



BOARD OF ZONING ADJUSTMENT

AGENDA

October 15, 2015

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MINUTES SEPTEMBER 29, 2015

MEMBERS PRESENT: Chairman; George Barran, Messrs., Mr. Larry Waye, Mr. Greg Dobbs, Mr. Collis Stevenson and Mr. Charles Taylor

SUPERNUMERARIES: Mr. Thomas Rossi attended the pre-meeting

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.

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

Mr. Greg Dobbs moved to **approve** the minutes of the August meeting as printed. Mr. Collis Stevenson 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 Araceli Castro 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 and landscape business at 1610 Dandridge St SW, property located in a R-2 Residential Single-Family Zoning District.

This case was moved to the end of the docket because no one came forward when called.

CASE NO 2

Application and appeal of Leslie Fenton 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 private one-on-one tutoring business at 1304 Runnymede Ave SW, property located in a R-2 Residential Single-Family Zoning District.

A motion was made by Mr. Larry Waye with a second from Mr. Collis Stevenson to Table this request with the consent of the applicant until next month's meeting so that it may be advertised properly as an individual tutoring business and not as an office.

CASE NO 3

Application and appeal of James A. Yates 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 programming business at 3505 Chula Vista Ridge DR SW, property located in a R-2 Residential Single-Family Zoning District.

Mr. James A. Yates presented this case to the Board. Mr. Yates stated he would like an administrative office for an on-line computer programming business. Mr. Yates additionally stated there would be some UPS deliveries on occasion.

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

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

CASE NO 4

Application and appeal of Travis S. Nickerson 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 car transport business at 212 Mark St SW, property located in a R-2 Residential Single-Family Zoning District.

Mr. Travis S. Nickerson presented this case to the Board. Mr. Nickerson stated he would like to have a home occupation for a car transport business. Mr. Nickerson explained his trailer would be kept off-site and he would be dispatched from a central office.

Mr. Sims stated the Building Department would recommend approval with the understanding that none of the cars he picked up could be kept at his home.

Mrs. Smith stated the Planning Department would recommend approval.

Mr. Charles Taylor 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 5

Application and appeal of Rebecca Upton 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 cleaning and painting business at 422 Briarwood DR SW, property located in a R-2 Residential Single-Family Zoning District.

Ms. Rebecca Upton presented this case to the Board. Ms. Upton stated she would like a home office for a residential cleaning service off-site. Ms. Upton also stated the owner was aware of her request and there would be no employees.

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

Mr. Greg Dobbs 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 6

Application and appeal of Karis and Chris Knight from Section 25-144(6) of the Zoning Ordinance to have an office for a Child Psychiatry Practice at 1808 Eastwood DR SE, property located in a PRD-6 Planned Residential Development Zoning District.

Mr. Chris Knight presented this case to the Board. Mr. Knight explained he and his wife were seeking a home office for a Child Psychiatry Practice due to her chronic illness which made it very difficult for her to continue going to her office in downtown Decatur.

Mrs. Karen Smith read a prepared statement for Shirley Hammond of 445 Jackson St. SE in support of the application. The statement is being kept as a part of the record along with the other written statements delivered to the Board.

Mr. Greg Dobbs asked Mr. Knight if his wife was acting as a medical doctor and could she dispense drugs. Mr. Knight answered in the affirmative.

Mr. Bill East of 1809 Devonshire DR SE stated he had been a resident of that area for 40 years and he would be speaking for the neighborhood. Mr. East explained that while the group sympathizes with Dr. Knight's illness, they are in a residential zoning district therefore, the group is opposed to approving her request. Mr. East also suggested the Board carefully consider their request because approval would set a precedence. Additionally, the patients are not only children but adults as well.

Ms. Carolyn Wyers of 1806 Eastwood DR SE stated she had been a resident of that area for 26 years and a teacher as well. Ms. Wyers explained the residential area was not created for a medical office. Ms. Wyers stated she had concerns about home security, privacy, safety, covenants and the investment in her home. Additionally stating an unstable environment could be created by having psychiatric patients come to the home.

Mr. Eric Winkler of 1810 Eastwood DR SE stated his wife was a licensed Social Worker and she had concerns about the type patients Dr. Knight would be seeing. Mr. Winkler stated she could be seeing patients with schizophrenia or sex offenders that could pose a safety hazard to their family. Additionally, if she is writing prescription, or keeping drug samples at the home there could be break-ins to obtain drugs.

Ms. Stephanie Weathers of 2420 Surrey LN SE a member of the home-owners board stated the covenants of that area should be enforced; additionally stating it was nothing personal but she was opposed to their request.

Ms. Jennifer White from Florence stated her son who has high functioning Autism and is a patient of Dr. Knight's. Ms. White further explained she believed most of her patients fit the Autism spectrum. Ms. White also stated she drives from Florence to Decatur because Dr. Knight is the best Psychiatrist in the area.

Ms. Tracy Wyner of 2707 Lexington Ave SW stated Dr. Knight had saved her life because she had become depressed and suicidal after her car accident. Ms. Wyner also stated she still suffers from severe anxiety.

Ms. Kathy Watwood of Guntersville, AL stated Dr. Knight goes the extra mile to try and help people; she is the only psychiatrist who will take Tri-Care health insurance. Ms. Watwood additionally stated she personally would be more concerned about the people who do not seek help, rather than the ones who do.

Ms. Mary Rose of 1706 Eastwood DR SE stated she had been a resident of that area for 27 years and felt the integrity of the neighborhood needed to be maintained. Ms. Rose also stated if this request was approved, it would open up avenues for other businesses to come into the neighborhood.

Ms. Rebecca Baker of 1418 Regency Blvd. SE stated she had lived there for 20 years. Ms. Baker stated this home office would be located across from an elementary school and there are laws and regulations about what type people can come into contact with the school. Ms. Baker questioned if the doctor would be seeing people from the state?

Chairman, George Barran asked Mr. Knight if his wife saw patients that were referred from the state? Mr. Knight replied, "No". Further, Mr. Knight replied there were no sex offenders or Schizophrenia patients. However, she does see ADD patients, as well as patients with Depression and Autism. Mr. Knight additionally explained there would be no samples or drugs or prescription pads kept at the house. Mr. Knight stated there would be no danger to the neighborhood, and in fact, it would make the neighborhood safer.

Mr. Greg Dobbs inquired about their office downtown and why she could not utilize that office. Mr. Knight explained it took her 2 hours to get ready because of her physical condition and it was not feasible to maintain two facilities.

Mr. Sims of the Building Department stated this was not a regular medical office, just counseling and patients would be coming at different intervals. Mr. Sims stated he had no problem with it but deferred to the Director of the Building Department Mr. WallyTerry.

Mr. Wally Terry stated the Board really needed to consider this closely since a business of this type had never been approved in a residential neighborhood; if approved, it would open up the way for other medical offices to do the same thing.

Ms. Judy Gwen of 2409 Dorchester DR SE stated she had noticed the Knights fixing up the outside of the home and wondered if people would be utilizing outside while they wait either for their appointment or while a loved one sees the doctor.

Mr. Knight responded by saying they had been fixing up the house and yard in preparation for being allowed to have this office at home.

Mrs. Smith stated to Mr. Knight she had noticed he made reference to “our office” during his presentation to the Board. Mrs. Smith stated an administrative office for an attorney was not being discussed at this time. Additionally, Mrs. Smith stated that while she sympathizes with the Knights struggles, the ordinance was written with certain restrictions for a reason. The Zoning Ordinance prohibits medical offices in a residential zoning. Therefore, the Planning Department would recommend Denial.

Mr. Greg Dobbs moved to approve this office request as submitted. Mr. Larry Wayne seconded the motion. On a roll-call vote, the motion failed with one in favor and four opposed. Mr. Collis Stevenson voted in favor, while all other voted against.

CASE NO 7

Application and appeal of Gracie Garth 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 commercial cleaning business at 803 Longbow DR SW, property located in a R-2 Residential Single-Family Zoning District.

Ms. Gracie Garth presented this case to the Board. Ms. Garth stated she would like an administrative office for a commercial cleaning business. Ms. Garth also stated she would have employees but they would not come to her home.

Mr. Sims stated the Building Department would recommend approval.

Mrs. Smith stated the Planning Department had no comment.

Mr. Larry Wayne 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 8

Application and appeal of John P. Hudson 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 estate sale company at 4703 Pineywood DR SW, property located in a R-2 Residential Single-Family Zoning District.

Mr. John P. Hudson presented this case to the Board. Mr. Hudson stated he would like an administrative office for an estate sale business. Mr. Hudson also stated there would be no employees except his family.

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

Mr. Greg Dobbs 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 9

Application and appeal of Paul Barker and Janice Morgan for a variance from Section 25-2(1) of the Zoning Ordinance in order to locate an accessory structure in the side yard at 4513 Ivy Dale RD SE, property located in an AG-1 Agricultural Zoning District.

Mr. Paul Barker and Ms. Janice Morgan presented this case to the Board. Mr. Barker stated they would like a variance to build an accessory structure in the side yard. Mr. Barker explained they had consolidated two lots in order to get enough flat land to build on. Mr. Barker also stated he felt they had a hardship due to the topography of his property.

Both Mr. Sims of the Building Department and Mrs. Smith of the Planning Department stated they 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 Rick L. Adams for a variance from Section 25-2(1) of the Zoning Ordinance in order to locate an accessory structure in the side yard at 3129 Hickory Hills RD SE, property located in a R-1 Residential Single-Family Zoning District.

Mr. Rick L. Adams presented this case to the Board. Mr. Adams stated he needed a variance in order to build a structure in his side yard because he had a pie-shaped lot which made it difficult to locate the structure elsewhere on the lot. Additionally, there are areas with a slope and areas with rock making it difficult to build in those locations.

Mr. Sims stated the Building Department would recommend approval.

Mrs. Smith stated the contour of the lot makes it difficult to build in certain areas thereby creating a hardship. Mrs. Smith stated the Planning Department would recommend approval.

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

CASE NO 11

Application and appeal of Ronald Boyd, Jr. for a variance from Section 25-77(d)(2) in order to install an attached sign 15 inches above the roof line at 1202 Danville RD SW, property located in a B-1 Local Shopping Business Zoning District.

Mr. Garland Hutchinson, representative for Ronald Boyd, presented this case to the Board. Mr. Hutchinson stated he was the leasee of the unit and wanted to be able to have a sign above the awning on front of the building. Mr. Hutchinson stated the sign would be 62 inches long and 20 inches in height.

Mr. Sims stated there was a problem at this location because several signs had been installed without permits and did not comply with the sign ordinance. Mr. Sims stated the Building Department would recommend denial until the owner of the property brings all signs into compliance.

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

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

CASE NO 12

Application and appeal of Jackie Letson for a use permitted on appeal to Section 25-110(a) to have a temporary seasonal business to sell produce at 214 6th Ave SE, property located in a B-2 General Business Zoning District.

Mr. Jackie Letson presented this case to the Board. Mr. Letson stated he was applying for a temporary business license to sell home grown produce at the above address.

Mr. Greg Dobbs inquired why he could not utilize the Farmers Market. Mr. Letson replied they will close the market in November and he needed somewhere to sell his produce in the winter months.

Chairman, George Barran asked if this was his primary source of income. Mr. Letson said it was.

Mr. Sims stated the Building Department had no comment.

Mrs. Smith stated she believed the Farmers Market was making provisions for Mr. Letson to be able to sell on their property in November and December. Mrs. Smith suggested they sell there during those months. Additionally, Mrs. Smith explained the Farmers Market was working with surrounding properties to make bathroom facilities available since the market will be closing their facilities.

Mr. Charles Taylor moved to approve this request as submitted with the condition Mr. Letson sell at the Farmers Market when available; if unavailable he may sell at the advertised address. Mr. Collis Stevenson seconded the motion. On a roll-call vote, the motion carried.

CASE NO 1

Application and appeal of Araceli Castro 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 and landscape business at 1610 Dandridge St SW, property located in a R-2 Residential Single-Family Zoning District.

This case was called again, when no one came forward, the Board voted to dismiss the case.

The meeting adjourned at 5:30

Chairman, George Barran

AGENDA OCTOBER 27, 2015

Tabled Case from Last Month's Meeting:

Application and appeal of Leslie Fenton for a determination as a use permitted on appeal for a home occupation as allowed in Section 25-10 and as defined in Section 25-142(b)(1) as amended and adopted, of the Zoning Ordinance to have an individual tutoring business at 1304 Runnymede Ave, SW, property located in a R-2 Residential Single-Family Zoning District.

CASE NO 1

Application and appeal of Lamberto B. Rivera 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 2015 8th St SW, property located in a R-2 Residential Single-Family Zoning District.

CASE NO 2

Application and appeal of Darris Moore 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 2319 Kathy Ln SW, property located in a R-2 Residential Single-Family Zoning District.

CASE NO 3

Application and appeal of Daniel C. Truitt, 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 an on-line computer software business at 1429 Vernon St SW, property located in a R-1 Residential Single-Family Zoning District.

CASE NO 4

Application and appeal of Kevin Corum for the following variances in order to reconstruct a duplex at 1205 Conner ST SE, property located in an R-4 Residential Multi-Family Zoning District.

1. A 6 foot side yard setback variance from Section 25-10.11(2)(e) and
2. A 3,000 square foot lot area variance from Section 25-10.11(2)(a)
3. A 4 foot side yard variance from Section 25-14(a)

CASE NO 5

Application and appeal of Carey Wiggins for a variance from Section 25-14 of the Zoning Ordinance in order to create two non-conforming lots from one lot at 1612 Moulton ST West, property located in a B-2 General Business Zoning District.



A Pleasant City on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Leslie Fenton
MAILING ADDR: 1304 Runnymead Ave SW
CITY STATE ZIP: Decatur, AL 35601
PHONE: 256-301-0014

PROPERTY OWNER: Andrew and Leslie Fenton
OWNER ADDR: 1304 Runnymead Ave SW
CITY STATE ZIP: Decatur, AL 35601
OWNER PHONE: 256-301-0014

SUBJECT ADDRESS FOR APPEAL: 1304 Runnymead Ave 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

PLEASE NOTE Applicants or Duly Appointed Representative, listed above 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.)

home-based tutoring business
private one-on-one tutoring for dyslexic
students in my home. One student at
a time.

Applicant Name(print) Leslie Fenton
Signature [Signature]
Representative Name(print) _____
Signature _____
Date 8/28/15

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

Office Use
Received
By JB
Zone R-2
Hearing Sept 29, 2015

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 in the **BUILDING DEPARTMENT** by the **10th** of the month to be heard the last Tuesday of the month.

TABLED CASE 1304 RUNNYMEAD AVE SW

HOME OCCUPATION QUESTIONS

CHECK YES OR NO FOR EACH QUESTION

1. Is the occupation* applied for (administrative office, making of crafts, sewing, etc.,) conducted entirely within the dwelling? YES ☒ NO ☐ *note: this refers to only the work being done at your home.
2. Does the occupation produce sounds, colors or other audible or visible evidence of a home occupation being present? YES ☐ NO ☒
3. Is there advertising on the premises or your vehicles? YES ☐ NO ☒
4. Is more than one room within the home used for the home occupation? YES ☐ NO ☒
5. Are there any explosives or highly combustible materials used or stored within the home in connection with this home occupation? YES ☐ NO ☒
6. Does the home occupation produce any electrical interference, smoke, dust, or noise, which may be offensive? YES ☐ NO ☒
7. Is there any increase in traffic connected with this home occupation? YES ☐ NO ☒
8. Will there be any more than one sales 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: _____

Abli Furt

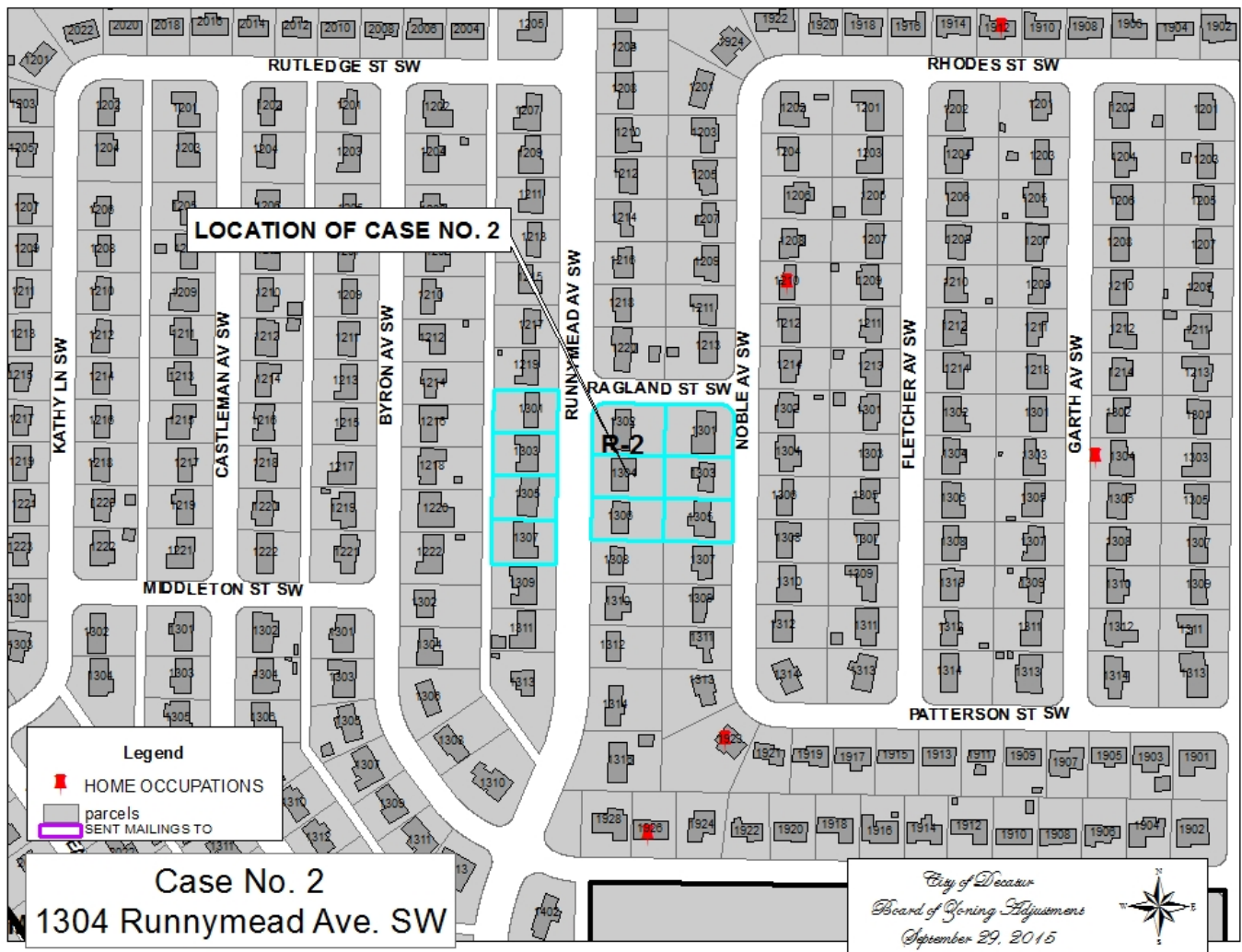
DATE: _____

8/28/15

ADDRESS: _____

*1304 Runnymede Ave SW
Decatur AL 35601*

QUESTIONNAIRE



LOCATION MAP 1304 RUNNYMEAD AVE SW



Decatur on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Lamberto Bernabe Rivera

MAILING ADDR: 2015 8th Ave St. SW

CITY STATE ZIP: Decatur AL 35601

PHONE: (256) 616-2286

PROPERTY OWNER: Lilia Iveth Marino Ambracio

OWNER ADDR: 2015 8th Ave St. SW

CITY STATE ZIP: Decatur AL 35601

OWNER PHONE: (256) 221-3365

SUBJECT ADDRESS FOR APPEAL: 2015 8th Ave St. SW

NATURE OF APPEAL:

☒ HOME OCCUPATION

☐ SETBACK VARIANCE

☐ SIGN VARIANCE

☐ USE PERMITTED ON APPEAL

☐ APPEAL OF ADMINISTRATIVE DECISION

☐ OTHER

☐ SURVEY FOR VARIANCES ATTACHED

☐ DRAWINGS FOR VARIANCES ATTACHED

PLEASE NOTE Applicants or Duly Appointed Representative, listed above MUST be present in order for the case to be heard

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

I want to use my home as a admin office for my photography business. All work will be done ~~at~~ offsite at clients venue. No traffic in or out of my home.

Applicant Name (print): Lamberto Bernabe Rivera

Signature: Lamberto Bernabe Rivera

Representative Name (print): _____

Signature: _____

Date: 09-17-15

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

Office Use

Received: _____

By: Cindy

Zone: R-2

Hearing: Oct. 27th

4:00 PM

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 in the **BUILDING DEPARTMENT** by the 10th of the month to be heard the last Tuesday of the month.

CASE NO 1 2015 8TH ST SW

HOME OCCUPATION QUESTIONS

CHECK YES OR NO FOR EACH QUESTION

1. Is the occupation* applied for (administrative office, making of crafts, sewing, etc.,) conducted entirely within the dwelling? YES ☒ NO ☐ *note: this refers to only the work being done at your home.
2. Does the occupation produce sounds, colors or other audible or visible evidence of a home occupation being present? YES ☐ NO ☒
3. Is there advertising on the premises or your vehicles? YES ☐ NO ☒
4. Is more than one room within the home used for the home occupation? YES ☐ NO ☒
5. Are there any explosives or highly combustible materials used or stored within the home in connection with this home occupation? YES ☐ NO ☒
6. Does the home occupation produce any electrical interference, smoke, dust, or noise, which may be offensive? YES ☐ NO ☒
7. Is there any increase in traffic connected with this home occupation? YES ☐ NO ☒
8. Will there be any more than one sales 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: _____

Bernabe Lamberd

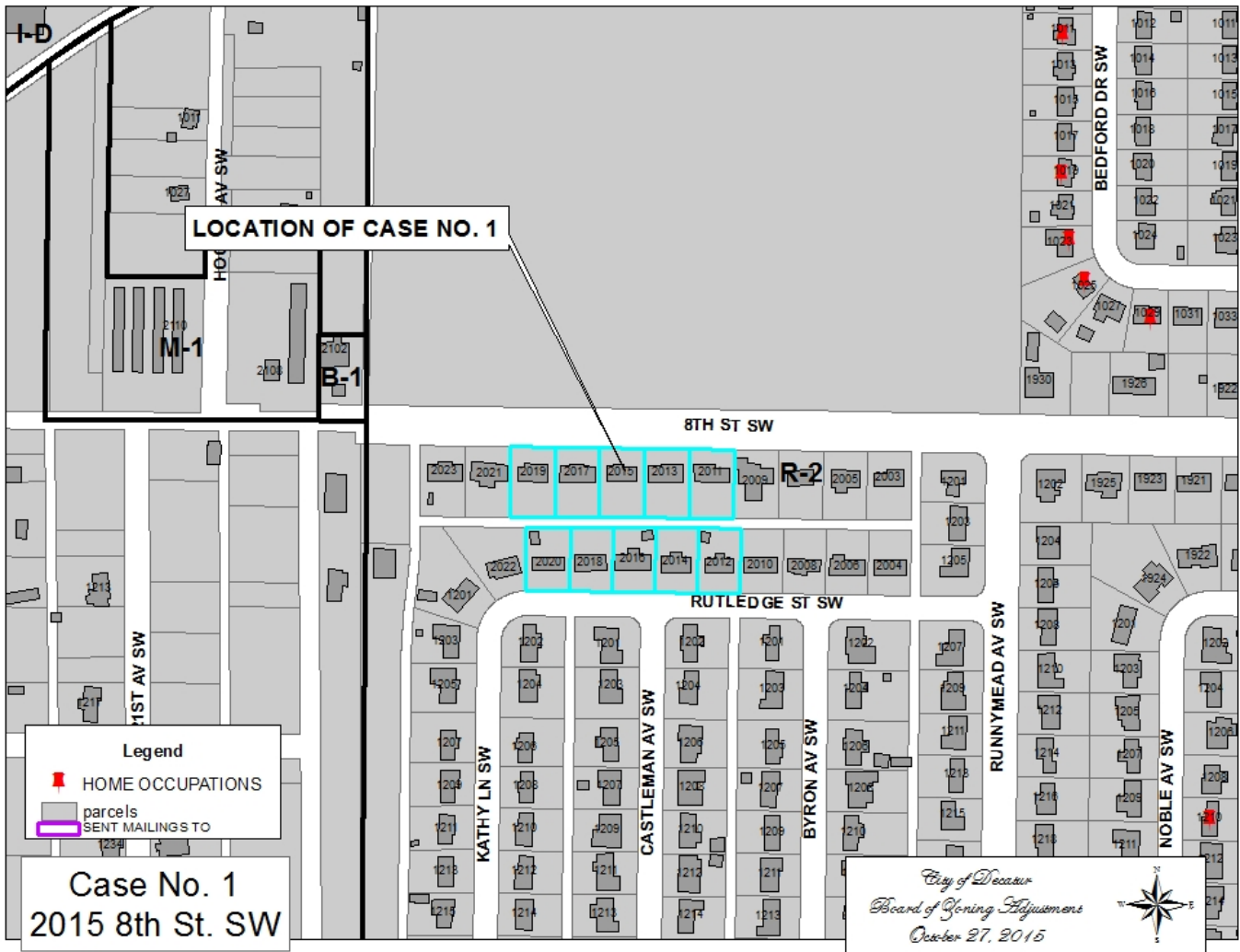
DATE: _____

09-17-15

ADDRESS: _____

2015 8th Ave SW

QUESTIONNAIRE



LOCATION MAP 2015 8TH ST SW



Decatur on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Darris Moore
MAILING ADDR: 2319 Kathy Ln
CITY STATE ZIP: Decatur AL 35603
PHONE: (256) 466-1656

PROPERTY OWNER: Darris Moore
OWNER ADDR: 2319 Kathy Ln
CITY STATE ZIP: Decatur AL 35603
OWNER PHONE: 256 466-1656

SUBJECT ADDRESS FOR APPEAL:

2319 Kathy Ln Decatur AL

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

PLEASE NOTE Applicants or Duly Appointed Representative, listed above MUST be present in order for the case to be heard

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

I'll be using my Home Admin for my lawn service. Will
also store equipment in storage behind home

Applicant Name/print: Darris Moore
Signature: D-Mo
Representative Name/print: _____
Signature: _____
Date: 10-2-15

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

Office Use
Received
By: Judy
Zone: R-2
Hearing: Oct 27 2015

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 in the **BUILDING DEPARTMENT** by the **10th** of the month to be heard the last Tuesday of the month.

CASE NO 2 2319 KATHY LN SW

HOME OCCUPATION QUESTIONS

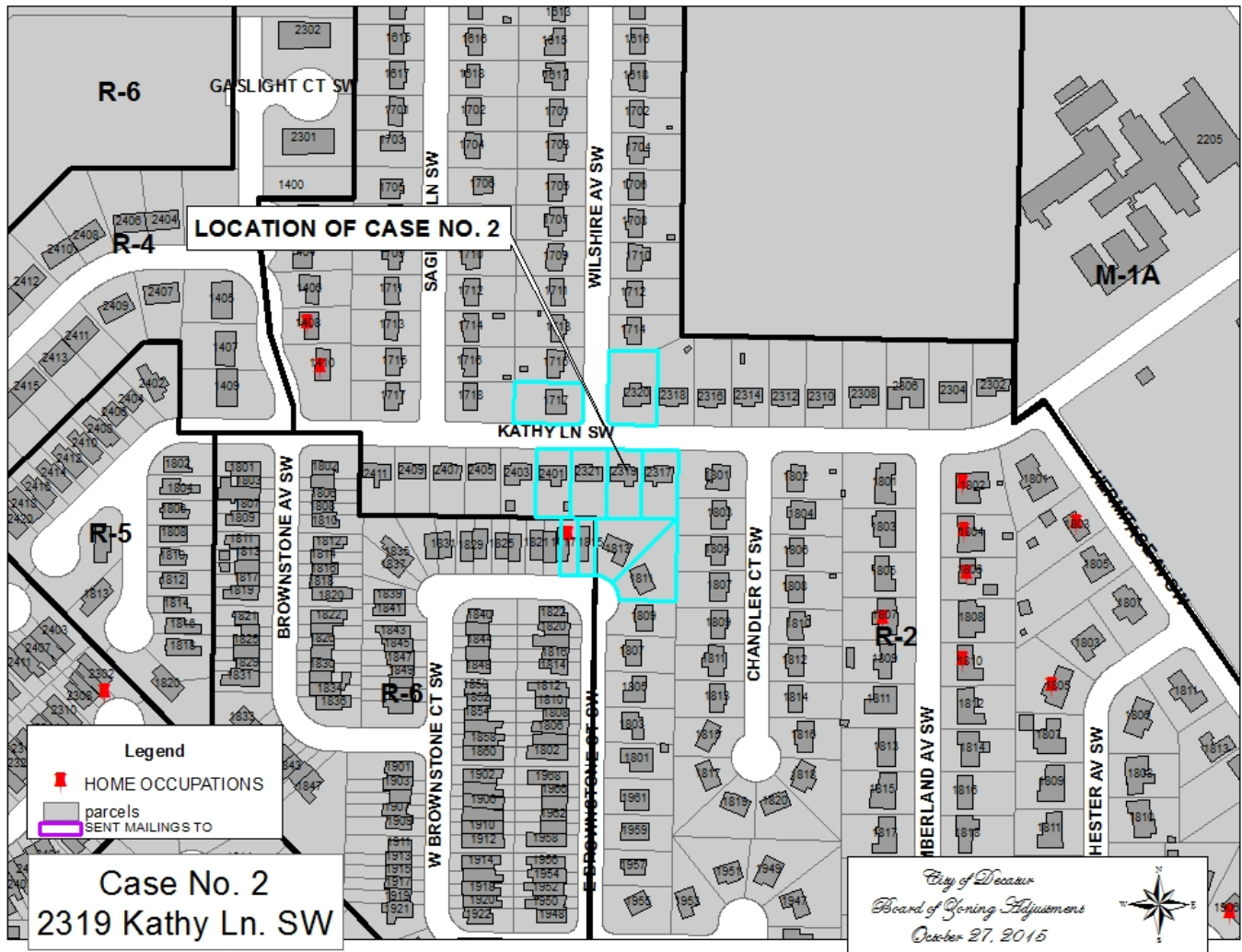
CHECK YES OR NO FOR EACH QUESTION

1. Is the occupation* applied for (administrative office, making of crafts, sewing, etc.,) conducted entirely within the dwelling? YES ☒ NO ☐ *note: this refers to only the work being done at your home.
2. Does the occupation produce sounds, colors or other audible or visible evidence of a home occupation being present? YES ☐ NO ☒
3. Is there advertising on the premises or your vehicles? YES ☐ NO ☒
4. Is more than one room within the home used for the home occupation? YES ☐ NO ☒
5. Are there any explosives or highly combustible materials used or stored within the home in connection with this home occupation? YES ☐ NO ☒
6. Does the home occupation produce any electrical interference, smoke, dust, or noise, which may be offensive? YES ☐ NO ☒
7. Is there any increase in traffic connected with this home occupation? YES ☐ NO ☒
8. Will there be any more than one sales 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: W. M. L. DATE: 10-2-15

ADDRESS: 2319 Kathy Ln

QUESTIONNAIRE



LOCATION MAP 2319 KATHY LN SW



A Grand City on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: DANIEL C. TRUETT JR
MAILING ADDR: 1429 VERNON ST SW
CITY STATE ZIP: DECATUR AL 35601
PHONE: 256-345-7251

PROPERTY OWNER: DAVID TRUETT
OWNER ADDR: 2310 QUINCE DR SE
CITY STATE ZIP: DECATUR AL 35601
OWNER PHONE: 256-303-6879

ADDRESS FOR APPEAL: 1429 VERNON ST SW

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

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

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

REQUEST TO RUN SOFTWARE BUSINESS FROM MY HOUSE. NO TRAFFIC, DELIVERIES, CLIENTS, ETC. ALL BUSINESS/WORK WILL BE PERFORMED ON A COMPUTER AND/OR ONLINE. HOME WILL BE USED AS AN ADMIN OFFICE ONLY.

Applicant Name(print): DANIEL C. TRUETT JR
Signature: *Daniel C. Truett Jr*
Representative Name(print): _____
Signature: _____
Date: 10-8-2015

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

Office Use
Received By: *Cindy*
Zone: R-7
Hearing Date: OCT. 27th, 4:00
Approved/Disapproved: P.M.

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

CASE NO 3 1429 VERNON 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: _____

Don J. Smith

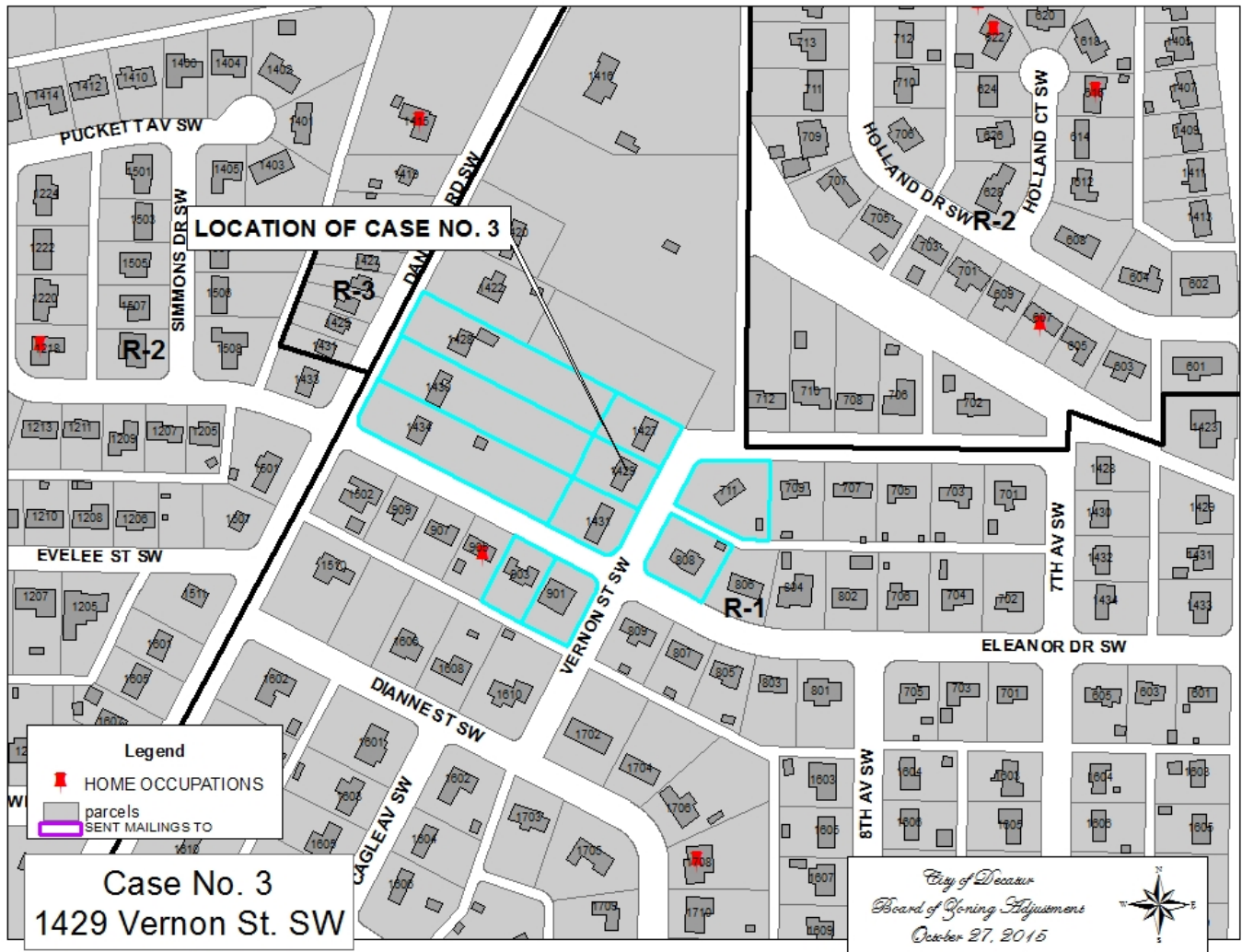
DATE: _____

10-8-2015

ADDRESS: _____

1429 VERNON ST SW

QUESTIONNAIRE



LOCATION MAP 1429 VERNON ST SW



on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Bama Group / Kevin Corum
MAILING ADDR: 410 Booth St SW
CITY STATE ZIP: Huntsville AL 35890
PHONE: 256 214 1200
PROPERTY OWNER: William & Peggy Booth
OWNER ADDR: 1205 Conner Street
CITY STATE ZIP: Decatur AL
OWNER PHONE: 256-758-6714

SUBJECT ADDRESS FOR APPEAL:

1205 Conner Street
Decatur AL

NATURE OF APPEAL:

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

PLEASE NOTE Applicants or Duly Appointed Representative, listed above 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.)

Re-construct Duplex which was on the property
originally - constructed approx 60 yrs / updated to
duplex approx 30 yrs ago - until it burned in 2013-2014
See Drawing Attached (Requesting side yard 6'
variance and a lot area
variance of 3000 square feet
also requesting 4' side variance)

Applicant Name (print): Bama Group Kevin Corum

Signature: Kevin Corum

Representative Name (print): Kevin Corum

Signature: Kevin Corum

Date: 10/9/2015

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

Office Use

Received: [Signature]

By: Cindy

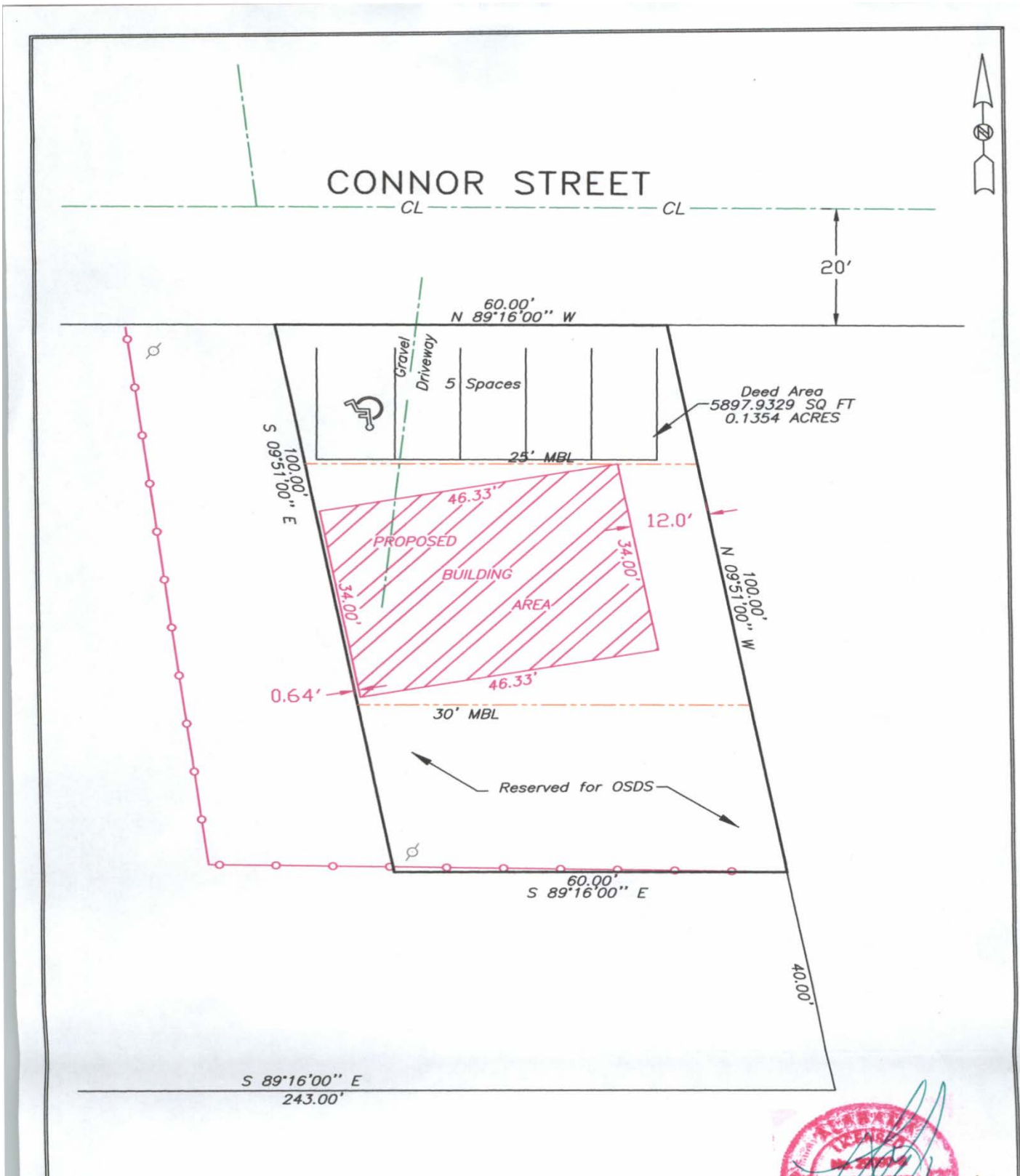
Zone: R-4

Hearing: Oct. 27th

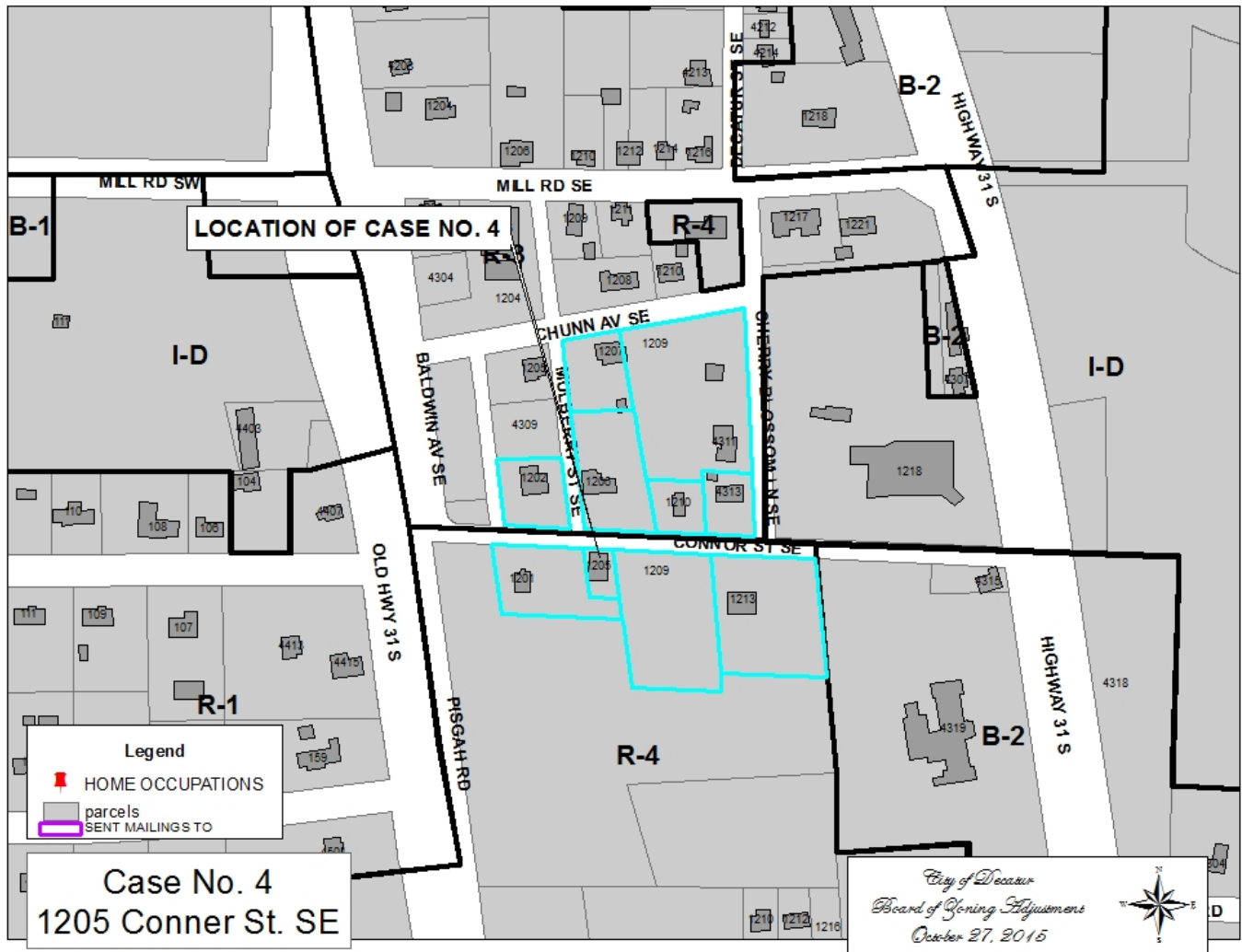
4:00pm

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 in the **BUILDING DEPARTMENT** by the 10th of the month to be heard the last Tuesday of the month.

CASE NO 4 1205 CONNER ST SE



SURVEY



LOCATION MAP 1205 CONNER ST SE



on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Carey Wiggins
MAILING ADDR: 506 2nd St SW
CITY STATE ZIP: Decatur, Ala. 35601
PHONE: 256) 280-6143

PROPERTY OWNER: Carey Wiggins
OWNER ADDR: 506 2nd St SW
CITY STATE ZIP: Decatur Ala. 35601
OWNER PHONE: 256) 280-6143

SUBJECT ADDRESS FOR APPEAL: 1612 NW Moulton St

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

PLEASE NOTE Applicants or Duly Appointed Representative, listed above, **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.)

Split two piece of property, make two different lots, not to be lots wouldn't conform to B2 zoning requirements

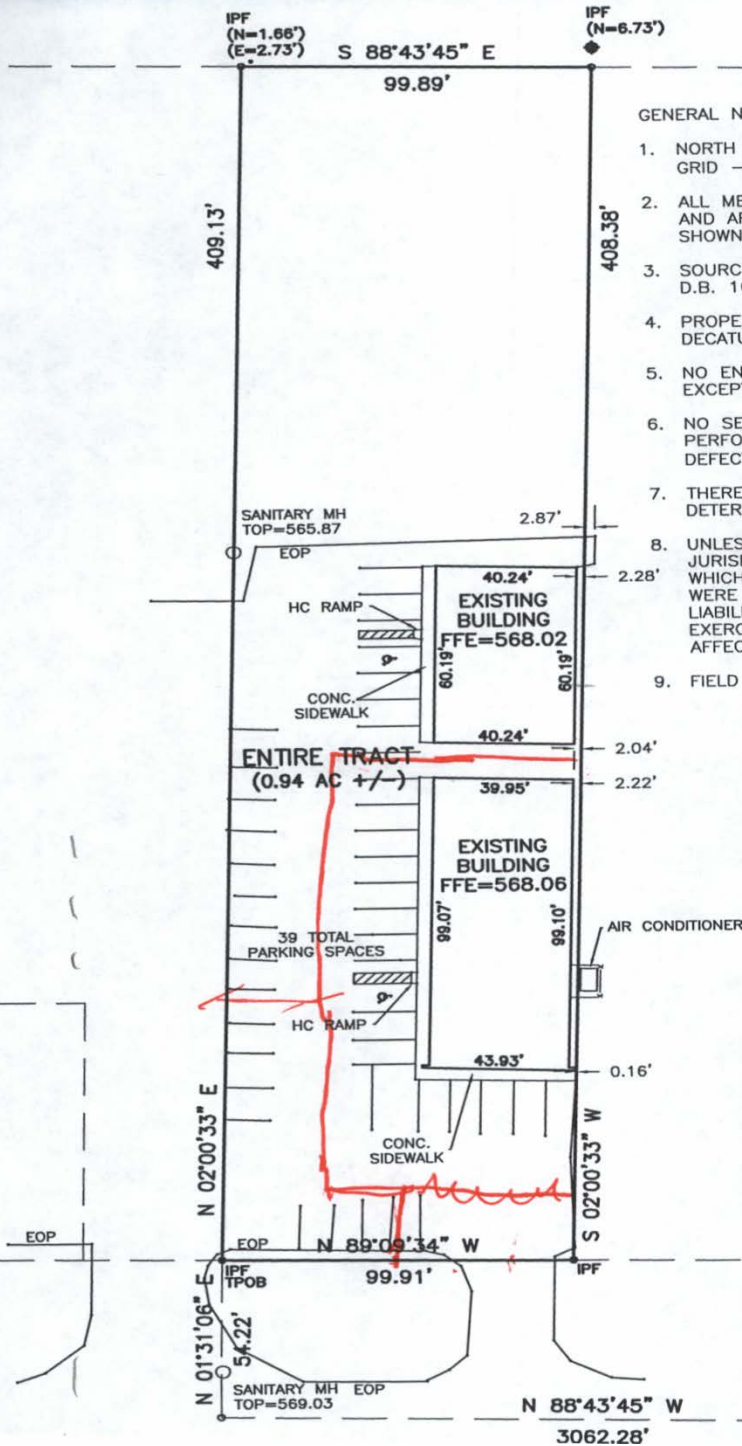
Applicant Name (print): Carey Wiggins
Signature: Carey Wiggins
Representative Name (print): _____
Signature: _____
Date: 10-5-15

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

Office Use
Received
By: RLS
Zone: B-2
Hearing: 10/27/15

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 in the **BUILDING DEPARTMENT** by the **10th** of the month to be heard the last Tuesday of the month.

CASE NO 5 1612 MOULTON ST W



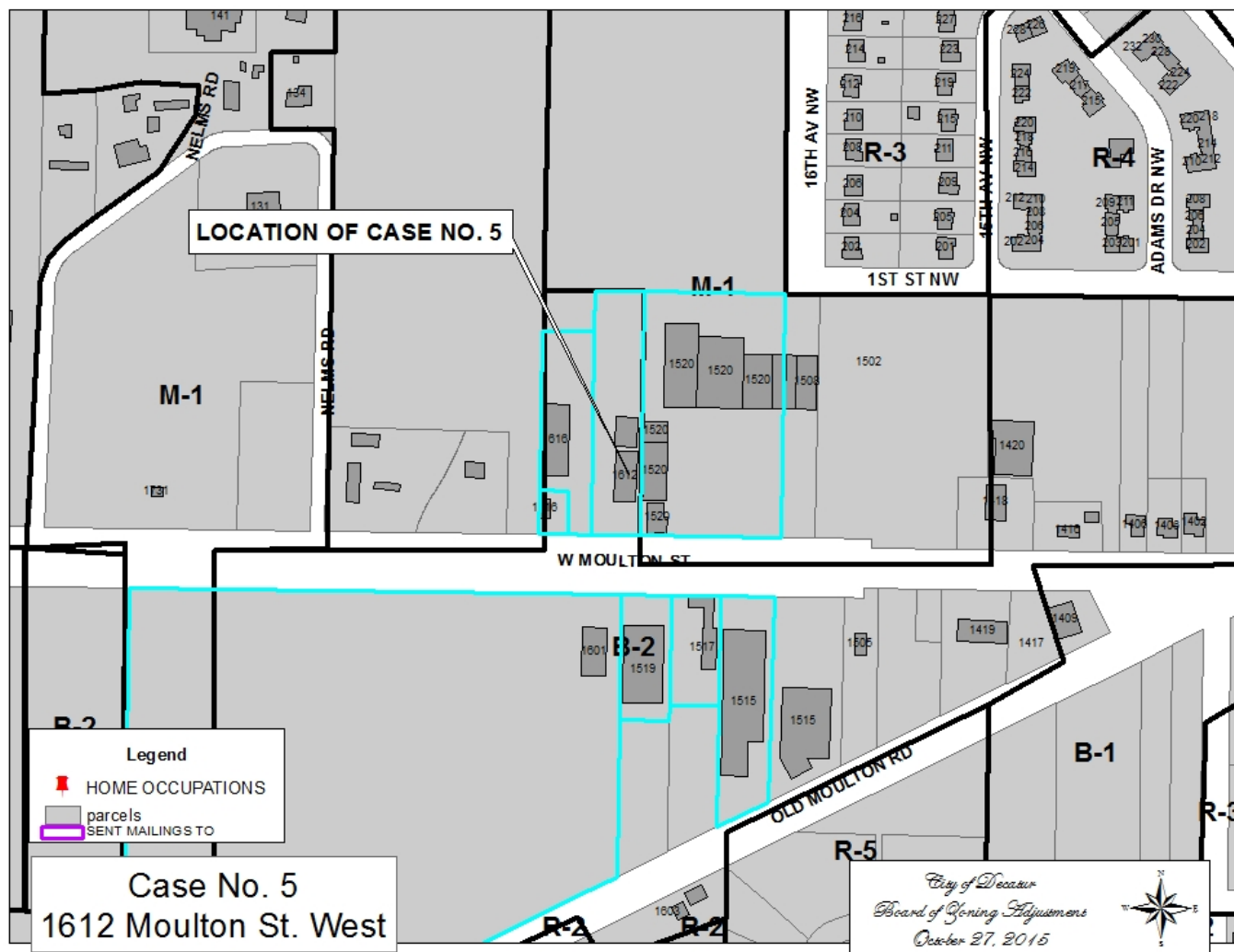
GENERAL NOTES

1. NORTH REFERENCE IS ALABAMA STATE COORDINATE GRID - WEST ZONE (NAD1983)
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. 1671, PG 236
4. PROPERTY ADDRESS IS 1612 WEST MOULTON STREET, DECATUR, AL 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 03-27-2012

LEGEND

— X —	CHAIN LINK FENCE
○	SANITARY SEWER MANHOLE
•	PROPERTY CORNERS
CIPS	CAPPED IRON PIN SET
IPF	IRON PIN FOUND
EOP	EDGE OF PAVEMENT

SURVEY WITH PROPOSED DIVIDING LINE

**LOCATION MAP 1612 MOULTON ST W**