

# Board of Adjustment Agenda

February 16, 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

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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 15, 2016 meeting**

**February 16, 2017**

<u>Item</u>	<u>File</u>	<u>Petitioner</u>	<u>Zone</u>	<u>Location/Request</u>	<u>Page</u>
1.	2017-001	Philip Cameron	AGR-1	1211 Kirkwood Drive (Accessory structure)	1
2.	2017-004	Trevor Patterson	R-50	314 Dyas Drive (Addition to dwelling)	2
3.	2016-026	Ronald W. Johnson	R-65-s	960 Countryside Lane (Separation between structures variance)	3
4.	2017-006	John Humphries	B-2	70 Ashburton Drive (Church – special exception)	4
5.	1956-273	Scott D. Church	R-65-s	107 Grovewood Court (Chickens)	5
6.	2017-009	John Paul Wallace	B-3	41 Carol Villa Drive (Church – special exception)	6
7.	2017-008	Joel Bush	R-100	1038 Glen Grattan (Story variance)	7
8.	2017-007	Karl B. Benkwith	M-1	315 Kershaw Industrial Blvd. (Church – special exception)	8
9.	1953-162	Pilgreen Engineering	R-60-m	1001 Felder Avenue (Story variance)	9

*The next Board of Adjustment meeting is on March 16, 2017*

1. 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.

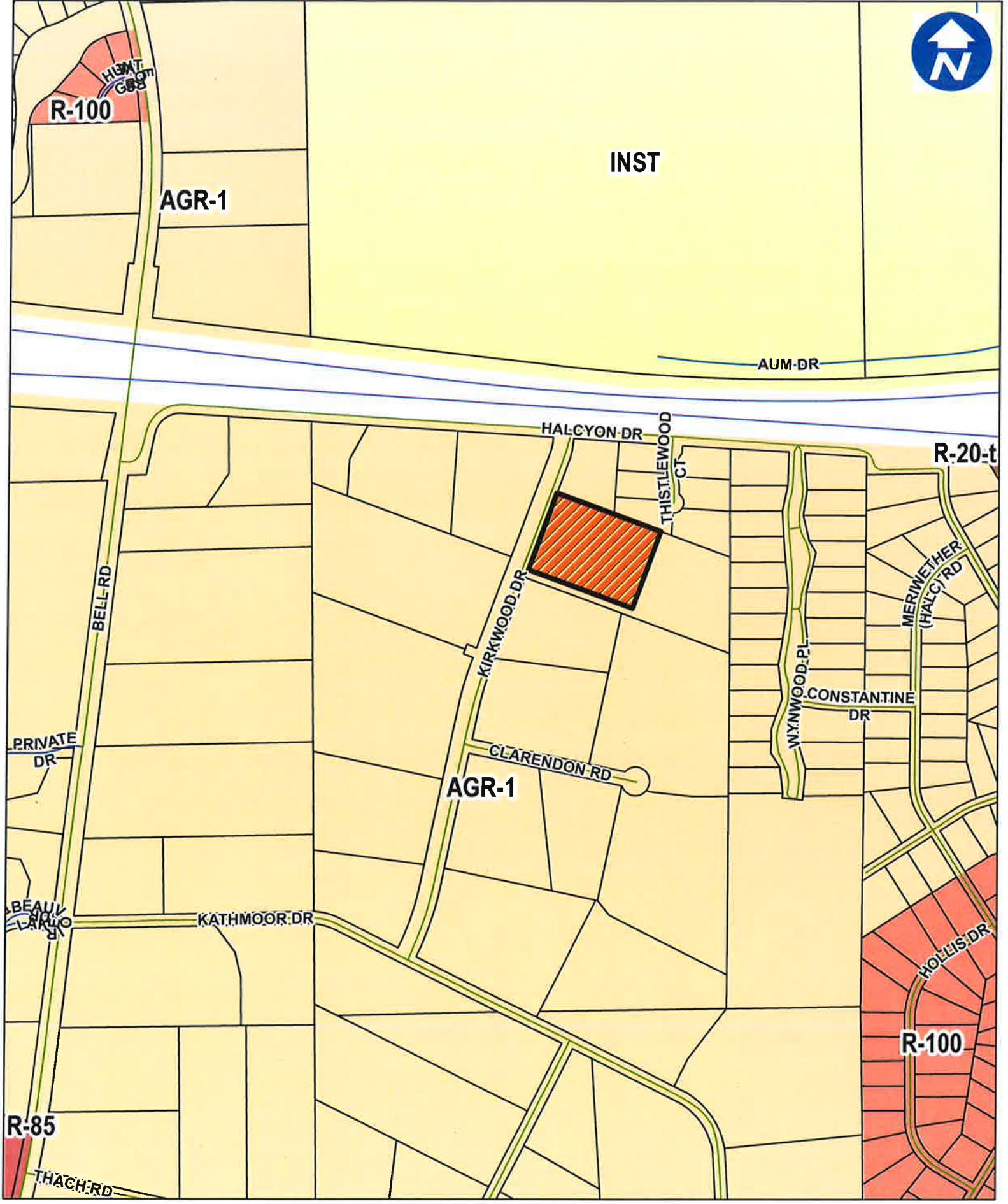
*No action was taken on this request at the January 19, 2017 meeting.*

*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 IA



Site 

1 inch = 100 feet

Item 1B

2. 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.

*This request was delayed at the last meeting on January 19, 2017 due to no one being present.*

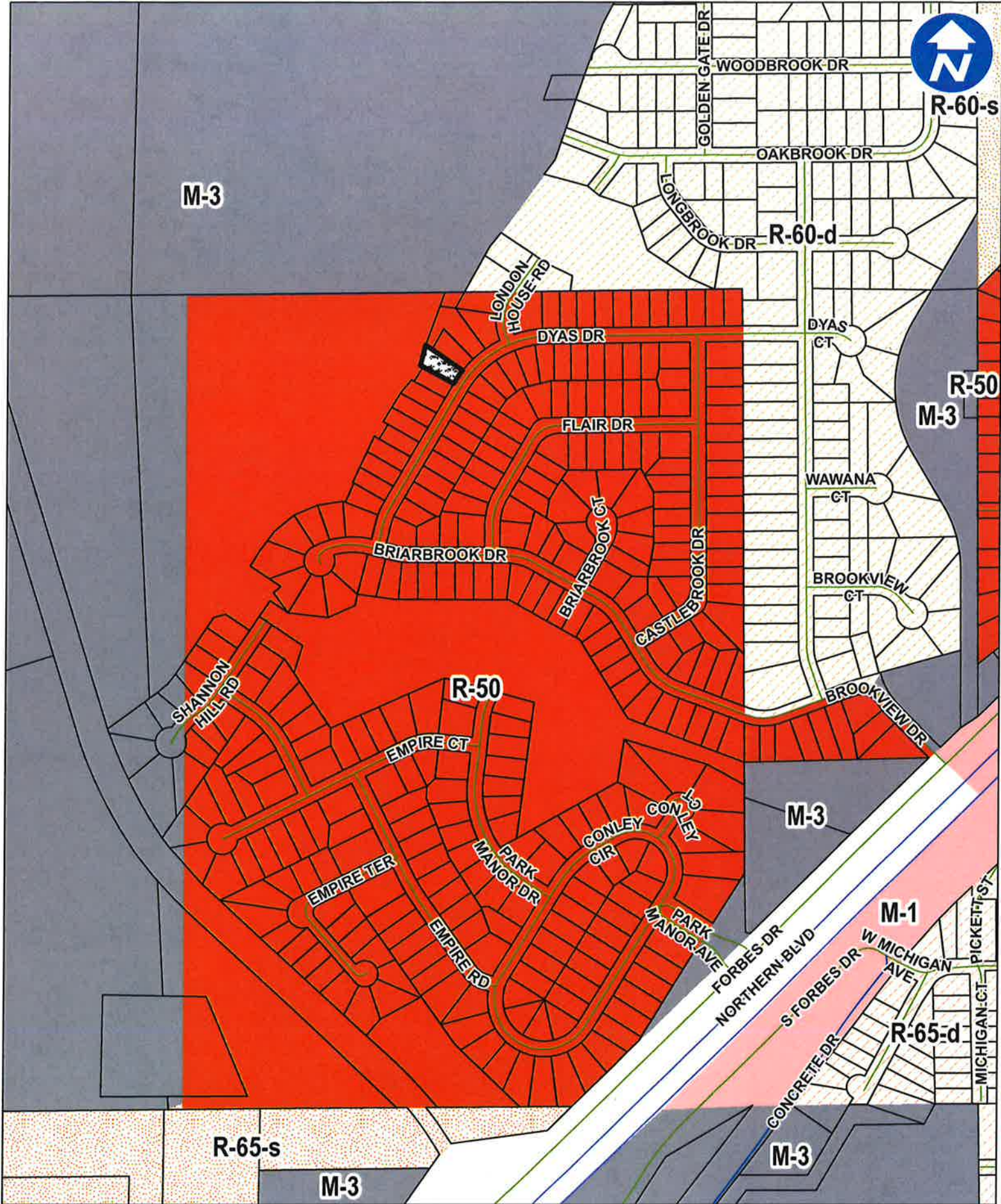
**Planning Controls Comment(s):** Gutters and downspouts will be required to direct the drainage from the adjoining property.

*The request is a 9 ft. side yard variance.*

**COUNCIL DISTRICT:** 3

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

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



Site 

1 inch = 400 feet  
 Item 2A



Site Location 

1 inch = 30 feet

Item No. 2B



3. BD-2016-026 **PRESENTED BY:** Ronald W. Johnson

**REPRESENTING:** Same

**SUBJECT:** Request a separation between structures variance for an accessory structure located at 960 Countryside Lane in an R-65-s (Single-Family Residential) Zoning District.

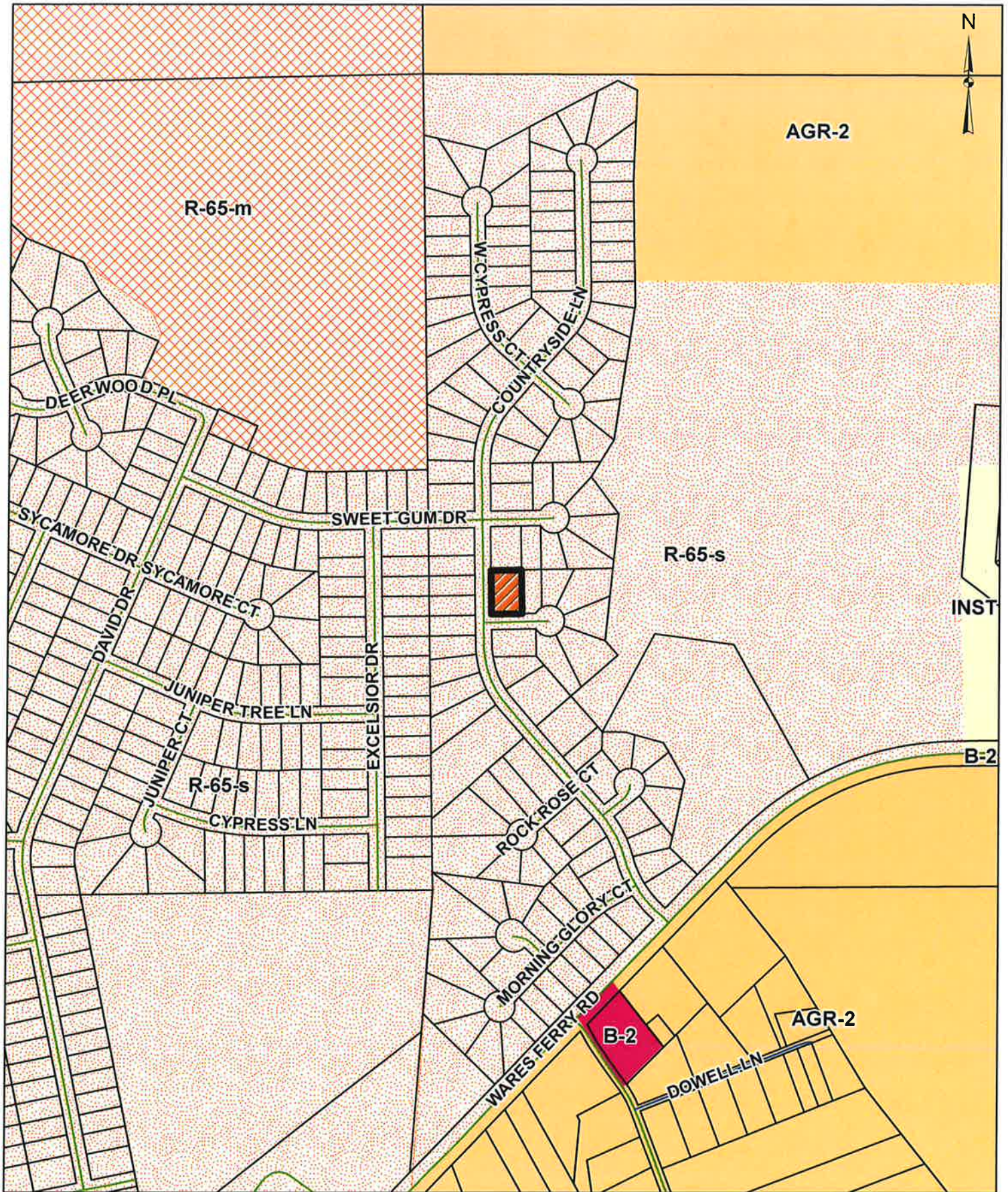
**REMARKS:** This request is being made to give the petitioner permission to maintain a 160 sq. ft. (10 ft. x 16 ft.) storage building that comes within 5 ft. of the dwelling, whereas 10 ft. is required. The petitioner failed to get a permit and remembered after the fact that he needed one, so when he went to pull a permit he was told at that time he needed a variance.

*The request is a 5 ft. separation between structures variance.*

**COUNCIL DISTRICT: 1**

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

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



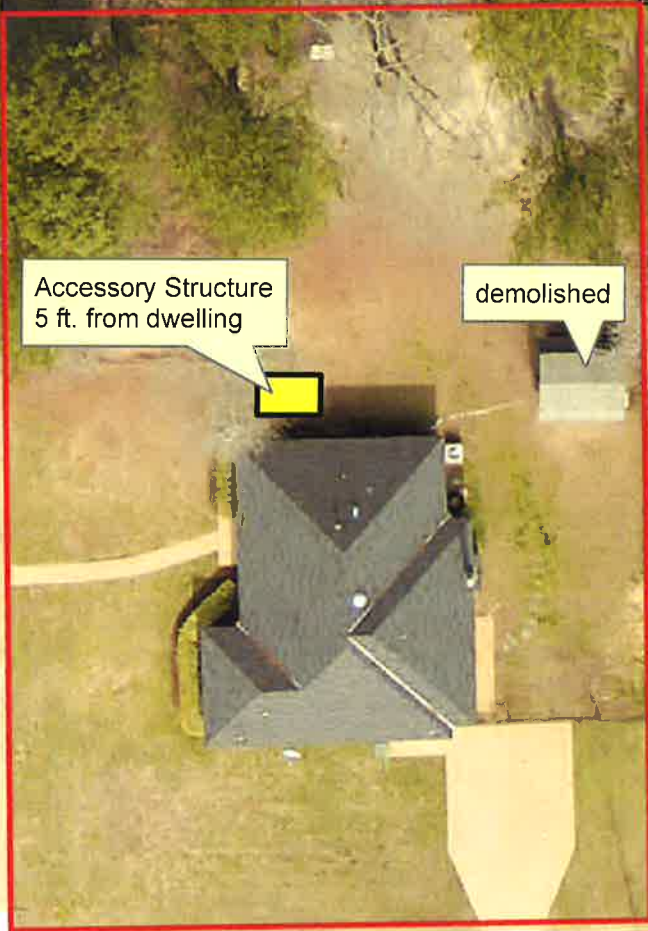
Site Location 

1 inch = 400 feet

Item No. 3A



COUNTRYSIDE LN



Accessory Structure  
5 ft. from dwelling

demolished

LARKSPUR CT

Site 

1 inch = 30 feet  
Item 3B

4. BD-2017-006 **PRESENTED BY:** John Humphries

**REPRESENTING:** Church of Christ

**SUBJECT:** Request a special exception for a church to be located at 70 Ashburton Drive in a B-2 (Commercial) Zoning District.

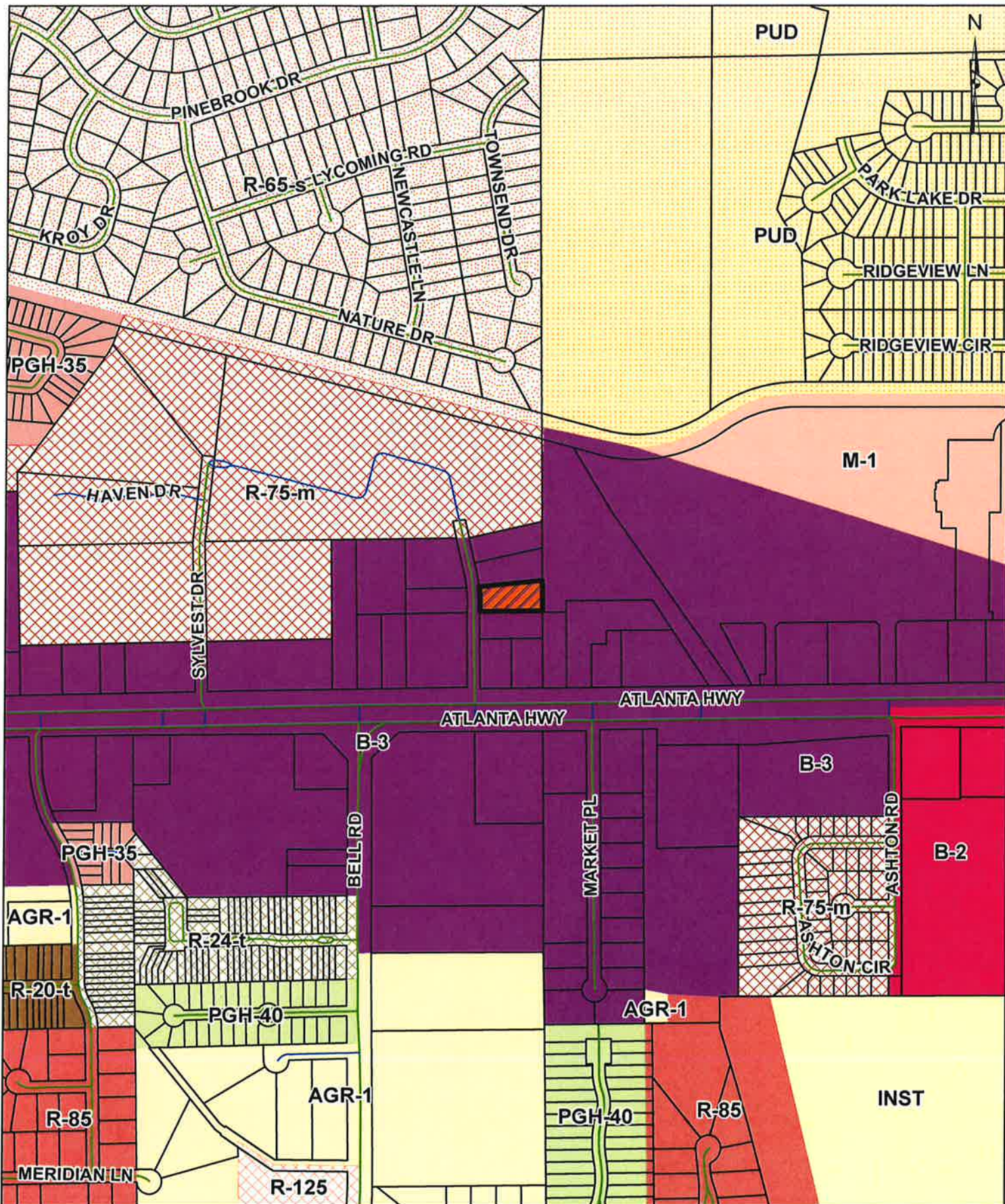
**REMARKS:** This request is being made to give the petitioner permission to use an existing building for church services. There are 18 paved parking spaces provided onsite, whereas 5 spaces are required for the current 25 member congregation.

*The request is a special exception for church use.*

**COUNCIL DISTRICT: 9**

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

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



Site Location 

1 inch = 500 feet

Item No. 4A



Site Location

1 inch = 50 feet

Item No. 4B

5. BD-1956-273 **PRESENTED BY:** Scott D. Church

**REPRESENTING:** Same

**SUBJECT:** Request a special exception to keep chickens at 107 Grovewood Court in an R-65-s (Single-Family Residential) Zoning District.

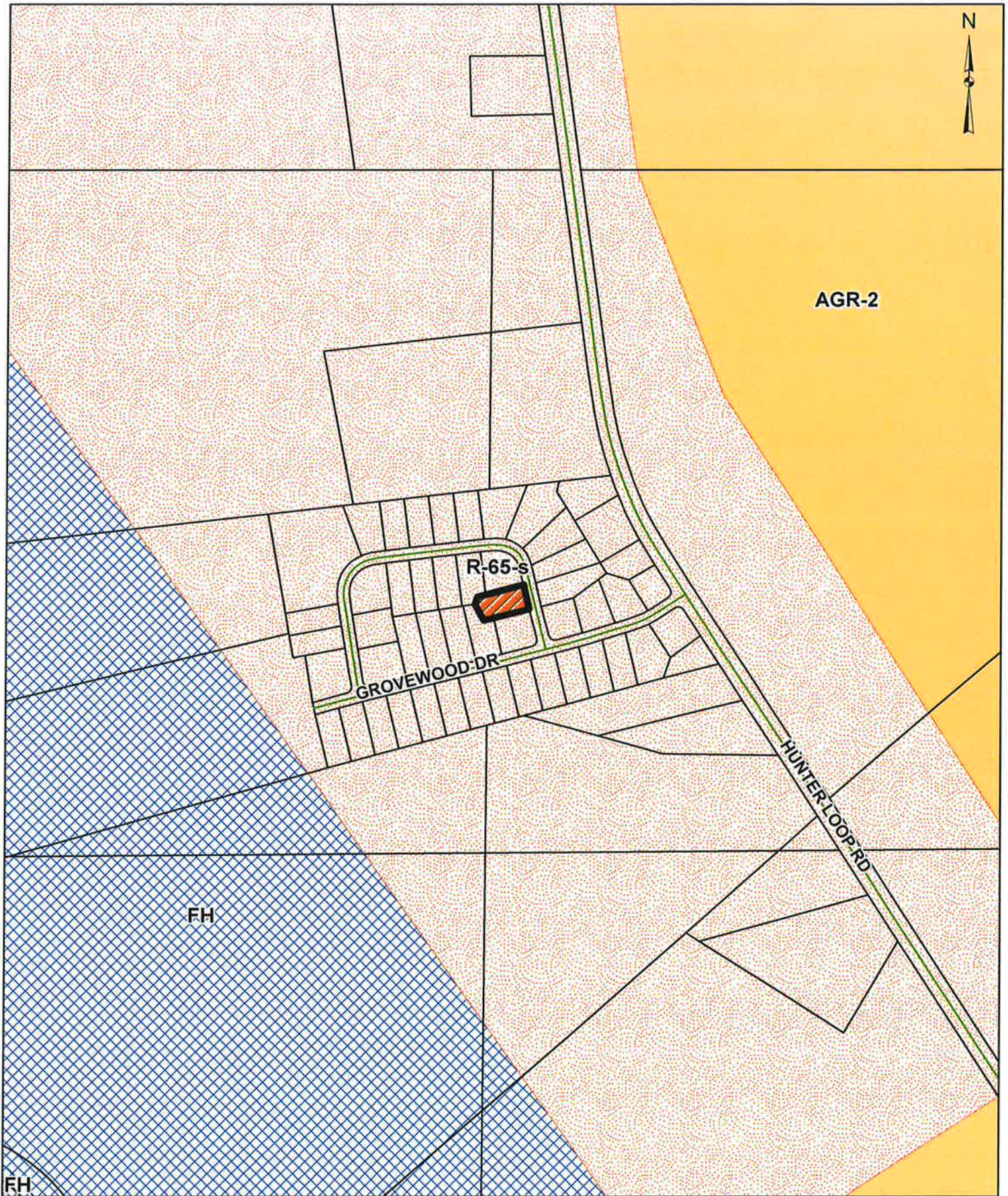
**REMARKS:** This request is being made to give the petitioner permission to keep six (6) chickens (only hens, no roosters). The coop was made from part of an existing accessory structure, which is not setback 10 ft. as suggested by the Chicken Guidelines. The petitioner is aware of the Chicken Guidelines and has stated to be in compliance with all other requirements.

*The request is a special exception to keep six (6) chickens.*

**COUNCIL DISTRICT:** 4

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

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



Site Location 

1 inch = 500 feet

Item No. 5A





Site Location

1 inch = 50 feet

Item No. 5B

6. BD-2017-009 **PRESENTED BY:** John Paul Wallace

**REPRESENTING:** 2.42 Church

**SUBJECT:** Request a special exception for a church to be located at 41 Carol Villa Drive in a B-3 (Commercial) Zoning District.

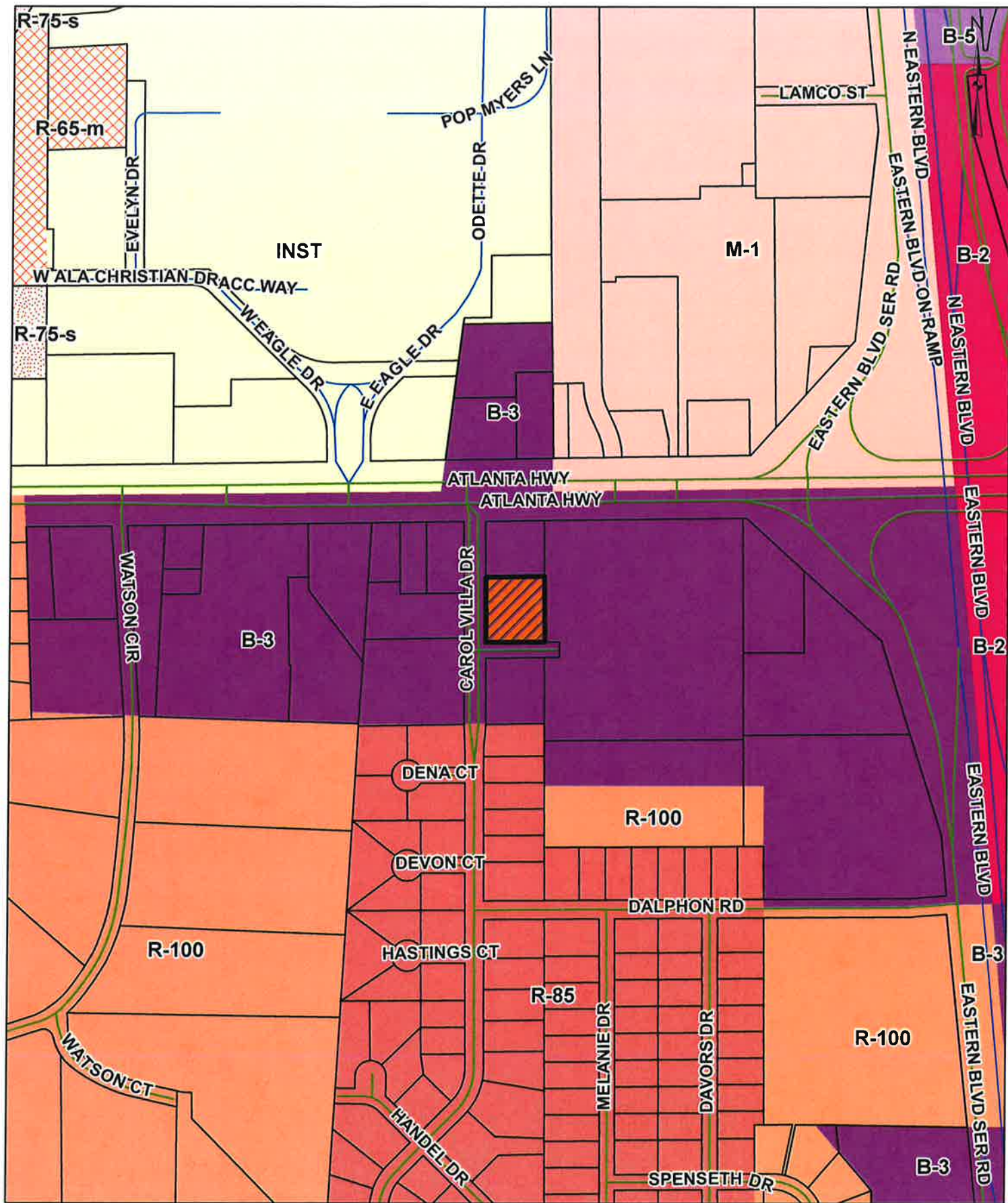
**REMARKS:** This request is being made to give the petitioner to use a portion of a multi-tenant building for church use. There are 68 shared parking spaces for the 25-30 members which would require 6 parking spaces.

*The request is a special exception for church use.*

**COUNCIL DISTRICT: 1**

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

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



Site Location 

1 inch = 400 feet

Item No. 6A



Site Location

1 inch = 50 feet

Item No. 6B

7. BD-2017-008 **PRESENTED BY:** Joel Bush

**REPRESENTING:** Same

**SUBJECT:** Request a story variance for the completion of an existing addition to a dwelling located 1038 Glen Grattan in an R-100 (Residential) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to construct a 3<sup>rd</sup> story in an existing addition for a master suite, whereas 2 stories are allowed.

The request is a 1 story variance.

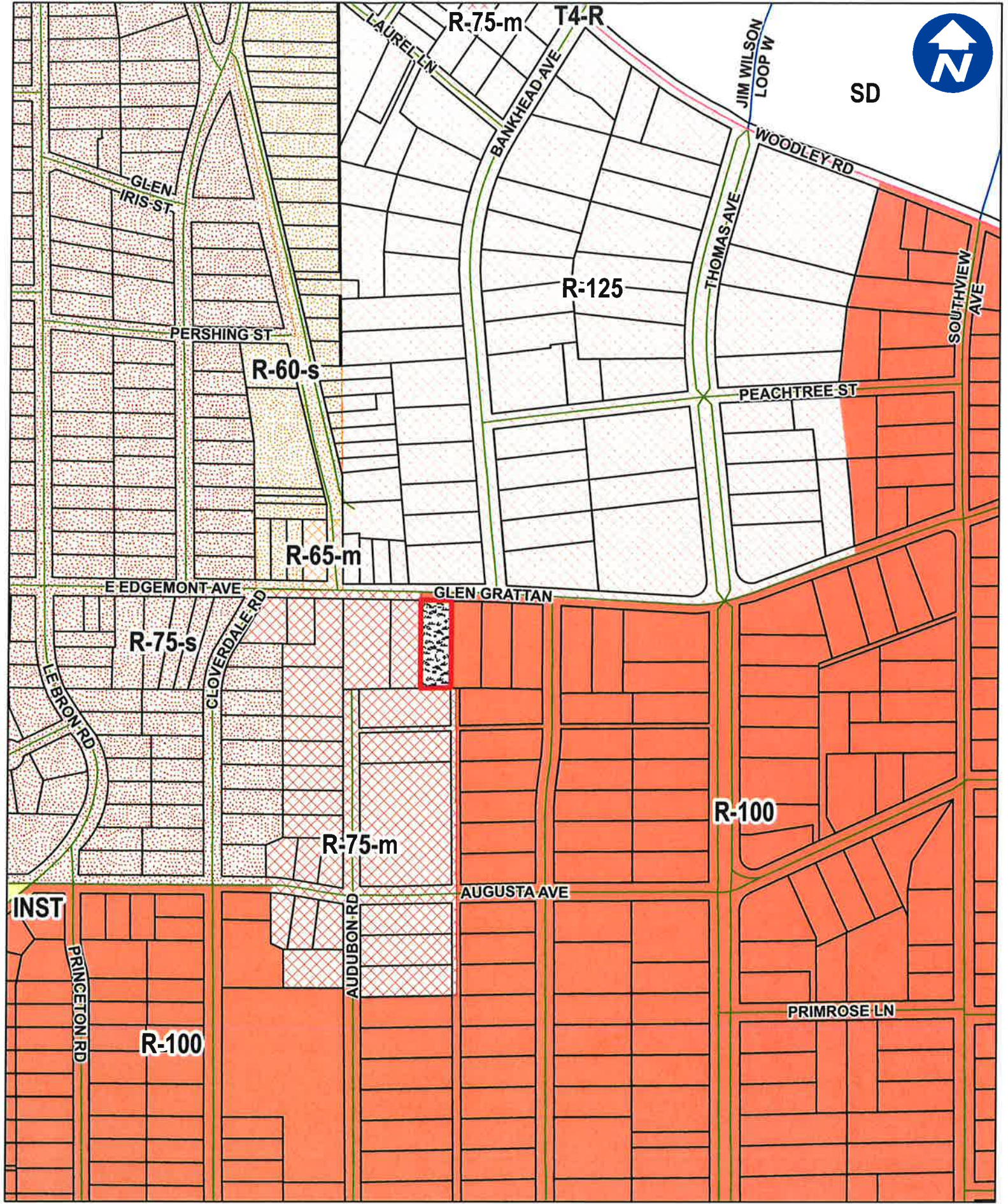
**COUNCIL DISTRICT:** 7

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

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



SD



Site 

1 inch = 400 feet  
Item 7A



View from Front Street

New addition is attached to left. One room of original house is inside garage.



EAD AVE

GLEN GRATTAN



Existing Addition

Site 

1 inch = 50 feet

Item 7C



8. BD-2017-007 **PRESENTED BY:** Karl B. Benkwith

**REPRESENTING:** BAPS Montgomery LLC

**SUBJECT:** Request a special exception for church use to be located at 315 Kershaw Industrial Boulevard in an M-1 (Light Industrial) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to use a platted lot for future parking for the church, which is located on the adjacent lot to the north (285 Kershaw Industrial Blvd.).

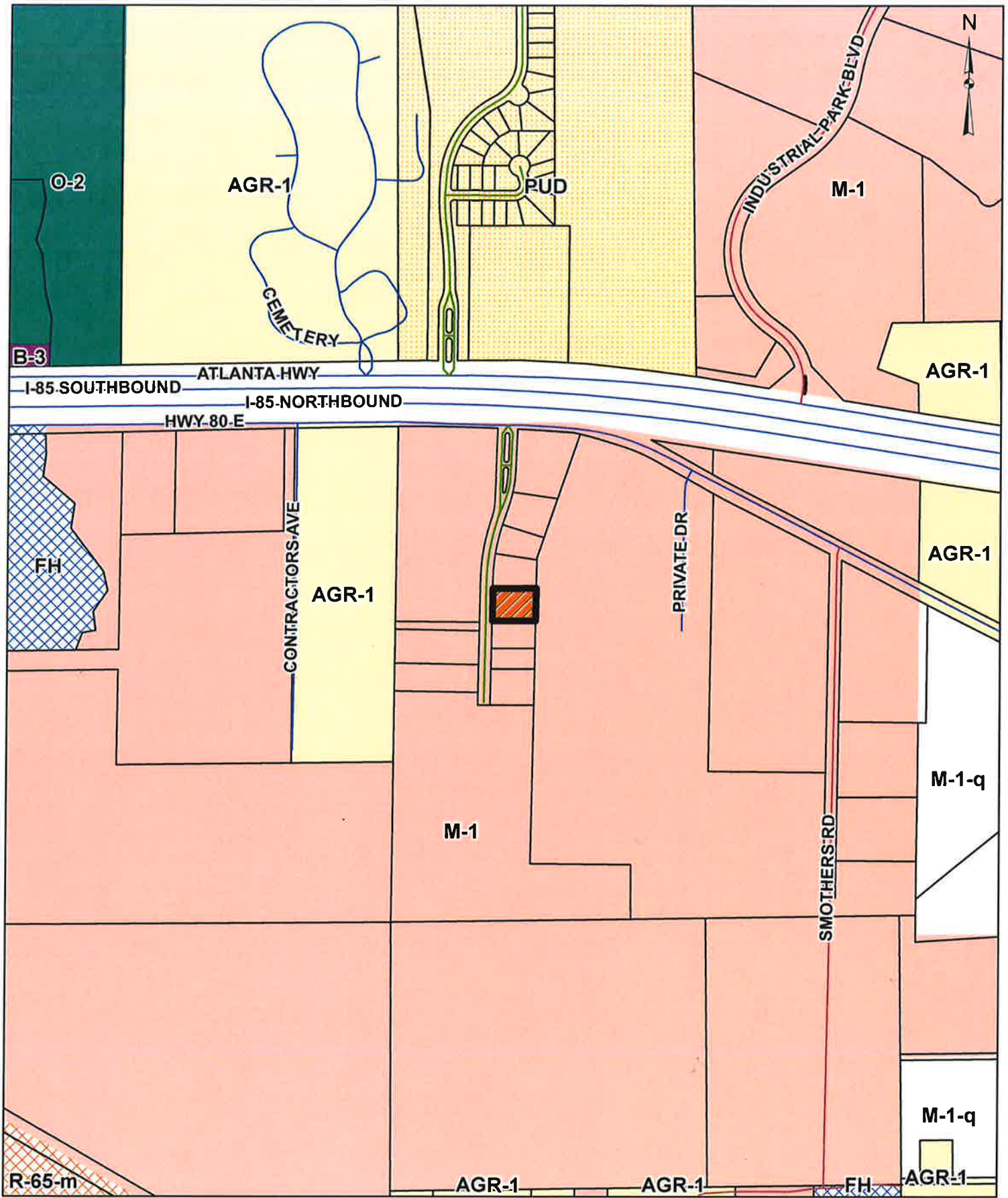
**Planning Controls Comment(s):** If approved, a site plan will be required to be submitted for review and approval by the City Departments.

*The request is a special exception for church use.*

**COUNCIL DISTRICT:** Police Jurisdiction

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

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



Site Location 

1 inch = 600 feet

Item No. 8A



Site Location

1 inch = 50 feet

Item No. 8B

9. BD-1953-162 **PRESENTED BY:** Pilgreen Engineering

**REPRESENTING:** Eric Higgins

**SUBJECT:** Request a story variance for a new apartment complex to be located at 1001 Felder Avenue in an R-60-m (Multi-Family Residential) Zoning District.

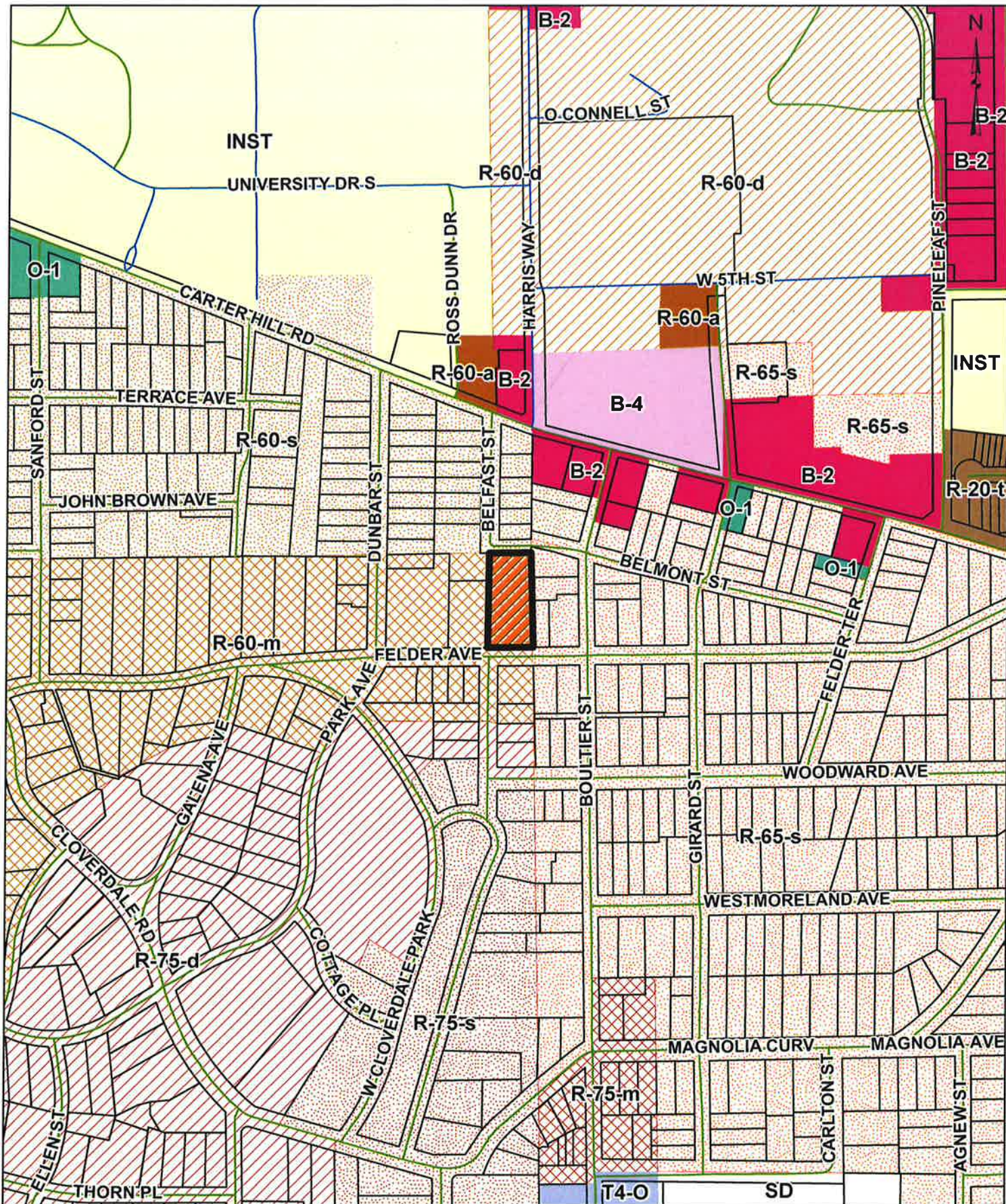
**REMARKS:** This request is being made to give the petitioner permission to construct a 3 story apartment complex, whereas 2 stories are allowed.

*The request is a 1 story variance.*

**COUNCIL DISTRICT: 3**

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

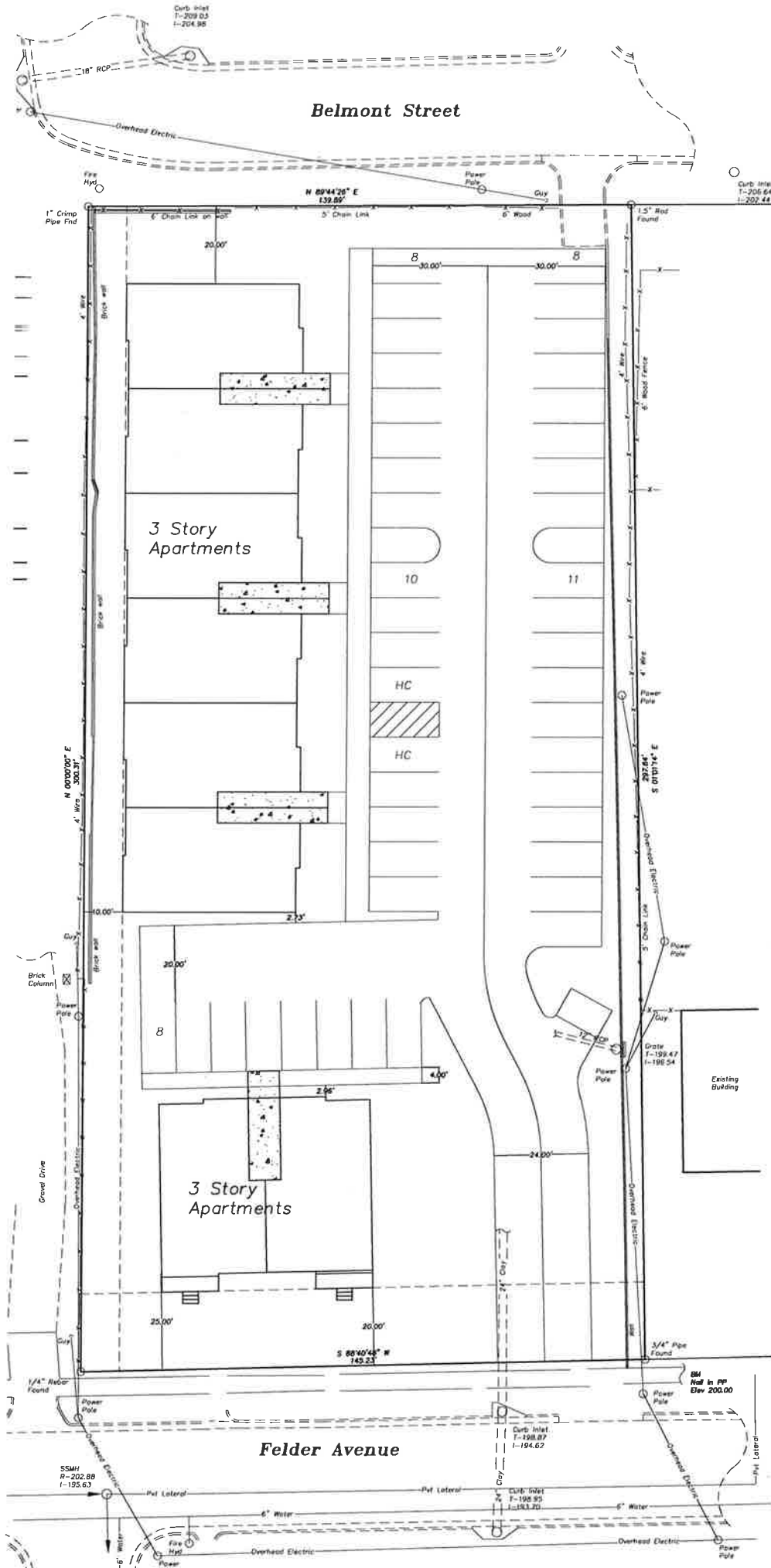
*ACTION TAKEN:* \_\_\_\_\_



Site Location 

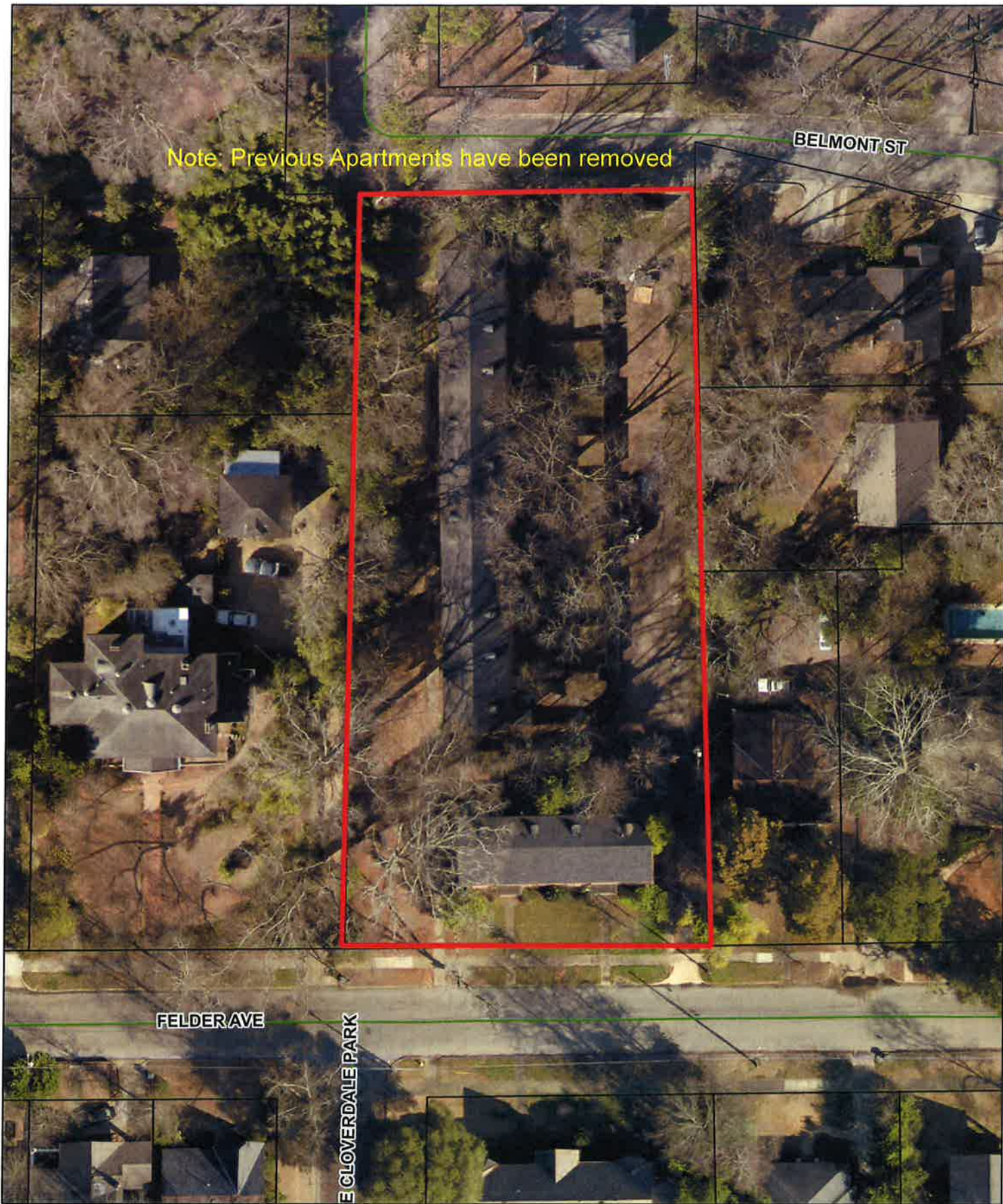
1 inch = 400 feet

Item No. 9A



4  
2

9B



Note: Previous Apartments have been removed

BELMONT ST

FELDER AVE

E CLOVERDALE PARK

Site Location

1 inch = 50 feet

Item No. 9C