



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

300 Martin Luther King Blvd.

February 10, 2026

TIME: 9:00 AM

- A. ELECTION OF ZONING BOARD OF ADJUSTMENT OFFICERS (Chair and Vice Chair)
- B. APPROVAL OF MINUTES
- C. VARIANCE
 - 1. Roger Boyington, property owner, 1495 Bramble Lane, PUD zoning district (Planned Unit Development, Hidden Lakes), Requesting a 10-foot rear yard variance from the 25-foot minimum rear yard setback.
 - 2. Flowers & White Engineering, authorized representative for Coye Yeager, property owner, 2118 Executive Park Drive, C-2 zoning district, Requesting a 20-foot rear yard setback variance from the 30-foot minimum rear yard setback.
 - 3. Capps Family Partners, LTD, Gateway Drive, C-2 and R-1 zoning district, Requesting a 12.5% decrease from the minimum 2 parking spaces per dwelling unit requirement to a minimum of 1.75 parking spaces per dwelling unit.

“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.

September 9, 2025

TIME: 9:00 AM

A. APPROVAL OF MINUTES

The City of Opelika Zoning Board of Adjustment held its regular monthly meeting September 9, 2025 in the Meeting Chambers, located at the Opelika Municipal Court. Certified letters have been mailed to all adjacent property owners for related issues.

MEMBERS PRESENT: Chairman Wilbert Payne, Mrs. Raven Harvis, Mr. Brandon Hilyer, Mr. Chris Anthony, Mrs. Tipi Miller, Mrs. Micah Melnick, .

MEMBERS ABSENT: Mrs. Angela George.

STAFF PRESENT: Mr. Matt Mosley, Planning Director
Mrs. Dana Gafford, Zoning and Planning Technician

CALL TO ORDER: Chairman Payne called the meeting to order at 9:00 a.m.

Approval of Zoning Board of Adjustment Minutes, August 12, 2025

RESULT:	Passed
MOVER:	Position 1 Tipi Miller
SECONDER:	Position 2 Brandon Hilyer
AYES:	Position 1 Miller, Position 2 Hilyer, Position 3 Melnick, Position 4 Harvis, Position 6 Payne, Position 7 Anthony
NAYS:	None
ABSTAIN:	None

B. VARIANCE

1. Philip's LLC, 304 Fox Run Avenue, M-2 zoning district, Requesting a 21-foot side yard setback variance from the 30-foot minimum side yard setback requirement.

Mr. Mosley presented the staff report to the Zoning Board of Adjustment for Phillips LLC, 304 Fox Run Avenue. He stated that the applicant is requesting a 21-foot side yard setback variance (west side) from the 30-foot rear yard setback requirement. The variance is needed for the proposed building addition to the rear of the existing building at 304 Fox Run Avenue. The property owners desire to add 9,085 square feet of warehouse space to the rear of the existing structure.

During the review of this item, staff did not find any evidence of a previous side-back variance

in the existing building. This building addition is in line with the existing building side setback of 9 feet. The architect stated the space would be divided into thirds and the buildings lining up would connect the roll-up doors to the warehouse area.

Staff believe the addition would not be a detriment to the existing manufacturing surrounding uses. Staff do not see a standard hardship for this variance request. The request to continue the building to the rear is a logical request. The addition would not change the character of the area.

Recommendation

The Planning Department recommends the 21 foot side yard setback variance from the 30-foot side yard setback requirement for the construction of an addition in line with the current building to the rear.

Brandon Bolt, representative for the applicant, stated that there were two reasons for the variance request:

1. The architect explained that the existing building is broken into three different sections. When the extension is added, the variance would allow for the workflows to go between the two workspaces.
2. If the site were rotated, there is a 20-foot incline, that would be more difficult to grade and to get water out of it.

Chair Payne opened the public hearing.

Cory Holmes: 404 Fox Run Avenue, Inquired if this variance would affect her property on the corner of Fox Trail and Fox Run Avenue, either now or in the future?

Mr. Mosley: Stated that it would not affect her side of the property.

Chair Payne closed the public hearing.

Motion To Approve

RESULT:	Passed
MOVER:	Position 7 Chris Anthony
SECONDER:	Position 2 Brandon Hilyer
DISCUSSION:	Mrs. Miller: asked when the building was built and if the zoning requirements were different at that time. Mr. Mosley: stated that if it were built in 1991, the zoning requirements would have been different during that time. Industrial buildings are built with fire separation between property lines. Mr. Hilyer: asked if the approval would be out of character for the area? Mr. Mosley: stated it would not be out of character.
AYES:	Position 1 Miller, Position 2 Hilyer, Position 3 Melnick, Position 4 Harvis, Position 6 Payne, Position 7 Anthony
NAYS:	None
ABSTAIN:	None

2. Leonei Diaz, 2 Avenue C, R-4 zoning district, Requesting a 13.2-foot front yard setback variance from the 25-foot minimum front yard setback requirement.

Mr. Mosley presented the staff report to the Zoning Board of Adjustment for a front setback variance for a home on 2 Avenue C. The applicant, Leonei Diaz, is requesting a 13.2-foot front yard setback variance from the 25-foot front yard setback requirement. Mr. Mosley stated that

the applicant had started construction on a front porch prior to obtaining approval. The new construction exceeds the setback requirement. Due to the fact that this is an older house, built on an irregularly shaped lot, it was nonconforming prior to the new construction, as are quite a few of the other houses in the neighborhood. Approving the variance request would not have a negative impact or change the character of the neighborhood.

Recommendation

The Planning department recommends that a 13.2-foot front yard setback variance from the minimum 25-foot front yard setback requirement for the front porch be approved.

Lindbergh B. Jackson: Stated that he is working with Mr. Diaz. They apologized for the mistake of building before seeking permission, and want to comply with the city. He stated that they have spoken with the neighbors, and they are pleased with the improvements being made.

Chair Payne opened the public hearing.

No Comments

Chair Payne closed the public hearing.

Motion To Approve

RESULT:	Passed
MOVER:	Position 4 Raven Harvis
SECONDER:	Position 2 Brandon Hilyer
AYES:	Position 1 Miller, Position 2 Hilyer, Position 3 Melnick, Position 4 Harvis, Position 6 Payne, Position 7 Anthony
NAYS:	None
ABSTAIN:	None

C. OTHER BUSINESS

3. November Date for Zoning Board meeting.

Mr. Mosley proposed moving the scheduled November 11, 2025, meeting to November 18, 2025, due to the Veterans Day holiday.

Motion to move the November 11, 2025, meeting to November 18, 2025, 9 a.m.

RESULT:	Passed
MOVER:	Position 2 Brandon Hilyer
SECONDER:	Position 1 Tipi Miller
AYES:	Position 1 Miller, Position 2 Hilyer, Position 3 Melnick, Position 4 Harvis, Position 6 Payne, Position 7 Anthony
NAYS:	None
ABSTAIN:	None

D. ADJOURN

Motion to adjourn at 9:35 a.m.

RESULT:	Passed
MOVER:	Position 4 Raven Harvis
SECONDER:	Position 7 Chris Anthony

AYES:	Position 1 Miller, Position 2 Hilyer, Position 3 Melnick, Position 4 Harvis, Position 6 Payne, Position 7 Anthony
NAYS:	None
ABSTAIN:	None

_____**Wilbert**
Payne, Chairman

_____**Matt Mosley,**
Secretary

Agenda Item

C-1

Roger Boyington

1495 Bramble Lane

000037-2026



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



DATE: 1/5/26	Zoning Board of Adjustment Meeting Date: 2/10/26
Case Number:	Meeting Deadline: 1/20/26

PART I. OWNER / APPLICANT INFORMATION

Roger Boyington

Owner Name

Phone

Agent Name (if applicable)

Address

Phone

PART II. PARCEL INFORMATION

Street Address: 1495 Bramble Ln, Opelika AL 36801

Current Zoning: PUD

Current Land Use: Residential Home / single family

 (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 current setback is 25' to the back of the home. The home owner is requesting a variance to change the set back to 15' in order to add a covered porch to the rear of home.

Setback	Required	Proposed	Amount of Variance
Front	10'	10'	—
Side	7'	7'	—
Side	7'	7'	—
Rear	25'	15'	10'

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

2) Would the strict application of this ordinance produce an unwarranted hardship not generally shared by others? Yes. It would not allow me to enjoy my backyard.

3) Will the proposed variance alter the character of the area? If so, how? No. The proposed porch will be built in accordance with the design of the home.

Provide the Names and Addresses of ALL adjoining Property Owners:

David Kemp 1483 Bramble Lane, Opelika AL
Albert Desmarais 1516 Bramble Lane, Opelika AL

EVANS, Blake 1504
280 Land Co Bramble
1130 Old Country Rd
Auburn, AL 36830

FEES:

Total Number of Adjoining Property Owners

2

4 X \$7.00 = 28.00

+ Fee \$75.00

TOTAL \$103.00

PART V.

I hereby request that the Zoning Board of Adjustment review a variance request for my property located at (street address) 1495 Bramble Lane. 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]

Signature

[Signature]

Date

01/05/2026

CITY OF OPELIKA - BZA
STAFF REPORT
February 10, 2026

Applicant: Roger Boyington, property owner

Property: 1495 Bramble Lane

Existing Zone: PUD – Hidden Lakes (Planned Unit Development)

Request: Requesting a 10-foot rear yard setback variance from the 25-foot rear yard setback requirement

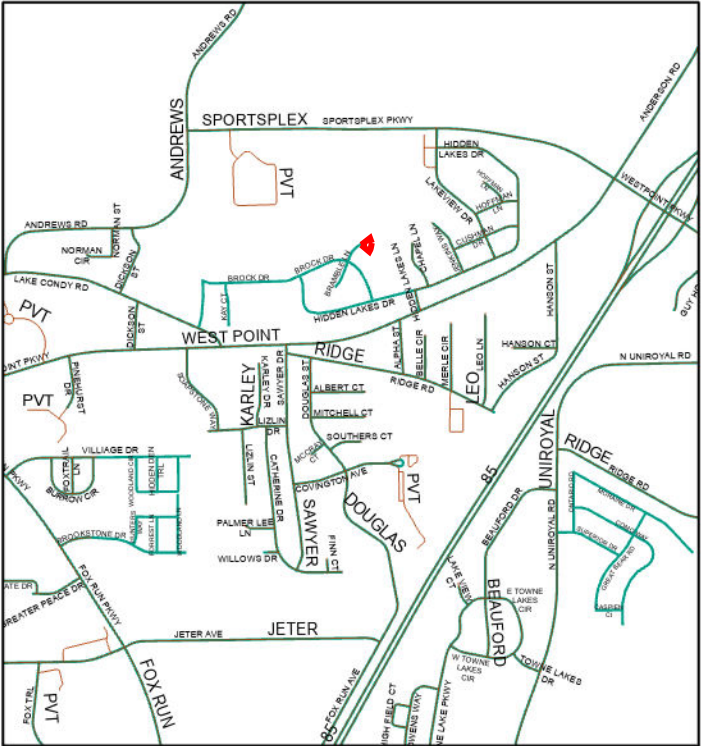
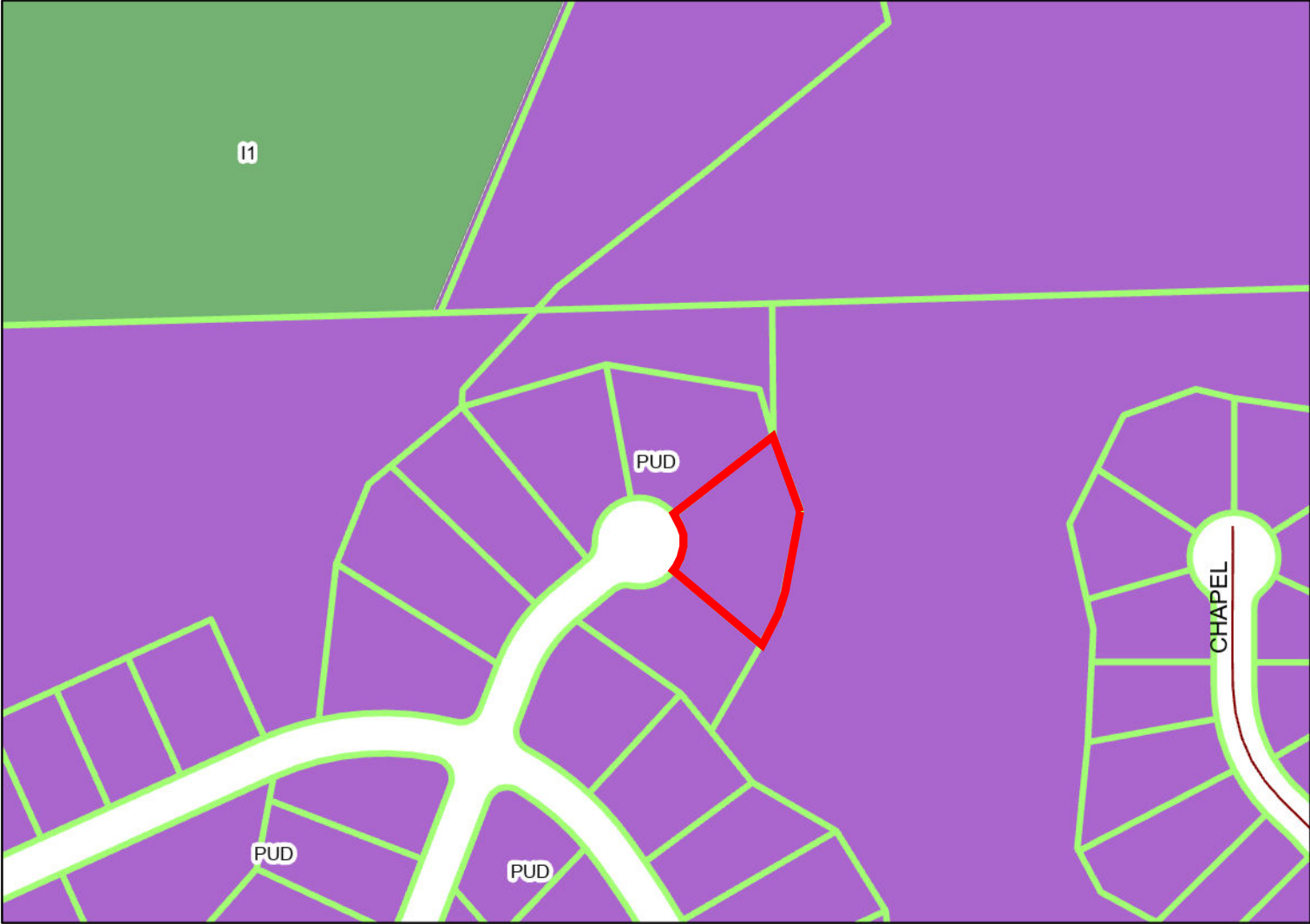
The applicant's property as shown on site plan is an irregular shape lot located at the end of a cul-de-sac. The rear property line consists of three angled lines that are not parallel to the rear wall of the house.

The applicant's single-family home was constructed about 2 years ago and met minimum setbacks - 20 feet front yard, 7 feet side yards, and 25-foot rear yard. The construction of the house included a 12x20 concrete slab added to the rear wall of the home to serve as an outdoor porch area. During the applicant's plan to enclose the 12x20 slab area it was determined that a 12x20 porch enclosure would encroach about 1.5 feet into the 25' minimum setback at the south corner of the 12x20 enclosure. The applicant also determined that a 12x20 porch would be too small to serve the family's purposes. A larger 12x55 porch enclosure was requested that extended the 12' wide porch to the corners of the house. The proposed 12x55 enclosed porch will encroach 6 feet into the 25' minimum setback at the south corner of the enclosure. (A 12x19 foot section of the 12x55 enclosure meets the 25' minimum setbacks; the remaining 36 feet of the 12x55 enclosure will encroach 1 foot to 6 feet into the 25' setback. Due to the irregular lot shape and the angled rear property lines, compliance with the minimum 25' rear setback requirement will allow a 9x39 porch enclosure.

Staff Recommendation

The applicant's irregular shaped parcel on a cul de sac creates exceptional difficulties for the applicant that is not shared by most nearby properties with normal rectangle shaped lots. The minimum side setbacks are met, but the lot's three rear lot lines that are angled limits the buildable area of an enclosed porch. An enclosed porch meeting the minimum setbacks would be too narrow at 9x39. Also, the rear yard area of the lot faces a lake and not an adjoining single family home lot. If a variance is granted the porch will not reduce the open space and privacy of an adjacent single-family home. The applicant's variance application is requesting a 10-foot rear yard setback variance. **Staff recommends a 10-foot variance from the minimum 25-foot rear yard setback requirement for a 12x55 porch enclosure.**

BOYINGTON VARIANCE REQUEST
1495 BRAMBLE LANE
REAR YARD SETBACK, A-1



The applicant is requesting a 10 foot variance from the minimum 25 foot rear yard setback requirement for a covered porch addition. The 12 x 55 porch addition is the total width of the house (55 feet). The rear yard faces a large pond in the Hidden Lakes subdivision.



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

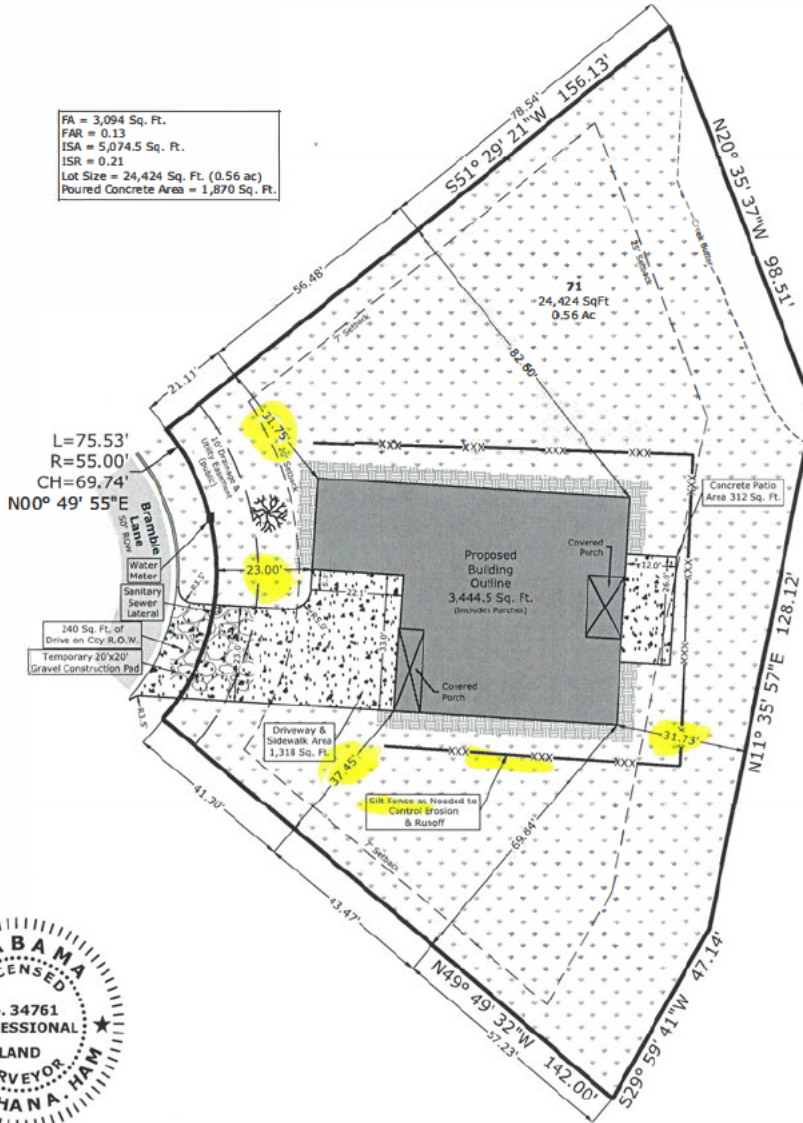
General Notes:

1. This drawing was prepared from maps or plats of record and information provided by the owner, contractor or their representative and does not represent an actual survey of the said property.
2. This plan is intended, only to show the proposed placement of the new house on the property. It also represents that the placement of the building plan, as presented, will meet all minimum building lines, as shown on this plan.
3. This plan is intended, only to show the proposed landscaping for the subject lot per the builders guidelines.
4. This plan does not address grading, drainage or utilities connections.
5. This plan does not represent that the building shown hereon was staked or its placement on the property was verified by Barrett-Simpson, Inc.
6. Barrett Simpson, Inc. was not provided an attorney's title opinion or title commitment. There may be matters affecting boundaries, easements, rights of way, etc., that are not known or disclosed to Barrett Simpson, Inc. on this date.
7. **BUILDING DIMENSIONS ARE FROM THE FACE OF THE BRICK/ROCK/SIDING TO THE PROPERTY LINE.**
8. 5' City of Opelika Easement on each side of front & side lot lines (per plat).

Lot Number	71
Subdivision	Hidden Lakes Phase 4
Address	1495 Bramble Lane
City	Opelika
State	Alabama
Zip	36801
County	Lee
Foundation Survey Required	No
Sodded Area	18,129 Sq. Ft.
Landscape Area	787 Sq. Ft.

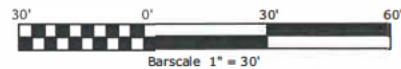


FA = 3,094 Sq. Ft.
 FAR = 0.13
 ISA = 5,074.5 Sq. Ft.
 ISR = 0.21
 Lot Size = 24,424 Sq. Ft. (0.56 ac)
 Poured Concrete Area = 1,870 Sq. Ft.



Jonathan A. Ham
 Jonathan A. Ham PLS# 34761

Date 01/30/2024



Drawn By: CEF

For:

Date: 01/30/2024



BARRETT-SIMPSON, INC.
 Engineers & Land Surveyors

Site & Landscape Plan For
Lot 71
 Hidden Lakes Phase 4

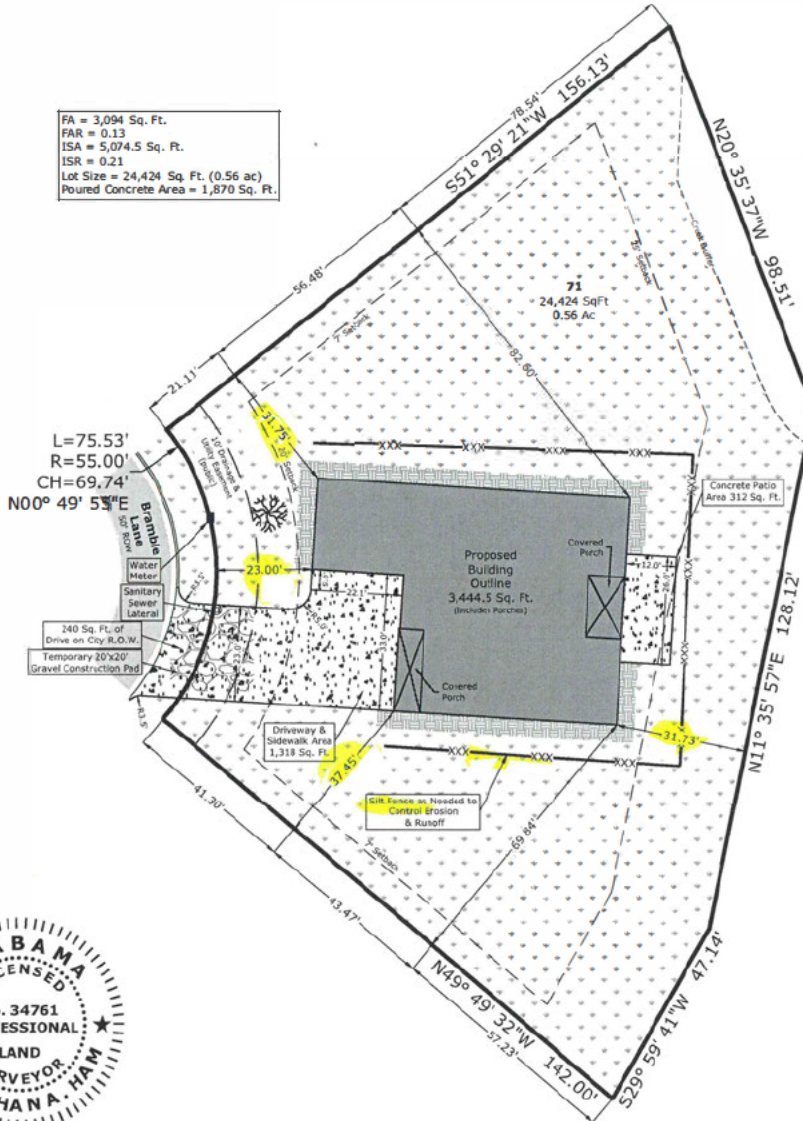
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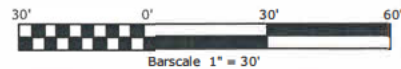


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Jonathan A. Ham
 Jonathan A. Ham PLS# 34761

Date 01/30/2024



Drawn By: CEF

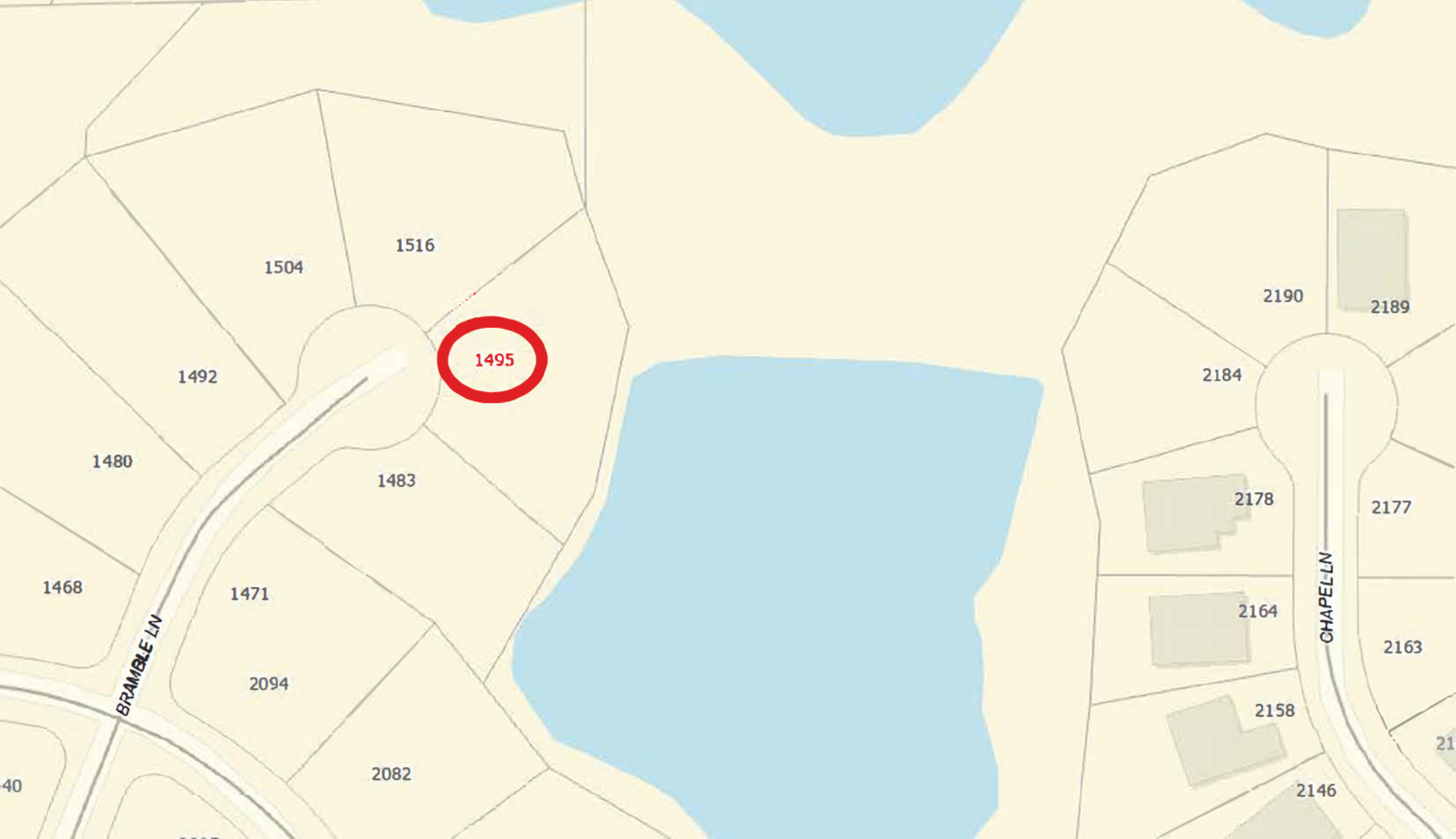
For:

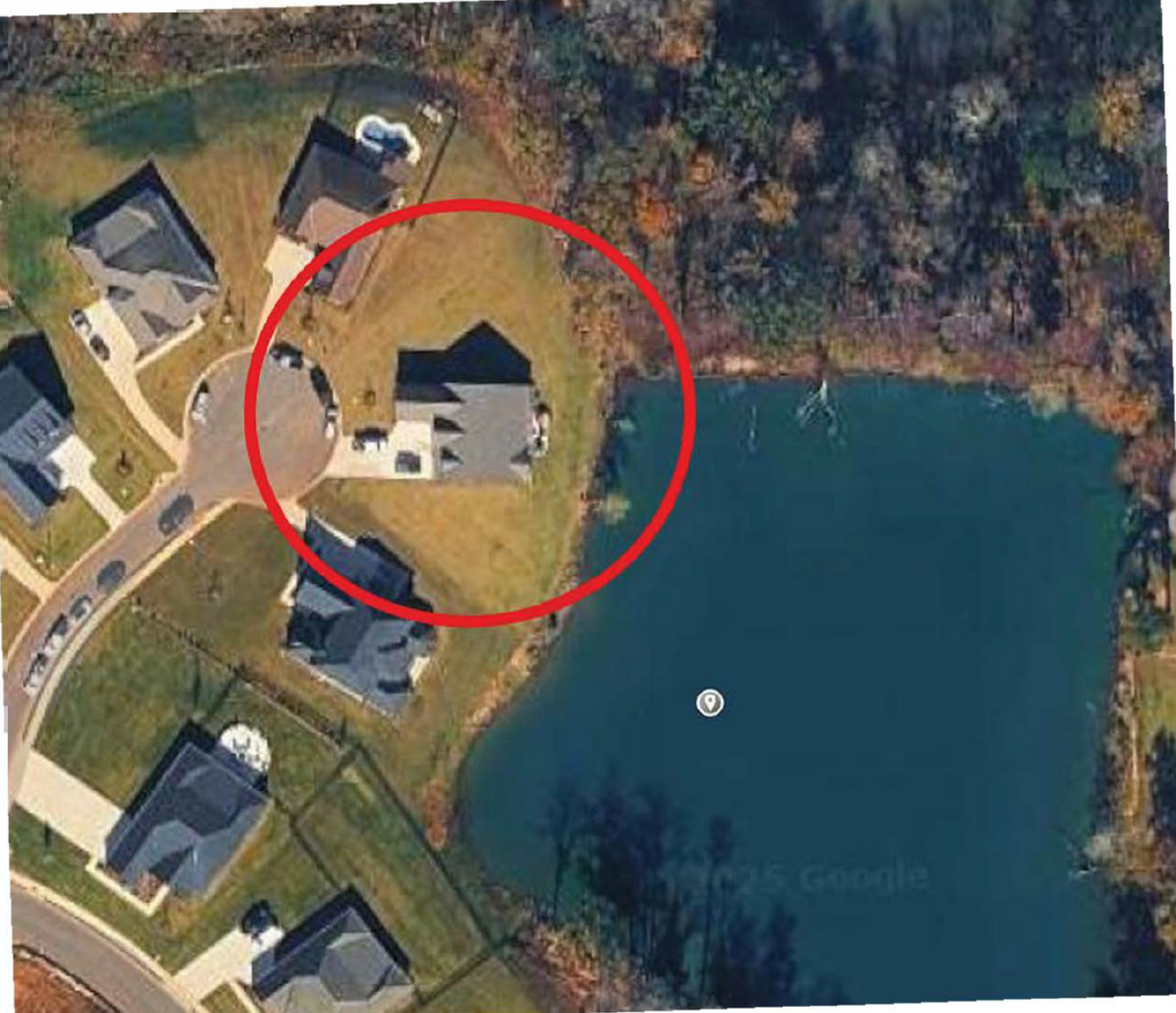
Date: 01/30/2024



BARRETT-SIMPSON, INC.
 Engineers & Land Surveyors

Site & Landscape Plan For
Lot 71
 Hidden Lakes Phase 4





Agenda Item

C-2

Coye Yeager

2118 Executive Park Drive



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



DATE: 1-20-26	Zoning Board of Adjustment Meeting Date:
Case Number:	Meeting Deadline:

PART I. OWNER / APPLICANT INFORMATION

Coye Yeager [REDACTED] [REDACTED]
Owner Name Address Phone

Flowers & White Engineering [REDACTED] [REDACTED] [REDACTED]
Agent Name (if applicable) Address Phone

PART II. PARCEL INFORMATION

Street Address: 2118 Executve Park Drive

Current Zoning: C2

Current Land Use: vacant

Type of Variance Sought: Sign Parking X Setback Other

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

or site plan) The Executive Park Subdivision was originally designed as a PUD and all of the
existing buildings on the street are set close to the rear property line. This lot has been re-zoned C2 and
complying with the setback will pull the proposed building in front of the buildings on each side and make parking an issue.

Setback	Required	Proposed	Amount of Variance
Front	30	30	0
Side	10	10	0
Side	10	10	0
Rear	30	10	20

PART IV.

1) Are there extraordinary and/or exceptional conditions to the particular property, which make a variance necessary? The width of the lot with the C2 rear setback distance makes it impossible to develop a site that meets the parking requirements and functions properly.

2) Would the strict application of this ordinance produce an unwarranted hardship not generally shared by others? Yes. Other lots have buildings set within 10' of the rear property line. Pushing this lot to comply with zoning setback for the C2 would place the building in front of others adjacent to this lot.

3) Will the proposed variance alter the character of the area? If so, how? No

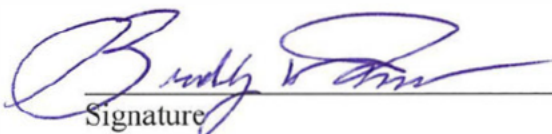
Provide the Names and Addresses of ALL adjoining Property Owners:

<u>Benson Rice Partnership</u>	<u>118 N. Ross Street Auburn, AL 36830</u>
<u>Robins Nest LLC</u>	<u>2114 Executive Park Dr., Opelika, AL 36801</u>
<u>United Way of Lee County</u>	<u>2104 Executive Park Dr., Opelika, AL 36801</u>
<u>Life Storage, LP</u>	<u>PO Box 71870, Salt Lake City, UT 84171</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
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FEES:		
Total Number of Adjoining Property Owners 4	X \$7.00 =	28
	+ Fee	\$75.00
	TOTAL	103

PART V.

I hereby request that the Zoning Board of Adjustment review a variance request for my property located at (street address) 2218 Executive Park Drive. 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

1/20/26
Date

CITY OF OPELIKA - BZA
STAFF REPORT
February 10, 2026

Applicant: Brad Flowers, Flowers and White Engineering, representative
Coye Yeager, property owner

Property: 2118 Executive Park Drive

Existing Zone: C-2

Request: Rear Yard Setback Variance

The applicant is requesting a 20-foot rear yard building setback variance to construct a 1,829 square foot office building. The property is in the C-2 zoning district and a 30-foot rear yard setback is required from the proposed building to the rear property line. If the variance is approved the building will be 10 feet from the property line.

In 1986, the Executive Park subdivision was designed based on minimum lot size and setback requirements of the current Zoning Ordinance; in 1986 the subdivision plat was approved, Executive Park Drive was constructed, and lots were for sale. Then, a new revised Zoning Ordinance was adopted in 1991. This property was previously zoned M-1 under the previous ordinance. Under that ordinance, these lots did not have side or rear setbacks. Most of the office buildings on this street are much closer to the rear property line than the current 30 foot required setback.

Since June 1994, there have been six rear yard setback variances approved for properties along Executive Park Drive - three 20-foot variance approvals and three 23-foot variance approvals from the 30-foot minimum rear yard setback requirement.

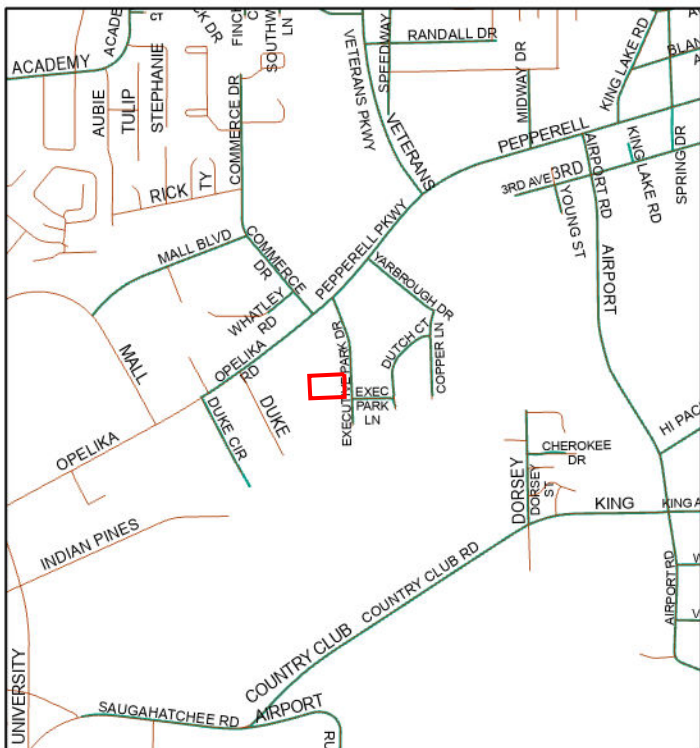
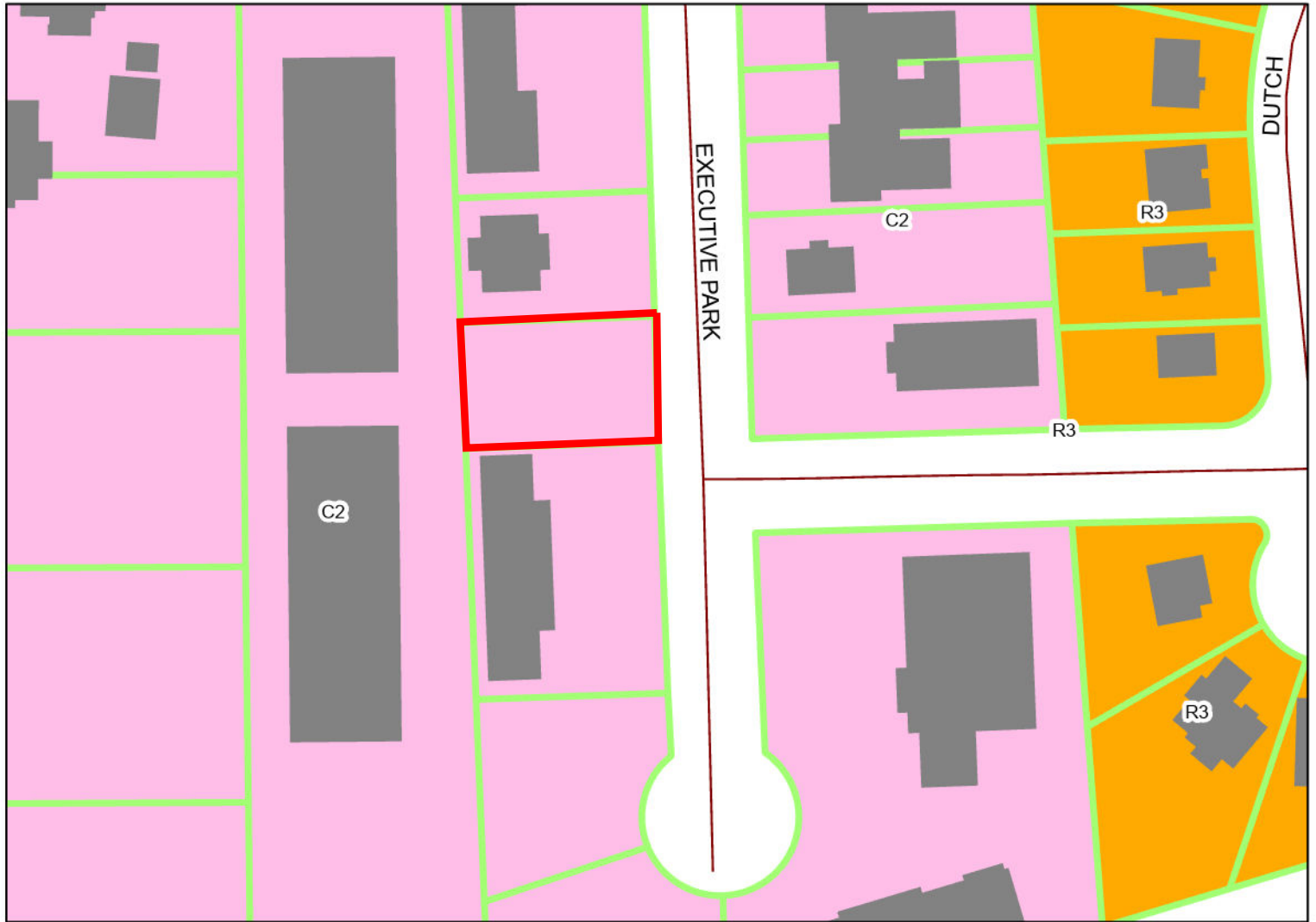
Recommendation

There are examples of previous rear yard variance requests approved by the Zoning Board for buildings along Executive Park Drive. Approval of the 20-foot variance will keep the applicant's proposed building aligned with the adjacent buildings on each side of the applicant's lot. The applicant's building will be 10 feet from the rear property line; the adjacent buildings are 7 feet and 10 feet from the rear property line. **The Planning Department recommends approval for a 20-foot rear yard setback variance.**

YEAGER VARIANCE REQUEST

2118 EXECUTIVE DRIVE

REAR YARD SETBACK, C-2



On a vacant lot the applicant is requesting a 20 foot rear yard setback variance from the minimum 30 feet in a C-2 zone. The property was zoned PUD that had a 10 foot minimum rear yard setback. The current 30 foot minimum in the C-2 zone locates a proposed building closer to the street than adjacent existing buildings that are setback 10 feet from the rear property line.



Subject Property

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PROJECT NOTES:

1. THE UNDERGROUND UTILITIES AND STORM DRAIN PIPE SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED ALL OF THE UNDERGROUND UTILITIES AS TO SIZE, DEPTH OR CONDITION.
2. WATER AND SEWER MAINS AND LATERALS SHOWN ARE FROM RECORD DRAWINGS AND INFORMATION PROVIDED BY OPELIKA WATER WORKS LOCATE REQUEST TICKET NUMBER 252390792. CONTRACTOR SHALL FIELD VERIFY LOCATION AND EXISTENCE OF LATERALS PRIOR TO STARTING CONSTRUCTION.
3. SHOULD THERE BE ANY DISCREPANCIES BETWEEN DRAWINGS, SPECIFICATIONS OR GEOTECHNICAL REPORT, THE CONTRACTOR SHALL ADHERE TO THE MORE STRINGENT AND LARGER QUANTITY OF WORK AS DETERMINED BY THE ARCHITECT AND ENGINEER.
4. ANY MUD/CONSTRUCTION DEBRIS THAT MAY BE TRANSPORTED TO SURROUNDING ROADS, PARKING AREAS OR STORM SEWER SYSTEM SHALL BE CLEANED UP IMMEDIATELY AT THE CONTRACTOR'S EXPENSE.
5. THE SITE WILL MEET ALL REQUIREMENTS OF THE CITY OF OPELIKA LIGHTING REQUIREMENTS.

SURVEY NOTES:

1. DISTANCES SHOWN ON THIS PLAT ARE HORIZONTAL GROUND DISTANCES.
2. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT; THEREFORE, THE SUBJECT PROPERTY MAY OR MAY NOT BE SUBJECT TO EASEMENTS AND/OR RIGHTS OF WAY, RECORDED OR NOT RECORDED.

ZONING:

THE ZONING CLASSIFICATION FOR THIS PROPERTY IS C-2.

MINIMUM LOT WIDTH	60'
FRONT YARD SETBACK	30'
REAR YARD SETBACK	30'
SIDE YARD SETBACK	10'
MAXIMUM BUILDING AREA	40%

ADJACENT PROPERTY ZONING IS C-2.

FLOOD ZONE INFORMATION:

PARCEL LIES IN ZONE X
AREA OF MINIMAL FLOOD HAZARD
COMMUNITY PANEL MAP NUMBER 01081C0068H
EFFECTIVE DATE: JANUARY 17, 2025

UTILITY NOTES:

ALL WATER AND SEWER SHALL BE INSTALLED PER OPELIKA WATER WORKS AND SANITARY SEWER BOARD SPECIFICATIONS. CONTRACTOR SHALL NOTIFY OWWSSB PRIOR TO ANY WORK ON WATER OR SEWER. OWWSSB INSPECTOR SHALL BE PRESENT FOR ALL WORK ON PUBLIC MAINS OR LATERALS.

SITE DATA:

LOT 11-E, EXECUTIVE PARK SUBDIVISION SECOND REVISION (D354-2)

PROPERTY ADDRESS: 2118 EXECUTIVE PARK DRIVE, OPELIKA, ALABAMA 36801
PARCEL # 43-09-05-22-2-000-030.018
DEED BOOK 2717, PAGE 612

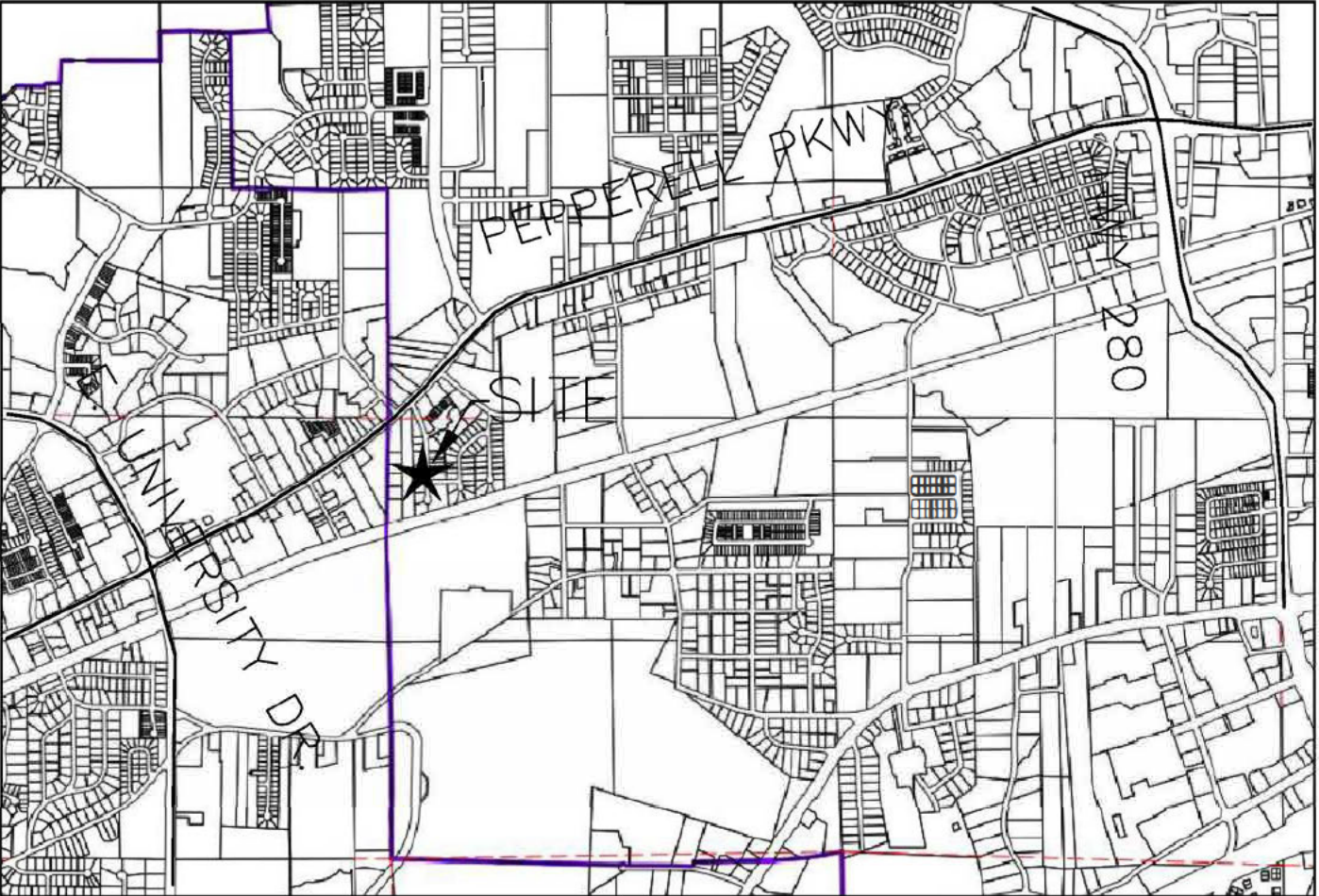
ZONING: C2
LOT SIZE: 9,590 SQUARE FEET (0.22 ACRES)
BUILDING SIZE: 1,829 SQUARE FEET
FLOOR AREA RATIO: 0.19
IMPERVIOUS SURFACE RATIO: 0.54
PARKING - OFFICE USES, ONE (1) SPACE PER TWO HUNDRED AND FIFTY (250) SQUARE FEET OF GROSS FLOOR AREA OF CUSTOMER SALES AND SERVICE AND OFFICE AREA. PARKING REQUIRED 7 PARKING PROVIDED 11

PROPERTY OWNER

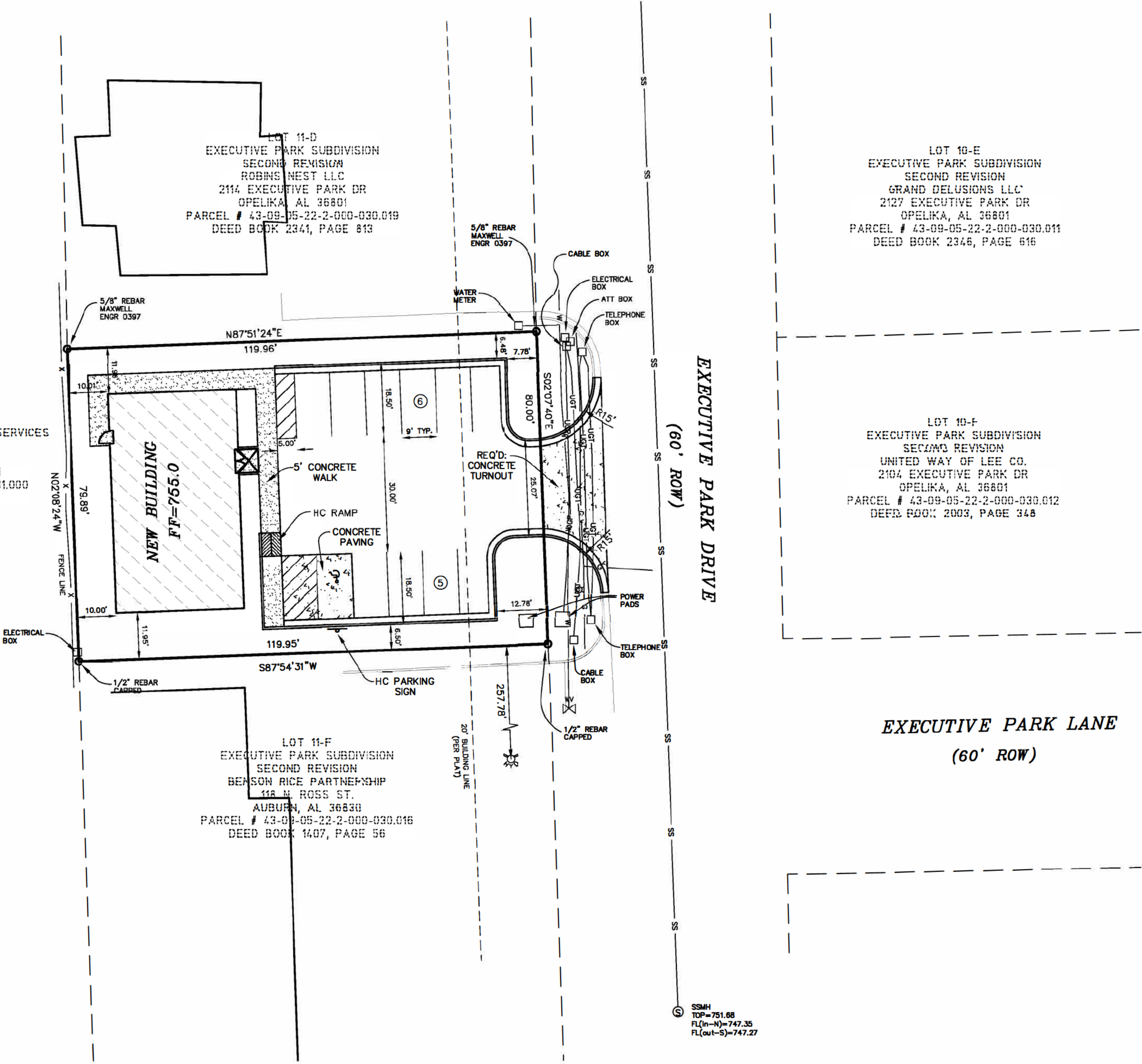
BG&Y PROPERTIES, LLC

DESIGN ENGINEER/SURVEYOR

FLOWERS AND WHITE ENGINEERING, LLC



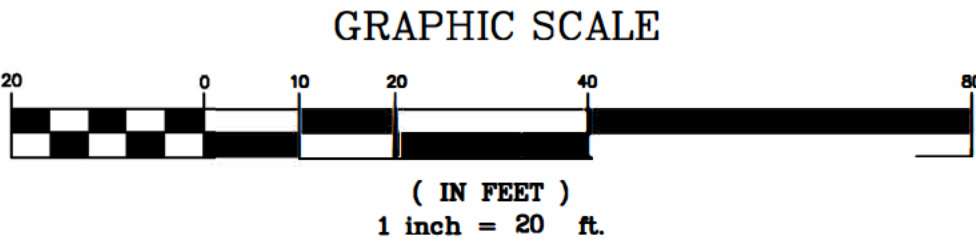
VICINITY MAP



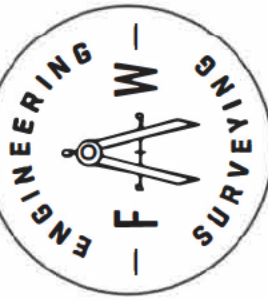
LEGEND	
ITEM	SYMBOL
EDGE OF PAVEMENT	---
CURB AND GUTTER	---
PROPERTY LINE	---
ADJACENT PROPERTY LINE	---
BEARING / DISTANCE	N89°58'44\"W 200.17'
IRON PIN FOUND (AS NOTED)	⊙
UNDERGROUND POWER	---
WATERLINE	---
SANITARY SEWER LINE	---
LIGHT POLE	⊙
SANITARY SEWER MANHOLE	⊙
GAS LINE	---
UNDERGROUND TELEPHONE	---
FIRE HYDRANT	⊙
WATER VALVE	⊙

STAKING NOTES:

- ALL RADI ARE 5' UNLESS OTHERWISE NOTED.
- SEE ARCHITECTURAL PLANS FOR EXACT DIMENSIONS OF BUILDING.
- ALL ROAD RELATED DIMENSIONS ARE TO BACK OF CURB UNLESS OTHERWISE NOTED.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DIMENSIONAL LAYOUT SURVEYING AND VERIFYING ALL POINTS AND TEMPORARY BENCH MARKS (TBM).
- INSTALL DISABILITY PARKING SIGNS AT EACH DISABILITY PARKING SPACE AS PER ADA SPECS.
- PARKING LOT STRIPING SHALL BE YELLOW WITH BLUE STRIPING FOR HANDICAP SPACES PER ADA REQUIREMENTS.
- ALL UTILITIES (EXCLUSIVE OF WATER AND SEWER SERVICES) UNDER WALKS AND PAVEMENT SHALL BE SLEEVED AND MARKED.
- ALL PARKING STALLS, INCLUDING HANDICAP PARKING AND ISLE ARE 9'X18' UNLESS OTHERWISE NOTED ON PLANS.



FLOWERS & WHITE
ENGINEERING, L.L.C.



PO BOX 231286 MONTGOMERY, AL 36123
PH: 334.356.7600 - FAX: 334.356.1231

A NEW OFFICE BUILDING ON EXECUTIVE

PARK DRIVE FOR:
COYE YEAGER

OPELIKA, ALABAMA

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PROJ. #: 25-529
DRAWN BY: JNS
CHECKED BY: BWF

DATE: 1-20-26
REV. 1: ---
REV. 2: ---
REV. 3: ---

SHEET TITLE:

STAKING AND
UTILITY PLAN

SHEET NUMBER:

C2.0

Agenda Item

C-3

Capps Family Partners

Parking Variance



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



DATE: January 6, 2026	Zoning Board of Adjustment Meeting Date: February 10, 2026
Case Number:	Meeting Deadline:

PART I. OWNER / APPLICANT INFORMATION

Capps Family Partners, LTD		
Owner Name		Phone
Continental 979 Fund, LLC		
Agent Name (if applicable)	Address	Phone
Marc McLaughlin		

PART II. PARCEL INFORMATION

Street Address: XXX Gateway Drive

Current Zoning: C2 and R1

Current Land Use: Vacant

Type of Variance Sought: Sign X Parking Setback Other

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

or site plan) A Variance to reduce the parking ratio from 2 spaces per each dwelling unit to 1.75 spaces per each dwelling unit. The requirement for residential parking does not take into account different residential homes. The proposed multi-family community has studios and 1 bedroom units which to not require 2 spaces per each.

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? The property has a regional sanitary sewer along the eastern edge, a pond near Gateway Dr, and 3 acres of wetlands on site. All of these physical constraints make the Variance necessary.

2) Would the strict application of this ordinance produce an unwarranted hardship not generally shared by others? A strict application produces a hardship for the property which has several physical site constraints. The sanitary sewer, pond, and wetlands can not be moved in whole.

3) Will the proposed variance alter the character of the area? If so, how? The proposed Variance to reduce the parking requirements by .25 stalls per unit will not alter the character of the area.

Provide the Names and Addresses of ALL adjoining Property Owners:

<u>Opelika Hotels III LLC</u>	<u>3320 Skyway Dr, Suite 710 Opelika, AL 36801</u>
<u>PKG Holdings LLC</u>	<u>9054 County Road 37 Mathews, AL 36052</u>
<u>Ward Stephen</u>	<u>PO BOX 2581 Opelika, AL 36803</u>
<u>Opelika 26 LLC</u>	<u>6250 Shiloh Rd, Suite 100 Alpharetta, GA 30005</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

FEES:		
Total Number of Adjoining Property Owners 4	X \$7.00 =	28
	+ Fee	\$75.00
	TOTAL	103

PART V.

I hereby request that the Zoning Board of Adjustment review a variance request for my property located at (street address) Gateway Dr. 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 

Date 1-6-2026

CITY OF OPELIKA - BZA
STAFF REPORT
February 10, 2026

Applicant: Continental 979 Fund, LLC, Marc McLaughlin, authorized applicant
Capps Family Partners, LTD, Property Owners

Property: Gateway Drive

Existing Zone: C-2 and R-1

Request: Requesting a 53-parking space variance from the required 504 parking space requirement for a 252 Apartment unit.

Proposal

The applicant is requesting a variance to reduce parking by 53 spaces to allow a total of 451 parking spaces for a residential apartment community. The applicant is proposing 252 apartment units. The community will have seven buildings, consisting of 21 studios, 105 one-bedroom units, 105 two-bedroom units, and 21 three-bedroom units. Fifty percent of the units on this site are one bedroom or studios. The site includes significant topographic changes, including wetlands, which are shown with required preservation areas.

The Zoning Ordinance requires two parking spaces per residential unit and does not account for the number of bedrooms or intended occupants. This standard works well for single-family homes. The housing sizes and number of occupants in multi-family communities are often smaller. Nationally, 29% of all households consist of only one person. In Opelika, that percentage increases to as much as 46% of rental housing. As a result, many communities are reducing parking requirements for apartment developments. For example, Auburn requires 1.1 parking spaces per bedroom with additional visitor parking.

The proposed development would provide 1.75 parking spaces per unit. Using a per bedroom rate would similar to Auburn would require 439 spaces. It is unlikely that all of the one and two bedroom units will have two cars as extra bedrooms are often used as offices.

The development is constrained by the existing property boundaries and natural features that will remain undeveloped. These undeveloped areas include approximately three acres of wetlands, a pond near Gateway Drive, and a large sanitary sewer line. There are limited areas where parking could be added without disturbing the natural features. Staff believe that the proposed amount of parking is potentially sufficient for this development.

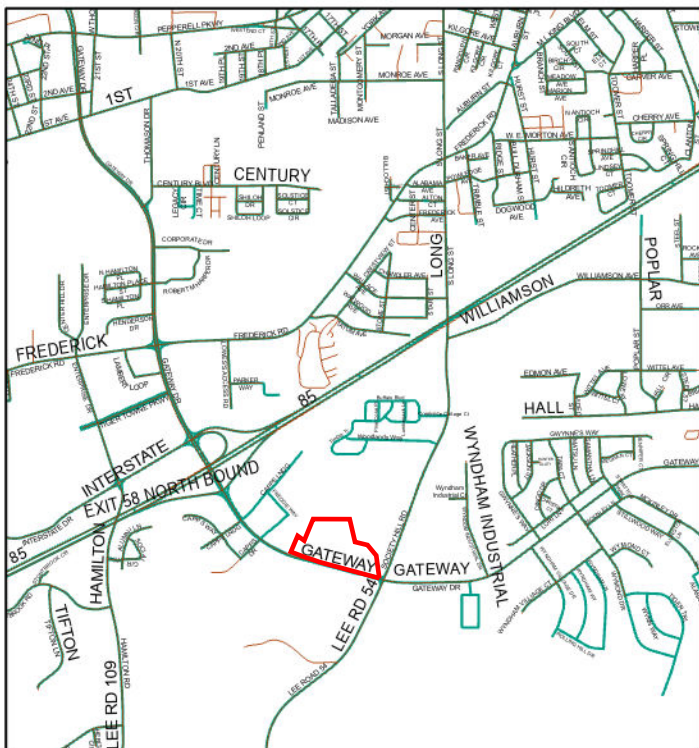
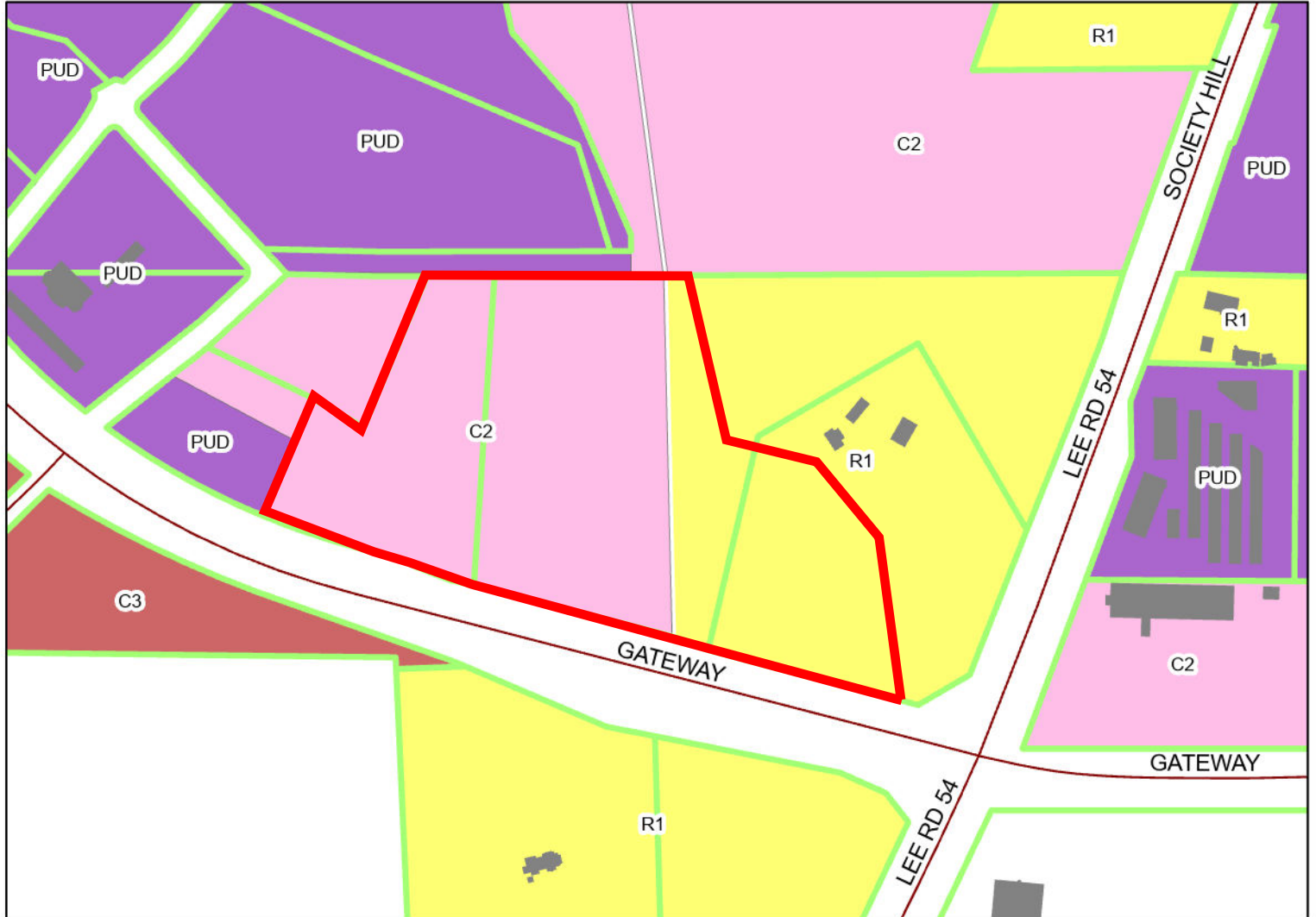
Recommendation

Staff recommend 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.

CAPPS FAMILY PARTNERS VARIANCE REQUEST

3300 BLOCK GATEWAY DRIVE

REDUCTION OF MINIMUM PARKING SPACE



The developer of the Springs at Opelika development is requesting to reduce the parking ratio for a 252 unit apartment development from 2 parking spaces per dwelling unit to 1.75 parking spaces per dwelling. The proposed parking spaces are based on the number of bedrooms.



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

C:\Users\jagrawa\OneDrive\Continental Properties\CAD - Documents\Alabama\Opeika\Gateway Dr. Capped Dr. D1-2.dwg Thursday, January 8, 2026 3:44:09 PM

LEGEND

1

CLUBHOUSE

2

PROPOSED FULL ACCESSPOINT

3

PROPOSED EMERGENCY ACCESSPOINT

4

TRASH ENCLOSURE

5

MAIL KIOSK

6

MONUMENT SIGN

7

MANTENANCE, CAR CARE CENTER, ADA GARAGE, & PACKAGE CENTER

UPGRADE

SMART HOMES

A

TYPE A UNIT

Y

ENCLOSED YARD

EV CHARGING



VICINITY MAP
SCALE: NTS

CONTINENTAL PROPERTIES

ON BEHALF OF

CONTINENTAL 979 FUND LLC

PROJECT INFORMATION

SITE INFORMATION		
MULTIFAMILY AREA	16.35 ACRES	
TOTAL AREA	16.35 ACRES	
DENSITY	15.41 DU/ACRE	
BUILDING / LANDSCAPE SETBACKS	NORTH	25/15'
	SOUTH	25/15'
	EAST	25/15'
	WEST	25/15'
BUILDING INFORMATION		
CLUBHOUSE	SCH-A (4,263 SF)	
RESIDENT BUILDINGS	QUANTITY	HEIGHT
236A-0 (36 DU/BUILDING)	7	3-STORY / 43'
TOTAL RESIDENT BUILDINGS	7	
GENERAL HOME MIX		
STUDIO	HOMES	PERCENTAGE
1-BEDROOM	105	42%
2-BEDROOM	105	42%
3-BEDROOM	21	8%
TOTAL HOMES	252	100%
PARKING INFORMATION		
PARKING	QUANTITY	
DETACHED GARAGES	22	
G6S (6-BAY WITH STORAGE)	1	
G8 (8-BAY)	2	
GROUNDS BUILDING (SGR-PI)	1	
TOTAL COVERED PARKING	23	
SURFACE PARKING	428	
TOTAL UNCOVERED PARKING	428	
TOTAL PARKING PROVIDED	451	
HOME PARKING RATIO	1.79	
OVERALL GARAGES/HOME	0.09	
COVERED PARKING RATIO	0.05	
CLUBHOUSE PARKING	18	
ADA PARKING	12	
PARKING DIMENSIONS		
STANDARD STALL	9' x 18'	
ADA STALL	9' x 18'	
DRIVE WIDTH	24'	
SITE AMENITIES		
AMENITY	CITY / SF / NOTES	
SWIMMING POOL	INCLUDED	
FITNESS CENTER	INCLUDED	
CAR CARE CENTER	INCLUDED	
PET PLAYGROUND TYPE A	6500 SQFT.	
ENCLOSED YARDS	18	
STORAGE LOCKERS	8	
PARCEL PICKUP	INCLUDED	
GRILLING AREA	INCLUDED	
PROPERTY BOUNDARY	CAD	

SPRINGS AT OPELIKA
GATEWAY DR & CAPPS DR | OPELIKA, AL
CONTINENTAL 979 FUND LLC

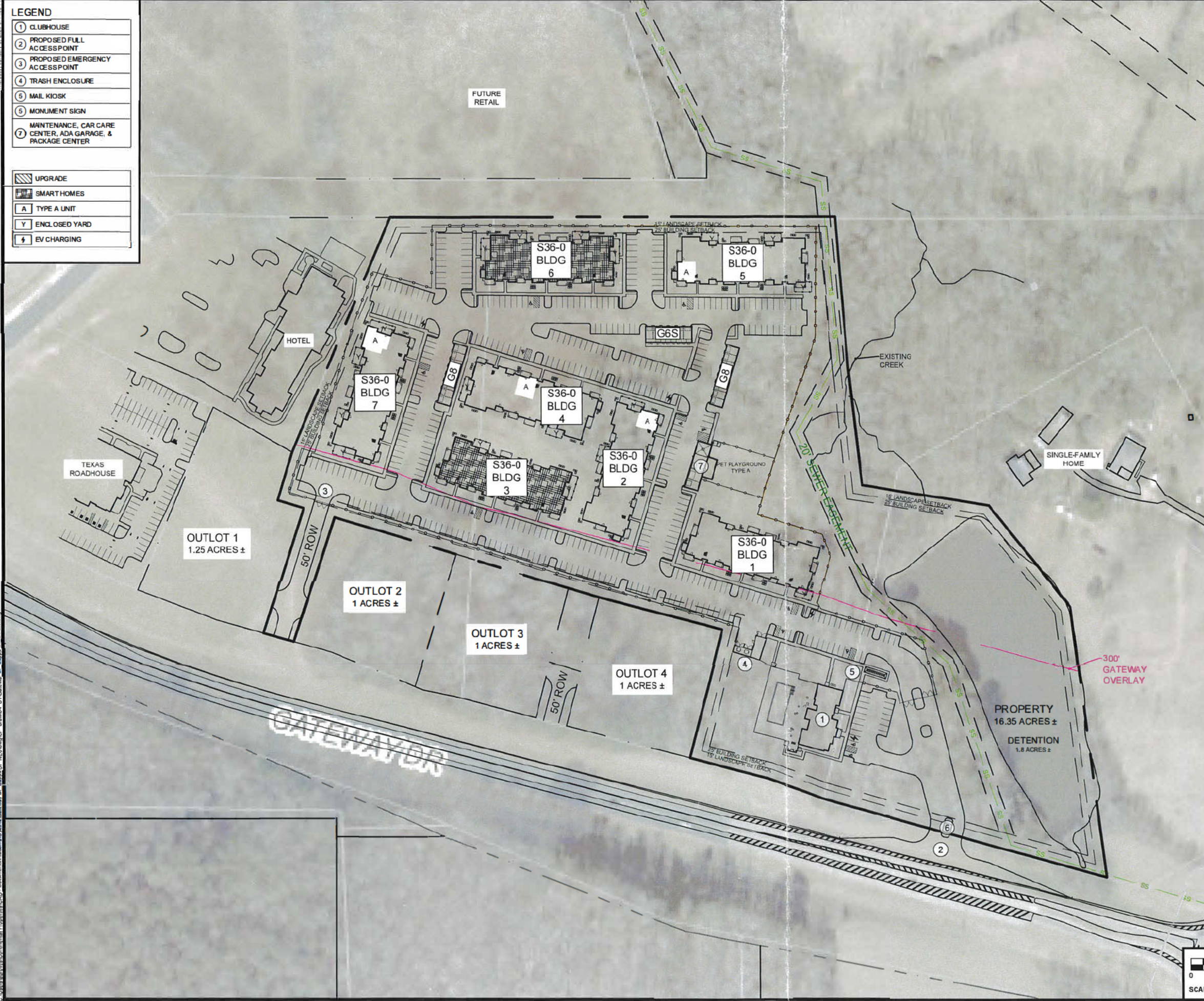
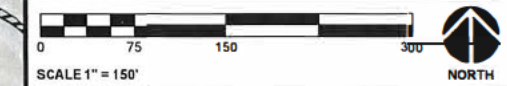
SHEET INFORMATION

DEMARC 1
SITE PLAN

DRAWN DATE: 01/08/2026
DRAWN BY: AG

SHEET NUMBER

D1-2.0



Springs at Opelika

4 commercial outlots 252 residential units

OUTLOT 1
1.25 ACRES ±

OUTLOT 2
1 ACRES ±

OUTLOT 3
1 ACRES ±

OUTLOT 4
1 ACRES ±

PROPERTY
16.35 ACRES ±

DETENTION
2 ACRES ±

GATEWAY DRIVE

SOCIETY HILL ROAD

ESTIMATED STORM, SANITARY & WATER PIPE QUANTITIES		
PIPE TYPE	PIPE SIZE	PIPE QUANTITY
STORM - RCP	18"	3,038 LF
STORM - RCP	24"	789 LF
STORM - RCP	30"	52 LF
SEWER - PVC	8" MAIN	1,516 LF
SEWER - PVC	6" LATERAL	668 LF
WATER - C900 PVC	8" MAIN	2,442 LF
WATER - C900 PVC	6" FOR HYDRANTS	141 LF
WATER - C900 PVC	4" SERVICE LINES	691 LF

