

BZA Packet

March 16, 2016

Hello All,

Enclosed please find your packet for the meeting of March 21, 2016.

We have:

- 3 new cases

If you receive any citizen inquiries regarding these cases the proposed plans may be viewed by going to:

www.mtnbrook.org

- Government
- Other Meeting Agendas
- Board of Zoning Adjustment (BZA)
- 2016-Mar-21 BZA Agenda

If you have any questions about the cases please don't hesitate to give me a call at 802-3821 or send me an email at hazend@mtnbrook.org ...

Looking forward to seeing you on Monday!

Dana

MEETING AGENDA
CITY OF MOUNTAIN BROOK
BOARD OF ZONING ADJUSTMENT
MARCH 21, 2016
PRE-MEETING: (ROOM A106) 4:30 P.M.
REGULAR MEETING: (ROOM A108) 5:00 P.M.
CITY HALL, 56 CHURCH STREET, MOUNTAIN BROOK, AL 35213

NOTICE

Any variance which is granted today expires and becomes null and void six months from today unless construction is begun in less than six months from today on the project for which the variance is granted. If construction will not be started within six months from today, the applicant may come back in five months and ask for a six-months extension, which the Board normally grants.

Any variance which is granted, regardless of the generality of the language of the motion granting the variance, must be construed in connection with, and limited by, the request of the applicant, including all diagrams, plats, pictures and surveys submitted to this Board before and during the public hearing on the variance application.

-
1. Approval of Minutes: February 16, 2016
 2. **Case A-16-10: Jeffrey and Brooke Dyer-Smith**, owners; request a variance from the terms of the Zoning Regulations to allow a screened porch to be 3.3 feet from the rear property line (northwest) in lieu of the required 35 feet. – **3500 Mountain Lane**
 3. **Case A-16-11: Mr. and Mrs. John Bethay**, owners, request a variance from the terms of the Zoning Regulations to allow a new single family dwelling to be 22 feet from the rear property line (west) in lieu of the required 35 feet. - **8 Alden Lane**
 4. **Case A-16- 12: Harvey and Victoria Johnson**, owners; request a variance from the terms of the Zoning Regulations to allow a new single family dwelling to be 20 feet 10 inches from the rear property line (east) in lieu of the required 40 feet. – **3813 Halbbrook Lane**
 5. Next Meeting: April 18, 2016
 6. Adjournment

CITY OF MOUNTAIN BROOK
BOARD OF ZONING ADJUSTMENT
MINUTES
February 16, 2016

The regular meeting of the City of Mountain Brook Board of Zoning Adjustment was held on Monday, February 16, 2016, at 5:00 p.m. in the Council Chamber at Mountain Brook City Hall.

Board Present: Patrick Higginbotham, Chairman Absent: Norman Orr
 William Hereford, Co-Chairman Chris Mitchell
 Henry Lapidus
 Richard Simonton
 Rhett Loveman

Also present: Virginia Smith, Council Liaison
 Dana Hazen, Director of Planning, Building & Sustainability
 Glen Merchant, Building Official
 Tammy Graham, Administrative Assistant

Chairman Higginbotham asked if all adjacent property owners in each of the cases on the agenda had received legal notice of this hearing. Mrs. Graham replied that, based on the information supplied by the applicants, they had been notified.

Mr. Higginbotham stated that any variance which is granted today expires and becomes null and void six months from today, unless construction is begun in less than six months from today on the project for which the variance is granted. If construction will not be started within six months from today, the applicant may come back in five months and ask for a six-month extension.

1. Approval of Agenda:

Motion: Mr. Hereford to approve as amended; Case A-16-08 to be heard first
Second: Mr. Simonton
Vote: Unanimously approved

2. Approval of Minutes - January 19, 2016:

Motion: Mr. Lapidus, to approve as printed
Second: Mr. Hereford
Vote: Unanimously approved

3. Case A-16-08: 311 Dexter Avenue

EXHIBIT 1/APPENDIX 1

Dale Trammell, Jr., owner, requests a variance from the terms of the Zoning Regulations to allow the extension of an existing 6-foot high wood fence along the rear property line (alley) to extend to the southeast corner of the property, in lieu of the requirement to be no

higher than 4 feet within 15 feet of the Cherry Street property line. (*Existing fencing along the Cherry Street property line to be reduced to 4 feet in height*).

Hardship: Corner lot configuration.

Mr. Trammell:

- The primary concern is the significant lack of privacy due to being located on the busy corner of Dexter Avenue and Cherry Street. When cars travel northward on Cherry Street, the drivers have a clear line of sight into our home.
- The previously existing 6-foot high fence was demolished with the renovation of the house.
- Request is to construct a 15-foot segment of 6-foot high fence along Peachtree Alley. Fence along the Cherry Street property line will comply with the 4-foot height limit.

Chairman Higginbotham: The 4-foot height limit includes posts, and any decorative additions, combined. Will the 6-foot high fence portion create a visual obstruction?

Mr. Trammell stated per his investigation and the photos he presented, the fence height will not cause a visual obstruction.

Notation is entered that the City Building Official reviewed vehicular sight distance at the intersection of the alley and Cherry Street, and determined that the proposed 6-foot high fence will not obstruct sight distance at this location.

Motion: Mr. Lapidus, to grant variance as presented

Second: Mr. Loveman

Vote: Ayes: Higginbotham Nays: None
 Hereford
 Lapidus
 Simonton
 Loveman

Variance approved by a 5 – 0 vote.

4. Case A-16-04: 2821 Shook Hill Circle

EXHIBIT 2/APPENDIX 2

Herbert Beville, Jr., owner, requests a variance from the terms of the Zoning Regulations to construct a recreational structure (basketball court) in the front yard (62 feet from Shook Hill Circle) in lieu of the requirement for such structures to be in the rear yard.

Hardships: Irregular shape of the lot and the orientation of the house on the lot.

Mr. Beville:

- I would like to add a basketball court in the front yard of my property.



Variance Application - Part I

Project Data

Address of Subject Property 3500 Mountain Lane 35213

Zoning Classification Residence B District

Name of Property Owner(s) Jeffrey W. Dyer-Smith, Brooke A. Dyer-Smith

Phone Number 205-283-8197 Email jeud2k@hotmail.com

Name of Surveyor Ray Wevgand

Phone Number 205-942-0086 Email _____

Name of Architect (if applicable) _____

Phone Number _____ Email _____

Property owner or representative agent must be present at hearing

Please fill in only applicable project information (relating directly to the variance request(s):

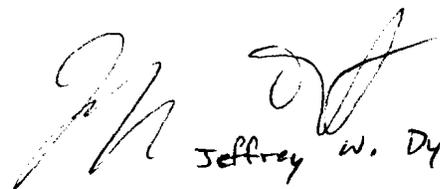
	Zoning Code Requirement	Existing Development	Proposed Development
Lot Area (sf)			
Lot Width (ft)			
Front Setback (ft) <i>primary</i>			
Front Setback (ft) <i>secondary</i>			
Right Side Setback			
Left Side Setback			
Right Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 22' high → 22' high or greater →			
Left Side Setback (ft): For <u>non</u> -conforming narrow lots in Res-B or Res-C: Less than 22' high → 22' high or greater →			
Rear Setback (ft)	<u>35'</u>	<u>11.3'</u>	<u>3.3'</u>
Lot Coverage (%)			
Building Height (ft)			
Other			
Other			

3500 Mountain Lane
Mountain Brook, Al 35213
205-283-8197
jwd2k@hotmail.com

February 24, 2016

Application for Variance

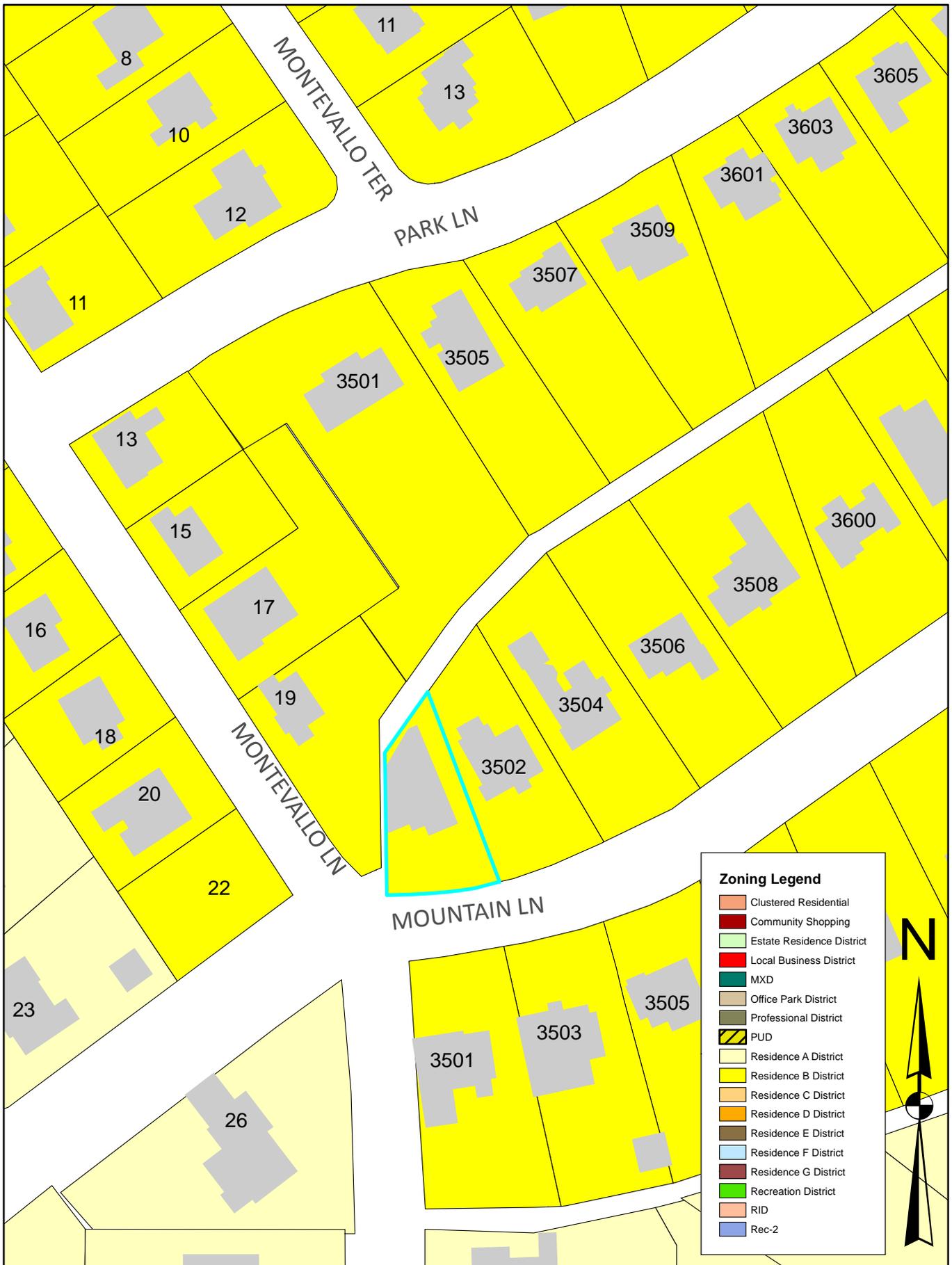
This application for variance is for the purpose of creating a screened porch. The proposed project will expand the footprint of the existing deck 8' toward the unimproved "paper" alley for a distance of 18' adjacent to the current deck footprint. The floor of the porch will be even with that of the main level of the house, approximately 6-7' above the ground. The roof of the structure will not exceed the bottom of the second story windows. The design of the structure will be complimentary to the current structure.



Jeffrey W. Dyer-Smith

Brooke A. Dyer-Smith
Brooke A. Dyer-Smith

A-16-10 (Zoning Map)



Report to the Board of Zoning Adjustment

A-16-10

Petition Summary

Request to allow a screened porch to be 3.3 feet from the rear property line (northwest) in lieu of the required 35 feet.

Analysis

The hardships in this case are the irregular shape of the lot and the existing design constraints. The rear of the house and the existing rear deck both encroach into the required 35 foot rear setback, being 19.9 feet and approximately 8.6 feet, respectively. The proposal is to expand an 18-foot length of this deck to within 3.3 feet of the rear property line, cover and screen in.

As may be seen in the attached photos, the paper alley to the rear is currently being used as a part of the rear yard for this lot, which is not uncommon in Crestline Village. As may be seen on the attached zoning map and aerial, the adjoining house at 19 Montevallo Lane is on an irregularly shaped lot that somewhat dictates that the house be placed on the northwest portion of that lot, away from the paper alley between it and the subject lot.

Impervious Area

To be forwarded at meeting.

Subject Property and Surrounding Land Uses

The property contains a single-family dwelling, and is surrounded by same.

Affected Regulation

Article IV, Residence B District; Section 129-52, Area and Dimensional Requirements

Appends

LOCATION: 3500 Mountain Lane

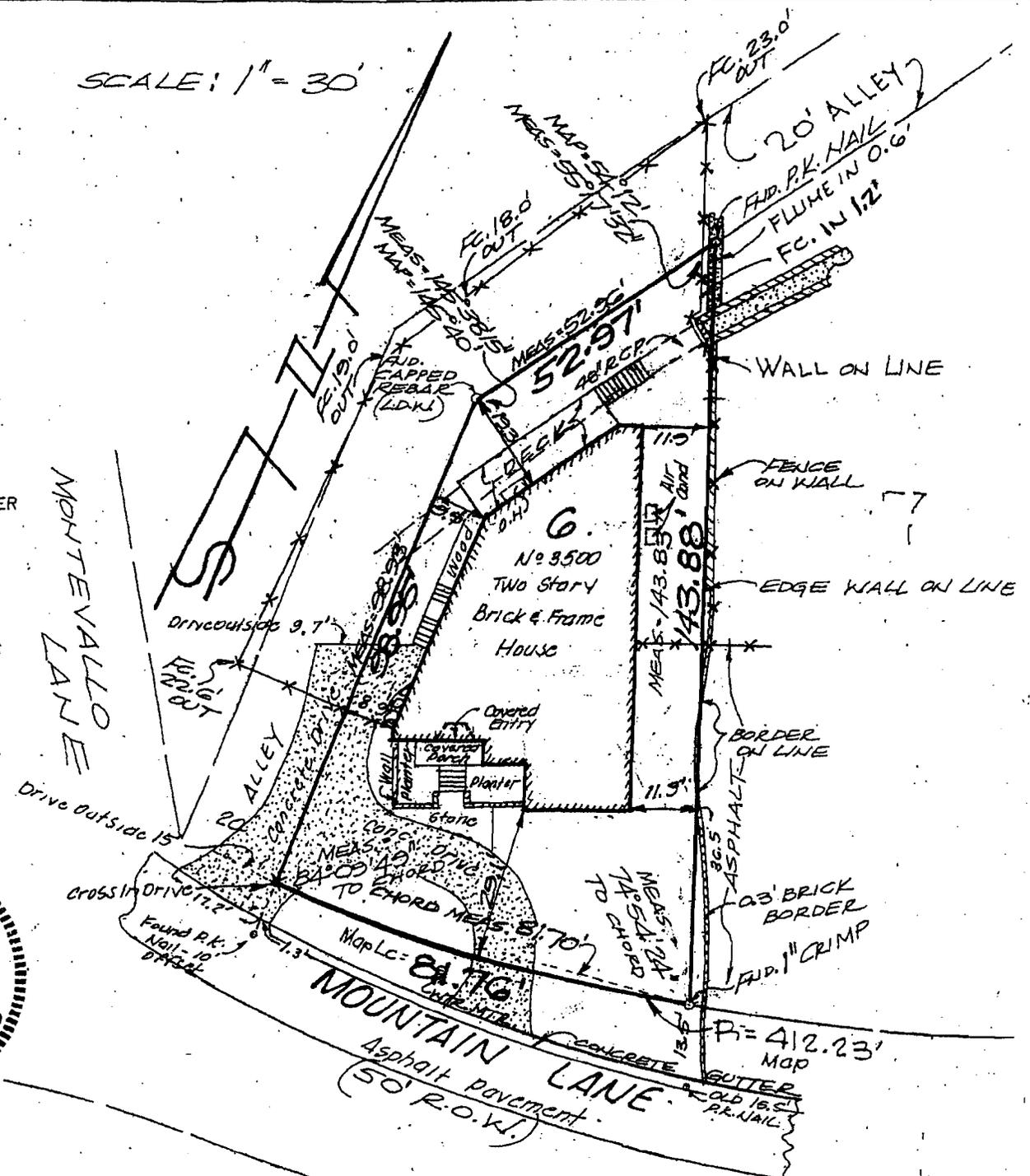
ZONING DISTRICT: Res-B

OWNERS: Jeffrey and Brooke Dyer-Smith

LEGEND

- ASP ASPHALT
- BLOG BUILDING
- CALC CALCULATED
- MEAS MEASURED
- CH CHORD
- LNG LONG CHORD
- d DEFLECTION
- Δ DELTA
- ESMT EASEMENT
- HW HEADWALL
- MIN MINIMUM
- MH MANHOLE
- OH OVERHANG
- POR PORCH
- R RADIUS
.P.O.W. RIGHT OF WAY
- SAN SANITARY
- STM STORM
- UTIL UTILITY
- AC ACRES
- S.F. SQUARE FEET
- CL CENTERLINE
- A/C AIR CONDITIONER
- POLE
- X— ANCHOR
- X— FENCE
- X— POWER LINE
- PVMT PAVEMENT
- W/ WITH
- TAN TANGENT
- RES RESIDENCE
- oLGT LIGHT
- COV COVERED
- ▨ DECK
- CONCRETE
- ▨ WALL

SCALE: 1" = 30'



STATE OF ALABAMA
JEFFERSON COUNTY)

I, Ray Weygand, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot 6, FIRST ADDITION as recorded in Map Volume 25, Page 42, in the Office of the Judge of Probate, Jefferson County, Alabama; that there are no rights-of-way, easements or joint driveways over or across said land visible on the surface except as shown; that there are no electric or telephone wires (excluding wires which serve the premises only) or structures or supports therefor, including poles, anchors and guy wires, (visible on the surface) on or over said premises except as shown; that there are no encroachments on said lot except as shown and that improvements are located as shown above. I hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief, according to my survey of FEB 12, 2010.
Survey invalid if not sealed in red.

Order No.: 59043
Purchaser: DYER-SMITH
Address: 3500 MOUNTAIN LANE

[Signature]

Ray Weygand, Reg. L.S. #24973
169 Oxmoor Road Homewood, AL 35209
Phone: (205) 942-0086 Fax: (205) 942-0087
Copyright ©

Note: (a) No title search of the public records has been performed by this firm and land shown hereon was not abstracted for easements and/or rights-of-way, recorded or unrecorded. The parcel shown hereon is subject to setbacks, easements, zoning, and restrictions that may be found in the public records of said county and/or city. (b) All bearings and/or angles, are deed/record map and actual unless otherwise noted. (c) Underground portions of foundations, footings, and/or other underground structures, utilities, cemeteries or burial sites were not located unless otherwise noted. We do not look for underground sewers or flip manhole covers. (d) The shown north arrow is based on deed/record map. (e) This survey is not transferable and is only good for 6 years and only good to the person/co. that pays for it at time of survey. (f) Easements not shown on record map are not shown above.

A-16-10



A-16-10



A-16-10



A-16-1D

Search for an address 



100ft

HERE, DeLorme, INCREMENT P, Intermap...

A-16-10 (Aerial Map)





Variance Application Part II

Required Findings (Sec. 129-455 of the Zoning Ordinance)

To aid staff in determining that the required hardship findings can be made in this particular case, please answer the following questions with regard to your request. **These findings must be made by the Board of Zoning Adjustment in order for a variance to be granted** (please attach a separate sheet if necessary).

What special circumstances or conditions, applying to the building or land in question, are peculiar to such building or land, and do not apply generally to other buildings or land in the vicinity (including size, shape, topography, location or surroundings)?

Pie-shaped lot/parcel, unimproved "paper" alley,
No true "rear" of lot/area in question abuts side of
neighbor's parcel & undeveloped alley separating the two parcels

Was the condition from which relief is sought a result of action by the applicant? (i.e., *self-imposed hardship* such as: "...converted existing garage to living space and am now seeking a variance to construct a new garage in a required setback...")

No

How would the granting of this variance be consistent with the purpose and intent of the Zoning Regulations?

This variance will allow increased function & enjoyment of this property without any ill-effects on privacy, light, air, fire hazard, public safety, drainage, property values, health, etc. The proposed structure will be separated from the neighbor's parcel by an easement (20') & a row of mature cypress trees. The neighbor on this side is an interior designer & will be designing the structure.



VARIANCE APPLICATION PART II

Project Data

Address of Property 8 Alden Lane

Zoning Classification Residence B

Name of Property Owner(s) Mr. and Mrs. John D. Bethay

Phone Number 205 218 3764

Name of Representative Agent (if applicable)

Phone Number _____

Property owner or representative agent must be present at hearing

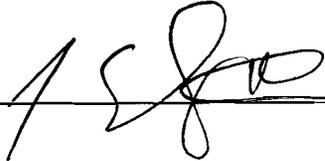
Please fill in applicable project information:

	Zoning Code Requirement	Existing Development	Proposed Development
Lot Area (sf)			
Lot Width (ft)			
Front Setback (ft)			
Side Setback (ft)			
Side Setback (ft)			
Rear Setback (ft)	35'-0"	36'/38'	22'/24'/30'
Lot Coverage (%)			
Building Height (ft)			
Other			
Other			

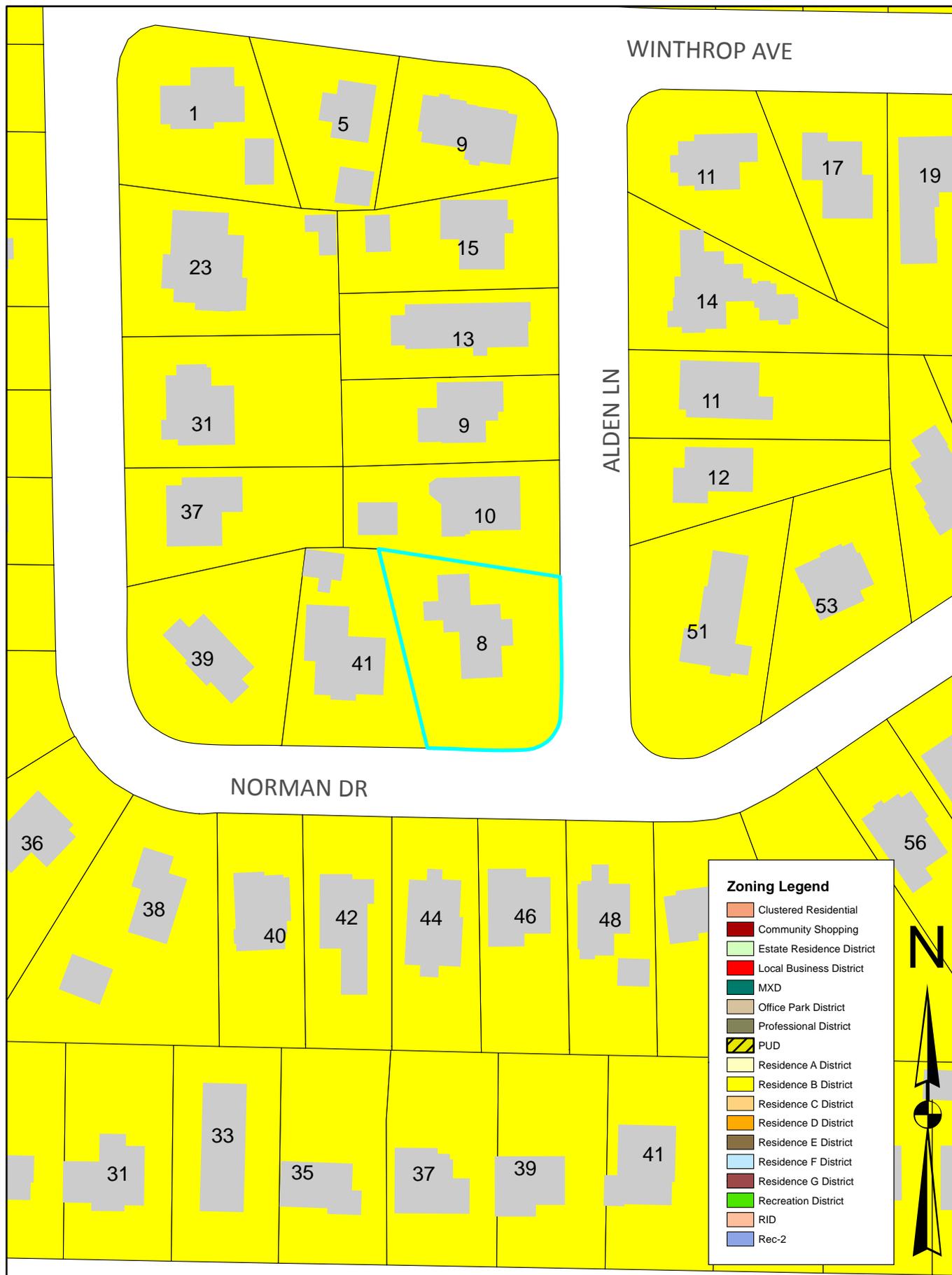
**8 Alden Lane Variance Application
Scope of Project**

Mr. and Mrs. John D. Bethay propose to construct a new residence at their address of 8 Alden Lane. This address is a corner lot, intersecting Alden Lane and Norman Drive, in the Colonial Hills neighborhood. The lot is irregularly shaped and has three (3) 35-foot setbacks. The Bethay's proposed new home would extend beyond the 35' setback along their property line to the west. The proposed variance would allow the Bethays to build within 22' of their property line to the west on one corner and within 30' of the same property line on the other corner of the house. This would allow the home to be situated further away from the intersection of Alden and Norman, and on the flatter portion of the lot. The Bethays do not request a variance with respect to any other setback.

Dated: 2/26/16

Signed: 

A-16-11 (Zoning Map)



Report to the Board of Zoning Adjustment

A-16-11

Petition Summary

Request to allow a new single family dwelling to be 22 feet from the rear property line (west) in lieu of the required 35 feet.

Recent Background

On October 19, 2015, the Board approved Case A-15-09, which allowed additions to an existing single family dwelling to be 17 feet from the rear property line. This project was not implemented, and the applicant is not requesting a new single family dwelling instead of additions to the existing house.

Analysis

The hardships in this case are the irregular shape of the lot and the corner-lot configuration (with three 35-foot setbacks). The existing house currently encroaches into the rear setback. The new proposal has a similar layout to the previously approved variance for additions; the proposed new house is to range from 22.9 feet to 29.8 feet from the rear property line, where the previously approved variances allowed additions to the rear of the house that ranged from between 17 feet and 31 feet from the rear property line, both with a staggered floor plan (step approach) along the rear (angled) property line.

Impervious Area

To be forwarded at the meeting.

Subject Property and Surrounding Land Uses

The property contains a single-family dwelling, and is surrounded by same.

Affected Regulation

Article IV, Residence B District; Section 129-52, Area and Dimensional Requirements

Appends

LOCATION: 8 Alden Lane

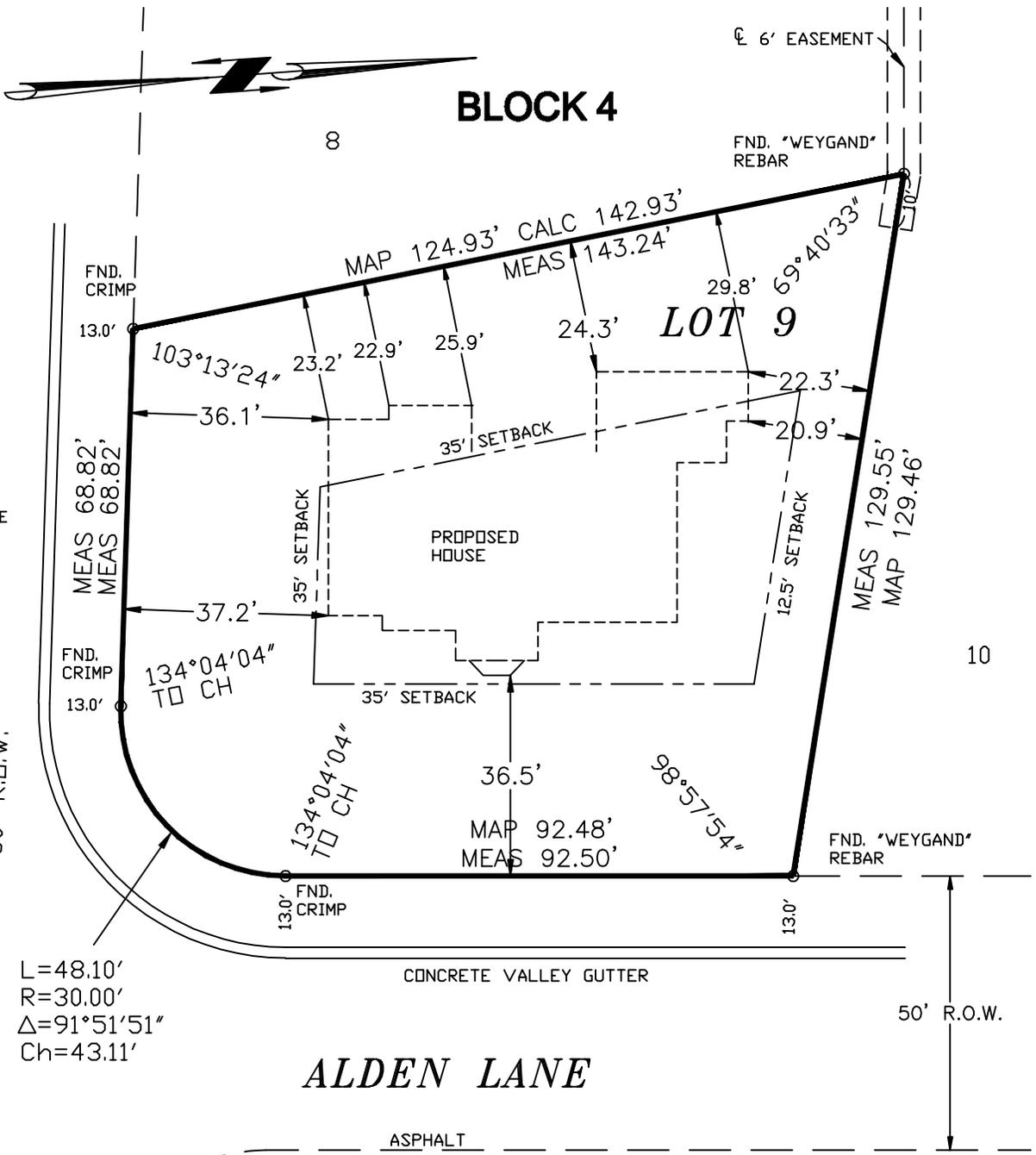
ZONING DISTRICT: Res-B

OWNERS: Mr. and Mrs. John Bethay

LEGEND

- ASP ASPHALT
- BLDG BUILDING
- CALC CALCULATED
- MEAS MEASURED
- CH CHORD
- LNG LONG CHORD
- d DEFLECTION
- Δ DELTA
- ESMT EASEMENT
- HW HEADWALL
- MIN MINIMUM
- MH MANHOLE
- OH OVERHANG
- POR PORCH
- R RADIUS
- R.O.W. RIGHT OF WAY
- SAN SANITARY
- STM STORM
- UTIL UTILITY
- AC ACRES
- S.F. SQUARE FEET
- CL CENTERLINE
- A/C AIR CONDITIONER
- POLE POLE
- ANCHOR ANCHOR
- FENCE FENCE
- OVERHEAD UTILITY WIRE OVERHEAD UTILITY WIRE
- PVMT PAVEMENT
- WITH WITH
- TAN TANGENT
- RES RESIDENCE
- LGHT LIGHT
- COV COVERED
- DECK DECK
- CONCRETE CONCRETE
- WALL WALL
- COLUMN COLUMN

NORMAN DRIVE
50' R.O.W.



L=48.10'
R=30.00'
Δ=91°51'51"
Ch=43.11'

ALDEN LANE

ASPHALT

SCALE: 1"=30'

STATE OF ALABAMA
JEFFERSON COUNTY

"PLOT PLAN"

I, Ray Weygand, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot 9, BLOCK 4, COLONIAL HILLS, as recorded in Map Volume 18, Page 22, in the Office of the Judge of Probate, Jefferson County, Alabama; that there are no rights-of-way, easements or joint driveways over or across said land visible on the surface except as shown; that there are no electric or telephone wires (excluding wires which serve the premises only) or structures or supports therefor, including poles, anchors and guy wires, (visible on the surface) on or over said premises except as shown; that there are no encroachments on said lot except as shown and that improvements are located as shown above. I hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief; according to my survey of FEBRUARY 23, 2016.

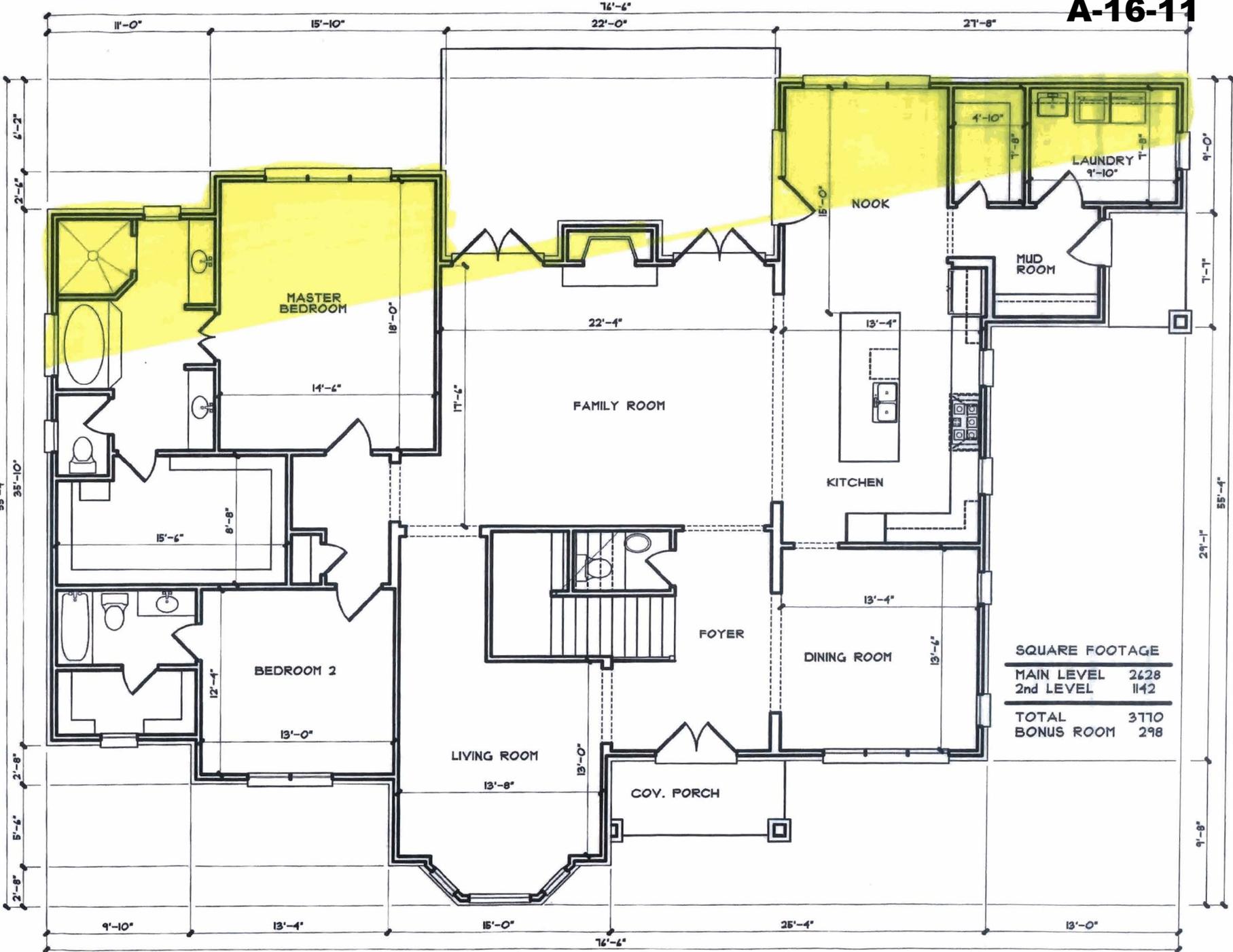
Survey invalid if not sealed in red.

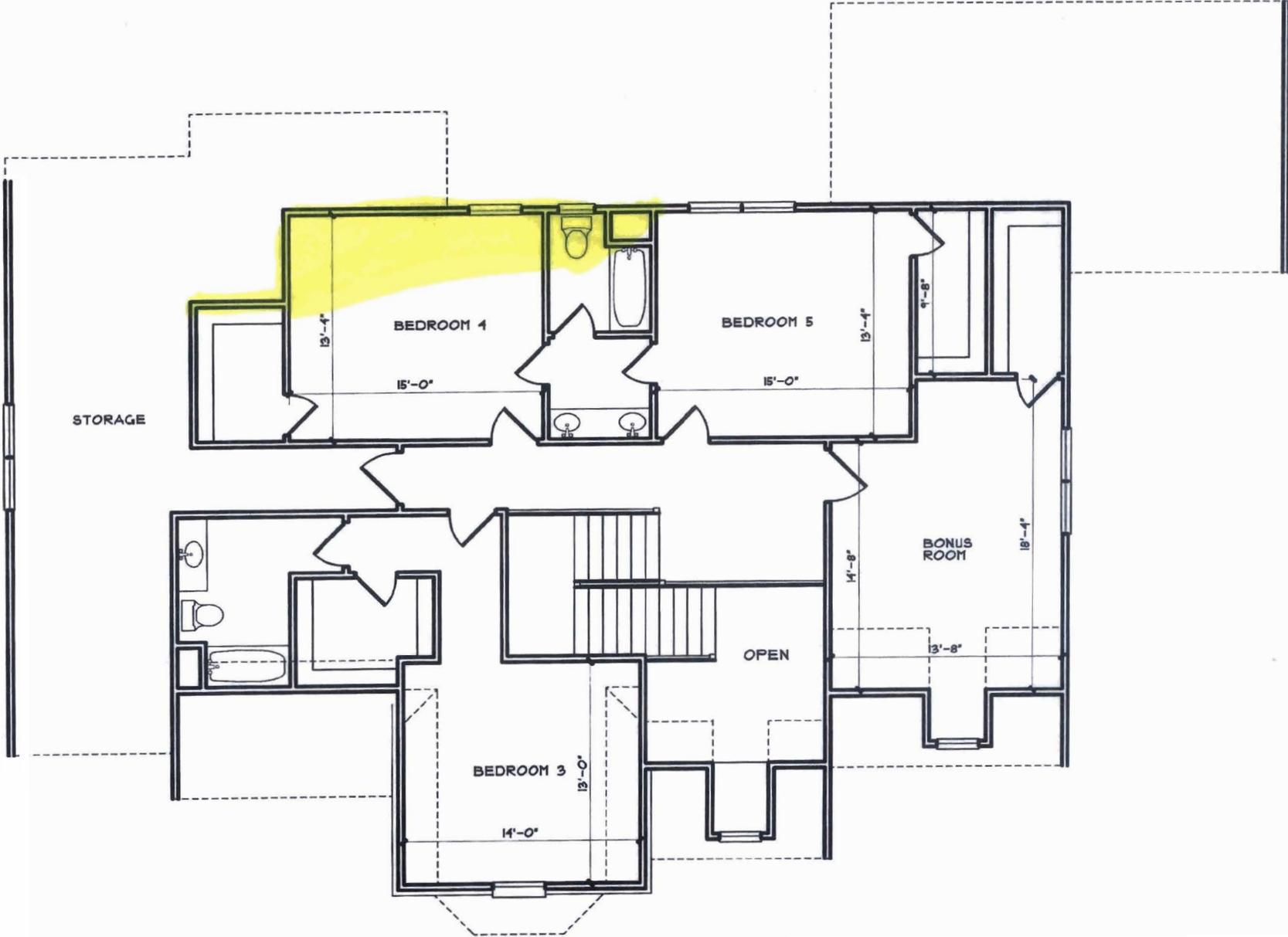
Order No.: 58811
Purchaser:
Address: 8 Alden Lane

Ray Weygand, Reg. L.S. #24973
169 Oxmoor Road, Homewood, AL 35209
Phone: (205) 942-0086 Fax: (205) 942-0087
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A-16-11

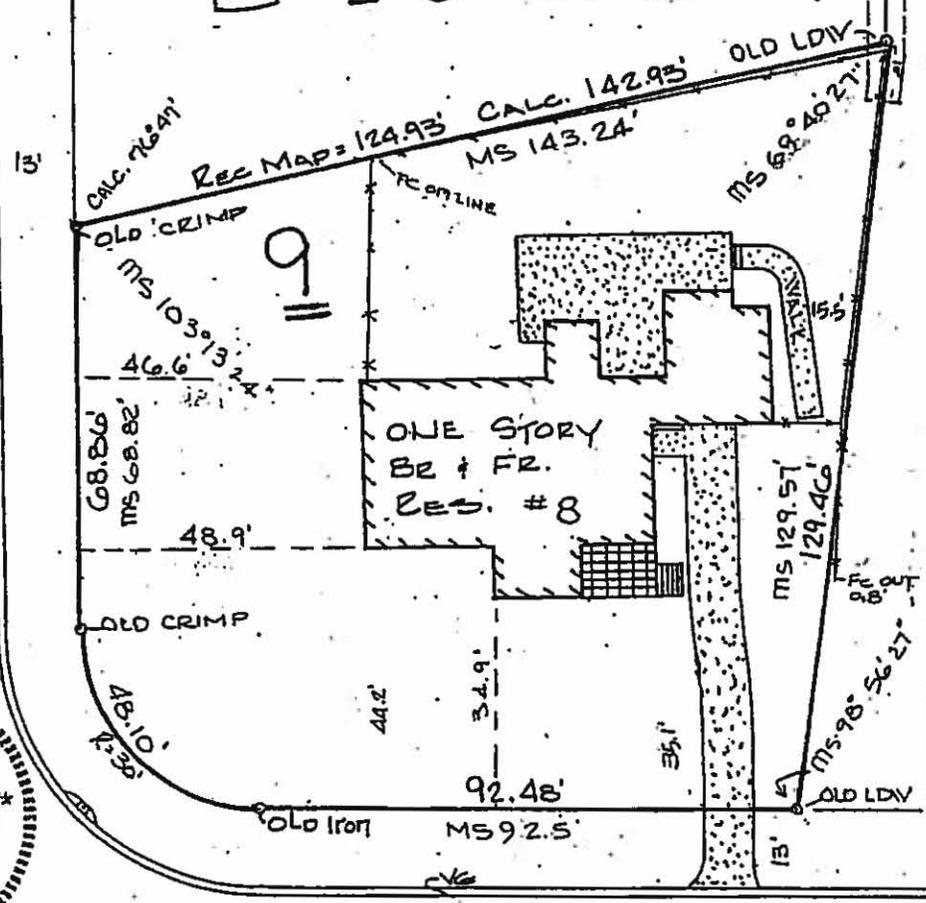




NORMAN DR. 50'

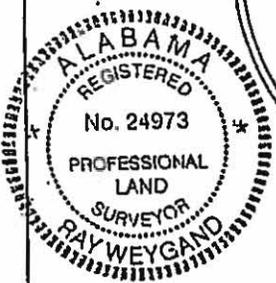
Scale: 1" = 30'

B L O C K 4



LEGEND

ASP	ASPHALT
BLDG	BUILDING
CALC	CALCULATE
MEAS	MEASURED
CH	CHORD
LNS	LONG CHOR
d	DEFLECTION
Δ	DELTA
ESMT	EASEMENT
HW	HEADWALL
MW	MANHOLE
OH	OVERHANG
POR	PORCH
R	RADIUS
R.O.W.	RIGHT OF WAY
SAH	SANITARY
STM	STORM
UTIL	UTILITY
AC	ACRES
S.F.	SQUARE FEET
C	CENTERLINE
A/C	AIR CONDITION
POLE	POLE
ANCHOR	ANCHOR
FENCE	FENCE
POWER LINE	POWER LINE
PAVEMENT	PAVEMENT
WITH	WITH
TANGENT	TANGENT
RESIDENCE	RESIDENCE
LIGHT	LIGHT
COVERED	COVERED
COV	COVERED
DECK	DECK
CONCRETE	CONCRETE
WALL	WALL
BRICK	BRICK
COLUMN	COLUMN



ALDEN LANE 50'

STATE OF ALABAMA
JEFFERSON COUNTY

I, Ray Weygand, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot 9, Block 4, Colonial Hills as recorded in Map Volume 68, Page 22 in the Office of the Judge of Probate, Jefferson County, Alabama; that there are no rights-of-way, easements or joint driveways over or across said land visible on the surface except as shown; that there are no electric or telephone wires (excluding wires which serve the premises only) or structures or supports therefor, including poles, anchors and guy wires, (visible on the surface) on or over said premises except as shown; that there are no encroachments on said lot except as shown and that improvements are located as shown above. I hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief; according to my survey of July 6, 2015.
Survey invalid if not sealed in red.

Order No.: 31585
 Purchaser: GETHAY
 Address: 22 ALDEN LANE, N.Y.

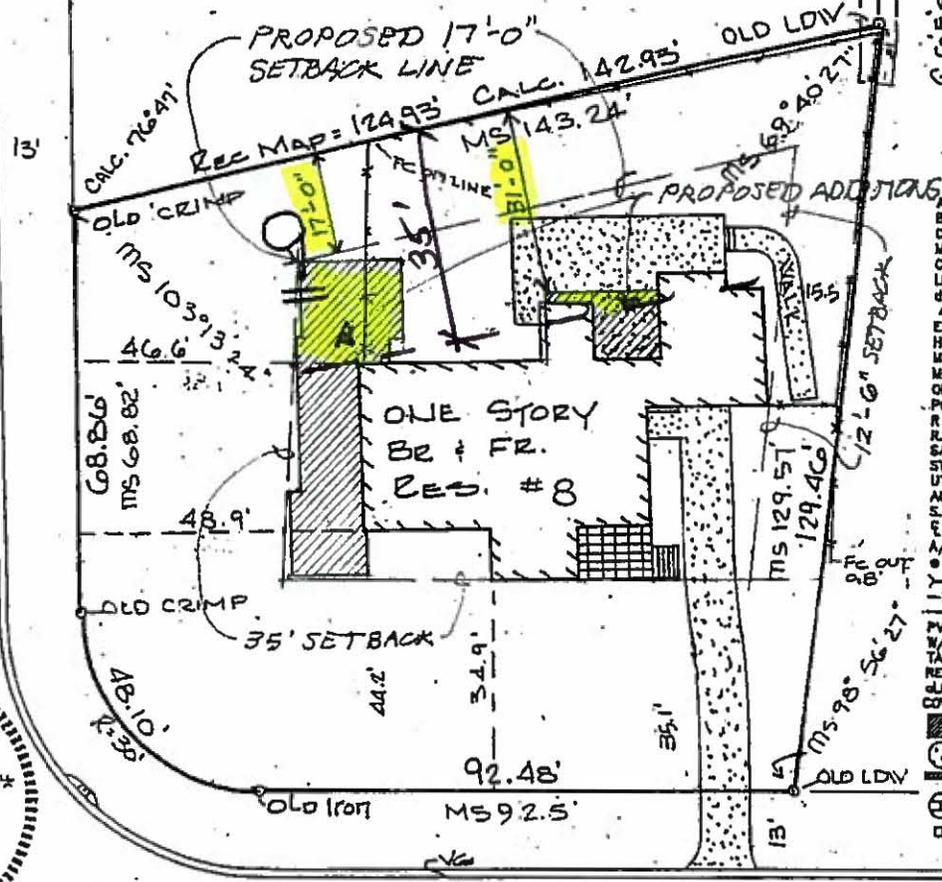
Ray Weygand, Reg. L.S. #24973
 189 Osmer Road Homewood, AL 35209
 Phone: (205) 942-0066 Fax: (205) 942-0067
 Copyright ©

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50' NORMAL ON

Scale: 1" = 30'

B L O C K 4



LEGEND

ASP	ASPHALT
BLDG	BUILDING
CALC	CALCULATE
MEAS	MEASURED
CH	CHORD
LONG	LONG CHORD
DEF	DEFLECTION
DELTA	DELTA
EASMT	EASEMENT
HW	HEADWALL
MN	MINIMUM
MH	MANHOLE
OH	OVERHANG
PCR	PORCH
R	RADIUS
R.O.W.	RIGHT OF WAY
SAW	SANITARY
STM	STORM
UTIL	UTILITY
AC	ACRES
S.F.	SQUARE FEET
C	CENTERLINE
AIR	AIR CONDITION
POLE	POLE
ANCHOR	ANCHOR
FENCE	FENCE
POWER LINE	POWER LINE
PAVEMENT	PAVEMENT
WITH	WITH
TANGENT	TANGENT
RESIDENCE	RESIDENCE
LIGHT	LIGHT
COVERED	COVERED
DECK	DECK
CONCRETE	CONCRETE
WALL	WALL
BRICK	BRICK
COLUMN	COLUMN



ALDEN LANE

STATE OF ALABAMA
JEFFERSON COUNTY

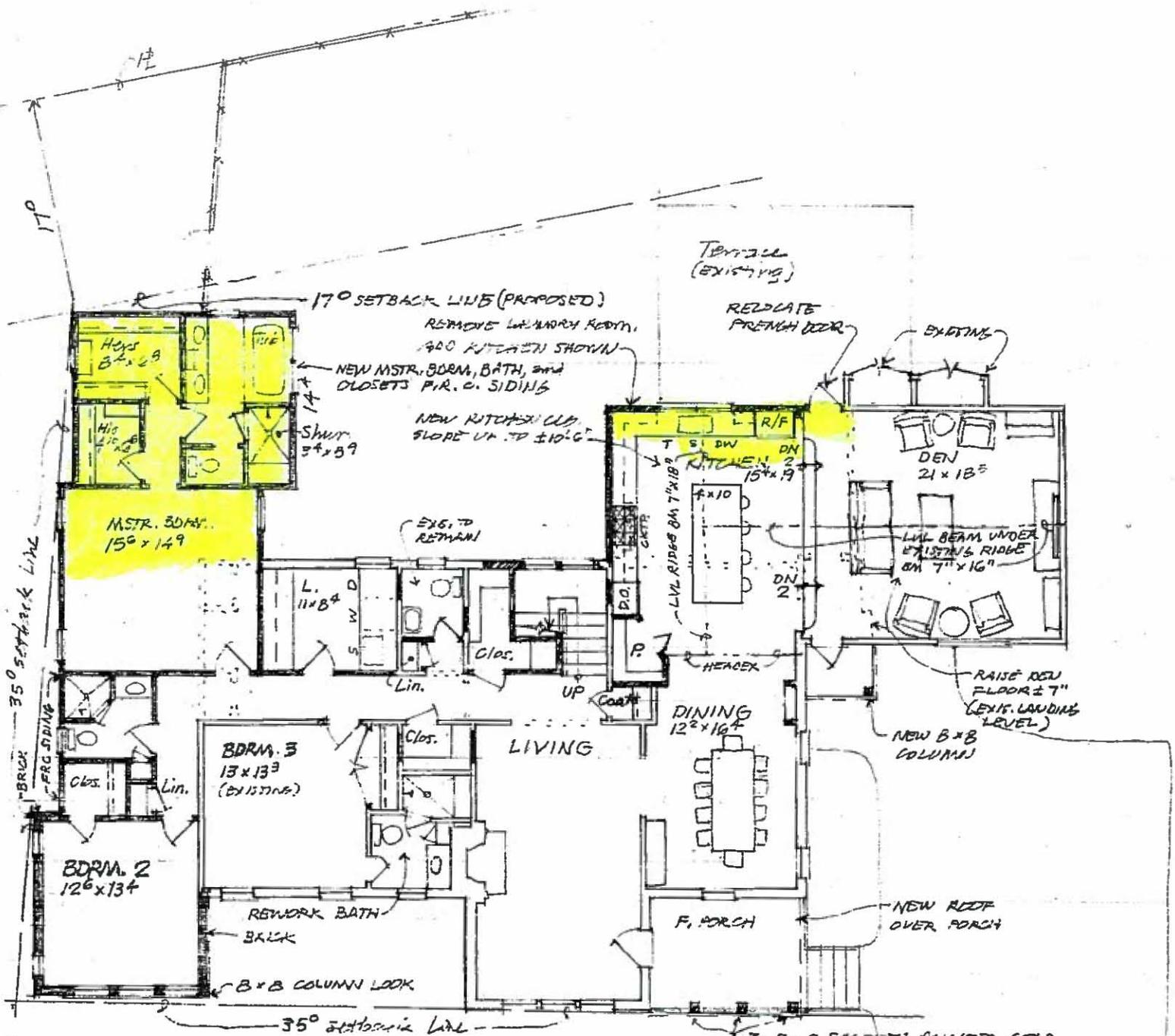
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Order No. 31585
Purchaser: BETHAY
Address: 28 ALDEN LANE

[Signature]

Ray Weygand, Reg. L.S. #24973
169 Camoor Road Homewood, AL 35209
Phone: (205) 942-0086 Fax: (205) 942-0067
Copyright ©

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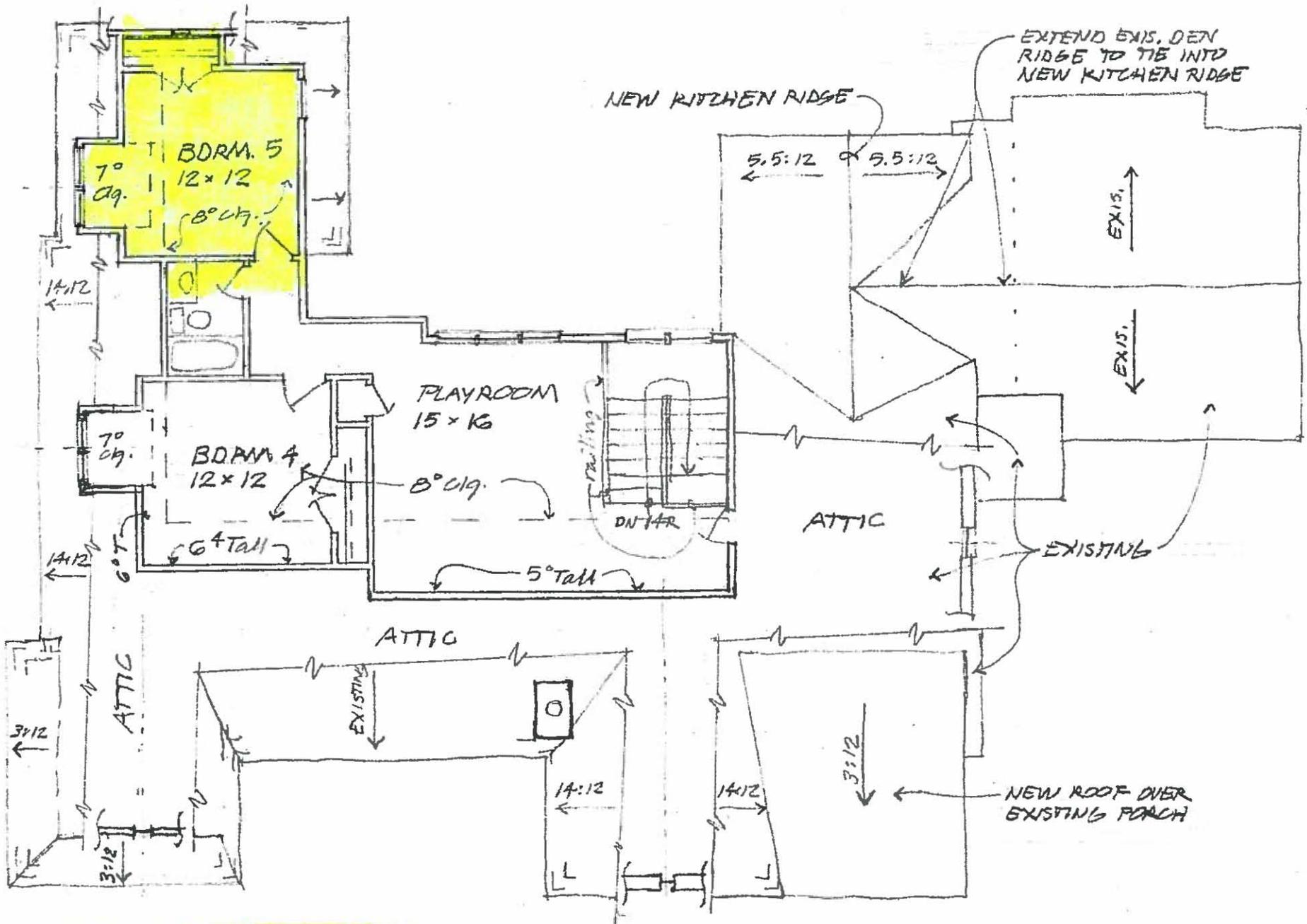


FLOOR PLAN

3/13/22" = 1" = 0"

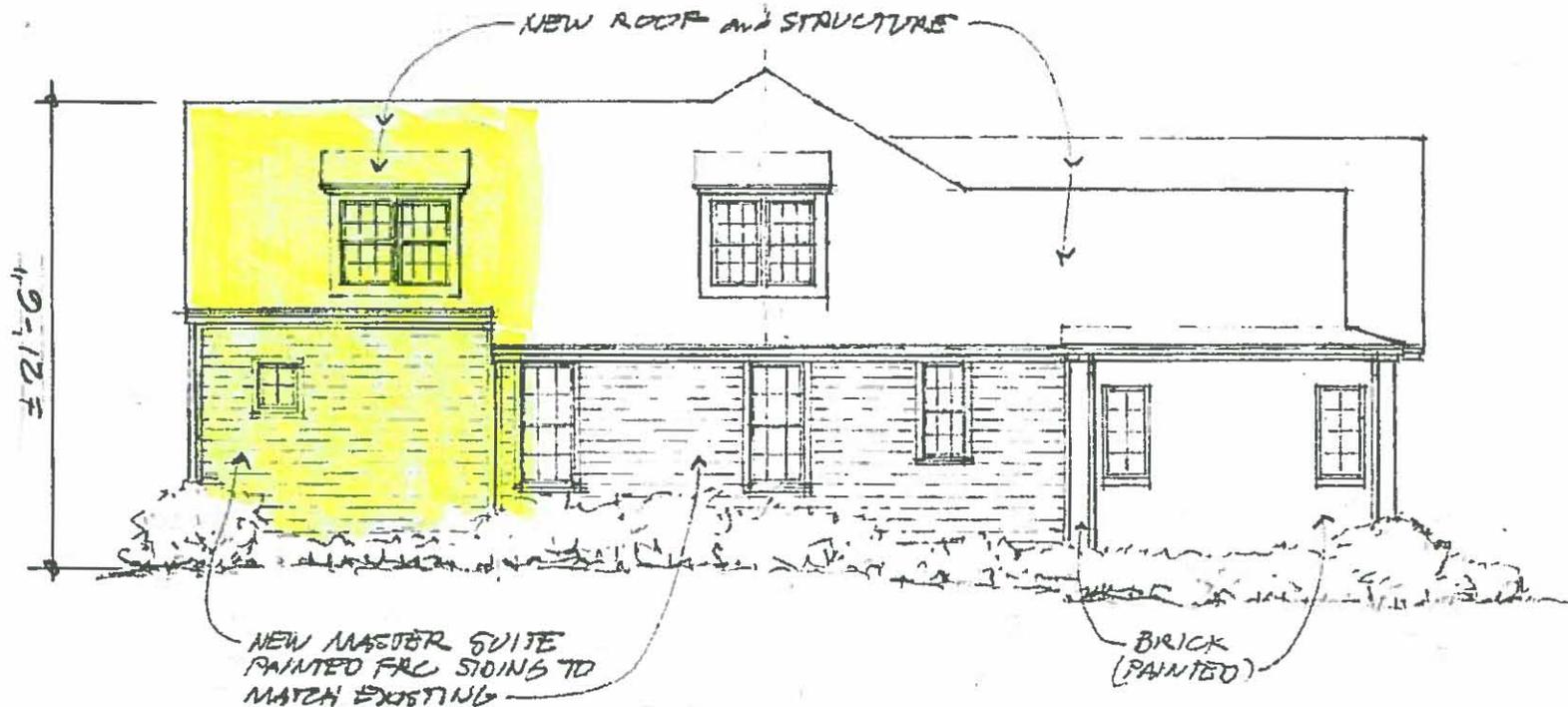
MARLENE ARCHITECTURE, INC. 940-7211

BETHAY
6-22-15 (REV. 9-22-15)



SECOND FLOOR PLAN SKETCH
 1/8" = 1'-0" McLEOD ARCHITECTURE, INC.

BETHAY
 9.16.15
 (REV. 9.23.15)



LEFT SIDE ELEVATION (NORMAN DRIVE)

1/8" = 1'-0"

BETHAY

9.11.15

(REV. 9.23.15)



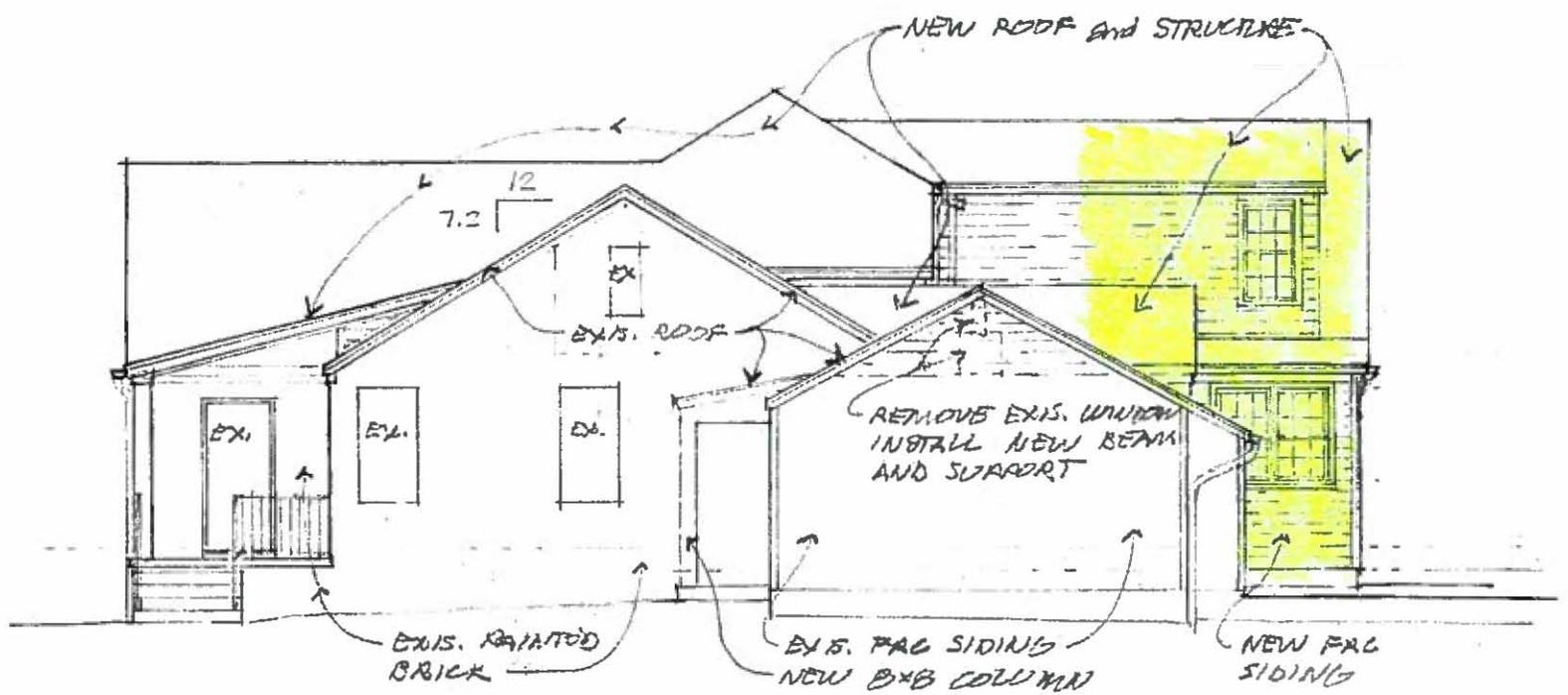
REAR ELEVATION

1/8" = 1'-0"

BETHAY

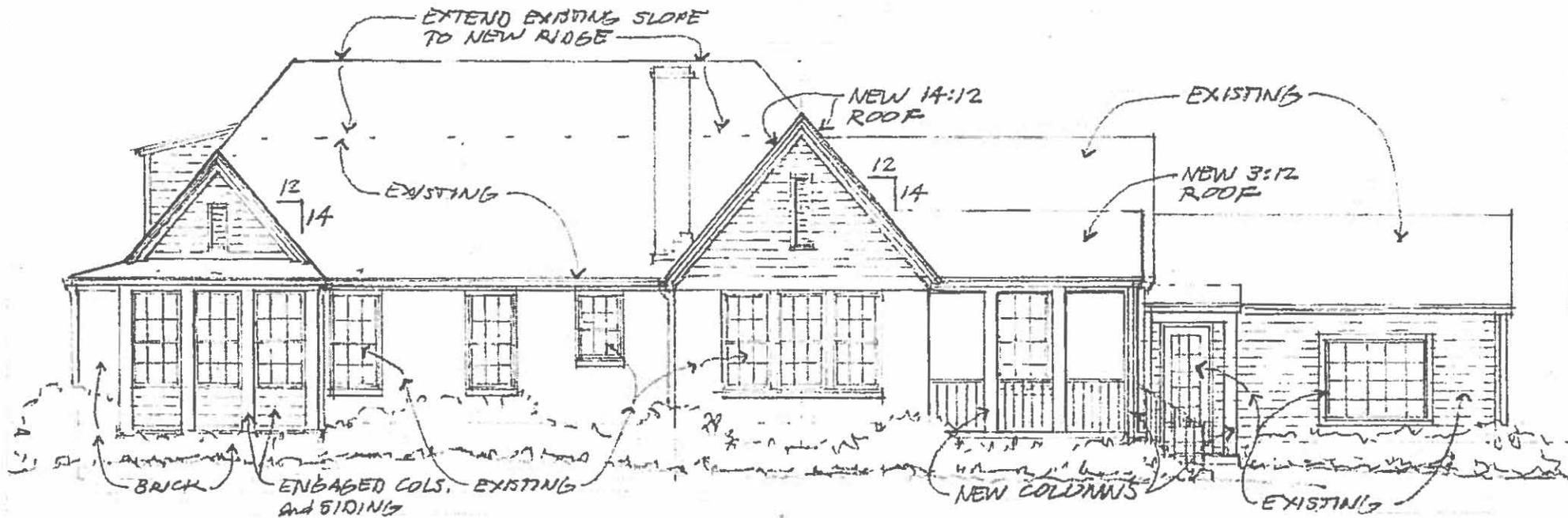
9.11.15

(REV. 9.23.15)



RIGHT SIDE ELEVATION
 1/8" = 1'-0"

BETHAY
 8.26.15
 (REV. 9.23.15)



FRONT ELEVATION (ALDEN LANE)

1/8" = 1'-0" MLEDD ARCHITECTURE 940.7611

BETHAY

9.11.15

(REV. 9.23.15)

A-16-11 (Aerial Map)





VARIANCE APPLICATION PART I

Required Findings (Sec. 19.26.5 of the Zoning Ordinance)

To aid staff in determining that the required hardship findings can be made in this particular case, please answer the following questions with regard to your request. **These findings must be made in order for a variance to be granted** (please attach a separate sheet if necessary).

What special circumstances or conditions, applying to the building or land in question, are peculiar to such building or land, and do not apply generally to other buildings or land in the vicinity (including size, shape, topography, location or surroundings)?

Corner lot with three 35' setbacks
Irregularly shaped
sloping topography

Why is the granting of a variance necessary to preserve property rights on the subject property and not be the granting of a special privilege for the applicant's convenience?

Three 35' setbacks excessively restrict the buildable area of the lot allowing only one side yard. Allowing one side of the house to be 24' from the side yard and another corner to be 22' from the property line to the west preserves the property rights of the owners and neighbors.

Was the condition from which relief is sought a result of action by the applicant? (i.e., *self-imposed hardship* such as: "...converted existing garage to living space and am now seeking a variance to construct a new garage in a required setback...")

NO.

How would the granting of this variance be consistent with the purpose and intent of the Zoning Regulations?

It would allow the owner of this corner lot that irregularly shaped to be able to build into the area that is toward the side yard of the west neighbor rather than building into the front yard that is sloping which provides sideyards for both houses

and a rear yard that is reasonable.



Variance Application - Part I

Project Data

Address of Subject Property 3813 HALBROOK LANE

Zoning Classification _____

Name of Property Owner(s) VICTORIA & HARVEY JOHNSON

Phone Number (205) 790-1094 Email _____

Name of Surveyor ROBERT REYNOLDS

Phone Number (205) 823-7900 Email _____

Name of Architect (if applicable) DAVID BLACKMON

Phone Number (205) 837-4886 Email _____

Property owner or representative agent must be present at hearing

Please fill in only applicable project information (relating directly to the variance request(s)):

	Zoning Code Requirement	Existing Development	Proposed Development
Lot Area (sf)			
Lot Width (ft)			
Front Setback (ft) <i>primary</i>			
Front Setback (ft) <i>secondary</i>			
Right Side Setback			
Left Side Setback			
Right Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 22' high → 22' high or greater →			
Left Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 22' high → 22' high or greater →			
Rear Setback (ft)	40'		20'-10"
Lot Coverage (%)			
Building Height (ft)			
Other			
Other			

February 25th, 2016

Dear Planning & Zoning Committee:

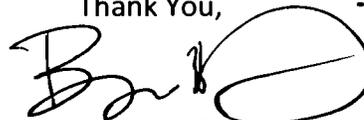
My name is Brandon Davis and I am the owner of Davis Construction Services, LLC and have been hired to construct a new residence located at 3813 Halbrook Lane.

Mr. and Mrs. Harvey Johnson have purchased the property located at 3813 Halbrook Lane with the intent to drastically renovate the existing structure and create a beautiful new home. The existing structure is currently built with the left rear foundation beyond the allowed rear setback. The Johnson's are seeking a variance (19' 2") to be in compliance with the planning and zoning committees 2016 building requirements.

I have attached a copy of the house plans so you can see exactly what they are looking to build and as you can see it will be a beautiful house only to enhance the value of all houses in surrounding areas.

Please direct any questions you may have to me and I can be reached via phone at 205.332.4898 or email at davisconstructionservicesllc@gmail.com.

Thank You,



Brandon Davis

A-16-12 (Zoning Map)



Report to the Board of Zoning Adjustment

A-16-12

Petition Summary

Request to allow a new single family dwelling to be 20 feet 10 inches from the rear property line (east) in lieu of the required 40 feet.

Analysis

The hardship in this case is the shallow depth of the lot. The proposed new house will meet the required front and side setbacks, and will have a larger south side setback than required by code.

Impervious Area

To be forwarded at meeting.

Subject Property and Surrounding Land Uses

The property contains a single-family dwelling, and is surrounded by same.

Affected Regulation

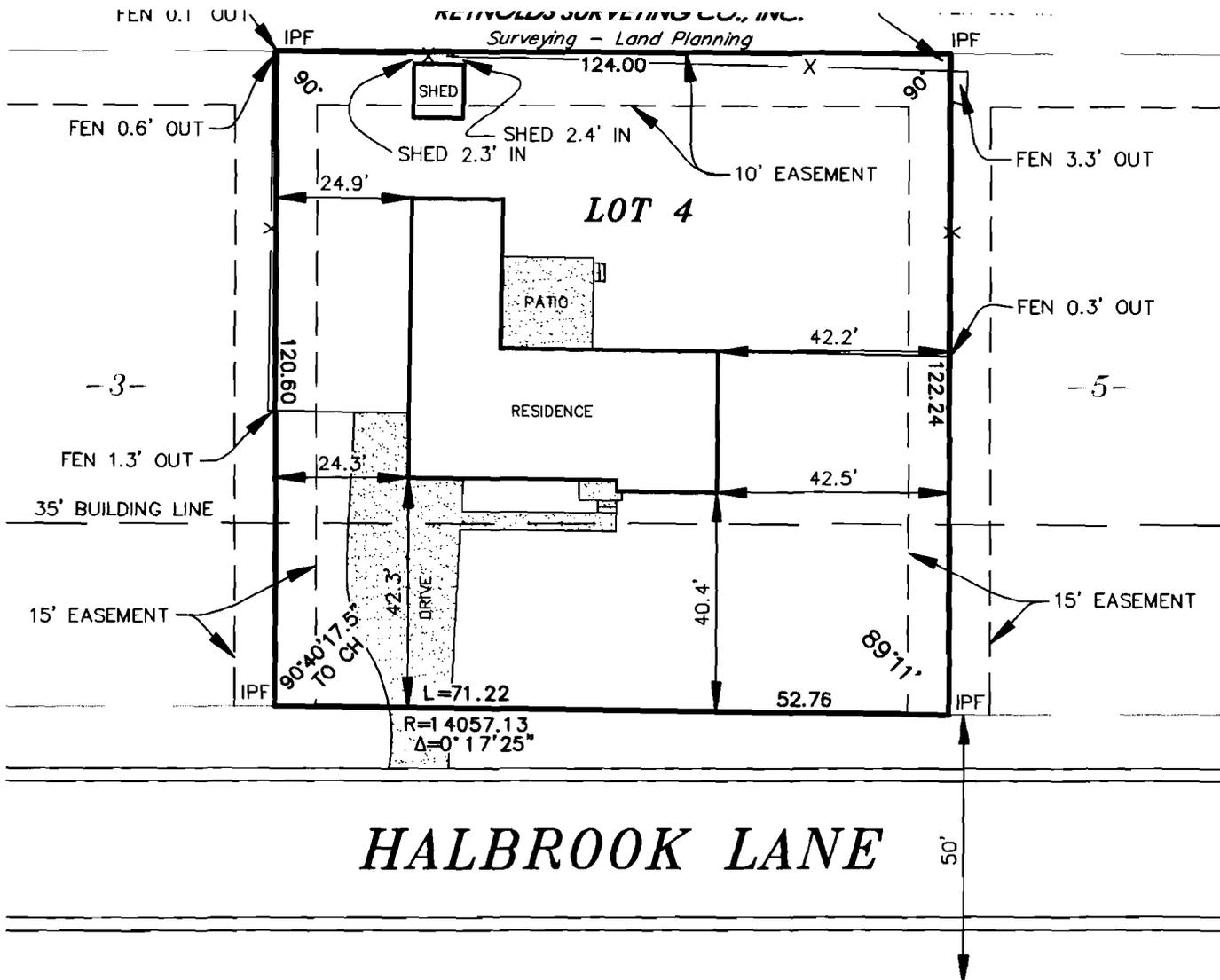
Article III, Residence A District; Section 129-34, Area and Dimensional Requirements

Appends

LOCATION: 3813 Halbrook Lane

ZONING DISTRICT: Res-A

OWNERS: Harvey and Victoria Johnson



HALBROOK LANE

0.05'

- LEGEND**
- UTILITY POLE
 - GUY WIRE
 - ▬ RETAINING WALL
 - CONCRETE
 - X- FENCE
 - OE- OVERHEAD ELECTRICAL
 - IPF IRON PIN FOUND
 - IPS IRON PIN SET



SCALE 1"=30'



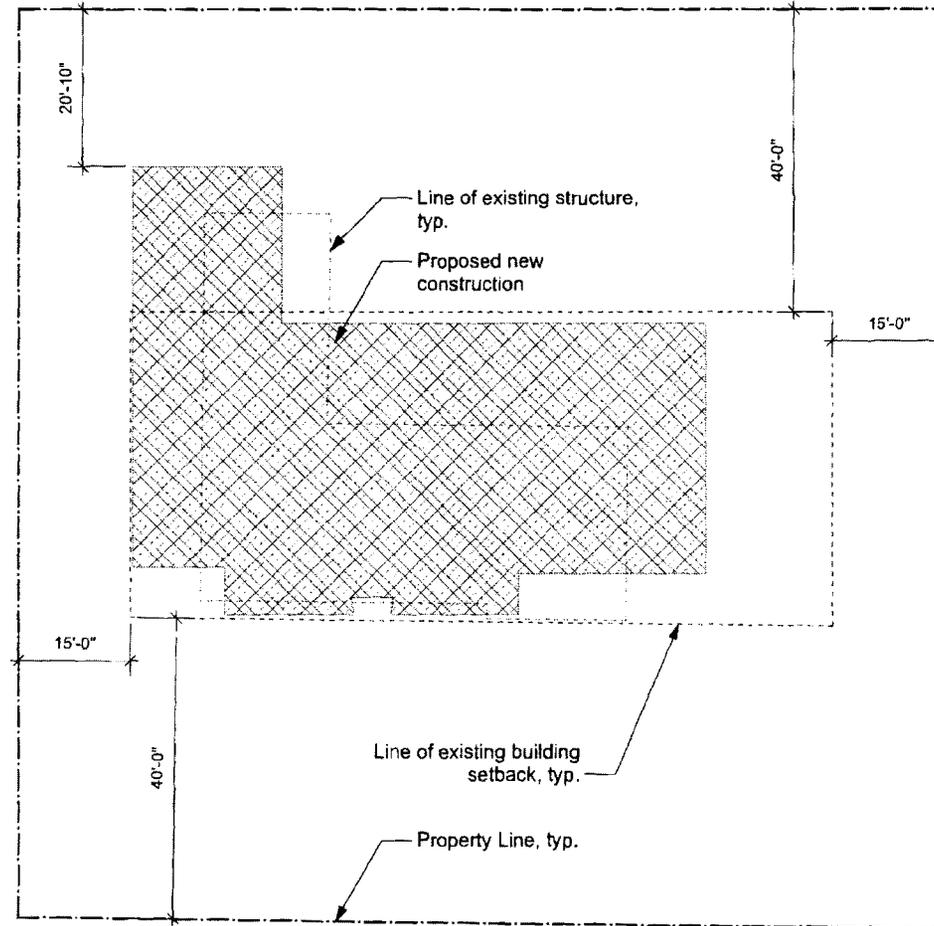
STATE OF ALABAMA
JEFFERSON COUNTY

I, Robert Reynolds, a Registered Surveyor, do hereby state that this is a true and correct plat or map of Lot 4, Block -, of HALBROOK ESTATES, as recorded in Map Book 57, Page 100 in the Office of the Judge Of Probate in JEFFERSON County, Alabama. All parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice of Surveying in the State of Alabama to the best of my knowledge, information and belief. The improvements on said premises are as shown. There are no visible encroachments on over or across said lands except as shown. According to my survey this the 30TH day of NOVEMBER, 2015.

NOTE: This survey is not transferable to any additional Institutions or subsequent owners.

Purchaser: JOHNSON
Address: 3813 HALBROOK LANE

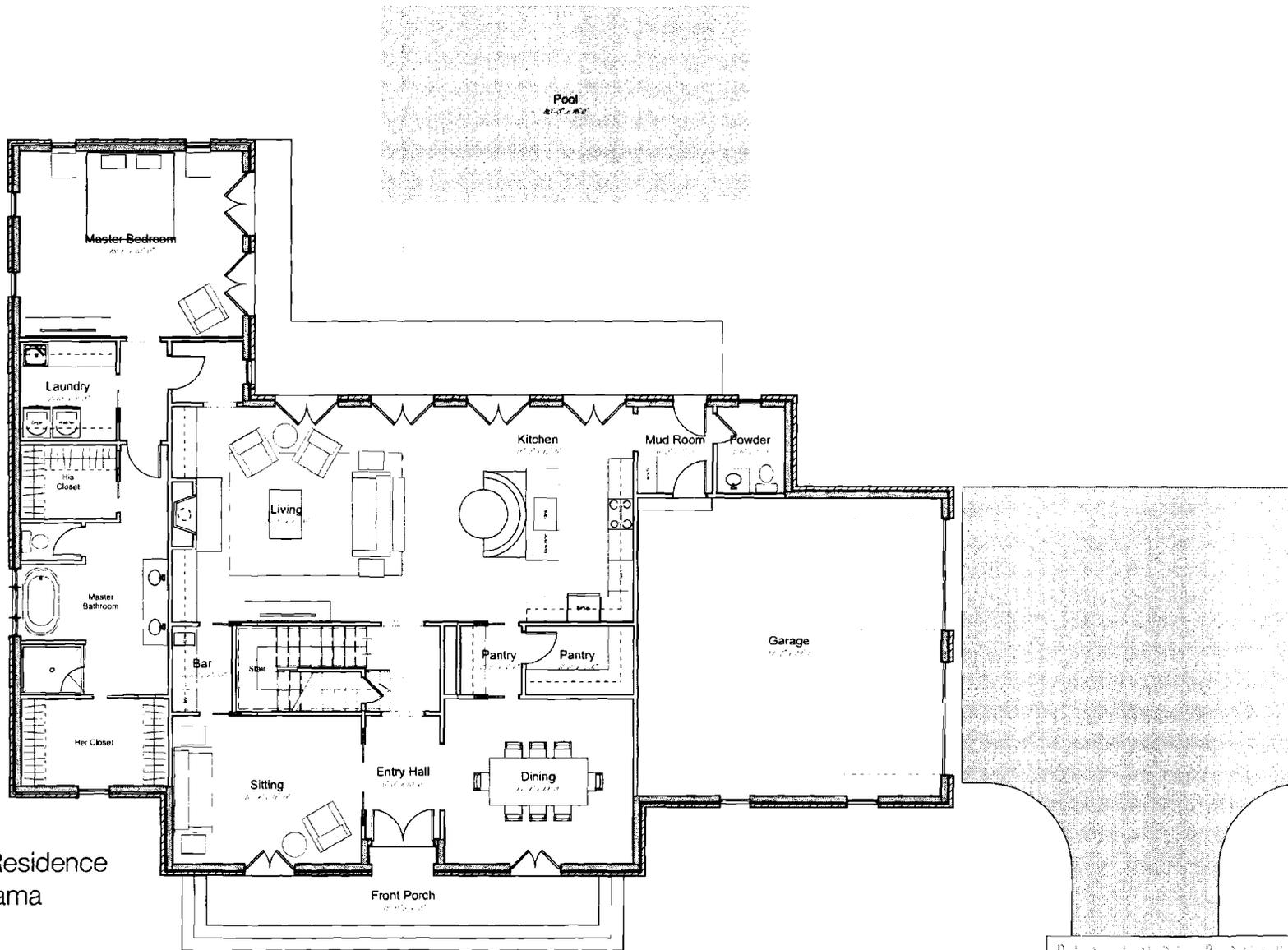
Reg. No. 25657 758/72



3813 Halbrook Lane Residence
Mountain Brook, Alabama

Site Plan Scheme E
02/04/16

BEAUCHAMON ROGERS
ARCHITECTS, LLC



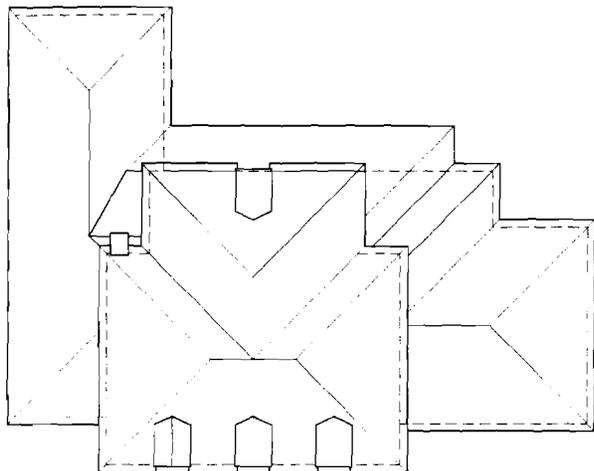
AREA TABULATION

First Floor	- 2,426 s.f.
Second Floor	- 1,116 s.f.
Garage	- 652 s.f.
Total H&C	- 3,542 s.f.

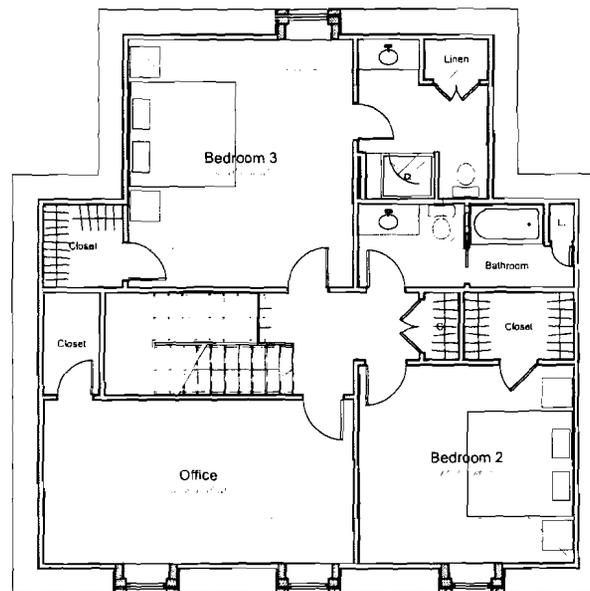
3813 Halbrook Lane Residence
Mountain Brook, Alabama

First Floor Plan Scheme D
01/25/16

BLACKMON ROGERS
ARCHITECTS, LLC



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



3813 Halbrook Lane Residence
Mountain Brook, Alabama

Second Floor Plan Scheme D
01/25/16

BLAIR AND RUGER
ARCHITECTS, LLC



Elevation Scheme D
01/25/16

3813 Halbrook Lane Residence
Mountain Brook, Alabama

BLANCHARD RUGER ARCHITECTS
ARCHITECTS, PLLC

A-16-12 (Aerial Map)





Variance Application Part II

Required Findings (Sec. 129-455 of the Zoning Ordinance)

To aid staff in determining that the required hardship findings can be made in this particular case, please answer the following questions with regard to your request. **These findings must be made by the Board of Zoning Adjustment in order for a variance to be granted** (please attach a separate sheet if necessary).

What special circumstances or conditions, applying to the building or land in question, are peculiar to such building or land, and do not apply generally to other buildings or land in the vicinity (including size, shape, topography, location or surroundings)?

THERE IS CURRENTLY A HOUSE AT THIS ADDRESS THAT IS BUILT WITH THE FOUNDATION BEYOND THE REAR SETBACK LINE. THE JOHNSONS ARE SEEKING TO RENOVATE THE HOUSE & NEED TO SECURE A VARIANCE TO DO SO.

Was the condition from which relief is sought a result of action by the applicant? (i.e., *self-imposed hardship* such as: "...converted existing garage to living space and am now seeking a variance to construct a new garage in a required setback...")

NO. EXISTING HOUSE IS BUILT BEYOND THE REAR SETBACK ON THE LEFT REAR SIDE OF HOUSE. SEE SURVEY

How would the granting of this variance be consistent with the purpose and intent of the Zoning Regulations?

WE ARE JUST SEEKING APPROVAL TO BUILD HOUSE WITH FOUNDATION IN ITS EXISTING LOCATION