



BOARD OF ZONING ADJUSTMENT

AGENDA

October 31, 2017

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MINUTES SEPTEMBER 26, 2017

MEMBERS PRESENT: Chairman, Larry Wayne, Mr. Charles Taylor, and Mr. Thomas Rossi

SUPERNUMERARIES: Ms. Delayne Dean

OTHERS PRESENT: Mr. Wally Terry, Director
.....and Custodian of Records
Mr. Herman Marks, City Attorney
Mr. Chip Alexander, Asst. City Attorney
Mrs. Karen Smith, Planner
Ms. Paige Bibbee, Councilwoman
Mr. Bob Sims, Building Inspector
Ms. Judy Bosworth, Recorder

Chairman, Larry Wayne called the meeting to order at 4:00 p.m. in the Council Chambers at City Hall. Mr. Bob Sims called the roll.

Mr. Charles Taylor moved to **approve** the minutes of the August meeting as printed. Mr. Thomas Rossi seconded the motion. On a voice vote, the motion carried.

The Board considered the following applications and appeals.

CASE NO 1

Application and appeal of Hannah Olinger for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a photography business at 2600 Chapel Hill RD SW, property located in an AG-2 Residential Agricultural Zoning District.

Ms. Hannah Olinger presented this case to the Board. Ms. Olinger stated she would like an administrative office for a photography business. Ms. Olinger also stated no one would come to her home she would meet them off-site.

Mr. Charles Taylor inquired if she would be advertising on her vehicle. Ms. Olinger stated she would not advertise. Mr. Taylor informed her she could advertise her business as long as she did not have her address on the sign.

Mr. Sims stated the Building Department had no comment.

Mrs. Smith stated the Planning Department would recommend approval.

Mr. Thomas Rossi moved to approve this home occupation request as submitted. Mr. Charles Taylor seconded the motion. On a roll-call vote, the motion carried.

CASE NO 2

Application and appeal of Pamela M. Mathis for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for an on line business to sell published books and crafts at 2422 Gaslight PL SW, Apt 6, property located in an R-4 Residential Multi-Family Zoning District.

Ms. Pamela M. Mathis presented this case to the Board. Ms. Mathis stated she would like an administrative office for an on line business to sell her published books and homemade crafts. Ms. Mathis explained she wrote her books at home and published them on line. Additionally, Ms. Mathis stated no customers would come to her home she would either go to vendors or go to the customer.

Mr. Sims stated the Building Department had no comment.

Mrs. Smith stated the Planning Department would recommend approval.

Mr. Charles Taylor moved to approve this home occupation request as submitted. Mr. Thomas Rossi seconded the motion. On a roll-call vote, the motion carried.

CASE NO 3

Application and appeal of Nicole Goodhue for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for an on line graphic and web design business at 1622 Park ST SE, property located in a R-1 Residential Single-Family Zoning District.

Ms. Nicole Goodhue presented this case to the Board. Ms. Goodhue stated she would like an administrative office for an on line graphic and web design business. Mr. Goodhue also stated that all her business would be conducted either on line, by phone, or by going to the customer's home.

Mr. Sims stated the Building Department had no comment.

Mrs. Smith stated the Planning Department would recommend approval.

Ms. Delayne Dean moved to approve this home occupation request as submitted. Mr. Charles Taylor seconded the motion. On a roll-call vote, the motion carried.

CASE NO 4

Application and appeal of J & M Signs for a 15 foot front-yard variance from Section 25-77(e)(3) of the Zoning Ordinance in order to place a sign in the island at 2122 Westmeade DR SW, property located in a M-1A Expressway Commercial Zoning District.

Mr. Carlton McMasters, Jr. presented this case to the Board. Mr. McMasters stated he was seeking a 15 foot variance in order to locate a sign in the property's island. Mr. McMasters explained there was a hardship present because there was no other location to place the signage.

Mr. Sims stated the Building Department had no comment.

Mrs. Smith stated the building was in place before the adoption of the sign ordinance; therefore, the Planning Department would recommend approval.

Mr. Thomas Rossi moved to approve this request as submitted. Mr. Charles Taylor seconded the motion. On a roll-call vote, the motion carried.

CASE NO 5

Application and appeal of Rob Johnson for the following three sign variances at 1801 Beltline Rd SW, property located in a B-4 Regional Shopping Business Zoning District.

1. Monument sign:
 - a. 25' setback variance from Section 25-78(d) to place a 80 square foot 8.3' tall monument sign on the property line.
2. Pylon tenant panel sign:
 - a. 92 square foot area variance from Section 25-77(d)(4)
 - b. 25' setback variance from Section 25-78(d)
 - c. 11' height variance from Section 25-76(a)(2)
3. Digital sign:
 - a. 235 square foot area variance from section 25-77(d)(4)
 - b. 18' setback variance from Section 25-78(d)
 - c. 12 height variance from Section 25-76(a)(2)

Mr. Rob Johnson of Decatur Mall, LLC presented this case to the Board. Mr. Johnson stated they had been working diligently to renovate the mall both inside and out in order to make the mall more modern as it has been in a distressed state for years and bringing the signage up to date was a critical part of updating. Mr. Johnson explained that the tenants on the interior of the mall were at a disadvantage as far as advertising and needed the exterior communication board signage to let the public know they were located inside the mall. Mr. Johnson additionally explained they had made a significant investment in the signage and that the particular sign

package he was asking to place in Decatur had been used in multiple locations, such as Auburn Alabama, Florence Alabama, etc.

Mr. Charles Taylor asked Mr. Johnson if he had communicated with Chick-Fil-A about the proposed signage. Mr. Johnson replied, "Yes".

Mr. Thomas Rossi stated he had concerns about the pylon sign blocking the vision of Chick-Fil-A.

Mr. Barry Keith owner of Chick-Fil-A stated that he and Mr. Johnson had been talking and he was in agreement with the sign being placed where requested.

Mr. Carlton McMasters stated he thought it was a great investment for Decatur. He also stated that the level of investment the new owners have put into the mall shows that they are committed to the mall and the city of Decatur.

Both Mr. Sims of the Building Department and Mrs. Smith of the Planning Department had no comment.

Mr. Charles Taylor moved to approve this request as submitted. Mr. Thomas Rossi seconded the motion. On a roll-call vote, the motion carried.

The meeting adjourned at 4:25

Chairman, Larry Waye

AGENDA OCTOBER 31, 2017

CASE NO 1

Application and appeal of Loren Grantland for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for an off-site home health care business at 1717 Summerlane SE, property located at in a R-1 Residential Single Family Zoning District.

CASE NO 2

Application and appeal of David Westfall for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a forklift repair business at 1706 Westmeade St SW, property located at in a R-2 Residential Single Family Zoning District.

CASE NO 3

Application and appeal of Brittney Moody for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for an off- site bartending business at 2302 Gaslight Ct. SW Apt 2, property located in a R-4 Residential Multi-Family Zoning District.

CASE NO 4

Application and appeal of Olita S. Harris for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for an off-site private in-home sitting business at 1422 Smith Ave SW Apt D, property located in a R-4 Residential Multi-Family Zoning District.

CASE NO 5

Application and appeal of Walt Stewart for a 5 foot setback variance from Section 25-10(2) (d) and 25-10(2)(e) of the Zoning Ordinance in order to locate an accessory structure on the rear and side property lines at 651 Johnston St SE, property located in an R-3H Residential Historic Zoning District.

CASE NO 6

Application and appeal of Chick-fil-A, Inc. for the following two variances at 2502 Highway 31 S, property located in a B-2 General Business Zoning District.

1. Requesting a parking variance from Section 25-16(f) of the Zoning Ordinance in order to reduce the required spaces from 71 to 68.

2. Requesting an off street loading and unloading variance from Section 25-17 and 25-11 of the Zoning Ordinance in order to eliminate the requirement to have a dedicated loading and unloading zone on the property.



Grand City of GEORGINA SCALE

Board of Zoning Adjustment

APPLICANT: Home Sweet Home Care / Loren Grantland
MAILING ADDR: 1717 Summerlane SE
CITY STATE ZIP: Decatur, AL 35601
PHONE: 256-221-8169

PROPERTY OWNER: Loren Grantland
OWNER ADDR: 1717 Summerlane SE
CITY STATE ZIP: Decatur, AL 35601
OWNER PHONE: 256-612-9345

ADDRESS FOR APPEAL: 1717 Summerlane SE Decatur, AL 35601

NATURE OF APPEAL:
☒ HOME OCCUPATION ☐ SETBACK VARIANCE ☐ SIGN VARIANCE
☐ USE PERMITTED ON APPEAL ☐ APPEAL OF ADMINISTRATIVE DECISION
☐ OTHER ☐ SURVEY FOR VARIANCES ATTACHED ☐ DRAWINGS FOR VARIANCES ATTACHED

***** Applicants or Duly Appointed Representative MUST be present in order for the case to be heard*****

DESCRIBE APPEAL IN DETAIL: (INCLUDE DIMENSIONS, # FT FOR VARIANCES; # FOR PARKING, HARDSHIP, TYPE OF BUSINESS.)

12 x 12 foot room with closet used as office room. Billing and phone calls will be only business conducted at residence. All meeting with clients will be conducted at client's location. Administrative office for Home Health Care Business

Applicant Name(print) Loren Grantland
Signature Loren Grantland
Representative Name(print) _____
Signature _____
Date 10-5-17

If applicant is using a representative for the request both signatures are required.

Office Use
Received By Judy
Zone R-22
Hearing Date OCT 31, 2017
Approved/Disapproved CH:00

The Board of Zoning Adjustment meets the last Tuesday of each month at 4:00 PM in the Council Chambers on first floor of City Hall. Applications must be filed by the 10th of the month to be heard the last Tuesday of the month.

CASE NO 1 1717 SUMMERLANE SE



HOME OCCUPATION QUESTIONS

CHECK YES OR NO FOR EACH QUESTION

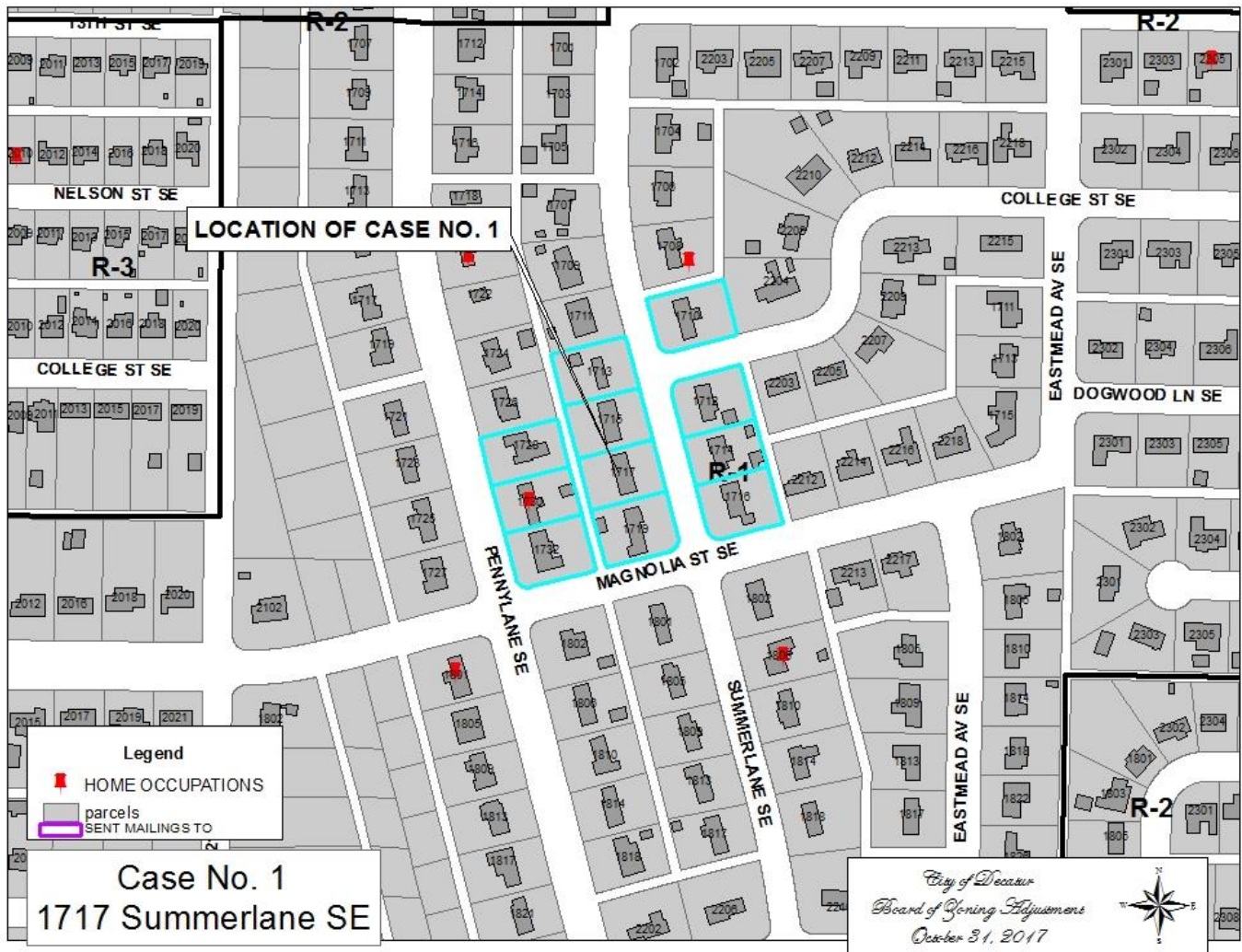
1. Is the occupation* applied for (administrative office, making of crafts, sewing, etc.,) conducted entirely within the dwelling? YES ☒ NO ☒ LG
*note: This refers to only the work being done at your home.
2. Does the occupation produce sounds, colors or other audible or visible evidence of a home occupation being present? YES ☐ NO ☒
3. Is there advertising on the premises or your vehicles? YES ☐ NO ☒
4. Is more than one room within the home used for the home occupation? YES ☐ NO ☒
5. Are there any explosives or highly combustible materials used or stored within the home in connection with this home occupation? YES ☐ NO ☒
6. Does the home occupation produce any electrical interference, smoke, dust, or noise, which may be offensive? YES ☐ NO ☒
7. Is there any increase in traffic connected with this home occupation? YES ☐ NO ☒
8. Will there be any more than one sales party at you home per quarter related to this home occupation? YES ☐ NO ☒
9. Will this home occupation result in increased parking demands? YES ☐ NO ☒
10. Will there be any deliveries to the home other than the usual common carrier trucks serving a residential area such as UPS, FedEx, Airborne Freight? YES ☐ NO ☒
11. Will there be any employees of this home occupation other than members of the family living in the home? YES ☐ NO ☒

SIGNED: Low Grantland DATE: 10-5-17

ADDRESS: 1717 Summerlane SE Decatur, AL 35601

Decatur City Hall • 402 Lee Street, NE • Post Office Box 488 • Decatur, AL 35602-0488
(256) 341-4500 • www.DecaturAlabamaUSA.com

QUESTIONNAIRE



LOCATION MAP 1717 SUMMERLANE SE



A Grand City on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: David Westfall
MAILING ADDR: 1706 Westmead St SW
CITY STATE ZIP: Decatur, AL 35601
PHONE: 256-274-3873

PROPERTY OWNER: David Westfall
OWNER ADDR: 1706 Westmead St SW
CITY STATE ZIP: Decatur, AL 35601
OWNER PHONE: 256-274-3873

ADDRESS FOR APPEAL: 1706 Westmead St SW

NATURE OF APPEAL:
☒ HOME OCCUPATION ☐ SETBACK VARIANCE ☐ SIGN VARIANCE
☐ USE PERMITTED ON APPEAL ☐ APPEAL OF ADMINISTRATIVE DECISION
☐ OTHER ☐ SURVEY FOR VARIANCES ATTACHED ☐ DRAWINGS FOR VARIANCES ATTACHED

*****Applicants or Duly Appointed Representative MUST be present in order for the case to be heard*****

DESCRIBE APPEAL IN DETAIL: (INCLUDE DIMENSIONS, # FT FOR VARIANCES, # FOR PARKING, HARDSHIP, TYPE OF BUSINESS)

Requesting a administrative office for my
forklift repair buisness.

Applicant Name(print) David Westfall
Signature [Signature]
Representative Name(print) _____
Signature _____
Date 10-3-17

If applicant is using a representative for the request both signatures are required.

Office Use
Received By [Signature]
Zone R-2
Hearing Date Oct 31, 2017
Approved/Disapproved 4:00

The Board of Zoning Adjustment meets the **last Tuesday** of each month at 4:00 PM in the Council Chambers on first floor of City Hall Applications must be filed by the **10th** of the month to be heard the last Tuesday of the month

CASE NO 2 1706 WESTMEADE ST SW



HOME OCCUPATION QUESTIONS

CHECK YES OR NO FOR EACH QUESTION

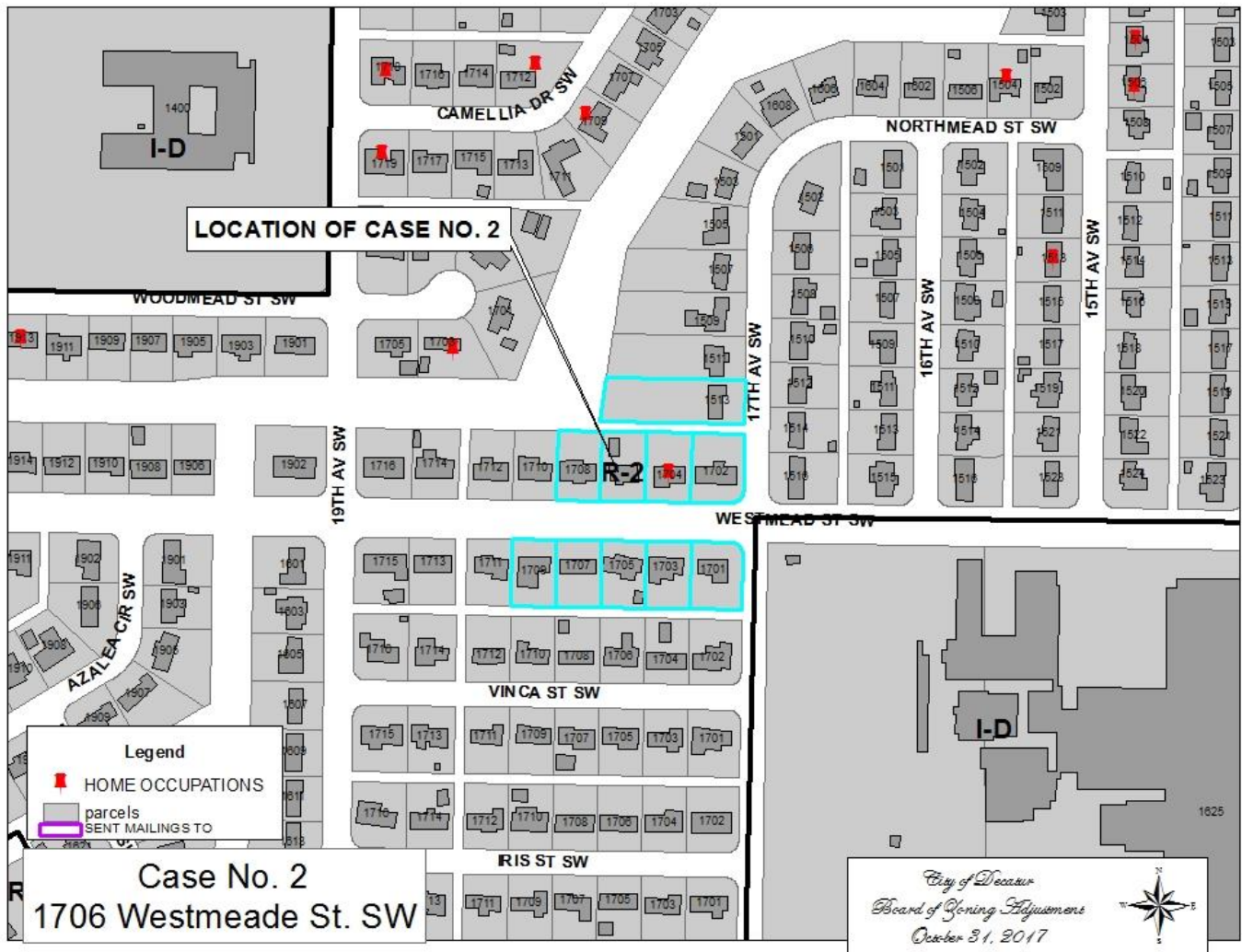
1. Is the occupation* applied for (administrative office, making of crafts, sewing, etc.,) conducted entirely within the dwelling? YES ☒ NO ☒
**note: This refers to only the work being done at your home.*
2. Does the occupation produce sounds, colors or other audible or visible evidence of a home occupation being present? YES ☐ NO ☒
3. Is there advertising on the premises or your vehicles? YES ☒ NO ☐
4. Is more than one room within the home used for the home occupation? YES ☐ NO ☒
5. Are there any explosives or highly combustible materials used or stored within the home in connection with this home occupation? YES ☐ NO ☒
6. Does the home occupation produce any electrical interference, smoke, dust, or noise, which may be offensive? YES ☐ NO ☒
7. Is there any increase in traffic connected with this home occupation? YES ☐ NO ☒
8. Will there be any more than one sales party at you home per quarter related to this home occupation? YES ☐ NO ☒
9. Will this home occupation result in increased parking demands? YES ☐ NO ☒
10. Will there be any deliveries to the home other than the usual common carrier trucks serving a residential area such as UPS, FedEx, Airborne Freight? YES ☐ NO ☒
11. Will there be any employees of this home occupation other than members of the family living in the home? YES ☐ NO ☒

SIGNED: D. Westgate DATE: 10-3-17

ADDRESS: 1706 Westmead St SW

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QUESTIONNAIRE



LOCATION MAP 1706 WESTMEADE ST SW



A Grand City on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Brittney Renee Moody
MAILING ADDR: 2302 Gaslight Ct. SW Apt. 2
CITY STATE ZIP: Decatur, AL 35603
PHONE: 256-600-5093

PROPERTY OWNER: Linda Turner
OWNER ADDR: Gaslight P.O. Box 1566
CITY STATE ZIP: Decatur, AL 35602
OWNER PHONE: 256-353-1866

ADDRESS FOR APPEAL: 2302 Gaslight Ct. SW Apt. 2

☒ HOME OCCUPATION ☐ SETBACK VARIANCE ☐ SIGN VARIANCE
☐ USE PERMITTED ON APPEAL ☐ APPEAL OF ADMINISTRATIVE DECISION
☐ OTHER ☐ SURVEY FOR VARIANCES ATTACHED ☐ DRAWINGS FOR VARIANCES ATTACHED

*****Applicants or Duly Appointed Representative MUST be present in order for the case to be heard*****

DESCRIBE APPEAL IN DETAIL: (INCLUDE DIMENSIONS, # FT FOR VARIANCES, # FOR PARKING, HARDSHIP, TYPE OF BUSINESS.)

I operate the administration part of business
inside my home for my bartending business
at 2302 Gaslight Ct. SW Apt. 2
"Britt's Bartending"

Go to customers events

Applicant Name(print) Brittney Moody
Signature Brittney Moody
Representative Name(print) Zandra Moody
Signature Zandra Moody
Date 9/18/17

If applicant is using a representative for the request both signatures are required.

Office Use
Received By Cindy
Zone R-4
Hearing Date 10/31/17
Approved/Disapproved

The Board of Zoning Adjustment meets the **last Tuesday** of each month at 4:00 PM in the Council Chambers on first floor of City Hall. Applications must be filed by the **10th of the month** to be heard the last Tuesday of the month.

CASE NO 3 2302 GASLIGHT CT. SW APT 2



HOME OCCUPATION QUESTIONS

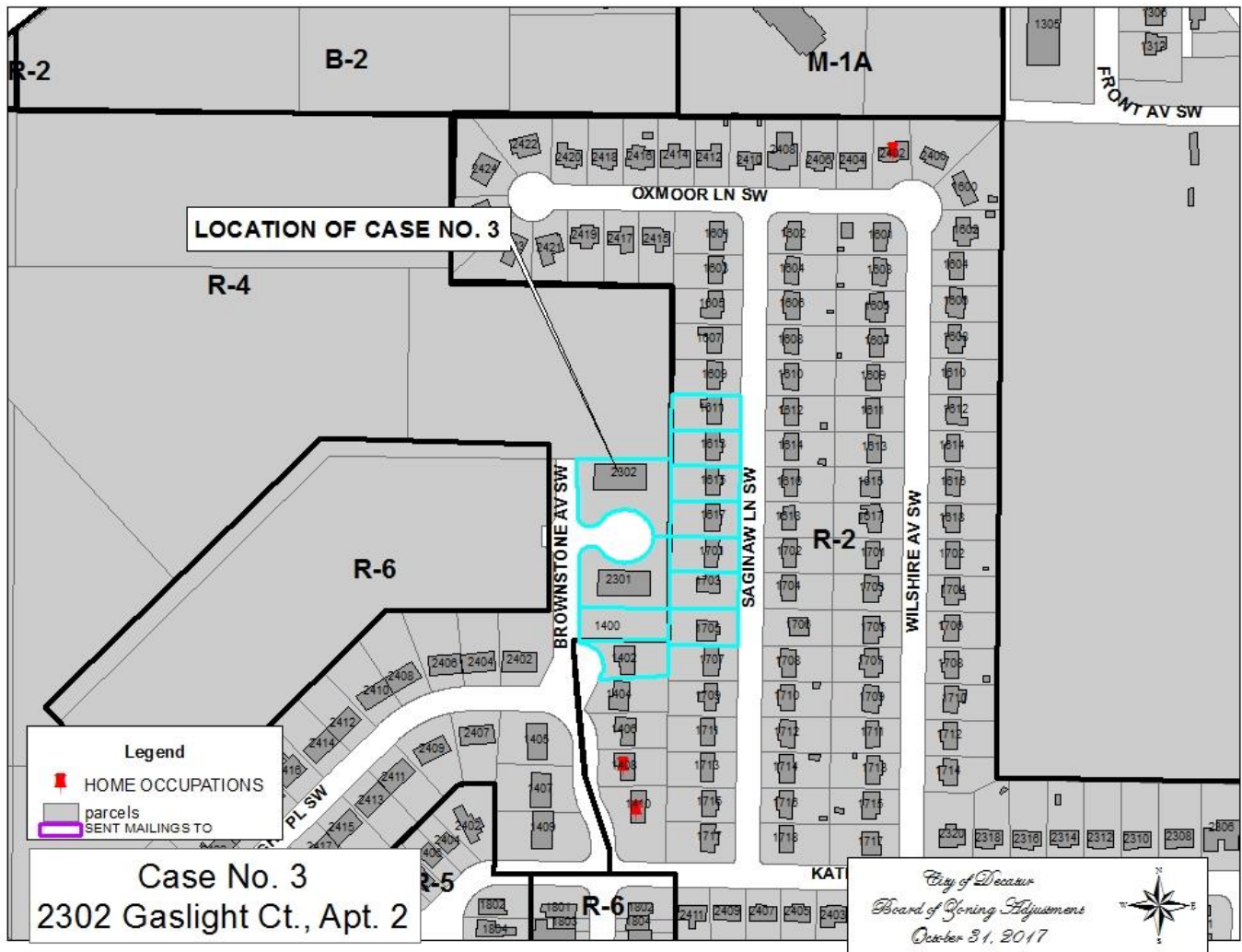
CHECK YES OR NO FOR EACH QUESTION

1. Is the occupation* applied for (administrative office, making of crafts, sewing, etc.,) conducted entirely within the dwelling? YES ☒ NO ☐
**note: This refers to only the work being done at your home.*
2. Does the occupation produce sounds, colors or other audible or visible evidence of a home occupation being present? YES ☐ NO ☒
3. Is there advertising on the premises or your vehicles? YES ☐ NO ☒
4. Is more than one room within the home used for the home occupation? YES ☐ NO ☒
5. Are there any explosives or highly combustible materials used or stored within the home in connection with this home occupation? YES ☐ NO ☒
6. Does the home occupation produce any electrical interference, smoke, dust, or noise, which may be offensive? YES ☐ NO ☒
7. Is there any increase in traffic connected with this home occupation? YES ☐ NO ☒
8. Will there be any more than one sales party at you home per quarter related to this home occupation? YES ☐ NO ☒
9. Will this home occupation result in increased parking demands? YES ☐ NO ☒
10. Will there be any deliveries to the home other than the usual common carrier trucks serving a residential area such as UPS, FedEx, Airborne Freight? YES ☐ NO ☒
11. Will there be any employees of this home occupation other than members of the family living in the home? YES ☐ NO ☒

SIGNED: Brittney Moody DATE: 9/18/17
ADDRESS: 2302 Gaslight Court SW Decatur, AL 35605

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QUESTIONNAIRE



LOCATION MAP 2302 GASLIGHT CT.,APT 2



A Grand City - CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Olita Sharay Harris
MAILING ADDR: 1422 Smith Ave Apt D
CITY STATE ZIP: Decatur AL 35603
PHONE: (256) 200-8667

PROPERTY OWNER: Wendye Eddy
OWNER ADDR: 905 6th Ave SE, Decatur, AL 35601
CITY STATE ZIP: Decatur AL 35601
OWNER PHONE: (256) 303-6248

ADDRESS FOR APPEAL: 1422 Smith Ave Apt D

☒ HOME OCCUPATION ☐ SETBACK VARIANCE ☐ SIGN VARIANCE
☐ USE PERMITTED ON APPEAL ☐ APPEAL OF ADMINISTRATIVE DECISION
☐ OTHER ☐ SURVEY FOR VARIANCES ATTACHED ☐ DRAWINGS FOR VARIANCES ATTACHED

*****Applicants or Duly Appointed Representative MUST be present in order for the case to be heard*****

DESCRIBE APPEAL IN DETAIL: (INCLUDE DIMENSIONS, # FT FOR VARIANCES; # FOR PARKING; HARDSHIP, TYPE OF BUSINESS)

In need of administrative office for private inhome sitting. Help the Elderly with things that they cant do. Traveling to and from there home

Applicant Name(print): Olita Sharay Harris
Signature: Olita Sharay Harris
Representative Name(print): _____
Signature: _____
Date: 10/10/17

If applicant is using a representative for the request both signatures are required.

Office Use
Received By: bd
Zone: R-4
Hearing Date: 10-31-17
Approved/Disapproved: _____

The Board of Zoning Adjustment meets the **last Tuesday** of each month at 4:00 PM in the Council Chambers on first floor of City Hall. Applications must be filed by the **10th of the month** to be heard the last Tuesday of the month.

CASE NO 4 1422 SMITH AVE SW APT D



HOME OCCUPATION QUESTIONS

CHECK YES OR NO FOR EACH QUESTION

1. Is the occupation* applied for (administrative office, making of crafts, sewing, etc.,) conducted entirely within the dwelling? YES ☒ NO ☐
**note: This refers to only the work being done at your home.*
2. Does the occupation produce sounds, colors or other audible or visible evidence of a home occupation being present? YES ☐ NO ☒
3. Is there advertising on the premises or your vehicles? YES ☐ NO ☒
4. Is more than one room within the home used for the home occupation? YES ☒ NO ☒
5. Are there any explosives or highly combustible materials used or stored within the home in connection with this home occupation? YES ☐ NO ☒
6. Does the home occupation produce any electrical interference, smoke, dust, or noise, which may be offensive? YES ☐ NO ☒
7. Is there any increase in traffic connected with this home occupation? YES ☐ NO ☒
8. Will there be any more than one sales party at you home per quarter related to this home occupation? YES ☐ NO ☒
9. Will this home occupation result in increased parking demands? YES ☐ NO ☒
10. Will there be any deliveries to the home other than the usual common carrier trucks serving a residential area such as UPS, FedEx, Airborne Freight? YES ☐ NO ☒
11. Will there be any employees of this home occupation other than members of the family living in the home? YES ☐ NO ☒

SIGNED:

Debra Sharay Day

DATE:

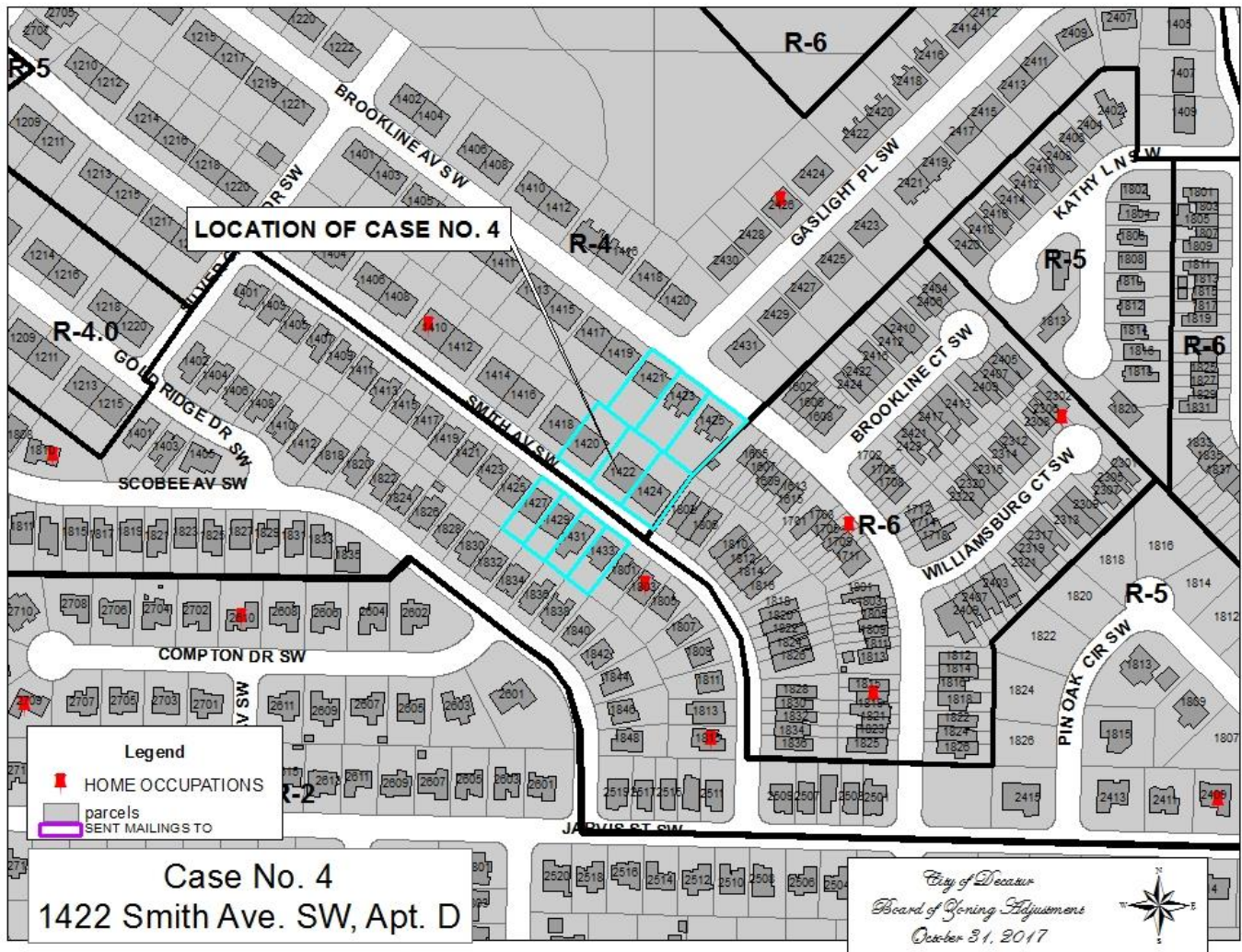
10/10/17

ADDRESS:

1422 Smith Ave Apt D Decatur AL 35603

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(256) 341-4500 • www.DecaturAlabamaUSA.com

QUESTIONNAIRE



LOCATION MAP 1422 SMITH AVE SW, APT D



A Grand Opportunity CHARTERED 1884

Board of Zoning Adjustment

APPLICANT:	Walt Stewart
MAILING ADDR:	651 Johnston Street SE
CITY STATE ZIP:	Decatur, AL 35601
PHONE:	256-417-6152
PROPERTY OWNER:	Walt Stewart
OWNER ADDR:	651 Johnston Street SE
CITY STATE ZIP:	Decatur, AL 35601
OWNER PHONE:	256-417-6152

ADDRESS FOR APPEAL: 651 Johnston Street SE, Decatur, AL 35601

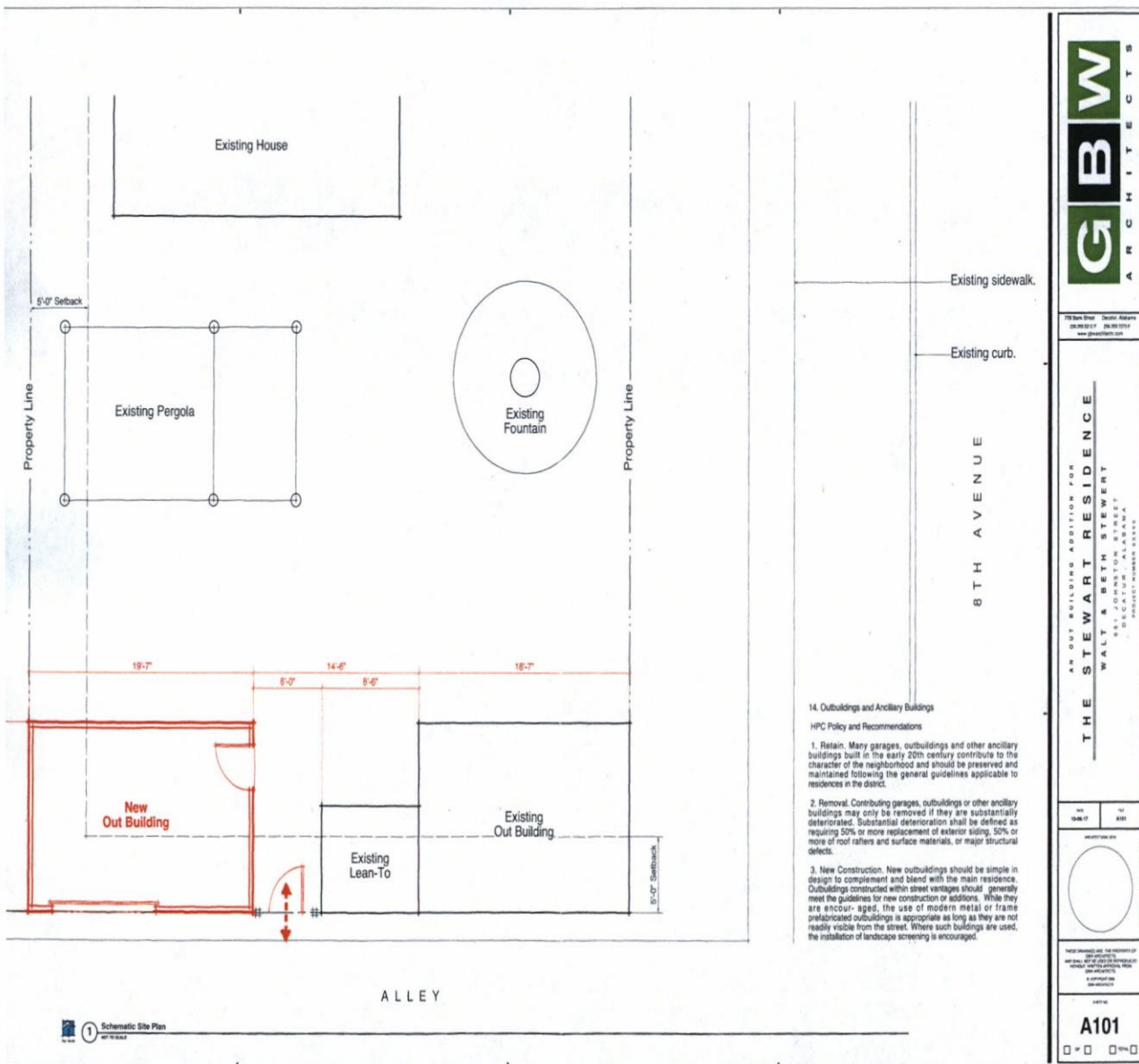
NATURE OF APPEAL:		
<input type="checkbox"/> HOME OCCUPATION	<input checked="" type="checkbox"/> SETBACK VARIANCE	<input type="checkbox"/> SIGN VARIANCE
<input type="checkbox"/> USE PERMITTED ON APPEAL	<input type="checkbox"/> APPEAL OF ADMINISTRATIVE DECISION	
<input type="checkbox"/> OTHER	<input type="checkbox"/> SURVEY FOR VARIANCES ATTACHED	<input checked="" type="checkbox"/> DRAWINGS FOR VARIANCES ATTACHED

***** Applicants or Duly Appointed Representative MUST be present in order for the case to be heard*****

DESCRIBE APPEAL IN <u>DETAIL</u> : (INCLUDE DIMENSIONS, # FT FOR VARIANCES, # FOR PARKING, HARDSHIP, TYPE OF BUSINESS)		
Seeking a variance to the 5' rear and side yard accessory structure setbacks along the south and west property lines at 651 Johnston Street, SE Decatur, Alabama 35601. The variance request is to allow a new accessory structure to be constructed in-line with an existing, historically contributing structure currently on the southern property boundary, and an adjacent structure on the adjoining property located on the western property boundary. The location of the new accessory structure is in approximately the same location as an accessory structure that was removed in the 1980s due to termite damage. This structure is visible in 1913 Fire Insurance map of New Decatur (attached).		
Applicant Name(print) <u>Walt Stewart</u>	If applicant is using a representative for the request both signatures are required.	Office Use
Signature <u>[Signature]</u>		Received By <u>bd</u>
Representative Name(print)		Zone <u>R-3H</u>
Signature		Hearing Date <u>10-31</u>
Date <u>10/10/2017</u>		Approved/Disapproved

The Board of Zoning Adjustment meets the last Tuesday of each month at 4:00 PM in the Council Chambers on first floor of City Hall. Applications must be filed by

CASE NO 5 651 JOHNSTON ST SE



275 South Street, Decatur, Alabama
202.692.0117 202.692.0117
www.gbware.com

AN OUT BUILDING ADDITION FOR
THE STEWART RESIDENCE
WALT & BETH STEWART
DECATUR, ALABAMA
PROJECT NUMBER: 0001

DATE: 10-05-17 SCALE: 1/8"=1'-0"



NOTES:
1. THIS DRAWING IS THE PROPERTY OF GBW ARCHITECTS.
2. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF GBW ARCHITECTS.

A101

1"=1'-0" 1/4"=1'-0" 1/8"=1'-0"

EXAMPLES OF ACCESSORY STRUCTURES ON OR NEAR PROPERTY LINES ALONG ALLEY BETWEEN
2TH/6TH +



PICTURE 1

SOUTHWEST CORNER OF PROPERTY



SW CORNER OF PROPERTY



SW CORNER OF PROPERTY



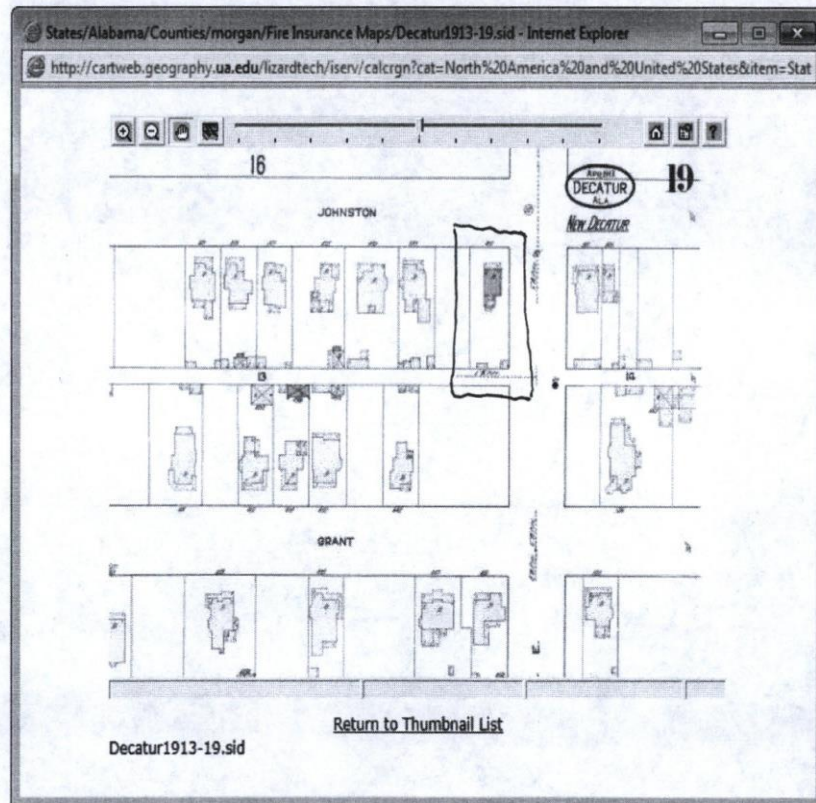
SW CORNER OF PROPERTY

PICTURE 2



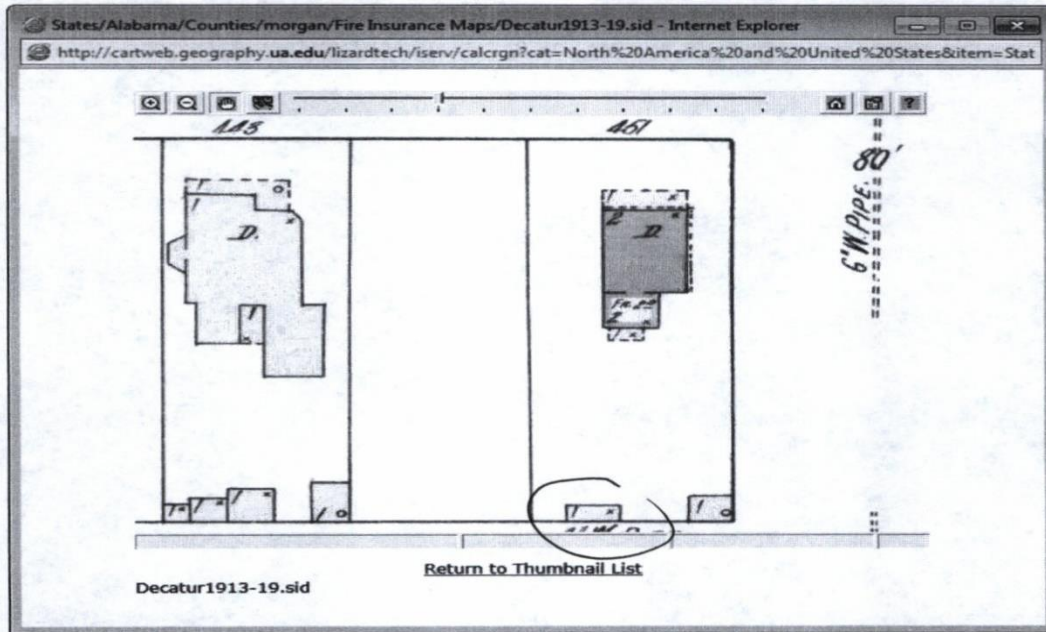
PICTURE 3

#1 1913 FIRE INSURANCE MAP SHOWING TWO ACCESSORY STRUCTURES.



FIRE INSURANCE MAP 1

#2 1913 FIRE INSURANCE MAP SHOWING 2ND
ACCESSORY STRUCTURE



FIRE INSURANCE MAP 2



LOCATION MAP 651 JOHNSTON ST SE



CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Chick-fil-A, Inc.
MAILING ADDR: 5200 Buffington Road
CITY STATE ZIP: Atlanta, GA, 30349
PHONE: 678-374-6687
PROPERTY OWNER: BULLOCK DENNIS 1/2 INT. & BULLOCK
OWNER ADDR: 2400 Mohawk Drive
CITY STATE ZIP: Birmingham, Alabama, 35217
OWNER PHONE: _____

ADDRESS FOR APPEAL: 2502 Highway 31S.

NATURE OF APPEAL:
☐ HOME OCCUPATION ☐ SETBACK VARIANCE ☐ SIGN VARIANCE
☐ USE PERMITTED ON APPEAL ☐ APPEAL OF ADMINISTRATIVE DECISION
☒ OTHER ☐ SURVEY FOR VARIANCES ATTACHED ☒ DRAWINGS FOR VARIANCES ATTACHED

***** Applicants or Duly Appointed Representative MUST be present in order for the case to be heard*****

DESCRIBE APPEAL IN DETAIL: (INCLUDE DIMENSIONS, # FT FOR VARIANCES, # FOR PARKING, HARDSHIP, TYPE OF BUSINESS)

Reduction of the minimum parking count from 71 to 68 spaces. (Restaurant 1 space = 75 SF, 4,996 SF = 71 spaces). Exception of the requirement of having a dedicated loading and unloading zone on the property. see attached letter of intent for variance.

Applicant Name (print): Chick-fil-A
Signature: [Signature]
Representative Name (print): Bowman Consulting Group
Signature: [Signature] (Kai Burk)
Date: 9/29/17

If applicant is using a representative for the request both signatures are required.

Office Use
Received By: [Signature]
Zone: B-2
Hearing Date: OCT 31, 2017
Approved/Disapproved: _____

The Board of Zoning Adjustment meets the last Tuesday of each month at 4:00 PM in the Council Chambers on first floor of City Hall. Applications must be filed by the 10th of the month to be heard the last Tuesday of the month.



CASE NO 6 2502 HIGHWAY 31 S

September 29, 2017
Project # 120005-01-002

Board of Zoning and Adjustments
Building Department
402 Lee Street Northeast
Decatur, Alabama 35601

**RE: Parking and Loading/Unloading Zone Variance Request
Southeast Decatur Chick-Fil-A**

This project is for the proposed construction of a Chick-Fil-A restaurant to be located at 2502 US 31, Southeast Decatur, Alabama, 35603, Morgan County.

The site is currently developed as a restaurant with an existing building and parking. Chick-fil-A is proposing to demolish the existing building and reconstruct a new restaurant, along with associated parking and utilities. Due to unique site constraints, we are requesting two variances for the proposed site: a parking variance and a loading zone variance.

As per Sec. 25-4 of the Decatur Municipal Code, and Section 11-52-80 of the Code of Alabama, the Zoning Board of Adjustment may grant variances "from the terms of the ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship and so that the spirit of the ordinance shall be observed and substantial justice done." The requested variances do not violate the spirit of the ordinance and are the minimum relief necessary to proceed with the proposed development without incurring unnecessary hardship. The individual requests are detailed below.

PARKING VARIANCE REQUEST:

Requirement:

Sec. 25-16. - Off-street parking.

F. Restaurant or eating place: One (1) parking space for each seventy-five (75) square feet of gross floor area.

Requested Variance:

Based on the proposed 4,996 square feet restaurant, plus outside seating area of 270 square feet, a total of 71 on-site parking spaces are required. However, due to site area constraints the proposed parking provided is 68 spaces including 3 handicap accessible parking spaces at the front of the proposed building. We are requesting a variance of three required parking spaces.

LOADING/UNLOADING ZONE REQUEST:

Requirement:

Sec. 25-17. - Off-street loading and unloading.

In each business and industrial district each structure erected or altered after June 3, 1958, shall be provided with off-street loading and unloading facilities as specified in the district schedule set out in sections 25-10 through 25-12.

Requested Variance:

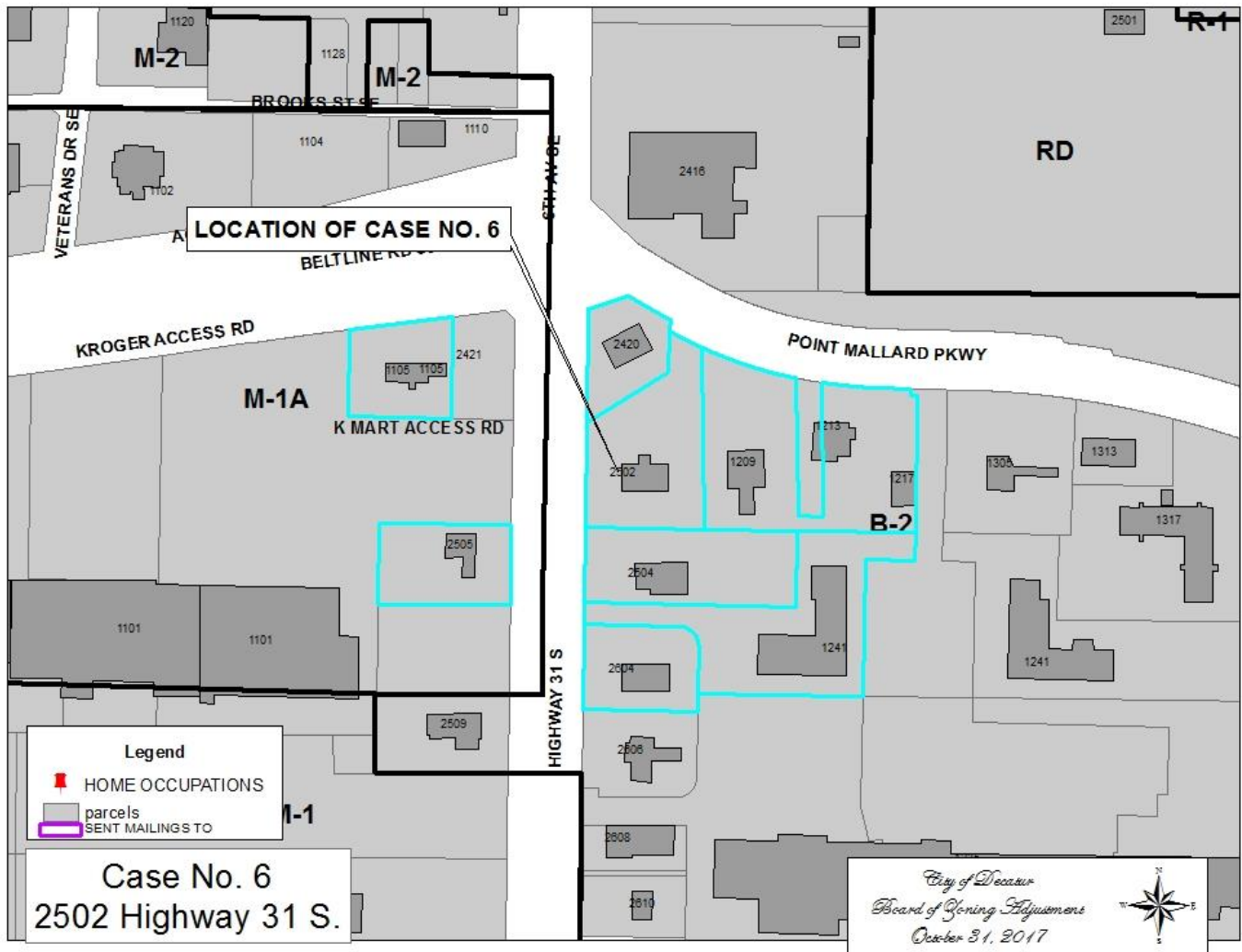
Due to site area constraints, the proposed development does not provide a dedicated off-street loading and unloading facility; however, a loading/unloading area, is available at the end of the building, this area does not impact the public right-of-way or the flow of traffic for the business and surrounding businesses. In addition to this, restaurant delivery services are scheduled for night time hours which further avoids interaction with traffic flow on the right of way and with onsite/offsite businesses.

Given the above, we respectfully request approval of the subject variances. If you should have any questions or require additional information, please do not hesitate to contact me at our Atlanta office at (678) 374-6687. Thank you.

Sincerely,



Kai Burk
Branch Manager
Bowman Consulting
kburk@bowmanconsulting.com



LOCATION MAP 2502 HIGHWAY 31 S