

BZA Packet

December 14, 2016

Hello All,

Enclosed please find your packet for the meeting of December 19, 2016.

We have:

- 2 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-Dec-19 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
DECEMBER 19, 2016
PRE-MEETING: (ROOM A106) 4:45 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-month 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.

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-
1. Approval of Minutes: November 21, 2016
 2. Case **A-16-50: Richard Vann**, owner, requests a variance from the terms of the Zoning Regulations to allow a single family dwelling to be 10.5 feet from the side property line (south) in lieu of the 12.5 feet and 26.42 feet from the rear property line (west) in lieu of the required 35 feet. **108 Camellia Drive**
 3. Case **A-16-51: Jeff Morris**, owner, requests variances from the terms of the Zoning Regulations to allow a single family dwelling to be 20 feet from the front property line (Montevallo Lane) in lieu of the required 35 feet, 11 feet from the side property line (north) in lieu of the required 13 feet (for portions of the structure that are over 22 feet high), and 25 feet from the rear property line (west) in lieu of the required 30 feet.
- 6 Montevallo Lane
 4. Next Meeting: Tuesday, January 17, 2016
 5. Adjournment

CITY OF MOUNTAIN BROOK
BOARD OF ZONING ADJUSTMENT
MINUTES
November 21, 2016

The regular meeting of the City of Mountain Brook Board of Zoning Adjustment was held on Monday, November 21, 2016, at 5:00 p.m. in the Council Chamber at Mountain Brook City Hall.

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

Absent: Richard Simonton

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

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

Chairman 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. The agenda stood approved as amended. Case A-16-47 will be first on the agenda.

2. Case **A-16-47: 3813 Glencoe Drive**

EXHIBIT 1

Co-Chairman Hereford recused himself from this case.

William J. and Langston S. Hereford, owners, request a variance from the terms of the Zoning Regulations to allow a second floor addition to an existing single family dwelling to be 14.3 feet from the side property line (northeast) in lieu of the required 15 feet. - 3813 Glencoe Drive.

Hardships: The narrowness of the lot; the shape and size of the lot; existing design constraints.

Mr. Hereford stated that the house is a single story structure with a full basement. The plan is to renovate the house and to add a second story. The second story will need a variance because the existing non-conforming left side of the house is approximately .7' into the setback. The footprint will not change.

This variance request is based on the following hardships:

- The siting of the house on the property. The original construction is 14.3' from the side property line and the setback requirement for Res-A zoning is 15'.
- The size of the lot. The property is approximately 17,300 square feet, which is much less than the 30,000 square feet requirement for this zone.
- The narrowness of the lot. The lot is 90' wide at the street and tapers to 55' at the rear. Both dimensions are less than the 100' width requirement for Res-A.

Chairman Higginbotham said that the lot is very narrow for the entire length of the lot, front to back. The second floor wall steps in at the roof line, so the entire height of the left side wall will not be in the setback.

Mr. Higginbotham stated that an email from Cissy Jackson (3813 Glencoe Drive), the neighbor to the left of the property, is included in the application packet. Mrs. Jackson supports the proposed variance. Mr. Hereford said that he met with the neighbors on both sides of his property.

Public comment: None.

Chairman Higginbotham called for a motion.

Motion: Mr. Lapidus, to approve the variance as requested.

Second: Mr. Orr

Vote:	Ayes:	Higginbotham	Nays:	None
		Lapidus		
		Orr		
		Mitchell		
		Loveman		

Variance unanimously approved as presented.

3. Approval of Minutes - October 17, 2016:

Motion: Mr. Hereford, to approve the minutes as printed.

Second: Mr. Orr

Vote: Approved by unanimous vote.

4. Case A-16-19: 47 Greenway Road (extension)

EXHIBIT 2

Mr. and Mrs. Grantland Rice, owners, request variances from the terms of the Zoning Regulations to allow an addition to a detached garage to match the existing rear setback of 4.8 feet from the rear property line (east) in lieu of the required 40 feet; and to allow the construction of a new single family dwelling which, taken together with the garage addition, will result in a lot coverage of 29% in lieu of the maximum allowable 25%. – 47 Greenway Road. *Extension from May 16, 2016.*

James Carter, James Carter Inc., represented the property owners. The request is for an extension of the variance that was approved on May 16, 2016. He stated that they are in final pricing and have applied for a permit. He sees no reason for further delay.

Chairman Higginbotham called for a motion.

Motion: Mr. Hereford, to approve the variance as requested.

Second: Mr. Orr

Vote:	Ayes:	Higginbotham	Nays:	None
		Hereford		
		Lapidus		
		Orr		
		Mitchell		

Extension of variance unanimously approved.

5. Case A-16-48: 2218 English Village Lane

EXHIBIT 3

Julia Compton, owner, requests a variance from the terms of the Zoning Regulations to allow a retaining wall (ranging in height from 4 to 7.5 feet) to be within 15 feet of the front property line (English Village Lane) in lieu of the required 35-foot front setback. - 2218 English Village Lane.

Hardship: Topography; the lot slopes from front to back, and right side to left side.

Ms. Compton stated that she is requesting a variance to allow a retaining wall higher than 4' within the 35' front setback. The hardship is that this is a rear-sloping lot that also falls from the right to the left when facing the property.

- The retaining wall for the original house was non-conforming and made from cinder blocks.
- The replacement retaining wall will be poured concrete with a brick façade; more attractive than the original wall.
- The wall height will be approximately 7.5' at the point where it meets the house. It will step down as it moves toward the street, as grade allows. The anticipated distance of the portion taller than 4' will not exceed 20'.
- This retaining wall is necessary to control the flow of water runoff, directing it to the street instead of across the driveway and into the adjoining lot.
- The wall will hold up the front yard and provide driveway access to a garage underneath the house.
- The finished floor elevation of the new house is the same as the former.
- No alterations were made to the lot that created the need for a non-conforming wall.

Chairman Higginbotham:

- The original house was in the front setback.
- The new house is sited to conform to the front setback requirement.
- Moving the house further back on the lot creates the need for a longer wall.
- The wall will be approximately 7.5' tall at the edge of the house; as it moves forward for about 20', the height will be about 4' tall.

Ms. Compton said that the wall height will be brought down as quickly as possible, depending on the grade.

Public comment: None.

Chairman Higginbotham called for a motion.

Motion: Mr. Hereford, to approve the variance as requested.

Second: Mr. Orr

Vote: Ayes: Higginbotham Nays: None
Hereford
Lapidus
Orr
Mitchell

Variance unanimously approved as presented.

6. Case A-16-49: 2 Office Park Circle

EXHIBIT 4

George Ladd, Ladd Real Estate, owner, requests a variance from the terms of the Zoning Regulations to allow the construction of a new elevator shaft and lobby to be 24 feet from the front property line (Office Park Circle) in lieu of the required 40 feet. - 2 Office Park Circle

Hardships: Existing design constraints and topography.

Ladd Tucker, Ladd Real Estate:

- The variance will allow construction of an elevator on the end of the building closest to the lobbies and Office Park Circle.
- The elevator will provide ADA (Americans with Disabilities Act) access to all floors of the facility. This building was built in 1966, before accessibility requirements were common.
- After studying the building and plans, it was concluded that the proposed location is the most feasible because there is a lobby on both levels.
- If approved, an elevator shaft will be constructed to connect to the side of the existing stairwell.
- This addition will be 24' from the front property line in lieu of the required 40'. The existing structure is 34' from the front property line.

Chairman Higginbotham asked why the rear of the building was not chosen for the addition.

Mr. Tucker said that there are two lobbies at the proposed elevator site, each with two double doors. The rear of the building has a single exit door. The recommended location is the most convenient, especially for visitors that need ADA accessibility.

Mr. Hereford clarified that there are two lobbies on different levels; one is on the left side of the building and one is on the right side.

Mr. Tucker confirmed.

Mr. Loveman commented that by locating the elevator at the proposed site, it will be visible and accessible from the entrances of the existing lobbies.

Mr. Mitchell asked if there is a lobby at the rear of the building.

Mr. Tucker said that there is a small area, about the width of the hallway, with access to the stairs and equipment room. There are no directories at the rear of the building. This area is not regarded as a lobby.



Variance Application - Part I

Project Data

Address of Subject Property 108 CAMELLIA DRIVE

Zoning Classification RESIDENTIAL B

Name of Property Owner(s) RICHARD VANN

Phone Number 334-549-5064 Email rvann@bradley.com

Name of Surveyor CHRISTOPHER P DELUCIA

Phone Number 205-515-7210 Email _____

Name of Architect (if applicable) SCOTT CARLISLE

Phone Number 205-587-4868 Email TSCARLISLE@GMAIL.COM

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	12.5'	12.5'	10.5'
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)	35'	35'	26.42'
Lot Coverage (%)			
Building Height (ft)			
Other			
Other			

Date

November 21, 2016

Project Address

108 Camellia Drive
Mountain Brook, AL 35213

Project Scope

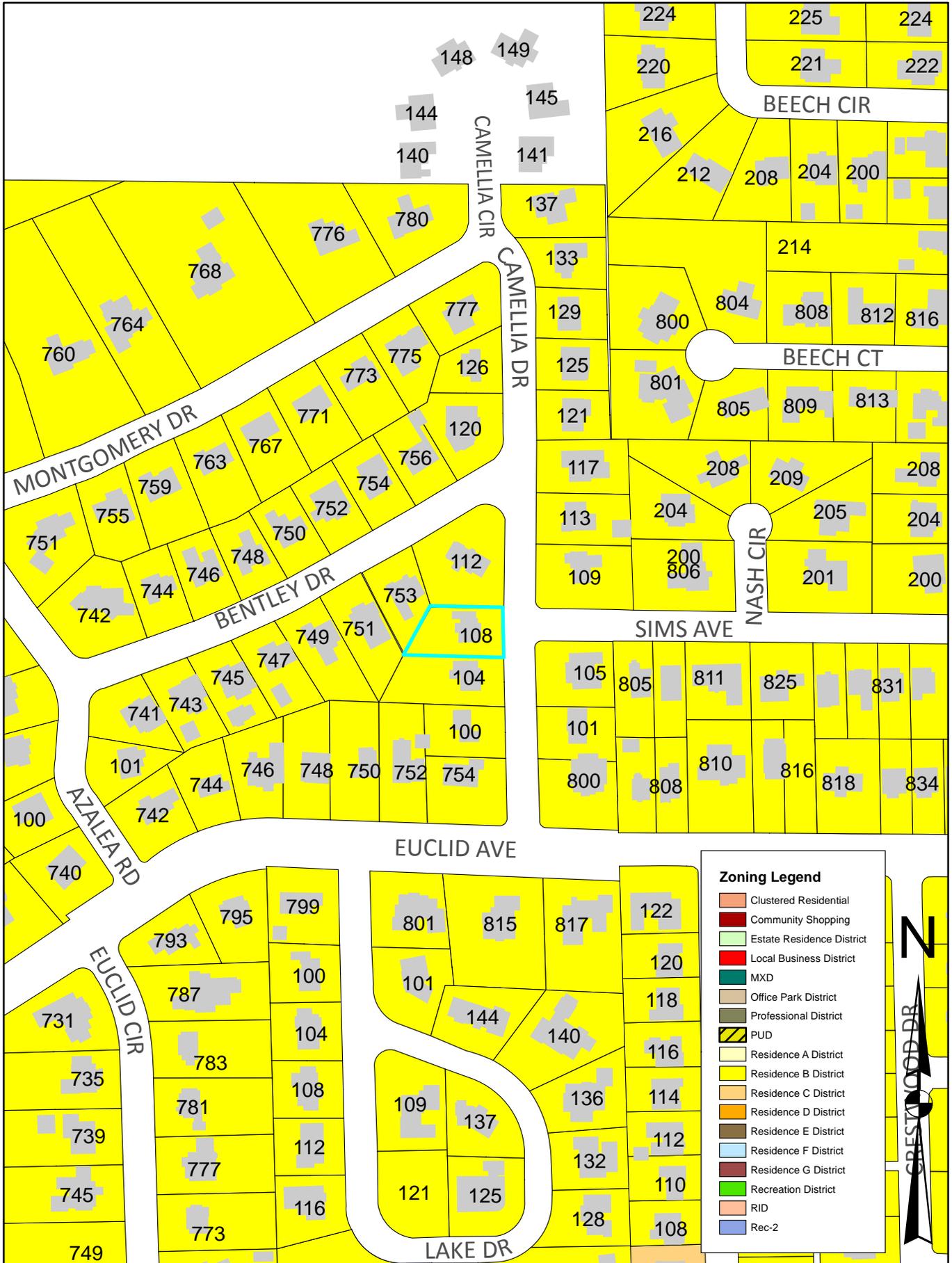
This project is the demolition of an existing house and the construction of a new residence.



T. Scott Carlisle
Owner Representative

205-587-4868

A-16-50 (Zoning Map)



Report to the Board of Zoning Adjustment

A-16-50

Petition Summary

Request to allow a single family dwelling to be 10.5 feet from the side property line (south) in lieu of the 12.5 feet and 26.42 feet from the rear property line (west) in lieu of the required 35 feet.

Analysis

The hardship in this case is the irregular shape of the lot. The angle of the rear property line is severe, and both side property lines are slightly askew (not perpendicular to the front property line). The front building line of the new single family dwelling is proposed to be parallel to the front property line, with the south side building line at 12.5 for the first 10 feet, encroaching into the side setback to gradually reach the proposed 10.5 feet at the rear left corner of the proposed house. The right side building line will conform to the 12.5-foot side setback at the front right corner and be larger than required at the rear right corner.

The rear encroachments consist of two corners. The covered porch is proposed to be 26.42 feet from the rear property line and the corner of the kitchen is proposed to be 29 feet from the rear property line (these are both single-story elements). The uncovered stairs and porch are permitted rear setback encroachments.

The owners of 104 Camellia Drive (adjacent property to the south) are opposed to the proposed side yard encroachments for reasons expressed in the attached letter.

Impervious Area

The proposal is in compliance with the allowable impervious surface area (27%).

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: 108 Camellia Drive

ZONING DISTRICT: Res-B

OWNER: Richard Vann

December 12, 2016

Ms. Dana Hazen

Director of Planning, Building and Sustainability

Mountain Brook ALABAMA 35213

RE: Request for Variances from Zoning Ordinances

Case A-16-50

Dear Ms. Hazen

Thank you for meeting with us today to discuss the above case and its implications for our own dwelling at 104 Camellia Drive.

We are disappointed to learn that the owners of the desired new dwelling at 108 Camellia wish variances from the terms of the existing Zoning Regulations, as outlined in your recent letter to us – received on Saturday, 10 December 2016.

Our home has had difficulties with rain/water drainage from the home/lot at 108. The drainage has caused damage to the siding of our home on the side that is adjacent to 108. The drainage has also damaged the wood floors in a bedroom on that same side of our house – which began to buckle from water which collected underneath our home. We had to replace the siding and construct a rain gully on the 108 side of our house.

The requested variance impresses us as heightening the drainage problem, not arresting or addressing it, in so far as it places the new and larger home at 108 physically closer to us, our home and our yard.

We welcome new neighbors, but we don't wish old problems to be aggravated by the requested variance. We plan to attend the meeting on 19 December.

Sincerely

George Graham Patricia Graham

104 Camellia Drive

#



FRONT ELEVATION

VANN RESIDENCE

108 CAMELLIA DRIVE

THE RED AREA IS THE
AREA THAT IS OVER THE
SETBACK LINE

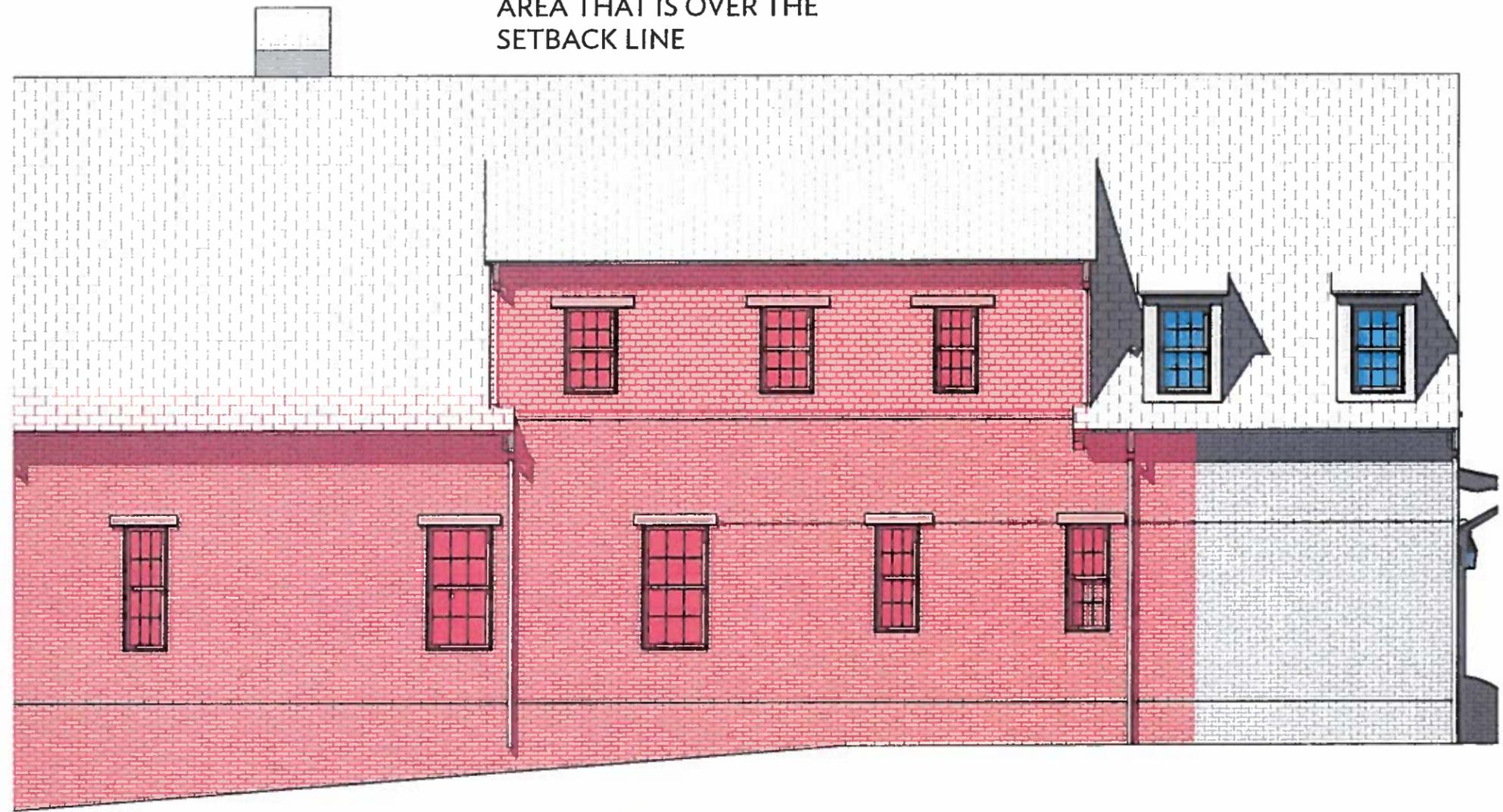


REAR ELEVATION

VANN RESIDENCE

108 CAMELLIA DRIVE

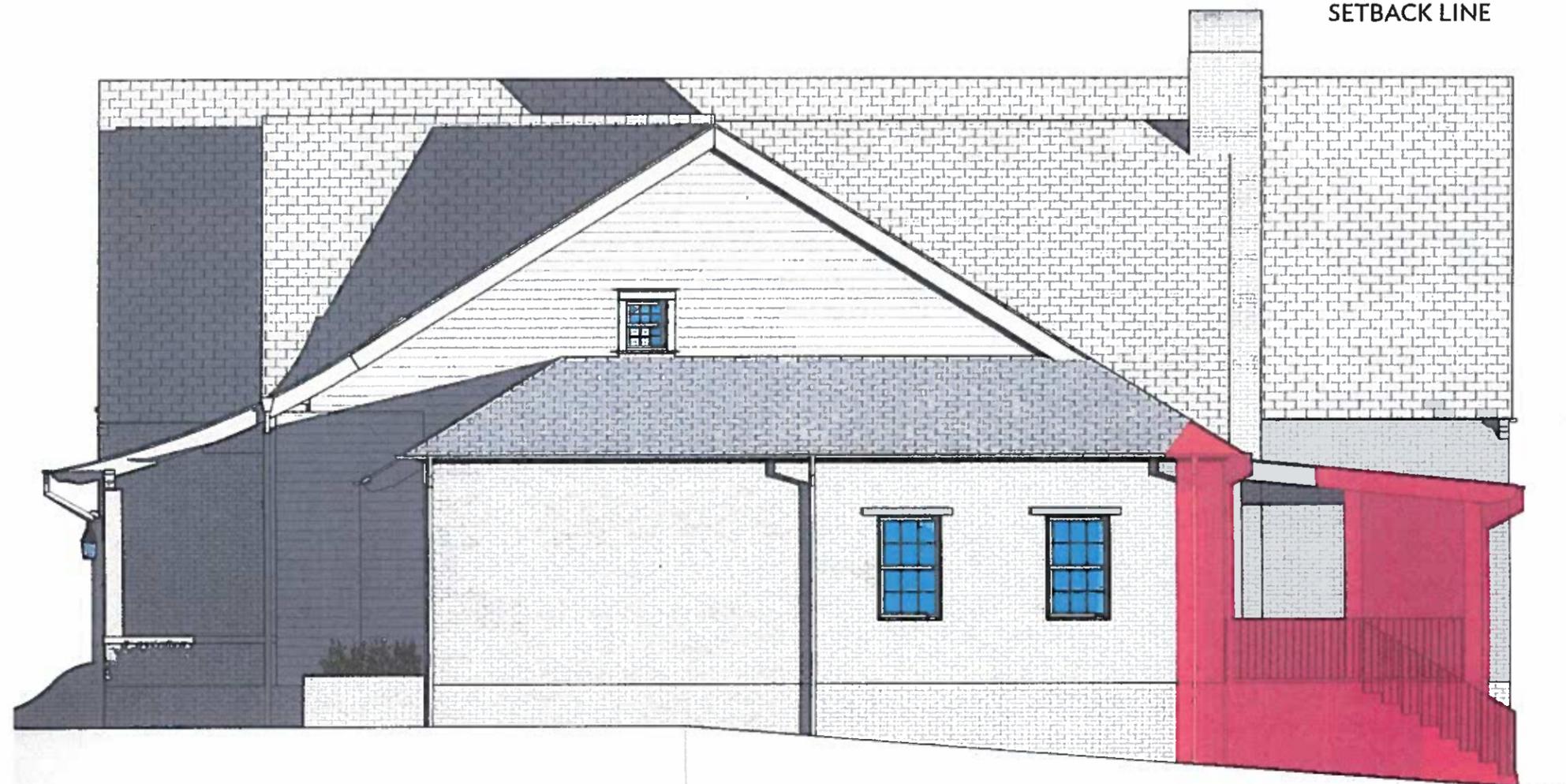
THE RED AREA IS THE
AREA THAT IS OVER THE
SETBACK LINE



SOUTH
NORTH SIDE ELEVATION

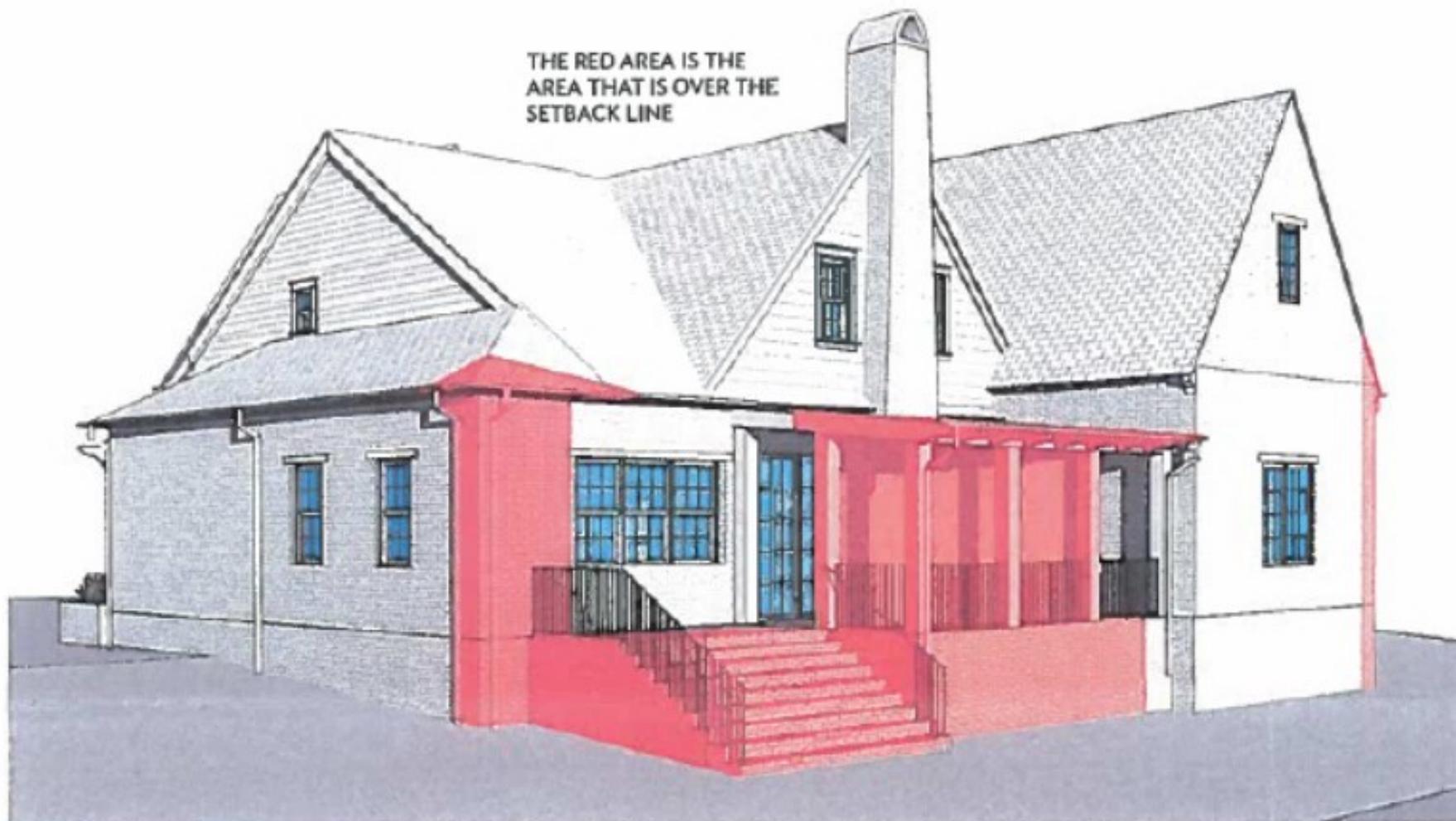
VANN RESIDENCE
108 CAMELLIA DRIVE

THE RED AREA IS THE
AREA THAT IS OVER
SETBACK LINE



NORTH
EAST SIDE ELEVATION

THE RED AREA IS THE
AREA THAT IS OVER THE
SETBACK LINE



PERSPECTIVE VIEW

YANN RESIDENCE
108 CAMELLIA DRIVE

A-16-50 (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)?

THE LOT IS ODDLY SHAPED. THE REAR PROPERTY LINE IS ANGLED BACK AND THE SIDE PROPERTY LINES ARE SKEWED SLIGHTLY AND ARE NOT SQUARE WITH THE FRONT PROPERTY LINE

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...")

THE CONDITION IS PRE-EXISTING

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

THE APPLICANT IS SEEKING RELIEF FROM AN EXISTING CONDITION THAT IMPARTS A HARDSHIP ON HIS ABILITY TO USE THE PROPERTY TO ITS FULLEST EXTENT



VARIANCE APPLICATION PART II

Project Data

Address of Property Co Montevallo Lane

Zoning Classification Residence "B"

Name of Property Owner(s) Jeff Morris

Phone Number 205.567.5608

Name of Representative Agent (if applicable)

Kelvin Terry

Phone Number 205.908.2016

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)		7000	7000
Lot Width (ft)			
Front Setback (ft)	35'	80'	20'
Side Setback (ft)	12.5'	14.8'	14.8 NONE
Side Setback (ft)	12.5 13'	16.6'	14.8 11' (farmer)
Rear Setback (ft)	30'	40'	25'
Lot Coverage (%)	35% MAX	18%	35% (NONE)
Building Height (ft)	35' MAX		35' (NONE)
Other			
Other			

REQUEST FOR VARIANCE

6 Montevallo Lane

This variance request is for a 5' encroachment into the required 30' rear setback, a 15' encroachment into the front setback, and a 2' encroachment into the (right) side setback for that portion of the residence over 22' high. The variance is requested due to the shallow depth and narrow width of the lot.

The lot, measuring exactly 70' (w) x 100'(d), totaling 7,000 square feet, (see attached survey), is substantially smaller than the 10,000-square foot minimum size requirement for lots zoned Residence B as defined in section 129-52 in the current City of Mountain Brook Zoning Ordinance. The challenges of this lot are confirmed when published setbacks reveal a permitted rectangular footprint of only 1,575 sf. (35'x45').

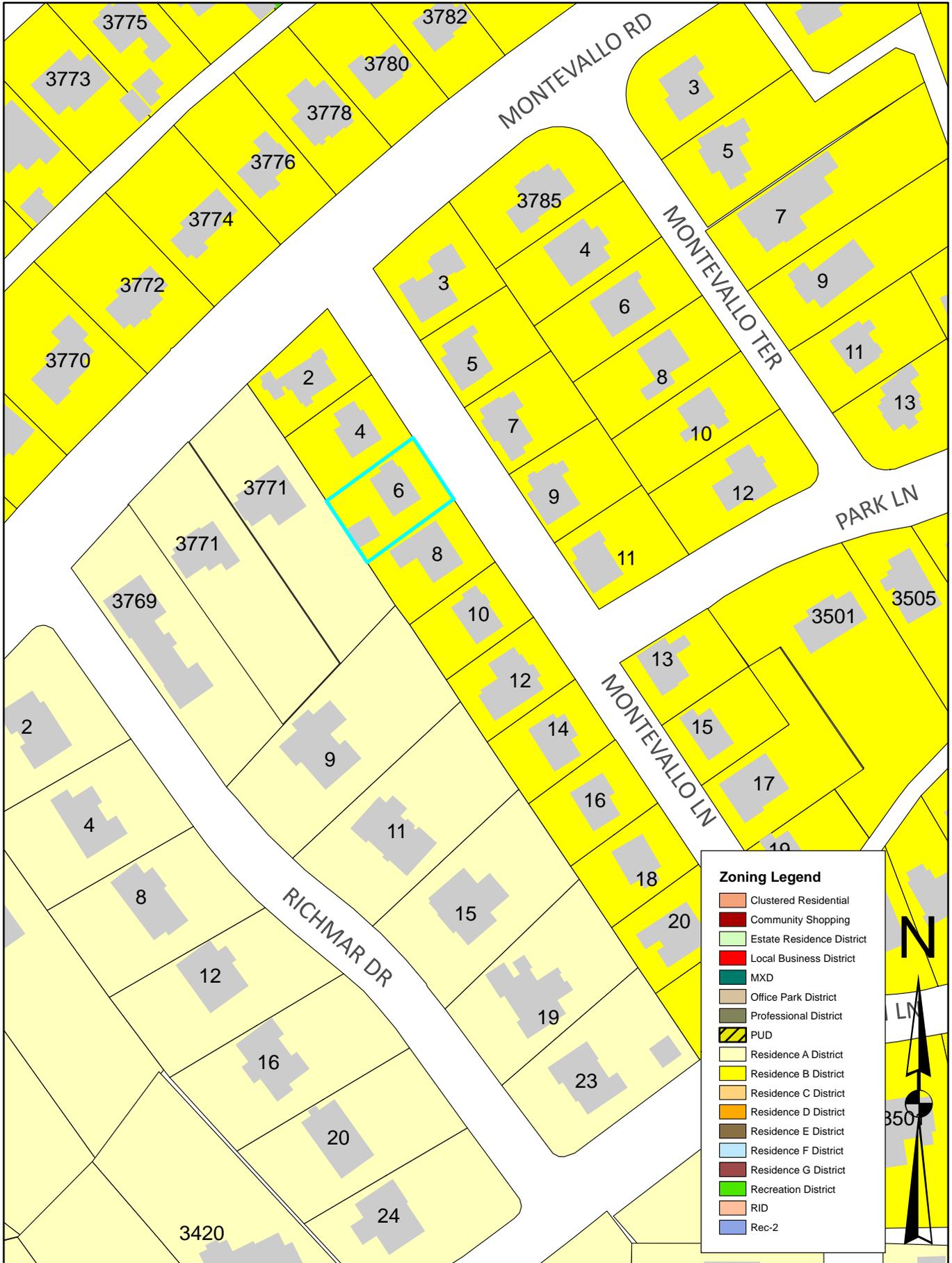
The existing home on the lot is situated in line with other homes on the street and is exactly 20' behind the front Right of Way line. The existing home is also situated 10' from the right property line, and this request is for permission to construct the proposed residence no closer to the front and side than the existing residence. The proposed residence does not exceed the impervious coverage limitations as published in the code.

Your Consideration of this Request for Variance is appreciated.

J. K. Terry – Owner Representative

19 December 2016

A-16-51 (Zoning Map)



Zoning Legend

- Clustered Residential
- Community Shopping
- Estate Residence District
- Local Business District
- MXD
- Office Park District
- Professional District
- PUD
- Residence A District
- Residence B District
- Residence C District
- Residence D District
- Residence E District
- Residence F District
- Residence G District
- Recreation District
- RID
- Rec-2



Report to the Board of Zoning Adjustment

A-16-51

Petition Summary

Request to allow a single family dwelling to be 20 feet from the front property line (Montevallo Lane) in lieu of the required 35 feet, 11 feet from the side property line (north) in lieu of the required 13 feet (for portions of the structure that are over 22 feet high), and 25 feet from the rear property line (west) in lieu of the required 30 feet.

Analysis

The hardships in this case are the size of the lot (7,000 in lieu of the required 10,000), the narrow width (70 feet in lieu of the required 75 feet) and the shallow depth (100 feet). As may be seen on the attached zoning map, all of the lots on this side of Montevallo Lane appear to be 20 feet from the front property line, so it is not anticipated that an approval of this front setback request would be detrimental to the streetscape.

The request for the side setback encroachment is minor in nature in that only the dormer window is closer than 13 feet to the side property line.

The proposed rear setback lines up with an addition to the house on the adjoining property (8 Montevallo Lane, approved by the Board in July 2016). The existing detached accessory building in the rear yard will be removed in conjunction with the construction of the new house.

Impervious Area

The proposal is in compliance with the allowable impervious surface area.

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 129-53, Special Provisions for Nonconforming Residence B Lots

Appends

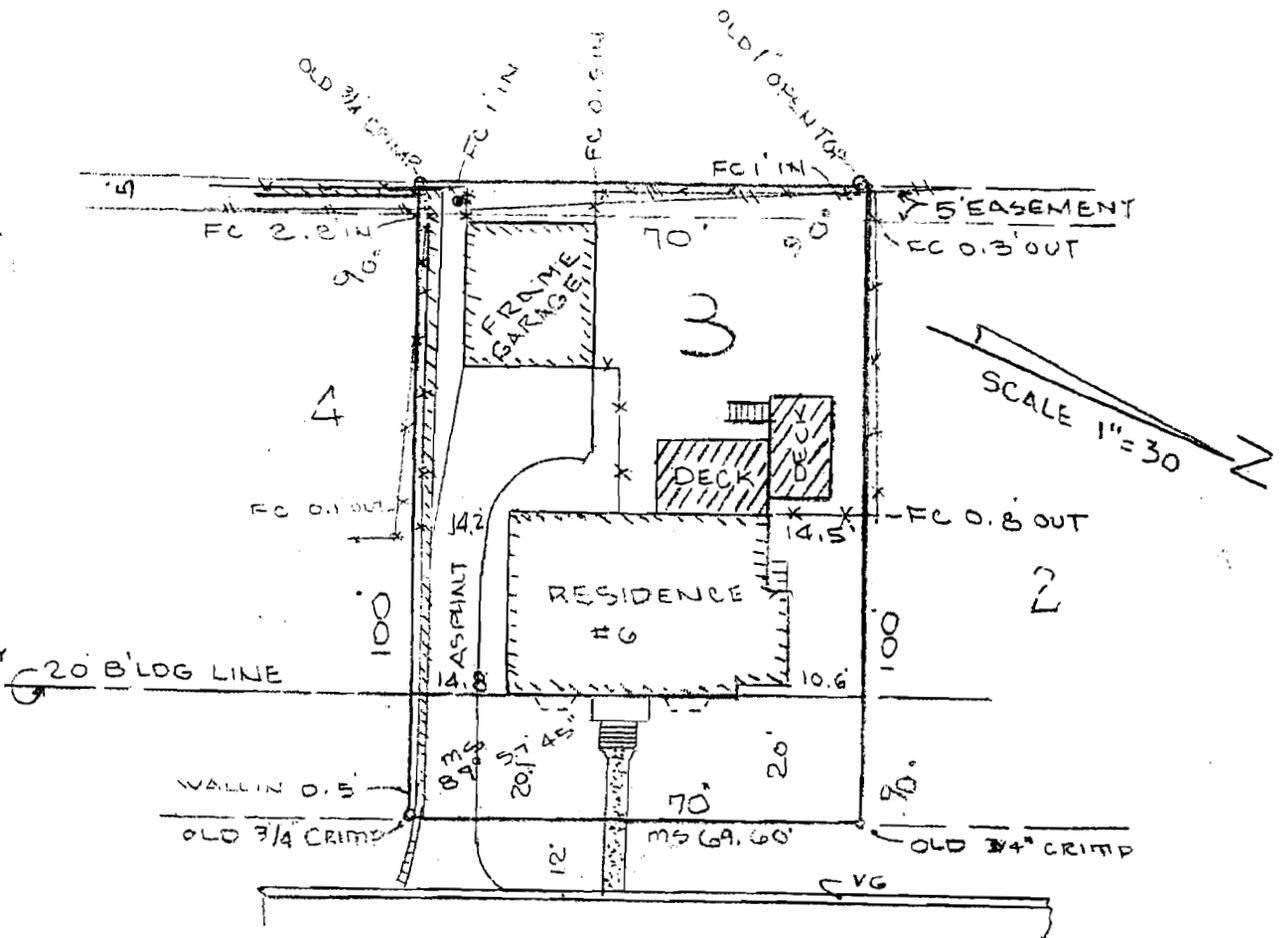
LOCATION: 6 Montevallo Lane

ZONING DISTRICT: Res-B

OWNER: Jeff Morris

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
- X— ANCHOR
- X— FENCE
- X— OVERHEAD UTILITY
- PVMT PAVEMENT
- W/ WITH
- TAN TANGENT
- RES RESIDENCE
- oLGT LIGHT
- COV COVERED
- ▨ DECK
- CONCRETE
- ▨ WALL
- COLUMN



MONTEVALLO LANE
4620W



STATE OF ALABAMA)
JEFFERSON COUNTY)

"Closing Survey"

I, Ray Weygand, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot 3, MONTEVALLO LANE as recorded in Map Volume 28 Page 76 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 NOV 15, 2016. Survey invalid if not sealed in red.

Order No.: 43107
Purchaser: BOLDREAU X
Address: 6 MONTEVALLO LANE

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

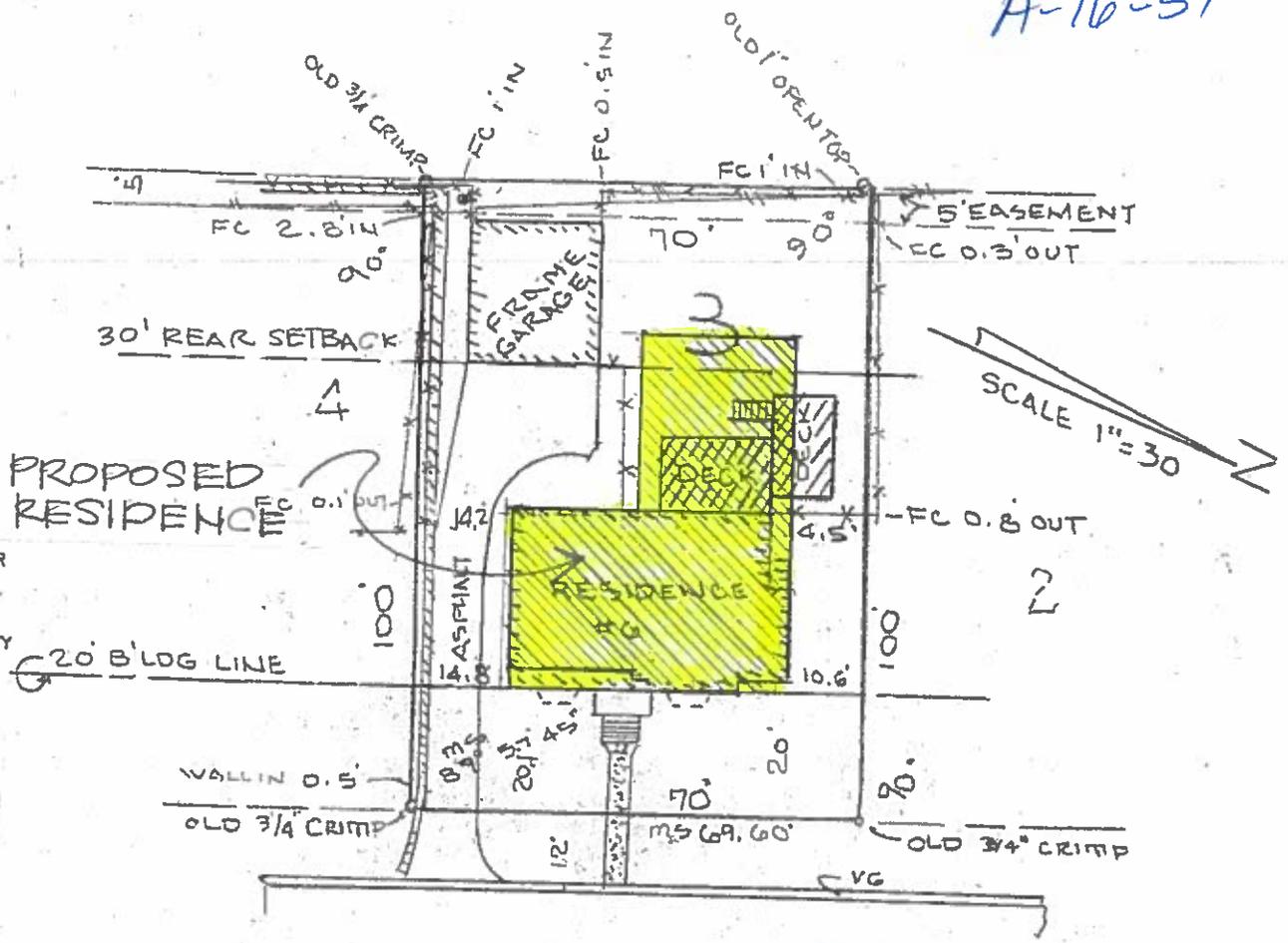
Copyright ©

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-16-51

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
○	ANCHOR
-X-	FENCE
- -	OVERHEAD UTILITY
PVMT	PAVEMENT
W/	WITH
TAN	TANGENT
RES	RESIDENCE
oLGT	LIGHT
COV	COVERED
▨	DECK
○	CONCRETE
□	WALL COLUMN



MONTEVALLO LANE
46' ROW



STATE OF ALABAMA
JEFFERSON COUNTY

"Closing Survey"

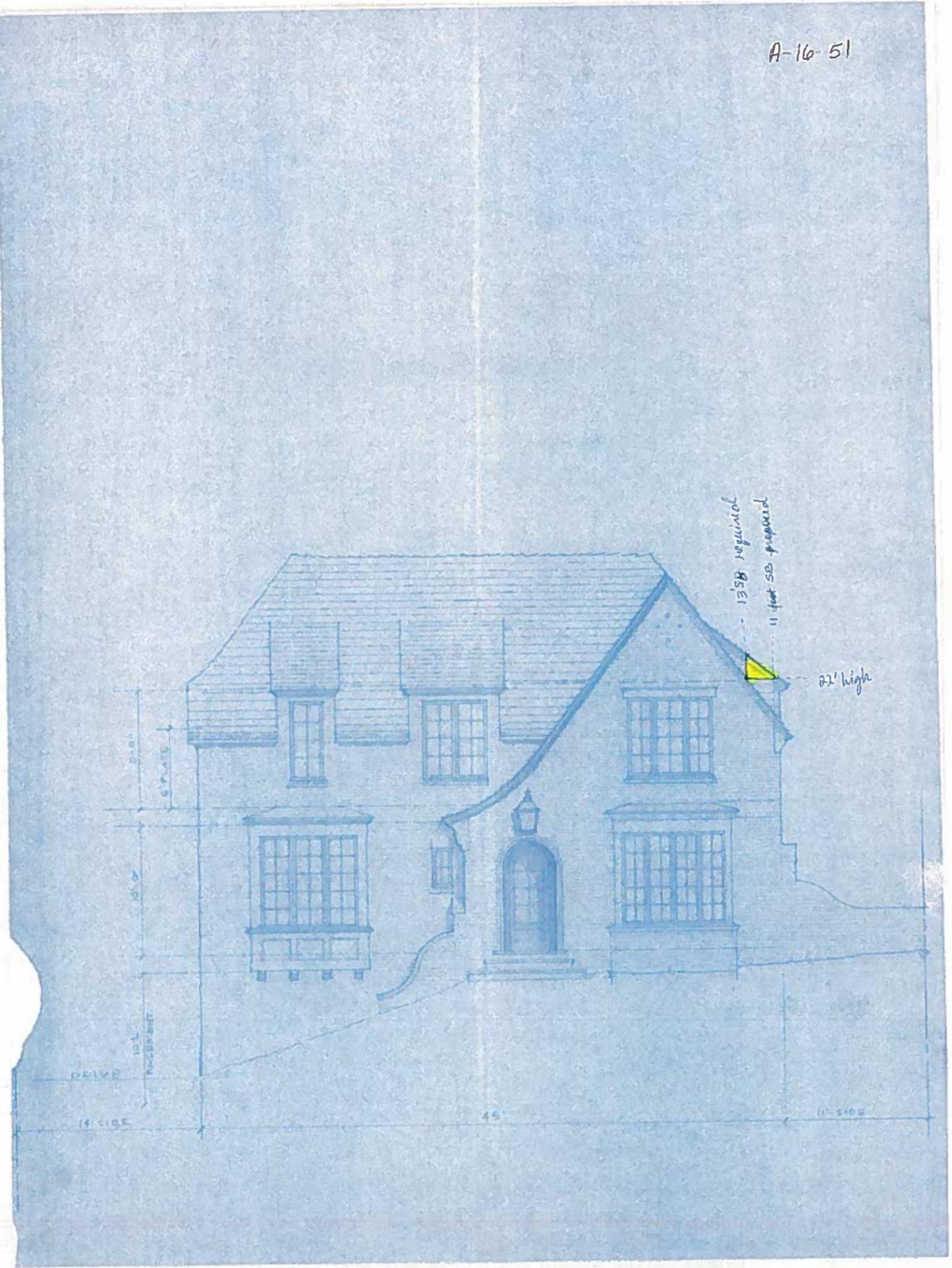
I, Ray Weygand, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot 3, MONTEVALLO LANE as recorded in Map Volume 2A Page 76 in the Office of the Judge of Probate, Jefferson County, Alabama; that there are no rights-of-way, easements or joint 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 NOV 15, 2016. Survey invalid if not sealed in red.

Order No: 43107
Purchaser: BOLDREAU X
Address: 6 MONTEVALLO LANE

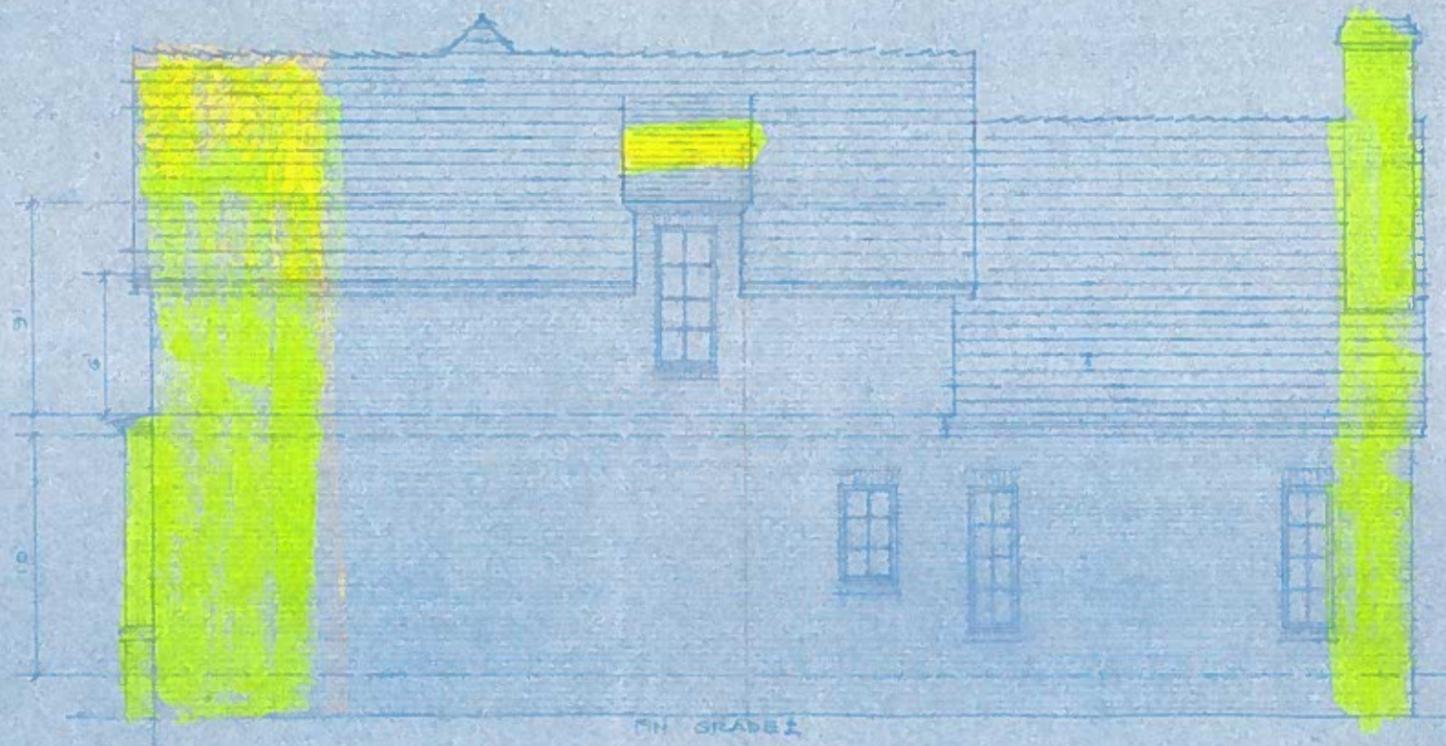
Ray Weygand, Reg. L.S. #24973
189 Oxmoor Road Homewood, AL 35209
Phone: (205) 942-0086 Fax: (205) 942-0087
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Note: (a) No title search of the public records has been performed by this firm and land shown hereon was not abstracted for easements and/or 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 dead/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 dead/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-16-51

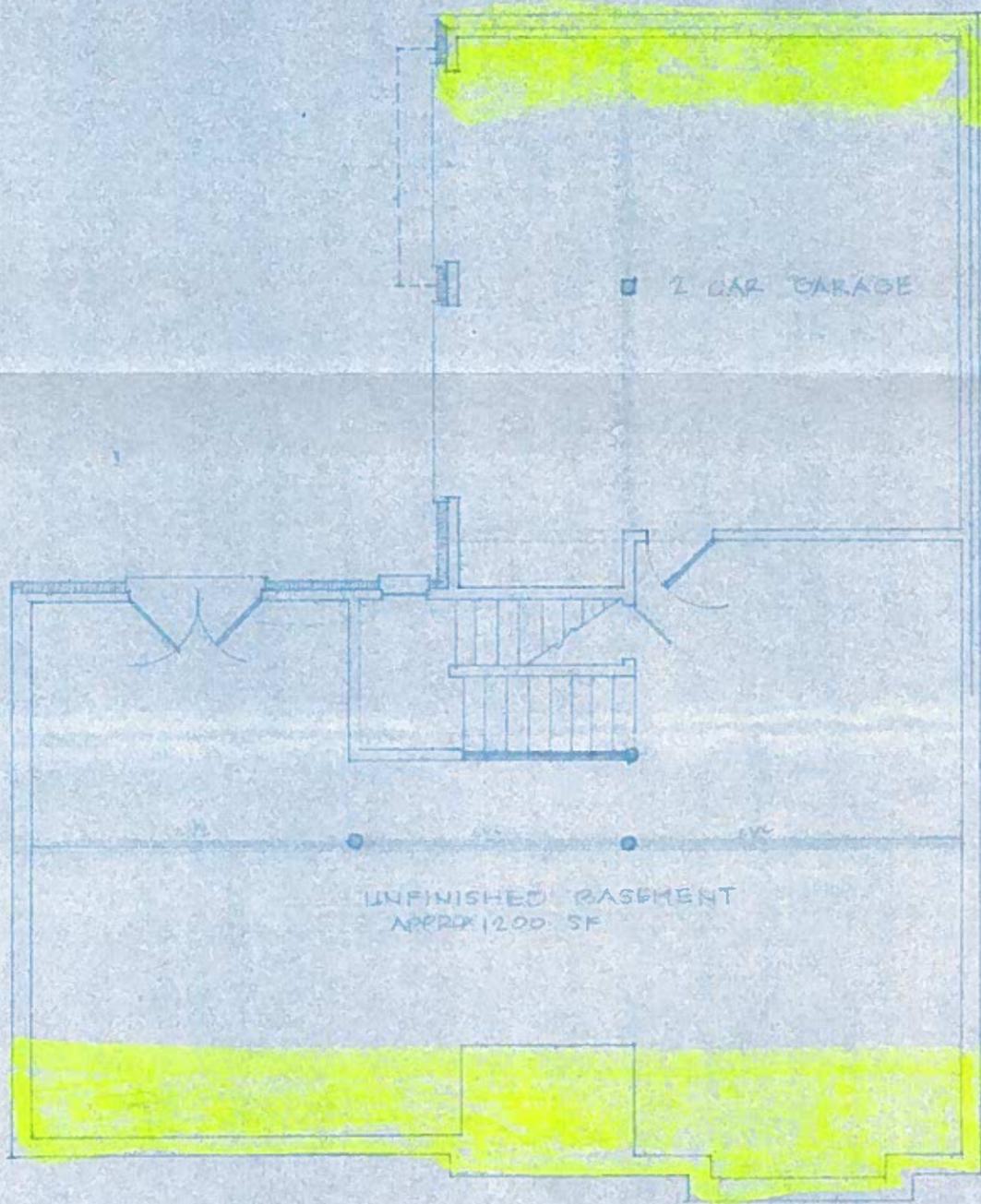


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RIGHT SIDE ELEVATION
SCALE 1/4" = 1'-0"

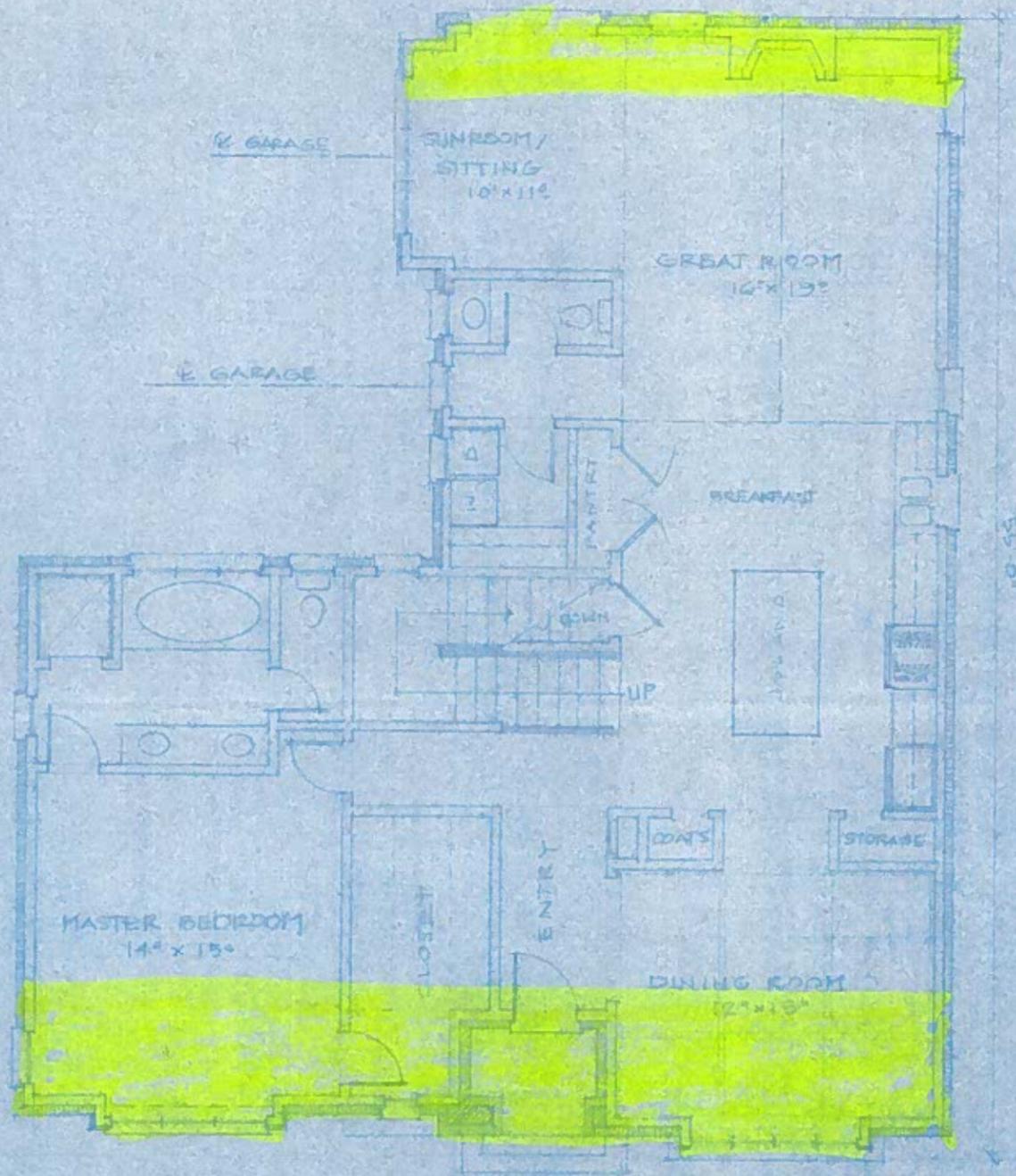
A-10-51



BASEMENT/FOUNDATION
SCALE 1/4" = 1'-0"

APPROX 1800 SF = 26% OF LOT

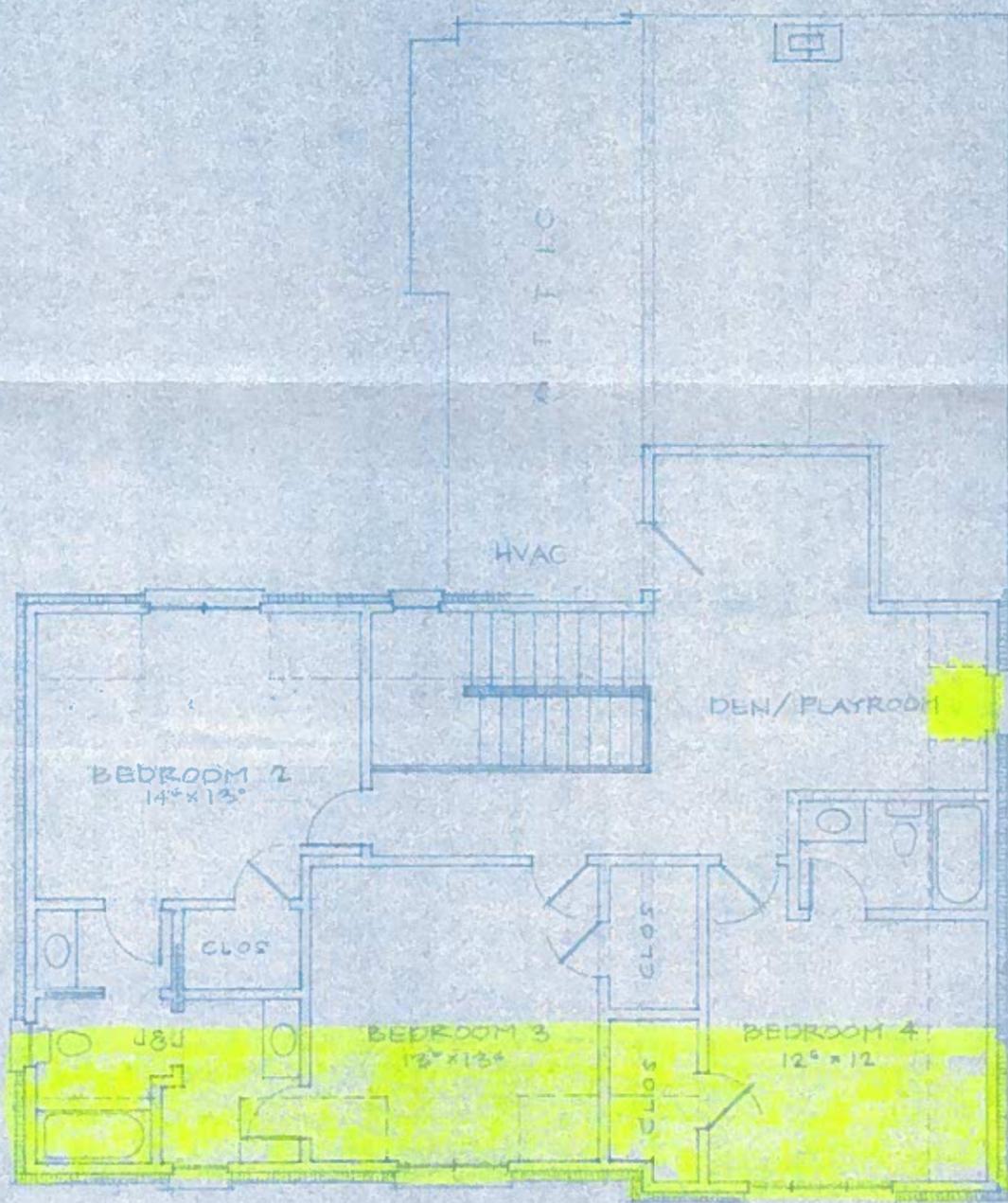
A-16-51



MAIN FLOOR PLAN
SCALE 1/4" = 1'-0"

APPROX 1842 SF (20% LOT COVER)
2ND FL 1246
TOTAL 3,088 SF

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SECOND FLOOR PLAN
SCALE 1/4" = 1'-0"

APPROX 1246 SE.

A-16-51 (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)?

THE REQUIRED FRONT AND SIDE SETBACKS ARE INCONSISTENT WITH EXISTING CONDITIONS OF RESIDENCES ON THE ENTIRE STREET. LOT SIZE IS LESS THAN ZONING REGS FOR RES B REQUIRE.

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?

EXISTING SETBACK REQUIREMENT IMPOSED ON SUCH A SMALL WOULD RESULT IN A HOUSE SMALLER THAN ECONOMICALLY ~~OR~~ FEASIBLE OR CONSISTENT WITH NEIGHBORING RESIDENCES

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?

MONTEVALLO LANE IS UNIQUE. NONE OF THE ORIGINAL EXISTING RESIDENCES ARE COMPLIANT WITH MODERN ZONING REGS.