



Variance Application - Part I

Project Data

Address of Subject Property 2732 ABINGDON ROAD

Zoning Classification ESTATE LOT - RESIDENTIAL - 3

Name of Property Owner(s) MERRILL STEWART

Phone Number 205-414-0000 Email MSTEWART@STEWARTPERRY.COM

Name of Surveyor GONZALES STRENGTH & ASSOCIATES

Phone Number 205-942-2484 Email BEHARRIS@gonzales-strength.com

Name of Architect (if applicable) MICHAEL O'KELLEY

Phone Number 205-238-9334 Email MOKELLEY@CMHARCHITECTS.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	40'	N/A	30' -4.00'
Left Side Setback	40'	N/A	34' -6.00'
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)			
Lot Coverage (%)			
Building Height (ft)			
Other			
Other			



Variance Application Part II

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 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 WIDTH NARROWING UNDER THE MINIMUM 200' LOT WIDTH - SEC. 129-73. a.2
ALSO, TOPOGRAPHY - SEVERELY SLOPED, LIMITS TURNING THE PROPOSED HOME.

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?

DUE TO NARROWING LOT & LIMITED TOPOGRAPHY - THE PROPOSED HOME
IS SITED SUCH TO BE FAIRLY IN LINE WITH NEIGHBORING HOMES -
FOLLOWING THE NATURAL 'CREST' OF THE RIVER.

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, LOT WIDTH AND STEEP TOPOGRAPHY HAVE LIMITED THE HOUSE FOOTPRINT
TO ALLOW A HOME SITE WITH ENTRY DRIVE, LAWN AREAS, & FITTING IN
WITH NEIGHBORING PROPERTIES. AND STREET PRESENCE.

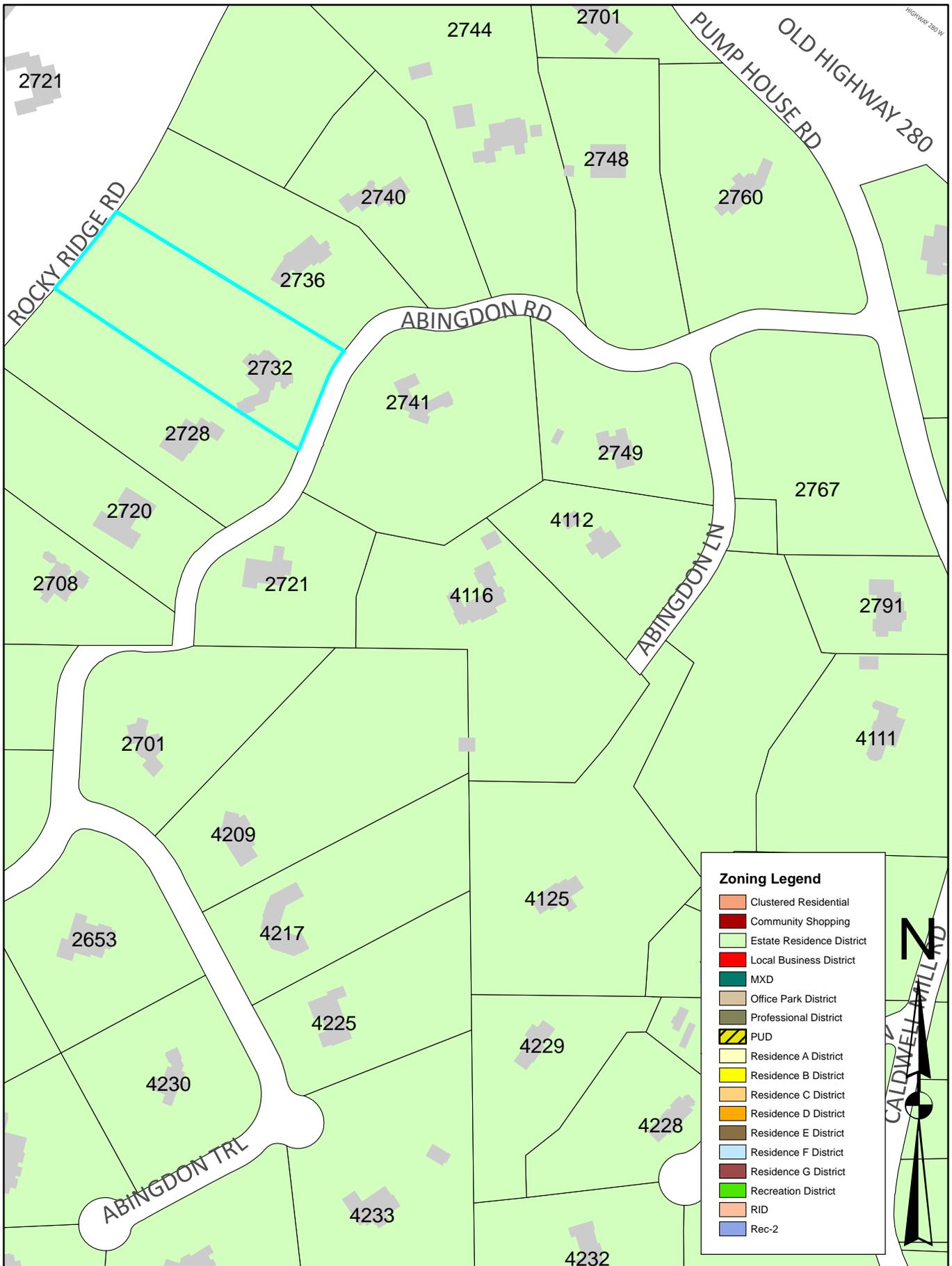
How would the granting of this variance be consistent with the purpose and intent of the Zoning Regulations?

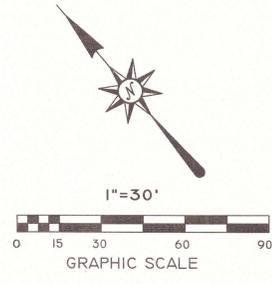
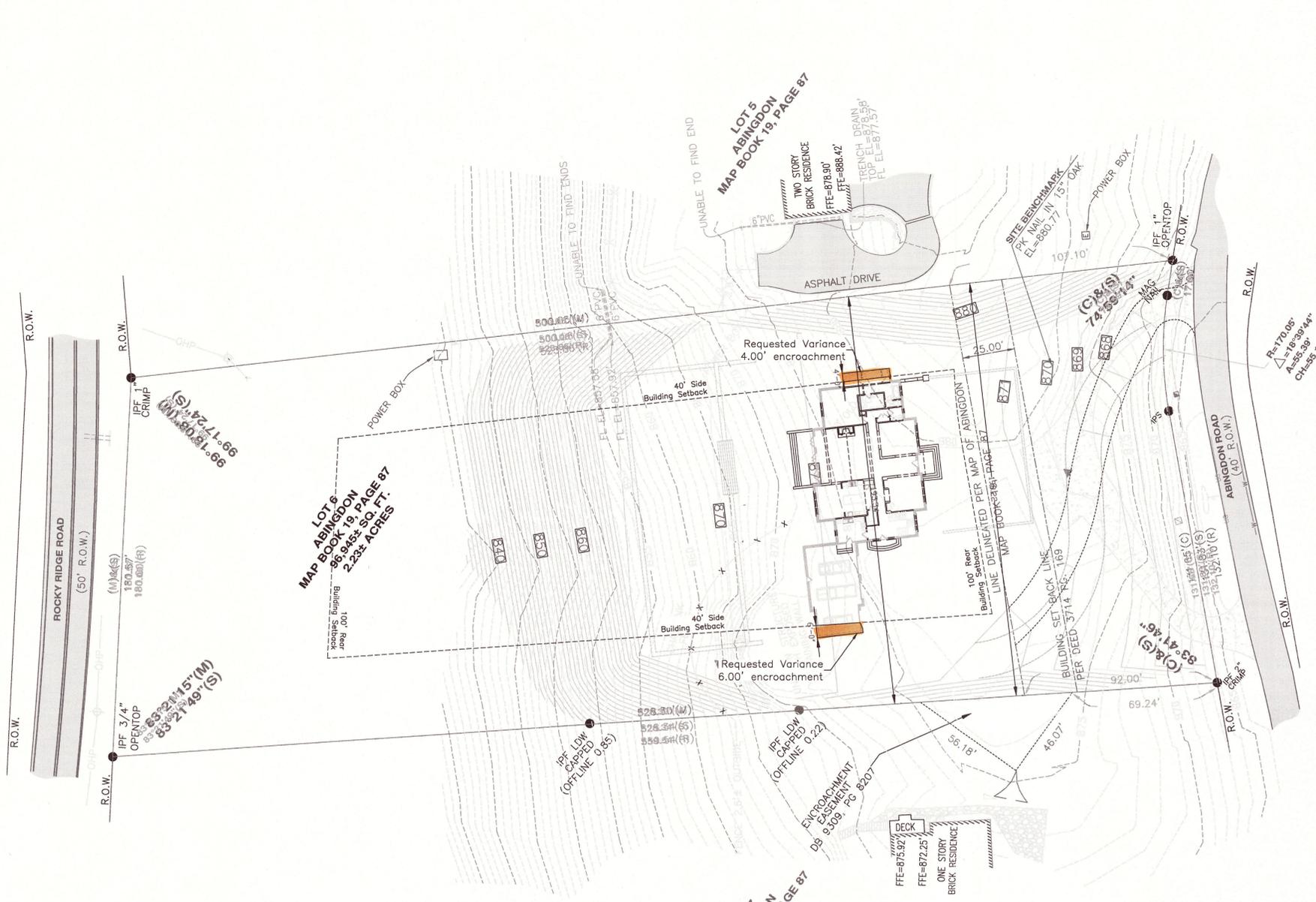
TO KEEP WITH EXISTING NEIGHBORING HOMES, SITE CONDITIONS LIMIT
OUR POSSIBLE BUILDING AREA WITHOUT ENCROACHING TOO MUCH OF THE
~~AND~~ REQUIRED 40' SIDE SET BACKS.

A-15-15 (Aerial)

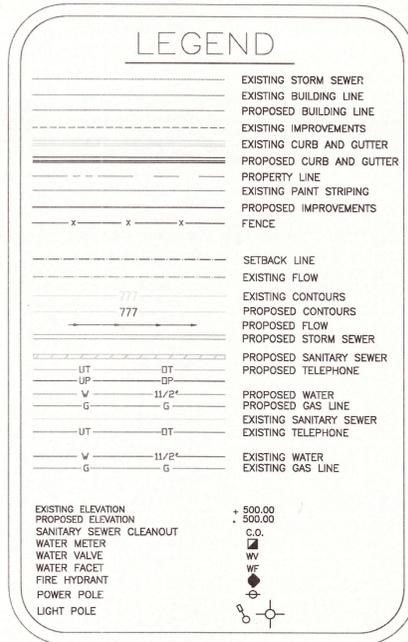


A-15-15 (Zoning)





- SITE PREPARATION NOTES**
- All demolition, construction debris, clearing, and excess excavation shall be disposed of in a legal manner off-site.
 - Strip all topsoil within building and pavement areas, and stockpile for later use. Dispose of any excess topsoil in locations on site as directed by the owner.
 - Prior to placing fill in pavement, surfacing, or in building pad areas, exposed subgrade shall be proof rolled with a heavily loaded dump truck. All areas showing signs of pumping, rutting or any deleterious materials found in place (organic, wet, soft, loose, or unstable material) shall be undercut and replaced.
 - All fill placed in undercut areas shall meet the requirements of these specifications and be placed in accordance with these specifications.
 - Prior to placing fill and in cut areas exposed at subgrade, contractor shall scarify existing soils to a depth of 8" and recompacted to the specified density and moisture content.
 - Material to be used as fill shall be composed of soil with a maximum dry density in excess of 100 pounds per cubic foot (pcf), Plasticity Index (PI) less than 25, and a Liquid Limit (LL) less than 50.
 - Fill shall be placed in loose lifts not to exceed 8" and compacted per ASTM D-698 as follows:
 - Building areas - compact to 98%.
 - Paving areas - compact to 98%.
 - All fill shall be compacted within 2% of optimum moisture content.
 - Contractor shall furnish compaction test reports on all soils placed or scarified to the owner based on a frequency of one test per 2500 S.F. of area per lift.
 - A geotechnical report is not available for this project.
- RETAINING WALL NOTES**
- All retaining walls are design/build by contractor. The design shall be performed by a registered professional engineer licensed in the State of Alabama and specializing in retaining wall design.
 - The contractor and retaining wall engineer shall examine the location of the wall as it relates to property boundaries, buildings, parking areas and improvements. It is the sole responsibility for the contractor and the retaining wall engineer to determine what type of wall is applicable for each location and is acceptable to the owner.
 - Top and bottom of wall shown on this plan is to proposed finished grade. The contractor and the retaining wall engineer shall determine actual top and bottom of wall as required for their design.



NO.	ISSUED FOR APPROVAL	DESCRIPTION	DATE
0			11/7/14

TITLE GRADING & DRAINAGE PLAN
2732 ABINGDON ROAD
 MOUNTAIN BROOK, ALABAMA
MERRILL STEWART
 BIRMINGHAM, ALABAMA

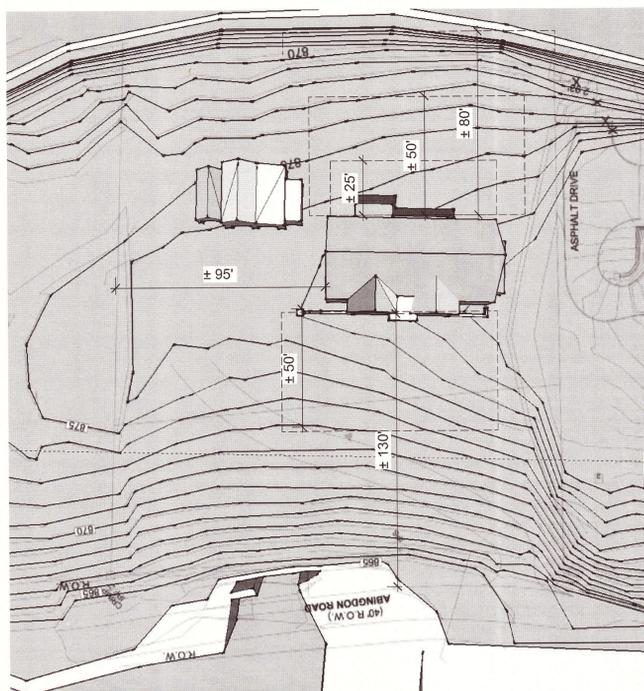
DRAWN BY: B. HARRIS, P.E.
 SCALE: 1"=30'
 DATE: 01/17/15

GONZALEZ - STRENGTH & ASSOCIATES, INC.
 CIVIL ENGINEERING, LAND SURVEYING, PLANNING, TRAFFIC & TRANSPORTATION
 2176 PARKWAY LAKE DRIVE
 HOOVER, ALABAMA 35244
 PHONE: (205) 942-2486
 FAX: (205) 942-3033
 www.Gonzalez-Strength.com

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DWG. NO. C1 - R0
 PROJECT 13MES01

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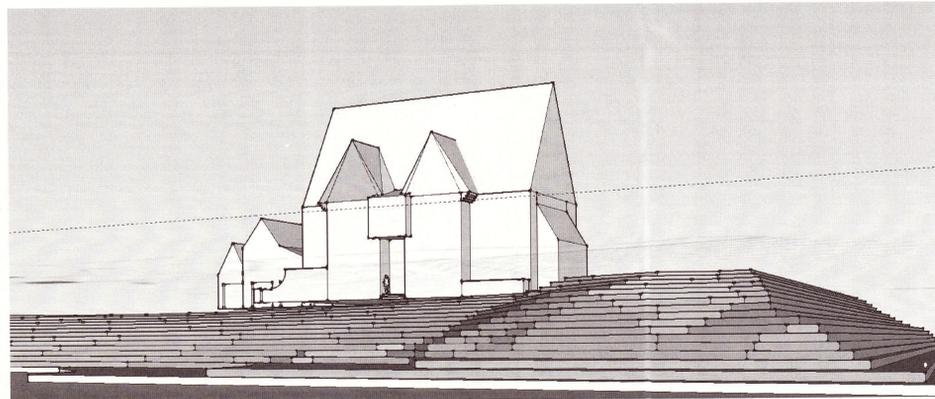
Site Plan - Showing distance from Abingdon Road

Scale: 1" = 40' - 0"



House Front Elevation

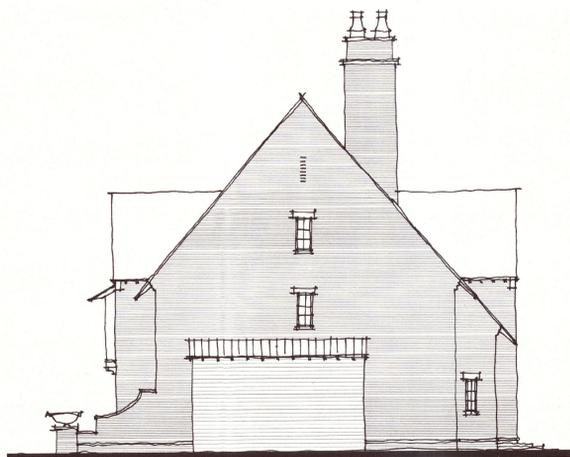
Scale: NOT TO SCALE - old Scheme for information only



View From Road

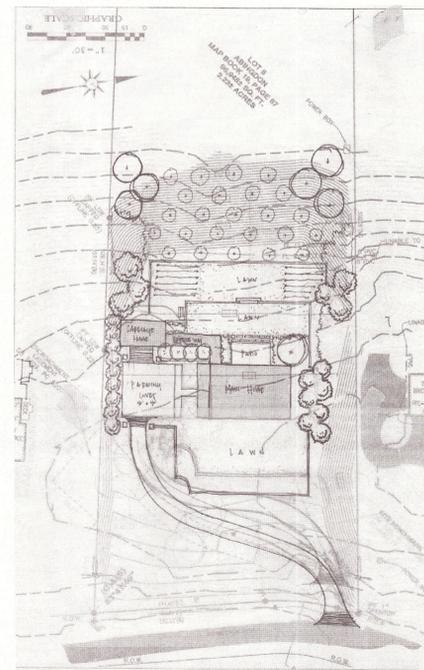
Scale: 1" = 40' - 0"

Plans not actual Proposed Floorplan
Serving as informational illustrations for house style and character



House Side Left Elevation

Scale: NOT TO SCALE - old Scheme for information only



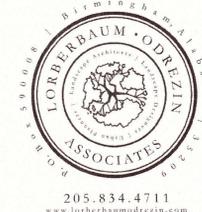
Preliminary Schematic Landscape Plan

Scale: NOT TO SCALE - old Scheme for information only

NOTE:
Plans are Preliminary Studies, not actual
Proposed Floorplan for Variance Request;
Serving as informational illustrations for house
style and character only.

Stewart Residence

Schematic Site Plan
2732 Abingdon Road
Mountain Brook, AL



205.834.4711
www.lorberbaumodrezn.com

**MOUNTAIN BROOK BOARD OF ZONING ADJUSTMENT
56 CHURCH STREET
MOUNTAIN BROOK, ALABAMA**

NOTICE TO OWNERS OF ADJACENT PROPERTY

A request for variances in the Zoning Ordinance, as applied to the property located at **2732 Abingdon Road**, has been filed by **Merrill Stewart**.

The requested variances would authorize the construction of a new single family dwelling as per plot plan on file at Mountain Brook City Hall.

The property is located in the **Estate Zoning District**, and requires approval by the Board of Zoning Adjustment for the following variances from the terms of the Zoning Regulations:

A-15-15: Merrill Stewart, owner; requests variances from the terms of the Zoning Regulations to allow a single family dwelling to be 36 feet from the side property line (northeast) and 34 feet from the side property line (southwest), both in lieu of the required 40 feet. – **2732 Abingdon Road**

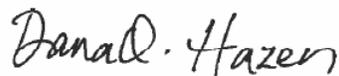
A public hearing will be held by the Board of Zoning Adjustment on **MONDAY, November 16, 2015 at 5:00 p.m.** in Mountain Brook City Hall, at which time you may appear, if you so desire, either in person or by agent or by attorney.

The application and related material are available for inspection during regular business hours at City Hall, 56 Church Street or by viewing:

www.mtnbrook.org

- Government
- Other Meeting Agendas
- Board of Zoning Adjustment
- November 16, 2015 (*to view survey select link associated with the case number on the agenda*)

Sincerely,



Dana O. Hazen, MPA, AICP
Director of Planning, Building & Sustainability
(205) 802-3821
hazend@mtnbrook.org

Variance Request Written Description for **2732 Abingdon Road** Mountain Brook, Alabama 35243

A request for Setback Variance for both the left and right 40' Building Setbacks for a new construction Residence on a currently empty Residential Estate Lot located at 2732 Abingdon Road, Mt Brook 35243 is being submitted for possible approval.

The Property owner is trying to preserve the character and aesthetic of the surrounding neighbors, as well as, utilize the topography to minimize impact on adjacent properties and ensure proper siting to capitalize on a Low Impact Design and solar orientation of the proposed home.

The House is sited in line with neighboring homes and capitalizes on the ridge's crest to provide the proposed home with a traditional front and back yard, a graceful entry drive off of Abingdon Rd to a side motor court and guest parking. Due to proposed siting, minor encroachment on either side 40' building setbacks; 6.00' on the left (West) side and 4.00' on the left (East) side, resulting in our request for variance.

Due to steep topography on much of the rear of the property and a narrowing lot width, that narrows below the required 200' minimum width, from the street line to the 100' setback line (Sect. 129-72.a.2) these coupled issues have resulted in a hardship in this particular case.

We are seeking request for a minor setback Variance on either side setbacks and hope the BZA and the City of Mountain Brook can assist us in gaining approval or helping gain better insight into this request.

Much obliged,



10-22-2015

Abraham Odrezin P.L.A AL#775

Principal, Lorberbaum Odrezin Associates, LLC

(L&O Associates, Acting as the Owner's Representative to the City of Mt. Brook BZA for this Variance Request.)