

Board of Adjustment Agenda

June 16, 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

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

I. Chairman's Message

II. Approval of Minutes from the May 19, 2016 meeting

June 16, 2016

<u>Item</u>	<u>File</u>	<u>Petitioner</u>	<u>Zone</u>	<u>Location/Request</u>	<u>Page</u>
1.	2016-024	Jim Hunter Jr.	PGH-40	312 Halter Ridge (Caport)	1
2.	1994-108	L. Daniel Morris Jr.	R-65-s	2321 Rosemont Circle (Front yard variance)	2
3.	2016-029	Major Key	R-65-s	4734 Banyan Drive (Chickens – special exception)	3
4.	2016-028	Katherine Crook	R-75-s	209 Colgate Drive (Addition to dwelling)	4
5.	2016-027	Marcus Bryant	AGR-1	5354 Patterson Road (Mobile home)	5
6.	1999-206	Studio Scarab	AGR-1	3475 Ashley Road (Addition to legal non- conforming building)	6
7.	2016-032	Aluminum Fab	R-85	701 Orchard Avenue (Carport)	7
8.	2012-039	Jeffcoat Engineering	R-60-d	2101 Early Street (Church)	8
9.	1966-059	Midstate Advertising	T4-O	807 Madison Avenue (Exception to SmartCode)	9
10.	2016-030	Eagle Sign Studio	T5	15 Commerce Street (Exception to SmartCode)	10
11.	2010-023	Rose City Outdoor	B-2	9201 Boyd-Cooper Parkway (Billboard)	11
12.	2016-031	Community Action Partnership of North AL	R-50	1782 Edgar D. Nixon Avenue (ID Sign)	12

The next Board of Adjustment meeting is on July 21, 2016

1. BD-2016-024 **PRESENTED BY:** Jim Hunter Jr.

REPRESENTING: Same

SUBJECT: Request a side yard variance for a new carport to be located at 312 Halter Ridge in a PGH-40 (Patio Garden Home) Zoning District.

REMARKS: This request is being made to give the petitioner permission to construct a 10 ft. x 21 ft. attached carport to come to the side property line, whereas 10 ft. is required. Only a small portion of the front of the carport will come to the property line. Gutters and downspouts will be installed.

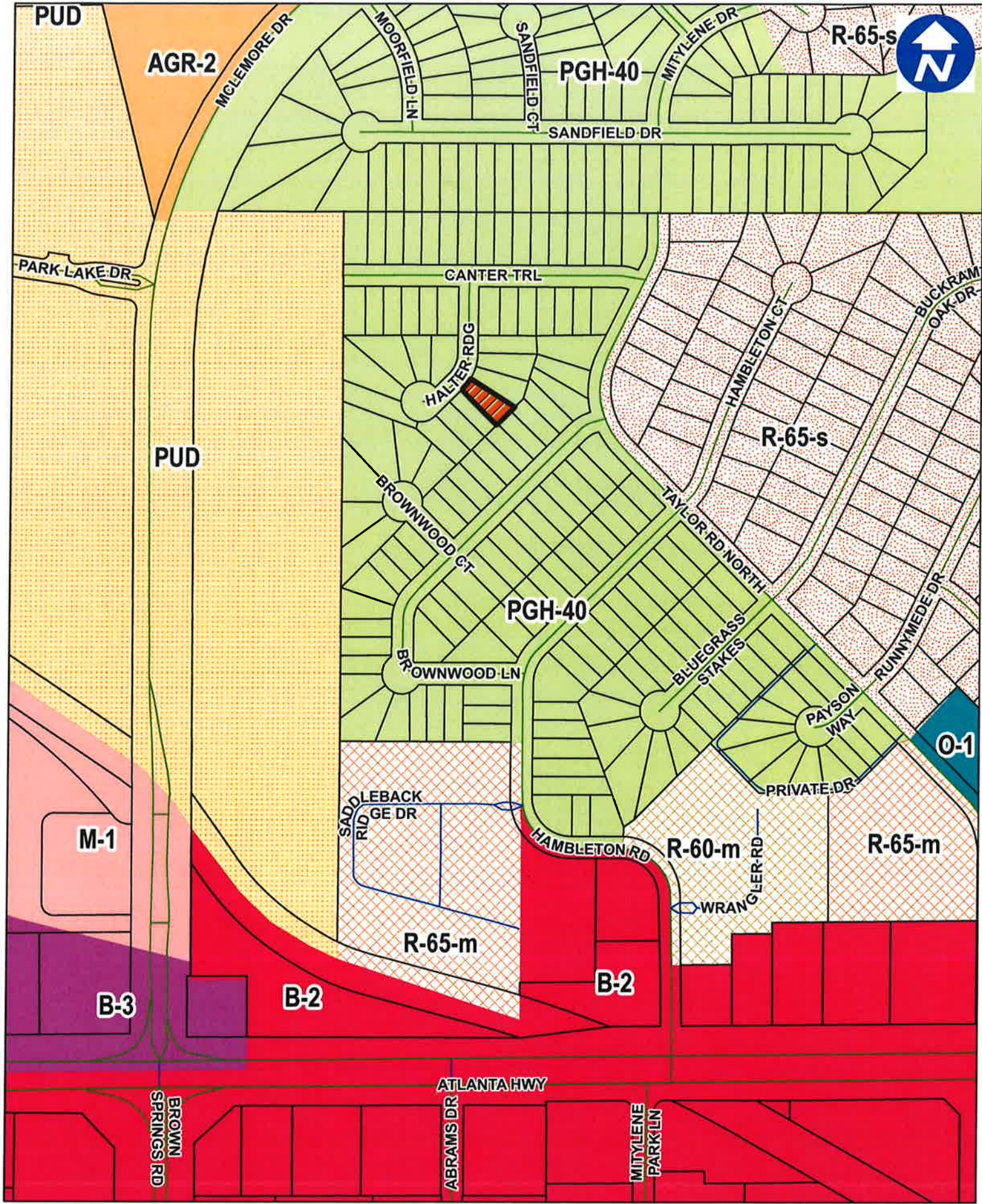
On May 19, 2016 the Board of Adjustment approved a 5 ft. 5 in. side yard variance based on the petitioner's presentation; however he has since realized there was confusion on his part of his testimony that that the carport would come 4 ft. 7 in. off the side property line. The front edge only will come to the property line and will angle away from the property line as shown on the aerial; therefore he needs a 10 ft. side yard variance.

The request is a 10 ft. side yard variance

COUNCIL DISTRICT: 1

COMMENTS _____

ACTION TAKEN: _____



SITE 

1 inch = 300 feet
Item 1A



HALTER RDG

Proposed carport

SITE 

1 inch = 20 feet
Item 1B

2. BD-1994-108 **PRESENTED BY:** L. Daniel Morris Jr.

REPRESENTING: Same

SUBJECT: Request a front yard variance for a dwelling located at 2321 Rosemont Circle in an R-65-s (Single-Family Residential) Zoning District.

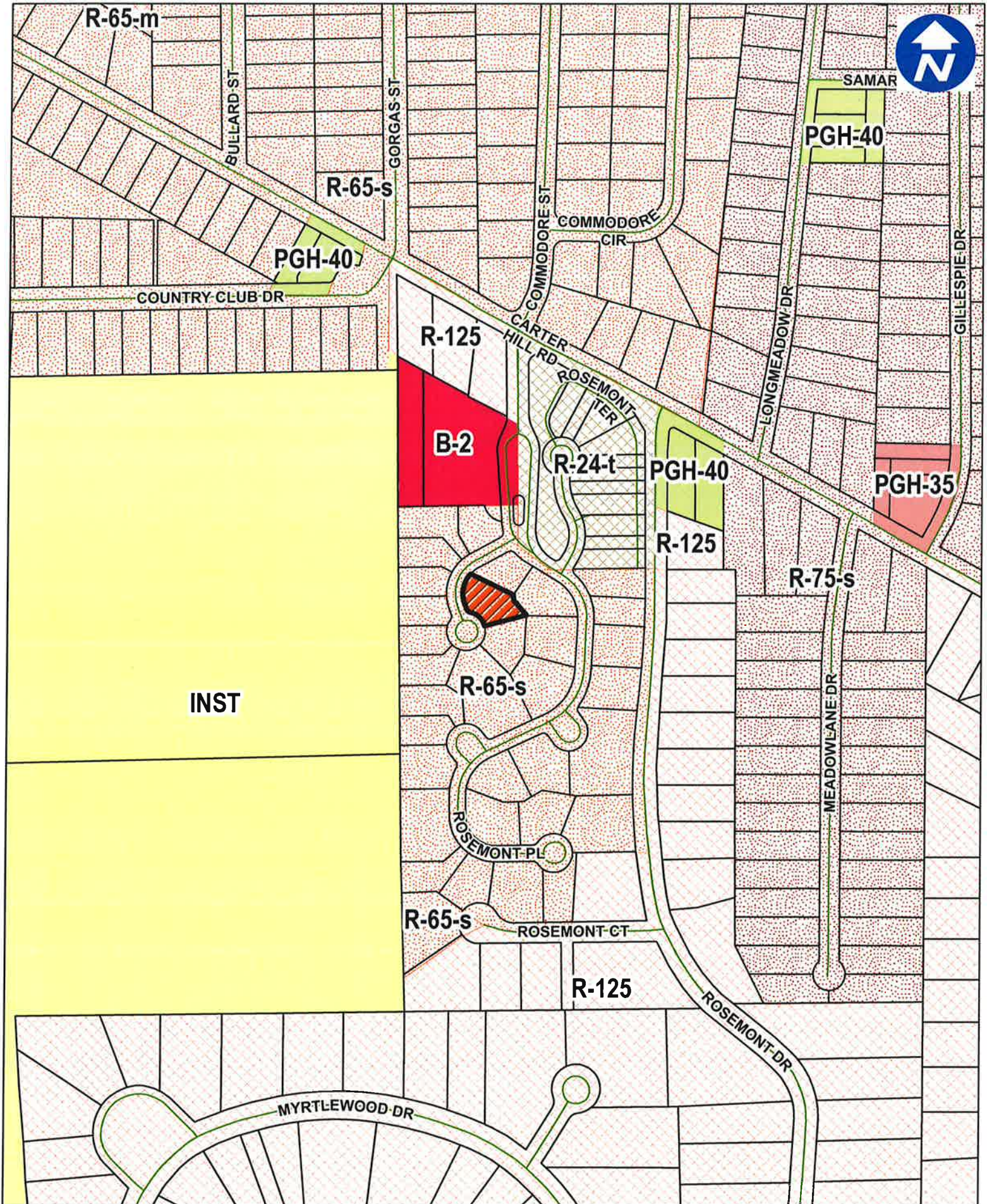
REMARKS: This request is being made to give the petitioner permission to maintain an existing dwelling located within 15 ft. of the front property line, whereas 30 ft. is required. The Board of Adjustment approved a 10 ft. front yard variance in 1994 for the dwelling to come within 20 ft. of the front property line, however after a survey was conducted on April 25, 2016, it was found that the dwelling comes within 15 ft. of the front property line.

The request is a 15 ft. front yard variance.

COUNCIL DISTRICT: 7

COMMENTS _____

ACTION TAKEN: _____



SITE 

1 inch = 300 feet

Item 2A



Site Location

1 inch = 30 feet

Item No. 2B

3. BD-2016-029 **PRESENTED BY:** Major Key

REPRESENTING: Same

SUBJECT: Request a special exception to keep chickens on the property located at 4734 Banyan Drive in an R-65-s (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to keep 4 chickens in the back yard. If approved, the petitioner will maintain the existing coop in accordance with the Guidelines for Chickens.

The request is a special exception to keep 4 chickens.

COUNCIL DISTRICT: 5

COMMENTS _____

ACTION TAKEN: _____

R-75-s R-75-s O-1 B-2-q

SOUTH BLVD SERR



E SOUTH BLVD

B-2

B-4

B-3

O-2

MARLOWE DR

DEVONSHIRE DR

BANCROFT AVE

BUCKINGHAM DR

R-75-s

MARCO RD

BISCAYNE DR

R-65-s

BANYAN DR

NARROW LANE RD

SUNSHINE DR

COVENTRY RD

B-2

GLENFOREST DR

O-1

QUEENSBURY DR

INST

R-65-s

R-65-s

BASSETT DR

R-65-m

WOODBIDGE DR

BOURNESMOUTH DR

B-2-q

B-2

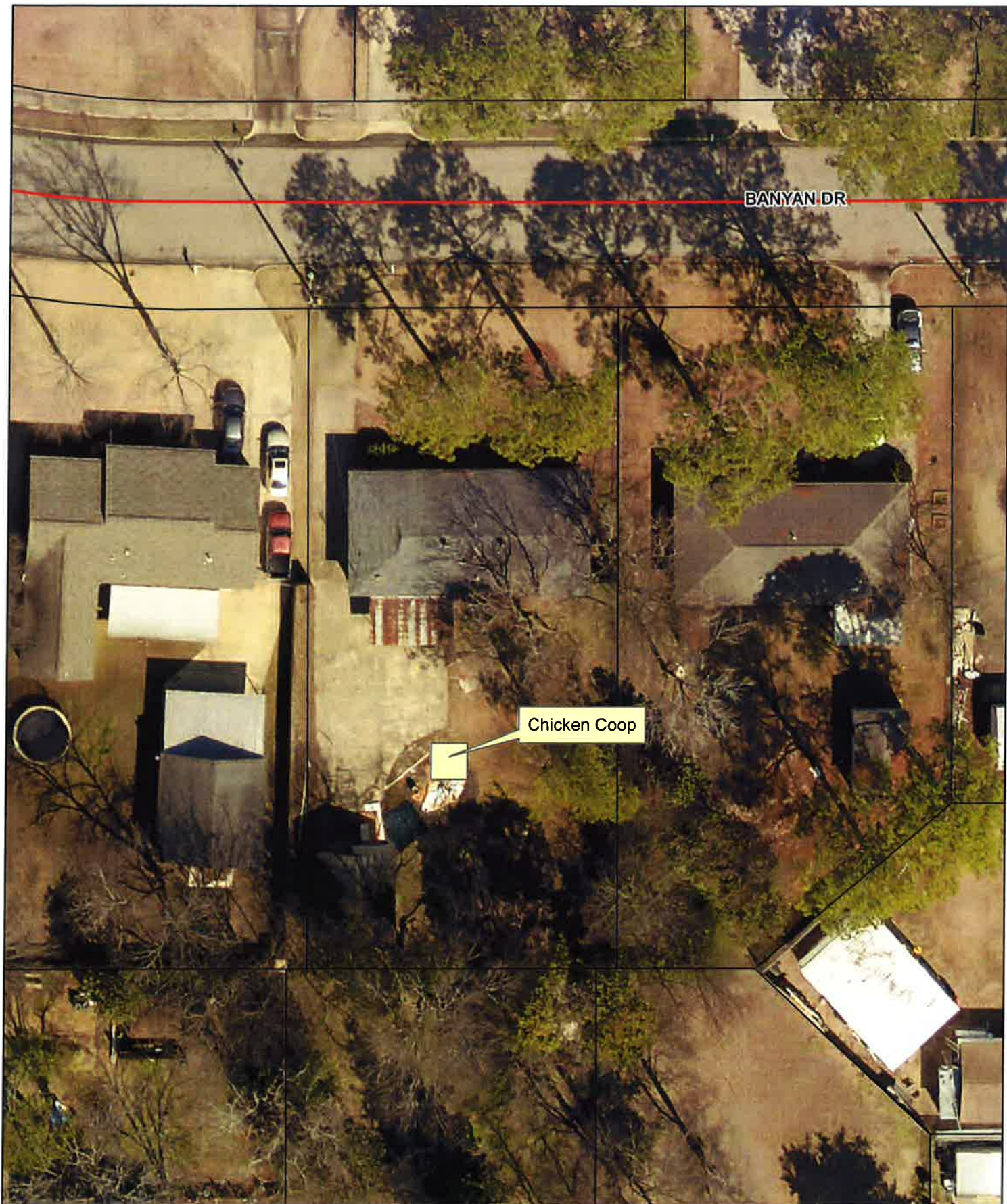


1 inch = 500 feet

Item 3A







BANYAN DR

Chicken Coop

Site Location 

1 inch = 30 feet

Item No. 3D

4. BD-2016-028 **PRESENTED BY:** Katherine Crook

REPRESENTING: Same

SUBJECT: Request a side yard variance and a rear yard variance for an addition to a dwelling located at 209 Colgate Drive in an R-75-s (Single-Family Residential) Zoning District.

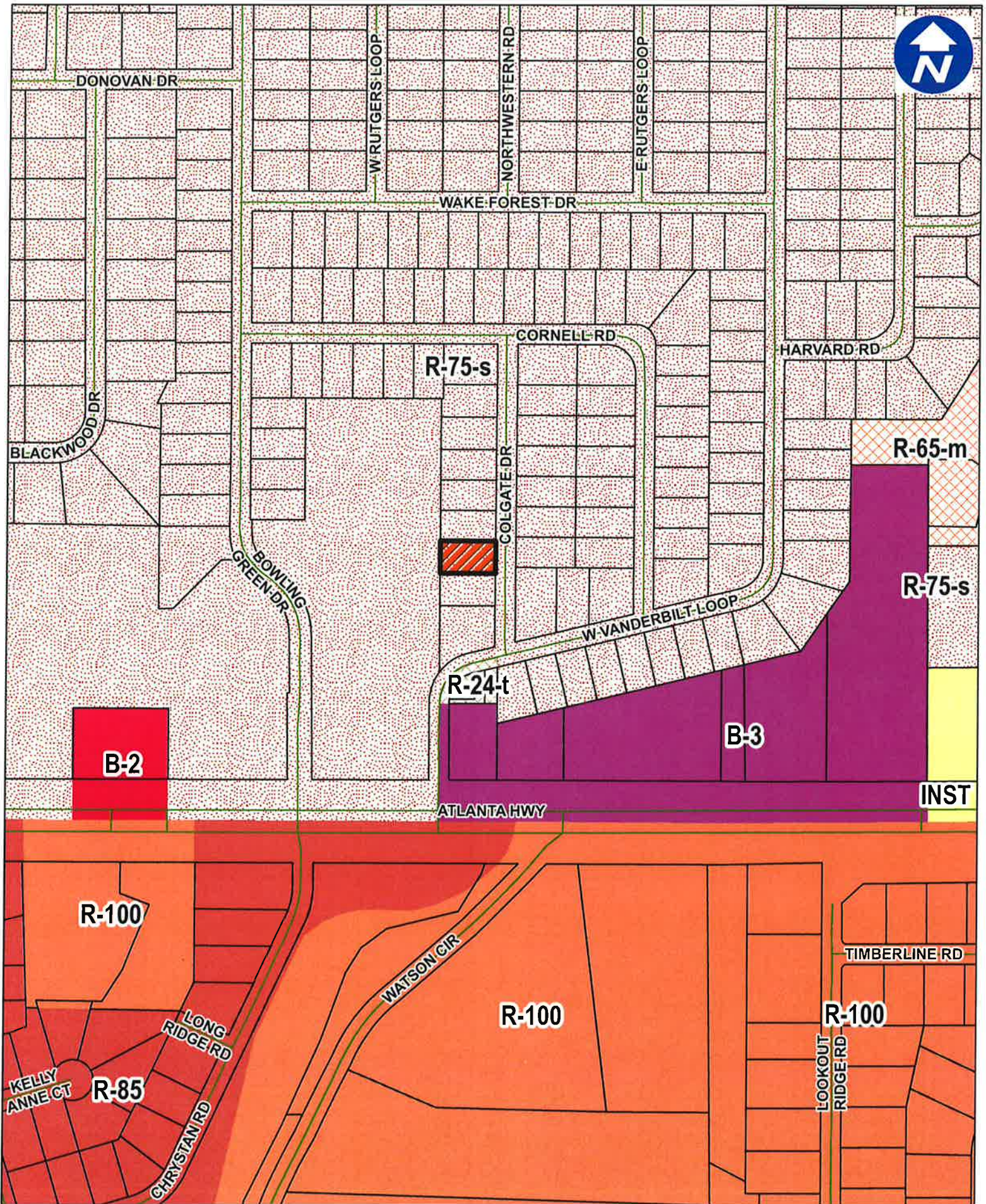
REMARKS: This request is being made to give the petitioner permission to construct an addition that will come to within 5 ft. of the side property line, whereas 10 ft. is required, and within 10 ft. of the rear property line, whereas 30 ft. is required.

The requests are a 5 ft. side yard variance, a 20 ft. rear yard variance.

COUNCIL DISTRICT: 1

COMMENTS _____

ACTION TAKEN: _____



SITE 

1 inch = 300 feet

Item 4A



Site Location

1 inch = 30 feet

Item No. 4B

5. BD-2016- 027 **PRESENTED BY:** Marcus Bryant

REPRESENTING: Same

SUBJECT: Request a special exception for a mobile home for living purposes to be located at 5354 Patterson Road in an AGR-1 (Residential Agriculture) Zoning District.

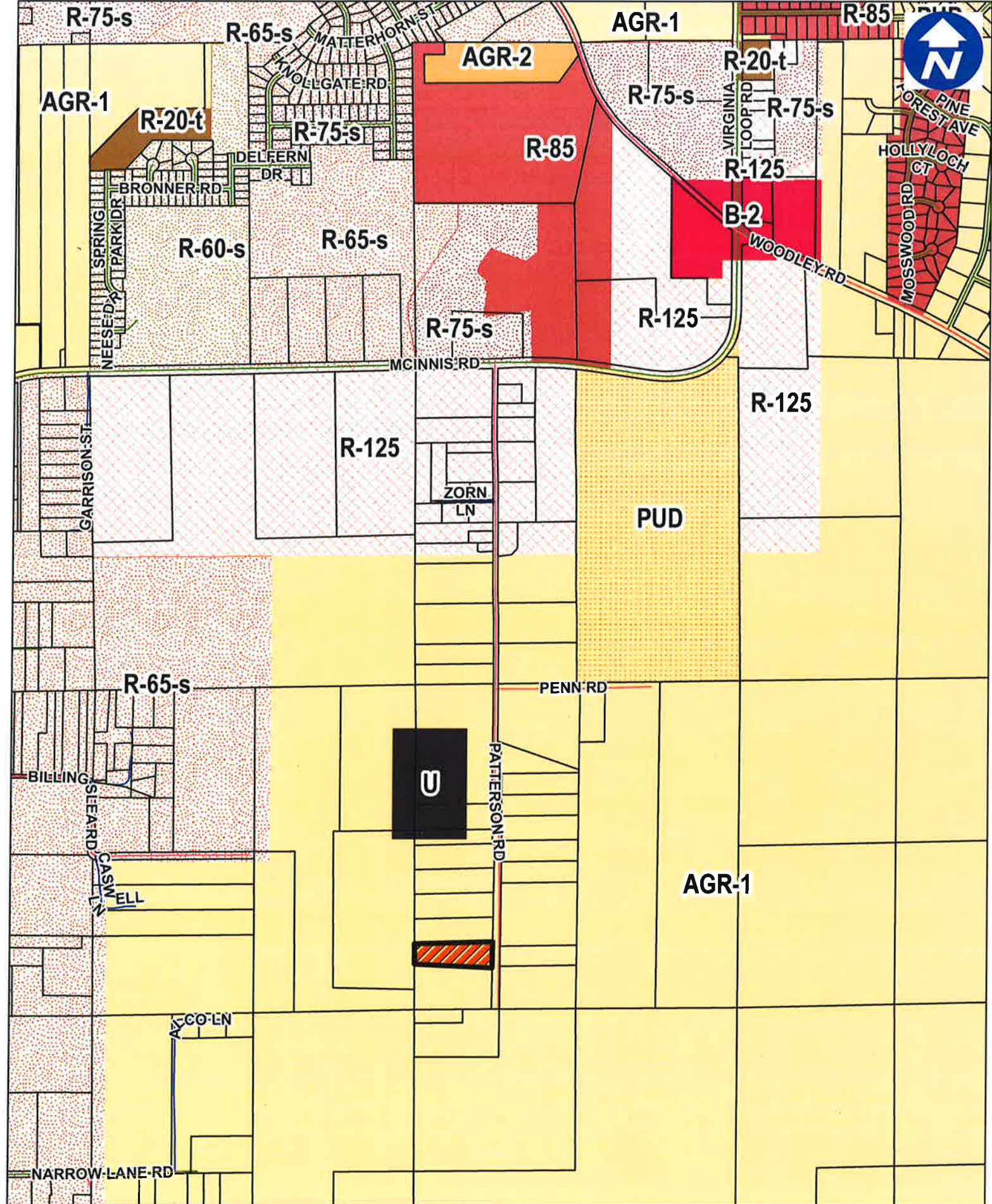
REMARKS: This request is being made to give the petitioner permission to place a mobile home on a 2.7 acre lot. The mobile home will be placed at least 50 ft. off of front property line and will be used for living purposes by the petitioner.

The request is a special exception for a mobile home.

COUNCIL DISTRICT: Police Jurisdiction

COMMENTS _____

ACTION TAKEN: _____



SITE 

1 inch = 1,000 feet
Item 5A



PATTERSON RD



Proposed Mobile Home



Site Location 

1 inch = 100 feet

Item No. 5B

6. BD-1999-206 **PRESENTED BY:** Studio Scarab

REPRESENTING: J.M. Wood

SUBJECT: Request a variance for an addition to a legal non-conforming building and a new building located at 3475 Ashley Road in AGR-1 (Residential Agriculture) and FH (Flood Hazard) Zoning Districts.

REMARKS: This request is being made to give the petitioner permission to construct a 2,751 sq. ft. addition to the front of the building, along with a 140 sq. ft. guard house. There is a new parking area that has 24 parking spaces with a round grass display area in the center and will have one (1) new access drive to Ashley Road. All applicable requirements will be met.

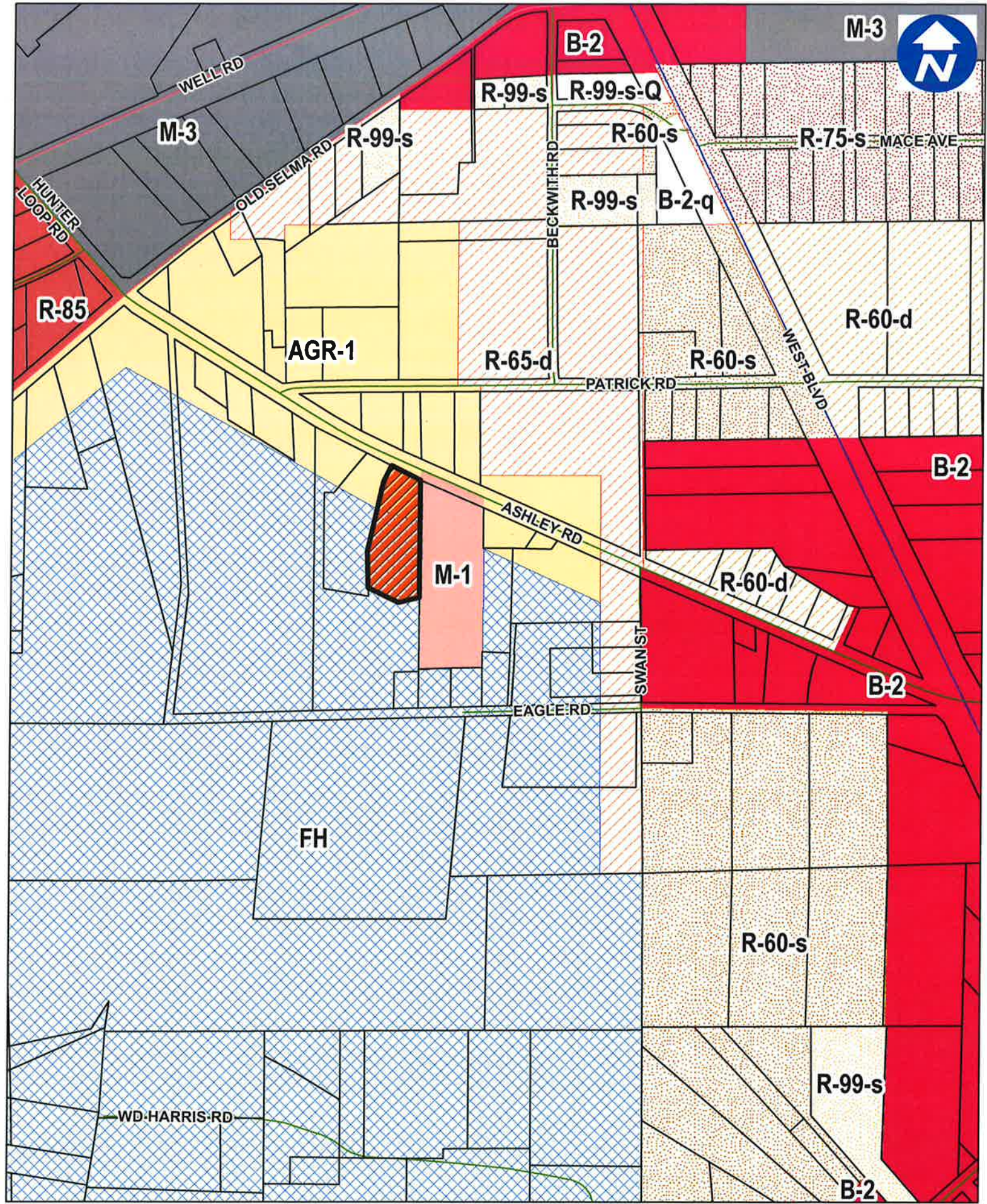
This business has been in operation for 40+ years. On October 7, 1999, the Board of Adjustment approved an additional building and an addition to a legal non-conforming building and business.

The request is a variance for an addition to a legal non-conforming building and a new building.

COUNCIL DISTRICT: 4

COMMENTS _____

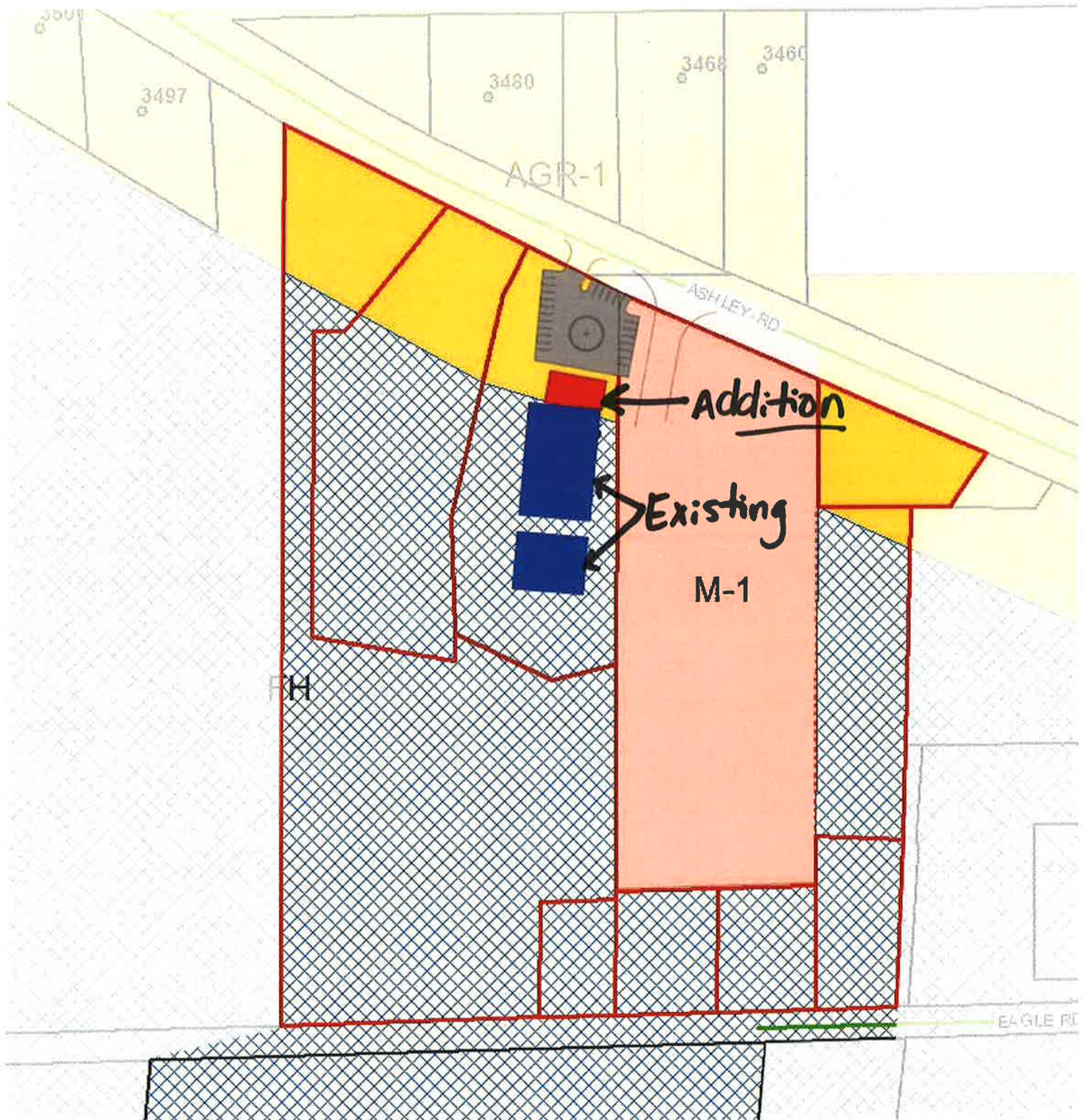
ACTION TAKEN: _____



SITE 

1 inch = 500 feet

Item 6A

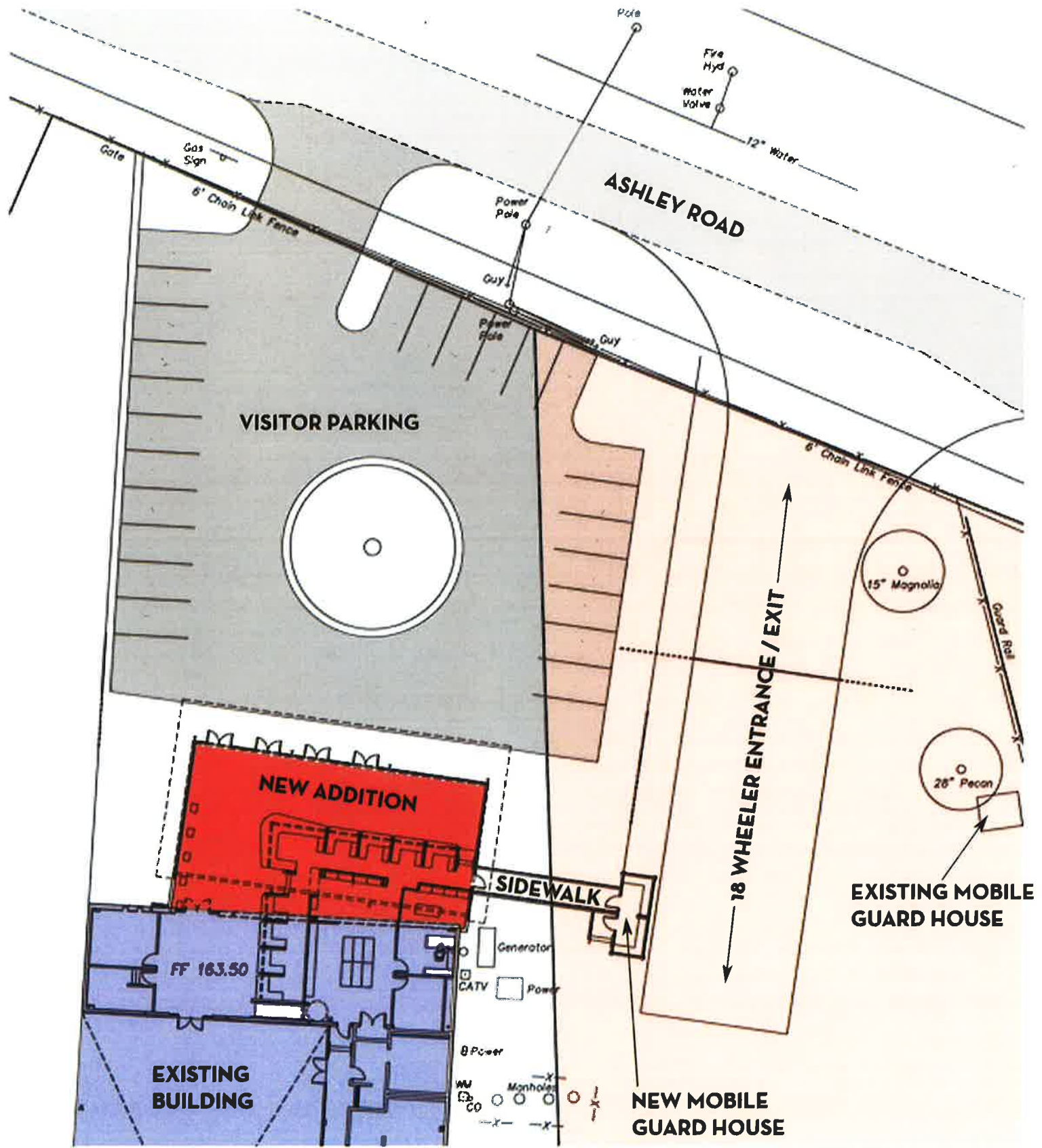


ZONING DESIGNATIONS

NEW ADDITION & PARKING LOT



LB



ENLARGED ADDITION PLAN

loc



SITE 

1 inch = 300 feet
Item 6D

7. BD-2016-032 **PRESENTED BY:** Aluminum Fab

REPRESENTING: John Beasley

SUBJECT: Request a rear yard variance and a separation between structures variance for a new carport to be located at 701 Orchard Avenue in an R-85 (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to construct a 28 ft. x 24 ft. carport that will come within 7 ft. of the rear property line, whereas 30 ft. is required, and within 2 ft. of an existing accessory structure, whereas a 10 ft. separation between structures is required.

The requests are a 23 ft. rear yard variance, and an 8 ft. separation between structures variance.

COUNCIL DISTRICT: 2

COMMENTS _____

ACTION TAKEN: _____



INST

BERKSHIRE DR

R-75-s

R-85

PGH-40

BERKSHIRE CT

BEARDSLEY DR

ROYAL CREST DR

ROYAL CREST MEWS

R-50

OAK AVE

LEWIS LN

DALRAIDA RD

CEDAR AVE

ORCHARD AVE

CHATSWORTH DR

DALRAIDA TER

ELM AVE

MARY-ANN DR

R-85

R-75-s

MARIE COOK DR

FREEMAN CT

DALRAIDA PL

RAY DR

DALRAIDA PKWY

PINETREE LN

FAUNSDALE DR

SITE



1 inch = 300 feet

Item 7A



Site Location

1 inch = 30 feet

Item No. 7B

8. BD-2012-039 **PRESENTED BY:** Jeffcoat Engineering

REPRESENTING: New Home Missionary Baptist Church

SUBJECT: Request approval of a revised master plan and a front yard variance for a church to be located at 2101 Early Street in an R-60-d (Duplex Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to construct a new church building that will come within 14 ft. of the front property line (Early Street), whereas 35 ft. is required. The building comes within 33 ft. of the side yard; however a 20 ft. side yard variance was approved in 2012 to come within 15 ft. of the side property line. There is one (1) access drive to Early Street and one (1) access drive to Westcott Street. There are 30 paved parking spaces indicated on the site plan, which exceeds the required parking for the 152 seat sanctuary (1 space per 5 seats). All other applicable requirements will be met.

The special exception for church use and master plan was approved at the August 21, 2014 meeting. Since that time they have revised the site plan.

History

June 21, 2012 – approved a special exception for church use, master plan approval, a 20 ft. side yard variance, a 23 ft. front yard variance and 3 ft. height variance (ID sign), and an 8 space parking variance.

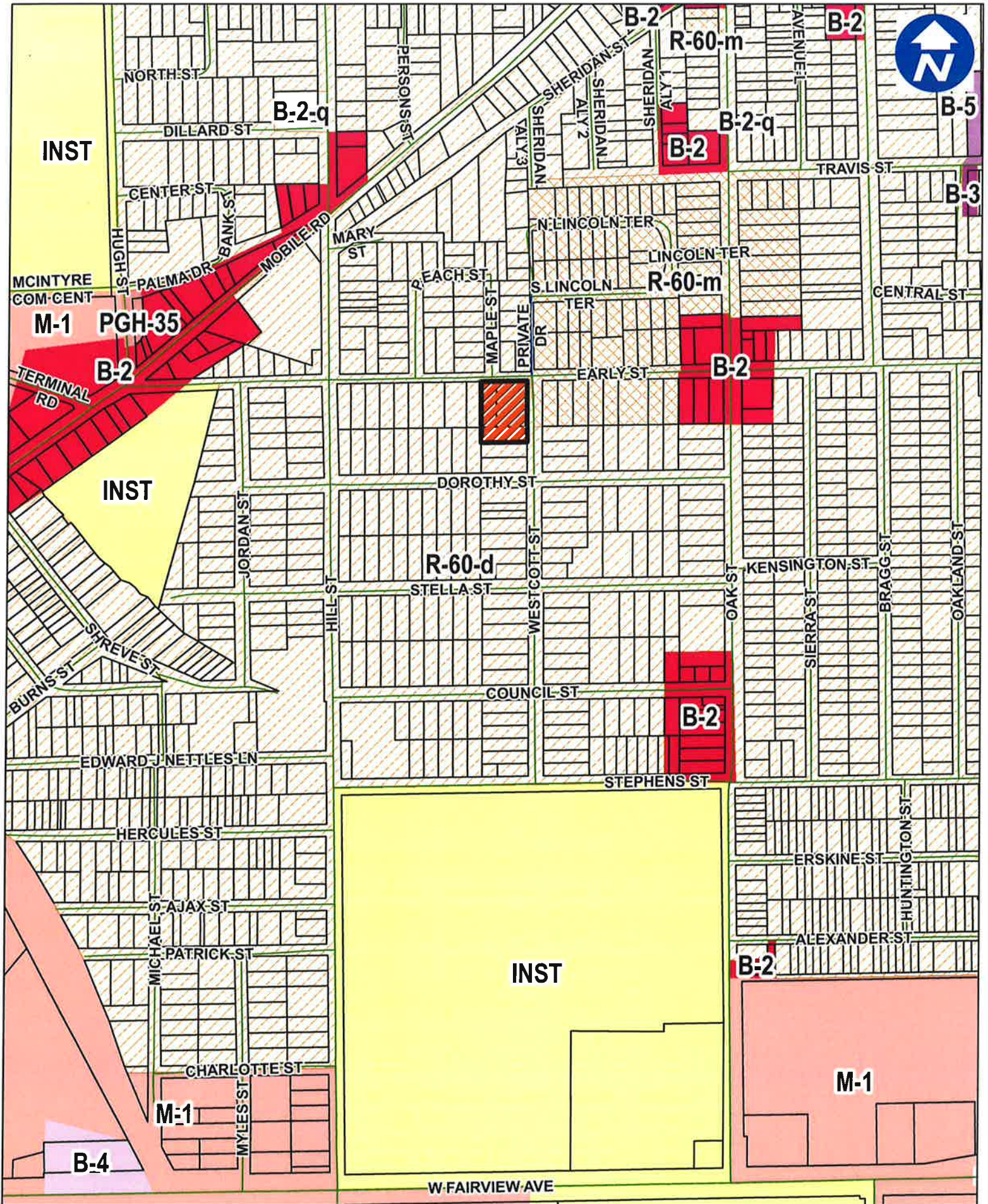
August 21, 2014 – approved a revised master plan, 15 ft. rear and street side yard variances, and a 22 space parking variance.

The requests are approval of a revised master plan and a 21 ft. front yard variance.

COUNCIL DISTRICT: 4

COMMENTS _____

ACTION TAKEN: _____



SITE 

1 inch = 400 feet
Item 8A

EXISTING 24" WATER MAIN



SANITARY SEWER
MANHOLE
RIM EL. = 99.64
INV. EL. = 88.39

EARLY STREET (ROW VARIES)

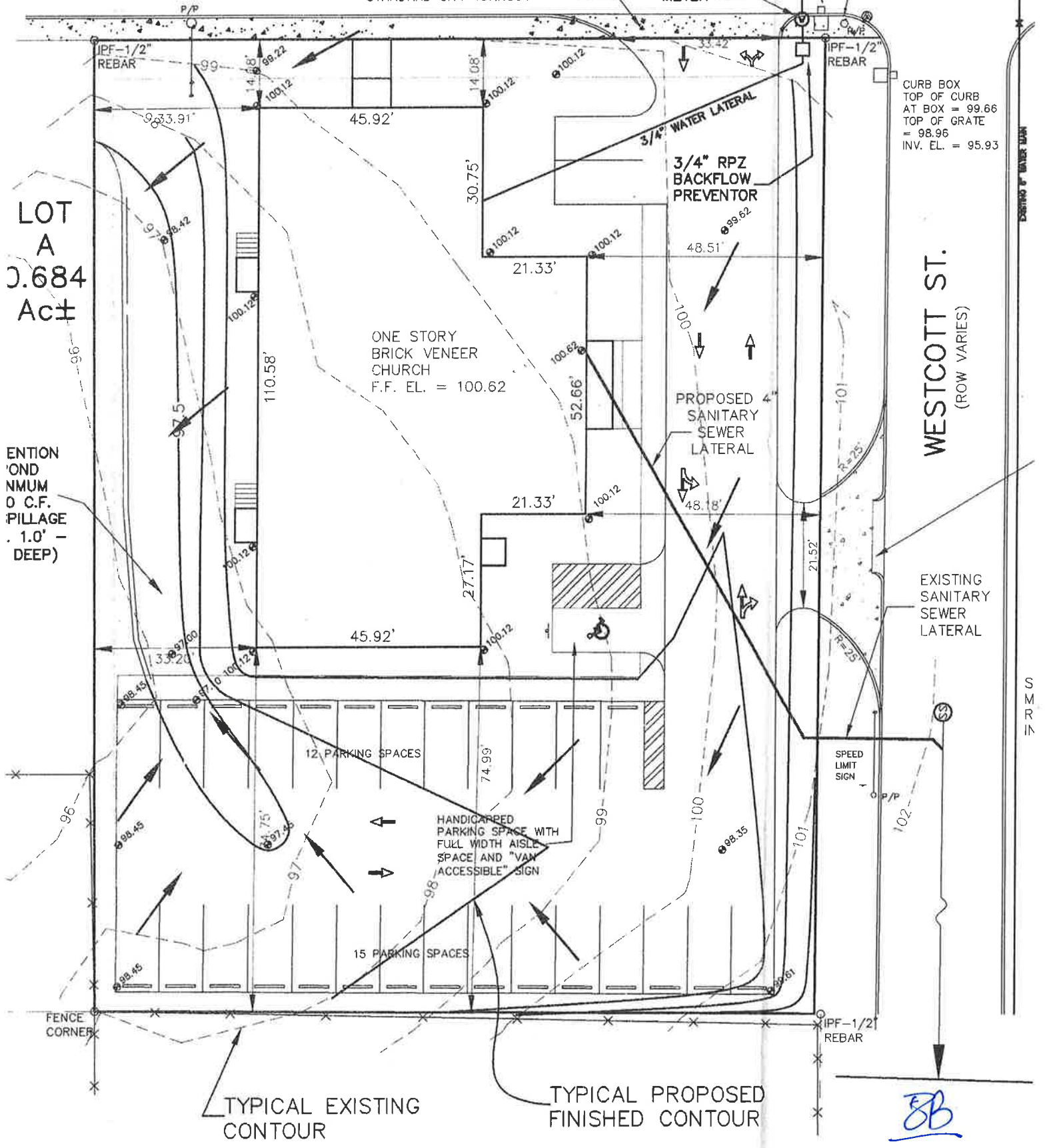
CURB BOX
TOP OF CURB
AT BOX = 99.45
TOP OF GRATE
= 98.96
INV. EL. = 95.76

TBM-NORTH SIDE OF
POWER POLE, 4' FR
GROUND 10 PENNY
IN POWER POLE
EL. = 99.86 (ASSUM

EXISTING 8" WATER MAIN

REMOVE SIDEWALK & REPLACE WITH
STANDARD CITY TURNOUT

EXISTING 3/4"
METER



LOT
A
0.684
Ac±

ENTION
OND
NMUM
O C.F.
PILLAGE
. 1.0' -
DEEP)

ONE STORY
BRICK VENEER
CHURCH
F.F. EL. = 100.62

3/4" WATER LATERAL
3/4" RPZ
BACKFLOW
PREVENTOR

PROPOSED
SANITARY
SEWER
LATERAL

CURB BOX
TOP OF CURB
AT BOX = 99.66
TOP OF GRATE
= 98.96
INV. EL. = 95.93

WESTCOTT ST.
(ROW VARIES)

EXISTING
SANITARY
SEWER
LATERAL

12 PARKING SPACES

15 PARKING SPACES

HANDICAPPED
PARKING SPACE WITH
FULL WIDTH AISLE
SPACE AND "VAN
ACCESSIBLE" SIGN

SPEED
LIMIT
SIGN

TYPICAL EXISTING
CONTOUR

TYPICAL PROPOSED
FINISHED CONTOUR



PEACH ST

N LINCOLN TER

S LINCOLN TER

MAPLE ST

PRIVATE DR

EARLY ST

WESTCOTT ST

DOROTHY ST



SITE 

1 inch = 100 feet

Item *3C*

9. BD-1966-059 **PRESENTED BY:** Midstate Advertising & Signs

REPRESENTING: St. John's A.M.E. Church

SUBJECT: Request an exception to SmartCode Signage Standards for new signage to be located at 807 Madison Avenue in a T4-O (General Urban Zone) Zoning District.

REMARKS: This request is being made to give the petitioner permission to install a new freestanding internally lit ID sign and will contain an LED message center. The proposed sign will be 10 ft. in height and 12 ft. wide at the base. The sign will be at least 2 ft. off the Madison Avenue property line, behind the existing brick wall.

On September 18, 2014, the Board of Adjustment approved a 14 ft. high x 6 ft. wide freestanding internally lit ID sign with an LED message center. Any changes to the approved sign would be required to be resubmitted and a public hearing held by the Board of Adjustment.

Traffic Engineering: The proposed signage will not obstruct the view from either direction at this corner.

The request is an exception to allow a freestanding internally lit 10 ft. x 12 ft. sign with an LED message center.

COUNCIL DISTRICT: 3

COMMENTS _____

ACTION TAKEN: _____



T4-O

T4-R

OAKWOOD CEMETERY

OAKWOOD CEMETERY

T2

COLUMBUS ST

T5

E JEFFERSON ST

T4-O

UPPER WETUMPKA RD

N RIPLEY ST

N JACKSON ST

MADISON AVE

N UNION ST

N HILLIARD ST

N BAINBRIDGE ST

MONROE ST

T5

KING ST

MCDOWELL LEE LN

PELHAM ST

O-1

R-75-s

S UNION ST

S RIPLEY ST

S JACKSON ST

S HILLIARD ST

S BAINBRIDGE ST

B-2

SITE



1 inch = 300 feet

Item 9A



Proposed Sign

N RIPLEY ST

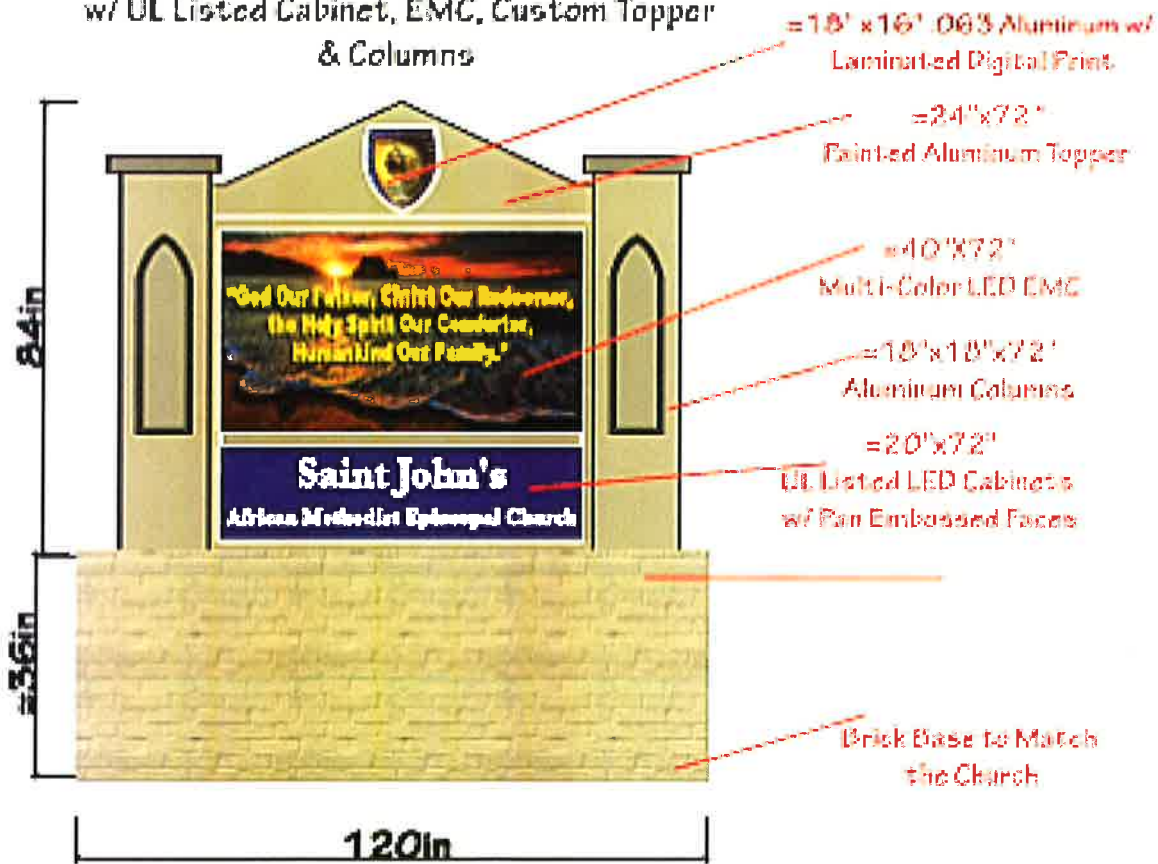
MADISON AVE

SITE 

1 inch = 20 feet
Item 9B



(1DF) Stucco & Painted Aluminum Monument
w/ UL Listed Cabinet, EMC, Custom Topper
& Columns



MultiState
Advertising & Signs
8008 OUTDOOR BLSQUARE SERVICE
(334)262-6340

CALL	PHONE	<input checked="" type="checkbox"/>
FAX	PHONE	<input type="checkbox"/>
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STATE	_____
ZIP	_____

CUSTOMER APPROVAL (DATE)	_____
DESIGNER APPROVAL SIGNATURE	<i>OC</i>

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92



over all dimensions 120" x 120" x 12" depth

35.5" center wall

brick base 36" x 120"



9E



SITE 

1 inch = 100 feet
Item 9F

10. BD-2016-030 **PRESENTED BY:** Eagle Sign Studio

REPRESENTING: NYC Gyro

SUBJECT: Request an exception to SmartCode Signage Standards for a sign located at 15 Commerce Street in a T5 (Urban Center Zone) Zoning District.

REMARKS: This request is being made to give the petitioner permission to have an internally lit sign band, whereas SmartCode allows externally lit signage. The sign band is already on the façade and was permitted in April 2016. The sign has the ability to be internally lit, but at this time is not currently connected to power.

The request is an exception to allow an internally lit sign band.

COUNCIL DISTRICT: 3

COMMENTS _____

ACTION TAKEN: _____



T2

T4-0

T5

T4-0

T4-0

T4-0

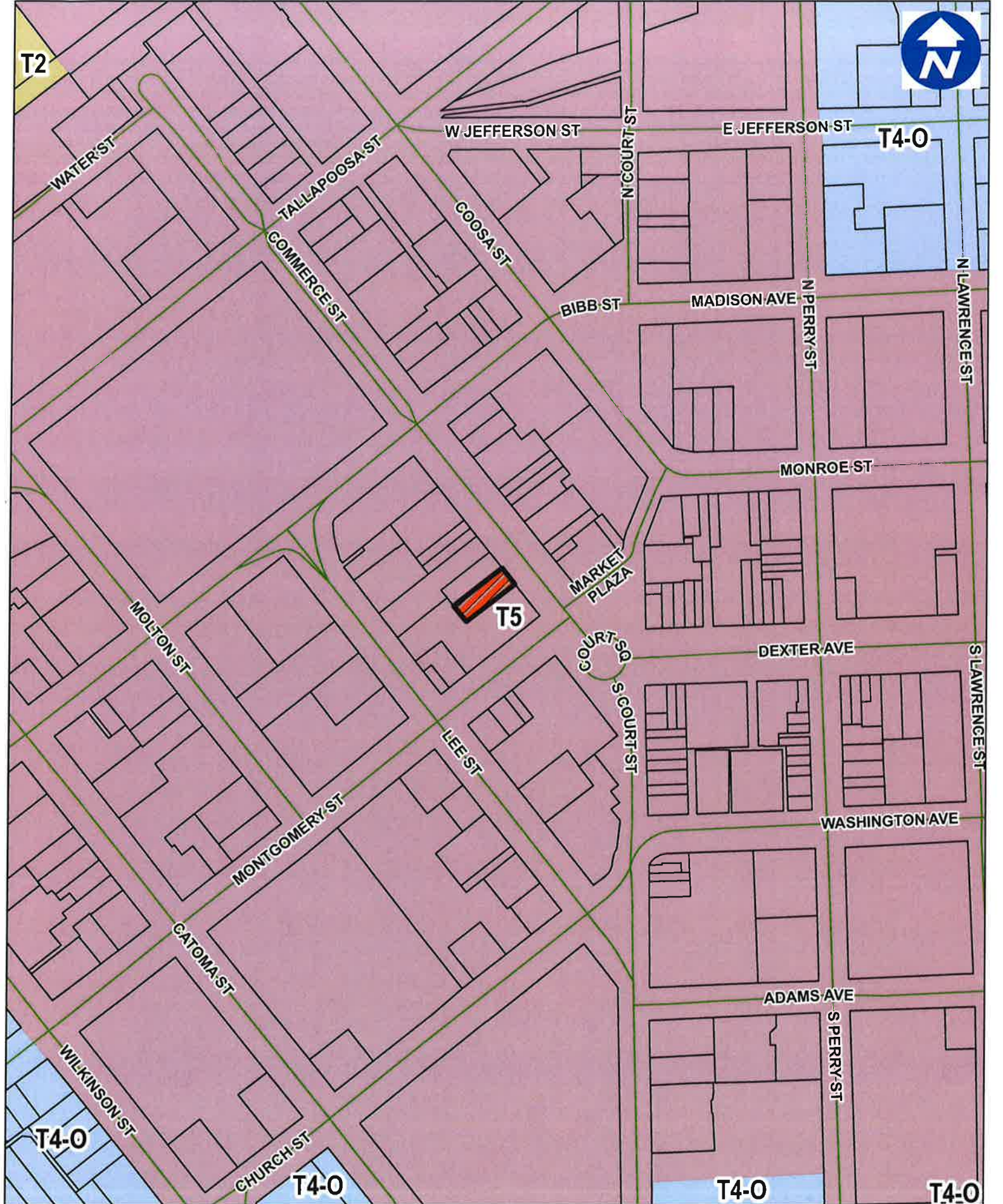
T4-0

SITE



1 inch = 300 feet

Item 10A



15 Commerce Street Montgomery, AL 36104

10B

 **NYC Gyro**
334-416-8161

Signature
Finance
262-4

15
Commerce St.

Signature
Finance
\$100 - \$500

National: 800.832.5167 Local: 334.832.4000 Cell: 334.391.4844 Email: mac@eaglesigns.com

www.eaglesigns.com

P. O. Box 1308 Montgomery, AL 36102-1308 / 436-B Hackel Drive Montgomery, AL 36117





SITE 

1 inch = 100 feet

Item 10C

11. BD-2010-023 **PRESENTED BY:** Rose City Outdoor

REPRESENTING: Same

SUBJECT: Request a height variance for a new billboard to be located at 9201 Boyd-Cooper Parkway in a B-2 (Commercial) Zoning District.

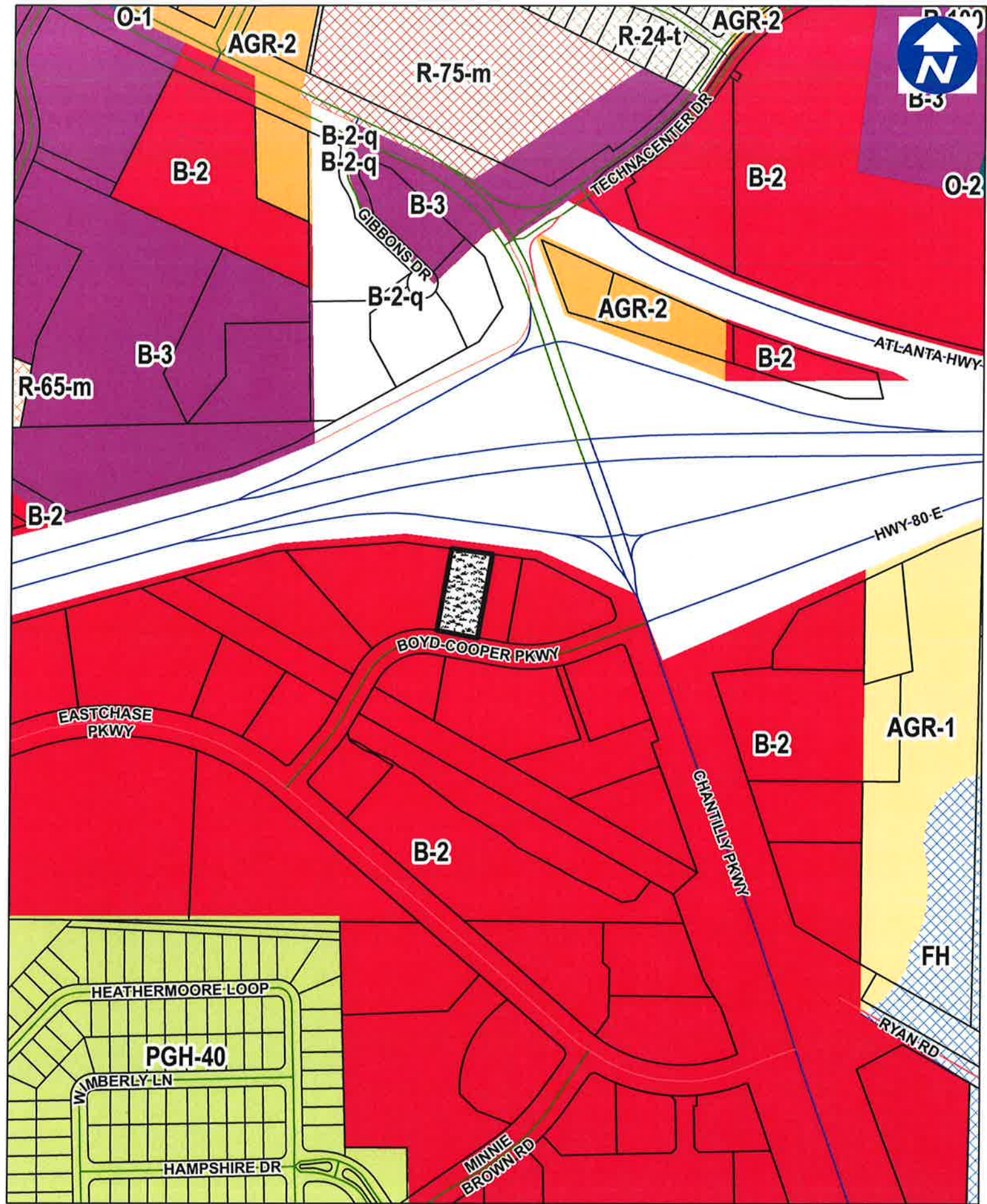
REMARKS: This request is being made to give the petitioner permission to construct an 80 ft. high billboard, whereas 50 ft. is allowed. The billboard will be 48 ft. above grade, whereas 30 ft. is allowed per Billboard Guidelines.

The requests are a 30 ft. height variance and an 18 ft. above grade variance.

COUNCIL DISTRICT: 9

COMMENTS _____

ACTION TAKEN: _____



SITE 

1 inch = 400 feet
 Item 11A



Site Location 

1 inch = 100 feet

Item No. 11B

12. BD-2016-031 **PRESENTED BY:** Community Action Partnership of North Alabama, Inc.

REPRESENTING: Same

SUBJECT: Request a front yard variance, a street side yard variance, and a height variance for a new ID sign to be located at 1782 Edgar D. Nixon Avenue in an R-50 (Single-Family Residential) Zoning District.

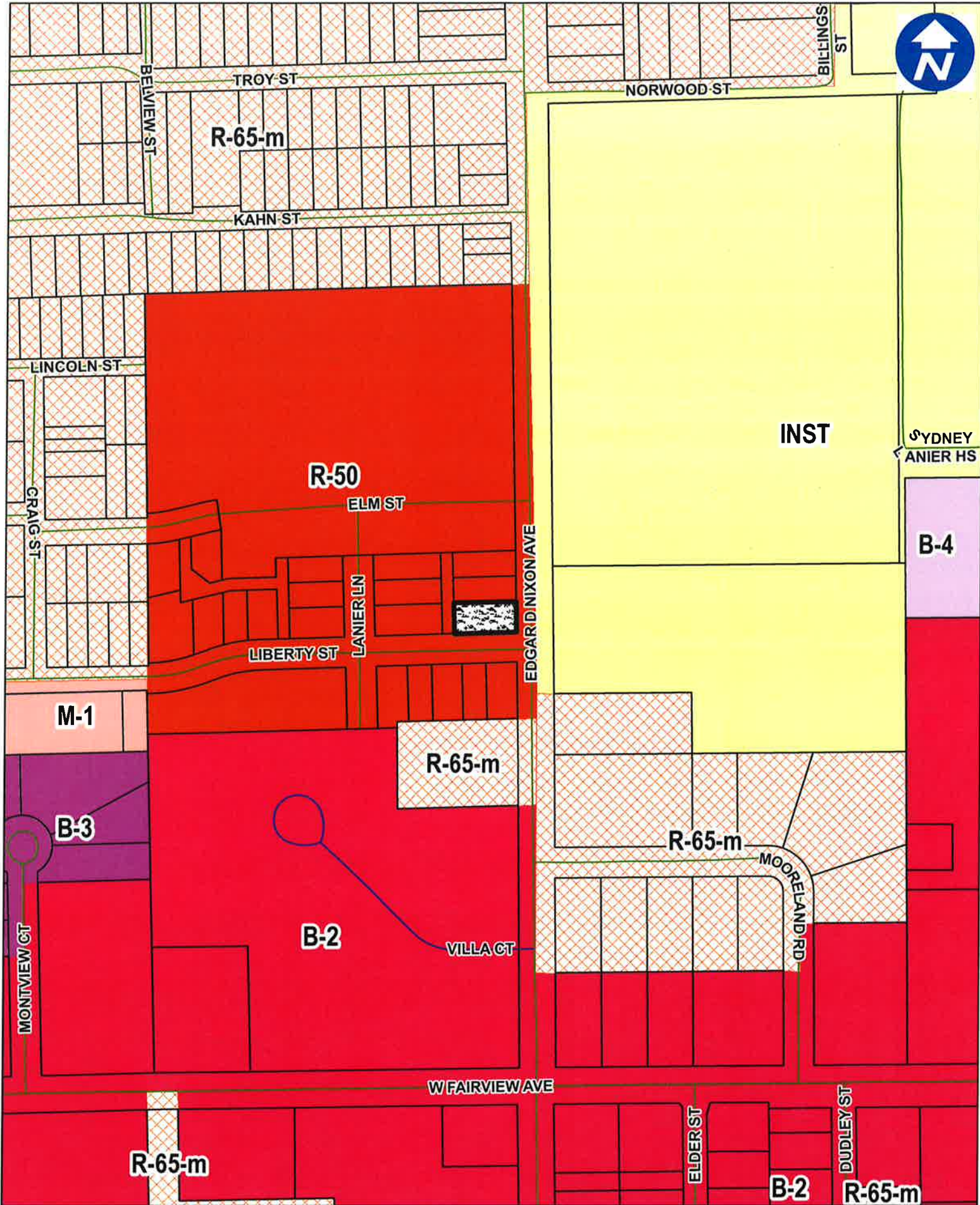
REMARKS: This request is being made to give the petitioner permission to construct a new ID sign to come within 8 ft. of the front property line (E. D. Nixon Avenue), whereas 20 ft. is required, and within 3 ft. 6 in. of the street side property line (Liberty Street), whereas 9 ft. is required. The sign will be 11 ft. in height, whereas 3 ft. is allowed.

The requests are a 12 ft. front yard variance, a 5 ft. 6 in. street side yard variance, and an 8 ft. height variance.

COUNCIL DISTRICT: 7

COMMENTS _____

ACTION TAKEN: _____

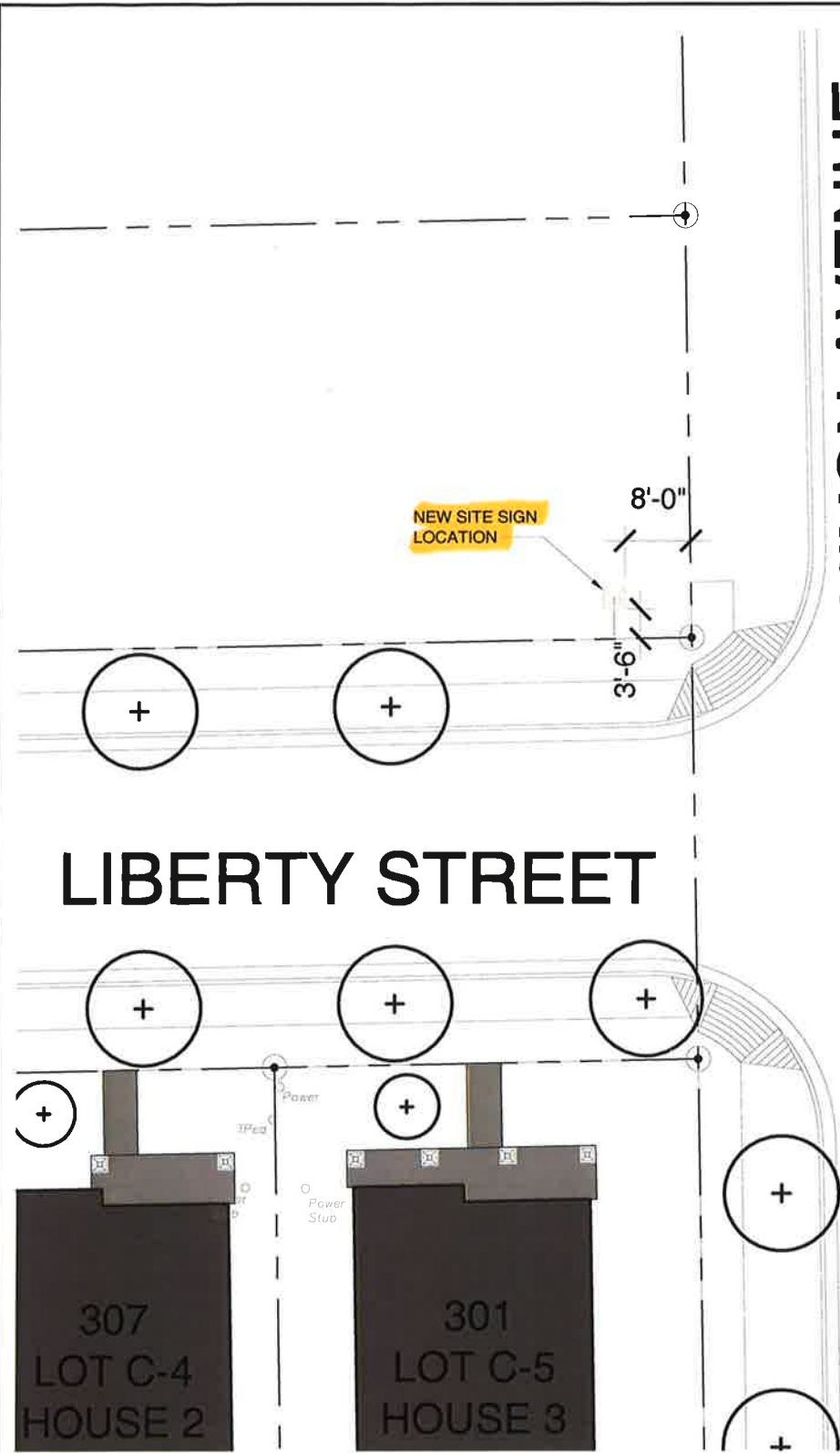


SITE



1 inch = 200 feet

Item 12A



E.D. NIXON AVENUE

LIBERTY STREET

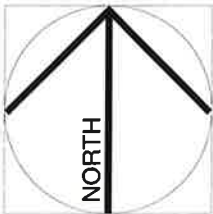
307
LOT C-4
HOUSE 2

301
LOT C-5
HOUSE 3

NEW SITE SIGN
LOCATION

8'-0"

3'-6"



0' 5' 10' 15' 20'

SCALE: 1" = 20'-0"

Site Plan

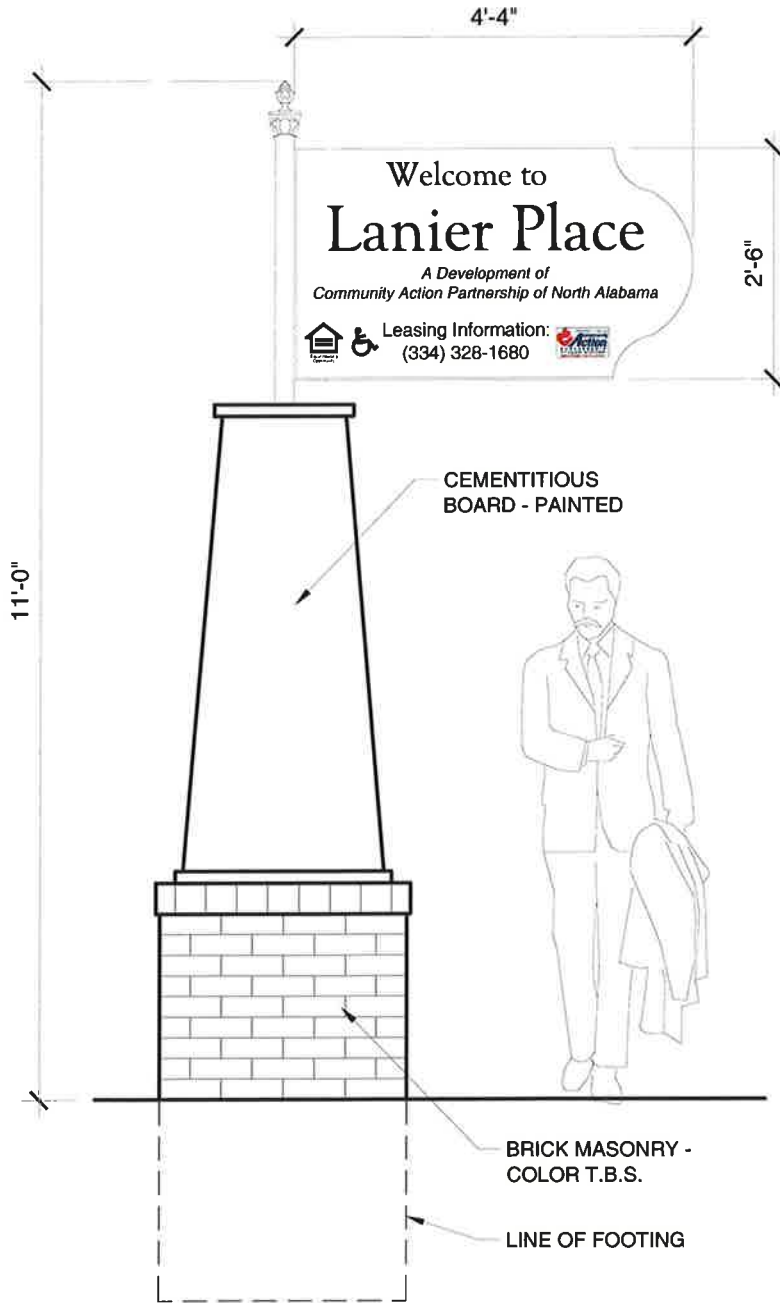
SHEET TITLE Enlarged Site Plan	DATE 05/16/2016
JOB NUMBER 14-145	SHEET AC1.1

PROJECT
**Development of
LANIER PLACE, PHASE II**
Montgomery, Alabama

THE ARCHITECTURAL OFFICE OF
WILLIAM J. PEEK
Member of the American Institute of Architects

· 908 South Hull Street
· Montgomery, Alabama 36104
· (334) 834-1731 Voice (334) 834-1736 Facsimile

128



SITE SIGN ELEVATION
SCALE : 1/2" = 1'-0"

SHEET TITLE Site Sign Elevation	DATE 04/21/2016	JOB NUMBER 14-145	SHEET A1.1
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PROJECT
**Development of
LANIER PLACE, PHASE II**
Montgomery, Alabama

THE ARCHITECTURAL OFFICE OF
WILLIAM J. PEEK
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• 908 South Hull Street
• Montgomery, Alabama 36104
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12C



Site Location

1 inch = 30 feet

Item No. 120