



Variance Application - Part I

Project Data

Address of Subject Property 403 Cherry Street

Zoning Classification R-B

Name of Property Owner(s) Mike and Laura Baker

Phone Number 205-873-4019 Email msbakes@gmail.com

Name of Surveyor _____

Phone Number _____ Email _____

Name of Architect (if applicable) Pete Pritchard

Phone Number 205-803-3011 Email pete@petepritchard.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)	75'	60'	60'
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 →	8'	5.7'	5.7'
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)?

Our 60' lot is smaller than the minimum 75' required per our zoning.

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?

Our house is an existing non-compliant structure.

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...")

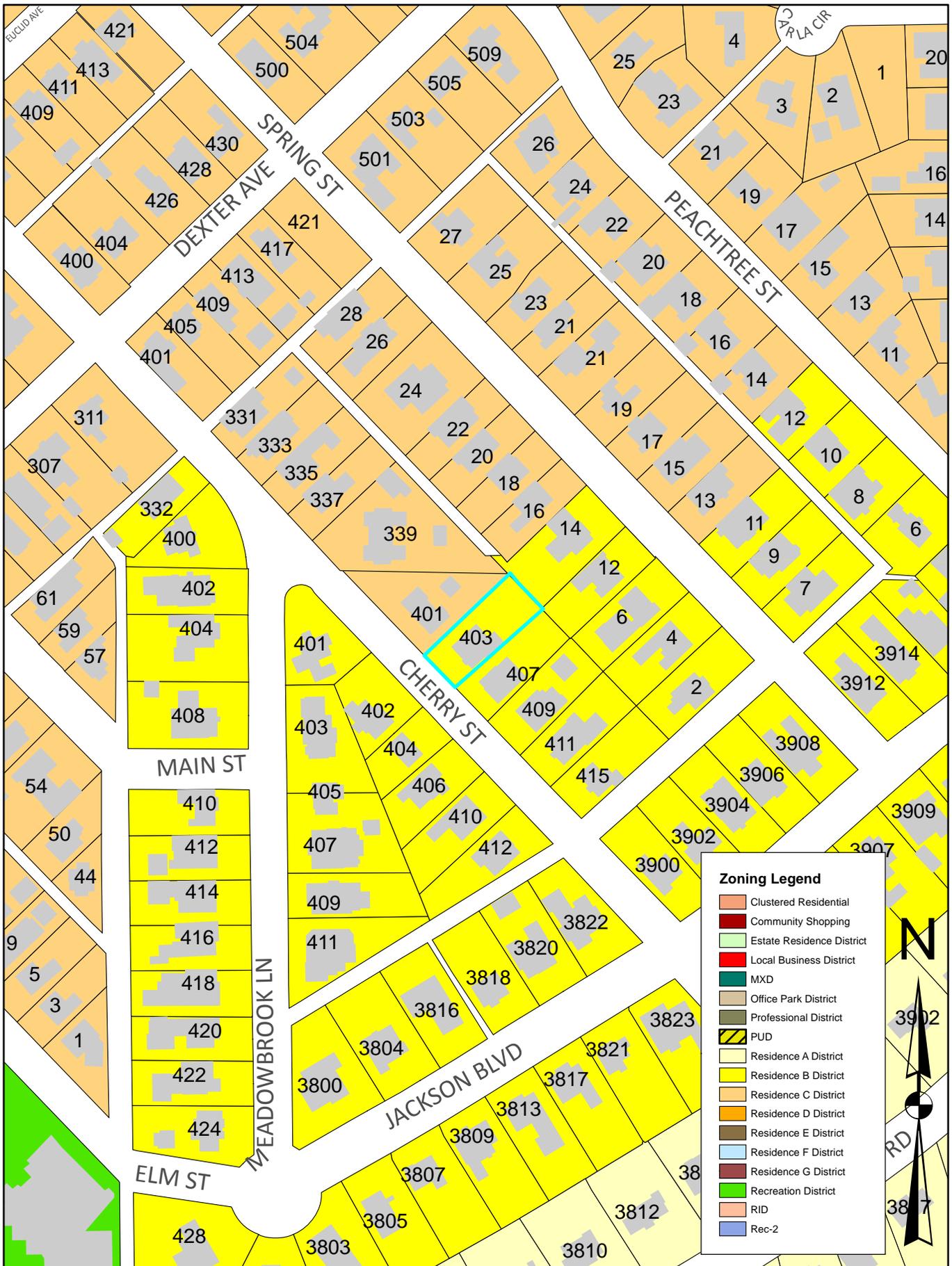
It is not.

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

A-15-17 (Aerial)



A-15-17 (Zoning)



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

NOTICE TO OWNERS OF ADJACENT PROPERTY

A request for a variance in the Zoning Ordinance, as applied to the property located at **403 Cherry Street**, has been filed by **Mike and Laura Baker**.

The requested variance would authorize the construction of an addition to an existing single family dwelling as per plot plan on file at Mountain Brook City Hall.

The property is located in the **Res-B Zoning District**, and requires approval by the Board of Zoning Adjustment for the following variance from the terms of the Zoning Regulations:

A-15-17: Mike and Laura Baker, owners, request a variance from the terms of the Zoning Regulations to allow an addition to a single family dwelling to match the existing side setback of 5.7 feet from the side property line (southeast) in lieu of the required 9 feet. - **403 Cherry Street**

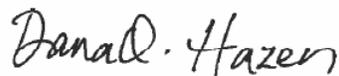
A public hearing will be held by the Board of Zoning Adjustment on **MONDAY, November 16, 2015 at 5:00 p.m.** in Mountain Brook City Hall, at which time you may appear, if you so desire, either in person or by agent or by attorney.

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

Mike Baker

403 Cherry Street, Birmingham, AL 35213 | 205-873-4019 | msbakes@gmail.com

October 23, 2015

Board of Zoning Adjustments
Mountain Brook City Hall
56 Church Street
Mountain Brook, AL 35213

Dear Members of the Board:

I would like to request a variance for the addition of approximately 90' square feet of living space to our house at 403 Cherry Street.

The house was built in 1947 prior to incorporation of the City of Mountain Brook and the establishment of the current city zoning setbacks. We are in Zone R-B and for pre-1950 houses the right side yard setback is 8'. The back half of our house sits within that setback.

The proposed addition will align with the face of the existing non-compliant portion of the house but not project additionally into the setback. No other setbacks are affected.

Enclosed please find a Request for Variance application along with a check for the hearing fee. Please advise if there is additional information we need to provide.

Thank you for your attention to this matter.

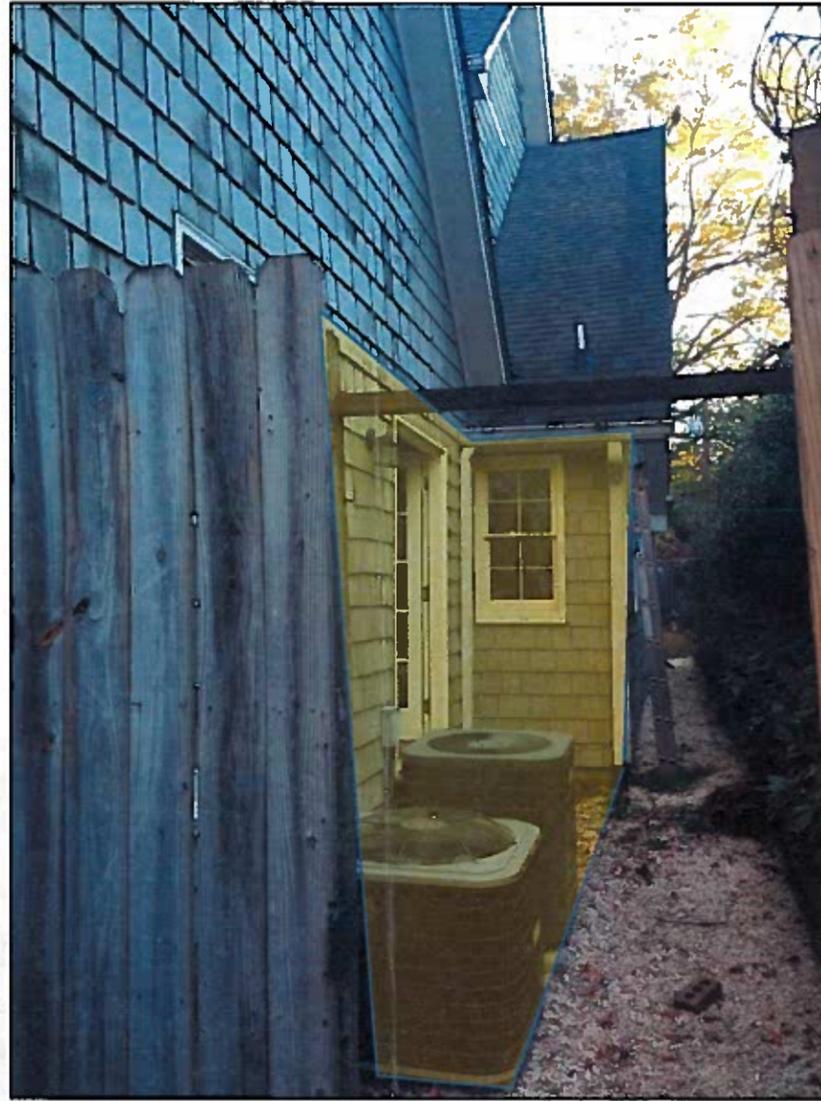
Sincerely,

A handwritten signature in blue ink, appearing to read 'M. Baker', written in a cursive style.

Mike Baker



~12' brick wall



A-15-17

