

Board of Adjustment Agenda

January 19, 2017 – 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 December 15, 2016 meeting
- III. Election of Officers

January 19, 2017

<u>Item</u>	<u>File</u>	<u>Petitioner</u>	<u>Zone</u>	<u>Location/Request</u>	<u>Page</u>
1.	2016-062	Maurice Bass	R-100	3557 Le Bron Road (Privacy fence)	1
2.	2017-003	Jimmy V. Buchanan	R-60-m	1203 South Perry Street (Accessory structure)	2
3.	2017-004	Trevor Patterson	R-50	314 Dyas Drive (Addition to dwelling)	3
4.	1994-232	Lat 32, Inc.	R-24-t	1435 Crenshaw Place South (Blanket variance)	4
5.	2017-001	Philip Cameron	AGR-1	1211 Kirkwood Drive (Accessory structure)	5
6.	2017-002	Daryl Huffman	R-85	8878 Old Magnolia Way (Accessory structure)	6
7.	1976-269	Larry E. Speaks & Assoc.	B-3	Dalraida Rd / Mitchell Ave / Camellia Dr (Variances for new building)	7
8.	2012-049	Larry E. Speaks & Assoc.	T5	263 Molton Street (Exception to SmartCode)	8
9.	2017-005	Danny Clements Builder	B-3	350 Mendel Parkway East (Rear yard & parking variance)	9

The next Board of Adjustment meeting is on February 16, 2017

1. BD-2016-062 **PRESENTED BY:** Maurice Bass

REPRESENTING: Same

SUBJECT: Request a street side yard variance and height variance for a privacy fence to be located at 3557 Le Bron Road in an R-100 (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to construct a privacy fence to come to the street side yard (Le Bron Road) property line, whereas 35 ft. is required. The privacy fence will be 7 ft. in height, whereas 3 ft. is allowed.

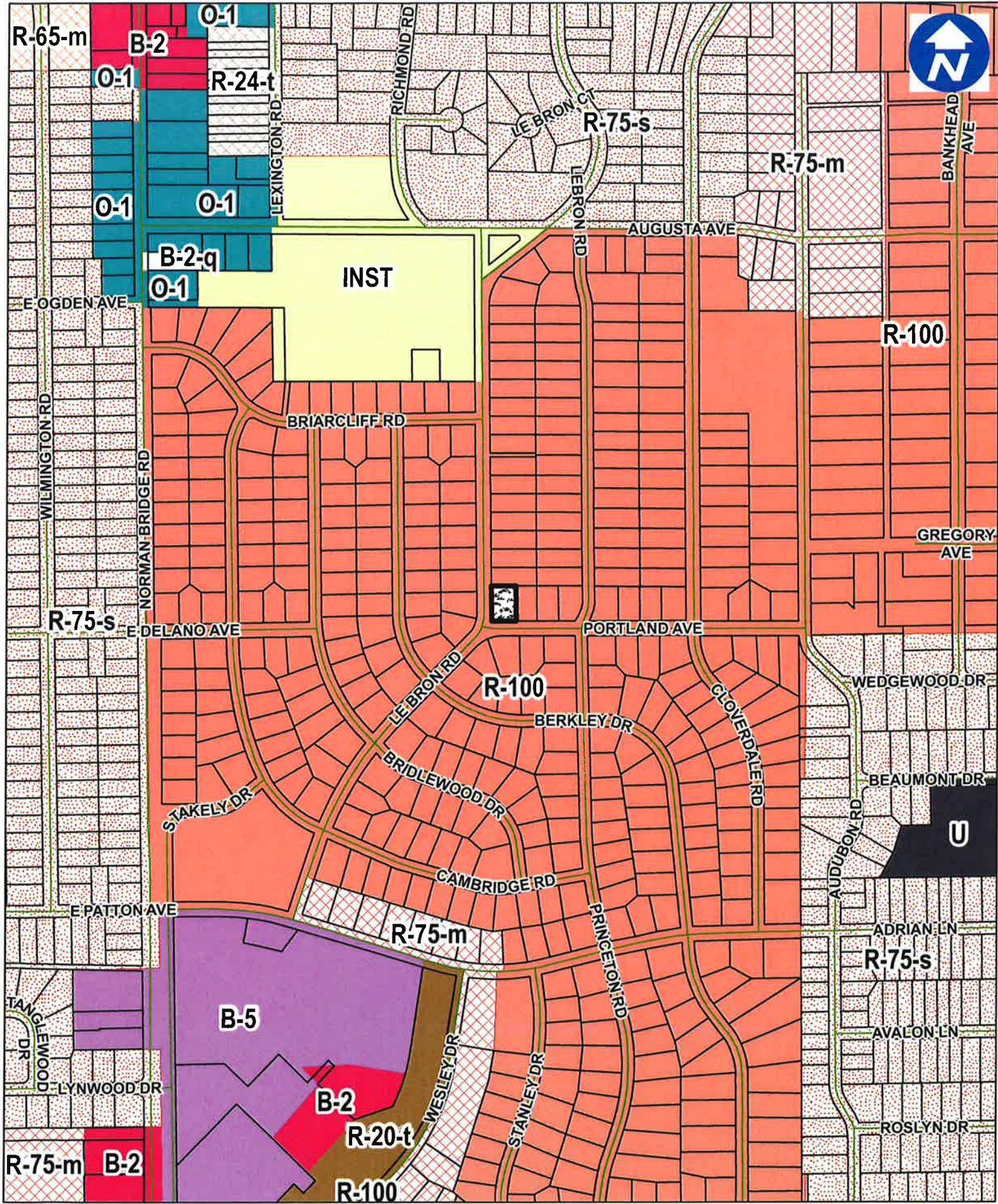
The variances request are a 35 ft. street side yard setback variance and a 4 ft. height variance.

This request was delayed at the December 15, 2016 meeting, due to no one being present to present the request.

COUNCIL DISTRICT: 7

COMMENTS _____

ACTION TAKEN: _____



Site 

1 inch = 500 feet

Item IA



Site Location

1 inch = 30 feet

Item No. 1B

2. BD-2017-003 **PRESENTED BY:** Jimmy V. Buchanan

REPRESENTING: Same

SUBJECT: Request a coverage variance, street side yard variance, and rear yard variance for an accessory structure to be located at 1203 South Perry Street in an R-60-m (Multi-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to construct a 460 sq. ft. (20 ft. x 23 ft.) detached garage, whereas 360 sq. ft. is allowed, to come within 5.3 ft. of the street side property line (Finley Avenue), whereas 20 ft. is required, to come within 1.4 ft. of the rear yard, whereas 5 ft. is required. This is replacing a deteriorating garage that is slightly too small to accommodate modern sized vehicles.

Planning Controls Comment(s): Being on a corner lot, the garage does have a historic visual relationship to the street, one that is particularly common on Finley Avenue, but rebuilding a garage in approximately the same location, if approved, would recreate that visual relationship.

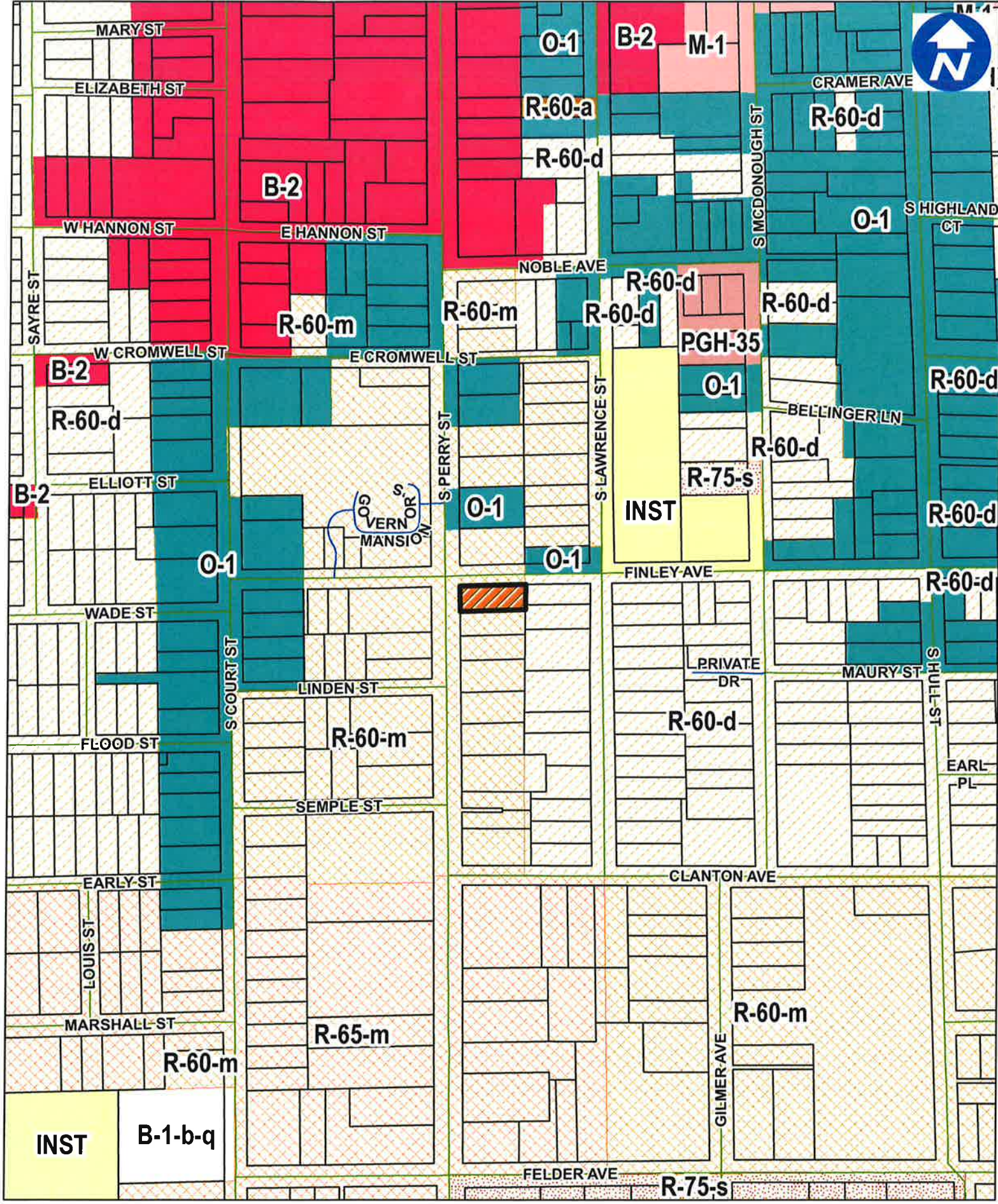
The Architectural Review Board approved the detached garage on December 21, 2016.

The request is a 100 sq. ft. coverage variance, a 14.7 ft. street side yard variance, and a 3.6 ft. rear yard variance.

COUNCIL DISTRICT: 3

COMMENTS _____

ACTION TAKEN: _____



Site 

1 inch = 300 feet

Item 2A



Site Location

1 inch = 40 feet

Item No. 2B

3. BD-2017-004 **PRESENTED BY:** Trevor Patterson

REPRESENTING: Same

SUBJECT: Request a side yard variance for an addition to a dwelling located at 314 Dyas Drive in an R-50 (Single-Family Residential) Zoning District.

REMARKS: This request is being made to give the petitioner permission to finish construction on an attached carport that will come to the side property line, whereas 9 ft. is required.

This came in as a complaint and a stop work order was issued.

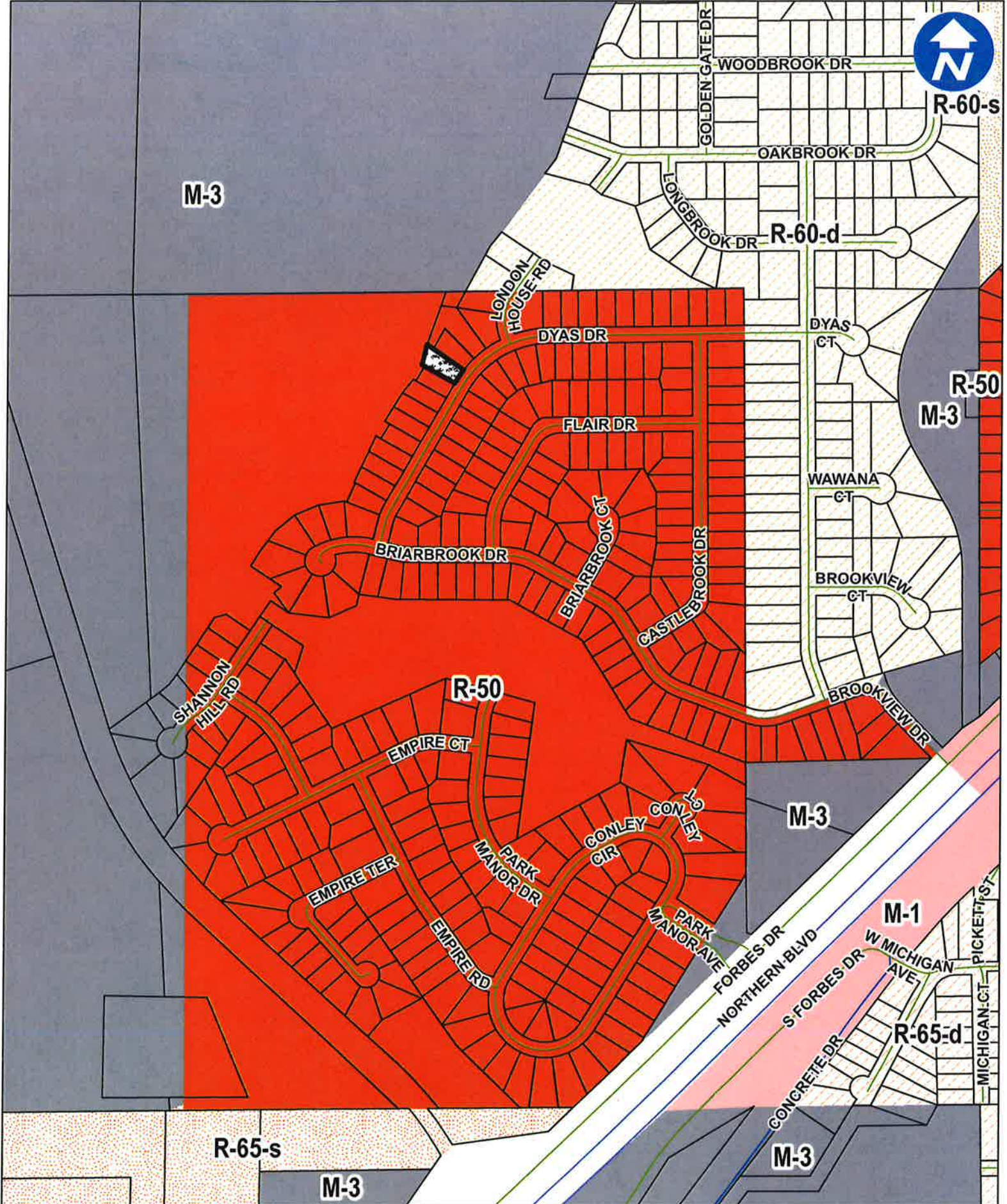
Planning Controls Comment(s): Gutters and downspouts will be required to direct the drainage from the adjoining property.

The request is a 9 ft. side yard variance.

COUNCIL DISTRICT: 3

COMMENTS _____

ACTION TAKEN: _____



Site

1 inch = 400 feet

Item 3A



Site Location

1 inch = 30 feet

Item No. 3B

4. BD-1994-232 **PRESENTED BY:** Lat 32, Inc.

REPRESENTING: Gene Cody

SUBJECT: Request a blanket variance (front yard variances) for new dwellings to be located at 1435 Crenshaw Place South, and 2518, 2519, 2525 and 2531 Crenshaw Close Court in an R-24-t (Townhouse) Zoning District.

REMARKS: This request is being made to give the petitioner permission to construct new dwellings to come within 15 ft. of the front yard (Crenshaw Close Court), whereas 20 ft. is required.

The request is a 5 ft. front yard variance.

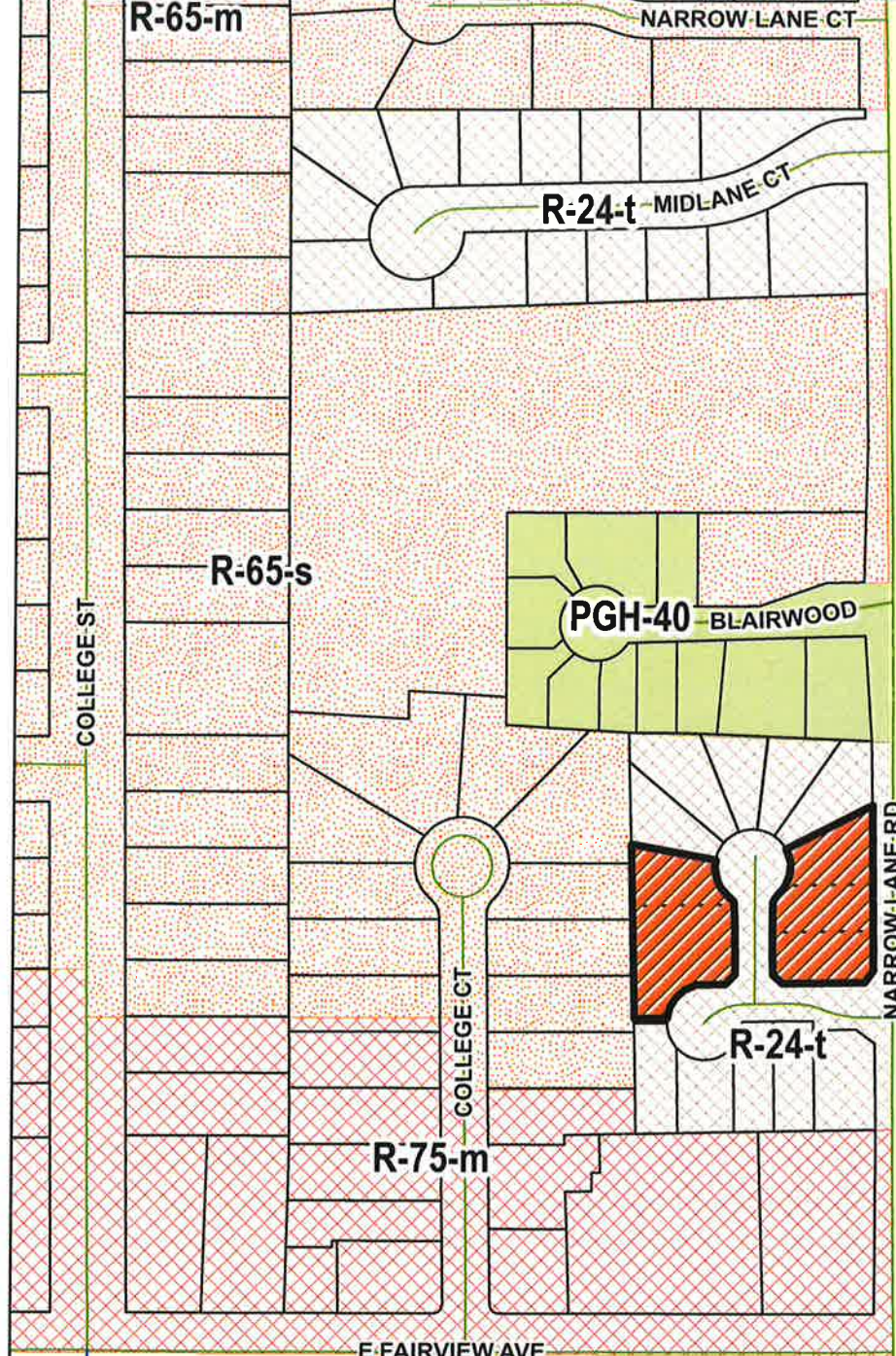
COUNCIL DISTRICT: 7

COMMENTS _____

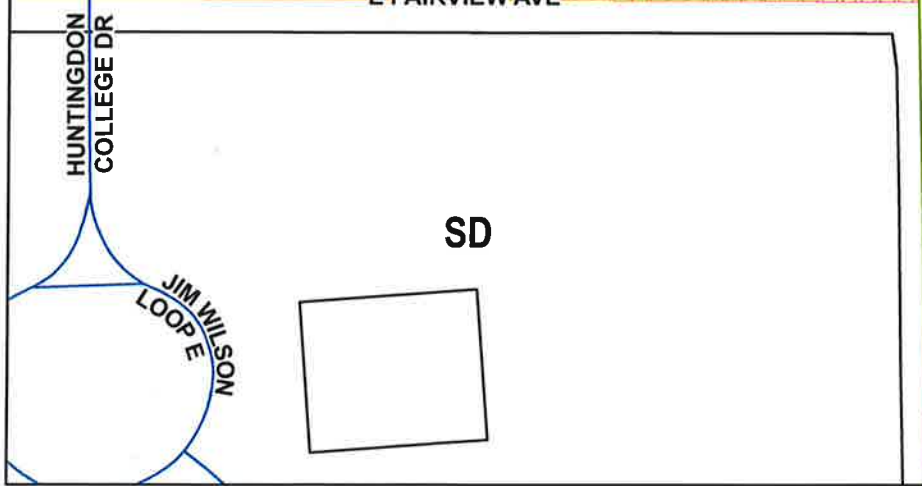
ACTION TAKEN _____



R-65-s



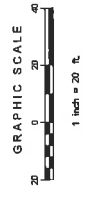
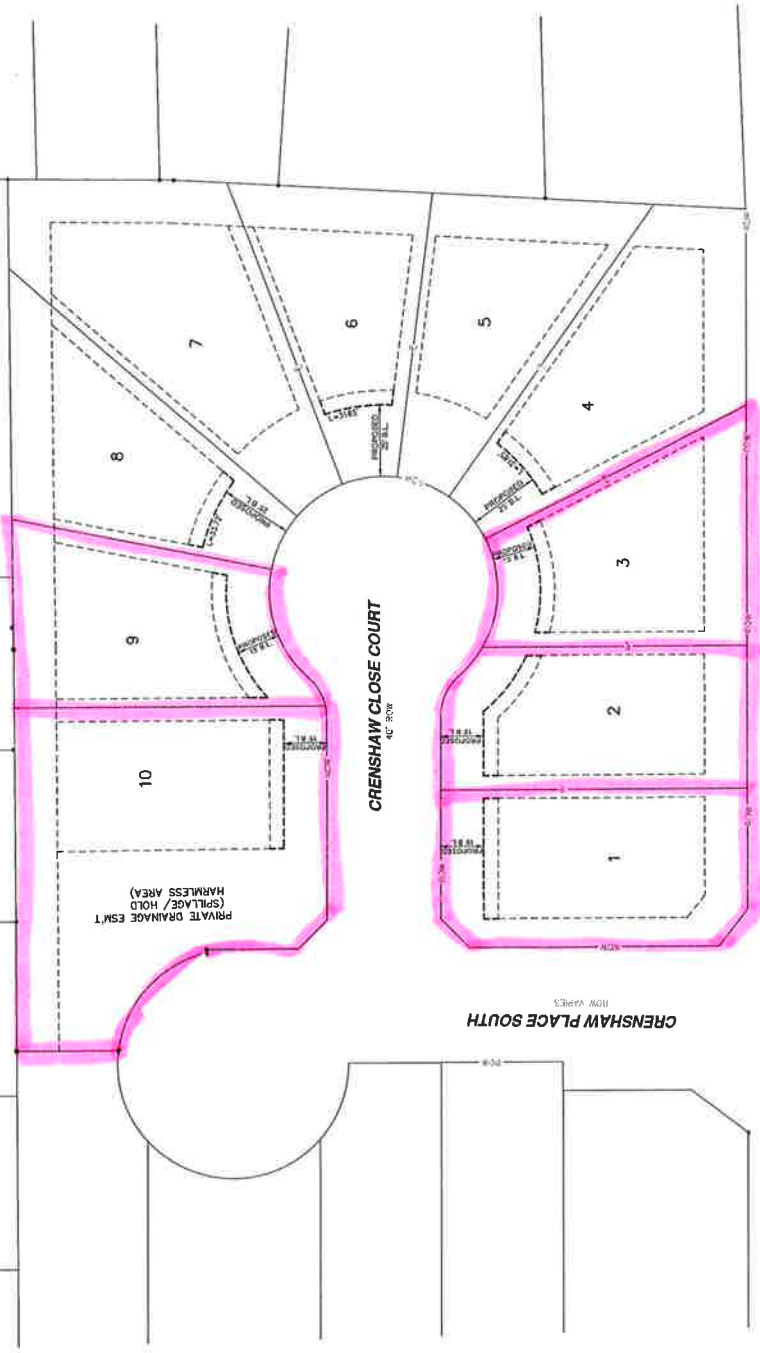
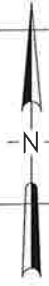
INST



Site 

1 inch = 200 feet

Item 4A



CRENSHAW CLOSE PLAT NO. 1
FRONT YARD BUILDING SETBACK VARIANCE REQUEST



VICINITY MAP
 NO SCALE

312 PLYMOUTH STREET
 SUITE 101
 HOUSTON, ALABAMA
 37014
 (205) 271-2173
 www.l&l-s.com

OWNER	PROJECT	DATE
DESIGNER	SCALE	DATE
CHECKED	BY	DATE
APPROVED	BY	DATE

4B



Example



Site Location

1 inch = 50 feet

Item No. 4D

5. BD-2017-001 **PRESENTED BY:** Philip Cameron

REPRESENTING: Same

SUBJECT: Request a special exception for an accessory structure without a main dwelling to be located at 1211 Kirkwood Drive in an AGR-1 (Residential Agriculture) Zoning District.

REMARKS: This request is being made to give the petitioner permission to finish constructing a 2,400 sq. ft. (40 ft. x 60 ft.) accessory structure on a lot without a main dwelling. The petitioner owns this lot (5 acres) and the lot to the north (1.8 acres), and the accessory structure will be used to store maintenance and other equipment to maintain both properties.

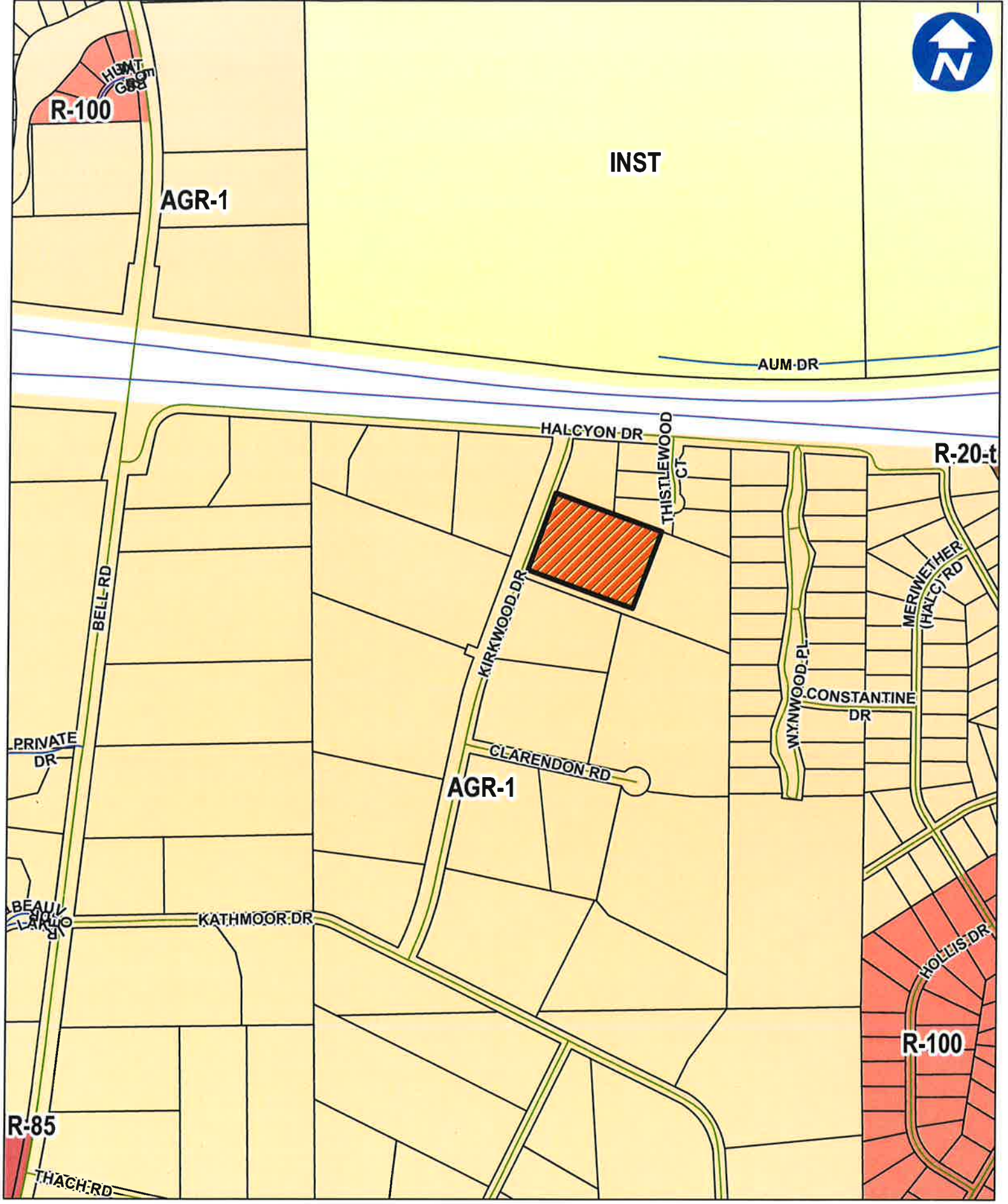
A stop work order was issued due to no permit being issued.

The request is a special exception for an accessory structure without a main dwelling.

COUNCIL DISTRICT: 9

COMMENTS _____

ACTION TAKEN: _____



Site 

1 inch = 600 feet

Item 5A



Site Location 

1 inch = 100 feet

Item No. 5B

6. BD-2017-002 **PRESENTED BY:** Daryl Huffman

REPRESENTING: Same

SUBJECT: Request a coverage variance for an accessory structure to be located at 8878 Old Magnolia Way in an R-85 (Residential) Zoning District.

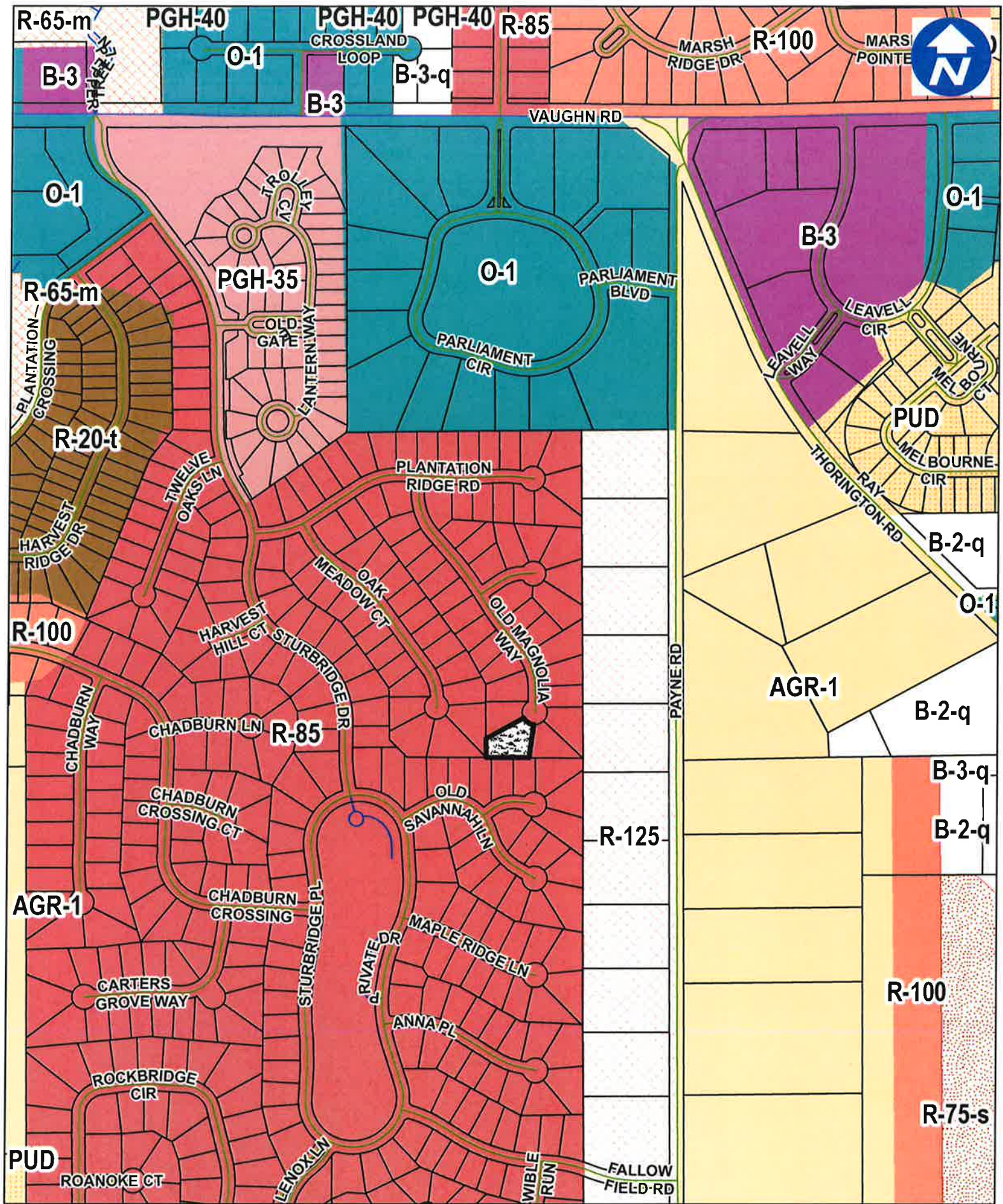
REMARKS: This request is being made to give the petitioner permission to construct a 1,080 sq. ft. (30 ft. x 36 ft.) accessory structure, whereas 765 sq. ft. coverage is allowed.

The request is a 315 sq. ft. coverage variance.

COUNCIL DISTRICT: 8

COMMENTS _____

ACTION TAKEN: _____



Site 

1 inch = 500 feet

Item 6A



Site Location 

1 inch = 50 feet

Item No. 6B

7. BD-1976-269 **PRESENTED BY:** Larry E. Speaks & Associates

REPRESENTING: Lester LLC

SUBJECT: Request a front yard, street side yard variance, and coverage variance for a new building to be located on the south side of Camellia Drive, between Dalraida Road and Mitchell Avenue, in a B-3 (Commercial) Zoning District.

REMARKS: This request is being made to give the petitioner permission to construct a new climate controlled storage facility that will come within 20 ft. of the front property line (Mitchell Avenue), whereas 30 ft. is required by the Zoning Ordinance. The facility will come within 1 ft. of the street side property line (Camellia Drive) and lot coverage will be 58%, whereas a 20 ft. street side yard setback is required and 50% coverage is allowed per the Mini-Warehouse Guidelines.

The requests are a front yard variances and variances to the Mini-Warehouse Guidelines.

COUNCIL DISTRICT: 1

COMMENTS _____

ACTION TAKEN: _____



R-85

HICKORY DR

R-75-m

R-100

R-75-s

CAMELLIA DR

R-24-t

B-3

B-2

DALRAIDA RD

INST

ATLANTA HWY

MITCHELL AVE

B-2

INST

PERRY HILL RD

B-2

B-2-q

INST

R-75-s

INST

INST

Site 

1 inch = 200 feet

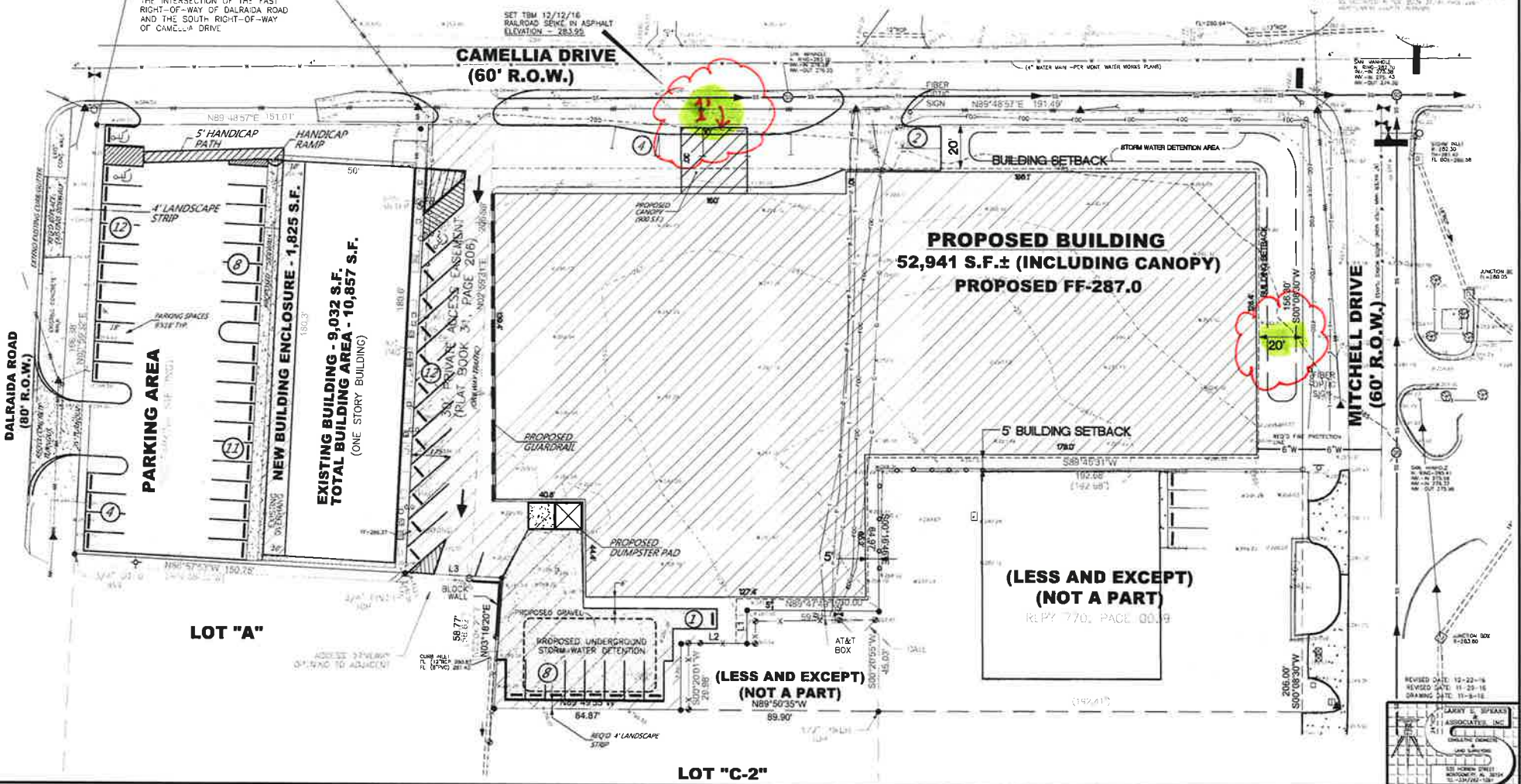
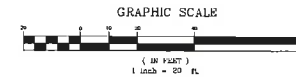
Item 7A

16

SITE DEVELOPMENT PLAN
DALRAIDA POINT
PARCEL "B"
A PORTION OF LOT C-4
RE-SUBDIVISION OF LOT "C"
PLAT BOOK 31, AT PAGE 206
MONTGOMERY COUNTY, ALABAMA

P.O.B. PARCEL "A" (LOT C-1)
 P.O.C. PARCEL "B"
 3/4" PINCH TOP ALSO KNOWN AS
 THE INTERSECTION OF THE EAST
 RIGHT-OF-WAY OF DALRAIDA ROAD
 AND THE SOUTH RIGHT-OF-WAY
 OF CAMELLIA DRIVE

- LEGEND:**
- ▨ PROPOSED GRAVEL
 - ▨ PROPOSED ASPHALT
 - ▨ EXISTING ASPHALT
 - ▨ EXISTING CONCRETE
 - FOUND IRON PIPE
 - SET IRON PIN (5/8" REBAR CAPPED) W/ 9" CA-50077 LS
 - CALCULATED POINT
 - ▬ FENCE
 - ▬ FOUND CONCRETE MARKER
 - ▬ POWER POLE / LINE / DUCT
 - FIBER OPTIC LINE
 - UNDERGROUND POWER LINE
 - UNDERGROUND TELEPHONE LINE
 - GAS LINE
 - WATER METER
 - TELEPHONE BOX
 - GAS METER
 - SIGN



LOT "A"

LOT "C-2"

(LESS AND EXCEPT)
(NOT A PART)
 R.P. 770, PAGE 0019

(LESS AND EXCEPT)
(NOT A PART)
 N89°50'35"W
 89.90'

REVISIONS

NO. 1	DATE	DESCRIPTION
1	11-29-16	ISSUE FOR PERMIT
2	11-29-16	ISSUE FOR PERMIT
3	11-29-16	ISSUE FOR PERMIT

REVISION DATE: 11-29-16
 REVISION DATE: 11-29-16
 DRAWING DATE: 11-29-16

LARRY E. SPEAKS
 ASSOCIATES, INC.
 511
 1111
 1111
 1111

ACAD: 11/29/16



Site Location

1 inch = 200 feet

Item No. 7C

8. BD-2012-049 **PRESENTED BY:** Larry E. Speaks & Associates

REPRESENTING: Michael Campbell

SUBJECT: Request an exception to SmartCode requirements for a new building to be located at 263 Molton Street in a T5 (Urban Center Zone) Zoning District.

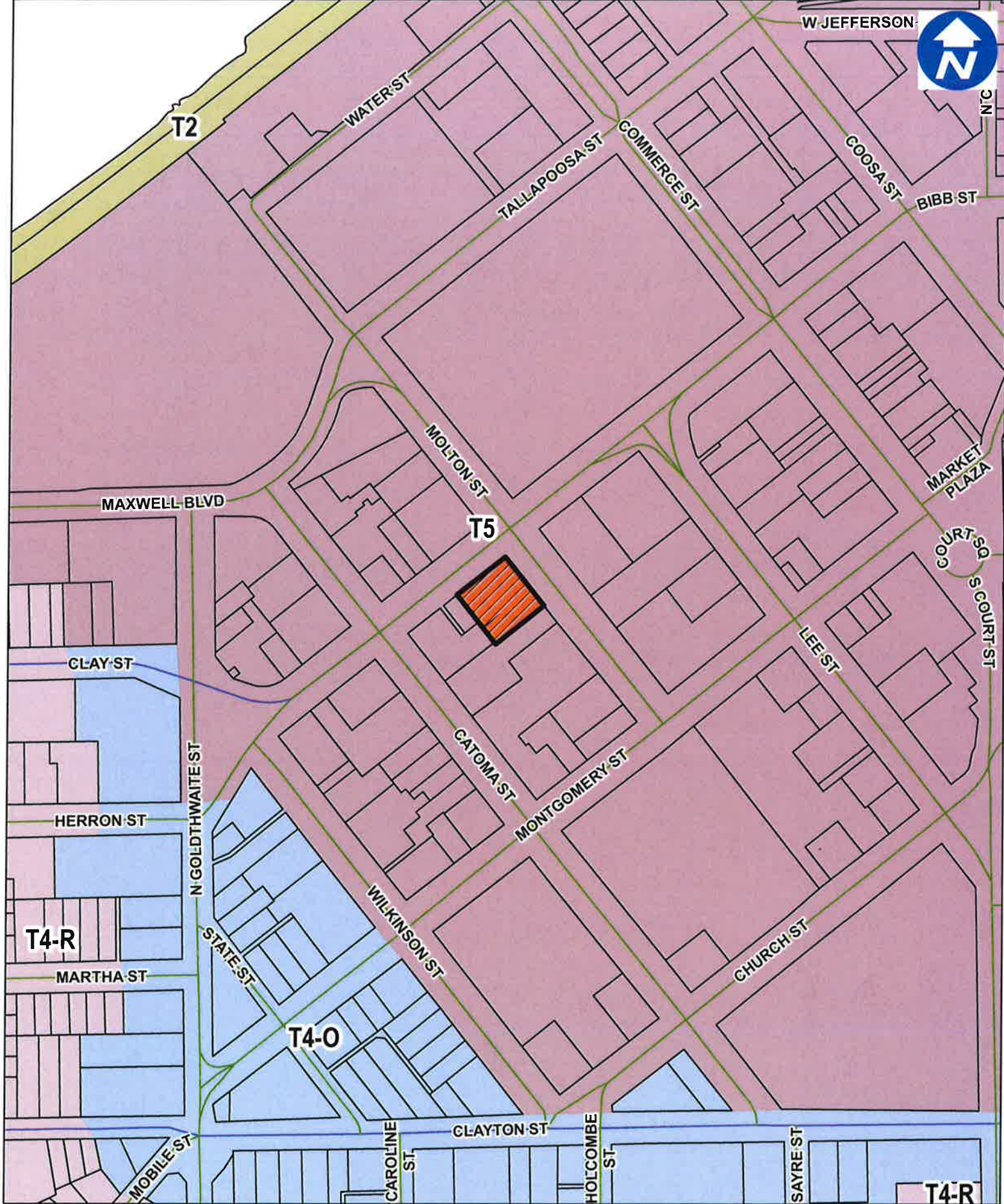
REMARKS: This request is being made to give the petitioner permission to allow parking in the 2nd Lot Layer, whereas SmartCode requires parking to start in the 3rd Lot Layer. The lot will have a total of 96.6% Lot Coverage, whereas 80% lot coverage is allowed. Lot Coverage is the amount of all impermeable surfaces on the lot.

The request is to allow parking in the 2nd Lot Layer and allow 96.6% Lot Coverage.

COUNCIL DISTRICT: 3

COMMENTS _____

ACTION TAKEN: _____



W JEFFERSON



T2

WATER ST

TALLAPOOSA ST

COMMERCE ST

COOSA ST

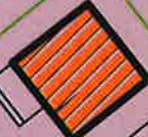
BIBB ST

N 7C

MOLTON ST

MAXWELL BLVD

T5



MARKET PLAZA

COURT SQ
S COURT ST

CLAY ST

LEE ST

HERRON ST

CATOMA ST

MONTGOMERY ST

T4-R

WILKINSON ST

CHURCH ST

MARTHA ST

STATE ST

T4-O

CLAYTON ST

T4-R

MOBILE ST

CAROLINE ST

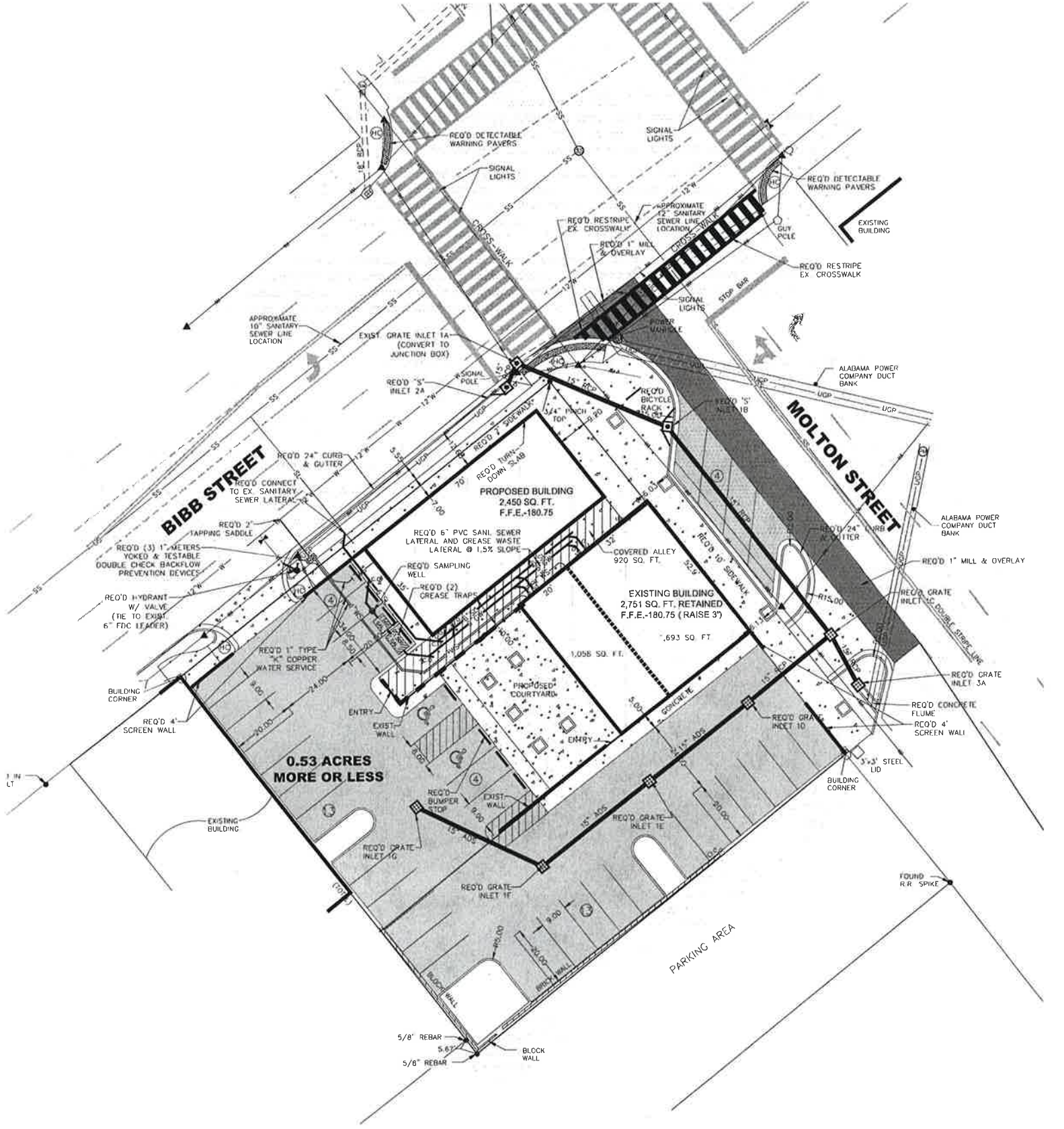
HOLCOMBE ST

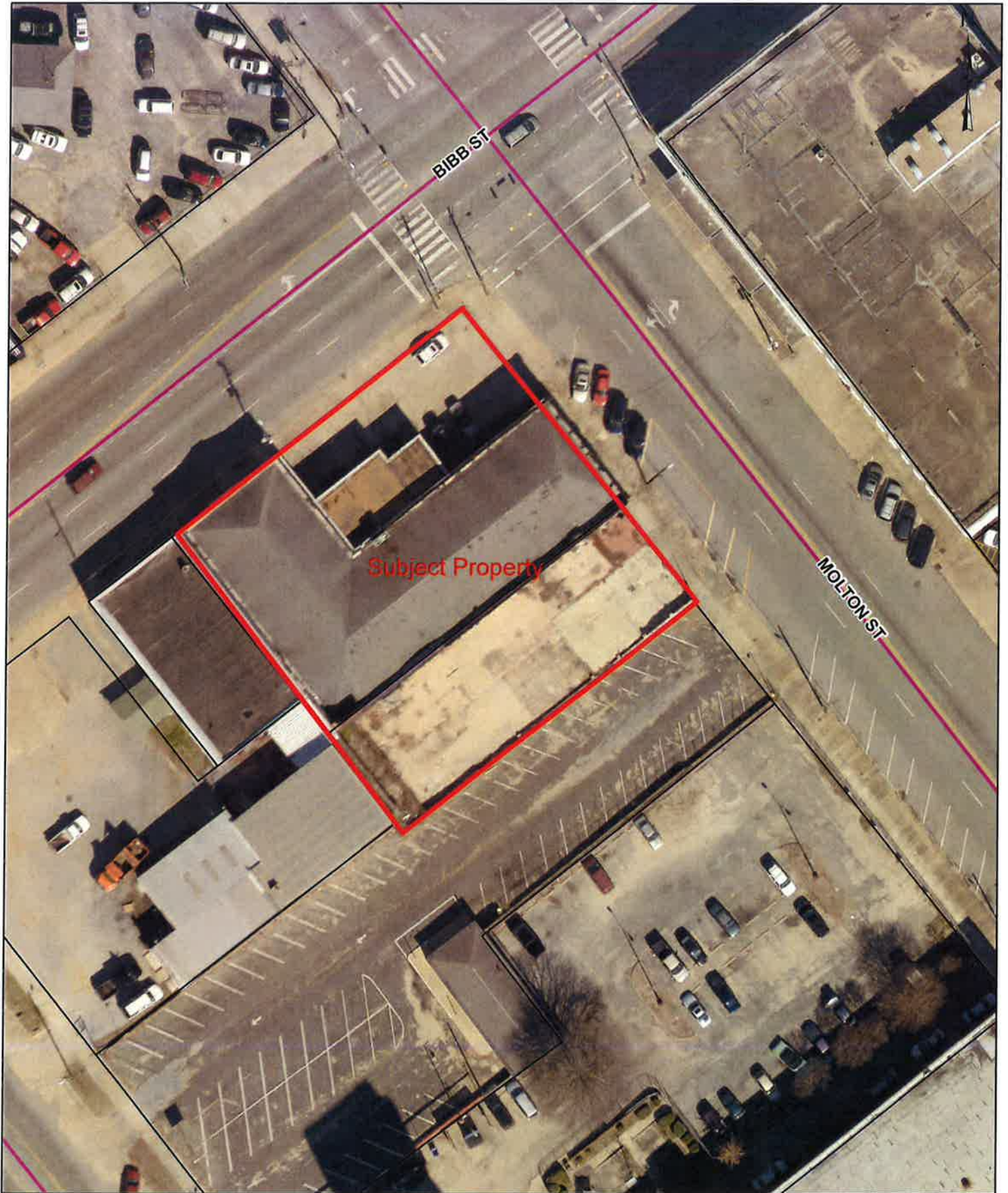
SAYRE ST

Site 

1 inch = 300 feet

Item 8A





Site Location

1 inch = 50 feet

Item No. 8C

9. BD-2017-005 **PRESENTED BY:** Danny Clements Builder

REPRESENTING: AKD Sportswear

SUBJECT: Request a rear yard variance and a parking variance for a new building to be located at 350 Mendel Parkway East in a B-3 (Commercial) Zoning District.

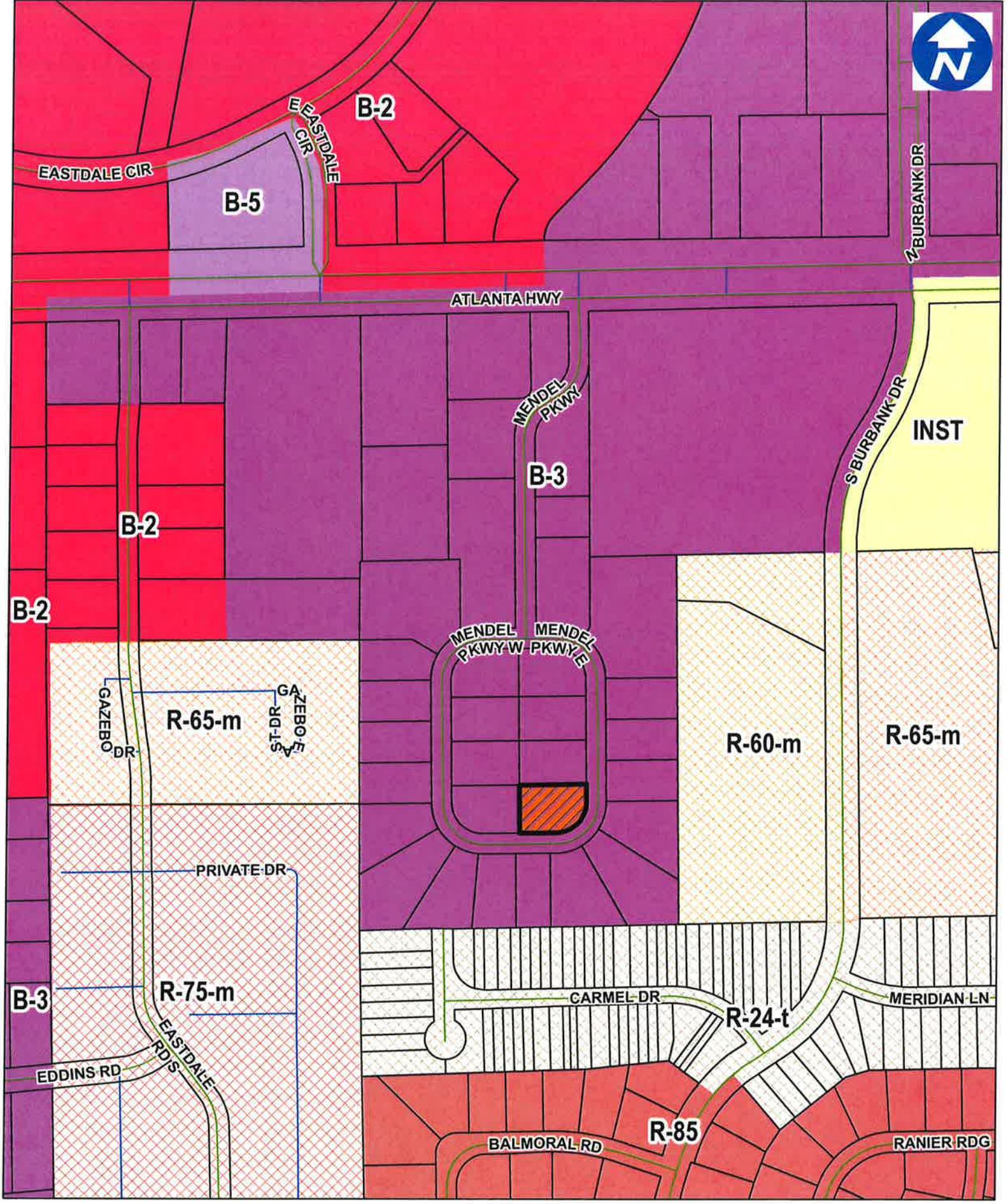
REMARKS: This request is being made to give the petitioner permission to construct a new building to come within 10 ft. 6 in. of the rear property line, whereas 20 ft. is required. There are 10 paved parking spaces provided onsite, whereas 45 parking spaces are required; however the landscape plan submitted will account for seven (7) spaces, which reduces the parking variance to a 28 space parking variance. All other applicable requirements will be met.

The variances requested are a 9 ft. 6 in. rear yard variance and a 28 space parking variance.

COUNCIL DISTRICT: 9

COMMENTS _____

ACTION TAKEN: _____



Site 

1 inch = 300 feet

Item 9A



Site Location

1 inch = 40 feet

Item No. 9C