

City of Fairhope
Board of Adjustment and Appeals
5:00 PM
City Council Chambers
December 17, 2018

1. Call to Order
2. Approval of the November 19, 2018 minutes
3. Consideration of Agenda Items:
 - A. BOA 18.12 Public hearing to consider the request of Stephen and Ashley Thompson for a variance to the side street setback requirements for property located at 511 Fels Avenue.
PPIN #: 45713
 - B. BOA 18.13 Public hearing to consider the request of Black Oak Holdings for a Special Exception to allow a Hotel/Motel and a variance to the building height requirements for property located at 10 N. Section Street.
PPIN #: 88449
 - C. BOA 18.14 Public hearing to consider the request of Rick Gambino for a variance to the side and rear setback requirements for property located at 151 S. Mobile Street.
PPIN #: 14484
4. Old/New Business
 - 2019 Board of Adjustments Agenda Schedule
 - Election of Officers
5. Adjourn

The City of Fairhope Board of Adjustments and Appeals met on Monday, November 19, 2018 at 5:00 PM in the City Council Chambers at the City Administration Building, located at 161 N. Section Street.

Members Present: Anil Vira, Chairman; Harry Kohler; Dick Schneider; Christina Stankoski; Cathy Slagle; Wayne Dyess, Director of Planning; Buford King, Planner; Mike Jeffries, Planning Tech.; and Emily Boyett, Secretary.
Absent: Troy Strunk, Vice-Chair; and John Avent

The meeting was called to order at 5:00 PM by Chairman Vira.

BOA 18.11 Public hearing to consider the request of Magnolia Church, LLC for a Special Exception to allow parking in the front for property located at 301 Magnolia Avenue.

Mr. King gave the staff report.

Summary of Request:

The applicant is requesting a special exception from the parking requirements of City of Fairhope Zoning Ordinance *Article V, Section B.4.d.(2)* to allow “front screened parking on the Church St. frontage only”. The subject property is zoned B-2 General Business District and is located within the Central Business District. A supporting drawing depicting a future development on subject property containing three (3) residential units, two buildings with an unspecified unit count that are likely to be mixed-use commercial/residential, a 20-space onsite parking area, additional on-street parking along North Church Street, and reconfigurations of existing on-street parking along Magnolia Avenue. The residential units along Church Street reflect 20’ front building setbacks as required by Table 3-2, Dimension table, and the mixed-use buildings are shown at the right-of-way line as required by Article V, Section B.4.a.

The intent of the development is to create individual lots for each residential unit, likely in a future subdivision application, as well as construct parking and an unknown number of potential mixed-use units likely in a future Multiple Occupancy Project (MOP) application. The applicant states the indicated conditions of the subject property include a “grade differential across the site (that) is approximately 15’”. The use of retaining walls and terraced building areas makes it difficult to have vehicle access to the rear of the Church St. frontage lots”. The applicant states the indicated conditions preclude reasonable use of the land because the “rear parking as required for residential use presents an extraordinary use of land for circulation”.

The 20-space off-street parking area located behind (north) of the two proposed commercial units is not required in the CBD as explained in the zoning ordinance and parking for the residential units is required. However, Article IV, Section E.2. states “businesses in the CBD Overlay are encouraged to provide off-street parking facilities” for commercial uses. It appears the rear (north) parking area satisfies the parking loading of the two proposed mixed-use units based upon the square footage of the commercial units, as if onsite parking was required for those commercial units, and that parking is located behind the mixed-use buildings as required by *Article V, Section B.4.d.(1)*. However, the exact use of the two proposed commercial buildings is not known and

therefore the exact parking requirements for this area is not known and pending the necessary development applications needed for the site. The subject application is related to the parking requirements of the Church Street residential units, however the potential hardship related to furnishing the required parking affects the grading of the site.

The subject property is rectangular in shape and approximately 22,400 sf, or slightly more than ½ acre in size. The shape of the lot is not uncommon, and no minimum lot size is required for B-2 zoning. The extraordinary or exceptional topographical conditions are not immediately noticeable visually, however the applicant illuminates the grade differential on the lot is 15' and the effect of the grade differential.

The applicant states the hardship created by the topography of the subject property affects the grading necessary to develop the site. Specifically, the applicant asserts the proposed 20-space parking area will have a finished elevation of approximately 10' higher than the finished floor elevation of the residential units fronting Church Street, complicating the drainage design of both areas. Staff understands the conceptual need to allow front, screened parking for the residential units along Church Street and does not necessarily object to the screened parking. Staff believes the applicant has a reasonable request for a relief from the zoning ordinance due to extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, and more specifically its topography. The applicant requested a variance in their application, but the type of relief requested is actually a request for special exception. This review will consider the applicant's request for a variance and review the criteria for a variance as a means of evaluating the application, but the staff recommendation will be in terms of a *special exception*.

The requested special exception is in relation to the residential uses to be constructed on subject property, with each unit likely located on its own lot to be created by a future subdivision request. The dimensions of the property do not appear to prevent the reasonable use of the property for residential purposes. The applicant's proposed method of developing the subject property involves cutting and filling of the site.

The applicant wishes to construct the residential units at the lower elevation along Church Street, with street access from Church Street rather than the CBD requirement for rear loading. The applicant further states the intended development desires to use the cut material from the site to fill and "build up" the proposed parking area so that the parking area will have the required elevation to drain from the parking area and connect to an existing drain inlet at the intersection of Magnolia Ave and N. Church Street. Staff requested the applicant clarify the various alternatives that would not require approval of a variance from the parking requirements within the CBD and construct the proposed development with the required rear parking. The applicant indicated reducing the elevation of the proposed parking area and raising the finished floor elevation (FFE) of the proposed residential units is possible and would allow rear access to the residential units by traversing the parking area and reducing the number of parking spots in the parking area. However, reducing the elevation of the parking area would reduce the elevation of the drain inlet to the parking area to an elevation where gravity flow drainage from the parking area's drain inlet to the existing conveyance system would not be possible. Further, deep (4' approximately) excavation would occur immediately adjacent to the existing residential property north of subject property, with possible undercutting and stabilization of the adjacent property occurring as a result.

Staff understands the conceptual need for and does not necessarily object to the requested screened front parking. The application provided additional clarification indicating the drain inlet for the parking area with an elevation of 105'. If the parking area is constructed with this drain inlet at 105', the parking lot will adequately drain to the existing drain inlet at an elevation of 102'.

Staff met with the applicant multiple times to gain a better understanding of the request and the conditions of the existing site. Though it is possible the northernmost residential unit could be moved southward to allow a drainage easement for connection of the parking area's drainage to N. Church Street, the deep excavation needed to allow rear parking to the residential units would still be required,

Many of the existing residences on the west side of N. Church Street, which are outside of the CBD, contain front loaded parking with driveways not unlike those requested by this request for variance (special exception), and as a result staff understands the potential compatibility the proposed front loaded parking of the proposed residences provides if they were not located within the CBD. The proposed development depicted in this case requires substantial cutting and filling of soil and construction of retaining wall systems regardless of the type of construction system utilized, and therefore believes the applicant has not necessarily submitted subject application to avoid financial hardship. Staff believes the hardship caused by the site's topography is the ability to construct an adequate drainage system while also avoiding deep excavation immediately adjacent to existing residences, which is a possible detriment to the public good. As a result, the staff recommendation for subject application will be for approval, and staff believes no relief is recommended to be granted that would cause substantial detriment to the public good and impair the purpose and intent of the zoning ordinance.

Staff Recommendation:

Staff recommends this request for special exception be **APPROVED**.

Mr. Vira asked if the timeframe for the approval can be limited and Mr. Dyess stated the Board can make it a condition of approval. Mr. King added the Notice of Action Taken will be recorded and any conditions are included.

Mr. McCown addressed the Board saying the request is to allow the proposed townhomes to have parking at grade and to match the existing homes on the opposite side of the street. He noted on-street parking would only accommodate 5 spaces but the proposed parking lot will net 44 spaces.

Mr. Vira opened the public hearing.

Ronny Holifield of 55 N. Church Street – He spoke in favor of the proposal and said the townhomes will fit with the rest of the residential use on the street.

Mrs. Boyett stated she received two calls from surrounding property owners in favor of the request.

Having no one else present to speak, Mr. Vira closed the public hearing.

Cathy Slagle made a motion to accept the staff recommendation to **APPROVE** the special exception to allow front parking along N. Church Street for PPIN 15164 with the following conditions:

1. The Notice of Action Taken shall be recorded.
2. The Special Exception shall be acted upon within 365 days.

Mr. McCown stated he did not know if the project can be done within a year. He asked if the approval can be tied to the applicant and this proposal. Mr. King explained the submittal of a development application, such as a subdivision request or site plan application, would constitute the approval being acted upon.

Harry Kohler 2nd the motion and the motion carried unanimously with the following vote: AYE – Harry Kohler, Christina Stankoski, Dick Schneider, Anil Vira, and Cathy Slagle. NAY- none.

Having no further business, Harry Kohler made a motion to adjourn. Christina Stankoski 2nd the motion and the motion carried unanimously. The meeting was adjourned at 5:19 PM.



Board of Adjustment

December 17, 2018

Case: BOA 18.12 511 Fels Avenue

Project Name:

511 Fels Avenue

Property Owner / Applicant:

Stephen Thompson

General Location:

Approximately 800' south of Morphy Avenue and 350' southeast of the intersection of S. School Street and Fels Avenue

Request:

Street side setback variance

Project Acreage:

1/10 acre approximately

Zoning District:

R-2 Medium Density Single Family Residential District

PPIN Number:

45713

Report prepared by:

Mike Jeffries
Planning Technician, QCI

Recommendation:

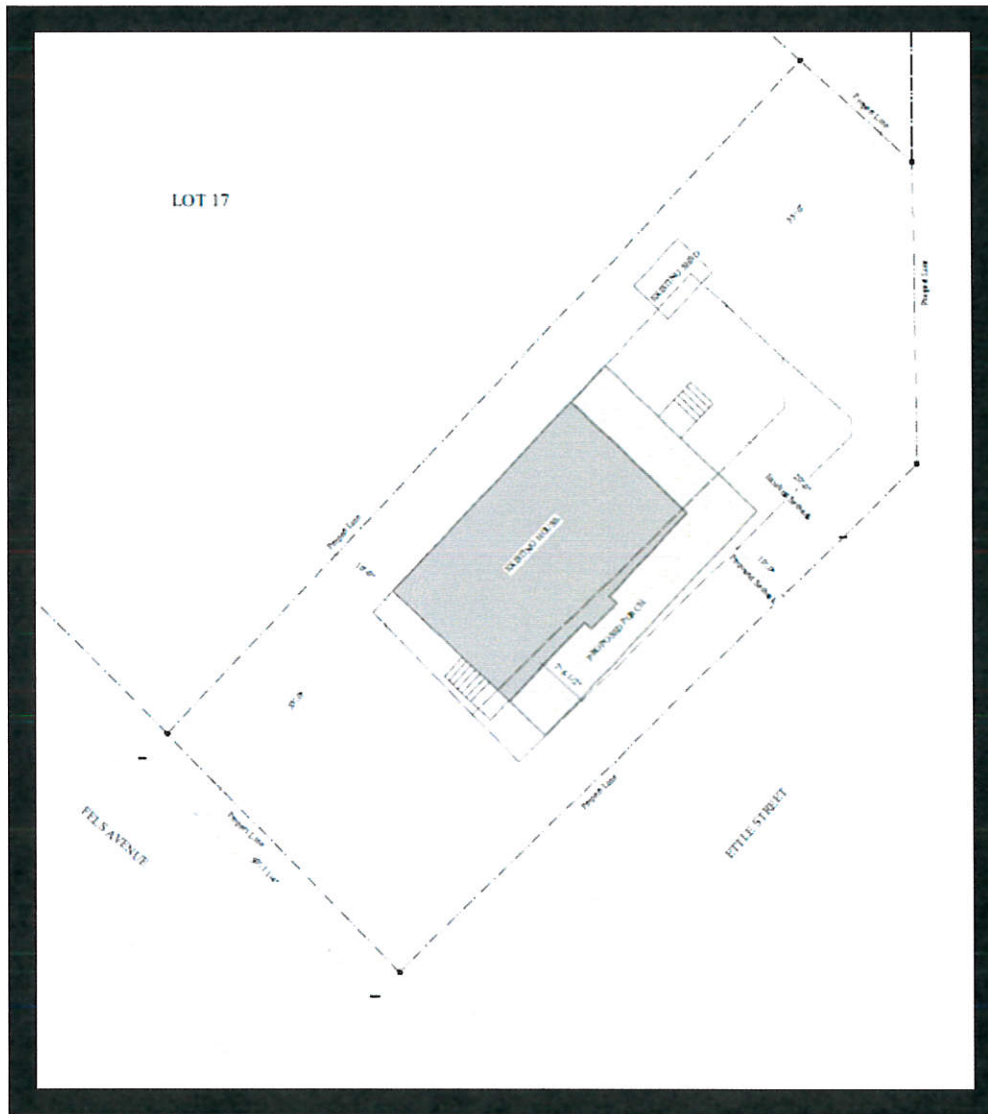
Approval



Summary of Request:

The applicant is requesting a variance from the street side set back requirements of 20 feet in the City of Fairhope Zoning Ordinance *Article III, Section C.1 Table 3-2* to 10 feet to allow for the addition of a covered porch to an existing house.

The applicant has provided supporting drawings depicting the proposed addition. As seen in the sketches the proposed porch is inside a 10-foot back setback line.



Comments:

The City of Fairhope Zoning Ordinance defines a variance as follows:

Variations: A modification of the strict terms of the relevant regulations in a district with regard to placement of structures, developmental criteria or provision facilities. Examples would be: allowing smaller yard dimensions because an existing lot of record is of substandard size; waiving a portion of required parking and/or loading space due to some unusual circumstances; allowing fencing and/or plant material buffering different from that required due to some unusual circumstances. Variations are available only on appeal to the Board of Adjustment and subject to satisfaction of the standards specified in this ordinance.

The Board of Adjustments is authorized to grant variance through Article II.A.d(3) which says the following:

d. Duties and Powers: The Board shall have the following duties and powers:

(3) Variances - To authorize upon appeal in specific cases variance from the terms of this ordinance not contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this ordinance will, in an individual case, result in unnecessary hardship, so that the spirit of this ordinance shall be observed, public safety and welfare secured, and substantial justice done.

Prior to granting a variance, the Board shall find that:

(a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography;

(b) The application of this ordinance to the particular piece of property would create an unnecessary hardship;

(c) Such conditions are peculiar to the particular piece of property involved; and,

(d) Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of this ordinance; provided however, that no variance may be granted for a use of land or building or structure that is prohibited by this ordinance.

The Ordinance provides guidance for variance requests through the following criteria:
Article II.C.3.e.

Criteria – (1) An application for a variance shall be granted only on the concurring vote of four Board members finding that:

(a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography;

(b) The application of the ordinance to this particular piece of property would create an unnecessary hardship. Personal financial hardship is not a justification for a variance.

(c) Such conditions are peculiar to the particular piece of property involved; and

(d) Relief, if granted, would not cause substantial detriment to the public good and impair the purpose and intent of this ordinance; provided however, that no variance may be granted for a use of land or building or structure that is prohibited by this ordinance.

When a variance is granted by the Zoning Board of Adjustment it has the following effect:

Article II.C.3.g.

Effect of Variance - Any variance granted according to this section and which is not challenged on appeal shall run with the land provided that:

(1) The variance is acted upon according to the application and subject to any conditions of approval within 365 days of the granting of the variance or final decision of appeal, whichever is later; and

(2) The variance is recorded with the Judge of Probate.

Analysis and Recommendation: Variance Criteria

(a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.

Response: The subject property is irregular in shape and is an existing non-conforming lot. The lot is 50' in width and the minimum lot width for an R-2 lot is 75'. The minimum lot area is also an existing non-conformity. The minimum for R-2 is 10,500sq feet and the subject property is approximately 5,600sq feet. If the subject parcel was a conforming lot, the addition could be much larger and would not require a variance.

(b) The application of the ordinance to this particular piece of property would create an unnecessary hardship. Personal financial hardship is not a justification for a variance.

Response: A covered porch accessing the rear is not possible on the other side because it is at the 10-foot required setback line. A 10-foot setback on the south side would allow room for a small covered porch to be built.

(c) Such conditions are peculiar to the particular piece of property involved; and

Response: The required side street setback is enforced because a part of Ertle Street ends at the subject property and serves as access to one parcel to the southeast. It has no connections to any other parcel or street.



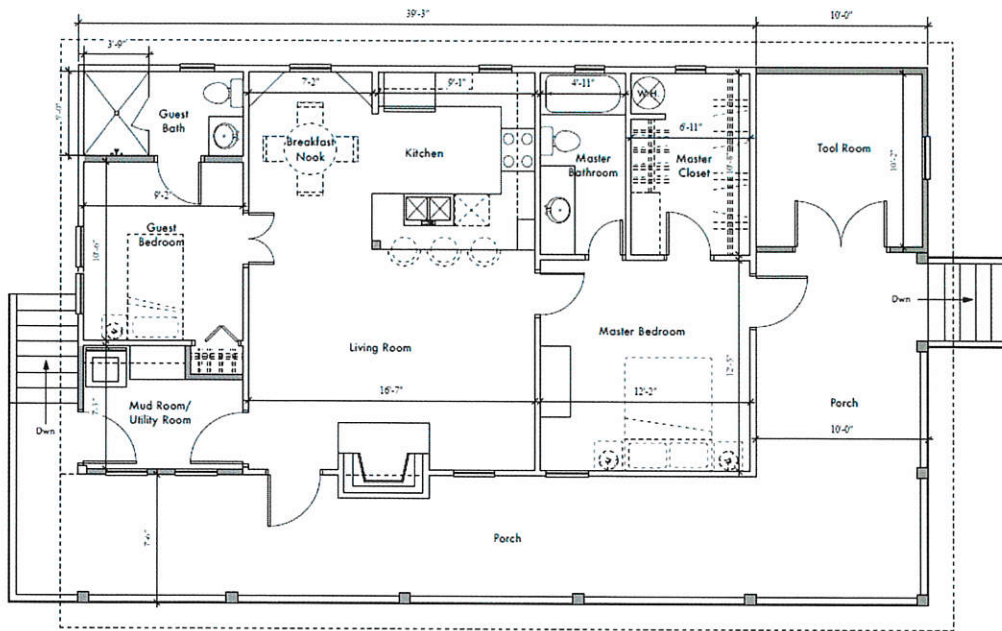
(d) Relief, if granted, would not cause substantial detriment to the public good and impair the purpose and intent of this ordinance; provided however, that no variance may be granted for a use of land or building or structure that is prohibited by this ordinance.

Response: Relief, if granted, would not cause any detriment to the public nor impair the intent of this

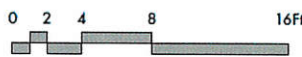
ordinance. The proposed addition would enhance the overall character of the surrounding properties.



Additionally, the layout of the house has the master bedroom located entirely in the rear. A porch solely on the rear would only have access from the house by going through the master bedroom.



First Floor Plan
3/16" = 1'0"



Staff Recommendation:

Staff recommends this request be approved. The street side set back is due to a stub out off Ertle Street that is a barricaded dead end. The applicant's proposal is as minimal as possible that allows them to have a porch that can be used to access the back yard and provide protection from the elements while still staying inside a 10-foot setback that would be the normal side lot line setback. The proposed addition would have a positive effect on the surrounding area.

Prepared by:
Mike Jeffries
Planning Technician, QCI



APPLICATION FOR BOARD OF ADJUSTMENTS

Application Type: Administrative Appeal Special Exception Variance

Property Owner / Leaseholder Information			
Name: <u>Stephen Thompson</u>	Phone Number: <u>251-610-5227</u>		
Street Address: <u>511 Feis Ave</u>			
City: <u>Fairhope</u>	State: <u>AL</u>	Zip: <u>36532</u>	

Applicant / Agent Information			
<small>If different from above. Notarized letter from property owner is required if an agent is used for representation.</small>			
Name: _____	Phone Number: _____		
Street Address: _____			
City: _____	State: _____	Zip: _____	

Site Plan with Existing Conditions Attached: YES NO

Site Plan with Proposed Conditions Attached: YES NO

Variance Request Information Complete: YES NO

Names and Address of all Real Property Owners within 300 Feet of Above Described Property Attached: YES NO

Applications for Administrative Appeal or Special Exception:
Please attach as a separate sheet(s) information regarding the administrative decision made or information regarding the use seeking approval. Please feel free to be as specific or as general as you wish in your description. This information will be provided to the Board before the actual meeting date. It is to your benefit to explain as much as possible your position or proposal.

I certify that I am the property owner/leaseholder of the above described property and hereby submit this application to the City for review. *If property is owned by Fairhope Single Tax Corp. an authorized Single Tax representative shall sign this application.

Stephen Thompson
 Property Owner/Leaseholder Printed Name
11/7/18
 Date

[Signature]
 Signature

 Fairhope Single Tax Corp. (If Applicable)

RECEIVED
 NOV 13 2018
 BY: [Signature]



VARIANCE REQUEST INFORMATION

What characteristics of the property prevent / preclude its development?:

- Too Narrow
- Too Small
- Too Shallow
- Elevation
- Slope
- Shape
- Soil
- Subsurface
- Other (specify)

Describe the indicated conditions: 511 Falls is a 50ft. lot zoned R2 (75ft min) and due to its location on the corner of two dead-end, and unconnected streets the side yard setbacks are strenuous and difficult to accommodate.

How do the above indicated characteristics preclude reasonable use of your land?
We want to add a wrap around porch to improve the function and aesthetic of the house, and if the lot was 75ft we would have plenty of room. The narrowness of the small lot, and the fact that there are low and slow traffic areas should be considered, so that we can fully utilize our home.

What type of variance are you requesting (be as specific as possible)?
We would like to see our side yard setbacks shortened to ~~20~~ 10ft. so that we can add a 7 1/2 ft wrap around porch. The side yard (E/He St. side) is currently at 20ft.

Hardship (taken from Code of Alabama 1975 Section 11-52-80):

"To authorize upon appeal in specific cases such variance from the terms of the (zoning) ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provision of the (zoning) ordinance will result in unnecessary hardship and so that the spirit of the (zoning) ordinance shall be observed and substantial justice done."

BOA Fee Calculation:		
	Residential	Commercial
Filing Fee:	\$100	\$500
Publication:	\$20	\$20
TOTAL:	\$ 120	

I certify that I am the property owner/leaseholder of the above described property and hereby submit this application to the City for review. *If property is owned by Fairhope Single Tax Corp. an authorized Single Tax representative shall sign this application.

Stephen Thompson
 Property Owner/Leaseholder Printed Name

[Signature]
 Signature

11/7/18
 Date

Fairhope Single Tax Corp. (If Applicable)



- ☑ too narrow
- ☑ too small
- ☑ shape

511 Fels is a 50 ft. lot, zoned R2 (75ft lot min), and due to its location on the corner of 2 dead end streets the setbacks are strenuous on the small lot.

IF the lot were ~~50~~ 75^{ft} wide there would be plenty of room to build the porch to improve function of the property, but with the narrow lot we do not have room ^{of} aesthetic.

511 Fels is a 50 ft lot zoned R2 (75ft lot min.) and due to its location on the corner of 2 dead end, and unconnected streets the setbacks of a corner lot a strenuous. 7





Board of Adjustment

December 17, 2018

Case: BOA 18.13 10 N. Section Street

Project Location:

10 N. Section Street

Request:

Approval of a Hotel by appeal pursuant to Article III. Section B. Allowed Uses Table 3-1: Use Table, and variance to maximum number of stories in the Central Business District (CBD)

Applicant:

Clay Adams,
WAV Architects, Inc.

Zoning District:

B-2 General Business District,
Central Business District (CBD)
Overlay

PPIN Number:

88449

General Location:

Northeast corner of Section Street and Fairhope Avenue

Staff Report Prepared by:

Wayne Dyess, AICP

Recommendation:

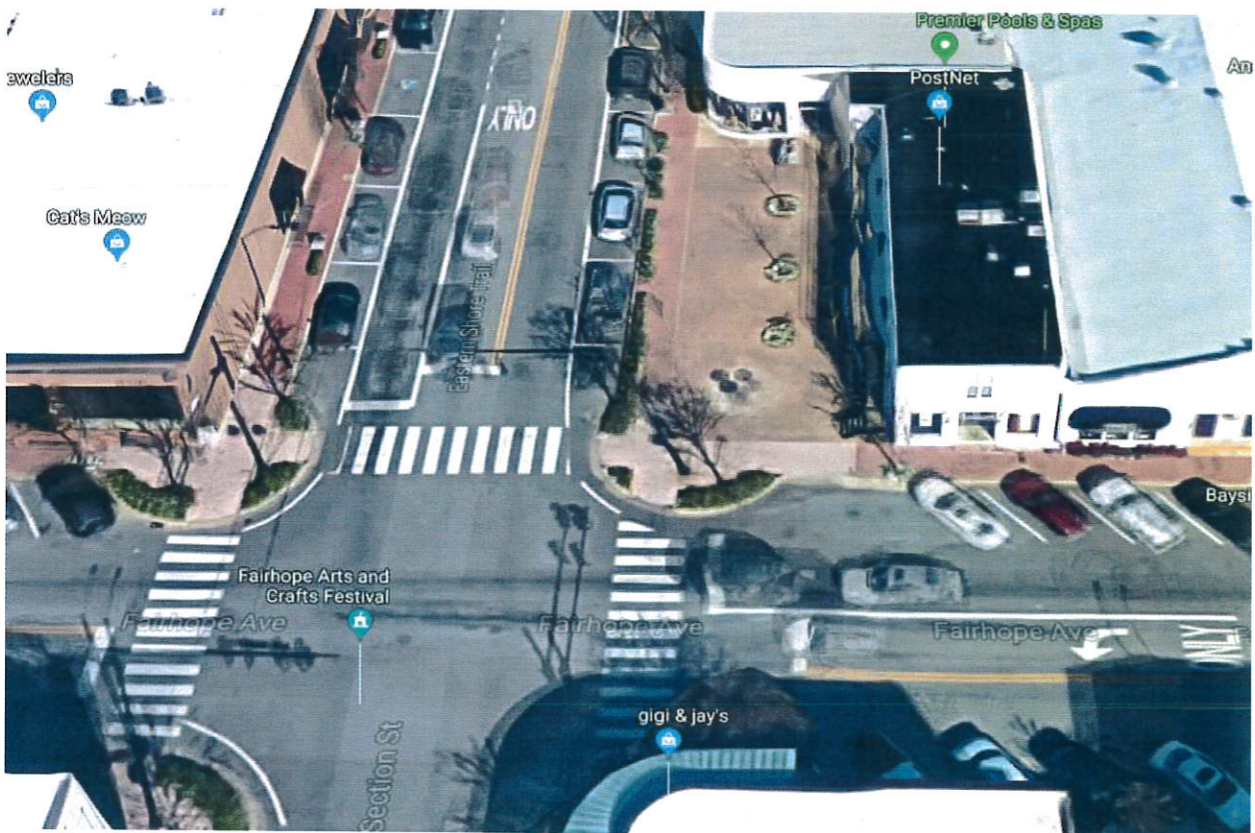
Staff recommends that the variance to allow 4 stories be **DENIED**.

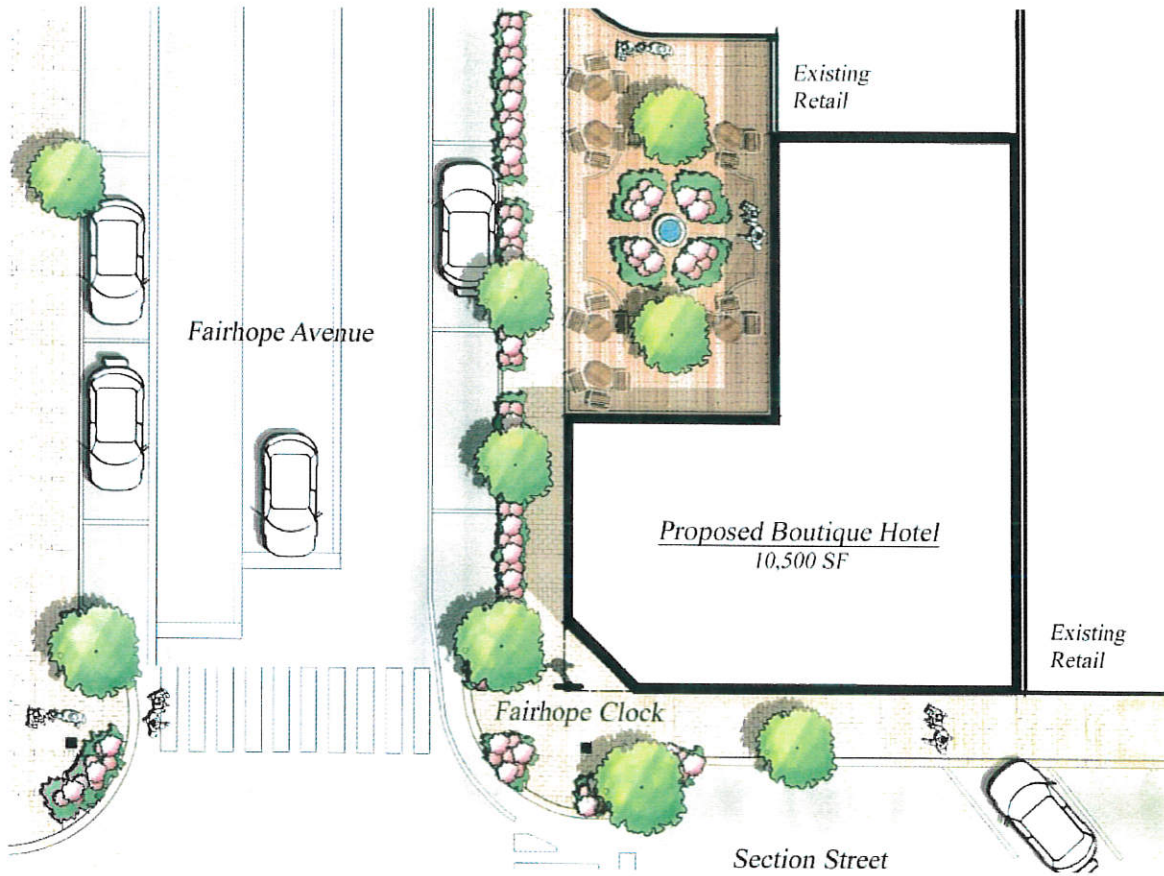
Staff recommends that the appeal for a hotel use in the B-2 district be **APPROVED**.



Summary of Request:

The applicant is requesting to construct a boutique hotel at 10 North Section Street (northeast corner of Section Street and Fairhope Avenue). The current site would be redeveloped into this new use. This request requires two approvals from the Zoning Board of Adjustments: 1. Use appeal for a hotel; and 2. Variance to exceed the maximum number of stories allowed in the CBD. Applicant wishes to construct 4 stories; CBD overlay allows a maximum of 3 stories.







Looking north from Section Street



View from Section Street



Looking east from Fairhope Ave.

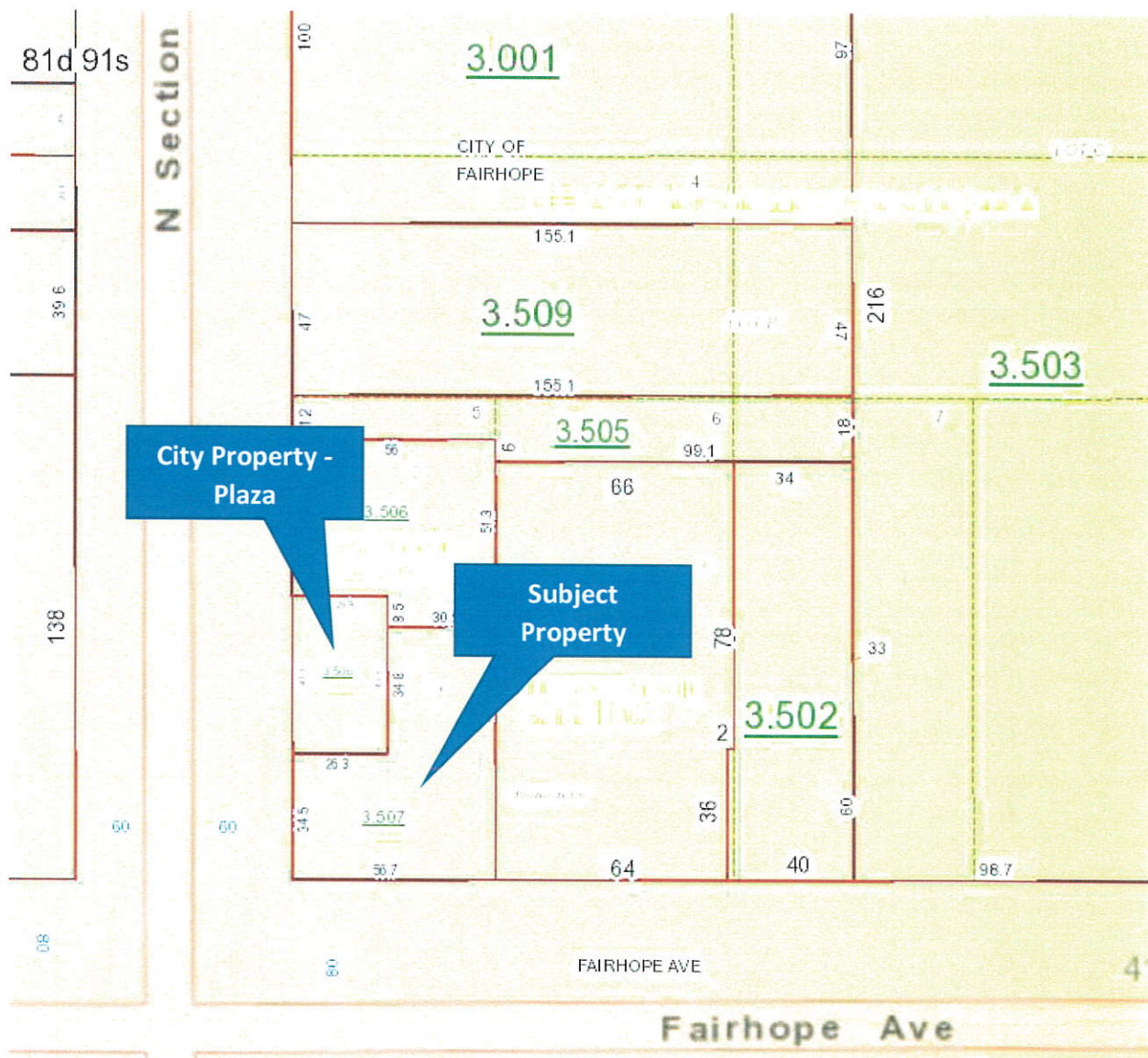
The subject property is zoned B-2 General Business District and is in the Central Business District (CBD) overlay zone. A hotel in the B-2 district is not permitted "by-right" in the zoning ordinance (see excerpt from Table 3-1: Use Table below). However, a hotel is allowed on appeal to the Zoning Board of Adjustment, subject to special conditions. Therefore, the applicant has filed for a use appeal to allow for the hotel use on the subject property.

Table 3-1: Use table

Zoning District	R-A	R-1(a,b,c)	R-2	R-3 TH	R-3 P/GH	R-3	R-4	R-5	R-6	B-1	B-2	B-3a	B-3b	B-4	M-1	M-2	PUD	VRM	NVC	CVC
Uses Categories / Specific Uses																				
Hotel / Motel											○	●	●				strick			

- Permitted subject to general ordinance standards and conditions.
- Permitted subject to special conditions listed in the ordinance
- Permitted only on appeal and subject to special conditions





As typical in most CBD's, on street parking is provided. The City of Fairhope provides on street parking throughout the CBD, as well as surface parking lots/deck provided by the Fairhope Parking Authority. It should also be noted, for context purposes, that all uses except a dwelling unit located in the CBD, are exempt from parking requirements. However, dwelling units require 1 dedicated on-site parking space per unit, located behind the building and shielded from rights-of-way. Theoretically, the on street and surface/deck public parking offsets the need for onsite parking for uses downtown. Because this parking is public and managed by the City, careful consideration must be given to each development and its impact on parking.

To objective analyze the parking issues associated with this applicant, you must consider the current use and the parking demand it creates compared to the parking demand for the new use. The current use is considered a retail business. According to the Baldwin County Revenue Commission tax records, the total square feet of the building is 2,382. As stated previously, a hotel or commercial use is exempt from parking requirements. However, for project evaluation purposes, applying the parking requirements in the Zoning Ordinance, Article IV.E. Table 4-3, based on the current use square feet, the current use generates a total of 9 parking spaces. Table 4-3 requires 1 space per hotel room. This boutique hotel proposal includes 8 rooms and thus 8 spaces would be required if the use was outside of the CBD. Additionally, according to Institute of Transportation Engineers (ITE) Parking Generation,

4th Edition, parking demand for a hotel fluctuates during the day, with peak parking demand in the morning and evening. Parking demand also fluctuates during the week as well, with a peak parking demand on weekends. Therefore, the peak parking demand of morning and evening coincides with traditionally lower parking demand in the CBD. Considering the limited size of the hotel, staff believes that existing demand of the current use and the demand proposed use will be similar and effect on current parking will be minimal.

Excerpt relative to CBD parking from Zoning Ordinance.

Article V. CBD 4.d. Parking -

(1) No parking is required for non-residential uses in the CBD. If parking is provided, it shall be located behind the building, screened from public rights-of-way, and have a direct pedestrian connection to the primary building entrance of the public right-of-way.

(2) Dwelling units in the CBD shall provide the required parking. It shall be located behind the building, screened from public rights-of-way, and have a direct pedestrian connection to the primary building entrance of the public right-of-way.

Article V. Site Design standards E.2. Required Parking

These standards (Parking Requirements) shall not apply to the CBD Overlay, where on-street parking is permitted. However, wherever practicable, businesses in the CBD Overlay are encouraged to provide off-street parking facilities.

In addition to the use appeal, the applicant has also filed a variance request for relief from the language in the Central Business District (CBD) limiting all building in the CBD to 3 stories and 40'. The language from the Zoning Ordinance says the following:

Article V.D.4.c. Building heights for all structures shall not exceed 40 feet or 3 stories.

The applicant is wishing to construct a boutique hotel on the subject property, 4 stories and 40' in height. The maximum height of the proposed hotel is within the maximum height but at the 4 stories exceeds the 3-story limit provided for in the Zoning Ordinance.

Analysis and Recommendation:

The applicant has requested a variance from the maximum 3 story limit in the CBD. The applicant is seeking a variance for 4 stories. The following Variance Criteria is found *Article II.C.3(e)*:

(1) An application for a variance shall be granted only on the concurring vote of four Board members finding that:

(a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography;

Staff Response: No exceptional conditions noted to support the variance.

(b) The application of the ordinance to this particular piece of property would create an unnecessary hardship. Personal financial hardship is not a justification for a variance.

Staff Response: No Unnecessary hardship could be identified.

(c) Such conditions are peculiar to the piece of property involved; and,

Staff Response: No peculiar conditions relative the property was identified.

(d) Relief, if granted, would not cause substantial detriment to the public good and impair the purpose and intent of this ordinance; provided however, that no variance may be granted for a use of land or building or structure that is prohibited by this ordinance

Staff Response: Staff believes that granting of a variance to exceed the maximum of 3 stories would create a dangerous precedent that could negatively affect downtown. The City Council recently adopted an amendment to increase the minimum height to 3 stories and 40 feet. This amendment created and important urban design goal of proportionality of buildings. By allowing 4 stories within the 40' maximum negatively impacts the desired proportionality caused by the amendment.

As stated previously, a boutique hotel is allowed only on appeal in the B-2 District

Article II.C.3(2)(e) Use Appeal Criteria

Any other application to the Board shall be reviewed under the following criteria and relief granted only upon the concurring vote of four Board members:

(a) Compliance with the Comprehensive Plan;

Staff Response: The Comprehensive Plan encourages developments which contribute to the long-term vitality of downtown. Staff believes that a downtown hotel, with proper parking consideration, can positively affect the long-term vitality of downtown by bringing people downtown for longer periods of time and different times of the day (morning and evening).

(b) Compliance with any other approved planning document;

Staff Response: Staff will ensure compliance with all planning related documents.

(c) Compliance with the standards, goals, and intent of this ordinance;

Staff Response: Staff believes a hotel use does meet the intent of the ordinance. In addition, the CBD is intended to contain restaurant and entertainment type uses.

(d) The character of the surrounding property, including any pending development activity;

Staff Response: All the surrounding property is in the CBD and is zoned B-2.

(e) Adequacy of public infrastructure to support the proposed development;

Staff Response: As discussed in this report, parking is a concern for the proposed use. However, after reviewing the current use and its demand, compared to the demand created by a hotel use, considering the peak parking demand during the day and week, parking impact is basically a "wash".

(f) Impacts on natural resources, including existing conditions and ongoing post-development conditions;

Staff Response: The proposed use is a redevelopment of an existing disturbed site.

(g) Compliance with other laws and regulations of the City;

Staff Response: Staff will insure all are met.

(h) Compliance with other applicable laws and regulations of other jurisdictions;

Staff Response: Staff will insure all are met.

(i) Impacts on adjacent property including noise, traffic, visible intrusions, potential physical impacts, and property values;

Staff Response: As stated previously, parking demand of the new use is a "wash". No other negative impacts are anticipated.

(j) Impacts on the surrounding neighborhood including noise, traffic, visible intrusions, potential physical impacts, and property values.

Staff Response: As stated previously, parking demand of the new use is a “wash”. No other negative impacts are anticipated.

(k) Overall benefit to the community;

Staff Response: The use will aid the development of more long-term vitality to downtown as desired by the Comprehensive Plan.

(l) Compliance with sound planning principles;

Staff Response: Staff believes that the approval of a hotel use in the CBD are in keeping with sound planning principles.

(m) Compliance with the terms and conditions of any zoning approval; and

Staff Response: Staff will insure all conditions will be met.

(n) Any other matter relating to the health, safety, and welfare of the community.

Staff Response: None noted.

3.d(2) The application shall be submitted to the Board at the scheduled public hearing, with the Director’s

report. The Board shall consider the application and take one of the following actions:

(a) Grant the requested relief;

(b) Grant the requested relief with specific conditions;

(c) Deny the requested relief; or

(d) Continue discussion of the application for further study. An application shall only be continued one time without the applicant’s consent before the Board can take one of the above actions. An applicant may agree to more continuances.

Recommendation:

The staff has carefully considered this application and its implications to development downtown. The staff recommendation is two parts:

1. Staff recommends that the variance to allow 4 stories be **DENIED**.
2. Staff recommends that the appeal for a hotel use in the B-2 district be **APPROVED**.



APPLICATION FOR BOARD OF ADJUSTMENTS

Application Type: Administrative Appeal Special Exception Variance

Property Owner / Leaseholder Information

Name: Black Oak Holdings Phone Number: 504-382-7269
 Street Address: 2000 Preserve Lake Drive, Suite B
 City: Covington State: LA Zip: 70433

Applicant / Agent Information

If different from above.
 Notarized letter from property owner is required if an agent is used for representation.

Name: Clay Adams, WAV Architects, Inc. Phone Number: 251-928-6041
 Street Address: 1 South School Street
 City: Fairhope State: Alabama Zip: 36532

Site Plan with Existing Conditions Attached: YES NO
 Site Plan with Proposed Conditions Attached: YES NO
 Variance Request Information Complete: YES NO
 Names and Address of all Real Property Owners within 300 Feet of Above Described Property Attached: YES NO

Applications for Administrative Appeal or Special Exception:

Please attach as a separate sheet(s) information regarding the administrative decision made or information regarding the use seeking approval. Please feel free to be as specific or as general as you wish in your description. This information will be provided to the Board before the actual meeting date. It is to your benefit to explain as much as possible your position or proposal.

I certify that I am the property owner/leaseholder of the above described property and hereby submit this application to the City for review. *If property is owned by Fairhope Single Tax Corp. an authorized Single Tax representative shall sign this application.

BLACK OAK HOLDINGS / MAT BOWERS
Property Owner/Leaseholder Printed Name

November 13, 2018
Date

BLACK OAK HOLDINGS by Matt Bowers
 Signature
[Signature]
 Fairhope Single Tax Corp. (If Applicable)

NOV 13 2018
EB



VARIANCE REQUEST INFORMATION

What characteristics of the property prevent / preclude its development?:

- | | | |
|--------------------------------------|------------------------------------|---|
| <input type="checkbox"/> Too Narrow | <input type="checkbox"/> Elevation | <input type="checkbox"/> Soil |
| <input type="checkbox"/> Too Small | <input type="checkbox"/> Slope | <input type="checkbox"/> Subsurface |
| <input type="checkbox"/> Too Shallow | <input type="checkbox"/> Shape | <input checked="" type="checkbox"/> Other (specify) Special Exception: Allowable Use |

Describe the indicated conditions: Property is located in the B-2 General Business zone and in the Central Business District overlay.

How do the above indicated characteristics preclude reasonable use of your land?
Proposed use of the property is a Hotel. Fairhope Zoning Ordinance indicates that this type of use is "permitted only on appeal and subject to special conditions."

What type of variance are you requesting (be as specific as possible)?
Requesting a variance to allow a small, boutique style hotel in the B-2 zone. Also requesting that the variance recognizes that the proposed property is low occupancy and within the CBD, therefore, no on-site parking would be required. The parking for the new development would be less of an impact than the existing business. See Sheet A2 enclosed for parking analysis.

Hardship (taken from Code of Alabama 1975 Section 11-52-80):
 "To authorize upon appeal in specific cases such variance from the terms of the (zoning) ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provision of the (zoning) ordinance will result in unnecessary hardship and so that the spirit of the (zoning) ordinance shall be observed and substantial justice done."

BOA Fee Calculation:		
	Residential	Commercial
Filing Fee:	\$100	\$500
Publication:	\$20	\$20
TOTAL:	\$520.00	

I certify that I am the property owner/leaseholder of the above described property and hereby submit this application to the City for review. *If property is owned by Fairhope Single Tax Corp. an authorized Single Tax representative shall sign this application.

BLAKE OAK HOLDINGS by MATT BAWERS
 Property Owner/Leaseholder Printed Name

November 13, 2018
 Date

BLAKE OAK HOLDINGS by Matt B
 Signature
Michael Duhel Sec.
 Fairhope Single Tax Corp. (If Applicable)

NOV 13 2018
 EB



VARIANCE REQUEST INFORMATION

What characteristics of the property prevent / preclude its development?:

- | | | |
|--------------------------------------|------------------------------------|--|
| <input type="checkbox"/> Too Narrow | <input type="checkbox"/> Elevation | <input type="checkbox"/> Soil |
| <input type="checkbox"/> Too Small | <input type="checkbox"/> Slope | <input type="checkbox"/> Subsurface |
| <input type="checkbox"/> Too Shallow | <input type="checkbox"/> Shape | <input checked="" type="checkbox"/> Other (specify) Building Height |

Describe the indicated conditions: Property is located in the B-2 General Business zone within the Central Business District overlay.

How do the above indicated characteristics preclude reasonable use of your land?
Amendment to the Fairhope Zoning Ordinance #1253, dated January 2018 indicates that maximum building height in the CBD is 40 feet to the roof deck with access to roof allowed with stairs/elevator and a parapet or railing (per code) or 3 stories.

What type of variance are you requesting (be as specific as possible)?
Requesting a variance to allow the structure to contain 4 floors so long as the the height is 40 feet to the roof deck, per current ordinance. See enclosed drawing submittal.

Hardship (taken from Code of Alabama 1975 Section 11-52-80):
 "To authorize upon appeal in specific cases such variance from the terms of the (zoning) ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provision of the (zoning) ordinance will result in unnecessary hardship and so that the spirit of the (zoning) ordinance shall be observed and substantial justice done."

BOA Fee Calculation:		
	Residential	Commercial
Filing Fee:	\$100	\$500
Publication:	\$20	\$20
TOTAL:	\$ Included with attached Special Exception Application	

I certify that I am the property owner/leaseholder of the above described property and hereby submit this application to the City for review. *If property is owned by Fairhope Single Tax Corp. an authorized Single Tax representative shall sign this application.

BLACK OAK HOLDINGS BY MARTI BEWERS
 Property Owner/Leaseholder Printed Name

November 13, 2018
 Date

BLACK OAK HOLDINGS BY Marti Bewers
 Signature
[Signature]
 Fairhope Single Tax Corp. (If Applicable)

NOV 13 2018
 EB



Board of Adjustment

December 17, 2018

Case: BOA 18.14 151 S. Mobile Street

Project Name:

151 S. Mobile Street

Property Owner / Applicant:

Gilbert R. Gambino

General Location:

South Mobile Street 1/8 mile
South of Fairhope Avenue

Request:

Setback variances as indicated
on site plan

Project Acreage:

1/7 acre approximately

Zoning District:

B-3a Tourist Resort District

PPIN Number:

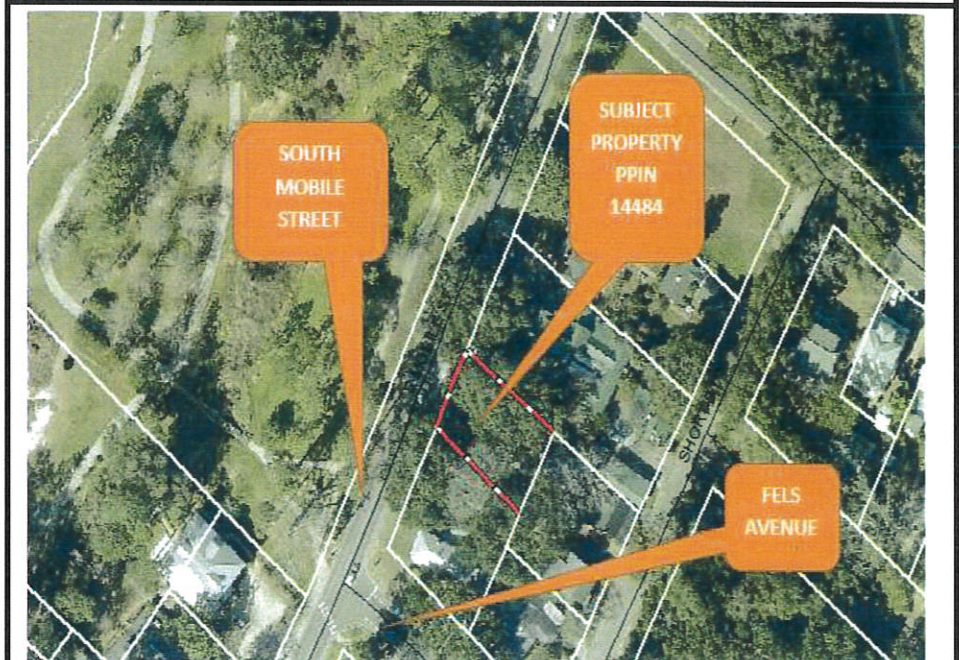
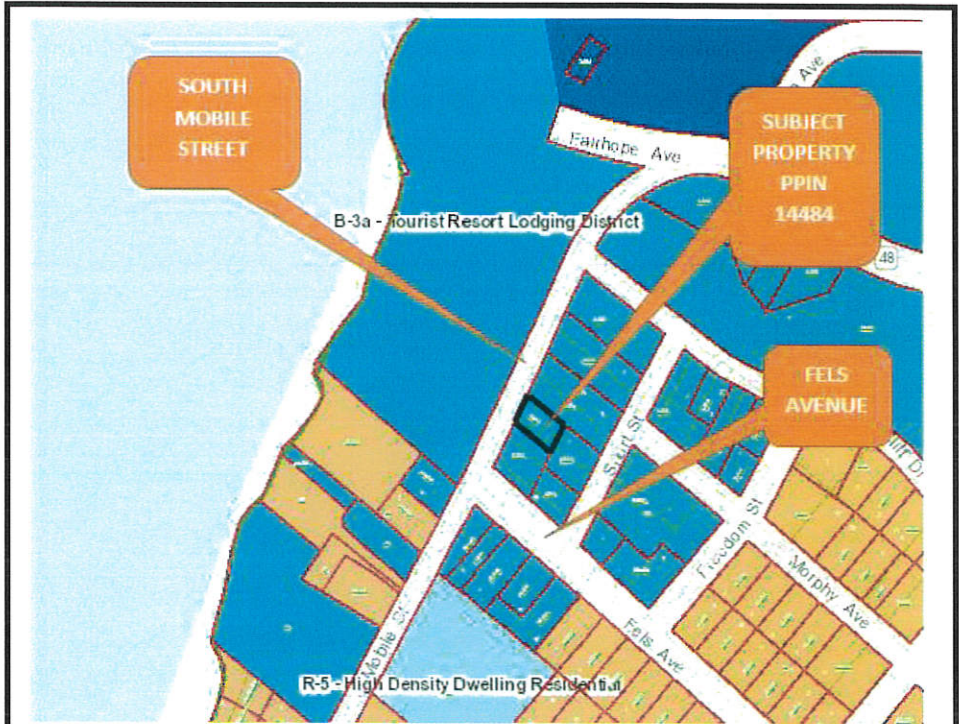
14484

Report prepared by:

J. Buford King
City Planner

Recommendation:

Table for further study



Summary of Request:

The applicant is requesting a variance from the front setback line requirements of City of Fairhope Zoning Ordinance. The applicant provided a site plan depicting a proposed home to be constructed on the lot associated with PPIN 14484 with a 10'-0" encroachment upon the front setback line. The subject property is zoned B-3a Tourist Lodging District.

Additional Background Information

The applicant states on its application "the footprint of the lot is too small to build a home using the current setbacks". B-3a zoning requires the dimensions, as indicted in Article III, Section "C" of the City of Fairhope Zoning Ordinance in the excerpt below:

Dimension District or use	Min. Lot Area/ Allowed Units Per Acre(UPA)	Min. Lot Width	Setbacks				Max. total lot coverage by principle structure	Max. height
			Front	Rear	Side	Street side		
B-3a	7,500 s.f./-	60'	30'	35'	10'		30%	30'1

The existing lot, as indicated on the Baldwin County parcel viewer, is 64' wide and 101.2' long, with a lot area of approximately 6,514sf as calculated by ArcGIS, shown in the excerpt below:

The screenshot shows a parcel viewer interface. On the left, there is a table with the following data:

Field	Value
OBJECTID	76973
SYMBOL	0
PID	05-46-03-37-0-010-006.505
PIN	14484
PAR_NUM	006.505
CALC_ACRE	0.149541
TOWNSHIP	6S
RANGE	2E
COUNTY	05
LOCATOR	46
PLS_AREA	03
SECTION_	37
LAND_GRANT	Baron de Feriet
Q_SECTION	0
MAP_BLOCK	010
CIT_LIM	Fairhope
SUB_DIV	03MB
LOT_NUM	<null>
GlobalID	{442172B9-6A1D-4274-869E-4354C4B1E710}
Shape	Polygon
SHAPE.area	6513.997676
SHAPE.len	334.702871

Below the table, the location is given as 1,838,826.376 190,165.117 Feet. A popup window titled "Parcels: FST GAMBINO, GILBERT R ETAL GAMBINO, BAR" is open over a parcel on the map, displaying the following information:

- PIN: 14484
- PID: 05-46-03-37-0-010-006.505
- Name: FST GAMBINO, GILBERT R ETAL GAMBINO, BAR
- Address1: 107 S MOBILE ST
- Address2:
- Address3:
- City: FAIRHOPE
- State: AL
- Zip1: 36532
- Zip2:

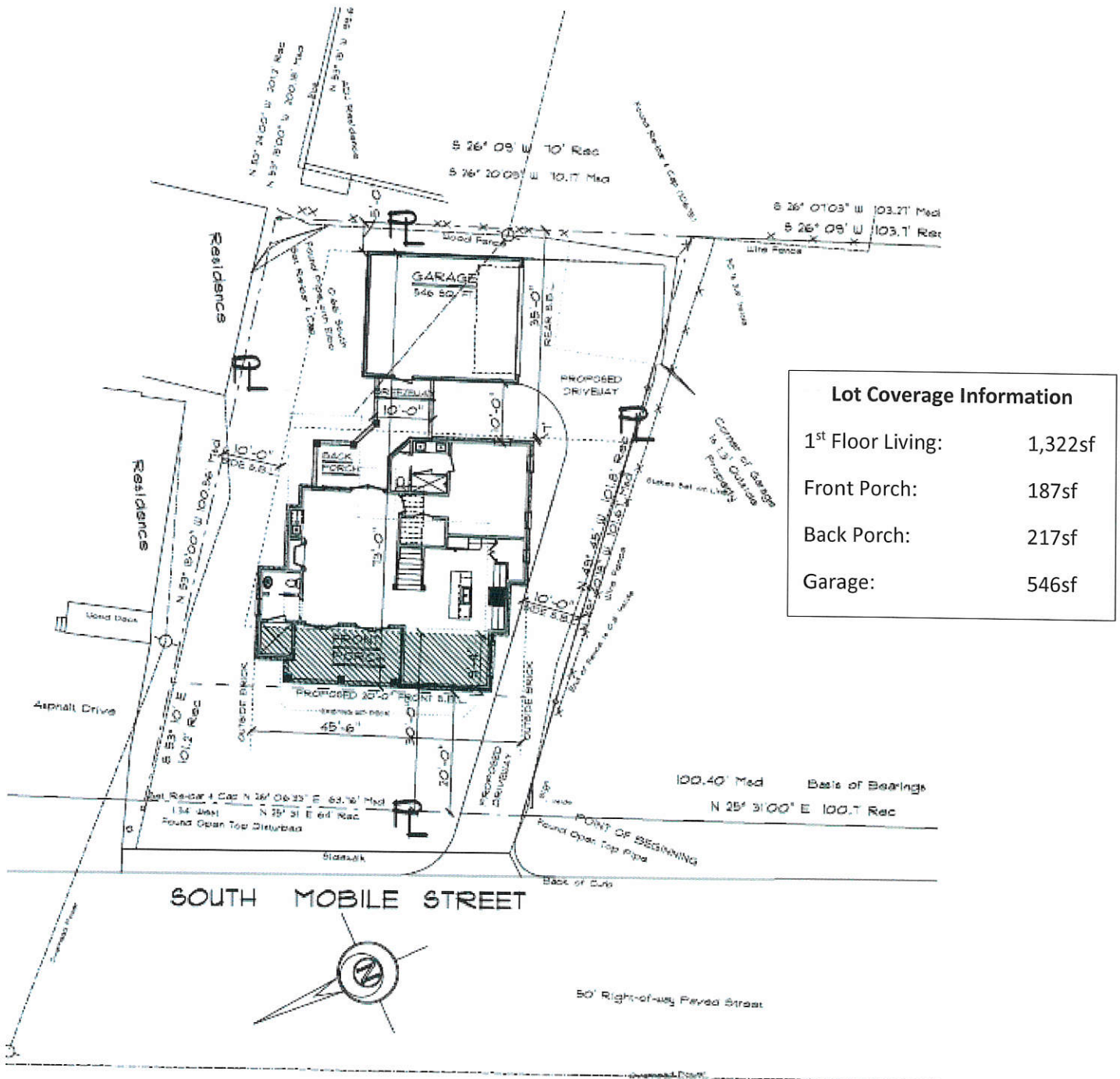
The map shows several parcels labeled with IDs: 6.501, 6.502, 6.503, 6.505, and 6.508. Streets shown include S MOBILE ST, SHORT ST, and RT ST.

An excerpt of the proposed site plan included with subject application is depicted on the next page below. The requested variance requests 10'-0" encroachment onto the front building setback line. Because PPIN 14484 is an existing non-conforming in zoning district B-3a due to its size, the City of Fairhope zoning ordinance contains provisions related to building setback lines that are applicable to subject property. The

requested encroachment onto the 30' front setback does not reflect the front setback line allowances of Article VII, Section D.3. of the zoning ordinance, which states:

3. The front setback (and, on corner lots, the street side setback) shall not apply to any lot where the average setbacks in the same block and within 200 feet of the subject lot is less than the minimum setback required for the district. In such cases, the proposed building may be aligned with the building's existing on either side thereof.

It is possible the need for a setback variance may be eliminated or substantially reduced if the setback observations described above are reflected on the site plan. An excerpt of the proposed site plan is shown below:



As stated previously PPIN 14484 has a lot area of approximately 6,514sf. The lot coverage allowance of B-3a zoning is 30%, resulting in approximately 1,954sf of available lot coverage by the principle structure. The principle structure lot coverage chart on the previous page, excerpted from the proposed site plan, is 1,726sf and is allowable for the lot. The rear yard area, as calculated by ArcGIS for PPIN 14484 is approximately 2,421.6sf. The allowable accessory structure lot coverage for residentially-zoned districts is 25%, or 605sf (if a residential standard is applied to subject property). The garage as an accessory structure with a proposed lot coverage of 546sf is acceptable and would also be allowable in a residentially-zoned area.

Comments:

The City of Fairhope Zoning Ordinance defines a variance as follows:

Variances: A modification of the strict terms of the relevant regulations in a district with regard to placement of structures, developmental criteria or provision facilities. Examples would be: allowing smaller yard dimensions because an existing lot of record is of substandard size; waiving a portion of required parking and/or loading space due to some unusual circumstances; allowing fencing and/or plant material buffering different from that required due to some unusual circumstances. Variances are available only on appeal to the Board of Adjustment and subject to satisfaction of the standards specified in this ordinance.

The Board of Adjustments is authorized to grant variance through Article II.A.d(3) which says the following:

d. Duties and Powers: The Board shall have the following duties and powers:

(3) Variances - To authorize upon appeal in specific cases variance from the terms of this ordinance not contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this ordinance will, in an individual case, result in unnecessary hardship, so that the spirit of this ordinance shall be observed, public safety and welfare secured, and substantial justice done.

Prior to granting a variance, the Board shall find that:

(a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography;

(b) The application of this ordinance to the particular piece of property would create an unnecessary hardship;

(c) Such conditions are peculiar to the particular piece of property involved; and,

(d) Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of this ordinance; provided however, that no variance may be granted for a use of land or building or structure that is prohibited by this ordinance.

The Ordinance provides guidance for variance requests through the following criteria:
Article II.C.3.e.

Criteria – (1) An application for a variance shall be granted only on the concurring vote of four Board members finding that:

(a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography;

(b) The application of the ordinance to this particular piece of property would create an unnecessary hardship. Personal financial hardship is not a justification for a variance.

- (c) Such conditions are peculiar to the particular piece of property involved; and**
- (d) Relief, if granted, would not cause substantial detriment to the public good and impair the purpose and intent of this ordinance; provided however, that no variance may be granted for a use of land or building or structure that is prohibited by this ordinance.**

When a variance is granted by the Zoning Board of Adjustment it has the following effect:

Article II.C.3.g.

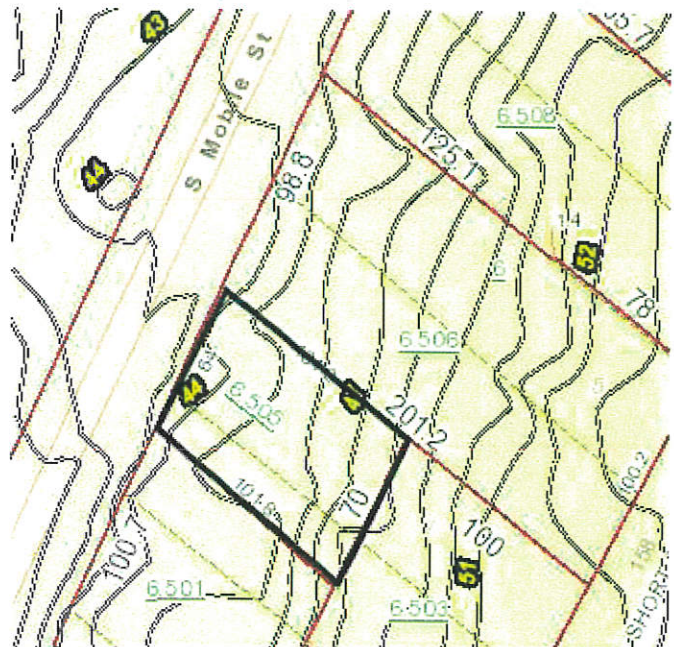
Effect of Variance - Any variance granted according to this section and which is not challenged on appeal shall run with the land provided that:

- (1) The variance is acted upon according to the application and subject to any conditions of approval within 365 days of the granting of the variance or final decision of appeal, whichever is later; and**
- (2) The variance is recorded with the Judge of Probate.**

Analysis and Recommendation: Variance Criteria

(a) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.

Response: The subject property is generally rectangular in shape and approximately 6,514 sf, or slightly more than 1/7 acre in size. The shape of the lot is very slightly irregular due to the angled west and east property lines though the north and south property lines appear to be parallel. The lot size is approximately 1,000sf less than the minimum lot size required for a lot zoned B-3a, and therefore demonstrates an existing nonconformity. The lot has no visible extraordinary or exceptional topographical conditions and rises slightly from west to east from an elevation of 44' to 48' as seen in the topographic map at right:



The applicant indicates the hardship created by the size, shape, or topography of the subject property “is too small to build a home using the current setbacks.” The subject property is approximately 1,000sf smaller than the minimum lot size of a lot zoned lot B-3a, and therefore is a “non-conforming lot” though the requested lot coverage is allowable with the required setbacks applied. Further, the provisions within the City of Fairhope zoning ordinance related to non-

conforming lots is not reflected on the proposed site plan. However, staff acknowledges the existing lot, though with a conforming lot width of 64', is approximately 18' shorter than would otherwise be required to attain a lot size conforming to B-3a zoning requirements. Staff understands the conceptual need to allow the front setback variance but does not believe sufficient evidence has been submitted that the requested variance is the minimal deviation from the zoning ordinance to cure the non-conformity affecting the front

setback lines.

(b) The application of the ordinance to this particular piece of property would create an unnecessary hardship. Personal financial hardship is not a justification for a variance.

As stated previously the requested lot coverage appears to comply with the zoning ordinance utilizing required setbacks despite the subject property's non-conforming size. As a result, it appears a residential structure of sufficient size may be constructed on the subject property and the property's size, shape, and topography does not preclude the use of the property for residential purposes and does not appear to represent a hardship contemplated by the zoning ordinance. As stated previously it does not appear the proposed site plan reflects the minimum deviation from the zoning ordinance required to cure the non-conformity created by the subject property's lot size affecting the front building setback line.

(c) Such conditions are peculiar to the particular piece of property involved.

Response: As stated in sections (a) and (b) above, staff understands the conceptual desire for a front setback variance on subject property. Staff does not necessarily object to a variance that allows the proposed site plan to compensate for the lot's non-conforming size, which is peculiar to the subject property. However, the proposed site plan does not appear to reflect the minimal deviation from the zoning ordinance required to cure the non-conformity created by the subject property's lot size affecting the front building setback line.

(d) Relief, if granted, would not cause substantial detriment to the public good and impair the purpose and intent of this ordinance; provided however, that no variance may be granted for a use of land or building or structure that is prohibited by this ordinance.

Response: Staff acknowledges the conceptual need for setback variances on subject property and does not necessarily object to a variance that allows the proposed site plan to compensate for the lot's non-conforming size. Staff believes if the minimum deviation from the zoning ordinance required to cure the non-conformity is proposed, that minimum deviation is unlikely to cause substantial detriment to the public and impair the purposes and intent of the zoning ordinance.

Staff Recommendation:

Staff recommends case number BOA 18.14 request for setback variance for PPIN 14484, 151 S. Mobile Street be **TABLED** for additional study. Staff acknowledges the existing lot is approximately 1,000sf smaller, and approximately 18' shorter than a conforming lot located within the B-3a zoning district, however the proposed site plan does not reflect the various allowances outside of the variance request process to compensate for a non-conforming lot's front setback line. It is possible the proposed home may be constructed without the need for variances or for a variance representing the smallest deviation necessary from the zoning ordinance to cure the non-conformity. Staff requests the applicant provide sufficient data and drawings reflecting the various allowances provided for non-conforming lots described in Article VII Section "C" which may eliminate or reduce the requirement for a front setback variance. The applicant is advised additional information supporting its request for variance shall be submitted to staff by the close of business on Friday, January 4, 2019 for inclusion on the January 24, 2019 Board of Adjustments meeting agenda.

Prepared by:
J. Buford King
City Planner

Site Photos



Looking east toward subject property
From west side of S. Mobile Street



Looking northeast toward subject
property from west side of S. Mobile
Street



Looking southeast toward subject property
from edge of right-of-way



Looking east toward subject along north
property line of PPIN 14484



APPLICATION FOR BOARD OF ADJUSTMENTS

Application Type: Administrative Appeal Special Exception Variance

Property Owner / Leaseholder Information			
Name:	<u>Rick Gambino</u>	Phone Number:	<u>251-423-1817</u>
Street Address:	<u>151 S. Mobile St.</u>		
City:	<u>Fairhope</u>	State:	<u>AL</u> Zip: <u>36532</u>

Applicant / Agent Information			
<small>If different from above. Notarized letter from property owner is required if an agent is used for representation.</small>			
Name:	_____ Phone Number: _____		
Street Address:	_____		
City:	_____	State:	_____ Zip: _____

Site Plan with Existing Conditions Attached: YES NO

Site Plan with Proposed Conditions Attached: YES NO

Variance Request Information Complete: YES NO

Names and Address of all Real Property Owners within 300 Feet of Above Described Property Attached: YES NO

Applications for Administrative Appeal or Special Exception:
Please attach as a separate sheet(s) information regarding the administrative decision made or information regarding the use seeking approval. Please feel free to be as specific or as general as you wish in your description. This information will be provided to the Board before the actual meeting date. It is to your benefit to explain as much as possible your position or proposal.

I certify that I am the property owner/leaseholder of the above described property and hereby submit this application to the City for review. *If property is owned by Fairhope Single Tax Corp. an authorized Single Tax representative shall sign this application.

Rick Gambino
Property Owner/Leaseholder Printed Name
10/30/2018
Date

Rick Gambino
Signature

Fairhope Single Tax Corp. (If Applicable)

RECEIVED
NOV 13 2018
BY: EB



VARIANCE REQUEST INFORMATION

What characteristics of the property prevent / preclude its development?:

- | | | |
|---|------------------------------------|---|
| <input type="checkbox"/> Too Narrow | <input type="checkbox"/> Elevation | <input type="checkbox"/> Soil |
| <input checked="" type="checkbox"/> Too Small | <input type="checkbox"/> Slope | <input type="checkbox"/> Subsurface |
| <input type="checkbox"/> Too Shallow | <input type="checkbox"/> Shape | <input checked="" type="checkbox"/> Other (specify) |

Describe the indicated conditions:

The footprint of the lot is too small to build a home using the current setbacks.

How do the above indicated characteristics preclude reasonable use of your land?

The size of the unusually small lot make it impossible to build a livable home for an elderly couple using the normal setback requirements.

What type of variance are you requesting (be as specific as possible)?

We would like an approval for the footprint of the house to encroach in the setbacks on the proposed site plan as submitted.

Hardship (taken from Code of Alabama 1975 Section 11-52-80):

"To authorize upon appeal in specific cases such variance from the terms of the (zoning) ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provision of the (zoning) ordinance will result in unnecessary hardship and so that the spirit of the (zoning) ordinance shall be observed and substantial justice done."

BOA Fee Calculation:		
	Residential	Commercial
Filing Fee:	\$100	\$500
Publication:	\$20	\$20
TOTAL:	\$ 120	

I certify that I am the property owner/leaseholder of the above described property and hereby submit this application to the City for review. *If property is owned by Fairhope Single Tax Corp. an authorized Single Tax representative shall sign this application.

Rick Gambino

Property Owner/Leaseholder Printed Name

10/30/2018

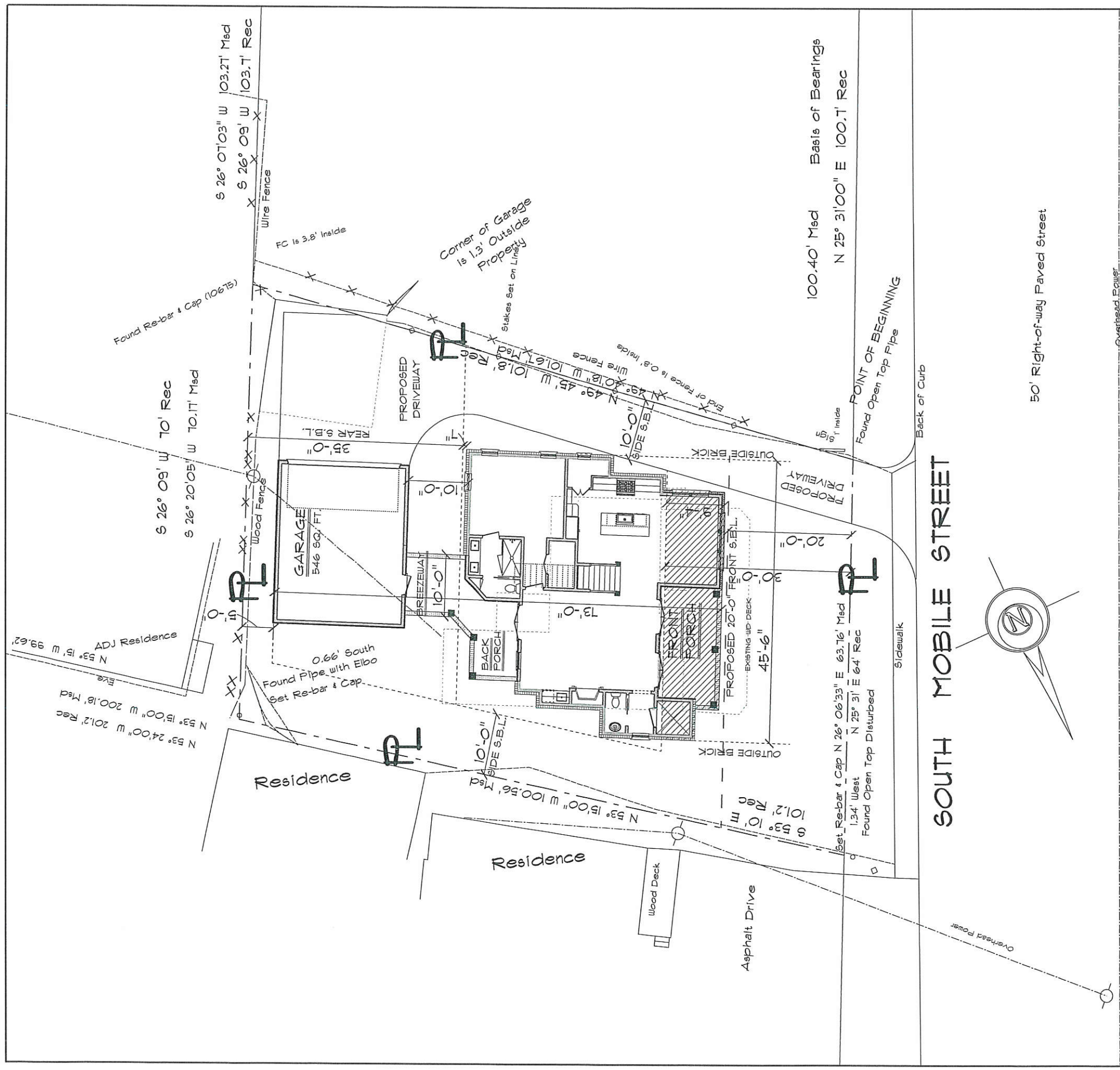
Date

Signature

Fairhope Single Tax Corp. (If Applicable)

NOV 13 2018

EB



NOTES:

1. CITY WATER & SEWER LINES ARE AVAILABLE AT THIS SITE. THE PLUMBING CONTRACTOR SHALL VERIFY LOCATIONS OF ALL EXISTING UTILITIES AND SUBMIT DETAILS SHOWING THE ROUTING PLANNED PRIOR TO CONSTRUCTION.
2. CONTRACTOR SHALL VERIFY ALL SITE CONDITIONS, CODE REQUIREMENTS, SUBDIVISION COVENANTS, SETBACKS AND ALL OTHER MATTERS REQUIRED BY ALL PREVAILING AUTHORITIES PRIOR TO COMMENCEMENT OF CONSTRUCTION.
3. OWNER AND FOUNDATION CONTRACTOR SHALL VERIFY LOCATION AND ORIENTATION OF THE HOUSE ON THE PROPOSED LOT PRIOR TO CONSTRUCTION.
4. ALL ELEVATIONS ARE APPROXIMATE AND SHALL BE VERIFIED BY OWNER/BUILDER PRIOR TO CONSTRUCTION.

PLOT PLAN
SCALE: 1" = 10'-0"

**REAR DETACHED ACCESSORY STRUCTURE
LOT COVERAGE CALCULATIONS**

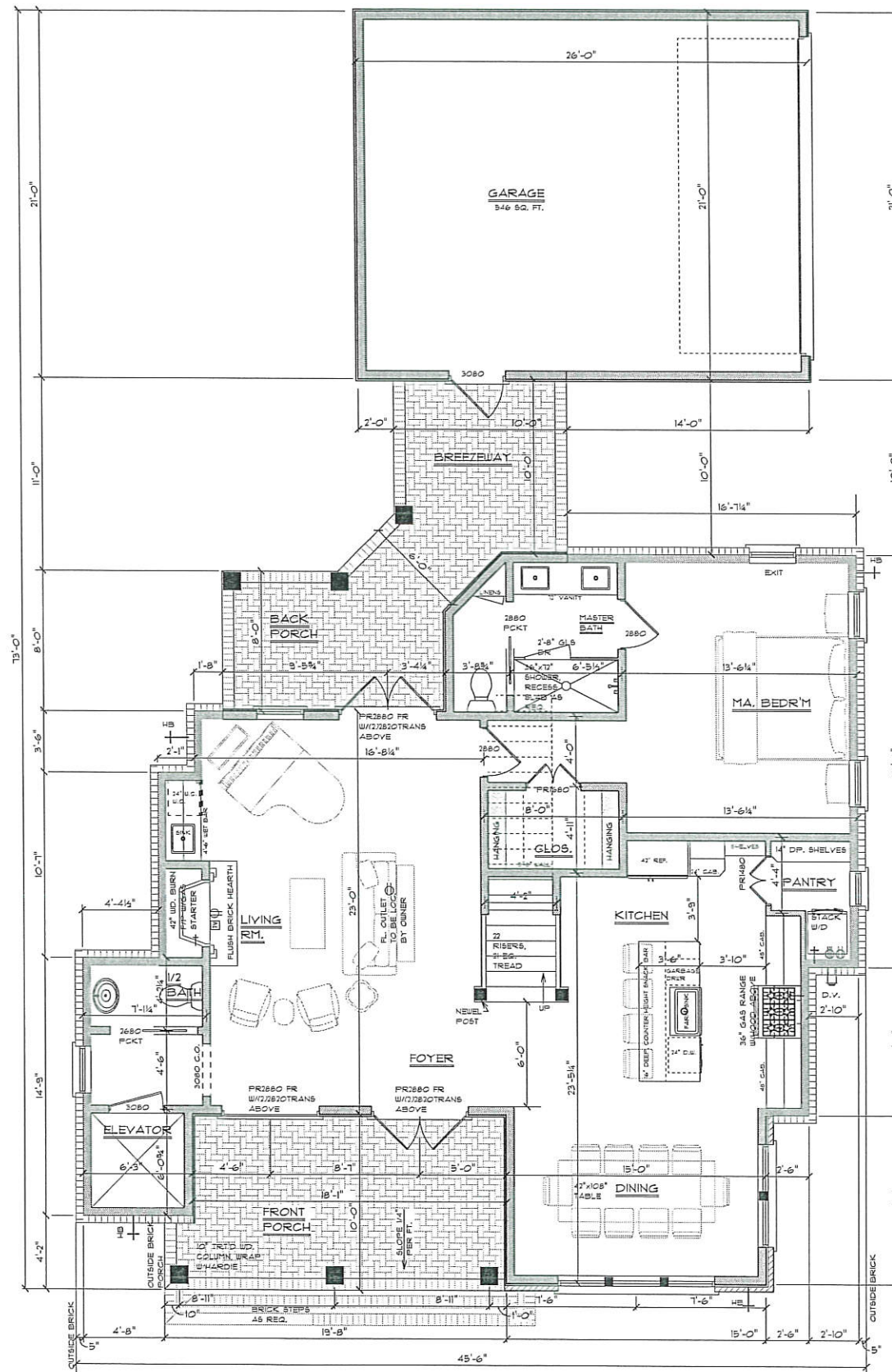
35'-0" x 10'-0" = 2,450
 2,450 x 25% = 612.5 sq. ft. (ALLOWED REAR DETACHED ACCESSORY STRUCTURE)
 DETACHED GARAGE: 546 sq. ft.
 TOTAL REAR ACCESSORY STRUCTURES: 546 sq. ft.

RICK GAMBINO
 151 SOUTH MOBILE STREET
 FAIRHOPE, AL

PRELIMINARY PLANS: 8-10-18, 8-14-18, 12-12-18
 PROGRESS SET:
 FINAL REVIEW:
 FINAL PRINT:

CHATHAM HOME PLANNING
ARCHITECTS & PLANNERS
 bobchatham.com
 Date: 12/17/18
 Drawn By: KATHY NICHOLAS
 Scale: S.P.
 Sheet Number: 0
 Plan Number: XXXX-A-X

© copyright 2018 CHATHAM HOME PLANNING



1st FLOOR PLAN
SCALE 1/4" = 1'

NOTE:
Great care and effort have gone into the creation of the design of these plans. However, because of the impossibility of providing any personal and/or "on-the-site" consultation and supervision over the actual construction, and because of the great variance in local building code requirements and other local building and weather conditions, designer assumes no responsibility for any damages, including structural failures, due to any deficiencies, omissions or errors in the design, blueprints, or specifications. For soil and/or weather conditions (i.e., hurricanes, earthquakes, snow, etc.) it is recommended that you consult a local engineer of your choice and check with your local building officials prior to start of actual construction. These drawings are not to be copied or reproduced without written permission from CHATHAM HOME PLANNING.

NOTE:
Contractor shall verify the accuracy of all dimensions, ceiling heights, beam and joist designations, complying with all code requirements, and the provisions for duct layout, heating and air conditioning systems and proposed electrical & plumbing layouts prior to commencement of construction.

NOTE:
BUILDER, OWNER, & HVAC SUBCONTRACTOR TO DETERMINE LOCATION OF ALL MECHANICAL EQUIPMENT, DISTRIBUTION, & RETURN AIR SYSTEM PRIOR TO CONSTRUCTION

NOTE: BUILDER SHALL VERIFY PROPER VENTILATION REQUIRED FOR GAS FIREPLACE PRIOR TO CONSTRUCTION.

ALL WINDOWS 18" OR LESS ABOVE FINISHED FLOOR SHALL BE TEMPERED GLASS AS PER "IRC" SECTION R308.4.

WINDOW DESIGNATION 3060 5H = 3'-0" x 6'-0" SINGLE HUNG
VERIFY W/MANUFACTURER FOR SIZE & ROUGH OPENINGS.

DOOR DESIGNATION 3080 = 3'-0" x 8'-0"
VERIFY W/MANUFACTURER FOR SIZE & ROUGH OPENINGS.

ELECTRICAL LEGEND	
ELECTRICAL	SYMBOL
ceiling fan	
ceiling light	
cable tv outlet	
fan & light combo, recessed can	
light	
wall mounted light	
outlet	
outlet 220v	
outlet wp	
recessed, size to be determined	
under & upper cabinet light, see interior cabinet elevation	
smoke & carbon monoxide detector	
junction box for landscape lighting	
switch	
switch 3 way	

DIMMER SWITCHES TO BE USED, COORD W/ OWNER ON LOCATIONS

AREAS:

1st FLOOR LIVING:	1322 SQ. FT.
2nd FLOOR LIVING:	1322 SQ. FT.
TOTAL LIVING:	2644 SQ. FT.
FRONT PORCH:	181 SQ. FT.
BACK PORCH/BREEZEWAY:	211 SQ. FT.
GARAGE:	546 SQ. FT.
TOTAL UNDER ROOF:	3584 SQ. FT.

RICK GAMBINO
151 SOUTH MOBILE STREET
FAIRHOPE, AL

PRELIMINARY PLANS: 8-10-18, 8-14-18, 12-12-18
PROGRESS SET:
FINAL REVIEW:
FINAL PRINT:

12'-0" CEILING 1st FLOOR
10'-0" CEILING 2nd FLOOR

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CHATHAM HOME PLANNING
DAPHNE, ALABAMA (251) 626-1789

bobchatham.com

Date:	12-12-18	Drawn By:	KATHY NICHOLAS
Scale:		Sheet Number:	2
Plan Number:	XXXX-A-X		

c h p

Fairhope Board of Adjustments Agenda Schedule 2019

MEETING DATE 5:00PM

Thursday, January 24, 2019
*Moved due to the Martin Luther King holiday

Monday, February 18, 2019

Monday, March 18, 2019

Monday, April 15, 2019

Monday, May 20, 2019

Monday, June 17, 2019

Monday, July 15, 2018

Monday, August 19, 20189

Monday, September 16, 2019

Monday, October 21, 2019

Monday, November 18, 2019

Monday, December 16, 2019

Thursday, January 23, 2020
*Moved due to the Martin Luther King holiday

SUBMITTAL DEADLINE 3:00PM

Monday, December 10, 2018

Monday, January 14, 2019

Monday, February 11, 2019

Monday, March 11, 2019

Monday, April 8, 2019

Monday, May 13, 2019

Monday, June 10, 2019

Monday, July 8, 2019

Monday, August 12, 2019

Monday, September 9, 2019

Monday, October 14, 2019

Tuesday, November 12, 2019
*Moved due to the Veterans Day holiday

Monday, December 9, 2019

**BOARD OF ADJUSTMENT MEETINGS ARE HELD IN
COUNCIL CHAMBERS, FAIRHOPE MUNICIPAL COMPLEX
AT 161 N. SECTION STREET**

IT IS THE RESPONSIBILITY OF THE APPLICANT TO SEE THAT ALL SUBMITTALS ARE MADE IN A COMPLETE AND TIMELY SEQUENCE AND TO HAVE THE CASE PRESENTED BEFORE THE BOARD AT SCHEDULED MEETINGS.

****INCOMPLETE SUBMITTALS WILL NOT BE PLACED ON THE AGENDA. ****