



# BOARD OF ZONING ADJUSTMENT

## AGENDA

November 13, 2013

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## MINUTES OCTOBER 29, 2013

MEMBERS PRESENT: Chairman Kent Lawrence, Messrs. , Mr. Larry Waye, Mr. , Mr. Greg Dobbs and Ms. Frances Tate

SUPERNUMERARIES: Mr. Mike Harris (Sally Jo Green-attended the pre-meeting)

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

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

Ms. Larry Waye moved to **approve** the minutes of the June meeting as printed. Mr. Greg Dobbs 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 Rickey L. Johnson for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a window cleaning business located at 1507 Magnolia St SE property located in a R-1 Single-Family Zoning District

Rickey L. Johnson presented this case to the Board. Mr. Johnson stated he would like an administrative office for a residential and commercial window washing business. Mr. Johnson further stated he has one employee that he would pick up and take to the jobsite. and his equipment would be kept in the garage.

Mr. Sims stated the Building Department would recommend approval.

Mrs. Smith stated the Planning Department would recommend approval.

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

## CASE NO 2

Application and appeal of Wendy Turner 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 music lessons and individual instruction conducted offsite and the creation of paintings, mixed media art and graphic design to be sold on the internet at 804 Kennilworth Rd SW, property located in a R-2 Single-Family Zoning District.

Ms. Wendy Turner presented this case to the Board. Ms. Turner stated she would like an administrative office to teach piano and voice off-site; additionally she would like to create paintings, mixed media art and graphic design via computer and sell on-line.

Mr. Sims stated the Building Department would recommend approval.

Mrs. Smith questioned the applicant about the painting and mixed media and then recommended approval.

Mr. Mike Harris 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 Matt Heinlein 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 tree service business at 1304 Northmead St SW, property located in a R-2 Single-Family Zoning District.

Mr. Matt Heinlein presented this case to the Board. Mr. Heinlein stated he would like an administrative office for a tree service business.

Chairman, Kent Lawrence stated to the applicant that he could not store heavy equipment at the home nor on a lot down the street as indicated on his application. Chairman, Lawrence additionally stated he was allowed to store his trailer in the backyard.

Mr. Heinlein stated the owner was aware of his request, there will be no additional traffic to the area, he will have a sign on his vehicle but no address and he will pick up his employees or they will meet at jobsite.

Mr. Sims stated the Building Department would recommend approval with the condition that the heavy equipment is stored off-site.

Mrs. Smith stated the Planning Department would recommend approval for administrative office only as long as the heavy equipment was stored off-site.

Mr. Greg Dobbs moved to approve an administrative office only with the condition that no heavy equipment be stored at his house or any other house in the neighborhood; however his trailer

would be allowed at his home. Ms. Frances Tate seconded the motion. On a roll-call vote the motion carried.

#### CASE NO 4

Application and appeal of Kristin Patton 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 website design business located at 302 11<sup>th</sup> Ave NW, property located in a R-3 Single-Family Zoning District.

This case was moved to the end of the meeting because the applicant was not present when the case was called. The case was called again at the end of the meeting. The Board voted to dismiss this case due to failure of the applicant to appear before the Board and present her case.

#### CASE NO 5

Application and appeal of Trevor Butcher for a variance from section 25-80 and as defined in Article III, as amended and adopted, of the Zoning Ordinance to allow for the use of an existing nonconforming sign at 910 6<sup>th</sup> Ave SE, property located in a B-1 Local Shopping Zoning District.

Mr. Trevor Butcher presented this case to the Board. Mr. Trevor stated he wanted to use an existing 20 year old sign by re-facing and painting it. Mr. Trevor also stated It would be cost effective for him to be able to use the existing sign rather than having to obtain a new sign.

Mr. Sims stated the Building Department would recommend approval.

Mrs. Smith stated the Planning Department had no comment.

Mr. Larry Waye moved to approve this request as submitted. Ms. Frances Tate seconded the motion. On a roll-call vote, the motion carried.

#### CASE NO 6

Application and appeal of Mark Manion for a use permitted on appeal from section 25-113 and as defined in Article V, as amended and adopted, of the Zoning Ordinance to allow the use of an temporary sales office trailer for a period of 60 days not to exceed 90 days at 809 Beltline Rd SW STE B, property is located in a M-1A Expressway Commercial Zoning District.

Mr. Mark Manion presented this case to the Board. Mr. Manion stated they would like to install a temporary sales office in front of a new business that is not yet open. Mr. Manion stated the trailer would allow them to sell memberships to their business while the building was being completed. Mr. Manion also stated the owner was aware of the request. In addition, the temporary sales office will be ADA compliant and a temporary power line will be run from the

main building to the trailer for power. Mr. Manion also stated the trailer would not be in use past the allowed 90 days, in fact he hoped the business would open before the 25<sup>th</sup> of December.

Mr. Sims stated the Building Department would recommend approval.

Mrs. Smith stated the Planning Department had no comment.

Mr. Mike Harris moved to approve this request as submitted. Mr. Larry Waye seconded the motion. On a roll-call vote, the motion carried with a 4 to 1 vote.

#### CASE NO 7

Application and appeal of Mark Manion for a 60 square foot area variance from Section 25-77(e)(2) and as defined in Article III, as amended and adopted, of the Zoning Ordinance to allow for a 194 square-foot attached sign at 809 Beltline Rd SW STE B, property is located in an M-1A Expressway Commercial Zoning District.

Mr. Mark Manion presented this case to the Board. Mr. Manion stated he would like an additional 60 square feet of signage. Mr. Manion stated the sign would be located on the side of the building next to Wal-Mart.

Mr. Sims stated the Building Department would recommend approval.

Mrs. Smith stated the Planning Department had no comment.

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

#### CASE NO 8

Application and appeal of Bryan Wallace for an eight foot rear yard setback variance from Section 25-10.9(d) and as defined in Article I, as amended and adopted, of the Zoning Ordinance to allow for the construction of a new residence at 2610 Summerwind Dr. SE, property located in a R-2 Single Family Zoning District.

Mr. Bryan Wallace presented this case to the Board. Mr. Wallace stated he needed an 8 foot rear-yard setback variance in order to construct a new house.

Mr. Sims stated the Building Department would recommend approval.

Mrs. Smith stated the Planning Department had no comment.

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

## CASE NO 9

Application and appeal of Joel and Sara Denbo for an additional 4 foot rear yard setback variance to Section 25-10.8(2)(c) and as defined in Article I, as amended and adopted, of the Zoning Ordinance to construct an addition at 2115 Stratford Pl SE, property located in a R-1 Single-Family Zoning District.

Mr. Craig Creighton representative for the applicant presented this case to the Board. Mr. Creighton stated an error was made when the variance request was applied for in September. Mr. Creighton further stated due to the mistake an additional 4 foot rear-yard setback variance was needed for their addition.

Mr. Sims stated the Building Department would recommend approval.

Mrs. Smith stated the Planning Department had no comment.

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

Chairman, Kent Lawrence stated there would be no December meeting due to the Holidays. However, if a case should arise that must be addressed before the regular January meeting The Board will hold a special called meeting on January 7, 2013.

Meeting Adjourned 4:30

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Chairman, Kent Lawrence

## **AGENDA NOVEMBER 26, 2013**

### **CASE NO 1**

**Application and appeal of LaJuan D. Clark 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 trucking company at 2506 13<sup>th</sup> St SE, property located in a PRD-6 Planned Residential Zoning District.**

### **CASE NO 2**

**Application and appeal of Ella Martin 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 wholesale business as well as a wedding consultant, and jewelry design business at 3503 Pinehurst DR SW, property located in a R-2 Single-Family Zoning District.**

### **CASE NO 3**

**Application and appeal of Seth Adgate 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 graphics and video design business at 1018 Sherman ST SE, property located in a R-3-H Single-Family Historic Zoning District.**

### **CASE NO 4**

**Application and appeal of Terry and Liliya Taylor 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 food service business at 4505 Arrowhead DR SE, property located in a R-1 Single-Family Zoning District.**

### **CASE NO 5**

**Application and appeal of Terry and Liliya Taylor for a use permitted on appeal to Section 25-113 to have a temporary business selling ethnic cuisine from a food trailer in the parking lot at 214 6<sup>th</sup> Ave SE, property located in a B-2 General Business Zoning District.**

### **CASE NO 6**

**Application and appeal of Gemstone Foods for a variance from Section 25-16(2) of the Zoning Ordinance to be able to deviate from the required on-site employee parking at 641 Holly St NE, property located in a M-1 Light Industrial Zoning District.**





*Small Town* CHARMING SCALE

## Board of Zoning Adjustment

APPLICANT: LaJuan D. Clark  
MAILING ADDR: 2506 13th St. SE  
CITY STATE ZIP: Decatur AL 35601  
PHONE: (377) 437-1682

PROPERTY OWNER: J. Michael Donckers and Megan Donckers  
OWNER ADDR: 1014 West Mountain Rd.  
CITY STATE ZIP: Staffsbury, VT 05262  
OWNER PHONE: (802) 379-2888

ADDRESS FOR APPEAL: 2506 13th St. 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

\*FOR ADMINISTRATIVE OFFICE ONLY\*

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

I want to have my headquarters for my trucking company at home. There will NEVER be any trucks at this location, just an office. I just need an address for my company. My trucks will be docked in Dallas, TX. I just need a physical address.

APPLICANT SIGNATURE:

LaJuan D. Clark

PRINT NAME:

LaJuan D. Clark

DATE: 9/27/13

OFFICE USE ONLY:

RECEIVED BY: Cindy

ZONING DISTRICT: PRD-6

HEARING DATE: Nov. 26th, 2013

APPROVED/DISAPPROVED: 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 by the 10<sup>th</sup> of the month to be heard the last Tuesday of the month. Applicants MUST be present in order for the case to be heard. Request a copy of this application.

CASE NO 1 2506 13<sup>TH</sup> ST SE

## HOME OCCUPATION QUESTIONS

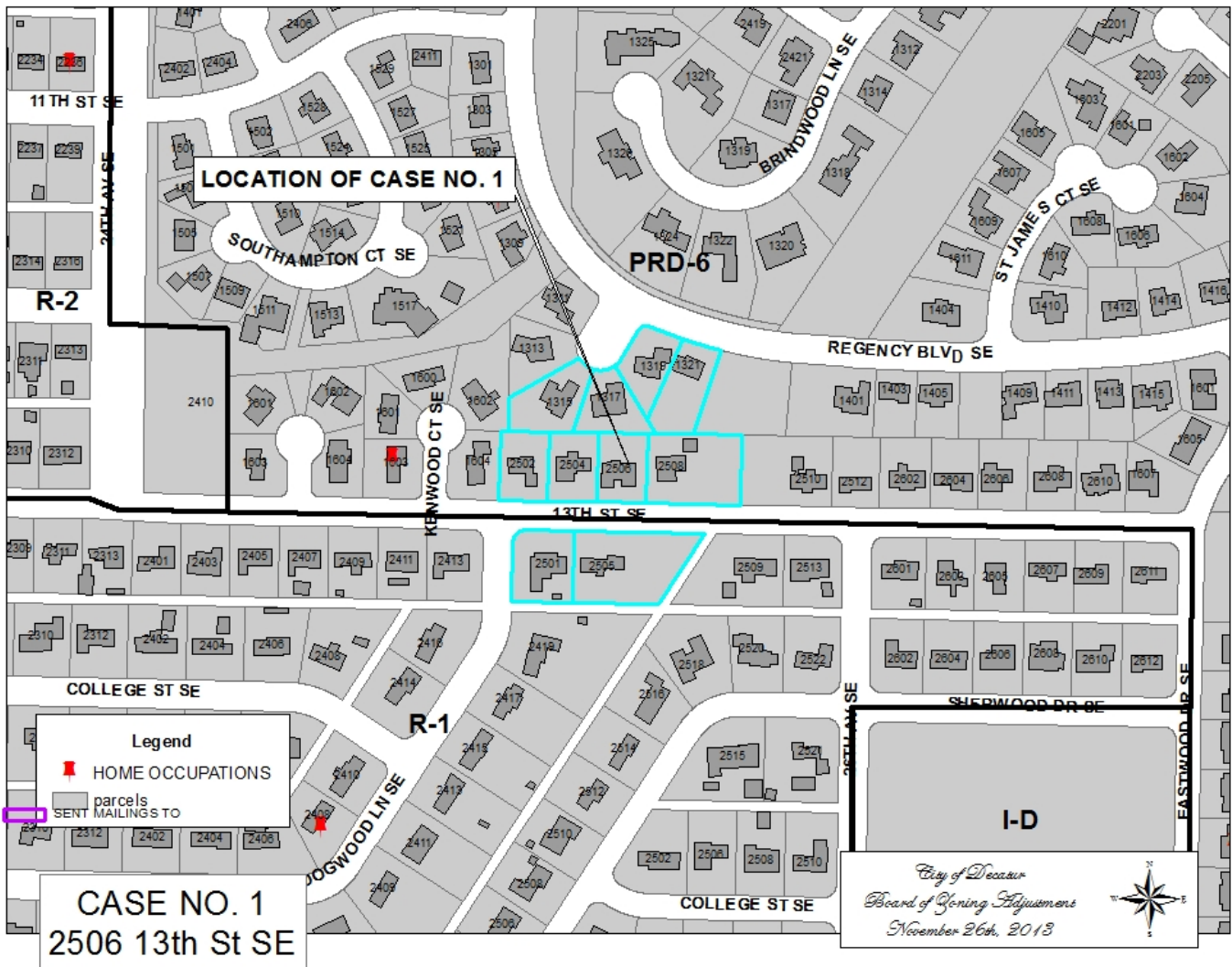
CHECK YES OR NO FOR EACH QUESTION

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

SIGNED:  DATE: 9/27/13

ADDRESS: 2506 13th St. SE Decatur, AL 35601

QUESTIONNAIRE



LOCATION MAP 2506 13<sup>TH</sup> ST SE



*Small Town and Charming Scale*

## Board of Zoning Adjustment

APPLICANT: Ella Martin  
MAILING ADDR: 3503 Pinehurst Dr SW  
CITY STATE ZIP: Decatur AL 35603  
PHONE: 256-654-9191

PROPERTY OWNER: self Bruce & Ella Martin  
OWNER ADDR: 3503 Pinehurst Dr SW  
CITY STATE ZIP: Decatur, AL 35603  
OWNER PHONE: 256-654-9191

ADDRESS FOR APPEAL: 3503 Pinehurst 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

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

Business license to purchase, wholesale, ~~for~~ Consultant  
for wedding, jewelry design, online sales. Office  
space only. Not home. will not have customers.

APPLICANT SIGNATURE:

Ella W. Martin  
PRINT NAME: Ella W. Martin  
DATE: 11/1/13

OFFICE USE ONLY:

RECEIVED BY: JR  
ZONING DISTRICT: R-2  
HEARING DATE: 11/26/13  
APPROVED/DISAPPROVED: \_\_\_\_\_

The Board of Zoning Adjustment meets the last Tuesday of each month at 4:00 PM in the Council Chambers on first floor of City Hall. Applications must be filed by the 10<sup>th</sup> of the month to be heard the last Tuesday of the month. Applicants MUST be present in order for the case to be heard. Request a copy of this application.

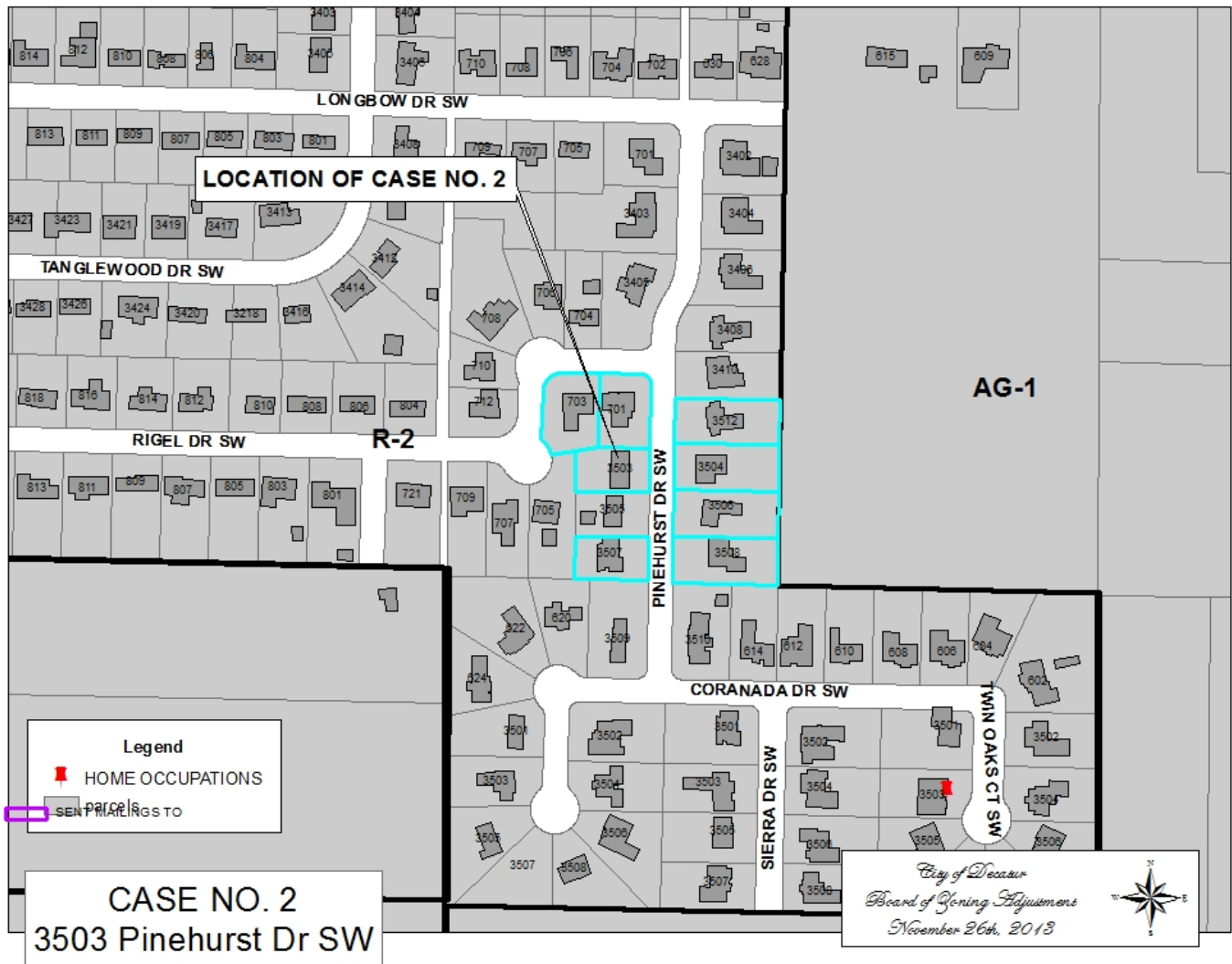
## HOME OCCUPATION QUESTIONS

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: Elaine W. Mautz DATE: 11/1/13  
ADDRESS: 3503 Pinhurst Dr SW

QUESTIONNAIRE



**LOCATION MAP 3503 PINEHURST DR SW**



*Small City* CHARMING SCALE

## Board of Zoning Adjustment

APPLICANT:	<u>Seth Adgate</u>
MAILING ADDR:	<u>1018 Sherman St. SE</u>
CITY STATE ZIP:	<u>Decatur, AL 35601</u>
PHONE:	<u>(352) 409-2047</u>
PROPERTY OWNER:	<u>Anna Thornley (Landlord, owner is aware)</u>
OWNER ADDR:	<u>5031 Channel Dr</u>
CITY STATE ZIP:	<u>Huntsville, AL 35802</u>
OWNER PHONE:	<u>1 (256) 606-3415</u>

ADDRESS FOR APPEAL:	<u>1018 Sherman St. SE Decatur AL 35601</u>
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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

DESCRIBE APPEAL IN DETAIL: (INCLUDE DIMENSIONS, # FT FOR VARIANCES; # FOR PARKING; HARDSHIP; TYPE OF BUSINESS.)
<u>This will be used for the administrative</u>
<u>addres offices of Woodhute Media LLC</u>
<u>no traffic in or out. Graphics + <del>AA</del> Video design</u>

APPLICANT SIGNATURE: <u>Seth Adgate</u>	OFFICE USE ONLY:
PRINT NAME: <u>Seth Adgate</u>	RECEIVED BY: <u>Judy</u>
DATE: <u>11-6-13</u>	ZONING DISTRICT: <u>R-3-H</u>
	HEARING DATE: <u>Nov 26, 2013</u>
	APPROVED/DISAPPROVED: _____

The Board of Zoning Adjustment meets the last Tuesday of each month at 4:00 PM in the Council Chambers on first floor of City Hall. Applications must be filed by the 10<sup>th</sup> of the month to be heard the last Tuesday of the month. Applicants MUST be present in order for the case to be heard. Request a copy of this application.

CASE NO 3 1018 SHERMAN ST SE

## HOME OCCUPATION QUESTIONS

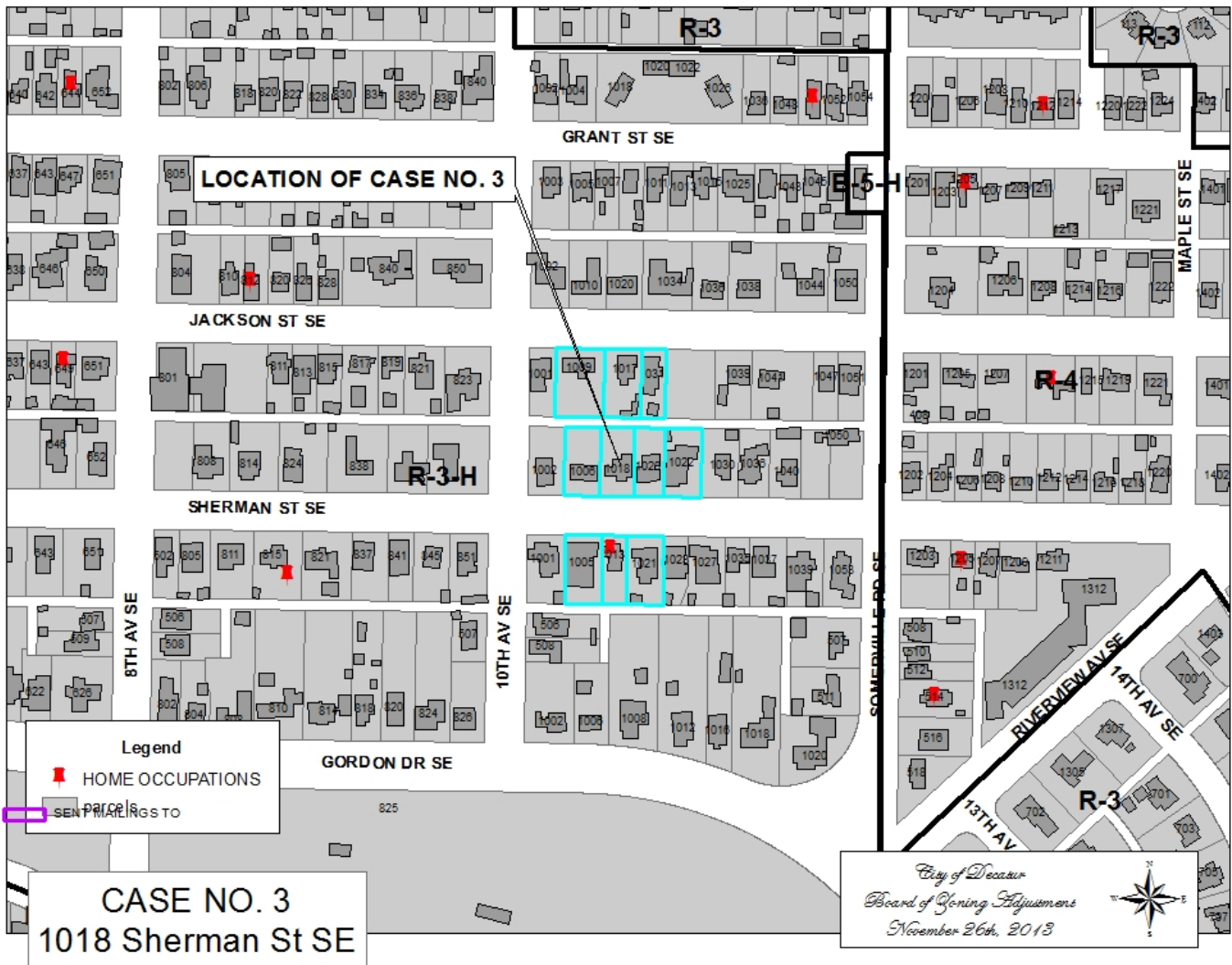
CHECK YES OR NO FOR EACH QUESTION

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

SIGNED: *Keith Pagan* DATE: 11-6-13

ADDRESS: 1018 Sherman St. SE Decatur AL 35601

**QUESTIONNAIRE**



LOCATION MAP 1018 SHERMAN ST SE



## Board of Zoning Adjustment

APPLICANT: Terry + Diliya Taylor "Cafe on Wheels"  
MAILING ADDR: 4505 Arrowhead Dr SE  
CITY STATE ZIP: Decatur AL 35603  
PHONE: 816 547 4888

PROPERTY OWNER: Terry + Diliya Taylor  
OWNER ADDR: 4505 Arrowhead Dr SE  
CITY STATE ZIP: Decatur AL 35603  
OWNER PHONE: 816-547-4888

ADDRESS FOR APPEAL: 4505 Arrowhead Dr SE Decatur AL 35603

### NATURE OF APPEAL:

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

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

Administrative office  
for operating Cafe on wheels  
(RUSSIAN, UKRAINIAN, POLISH food)  
TEMP only 90 days d.T.

APPLICANT SIGNATURE: [Signature]

PRINT NAME: Diliya Taylor

DATE: Nov 4, 2013

OFFICE USE ONLY:

RECEIVED BY: [Signature]

ZONING DISTRICT: R-1

HEARING DATE: Nov 26, 2013

APPROVED/DISAPPROVED: \_\_\_\_\_

The Board of Zoning Adjustment meets the last Tuesday of each month at 4:00 PM in the Council Chambers on first floor of City Hall. Applications must be filed by the 10<sup>th</sup> of the month to be heard the last Tuesday of the month. Applicants MUST be present in order for the case to be heard. Request a copy of this application.

CASE NO 4 4505 ARROWHEAD DR SE

## HOME OCCUPATION QUESTIONS

CHECK YES OR NO FOR EACH QUESTION

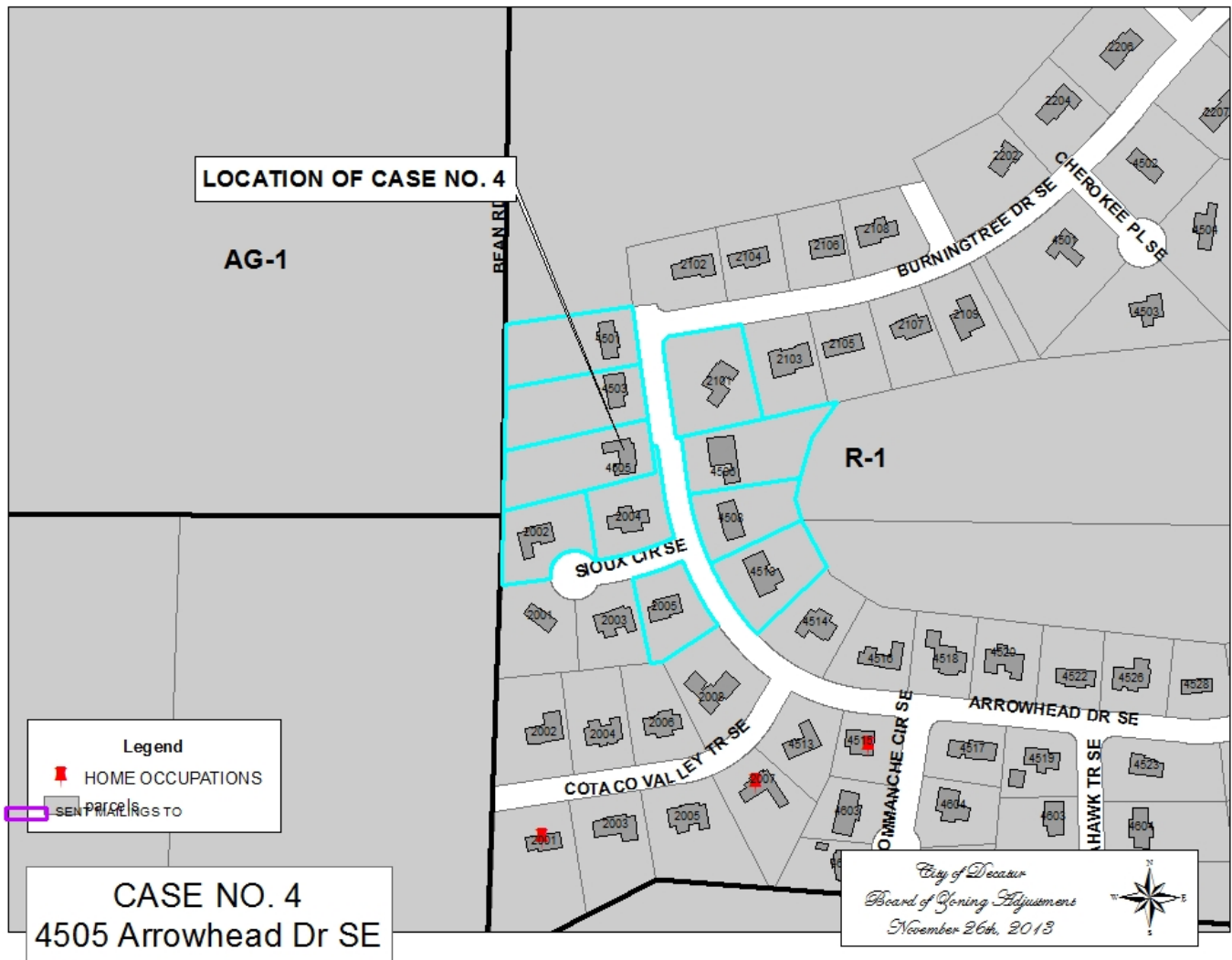
1. Is the use applied for, administrative office, making of crafts, sewing, etc., conducted entirely within the dwelling? YES ☒ NO ☐
2. Does the occupation produce sounds, colors or other audible or visible evidence of a home occupation being present? YES ☐ NO ☒
3. Is there advertising on the premises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

SIGNED: [Signature]

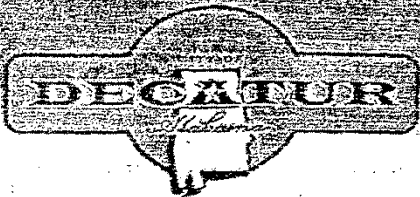
DATE: Nov 4, 2013

ADDRESS: 4505 Arrowhead Dr SE Decatur AL 35603

QUESTIONNAIRE



**LOCATION MAP 4505 ARROWHEAD DR SE**



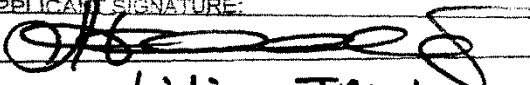
## Board of Zoning Adjustment

APPLICANT:	<u>LILIYA + TERRY TAYLOR</u>
MAILING ADDR:	<u>4505 Arrowhead Dr SE</u>
CITY STATE ZIP:	<u>Decatur AL 35603</u>
PHONE:	<u>816 547 4888</u>
PROPERTY OWNER:	<u>LILIYA + TERRY TAYLOR</u>
OWNER ADDR:	<u>4505 Arrowhead Dr SE</u>
CITY STATE ZIP:	<u>Decatur AL 35603</u>
OWNER PHONE:	<u>816 547 4888</u>

ADDRESS FOR APPEAL:	<u>214 6<sup>th</sup> AVE SE Decatur AL</u>
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NATURE OF APPEAL:	
<input type="checkbox"/> HOME OCCUPATION	<input type="checkbox"/> SETBACK VARIANCE
<input checked="" 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

DESCRIBE APPEAL IN DETAIL: (INCLUDE DIMENSIONS, # FT FOR VARIANCES, # FOR PARKING, HARDSHIP, TYPE OF BUSINESS.)
<u>Address will be used to park</u>
<u>concession stand (TRAILER)</u>
<u>during business hours.</u>

APPLICANT SIGNATURE:	OFFICE USE ONLY:
	RECEIVED BY: <u>Judy</u>
PRINT NAME: <u>Liliya Taylor</u>	ZONING DISTRICT: _____
DATE: <u>11-13-2013</u>	HEARING DATE: <u>NOV 26, 2013</u>
	APPROVED/DISAPPROVED: _____

The Board of Zoning Adjustment meets the last Tuesday of each month at 4:00 PM in the Council Chambers on first floor of City Hall. Applications must be filed by the 10<sup>th</sup> of the month to be heard the last Tuesday of the month. Applicants MUST be present in order for the case to be heard. Request a copy of this application.

CASE NO 5 214 6<sup>TH</sup> AVE SE

**PARKING SPACE LEASE AGREEMENT**

Decatur Bait & Tackle, as Lessor, does hereby agree to let  
to Cafe on wheels (Lilija & Terry W Taylor), as Lessee, a parking space  
located at 214 Sixth Ave SE (Building/Street Address) Decatur, Alabama,  
such parking space being further described Parking Space No. 1 at the aforementioned  
location. The following terms and conditions shall apply to this Parking Space Lease Agreement  
("Agreement"):

**Terms and Conditions:**

1. **Items Left in Vehicle/Concession Trailer.** Lessor shall not be responsible for damage or loss to possessions or items left in Lessee's vehicle.
2. **Damage to Vehicle/Concession Trailer.** Lessor shall not be responsible for damage to Lessee's vehicle, whether or not such damage is caused by other vehicle(s) or person(s) in the parking lot and surrounding area.
3. **Parking Lot Attendants.** Lessor Shall provide parking lot attendants. In the event that Lessor provides such attendants, any use of such attendant by Lessee to park or drive Lessee's vehicle shall be at Lessee's request, direction and sole risk of any resulting loss and Lessee shall indemnify Lessor for any loss resulting from such use.
4. **Use of bathrooms.** Lessor shall allow use of bathroom to Lessee and lot attendant
5. **Time and Termination.** Minimum lease agreement will be effective 90 days starting on or before November 30 after City of Decatur approval. Either party may terminate this Agreement by providing 30 days written notice to the other party. Any such notice shall be directed to a party at the party's address as listed below in this Agreement.

EXECUTED AND AGREED by the parties hereto, this the 29 day of 10<sup>th</sup>, 2013.

Lessor

James Crow

T. Taylor  
Lessee  
T. TAYLOR

L. Taylor

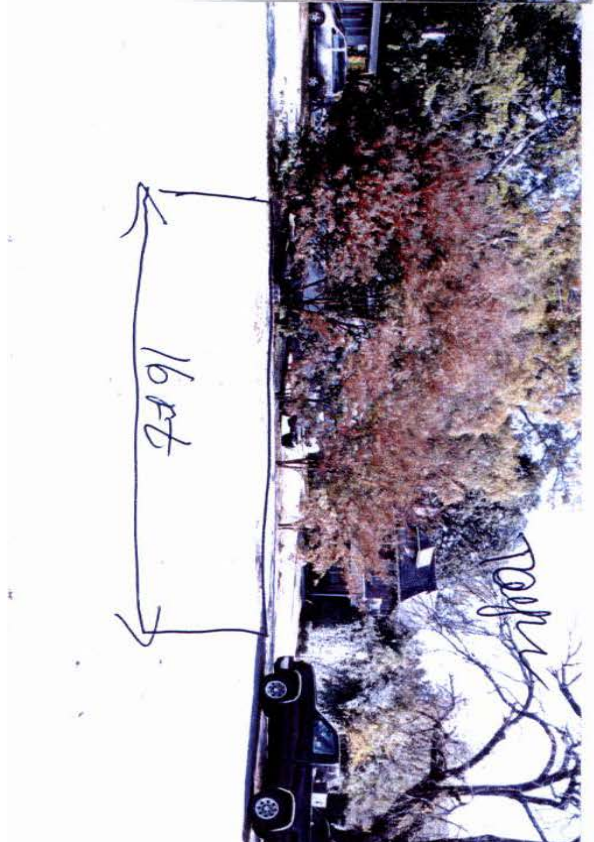
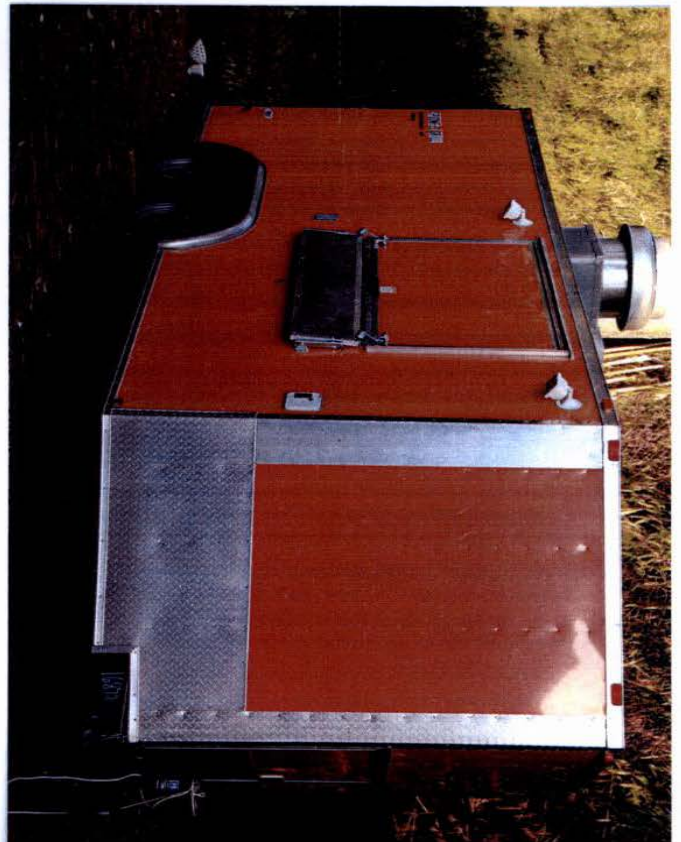
Lessor's Address

214 6<sup>th</sup> Ave SE

Lessee's Address

4505 Arrowhead Dr SE  
Decatur AL 35603

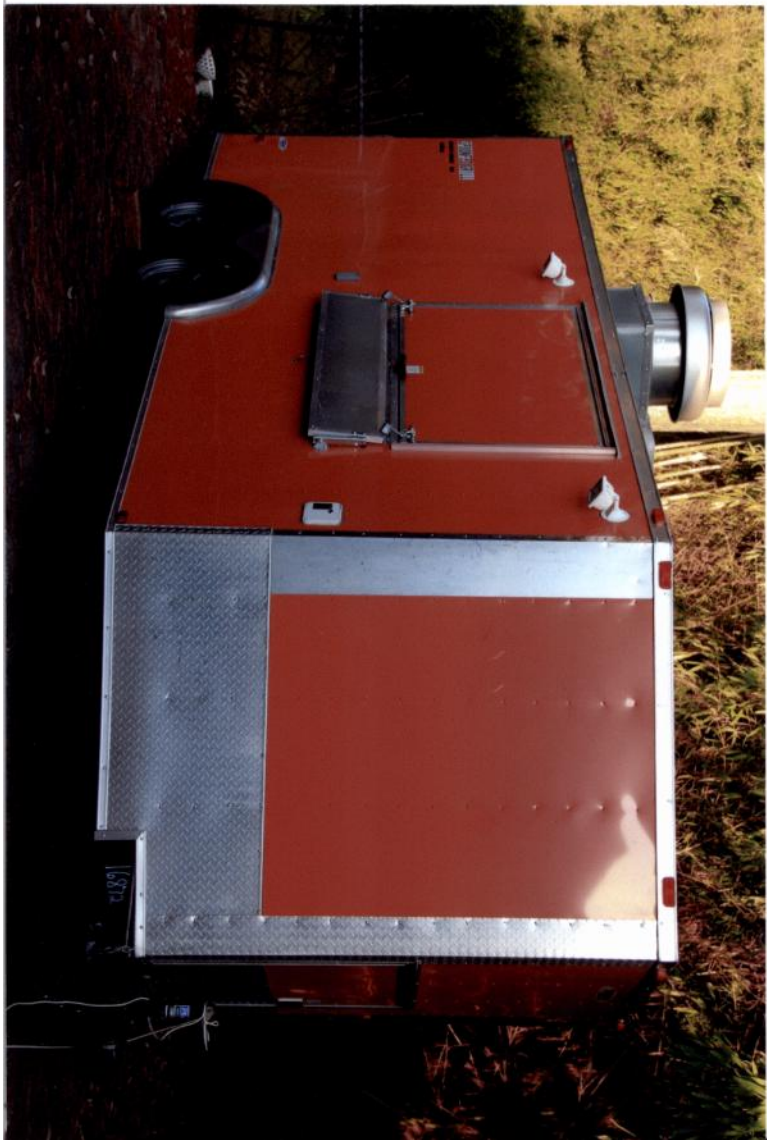
**LEASE AGREEMENT**



COMBINED PICTURES FOR CASE 4 & 5



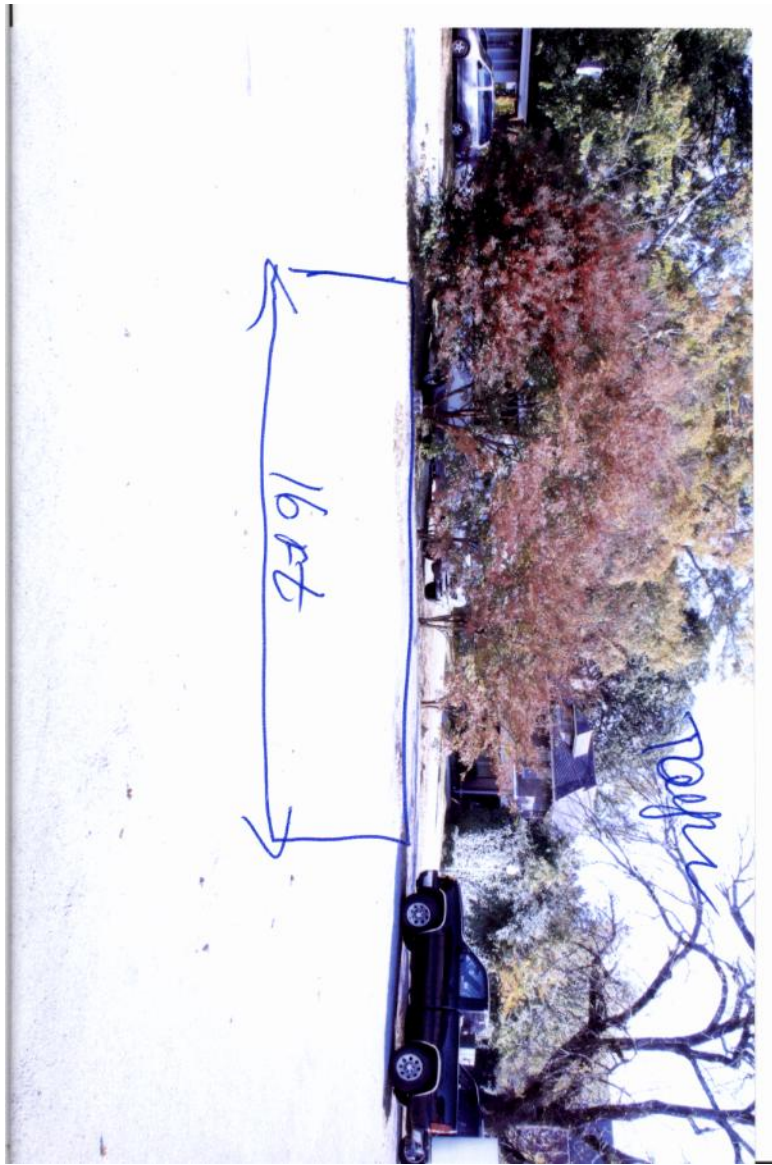
**PICTURE 1 KITCHEN CASE 4 & 5**



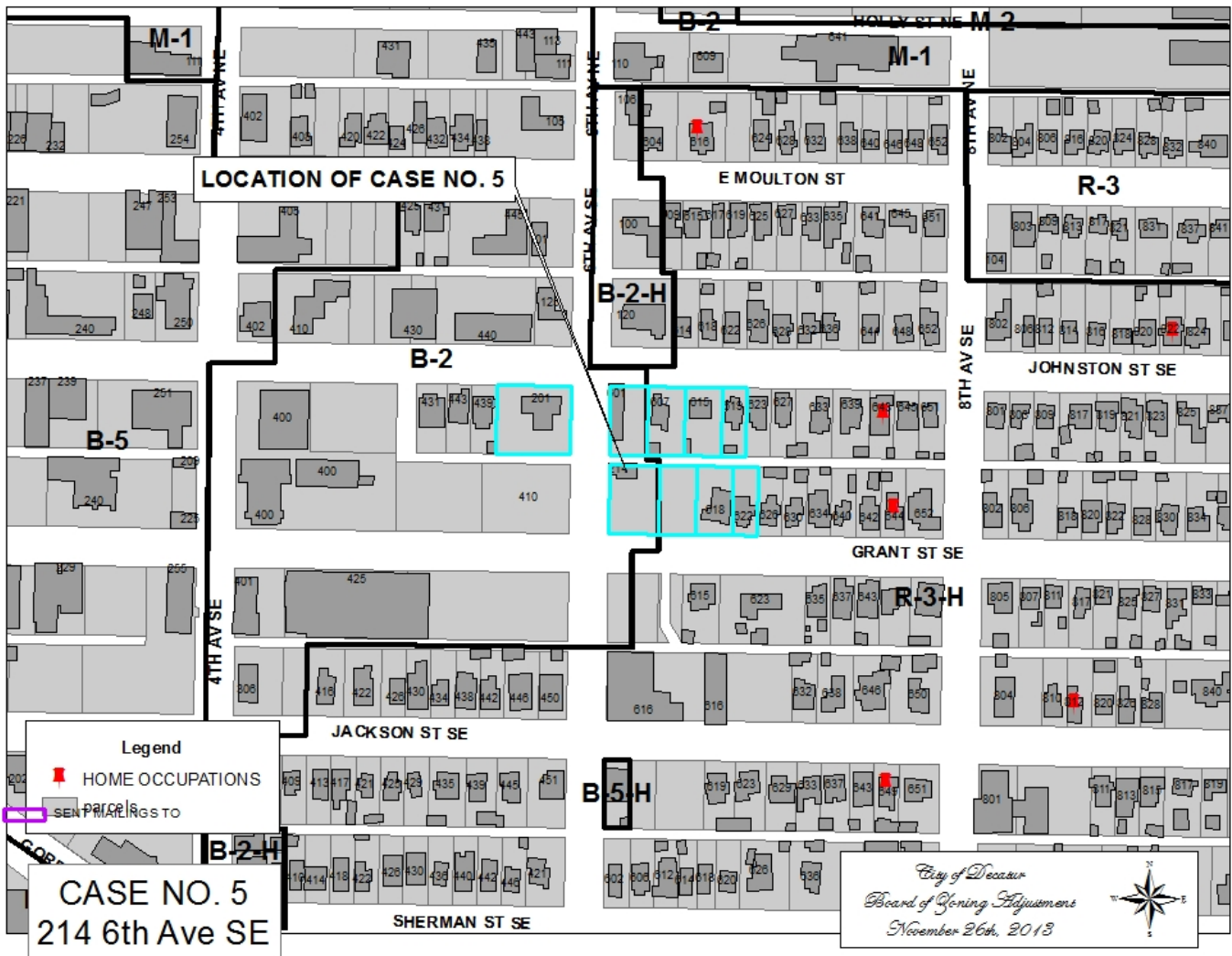
**PICTURE 2 TRAILER CASE 4 & 5**



PIC. 3 ST. VIEW CASE 4 & 5 Ext. VEGGIE STAND



**PICTURE 4 STREET VIEW CASE 4 & 5**



LOCATION MAP 216 6<sup>TH</sup> AVE SE



*Small Charm and a CHARMING SCALE*

## Board of Zoning Adjustment

APPLICANT: Gemstone Foods  
MAILING ADDR: 641 Holly Street NE  
CITY STATE ZIP: Decatur, AL 35601  
PHONE: 256-686-3601

PROPERTY OWNER: Gemstone Holdings LLC  
OWNER ADDR: 641 Holly Street NE  
CITY STATE ZIP: Decatur, AL 35601  
OWNER PHONE: 706/455-2264

ADDRESS FOR APPEAL: 641- Holly Street. NE

### 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.)

Asking for Relief from 2516.2 Code. of the  
Zoning Code Not to have on site Parking  
at our Processing Plant

APPLICANT SIGNATURE:

Mike Ensle  
PRINT NAME: MIKE ENSLE

DATE: 11-12-2013

OFFICE USE ONLY:

RECEIVED BY: PLS

ZONING DISTRICT: M-2

HEARING DATE: 11/26/13

APPROVED/DISAPPROVED: \_\_\_\_\_

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**CASE NO 6 641 HOLLY ST NE**

