

**CITY OF MOUNTAIN BROOK**  
**BOARD OF ZONING ADJUSTMENT**  
**MINUTES**  
**June 15, 2020**

**In response to COVID-19 social distancing mandates, the meeting was held via audio conferencing.**

The regular meeting of the City of Mountain Brook Board of Zoning Adjustment was held on June 15, 2020, at 5:00 p.m., via audio conferencing. The roll was marked as follows:

Board Present: Patrick Higginbotham, Chairman      Absent: None  
 Norman Orr, Co-Chairman  
 Scott Boomhover  
 Gerald Garner  
 Rhett Loveman  
 Chris Mitchell  
 Richard Simonton

Also present: Virginia Smith: Council Liaison  
 Dana Hazen: Director PBS  
 Tyler Slaten: City Planner  
 Glen Merchant: Building Official  
 Tammy Reid: Administrative Analyst

Chairman Higginbotham asked if all adjacent property owners in each of the cases on the agenda received legal notice of this hearing. Ms. Reid confirmed 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 twelve months from today, unless construction is begun in less than twelve months from today on the project for which the variance is granted. If construction will not be started within twelve months from today, the applicant may come back in eleven months and ask for a six-month extension.

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The agenda stood approved as presented.

Chairman Higginbotham stated that a variance approval will require four affirmative votes.

**1. Approval of Minutes – May 18, 2020**

Motion: Mr. Orr, motion to approve the May 18, 2020 minutes as printed.

Second: Mr. Loveman

Vote: Aye:                      Nay:  
          Garner                      None  
          Higginbotham  
          Loveman  
          Mitchell  
          Orr

The May 18, 2020 minutes stand approved as printed.

**2. Case A-20-12: 3829 Halbrook Lane**

**EXHIBIT 1**

Florence Jackson, property owner, requests variances from the terms of the Zoning Regulations to allow the enclosure of an existing carport to be located 36 feet from the front property line (Halbrook Lane) in lieu of the required 40 feet and an addition to the rear of the existing home to be 35.5 feet from the rear property line (east) in lieu of the required 40 feet.

**Hardships:** Lot shape and existing design constraints.

Carey Hollingsworth, Carey Hollingsworth Architect Inc., PO Box 530303, Mountain Brook, represented the applicant. The requested variances will allow for the enclosure of an existing covered carport on the front and a screen porch at the rear.

Mr. Mitchell stated that the curvature of the road was cited as the hardship for the front of the lot; he asked for confirmation that the hardship for the rear of the lot is the irregular shape of the lot and existing design constraints. Mr. Hollingsworth confirmed.

Mr. Boomhover asked if there are any topographical issues. Mr. Hollingsworth stated that the lot is flat and that the placement of the house on the lot presents a problem due to the curved front property line. The house sits angled on the lot.

There were no public comments. Chairman Higginbotham called for a motion.

Motion: Mr. Simonton, motion to approve the variance request as submitted.

Second: Mr. Orr

Vote: Aye: Higginbotham  
Loveman  
Mitchell  
Orr  
Simonton

Nay: None

The variance request stands approved as submitted.

3. The Board expressed appreciation to Mr. Higginbotham for his leadership and service to the Board and the City. This is Mr. Higginbotham's last meeting.
4. **Adjournment:** There being no further business to come before the Board at this time, the meeting stood adjourned at approximately 5:35 p.m. The next meeting is scheduled for Monday, July 20, 2020.

*Tammy Reid*

Tammy Reid, Administrative Analyst