



BOARD OF ZONING ADJUSTMENT

AGENDA

November 25, 2014

TABLE OF CONTENTS

MINUTES OCTOBER 28, 2014	3
AGENDA NOVEMBER 25, 2014.....	8
CASE NO 1 916 5TH AVE SE UNIT B	9
QUESTIONNAIRE	10
LOCATION MAP 916 5 TH AVE SE	11
CASE NO 2 2908 ASHVILLE DR SW	12
QUESTIONNAIRE	13
LOCATION MAP 2903 ASHVILLE DR SW	14
CASE NO 3 403 7TH AVE NW.....	15
QUESTIONNAIRE	16
LOCATION MAP 403 7 TH AVE NW	17
CASE NO 4 812 BRADLEY ST SW	18
SURVEY.....	19
LOCATION MAP 812 BRADLEY ST SW.....	20
CASE NO 5 3504 DANVILLE RD SW	21
METES AND BOUNDS	22
LOCATION MAP 3504 DANVILLE RD SW	23
CASE NO 6 431 JOHNSTON ST SE.....	24
LAYOUT	25
SURVEY.....	26
LOCATION MAP 431 JOHNSTON ST SE	27

MINUTES OCTOBER 28, 2014

MEMBERS PRESENT: Vice-Chairman Larry Wayne, Messrs., Mr. Eddie Pike, and Ms. Frances Tate

SUPERNUMERARIES: Mr. Charles Taylor and Ms. Sally Jo Green

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
Mr. Bob Sims, Building Inspector
Ms. Judy Bosworth, Recorder

Vice-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.

Ms. Frances Tate moved to **approve** the minutes of the September Special Called meeting as printed. Ms. Sally Jo Green seconded the motion. On a voice vote, the motion carried.

Mr. Eddie Pike moved to **approve** the minutes of the regular September meeting as printed. Ms. Frances Tate 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 Roger Ferrell 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 recreational shooting targets at 2520 Circle Dr SE, property located in a R-1 Single-Family Zoning District.

Mr. Roger Ferrell presented this case to the Board. Mr. Ferrell stated he would like an administrative office to manufacture and sell targets and various components that would be manufactured in Birmingham. Mr. Ferrell also stated he would primarily wholesale the products but some would be sold on-line as well as in different venues. Mr. Ferrell additionally stated there would be no product stored at his home, no employees, and no signage.

Both Mr. Sims of the Building Department and Mrs. Smith of the Planning Department stated they would recommend approval.

Mr. Eddie Pike 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 Amy Shelton 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 and to bake and decorate cakes in accordance with the Alabama Cottage Food Law at 1308 Northmeade St SW, property located in a R-2 Single-Family Zoning District.

Ms. Amy Shelton presented this case to the Board. Ms. Shelton stated she would like an administrative office to bake cakes under the Alabama Cottage Food Law. Ms. Shelton additionally stated she would deliver the cakes to the customers. Further Ms. Shelton stated she would have no employees and no signage.

Mr. Sims stated the Building Department would recommend approval.

Mrs. Smith stated the Planning Department would agree with the Building Department.

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 3

Application and appeal of Jennifer Ledbetter 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 embroidery business at 2938 Legacy Dr SW, property located in a R-2 Single-Family Zoning District.

Ms. Jennifer Ledbetter presented this case to the Board. Ms. Ledbetter stated she would like an administrative office for an on-line embroidery business. Ms. Ledbetter also stated she would have no employees and no customer coming to her home.

Both Mr. Sims of the Building Department and Mrs. Smith of the Planning Department stated they would recommend approval.

Mr. Eddie Pike 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 4

Application and appeal of Carlos DeJesus 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 wheelchair transportation business at 1110 8th Ave SE, property located in a R-3 Single-Family Zoning Ordinance.

Mr. Carlos DeJesus presented this case to the Board. Mr. DeJesus stated he would like an administrative office for a wheelchair transportation business.

Vice-Chairman Larry Waye asked if the owner was aware of his request. Mr. DeJesus stated the owner was aware of this request. Mr. DeJesus additionally stated he would be using one van for his business which would have no advertising on it. He also stated there would be no employees.

Vice-Chairman Larry Waye stated if the business grew and more vans were needed as well as employees then Mr. DeJesus would need to rent a commercial space since a fleet of vehicles parked at the home would not be allowed; neither could employees report to his home for work.

Mr. Sims stated the Building Department would recommend approval with the explanation Vice-Chairman Larry Waye made.

Mrs. Smith stated the Planning Department would recommend approval.

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

CASE NO 5

Application and appeal of Ashley S. Mayers 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 retail store in order to retail hair extensions and jewelry at 1615 Marion St SW, property located in a R-2 Single-Family Zoning District.

Ms. Ashley S. Mayers presented this request to the Board. Ms. Mayers stated she would like an administrative office to sell hair extensions and jewelry on-line. Ms. Mayers also stated there would be no customers coming to her home.

Mr. Sims stated the Building Department would recommend approval.

Mrs. Smith asked Ms. Mayers if the clients would want her to apply the extensions. Ms. Mayers stated "no". Mrs. Smith stated the Planning Department would recommend approval.

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

CASE NO 6

Application and appeal of Jasmine Burnett 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 Day Care Home for six children or less from 6:00 a.m. to 7:00 p.m. and a Group Day Care Home for seven to twelve children from 2:00 p.m. to 7:00 p.m. at 902 6th Ave SW, property located in a R-2 Single-Family Zoning District.

Ms. Jasmine Burnett presented this case to the Board. Ms. Burnett stated she would like a Home Day Care and a Group Day Care Home to be able to keep up to six children from 6:00 a.m. to 7:00 p.m. and up to twelve children from 2:00 p.m. to 7:00 p.m.

City Attorney, Herman Marks asked if she had children of her own to care for in addition to the daycare children. Ms. Burnett stated she had two children that were school age. Ms. Burnett additionally stated she would have an employee to help with the Day Care duties.

Mr. Sims stated the Building Department would recommend approval.

Mrs. Smith stated the Planning Department would recommend approval.

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

CASE NO 7

Application and appeal of Clifton Foster for both a 5 foot rear-yard and a 5 foot side-yard setback variance to Section 25-10 of the Zoning Ordinance in order to finish constructing an out building at 3201 Leafwood Place SW, property located in a R-2 Single-Family Zoning District.

Mr. Clifton Foster presented this case to the Board. Mr. Foster stated he would like setback variances on both the rear and side of his property to finish constructing a shed.

Mr. Eddie Pike asked if the shed was already constructed. Mr. Foster stated it was partially constructed.

Vice-Chairman Larry Waye asked Mr. Foster if he had a survey to present to the Board. Mr. Foster stated "no". Vice-Chairman Larry Waye then stated there was plenty of room on the other side of the property to construct the shed so why could he not construct it there? Mr. Foster stated it flooded on the other side of the property.

Mr. Charles Taylor stated the building could be built up in a case where flooding is an issue.

Mr. Joey Johnson of 1120 Way Thru the Woods stated he lived directly behind Mr. Foster. Mr. Johnson also stated he did not mind what Mr. Foster constructed as long as he met the setbacks; however, that was not the case because the structure was right next to the fence.

Mr. Sims stated the setbacks needed to be maintained and there was plenty of room in the rear-yard to construct the structure. Therefore; the Building Department would recommend Disapproval.

Mrs. Smith stated the Planning Department would recommend Disapproval.

Mr. Eddie Pike asked the Building Department is it the fact that the structure had a roof that made it fall under the Zoning guidelines.

Mr. Bob Sims stated if the structure was just a deck without a roof the zoning would not come into play, but since the structure will have a roof that makes it fall under the Zoning Ordinance.

Mr. Eddie Pike moved to approve this variance request as submitted. Ms. Frances Tate seconded the motion. On a roll-call vote, the motion failed with five voting against and zero voting in favor.

The meeting adjourned at 4:25

Vice-Chairman, Larry Waye

AGENDA NOVEMBER 25, 2014

CASE NO 1

Application of Phyllis Smith for an appeal of an Administrative Decision from Section 25-11.2 of the Zoning Ordinance to have an administrative office for a residential cleaning business at 916 5th Ave SE, Unit B, property located in a RD Redevelopment Zoning District.

CASE NO 2

Application and appeal of Marlon Birdsong 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 sell dresses on-line at 2903 Ashville Dr SW, property located in a R-2 Single-Family Zoning District.

CASE NO 3

Application and appeal of Annie 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 a residential cleaning business at 403 7th Ave NW, property located in a R-4 Multi-Family Zoning District.

CASE NO 4

Application and appeal of Chris Armor for a 7.5 foot rear-yard setback variance to Section 25-11 of the Zoning Ordinance in order to be allowed to keep the structure at 812 Bradley St SW, property located in a B-1 Business Zoning District.

CASE NO 5

Application and appeal of Ken Lett for a use permitted on appeal to Section 25-12.1 of the Zoning Ordinance to be able to manufacture popcorn at 3504 Danville Rd SW, property located in a AG-2 Zoning District.

CASE NO 6

Application and appeal of Dr. Paul Bishop for a variance to Section 25-16(6) of the Zoning Ordinance to allow double loaded parking spaces for employees only to be included in the parking calculations at 431 Johnston St SE, property located in a B-2 General Business Zoning District.



A Grand City on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Phyllis Smith
MAILING ADDR: P.O. Box 263
CITY STATE ZIP: Decatur AL 35602
PHONE: 256-274-2086

PROPERTY OWNER: Bill Spunklock
OWNER ADDR: 1404 6th AVE. S.E
CITY STATE ZIP: Decatur AL 35601
OWNER PHONE: 256-355-4245

ADDRESS FOR APPEAL: 916 5th AVE. SE UNIT B

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 cleaning Business.
Residential cleaning only

APPLICANT SIGNATURE:

Phyllis Smith

PRINT NAME: Phyllis Smith

DATE: 11-6-14

OFFICE USE ONLY:

RECEIVED BY: Judy

ZONING DISTRICT: R-D

HEARING DATE: November 25, 2014

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 1 916 5TH AVE SE UNIT B

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 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 ☒

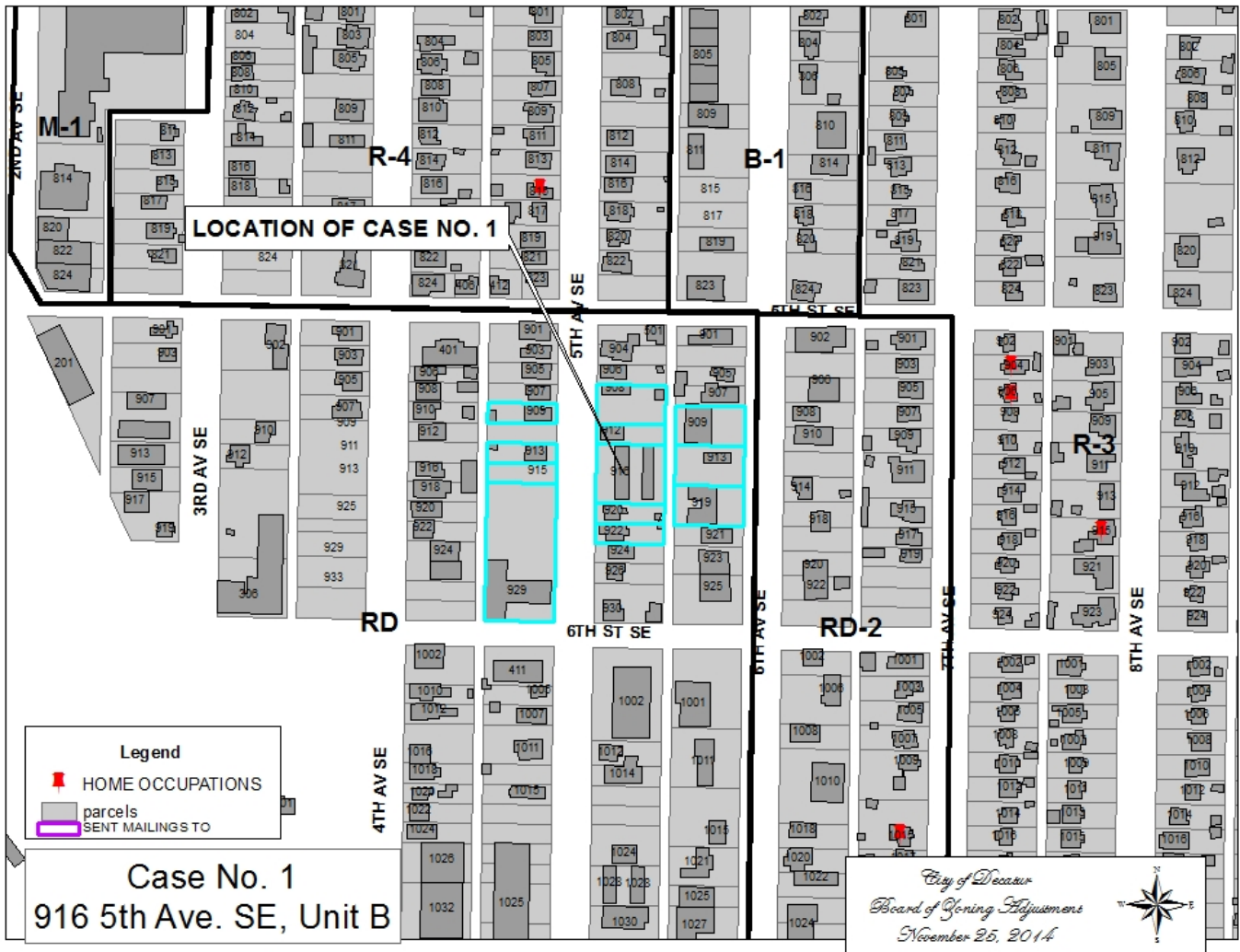
SIGNED: _____

DATE: _____

ADDRESS: _____

Phyllis Smith
916 5th Ave S.E. Unit B

QUESTIONNAIRE



LOCATION MAP 916 5TH AVE SE



CITY OF DECATUR
BOARD OF ZONING ADJUSTMENT APPLICATION

APPLICANT:	Marlon Birdsong
MAILING ADDR:	2908 Ashville Dr. SW
CITY STATE ZIP:	Decatur, AL 35603
PHONE:	256-616-6363
PROPERTY OWNER:	Marlon & Lauren Birdsong
OWNER ADDR:	2908 Ashville Dr. S.W.
CITY STATE ZIP:	Decatur, AL 35603
OWNER PHONE:	256-616-6363

ADDRESS FOR APPEAL:	2908 Ashville Dr. SW.
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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.)
Home will be used as an administrative office, for selling dresses online. No traffic in or out of my home.

APPLICANT SIGNATURE: 	OFFICE USE ONLY:
PRINT NAME: Marlon Birdsong	RECEIVED BY:
DATE: 10/15/14	ZONING DISTRICT: R-2
	HEARING DATE: Nov 25th at 4:00pm.
	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 2 2908 ASHVILLE DR SW

HOME OCCUPATION QUESTIONS

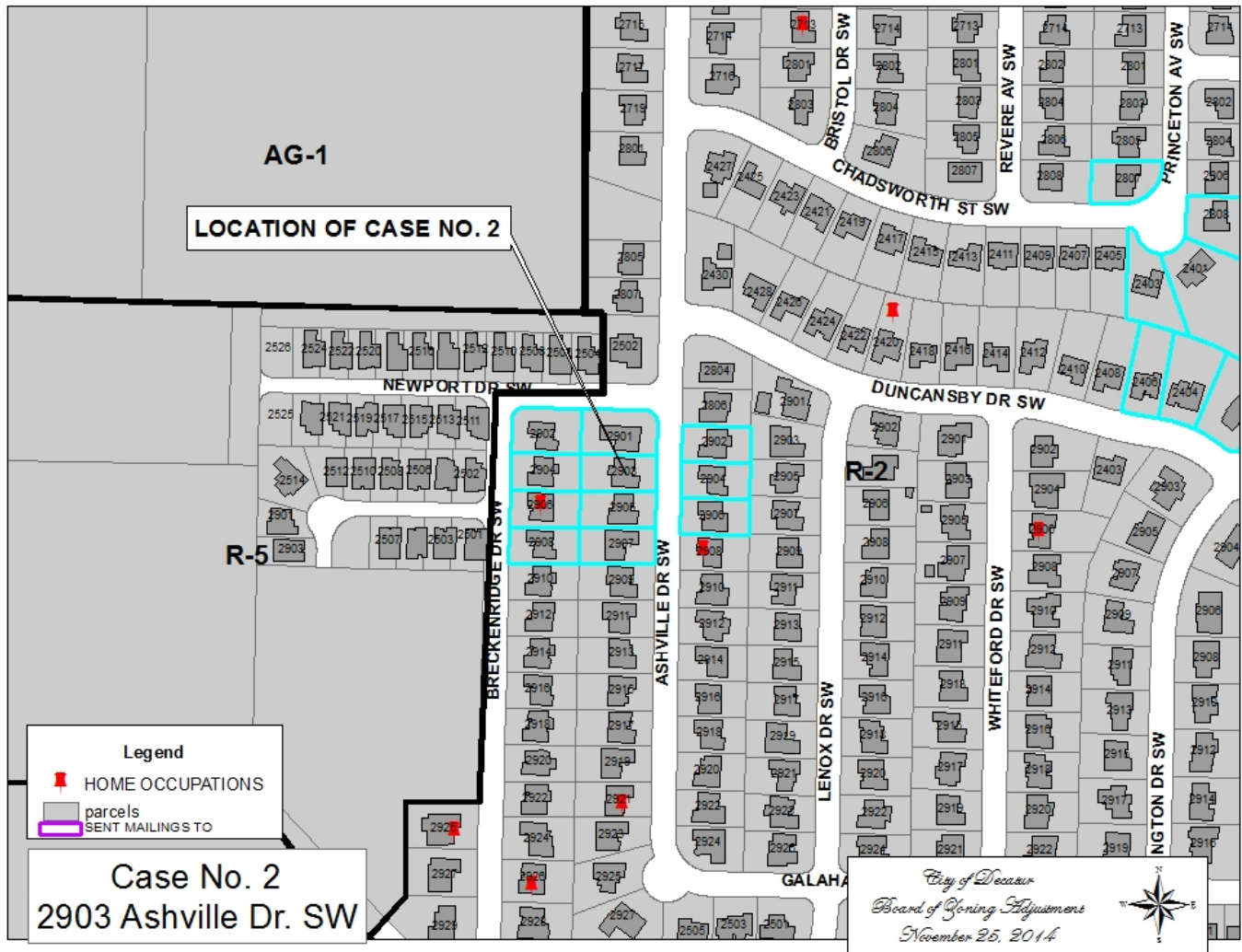
CHECK YES OR NO FOR EACH QUESTION

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 ☒
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 ☒
MLB
11. Will there be any employees of this home occupation other than members of the family living in the home? YES ☐ NO ☒

SIGNED: Mark B. Ly DATE: 10/15/14

ADDRESS: 2908 Ashville Dr. SW. Decatur, GA 35603

QUESTIONNAIRE



LOCATION MAP 2903 ASHVILLE DR SW



CITY OF DECATUR

BOARD OF ZONING ADJUSTMENT APPLICATION

APPLICANT:	<u>Annie Salentiner</u>
MAILING ADDR:	<u>403-7th Ave NW</u>
CITY STATE ZIP:	<u>Decatur al 35602</u>
PHONE:	<u>355 5620</u>
PROPERTY OWNER:	<u>Annie Salentiner</u>
OWNER ADDR:	<u>PO Box 681</u>
CITY STATE ZIP:	<u>Decatur al 35602</u>
OWNER PHONE:	<u>355-5620</u>

ADDRESS FOR APPEAL:	<u>403-7th Ave NW</u>
---------------------	-----------------------

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

***** Applicants 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)	
<u>General Cleaning Small Home Office Remedial Cleaning</u>	
APPLICANT SIGNATURE:	OFFICE USE ONLY:
<u>Annie Salentiner</u>	RECEIVED BY: <u>Judy</u>
PRINT NAME: <u>ANNIE BALENTINER</u>	ZONING DISTRICT: <u>R-4</u>
DATE: <u>11-10-14</u>	HEARING DATE: <u>Nov. 25th 2014</u>
	APPROVED/DISAPPROVED: _____

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CASE NO 3 403 7TH AVE NW

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 ☒ AB
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 ☒

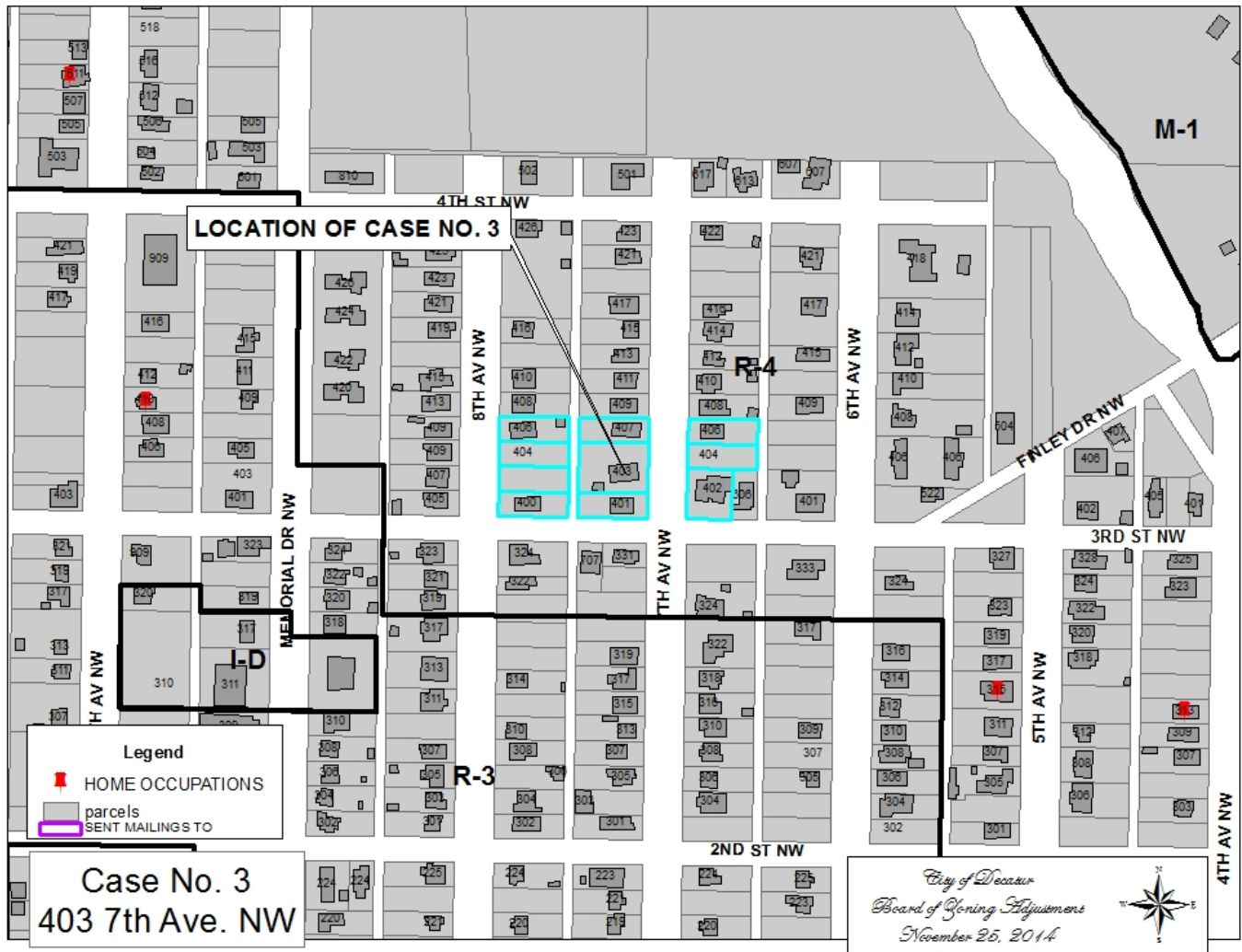
SIGNED: _____

DATE: _____

ADDRESS: _____

Arnie Balentine 11-10-14
PO Box 681 Decatur al 35602

QUESTIONNAIRE



LOCATION MAP 403 7TH AVE NW



CITY OF DECATUR

BOARD OF ZONING ADJUSTMENT APPLICATION

APPLICANT:	Chris Armor
MAILING ADDR:	812 Bradley St SW
CITY STATE ZIP:	Decatur AL 35601
PHONE:	256-355-2686 cell (256)-318-8243
PROPERTY OWNER:	Chris Armor
OWNER ADDR:	812 Bradley St SW
CITY STATE ZIP:	Decatur AL 35601
OWNER PHONE:	(256)-355-2686 cell (256) 318-8243

ADDRESS FOR APPEAL:	812 Bradley St SW Decatur AL 35601
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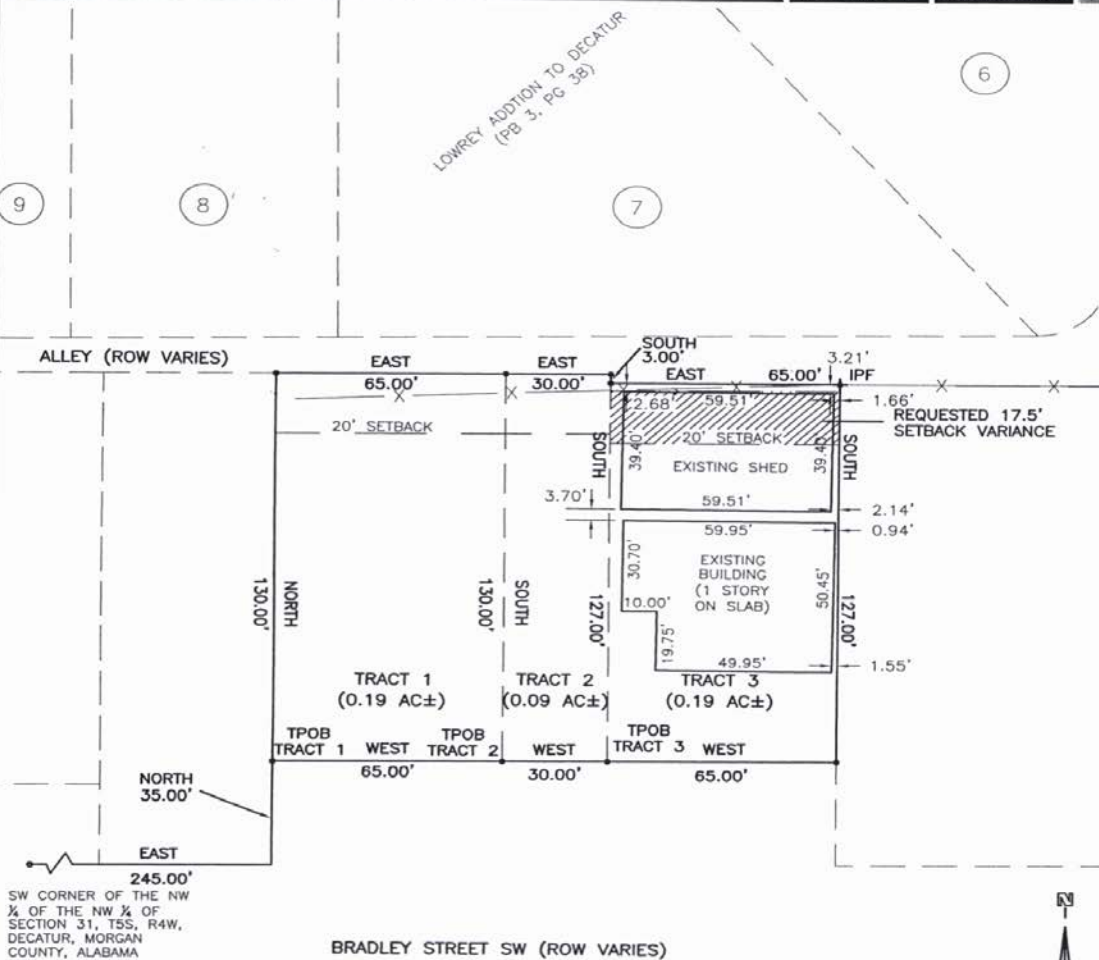
NATURE OF APPEAL:	
<input type="checkbox"/> HOME OCCUPATION	<input checked="" type="checkbox"/> SETBACK VARIANCE
<input type="checkbox"/> USE PERMITTED ON APPEAL	<input type="checkbox"/> SIGN VARIANCE
<input type="checkbox"/> OTHER	<input type="checkbox"/> APPEAL OF ADMINISTRATIVE DECISION
<input type="checkbox"/> SURVEY FOR VARIANCES ATTACHED	<input type="checkbox"/> DRAWINGS FOR VARIANCES ATTACHED

***** Applicants 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)	
Requesting a 7 1/2' rear yard set back variance	
APPLICANT SIGNATURE: 	OFFICE USE ONLY:
PRINT NAME: Chris Armor	RECEIVED BY: Judy
DATE: Nov 7 2014	ZONING DISTRICT: B-1
	HEARING DATE: Nov 25, 2014
	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 4 812 BRADLEY ST SW



GENERAL NOTES

1. NORTH REFERENCE IS BASE BEARING FROM DEED AS SHOWN HEREON.
2. ALL MEASUREMENTS SHOWN ARE TO U.S. STANDARDS AND ARE FIELD MEASUREMENTS UNLESS OTHERWISE SHOWN
3. SOURCE OF INFORMATION USED FOR SURVEY: D.B. 1295, PG 566
4. PROPERTY ADDRESS IS BRADLEY STREET SW, DECATUR, AL 35603
5. NO ENCROACHMENTS WERE FOUND ABOVE GROUND EXCEPT AS SHOWN
6. NO SEARCH OF PUBLIC RECORDS HAS BEEN PERFORMED BY THIS FIRM TO DETERMINE IF ANY DEFECTS AND/OR AMBIGUITIES EXIST IN THE TITLE.
7. THERE WAS NO FIELD LOCATION ATTEMPTED TO DETERMINE THE EXTENT OF SUBSURFACE STRUCTURES
8. UNLESS STATED OTHERWISE, GOVERNMENTAL JURISDICTIONAL AREAS OR NEGATIVE EASEMENT, IF ANY, WHICH MIGHT AFFECT THE USE OF THIS PROPERTY WERE NOT LOCATED. THE UNDERSIGNED ASSUMES NO LIABILITY FOR ANY LOSS RESULTING FROM THE EXERCISE OF ANY GOVERNMENTAL JURISDICTION AFFECTING THE USE OF THIS PROPERTY.
9. FIELD WORK WAS COMPLETED ON 02-07-2013.

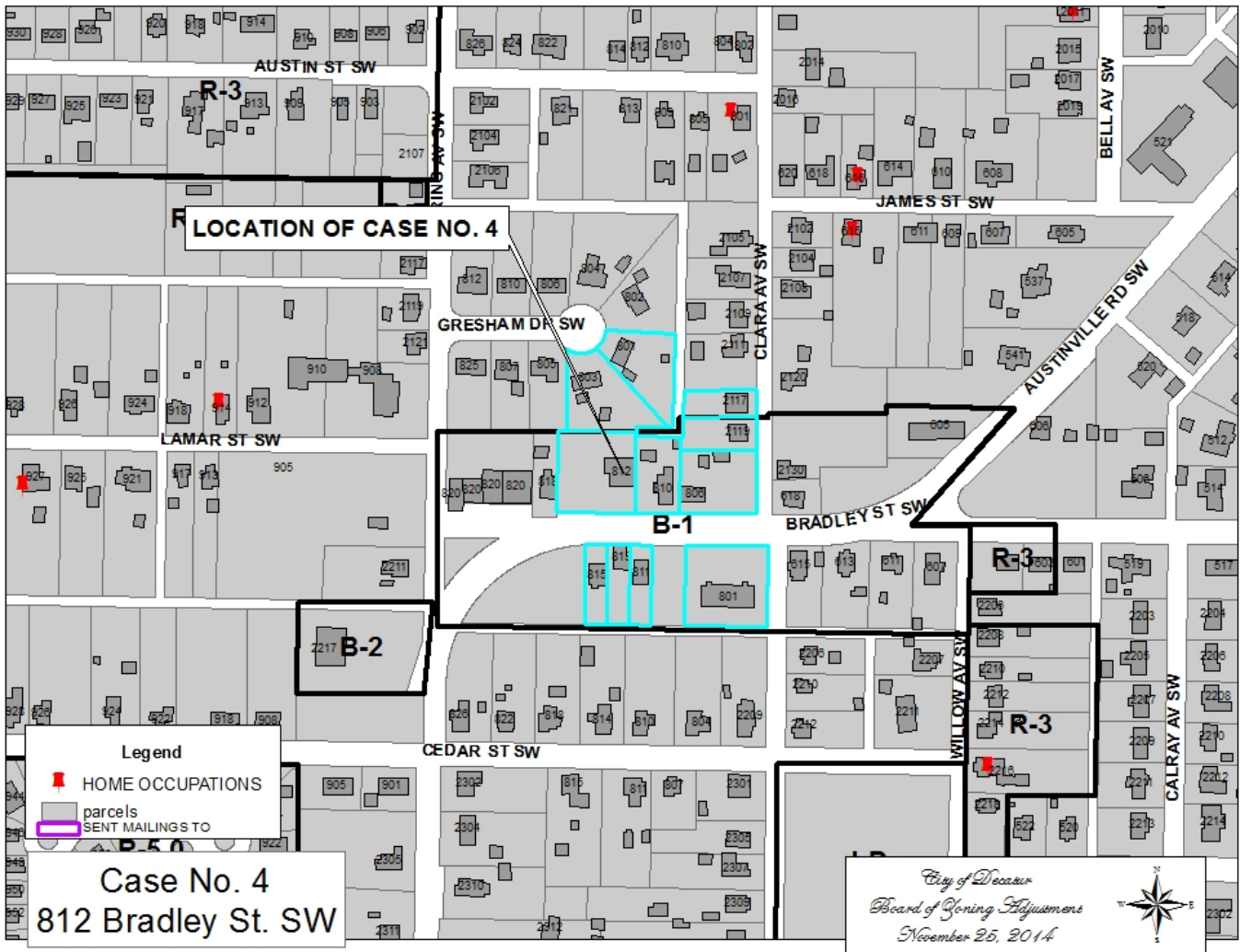
LEGEND

- PROPERTY CORNERS
- IPF IRON PIN FOUND
- CIPS CAPPED IRON PIN SET

VARIANCE REQUEST -- ARMORS CONTRACTING INC -- BRADLEY STREET SW

DRAWING DATE: 02-11-13 | DRAWN BY: RDH | APPROVED BY: RWH | JOB No. D-31-13 | SCALE: 1"=40' | PAGE 3 OF 3

SURVEY



LOCATION MAP 812 BRADLEY ST SW



CITY OF DECATUR

BOARD OF ZONING ADJUSTMENT APPLICATION

APPLICANT: KEN LETT
MAILING ADDR: 2321 Shelburne Ave SW
CITY STATE ZIP: Decatur, AL 35603
PHONE: 256) 426-2226

PROPERTY OWNER: KEN LETT
OWNER ADDR: 2321 Shelburne Ave SW
CITY STATE ZIP: Decatur AL 35603
OWNER PHONE: 256) 426-2226

ADDRESS FOR APPEAL: 3504 Danville Road Decatur 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

*****Applicants 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)

MANUFACTURING CORN INTO
POPCORN IN AN AG-2
NO ON-SITE SALES OR
PUBLIC TRAFFIC

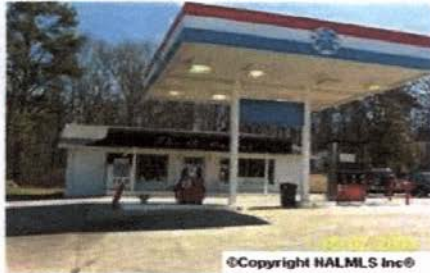
APPLICANT SIGNATURE: Ken Lett
PRINT NAME: KEN LETT
DATE: 10-29-2014

OFFICE USE ONLY:

RECEIVED BY: Cindy
ZONING DISTRICT: A-62
HEARING DATE: Nov. 25th at 4:00pm
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 5 3504 DANVILLE RD SW



MLS #: 730362 CI ACTIVE LP: \$49,900
 County: MORGAN Type: BU
 Address: 3504 DANVILLE ROAD Unit #: 35603
 City: DECATUR
 Municipality: METES AND BOUNDS CityLimits?: N
 Subdivision: 177X300X131X367 Lot: N/A
 Lot Size: 1.25 Block: N/A
 Acreage: 1.25 # Bldgs: 1 # Restrms: 2 # Docks: # Park:
 Frontage: Rail Avail: Traffic Count:
 Bay Size: Handicap Access: Ceiling Hgt:
 Floor Loading: Int: Ext: Sprinkler Sys:

Directions **Beltline Road to Danville Road store located at the Chapel Hill Road entrance.**

Legal Description

Pub Rmks **Remodeled building on about an acre. New roof, paint and windows.**

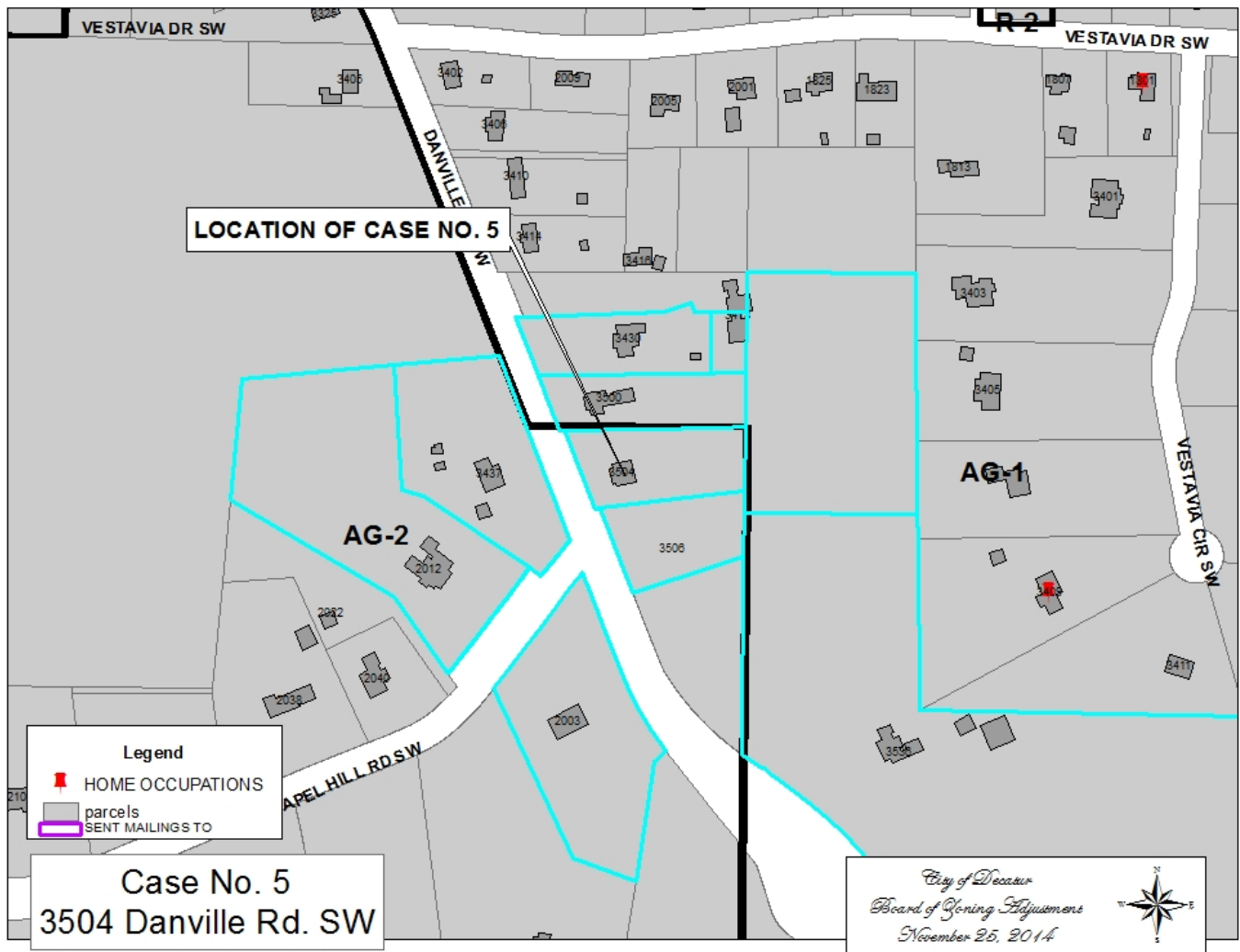
Gross Bldg Sqft:	Retail Sqft:	Sales Sqft:
Rentable Sqft:	Warehouse Sqft:	Net Leasable Sqft:
Office Sqft:	Office \$/Sqft \$	Other \$/Sqft \$
Business Only:	\$ Includes:	Lease Only:
Lease Finance:		Lease Incl:
Value of Assets \$	Yearly Rent Amount \$:	
Gross Income:	Vacancy:	Annual Taxes:
Insurance:	Gas & Elec	Water & Sewer:
Waste Removal:	Maintenance:	Other Exp:
Total Expenses:	Net Op Income:	Assessment:
Tax Rate:	Tax ID:	Bus Name: R MARKET
ZONING Agricultural	CURRENT USE See Remarks	Apx Age Unknown
CONSTRUCTION Concrete	FOUNDATION SLAB	FLOOR Concrete
COOLING Central Air	WATER Public	SEWER Public
SITE Freestanding	ROOF Shingle	HEATING Central
TO SHOW Lock Box	ACCESS ROAD Public	ROADFRONT City
	PARKING Private	SELLING TERMS See Remarks
	LEVELS 1 Story	

Contract Date: Sold Date: SPP: NegCC: SP:
 Prc/Sqft:



Information deemed reliable but not guaranteed—Copyright: 2014 by the NALMLS.com No representation is made that any of the particulars concerning the listed properties is accurate. No attempt has been made to verify any of such information and it is only contained for the convenience of the member REALTORS® to help them narrow searches of properties. The Association strongly recommends that any such information be independently verified by all prospective purchasers prior to the execution of any agreement concerning that property.

08/26/2014 09:44 PM



LOCATION MAP 3504 DANVILLE RD SW



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

APPLICANT NAME:	Dr. Paul Bishop
MAILING ADDRESS:	431 Johnston St., SE
PLEASE INCLUDE CITY, STATE AND ZIP	Decatur, AL 35601
PHONE:	(256) 355-1744
PROPERTY OWNER NAME:	SONRISE LAND COMPANY
MAILING ADDRESS:	2034 STRATFORD CT SE
PLEASE INCLUDE CITY, STATE AND ZIP	DECATUR, AL 35601
PHONE:	(256) 355-1744

PROPERTY LOCATION/STREET ADDRESS FOR REQUEST:
431 Johnston St., 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: A variance is requested to allow double loaded parking spaces,
for employees only, at the rear of the building to be included in the necessary parking
calculations for the B-2 district.

APPLICANT SIGNATURE: Paul Bishop

PRINT NAME
Dr. Paul Bishop

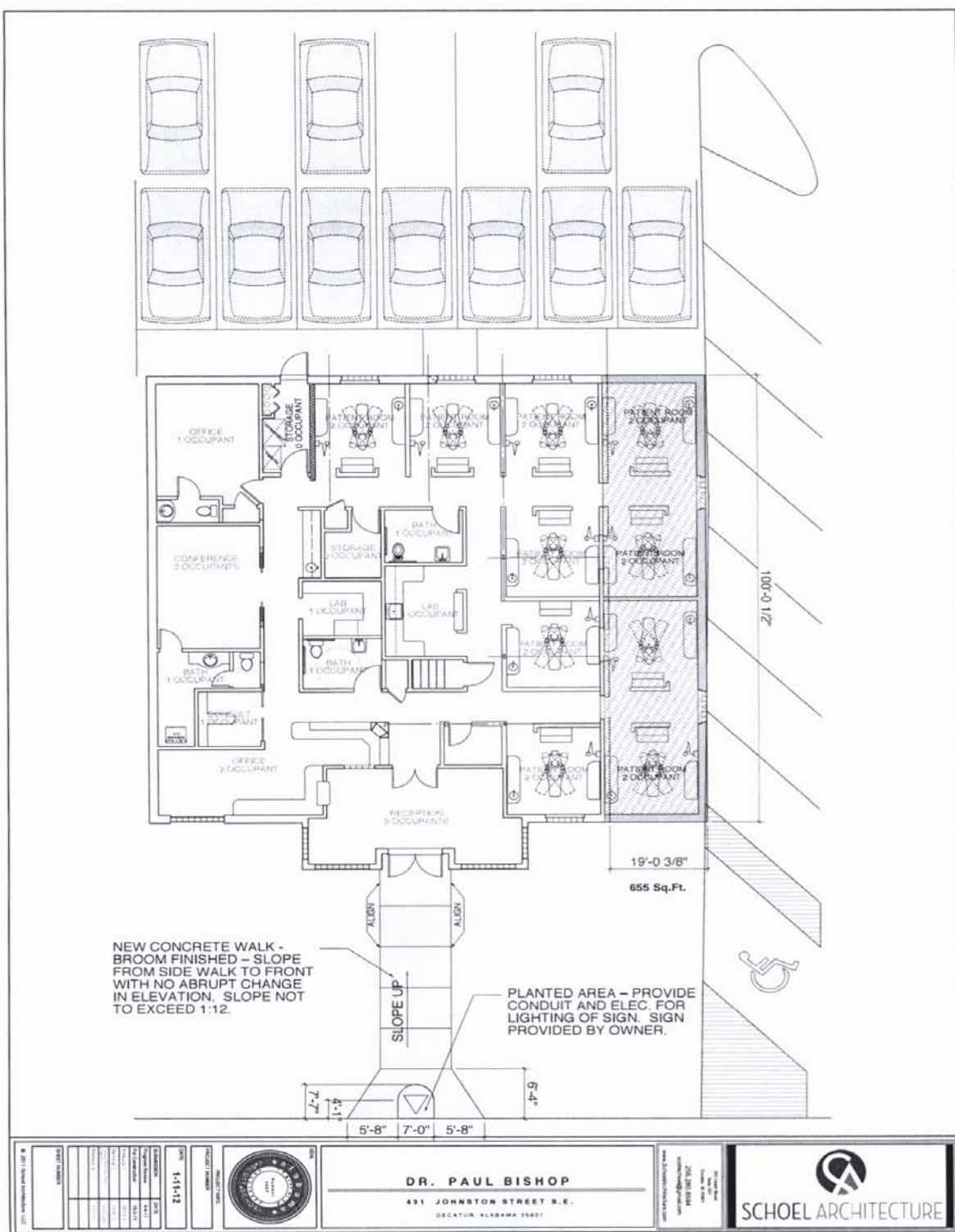
DATE
Nov. 7, 2014

OFFICE USE ONLY

REVIEWED BY: Judy
ZONING DISTRICT: B-2
HEARING DATE: NOV 25, 2014
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 6 431 JOHNSTON ST SE



LAYOUT

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	19.00'	29.96'	26.95'	S 46°05'10" W	90°20'38"
C2	45.00'	43.04'	41.42'	S 26°34'00" E	54°57'43"

LEGEND

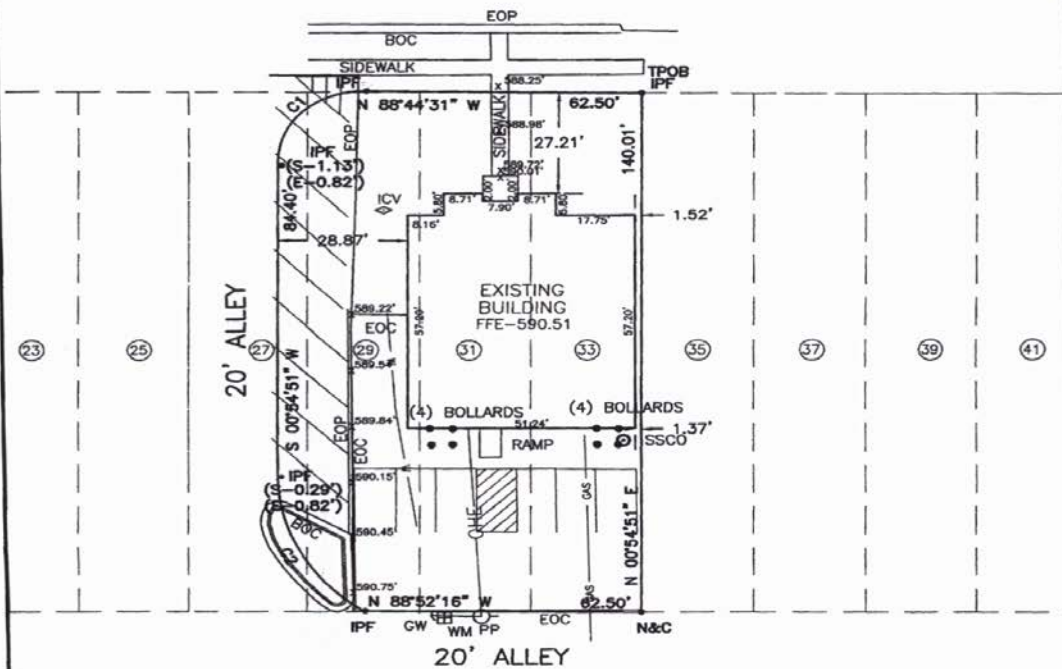
		POWER POLE
		OVERHEAD ELECTRIC
		GAS LINE
		WATER METER
		PROPERTY CORNERS
		SANITARY SEWER CLEAN OUT
		IRRIGATION CONTROL VALVE

GENERAL NOTES

- 1 NORTH REFERENCE IS BASE BEARING FROM DEED AS SHOWN HEREON.
- 2 ALL MEASUREMENTS SHOWN ARE TO U.S. STANDARDS AND ARE FIELD MEASUREMENTS UNLESS OTHERWISE SHOWN
- 3 SOURCE OF INFORMATION USED FOR SURVEY: D.B. 2007, PG 3531
- 4 PROPERTY ADDRESS IS 431 JOHNSTON ST SE, DECATUR, ALABAMA 35601
- 5 NO ENCROACHMENTS WERE FOUND ABOVE GROUND EXCEPT AS SHOWN
- 6 NO SEARCH OF PUBLIC RECORDS HAS BEEN PERFORMED BY THIS FIRM TO DETERMINE IF ANY DEFECTS AND/OR AMBIGUITIES EXIST IN THE TITLE.
- 7 THERE WAS NO FIELD LOCATION ATTEMPTED TO DETERMINE THE EXTENT OF SUBSURFACE STRUCTURES
- 8 UNLESS STATED OTHERWISE, GOVERNMENTAL JURISDICTIONAL AREAS OR NEGATIVE EASEMENT, IF ANY, WHICH MIGHT AFFECT THE USE OF THIS PROPERTY WERE NOT LOCATED. THE UNDERSIGNED ASSUMES NO LIABILITY FOR ANY LOSS RESULTING FROM THE EXERCISE OF ANY GOVERNMENTAL JURISDICTION AFFECTING THE USE OF THIS PROPERTY.
9. FIELD WORK WAS COMPLETED ON 08-12-2011

JOHNSTON STREET SE (80' ROW)

N&C

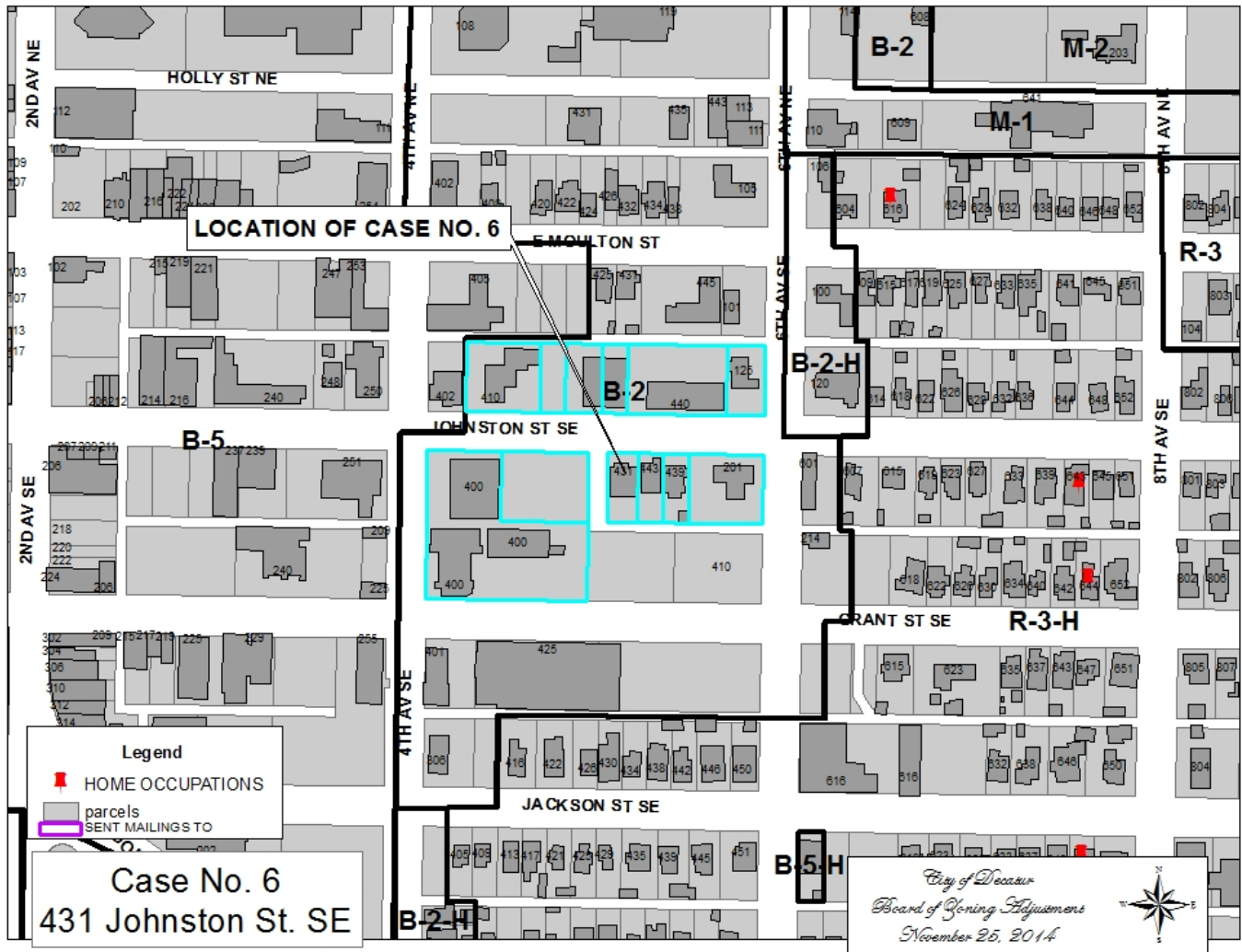


PROPERTY SURVEY -- RESOURCE REAL ESTATE GROUP, LLC -- 431 JOHNSTON STREET SE

DRAWING DATE: 08-19-11 | DRAWN BY: RDH | APPROVED BY: RWH | JOB No. S-103-11 | SCALE: 1"=30' | PAGE 2 OF 2

PUGHWRIGHTMCANALLY.COM

SURVEY



LOCATION MAP 431 JOHNSTON ST SE