



BOARD OF ZONING ADJUSTMENT

AGENDA

February 23, 2016

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MINUTES JANUARY 26, 2016

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

SUPERNUMERARIES: Mr. Thomas Rossi and Mrs. 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
Mr. Chuck Ard, Councilman
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. Charles Taylor moved to **approve** the minutes of the December meeting as printed. Mr. Larry Waye seconded the motion. On a voice vote, the motion carried.

The Board considered the following applications and appeals.

The Board elected officers: Mr. George Barran was elected Chairman. Mr. Larry Waye was elected Vice-Chairman.

Chairman, George Barran recused himself from voting on the following case. Mr. Thomas Rossie sat in for the vote. Mr. Larry Waye acted as Chairman.

CASE NO 1 Tabled from last month:

Application and appeal of Steve Lin for a variance from Section 25-80(a)(4) of the Zoning Ordinance in order to use an existing detached non-conforming pylon sign at 1720 6th Ave SE, property located in a M-1 Light Industrial Zoning District.

Mr. Alan Wilson with Trav Ad signs presented this case to the Board. Mr. Wilson stated he and his client were looking at three different options for the sign. (1) Use the existing sign as is with no structural changes except to remove the lower cabinet keeping the signage at 98 square feet. (2) Keep both cabinets but lower the top one by 15 feet while keeping overall signage at 98 square feet. (3) Take the top cabinet off and use the lower cabinet making a total of 54 square feet.

Mr. Larry Wayne asked Mr. Sims what would it take to make the sign conforming? Mr. Sims replied 80 square feet, 15 feet high and 15 feet setback.

Mr. Charles Taylor stated the Board needed to hear which option the applicant was actually seeking in order for the Board to rule on one.

Mr. Sims stated if the applicant was correct with the information stated on option three for 54 square feet, then it would meet with the Zoning Ordinance and was the better option. Mr. Sims questioned the applicant about the measurements of the signage and then recommended approval of option three from the Building Department.

Mrs. Karen Smith stated the Planning Department would agree with the Building Department that option three is the better choice. Mrs. Smith then recommended approval.

Mr. Charles Taylor moved to approve this variance request as submitted using option three. Mr. Collis Stevenson seconded the motion. On a roll-call vote, the motion carried.

Chairman, George Barran resumed his place as Chairman. Mr. Thomas Rossi stepped down.

CASE NO 2

Application and appeal of Patrick Collins for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a flooring business at 809 7th Ave SE, property located in a R-3 Residential Single-Family Zoning District.

Mr. Patrick Collins presented this case to the Board. Mr. Collins stated he wanted a home office for a flooring business. Mr. Collins also stated there would be no employees coming to his home, no on-site storage and no signage.

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

Mr. Larry Wayne 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 3

Application and appeal of John R. Mecikalski 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 consulting and data services business by the name of Jupiter's Call, LLC at 4424 Indian Hills RD SE, property located in a R-1 Residential Single-Family Zoning District

Mr. John R. Mecikalski presented this case to the Board. Mr. Mecikalski stated he would like a business license for a consulting and data service business by the name of Jupiters call, LLC. Mr. Mecikalski also stated his employees would not come to his home.

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

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

CASE NO 4

Application and appeal of John R. Mecikalski 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 consulting and data services business by the name of Nextstorm, Inc. at 4424 Indian Hills RD SE, property located in a R-1 Residential Single-Family Zoning District.

Mr. John R. Mecikalski presented this case to the Board. Mr. Mecikalski stated he would like an administrative office for a consulting and data service business by the name of Nextstorm.

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

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

CASE NO 5

Application and appeal of Melba Livingston 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 business at 1608 Sherwood Oaks Dr SW, property located in a R-2 Residential Single-Family Zoning District.

Ms. Melba Livingston presented this case to the Board. Ms. Livingston stated she wanted an administrative office for a janitorial business. Ms. Livingston also stated she would have one employee that would report to the job site and there would be no signage.

Mr. Sims stated the Building Department would recommend approval.

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

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

CASE NO 6

Application and appeal of Susan Garrett 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 monogramming business at 2804 Longfellow CT SW, property located in a R-2 Residential Single-Family Zoning District.

Ms. Susan Garrett presented the case to the Board. Ms. Garrett stated she wanted a business to monogram in her home but rather than using thread, she would be using vinyl letters to apply to t-shirts and sale them on-line.

Chairman, George Barran and other members of the Board asked her questions about her procedure and size of the equipment and items she would be making. Chairman, Barran stated that based on her answers, and the fact that the Board had dealt with other cases of this nature they would consider this type business to be manufacturing.

Mr. Sims stated to the applicant that if she was going to make signs, then she would need to get an office. Ms. Garrett said she did not make signs.

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

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

CASE NO 7

Application and appeal of Latoya Gipson 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 non-medical home care agency business at 926 Hillwood DR SW, property located in a R-2 Residential Single-Family Zoning District.

Ms. Latoya Gipson presented this case to the Board. Mr. Gipson stated she would like an office for a non-medical business where she would sit with the elderly and/or cook and clean for them.

Mr. Sims stated the Building Department would recommend approval if the client care is strictly off-site.

Mrs. Smith stated the Planning Department would recommend approval.

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

CASE NO 8

Application and appeal of Carolyn A. Jones 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 business at 1023 Sherman ST SE, property located in a R-3-H Residential Single-Family Historic Zoning District.

Ms. Carolyn A. Jones presented this case to the Board. Ms. Jones stated she had been in business for three years with Dixie Estate Sales but was working outside the city. Ms. Jones also explained she would go to other people's homes to hold the estate sale. Ms. Jones further stated she had held one at her home on her personal behalf, not for someone else.

Chairman, George Barran explained that no one could come to her home and have a sale.

Ms. Robin Williams of 1027 Sherman Street SE, stated she and neighbors had concerns about signage in the yard and about estate sales being held there in the future but as long as it was just administrative then she had no problem with it.

Mr. Larry Waye stated if approved, they would not be giving permission to have estate sales at her home. Additionally, if she saw conduct contrary to that then she could call the Building Department and file a complaint.

Ms. Janie Cheatham of 1035 Sherman Street SE, stated the area was a residential area for all the years she had lived there and she did not want any kind of business in the area.

Chairman, George Barran explained all the parameters of a home occupation. Additionally, he stated there were already ten home occupations in her area.

Mr. Sims stated if the applicant had a sale at her home then it was considered a yard sale, you are permitted to have two yard sales a year by obtaining the permit from the Revenue Department. Mr. Sims stated this request is for an administrative office only for an estate sale business.

Mrs. Smith of the Planning Department stated she wanted the record to show this request is a use permitted on appeal in an R-3H Zoning District. Mrs. Smith stated based on that correction, the Planning Department would recommend approval.

Mr. Charles Taylor 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 Michael S. Perez 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 and commercial painting business at 1415 Cedar St SW, property located in a R-2 Residential Single-Family Zoning District

Mr. Michael S. Perez presented this case to the Board. Mr. Perez stated he would like an administrative office for a painting business and that the owner is aware of his request.

Mr. Sims pointed out to the client that material and equipment needed to be kept out of site and he could not bring materials from the job-site back to his home to be picked up by public works.

Mr. Sims stated if he could comply with that, then the Building Department would recommend approval.

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

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

CASE NO 10

Application and appeal of Scott K. Davis with Decatur Baptist Church for a 49 square foot each area variance from Section 25-77(d)(3) for two detached on premise signs at 2527 Danville Rd SW, property located in an I-D Institutional Zoning District.

Mr. Scott Davis representing Decatur Baptist Church presented this case to the Board. Mr. Davis stated they would like to be allowed to have two on premise detached signs with each one having an area variance of 49 square feet.

Chairman, George Barran questioned why they needed the variance?

Mr. Davis stated their existing sign was too small and the new ones would give more visibility of the signage plus it would match the building percentage wise. He additionally stated the setback would be 35 feet from the road.

Mr. Sims stated the Building Department had no comment.

Mrs. Smith of the Planning Department asked the applicant why they could not conform to the Zoning Ordinance particularly for the sign facing Modaus Road SW . Mrs. Smith stated she did not see a hardship; therefore, the Planning Department would recommend disapproval. Mrs. Smith further stated to the Board that they had the option to approve one sign and not the other.

Mr. Charles Taylor moved to approve this request as submitted for the sign facing Danville Rd SW, but to disapprove the sign facing Modaus Rd SW. Mrs. Sally Jo Green seconded the motion. On a roll-call vote, the motion carried.

The meeting adjourned at 4:45

Chairman, George Barran

AGENDA FEBRUARY 23, 2016

CASE NO 1

Application and appeal of Felix Auiles for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a landscaping business at 103 Betty ST SW, property located in a R-2 Residential Single-Family Zoning District.

CASE NO 2

Application and appeal of Dustin Mitchell 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 715 Cedar Lake RD SW, Apt 212, property located in a R-4 Residential Multi-Family Zoning District.

CASE NO 3

Application and appeal of Ricky H. Moye 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 mechanical contracting/heating and air company at 1937 Dresden DR SW, property located in a R-2 Residential Single-Family Zoning District.

CASE NO 4

Application and appeal of Bonnie Goodman 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 quilting business at 2004 Crestview DR SE, property located in a R-1 Residential Single-Family Zoning District.

CASE NO 5

Application and appeal of Jane Wilkinson 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 jewelry sales business at 1213 11th Ave SE, property located in a R-3 Residential Single-Family Zoning District.

CASE NO 6

Application and appeal of Danny Betterton 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/lawn service business at 2116 11th ST SE, property located in a R-2 Residential Single-Family Zoning District.

CASE NO 7

Application and appeal of Kevia D. Clarke for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for an off-site custodial business at 2310 Auburn DR SW, property located in a R-2 Residential Single-Family Zoning District.

CASE NO 8

Application and appeal of Lee Y. Greene, Jr. for a 3.81 foot rear yard setback variance to Section 25-10 of the Zoning Ordinance in order to construct an addition to the existing home at 2114 Woodmont Dr SE, property located in a R-1 Residential Single-Family Zoning District.



A Grand City on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Felix Aviles and Eber Aviles
MAILING ADDR: 103 Betty St SW
CITY STATE ZIP: Decatur, AL 35601
PHONE: (256) 227-9567 (256) 345-0818

PROPERTY OWNER: _____
OWNER ADDR: 103 Betty St SW
CITY STATE ZIP: Decatur, AL 35601
OWNER PHONE: (256) 227-9567 or (256) 345-0818

ADDRESS FOR APPEAL: 103 Betty 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

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

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

I am requesting an administrative office
for my landscaping Business.

Applicant Name(print) Felix Aviles
Signature Felix Aviles
Representative Name(print) _____
Signature _____
Date 01-15-16

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

Office Use
Received By Judy
Zone R-8
Hearing Date Feb. 23, 2016
Approved/Disapproved _____

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

CASE NO 1 103 BETTY ST SW

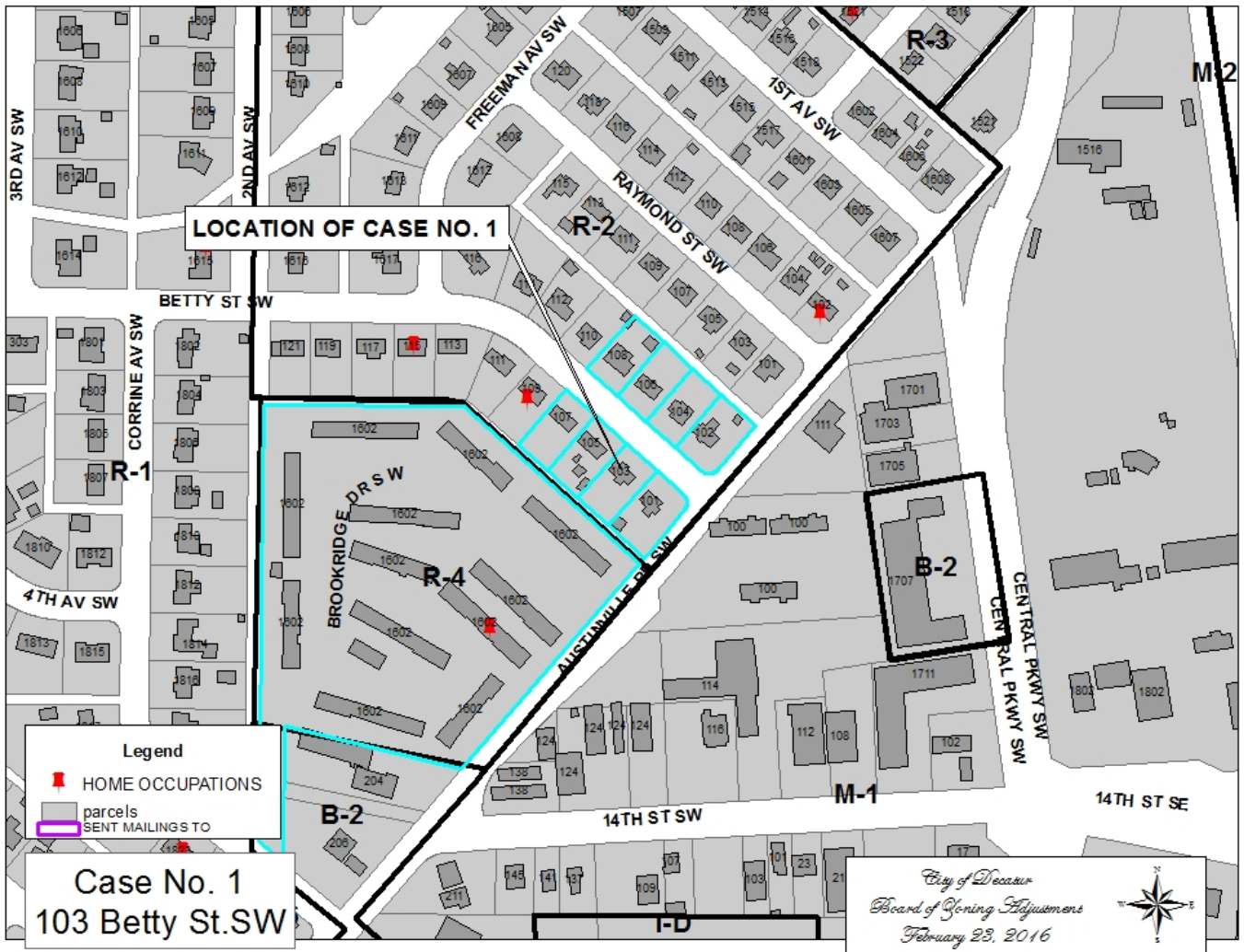
HOME OCCUPATION QUESTIONS

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: Felix Aviles DATE: 01-15-16
ADDRESS: 103 Betty St SW Decatur AL 35601

QUESTIONNAIRE



LOCATION MAP 103 BETTY ST SW



on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Dustin Mitchell
MAILING ADDR: 715 Cedar Lake rd. SW apt. 212
CITY STATE ZIP: Decatur, AL, 35603
PHONE: 256 822 9030
PROPERTY OWNER: Mr. Kim Rider / agent for owner
OWNER ADDR: 715 Cedar Lake Rd. S.W. - Apt. 212
CITY STATE ZIP: Decatur, AL. 35603
OWNER PHONE: 256-350-2738

SUBJECT ADDRESS FOR APPEAL: 715 Cedar Lake rd. SW Apt. 212

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.)

Im applying for a business License for my business
Dustin Mitchell Design. I do graphic design services for
individuals + other businesses.

Applicant Name (print): Dustin Mitchell
Signature: Dustin Mitchell
Representative Name (print): _____
Signature: _____
Date: 1-15-16

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

Office Use
Received
By: Judy
Zone: R-4
Hearing: Feb 23, 2016

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 2 715 CEDAR LAKE RD SW

HOME OCCUPATION QUESTIONS

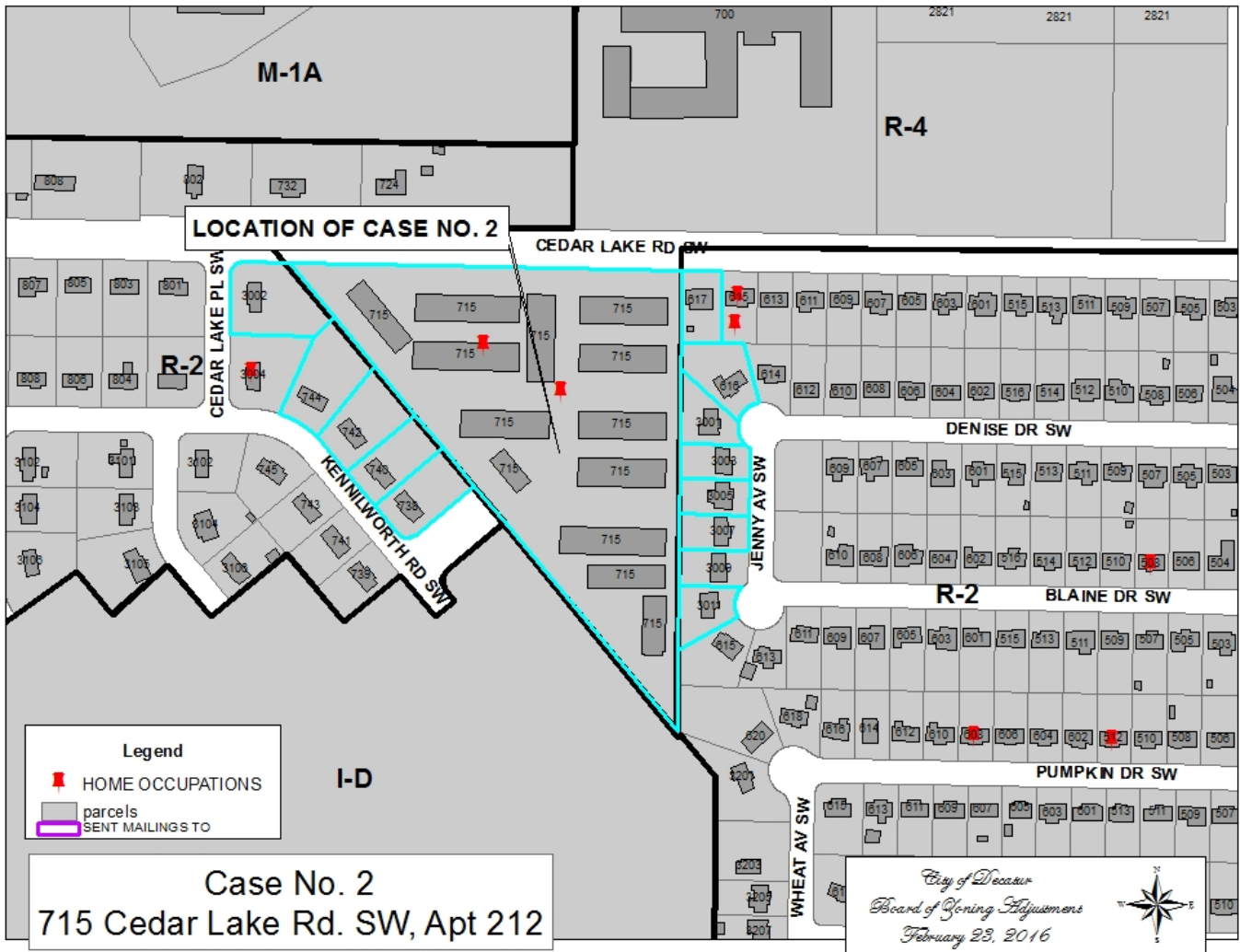
CHECK YES OR NO FOR EACH QUESTION

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: Dustin Mitchell DATE: 1/15/2016

ADDRESS: 715 Cedar Lake rd. Sw Apt. 212
Decatur, AL 35603

QUESTIONNAIRE



LOCATION MAP 715 CEDAR LAKE RD SW APT 212



A Proud City on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Ricky H. Moye
MAILING ADDR: 1937 Dresden Dr. SW
CITY STATE ZIP: Decatur, AL 35603
PHONE: 256-318-5831

PROPERTY OWNER: Cassandra Moye (wife)
OWNER ADDR: 1937 Dresden Dr. SW
CITY STATE ZIP: Decatur, AL 35603
OWNER PHONE: 256-303-6765

ADDRESS FOR APPEAL:
1937 Dresden Dr. 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

***** 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.)

This is for administrative use only for HVAC Company; Approximately 60 sq. ft. of office space; There will be no employees or customers. Related business equipment will be located in Lawrence County.

Applicant Name (print) Ricky H. Moye
Signature [Signature]
Representative Name (print) _____
Signature _____
Date 2-5-16

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

Office Use
Received By Cindy
Zone R-2
Hearing Date Feb. 23rd 4:00 pm.
Approved/Disapproved 2016

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 1937 DRESDEN DR 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:

Robert D. Maye

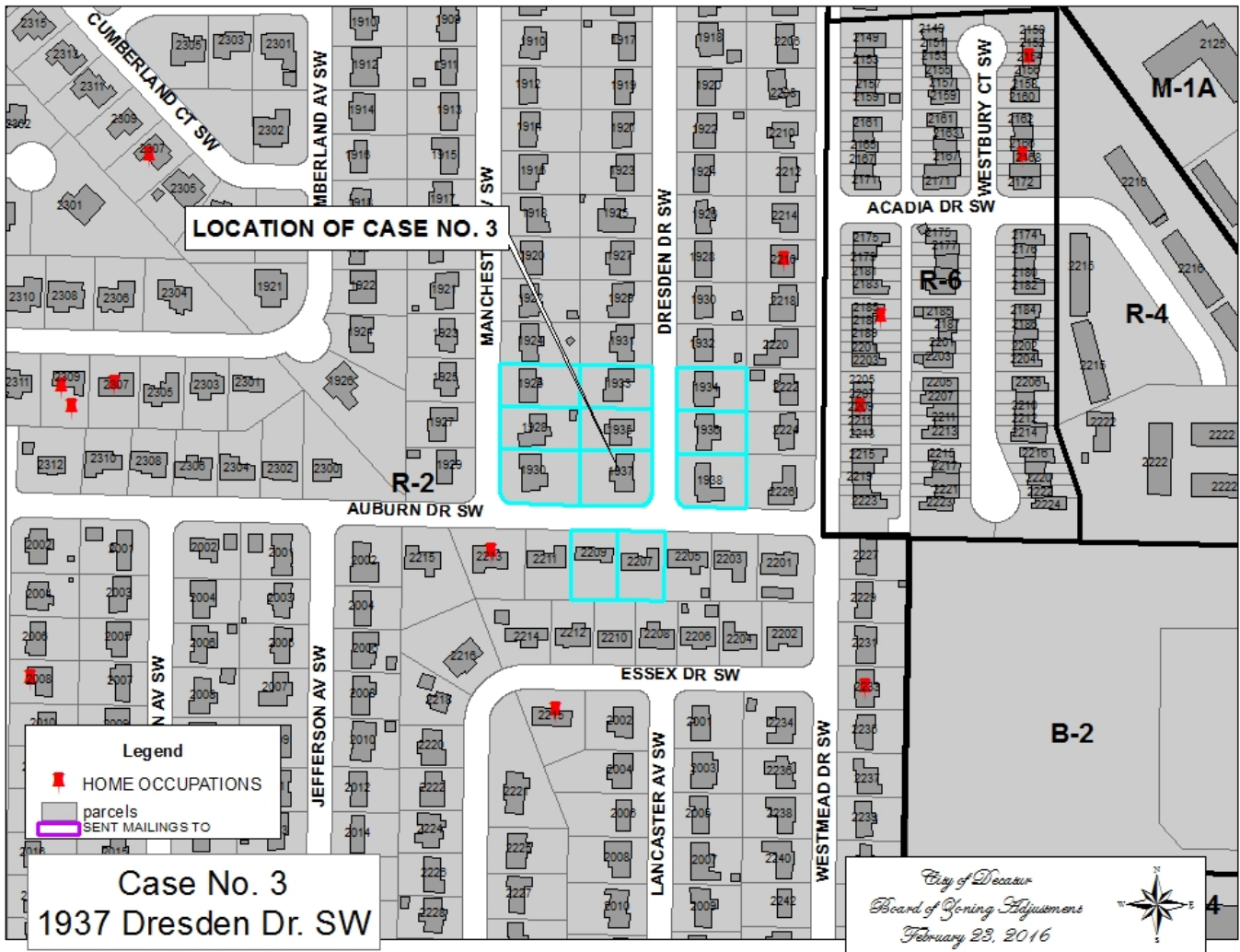
DATE:

2-3-16

ADDRESS:

1937 Dresden Dr. SW. Decatur, AL 35603

QUESTIONNAIRE



LOCATION MAP 1937 DRESDEN DR SW



A Grand City on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT:	Bonnie Goodman
MAILING ADDR:	2004 Crestview Drive SE
CITY STATE ZIP:	Decatur, AL 35603 35601
PHONE:	256-476-0800
PROPERTY OWNER:	Dwight + Bonnie Goodman
OWNER ADDR:	2004 Crestview Drive SE
CITY STATE ZIP:	Decatur, AL 35601
OWNER PHONE:	256-355-6093

ADDRESS FOR APPEAL:	2004 Crestview Dr. SE. Decatur, AL 35601
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<input checked="" type="checkbox"/> HOME OCCUPATION		NATURE OF APPEAL:		<input type="checkbox"/> SIGN VARIANCE	
<input type="checkbox"/> USE PERMITTED ON APPEAL		<input type="checkbox"/> SETBACK VARIANCE		<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	

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

DESCRIBE APPEAL IN DETAIL: (INCLUDE: DIMENSIONS, # FT FOR VARIANCES; # FOR PARKING; HARDSHIP; TYPE OF BUSINESS.)		
I would like to have an administrative office for my home quilting business. No traffic, will sell online		
Applicant Name(print) <u>Bonnie Goodman</u>	If applicant is using a representative for the request both signatures are required.	Office Use
Signature <u>Bonnie Goodman</u>		Received By <u>Judy</u>
Representative Name(print) _____		Zone <u>R-1</u>
Signature _____		Hearing Date <u>Feb. 23, 2016</u>
Date <u>1-26-16</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 **10th of the month** to be heard the last Tuesday of the month.

CASE NO 4 2004 CRESTVIEW DR SE

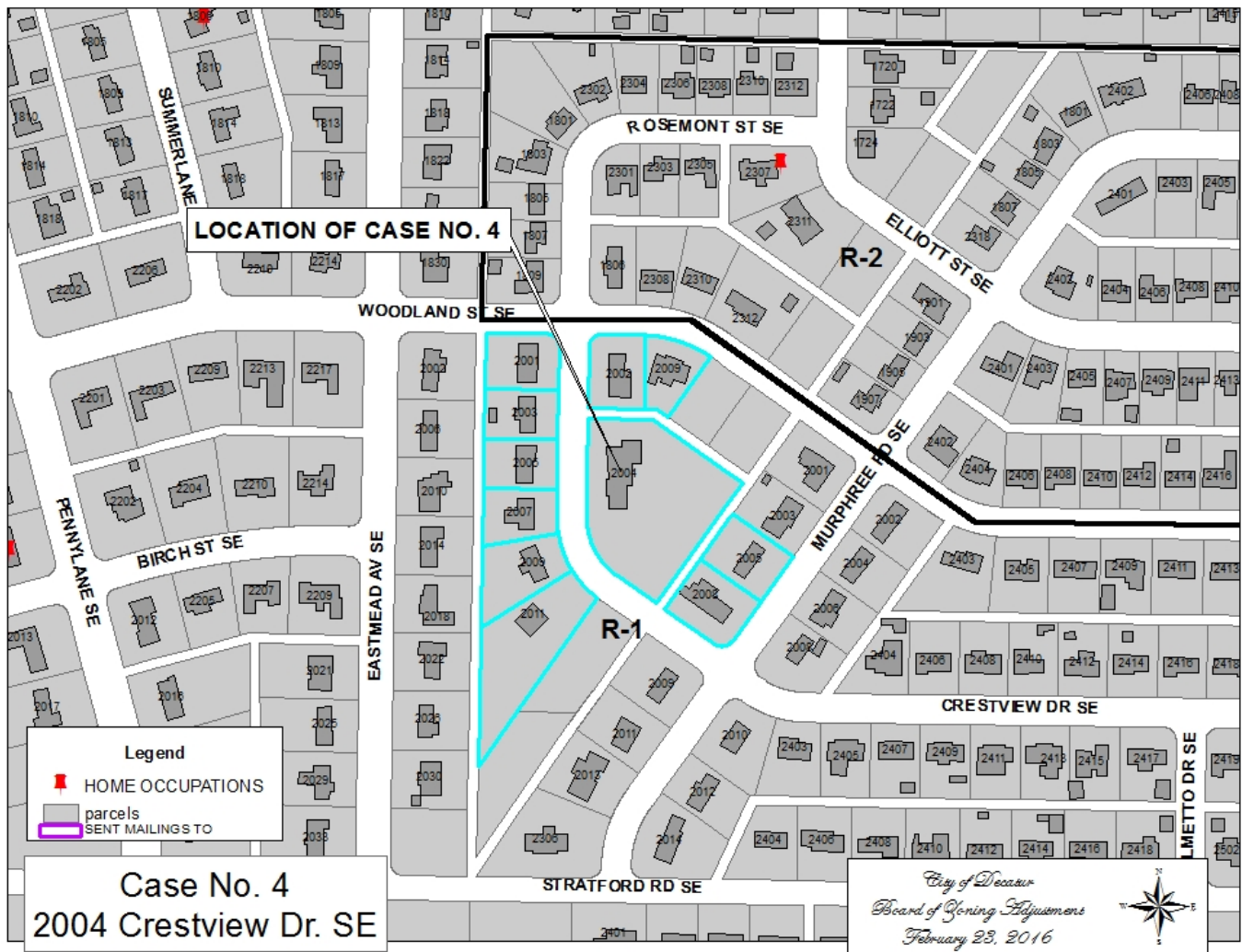
HOME OCCUPATION QUESTIONS

CHECK YES OR NO FOR EACH QUESTION

1. Is the occupation* applied for (administrative office, making of crafts, sewing, etc.,) conducted entirely within the dwelling? YES ☒ NO ☐ *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: Bonnie Goodman DATE: 1-26-16
ADDRESS: 2004 Crestview Dr. SE.
Decatur, AL 35601

QUESTIONNAIRE



LOCATION MAP 2004 CRESTVIEW DR SE



A Grand City on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Jane Wilkinson
MAILING ADDR: 1213 11th Ave SE
CITY STATE ZIP: Decatur, AL 35601
PHONE: 256-621-1013

PROPERTY OWNER: Jane Wilkinson
OWNER ADDR: 1213 11th Ave SE
CITY STATE ZIP: Decatur, AL 35601
OWNER PHONE: 256-621-1013

ADDRESS FOR APPEAL: 1213 11th Ave SE Decatur, AL 35601

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

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

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

Online Internet Jewelry Sales - Admin Office

Applicant Name(print) Jane Wilkinson
Signature Jane Wilkinson
Representative Name(print) _____
Signature _____
Date 2-5-16

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

Office Use
Received By Judy
Zone R-3
Hearing Date Feb. 23, 2016
Approved/Disapproved _____

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

CASE NO 5 1213 11TH AVE SE

HOME OCCUPATION QUESTIONS

CHECK YES OR NO FOR EACH QUESTION

1. Is the occupation* applied for (administrative office, making of crafts, sewing, etc.,) conducted entirely within the dwelling? YES ☒ NO ☐ *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: _____

Jane Wilkinson

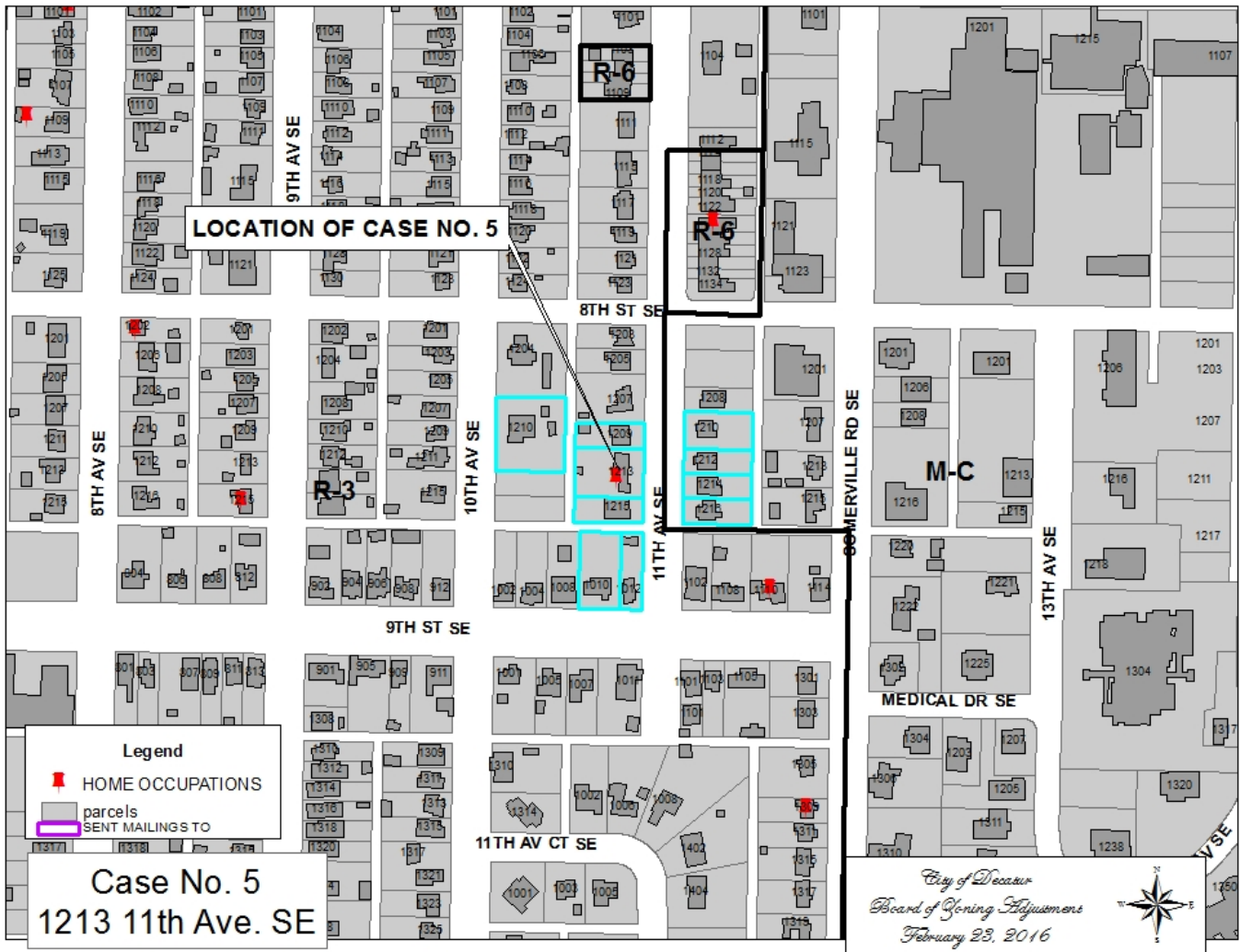
DATE: _____

2-5-16

ADDRESS: _____

1213 14th Ave SE Decatur, AL 35601

QUESTIONNAIRE



LOCATION MAP 1213 11TH AVE SE



A Grand City on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Donny Betterton
MAILING ADDR: 2116 11th St SE
CITY STATE ZIP: Decatur AL 35601
PHONE: (256) 227-4049

PROPERTY OWNER: Donny Betterton
OWNER ADDR: 2116 11th St SE
CITY STATE ZIP: Decatur AL 35601
OWNER PHONE: (256) 227-4049

ADDRESS FOR APPEAL: 2116 11th St SE Decatur AL 35601

☒ 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.)

This is for a lawn care/lawn services business. My home
would be used for administrative purposes. Supplies will be
stored in a storage building

Applicant Name(print) Donny Betterton
Signature Donny
Representative Name(print) _____
Signature _____
Date 2-8-16

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

Office Use
Received By Cindy
Zone R-1
Hearing Date Feb. 23rd 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 6 2116 11TH ST SE

HOME OCCUPATION QUESTIONS

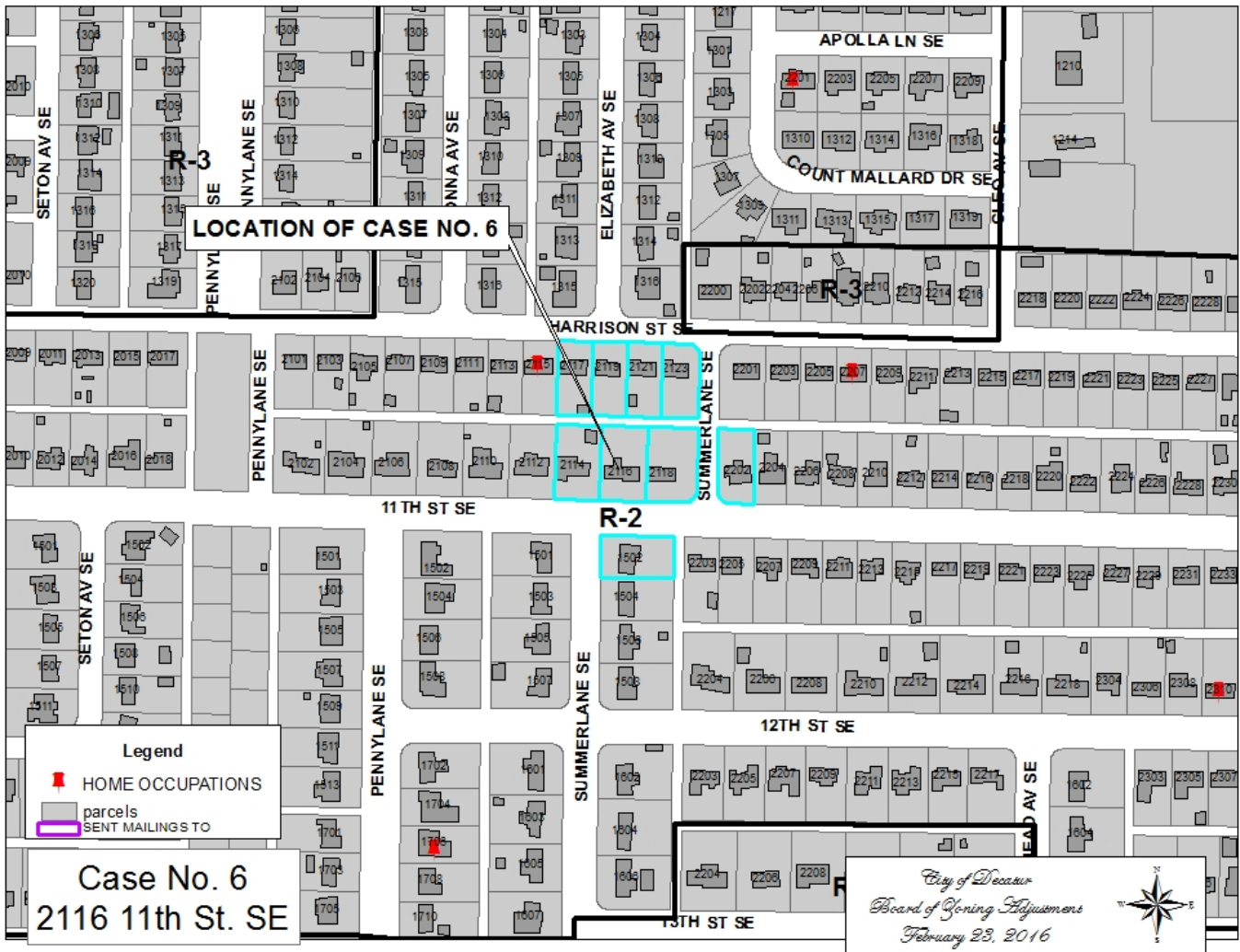
CHECK YES OR NO FOR EACH QUESTION

1. Is the occupation* applied for (administrative office, making of crafts, sewing, etc.,) conducted entirely within the dwelling? YES ☒ NO ☒ *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: Dary B DATE: 2-8-16

ADDRESS: 2116 11th St SE Decatur AL 35601

QUESTIONNAIRE



LOCATION MAP 2116 11TH ST SE



A Grand City on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: Kevia D. Clarke
MAILING ADDR: 2310 Auburn Dr. SW
CITY STATE ZIP: Decatur, AL, 35603
PHONE: 256-642-8922

PROPERTY OWNER: Jim Robinson - owner is aware
OWNER ADDR: 27747 bethel Road
CITY STATE ZIP: Elkmont, AL 35620
OWNER PHONE: 256-476-5000

ADDRESS FOR APPEAL: 2310 Auburn Dr. 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.)

I wish to start a small custodial business.
The business will be ran out of home. admin only.

Applicant Name(print) Kevia Clarke
Signature Kevia Clarke
Representative Name(print) _____
Signature _____
Date 2/10/2014

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

Office Use
Received By [Signature]
Zone 256
Hearing Date Feb 23, 2016
Approved/Disapproved _____

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

CASE NO 7 2310 AUBURN DR SW

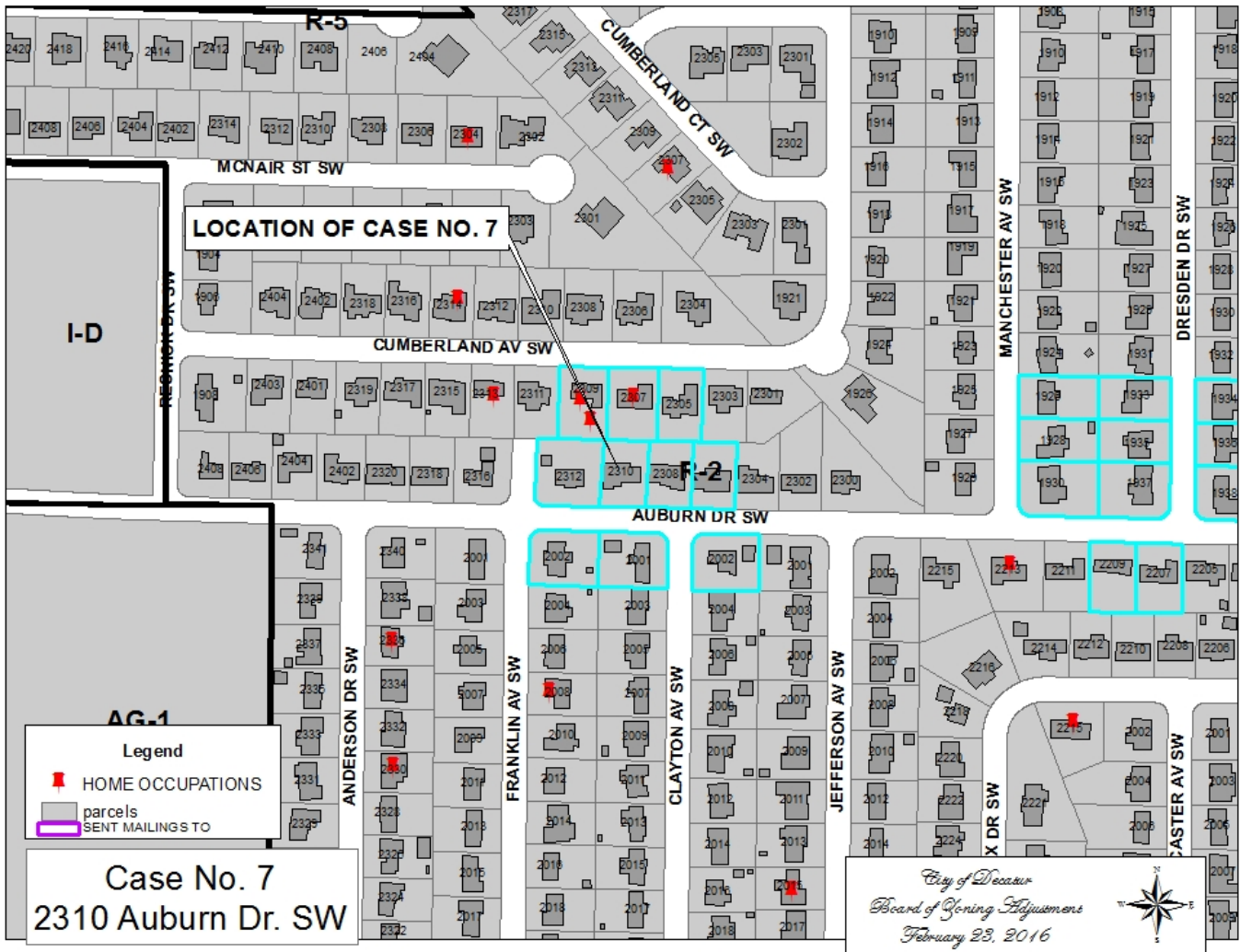
HOME OCCUPATION QUESTIONS

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 ☒
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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: Kervia Clark DATE: 2/10/2016
ADDRESS: 2310 Auburn Dr. SW

QUESTIONNAIRE



LOCATION MAP 2310 AUBURN DR SW



A Grand City on a CHARMING SCALE

Board of Zoning Adjustment

APPLICANT: LEE Y. GIBBENS, JR. PE/LS
MAILING ADDR: 121 SPANGLMAN STREET SW
CITY STATE ZIP: HUNTSVILLE, AL 35840
PHONE: 256-773-2304 256-566-3603

PROPERTY OWNER: JOE ABENLOMBASG
OWNER ADDR: 1219 SEMINOLE DRIVE NW
CITY STATE ZIP: HUNTSVILLE, AL 35840
OWNER PHONE: _____

ADDRESS FOR APPEAL: 2114 WOODMONT DR SE, 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

*****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.)

APPLICANT REQUESTS A 3.81' REAR SETBACK VARIANCE
FOR A PROPOSED ADDITION. APPLICANT PREPARED
FOR PERMIT W/ THE REAR SETBACK IN ERROR. DIFFERENCE
WAS DISCOVERED ON THE BACK-LINE SURVEY.

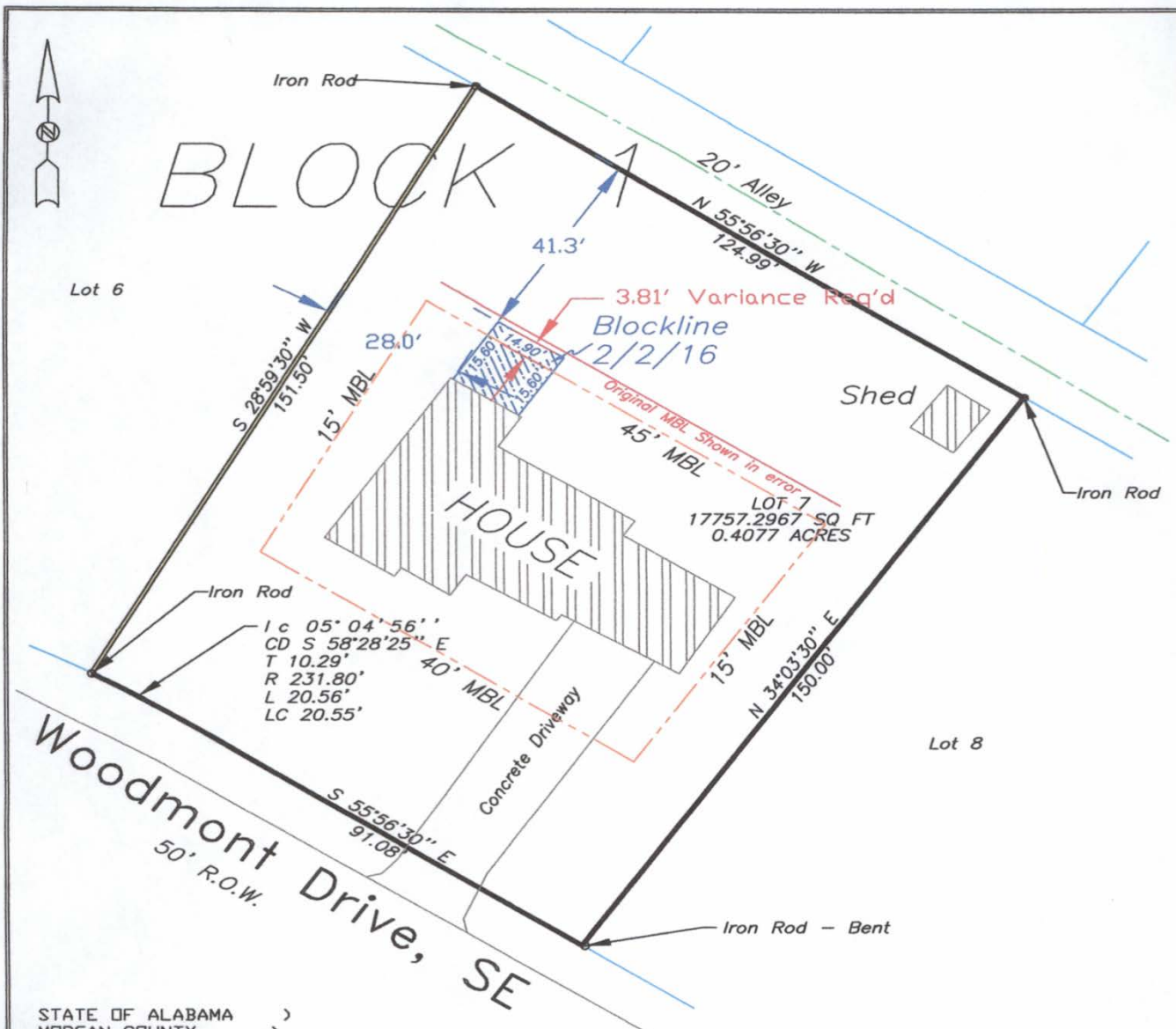
Applicant Name(print) LEE Y. GIBBENS, JR.
Signature _____
Representative Name(print) _____
Signature _____
Date _____

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

Office Use
Received By Cindy
Zone R-2
Hearing Date FEB. 23rd 4:00pm
Approved/Disapproved 2016

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 8 2114 WOODMONT DR SE



STATE OF ALABAMA)
MORGAN COUNTY)

I, Lee Y. Greene, Jr., a Registered Professional Engineer and Land Surveyor of Hartselle, Alabama hereby certify that all parts of this survey have been completed in accordance with the requirements of the Standards of Practice for Land Surveying in the State of Alabama, and that the foregoing is a true and correct plat or map of the following real estate, to-wit:

Lot 7, Block 1, Brookmead Subdivision, Addition No. 1, Decatur, Morgan County, Alabama as shown by map or plat of said subdivision file and of record in the Office of the Judge of Probate of Morgan County, Alabama in Plat Book 2 at Page 87.

I further certify that there are no encroachments by buildings on the adjoining property; and that there are no right-of-way, easements, or joint driveways over or across said land visible on the surface of the ground; there are no electric or telephone wires (excluding wire which serves the premises only) or structures of supports thereof including poles, anchors and guy wires on or over said premises, except as shown. Subsurface and environmental conditions were not surveyed or examined or considered as part of the survey. No evidence or statement is made concerning the existence of underground or overhead conditions, containers, facilities, or any historical or cultural resources that may affect the use or development of this property. The professional surveyor has made no investigation of independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose. In providing this boundary survey, no attempt has been made to obtain or show data

BLOCK LINE SURVEY

2015 278
Recorded in the Above
DEED Book & Page
01-12-2015 10:03:19 AM
Gres Cain - Probate Judge
State of Alabama, Morgan Count

This instrument prepared by:
Douglas R. Bachuss, Jr.
Nowlin, Bachuss & Gray Law Firm
118 Moulton Street East -1st Floor
Decatur, AL 35601

Send Tax Notice to:
Joe Abercrombie
1219 Seminole Drive, NW
Hartselle, AL 35640

CONSERVATOR'S DEED

STATE OF ALABAMA
MORGAN COUNTY

KNOW ALL MEN BY THESE PRESENTS, That in consideration of TEN AND NO/100 (\$10.00) DOLLARS to the undersigned grantor,

Jeffrey M. Gray, Conservator for the Conservatorship Estate of William David Byars, Sr., also known as William David Byars, a single man, an incapacitated adult,

(herein referred to as GRANTOR, whether one or more), in hand paid by the GRANTEE, (herein referred to as GRANTEE, whether one or more), the receipt of which is hereby acknowledged, the said GRANTOR does by these presents, grant, bargain, sell and convey unto

Joe Abercrombie

the following described real estate situated in MORGAN County, Alabama to-wit:

Lot 7, Block 1, Brookmead Subdivision, Addition No.1, as shown by map or plat of said subdivision recorded in the Office of the Judge of Probate of Morgan County, Alabama, in Map Book 2 at Page 87.

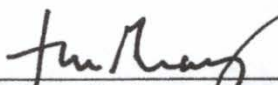
This conveyance is pursuant to the Motion to Confirm Contract for Private Sale of Real Property recorded in the Office of the Judge of Probate of Morgan County, Alabama, in Book 2015 at Page 92 attached hereto as Exhibit "A".

There are excepted from the warranties of this deed all easements, restrictions of record, and current ad valorem taxes.

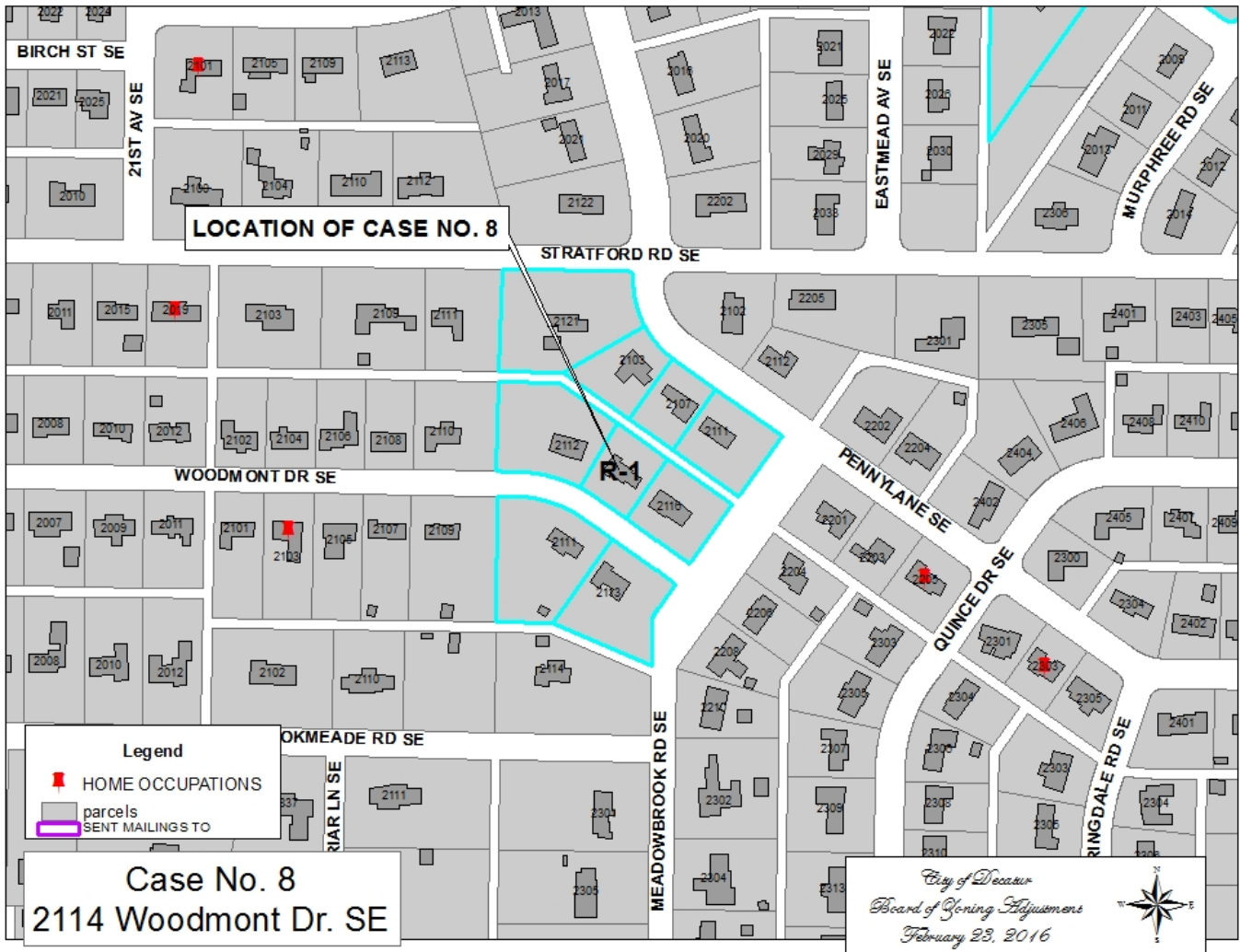
TO HAVE AND TO HOLD to the said GRANTEE, his heirs and assigns forever.

And I (we) do for myself (ourselves) and for my (our) successors and assigns covenant with the said GRANTEE, his heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that he/she/ they are free from all encumbrances, unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (our) successors and assigns shall warrant and defend the same to the said GRANTEE, his heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, Jeffrey M. Gray, as Conservator for the Conservatorship Estate of William David Byars, Sr., an incapacitated adult, who is authorized to execute this conveyance, has hereto set his signature and seal, this the 7th day of January, 2015.


_____(Seal)
**Jeffrey M. Gray, Conservator for the Conservatorship
Estate of William David Byars, Sr., an incapacitated adult**

PROPERTY OWNER INFO.



LOCATION MAP 2114 WOODMONT DR SE