



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

300 Martin Luther King Blvd.

December 12, 2023

TIME: 9:00 AM

A. APPROVAL OF MINUTES

B. VARIANCE

1. Matthew Hall, representative for Phil Moody and Shree Summerlin, 510 & 508 South 8th Street, C-2, GC-S, requesting a variance of 9 parking spaces from the minimum 24 off-street parking spaces to 16 parking spaces for a mixed use commercial & residential development on a 35,000 square foot property.
2. Brett Basquin, Foresite Group LLC, representative for QuikTrip Corporation, 920 Columbus Parkway, C-3, GC-P, requesting an 11.7% variance to increase the 70% maximum impervious surface ratio from 70% to 81.7% to construct a QT gas station and convenience store.
3. Bernard Jackson, representative for Barbara Jones, 1900 South Long Street, C-2, requesting a 2-foot side yard setback variance from the 10-foot side yard setback requirement for a 10'x18' addition.

“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.

August 8, 2023

TIME: 9:00 AM

A. APPROVAL OF MINUTES

The City of Opelika Zoning Board of Adjustments held the regular meeting August 8, 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, Mrs. Tipi Miller, Mr. Brandon Hilyer, Mr. Chris Nunn, and Mrs. Angela George.

MEMBERS ABSENT: Mr. Chris Anthony.

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 9:04 a.m.

ROLL CALL: Payne, Harvis, Miller, Hilyer, Nunn, George.

Approval of Zoning Board of Adjustment Minutes July 11 2023

RESULT:	Passed
MOVER:	Raven Harvis
SECONDER:	Tipi Miller
AYES:	Miller, Hilyer, Nunn, Harvis, Payne
NAYS:	None
ABSTAIN:	None

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.

Mr. Mosley reported 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.)

Chairman Payne opened the public hearing.

Blake Rice, authorized representative, stated that they tried to reconfigure the parking lot, but were not able to due to the parking requirements and the lack of depth. He stated that the main entrance to the building has steps and there is no decent ADA route. He stated that someone recently fell off the current concrete pad on the side of the building and they are planning to enclose that pad and create a straight ADA route into the building.

Chairman Payne closed the public hearing.

Motion to approve the 6-foot side yard variance from the minimum 10-foot side yard setback requirement

RESULT:	Passed
MOVER:	Raven Harvis
SECONDER:	Tipi Miller
AYES:	Miller, Hilyer, Nunn, Harvis, Payne
NAYS:	None
ABSTAIN:	None

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.

Mr. Mosley reported 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 8.11 (1). 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-\$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.

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.)

Chairman Payne opened the public hearing.

Marilyn Noles, applicant, stated that she needed the space because she needed somewhere to put her father's antiques and that she has one income and cannot afford to continue paying for a storage unit. She noted that she has several neighbors who have said they wouldn't care and that one of her neighbors has four accessory buildings. She stated that her accessory building would be in the back corner and it wouldn't interfere with parking.

Blake Rice stated that Marilyn Noles is a family friend. He asked if the carport was adjacent to the home, would it be an accessory structure or part of the principal structure?

Mr. Mosley stated that if it is unattached it is an accessory structure, but if it was attached it would not be considered an accessory structure.

Blake Rice stated that when this was built it wasn't thought that just because it isn't attached to the main building it would be counted as an accessory structure later.

Chairman Payne closed the public hearing.

Motion to approve an accessory structure to exceed the maximum 40% of the principal dwelling as provided in the Zoning Ordinance, Section 8.11 Accessory Structures for Residential Dwelling Units

RESULT:	Passed
MOVER:	Raven Harvis
SECONDER:	Chris Nunn
AYES:	Miller, Hilyer, Nunn, Harvis, Payne
NAYS:	None
ABSTAIN:	None

C. ADJOURN

Motion to adjourn at 9:24 a.m.

RESULT:	Passed
MOVER:	Raven Harvis
SECONDER:	Tipi Miller
AYES:	Miller, Hilyer, Nunn, Harvis, Payne
NAYS:	None
ABSTAIN:	None

_____ Wilbert Payne, Chairman

_____ Matt Mosley, Secretary

CITY OF OPELIKA - BZA
STAFF REPORT
December 12, 2023

Applicant: Matthew Hall, Superunison
Phil Moody and Shree Summerlin (property owners)

Property: 508 and 510 S 8th Street

Existing Zone: C-2

Request: Requesting an eight (8) parking space variance from the required 24 parking space requirement for a mixed use commercial and residential building.

Proposal

The applicant is requesting a variance of eight (8) parking spaces to allow a mixed use development to only have 16 parking spaces. The applicant is proposing to build a two story building with four residences over a commercial use on the bottom. Each residence by ordinance requires 2 parking spaces (8 total) and the commercial space would require 16 spaces.

The subject property is located in the Geneva Street (Southside) Historic District. Most of the commercial uses through this area do not have as many parking spaces as are proposed here. . Two of the commercial spaces would be used by the property owners who are constructing a single-family home next door. This home would have space potentially for additional parking. The residential units themselves are of a size that they would typically only have one or two residents at most. While two (2) spaces are required, on average the units would probably only need 1-1.5 per unit. Additionally, the size of the commercial space will limit the uses and likely prevent any use that would require multiple parking spaces. Staff has also identified parking as a major area for reform moving forward. Most retailers and office no longer need the amount that was previously required.

Additionally, many homes in this area use on street parking to supplement on-site parking. The applicant has stated that it is likely that these units will be designed as live-work units where the resident will work in the commercial space below reducing the needed parking. The historic guidelines also attempt to minimize parking and regulate its location. In the historic district, most parking is gravel and unmarked.

Recommendation

Staff believes that this request would allow the development to be more in character to the existing neighborhood. Staff recommends approval of the variance. If granted by the ZBA, the

use would still require Historic Preservation Commission and Conditional Use approval for the structures.

600371-2023



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



DATE: 11/05/23	Zoning Board of Adjustment Meeting Date: 11/21/23
Case Number:	Meeting Deadline: 12/12/07

PART I. OWNER / APPLICANT INFORMATION

Phil Moody/Shree Summerlin 803 Ave D, Opelika, AL 36801 (337)581-5647
Owner Name Address Phone

Matthew Hall / Architect 559 Bryant Ave, Auburn, AL 36930 (865)789-4065
Agent Name (if applicable) Address Phone

PART II. PARCEL INFORMATION

Street Address: 510 & 508 S 8th St, Opelika, AL 36801

Current Zoning: C-2

Current Land Use: Vacant

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)**

We are requesting a parking reduction to a more appropriate number given the development size and program.
 The code required parking is 24 spaces and we are requesting a reduction of 9 for a total of 15 plus one ADA sp

We were previously given a reduction to 12 and have only added approx. 1400 sqft of commercial space and (one) one bed-room apartment.

Setback	Required	Proposed	Amount of Variance
Front			
Side			
Side			
Rear			

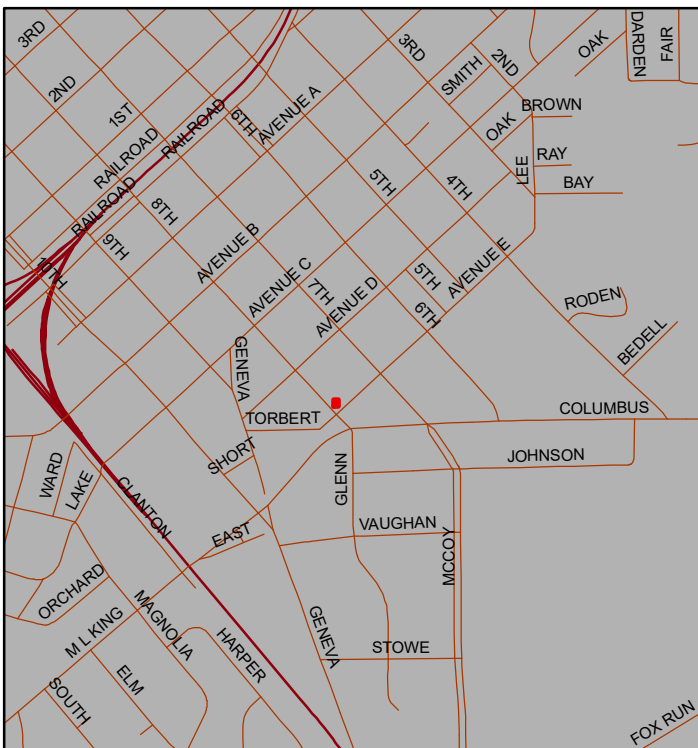
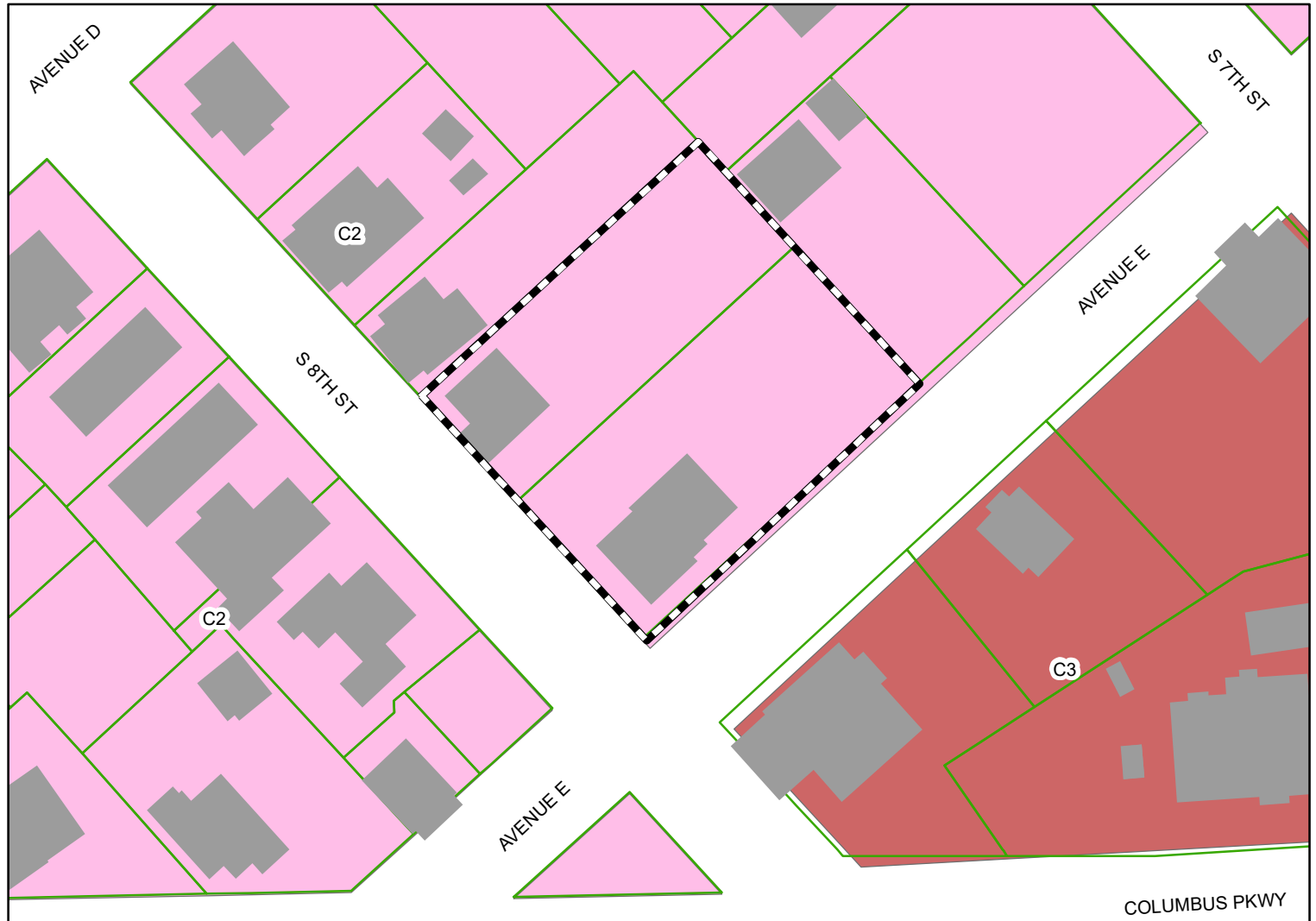
PART IV.

1) Are there extraordinary and/or exceptional conditions to the particular property, which make a variance necessary? NO

MOODY-SUMMERLIN VARIANCE REQUEST

510 & 508 SOUTH 8TH STREET

MINIMUM OFF STREET PARKING SPACES

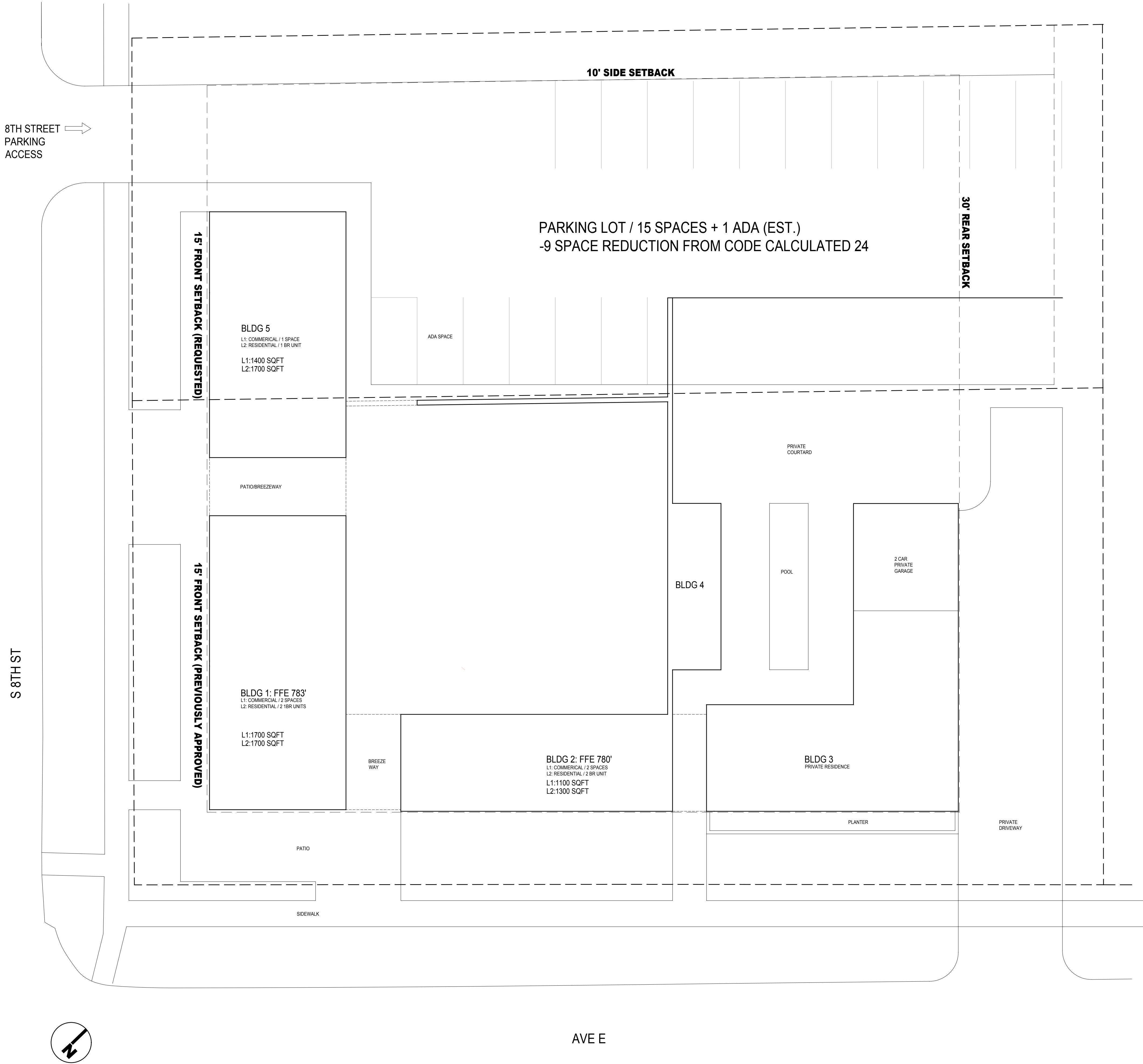


The applicant is requesting a variance on the minimum number of parking spaces as set forth in Section 8 Off-Street Parking of the Zoning Ordinance. The proposed residential & commercial mixed use development on 34,850 square feet is in the Historic District.



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.



SITE PLAN / SCALE $\frac{3}{32}$ "=1'-0"

SUMMERLIN/WOODY DEVELOPMENT
SOUTH 8TH ST
OPELIKA, AL
8TH & E ST

DRAWING TITLE:
PARKING REDUCTION

JOB #22002
DRAWN BY:MSH
DATE:10/23/23
PHASE:SCHEMATIC

REVISIONS:

NOT FOR
CONSTRUCTION

SHEET:
A103

SUPERUNISON
SHANESSUPERUNISON.COM / 850-244-7229
MATT@SUPERUNISON.COM / 850-789-4005


COMPASS
CONSTRUCTION

CITY OF OPELIKA - BZA
STAFF REPORT
December 12, 2023

Applicant: QuikTrip Corporation
Brett Basquin, Foresite Group, LLC, authorized representative for QuikTrip Corporation

Property: 920 Columbus Parkway and vacant parcel on Fox Run Parkway

Existing Zone: C-3, GC-P (general commercial, gateway corridor overly district – primary)

Request: Variance to exceed the 70% ISR (Impervious Surface Ratio) maximum allowed by 11.7% from 70% to 81.7%.

Proposal

The applicant requests a variance to exceed the 70% maximum ISR by 11.7% to construct a QuikTrip gas station and convenience store on Columbus Parkway and Fox Run Parkway. The applicant's proposed plan indicates a 5,312 sq. ft. building with 16 pumps and 45 parking spaces. The QuikTrip site is comprised of two parcels totaling 1.5 acres or 65,342 sq. ft. The proposed Impervious Surface Ratio of 81.7% represents 53,432 sq. ft. of hard surface and exceeds the allowable amount by 7,693 sq. ft. The Planning Commission granted conditional use approval for the QuikTrip development subject to conditions including decreasing the impervious surface area (hard surface) to meet the 70% ISR or approval of a variance from the Zoning Board of Adjustments.

The Zoning Ordinance provides in the Area Requirements table in Section 7.3 *Specific District Regulations, A. District Regulation* that the maximum impervious surface area (%) allowed is 70% of the total property area of a development. An impervious surface is a hard surface, such as buildings, driveways, parking spaces, concrete, and asphalt, that water cannot easily penetrate. The required 30% pervious area is natural pervious material, including soil or landscaped area. However, pervious can also be man-made materials such as permeable brick/stone pavers and porous concrete that allows water to pass through. The purpose of requiring pervious surfaces is to increase green space and decrease excessive surface heat absorbed by the asphalt; pervious surfaces also decrease the impact of excessive or polluted water runoff.

The applicant provides their reasoning in a supplemental letter. They note that the lot is narrow and constrained. They also note that one of the parcels is largely paved now. In addition, they state that pervious parking in their opinion, is not appropriate due to the potential for fueling spills. The applicant also points to the location of this site on two state routes with significant right-of-ways that will make this site appear to have much more pervious surface. Finally, they feel the

proposed use will improve the character of the neighborhood and allow for a newer building and improved landscaping.

Recommendation

Staff acknowledges many of the arguments that applicant is making for their case. Staff believes that there may be additional revisions to the site plan to get closer to the 70% impervious limit than the drawing provided. During the conditional use review, Staff contacted representatives about revising the site plan by adding pervious parking or revising the layout with decreased drive widths. If the site plan cannot be revised, then concrete permeable pavers or pervious brick/stone material can be installed in areas that are not prone to fuel spills. The applicant makes some valid arguments about the potential improvements this development could have for the area. They also note what they feel are constraints or concerns imposed by the zoning ordinance. However, it is very difficult to argue a hardship when dealing with new construction because there are often various options available. Staff is open to other options or alterations proposed by QuikTrip, so the impervious surface does not exceed the 70% maximum allowed. **While we do acknowledge some benefits of this use and potential mitigating conditions, we do not feel at this time that there is an existing hardship to support recommending a variance to exceed the 70% maximum impervious surface requirement.**



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



DATE: 11/21/2023	Zoning Board of Adjustment Meeting Date: 12/12/2023
Case Number:	Meeting Deadline: 11/21/2023

PART I. OWNER / APPLICANT INFORMATION

Food Service of Tallahassee Inc. PO Box 489, Tallahassee, FL 32315

Owner Name	Address	Phone
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Brett Basquin/Foresite Group	2301 Ogletree Village Lane, Suite 200 Auburn, AL 36830	334-887-6064
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Agent Name (if applicable)	Address	Phone
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Michael Burk/QuikTrip Corporation	952 Old Peachtree Rd. NW, Lawrenceville, GA 30043	770-325-6720
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PART II. PARCEL INFORMATION

Street Address: 920 Columbus Parkway, Opelika 36801

Current Zoning: C3

Current Land Use: Western Sizzlin Restaurant

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)** See Attached

Setback	Required	Proposed	Amount of Variance
Front	15'	15'	
Side	15'	6'	9' (Conditional Use Permit Previously Approved)
Side	6'	6'	
Rear	6'	6'	

PART IV.

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



November 13, 2023

Via Email

QuikTrip Corporation
952 Old Peachtree Rd NW
Lawrenceville, GA 30043

**OPELIKA ALABAMA VARIANCE REQUEST NARRATIVE
QUIKTRIP NO 7183 (920 COLUMBUS PARKWAY, OPELIKA ALABAMA)**

QuikTrip Corporation (the “Applicant”) submits this variance narrative and attached variance application (together, the “Application”), for the purpose of requesting a variance from the requirements of the City of Opelika AL, Zoning Ordinance (the “Ordinance”).

The requested variance related to the proposed development of an assemblage of two parcels totaling approximately 1.5 acres located at Columbus Parkway and Fox Run Parkway (US-431) (the “Property”). The Property is zoned C-3 for commercial use and the current zoning classification allows for the development of a Convenience Store with Fueling Island with a Conditional Use Permit recently approved by the Opelika Planning Commission. The Property is currently the Western Sizzlin Restaurant.

The Applicant proposes to develop the Property by constructing a new, high-quality QuikTrip location. The proposed QuikTrip store will consist of a single building totaling approximately 5,312 square feet, and a single auto fueling canopy with 8 passenger car fueling dispensers. The development of this site also provides for additional amenities to serve patrons and customers in the surrounding area including grab and go snacks, fresh made-to-order foods, drinks, beer and wine, clean public restrooms, and a small assortment of grocery items. The shape, size, topography, and layout of the Property frustrate the proposed development. Accordingly, the Applicant requests the approval of a variance to allow for the development to exceed the maximum impervious percentage of 70% on a single parcel located in the Gateway Corridor Overlay District. (7.3 Specific District Regulations).

The Applicant has submitted herewith a site plan depicting the proposed development. However, physical characteristics and existing limitations on the Property prevent the property from being developed without the above-referenced variance. Per Section 4.2 of the Ordinance, a variance may be granted in cases

where the granting of said variances shall not have adverse impacts upon the neighborhood or general area by the granting of said variance considering the following:

1. That the extraordinary and/or exceptional conditions to the particular property of it's size, shape and proposed use make the variance necessary.

The property is very narrow and is currently surrounded by developed property limiting the ability of the applicant to acquire additional property for the purpose of adding greenspace to the project to reduce the impervious percentage. The larger of the two existing parcels is currently developed with a restaurant that is over 90% impervious and the smaller tract is currently undeveloped. The smaller of the two properties is currently a non-conforming lot due to its small size, (17609 SF respectively) and cannot be reasonably developed. An allowed use of a convenience store across the two parcels is a unique and special use that requires additional paving to accommodate the fueling island and associated circulation drive isles and delivery areas that other similarly situated would experience. Minimum parking standards for the proposed use require 54 parking spaces including the parking spaces under the fueling island. This is less than the 61 parking spaces the applicant needs to operate the business reasonably and safely. A reduction in paving, and circulation space could present an unsafe environment for the public.

2. That the strict application of this ordinance produces an unwarranted hardship not generally shared by others.

To require the applicant to reduce the impervious of the proposed use would require reductions in pavement provided for the public to safely and efficiently navigate the property that could pose a public hazard and are specific to this property and use. Further, the introduction of pervious surfaces in parking areas could expose the soils to the risk of fuel and petroleum impacts that can be mitigated by controlling stormwater runoff through proper BMPs prior to stormwater exiting the property to the public right of way.

3. And the proposed variance will not alter the character of the area.

The Property is appropriately situated at the first traffic light west of the I-85 and Columbus Parkway interchange at the intersection of Columbus Parkway and Fox Run Parkway. The character of the area is very automotive, and traveler centered with other fuel uses, hotels, and quick service restaurants. Both roads are heavily trafficked thorough-fares, and with

the addition of very few residences in the area this makes the Property a prime location for the proposed use. The proposed redevelopment of the parcel will complement other recent developments in the area and will facilitate further redevelopments by providing cross access to adjacent parcels and infrastructure improvements required by ALDOT on their right of way. There is an additional 75' wide landscaped right of way on Columbus Parkway and 12' landscaped right of way on Fox Run adjacent to the property that is currently landscaped and provides landscape space that would not otherwise be available on other developments.

QuikTrip is the standard that all convenience stores and gas stations should be striving to achieve. The Applicant has built a brand with an unparalleled reputation for clean, well-lit stores, staffed by friendly and helpful employees. The Applicant is committed to developing a quality convenience store to continue to serve Opelika residents and visitors.

The Applicant welcomes the opportunity to meet with staff of the City of Opelika to answer any questions or to address any concerns relating to the matter set forth in this narrative or in the Variance Application filed herewith. The Applicant respectfully requests your support and approval of this Variance request.

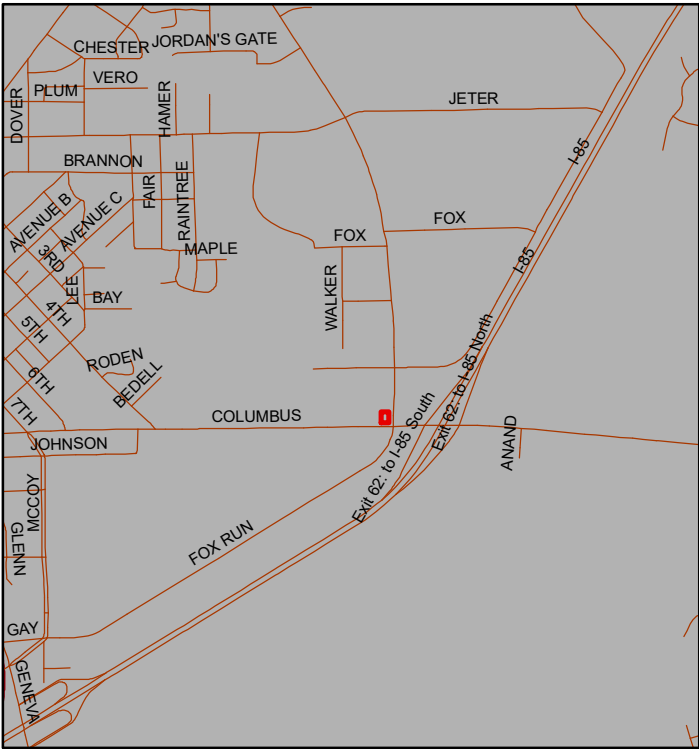
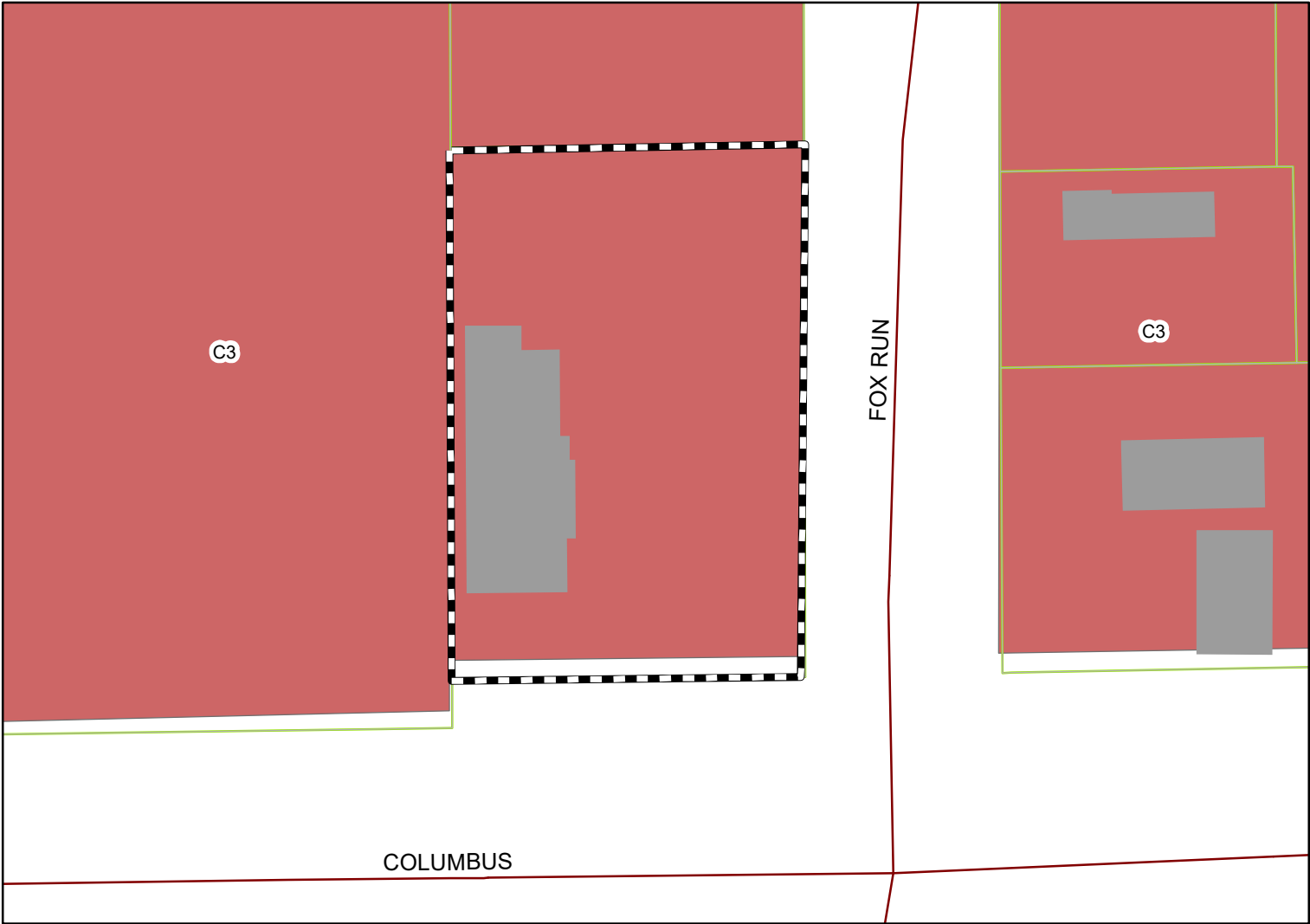
Regards,



Michael S Burk
Real Estate Project Manager
(770) 325-6720
mburk@quiktrip.com

cc: File

QUIK TRIP VARIANCE REQUEST
920 COLUMBUS PARKWAY
70% IMPERVIOUS SURFACE RATIO

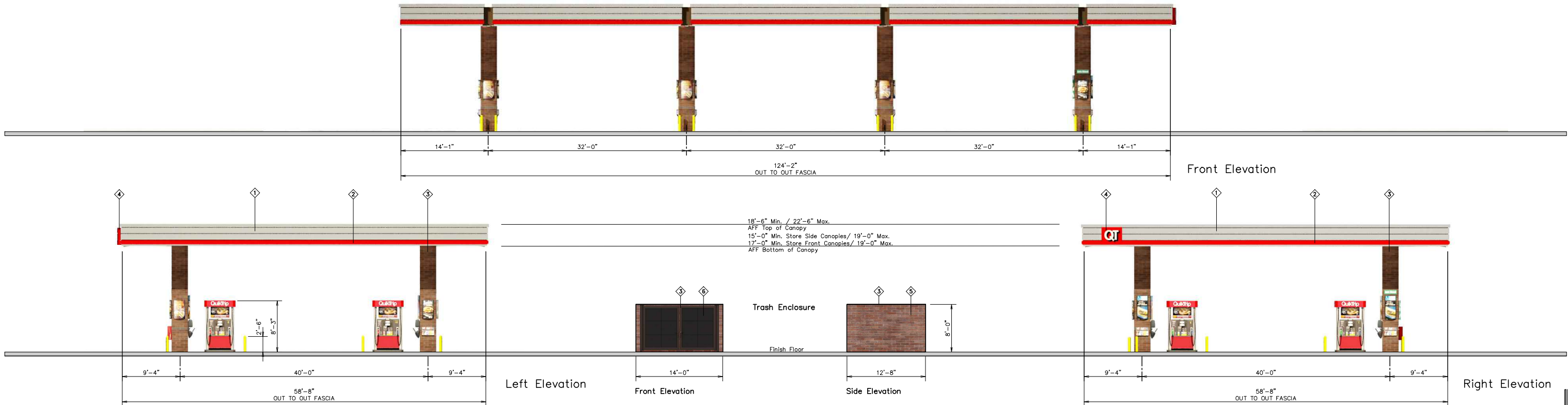


The applicant is requesting a variance to exceed the 70% Impervious Surface Ratio (ISR) to construct a gas station and convenience store. 70% is the maximum ISR allowed and applicant is requesting a 81.7% impervious area. A variance percentage increase of 11.7% is requested from the maximum 70% ISR allowed.



Subject Property

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QuikTrip.

4705 South 129th East Ave.
Tulsa, OK 74134-7008
P.O. Box 3475
Tulsa, OK 74101-3475
(918) 615-7700

Store #
7183 Double Stack 8 Canopy Elevations

Serial #
89 - 7183 - GD08

Scale:
1/16" = 1'-0"

Issue Date:
10/01/2023

Address:
920 Columbus Parkway

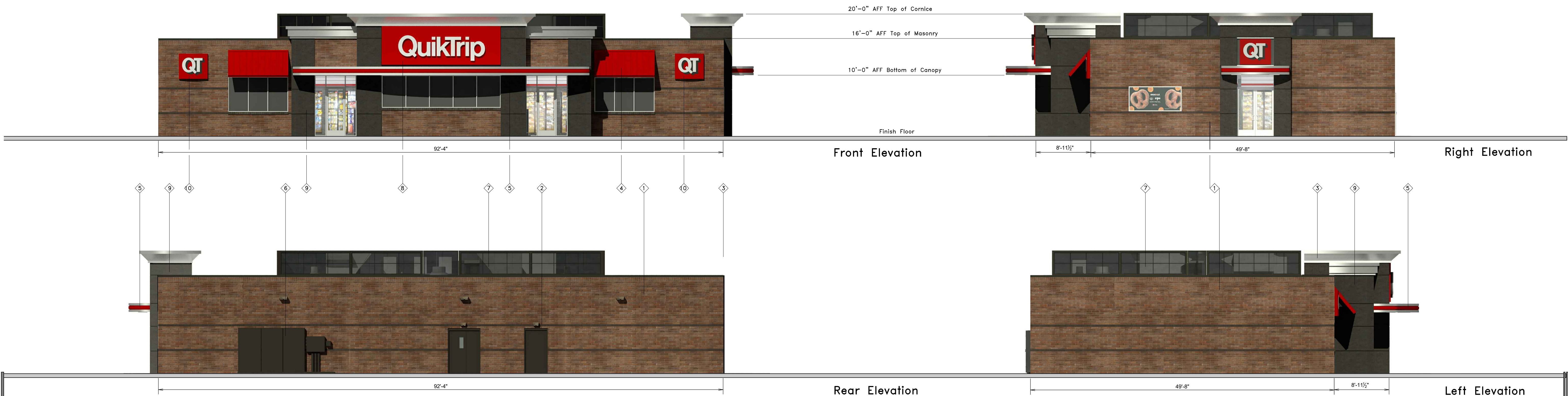
Drawn By:
JK

Rev/Notes:

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City, State:
Opelika, AL

①	FINISH	MANUFACTURER	SPECIFICATION
1	BRUSHED ALUMINUM	REYNOLDBOND	CANOPY
2	RED POLYCARBONATE	ALLEN INDUSTRIES	ILLUMINATED BAND
3	QT BROWN	SHERWIN - WILLIAMS	METAL PAINT
4	IDC-9	ALLEN INDUSTRIES	ILLUMINATED SIGNAGE
5	BRONZESTONE	INTERSTATE BRICK	ATLAS STRUCTURAL BRICK
6	BLACK	ALL COURT FABRICS	POLYPRO 95 MESH





QuikTrip.
4705 South 129th East Ave.
Tulsa, OK 74134-7008
P.O. Box 3475
Tulsa, OK 74101-3475
(918) 615-7700

Store #
7183 Custom G3SE Building Elevations

Serial #
89 - 7083 - G3SE

Scale:
1/8"=1'-0"

Issue Date:
10/01/2023

Address:
920 Columbus Parkway

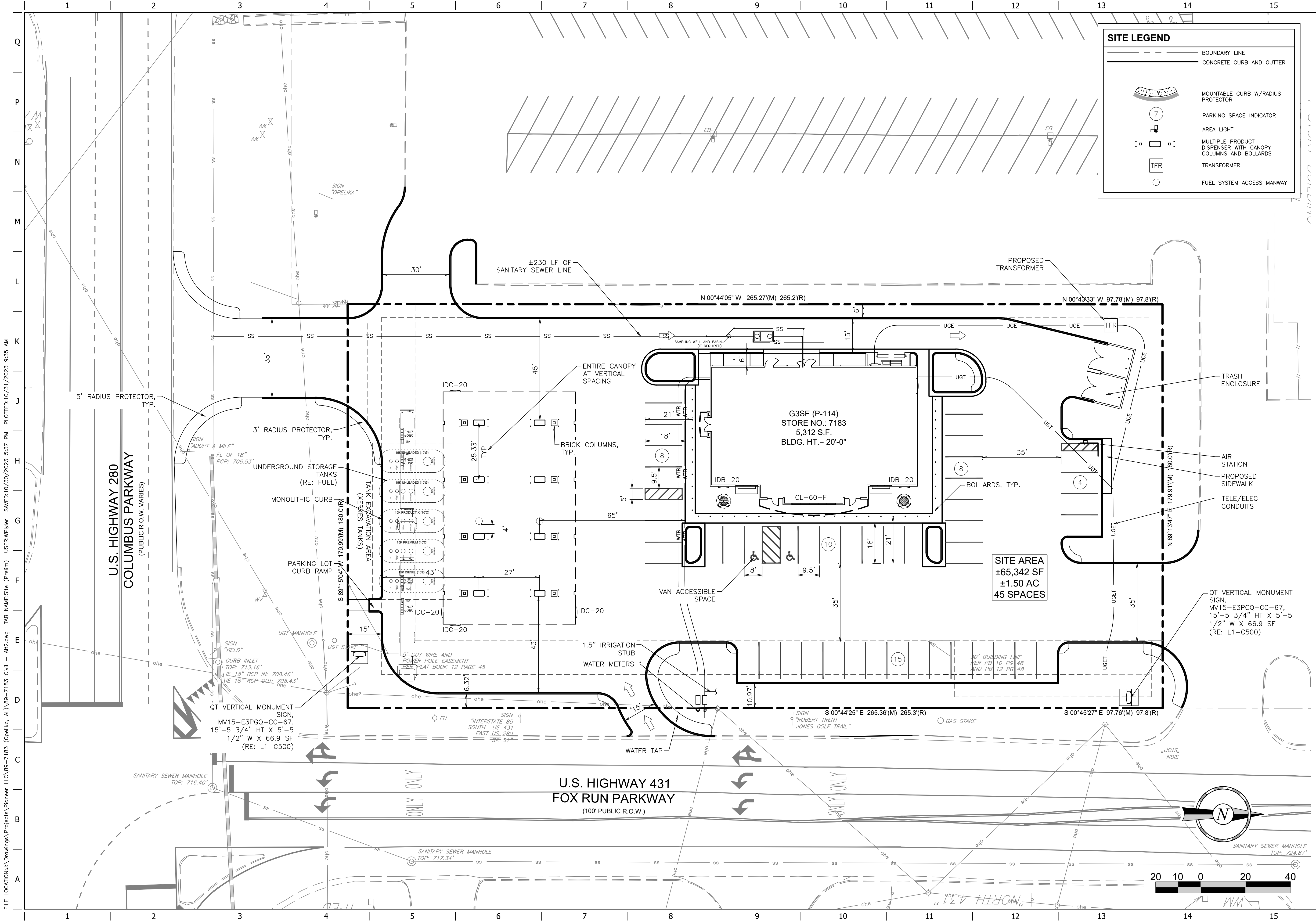
City, State:
Opelika, AL

Drawn By:
BP

Rev/Notes:

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#	FINISH	MANUFACTURER	SPECIFICATION
1	BRONZESTONE	INTERSTATE BRICK	ATLAS STRUCTURAL BRICK
2	MIDNIGHT	INTERSTATE BRICK	ATLAS STRUCTURAL BRICK
3	BRUSHED ALUMINUM	REYNOLDS	PASCEA
4	QT RED	SHERWIN-WILLIAMS	STANDING SEAM AWNING
5	RED POLYCARBONATE	ALLEN INDUSTRIES	ILLUMINATED BAND
6	QT BROWN	SHERWIN - WILLIAMS	METAL PAINT
7	BLACK	ALL COURT FABRICS	POLYPRO 95 MESH
8	CL-BUR	ALLEN INDUSTRIES	SIGNAGE
9	GRANITE	STC	AT100G BIEFS
10	IDS-20	ALLEN INDUSTRIES	ILLUMINATED SIGNAGE



PROJECT NO.: #####
FREELAND and KALFFMAN, INC.
Engineers & Landscape Architects
209 West State Avenue
Opelika, AL 36801
Phone: 864-233-5497

QuikTrip No. 7183
FOX RUN PARKWAY
OPELIKA, AL



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PROTOTYPE: P-114 (08/01/23)
DIVISION:
VERSION: 001
DESIGNED BY:
DRAWN BY:
REVIEWED BY:

REV	DATE	DESCRIPTION

SHEET TITLE:
**SITE PLAN
(PRELIM)**

SHEET NUMBER:
2

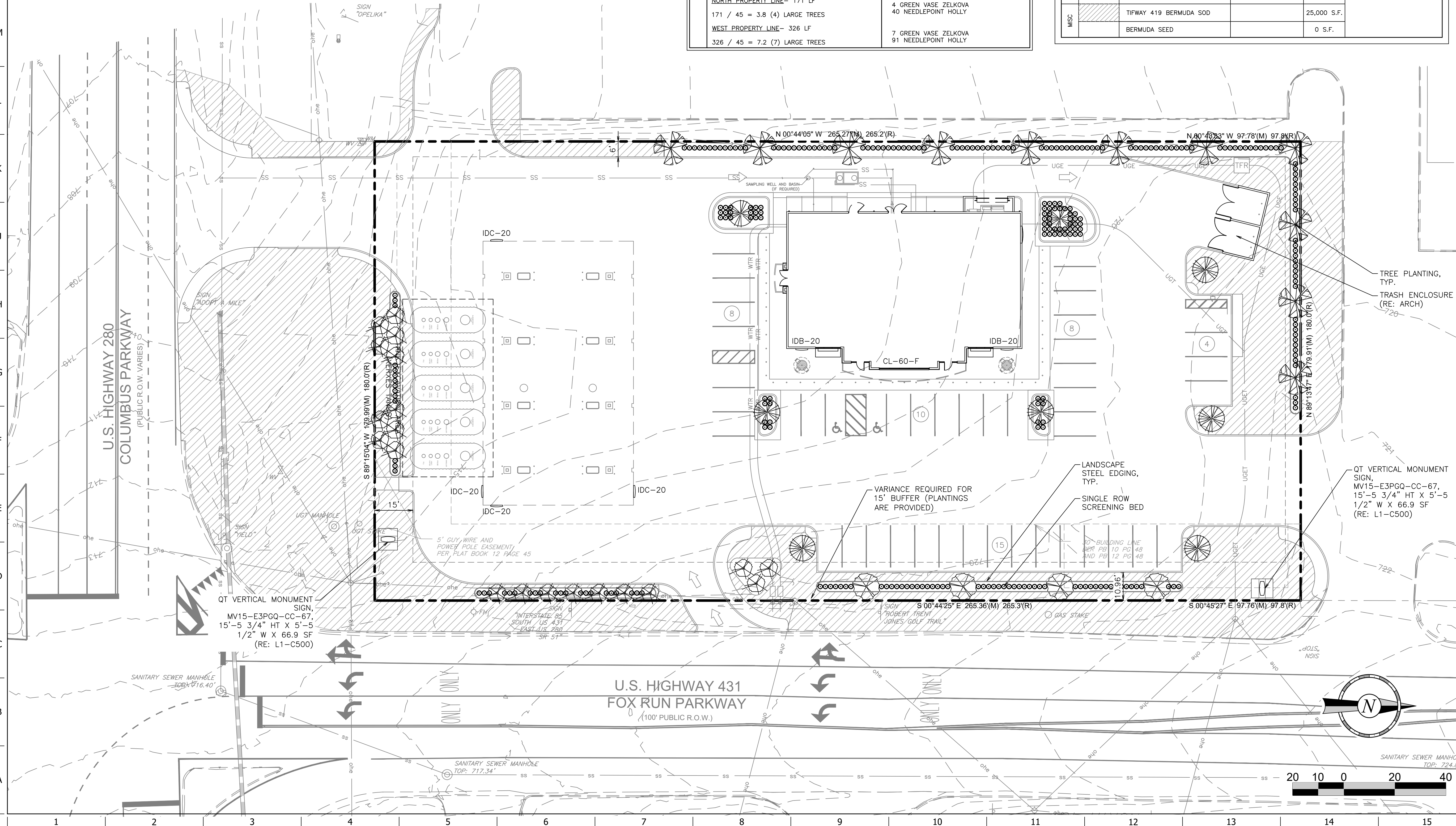
ORIGINAL ISSUE DATE:

LANDSCAPE REQUIREMENTS		
	REQUIRED ORDINANCE	PROVIDED
IMPERVIOUS COVER	MAXIMUM 70% IMPERVIOUS COVER $65,342 \text{ SF} \times 70\% = 45,739 \text{ SF}$	IMPERVIOUS: 53,432 SF (81.7%) PERVIOUS: 11,910 SF

LANDSCAPE REQUIREMENTS		
	REQUIRED ORDINANCE	PROVIDED
SHADE PLANTING /POINT SYSTEM (SEC. 10.6.B&C)	DEVELOPED AREA = ±74,000 SF	
	74,000 - 10,000 = 64,000	
	64,000 / 500 = 128 + 40	
	168 BASE POINTS	
	PLUS...	
	1 POINT FOR EACH PARKING SPACE PROPOSED	<u>373 TOTAL</u>
	45 SPACES = 45 POINTS	23 LARGE TREES X 11 = <u>253 POINTS</u>
	168 BASE + 45 PARKING SP. = <u>213 POINTS</u>	4 WILLOW OAK
	PARKING LOT TREES AND SHRUBS SHALL BE PLANTED ON PARKING LOT ISLAND(S) AND/OR PARALLEL PLANTING PENINSULAS WITHIN THE CONFINES OF THE ESTABLISHED PARKING LOT.	8 BOSQUE ELM
		11 GREEN VASE ZELKOVA
	EACH PARKING LOT ISLAND OR PARALLEL PLANTING PENINSULA SHALL HAVE AT LEAST 1 TREE.	20 UNDERSTORY TREES X 6 = <u>120 POINTS</u>

LANDSCAPE REQUIREMENTS		
	REQUIRED ORDINANCE	PROVIDED
GATEWAY CORRIDOR (SEC. 716.5)	15' WIDE PLANTING AREA BETWEEN PROPERTY LINE AND PARKING LOT ONE LARGE TREE EVERY 45 LF OR 1 UNDERSTORY TREE EVERY 15 LF WITH SHRUBS BETWEEN TREES <u>COLUMBUS PKWY</u>– 180 LF 180 LF / 35 LF DRIVEWAY = 145 LF 145 / 15 = 9.6 (10) UNDERSTORY TREES <u>FOX RUN PKWY</u>– 363 LF TOTAL 363 LF / 20 LF DRIVEWAY = 343 LF 200 / 45 = 4.4 (4) LARGE TREES 143 LF (OHE) / 15 = 9.5 (10) UNDERSTORY TREES 6' WIDE PLANTING AREA BETWEEN NON-STREET PROPERTY LINE AND PARKING LOT CONSISTING OF TREES AND SHRUBS BETWEEN TREES <u>NORTH PROPERTY LINE</u>– 171 LF 171 / 45 = 3.8 (4) LARGE TREES <u>WEST PROPERTY LINE</u>– 326 LF 326 / 45 = 7.2 (7) LARGE TREES	15' WIDE 10 CRAPE MYRTLE 14 NEEDLEPOINT HOLLY VARIES (15' AND PORTION THAT WILL REQUIRE A VARIANCE) 4 WILLOW OAK 10 CRAPE MYRTLE 38 NEEDLEPOINT HOLLY 4 GREEN VASE ZELKOVA 40 NEEDLEPOINT HOLLY 7 GREEN VASE ZELKOVA 91 NEEDLEPOINT HOLLY
PARKING LOT BUFFER (SEC. 16.06Z)		

Landscape Schedule					
USE	SYMBOL	COMMON NAME <i>Botanical Name</i>	MINIMUM SIZE/ HEIGHT/SPREAD	QUANTITIES	COMMENTS
SHRUBS		NEEDLE POINT HOLLY <i>Ilex Cornuta "Needle Point"</i>	HEIGHT/SPREAD RATIO = 3:2 24" X 16" HT MIN	285 EA.	SEE LANDSCAPE PLAN AND ASSOCIATED DETAILS FOR LANDSCAPE BED LOCATIONS AND SHRUB SPACING.
TREES		WILLOW OAK <i>Quercus Phellos</i>	2" CALIPER 8' HT	4 EA.	SEE LANDSCAPE PLAN AND ASSOCIATED DETAILS FOR TREE PLACEMENT, AND PLANTING SPECIFICATIONS
		BOSQUE ELM <i>Ulmus Parvifolia "UPMIT"</i>	2" CALIPER 8' HT	8 EA.	
		GREEN VASE ZELKOVA <i>Zelkova Serrata "Green Vase"</i>	2" CALIPER 8' HT	11 EA.	
		GRAPE MYRTLE <i>Lagerstroemia Indica</i>	3" CALIPER (TOTAL) 6" HT	20 EA.	
MISC.		TIFWAY 419 BERMUDA SOD		25,000 S.F.	
		BERMUDA SEED		0 S.F.	



PROJECT NO.: #####

FREELAND and KAUFFMAN, Inc.
Engineers • Landscape Architects
209 West Stone Avenue
Greenville, South Carolina 29609
803/235-5500 • Fax 803/235-5501

QuikTrip No. 7183



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PROTOTYPE: P-114 (08/01/23)
DIVISION:
VERSION: 001
DESIGNED BY:
DRAWN BY:
REVIEWED BY:

[illegible]

SHEET TITLE

LANDSCAPE PLAN

SHEET NUMBER

4

CITY OF OPELIKA - BZA
STAFF REPORT
November 12, 2023

Applicant: Barbara Jones, property owner
Bernard Jackson, representative/contractor

Property: 1900 South Long Street

Existing Zone: C-2 (office-retail)

Request: Requesting a 2 foot side yard variance from the minimum 10 foot side yard setback requirement.

About a year ago, the applicant was approved by Planning to construct a 10x18 addition along the south property line. The property is in a C-2 zone and the minimum side yard setback is 10 feet. The site plan shows the addition setback 10 feet from the side property line, so a building permit was issued. The walls and a portion of the roof were constructed, and it was noted that the side wall was built 8 feet from the side property line instead of the minimum 10 feet required. The exterior walls are concrete blocks (8x8x16) instead of the standard wood framing with lap or panel exterior siding (see photo on next page). The applicant is now requesting a 2 foot variance so the block concrete wall can remain in place.

For this same property at the July 11th meeting, the Zoning Board reviewed an 18 foot rear yard variance request from the minimum 30 foot requirement for an 8x10 addition. The building was constructed in 1956 and the rear wall was setback 20 feet from the rear property line. The current minimum rear yard setback is 20 feet; the building as-is without the 8x10 addition is legal nonconforming because the building is setback 20 feet and encroaches 10 feet into the current minimum 30 foot setback. The staff report stated that the house on the adjacent property nearest to the proposed 8x10 addition is setback about 8 feet from the property line. Also, most homes and buildings near South Long Street and Alabama Avenue have nonconforming setbacks either on the front, side or rear yard. The homes and buildings were constructed before 1977 according to minimum setbacks at that time. The Zoning Board approved the 18 foot variance for the addition.

Recommendation

Most dwellings and buildings in the vicinity of the applicant's property are legal conforming and do not meet the current minimum setbacks on the front, side, or rear yard. Therefore, a two foot side yard variance is not out of character with other properties in the neighborhood.

The site plan shows the addition 10 feet from the side property line. However, the addition was erroneously built 8 feet from the side property line. Staff understands that approving a two foot setback variance can be considered minimal, and requiring the block wall removed and rebuilt just two feet from its current location could be excessive and burdensome. Staff does not have a strong recommendation concerning this request and appeals to the Zoning Board for a decision.

Certified letters were mailed to adjacent property owners, and a Zoning Board public hearing sign about the variance was posted on the property Saturday, December 2nd. (At this writing no one has contacted Planning staff about the variance request.)



8x10 addition under construction. Photo taken from South Long Street



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



DATE: November 14, 2023	Zoning Board of Adjustment Meeting Date: Dec 12th
Case Number:	Meeting Deadline: Nov 21st

PART I. OWNER / APPLICANT INFORMATION

Barbara Jones Owner Name	114 Martin Avenue Address	334-740-3130 Phone JONESJAZZY42@GMAIL.COM
Agent Name (if applicable) Bernard Jackson	Address LB JACKSON 612@GMAIL.COM	Phone 319-1466

PART II. PARCEL INFORMATION

Street Address: 1900 South Long Street

Current Zoning: C-2

Current Land Use: Beauty Salon

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)

An 8' x 10' addition storage area for a beauty salon business was constructed 8 feet from the side property line. the minimum side yard setback is 10 feet. Requesting a 2 foot side yard setback variance.

Setback	Required	Proposed	Amount of Variance
Front			
Side			
Side			
Rear	10'	8'	2'

PART IV.

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

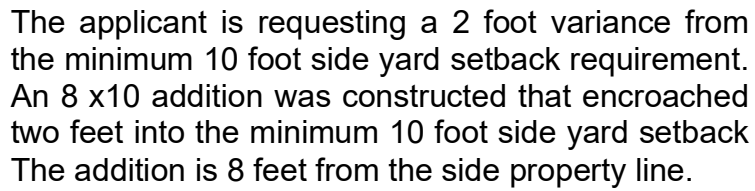
This is an aerial map of a city block, likely in St. Louis, Missouri, based on the street names and lot numbering. The map shows a grid of lots with various colored overlays. A central lot is highlighted with a black and white checkered border. The lot is labeled 'C2'. The surrounding lots are labeled 'R3' and 'R4M'. The streets are labeled 'ALABAMA AVE', 'S LONG ST', and 'POWLEDGE AVE'.

The map features several lots with different colors and labels:

- Top Row (Orange):** Labeled 'R3'. It contains several lots, some of which are partially obscured by grey shapes representing buildings.
- Bottom Row (Orange):** Labeled 'R4M'. It contains several lots, some of which are partially obscured by grey shapes representing buildings.
- Middle Row (Pink):** Labeled 'C2'. It contains several lots, some of which are partially obscured by grey shapes representing buildings. One lot in this row is highlighted with a black and white checkered border.

The streets shown are:

- ALABAMA AVE:** Runs horizontally across the top of the map.
- S LONG ST:** Runs vertically along the right side of the map.
- POWLEDGE AVE:** Runs diagonally along the bottom right of the map.



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.

SITE PLAN FOR:
*BARBARA
JONES*

LOTS 8 & 9 BLK B
JOHNSON SUBDIVISION
1900 LONG ST.

