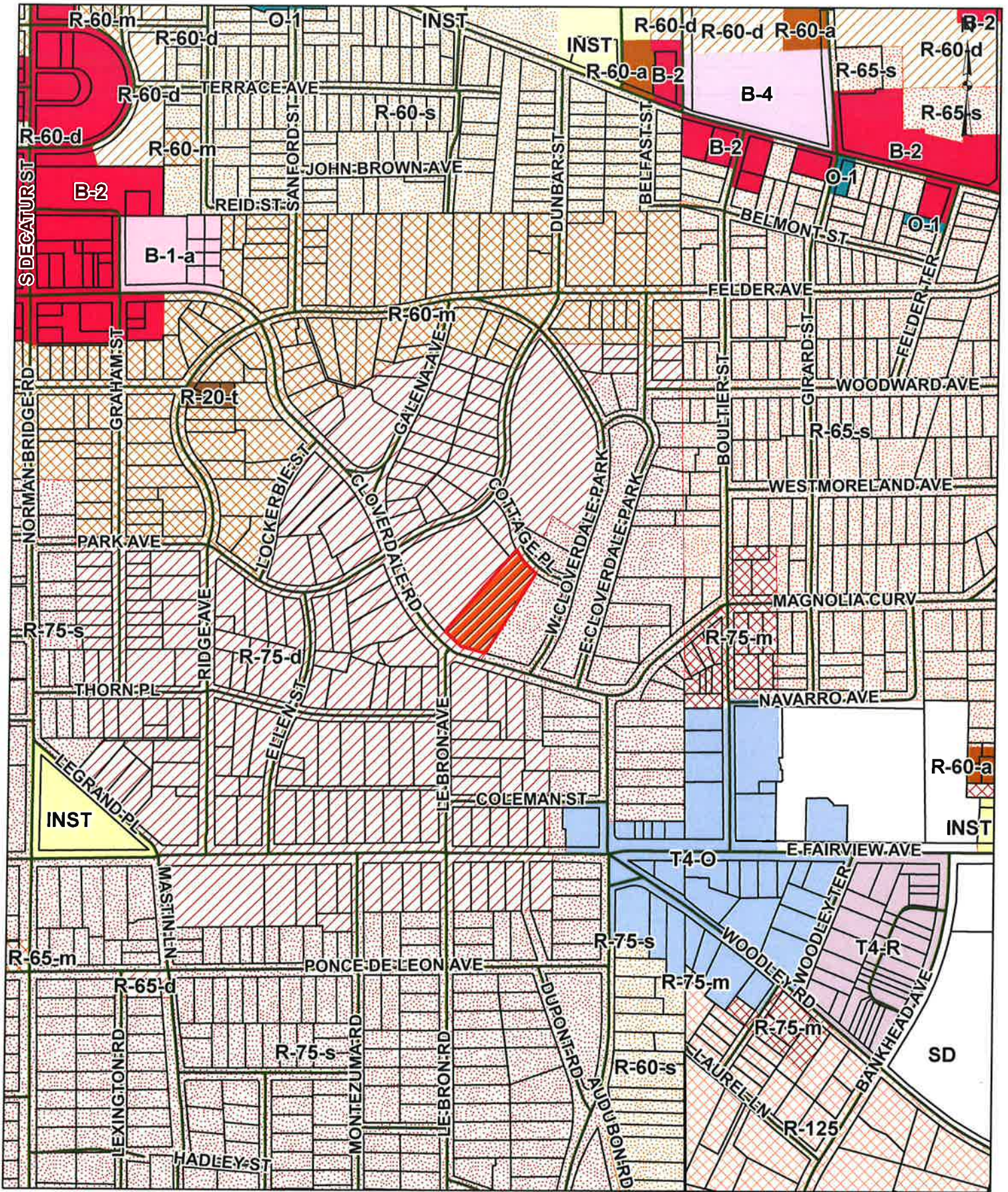
**Department of Planning:** No objection. The fence construction will not create a visual barrier at either the increased height or setback request. Cottage Place is a very short street with very little traffic on most days. Neighbors exiting their property should not have line of sight problems. The fence would be close to the street rather than along an adjoining neighbor's property.

**COUNCIL DISTRICT:** 7

**COMMENTS** \_\_\_\_\_

**ACTION TAKEN:** \_\_\_\_\_





Site Location 

1 inch = 500 feet

Item No. 1A



**CURRENT WALL:**

Current wall goes around trees that are no longer there



The current wall is leaning and cracking in several areas

## PROPOSED FENCE:



The proposed fence will be a combination of brick columns iron bars running along the property line. This is keeping in line with existing fence on the property as well as the adjacent lot. The proposed fence will have brick columns every 12 feet, which is the same as the current wall. Columns will remain the same size as the existing columns, 7' tall, 17" x 17", 18" cap, and 8" brick runner between columns. The proposed iron fence running between columns will be 6 feet tall.

In order to straighten out the fence line, the current columns will need to come down. Brick from the existing columns will be reused when possible and matching brick will be supplemented when necessary.

Landscaping will be planted on the outside of the fence to provide a natural screen to the property. Landscape will be selected from a list of recommended plants and trees posted on the Urban Forestry website. The urban forester will be consulted prior to adding in the new landscape.



**CURRENT GATE:**



**PROPOSED GATE:**



The current gate opening is 10' wide and the gate is made of wood. This wood is rotting and breaking. Proposed gate opening is 12' wide and the gate replacement is a combination of wood and iron. Widening of the gate would be to the right as there is a gas meter adjacent to the left gate column.





Proposed Fence with columns & gate

SITE 

1 inch = 100 feet  
Item 1E



2. BD-1968-037 **PRESENTED BY:** Brandon Stoudenmier

**REPRESENTING:** River Paws Pet Resort

**SUBJECT:** Request an exception to SmartCode to operate a vet clinic/kennel in a building located at 444 South Hull Street in a T4-R (General Urban Zone-Open) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to operate a vet clinic/kennel, which is a use permitted by exception under SmartCode. Services will include daytime dog care, overnight boarding, grooming, and training. The daytime dog care hours will be: Monday-Friday, 7:00a-6:00p; Saturday, 7:00a-12:00p, and Sunday, 4:00p-5:00p. There will be a nature walk area and an outdoor play area that will be enclosed by a privacy fence. On less than desirable weather days, two indoor play areas are provided. Two full-time Pet Care Technicians and a Facility Manager will operate the pet care center

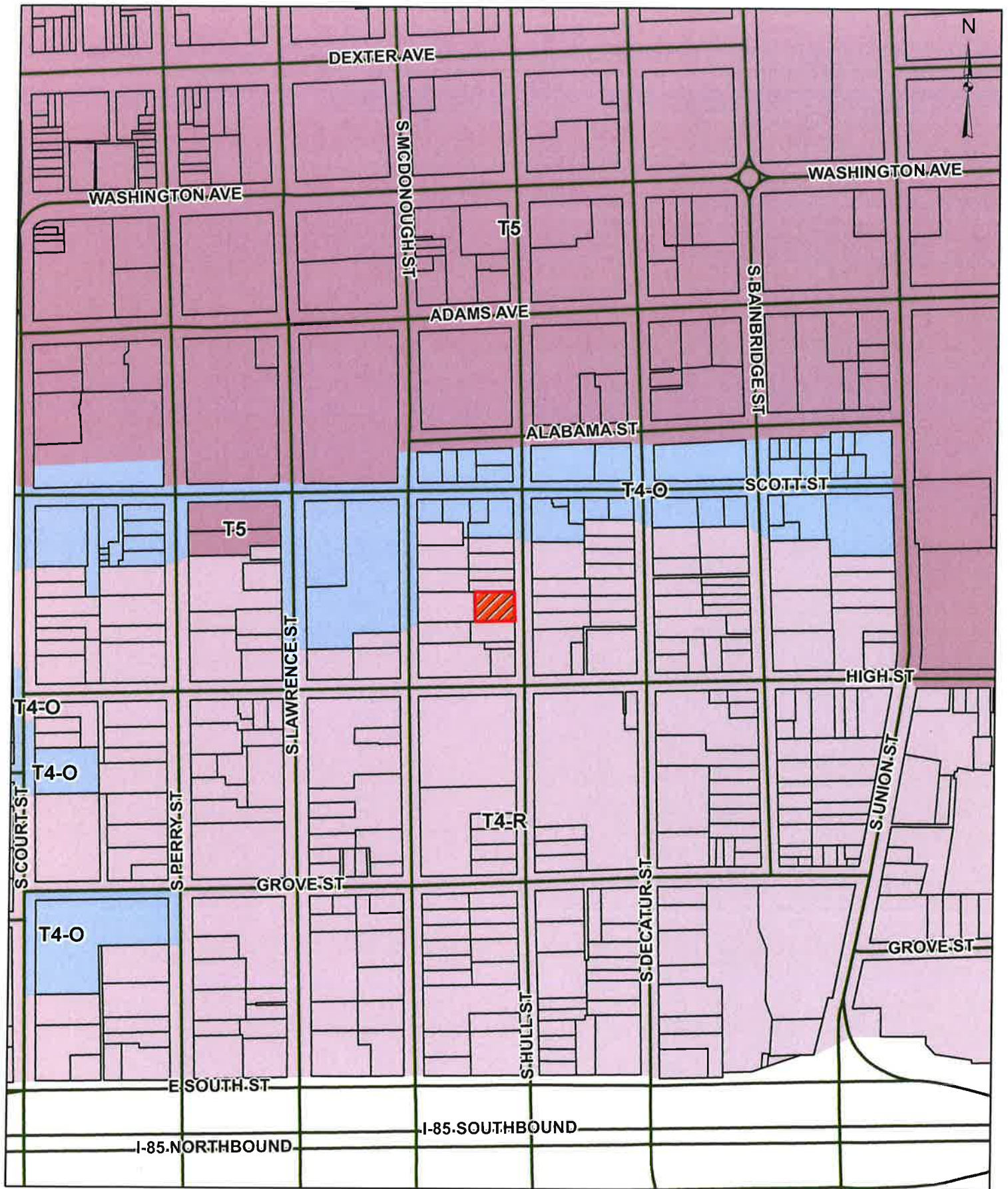
The request is an exception to SmartCode to allow a vet clinic/kennel.

**Department of Planning:** No objection. As more people live in the downtown area this could be a good service to have in the area.

**COUNCIL DISTRICT:** 3

**COMMENTS** \_\_\_\_\_

**ACTION TAKEN:** \_\_\_\_\_



Site Location 

1 inch = 400 feet

Item No. 2A





Site Location

1 inch = 50 feet

Item No. 2B

3. BD-2016-001 **PRESENTED BY:** Chris Rogers

**REPRESENTING:** Barrett Simpson

**SUBJECT:** Request a height variance for a building to be located on the west side of EastChase Lane, approximately 350 ft. south of EastChase Parkway, in a PUD (Planned Unit Development) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to construct a new hotel that will be 60 ft. in height, whereas 50 ft. is allowed according to the approved master plan. The hotel will be four (4) stories which complies with the approved master plan.

*The request is a 10 ft. height variance.*

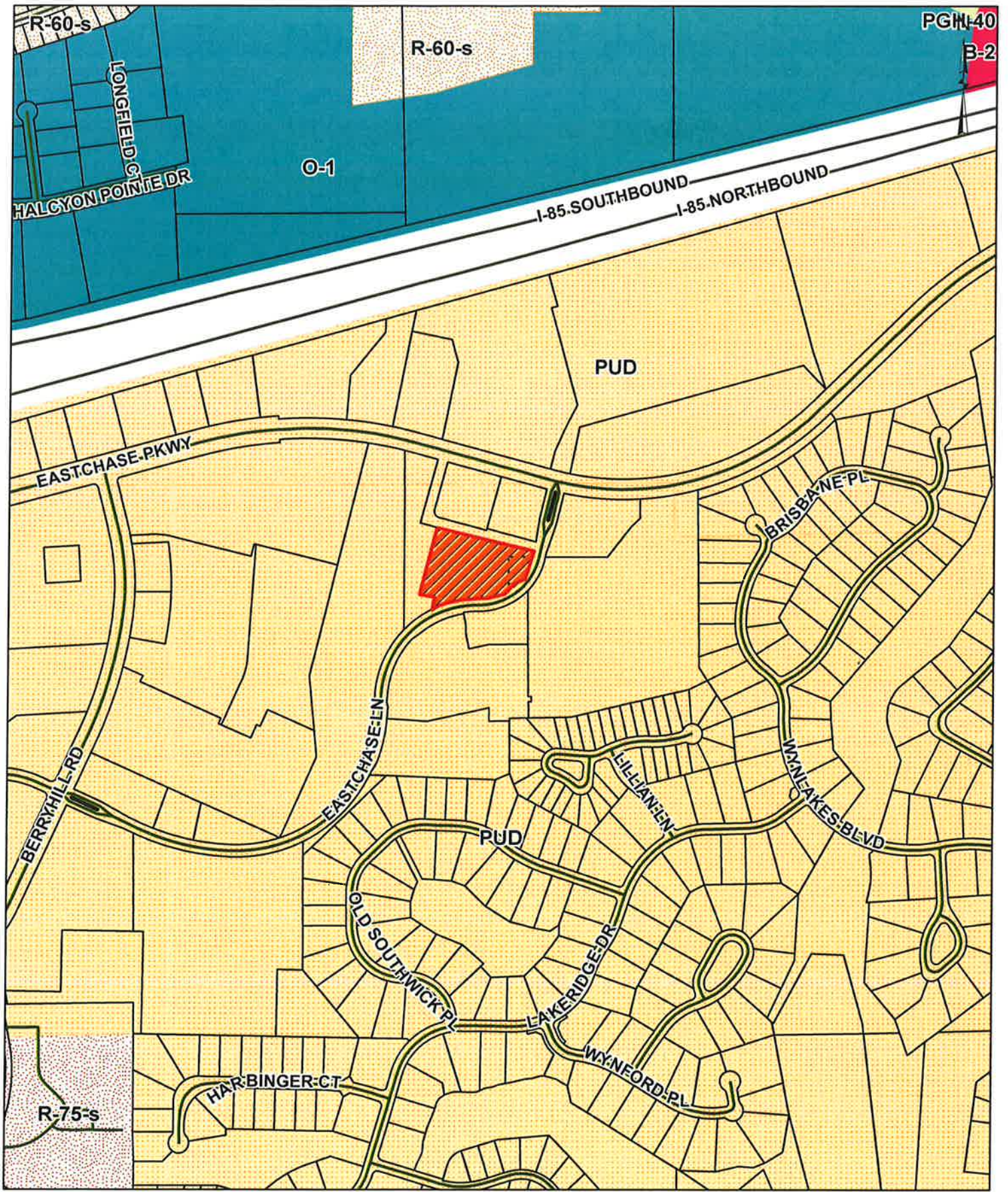
**Department of Planning:** No objection. 60 ft. is reasonable for a 4 story hotel.

**COUNCIL DISTRICT: 9**

**COMMENTS** \_\_\_\_\_

**ACTION TAKEN:** \_\_\_\_\_





Site Location 

1 inch = 600 feet

Item No. 3A



3B

This drawing represents a conceptual plan for the development of the subject property. There may be factors that could affect the development, use and/or yield of the property which would only be disclosed by a thorough site assessment, including survey, topographic survey, environmental assessment, wetlands delineation and utility availability, which have not been performed for the purpose of this conceptual plan. There is no assurance by Barrett-Simpson, Inc. that the property can be developed according to this plan, or a reasonable cost.



**BARRETT-SIMPSON, INC.**  
Civil Engineers & Land Surveyors



**NRFC**  
NORTH ALABAMA REGIONAL FLOOD CONTROL DISTRICT

**RAM HOTELS**  
TownPlace Suites by Marriott  
Eastchase, Montgomery, Alabama

RECEIVED  
DEC 21 2015  
PLANNING COMM. DIVISION

<b>Site Data:</b>	
Total Parcel Size:	2.34 Acres
# of Proposed Units:	96 Units
Size of Parking Spaces:	112
Area of Parking Spaces:	210
Permitted Parking Spaces:	112
Parking Ratio Provided:	1.16
Total N/C Spaces Provided:	1
Net Accessible N/C Spaces Provided:	1
<b>Building Setbacks:</b>	
Front:	10'
Side:	10'
Rear:	20'
<b>Landscape Buffers:</b>	
Setback Land Buffer:	5'
Inter-Property Buffer:	5'

**PAYMENT DISCLAIMER FOR FIELD CHANGES**

NO GUARANTEE WILL BE MADE BY THE ENGINEER FOR ANY CHANGES TO THE ORIGINAL CONTRACT DOCUMENTS WHICH WERE NOT SPECIFICALLY IDENTIFIED IN THE ORIGINAL CONTRACT DOCUMENTS. THE ENGINEER'S RESPONSIBILITY IS LIMITED TO THE ORIGINAL CONTRACT DOCUMENTS AND ANY CHANGES SPECIFICALLY IDENTIFIED IN THE ORIGINAL CONTRACT DOCUMENTS.

**NOTICE TO CONTRACTORS**

CONTRACTORS SHALL VERIFY ALL DIMENSIONS AND CONDITIONS OF THE SITE PRIOR TO COMMENCING WORK. THE ENGINEER'S RESPONSIBILITY IS LIMITED TO THE ORIGINAL CONTRACT DOCUMENTS AND ANY CHANGES SPECIFICALLY IDENTIFIED IN THE ORIGINAL CONTRACT DOCUMENTS. CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

**811** Know what's below.  
Call before you dig.

GRAPHIC SCALE  
1" = 100'-0"

CONCEPT PLAN

DATE: 8/20/15  
SCALE: AS SHOWN  
PROJECT: RAM HOTEL  
SHEET: 15-0000  
REVISED: 8/20/15  
DRAWN BY: J. SMITH  
CHECKED BY: J. SMITH  
APPROVED BY: J. SMITH

CONCEPT

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Site Location

1 inch = 200 feet

Item No. 30

4. BD-2016-002 **PRESENTED BY:** Flowers & White Engineering

**REPRESENTING:** Holley-Henley Builders

**SUBJECT:** Request a parking variance for an addition to a building located at 5665 Carmichael Road in a B-3 (Commercial) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to construct a 9,700 sq. ft. addition. The total building area will be 45,800 sq. ft., which requires 286 parking spaces; however 156 parking spaces are being provided. The petitioner has indicated that 20,000 sq. ft. will be dedicated for warehouse only.

*The request is a 130 space parking variance.*

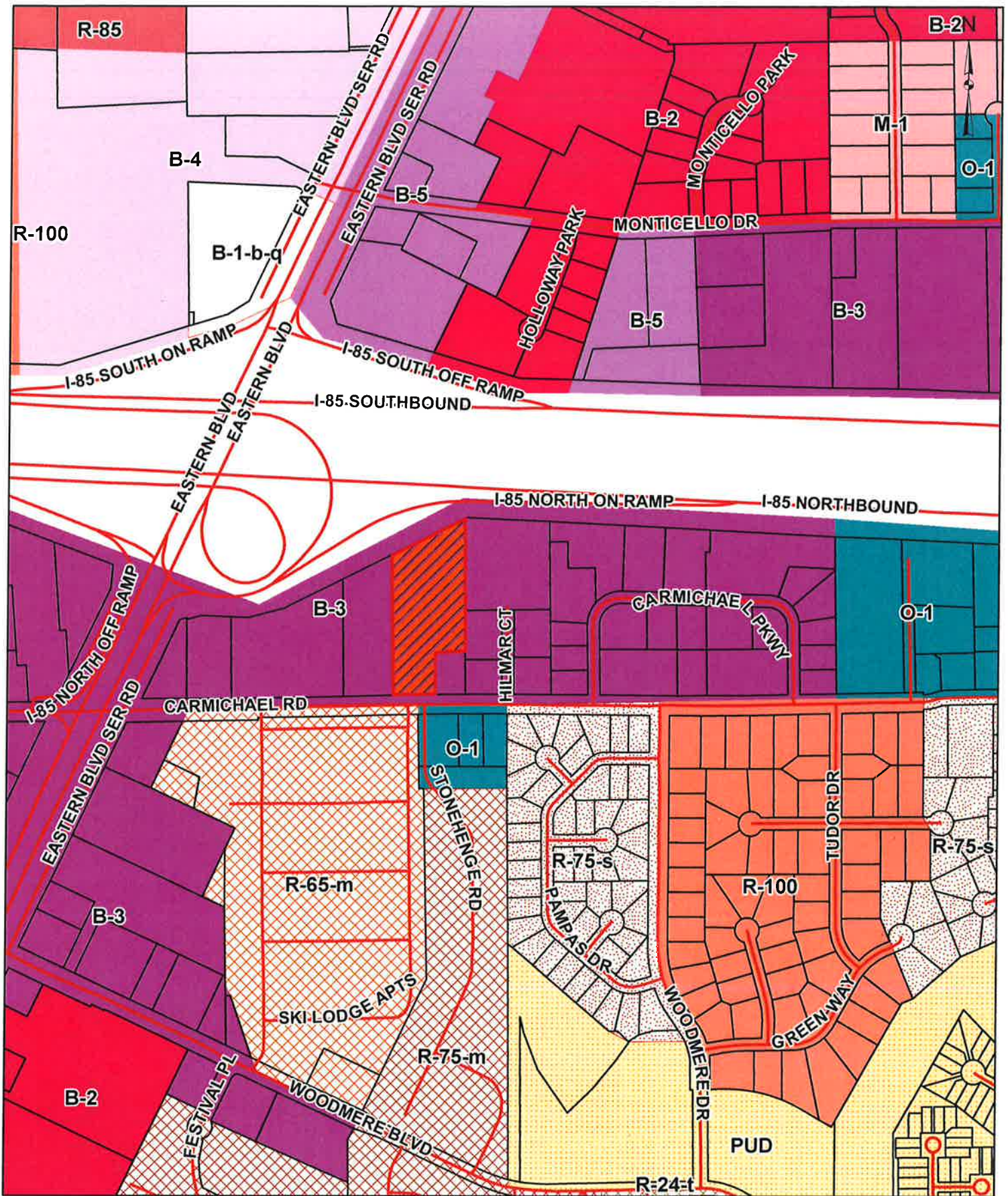
**Department of Planning:** No objection. The bowling alley is no longer there. The new business is a furniture retail store with a warehouse. The reduction in required parking is in line with the other reductions allowed for furniture stores.

**COUNCIL DISTRICT: 9**

**COMMENTS** \_\_\_\_\_

**ACTION TAKEN:** \_\_\_\_\_





Site Location 

1 inch = 500 feet

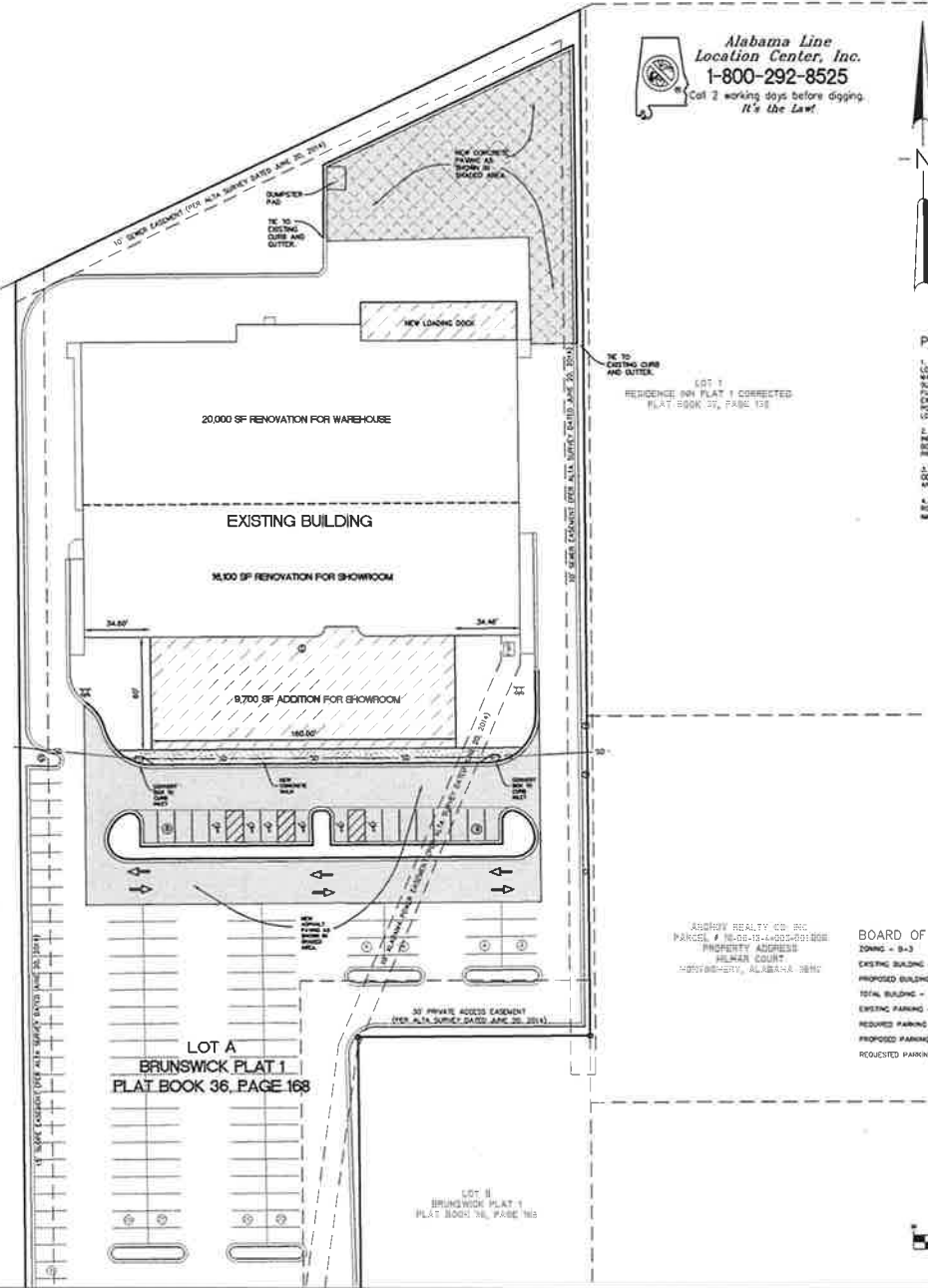
Item No. 4A

**CITY NOTES:**

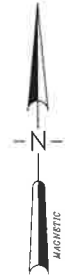
1. BEFORE ANY WORK BEGINS WITHIN CITY RIGHT OF WAY, CONTACT CITY ENGINEERING CHIEF INSPECTOR AT 241-2833.
2. ALL UTILITY CONNECTIONS MADE WITHIN EXISTING CITY STREETS MUST BE BORED UNLESS OTHERWISE DETERMINED BY CITY MAINTENANCE DEPARTMENT (241-2885). AN APPROVAL LETTER FROM MAINTENANCE WILL BE REQUIRED BEFORE DEVELOPMENT PLAN CAN BE APPROVED BY ENGINEERING.
3. BEFORE ANY STREET CUTS, CONTACT DONALD THOMAS WITH CITY MAINTENANCE AT 241-2885.
4. DIRECT ALL STORM WATER INCLUDING ROOF DRAINS TO STREET RIGHT OF WAY OR DRAINAGE EASEMENT.
5. CONTRACTOR IS RESPONSIBLE FOR INSTALLING AND MAINTAINING ADEQUATE EROSION / SEDIMENTATION CONTROL DURING ALL PHASES OF CONSTRUCTION.
6. CONTRACTOR IS RESPONSIBLE FOR KEEPING MUD AND DEBRIS OFF CITY STREETS AND RIGHT OF WAY. CLEAN UP IS REQUIRED DAILY.
7. CONTRACTOR IS RESPONSIBLE FOR THE REPAIR/ADJUSTMENT OF SIDEWALK AND / OR CURB AND GUTTER DAMAGED DURING CONSTRUCTION.
8. ANY CHANGES OR REVISIONS MADE TO SITE PLANS MUST BE SUBMITTED FOR APPROVAL.
9. ALL AREAS ON CITY RIGHT OF WAY THAT ARE OVERLAPED DURING CONSTRUCTION SHALL BE REPLACED WITH 50% ASPHALT OR CONCRETE, WHICHEVER IS DEEMED NECESSARY BY ENGINEERING DEPARTMENT.
10. CONVERT ALL STREET CHUTE INLETS TO "S" TYPE CURB INLETS.
11. ANY STREET CUTS REQUIRE A CITY STANDARD PAVEMENT PATCH AND 50' LONG, FULL STREET ASPHALT OVERLAY.
12. PROVIDE HANDICAP RAMPS AT ALL SIDEWALK AND DRIVEWAY INTERSECTIONS.
13. ALL WATER AND SANITARY WORK AND MATERIALS ARE TO MEET MONTGOMERY WATER WORKS & SANITARY SEWER BOARD STANDARDS & SPECIFICATIONS. PIPE LINES MUST MEET MFWA PIPE CODE STANDARDS FOR MATERIALS AND TESTING.
14. ANY WORK ON PUBLIC ROW REQUIRES A WORK ZONE THAT MEETS THE STANDARDS OF A MUTED MANUAL.
15. ALL SANITARY SEWER MAIN 6" AND LARGER SHALL BE SOLID WALL PVC PIPE (1180) UNLESS SPECIFICALLY CALLED OUT AS DUCTILE IRON. ALL SANITARY SEWER PIPING 6" AND SMALLER SHALL BE SCHEDULE 40 PVC WITH BELL AND SPIGOT JOINTS FOR CASHEEDED JOINTS WITH ELASTOMERIC SEALS. ALL DUCTILE IRON PIPE SHALL BE POLYETHYLENE REINFORCED.
16. CONTRACTOR SHALL MAINTAIN A MINIMUM 36" COVER OVER EXISTING WATER AND SEWER LINES AT ALL TIMES DURING CONSTRUCTION.
17. NO TREES ALLOWED IN WATER OR SANITARY SEWER EASEMENTS.

**LEGEND**

ITEM	EXISTING
CURB AND GUTTER	---
EDGE OF PAVEMENT	---
POWER POLE	⊙
CUT WIRE	⊙
FIRE HYDRANT	⊙
VALVE	⊙
STORM DRAIN BOX	⊙
SANITARY SEWER MANHOLE	⊙
IRON PIN FOUND	⊙
STORM DRAIN LINE	---



Alabama Line  
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1-800-292-8525  
Call 2 working days before digging.  
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VICINITY MAP  
NO SCALE

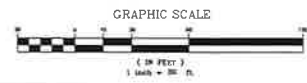
**PROJECT NOTES:**

1. THE UNDERGROUND UTILITIES AND STORM DRAIN PIPE SHOWN WERE BOTH LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA COVERED BY SERVICE OR REBARRED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED ALL OF THE UNDERGROUND UTILITIES AS TO SIZE, DEPTH OR CONDITION.
2. WATER AND SEWER LATERALS SHOWN ARE FROM RECORD DRAWINGS AND INFORMATION PROVIDED BY MONTGOMERY WATER WORKS AND SANITARY SEWER BOARD. CONTRACTOR SHALL FIELD VERIFY LOCATION AND EXISTENCE OF LATERALS PRIOR TO STARTING CONSTRUCTION.
3. SHOULD THERE BE ANY DISCREPANCIES BETWEEN DRAWINGS, SPECIFICATIONS OR GEOLOGICAL REPORT, THE CONTRACTOR SHALL ADHERE TO THE MORE STRINGENT AND LARGEST QUANTITY OF WORK AS DETERMINED BY THE ARCHITECT AND ENGINEER.
4. ANY MUD/CONSTRUCTION DEBRIS THAT MAY BE TRANSPORTED TO SURROUNDING ROADS, PARKING AREAS OR STORM SEWER SYSTEM SHALL BE CLEANED UP IMMEDIATELY AT THE CONTRACTOR'S EXPENSE.

ANDREWS REALTY CO. INC.  
PARCEL # 16-00-014-000-0010000  
PROPERTY ADDRESS  
HILMAN COURT  
MONTGOMERY, ALABAMA 36104

**BOARD OF ADJUSTMENT PARKING CALCULATIONS**

ZONING	= B-3
EXISTING BUILDING	= 34,100 sq. ft.
PROPOSED BUILDING EXPANSION	= 8,700 sq. ft.
TOTAL BUILDING	= 42,800
EXISTING PARKING	= 226
REQUIRED PARKING	= 281
PROPOSED PARKING	= 124
REQUESTED PARKING VARIANCE	= 150



PRELIMINARY - NOT FOR CONSTRUCTION

**FLOWERS & WHITE**  
ENGINEERING, L.L.C.



A NEW WAREHOUSE AND SHOWROOM BY:  
**HOLLEY - HENLEY BUILDERS**

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PROJECT #	15-100
DRAWN BY	ENF
CHECKED BY	ENF
DATE	12-29-15
REV. 1	---
REV. 2	---
REV. 3	---

SHEET TITLE:  
SITE PLAN

SHEET NUMBER:  
**C2.0**

SHEET 1 of 1

PO BOX 731268, MONTGOMERY, AL 36173  
TEL (205) 255-7200

MONTGOMERY, ALABAMA





Site Location

1 inch = 200 feet

Item No. 4C

5. BD-1972-048 **PRESENTED BY:** Glynn Wilson Clark

**REPRESENTING:** MANAV LLC

**SUBJECT:** Request a rear yard variance, a coverage variance, and a parking variance for an addition to a building located at 1100 Ann Street in a B-4 (Commercial) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to a 2,500 sq. ft. addition that will come within 10 ft. of the rear property line, whereas 30 ft. is required. The total of the addition and existing building will be 6,853 sq. ft. which will cover 28% of the lot, whereas 25% coverage is allowed. A total of 34 parking spaces are being provided, whereas 43 parking spaces are required.

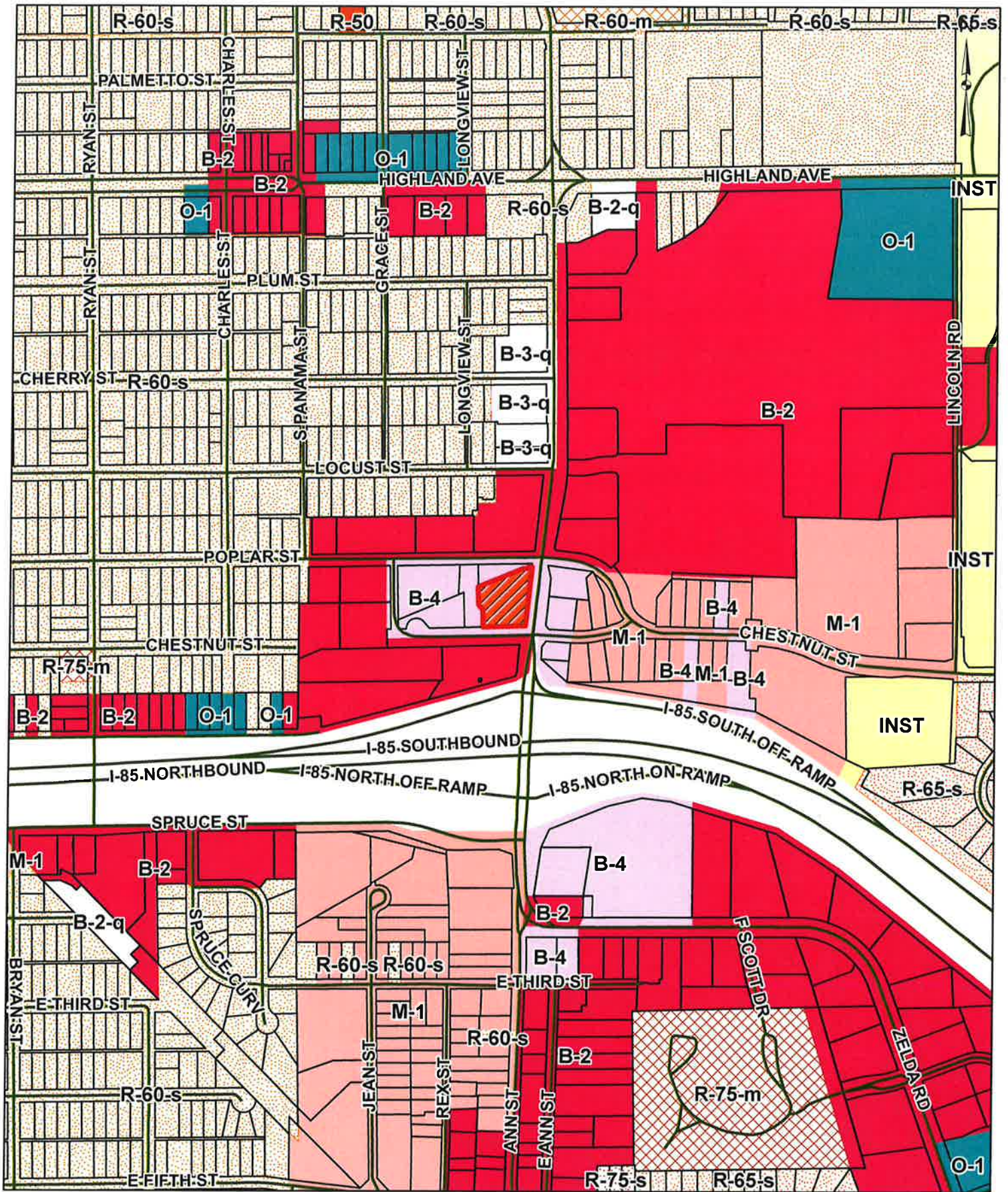
The requests are a 20 ft. rear yard variance, a 3% coverage variance, and a 9 space parking variance.

**COUNCIL DISTRICT:** 3

**COMMENTS** \_\_\_\_\_

**ACTION TAKEN:** \_\_\_\_\_





Site Location 

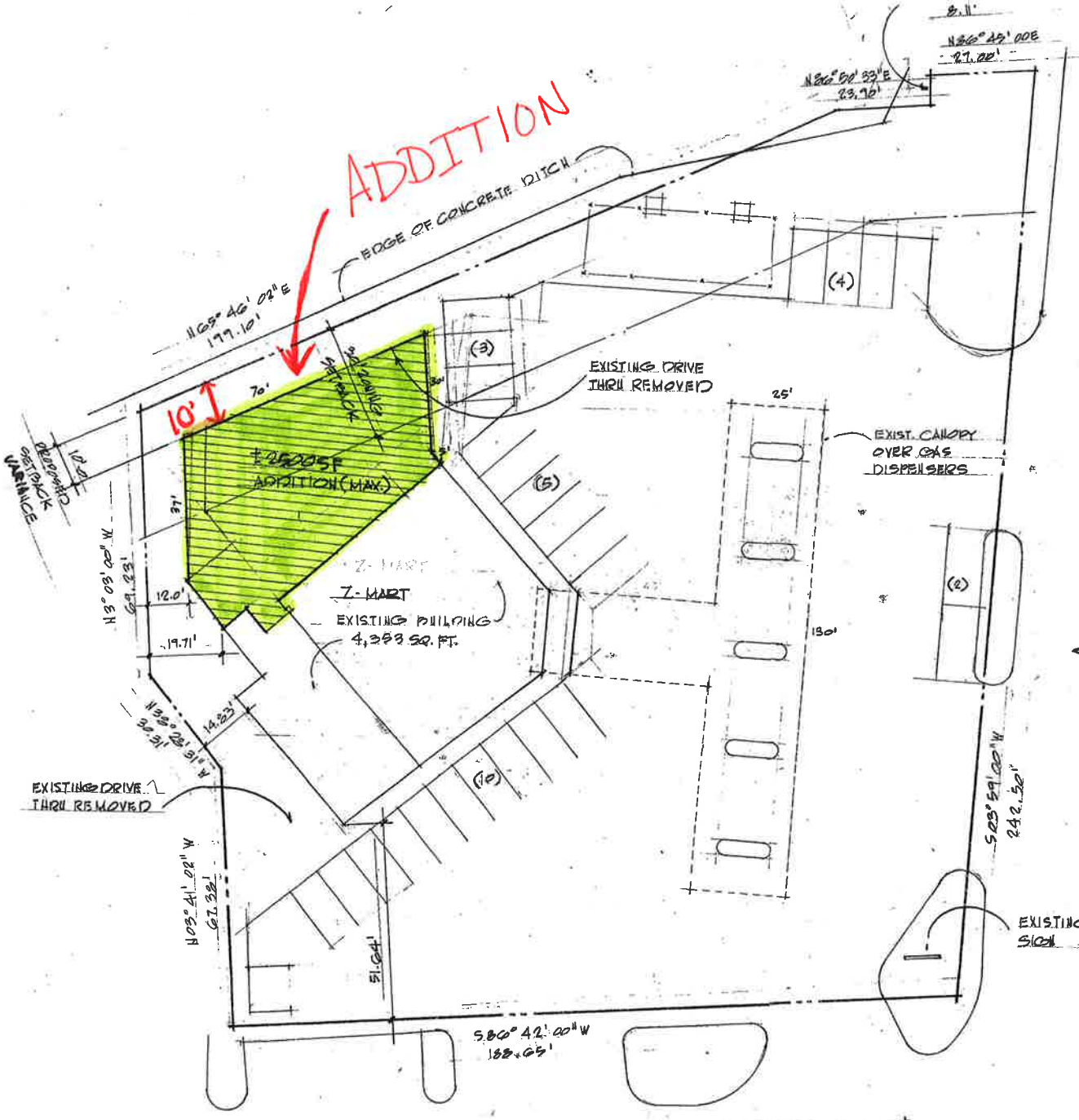
1 inch = 500 feet

Item No. 5A



27

ADDITION



Ann Street

CHESTNUT STREET

SITE LAYOUT PLAN

5B





Site Location

1 inch = 100 feet

Item No. 50