



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

300 Martin Luther King Blvd.

August 8, 2023

TIME: 9:00 AM

A. APPROVAL OF MINUTES

B. VARIANCE

1. Blake Rice, Barrett-Simpson, authorized representative for Gamotis Enterprises, LLC, 111 N 16th Street, Requesting a 6-foot side yard variance from the minimum 10-foot side yard setback requirement.
2. Marilyn Noles, 1600 Jollit Avenue, R-3 zoning district, Requesting an accessory structure exceed the maximum 40% of the principal dwelling as provided in the Zoning Ordinance, Section 8.11 Accessory Structures for Residential Dwelling Units.

“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.

July 11, 2023

TIME: 9:00 AM

A. APPROVAL OF MINUTES

The City of Opelika Zoning Board of Adjustments held the regular meeting July 11, 2023 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: Chairman Wilbert Payne, Mrs. Raven Harvis, Mr. Chris Anthony, and Mrs. Angela George.

MEMBERS ABSENT: Mr. Chris Nunn, Mrs. Tipi Miller, and Mr. Brandon Hilyer.

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

CALL TO ORDER: Chairman Payne called the meeting to order at 9:02 a.m.

ROLL CALL: Payne, Anthony, George, and Harvis.

Approval of Zoning Board of Adjustment Minutes March 14, 2023

RESULT:	Passed
MOVER:	Raven Harvis
SECONDER:	Angela George
AYES:	Harvis, George, Payne, Anthony
NAYS:	None
ABSTAIN:	None

B. VARIANCE

1. Thomas Padgett, 2714 Waverly Parkway, R-1 zoning district, Requesting an accessory structure exceed the maximum 40% of the principal dwelling as provided in Section 8.11 Accessory Structures for Residential Dwelling Units in the Zoning Ordinance and allow structure built in front yard.

Mr. Mosley reported the applicant requested to build a 26 x 26 shed to be used for storage of tools, welding equipment, tractor, and 1965 Ford Mustang the total square footage is 676 square feet. The applicants home placement on the lot is unique and is in the rear of the lot. The home is approximately 786 square feet; 315 square feet is the 40% maximum square footage of accessory structure(s) allowed (786 x 40%). The applicant is requesting a 46% (367 sf) variance over the 40% maximum allowed to construct a new accessory structure. The lot layout and access are the reasoning for the location of the shed in the front yard area.

The Zoning Ordinance states in Section 8.11 *Accessory Structures for Residential Dwellings*, 5. On anyone (1) residential lot, the total square footage of all the accessory structures combined shall be limited to forty percent (40%) of the principal dwelling unit. Residential accessory structures include storage buildings, detached garages, detached carports, gazebos, greenhouses, etc. but not swimming pools. Lots of two (2) acres or larger may be exempt from this limitation at the discretion of either the Planning Director or Assistant Planning Director.” The purpose of limiting accessory structures to 40% of the home size is to preserve the natural open space between adjacent residential properties and maintain the quality of a residential neighborhoods. An excessive number of accessory structures or a few large accessory structures in the rear yard would occupy the open space area enjoyed between adjacent properties. The Zoning Ordinance in the language set forth in Section IV Zoning Board of Adjustment: Section 4.2 Powers; Paragraph A., states in part “or the use or development of property immediately adjacent thereto” provides language for consideration.

Staff Discussion:

Without the variance the applicant can have a structure total of 320 square feet of accessory structures. The hardship in this case is the location of the house, and an accessory structure of this size is within the character of the R-1 zoning district. This lot is 44,896 square feet and is larger than the minimum lot size in the R-1 zoning district (1 acre). The surrounding area is zoned R-1 and R-3. The lot sizes around this property vary. The adjacent property to the west was approved to have a large accessory structure. The shed placement due to wooded area will not be able to be seen from Waverly Parkway and will be about 20 feet from the house. The applicant’s home has an existing wooded surrounding. The proposed structure will be setback about 45 feet from side property line. The Zoning Ordinance allows an accessory structure to be installed/constructed 5 feet from property lines. Staff feels there is adequate open space area between adjacent properties and the structure.

Recommendation:

Due to the unique placement and size of the 1940’s home, this creates a hardship in placement and size of an accessory structure in the rear of the property. This parcel is land locked except for the driveway access easement from Waverly Parkway. Planning Department recommends allowing the construction of the accessory structure 367 square foot over the 40% allowed and the front yard due to this hardship.

Certified letters were mailed to all adjacent property owners.

Chairman Payne opened the public hearing.

Thomas Padgett, applicant, stated that he needed a place to put his tools so that they could be out of the weather and that he didn't know about the zoning rules when he purchased the property.

Chairman Payne closed the public hearing.

Motion to approve the accessory structure to exceed the maximum 40% of the principal dwelling as provided in Section 8.11 Accessory Structures for Residential Dwellings Units in the Zoning Ordinance and allow the structure built in the front yard.

RESULT:	Passed
MOVER:	Raven Harvis
SECONDER:	Chris Anthony

AYES:	Harvis, George, Payne, Anthony
NAYS:	None
ABSTAIN:	None

2. Bernard Jackson, 1900 South Long Street, C-2 zoning district, Requesting a 18 foot setback variance from the minimum 30 foot rear yard setback requirement.

Mr. Mosley reported the applicant is requesting an 18 foot rear yard setback variance to construct an 8' x 10' addition for a hot water heater and storage area. An existing hot water heater will be moved from another room to the addition. In 1956, an 854 square foot building was constructed at 190 South Long Street with a 20 foot rear yard setback from the property line. *(In July 2022, a 180 square foot addition (10x18) was approved on the south side of building. The addition is under construction. The total area of the building with addition is 1,034 square feet.)* Currently, the minimum rear yard setback is 30 feet, therefore the building is legal nonconforming. The building encroaches 10 feet into the current 30 foot minimum rear yard setback. The applicant's request for an 8'x 10' addition adds 8 more feet encroaching into the 30 foot setback; an 18 foot variance is requested. If the 18 foot variance is approved, the 8x10 addition will be 12 feet from the rear property line.

The Zoning Ordinance (Section 8.20, #4) [1](#) allows the property owner to continue using a legal nonconforming building as it exists. However, if there is a proposed addition to the nonconforming building/structure that increases (or decreases) the square footage of the existing nonconforming building then the structure must be in complete compliance with the [zoning] district the structure is located." In this case at 1900 S long Street, the property must comply with the minimum off-street parking and landscape requirements.

For about 20 years, the applicant/property owner has operated a beauty salon business at 1900 S Long Street. The applicant has a full time job (Dollar Tree), so her beauty salon customers are scheduled 'by appointment only'. The applicant plans to have another hairdresser that will also serve customers 'by appointment only'.

In addition to cutting & styling hair, the applicant will also reupholster furniture. The reupholstery business is about 280 sf of the 1,034 sf building. The upholstery business is also 'by appointment only.' The applicant does not sell beauty products or upholstery material like a retail store. The applicant provides labor services only to customers (styling hair & reupholster furniture).

The upholstery shop requires conditional use approval by the Planning Commission that will be scheduled at a later time. Off-street parking requirements for the two businesses will be discussed with the Planning Commission. The applicant's property provides a maximum seven parking spaces as shown on the site plan (page 3). Minimum parking requirements for one hair salon operator is four off-street parking spaces and one parking space required for the upholstery business if repairs are provided by the applicant. A total of five parking spaces is required. If a 2nd hairdresser is added, then 9 parking spaces are required for two hairdressers and upholstery repairs by the applicant. Minimum landscaping requirements will also be discussed at the Planning Commission meeting including a residential buffer along the rear property line.

Recommendation

There are no practical difficulties or hardships based on the lot's shape (81'x100') or lot size (8,100 sf), and the topography that warrants a variance. The property is square shaped and the elevations are flat or level.

In 1956, the building at 1900 South Long Street was built 20 feet from the rear property line. The 1969 Zoning Ordinance and the amended 1991 Zoning Ordinance has a minimum 30 foot rear yard setback for the applicant's property (and surrounding area). The zoning designation in 1969 was B-4 and amendments in 1991 changed the zoning designation to C-2. The Zoning Ordinance before 1969 was not found. If one assumes the minimum rear yard setback was 20 feet before 1969, then 10 feet of the 18 foot variance request came about from the 1969 amendments to the Zoning Ordinance; the remaining 8 feet was from the applicant's variance request for a 8x10 addition. Most of the commercial structures along South Long Street and along Frederick Avenue, adjacent street were constructed before 1977. Most (and possibly all commercial structures) are legal nonconforming structures not meeting the current minimum setbacks in either the front, side, or rear yard.

The adjacent single family home along the rear property line next to the applicant's building was built in 1940. The home was built 8 feet from the applicant's rear property line. If the applicant's variance is approved, then the applicant's 8x10 addition will be 12 feet from the rear property line. Recently, the adjacent property owner built a 6 foot high solid opaque fence (sheet metal between fence posts) along the rear property line.

A variance is not warranted because of a hardship based on the property being narrow or has severe elevations. Ten feet of the 18 foot variance is from the existing building encroaching 10 feet into the 30 foot setback. Most adjacent structures along S Long Street exist as legal nonconforming properties in this C-2 district. Most commercial structures in this South Long Street and Frederick Avenue area were built before 1977; the structures are legal nonconforming not meeting either the minimum 30' front, 10' side, or 30' rear setbacks. Staff does not believe approval will be a detriment to or have any special impact to the adjacent properties. Staff cannot make a positive recommendation as this expands on an existing nonconforming structure without a hardship. However, the number of other non-conforming buildings in the area do lend credence to the thought that the addition would not be out of character for the neighborhood.

Certified letters were mailed to adjacent property owners and a Zoning Board sign about the variance was posted on the property Monday, July 3rd. (At this writing no one has contacted Planning staff about the variance request.)

① Non-conforming land uses and non-conforming structures are declared by this ordinance to be incompatible with permitted uses/conforming structures in the districts in which they are located. However, to avoid undue hardship, the lawful use of any structure or land use at the time of the enactment of this ordinance may be continued even though such use or structure does not conform with the provisions of this ordinance except that the non-conforming structure or land use shall not be:

4. Enlarged or altered in any way which increases or decreases the amount of gross floor area of a structure or building unless such use/structure shall be in complete compliance with the regulations (i.e. including parking requirements landscaping requirements, etc.) governing the district within which said use/structure is located or unless enlargement or alteration is required by the' building codes.*

Chairman Payne opened the public hearing.

L. B. Jackson, authorized applicant, stated that Mrs. Jones wants to further her business by incorporating the upholstery business with her hair salon business. He stated that this will allow her to cut back on her expenses while she works and she can take care of her husband and spend more time at home with him and her grandkids. He stated that she would need a storage room, a bathroom, and room for her hot water heater in the small space that she is adding.

Chairman Payne closed the public hearing.

Motion to approve the 18 foot setback variance from the minimum 30 foot rear yard setback requirement

RESULT:	Passed
MOVER:	Raven Harvis
SECONDER:	Chris Anthony
DISCUSSION:	Mrs. George asked what the 12-foot rear yard variance needed to be as far as new construction?
	Mr. Mosley stated that this is C-2 and that means that for new construction 30 feet would be required on the rear. He stated that because this lot is only 100 feet wide, setbacks of 30 feet on the front and 30 feet on the back leaves a small building area, especially because this is on the corner lot. He stated that any setback concern is not necessarily a fire code issue, but a zoning issue.
	Mr. Anthony asked if this was the only feasible location for this and asked if the side of the building would pose the same problems?
	Mr. Mosley stated that the side of the building has a 25-foot setback and that pretty much any addition would require a variance.
AYES:	Harvis, George, Payne, Anthony
NAYS:	None
ABSTAIN:	None

C. ADJOURN

Motion to adjourn at 9:21 a.m.

RESULT:	Passed
MOVER:	Raven Harvis
SECONDER:	Chris Anthony
AYES:	Harvis, George, Payne, Anthony
NAYS:	None
ABSTAIN:	None

Wilbert Payne, Chairman

Matt Mosley, Secretary

• CITY OF OPELIKA - BZA
STAFF REPORT
August 8, 2023

Applicant: Gamotis Enterprises, LLC
Blake Rice, Barrett-Simpson, authorized representative.

Property: 111 N. 16th Street

Existing Zone: C-2, GC-S

Request: Requesting a 6-foot side yard variance from the 10-foot side yard setback requirement.

Proposal:

The applicant asks for a 6-foot variance from the 10-foot side yard setback requirement. The subject property is located on the corner of 2nd Avenue and N. 16th Street. The property is currently operating as a dentist's office.

The subject property is in the C-2, GC-S zoning district. The applicant requests the variance to allow a 12 x 23 addition to the building up to 4-foot from the east side property line. On the application, the variance is needed for office space and to allow for better ADA access. The applicant shares the property line to the south with a church building and the east with a car wash.

The applicant's representative stated the variance is needed primarily to provide better ADA access and respond to customer complaints. The application states this is the only means for the owner to provide ADA accessibility. Strict applications of the rules would prevent this improvement to this property due to the layout of the office. Therefore, granting a side setback variance would not be a substantial detriment to the neighboring properties. Current building codes place certain restrictions on structures within 5-foot of the property line.

Recommendation:

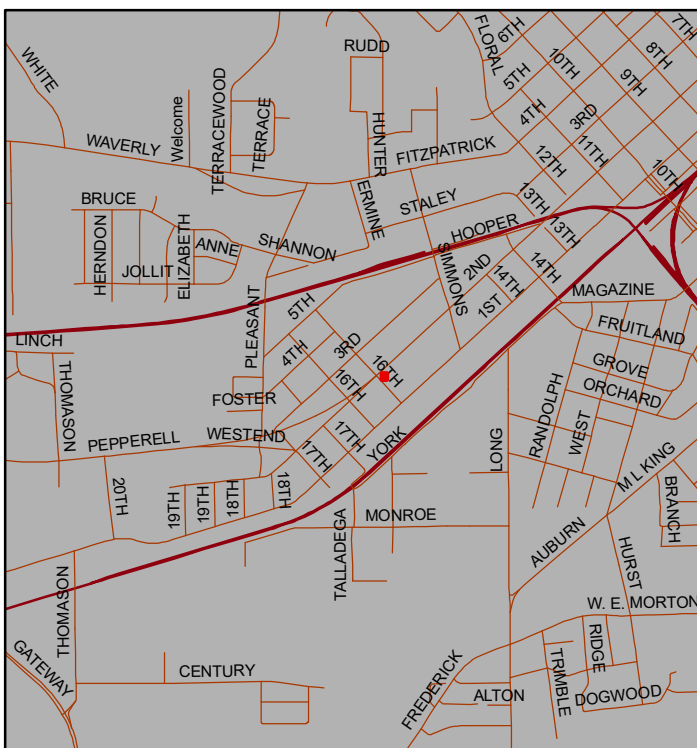
Staff feels that this request would allow the business to continue to operate at this location more efficiently. Staff recommends approval of the proposed variance based on the site plan presented due to the need to provide a better ADA access.

Certified letters were mailed to adjacent property owners on Thursday 27, 2023, and a sign was posted on the property about the August 8th Zoning Board Public Hearing meeting. (At this writing, no one has contacted the Planning staff about the variance request.)

GAMOTIS ENTERPRISES, LLC VARIANCE REQUEST

111 N 16TH STREET

SIDE YARD SETBACK



The applicant is requesting a 6 foot side yard setback variance from the 10 foot minimum setback requirement to enclose a 12x22 patio for office space. Approval will also meet ADA requirements for the building.



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 verification by an independent professional qualified to verify such information.

NOTES:

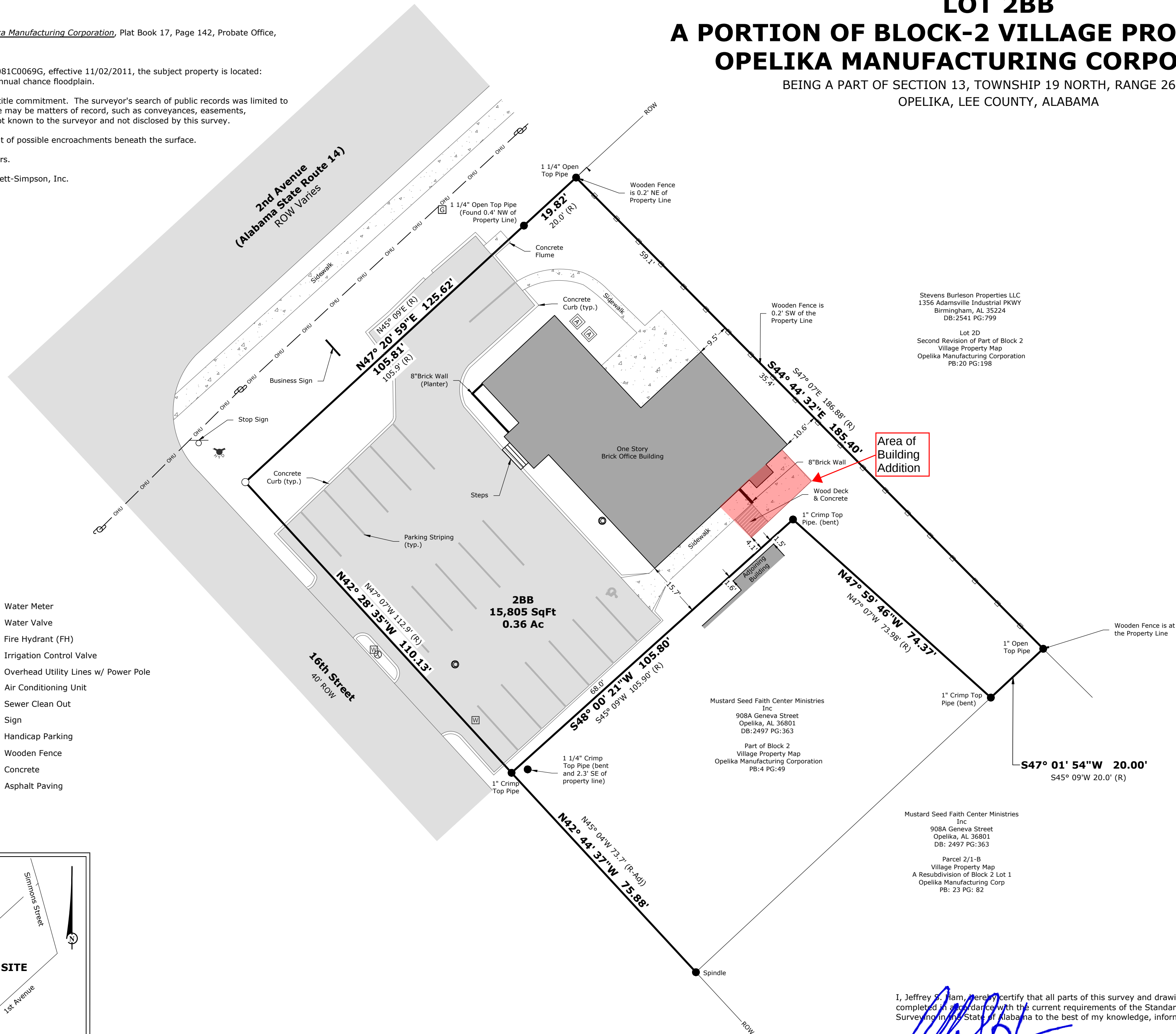
1. Survey North Reference: Grid North based upon NAD83 State Plane Coordinates, Alabama East Zone, US FOOT, RTK GPS using the ALDOT CORS as reference.
2. Basis for Survey:
-A Resubdivision of a Portion of Block-2 Village Property Map Opelika Manufacturing Corporation, Plat Book 17, Page 142, Probate Office, Lee County, Alabama.
-Deed Book 2605, Page 136, Probate Office, Lee County, Alabama
3. According to the FEMA FIA NFIP Flood Insurance Map (FIRM), Map No. 01081C0069G, effective 11/02/2011, the subject property is located:
-Zone X (not shaded) - Areas determined to be outside the 0.2% annual chance floodplain.
4. This survey was made without the benefit of an attorney's title opinion of title commitment. The surveyor's search of public records was limited to those matters affecting the boundaries of the subject property only. There may be matters of record, such as conveyances, easements, rights-of-way, etc. that affect the title to the subject property which are not known to the surveyor and not disclosed by this survey.
5. There was no attempt in the field to determine the location of or the extent of possible encroachments beneath the surface.
6. This drawing becomes void if any alterations or changes are made by others.
7. This drawing may not be altered or added to without permission from Barrett-Simpson, Inc.

Boundary Survey - Improvements Located

LOT 2BB

**A PORTION OF BLOCK-2 VILLAGE PROPERTY MAP
OPELIKA MANUFACTURING CORPORATION**

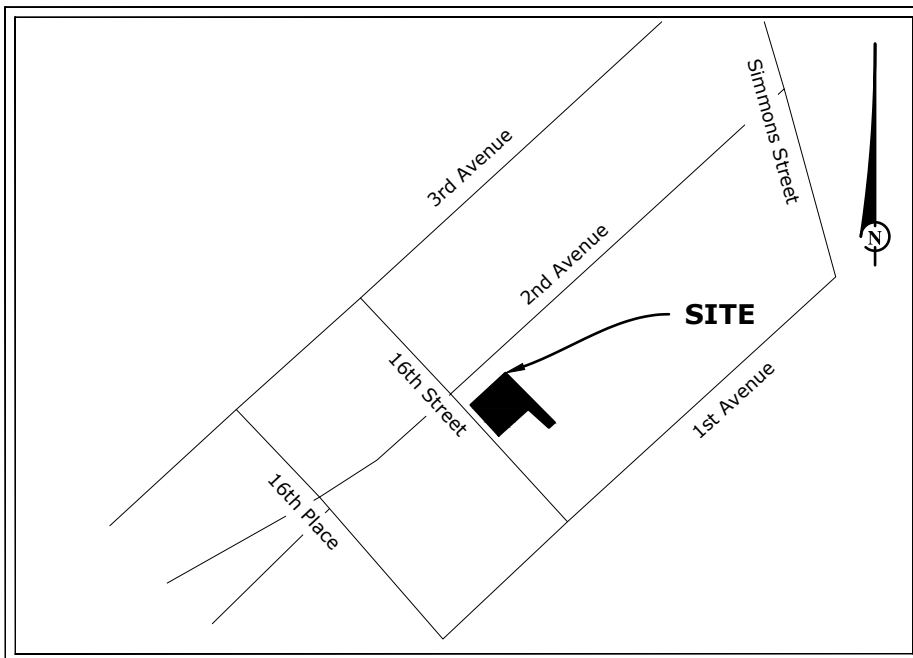
BEING A PART OF SECTION 13, TOWNSHIP 19 NORTH, RANGE 26 EAST,
OPELIKA, LEE COUNTY, ALABAMA



LEGEND

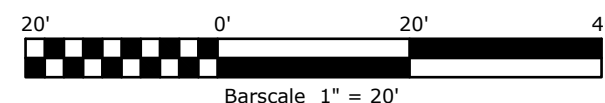
- | | | | |
|----------|--|-------|--------------------------------------|
| ● | Iron Pin Found and Type | ⊠ | Water Meter |
| ○ | 1/2" Rebar Set - Orange Cap
Stamped AL CA 718 LSF000600 | ⊗ | Water Valve |
| ■ | Concrete Monument Found | ⊕ | Fire Hydrant (FH) |
| DB: | Deed Book | ⊖ | Irrigation Control Valve |
| PB: | Plat Book | —OHU— | Overhead Utility Lines w/ Power Pole |
| PG: | Page | ⊠ | Air Conditioning Unit |
| (R) | Record Distance or Bearing | ⊕ | Sewer Clean Out |
| (R-Adj.) | Record Adjoiner | ⊖ | Sign |
| ROW | Right-of-Way | ⊕ | Handicap Parking |
| (typ.) | Typical Example | ⊠ | Wooden Fence |
| ⊠ | Gas Line Marker | ⊠ | Concrete |
| | | ⊠ | Asphalt Paving |

VICINITY MAP
not to scale



BARRETT-SIMPSON, INC.
Engineers & Land Surveyors

706 12th STREET, PHENIX CITY, AL 36968 (PH 334-297-2423, FAX 334-297-2449)
121 W. BROAD STREET, EUFAULA, AL 36027 (PH 334-687-4257, FAX 334-687-8829)
223 SOUTH 9th STREET, OPELIKA, AL 36801 (PH 334-745-7026, FAX 334-745-4367)



I, Jeffrey S. Ham, hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief.

Jeffrey S. Ham, PLS
Alabama License No. 21775

7/6/2023
Date:





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



DATE: 7/18/23	Zoning Board of Adjustment Meeting Date: 8/8/23
Case Number:	Meeting Deadline:

PART I. OWNER / APPLICANT INFORMATION

Gamotis Enterprises, LLC 111 N 16th Street, Opelika, AL 36801 334-745-3563
Owner Name Address Phone

Barrett-Simpson, Inc 223 Sth 9th Street, Opelika, AL 36801 334-703-3214
Agent Name (if applicable) Address Phone

Blake Rice

PART II. PARCEL INFORMATION

Street Address: 111 N 6th Street

Current Zoning: C2, GC-S

Current Land Use: Dentist 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) Owner would like to enclose an existing patio on the property to increase office space and allow for better ADA access

Setback	Required	Proposed	Amount of Variance
Front	25	25	0
Side	20	20	0
Side	10	4	6
Rear	20	20	0

PART IV.

1) Are there extraordinary and/or exceptional conditions to the particular property, which make a variance necessary? The existing building is already located very close to the setback and functionality of the office makes this the only side where an addition is viable

CITY OF OPELIKA - BZA
STAFF REPORT
August 8, 2023

Applicant: Marilyn Noles

Property: 1600 Jollit Avenue

Existing Zone: R-3 (medium density residential)

Request: Variance to exceed the maximum size allowed for an accessory building from 40% to 53.4% of the principal structure

Proposal

The applicant is requesting to install a 10x15 accessory building in the rear yard. Her home is 1,835 square feet, so 734 square feet ($40\% \times 1835 = 734$) is the maximum square footage allowed for accessory structures as stated in Section 8.11¹. The applicant's property has two existing accessory structures – 10x20 and 18x35. The 10x20 is used for storage; the 18x35 is an open cover or carport (no walls) for three vehicles. The total square footage of the two accessory structures is 830 sf. These two accessory structures exceed the 40% maximum allowed to 45.23% of the principal dwelling - a 5.23% increase (or 734 square feet is allowed, and the property current has 830 sf of accessory structures.) However, these structures were installed/constructed before the 40% maximum limit rule was adopted in 2002. Therefore, the structures may remain on the property as legal nonconforming structures.

A maximum of three accessory structures are allowed on residential properties and the 10x15 is the applicant's third accessory structure. The proposed 10x15 structure would increase the 40% maximum allowed to 53.4% of the principal dwelling – a 13.4% increase (734 sf is maximum allowed and the three accessory structures total 980 sf.) The purpose of the 40% limit is to proportion accessory structures with the principal dwelling to establish proportionate size consistency, maintain residential character, and preserve open space. Before the 40% limit was adopted in 2002, Planning had several complaints from neighbors that the rear yard of some adjacent lots was overrun with accessory structures.

Several months ago, the applicant helped her elderly father move to an assisted living facility. Her father had lived alone and his furniture to move from his home included antiques and family heirlooms that were three to four generations old. The applicant has some of her father's antiques but desires to move more heirlooms/antiques into her home after she makes room selling her furniture. The applicant contacted self-storage facilities about storing furniture, but storage prices were too expensive (two storage units is \$500-

¹ Section 8.11 *Accessory Structures for Residential Dwellings*, "... the total square footage of all the accessory structures combined shall be limited to forty percent (40%) of the principal dwelling unit [the heated/cooled area of a home]." (This section was adopted in 2002.)

\$600 per month). The applicant said a 10x15 accessory structure would provide enough storage space for the furniture.

The applicant discussed with staff several reasons why the 10x15 should be approved. Her property is 15,342 square feet with a rear yard area larger than most rear yards in the neighborhood. The property is a corner lot that faces Jollit Avenue and Bruce Avenue, and corner lots are larger than interior lots that face one street. The applicant's larger lot and larger rear yard area suggests extra space available for the proposed 10x15 structure compared to the adjacent properties. Also, the 10x15 structure is not a significant increase compared to the existing 18x35 and 10x20 structures, and therefore the rear yard will not appear overcrowded or overrun. The applicant discussed the variance request with the adjacent property owner closest to the proposed 10x15; her neighbor did not have a concern. The structure will be installed 10 feet from the rear property line and nearly unseen from both streets because of existing trees (see aerial photo next page). In addition, the existing 18x35 carport is a simple structure. The carport consists of eight columns, braces, and a roof. The carport has no walls (see photo attached), so the structure does not appear that large on the property. In comparison, a 18x35 garage would appear much larger on the property with four exterior walls, windows optional, roof, and a door(s).

Staff suggested to the applicant about constructing exterior walls in one of the carport parking spaces (ex. 8x18 section or 144 sf) to use as a storage area. The applicant said the three parking spaces were necessary to keep her car and/or the family's vintage vehicles protected from the weather.

Recommendation

The applicant's property is in the Westside Subdivision; Westside consists of 160 lots on 67.4 acres. Most of the 160 homes were constructed in the 1970s. (Nine homes on two cul-de-sac streets were constructed as late as 1993 or 1994.) The applicant's home was constructed in 1971. All 160 homes existed before the 40% limit rule was approved in 2002. In our review of aerial photography (2020) at least ten lots including the applicant's lot exceeds the 40% limit.

The applicant's two existing accessory structures are legal nonconforming structures and may remain used as-is (grandfathered). Approval of a third accessory structure would increase the existing nonconforming accessory structures. An increase of legal nonconforming structures is not allowed. Also, there are no unique hardships based on the applicant's physical property that justifies a variance. That is, the property is not exceptionally narrow, and the topography is not severe that large portions of the rear yard cannot be used. The applicant's lot is square shaped, and the rear yard area level with the street. The Zoning Ordinance states that variances should not be granted for purposes of convenience, profit, or caprice (def. subject to a whim or impulse). The 40% accessory structure limit provides a proportionate consistency and scale between the home size & the accessory structures total size. The 40% limit prevents overcrowding the rear yard, provides open space, and preserves residential neighborhood character. The applicant's hardship is tied to a familial relationship and dealing with care for an aging parent and their needs and living arrangement. This is

without a doubt a very compelling argument, but outside of the bounds for which staff can recommend a variance. For this reason, staff recommends the variance request be denied.

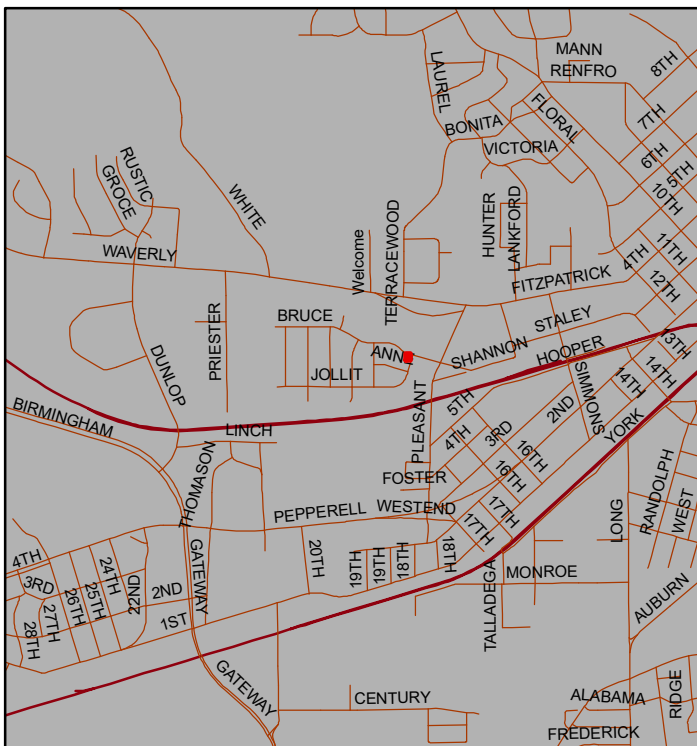
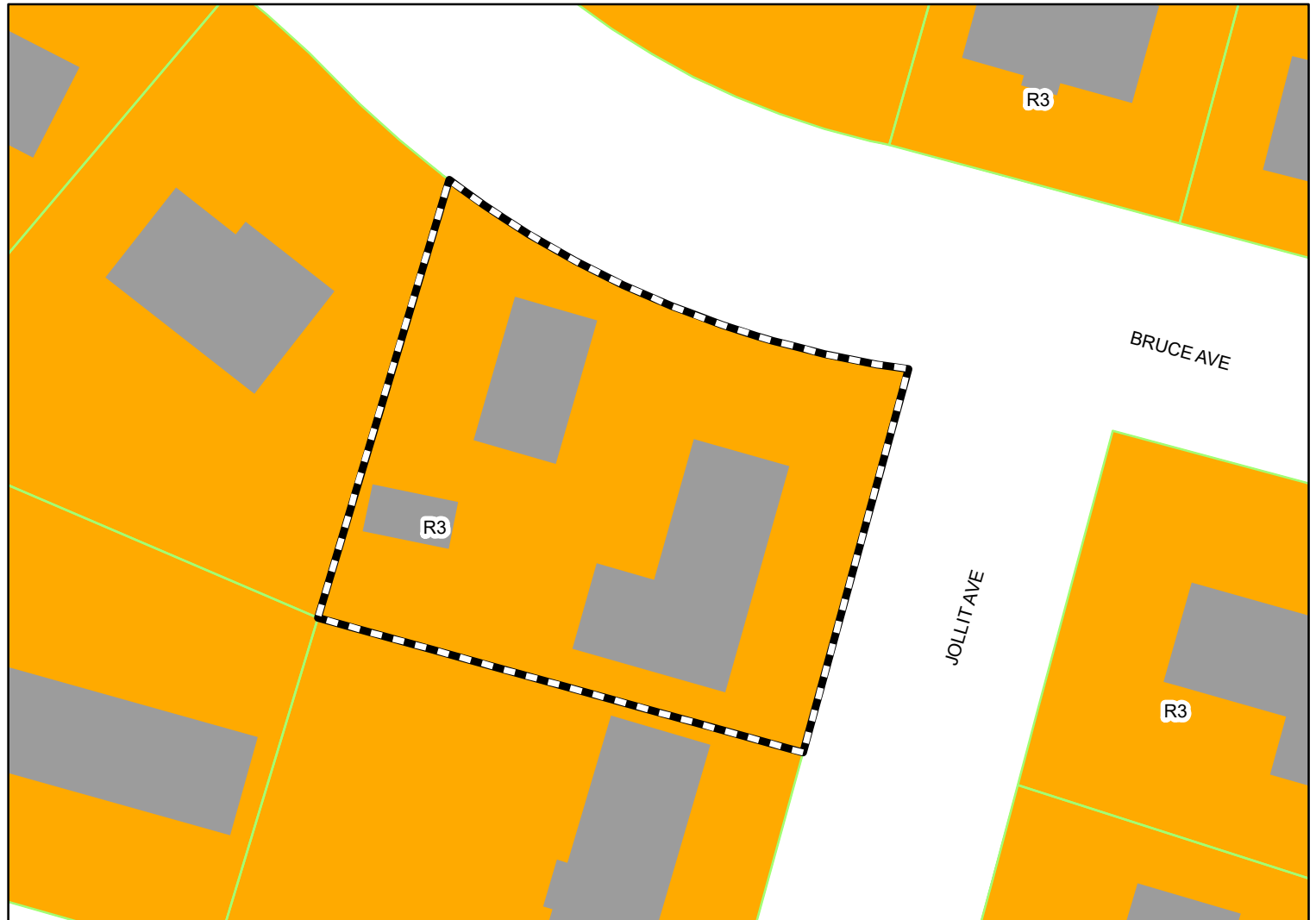
Certified letters were mailed to adjacent property owners and a sign posted on the property about the August 8th Zoning Board meeting. At this time, Aug 1st, one person in the Westside neighborhood called about the sign posted, asked about the variance request, and no other comments provided.





1600 Jollit Avenue - Photo from Bruce Avenue, Rear yard area

**MARILYN NOLES VARIANCE REQUEST
1600 JOLLIT AVENUE
ACCESSORY STRUCTURE VARIANCE**



The applicant is requesting a variance to exceed the 50% maximum allowed for accessory structures. The 40% max allowed is based on the square footage (sf) of the home. The home is 1,835 sf x 40% = 734 sf maximum allowed. ***** Applicant is requesting 760 sf of accessory structure. A 20x30 exists and a 10x16 is proposed (yellow rectangle). A 17.4% variance increase above the 50% maximum is requested.



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 verification by an independent professional qualified to verify such information.

006255 - 2023



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



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

PART I. OWNER / APPLICANT INFORMATION

Marilyn Noles 1600 Jollit Avenue 334.745.2109
Owner Name Address Phone

Agent Name (if applicable) Address Phone

PART II. PARCEL INFORMATION

Street Address: 1600 Jollit Avenue Opelika, AL 36801

Current Zoning: Residential

Current Land Use: Residential

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) Would like to place storage building on property
Requesting a 10x15 accessory structure.

Setback	Required	Proposed	Amount of Variance
Front			
Side			
Side			
Rear			

PART IV.

1) Are there extraordinary and/or exceptional conditions to the particular property, which make a variance necessary? Yes