

**AGENDA
JULY 7, 2008
BOARD OF ZONING ADJUSTMENT**

I. CALL TO ORDER:

Chairman Reid Cummings

II. APPROVAL OF MINUTES:

III.

July 2007 meeting.

III. HOLDOVERS

1. **#5474/3876/3826**

(Case #ZON2008-01395)

Johnita & Martyce Allen

501 Dauphin Island Parkway

(Southeast corner of Dauphin Island Parkway and Duncan Street).

Use, Landscaping/Tree Planting, Parking Ratio, and Access Maneuvering Variances to amend a previously approved Use Variance to allow a beauty shop in an R-1, Single-Family Residential District, with 6.4%± site landscaping/tree planting, 6 parking spaces for 2018 square feet of gross floor area, and nose-in/back-out parking; beauty shops require a minimum B-2, Neighborhood Business District, with 12% minimum landscaping/tree planting area, 7 parking spaces are required for 2018 square feet of gross floor area, and all access/maneuvering is required to be on site.

IV. PUBLIC HEARINGS:

2. **#5475**

(Case #ZON2008-01211)

Amity Missionary Baptist Church

2451 St. Stephens Road

(South side of St. Stephens Road, extending from Strange Avenue to Como Street, and Southwest corner of St. Stephens Road and Como Street).

Off-Site Parking and Parking Ratio Variances to allow 27 of the proposed 63 parking spaces for a 255-seat church to be off-site; the Zoning Ordinance requires 64 on-site parking spaces for a 255-seat church.

3. **#5476**
(Case #ZON2008-01385)
Elijah House, Inc. (Michael L. Thomas, Agent)
1867 Duval Street
(South side of Duval Street, at the South terminus of Murray Hill Court [private street]).
Parking Ratio Variance to allow three parking spaces for a 40-bed outreach housing facility; the Zoning Ordinance requires ten parking spaces for a 40-bed outreach housing facility.

4. **#5477/5458/4523**
(Case #ZON2008-01394)
Downtowner and Michael Joint Venture
North side of Michael Boulevard, 180'± West of Downtowner Boulevard, and extending North to Downtowner Boulevard, 176'± North of Michael Boulevard.
Off-Site Parking Variance to amend a condition of a previously approved variance to allow 284 off-site (paved) parking spaces on an office building site in a B-2, Neighborhood Business District for post-disaster agent overflow parking for a near-by insurance company; the Zoning Ordinance requires all parking to be on-site in a B-2, Neighborhood Business District.

5. **#5478**
(Case #ZON2008-01522)
Tower Ventures V, LLC
2501 Government Boulevard
(South side of Government Boulevard, 555'± East of Eslava Creek Parkway).
Height and Setback Variances to allow an 150' Monopole Telecommunications Tower, setback 35' from a lease parcel line; the maximum allowable height is 45', and a 150' tower must be setback at least 150' from a lease parcel line in a B-3, Community Business District.

6. **#5479/3588**
(Case #ZON2008-01535)
Howard C. Melech
2704 Old Shell Road
(Northwest corner of Old Shell Road and North Mobile Street).
Use, Parking Surface, Parking Ratio, and Tree and Landscaping Variances to amend a previously approved Use Variance to allow the expansion of a boat repair shop with aggregate vehicle parking and boat storage areas, undesignated parking area, and no proposed tree plantings and landscaping areas in a B-2, Neighborhood Business District; the Zoning Ordinance requires a minimum B-3, Community Business District with Planning Approval for boat repair, with concrete, asphalt, or an approved alternative paving surface for vehicle parking and boat storage, an appropriate number of designated parking spaces, street frontage landscaping and frontage and perimeter tree plantings in a B-2, Neighborhood Business District.

7. **#5480/133**
(Case #ZON2008-01598)
Thomas Ralph Townsend, III
186 Williams Street
(Northwest corner of Williams Street and Hunter Avenue).
Side Street Yard and Rear Yard Setback Variances to amend a previously approved variance to allow the expansion of a garage within 12' of a side street property line and within 3.8' of a rear property line in an R-1, Single-Family Residential District; the Zoning Ordinance requires a 20' side street yard setback and an 8' rear yard setback for structures in an R-1, Single-Family Residential District.

8. **#5481**
(Case #ZON2008-01602)
Janice and Charles Reese
256 Park Terrace
(West side of Park Terrace, 215'± South of Government Street).
Rear Yard Setback Variance to allow the construction of a storage shed within 1.8' of a rear property line in an R-1, Single-Family Residential District; the Zoning Ordinance requires an 8' rear yard setback for structures in an R-1, Single-Family Residential District.

9. **#5482**
(Case #ZON2008-01605)
Tracey M. Wiley
2905 First Avenue
(South side of First Avenue, 55'± East of Roach Street).
Use Variance to allow a sandwich shop in an R-1, Single-Family Residential District: the Zoning Ordinance requires a minimum B-2, Neighborhood Business for a sandwich shop.

10. **# 5483**
(Case #ZON2008-01606)
Chris Lovvorn
4706 Dauphin Island Parkway
(West side of Dauphin Island Parkway, ¼ mile± South of Alba Avenue).
Use and Parking Surface Variances to allow a marine contractor's storage yard with aggregate parking and lay-down yard surfaces in an R-1, Single-Family Residential District; the Zoning Ordinance requires an I-1, Light Industry District for a contractor's storage yard, and parking and lay-down yards must be asphalt, concrete, or an approved alternative surface.

11. **#5484/5160**
(Case #ZON2008-01610)
Krewe of Marry Mates (Paul Tidwell, Agent)
East side of South Washington Avenue, extending from Tennessee Street (unopened public right-of-way) and the Illinois Central Gulf Railroad right-of-way, to Kentucky Street.
Use Variance to allow the construction of two 200' x 90' float barns in a B-3, Community Business District; float barns are allowed with Planning Approval in a B-4, General Business District and allowed by right in an I-1, Light Industry District.

12. **# 5485**
(Case #ZON2008-01611)
D'Iberville Oil, LLC
6361 Cottage Hill Road
(South side of Cottage Hill Road, 180'± East of Hillcrest Road).
Side Yard Setback Variance to allow the construction of two 30' x 60' buildings within 2.0' of a side property line in a B-2, Neighborhood Business District; the Zoning Ordinance requires a zero or 5'-plus side yard setback in a B-2, Neighborhood Business District.

13. **#5486**
(Case #ZON2008-01613)
E.ON Climate and Renewables
660 Dunlap Drive
(West side of Dunlap Drive [private street], 900'± North of its South terminus).
Height Variance to allow the construction of a 198' guyed weather observation tower in an I-2, Heavy Industry District; the Zoning Ordinance allows a maximum height of 180' for towers in an I-2, Heavy Industry District.

14. **#5487**
(Case #ZON2008-01614)
The Mitchell Company
4453 and 4459 Old Shell Road, and 5 South McGregor Avenue
(Southwest corner of Old Shell Road and South McGregor Avenue).
Front Setback, Frontage Landscaping, Vehicle Stacking, and Protection Buffer Variances to allow the construction of a pharmacy within 2.8' of a front property line and a clock tower within 14.5' of a front property line, with less than 60% frontage landscaping, less than three vehicle queuing spaces per drive-through lane clear of drive aisles, and no vegetative planting or fence buffer along residentially zoned properties in a B-2, Neighborhood Business District; the Zoning Ordinance requires a 25' street front setback for all structures, 60% street frontage landscaping, three queuing spaces per drive-through lane clear of drive aisles, and a minimum 6' high wall, fence, or screen planting buffer along residentially zoned properties in a B-2, Neighborhood Business District.

15. **#5488**
(Case #ZON2008-01615)
The Mitchell Company
4453 and 4459 Old Shell Road, and 5 South McGregor Avenue
(Southwest corner of Old Shell Road and South McGregor Avenue).
Front Setback, Frontage Landscaping, Vehicle Stacking, and Protection Buffer
Variations to allow the construction of a pharmacy within 12.4' of a front property
line, with less than 60% frontage landscaping, less than three vehicle queuing spaces
per drive-through lane clear of drive aisles, and no vegetative planting or fence
buffer along residentially zoned properties in a B-2, Neighborhood Business
District; the Zoning Ordinance requires a 25' street front setback for all structures,
60% street frontage landscaping, three queuing spaces per drive-through lane clear
of drive aisles, and a minimum 6' high wall, fence, or screen planting buffer along
residentially zoned properties in a B-2, Neighborhood Business District.
16. **# 5489**
(Case #ZON2008-01616)
Montgomery Commercial Properties LLC (Michael Montgomery, Agent)
315 Bay Shore Avenue
(West side of Bay Shore Avenue, 565'± North of Spring Hill Avenue).
Use Variance to allow a fastener distributorship to manufacture bolts in a B-3,
Community Business District; the Zoning Ordinance requires an I-1, Light Industry
District for bolt manufacturing.
17. **# 5490/5437**
(Case #ZON2008-01618)
Mr. & Mrs. Doug Ray, III
64 Hawthorne Place North
(West side of Hawthorne Place North, 355'± South of Kingsway Drive).
Side Yard Setback Variance to allow two 46" HVAC units within 4'2" of a side
property line, and one 44" HVAC unit within 4'6" of a side property line in an R-1,
Single-Family Residential District; the Zoning Ordinance requires a 6' side yard
setback for HVAC units 36" high or higher in an R-1, Single-Family Residential
District.