

Karen



BOARD OF ZONING ADJUSTMENT

AGENDA

November 27, 2012

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MINUTES OCTOBER 30, 2012

MEMBERS PRESENT: Chairman Kent Lawrence, Messrs., Mr. Larry Waye, Mr. George Barran

SUPERNUMERARIES: Mr Greg Dobbs

OTHERS PRESENT: Mr. Bob Sims, Inspector
Mr. Wally Terry, Director
.....and Custodian of Records
Mr. Herman Marks, City Attorney
Mr. Chip Alexander, Assistant City Attorney
Mr. Roger Anders, Councilman
Ms. Karen Smith, Planner
Ms. Judy Bosworth, Recorder

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

Mr. George Barran moved to **approve** the minutes of the September meeting as printed. Mr. Larry Waye seconded the motion. On a voice vote, the motion carried.

The Board considered the following applications and appeals.

CASE NO 11

Review of the Home Occupation use permitted on appeal granted April 26, 2011, for a administrative office for a accident appraisal service located at 2302 Warwick Ave SW, property is located in an R-2 Single-Family Residential Zoning District.

Chairman, Kent Lawrence moved Case 11 to the beginning of the meeting since Mr. Turner could not be present to answer questions and there were a large number of people who wanted to speak concerning this case. Mr. Turner sent a letter to the Board explaining he was no longer operating a use permitted on appeal business out of his home as of May 1, 2012. Chairman Lawrence stated the Board of Zoning Adjustment was not authorized to address their concerns since this issue was more of a maintenance issue. Therefore, Chairman Lawrence referred them to the Community Development Department and then the Building Department if necessary.

Mr. George Barran moved to revoke this use permitted on appeal. Mr. Larry Waye seconded the motion. On a roll call vote, the motion carried.

CASE NO 1

Application and appeal of John C. Edwards 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 flooring business at 1007 Danville Rd SW, property is located in an R-2 Single-Family Residential Zoning District.

Mr. John Edwards presented this case to the Board. Mr. Edwards stated he would like an administrative office for a flooring business. Mr. Edwards also stated there would be no employees, his equipment would be stored and materials would be picked up each day.

Mr. Sims stated the Building Department would recommend approval based on Mr. Edwards' public testimony.

Ms. Smith stated the Planning Department would concur with the Building Department.

Mr. Larry Waye moved to approve this home occupation request as submitted. Mr. Greg Dobbs seconded the motion. On a roll-call vote, the motion carried.

CASE NO 2

Application and appeal of Brandie Hatfield 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 2503 Greenwood Dr SE, property is located in a R-1 Single-Family Zoning District.

This case was heard at the end of the meeting since Ms. Hatfield was not present when her case was called.

The Board moved to dismiss this case due to failure of Ms. Hatfield to appear before the Board and present her case.

CASE NO 3

Application and appeal of Roberto Macias 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 landscaping office at 1202 Clarkview ST SW, property is located in a R-2 Single-Family Residential Zoning District.

This case was heard at the end of the meeting since Mr. Macias was not present when his case was called.

Mr. Macias and his son presented this case to the Board. Mr. Macias stated he would like an administrative office for a landscaping business. Mr. Macias further stated there would be no employees coming to the home. His equipment consisted of a riding mower and a push mower and they would be kept on a trailer beside their home. Mr. Macias also stated they have a magnetic sign that does not contain their address.

Mr. Sims stated the Building Department would recommend approval based on Mr. Macias' public testimony.

Ms. Smith stated the Planning Department would recommend approval.

Mr. George Barran moved to approve this home occupation request as submitted. Mr. Greg Dobbs seconded the motion. On a roll-call vote, the motion carried.

CASE NO 4

Application and appeal of Robert Doherty 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 the sale of T-Shirts online at 2703 Cambridge Ct SE, property is located in a PRD-6 Planned Residential Zoning District.

Mr. Robert Doherty presented this case to the Board. Mr. Doherty stated he would like an administrative office for a T-shirt business. Mr. Doherty also stated there would be no printing of the shirts at the home.

Mr. Sims stated the Building Department would recommend approval based on Mr. Doherty's public testimony.

Ms. Smith stated the Planning Department would recommend approval.

Mr. George Barran moved to approve this home occupation request as submitted. Mr. Larry Waye seconded the motion. On a roll-call vote, the motion carried.

CASE NO 5

Application and appeal of Liliana Aranda 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 house cleaning business at 918 Wildwood Rd SW, property is located in a R-2 Single-Family Residential Zoning District.

Ms. Liliana Aranda and her daughter presented this case to the Board. Ms. Aranda stated she would like an administrative office for a home cleaning service. Ms. Aranda's daughter stated her aunt would be working with them but did not live with them. Chairman Lawrence pointed out the aunt could not report to work at their home. Ms. Aranda and her daughter both stated they understood.

Mr. Sims stated the Building Department would recommend approval based on Ms. Aranda's public testimony.

Ms. Smith stated the Planning Department would concur with the Building Department.

Mr. George Barran moved to approve this home occupation request as submitted. Mr. Larry Waye seconded the motion. On a roll-call vote, the motion carried.

CASE NO 6

Application and appeal of Dale R. Blanton 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 to perform off-site communication work at 812 Jackson St SE, property is located in a R-3-H Single-Family Residential Historic Zoning District.

Mr. Dale R. Blanton presented this case to the Board. Mr. Blanton stated he would like an administrative office for off-site communication work. Mr. Blanton further stated he would have no employees and he would get his materials as needed. Mr. Blanton also explained he would be using his computer and telephone for his business.

Mr. Sims stated the Building Department would recommend approval based on Mr. Blanton's public testimony.

Ms. Smith stated the Planning Department had no comment.

Mr. Larry Wayne moved to approve this home occupation request as submitted. Mr. Greg Dobbs seconded the motion. On a roll-call vote, the motion carried.

CASE NO 7

Application and appeal of Suzanne Shelton for a 4 1/2 foot rear yard setback variance from Section 25-10.9 of the Zoning Ordinance to construct a covered patio at 2610 Compton Dr SW, property located in an R-2 Single-Family Residential Zoning District.

Ms. Suzanne Shelton presented this case to the Board. Ms. Shelton stated they would like to construct a covered patio and needed a 4 1/2 foot rear yard variance to do so. She also stated that many of her neighbors also had similar covered patios.

Chairman Kent Lawrence asked Ms. Shelton if she had spoken to any of her neighbors about the patio and she replied she had not spoken with anyone.

Ms. Sims stated the Building Department would recommend approval.

Ms. Smith stated the Planning Department would recommend approval since it was in keeping with the nature and character of the neighborhood.

Mr. Greg Dobbs moved to approve this variance request as submitted. Mr. Larry Wayne seconded the motion. On a roll-call vote, the motion carried.

CASE NO 8

Application and appeal of John W. Conyers for a 24 foot rear yard setback variance from Section 25-10.1 of the Zoning Ordinance to extend gabled roof over existing patio slab at 1240 Brandywine LN SE, property is located in a PDR-6 Planned Residential Zoning District.

Mr. John Conyers presented this case to the Board. Mr. Conyers stated explained he needed a 24 foot rear yard setback variance in order to construct a gabled patio cover. Mr. Conyers also stated there were no neighbors behind him, just trees.

Mr. Sims stated the Building Department would recommend approval.

Ms. Smith stated the Planning Department would recommend approval. She also stated that in her opinion the combination of the open space access area maintained by the Point Mallard Home Owners Association at the rear of this property and the 100 feet of unimproved public Right-of-Way between this property and nearest neighbor to the rear of this property might be considered a hardship.

Mr. George Barran moved to approve this variance request as submitted. Mr. Greg Dobbs seconded the motion. On a roll-call vote, the motion carried.

CASE NO 9

Application and appeal of James D. Morrill for a 2 ½ foot side yard setback variance from Section 25-10.11 to construct an addition at 1812 Wadsworth ST SE, property is located in a B-1 Local Shopping Zoning District.

Mr. James D. Morrill presented this case to the Board. Mr. Morrill stated he needed a 2 ½ foot side yard variance in order to construct an addition. Mr. Morrill added this would not increase the original footprint of the house and it would have the same roof line as the existing house.

Mr. Sims stated the Building Department would recommend approval.

Ms. Smith stated the house was an existing non-conforming structure and the addition would not make it any more non-conforming so the Planning Department would recommend approval.

Mr. Larry Waye moved to approve this variance request as submitted. Mr. Greg Dobbs seconded the motion. On a roll-call vote, the motion carried.

CASE NO 10

Application and appeal of Scott Schoel for a 12 foot 6 inch rear yard setback variance from Section 25-10.10 of the Zoning Ordinance and a 15 foot front yard setback variance from Section 25-14. Both variances are needed in order to construct an addition at 1001 Sherman ST SE, property is located in a R-3-H Single-Family Residential Historic Zoning District.

Mr. Scott Schoel presented this case to the Board. Mr. Schoel stated he was in need of a 12 foot 6 inch rear yard variance and a 15 foot front yard variance in order to construct an addition. Mr. Schoel further stated the front yard variance was needed on the 10th avenue side of his home because it was a corner lot and was required to have a double front yard setback.

Mr. Sims stated the house was existing non-conforming and further the out building had been removed which made an improvement to the lot, therefore; the Building Department would recommend approval.

Ms. Smith stated the Planning Department would recommend approval. She also stated that in her opinion a hardship existed in the case because of the two 80 foot right-of-ways for both Sherman St. SE and Tenth Ave. SE. Additionally, due to the placement of the sidewalk at the back of the Right-of-Way, requesting a vacation is not an option.

Mr. George Barran moved to approve this variance request as submitted. Mr. Greg Dobbs seconded the motion. On a roll-call vote, the motion carried.

The meeting adjourned at 4:35

Chairman, Kent Lawrence

AGENDA NOVEMBER 27, 2012

CASE NO 1

Application and appeal of Jerry Hubbard 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 clothing business at 1704 10th Ave SE, property located in a R-2 Single-Family Residential Zoning District.

CASE NO 2

Application and appeal of Tremaine Johnson 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 janitorial business at 915 Spring Ct SW, property located in a R-2 Single-Family Residential Zoning District.

CASE NO 3

Application and appeal of Lynn Phillips 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 party planning, gift wrapping, and photography service at 2713 Bristol Dr SW, property located in a R-2 Single-Family Residential Zoning District.

CASE NO 4

Application and appeal of Melinda Carlson 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 a group day care for 7 to 12 children between the hours of 7:00 a.m. to 5:30 p.m. at 1707 Vinca St SW, property located in a R-2 Single-Family Residential Zoning District.

CASE NO 5

Application and appeal of Jessica Baggett 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 a group day care for 7 to 12 children between the hours of 7:00 a.m. to 6:00 p.m. at 407 William St SW, property located in a R-2 Single-Family Residential Zoning District.

CASE NO 6

Application and appeal of Rite Lite Signs, Inc. for a 448.21 square foot variance from Section 25-77 d(2) in order to install attached signage totaling 648.21 square foot at 1801 Beltline Rd SW, Ste 200 property located in a B-4 Business Zoning District.

CASE NO 7

Application and appeal of Back Alley Bistro for a use permitted on appeal from Section 25-11 of the Zoning Ordinance to have a restaurant in a B-5 Business District Zoning located at 207A, 209A, & 211A 2nd Ave SE.



APPLICATION FOR APPEAL TO THE BOARD OF ZONING
ADJUSTMENT
CITY OF DECATUR, ALABAMA

APPLICANT NAME:	<u>HUBBARD, INC. d/b/a RUNWAY FASHIONS (JERRY HUBBARD)</u>
MAILING ADDRESS:	<u>PO BOX 2536</u>
PLEASE INCLUDE CITY, STATE AND ZIP	<u>DECATUR, AL 35602</u>
PHONE:	<u>(256) 353-8419</u> <u>256-227-1412 Cell</u>
PROPERTY OWNER NAME:	<u>GERALD P HUBBARD JR & KIMBERLY ANN HUBBARD</u>
MAILING ADDRESS:	<u>PO BOX 2536</u>
PLEASE INCLUDE CITY, STATE AND ZIP	<u>DECATUR, AL 35602</u>
PHONE:	<u>(256) 353-8419</u>

PROPERTY LOCATION/STREET ADDRESS FOR REQUEST:

1704 10TH AVE SE DECATUR, AL 35601

NATURE OF THE APPEAL:

- ☒ HOME OCCUPATION ☐ SETBACK VARIANCE ☐ USE PERMITTED ON APPEAL
☐ SIGN VARIANCE ☐ APPEAL OF ADMINISTRATIVE DECISION ☐ OTHER

DESCRIBE IN DETAIL THE REQUEST: REQUESTING VARIANCE TO USE A ROOM IN RESIDENCE AS

AN OFFICE TO SELL CLOTHING ONLINE. ~~REMOVED FROM HOME FROM OFFICE LOCATION~~

I want to use my home as an administrative office only. There
will be no foot traffic.

APPLICANT SIGNATURE

Jerry Hubbard

PRINT NAME

Jerry Hubbard

DATE

11/6/12

OFFICE USE ONLY

REVIEWED BY:

Cindy

ZONING DISTRICT:

R-2

HEARING DATE:

Nov. 27th, 2012 4:00 p.m.

APPROVED/DISAPPROVED:

The Board of Zoning Adjustment meets the LAST Tuesday of each month at 4:00 PM in the Council Chambers of City Hall. Applications must be filed by the 10th of the month. Applicants MUST be present in order for the case to be heard. Please request a copy of this application.

CASE NO 1 1704 10TH AVE SE

HOME OCCUPATION QUESTIONS

CHECK YES OR NO FOR EACH QUESTION

1. Is the use applied for, administrative office, making of crafts, sewing, etc., conducted entirely within the dwelling? YES ☒ NO ☐
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 parties 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, Fed-Ex, 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: Jerry Hill DATE: 11/6/12

ADDRESS: 1704 10th Ave SE Decatur, AL 35601

QUESTIONNAIRE



one CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: TREMAINE JOHNSON
MAILING ADDR: 915 SPRING CT. SW
CITY STATE ZIP: DECATUR, AL 35603
PHONE: 256-318-2003

PROPERTY OWNER: KIMBERLY MOODY
OWNER ADDR: 915 SPRING CT. SW
CITY STATE ZIP: DECATUR, AL 35603
OWNER PHONE: 256-318-0738

ADDRESS FOR APPEAL: 915 SPRING CT. SW DECATUR, AL 35603


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

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

I WOULD LIKE AN ADMINISTRATIVE OFFICE FOR MY JANATORIAL
BUSINESS WHICH WOULD BE OPERATED OUT OF MY HOUSE.

APPLICANT SIGNATURE:


PRINT NAME: TREMAINE JOHNSON

DATE: 11/8/2012

OFFICE USE ONLY:

RECEIVED BY: Judy

ZONING DISTRICT: R-2

HEARING DATE: NOV 27, 2012

APPROVED/DISAPPROVED: _____

CASE NO 2 915 SPRING CT SW

HOME OCCUPATION QUESTIONS

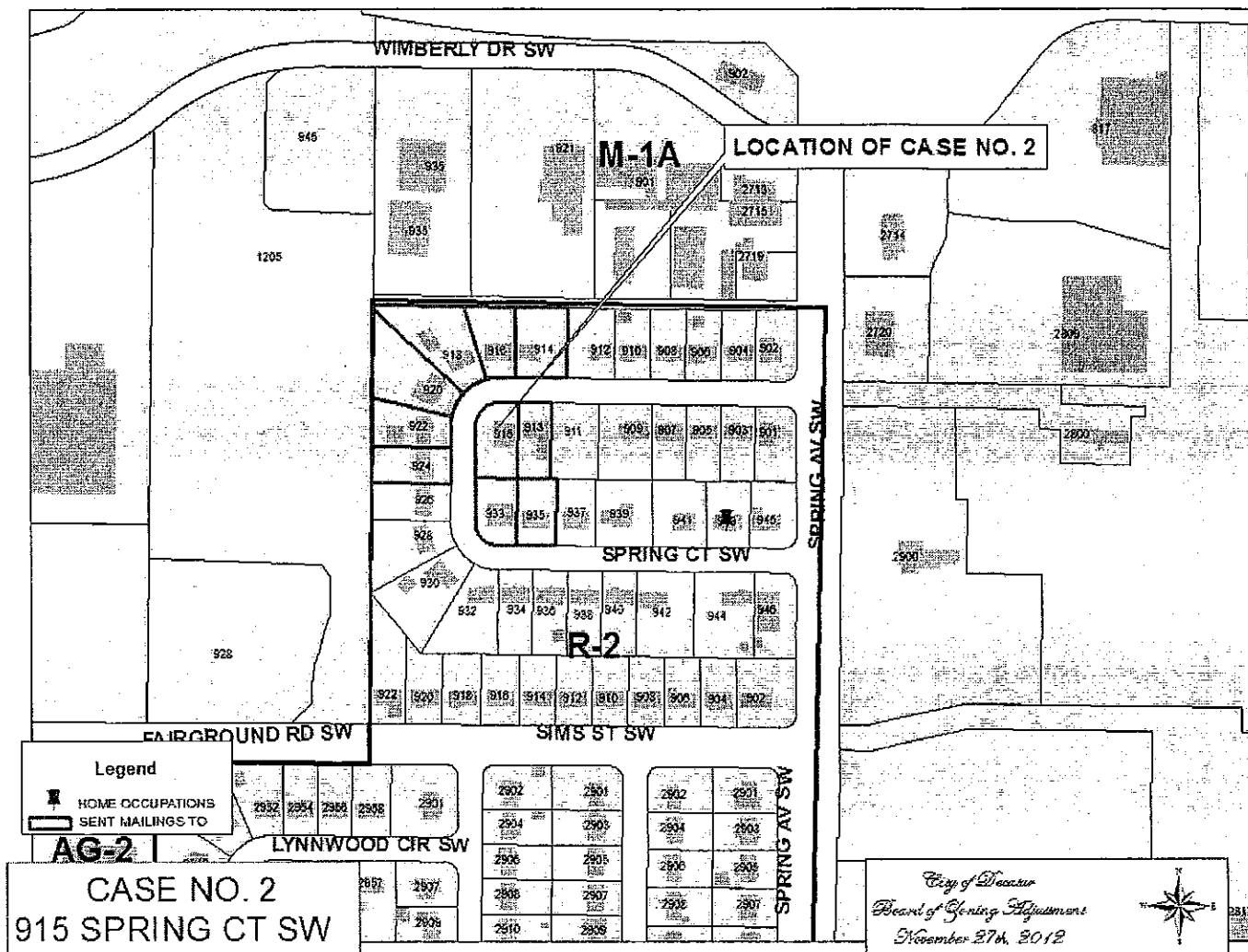
CHECK YES OR NO FOR EACH QUESTION

1. Is the use applied for, administrative office, making of crafts, sewing, etc., conducted entirely within the dwelling? YES ✓ NO
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 parties 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, Fed-Ex, 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:  DATE: 11/8/2012

ADDRESS: 915 SPRING CT. DECATUR, AL 35603

QUESTIONNAIRE



LOCATION MAP 915 SPRING CT SW



APPLICATION FOR APPEAL TO THE BOARD OF ZONING
ADJUSTMENT
CITY OF DECATUR, ALABAMA

APPLICANT NAME:	Lynn Phillips
MAILING ADDRESS:	2713 Bristol Dr. SW
PLEASE INCLUDE CITY, STATE AND ZIP	Decatur, AL 35603
PHONE:	256-318-6118
PROPERTY OWNER NAME:	Stephen and Faye Phillips
MAILING ADDRESS:	2713 Bristol Dr. SW
PLEASE INCLUDE CITY, STATE AND ZIP	Decatur, AL 35603
PHONE:	256-318-6118

PROPERTY LOCATION/STREET ADDRESS FOR REQUEST:
2713 Bristol Dr. SW

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

*Admin office only; no foot traffic in/out

DESCRIBE IN DETAIL THE REQUEST: I would like to purchase a Decatur City Business License to operate my business, Present Perfection. Present Perfection offers efficient, artful gift wrapping service as well as party planning and photography services. No business transactions will occur at this property. *	
APPLICANT SIGNATURE L. Lynn Phillips	OFFICE USE ONLY
PRINT NAME Lynn Phillips	REVIEWED BY: Judy
DATE 11/9/12	ZONING DISTRICT: R-2
	HEARING DATE: Nov 27, 2012
	APPROVED/DISAPPROVED:

The Board of Zoning Adjustment meets the LAST Tuesday of each month at 4:00 PM in the Council Chambers of City Hall. Applications must be filed by the 10th of the month. Applicants MUST be present in order for the case to be heard. Please request a copy of this application.

CASE NO 3 2713 BRISTOL DR SW

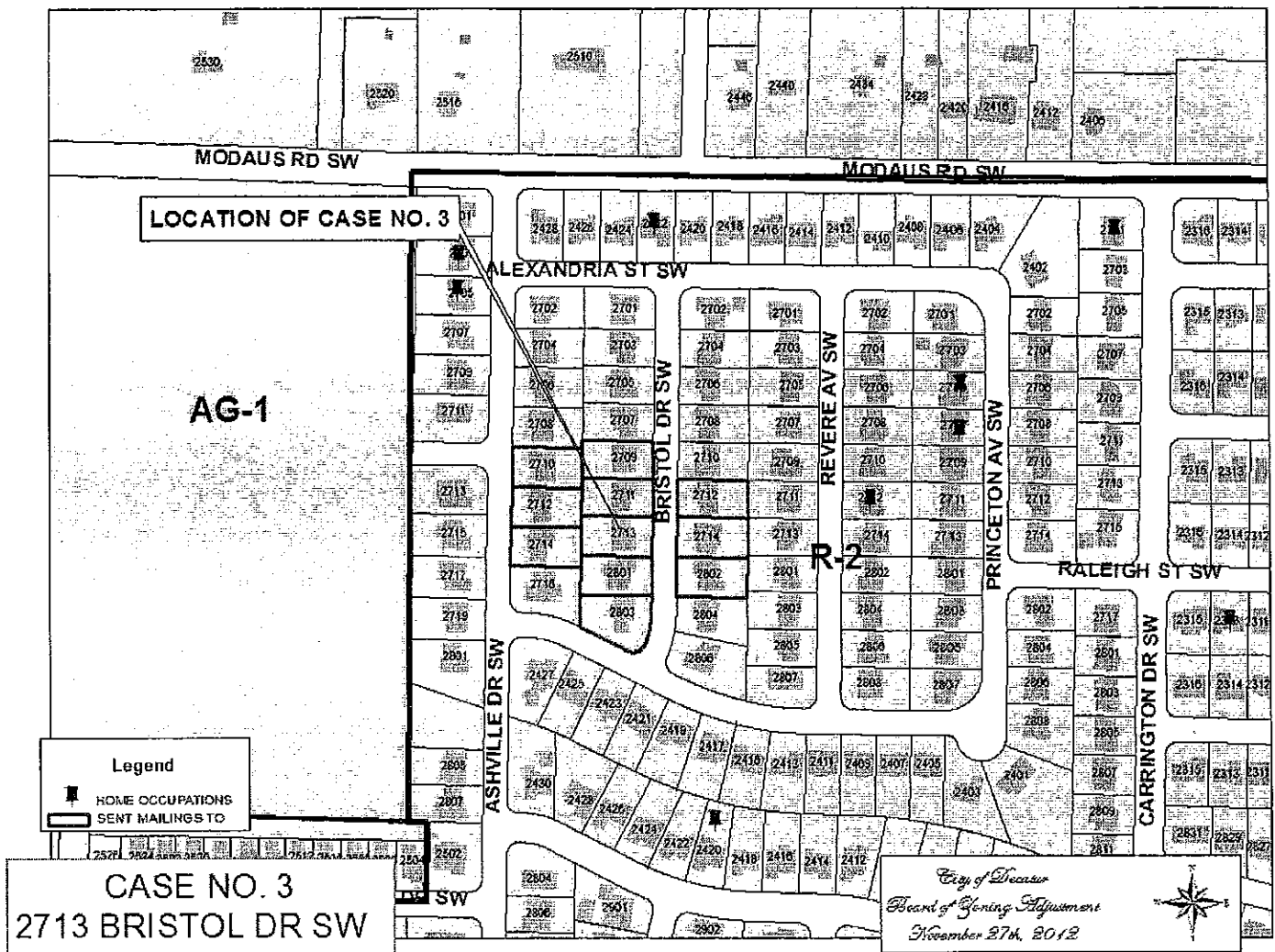
HOME OCCUPATION QUESTIONS

CHECK YES OR NO FOR EACH QUESTION

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

SIGNED: J. Lynn Phillips DATE: 11/9/12
ADDRESS: 2713 Bristol Dr. SW Decatur, AL 35603

QUESTIONNAIRE



LOCATION MAP 2713 BRISTOL DR SW



CITY OF DECATUR BOARD OF ZONING ADJUSTMENT
APPLICATION FOR HOME CHILD CARE FACILITY

APPLICANT: Melinda Carlson
MAILING ADDR: 1707 Vinca St SW
CITY STATE ZIP: Decatur, AL 35601
PHONE: 256-666-8006 (H) 256-476-6736 (cell)
PROPERTY OWNER: Dale & Melinda Carlson
OWNER ADDR: Same as above
CITY STATE ZIP: Same as above
OWNER PHONE: Same as above

ADDRESS OF APPEAL: 1707 Vinca St SW Decatur, AL 35601

MARK CLASS OF DAY CARE YOU DESIRE: (READ ORDINANCE TO DETERMINE CLASSES)

☐ DAY CARE (6 OR LESS) ☐ NIGHTTIME HOME CARE (6 OR LESS)

☒ GROUP DAY CARE (7 TO 12) ☐ GROUP NIGHTTIME CARE (7 TO 12 CHILDREN)

DESCRIBE HOURS OF OPERATION; PARKING ARRANGEMENTS; PLAY AREA and EQUIPMENT; DO YOU HAVE FENCE, DOG, OR POOL.

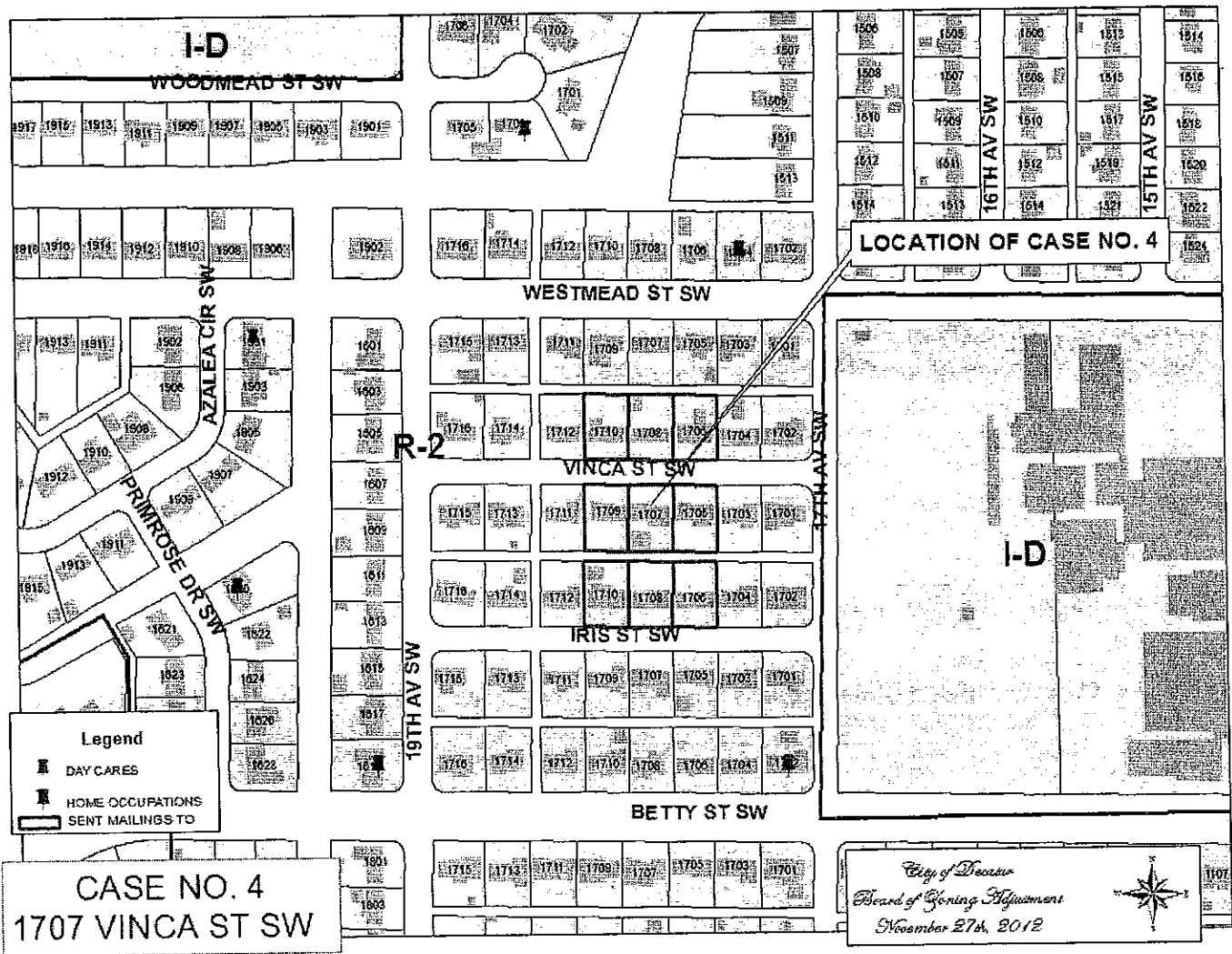
Hours of operation 7am-530pm M-F
Children will enter front of home,
play yard @ back of home w/ proper fencing
and play equipment. We have 3 dogs that
are not with children they have current immunizations

I am already licensed and for 6. Just want to expand up to 12

<u>Melinda Carlson</u> APPLICANT SIGNATURE <u>Melinda Carlson</u> PRINT NAME DATE: <u>10/24/2012</u>	OFFICE USE ONLY REVIEWED BY: <u>Judy</u> HEARING DATE: <u>Nov 27, 2012</u> ZONING DISTRICT: <u>R-2</u> APPROVED/DISAPPROVED: _____
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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 10 of the month to be heard on the last Tuesday. Applicants MUST be present in order for the case to be heard. Request a copy of this application.

CASE NO 4 1707 VINCA ST SW



LOCATION MAP 1707 VINCA ST SW



CITY OF DECATUR BOARD OF ZONING ADJUSTMENT
APPLICATION FOR HOME CHILD CARE FACILITY

APPLICANT: Jessica Baggett
MAILING ADDR: 407 William ST S.W.
CITY STATE ZIP: Decatur, AL 35601
PHONE: 256-686-0047
PROPERTY OWNER: Jessica Baggett
OWNER ADDR: 407 William ST S.W.
CITY STATE ZIP: Decatur, AL 35601
OWNER PHONE: 256-686-0047

ADDRESS OF APPEAL: 407 William ST S.W. Decatur, AL 35601

MARK CLASS OF DAY CARE YOU DESIRE: (READ ORDINANCE TO DETERMINE CLASSES)

☐ DAY CARE (6 OR LESS)

☐ NIGHTTIME HOME CARE (6 OR LESS)

☒ GROUP DAY CARE (7 TO 12)

☐ GROUP NIGHTTIME CARE (7 TO 12 CHILDREN)

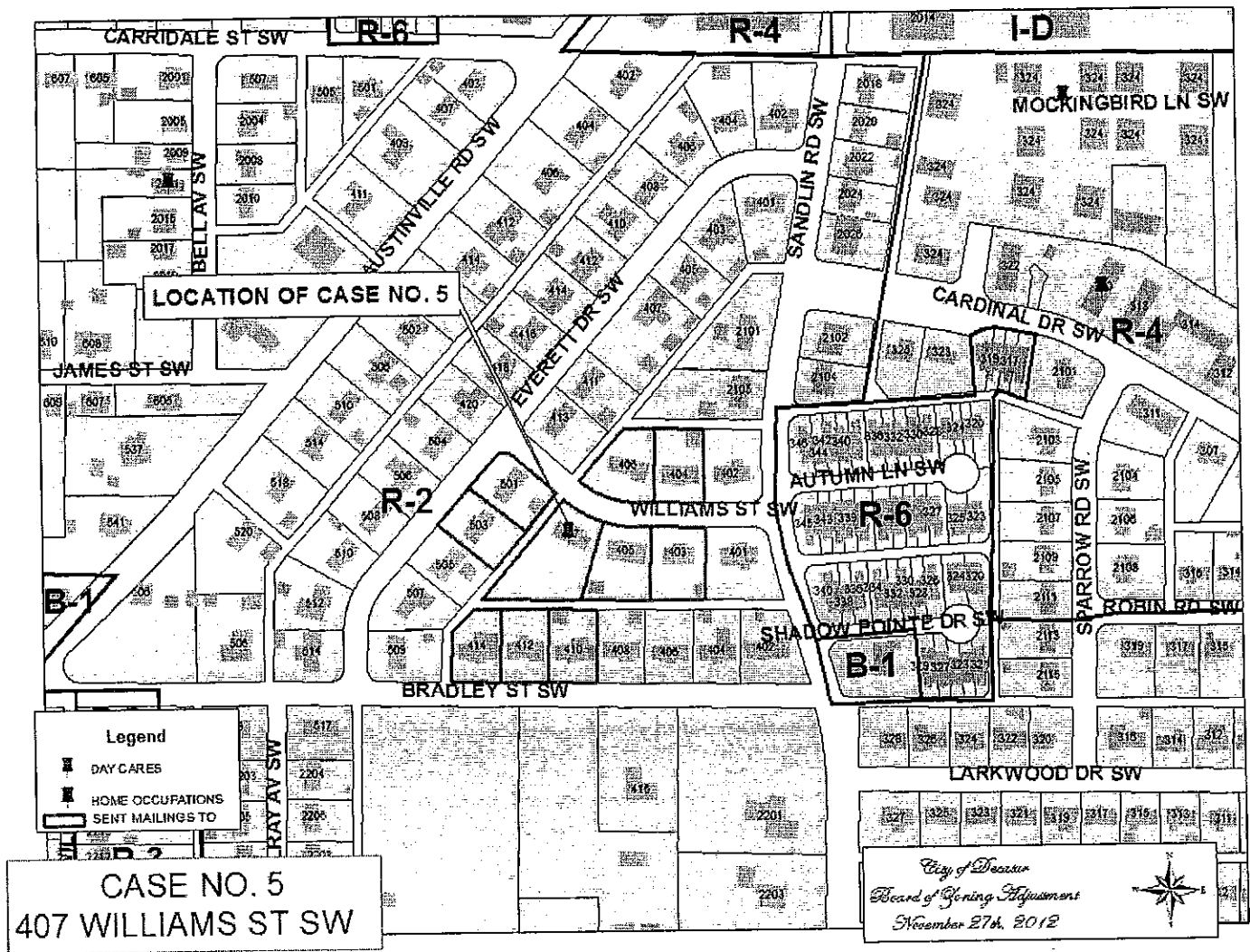
DESCRIBE HOURS OF OPERATION; PARKING ARRANGEMENTS; PLAY AREA and EQUIPMENT; DO YOU HAVE FENCE, DOG, OR POOL.

Updating current license every-
thing has been approved from
last year and meets requirements.
hours 7:00 A.M. to 6:00 P.M. for
7- to 12 children.

<u>Jessica Baggett</u> APPLICANT SIGNATURE <u>Jessica Baggett</u> PRINT NAME DATE: <u>10-31-12</u>	OFFICE USE ONLY REVIEWED BY: <u>Judy R-Z</u> HEARING DATE: <u>Nov 27, 2012 @ 4:00</u> ZONING DISTRICT: <u>Nov 27, 2012 @ 4:00</u> APPROVED/DISAPPROVED: _____
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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 10 of the month to be heard on the last Tuesday. Applicants MUST be present in order for the case to be heard. Request a copy of this application.

CASE NO 5 407 WILLIAM ST SW



LOCATION MAP 407 WILLIAM ST SW



APPLICATION FOR APPEAL TO THE BOARD OF ZONING
ADJUSTMENT
CITY OF DECATUR, ALABAMA

APPLICANT NAME:	<u>Rite, Lite Signs, INC. / Colleen Lilly</u>
MAILING ADDRESS:	<u>1000 Biscayne Dr.</u>
PLEASE INCLUDE CITY, STATE AND ZIP	<u>Concord, NC 28027</u>
PHONE:	<u>704.788.7097</u>
PROPERTY OWNER NAME:	<u>Slkye Group / Ken Adams</u> ^{light} _{group.}
MAILING ADDRESS:	<u>Urban Retail Properties LLC</u>
PLEASE INCLUDE CITY, STATE AND ZIP	<u>111 E. Wacker Dr. #2400 Chicago, IL 60601</u>
PHONE:	<u>813.235.8382</u>

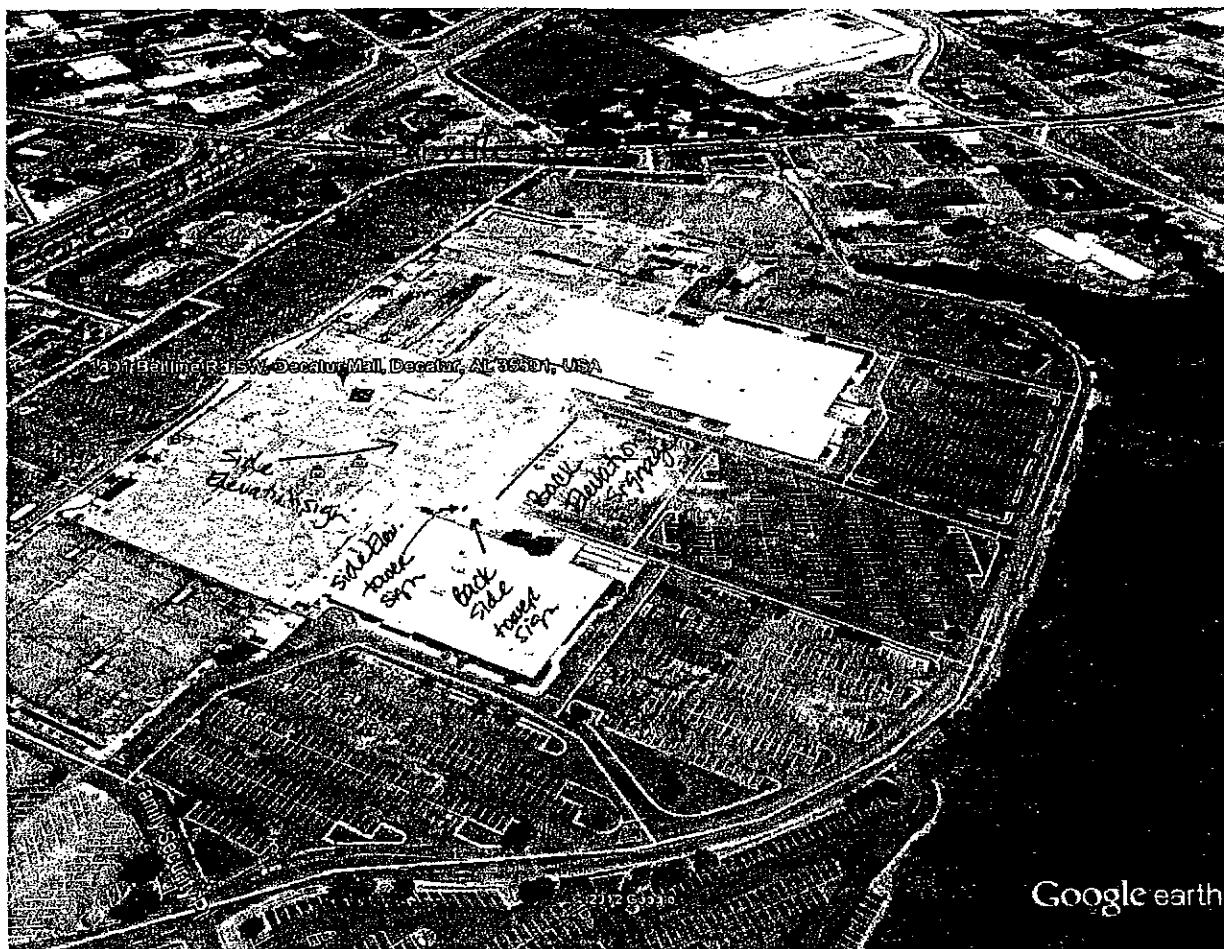
PROPERTY LOCATION/STREET ADDRESS FOR REQUEST:
<u>Carnike Cinemas 1801 Beltline Rd.</u>

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

DESCRIBE IN DETAIL THE REQUEST: <u>See attached pages - shop</u> <u>draws and cover letter.</u> <u>Requesting 448.21 ft variance from Section 25-77 d(2) to install</u> <u>attached signage totaling 648.21 ft.</u>	
APPLICANT SIGNATURE <u>Colleen Lilly</u>	OFFICE USE ONLY
PRINT NAME <u>Colleen Lilly</u>	REVIEWED BY: <u>RLS</u>
DATE <u>11/8/12</u>	ZONING DISTRICT: <u>B-4</u>
	HEARING DATE: <u>11-27-12</u>
	APPROVED/DISAPPROVED: _____

The Board of Zoning Adjustment meets the LAST Tuesday of each month at 4:00 PM in the Council Chambers of City Hall. Applications must be filed by the 10th of the month. Applicants MUST be present in order for the case to be heard. Please request a copy of this application.

CASE NO 6 1801 BELTLINE RD SW STE 200



Google earth

feet
meters | 100 500



Side Elevations - Not visible from any public Road.

Back Elevation - only visible from Mall
Perimeter Rd on Back side
of Mall.

ELEVATIONS



City of Decatur
402 Lee Street NE
City Hall Tower, 4th Floor
Decatur, AL 35602

Re: Carmike Cinemas
1801 Beltline Rd.
Board of Zoning Adjustments Appeal

Dear, Mr. Sims

I am applying on behalf of Carmike Cinemas for a variance from Section 25-77 d of the zoning ordinance.

Per the City of Decatur ordinance Chapter 25 Zoning, Article III - Signs, Section 25-77 d Business District Carmike Cinemas is permitted 200 sq. ft. max for total signage for the entire theater due to the size of their building exceeds 100' in length.

If a small tenant lease space is 20' high x 20' wide which equals 400 sq ft wall area, they are allowed 100 sq. ft. of signage. That is 25% of the wall area allowed. Even a larger tenant with a comparable storefronts such as 30' high x 100' wide are utilizing 3.333% of their storefront when using the guidelines per Section 25-77

Carmike Cinema's building length facing Mall Perimeter Road is 31'-4" high x 276'-8" wide which equals 8668.81 sq. ft. of wall area. Based on the current zoning Carmike Cinemas is using 2.307% of their wall area. If Carmike were allowed to use a larger percentage just as with smaller tenants they would be allowed there standard sign package per elevation.

Carmike Cinemas sits over 400' back from the road. The smaller signage will be lost on such a larger storefront. Carmike Cinemas is not getting equal representation as well as the smaller tenants. They also have zero visibility from the Beltline and Danville roads

The side elevation of Carmike Cinemas is completely obstructed from view by any road due to the side of the building of the mall.

We are requesting to utilize less than 4.3% of the wall area on the back elevation facing Mall Perimeter Rd; which is a total of 372.61 sq. ft. of signage. For the side elevation, which is completely obstructed from view, we are requesting less than 4.29% of the wall; which is a total of 247.60 sq. ft. Also, the back side of the double faced sign structure tower we are requesting 25 sq. ft. as well; which is less than .3% of that wall area. The total amount of sq. ft. we are requesting over the 200 sq. ft. maximum is 448.21 sq. ft. Please see our attached shop drawings for details and placement.

It is important to keep the Carmike Cinemas and BIGD signage, as it is there registered trademark and corporate logo. Also the set of "ENTRANCE" letters are needed in order to direct customers to their entrance since it is obstructed from view.

Other Points:

Carmike Cinemas is an anchor store, the smaller tenants benefit by being near an anchor store. This in turn helps to keep them in business.

Carmike Cinemas is a larger store and has to pay more taxes than the smaller tenants.

Please contact me at the number below should you need any additional information for the board meeting scheduled on 11/27/12 at 4pm.

Sincerely,

A handwritten signature in black ink, appearing to read "Colleen Lilly", written over a horizontal line.


Colleen Lilly
Senior Project Manager

1000 Biscayne Drive • Concord, NC 28027
704.788.7097 • 800.784.5605 • fax 704.788.7091
www.ritelitesigns.com

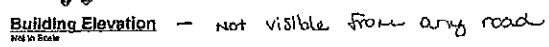
LETTER

Carmike Cinemas

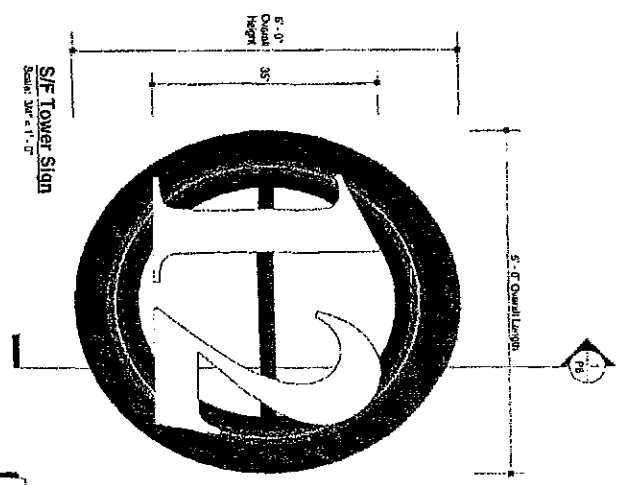
CONCEPT DRAWINGS DECATUR, AL - EXTERIOR

RITE-LITE SIGNS, INC. 1000 Blueway Drive Concord, NC 28027 704.788.7087 fax 704.788.7081	Customer: Carmike Cinemas	CUSTOMER APPROVAL Customer Signature _____ Date _____ This design is the sole property of Rite Lite Signs, Inc. and is protected by federal copyright law. Any reproduction or creation of a sign without the use of Rite Lite Signs, Inc. is expressly forbidden.  UNDERWRITERS LABORATORIES
	Address:	
	City, State, Zip: Decatur, AL	
	Designer: E. Goss	
	Salesperson: C. L. H.	
Date: July 28, 2012		

CONCEPT DRAWING

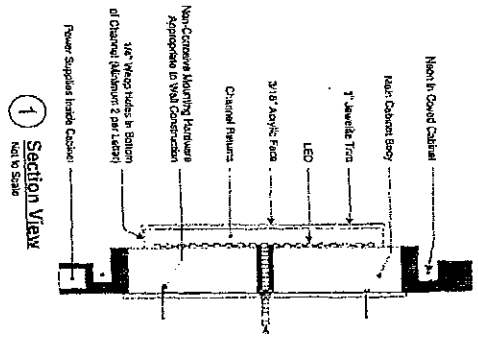


Page: 2



S/F Tower Sign
Scale: 3/8" = 1'-0"

Square Footage Sign:
5'-0" x 5'-0" = 25.00



Section View
Not to Scale

Color Notes:

Color	Notes
Face	2024 Vinyl Acrylic
Frame	White
Mounting	White L.E.D.
Channel	Galvalume
Support Arm	Stainless Steel
Hardware	Aluminum 6063-T6

Notes:
1. Custom mounting system for this sign.
2. Sign to be mounted on a wall.

Note: All dimensions are in feet and inches. Letter styles may be modified as required to accept light fixtures.

RITELITE SIGNS, INC.
1000 Bridge Drive NW, Suite 100
Cincinnati, OH 45227 Tel: 704.768.1001

Project: 1000 Bridge Drive NW, Suite 100
Cincinnati, OH 45227

Client: BGS, Inc.
1000 Bridge Drive NW, Suite 100
Cincinnati, OH 45227

Contract: 1000 Bridge Drive NW, Suite 100
Cincinnati, OH 45227

Contract: 1000 Bridge Drive NW, Suite 100
Cincinnati, OH 45227

Contract: 1000 Bridge Drive NW, Suite 100
Cincinnati, OH 45227

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Cincinnati, OH 45227

Contract: 1000 Bridge Drive NW, Suite 100
Cincinnati, OH 45227

Contract: 1000 Bridge Drive NW, Suite 100
Cincinnati, OH 45227

Note: All illuminated signs are manufactured for 120 volt circuits. Letter sizes may be modified as required to accept light source.

Back Elevation
Not to Scale

visible only from Hall Perimeter Rd on back side of walk.

RITELITE
SIGNS, INC.

1000 Becayne Drive 704.788-7097
 Concord, NC 28027 fax 704.788.7091

Carroll's Cinema

Architect: **Donald, AL**

<small>Owner:</small> BCG	<small>Address:</small> CL
<small>County:</small> 16283	<small>Date:</small> 26 July 12

Drawn by: **25 October 12007**

Drawn & Dated:
12.08.12 at Raleigh, NC

Customer/Project: **Inc.**

Architect/Project: **Inc.**

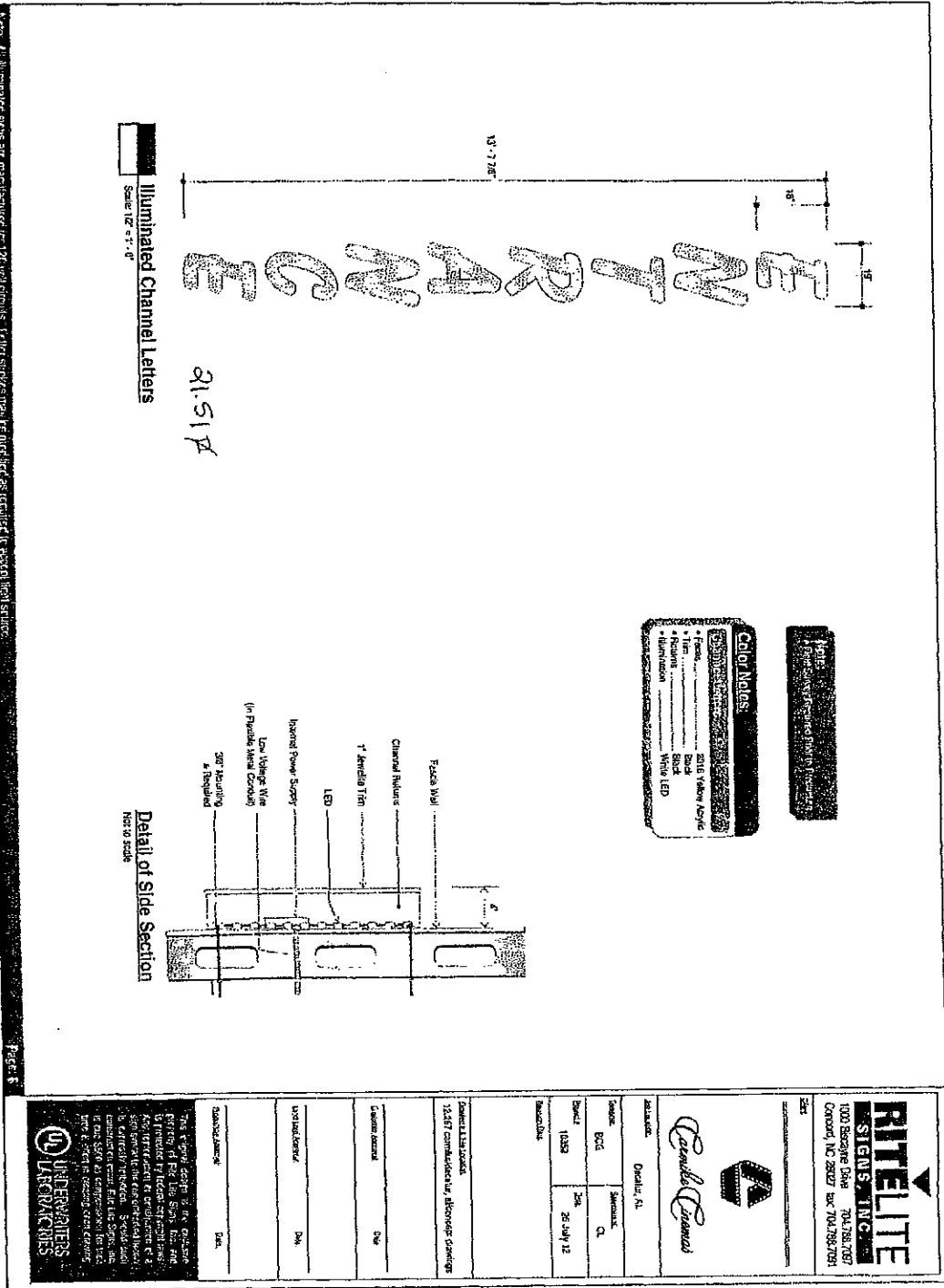
Project/Project: **Inc.**

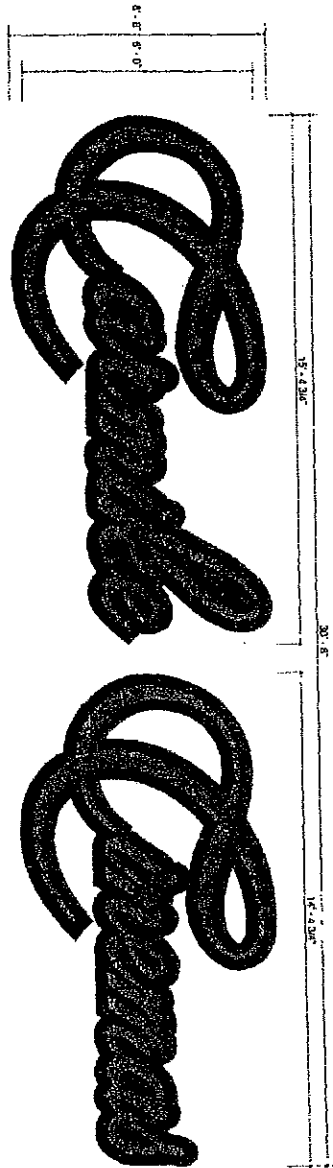
Project/Project: **Inc.**

This report is the property of RITELITE SIGNS, INC. and is provided to the client for their use only. It is not to be used for any other purpose without the written consent of RITELITE SIGNS, INC. The client agrees to indemnify and hold RITELITE SIGNS, INC. harmless from and against all claims, damages, losses and expenses, including reasonable attorneys' fees, that may be asserted against or incurred by RITELITE SIGNS, INC. in connection with this report.

UNDERWATERS
LABORATORIES

BACK ELEVATION



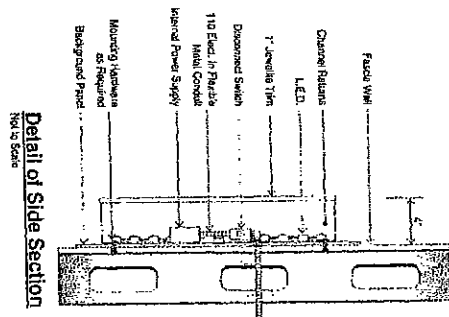


Self-Contained Illuminated Channel Letters w/ .090 Contoured Background Panel

Scale: 3/8" = 1'-0"

Square Footage Notes:
 • 6" - 8" x 15" - 4.34 sq. ft. (20.5 sq. ft.)
 • 8" - 8" x 14" - 4.34 sq. ft. (20.5 sq. ft.)
 • Total = 106.5 sq. ft.



Color Notes:
 • Channel Letters: 2001 Blue Matte
 • Face: Blue
 • Top: Blue
 • Bottom: White LED
 • Background Panel: Blue

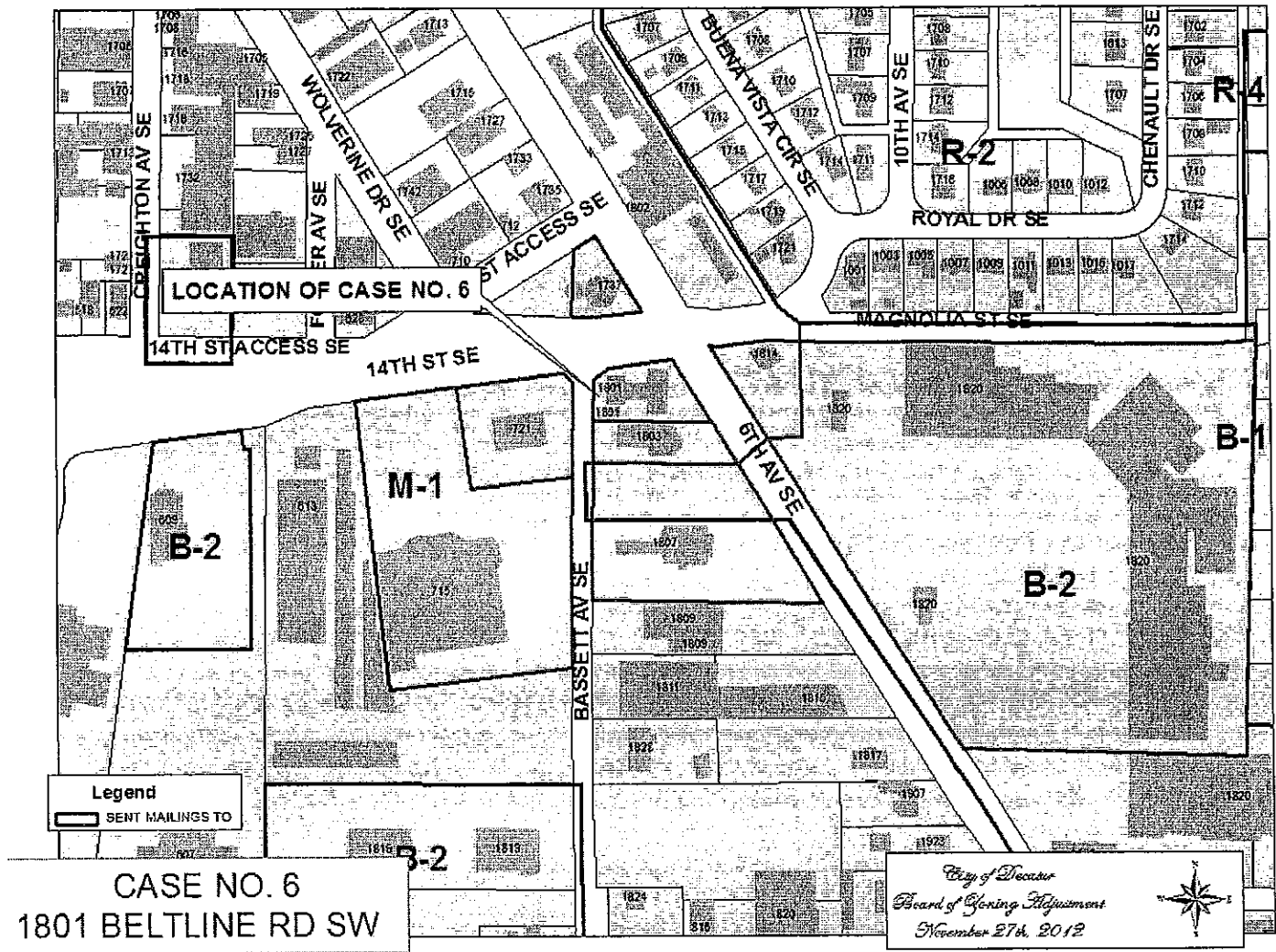


Detail of Side Section
 Not to Scale

Note: All illuminated signs are manufactured for 120 volt circuits. Letter stickers may be modified as required to accept light sources.

Page: 11

RITE-LITE SIGNS, INC. 1100 Bryans Dale Road, Box 178, 7057 Concord, NC 28027 Tel: 704.778.7571	
	
<i>Contoured Letters</i>	
ADDRESS: Danville, VA District: DCL Date: 26 July 12 Order: 10552 Order Date:	8 November 1209
Order/Letter/Letter 12181 Lanthanum, Wisconsin design	
Customer Name:	Date:
Letter/Signage:	Date:
Date/Installation:	Date:
This order, along with the attached copy of the Rite Lite Sign, Inc. and any reproduction of the Rite Lite Sign, Inc. logo, is the property of Rite Lite Sign, Inc. and is to be used only for the purpose of the sign. No other use, reproduction, or distribution is permitted without the written consent of Rite Lite Sign, Inc. or its design or construction for the letter face & other in writing with the sign.	
	



LOCATION MAP 1801 BELTLINE RD SW, STE 200



CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Back Alley Bistro
MAILING ADDR: 207 A 2nd Ave.
CITY STATE ZIP: Decatur, AL 35601
PHONE: 256-303-9968

PROPERTY OWNER: Cindy Greenhaw
OWNER ADDR: 512 Market St. N.E. # 11
CITY STATE ZIP: Decatur, AL 35601
OWNER PHONE: 256-303-9968

ADDRESS FOR APPEAL: 207 - A, 209-A, 211-A 2nd ave. SE.

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

We are ap

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

We are applying for a use permitted on appeal in a B-5 zoning district for use as a restaurant

APPLICANT SIGNATURE:

Cindy Greenhaw

PRINT NAME: Cindy Greenhaw

DATE: 11/9/12

OFFICE USE ONLY:

RECEIVED BY: Judy

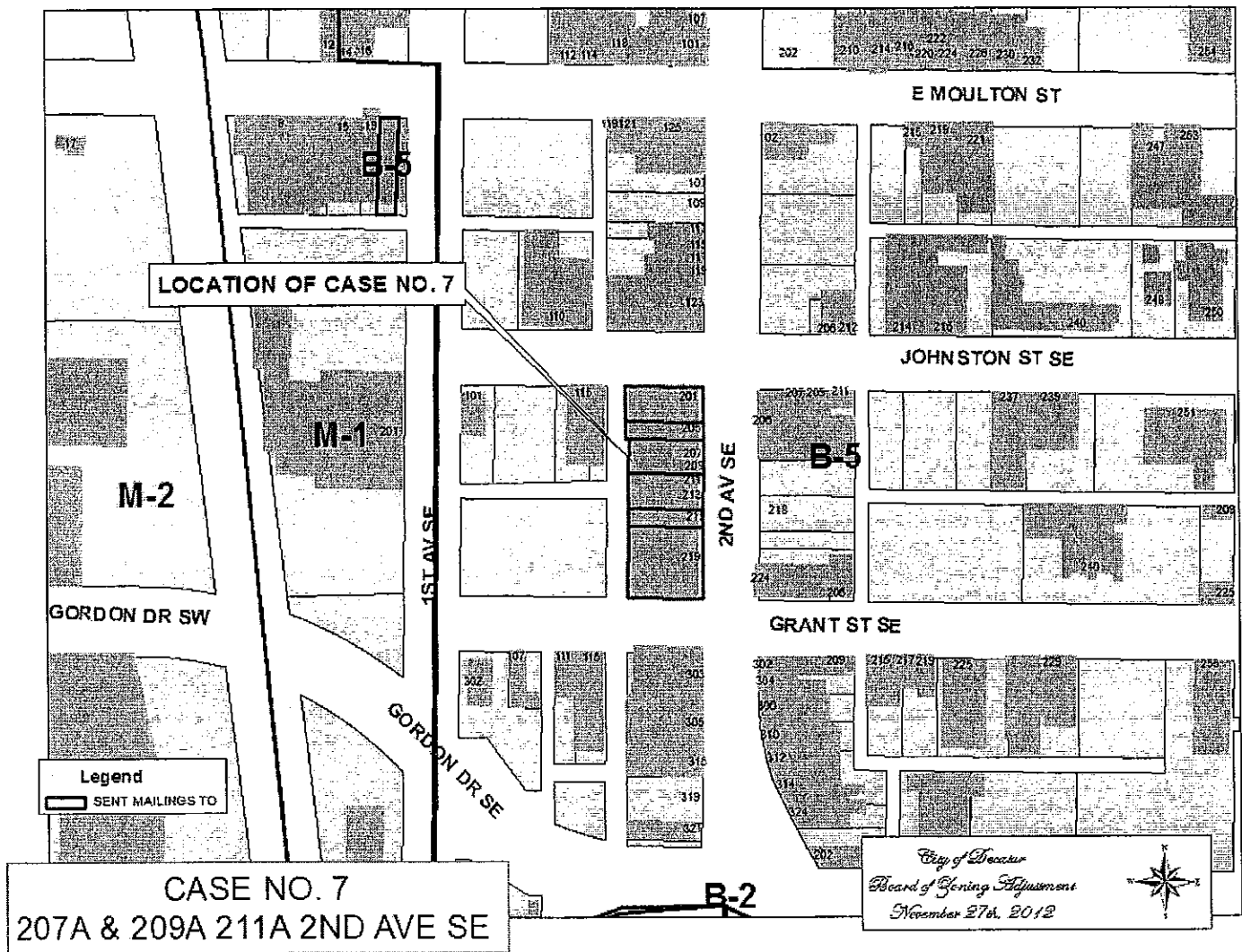
ZONING DISTRICT: _____

HEARING DATE: November 27, 2012

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. Applicants MUST be present in order for the case to be heard. Request a copy of this application.

CASE NO 7 207A, 209A, 211A 2ND AVE SE



LOCATION MAP 207A, 209A, 211A, 2ND AVE SE