



**CITY OF OPELIKA
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING AGENDA**

300 Martin Luther King Blvd.

December 13, 2022

TIME: 9:00 AM

A. APPROVAL OF MINUTES

B. VARIANCE

1. Thomas Gamble, 1001 Oak Bowery Road, R-2 zoning district, Requesting a 1.5 foot front yard setback variance from the 35 foot front yard setback requirement to construct a 30x40 detached garage (accessory structure) in the front yard and requesting the garage be located in front yard.
2. McOne Development, LLC, 2456 Frederick Road, C-2, GC-P zoning district
 - a. Requesting permission to install a wall sign on an exterior wall that does not face a street, parking lot, or driveway (primary facades).
 - b. Requesting a variance from installing the street frontage landscape buffer due to the property's vertical elevation

“In compliance with the Americans with Disabilities Act, the City of Opelika will make reasonable arrangements to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the ADA Coordinator 72 hours prior to the meeting at (334)705-5130.”



ZONING BOARD OF ADJUSTMENT MINUTES

300 Martin Luther King Blvd.

November 8, 2022

TIME: 9:00 AM

A. APPROVAL OF MINUTES

The City of Opelika Zoning Board of Adjustments held the regular meeting November 8, 2022 in the Meeting Chambers located at the Opelika Municipal Court, 300 MLK Boulevard. Certified letters were mailed out to all adjacent property owners for related issues for meeting dates.

MEMBERS PRESENT: Mr. Chris Nunn, Mrs. Angela George, Mr. Jay Walters, Acting Chair Tipi Miller, and Mrs. Raven Harvis.

MEMBERS ABSENT: Chairman Wilbert Payne and Mr. Chris Anthony.

STAFF PRESENT: Mr. Marty Ogren, Planning Assistant Director
Mrs. Rachel Dennis, Planner
Mrs. Claire Barber, Planning and Zoning Technician

CALL TO ORDER: Acting Chair Miller called the meeting to order at 9:01 a.m.

ROLL CALL: Nunn, George, Walters, Miller, and Harvis.

Approval of Zoning Board of Adjustment Minutes August 9, 2022

RESULT:	Passed
MOVER:	Raven Harvis
SECONDER:	Jay Walters
AYES:	Miller, Walters, Nunn, Harvis, George
NAYS:	None
ABSTAIN:	None

B. VARIANCE

1. John R. Coe, 211 N 30th Street, Request to exceed the 50% maximum size allowed for accessory structures in the VR-1 zoning district (Village Residential - 1)

Mr. Ogren reported, Section 7.7 E. Village Residential District of the Zoning Ordinance states the total square footage of all accessory structures (maximum 3 structures allowed) shall be limited to fifty percent (50%) of the heated square footage of the principal dwelling. The applicant's property is in the Village Residential (VR) zoning district. The applicant is requesting a 6.85% variance as explained in this report to construct a 10'x 16' open cover for a grill. The purpose of limiting accessory buildings is to preserve open space in the rear yard between adjacent residential property owners to maintain a residential neighborhood character

and the rear yards not overrun with accessory structures.

In 2007 the Village Residential (VR) section was added to the Zoning Ordinance. The VR regulations state that accessory structures are limited to 50% of the total square footage (sf) of the principal dwelling. In Section 8.11 of the Zoning Ordinance "*Accessory Structures for Residential Dwelling Units*" it states that accessory structure is limited to 40% of the principal dwelling. For all residential dwellings, except for those dwellings in the VR zone, 40% is used to figure maximum accessory structure limits. In the VR zone 50% is used to determine limits for accessory structures.

In 2012, the applicant was granted a variance for a 30x20 accessory structure for this same property in the VR zoning district. 40% of the principal dwelling was erroneously used to calculate the limits for the maximum square footage of accessory structure based on the square footage of the applicant's principal dwelling instead of the 50% limits as provided in the VR section of the Zoning Ordinance; also, 1,200 sf was used for the square footage of the applicant's dwelling instead of 1,127 sf. At the 2012 ZBA meeting, staff reported that 480 sf was the maximum allowed limit for accessory structure ($40\% \times 1,200 \text{ sf} = 480 \text{ sf}$). The Zoning Board granted a 10% variance from 40% to 50% allowing the applicant an additional 120 square feet so the 30 x 20 (600 sf) structure could be built.

For today's meeting, a maximum of 50% of the principal dwelling was used to figure the maximum square foot limits for accessory structure as required in the VR zone. The applicant's home is 1,127 square feet (1) so a maximum of 563.5 sf ($1,127 \times 50\% = 563.5 \text{ sf}$) of accessory structure is allowed.

In 2012, the Zoning Board approved a 10% variance from 40% to 50% of the principal structure to increase the maximum size limit for accessory structures. The 10% increase allowed an additional 120 sf of accessory structure so the 30x20 accessory structure could be constructed. The same 10% variance or 120 sf increases the 50% maximum limit allowed by 10.65% to 60.65% ($1,127 \times 60.65\% = 683.5 \text{ sf}$). The 10.65% variance increased the maximum square footage limit from 563.5 sf to a maximum 683.5 sf ($563.5 + 120 \text{ sf variance} = 683.5 \text{ sf}$) of accessory structures.

The applicant's request today is for a 160 sf accessory structure. In 2012, an 83.5 sf variance excess occurred ($683.5 - 600 = 83.5 \text{ sf}$) when the 40% limit was mistakenly applied instead of the 50% limit. The 83.5 variance excess still applies for today's 160 sf variance request. Therefore, a variance request for the remaining 76.5 sf variance ($160 - 83.5 = 76.5 \text{ sf}$) is requested today. The 76.5 sf equals a 6.85% variance request. The 60.65% maximum limit requirement approved (683.5 sf) in 2012 plus the 6.85% variance request today allows the applicant to construct a 10x16 open cover.

The applicant is requesting a 6.85% increase to the 60.65% maximum limit granted in 2012. If the 6.85% variance is approved, the maximum limit for accessory structures would be 67.5% ($60.65\% + 6.85\% = 67.5\%$) of the applicant's 1,127 sf home. The 6.85% variance request plus the ($1,127 \times 67.5\% = 760.7 \text{ sf}$).

Recommendation

The applicant's property is significantly larger than most properties along 30th Street. The property is 25,944 square feet with 200 feet of frontage along N 30th Street. The applicant's rear yard area alone is about 11,300 square feet. In comparison, other lots fronting along North

30th Street near the applicant's lot range from 15,000 sf to 19,400 sf.; lot widths range 80 feet to 130 feet. Staff believes there is adequate rear yard open space area between the applicant's lot and adjacent property owners for the 10x16 open cover. The 10x16 is located near a 6' high fence and about 10 feet from the applicant's home (see aerial photo next page). An opaque fence 6 feet in height encloses the rear yard on the front, side, and rear. The 10 x 16's maximum height is 12 feet at the ridge. The fence visually screens a portion of the structure from the adjacent properties. **Planning staff recommends a 6.85% variance increase to the 60.65% maximum limit of accessory structures approved in 2012. If the 6.85% variance is approved then all accessory structures are limited to 67.5% of the square footage of the applicant's home or 760 square feet - $1,127 \text{ sf} \times 67.5\% \times 1,127 = 760 \text{ sf}$. The existing 30x20 and proposed 10x16 equal 760 sf.**



(1) The 1,127 square feet is from the Lee County Property Tax records. PIN #14266. 1015 square feet + 112 sf addition = 1,127 sf

Acting Chair Miller opened the public hearing.

Richard Coe, applicant, stated I am the owner and like Mr. Ogren said, the main thing is that it's a double lot. I understand what the zoning is for, but this is 3/4 of an acre. It looks good, it's not going to look gaudy, it's going to look first class just like my 20x30 building. Also, there are no sight lines being blocked by any of the neighbors. I had to give pictures from each neighbor's vantage point to show that it's not going to block any kind of sight lines or anything like that. I think the main thing that's hurting me is the square footage of my house because it's on such a big lot.

Mrs. George asked is this going to be a smokehouse type of barbecue grill or a rollup barbecue grill?

Richard Coe stated I have a Blackstone griddle, so I'm going to put that and a sink and some chairs out there.

Mrs. George asked so it's not for commercial use?

Richard Coe stated no, it's just to hang out in the backyard. It's on a 10x16 slab between the house over behind the privacy fence, so it's going to be blocked off. It's just for my use and grilling area.

Acting Chair Miller closed the public hearing.

Mr. Walters asked Mr. Ogren if this is approved, this will go from 683 square feet, currently that is approved, to 760 square feet. Is that correct? So 77 square feet is what we are looking at essentially in terms of square feet.

Mr. Ogren stated correct. That equals the 30x20 plus the 10x16. Added together, that is 760.

Acting Chair Miller asked have any of our ordinances changed as far as accessory structures go since 2012?

Mr. Ogren stated not to apply to the Zoning Board. There have been a few changes, but not like this one.

Motion to approve the 6.85% variance increase to the 60.65% maximum limit of accessory structures approved in 2012

RESULT:	Passed
MOVER:	Jay Walters
SECONDER:	Chris Nunn
AYES:	Miller, Walters, Nunn, Harvis, George
NAYS:	None
ABSTAIN:	None

C. ADJOURN

Motion to adjourn at 9:13 a.m.

RESULT:	Passed
MOVER:	Jay Walters
SECONDER:	Raven Harvis
AYES:	Miller, Walters, Nunn, Harvis, George
NAYS:	None
ABSTAIN:	None

Tipi Miller, Acting Chair

Matt Mosley, Secretary

CITY OF OPELIKA - BZA
STAFF REPORT
December 13, 2022

Applicant: Thomas Gamble

Property: 1001 Oak bowery Road

Existing Zone: R-2

Request: 1.5 foot front yard setback variance from the 35 foot minimum front yard setback requirement and construct a detached garage in front yard

The applicant is requesting a 1.5 foot front yard setback variance from the 35 foot front yard setback requirement for a 30' x 40' detached garage. The applicant is also requesting a variance to build the garage in the front yard. (The three-car garage is for vehicles owned by the applicant.) The Zoning Ordinance requires that accessory structures are limited to the rear of the principal structure or located in the side yard if minimum side yard setbacks are met. The 15 foot minimum side yard setbacks are met; however the proposed garage will be in the front yard to align with an existing driveway. The garage is closer to the front property line than the existing principal dwelling. See vicinity map and drawings in your packet.

The applicant desires to construct the garage on the east side of his property near the existing carport and driveway. Most of the 30x40 garage is shown in the front yard; a 6 foot section is in the side yard. Staff discussed with the applicant about meeting requirements by locating the garage in the side and rear yard and not closer to the front property line than the front of the house. The applicant explained that beginning from a level building pad for the house & driveway then the topography changes toward the rear lot line The slope creates a hardship; constructing a 30x40 garage in rear yard would not be cost effective.

After visiting the applicant's property, staff believes a physical hardship exists because of exceptional slope or grade change in the rear yard. From reviewing topo maps, the elevations change four to five feet from the front wall of the garage to the rear wall (40 foot distance). The cost of preparing a building pad for the garage at the same level as the applicant's home or installing blocks to raise the garage's floor level would not be cost effective. Also, several large hard wood trees would need to be removed.

Staff believes approving a 1.5 foot front yard setback variance is minimal. In 1974, the applicant's home was constructed along a curve in Oak Bowery Road. The front property line running parallel with the curve provided that the front setback from the property line to the applicant's home ranged from 77 feet to 95 feet. The 30x40 garage meets the minimum 35-

foot front setback except for a corner of the garage; the corner is 33.5' feet from the front property line (see map in packet). Also, the garage corner aligns with the adjacent house on the east side that is also about 33.5 feet from the front property line. There are several homes on Oak Bowery Road near the applicant's home, including the house across the street, that are 33 feet or closer to their front property lines.

An elevation rendering of the garage is in your packet showing the architectural design and appearance of the garage. The roof style (hip roof) for the garage will be the same as the applicant's home. A shingle roof will be installed like the shingles on the home not a metal roof as shown on rendering. Also, board & batten siding will be installed on the garage painted to match the color of the exterior walls and eaves of the house. Garage details will either match or compliment the property.

Staff Recommendations

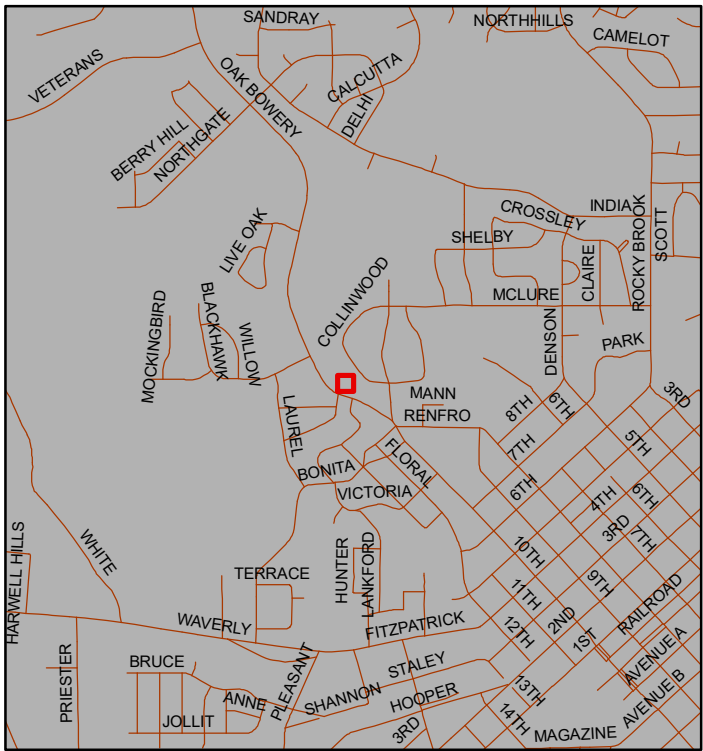
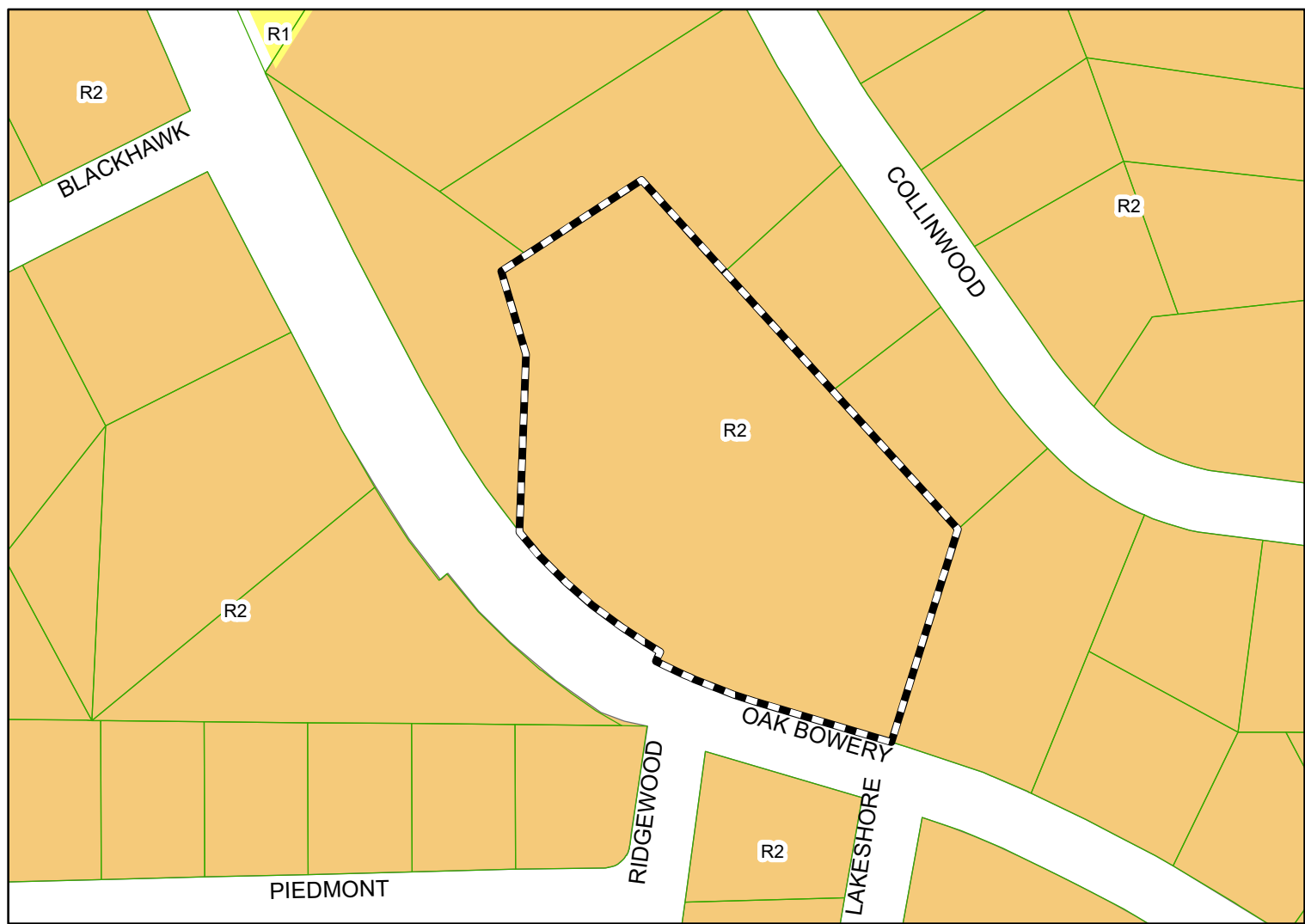
Staff believes there are topographical challenges on the property that are a hardship for the applicant. The slope change is exceptional and limits the location of the garage. Allowing the garage installed in the front yard on an existing level surface provides relief from the exceptional slope on the property.

Staff believes the setback variance is minimal. Several existing homes on Oak Bowery Road constructed before the current 35-foot minimum front setback requirement are setback less than 35 feet from the front property line. The 1.5 foot variance will not have a negative effect on the character of the neighborhood.

Planning staff recommends that the 1.5-foot front yard setback variance from the minimum 35-foot setback requirement and the garage constructed in the front yard as shown on drawings be approve.

Certified letters were mailed to adjacent property owners and a sign posted on the property.

TJ GAMBLE VARIANCE REQUEST
1001 OAK BOWERY ROAD
FRONT YARD SETBACK & GARAGE IN FRONT YARD



The applicant is requesting a front yard setback variance for a 30x40 detached garage and allow garage to locate in the front yard.



Subject Property

The City of Opelika does not guarantee this map to be free from errors or inaccuracies. The City of Opelika, Alabama disclaims any responsibility or liability for interpretations from this map or decisions based thereon. The information contained on this map is a general representation only and is not to be used without







Applicant's Property, 1001 Oak Bowery Road, Photo from Oak Bowery Road



30' X 40' Detached Garage, 1001 Oak Bowery Road



**APPLICATION FOR
VARIANCE (Section 4.2A)**
PLANNING DEPARTMENT
700 FOX TRAIL
OPELIKA, AL 36801

3185



DATE:	Zoning Board of Adjustment Meeting Date:
Case Number:	Meeting Deadline:

PART I. OWNER / APPLICANT INFORMATION

Thomas Gamble 1001 Oak Bowery Road, Opelika, AL 334-703-4505
Owner Name Address Phone

Agent Name (if applicable) Address Phone

PART II. PARCEL INFORMATION

Street Address: 1001 Oak Bowery Road, Opelika, AL

Current Zoning: R2

Current Land Use:

Type of Variance Sought: ☐ Sign ☐ Parking ☐ Setback ☒ Other

PART III. Provide a Brief Description and Reason for the Variance (attach a zoning map

or site plan) This property is located on a ravine and has a significant slope to the rear of the primary structure. Building a garage is not possible behind the primary structure. As a result we plan on building a garage to the front side of the house.

Setback	Required	Proposed	Amount of Variance
Front	35'	33.5'	1.5'
Side			
Side			
Rear			

PART IV.

1) Are there extraordinary and/or exceptional conditions to the particular property, which make a variance necessary? The ravine and drainage runoff that runs through the back yard makes it impossible to utilize that land.

2) Would the strict application of this ordinance produce an unwarranted hardship not generally shared by others? If by unwarranted hardship you mean making it cost prohibitive to build a garage, then yes this would essentially keep the project from being financially possible.

3) Will the proposed variance alter the character of the area? If so, how? We are adding considerable expense to the project to ensure the garage that will be built is in the original prairie architectural style of the house and is set as far back from the road as possible. So, we think it would enhance the character of the area.

Provide the Names and Addresses of ALL adjoining Property Owners:

James Verdin Weldon, 913 Oak Bowery Road, Opelika

Steve & Jan Lipham, 1003 Oak Bowery Road, Opelika

David & Lynette Strickland, 1000 Oak Bowery Road, Opelika

Bruce & Deborah Thornton, 1400 Piedmont Ave, Opelika

Rebecca & James Sharp, 914 Lakeshore, Ave, Opelika

Bryan & Olga Duncan, 1106 W Collinwood Cir, Opelika

J W English, JR, 1108 W Collinwood Cir, Opelika

James & Linda Graham, 1110 W Collinwood Cir, Opelika

FEES:		
Total Number of Adjoining Property Owners	X \$7.00 =	\$56.00
8	+ Fee	\$75.00
	TOTAL	\$131.00

PART V.

I hereby request that the Zoning Board of Adjustment review a variance request for my property located at (street address) 1001 Oak Bowery Road . Enclosed are the true and accurate names and addresses of all adjacent property owners. I understand that the City may require additional information, or waive certain requirements, in order to make a decision on the request at any time during the process.


Signature

12/16/2022
Date

CITY OF OPELIKA - BZA
STAFF REPORT
December 13, 2022

Applicant: McOne Development, LLC.

Property: 2456 Fredrick Road

Existing Zone: R-2

Request:

- a. Requesting a wall sign on an exterior wall that does not face a street, parking lot, or driveway
- b. Requesting a variance from installing the street frontage landscape buffer

The applicant is constructing a 2,700 square foot office building on a 0.48 acre property. Prior to construction it was determined that the site had more unmarked grave sites than previously known. This required the property to be altered between the conditional use application that went to Planning Commission and commencement of construction. Those sites required the entry drive be flipped to the opposite (west) side.

The applicant is requesting two separate variances. One variance deals with building signage. The second variance relates to the front landscaping requirements. The applicant notes in both cases the rearrangement of the building due to the gravesites and the change in elevation from Frederick Road to this site are the primary reasons for both variances.

Building Sign Variance

Section 9.5.19 Walls Signs states that wall signs are permitted on each primary façade which are facades that face a street, parking lot, or drive aisle or driveway as illustrated in Figure F.

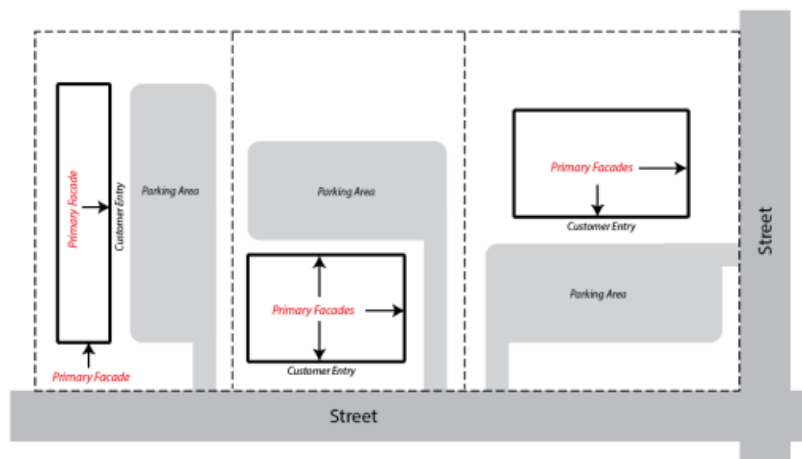


Figure F: Illustration of primary façade locations.

The applicant would like to place a painted wall sign on the east side of the building. On the original plan this would have faced the primary driveway and parking. When the site had to be flipped, it now faced an undeveloped area adjacent to some of the gravesites. Based on Figure F, this side would not be considered a primary façade. The applicant notes that the visibility of the site from the east (near Aldi) is the best along that side even though it is not considered a primary frontage. The applicant also notes that a landscape buffer against the residential on the opposite side may screen the buffer more from that side.

Staff Recommendations

Staff understands that the site is slightly elevated above Frederick Road and that the layout was adjusted after further location of gravesites. However, the development is allowed to have signage both on the front of the building and the other primary façade (west). The applicant is showing a front facing sign towards the street. Additionally, this project is new construction and the elevation changes between the street are existing conditions. The wall sign on the side also sits back approximately 70 feet from the property lines and almost 120 feet from the actual travel lanes.

Planning staff has consistently recommended denial of sign variances. In this case, there does not appear to be a hardship as the building is under construction and this could have been considered prior starting the building. Staff recommends that this variance be denied.

Frontage Landscaping Variance

The subject property is located on the Gateway Corridor and as such is required to have a landscaped buffer meeting Section 10.6.D.2b which is the following:

A six (6) foot wide single row of understory, medium, or large trees located between said property line and the off-street parking facilities (asphalt). The trees shall be spaced in a ratio of one (1) understory tree every fifteen (15) feet, or one (1) medium tree every thirty (30) feet, or one (1) large tree every forty-five (45) feet. Shrubbery shall be provided between the plantings.

The frontage along this area is approximately 130 linear feet. The applicant's current plan shows only a single tree on the east side of the parking lot, an annual planting bed, and the residential buffer on the west property line. The applicant notes that they feel the elevation change is a significant hardship and the graves moved the parking from the side to the front of the building. They feel the building would be hidden by the required landscaping.

Staff Recommendations

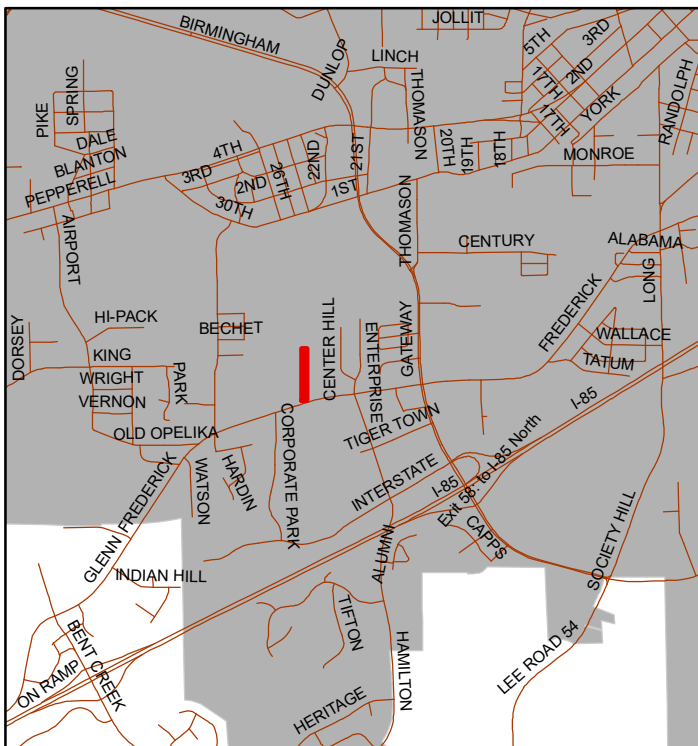
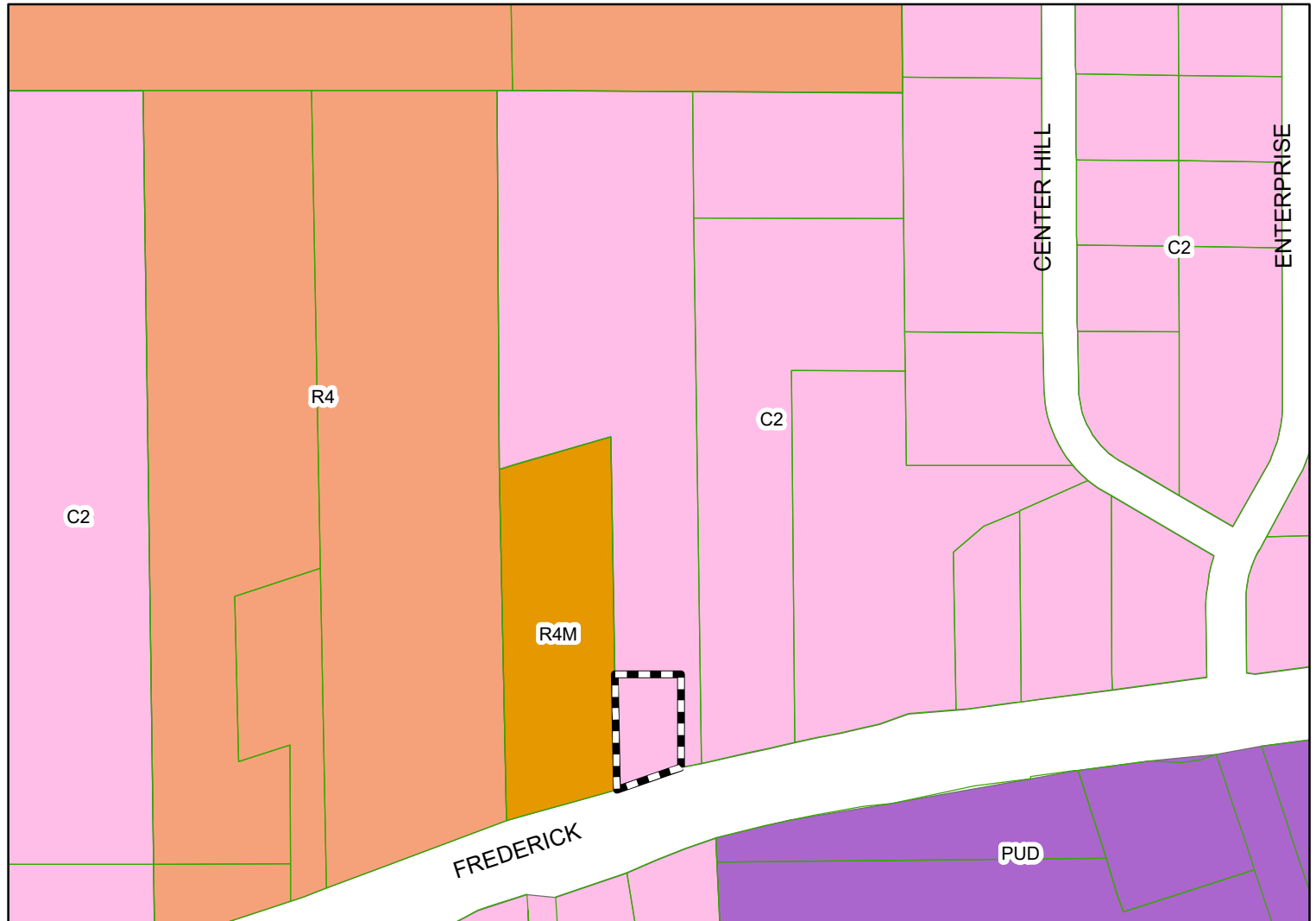
Staff understands that the site is about seven (7) feet above Frederick Road and that the layout was adjusted after further location of gravesites. Again, staff believes these were known

issues that should have been taken into account when laying out the site. When the site previously went to Planning Commission in March 2022, it was noted that a frontage landscape buffer would be required. This was also noted when the revised site plan was approved. The applicant has further modified the site by building a large retaining wall that moved out to the edge of the right-of-way. This is very attractive but does not provide the intended goal of buffering parking lots from the right-of-way or adjacent properties.

Planning staff understands that this site does have some issues, but these issues were present before construction commenced. Staff feels there were opportunities to address these issues or potential hardships earlier in the process. Staff recommends denial of the variance request.

Certified letters were mailed to adjacent property owners and a sign posted on the property.

**MCONE DEVELOPMENTS, LLC VARIANCE REQUESTS
2456 FREDERICK ROAD
WALL SIGN AND LANDSCAPING VARIANCE**



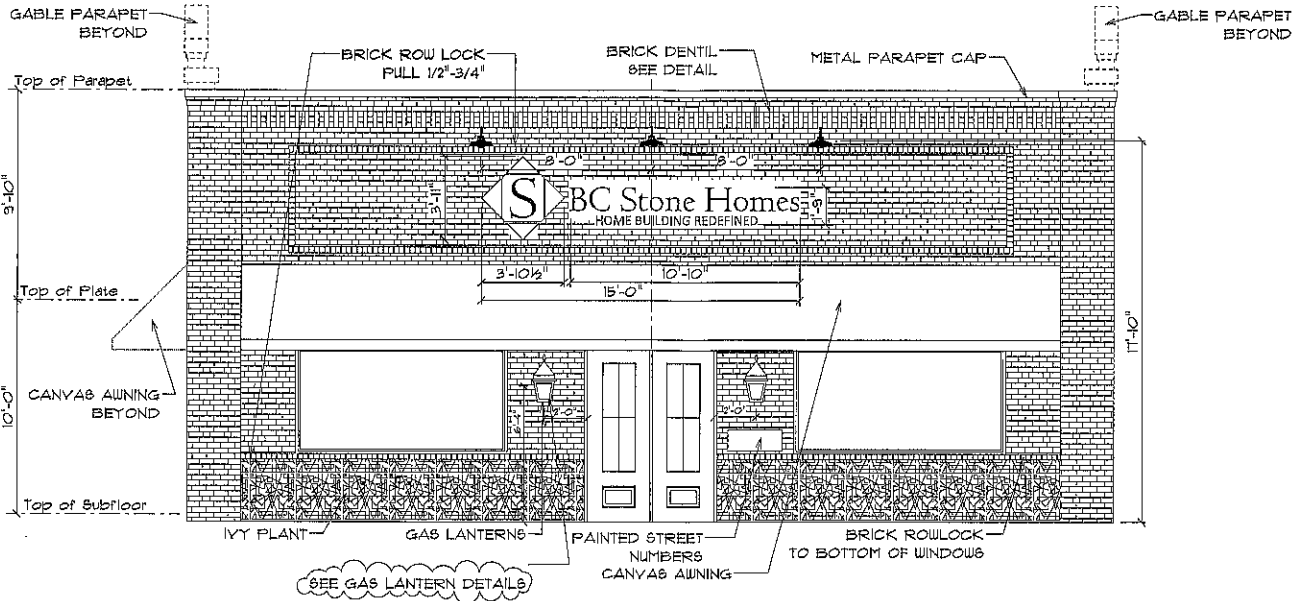
The applicant is requesting a variance to add a wall sign that is prohibited according to the Sign Regulations and a variance to not plant shrubs that are required in the front yard landscape buffer.



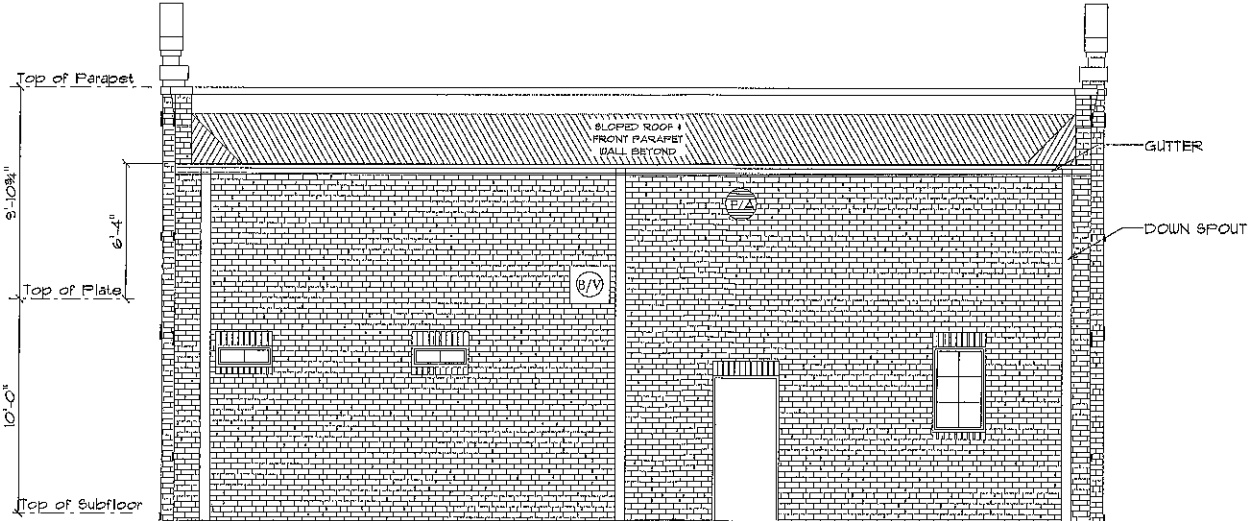
Subject Property

The City of Opelika does not guarantee this map to be free from errors or inaccuracies. The City of Opelika, Alabama disclaims any responsibility or liability for interpretations from this map or decisions based thereon. The information contained on this map is a general representation only and is not to be used without

FRESH AIR VENT - WALL	FRESH AIR VENT-SOFFIT	BATH VENT - WALL	DRYER VENT - WALL	HOOD VENT 8in - WALL	HOOD VENT 10in - WALL
					
AW	UEV8	DWV4BK	DWV4BK	DWV6BK	DWV10BK

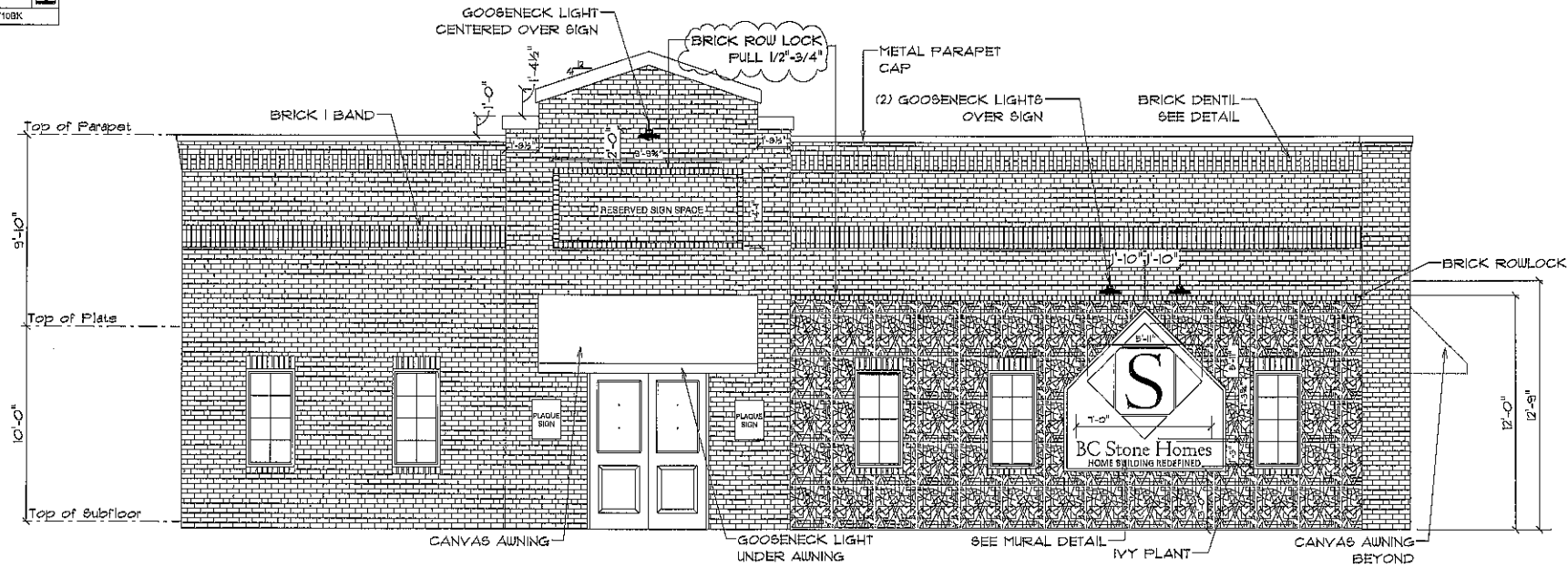


FRONT ELEVATION
SCALE: 1/4" = 1'-0"

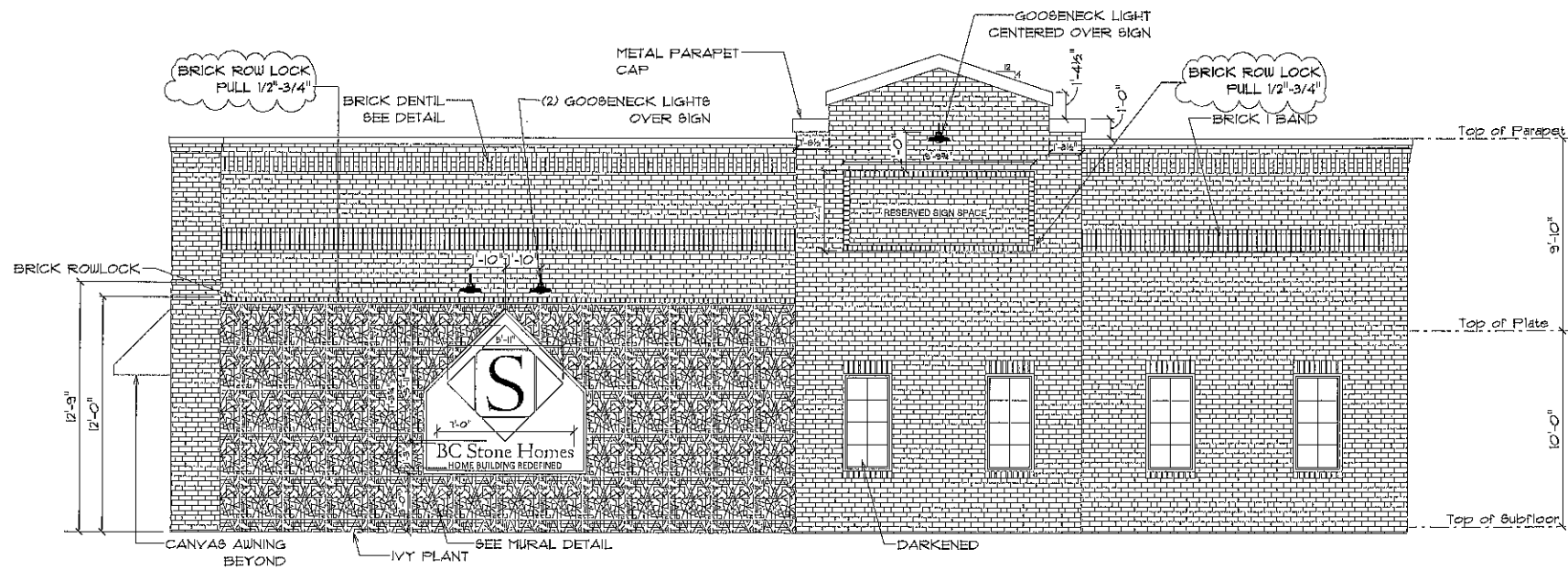


REAR ELEVATION
SCALE: 1/4" = 1'-0"

FRESH AIR VENT - WALL	FRESH AIR VENT - SOFFIT	BATH VENT - WALL	DRYER VENT - WALL	HOOD VENT 8in - WALL	HOOD VENT 10in - WALL
					
AIR	UEVS	DWV6BK	DWV4BK	DWV6BK	DWV10BK

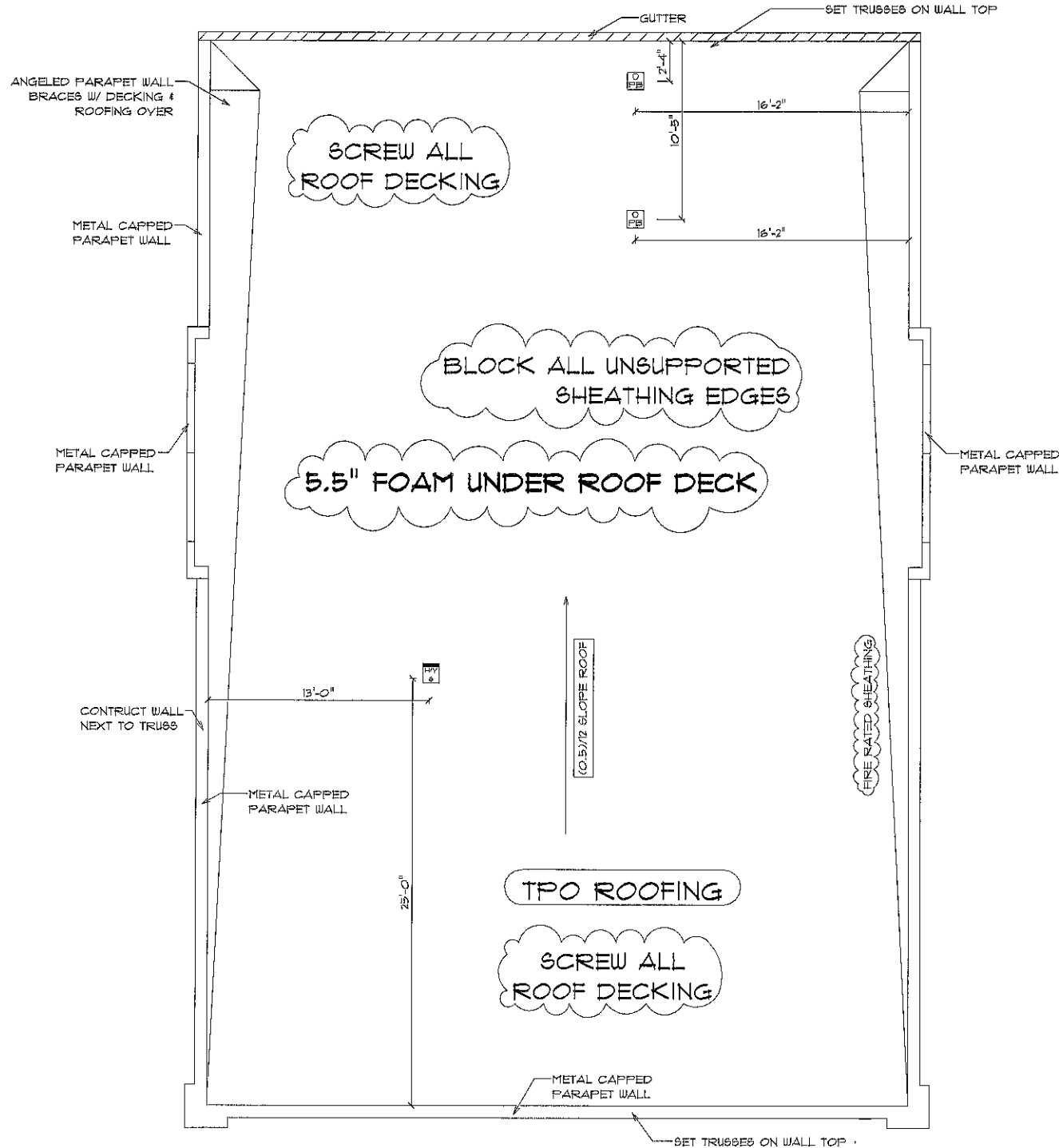


LEFT ELEVATION
SCALE: 1/4" = 1'-0"



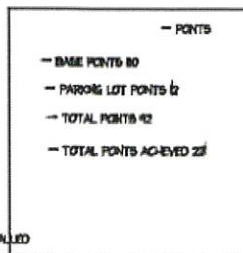
RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

FRESH AIR VENT - WALL	FRESH AIR VENT - SOFFIT	BATH VENT - WALL	DRYER VENT - WALL	HOOD VENT 8in - WALL	HOOD VENT 10in - WALL
					
AW	UEV8	DWV4BK	DWV4BK	DWV6BK	DWV10BK



BIRDSEYE
SCALE: 1/4" = 1'-0"

41 31100 21 1 1000 000000
 001 1000 00 0 000 00 00000000
 2504 00100000 000000
 00000000 00 100000



23-294-09-25-1-HO-1-1-2-001
 23-294-09-25-1-001-001-001-001
 23-294-09-25-1-001-001-001-001
 23-294-09-25-1-001-001-001-001

ELD CHANGES

GENERAL NOTES:



 **BC Stone Homes**
HOME BUILDING REDEFINED

Lagrange SR 1

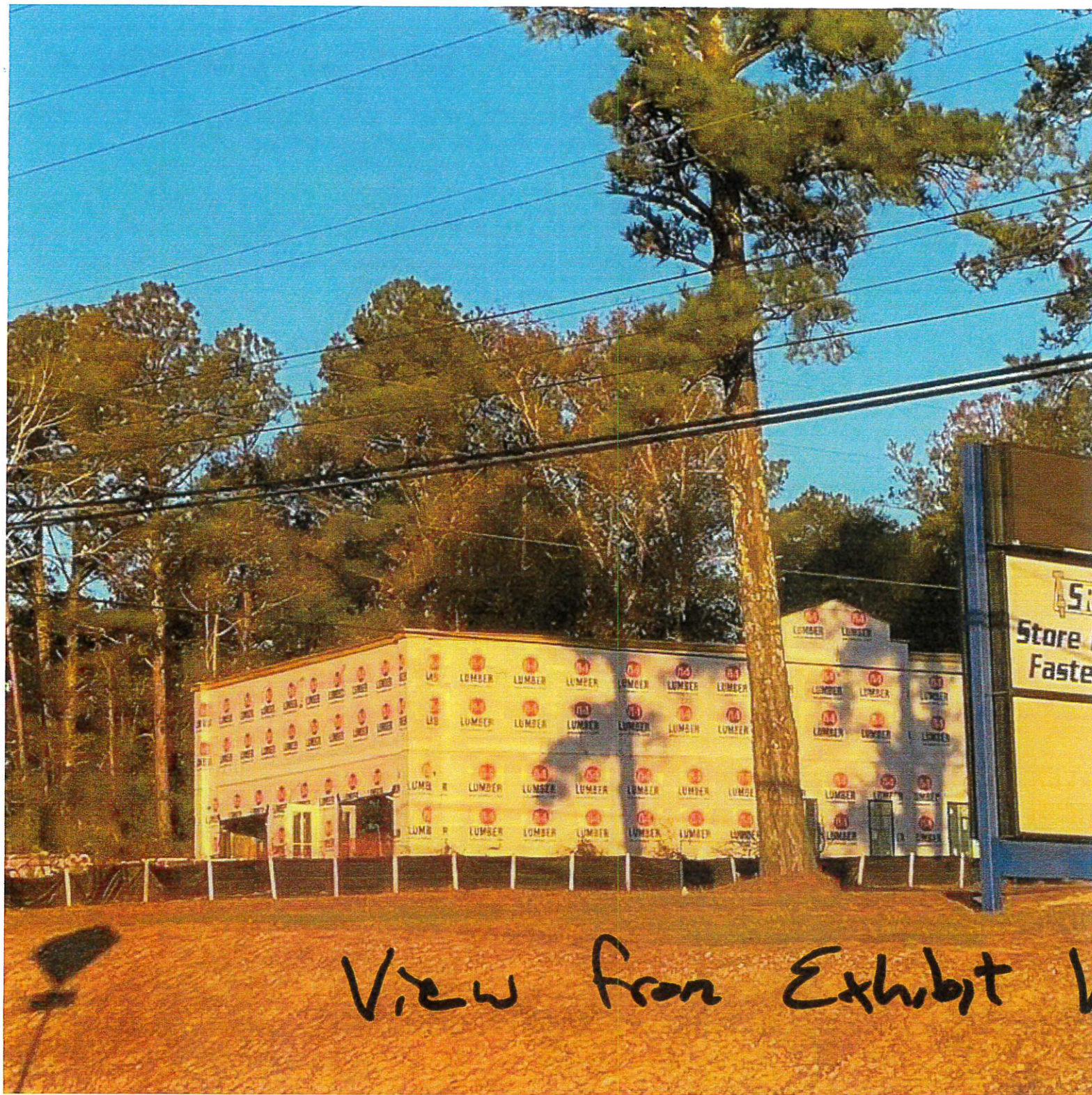




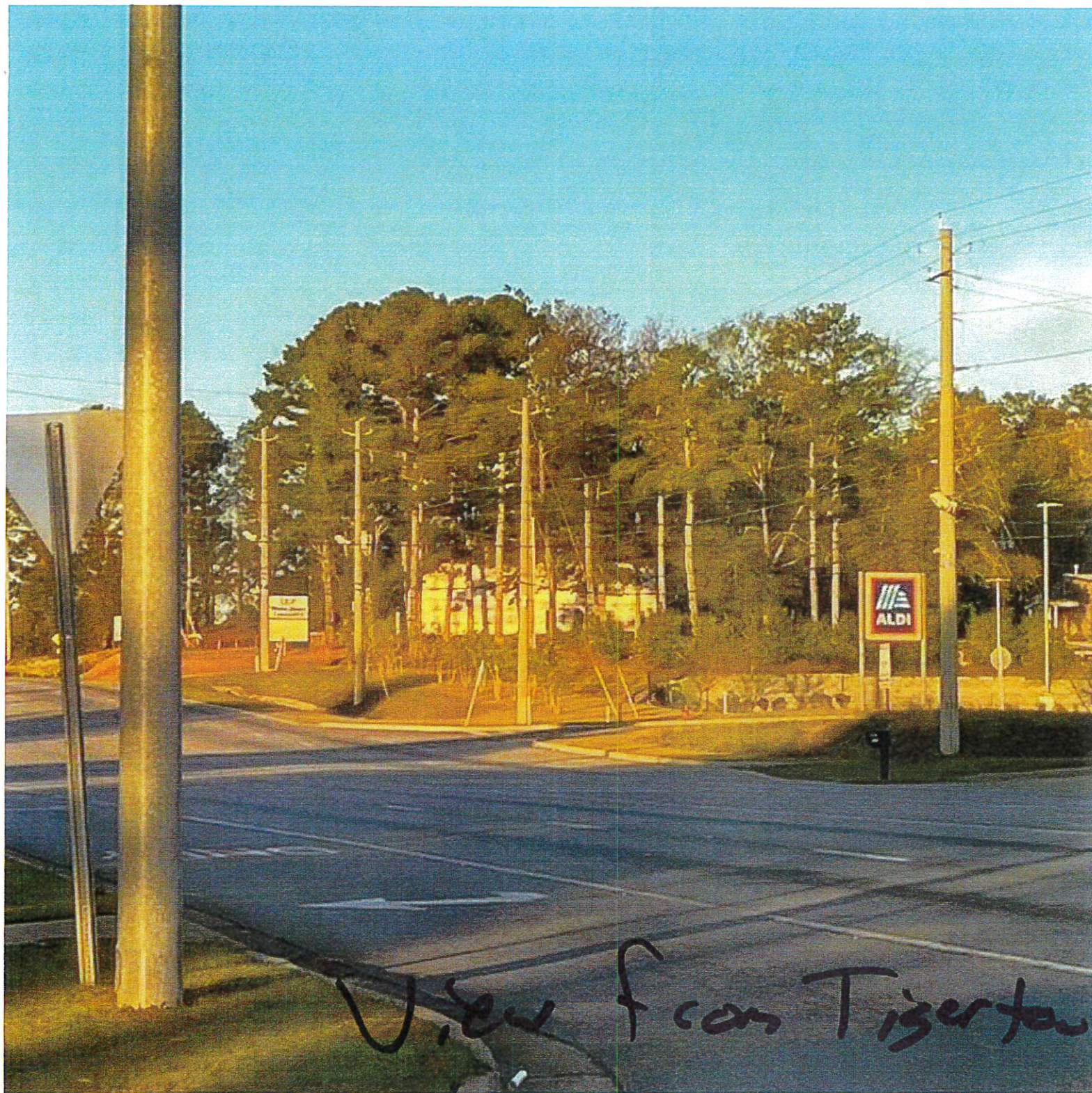
View from Exhibit View



View from Tigertown.



View from Exhibit View



View from Tigertown.



APPLICATION FOR
VARIANCE (Section 4.2A)
PLANNING DEPARTMENT
700 FOX TRAIL
OPELIKA, AL 36801



3182

DATE: 11/12/2022	Zoning Board of Adjustment Meeting Date: 12/13/2022
Case Number:	Meeting Deadline:

PART I. OWNER / APPLICANT INFORMATION

McOne Development, LLC	687 N Dean Rd Ste 200	334-610-1715
<i>Owner Name</i>	<i>Address</i>	<i>Phone</i>
BC Stone Homes. LLC	687 N Dean Rd Ste 200	334-610-1715
<i>Agent Name (if applicable)</i>	<i>Address</i>	<i>Phone</i>

PART II. PARCEL INFORMATION

Street Address: 2456 Frederick Rd

Current Zoning: C2

Current Land Use: Retail/ Office

Type of Variance Sought: ☒ Sign ☐ Parking ☐ Setback ☐ Other

PART III. Provide a Brief Description and Reason for the Variance (attach a zoning map or site plan)

This property was initially planned to be approved with a parking lot on the right side of the building. However during our planning, we discovered a gravesite, and had to flip the building. This protected the graves however, it inhibited our ability to use the best sign surface of our building.

Setback	Required	Proposed	Amount of Variance
Front	NA		
Side			
Side			
Rear			

PART IV.

1) Are there extraordinary and/or exceptional conditions to the particular property, which make a variance necessary? Yes, the discovery of the gravesites on the right side of the parcel, caused us to have to flip the site. Had we been able to complete our original approved plan, this sign would be allowed.

Furthermore, the site to the west of the required buffer completely blocks the side of the building we can put a sign on.

2) Would the strict application of this ordinance produce an unwarranted hardship not generally shared by others? Yes. The gravesites removing our entry point from this side of the building is not allowing us a sign on the best sign wall for the property.

3) Will the proposed variance alter the character of the area? If so, how? _____
No. In fact, it would be expected to have a sign on this wall as it is the most viewable part of the building.
Our building was planned around this sign. It will look naked without it.
See Exhibit displaying the curve in the road.

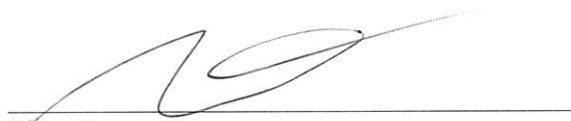
Provide the Names and Addresses of ALL adjoining Property Owners:

<u>Gateway Development</u>	<u>1533 Lakewood Place Auburn, AL 36830</u>
<u>Wilsford Properties</u>	<u>6000 NE Blvd Montgomery, AL 36103</u>
<u>Piney Woods Mobile Home Park, LLC</u>	<u>2508 Frederick Rd Opelika, AL 36801</u>
<u>William & Patsy Boyd Parker</u>	<u>2504 Frederick Rd Opelika, AL 36801</u>
<u>Lorraine Thomas Wilder</u>	<u>2012 Frederick Rd Opelika, AL 36801</u>
<u>Becky Strickland</u>	<u>2505 Frederick Rd Opelika, AL 36801</u>
_____	_____
_____	_____

FEES:		
Total Number of Adjoining Property Owners 8	X \$7.00 =	56.00
	+ Fee	\$75.00
	TOTAL	131.00

PART V.

I hereby request that the Zoning Board of Adjustment review a variance request for my property located at (street address) 2156 Frederick Road. Enclosed are the true and accurate names and addresses of all adjacent property owners. I understand that the City may require additional information, or waive certain requirements, in order to make a decision on the request at any time during the process.


Signature

11-2-22
Date



APPLICATION FOR VARIANCE (Section 4.2A)

PLANNING DEPARTMENT

700 Fox Trail, Opelika, AL 36801
(334) 705-5156 Fax (334) 705-5159

DATE:	Zoning Board of Adjustment Meeting Date:
Case Number:	Meeting Deadline:

PART I. OWNER / APPLICANT INFORMATION

Owner Name: McOne Development, LLC Address: 687 N Dean Rd Ste 200 Phone: 334-610-1715
Agent Name (if applicable): BC Stone Homes, LLC Address: 687 N Dean Rd Ste 200 Phone: 334-610-1715

PART II. PARCEL INFORMATION

Street Address: 2456 Frederick Rd

Current Zoning: C2

Current Land Use: Retail / Office

Type of Variance Sought: ☐ Sign ☐ Parking ☐ Setback ☒ Other

PART III. Provide a Brief Description and Reason for the Variance (attach a zoning map

or site plan) The Gateway Corridor requires a hedge in front of our parking lot. We installed a nice builder wall in front of parking & wanted to do low lying plants. Due to the elevation of road, and the elevation of lot, a hedge would block building

Setback	Required	Proposed	Amount of Variance
Front	NA		
Side			
Side			
Rear			

PART IV.

1) Are there extraordinary and/or exceptional conditions to the particular property, which make a variance necessary? 2 reasons 1) The grade @ the ROW has about 10' in vertical elevation & the hedge would block our building.

2) Due to the grades, we were forced to put parking in front of building, causing this requirement.

2) Would the strict application of this ordinance produce an unwarranted hardship not generally shared by others? Yes, between the grade changes & us having to design this site around the graves, we definitely have hardships that no others have along this road.

3) Will the proposed variance alter the character of the area? If so, how? No, our building will be beautiful, & not granting this variance will make it be hidden.

Provide the Names and Addresses of ALL adjoining Property Owners:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

FEES:

Total Number of Adjoining Property Owners	X \$6.74 =	
	+ Fee	\$75.00
	TOTAL	

PART V.

I hereby request that the Zoning Board of Adjustment review a variance request for my property located at (street address) _____. Enclosed are the true and accurate names and addresses of all adjacent property owners. I understand that the City may require additional information, or waive certain requirements, in order to make a decision on the request at any time during the process.



Signature

11-30-22

Date