

# Board of Adjustment Agenda

November 20, 2014 – 5:00 pm

Council Auditorium

City Hall, 103 N. Perry St.

## **BOARD OF ADJUSTMENT MEMBERS**

John Stanley, *Chairman*

K. T. Brown, *Vice-Chairman*

Beau Holmes

George C. Howell, Jr.

Steve Hughes

Bart Prince

Pickett Reese

Jennifer Shaw

Ida Jean Watkins

---

**Planning Controls Division  
25 Washington Ave., 4<sup>th</sup> Floor  
Montgomery, AL 36104  
(334)625-2722**

**I. Chairman's Message**

**II. Approval of Minutes from the October 16, 2014 meeting**

**November 20, 2014**

<b><u>Item</u></b>	<b><u>File</u></b>	<b><u>Petitioner</u></b>	<b><u>Zone</u></b>	<b><u>Location/Request</u></b>	<b><u>Page</u></b>
1.	2014-063	Yvonne Carrigan	R-100	3037 Brevard Avenue (Addition to access struct)	1
2.	1981-154	Jim Lorimer	B-3	2525 Eastern Boulevard (Coverage variance for canopies)	2
3.	2014-066	James C. Nebhut	R-85	3743 Cricklewood Drive (Carport & accessory structure)	3
4.	2014-065	Andrew Goldman	R-75-d	707 Thorn Place (Privacy fence)	4
5.	1998-026	Walmart Real Estate Business Trust	B-3 & M-1	3801 Eastern Boulevard (Parking variance)	5
6.	1969-045	Broderick Johnson	O-1	1301 East South Boulevard (Church – special exception)	6
7.	2014-060	Carrie Chappell	R-75-s	3310 Le Bron Road (Garage)	7
8.	2014-067	Timothy M. Davis	M-3 & AGR-2	Roquemore Street (Expansion of electrical substation)	8
9.	2014-064	Sammie Lee Jones	R-85	2161 Kingsbury Drive (Privacy fence)	9
10.	2014-061	Terry Taylor	R-60-m	1123 South Perry Street (Carport)	10
11.	2014-062	Janie Wall, L.A.	R-65-s	1431 Magnolia Curve (Privacy fence)	11
12.	2014-068	Jeff Rhoden	R-85	4642 Chrystan Road (Addition to dwelling)	12
13.	1965-259	Juanita Smith	O-1	1125 East South Boulevard (Church – special exception)	13

***The next Board of Adjustment meeting is on December 18, 2014***

1. BD-2014-063 **PRESENTED BY:** Yvonne Carrigan

**REPRESENTING:** Elaine C. Pennington

**SUBJECT:** Request a side yard variance for an existing lean-to addition to an accessory structure located at 3037 Brevard Avenue in an R-100 (Single-Family Residential) Zoning District.

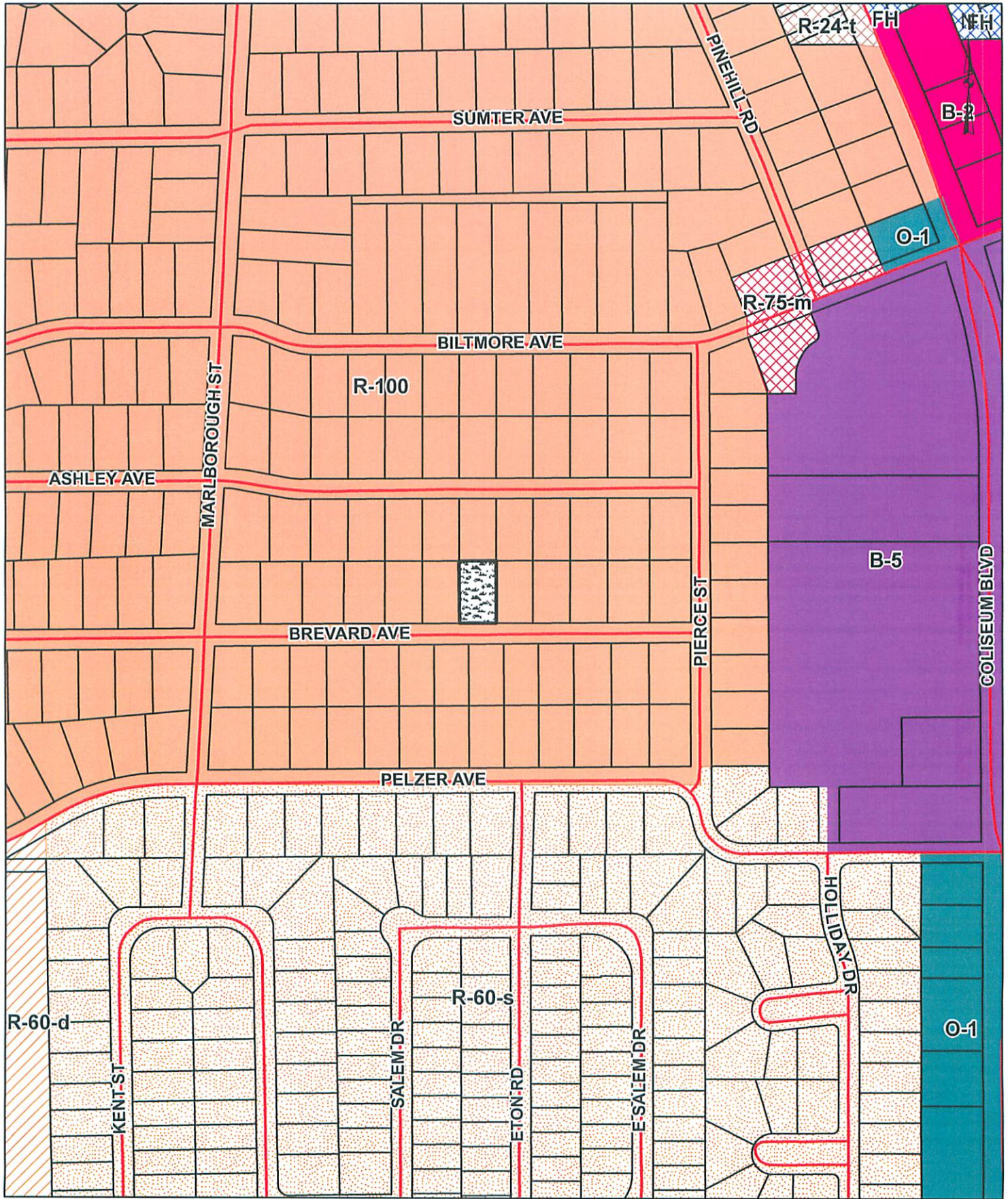
**REMARKS:** This request is being made to give the petitioner permission to maintain a lean-to on an accessory structure that comes within 2 ft. of the side property line, whereas 5 ft. is required. **(COMPLAINT)**

*The variance requested is a 3 ft. side yard variance.*

**COUNCIL DISTRICT: 2**

**COMMENTS** \_\_\_\_\_

**ACTION TAKEN:** \_\_\_\_\_



Site Location 

1 inch = 300 feet

Item No. 1A



Site Location

1 inch = 50 feet

Item No. 1B

2. BD-1981-154 **PRESENTED BY:** Jim Lorimer

**REPRESENTING:** U-Haul

**SUBJECT:** Request a coverage variance for additional open canopies to be located at 2525 Eastern Boulevard in a B-3 (Commercial) Zoning District.

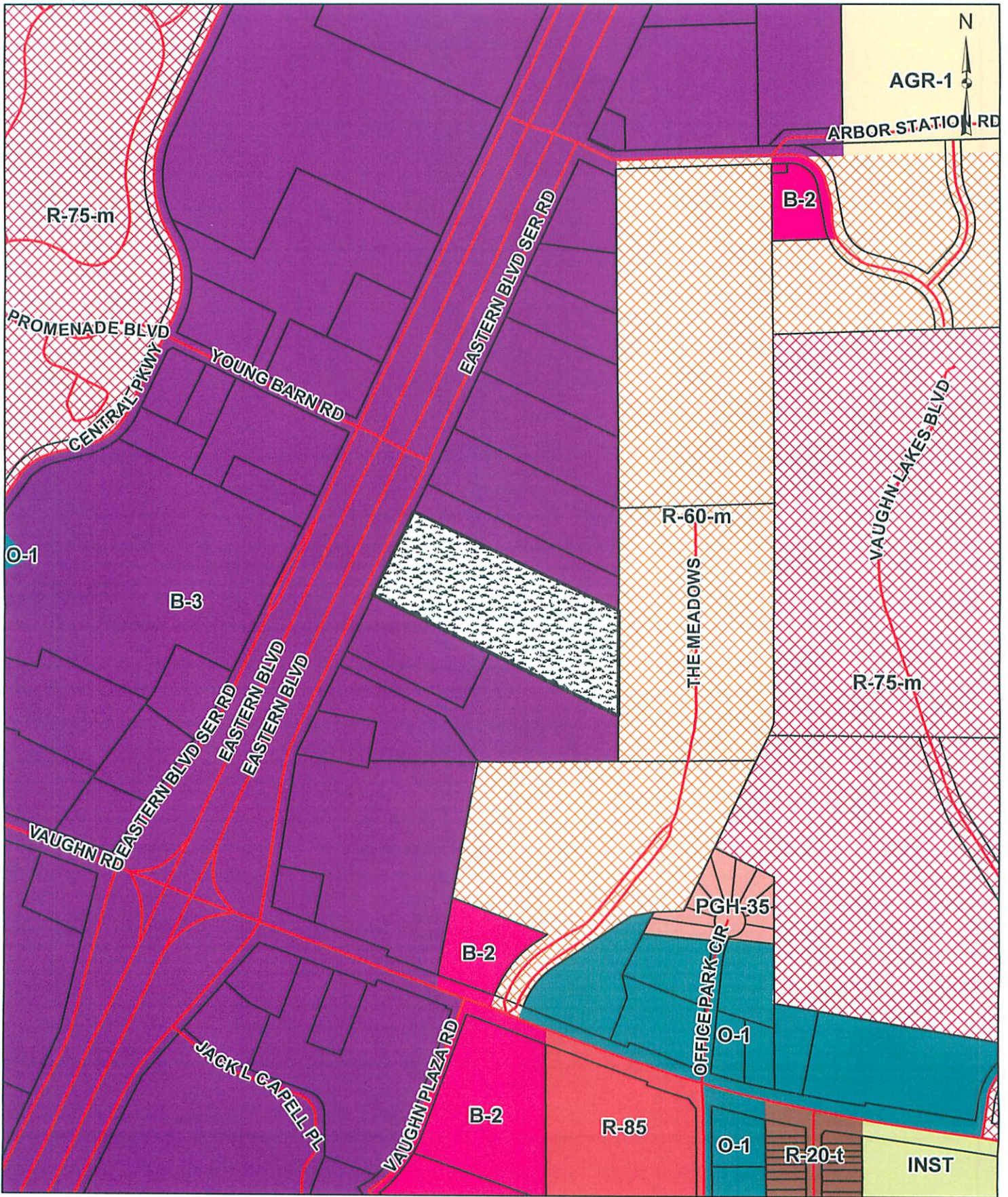
**REMARKS:** This request is being made to give the petitioner permission to have 39% coverage due to new construction, whereas 30% coverage is allowed. A public hearing for the addition of 32,799 sq. ft. of canopies was held on October 23, 2014 by the Planning Commission, thus causing the over coverage.

*The request is a 9% coverage variance.*

**COUNCIL DISTRICT:** 9

**COMMENTS** \_\_\_\_\_

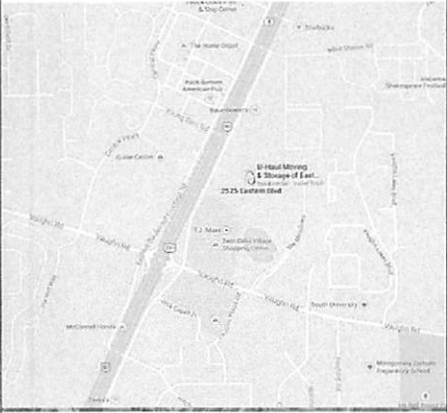
**ACTION TAKEN:** \_\_\_\_\_



Site Location 

1 inch = 400 feet

Item No. 2A



VICINITY MAP

SCALE: NTS

ARIEL MAP

SCALE: NTS

**SITE DEMOGRAPHICS:**

**DEVELOPER:** AMERCO REAL ESTATE  
**CONTACT:** JIM LORIMER  
 2727 N CENTRAL AVE  
 PHOENIX, AZ 85004  
 (602) 263-6002 EXT: 615133

**OWNER:** AMERCO REAL ESTATE COMPANY  
 2727 NORTH CENTRAL AVENUE  
 PHOENIX, AZ 85004  
 (602) 263-6002

**PROJECT NAME:** U-HAUL OF EASTERN MONTGOMERY  
**MUNICIPALITY:** MONTGOMERY, AL

**PROJECT ADDRESS:** 2525 EASTERN BLVD.

**ZONING DISTRICT:** 'B-3' HIGHWAY COMMERCIAL

**LAND AREA:** 243,771 (5.60 ACRES)  
**BUILDING SIZE:** =61,333 SQ. FT. (EXISTING)  
**RV PARKING @ 32,799**  
**ALLOWED:** 30%  
**PROPOSED 39% (VARIANCE TO BE REQUIRED FROM THE BOARD OF ADJUSTMENTS)**

**SETBACK:**  
**FRONT:** 30'-0"  
**SIDE:** 5'-0"  
**REAR:** 20'-0"  
**HEIGHT LIMIT:** 45'-0"

**PARKING:**  
**REQUIRED:** 155 SPACES  
**PROVIDED:** 110 PAVED  
 47 GRAVEL  
 157 PROVIDED

**CONSTRUCTION TYPE:** # B  
**OCCUPANCY:** S2 (OPEN PARKING)

SITE AND ZONING DATA



2525 EASTERN BLVD,  
MONTGOMERY AL 36117

**BOARD OF ADJUSTMENTS SUBMITTAL FOR:  
LOT COVERAGE INCREASE**

LOT 1, ACCORDING TO THE MAP OF RHODES INC. PLAT, AS SAID MAP APPEARS OF RECORD IN THE OFFICE OF THE JUDGE OF PROBATE OF MONTGOMERY COUNTY, ALABAMA, IN PLAT BOOK 27, AT PAGE 156.

SCOPE:  
REQUEST A VARIANCE TO INCREASE THE LOT COVERAGE FROM 30% TO 39% TO ALLOW FOR ADDITIONAL OPEN CANOPY ROOF COVERAGE.

LEGAL DESCRIPTION

SCOPE

REVISIONS

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

PROFESSIONAL SEAL

ARCHITECT (L) 000



CONSTRUCTION DEPARTMENT  
2727 NORTH CENTRAL AVENUE  
PHOENIX, ARIZONA 85004

P (602) 263-6002  
F (602) 777-1028

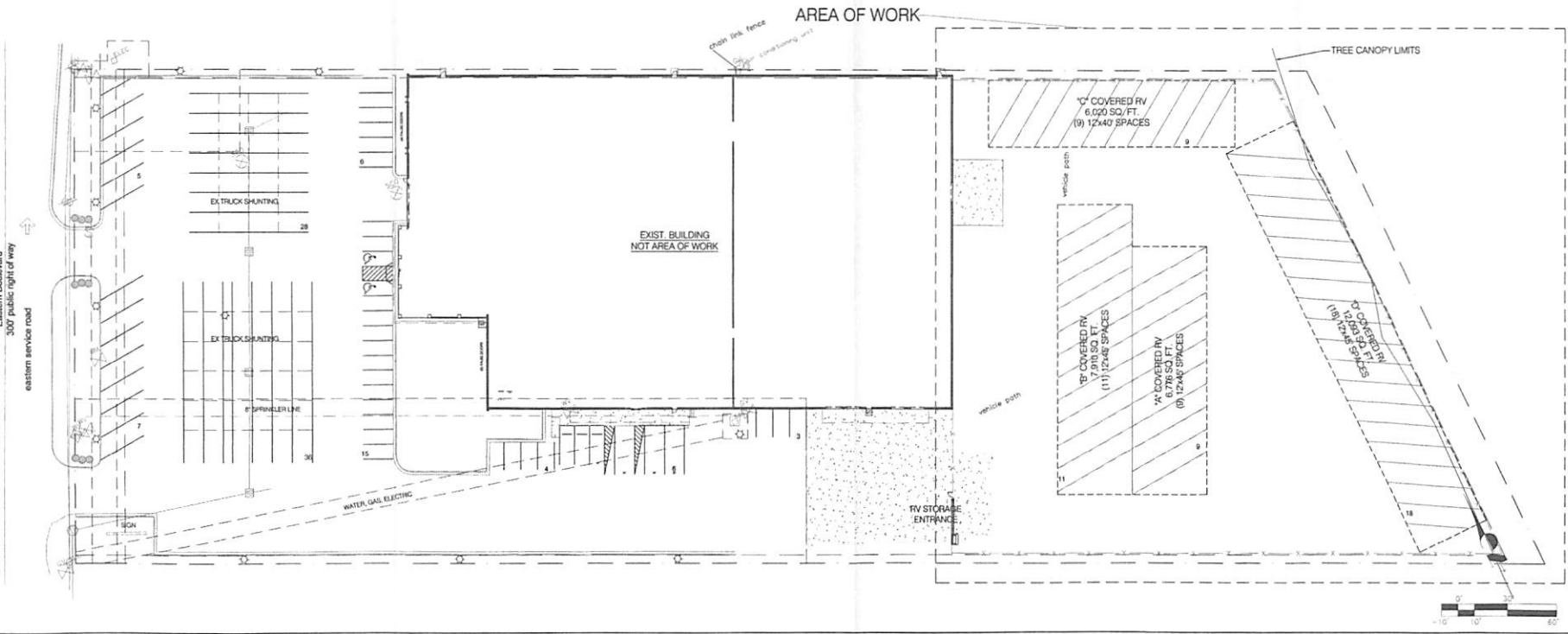
SITE ADDRESS:  
U-Haul of East Montgomery  
2525 Eastern Blvd  
Montgomery, AL 36117

SHEET CONTENTS:  
COVER SHEET

775026

Drawn: AB  
Checked: JM  
DATE: 08/24/2014  
T-1

© 2014 AMERCO REAL ESTATE COMPANY

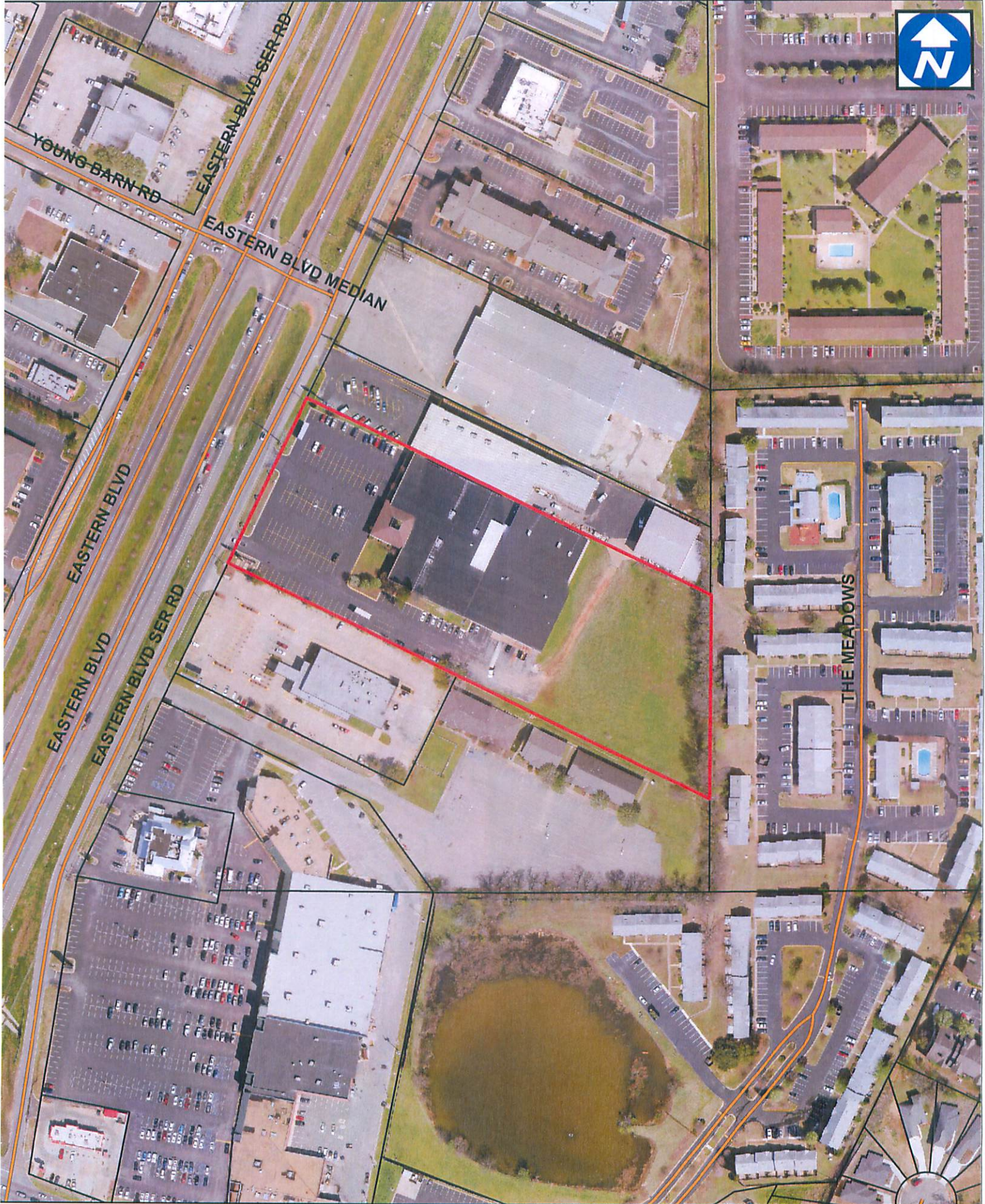


1 | AREA OF WORK

SCALE: 1"=30'

PROJECT: UH175026 Montgomery 775026 RV 775026.dwg 10/27/2014 3:16:33 PM





SITE 

1 inch = 200 feet

Item 2C

3. BD-2014-066 **PRESENTED BY:** James C. Nebhut

**REPRESENTING:** Same

**SUBJECT:** Request side yard variances for an existing carport and existing accessory structure located at 3743 Cricklewood Drive in an R-85 (Single-Family Residential) Zoning District.

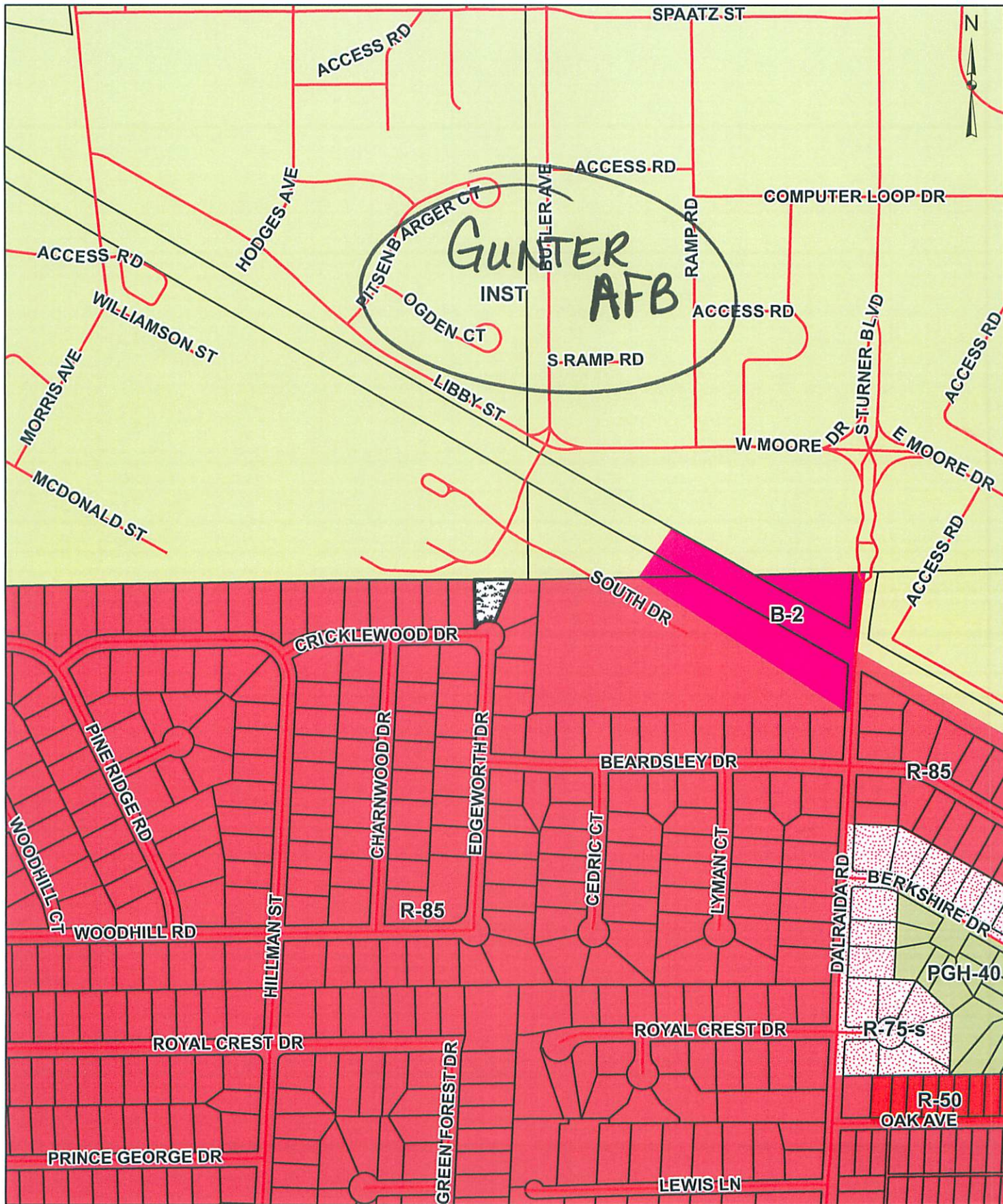
**REMARKS:** This request is being made to give the petitioner permission to maintain an attached carport that comes within 3 ft. of the side property line, whereas 10 ft. is required, and to maintain an existing storage building in the rear yard that comes within 2 ft. of the side property line, whereas 5 ft. is required. **(COMPLAINT)**

*The variances requested are a 7 ft. side yard variance for the attached carport, and a 3 ft. side yard variance for the storage building.*

**COUNCIL DISTRICT:** 2

**COMMENTS** \_\_\_\_\_

**ACTION TAKEN:** \_\_\_\_\_



Site Location 

1 inch = 400 feet

Item No. 3A



Site Location

1 inch = 50 feet

Item No. 3B

4. BD-2014-065 **PRESENTED BY:** Andrew Goldman

**REPRESENTING:** Andrew and Anna Goldman.

**SUBJECT:** Request a height variance and a street side yard variance for a new privacy fence to be located at 707 Thorn Place in an R-75-d (Duplex Residential) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to construct a 4 ft. high privacy fence, whereas 3 ft. height is allowed. The proposed fence will come to the street side property line (Ellen Street), whereas 30 ft. is required.

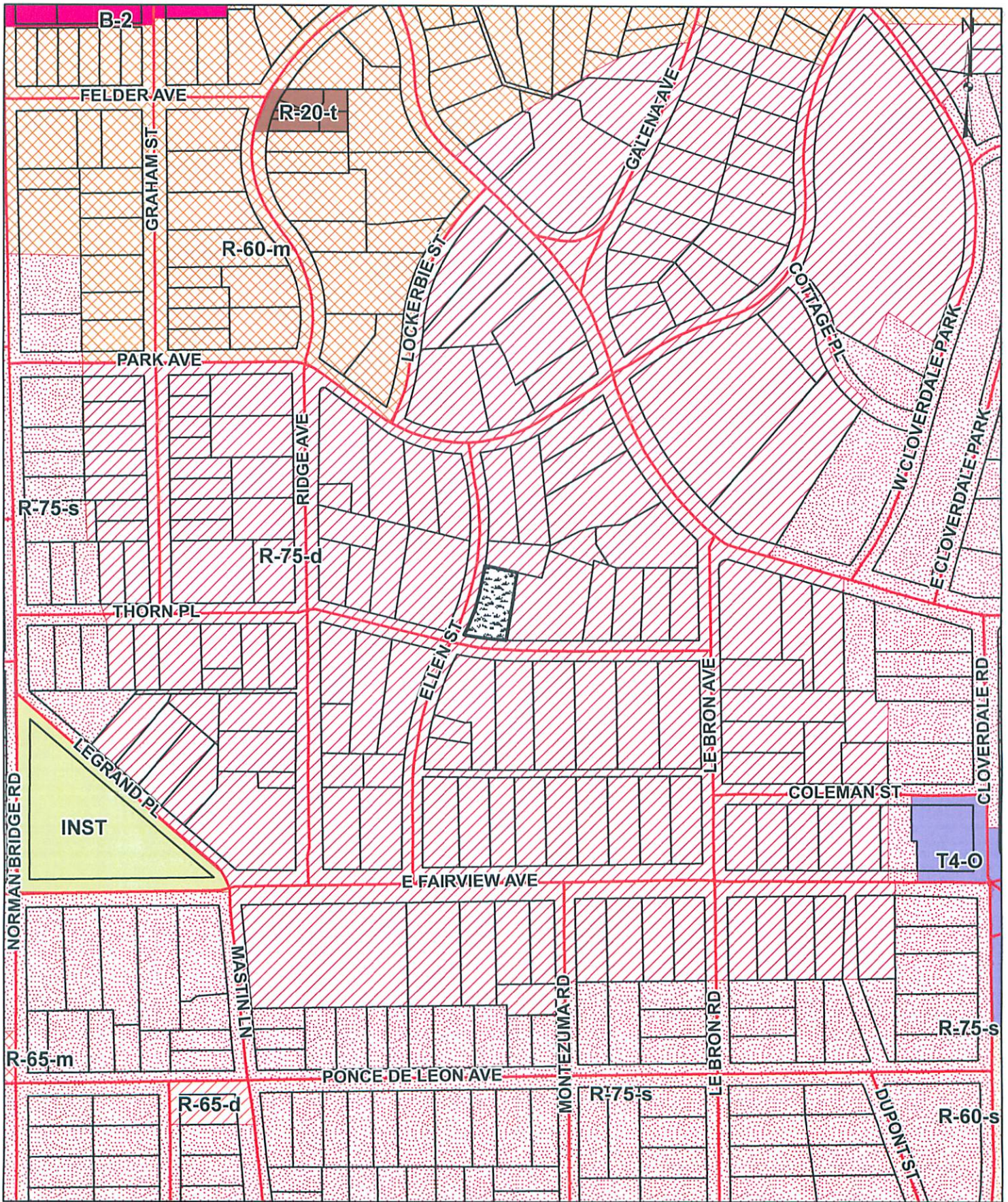
*The variances requested are a 1 ft. height variance and a 30 ft. street side yard variance.*

The Architectural Review Board approved this request at the October 28, 2014 meeting.

**COUNCIL DISTRICT:** 7

**COMMENTS** \_\_\_\_\_

**ACTION TAKEN:** \_\_\_\_\_



Site Location 

1 inch = 300 feet

Item No. 4A



Proposed Fence

ELLEN ST

THORN PL

Site Location

1 inch = 30 feet

Item No. 4B

5. BD-1998-026 **PRESENTED BY:** Walmart Real Estate Business Trust

**REPRESENTING:** Walmart

**SUBJECT:** Request a parking variance for a building located at 3801 Eastern Boulevard in B-3 (Commercial) and M-1 (Light Industrial) Zoning Districts.

**REMARKS:** This request is being made to give the petitioner permission to eliminate 239 parking spaces for a new gas station to be constructed at a later date, which will leave 1,174 paved parking spaces onsite. A 293 space parking variance was granted by the Board of Adjustment on March 5, 1998. The current request is for an additional 239 space parking variance.

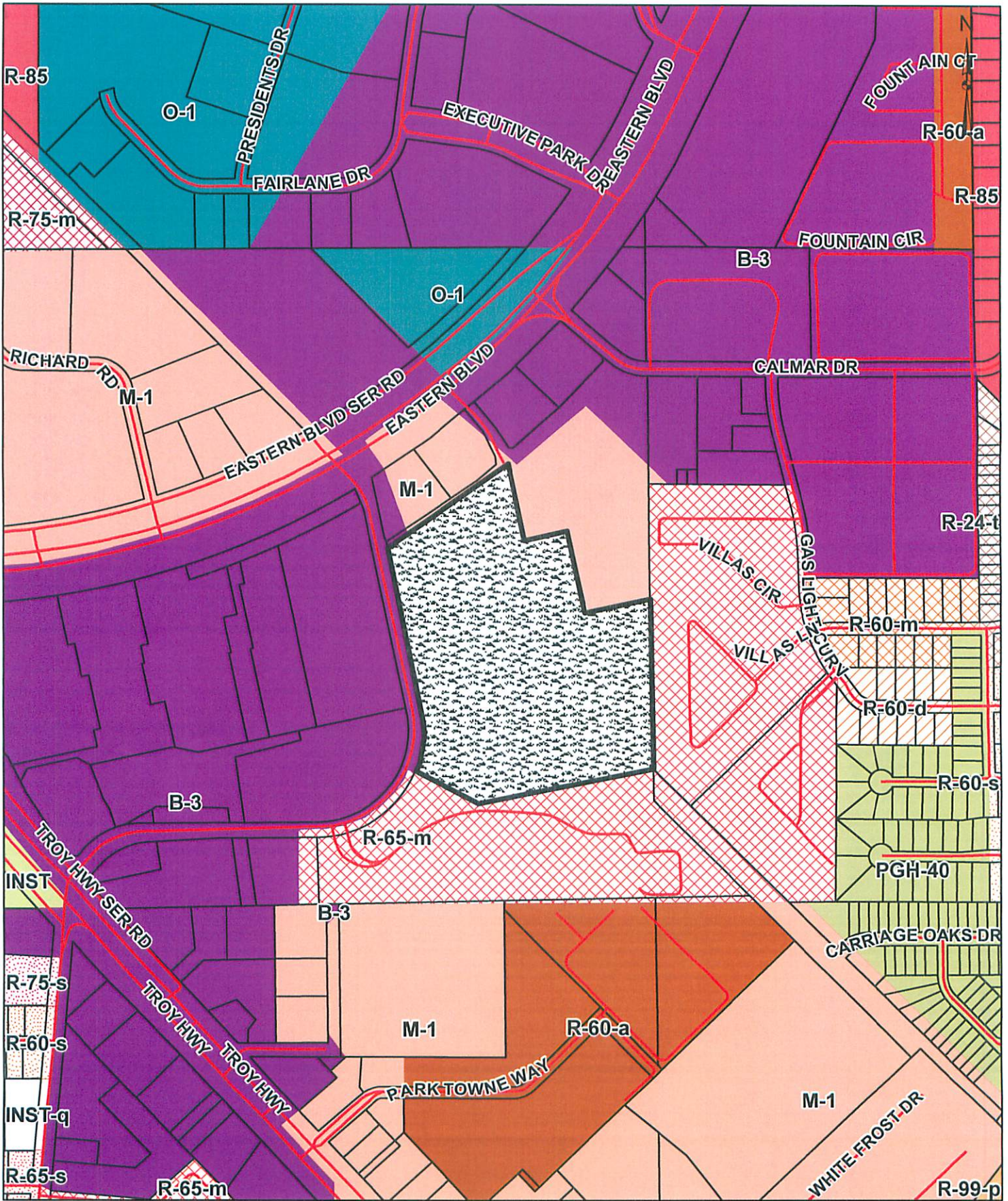
*The request is an additional 239 space parking variance.*

**COUNCIL DISTRICT: 8**

**COMMENTS** \_\_\_\_\_

**ACTION TAKEN:** \_\_\_\_\_





Site Location 

1 inch = 500 feet

Item No. 5A





Site Location 

1 inch = 300 feet

Item No. 5C

6. BD-1969-045 **PRESENTED BY:** Broderick Johnson

**REPRESENTING:** Westside Church of Christ

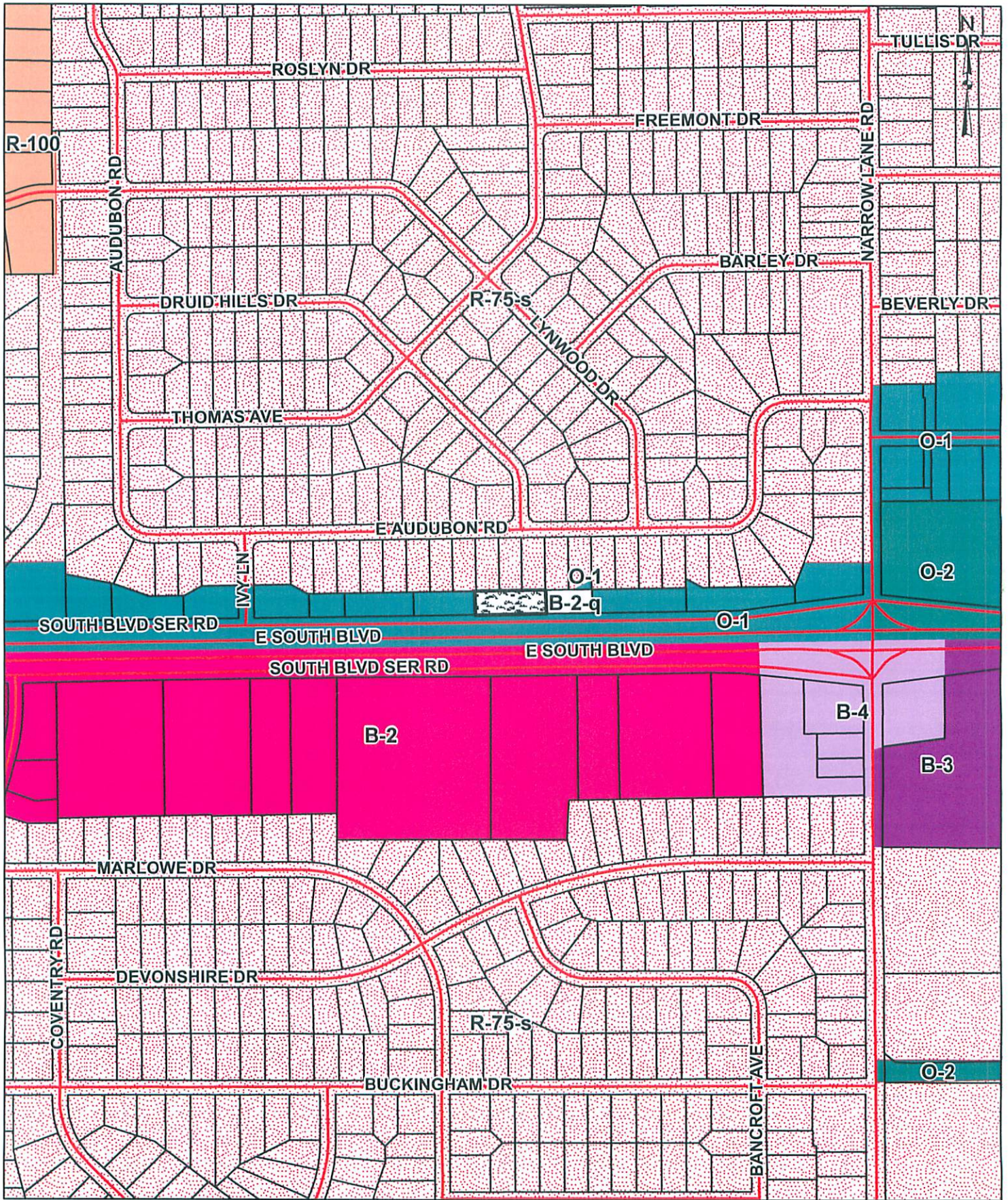
**SUBJECT:** Request a special exception for church use in an existing building located at 1301 East South Boulevard in an O-1 (Office) Zoning District. ◦

**REMARKS:** This request is being made to give the petitioner permission to use an existing building for church use. There are 28 paved parking spaces provided, which exceeds the requirements for the 75 members. Service hours: Sunday, 9:30 am–1:00 pm, Wednesday, 6:30 pm–7:30 pm, and a seniors program the 3<sup>rd</sup> Thursday of each month, 10:00 am–1:00 pm.

**COUNCIL DISTRICT:** 5

**COMMENTS** \_\_\_\_\_

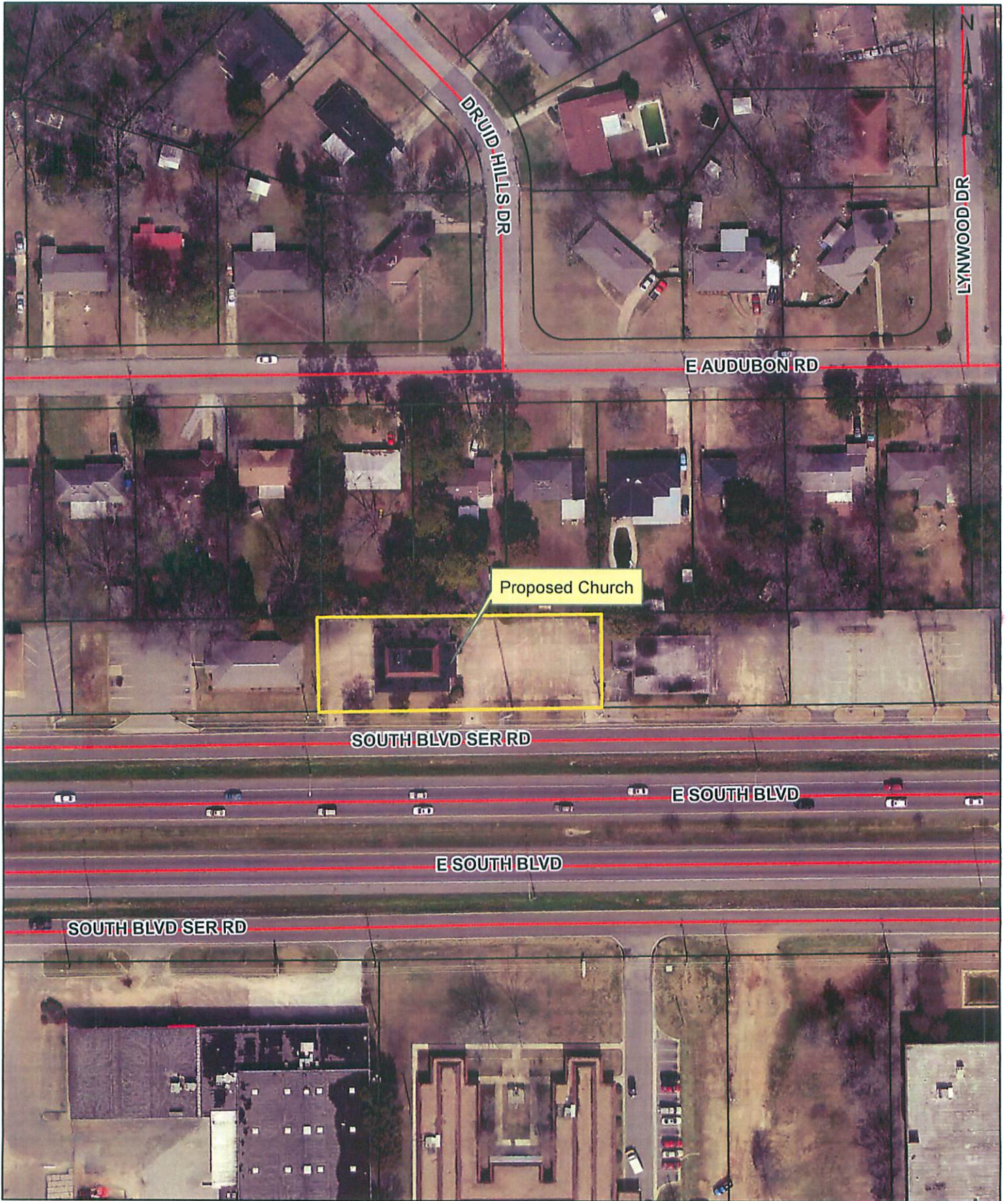
**ACTION TAKEN:** \_\_\_\_\_



Site Location 

1 inch = 400 feet

Item No. 6A



Site Location 

1 inch = 100 feet

Item No. 6B

7. BD-2014-060 **PRESENTED BY:** Carrie Chappell

**REPRESENTING:** Same

**SUBJECT:** Request a side yard variance for a new accessory structure to be located at 3310 Le Bron Road in an R-75-s (Single-Family Residential) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to construct a garage to come within 3 ft. of the side property line, whereas 5 ft. is required.

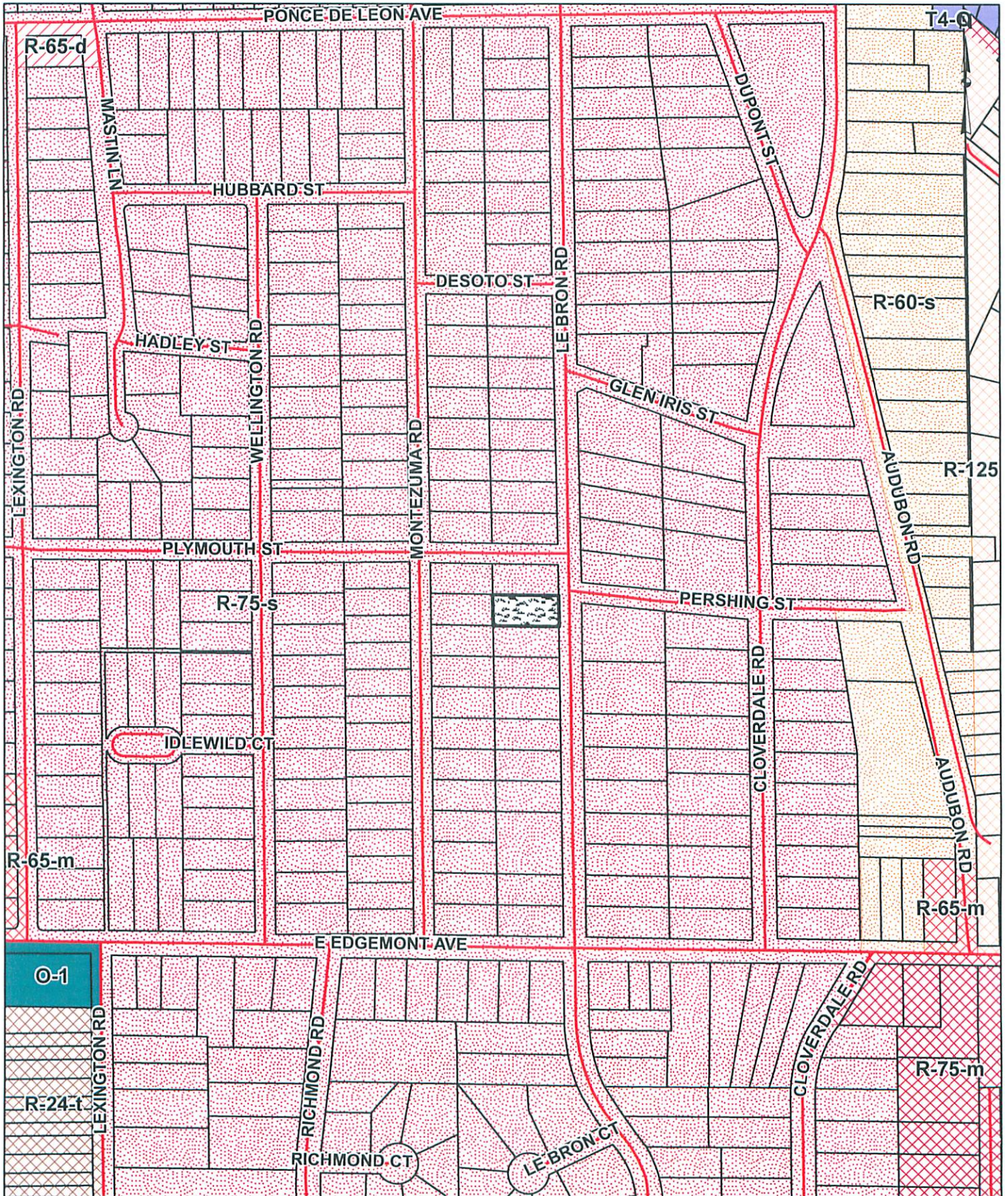
*The variance requested is a 2 ft. side yard variance.*

The Architectural Review Board will hear this item at the November 19, 2014 meeting.

**COUNCIL DISTRICT:** 7

**COMMENTS** \_\_\_\_\_

**ACTION TAKEN:** \_\_\_\_\_



Site Location 

1 inch = 300 feet

Item No. 7A





Site Location

1 inch = 50 feet

Item No. 7B

8. BD-2014-067 **PRESENTED BY:** Timothy M. Davis

**REPRESENTING:** Alabama Power Company

**SUBJECT:** Request a special exception to expand an existing electrical substation located on the south side of Roquemore Street, approximately 1,500 ft. east of Hunter Loop Road, in M-3 (General Industrial) and AGR-2 (General Agriculture) Zoning Districts.

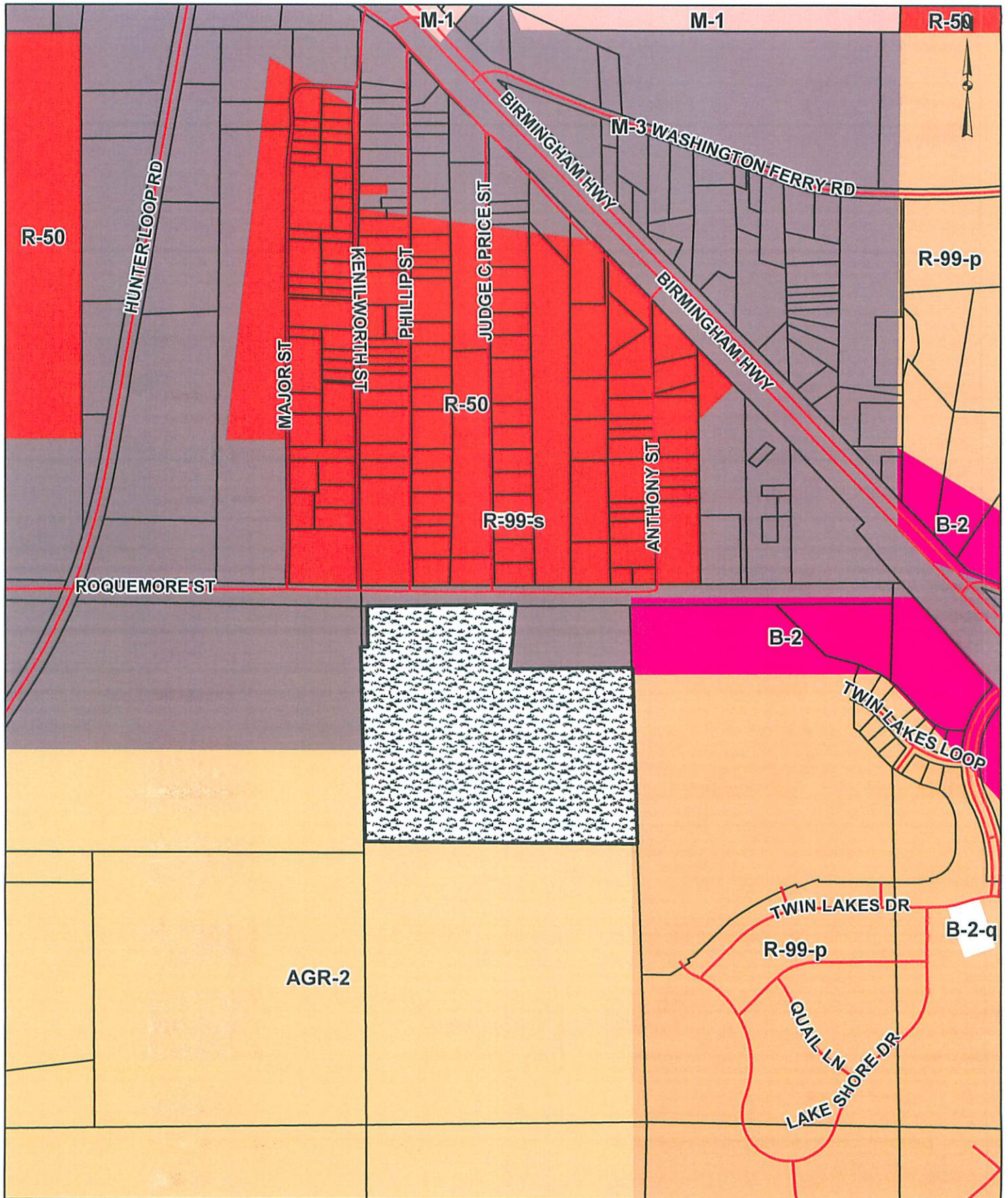
**REMARKS:** This request is being made to give the petitioner permission to expand an existing electrical substation to include an additional 30.6 acre parcel of land.

*The request is a special exception for expansion of an existing electrical substation.*

**COUNCIL DISTRICT: 4**

**COMMENTS** \_\_\_\_\_

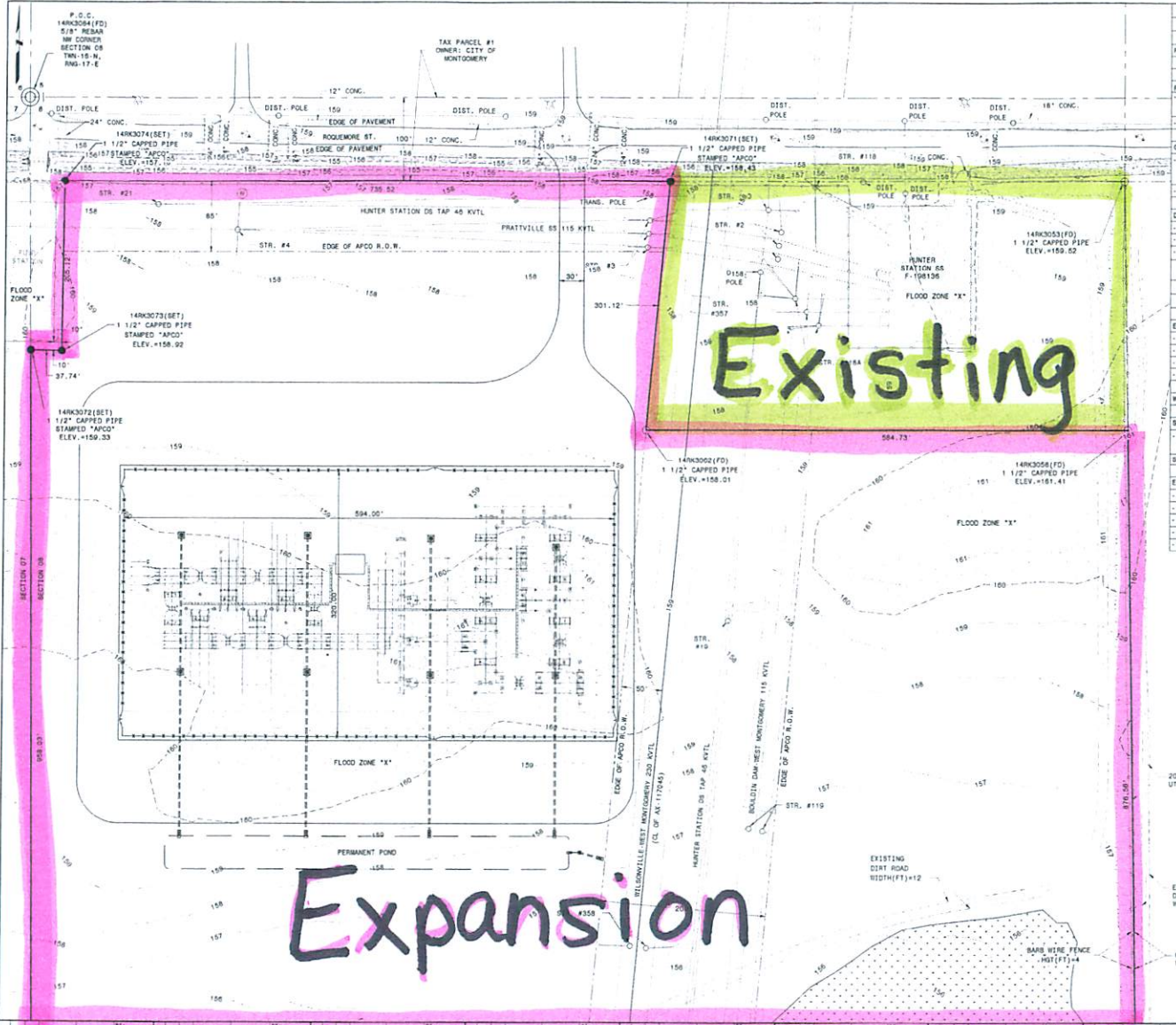
**ACTION TAKEN:** \_\_\_\_\_



Site Location 

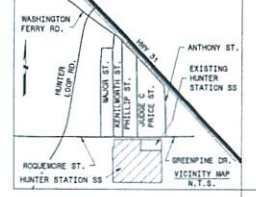
1 inch = 600 feet

Item No. 8A



SITE FEATURES	COMMENTS
PROPERTY	
- ZONING	TO BE REVIEWED
FEMA REVIEW	
- FLOOD MAP	MAP 01101000PH, 02/03/2014 LOCATED IN ZONE "A" INSIDE OF FEMA FLOOD ZONE, 1% ANNUAL CHANCE FLOOD
- COASTAL HURRICANE STORM SURGE SLOSH REVIEW	NOT APPLICABLE
<b>GEOTECHNICAL INVESTIGATION</b>	
- SITE MPCS SOILS REVIEW	SITE SOILS ERODIBILITY K = 0.28, 0.32, 0.37 SITE SOILS AASHTO CLASSIFICATION = A-4
- BORINGS	TO BE REQUESTED
<b>DRIVE PERMITS</b>	
- ALDOT	TO BE DETERMINED
- COUNTY (MONTGOMERY)	TO BE DETERMINED
- CITY (MONTGOMERY)	TO BE DETERMINED

SITE FEATURES	COMMENTS
<b>ENVIRONMENTAL TABLE</b>	
ENVIRONMENTAL ASSESSMENT REPORT	TO BE REVIEWED BY APC ENVIRONMENTAL COMPLIANCE
- NON-HAZARDOUS MATERIALS	
- HAZARDOUS MATERIALS	
- THREATENED AND ENDANGERED SPECIES	
- ARCHAEOLOGICAL	
WETLAND REVIEW	REVIEWED ON 09/09/2014
STREAM, CREEKS AND RIVER PROXIMITY REVIEW	
- 303K IMPAIRED WATERWAY REVIEW	TO BE REVIEWED BY APC ENVIRONMENTAL COMPLIANCE
APCC SITE RISK RATING (SCORE = ??) (RISK = ??)	TO BE REVIEWED BY APC ENVIRONMENTAL COMPLIANCE
EXPECTED PERMITTING (APPROX. DISTURBED AREA = 11 ACRES)	TO BE REVIEWED BY APC ENVIRONMENTAL COMPLIANCE
- WISES	
- CORP OF ENGINEERS	
- STATE (ALABAMA)	
- COUNTY (MONTGOMERY)	
- CITY (MONTGOMERY)	



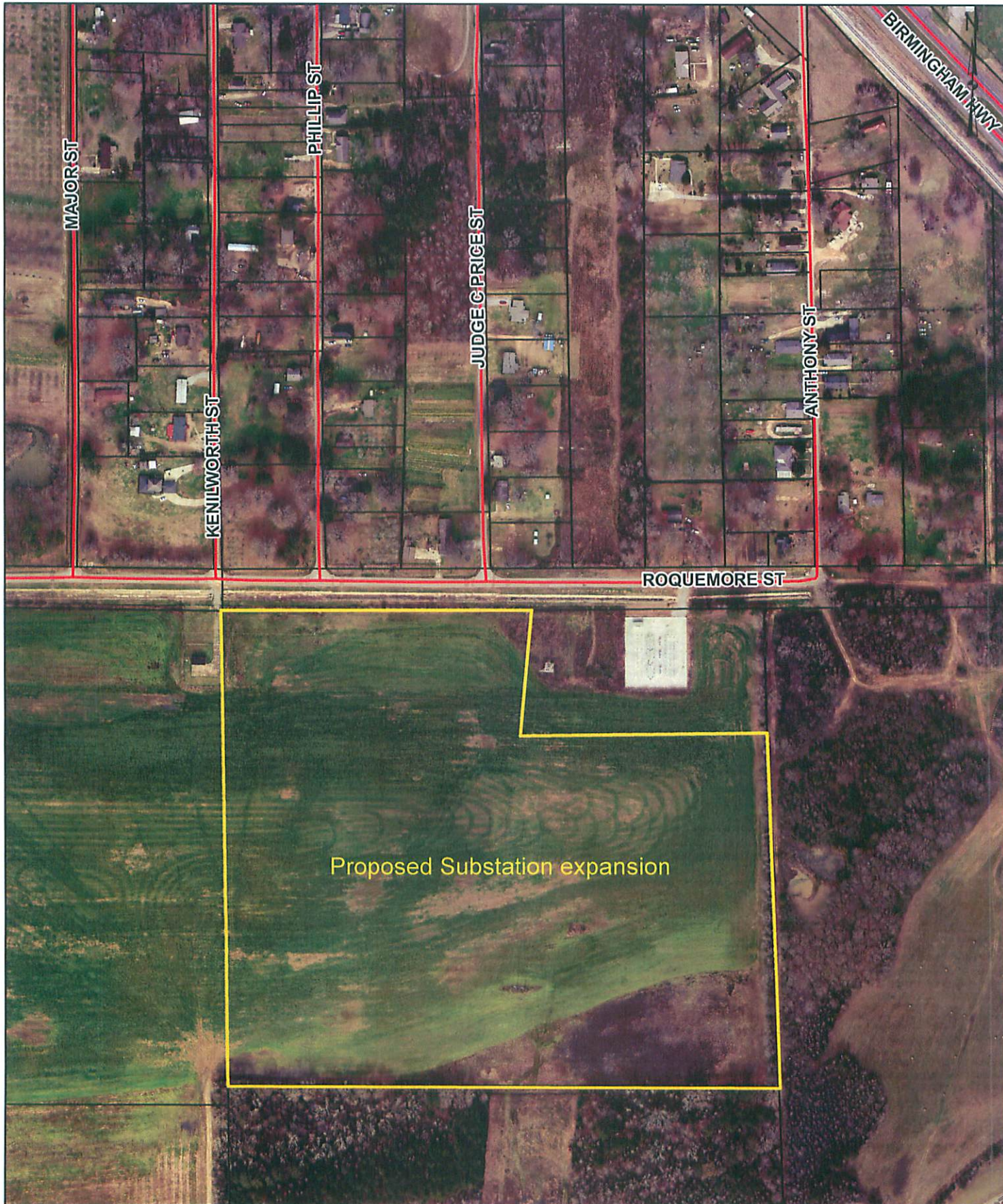
**LEGEND**

- FLOOD ZONE X -
- WETLANDS -
- EXISTING HUNTER STATION SS
- NEW FENCE -
- EXISTING FENCE -
- TREE LINE -
- FIRE HYDRANT -
- WATER MANKOLE -
- WATER METER -

811 ADDRESS:  
4245 ROQUEMORE ST.  
MONTGOMERY, AL 36108  
LAT. 32° 23' 05.52"  
LONG. -86° 23' 30.75"

**PRELIMINARY  
NOT FOR CONSTRUCTION  
10/21/14**

<b>ALABAMA POWER</b>	FACILITY NAME:	HUNTER STATION SS	FACILITY #:	FND1457
SHAWN W. CONNER	DESIGNED BY:	CIVIL / ENVIRONMENTAL / PHYSICAL LOCATION PLAN		
CHECKED: JAS/CBS	TYPE:	37		
DRAWN: MCD	SCALE:	1" = 80'	<b>C-431531</b> SHEET: 00	
DATE:	DATE:		REV: 00	
DATE:			DATE:	



Site Location 

1 inch = 300 feet

Item No. 8C

9. BD-2014-064 **PRESENTED BY:** Sammie Lee Jones

**REPRESENTING:** Same

**SUBJECT:** Request a height variance and front yard variance for an existing privacy fence located at 2161 Kingsbury Drive in an R-85 (Single-Family Residential) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to maintain a 6 ft. high privacy fence, whereas 3 ft. is allowed. The fence comes within 6 ft. of the front property line, whereas 35 ft. is required. **(COMPLAINT)**

*The variances requested are a 3 ft. height variance and a 29 ft. front yard variance.*

**COUNCIL DISTRICT:** 8

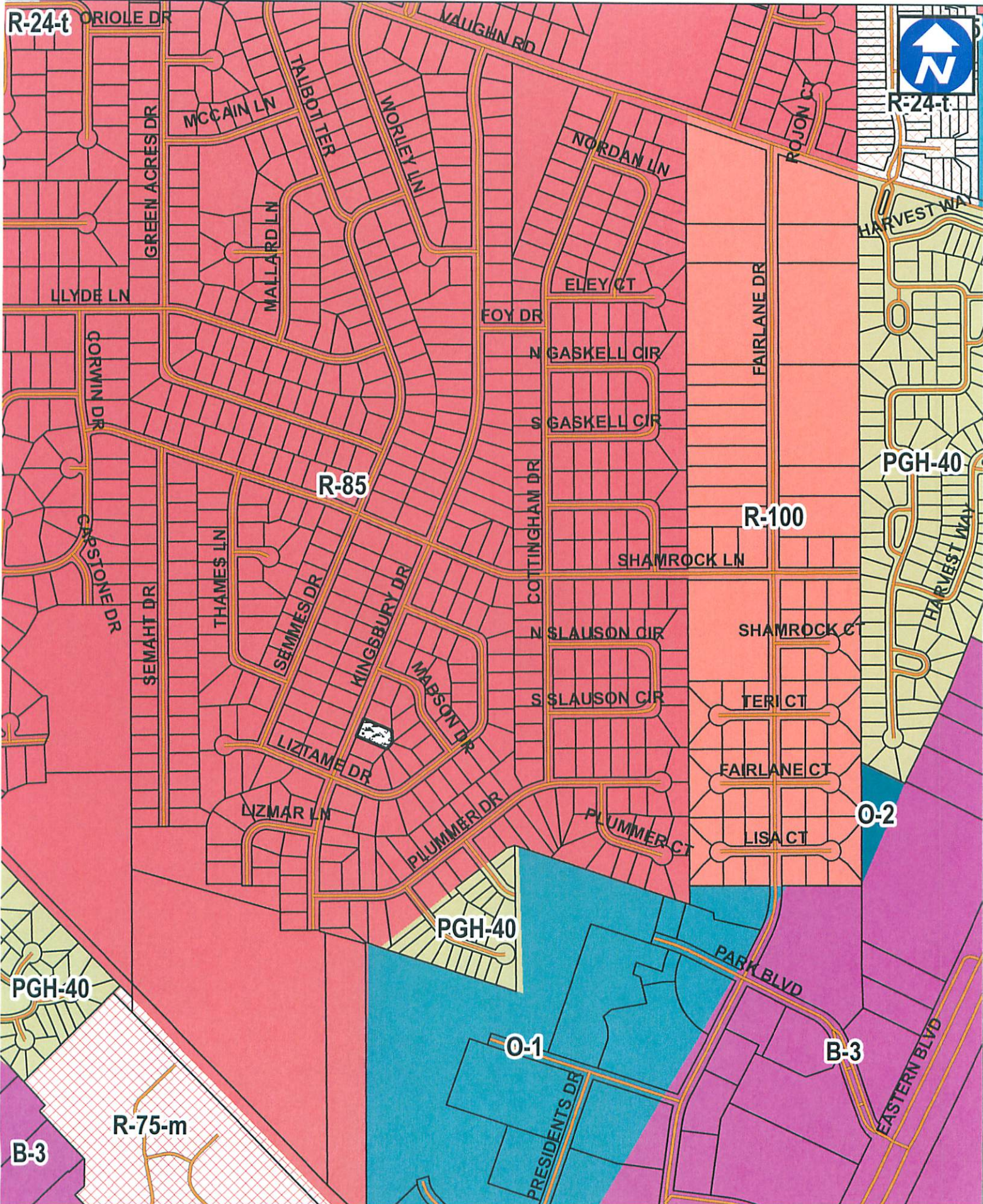
**COMMENTS** \_\_\_\_\_

**ACTION TAKEN:** \_\_\_\_\_

R-24-t



R-24-t



SITE

1 inch = 600 feet

Item 9A



Site Location

1 inch = 50 feet

Item No. 9B



10. BD-2014-061 **PRESENTED BY:** Terry Taylor

**REPRESENTING:** Dr. Andrew Wynn

**SUBJECT:** Request a coverage variance for a new carport to be located at 1123 South Perry Street in an R-60-m (Multi-Family Residential) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to construct a 1,200 sq. ft. (25 ft. x 48 ft.) detached carport, whereas 360 sq. ft. is allowed.

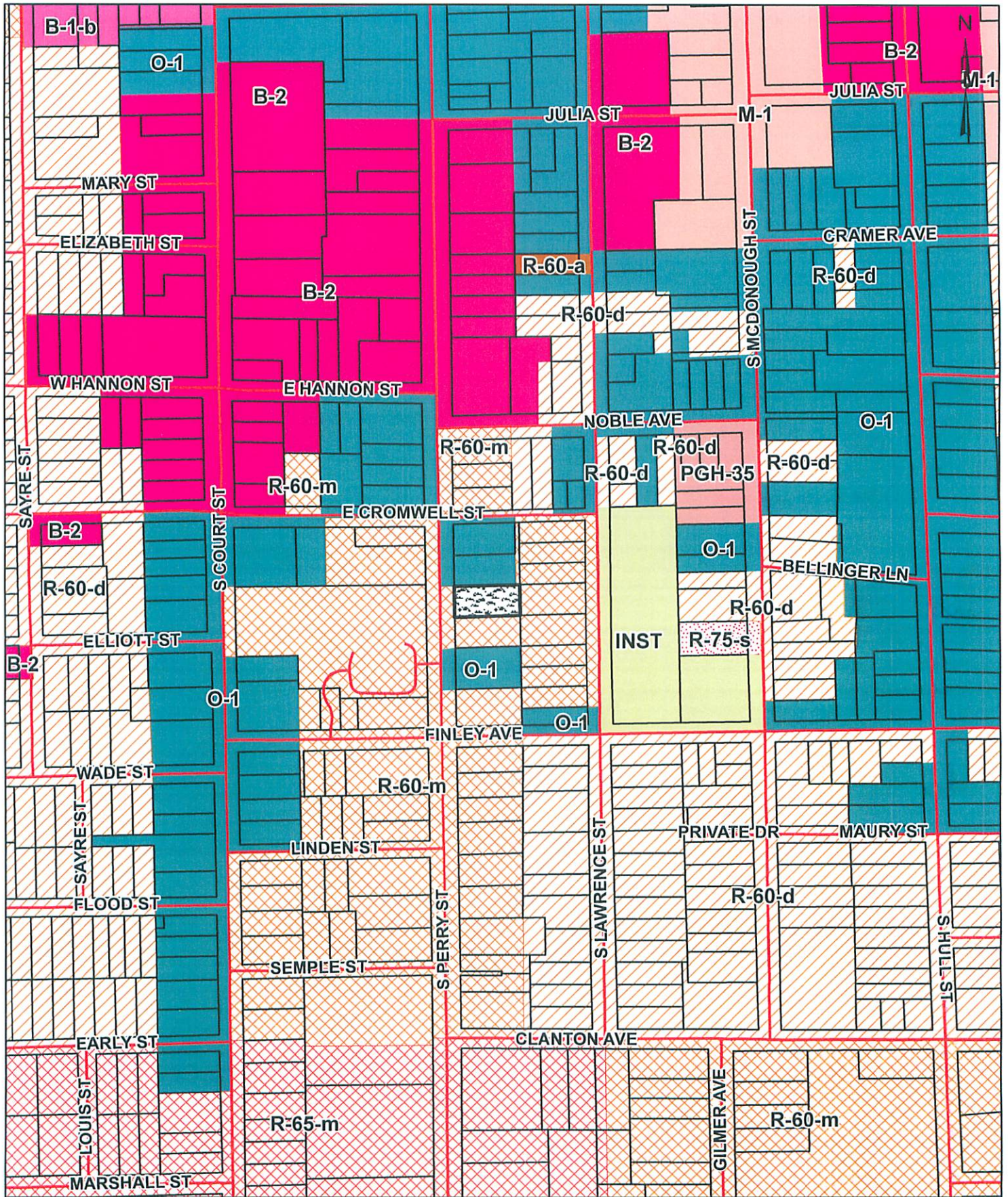
*The variance requested is a 840 sq. ft. coverage variance.*

The Architecture Review Board will hear this item at the November 19, 2014 meeting.

**COUNCIL DISTRICT: 3**

**COMMENTS** \_\_\_\_\_

**ACTION TAKEN:** \_\_\_\_\_



Site Location 

1 inch = 300 feet

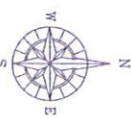
Item No. 10A

# SOUTH PERRY ST

(70' R.O.W.)



10B



SCALE: 1"=1' (32 FEET)  
GRAPHIC SCALE  
1 Inch = 10 Ft.

- EXISTING**
- ROUND CONCRETE WASHER
  - POWER POLE / LINE / CUY
  - LIGHT POLE
  - TELEPHONE BOX
  - SEWER
  - WATER MAIN
  - 10000 SPOT ELEVATION
  - WATER VALVE

- LEGEND**
- ASPHALT
  - CONCRETE
  - WATER MAIN
  - WATER VALVE

- PROPOSED**
- SANITARY SEWER LATERAL
  - 1" WATER SERVICE
  - HANDICAP RAMP
  - FIRE HYDRANT

DATE	REVISIONS

**PROJECT**

T.H. TAYLOR  
1123 S. PERRY ST  
Montgomery, Alabama

**SHEET TITLE**

DEVELOPMENT PLAN



E CROMWELL ST

S PERRY ST

Proposed Carport

Site Location 

1 inch = 50 feet

Item No. 10C

11. BD-2014-062 **PRESENTED BY:** Janie Wall, L.A.

**REPRESENTING:** Nancy Stander and Dawn Campbell

**SUBJECT:** Request a height variance for a new privacy fence to be located at 1431 Magnolia Curve in an R-65-s (Single-Family Residential) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to construct a 9 ft. high privacy fence, whereas 7 ft. height is allowed.

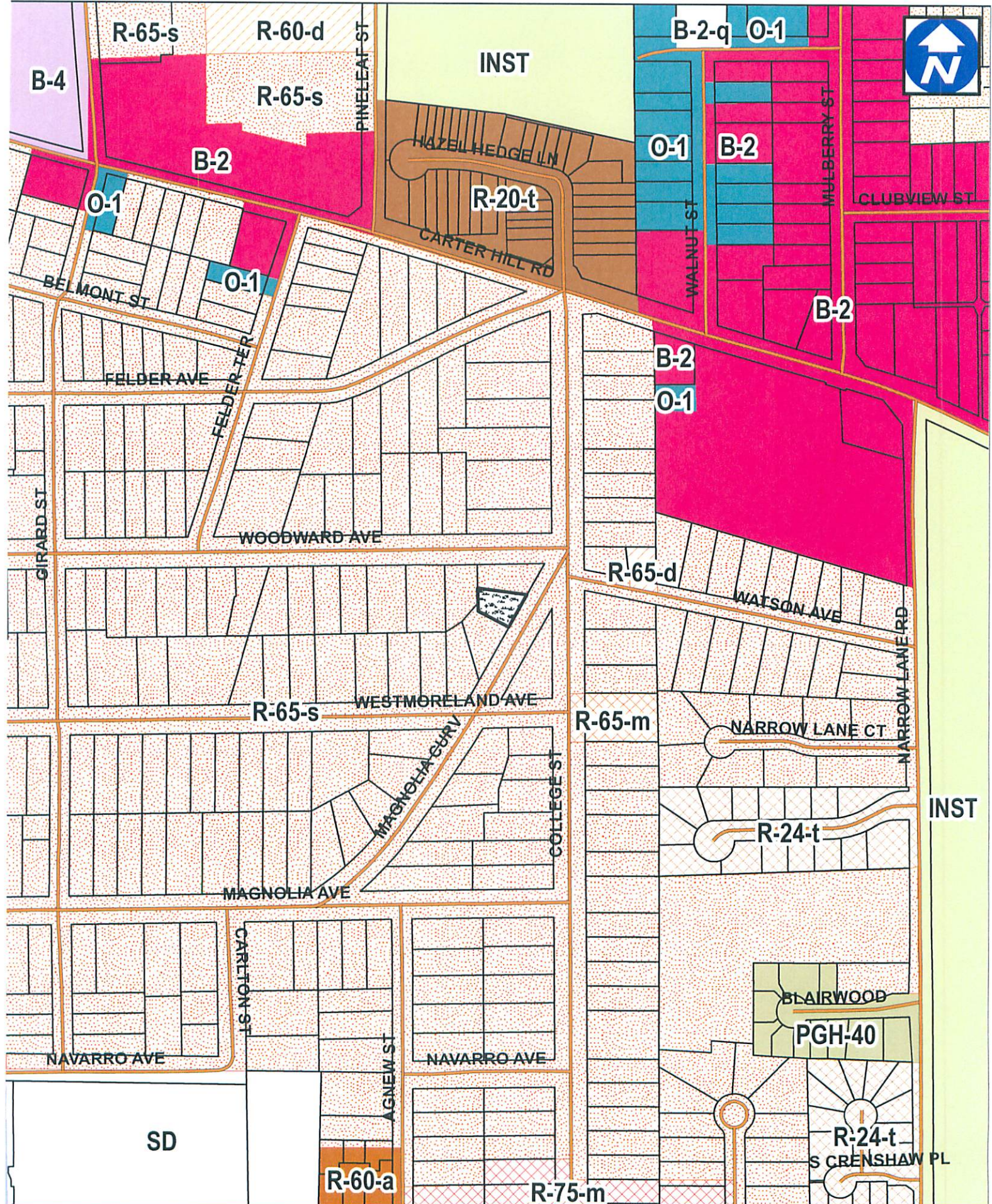
*The variance requested is a 2 ft. height variance.*

The Architecture Review Board will hear this item at the November 19, 2014 meeting.

**COUNCIL DISTRICT:** 7

**COMMENTS** \_\_\_\_\_

**ACTION TAKEN:** \_\_\_\_\_



SITE 

1 inch = 300 feet

Item 11A

Site Location



1 inch = 30 feet

Item No. 11B



12. BD-2014-068 **PRESENTED BY:** Jeff Rhoden

**REPRESENTING:** D. A. Kamburis

**SUBJECT:** Request a rear yard variance for an addition to a dwelling located at 4642 Chrystan Road in an R-85 (Single-Family Residential) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to construct an addition to a dwelling to come within 23 ft. of the rear property line, whereas 30 ft. is required.

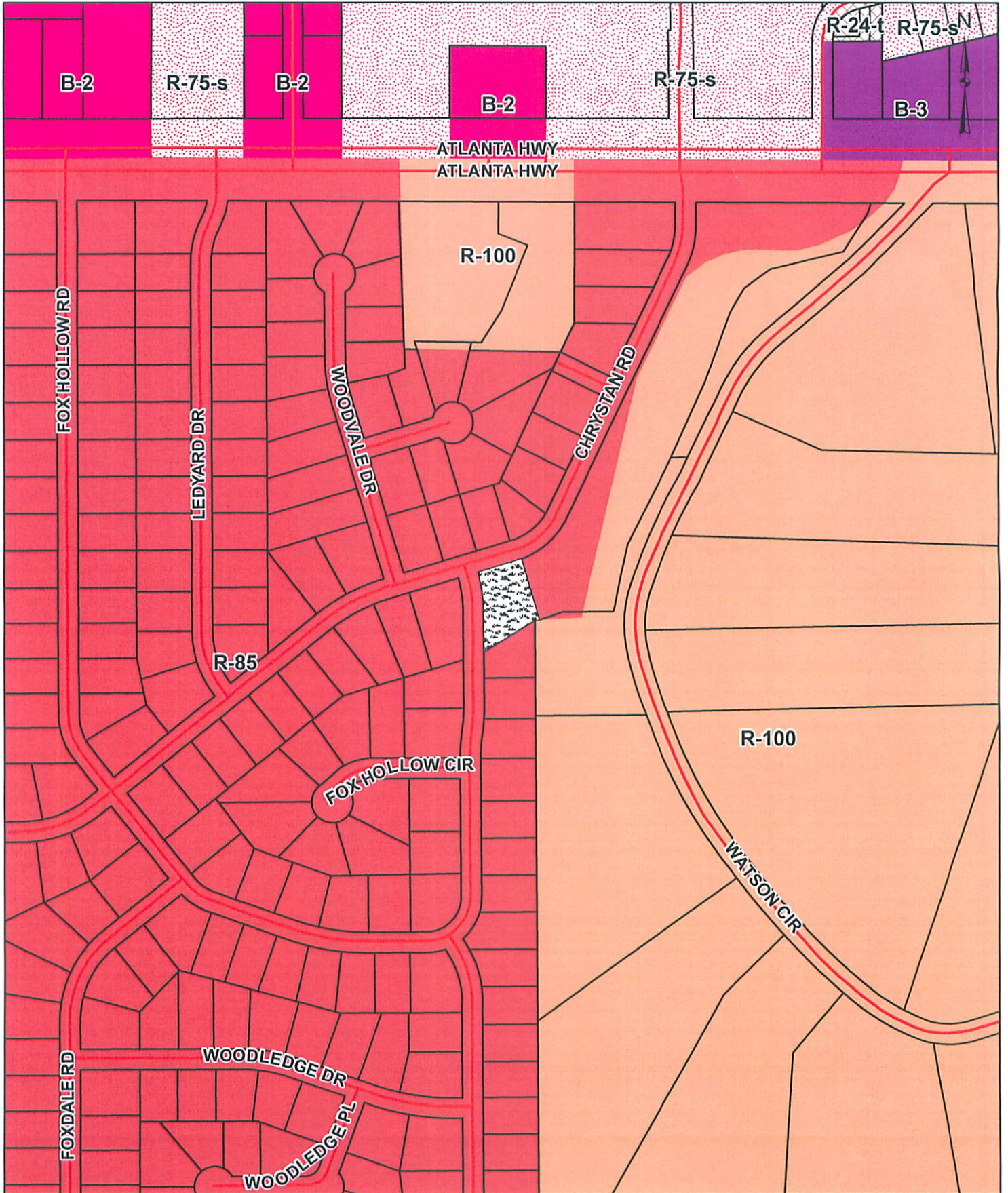
*The variance requested is a 7 ft. rear yard variance.*

**COUNCIL DISTRICT:** 1

**COMMENTS** \_\_\_\_\_

**ACTION TAKEN:** \_\_\_\_\_





Site Location 

1 inch = 300 feet

Item No. 12A



Site Location 

1 inch = 50 feet

Item No. 12B

13. BD-1965-259 **PRESENTED BY:** Juanita Smith

**REPRESENTING:** Heart to Heart Ministry

**SUBJECT:** Request a special exception for church use in an existing building located at 1125 East South Boulevard in an O-1 (Office) Zoning District.

**REMARKS:** This request is being made to give the petitioner permission to operate an outreach ministry church program as described on the curriculum on the attached page.

**COUNCIL DISTRICT:** 5

**COMMENTS** \_\_\_\_\_

**ACTION TAKEN:** \_\_\_\_\_

HEART TO HEART MINISTRY  
PO BOX 201385  
MONTGOMERY,AL 36120  
334-313-7696 OFFICE

11/03/2014

Re: Special circumstance

Heart to Heart Ministry seek special circumstance allowance to open an Outreach Ministry Church Program in the former HealthSouth building located at 1125 E South Blvd Montgomery Al.

The building curriculum will consist of mentoring youth and families. The program will offer seminars, striving to teach youth what constitute breaking the law, anti-bullying classes, self-esteem classes, learning to love and respect one another. Parenting seminars for teenage parents and single parents.

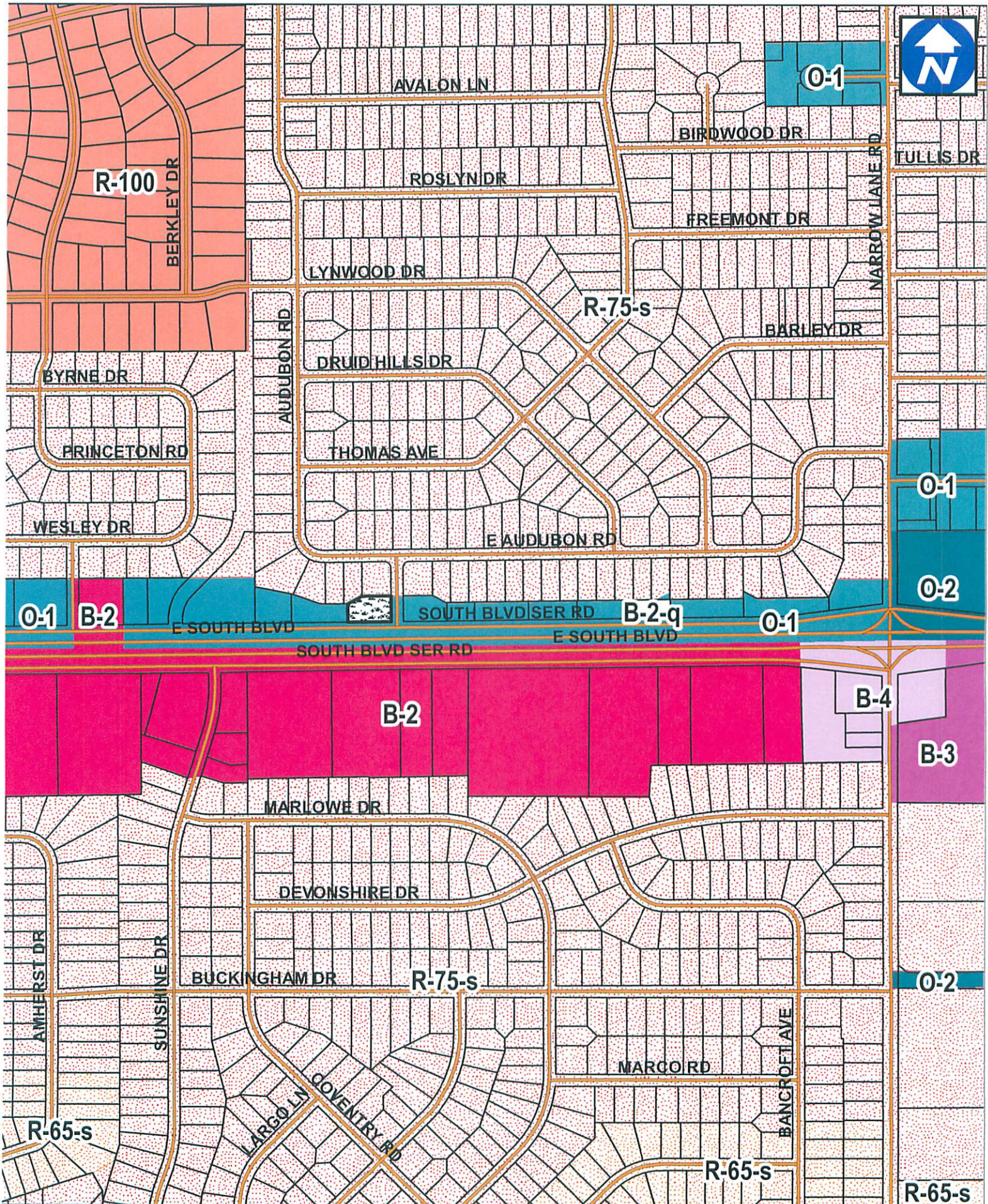
We will provide arcade games for entertainment and a fitness physical program for the youth and families. The center time of operation is  
Wednesday night 6pm to 9pm  
Friday afternoon 6pm-12am,  
Saturday afternoon 6pm-12am ,  
Sunday 9am-8pm.

The requirement to utilize the facility entertainment center is the youth must attend classes being offered at the Outreach Ministry Center. All classes are open to the public.

The center goal is to reach,teach, mentor and inspire youth and families, hoping to assist in a reduction of crime for a better Montgomery.

Thank You  
Juanita Smith  
H2H

13A



SITE 

1 inch = 500 feet

Item 13B



SOUTH BLVD SER RD

E SOUTH BLVD

E SOUTH BLVD

SITE 

1 inch = 40 feet

Item 130