



# BOARD OF ZONING ADJUSTMENT

## AGENDA

APRIL 30, 2013

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## MINUTES MARCH 26, 2013

MEMBERS PRESENT: Chairman Kent Lawrence, Messrs. , Mr. George Barran, Mr. Greg Dobbs, Ms. Frances Tate

SUPERNUMERARIES: Mr. Mike Harris, Ms. Sally Jo Green

OTHERS PRESENT: Mr. Tom Polk, Plans Examiner  
Mr. Wally Terry, Director  
.....and Custodian of Records  
Mr. Herman Marks, City Attorney  
Mr. Chip Alexander, Assistant City Attorney  
Ms. Karen Smith, Planner  
Ms. Tiffany Owens, Daily Reporter  
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. Tom Polk called the roll.

Ms. George Barran moved to **approve** the minutes of the February meeting as printed, Mr. Greg Dobbs seconded the motion. On a voice vote, the motion carried.

The Board considered the following applications and appeals.

Old Business: Mr. George Barran moved to Table Case No. 4 from the February meeting for 3 months. Mr. Greg Dobbs seconded the motion. On a voice vote, the motion carried.

### CASE NO 1

Application and appeal of Traruan Fuqua 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 lawn service at 1206 4<sup>th</sup> St NW, property located in a R-4 Multi-Family Residential Zoning District.

Mr. Traruan Fuqua presented this case to the Board. Mr. Fuqua stated he would like an administrative office for a lawn care service. Mr. Fuqua also stated there would be no employees and he would store his equipment in his garage.

Mr. Polk stated the Building Department would recommend approval .

Ms. Smith stated the Planning Department would recommend approval.

Ms. Sally Jo Green moved to approve this home occupation request as submitted. Ms. Frances Tate seconded the motion. On a roll-call vote, the motion carried.

## CASE NO 2

Application and appeal of Cordarryl Madry 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 lawn care service at 1023 Bedford Dr SW, property located in a R-2 Single-Family Zoning District.

Mr. Cordarryl Madry presented this case to the Board. Mr. Madry stated he would like an administrative office for a lawn service business. Mr. Madry also stated there would be no signage.

Mr. Polk stated the Building Department would recommend approval.

Ms. Smith stated the Planning Department would recommend approval.

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

## CASE NO 3

Application and appeal of Marto Sanchez 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 lawn care service at 315 Blackberry Dr SW, property located in a R-2 Single-Family Zoning District.

This case was moved to the end of the meeting since no one came forward when this case was called.

## CASE NO 4

Application and appeal of Pam Alford 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 graphic design business at 4501 Willow Bend Rd SE, property located in a R-1 Single-Family Zoning District.

Ms. Pam Alford presented this case to the Board. Ms. Alford stated she would like an administrative office for a graphic design business. Ms. Alford also stated she was previously approved for another business at this location and she is still operating that business.

Ms. Catherine Abercrombie of 4421 Willow Bend Rd SE stated her concerns about additional traffic, supplies and customers coming to the home. Ms. Alford explained there would be no additional traffic nor would there be clients coming to her home. Additionally the only supplies she would receive would be by UPS delivery.

Mr. Polk stated the Building Department would recommend approval.

Ms. Smith stated the Planning Department would recommend approval.

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

#### CASE NO 5

Application and appeal of Wiley W. Faust, Jr., 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 technical business at 322 Denver Place SW, property located in a R-6 Single-Family Zoning District.

Mr. Wiley W. Faust, Jr., presented this case to the Board. Mr. Faust stated he would like an administrative office to consult for industrial and manufacturing businesses. Mr. Faust also stated he would go to the site to conduct the consulting.

Mr. Polk stated the Building Department would recommend approval.

Ms. Smith stated the Planning Department would recommend approval.

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

#### CASE NO 6

Application and appeal of Alfreidia V. Flowers-Balentine 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 educational and enrichment program at 408 Walnut St NW, property located in a R-3 Single-Family Zoning District.

Ms. Alfreidia V. Flowers-Balentine presented this case to the Board. Ms. Flowers-Balentine stated she would like an administrative office for an educational and enrichment program. Ms. Flowers-Balentine also stated she would perform her services off-site and further that the tutoring would be at a public place such as a coffee house or the library.

Mr. Polk stated the Building Department would recommend approval.

Ms. Smith asked for further explanation as to the kind of enrichment. The applicant stated it would be educational in nature. Ms. Smith stated the Planning Department would recommend approval.

Ms. Sally Jo Green 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 Emily Corzine 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 CPA/Accounting service at 2310 Amberly LN SW, property located in a R-2 Single-Family Zoning District.

Ms. Corzine presented this case to the Board. Ms. Corzine stated she would like to have an administrative office for CPA work. Ms. Corzine also stated there would be no clients coming to the home.

Mr. Polk stated the Building Department would recommend approval.

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 8

Application and appeal of Delayne Dean 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 monogramming/sewing & crafts business at 1815 Fitzgerald DR SW, property located in a R-2 Single-Family Zoning District.

Ms. Delayne Dean presented this case to the Board. Ms. Dean stated she would like an administrative office for a sewing and monogramming business. Ms. Dean further explained she would take orders on-line and then drop ship the items, or go to craft shows to sell. Mr. Dean also stated she may use face book as a mode of advertising.

Mr. Polk stated the Building Department would recommend approval.

Ms. Smith stated the Planning Department would recommend approval.

Mr. Greg Dobbs moved to approve this home occupation request. Ms. Frances Tate seconded the motion. On a roll-call vote, the motion carried.

#### CASE NO 9

Application and appeal of Ellis Chenault 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 commercial photography business at 417 Line ST NE, property located in a R-3H

Mr. Ellis Chenault presented this case to the Board. Mr. Chenault stated he would like an administrative office for Chenault Studios and Bank Street Greens. Panning asked how many businesses would have administrative offices at this address. Mr. Chenault explained this was one business with two products and both under the same umbrella. Mr. Chenault also stated the photography was digital and he would mail or deliver the prints.

There was discussion between the Board, Mr. Chenault and Planning to determine if this was one business or two.

Mr. Marks stated according to the application Mr. Chenault was requesting permission for administrative office for one business which was the photography business. However, since both businesses are under the same umbrella and the same owner, both would be covered with approval for this one.

Mr. Polk stated the Building Department would recommend approval.

Ms. Smith stated the Planning Department would recommend approval.

Ms. Sally Jo Green moved to approve this home occupation as submitted. Mr. Greg Dobbs seconded the motion. On a roll-call vote, the motion carried.

#### CASE NO 10

Application and appeal of J & M Signs for a 15 foot front yard setback variance to Section 25-78(d) of the Zoning Ordinance to install a 20 square foot monument sign at 1829 Somerville Rd SE, property located in a B-1 Local Shopping Business District.

Mr. Carl Cole presented this case to the Board. Mr. Cole stated they needed a 15 foot setback variance to install a sign. Mr. Cole further explained a hardship existed due to visibility and the fact the company did not currently have a sign that advertised their gasoline prices. Mr. Cole also stated the sign would be 4 feet tall.

Mr. Polk stated the Building Department would recommend approval .

Ms. Smith stated the Planning Department had no comment.

Mr. George Barran moved to approve this variance request as submitted. Ms. Sally Jo Green seconded the motion. On a roll-call vote, the motion carried.

#### CASE NO 11

Application and appeal of James Lee Pointer for a use permitted on appeal to Section 25-113 to have a temporary seasonal business to sell produce in the parking lot at 1502 West Moulton ST, property located in a M-1 Light Industry Zoning District.

Mr. James Lee Pointer and his friend Fred Fennell of 213 12<sup>th</sup> Ave NW presented this case to the Board. Mr. Pointer stated he wanted to sell produce on a seasonal basis in the parking lot of 1502 West Moulton St SW. Mr. Pointer also stated the owner was aware of his request and Mr. Pointer would provide a Port-O-John.

The Board inquired if there were any zoning requirements as to the location of the Port-O-John. Mr. Polk stated there were no zoning requirements for the location of a Port-O-John. However, Mr. Polk referred to the Zoning Ordinance Section 25-112b which states an approved temporary toilet facility shall be provided for the entire length of the occupancy.

Mr. Terry asked if the bathroom facilities could be used in an adjacent property.

It was determined that arrangements could be made with an adjacent property owner subject to approval from the Building Department.

Ms. Smith suggested that the applicant obtain written permission from an adjacent property owner and that be provided to the Building Department for approval.

Mr. Polk stated the Building Department would recommend approval.

Ms. Smith stated the Planning Department would recommend approval.

Mr. George Barran moved to approve this use permitted on appeal as submitted with either a letter from an adjacent property owner that their bathroom facilities could be used or documentation from the Port-O-John company. Ms. Sally Jo Green seconded the motion. On a roll-call vote, the motion carried

The Board called case No 3 again. Since no one came forward to present the case, The Board moved to dismiss.

The meeting adjourned at 4:50

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Chairman, Kent Lawrence



## **AGENDA APRIL 30, 2013**

### **CASE NO 1**

Application and appeal of Stuart Tanksley 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 fence contracting and sales at 2528 Chapel Hill Rd SW, property located in an AG-2 Agricultural Zoning District.

### **CASE NO 2**

Application and appeal of Amy McKean 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 mobile spray tan business at 1504 Northmead ST SW, property located in a R-2 Single-Family Zoning District.

### **CASE NO 3**

Application and appeal of Ronnie Waddell 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 residential construction, repair and remodeling business at 2101 Mud Tavern RD SW, property located in an AG-1 Agricultural Zoning District.

### **CASE NO 4**

Application and appeal of Ruby Lagunas-Romero 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 lawn care business at 1106 5<sup>th</sup> Ave SW, property located in a R-2 Single-Family Zoning District.

### **CASE NO 5**

Application and appeal of Rick Petty 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 lawn care business at 1913 Woodmead St SW, property located in a R-2 Single-Family Zoning District

### **CASE NO 6**

Application and appeal of Evan Root 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 lawn care business at 4173 Indian Hills Rd SE, property located in a R-1 Single-Family Zoning District.

#### CASE NO 7

Application and appeal of Deborah G. Bagwell 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 clothing and jewelry business at 3115 Navajo DR SE, property located in a R-5 Single-Family Zoning District.

#### CASE NO 8

Application and appeal of Bruce Cox 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 contractor business at 1513 15<sup>th</sup> Ave SW, property located in a R-2 Single-Family Zoning District

#### CASE NO 9

Application and appeal of Sunday Bougher for a 90.17 SF variance to Section 25.77(e) of the Zoning Ordinance to install 3 attached signs for a total of 290.17 SF at 1203 6<sup>th</sup> Ave SE, property located in a R-D Redevelopment District.




*A Grand City on a CHARMING SCALE*

## Board of Zoning Adjustment

APPLICANT: Pro Fence LLC  
 MAILING ADDR: 2528 Chapel Hill Rd. SW  
 CITY STATE ZIP: Decatur, AL 35603  
 PHONE: 256-584-0092

PROPERTY OWNER: Stuart Tanksley  
 OWNER ADDR: 2528 Chapel Hill Rd. SW  
 CITY STATE ZIP: Decatur, AL 35603  
 OWNER PHONE: 256-214-1969

ADDRESS FOR APPEAL: 2528 Chapel Hill Rd. 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.)

Fence contracting and sales. Address to be used strictly for administrative  
purposes: Mailing, Accounts Payable, Accounts Receivable and typical administrative  
paper work associated with general day-to-day business operations

### APPLICANT SIGNATURE:

Stuart Tanksley

PRINT NAME: Stuart Tanksley

DATE: 3-12-13

### OFFICE USE ONLY:

RECEIVED BY: JH

ZONING DISTRICT: A6-2

HEARING DATE: 4/30/13

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 10<sup>th</sup> 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.

04-09-2013 11:31

**CASE NO 1 2528 CHAPEL HILL RD 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: \_\_\_\_\_

*Stuart Janley*

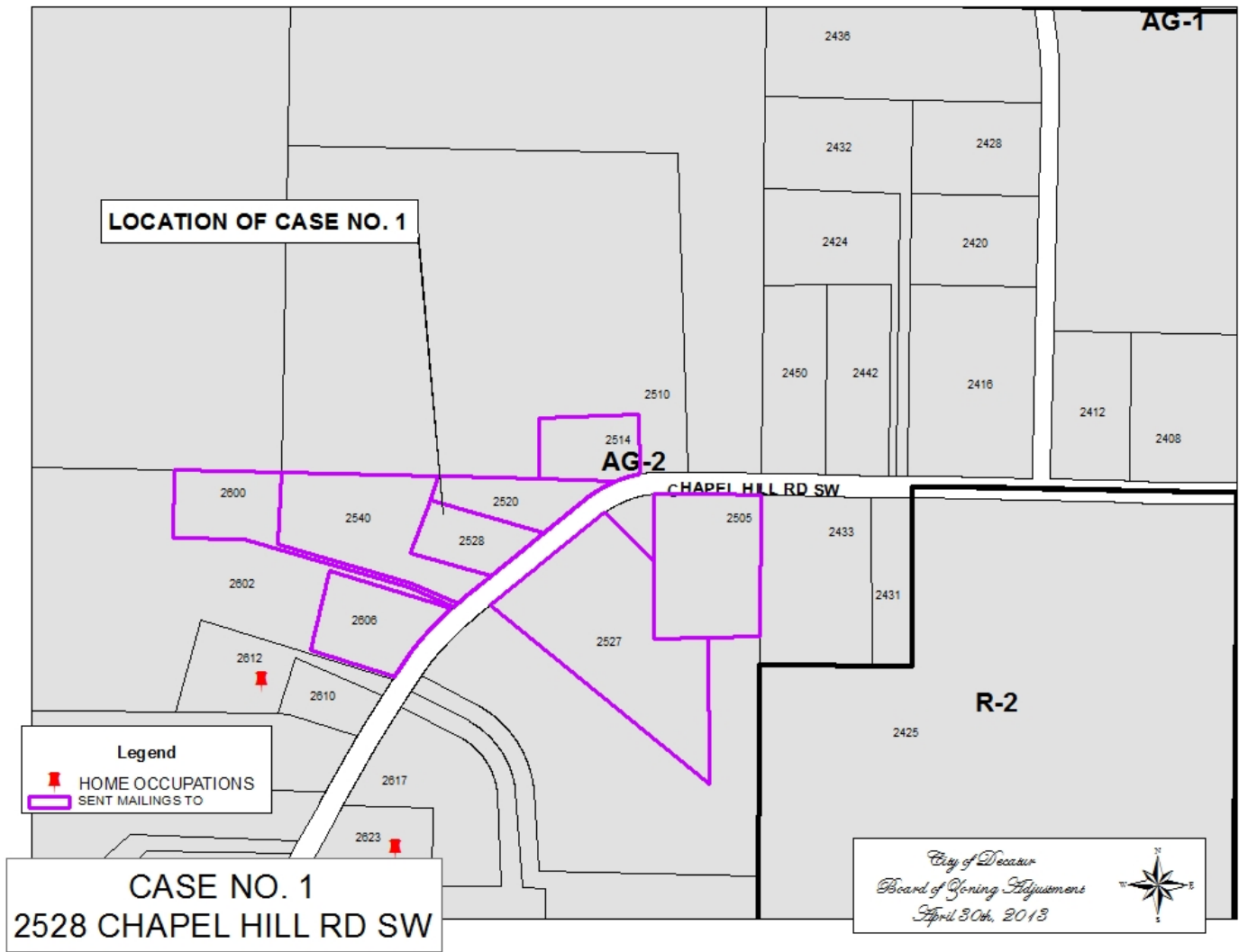
DATE: \_\_\_\_\_

*3-12-13*

ADDRESS: \_\_\_\_\_

*2528 Chapel Hill Rd. SW Decatur, AL 35603*

QUESTIONNAIRE



LOCATION MAP 2528 CHAPEL HILL RD SW



*A Grand City on a CHARMING SCALE*

## Board of Zoning Adjustment

APPLICANT: Amy McKean  
MAILING ADDR: 1504 Northmead St SW  
CITY STATE ZIP: Decatur, AL 35601  
PHONE: 256-580-6223

PROPERTY OWNER: Jon Alexander  
OWNER ADDR: 1504 Northmead St SW  
CITY STATE ZIP: Decatur, AL 35601  
OWNER PHONE: 256-476-2056

ADDRESS FOR APPEAL: 1504 Northmead St SW 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

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

Administrative office for a mobile spray tan business

APPLICANT SIGNATURE:

Amy S. McKean

PRINT NAME: Amy S. McKean

DATE: 3-18-13

OFFICE USE ONLY:

RECEIVED BY: Judy

ZONING DISTRICT: R-2

HEARING DATE: April 30<sup>th</sup> 2013

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 10<sup>th</sup> 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 2 1504 NORTHMEAD ST 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:

Amy S. McKee

DATE:

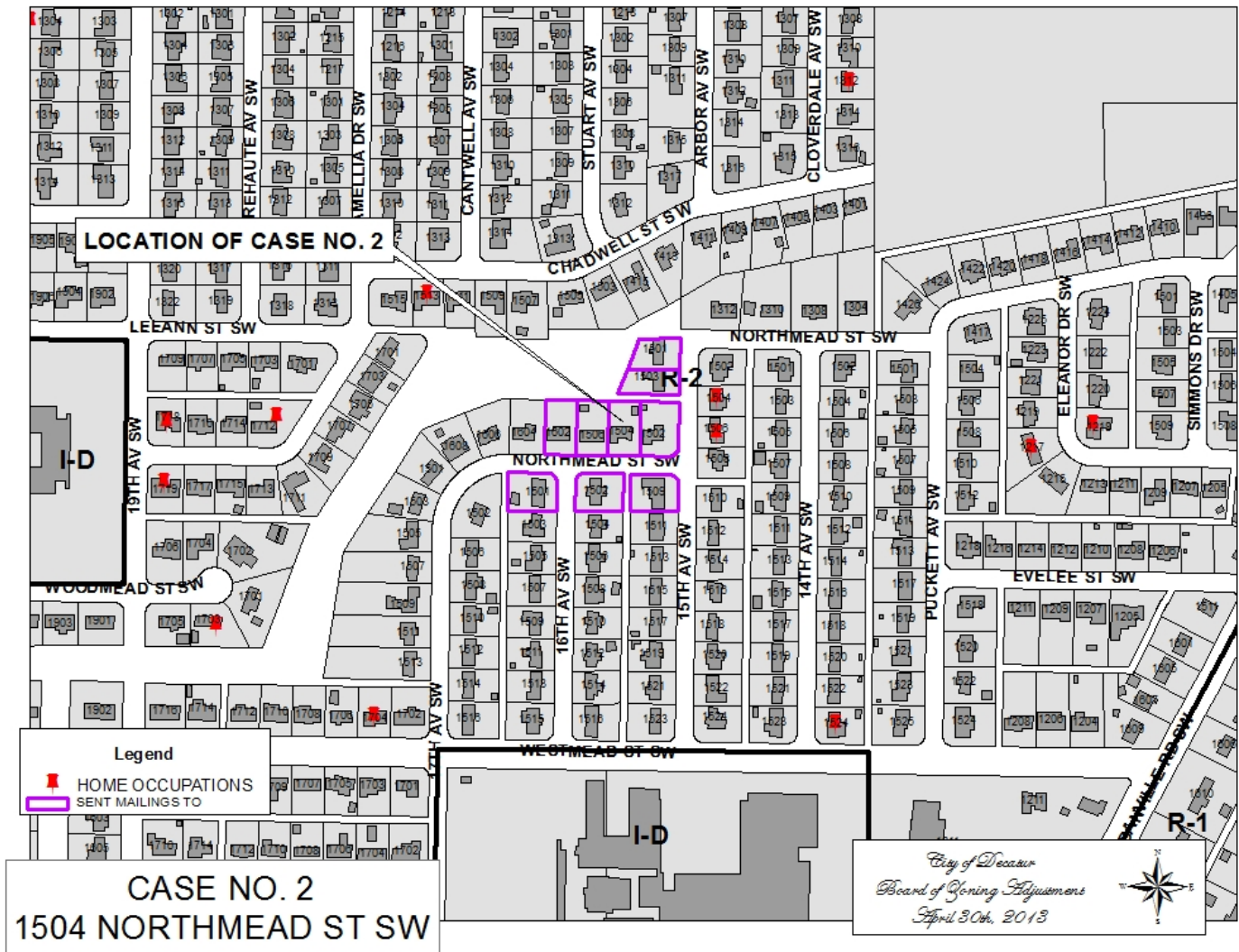
3-18-13

ADDRESS:

154 Northmead St SW Decatur AL 35601

QUESTIONNAIRE





LOCATION MAP 1504 NORTHMEAD ST SW



*A Grand City on a CHARMING SCALE*

## Board of Zoning Adjustment

APPLICANT:	<u>Ronnie Waddell</u>
MAILING ADDR:	<u>2101 Mud Tavern Road SW</u>
CITY STATE ZIP:	<u>Decatur, AL 35603</u>
PHONE:	<u>256-476-3874</u>
PROPERTY OWNER:	<u>Ronnie Waddell</u>
OWNER ADDR:	<u>2101 Mud Tavern Road SW</u>
CITY STATE ZIP:	<u>Decatur, AL 35603</u>
OWNER PHONE:	<u>256-476-3874</u>

ADDRESS FOR APPEAL:	<u>2101 Mud Tavern Road SW</u>
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<b>NATURE OF APPEAL:</b>	
<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"/> OTHER	<input type="checkbox"/> APPEAL OF ADMINISTRATIVE DECISION
<input type="checkbox"/> SURVEY FOR VARIANCES ATTACHED	<input type="checkbox"/> DRAWINGS FOR VARIANCES ATTACHED

<b>DESCRIBE APPEAL IN DETAIL:</b> (INCLUDE DIMENSIONS, # FT FOR VARIANCES; # FOR PARKING; HARDSHIP; TYPE OF BUSINESS.)
<u>Administrative office for residential construction, repairs, &amp; remodeling.</u>

<b>APPLICANT SIGNATURE:</b> <u>Ronnie Waddell</u>	<b>OFFICE USE ONLY:</b>
<b>PRINT NAME:</b> <u>Ronnie Waddell</u>	<b>RECEIVED BY:</b> <u>Judy</u>
<b>DATE:</b> <u>3.15.13</u>	<b>ZONING DISTRICT:</b> <u>AG-1</u>
	<b>HEARING DATE:</b> <u>April 30, 2013</u>
	<b>APPROVED/DISAPPROVED:</b> _____

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<sup>th</sup> 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 3 2101 MUD TAVERN RD SW**

## HOME OCCUPATION QUESTIONS

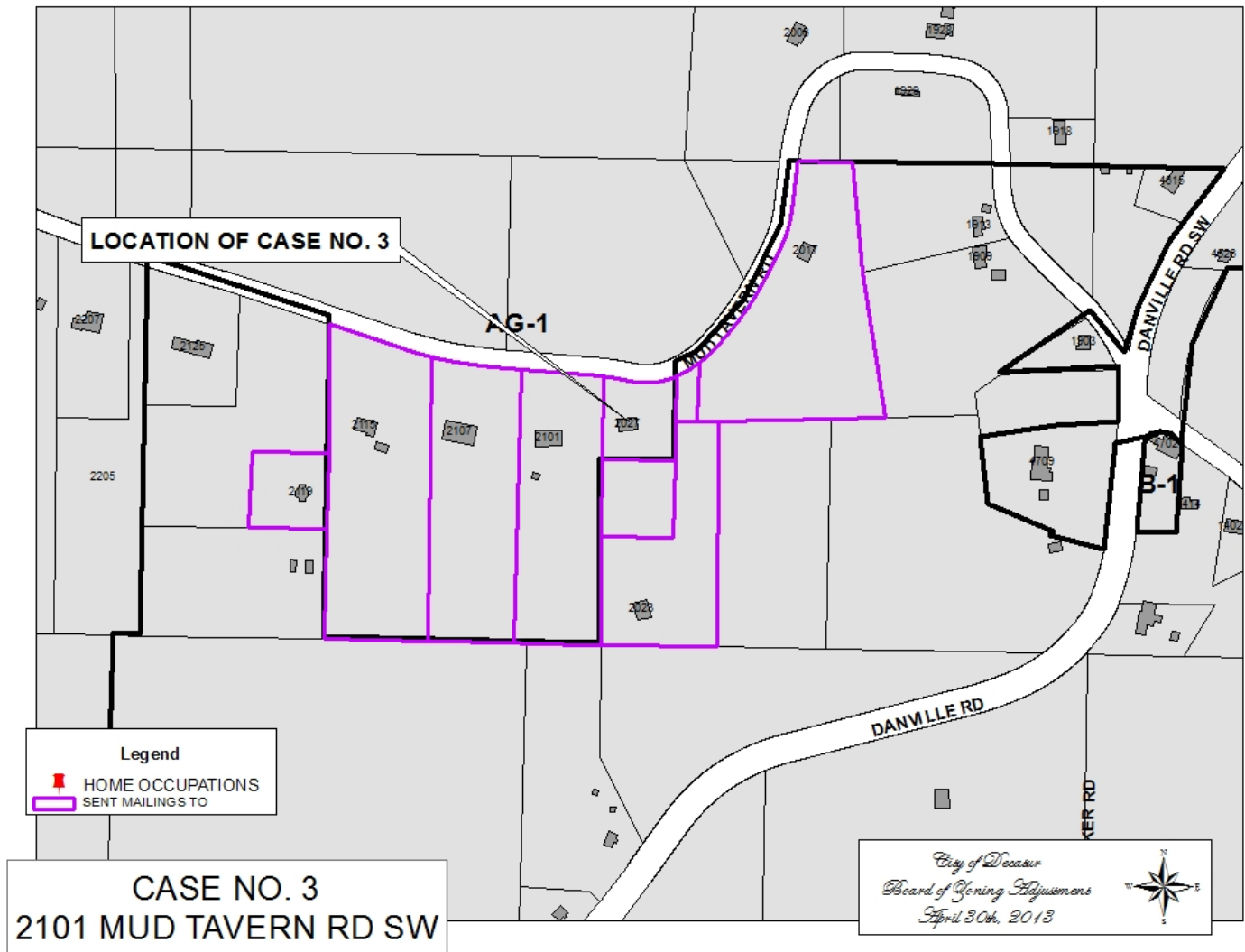
CHECK YES OR NO FOR EACH QUESTION

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: 3-15-13

ADDRESS: 2101 Mud Tavern Road SW  
Dacula, AL 35603

QUESTIONNAIRE





*A Grand City on a* CHARMING SCALE

## Board of Zoning Adjustment

APPLICANT: Ruby Lagunas-Romero  
MAILING ADDR: 1106 5th Ave SW  
CITY STATE ZIP: Decatur, AL 35601  
PHONE: 256-221-2957

PROPERTY OWNER: Esteban Lagunas  
OWNER ADDR: 1106 5th Ave SW  
CITY STATE ZIP: Decatur, AL 35601  
OWNER PHONE: 256-221-0077

ADDRESS FOR APPEAL: 1106 5th Ave SW 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

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

I would like to run my lawn care business from my house.  
All the lawn machines will be store in the backyard  
(we have a big store house "garage" behind the house). f  
For admisdad administrative office ONLY!

APPLICANT SIGNATURE: *Ruby Lagunas R.*  
PRINT NAME: Ruby Lagunas-Romero  
DATE: 3-2013

### OFFICE USE ONLY:

RECEIVED BY: *[Signature]*  
ZONING DISTRICT: R-2  
HEARING DATE: April 30th, 2013 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 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 4 1106 5<sup>TH</sup> AVE 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:

Priscilla Lagunas P.

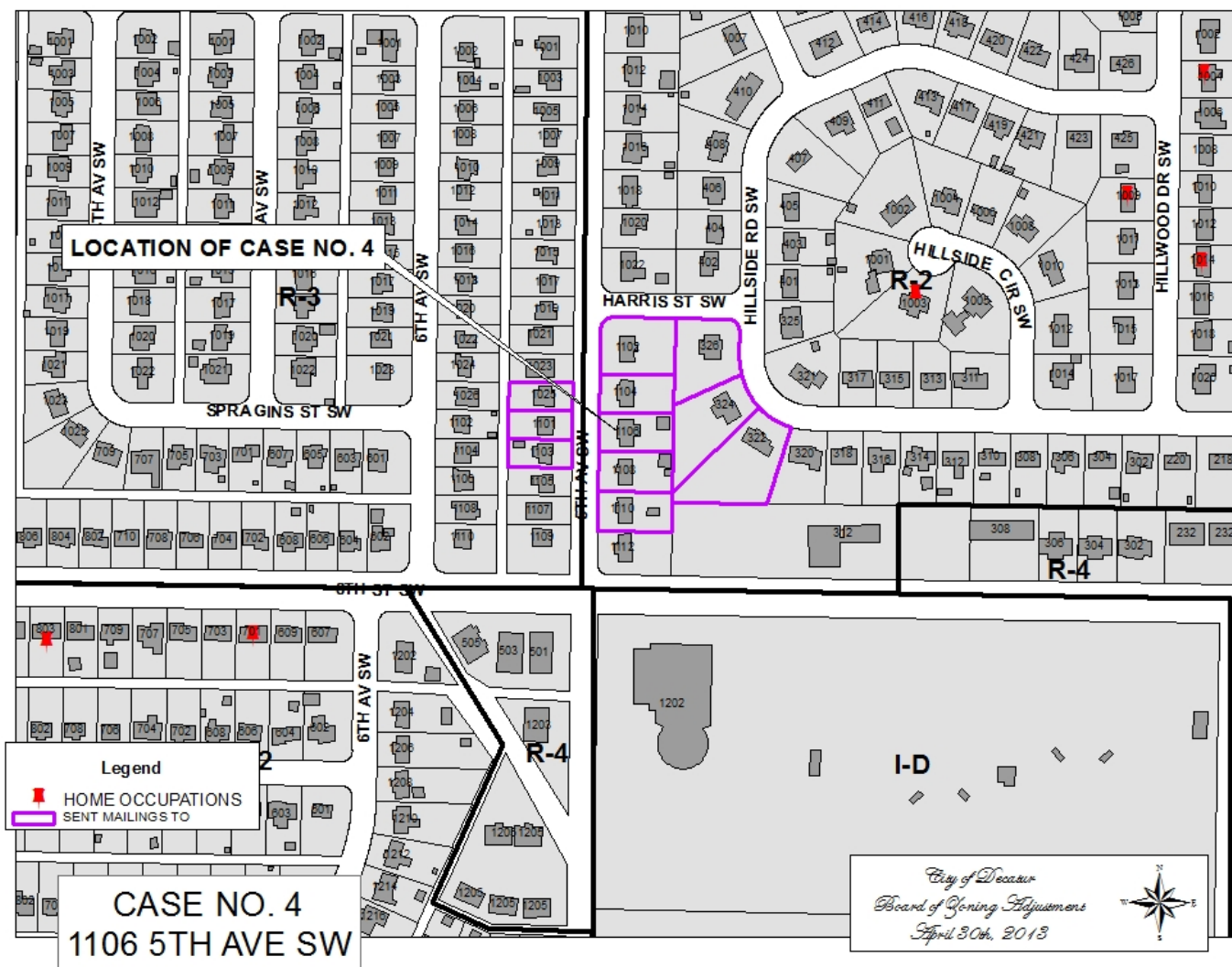
DATE:

3-20-13

ADDRESS:

1106 5<sup>th</sup> Ave SW Decatur, AL 35607

QUESTIONNAIRE



LOCATION MAP 1106 5<sup>TH</sup> AVE SW



*A Grand City on a* CHARMING SCALE

## Board of Zoning Adjustment

APPLICANT: Rick Petty  
MAILING ADDR: 1913 Woodmead St S.W.  
CITY STATE ZIP: Decatur, AL 35601  
PHONE: 256-318-5886

PROPERTY OWNER: ALL SAME AS ABOVE Rick Petty  
OWNER ADDR: 1913 Woodmead St. S.W.  
CITY STATE ZIP: Decatur AL 35601  
OWNER PHONE: 256-318-5886

ADDRESS FOR APPEAL: 1913 Woodmead St. S.W.

### 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.)

Lawn Mowing Business All equipment keep either  
in garage or storage building  
I want to use my home as a Admin.  
office only

### APPLICANT SIGNATURE:

Rick Petty  
PRINT NAME: RICK PETTY  
DATE: 4-2-13

### OFFICE USE ONLY:

RECEIVED BY: Cindy  
ZONING DISTRICT: R-2  
HEARING DATE: April 30th, 2013  
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 10<sup>th</sup> 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 5 1913 WOODMEAD ST SW**



## HOME OCCUPATION QUESTIONS

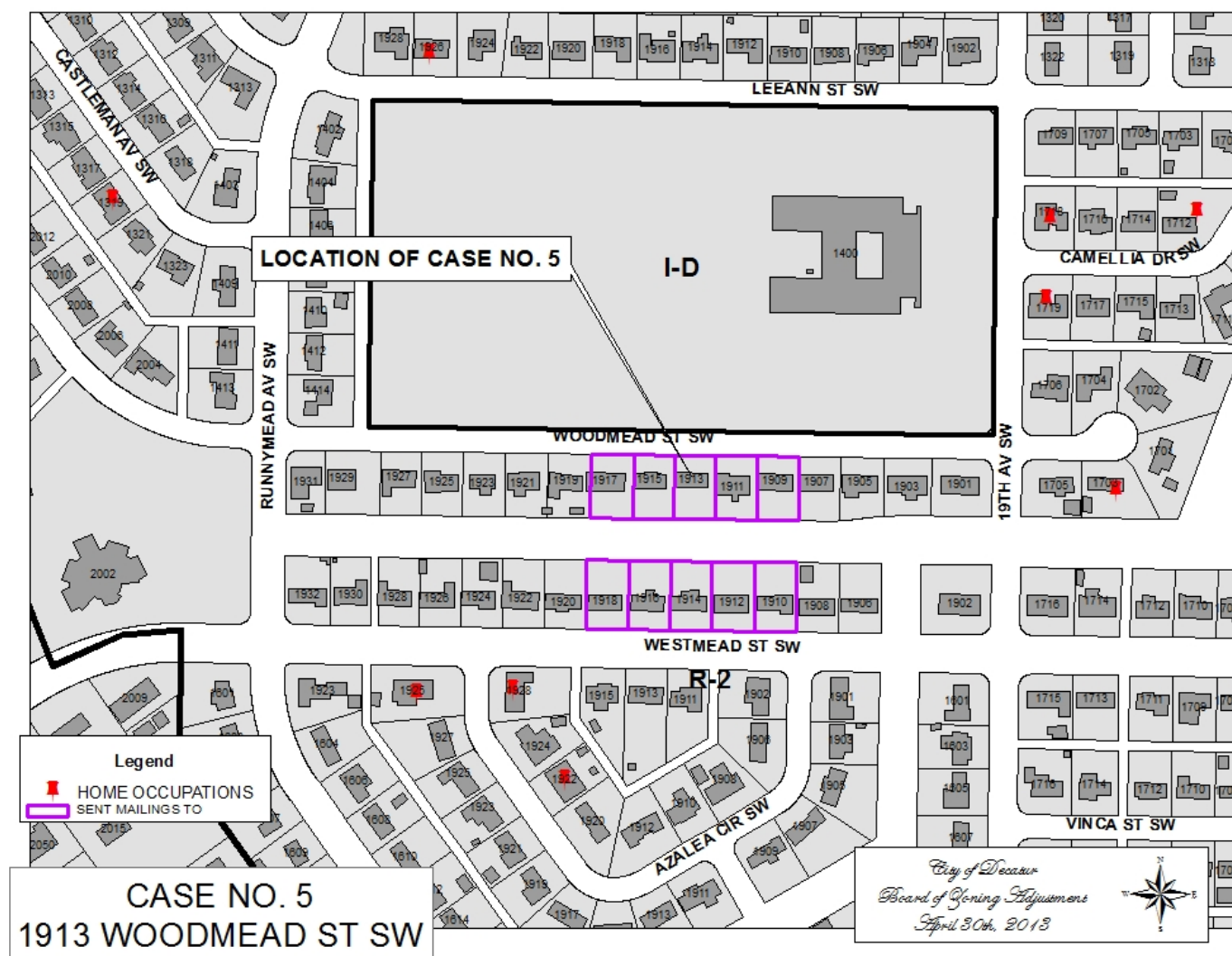
CHECK YES OR NO FOR EACH QUESTION

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: Rick Pitney DATE: 4-2-13

ADDRESS: 1913 Woodmead St. SW.

QUESTIONNAIRE



### LOCATION MAP 1913 WOODMEAD ST SW



*A Grand City on a CHARMING SCALE*

## Board of Zoning Adjustment

APPLICANT:	<u>Evan Root</u>
MAILING ADDR:	<u>4173 Indian Hills Rd. SE</u>
CITY STATE ZIP:	<u>35603</u>
PHONE:	<u>317-780-4538</u>
PROPERTY OWNER:	<u>Dena Root</u>
OWNER ADDR:	<u>4173 Indian Hills Rd SE</u>
CITY STATE ZIP:	<u>35603</u>
OWNER PHONE:	<u>317-410-8158</u>

ADDRESS FOR APPEAL:	<u>4173 Indian Hills Rd SE</u>
---------------------	--------------------------------

<b>NATURE OF APPEAL:</b>	
<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"/> OTHER	<input type="checkbox"/> APPEAL OF ADMINISTRATIVE DECISION
<input type="checkbox"/> SURVEY FOR VARIANCES ATTACHED	<input type="checkbox"/> DRAWINGS FOR VARIANCES ATTACHED

<b>DESCRIBE APPEAL IN DETAIL:</b> (INCLUDE: DIMENSIONS, # FT FOR VARIANCES; # FOR PARKING; HARDSHIP; TYPE OF BUSINESS.)
<u>I wish to use my home as an administrative office</u>
<u>for my lawn mowing business.</u>

<b>APPLICANT SIGNATURE:</b> <u>Evan Root</u>	<b>OFFICE USE ONLY:</b>
<b>PRINT NAME:</b> <u>Evan Root</u>	<b>RECEIVED BY:</b> <u>Judy</u>
<b>DATE:</b> <u>4/30/2013</u>	<b>ZONING DISTRICT:</b> <u>R-1</u>
	<b>HEARING DATE:</b> <u>April 30, 2013</u>
	<b>APPROVED/DISAPPROVED:</b> _____

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<sup>th</sup> 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 6 4173 INDIAN HILLS RD SE**

## HOME OCCUPATION QUESTIONS

CHECK YES OR NO FOR EACH QUESTION

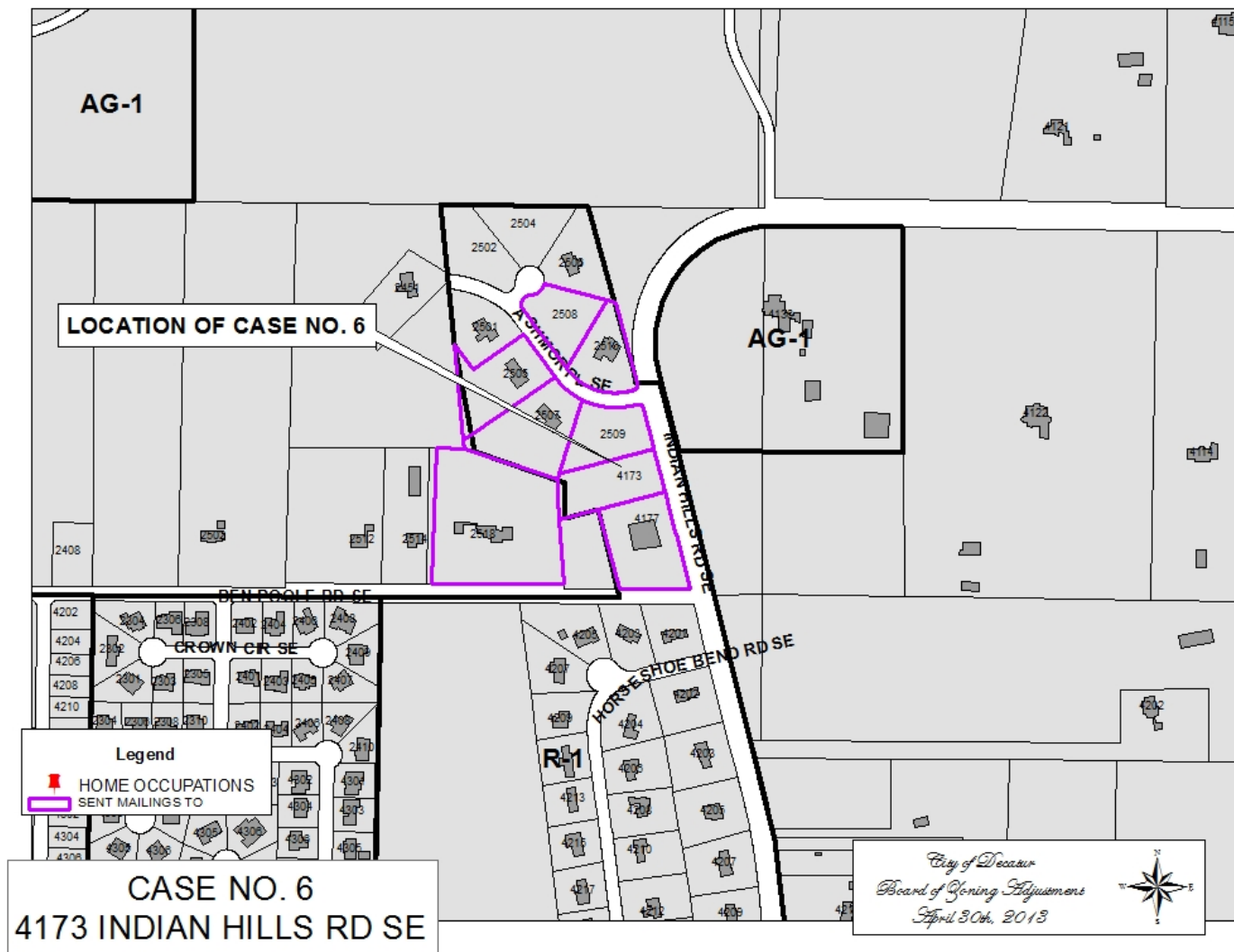
1. Is the use applied for, administrative office, making of crafts, sewing, etc., conducted entirely within the dwelling? YES ☒ NO ☐
2. Does the occupation produce sounds, colors or other audible or visible evidence of a home occupation being present? YES ☐ NO ☒
3. Is there advertising on the premises 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 ☒   
 *EMK*
6. Does the home occupation produce any electrical interference, smoke, dust, or noise, which may be offensive? YES ☒ NO ☒   
 *EMK*
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: *Sam Rind*

DATE: 8/3/13

ADDRESS: 4173 Indian Hills RD SE

QUESTIONNAIRE



LOCATION MAP 4173 INDIAN HILLS RD SE



*A Grand Old* CHARMING SCALE

## Board of Zoning Adjustment

APPLICANT: <u>Deborah G. Bagwell</u>	
MAILING ADDR: <u>3115 Navajo DR SE</u>	
CITY STATE ZIP: <u>Decatur, AL 35603</u>	
PHONE: <u>256.318.6549</u>	
PROPERTY OWNER: <u>Deborah G. Bagwell</u>	
OWNER ADDR: <u>3115 Navajo DR SE</u>	
CITY STATE ZIP: <u>Decatur, AL</u>	
OWNER PHONE: <u>256.318.6549</u>	
ADDRESS FOR APPEAL: <u>3115 Navajo DR SE</u> <u>DECATUR, AL 35603</u>	
NATURE OF APPEAL: <input checked="" type="checkbox"/> HOME OCCUPATION <input 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 type="checkbox"/> DRAWINGS FOR VARIANCES ATTACHED	
DESCRIBE APPEAL IN DETAIL: (INCLUDE DIMENSIONS, # FT FOR VARIANCES, # FOR PARKING, HARDSHIP, TYPE OF BUSINESS.) <u>Clothing &amp; jewelry business to be</u> <u>sold online - Administrative Office Only</u> <u>15 1/2 x 14 office space</u>	
APPLICANT SIGNATURE: <u>Deborah G. Bagwell</u> PRINT NAME: <u>Deborah G. Bagwell</u> DATE: <u>4-9-13</u>	OFFICE USE ONLY: RECEIVED BY: <u>July</u> ZONING DISTRICT: <u>R-5</u> HEARING DATE: <u>April 30, 2013</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 the 10<sup>th</sup> 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 3115 NAVAJO DR 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:

Deborah G. Bignell

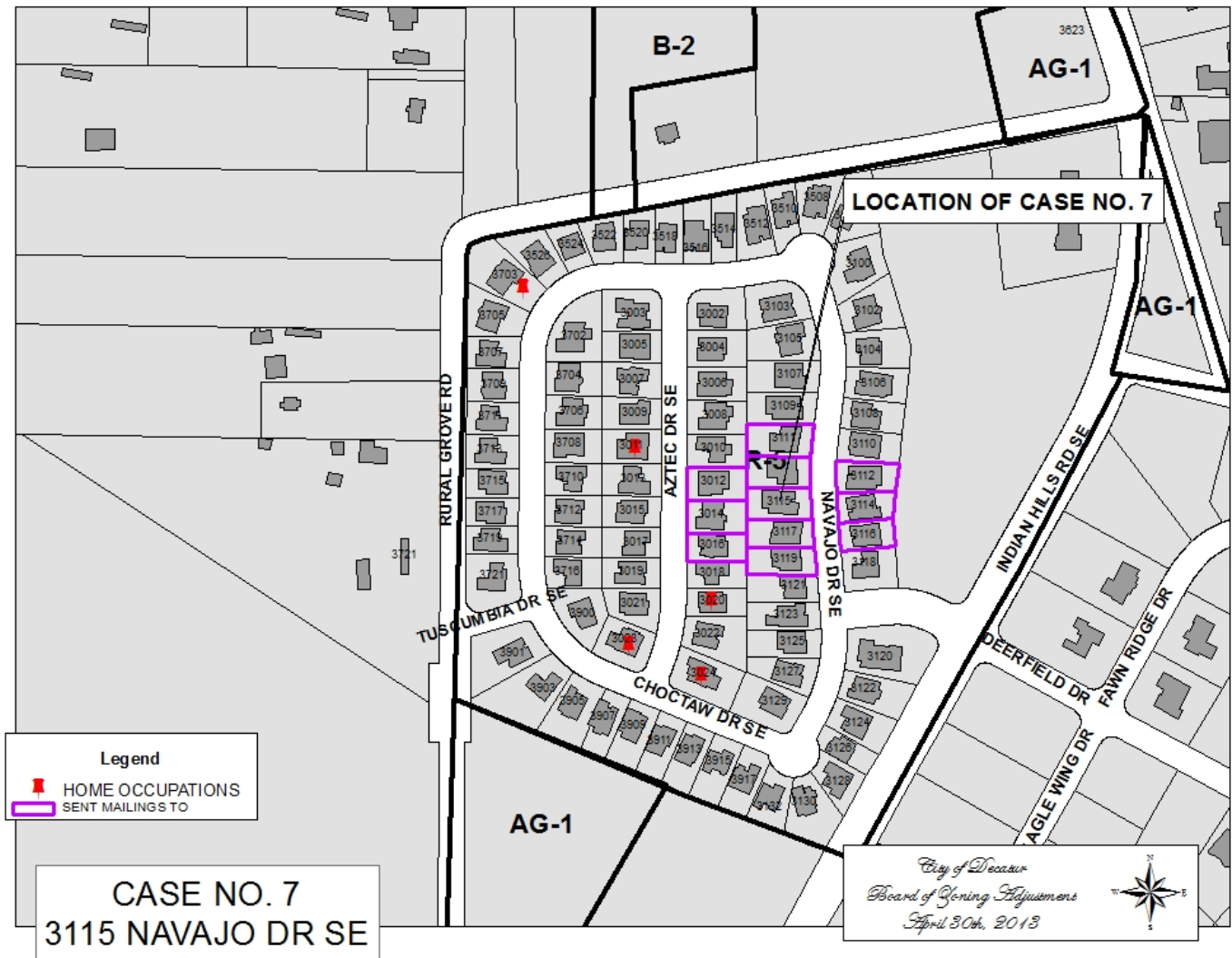
DATE:

4-9-13

ADDRESS:

3115 Navajo Drive SE  
Decatur, AL 35603

QUESTIONNAIRE



LOCATION MAP 3115 NAVAJO DR SE





*A Grand City on a CHARMING SCALE*

## Board of Zoning Adjustment

APPLICANT: Bruce Cox  
MAILING ADDR: 1513 15th Ave SW  
CITY STATE ZIP: Decatur, AL 35601  
PHONE: 256.227.6286

PROPERTY OWNER: Gerald N. Sanders  
OWNER ADDR: 1516 Forestream Dr. SW -  
CITY STATE ZIP: Decatur AL 35603  
OWNER PHONE: 256.355.1415

ADDRESS FOR APPEAL: 1513 15th Ave SW 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

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

Want to use home as an administrative office for my  
contractor business, NO traffic in or out of my home

### APPLICANT SIGNATURE:

Bruce Cox

PRINT NAME: Bruce Cox

DATE: 04/02/13

### OFFICE USE ONLY:

RECEIVED BY: Cindy

ZONING DISTRICT: R-2

HEARING DATE: April 30th 2013 @ 4:00 PM

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 10<sup>th</sup> 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 8 1513 15<sup>TH</sup> AVE 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 ☒
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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 ☒

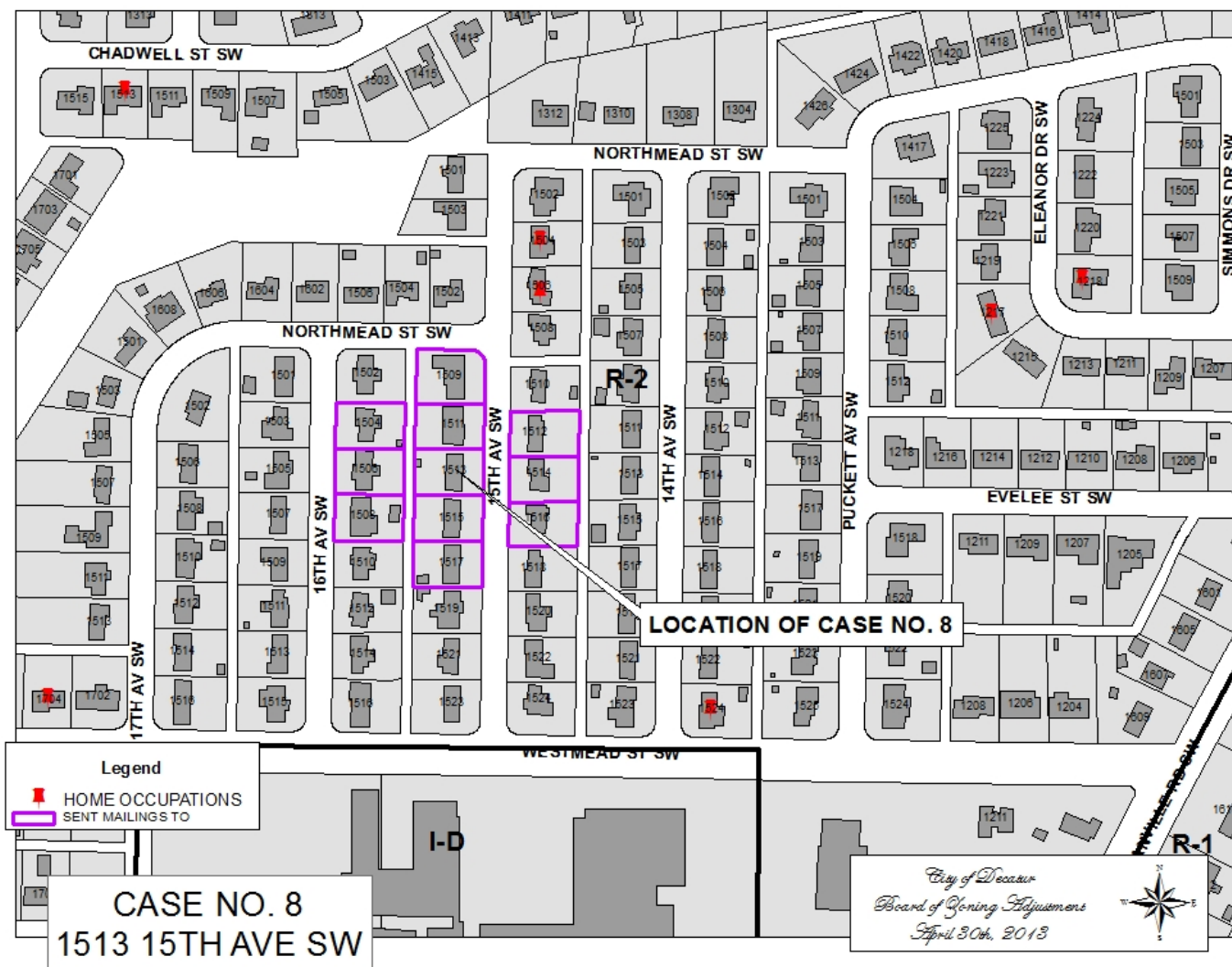
SIGNED: \_\_\_\_\_

DATE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

Bruce Cox April 2, 2013  
1513 15th Ave SW Decatur, GA 35601

QUESTIONNAIRE



LOCATION MAP 1513 15<sup>TH</sup> AVE SW



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

APPLICANT NAME:	<u>SUNDAY BOUCHER, SGA DESIGN GROUP</u>
MAILING ADDRESS:	<u>1437 SOUTH BOULDER, STE 550</u>
PLEASE INCLUDE CITY, STATE AND ZIP	<u>TULSA, OK 74119</u>
PHONE:	<u>(918) 587-8600</u>
PROPERTY OWNER NAME:	<u>WALMART REAL ESTATE</u>
MAILING ADDRESS:	<u>2001 SE 10TH ST</u>
PLEASE INCLUDE CITY, STATE AND ZIP	<u>BENTONVILLE, AR 72716</u>
PHONE:	<u>(479) 204-0575</u>

PROPERTY LOCATION/STREET ADDRESS FOR REQUEST:

1203 6<sup>th</sup> AVE SW Decatur AL 35601

NATURE OF THE APPEAL:

☐ HOME OCCUPATION ☐ SETBACK VARIANCE ☐ USE PERMITTED ON APPEAL

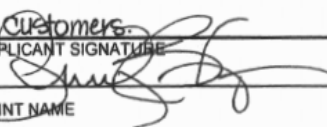
☒ SIGN VARIANCE ☐ APPEAL OF ADMINISTRATIVE DECISION ☐ OTHER

DESCRIBE IN DETAIL THE REQUEST: Sec 25-77(e) limits wall signs to 200 sq feet.

We are proposing a total of 290.77 sf, which is comprised of three signs.

See attached. Pharmacy signs serve as directional signs for the

Customers.

APPLICANT SIGNATURE 	OFFICE USE ONLY
PRINT NAME <u>SUNDAY BOUCHER</u>	REVIEWED BY: <u>RLS</u>
DATE <u>3.13.13</u>	ZONING DISTRICT: <u>R-D</u>
	HEARING DATE: _____
	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 10<sup>th</sup> of the month. Applicants MUST be present in order for the case to be heard. Please request a copy of this application.

CASE NO 9 1203 6<sup>TH</sup> AVE SE



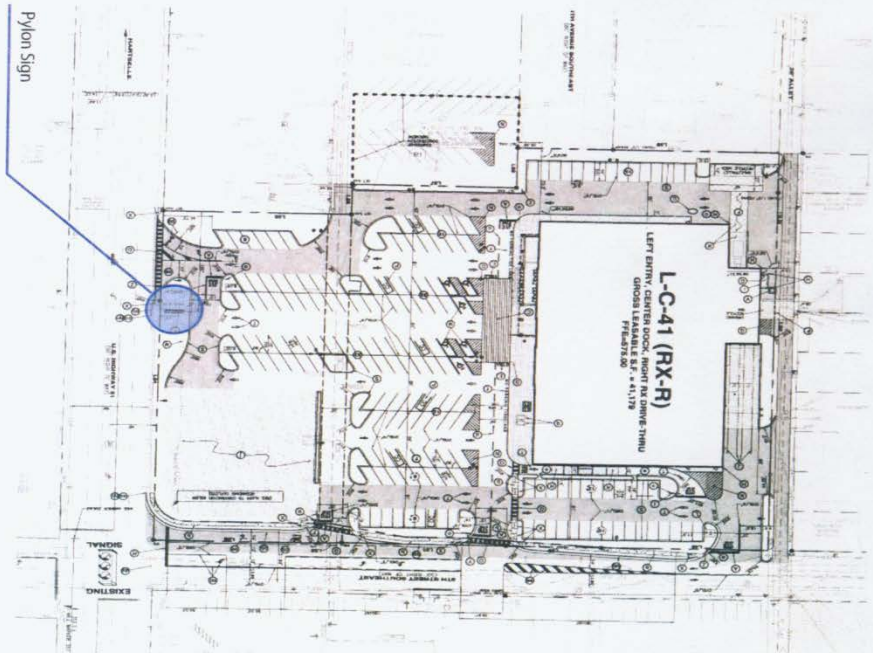
Technical drawing of a Walmart Neighborhood Market sign. The sign is green with the Walmart logo and "Neighborhood Market" text. Dimensions include a height of 8'-7" and a width of 3'-11". Labels point to the "Illuminated Cabinet", "Turnback Bracket", "Flare Piece", "PMS 300C", "Steel Pipe", and "Turnback Bracket".

### Side Elevation



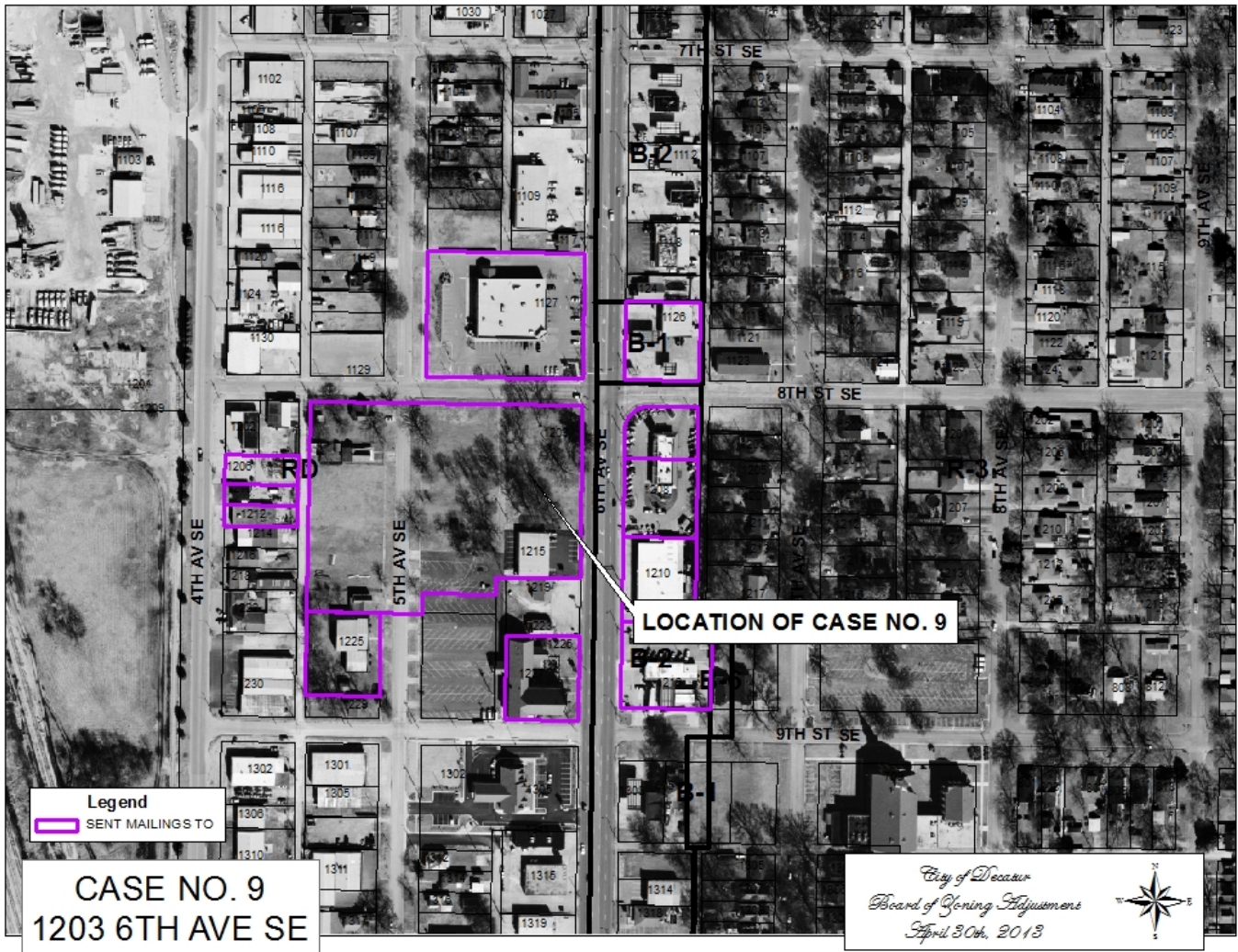
### Site Signage Calculations

3



38





LOCATION MAP 1203 6<sup>TH</sup> AVE SE