



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

300 Martin Luther King Blvd.

July 9, 2024

TIME: 9:00 AM

A. APPROVAL OF MINUTES

B. VARIANCE

1. Richard Patton, 712 North Railroad Avenue, Requesting a sign variance to install a roof sign on top of the building wall rather than install the wall sign on the face of the building wall as required. *(This item was tabled at the applicant's request at the June 11th meeting)*

“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.

June 11, 2024

TIME: 9:00 AM

A. APPROVAL OF MINUTES

The City of Opelika Zoning Board of Adjustments held the regular meeting June 11, 2024 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, Mr. Brandon Hilyer, Mr. Chris Anthony, and Mrs. Tipi Miller.

MEMBERS ABSENT: Mr. Chris Nunn, Mrs. Raven Harvis, and Mrs. Angela George.

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

CALL TO ORDER: Chairman Payne called the meeting to order at 9:14 a.m.

ROLL CALL: Payne, Hilyer, Anthony, Miller.

Approval of Zoning Board of Adjustment Minutes May 14, 2024

RESULT: Passed
MOVER: Tipi Miller
SECONDER: Chris Anthony
AYES: Miller, Hilyer, Payne, Anthony
NAYS: None
ABSTAIN: None

B. VARIANCE

1. Foresite Group, LLC representative for Broad Metro, LLC, 3310 Society Hill Road, Requesting a 117 parking space variance from the minimum 646 parking space requirement for 323 apartment units consisting of 228 one-bedroom units, 76 two-bedroom units, and 19 three bedroom units.

Mr. Mosley presented the staff report to the Zoning Board for the requested 117 parking space variance from the minimum 646 parking space requirement for 323 apartment units consisting of 228 one-bedroom units, 76 two-bedroom units, and 19 three-bedroom units. He stated that staff recommends a reduction in the parking requirements for this development due to the natural features being preserved and the occupancy trends for rental homes in Opelika subject to more parking being added if the demand for parking increases.

Chairman Payne opened the public hearing.

Mrs. Miller asked if parking spaces are required based on bedrooms or dwellings?

Mr. Mosley stated that it is based on dwelling units. He stated that in many places it is based on bedroom and that there is typically one person per bedroom in a housing unit. He stated that staff will probably go to the Planning Commission and City Council with a recommendation to change the parking standard to something that is more suited per bedroom.

Mrs. Miller asked how many parking spaces there are at the clubhouse?

Mr. Mosley stated that there are about 20 and that most people would walk to the clubhouse. He noted that the residential areas will be gated.

Rebby Dougherty, Peak Partners and Summit Engineering, representative, stated that there is additional parking on the northeast side of the clubhouse and that there is plenty of parking for the guests and the potential residents.

Mr. Hilyer asked if Rebby Dougherty felt there was enough parking for the residents?

Rebby Dougherty stated that they did. He noted that they want to decrease the impervious surface on the property so that it doesn't look like a shopping mall.

Chairman Payne closed the public hearing.

Motion to approve the 117 parking space variance from the minimum 646 parking space requirement for 323 apartment units subject to more parking being added if the demand for parking increases.

RESULT:	Passed
MOVER:	Brandon Hilyer
SECONDER:	Tipi Miller
AYES:	Miller, Hilyer, Payne, Anthony
NAYS:	None
ABSTAIN:	None

2. Richard Patton, 712 North Railroad Avenue, Requesting a sign variance to install a roof sign on top of the building wall rather than install the wall sign on the face of the building wall as required.

Mr. Mosley presented the staff report to the Zoning Board for the requested sign variance to install a roof sign on top of the building wall rather than install the wall sign on the face of the building wall as required. He stated that there are no special conditions that are unique to this request that if the variance is denied the applicant will experience an exceptional hardship. The proposed sign is accurately scaled in proportion to the building. The sign would comply with the Sign Regulations if lowered about 5 feet or installed below the top of the wall. Approving the variance could establish a precedent in the downtown area to permit other signs above the top of a wall. Planning staff recommends the request be denied.

Chairman Payne opened the public hearing.

Mr. Hilyer asked if it would be allowed on the parapet?

Mr. Mosley stated that yes, there is not a distinction between a supporting wall and a parapet wall in the sign regulation. He stated that the height wasn't the problem, but that it was above

the wall.

Richard Patton, applicant, stated that the business owners that will be opening the restaurant liked that design, and they wanted to see if it was an option.

Mr. Hilyer stated that there are only four members today and asked if Richard Patton wanted to table the item or proceed?

Richard Patton requested the item be tabled to the next meeting.

Chairman Payne closed the public hearing.

Motion to table the item at the applicants request to the July 9th Meeting.

RESULT:	Passed
MOVER:	Tipi Miller
SECONDER:	Chris Anthony
AYES:	Miller, Hilyer, Payne, Anthony
NAYS:	None
ABSTAIN:	None

C. ADJOURN

Motion to adjourn at 9:38 a.m.

RESULT:	Passed
MOVER:	Brandon Hilyer
SECONDER:	Chris Anthony
AYES:	Miller, Hilyer, Payne, Anthony
NAYS:	None
ABSTAIN:	None

Wilbert Payne, Chairman

Matt Mosley, Secretary

CITY OF OPELIKA - BZA
STAFF REPORT
June 11, 2024

Applicant: Richard Patton

Property Owner: The Cotton District, LLC

Property: 712 North Railroad Avenue

Existing Zone: C-1 (Downtown zoning district)

Request: Requesting a roof sign be installed above the parapet wall that faces North Railroad Avenue

The applicant is requesting a variance to install a sign on top of a parapet wall ¹ that faces North Railroad Avenue. The photo below provides how the proposed sign will appear. The building has a flat roof with a parapet wall extending higher than the roof. (The wall is for safety when on roof.) The proposed sign is shown on a section of the parapet that is two or more feet shorter than the parapet wall on each side of the sign. The parapet wall with sign attached is about 28 feet long.



The applicant's property is in the Historical District. At the May 9th meeting, the Historic Commission approved the sign (as well as other improvements: garage doors, roll-up doors, new entry doors). The Historic Commission's review & approval concerned the sign's material and lettering

¹ An extension of an exterior wall above a roof used as guard rails to protect from falling off the roof or concealing rooftop equipment.

style contributing to the downtown historic district. The Commission did not comment with concerns about the sign's location on the parapet wall; the location was acceptable.

The sign area with supports is 37.7 square feet consisting of channel (of individual) letters "BANDITOS". This size includes the brackets that hold the letters that are attached to a steel frame anchored to the top of the parapet wall. The sign area, letters only, without support and frame is 18.6 square feet.

In Sign Regulations, section 9.2, a "roof sign" is defined as "*any sign which is mounted on the roof of a building, or which extends above the top edge of the wall of a flat roofed building, the eave line of a building with a hip, gambrel, or gable roof.*" (See photos below and drawings of roof types on page 3). A "roof sign" is listed as a prohibited sign in Section 9.4, Prohibited Signs.² The applicant's sign extends above the top edge of the exterior wall. The sign is on top of a parapet wall. The parapet wall is an extension of the front wall serving as safety if on the roof. Roof signs shown below. The definition of roof signs includes a sign "*which extends above the top edge of the wall of a flat roofed building.*"



Typical roof sign



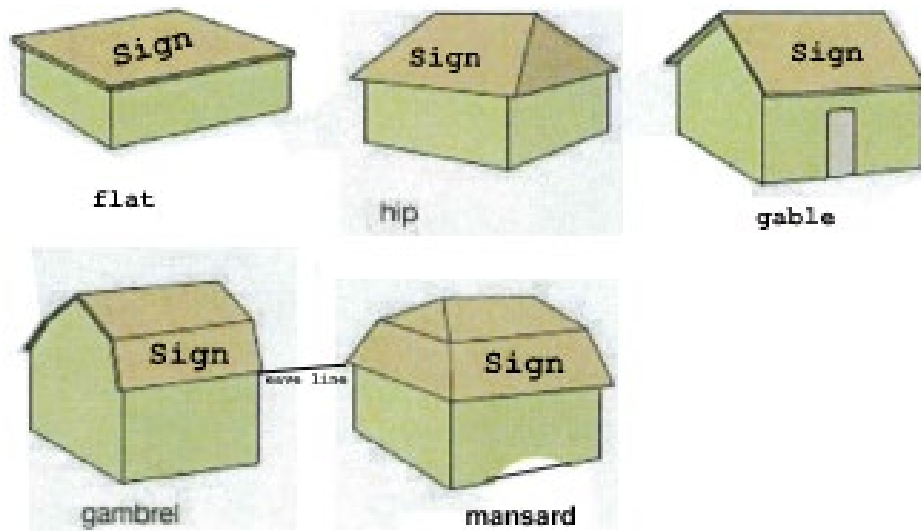
Sign on flat roof.

Recommendation

There are no special conditions that are unique to this request that if the variance is denied the applicant will experience an exceptional hardship. The proposed sign is accurately scaled in proportion to the building. The sign would comply with the Sign Regulations if lowered about 5 feet or installed below the top of the wall. Approving the variance could establish a precedent in

² One exception about roof signs in Section 9.5: "*Roof signs may be attached to mansard roofs² as provided for in Section 9.5: General Provisions for Signs, with a sign permit;*". See Mansard roof on page 3.

the downtown area to permit other signs above the top of a wall. **Planning staff recommends the request be denied.**





060218-2024

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



DATE: 5-15-2024	Zoning Board of Adjustment Meeting Date:
Case Number:	Meeting Deadline:

PART I. OWNER / APPLICANT INFORMATION

Richard Patton 712 North Railroad Ave. 334-787-3288
Owner Name Address Phone

Agent Name (if applicable) Address Phone

PART II. PARCEL INFORMATION

Street Address: 712 North Railroad Avenue

Current Zoning:

Current Land Use: Commercial

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)

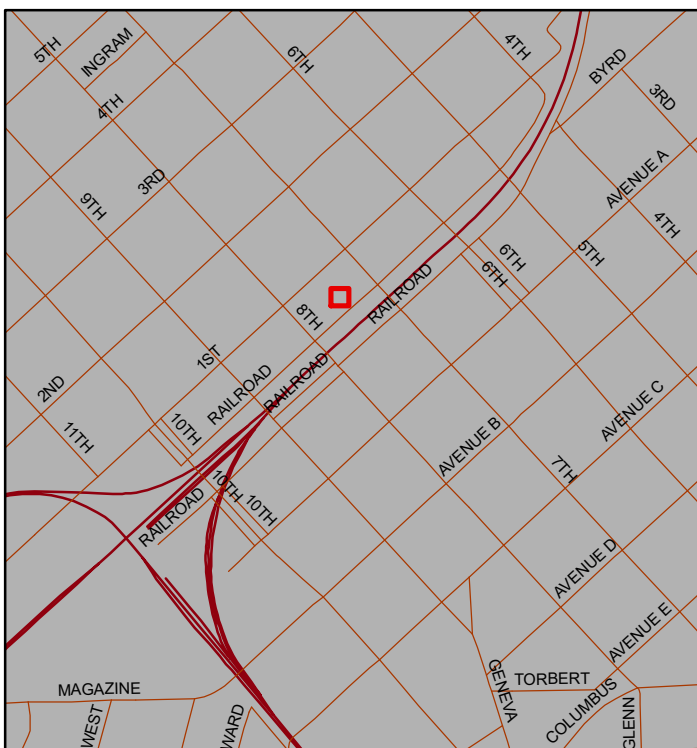
The sign would be going on top of the parapet wall. Historic approved and we are seeking permission from planning

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? NA

**PATTON VARIANCE REQUEST
712 NORTH RAILROAD AVENUE
SIGN VARIANCE**



The applicant is requesting a variance to install a roof sign (individual letters) on top of a front wall that faces North Railroad Avenue.



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.

Elevations

Painted aluminum letters
mounted to welded steel
frame with built-in light bar.

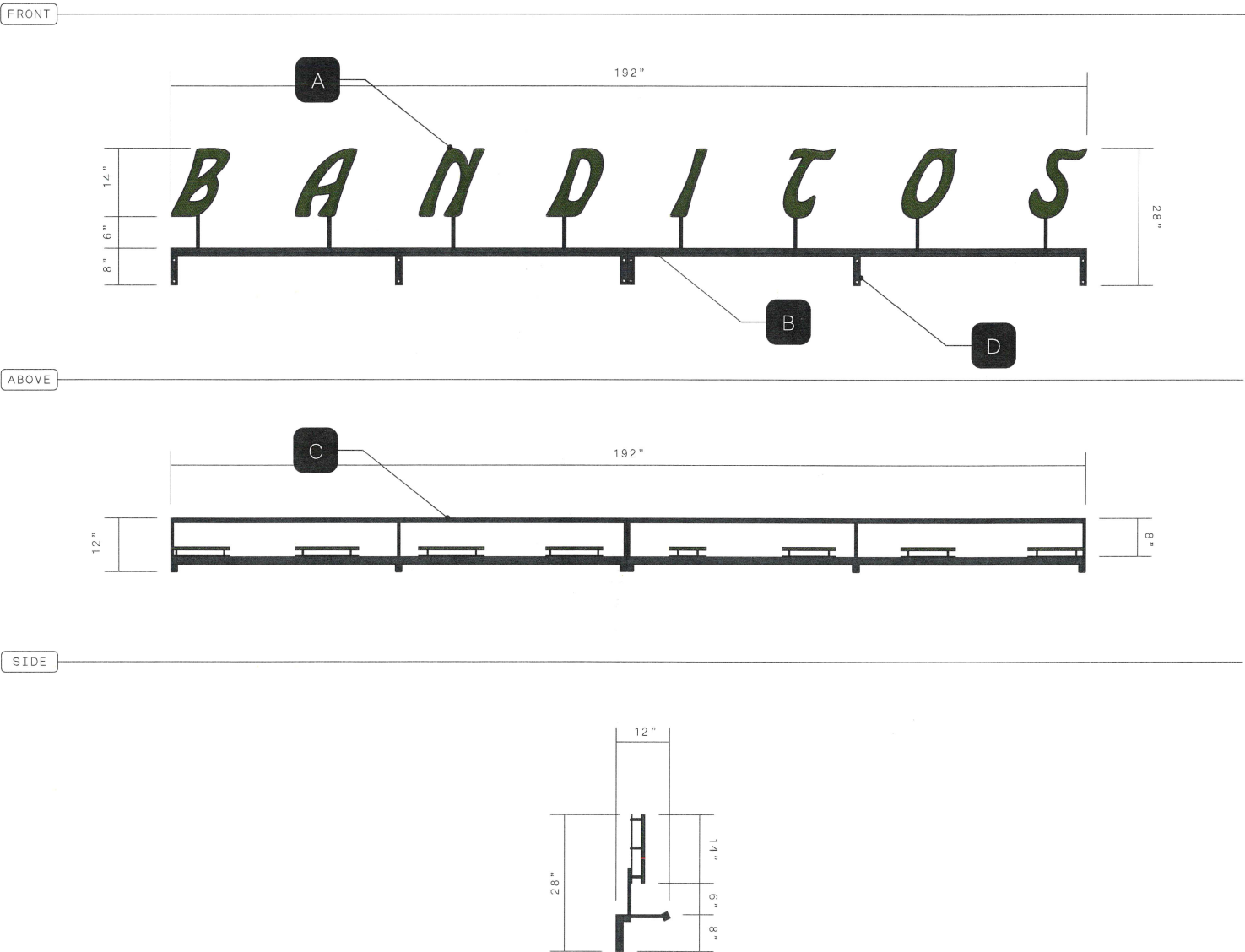
Quantity	01
Electrical	12v
UL No.	TBD
Surface	Brick
Mounting	Fasteners

(KEY)

- A → PAINTED ACRYLIC LETTERS
- B → WELDED STEEL FRAME
- C → LIGHT BAR
- D → SUPPORT BRACKETS
W/ MOUNTING HOLES

(NOTES)

- 1 → WARM TONE LED'S IN LIGHT BAR



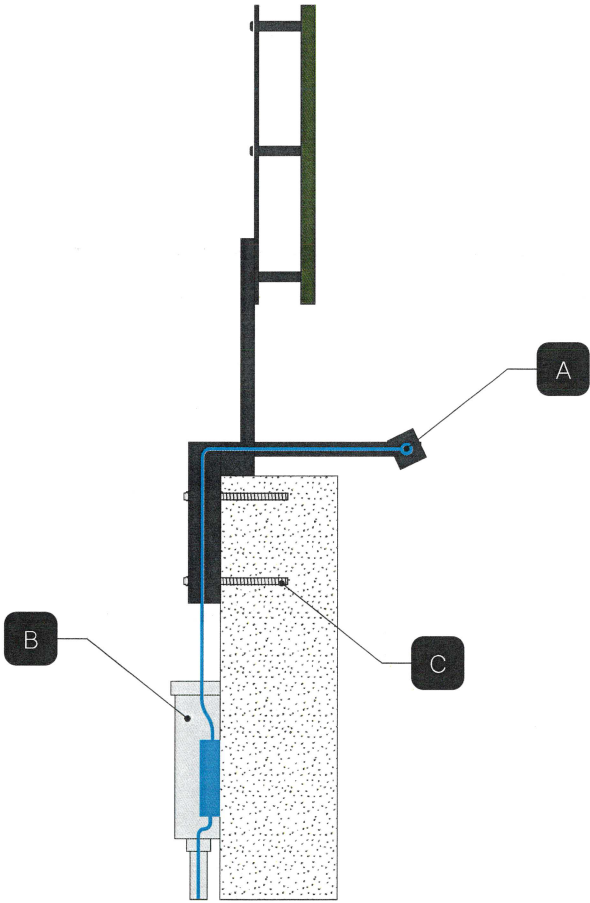
Attachment

Painted aluminum letters
mounted to welded steel
frame with built-in light bar.

Quantity	01
Electrical	12v
UL No.	TBD
Surface	Brick
Mounting	Fasteners

- (KEY)
- A → LOW VOLTAGE FED TO LIGHTBAR
 - B → ENCLOSER FOR POWER SUPPLY
 - C → 3/8" MASONRY SCREWS

SIDE



SIGNAGE / LIGHTED
SEE SIGNAGE DESIGN DWGS

B A N D I T O S

BLACK FRAMED ALUMINUM
GLAZED ROLL UP DOOR
EXISTING MASONRY OPENING

BLACK FRAMED ALUMINUM
STOREFRONT AT RECESSED ENTRY
EXISTING MASONRY OPENING



SUPERUNISON

SHANE@SUPER-UNISON.COM / 828-214-7129
MATT@SUPER-UNISON.COM / 865-769-4065



03.21.2024
BANDITOS FACADE

DRAWN: MSI
SCALE: 1/2"=1'-0"

A201

ELEVATION

Elevations

Painted aluminum letters
mounted to welded steel
frame with built-in light bar.

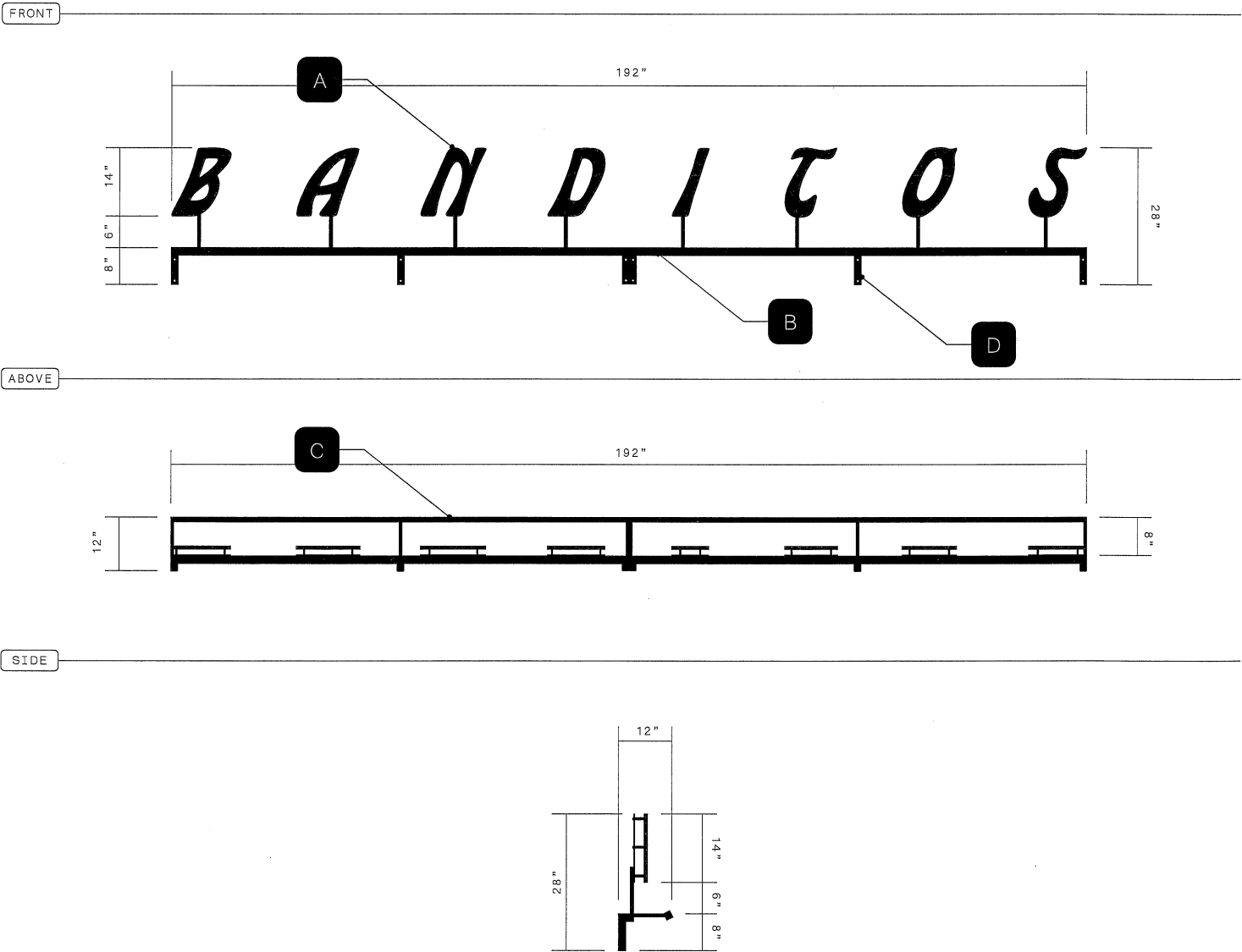
Quantity	01
Electrical	12v
UL No.	TBD
Surface	Brick
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(NOTES)

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Mockup

