

# Board of Adjustment Agenda

November 17, 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 October 20, 2016 meeting**

**November 17, 2016**

<u>Item</u>	<u>File</u>	<u>Petitioner</u>	<u>Zone</u>	<u>Location/Request</u>	<u>Page</u>
1.	2016-049	Larry E. Speaks & Assoc	AGR-1	1 Harness Hill * (Church complex)	1
2.	2016-059	Pilgreen Engineering	B-3	7901 Vaughn Road (Parking variance)	2
3.	2016-061	Riley Joiner	R-60-d	1424 Oakland Street (Accessory structure with no main dwelling)	3
4.	2016-018	Foshee Design & Construction, LLC	T5	36 Dexter Avenue (Exception to SmartCode Signage Standards)	4
5.	2015-024	Flowers & White Eng.	B-2	2047 Carter Hill Rd. & 2032 West St. (Vet Clinic)	5
6.	2016-058	Michelle Reeder	B-2	1963 Mulberry Street (Kennel)	6
7.	1977-182	Jane Threadgill	R-60-s	2103 St. Charles Avenue (Privacy Fence)	7
8.	2016-060	James M. Flynn	R-75-s	4242 Ray Drive (Rear yard variance – addition)	8
9.	1992-209	Daniel Totty	R-85 & R-125	4545 McInnis Road (Livestock – cows)	9

1. BD-2016-046 **PRESENTED BY:** Larry E. Speaks & Associates

**REPRESENTING:** Divine Touch Ministries Worldwide

**SUBJECT:** Request master plan approval for a church complex to be located at 1 Harness Hill\* in an AGR-1 (Residential Agriculture) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to use the existing buildings on the property for church services and church related uses. There will be an office, a meeting facility, and guest housing. The meeting facility will be 300 seats maximum, with a total of 69 parking spaces (3 handicap spaces). The office has 19 parking spaces (1 handicap) and there is a parking area between the guest housing and meeting facility that has 11 parking spaces for staff and guest parking. Access to the site will be through Harness Hill, which is a 60 ft. ingress/egress & utility easement. There will be an ID sign setback 35 ft. from Bell Road.

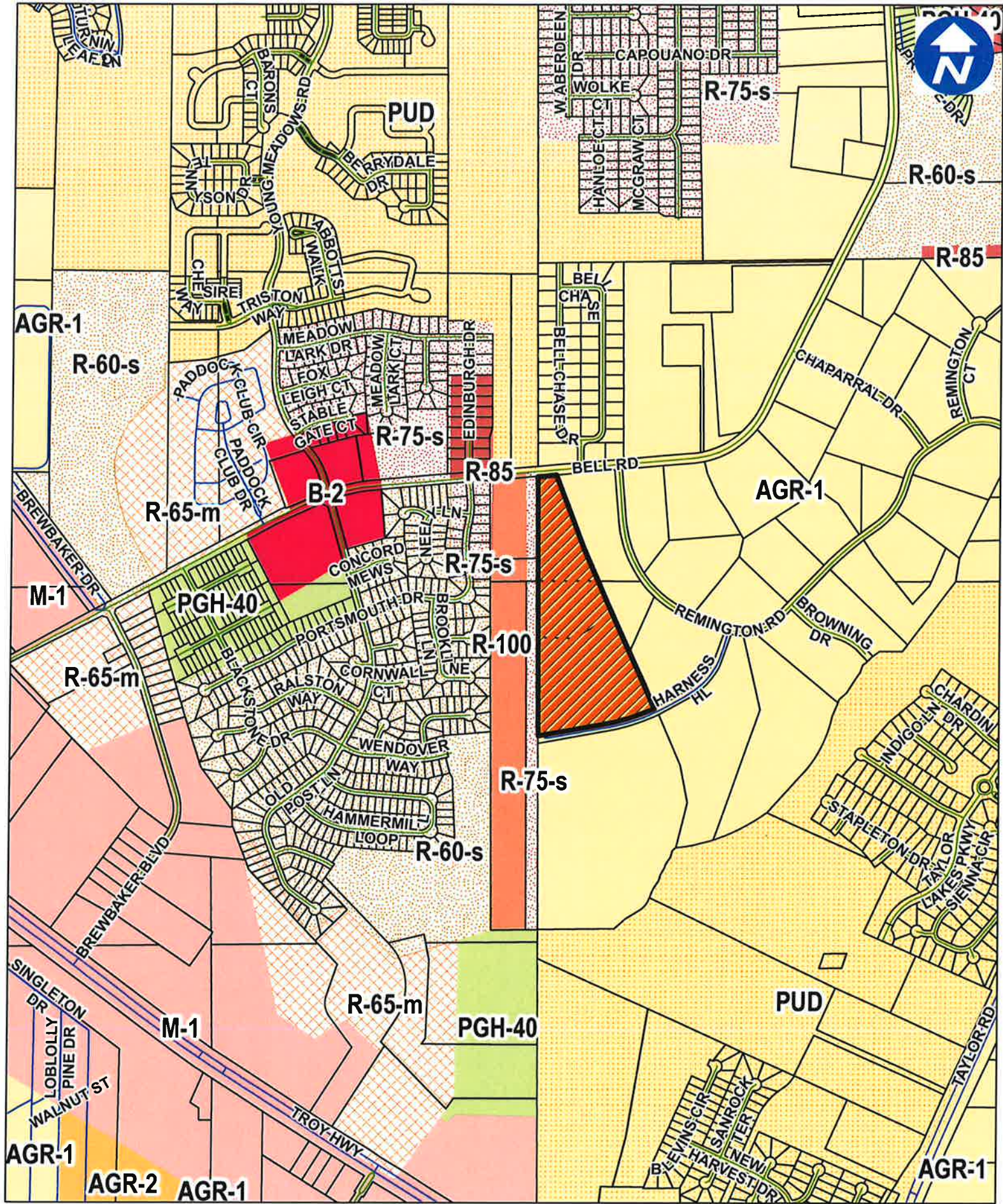
*The request is approval of the master plan.*

*This request was delayed at the October 20, 2016 meeting, by the petitioner until they could meet with the neighborhood.*

**COUNCIL DISTRICT: 6**

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

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



Site

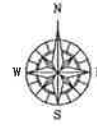
1 inch = 1,000 feet

Item   1A

**MASTER PLAN  
FOR  
DIVINE TOUCH MINISTRIES  
MONTGOMERY COUNTY, ALABAMA**



\* NOTE: BEARINGS ROTATED TO MATCH BELLWOOD ESTATES PLAT NO. 5, AS RECORDED IN PB-26, PG. 46, MONTGOMERY, ALABAMA



GRAPHIC SCALE

1 INCH = 40 FT

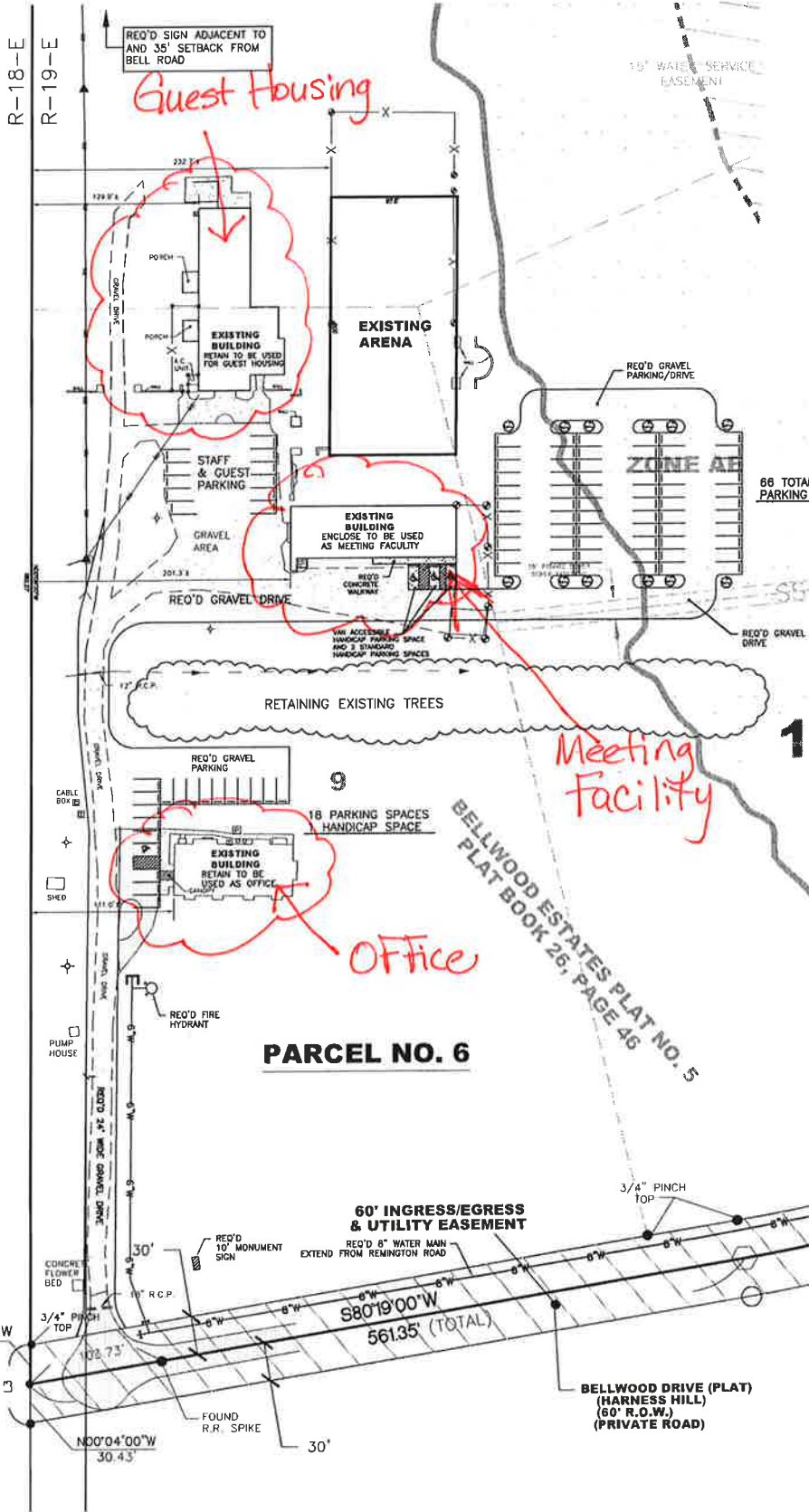
**EXISTING LEGEND:**

- GRAVEL
- ASPHALT
- CONCRETE
- FOUND IRON PIN
- SET IRON PIN (5/8" BEAR CAP) W/F CA-00017-15
- CALCULATED POWER
- FOUND NAIL
- SET COTTON SPINDLE
- PRIVATE SANITARY SEWER EASEMENT
- FLOODWAY AREA IN ZONE AE
- TELEPHONE BOX
- CABLE BOX
- LIGHT POLE
- POWER BOX
- FENCE CORNER
- FENCE

**PROPOSED LEGEND:**

- PROPOSED WATER LINE
- PROPOSED TREES
- REQ'D HANDICAP SPACE
- PROPOSED CONCRETE

MA



**PARCEL NO. 6**

BELLWOOD ESTATES PLAT NO. 5  
PLAT BOOK 26, PAGE 46

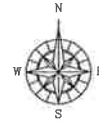
SURVEY DATE: 9/16/2016  
DRAWING DATE: 9/22/2016

1B

# MASTER PLAN FOR DIVINE TOUCH MINISTRIES MONTGOMERY COUNTY, ALABAMA



\* NOTE: BEARINGS ROTATED TO MATCH BELLWOOD ESTATES PLAT NO. 5, AS RECORDED IN PB-26, PG. 45, MONTGOMERY, ALABAMA



GRAPHIC SCALE



### EXISTING LEGEND:

- GRAVEL
- ASPHALT
- CONCRETE
- FOUND IRON PIN
- 
- CALCULATED POINT
- FOUND NAIL
- SET COTTON SPINDLE
- PRIVATE SANITARY SEWER EASEMENT
- FLOODWAY AREA IN ZONE AE
- TELEPHONE BOX
- CABLE BOX
- LIGHT POLE
- POWER BOX
- FENCE CORNER
- FENCE

### PROPOSED LEGEND:

- PROPOSED WATER LINE
- PROPOSED TREES
- REQ'D HANDICAP SPACE
- PROPOSED CONCRETE

50' INGRESS/EGRESS & UTILITY EASEMENT

BELL ROAD (60' R.O.W.)

ZONE AE

PARCEL NO. 7

NOT A PART

5/8" REBAR GMC CAP  
N89°51'02"E  
399.26'

T-16-N  
T-15-N  
P.O.C. & P.O.B.  
5" x 5" CONCRETE MARKER KNOWN AS THE NORTHWEST CORNER OF SECTION 6, T-15-N, R-19-E MONTGOMERY COUNTY, ALABAMA

PARCEL NO. 6  
27.80 ACRES  
MORE OR LESS

ZONE AE

BELLWOOD ESTATES PLAT BOOK 26,  
REMININGTON ROAD (60' R.O.W.)

PARCEL NO. 10A

ZONE 1  
60' INGRESS/EGRESS & UTILITY EASEMENT

PARCEL NO. 8

PARCEL NO. 6

PARCEL NO. 7

11

SURVEY DATE: 8/15/2016  
DRAWING DATE: 9/22/2016



10



Site 

1 inch = 300 feet

Item 1D

2. BD-2016-059 **PRESENTED BY:** Pilgreen Engineering

**REPRESENTING:** Quick Lane

**SUBJECT:** Request a parking variance for a building to be located at 7901 Vaughn Road in a B-3 (Commercial) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to construct a 9,200 sq. ft. building with 45 paved parking spaces (including interior service bays), whereas 58 spaces are required.

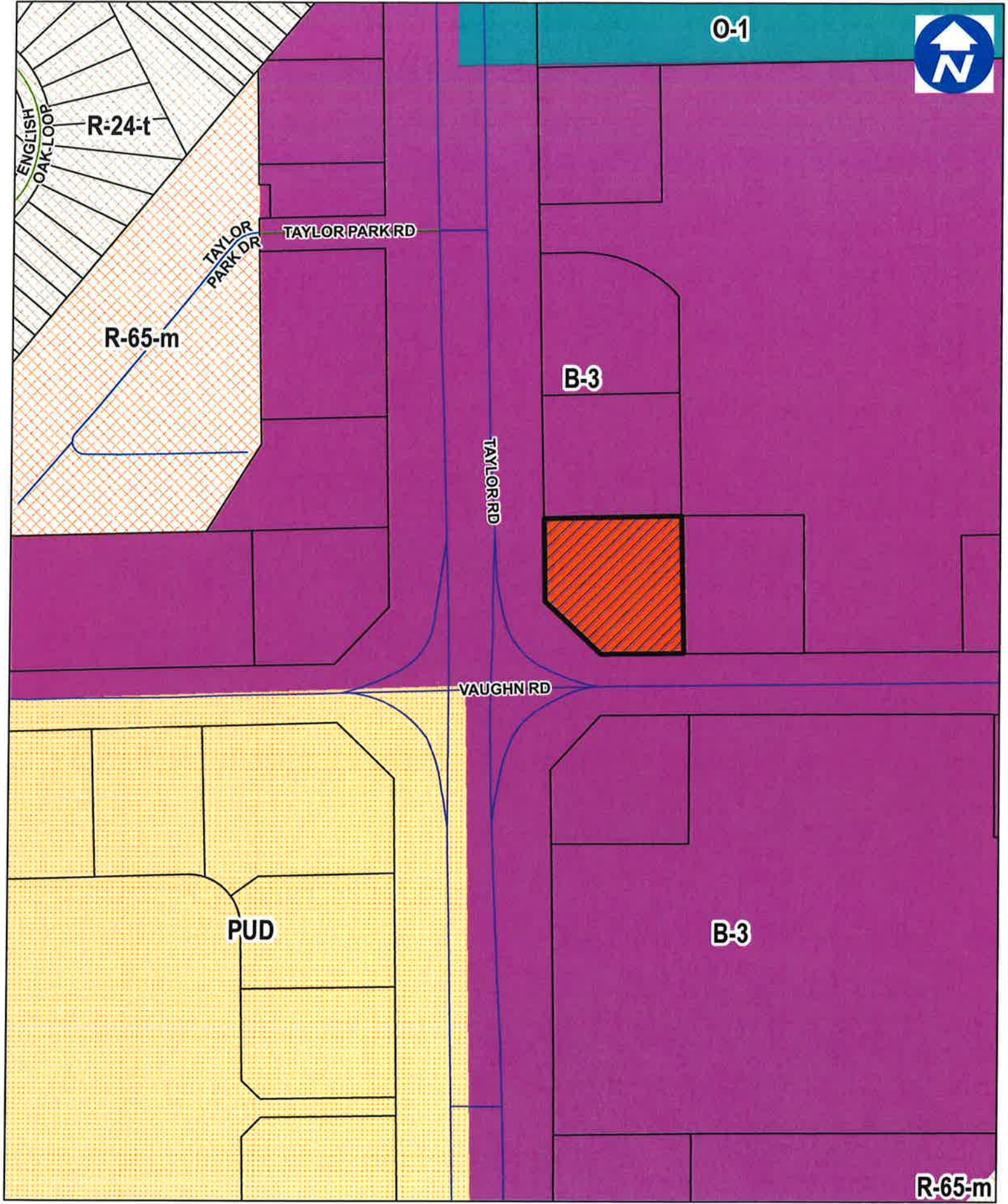
*The request is a 13 space parking variance.*

**COUNCIL DISTRICT: 9**

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

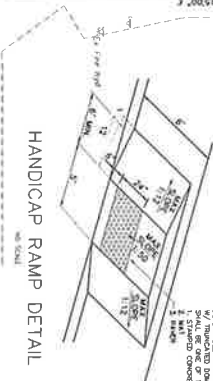
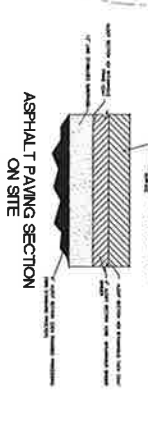
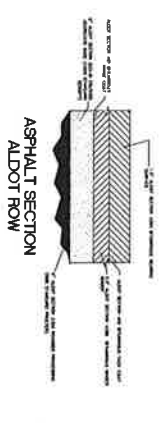
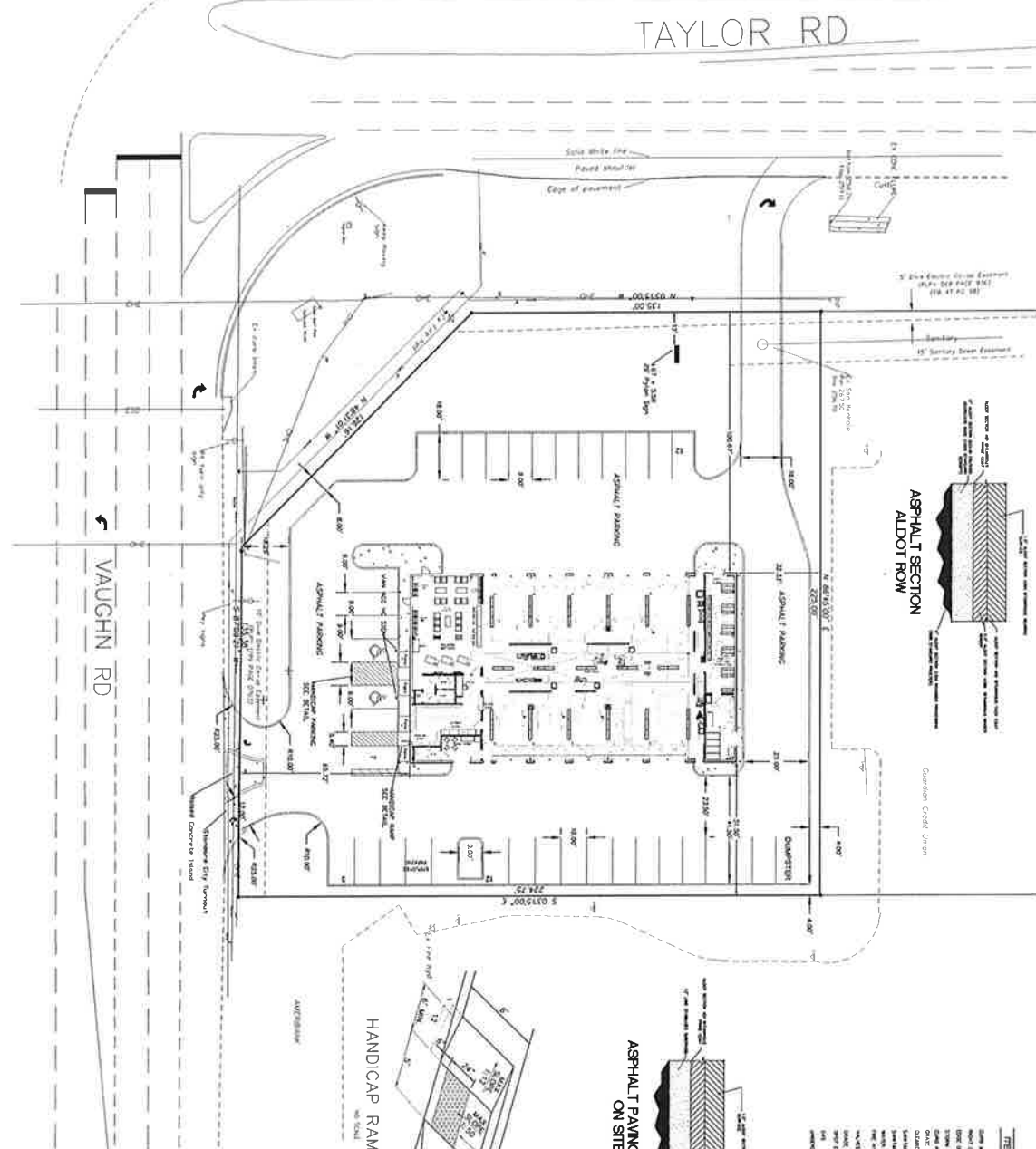
*ACTION TAKEN:* \_\_\_\_\_





Site 

1 inch = 200 feet  
Item 2A



ITEM	LEGEND	NEW
1.5\"/>		

**PLOT FILE**

**PROJECT** Staking Plan  
Quick Lane Rd  
Taylor at Vaughn Rd  
Montgomery, Alabama

**DATE** 9-30-16

**SCALE** 1" = 30'

**SHEET** 2 OF 5

**PILOUREN ENGINEERING, INC.**

1000 N. 11th Street, Suite 100  
Montgomery, AL 36104  
Phone: 334-265-1111  
Fax: 334-265-1112  
www.pilouren.com

DESIGNED BY: [Signature]  
CHECKED BY: [Signature]  
DATE: 9-30-16

DATE: 9-30-16  
SCALE: 1" = 30'  
SHEET: 2 OF 5

2B



Site Location

1 inch = 50 feet

Item No. 20

3. BD-2016-061 **PRESENTED BY:** Riley Joiner

**REPRESENTING:** Same

**SUBJECT:** Request a special exception to maintain an existing accessory structure without a main dwelling located at 1424 Oakland Street in an R-60-d (Duplex Residential) Zoning District.

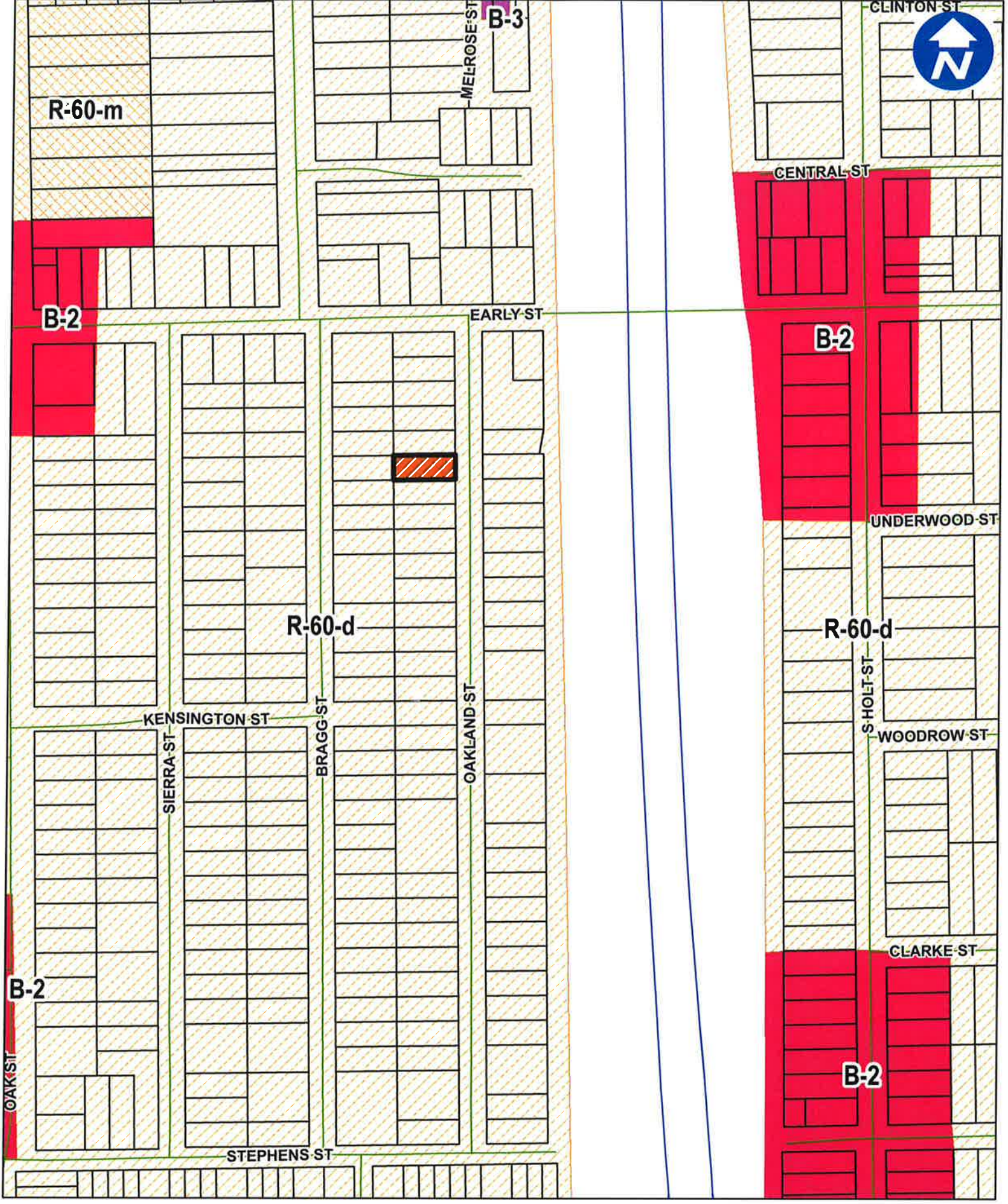
**REMARKS:** This request is being made to give the petitioner permission to maintain an accessory structure being used for storage without a main dwelling. **COMPLAINT**

*The request is a special exception for an accessory structure without a main dwelling. The accessory structure cannot be used for living purposes.*

**COUNCIL DISTRICT: 4**

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

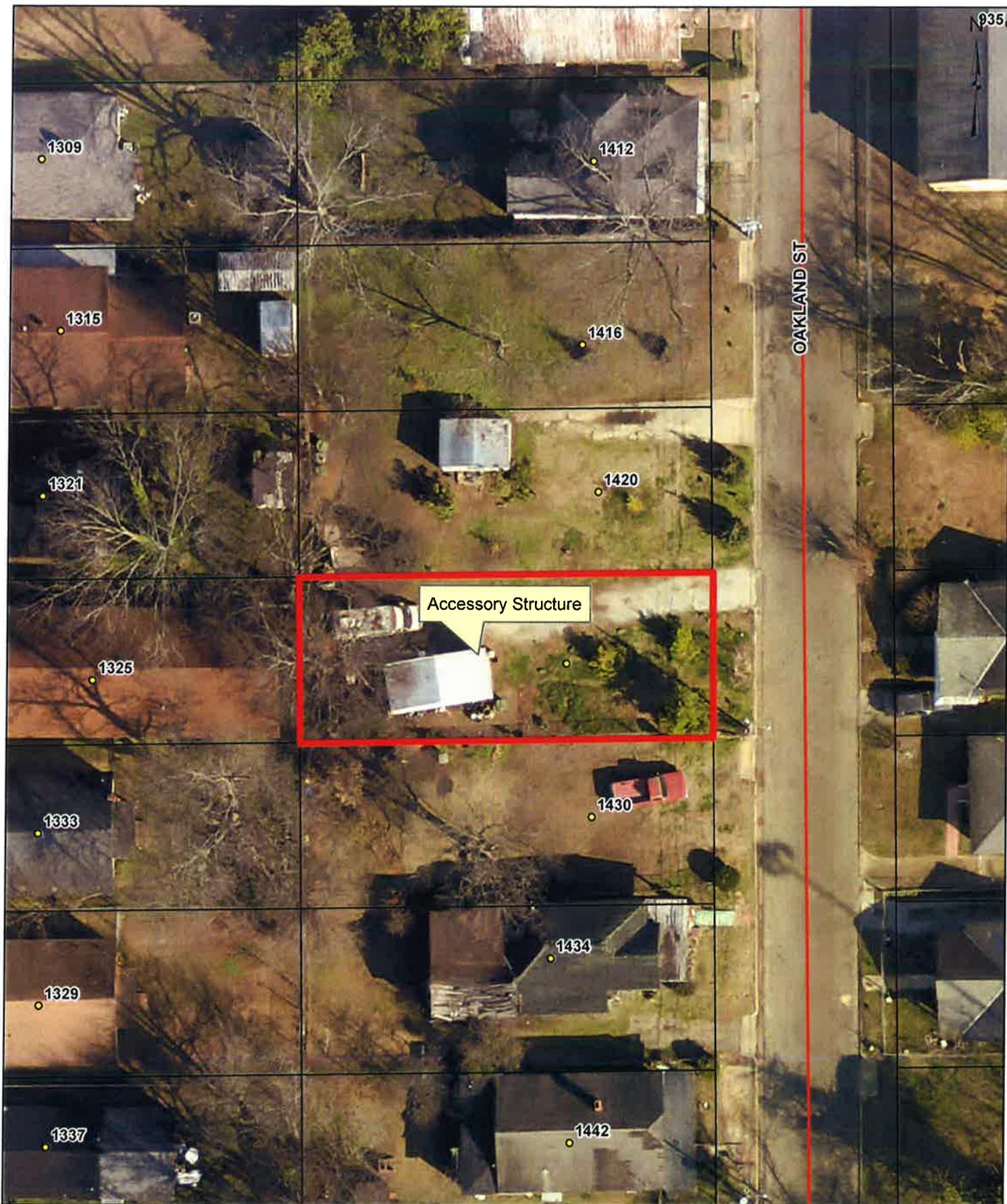
*ACTION TAKEN:* \_\_\_\_\_



Site 

1 inch = 200 feet

Item 3A



Site Location

1 inch = 30 feet

Item No. 3B

4. BD-2016-018 **PRESENTED BY:** Foshee Design & Construction, LLC

**REPRESENTING:** Dexter Place

**SUBJECT:** Request an exception to SmartCode for new signage to be located at 36 Dexter Avenue in a T5 (Urban Center Zone) Zoning District.

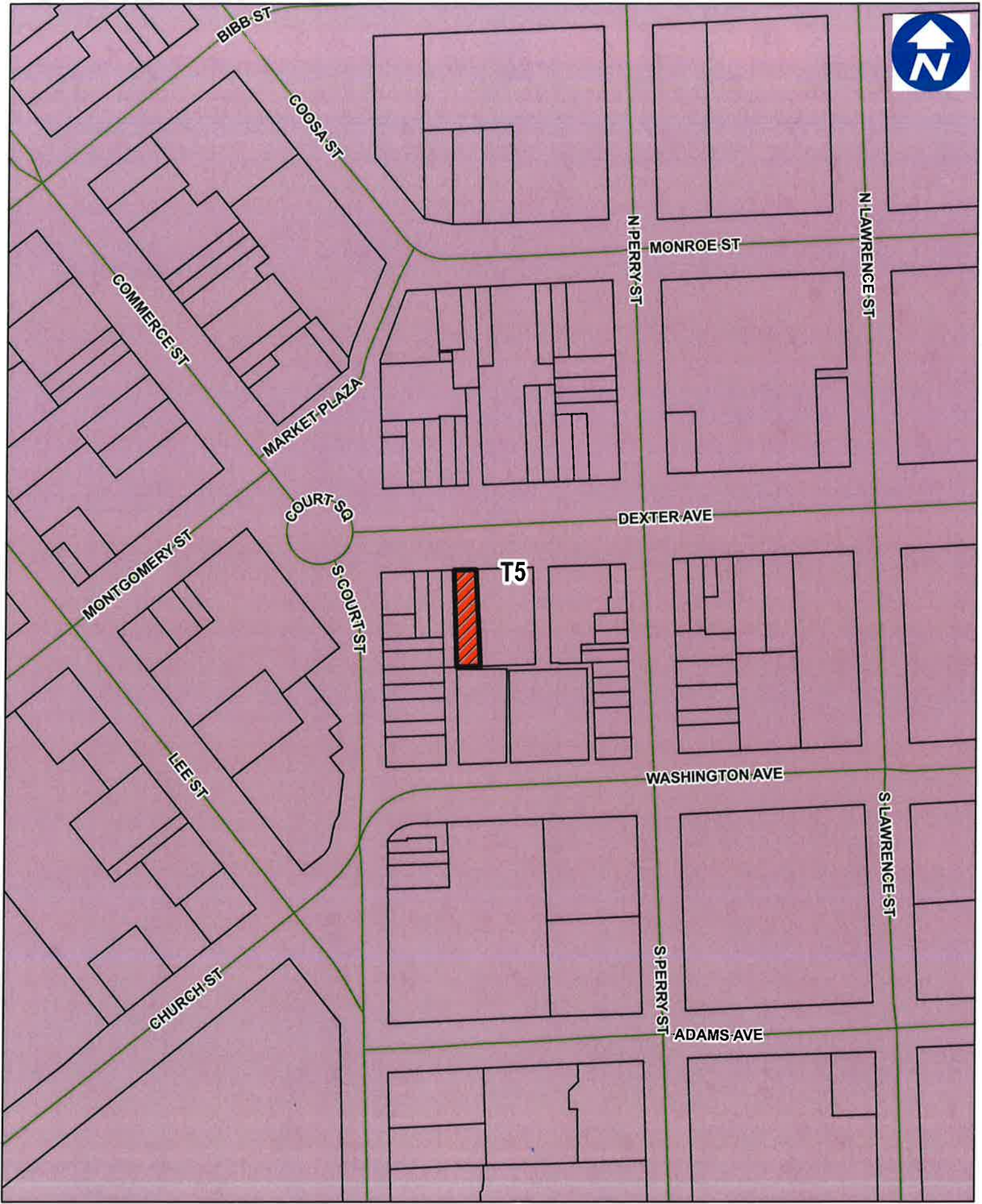
**REMARKS:** This request is being made to give the petitioner permission to install signage on four (4) awnings along Dexter Avenue. The Board approved signage on an awning for another tenant space at the May 19, 2016 meeting. They would also like to install two (2) blade signs that are 84 sq. ft., whereas 28 sq. ft. is allowed, on the façade of the building facing Dexter Avenue that will have individual panels for signage for businesses in the building.

*The request is an exception to SmartCode Signage Standards to allow signage on an awning, and an exception to allow two (2) 84 sq. ft. blade signs.*

**COUNCIL DISTRICT: 3**

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

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



SITE 

1 inch = 200 feet

Item 4A







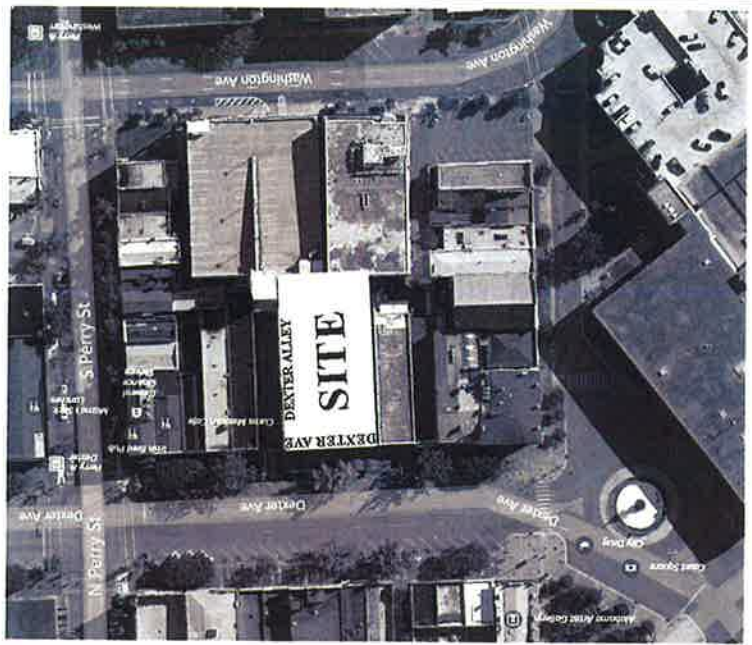
Designed by  
JAY & BOB  
FOSHEE  
ARCHITECTS

Owner:  
BOONIE

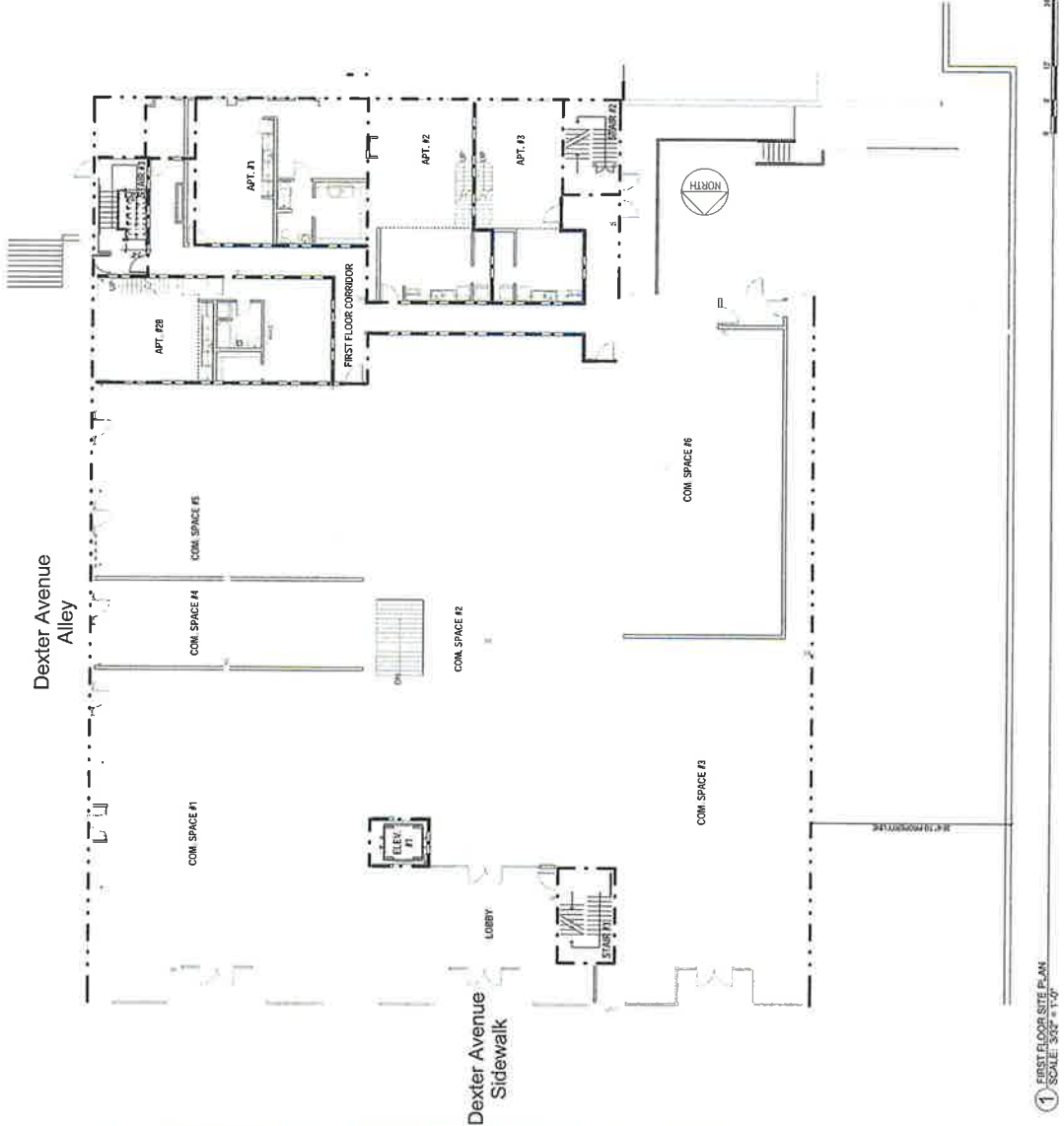
Project Title:  
**DEXTER PLACE**  
36 DEXTER AVENUE  
MONTGOMERY, AL

Sheet Title:  
SITE PLAN

Sheet Number:  
**A2**



AERIAL SITE MAP (NOT TO SCALE)



① FIRST FLOOR SITE PLAN  
SCALE: 3/32" = 1'-0"



SITE 

1 inch = 50 feet  
Item 4D

5. BD-2015-024 **PRESENTED BY:** Flowers & White Engineering

**REPRESENTING:** Coal Cow Properties LLC

**SUBJECT:** Request a special exception for a veterinary clinic to be located at 2047 Carter Hill Road and 2032 West Street in a B-2 (Commercial) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to use two (2) lots for a veterinary clinic use in the future. At this time, there are no plans to make any improvements to the property. If the special exception is approved, plans will be submitted at a later date.

2039 Carter Hill Road

1969 – Board approved a vet clinic with no outside kennels.

1991 – Board approved outside kennels for daytime exercise of the animals only, with no overnight outside shelters of animals.

2055 & 2061 Carter Hill Road

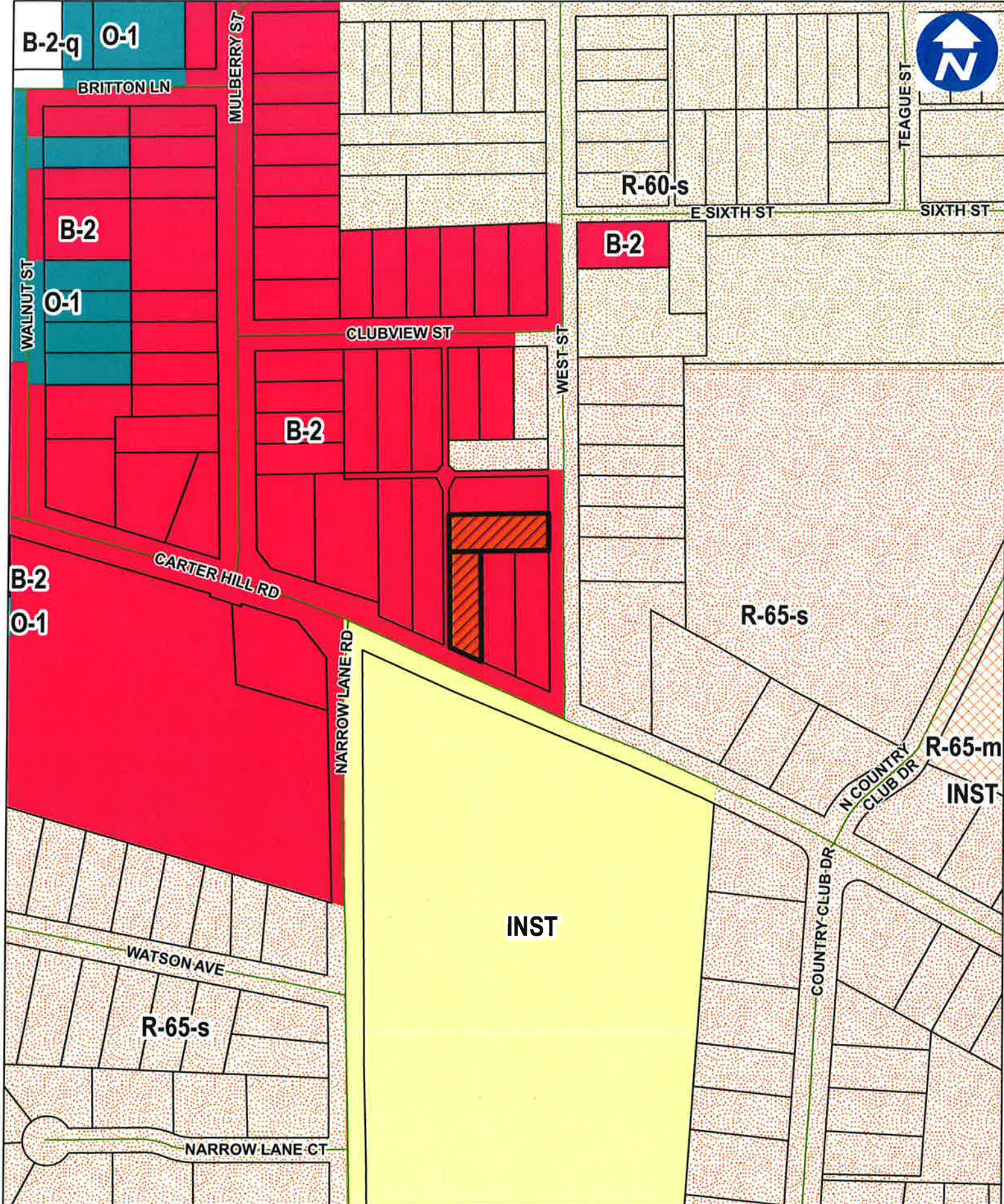
2015 – Board approved a vet clinic (plans to be submitted at a later date).

*The request is a special exception for a vet clinic to be located at 2047 Carter Hill Road and 2032 West Street.*

**COUNCIL DISTRICT: 3**

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

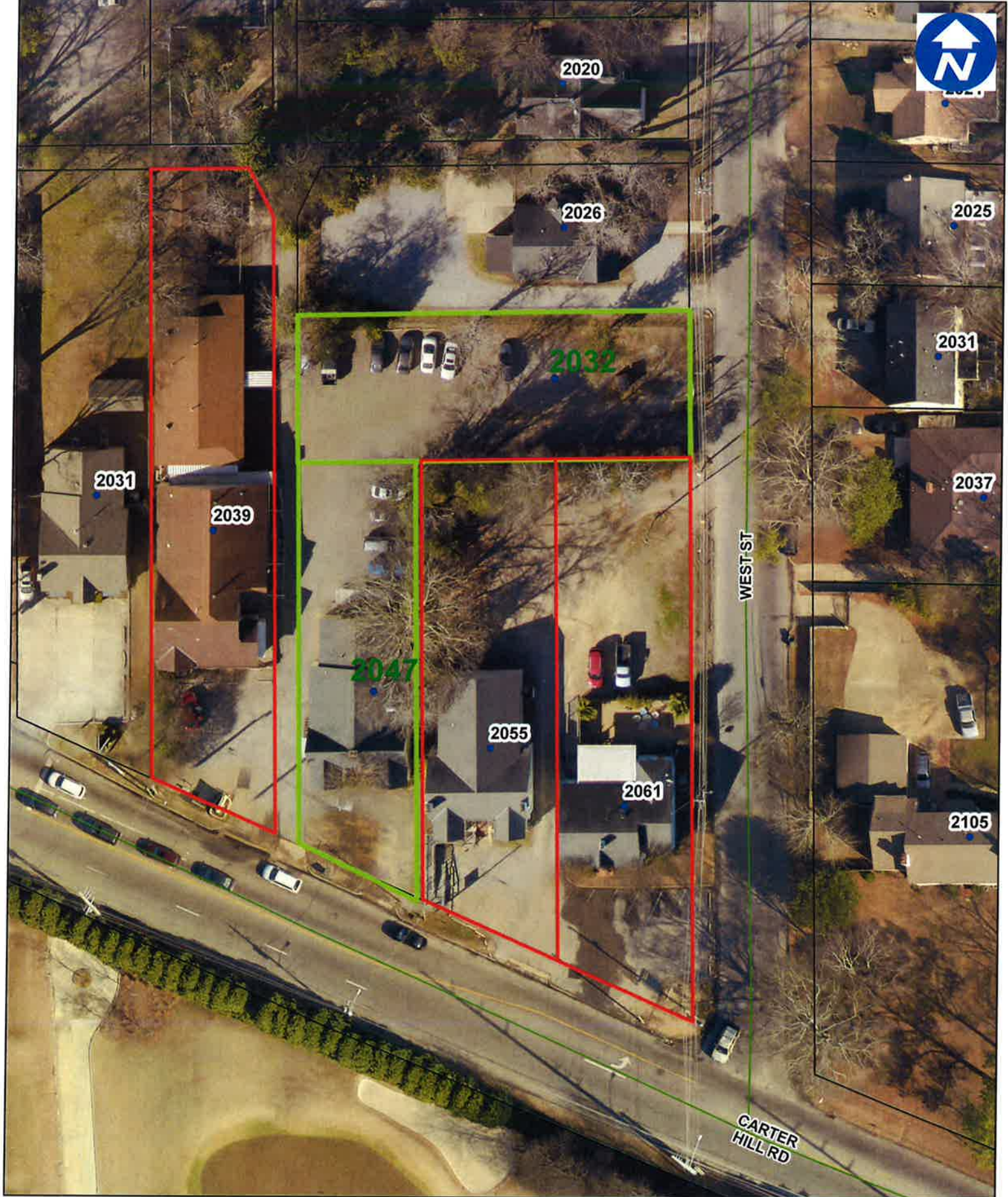
*ACTION TAKEN:* \_\_\_\_\_



Site 

1 inch = 200 feet

Item 5A



Site 

Lots already approved for a vet clinic 

1 inch = 50 feet

Item 5B

6. BD-2016-058 **PRESENTED BY:** Michelle Reeder

**REPRESENTING:** The Barkery

**SUBJECT:** Request a special exception for a kennel to be operated at 1963 Mulberry Street in a B-2 (Commercial) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to operate a kennel. The types of products and services they will provide are:

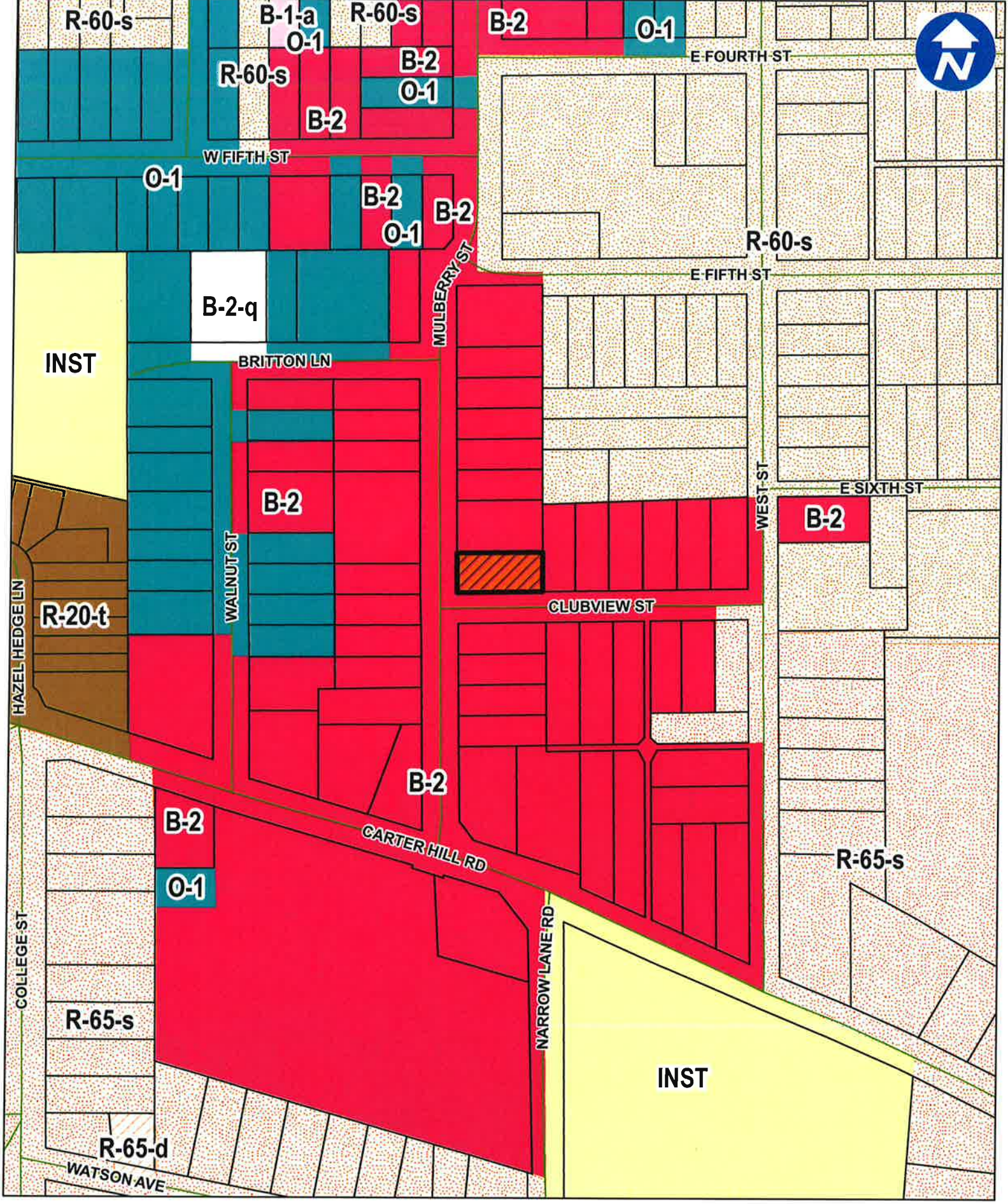
- Dog grooming
- Dog training
- Dog daycare (indoor only)
  - Outside supervised potty breaks (new privacy fence area at back of building)
  - Hours: Monday-Friday, 7:00 a.m. – 6:00 p.m.
- Dog boarding (indoor only – luxury suites)
  - Outside supervised potty breaks (new privacy fence area at back of building)
- Retail
- Dog cakes & treats

*The request is a special exception to operate a kennel.*

**COUNCIL DISTRICT: 3**

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

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



Site 

1 inch = 200 feet

Item 6A





Site Location

1 inch = 30 feet

Item No. 103

7. BD-1977-182 **PRESENTED BY:** Jane Threadgill

**REPRESENTING:** Same

**SUBJECT:** Request a height variance and a street side yard variance for a privacy fence to be located at 2103 St. Charles Avenue in an R-60-s (Single-Family Residential) Zoning District.

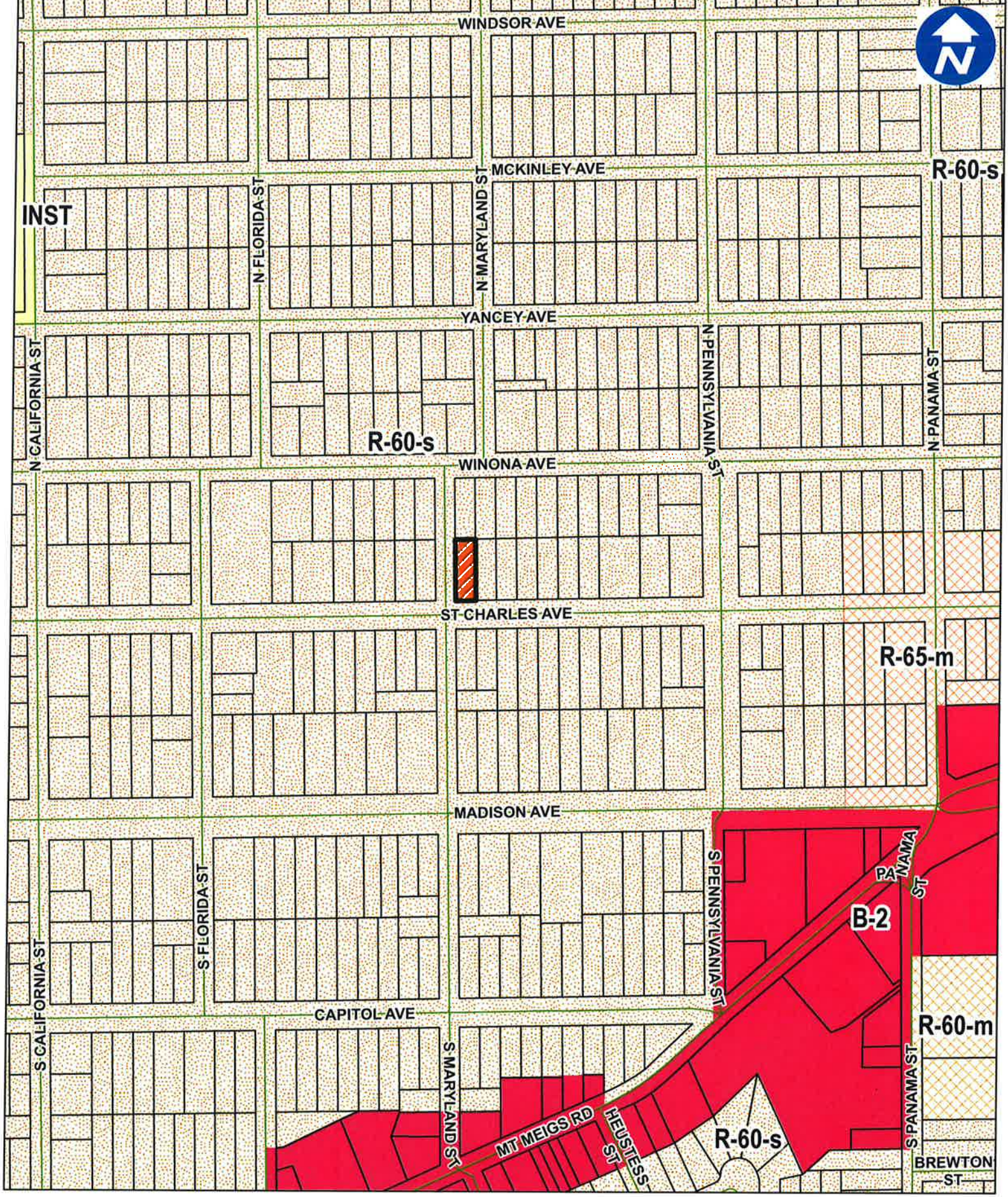
**REMARKS:** This request is being made to give the petitioner permission to construct a 6 ft. tall privacy fence that will come to the street side property line (North Maryland Street), whereas a 3 ft. height is allowed and a 20 ft. street side yard is required.

*The variances requested are a 3 ft. height variance and a 20 ft. street side yard variance. This item will be heard by the Architectural Review Board on November 16, 2016.*

**COUNCIL DISTRICT:** 3

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

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



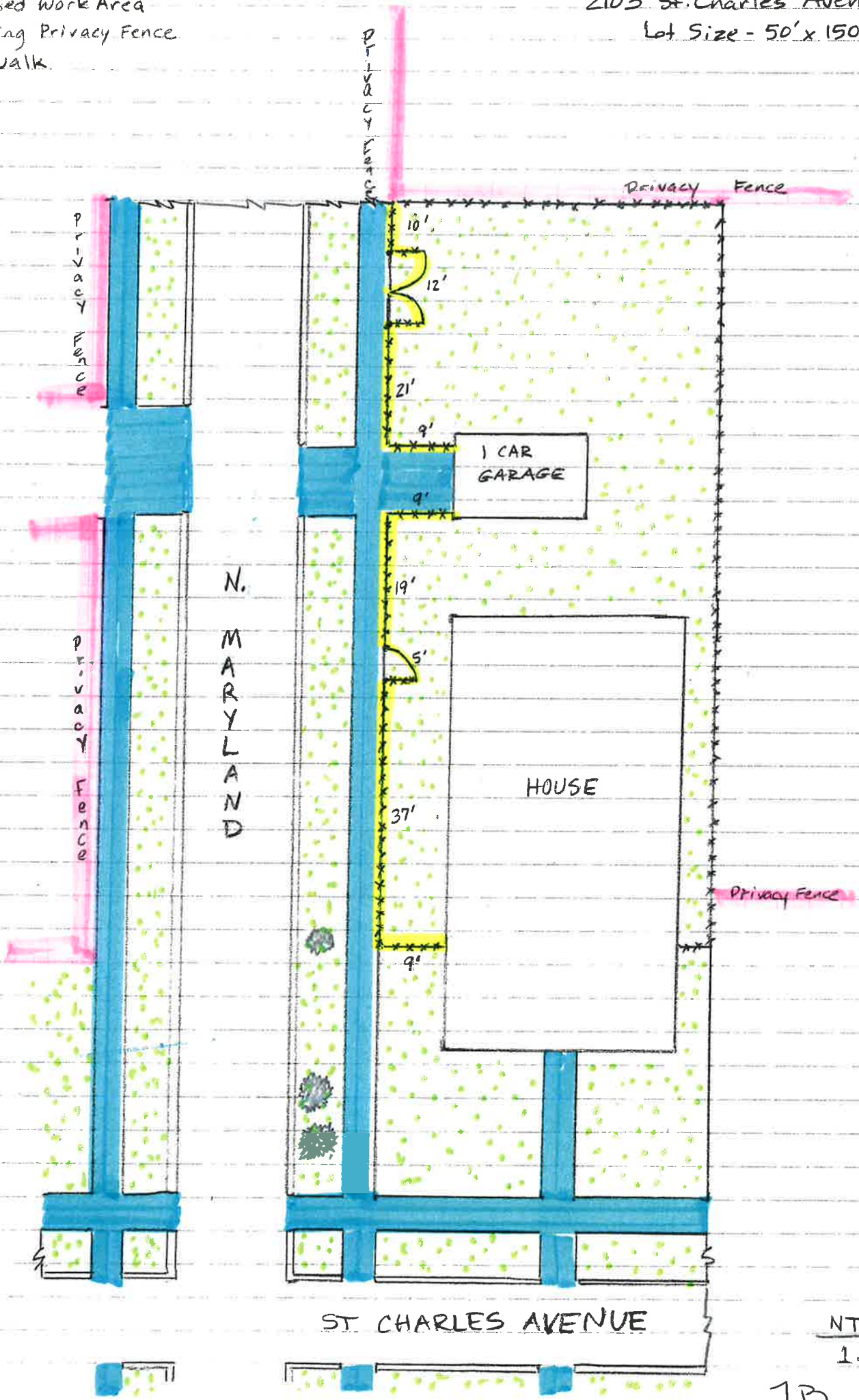
Site 

1 inch = 300 feet

Item 7A

2103 St. Charles Avenue  
Lot Size - 50' x 150'

- Proposed Work Area
- Existing Privacy Fence
- Sidewalk
- Lawn
- Trees



ST CHARLES AVENUE

NTS  
1 of 1

7B



Site Location 

1 inch = 30 feet

Item No. 7C

8. BD-2016-060 **PRESENTED BY:** James M. Flynn

**REPRESENTING:** Same

**SUBJECT:** Request a rear yard variance for an attached carport addition to be located at 4242 Ray Drive in an R-75-s (Residential) Zoning District.

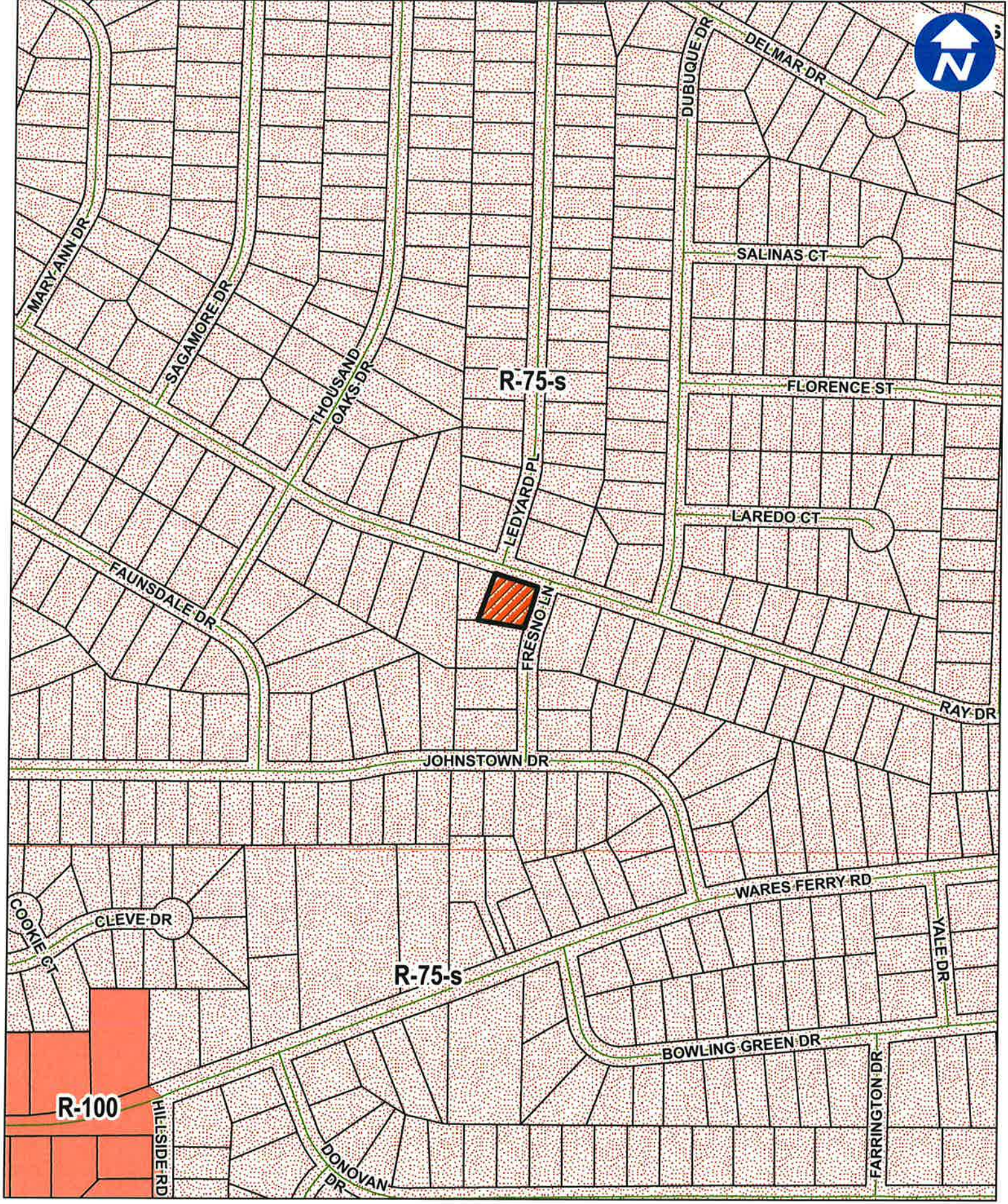
**REMARKS:** This request is being made to give the petitioner permission to construct an attached carport addition to come within 8 ft. of the rear property line, whereas 30 ft. is required.

*The request is a 22 ft. rear yard setback variance.*

**COUNCIL DISTRICT: 2**

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

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



Site 

1 inch = 300 feet

Item 8A



Site Location

1 inch = 30 feet

Item No. 8B



9. BD-1992-209 **PRESENTED BY:** Daniel Totty

**REPRESENTING:** Mary Traylor

**SUBJECT:** Request a special exception for livestock (cows) to be located at 4545 McInnis Road in R-85 (Single-Family Residential) and R-125 (Single-Family Residential) Zoning Districts.

**REMARKS:** This request is being made to give the petitioner permission to have cows on a 14 acre tract of land, whereas livestock is permitted on appeal in these zoning districts. The Board of Adjustment approved construction of a barn for horses at the April 1, 1999 meeting.

**Allowed on appeal to the Board:**

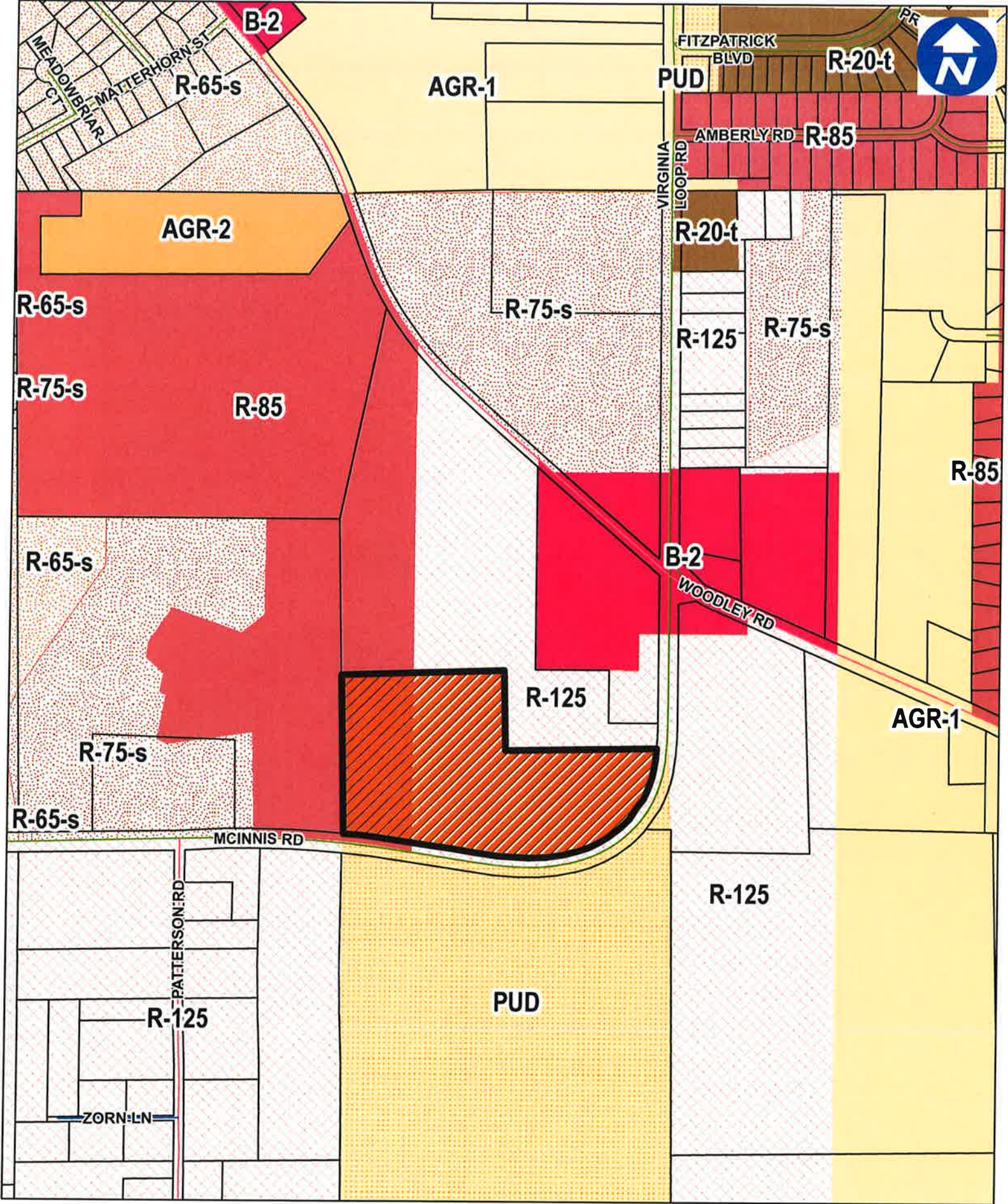
“F” Agriculture, poultry, and livestock raising, but not including the operation of chicken brooder houses; and provided no structure, pen or corral housing animals be located closer than 200 ft. to any property line.

*The request is a special exception to allow livestock.*

**COUNCIL DISTRICT: 6**

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

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



Site 

1 inch = 500 feet

Item 9A



Site Location

1 inch = 200 feet

Item No. 9B