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 November 16, 2020, at 5:00 p.m., via audio conferencing. The roll was marked as follows:

Board Present:    Norman Orr, Chairman
                 Richard Simonton, Co-Chairman
                 Rhett Loveman
                 Chris Mitchell
                 Noel Dowling, Supernumerary

Absent:   Scott Boomhover, Supernumerary

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

Chairman Orr 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.

Mr. Orr 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.

The agenda stood approved as presented.

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

1. Approval of Minutes – October 19, 2020

Chairman Orr presented the October minutes for consideration.

Motion: Mr. Mitchell, motion to approve the minutes as presented.
Second: Mr. Simonton

Vote:  

Aye: Loveman
      Mitchell
      Orr
      Simonton
      Dowling

Nay: None

The minutes stand approved.
2. **Case A-20-33: 128 Cherry Street, John and Sue Roberts**  
*Carry over from the October 19, 2020, meeting.*

Sue and John Sharp Roberts, property owners, request variances from the terms of the Zoning Regulations to allow the construction of a covered porch to be located 2 feet from the side property line in lieu of the required 8 feet and allow the lot coverage to be 38 percent in lieu of the maximum lot coverage allowed of 35 percent.

**Hardship(s):** Small lot size; the lot is narrow at 50’ wide.

Scott Heywood, architect for the applicants, presented the variance request. The applicants, Mr. and Mrs. Roberts, also attended the meeting. The applicants revised the original application (presented at the October 19, 2020, meeting) to request 5 feet from the side property line rather than 2 feet; this encroachment reduction changes the lot coverage to 37 percent rather than 38 percent. The hardship is that the lot is small in size and narrow.

Chairman Orr said that the narrowness of the lot is a hardship. He acknowledged that the applicant has amended the original request, thereby reducing the amount of encroachment.

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

**Motion:** Mr. Mitchell, motion to approve the variance request as requested.  
**Second:** Mr. Simonton  
**Vote:** Aye: Loveman, Loveman, Mitchell, Orr, Simonton, Dowling  
Nay: None

The variance request stands approved as submitted.

3. **Case A-20-35: 201 Dexter Avenue, Bundi Reynolds**  
*EXHIBIT 2*

Bundi Reynolds, property owner, requests variances from the terms of the Zoning Regulations to allow a new single family dwelling to be 25 feet from the rear property line (southeast) in lieu of the required 30 feet, and for two second floor dormer windows to be 15 feet from the secondary front property line (Elm Street) in lieu of the required 17 feet. *(Duplicate of expired Case A-19-37, approved on October 21, 2019.)*

**Hardship(s):** The width of the lot and the corner-lot configuration.

Chairman Orr explained that on October 21, 2019, the Board approved this same request, which has now expired. The applicant seeks a new variance approval for the same request approved previously.

Bundi Reynolds, applicant, addressed the Board. The variance expired prior to the onset of construction due to extenuating personal circumstances. There are no changes to the
original request. She is continuing with the same builder. The dormers on the Elm side may be less encroaching than proposed. The house is oriented toward Elm Street.

Public comments: None.

Chairman Orr called for a motion.

Motion: Mr. Simonton, motion to approve the variance request as submitted.  
Second: Mr. Mitchell  
Vote:  Aye: Loveman  
        Mitchell  
        Orr  
        Simonton  
        Dowling  
        Nay: None  

The variance request stands approved as submitted.

Adjournment: There being no further business to come before the Board at this time, the meeting stood adjourned. The next meeting is scheduled for Monday, December 21, 2020.

Tammy Reid  
Tammy Reid, Administrative Analyst