Administration Building

Council Chambers

308 Fountain Circle

August 18, 2020

6:00 p.m.

**BOARD OF ZONING ADJUSTMENT**

Members Present:

Mr. Martin Sisson – Chairman

Mr. Bert Peake – Vice Chairman

Mr. Fred Coffey

Ms. Kimberly Ford

Dr. David Branham

Mr. Johnny Ozier – Supernumerary

Ms. Wendy Lee

Others Present:

Mr. Thomas Nunez, City of Huntsville Planning Department

Mr. Travis Cummings, City of Huntsville Zoning Administration

Mrs. Jon Johnson, City of Huntsville Zoning Administration

Mrs. Courtney Edwards, City of Huntsville Zoning Administration, Recording Secretary

Mr. Robert Baudendistel, City of Huntsville Zoning Administration

Officer Johnny Hollingsworth, Huntsville Police Department

The regular meeting of the Board of Zoning Adjustment was called to order by Chairman Sisson at the time and place noted above.

Chairman Sisson explained the procedures of the Board of Zoning Adjustment to those present, advising that any decision made by the Board may be appealed to Circuit Court within 15 days from this date and that any variance or special exception requires four affirmative votes as set by State law. Any variance or special exception granted must be exercised within six months by obtaining the proper permit. Due to the Covid-19 pandemic, upon written request the Zoning Administration Office may grant a six-month extension of the 6-month period. Also, if the Board denies a request, the appellant would have to wait six months before reapplying for a variance unless there was a significant change in the appellant’s request.

Chairman Sisson stated that the following cases are all continued for 30 days: A use variance to allow an existing mini storage facility to expand in a Neighborhood Business C1 and Residence 2B Zoning District, PVA landscaping, PVA lighting, and the location of off-street parking at 5542 Research Park Boulevard NW, The location of a structure at 2833 Natures Cove Drive SE, and A distance separation and location of a structure at 3710 and 3610 Governors Drive. Also, the location of a structure at 3811 Patton Road SW has been withdrawn.

Chairman Sisson then called the extension items.

**Case No. 9242-1** **1122 Clinton Avenue SE;** The location of a structure, total lot coverage and rear yard lot coverage variance;Gary W. Watson, appellant. Mr. Baudendistel stated the location of the property and stated this request will require a 3 foot secondary front yard setback variance, a total lot coverage variance and a rear yard lot coverage. In a Residence 1-C Zoning District, a setback of 5 feet is required from a side street on corner lots.

Vice-Chairman Peake and Mr. Fred Coffey recused from this case. Mr. Baudendistel stated the request originally required a 3 foot secondary front yard setback variance and total lot coverage variance, but the request has been reduced and the appellants are adding an addition to the primary structure and to the accessory structure. Mr. Baudendistel stated since the one extension of the primary structure is going over the property line, then the first two lots are considered merged and that eliminates the need for a rear yard lot coverage variance or total lot coverage variance. Chairman Sisson asked when was this request before the Board. Mr. Baudendistel stated the appellants was before the Board two months ago, and they came back and requested an extension of 30 days to make changes to the request. Mr. Cummings stated when they were before the Board last month, they had the garage attached by an addition. However, they have since removed the addition and will build a pergola. Mr. Cummings further stated since a pergola is an open roof system, it will not count as a structure but the accessory structure will still count as a detached structure. Also, the appellants have added the addition on the west side of the property, across that property line. Mr. Cummings stated the Board had some concerns about granting lot coverage variances and then build a home later, on the property next to them. Chairman Sisson asked which lots were joined. Mr. Baudendistel stated lot 7 and lot 8 were joined with the addition to the primary structure. Dr. Branham asked Mr. Cummings when they are joined, if they are essentially building on one lot. Mr. Cummings stated yes. Mr. Cummings stated since the structure did not cross the property line, all the previous lot coverage percentages was based off of the one lot. Chairman Sisson stated so the 3 foot secondary and the 5 foot setback from the side street on corner lots is all the appellants are requesting now. Mr. Baudendistel stated yes and these are existing non-conformances where they are just extending it and not increasing it. Chairman Sisson stated so the request is for a 3 foot secondary front yard. Mr. Baudendistel stated yes for the accessory building facing Lacy Street and the existing non-conformance on the house is about 2.7 feet and the proposed addition maintains that. Chairman Sisson asked what is required on the secondary front. Mr. Baudendistel stated in a Residence 1C Zoning District, a 5 foot setback is required on a secondary front street corner. Dr. Branham asked if this will negate the ability to develop the other lot. Mr. Cummings stated yes due to the appellants building over the property line, and if the Board chooses to that can be added as a stipulation to their request. Chairman Sisson asked the appellants for any comments. Mrs. Watson stated they have worked with Mr. Cummings and Mr. Baudendistel to come up with something that will meet the requirements and feel they have really been helpful. Chairman Sisson asked Mr. and Mrs. Watson if they plan to subdivide the property and sell the other parcel. Mrs. Watson stated no but possibly in the future they may have to subdivide it. Mr. Cummings stated if they ever re-subdivide it, they will have to meet all density control requirements.

A motion was made by Dr. Branham and seconded by Mr. Ozier to approve a 3 foot secondary front yard setback variance for additions to the primary structure and the accessory structure due to the fact the additions do not increase the existing non-conforming secondary front yard setbacks, lots 7 and 8 are considered merged by an addition to the west side to the primary structure; all with the stipulation the pergola is to remain open and uncovered and if the property is ever subdivided, the property at 1122 Clinton Ave must meet all density control requirements. **Approved unanimously**

**Case No. 9251 127 Holmes Avenue NW, Suite 300;** Additional signage, Michael McKeon of Experience Signs of the South for Kaitylyn Cunningham of BRPH Architects- Engineers, Inc. appellant. Mr. Baudendistel stated the location of the property and stated this request will require a variance to allow one (1) additional sign to the front of a multi-tenant building. In a General Business C3 Zoning District, multiple tenant buildings shall include no more than one sign per street frontage.

Chairman Sisson and Mr. Ozier recused from this case. Mr. Michael McKeon of Experience Signs appeared before the Board. Mr. Cummings stated the request was before you last month. Mr. Cummings stated the appellant wanted to do a sign on a second story tenant office complex. Mr. Cummings also stated the Planning Department is in the process of redoing the sign ordinance and dealing with signage in the downtown area for a multi-tenant building. The appellant requested to continue for 30 days to allow the Planning Department to see where the downtown area was headed. Mr. Cummings stated they are not leaning toward signage going above second/third story windows but are planning to allow building identification signage and the building identification signage will not count toward the tenant signage in the building. The appellant was contacted and the sign would be moved to the top as a building identification sign. The tenant would have the entire third floor and possibly the second floor. Mr. Cummings stated this would be similar to the Renasant and the TVA signage that his on top of the building. Mr. McKeon stated the building identification sign is a 3' x 9' illuminated box and is exactly what was presented. Vice-Chairman Peake asked Mr. Cummings when you say building identification sign will that typically apply to the primary tenant of the building. Mr. Cummings stated we have seen where it applies to the building such as the Times Building, TVA Building, and where there was a primary tenant and the sign could go on top of the building. Vice-Chairman Peake asked if the 27 total square was in line with the ordinance. Mr. Cummings stated yes, this request will be in line with the proposed ordinance. Vice-Chairman Peake asked if other tenants would be allowed signage. Mr. Cummings stated not above the second floor. Vice-Chairman Peake asked if this building had a directory in the lobby. Mr. McKeon stated there was a lobby space. Dr. Branham asked how many signs were on that street facing. Mr. Cummings stated only one sign, and the owner doesn't want to have any more on this street sign. Mr. Coffey asked when you say one building, if that included the building all the way down to Moe's. Mr. Cummings stated yes. Mr. Coffey further stated if they wanted signage on the other side, they would have to come back before the Board.

A motion was made by Mr. Coffey and seconded by Dr. Branham to approve a variance to allow a 27 square foot building identification sign on a multiple tenant building due to the fact the City is in the process of amending the Zoning Ordinance and with the stipulation the building identification sign is permitted on the Holmes Avenue street frontage only. **Approved unanimously**.

Chairman Sisson then called the agenda items.

**Case No. 9253-1 1550 Perimeter Parkway NW**; The height of a building, an additional story, and an off-street parking variance; Stanley McCall, Jr. of Management Enterprise Development & Services, Inc., appellant. Mr. Baudendistel stated the location of the property and stated this request will require a variance to allow a 10 foot height variance in a Residence 2B Zoning District. This request will also require a variance to allow an additional story in a Residence 2B Zoning District. This request will also require an off-street parking variance. In a Residence 2B Zoning District, a maximum height of 45 foot is permitted. In a Residence 2B Zoning District, a maximum of 3 stories is permitted.

Mr. Coffey recused from this case. Mr. Cummings stated this case was before the Board in 2019, for an additional 7 foot height and additional story variance in this office area. Dr. Branham asked what has changed since then. Mr. Cummings stated before they only had 1 building and now they have 2 buildings on both sides of the street for a total of 4 buildings. They have changed their height variance from a 7 foot height variance to a 10 foot height variance for all 4 buildings. Mr. Cummings stated the overall height is measured by using the average of the roof line, therefore that is why the previous request was 7 feet due to the roof height of the building being 14 feet. Mr. Cummings stated the new design is for 4 stories on all 4 buildings and the total height is 55 feet. Mr. Cummings further stated this zoning district allows for 3 stories, but there was history presented in their packets, where in 1987 or 1988 there were 5 foot height variances done for this development. Chairman Sisson asked how was the height being measured on the roof. Mr. Cummings stated because they don't have a typical roof and they have a flat roof, it is measured to the highest peak. Furthermore, if they had a traditional roof, the measurement would be taken from the average roof height.

Mr. Collin Orcutt with Schoel Engineering appeared before the Board. Mr. Orcutt stated the reason for a parapet roof is because the ac units will be on the roof and the need of the 4 story due to the wetlands on the site. Chairman Sisson asked why did they need 4 buildings now. Mr. Roland Carter appeared before the Board stating they were in partnership with the Huntsville Housing Authority to provide subsided housing starting out but now have more partners to improve the whole sight. Chairman Sisson asked did the number of units change. Mr. McCall, the appellant stated yes, it went from 41 units to 220 units with both parcels. Mr. Norman Times of Harbor Realty Services appeared before the Board. Mr. Times stated originally the height variance was on the 1500 site and was for a hotel and a multifamily. However, now it will all be a multifamily project on both sides of Perimeter Parkway. Mr. Times stated due to the FEMA flood lines being changed significantly, the site has been compressed to keep the wetlands undisturbed. Chairman Sisson asked the Board for any more questions. Ms. Lee asked why they couldn't use old design and have more buildings. Mr. Times stated they wanted the buildings to be more upscale and architecturally similar to the office buildings. Chairman Sisson asked did the Board approve a height variance for the office buildings. Mr. Cumming stated yes in 1987, a 5 foot height variance for the total 35 acres, but some of the land has been subdivided since then. Chairman Sisson asked if this area was still in a Residence 2B Zoning District, Mr. Cummings stated yes.

A motion was made by Chairman Sisson and seconded by Vice- Chairman Peake to approve a 10 foot height variance and a variance to allow an additional story for a new multi-family development due to the fact this area has a history of variances for up to 5 stories in height with the stipulation all density control requirements are met. **Approved unanimously**.

**Case No. 9254-1 1551 Perimeter Parkway NW**; The height of a building, an additional story, and an off-street parking variance; Stanley McCall, Jr. of Management Enterprise Development & Services, Inc., appellant. Mr. Baudendistel stated the location of the property and stated this request will require a variance to allow a 10 foot height variance in a Residence 2B Zoning District. This request will also require a variance to allow an additional story in a Residence 2B Zoning District. This request will also require an off-street parking variance. In a Residence 2B Zoning District, a maximum height of 45 foot is permitted. In a Residence 2B Zoning District, a maximum of 3 stories is permitted.

Mr. Coffey recused on this case. Chairman Sisson asked if this case was identical to the previous case. Mr. Cummings stated yes.

A motion was made by Chairman Sisson and seconded by Ms. Lee to approve a 10 foot height variance and a variance to allow an additional story for a new multi-family development due to the fact this area has a history of variances for up to 5 stories in height with the stipulation all density control requirements are met. **Approved unanimously**.

**Case No. 9257 1401 Four Mile Post Road SE;** A special exception to allow temporary Christmas tree sales and the use of a trailer as a sales office, and signage; J. Wayne Packard of High Country Christmas Trees for Carolyn J. Blue, appellant. Mr. Baudendistel stated the location of the property and stated this request will require a special exception to allow temporary Christmas tree sales in a Neighborhood Business C1 Zoning District.

Mr. Packard appeared before the Board. Mr. Packard stated they have been in operation for 35 years and everything will be the same as last year. Chairman Sisson asked Mr. Packard what are the dates for the Christmas tree sales. Mr. Packard stated November 22, 2020, through December 25, 2020, with hours of operation being Monday through Saturday 9:00 a.m. to 8:00 p.m. and Sunday 9:00 a.m. to 7:00 p.m. Mr. Coffey asked the City if there have been no changes, we see this every year, do they have to keep coming back every year. Mr. Cummings stated for this type of request, yes.

A motion was made by Vice-Chairman Peake and seconded by Dr. Branham to approve a special exception to allow temporary Christmas tree sales in a Neighborhood business C1 Zoning District, operating times to begin on November 22, 2020, through December 25, 2020 with hours of operation being Monday through Saturday 9:00 a.m. to 8:00 p.m. and Sunday 9:00 a.m. to 7:00 p.m. and a variance for attached and accessory ground signage. **Approved unanimously**

**Case No. 9258 1114 Beirne Avenue NE**; The location of a structure and a total lot coverage variance in a Residence 1-C Zoning District; Stephanie Sherman, appellant. Mr. Baudendistel stated the location of the property and stated this request will require a 4 foot west side yard setback variance. This request will also require a 3% total lot coverage variance. In a Residence 1-C Zoning District, a 4 foot side yard setback is required. In a Residence 1-C Zoning District, the maximum total building area is 40% of the lot area.

Mr. Coffey recused from this case. Ms. Stephanie Sherman appeared before the Board stating she would like to have a detached garage built in her rear yard, storage and a gathering area. Ms. Sherman stated they had been approved for a carport on the west side of the property and if she buys a very tiny car, this will work. Also, Ms. Sherman stated she has a deck in the rear of the yard and would to like put an aluminum covering on it. Chairman Sisson stated the addition to the west looks like it is on the property line. Mr. Baudendistel stated it is. Chairman Sisson asked what was the side yard setback for this zoning district. Mr. Cummings stated a 4 foot side yard setback is required. Chairman Sisson asked about the roof overhang. Mr. Cummings stated from the drawings presented, it appeared to not be over the property line. Chairman Sisson asked if there had been others in this zoning district like this case. Mr. Cummings stated no. Chairman Sisson asked Ms. Sherman what was the need for the carport. Ms. Sherman stated to park her vehicle and for easier access into her home. Ms. Sherman stated they are also trying to get the aluminum carport attached, but will have to work with the Historic Board. Vice-Chairman Peake asked if there is an affected neighbor on this side. Ms. Sherman said yes. Ms. Sherman stated the garage in the rear would have an alley access. Dr. Branham stated since the side yards are very tight, we shouldn't allow anything in the side yard. Chairman Sisson asked if the covering of the deck was accounted for in the lot coverage. Mr. Baudendistel stated yes, due to the deck being over three feet in height, it is counted as a structure. Mr. Cummings stated the detached garage meets the rear lot coverage, and if the carport is not there they will have no compliance issues. Chairman Sisson asked for any questions from the Board. No comments were given. Vice-Chairman Peake asked if they removed the carport, then they could build everything else they wanted to do with no problems.

No motion was made, therefore the request was denied.

**Case No. 9259 2506 Pansy Street SW**; The location of a structure; Justin Putt of TPG Properties, LLC, appellant. Mr. Baudendistel stated the location of the property and stated this request will require a 11 inch north side yard setback variance. In a Residence 1-C Zoning District, a 5 foot side yard setback is required.

Mr. Cummings stated this request is for an 11 inch north side yard setback variance due to the fact they are requesting to build a second floor addition. Mr. Justin Putt appeared before the Board stating they would like to make the home consistent with the neighborhood. Mr. Putt stated they would like to enhance the home, by adding two bedrooms, a loft and bathroom on the upper story. Mr. Putt also stated there will be no changes to the front or the height, and will change the dormers and will not change the foot print house in anyway shape or form. Chairman Sisson asked so the variance request is because the existing home is in violation. Mr. Cummings stated yes, because the home meets the 1 story side yard setback of 4 feet and when they go to a two story they are required to meet a 5 foot side yard setback. Chairman Sisson asked if it will be a 2 story after changes. Mr. Baudendistel stated yes, a two story. Chairman Sisson asked if he sent out letters. Mr. Putt stated he did mail out 104 letters, only heard from 5 with no negative feedback. Ms. Jan Posey appeared before the Board and if there are no foot print changes, then she has no problem with it.

A motion was made by Dr. Branham and seconded by Mr. Coffey to approve an 11 inch north side yard setback variance for a second story addition. **Approved unanimously**

**Case No. 9260** **123 North Side Square SE**; Additional signage; Parks Harris of Trav-Ad Signs for Jason W. Owenby of Jack Brown's Huntsville, LLC; appellant. Mr. Baudendistel stated the location of the property and stated this request will require a variance to allow one (1) additional sign to the front of a multi-tenant building. In a General Business C3 Zoning District, multiple tenant buildings shall include no more than one sign per street frontage.

Mr. Parks Harris of Trav-Ad Signs appeared before the Board. Also, Jason Owenby of Jack Browns Restaurant appeared before the Board. Mr. Harris stated they are requesting to add a new sign for this restaurant. Vice-Chairman Peake asked if there are any other signs. Mr. Harris stated no, the landlord has a corner office sign next door. Chairman Sisson asked if there was a variance for Jimmy Johns. Mr. Harris stated that is a different address. Mr. Cummings stated they viewed this as a multi-tenant building and the ordinance allows for 1 sign on a multi-tenant building. Chairman Sisson asked for any questions from the Board. No comments were given.

A motion was made by Vice-Chairman Peake and seconded by Ms. Ford to approve a variance to allow an additional attached sign 9 square foot in size due to the fact the City is in the process of amending the Zoning Ordinance. **Approved unanimously.**

**Case No. 9261 413 Newman Avenue SE**; The location of a structure; Kim A. Hughes, appellant**.** Mr. Baudendistel stated the location of the property and stated this request will require a 7 foot 6 inch west side yard setback variance.In a Residence 1-B Zoning District, an 8 foot side yard setback is required.

Mr. Baudendistel stated the 7 foot 6 inch is for an addition on an existing nonconforming structure. The current west side of property on the existing structure measures 1 1/2 feet from the west property line, and this proposed addition will extend the existing nonconformance and not increase it. Also, all rear yard setbacks and lot coverages are met. Dr. Branham asked if they were 1/2 foot or 1 1/2 foot off the property line. Mr. Cummings stated 1 1/2 foot off the property line.

Chairman Sisson asked the City for any other comments. No comments were given.

A motion was made by Vice-Chairman Peake and seconded by Dr. Branham to approve a 6 foot 6 inch west side yard variance due to the fact the addition does not increase the existing non-conforming side yard setback. **Approved unanimously.**

**Case No. 9262 265 West Park Loop NW**; A use variance to allow exterior storage under an open structure in a Commercial Industrial Park Zoning District; Harold W. Lewis of CHED Inc., appellant. Mr. Baudendistel stated the location of the property and stated this request will require a a use variance to allow exterior storage under an open structure in a Commercial Industrial Park Zoning District.

Mr. Harold Lewis appeared before the Board. Mr. Lewis stated he has an existing company at 275 West Park Loop and they have a contract with Redstone Arsenal and in order for them to

complete their project they need to take mobile units (generators), refurbish them and store them temporarily into a facility Mr. Lewis further explained they would like to build a parking lot, with covered parking and eventually put up walls and will put up extensive landscaping. Dr. Branham stated this looks like a parking garage. Mr. Cummings stated it does look like a parking garage but because it is not enclosed, it is still considered exterior storage in a Commercial Industrial Park Zoning District. Mr. Coffey asked if a covered parking lot is permitted. Mr. Cummings stated a standalone parking lot is not permitted. Chairman Sisson asked if a warehouse was permitted. Mr. Cummings stated yes. Vice-Chairman Peake asked Mr. Lewis if this facility would be temporary. Mr. Lewis stated yes, when their project is completed, then they would enclose the covered parking lot, hopefully in the next5 years. Mr. Cummings stated they plan to heavily landscape and put a wall on the side. Mr. Lewis stated he talked to the neighbors 3 doors down and they are in support of this request. Chairman Sisson stated the Board understands Mr. Lewis request but is concerned on what precedent this may set for this area. Mr. Nunez asked if combining the lots would be an option. Mr. Cummings stated no due to the exterior storage component being an issue. Chairman Sisson asked what is the exterior material on the building. Mr. Lewis stated the material would be brick and a metal strip on top. Chairman Sisson asked the Board for any more questions. No comments were given.

Ms. Vicky Adams appeared before the Board stating that if it is only a covered building, she is afraid of homeless taking up residence there and also concerned with the property value. Ms. Janet Sauder appeared before the Board and is concerned with the homeless issue and safety issues. Mr. Coffey asked if the building will be enclosed. Mr. Lewis stated no and they will clean up the area and add a black chain link fence around the property line. Officer Hollingsworth stated the West Precinct Captain would address the homeless issue in this area. Chairman Sisson stated a use variance is the highest standard that the Board hears. Also, there must be a hardship on the property of why it couldn't be used for the allowed zoning. Chairman Sisson also stated a warehouse can be built by right. Mr. Coffey asked if the Board has ever approved exterior storage in a Commercial Industrial Park Zoning District. Mr. Cummings stated no. Mr. Lewis stated their will be nothing stored outside the structure, they are only adding upgrades to the generators. Chairman Sisson asked what is the hardship. Mr. Lewis stated the hardship would be if they cannot complete the project within the time frame, there would be a caravan of equipment up and down the highway to get these generators fixed. Chairman Sisson explained to Mr. Lewis he could continue this request for 30 days to work with the Zoning staff on the definition of enclosed. Ms. Ford agreed with Chairman Sisson to continue this request. Mr. Lewis agreed to work with City staff to determine how the building can be enclosed and possibly may have not to come back before the Board.

A motion was made by Chairman Sisson and seconded by Dr. Branham to continue this request for 30 days. **Approved unanimously.**

**Case No. 9263 2520 Oakwood Avenue NW**; PVA landscaping; Bryan Pressnell for Todd Sitton of Armstrong Oil Co., Inc., appellant. Mr. Baudendistel stated the location of the property and stated this request will require a PVA perimeter landscape variance for the construction of a new gas station. According to Article 20.5.1 (b) of the Zoning Ordinance, if more than 20% of a building’s street façade is set back farther than the minimum building line, then the first 15 feet of the required front yard shall be landscaped.

Mr. Cummings stated the next two cases are like this request. Mr. Bryan Pressnell appeared before the Board. Mr. Pressnell stated they would be demoing an existing store to construct a convenience store and strip mall on this site. Mr. Cummings stated because this property is in a Neighborhood Business C1 Zoning District, and the building is pushed back you are required to have a 15 foot perimeter landscaping, and they are requesting to have just the 5 foot perimeter landscaping around the property. Chairman Sisson stated so if the Board approved this, we are improving what's there. Mr. Pressnell stated yes it would be an improvement from what was existing. Chairman Sisson asked for any questions from the Board. No comments were given. Mr. Cummings stated they will also have a landscape buffer because they abut a residential district.

A motion was made by Vice-Chairman Peake and seconded by Ms. Lee to approve a 10 foot PVA perimeter landscape variance with the stipulation the required planting material will be provided elsewhere on the site. **Approved unanimously**

**Case No. 9264 2004 Pulaski Pike NW**; PVA landscaping; Bryan Pressnell, appellant. Mr. Baudendistel stated the location of the property and stated this request will require a PVA perimeter landscape variance for the construction of a retail building. According to Article 20.5.1 (b) of the Zoning Ordinance, if more than 20% of a building’s street façade is set back farther than the minimum building line, then the first 15 feet of the required front yard shall be landscaped.

Chairman Sisson asked if this was the same as the previous case regarding the perimeter landscaping. Mr. Baudendistel stated that is correct.

A motion was made by Dr. Branham and seconded by Ms. Lee to approve a 10 foot PVA perimeter landscape variance with the stipulation the required planting material will be provided elsewhere on the site. **Approved unanimously**

**Case No. 9265 3629 Patton Road SW**; PVA landscaping, Bryan Pressnell, appellant. Mr. Baudendistel stated the location of the property and stated this request will require a PVA perimeter landscape variance for the construction of a new gas station. According to Article 20.5.1 (b) of the Zoning Ordinance, if more than 20% of a building’s street façade is set back farther than the minimum building line, then the first 15 feet of the required front yard shall be landscaped.

Chairman Sisson asked if this was the same as the previous two cases regarding the perimeter landscaping. Mr. Cummings stated yes.

A motion was made by Mr. Coffey and seconded by Vice-Chairman Peake to approve a 10 foot PVA perimeter landscape variance with the stipulation the required planting material will be provided elsewhere on the site. **Approved unanimously**

**Case No. 9266 5542 Research Park Boulevard NW**; A use variance to allow an existing mini storage facility to expand in a Neighborhood Business C1 and Residence 2B Zoning District, PVA landscaping, PVA lighting, and the location of off-street parking; Jeff Mullins for Louis Breland of Safe Mini Storage at Plummer Road, LLC, appellant. Mr. Baudendistel stated the location of the property and stated this request will require a require a use variance to allow an existing mini storage facility to expand into a Neighborhood Business C1 and Residence 2B Zoning District. This request will also require a PVA perimeter and a PVA interior landscape variance. This request will also require a PVA lighting variance. This request will also require a variance for the location of off-street parking.

A motion was made by Chairman Sisson and seconded by Mr. Coffey to continue this request for 30 days. **Approved** **unanimously**

**Case No. 9267 2833 Natures Cove Drive SE**; The location of a structure; Steve McDowell for James Thomas, Jr. and Yvette Thomas, appellant.

A motion was made by Chairman Sisson and seconded by Mr. Coffey to continue this request for 30 days. **Approved unanimously**

**Case No. 9268 3811 Patton Road SW**; The location of a structure, Jim L. Davis of New South Realtors.Com, LLC., appellant.

This case was withdrawn.

**Case No. 9269 3710 and 3610 Governors Drive SW**; Distance separation and location of a structure; Jerry M. Cargile of Schoel Engineering for Daniel J. Doyle and Tyler E. Cooper of the Breach Co. as manager of Beach Huntsville Developer Opportunity fund, LLC as manager of Huntsville Westside Hotel, LLC, Huntsville Westside Apartments LLC, Huntsville Westside Office, LLC, appellant.

A motion was made by Chairman Sisson and seconded by Ms. Lee to continue this case for 30 days. **Approved unanimously**

A motion was made by Chairman Sisson and seconded by Vice-Chairman Peake to adopt the March17, 2020 meeting minutes.

There being no further business, the meeting adjourned at 8:23 p.m.