

BZA Packet

January 4, 2019

Hello All,

Enclosed please find your packet for the meeting of *Tuesday*, January 22, 2019.

We have:

- 2 carry over cases
- 4 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)
- 2019-Jan-22 BZA Agenda

If you have any questions about the cases please don't hesitate to give me a call at 802-3816 or send me an email at hazend@mtnbrook.org ...

Looking forward to seeing you on *Tuesday*!

Dana

MEETING AGENDA
CITY OF MOUNTAIN BROOK
BOARD OF ZONING ADJUSTMENT
JANUARY 22, 2019
PRE-MEETING: (ROOM A231) 4:15 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 one year from today unless construction is begun in less than one year from today on the project for which the variance is granted. If construction will not be started within one year from today, the applicant may come back in 11 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.

-
1. Approval of Minutes: December 17, 2018
 2. **Case A-18-35:** Charlie and Jennifer Regan, property owners, request a variance from the terms of the Zoning Regulations to allow a swimming pool, arbor and 5-8 foot high privacy wall in the required secondary front yard (South Cove Drive/Cove Drive), whereas the zoning code requires that accessory structures be behind the front building line, and swimming pools be to the rear of the principal structure; walls are limited to 4 feet in height in a required front setback (40 feet in Res-A). - **3916 Glencoe Drive.** (*carried over from December 17, 2018*)
 3. **Case A-19-04:** Gary and Cathy York, property owners, request variances from the terms of the Zoning to allow an addition to an existing single family dwelling to be 15 feet from the rear property line (southeast) in lieu of the required 40 feet. Also for a new bay window to be 27.4 feet from the secondary front property line (Greenway Road) in lieu of the required 40 feet. - **31 Country Club Blvd.** (*carried over from December 17, 2018 (A-18-38) and assigned a new case number due to scope of revisions*).
 4. **Case A-18-37:** Chase Adcox, property owner, requests variances from the terms of the Zoning Regulation to allow alterations and second floor additions to an existing single family dwelling to match the existing first floor footprint, 24 feet from the front property line (Montevallo Drive) and 1.5 feet from the rear property line, both in lieu of the required 40 feet; and 4 feet from the side property line (south) and 13 feet from the side property line (north), both in lieu of the required 15 feet. - **2537 Montevallo Drive.**
 5. **Case A-19-01:** John and Catherine Romero, property owners, request a variance from the terms of the Zoning Regulations to allow an addition to an existing single family dwelling to be 32 feet from the secondary front property line (Glenview Drive) in lieu of the required 40 feet. - **19 Glenview Circle**

6. **Case A-19-02:** Allen and Mimi Ritchie, property owners, request a variance from the terms of the Zoning Regulations to allow a swimming pool to be located in the side yard (northeast) in lieu of the requirement to be to the rear of the principal structure.
-3236 Rockledge Road
7. **Case A-19-03:** Robert and Kathleen Israel, property owners, request variances from the terms of the Zoning Regulations to allow additions to an existing single family dwelling to be 10 feet from the side property line (southwest) in lieu of the required 15 feet, and 25 feet from the rear property line (northwest) in lieu of the required 40 feet.
-3084 Salisbury Road
8. Next Meeting: **Tuesday, February 19, 2019**
9. Adjournment



Variance Application - Part I

Project Data

Address of Subject Property 3916 GLENCOE DRIVE / MT BROOK, AL 35213
 Zoning Classification RESIDENCE
 Name of Property Owner(s) CHARLES TRUMPER REGAN
 Phone Number (205) 871-7395 Email cgregan@gregan.com
 Name of Surveyor RAY WEYGAND
 Phone Number 205/942-0086 Email ray@weygandsurveyor.com
 Name of Architect (if applicable) RANDY Mc DANIEL
 Phone Number 205/960-6978 Email rmdaniel4243@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)):

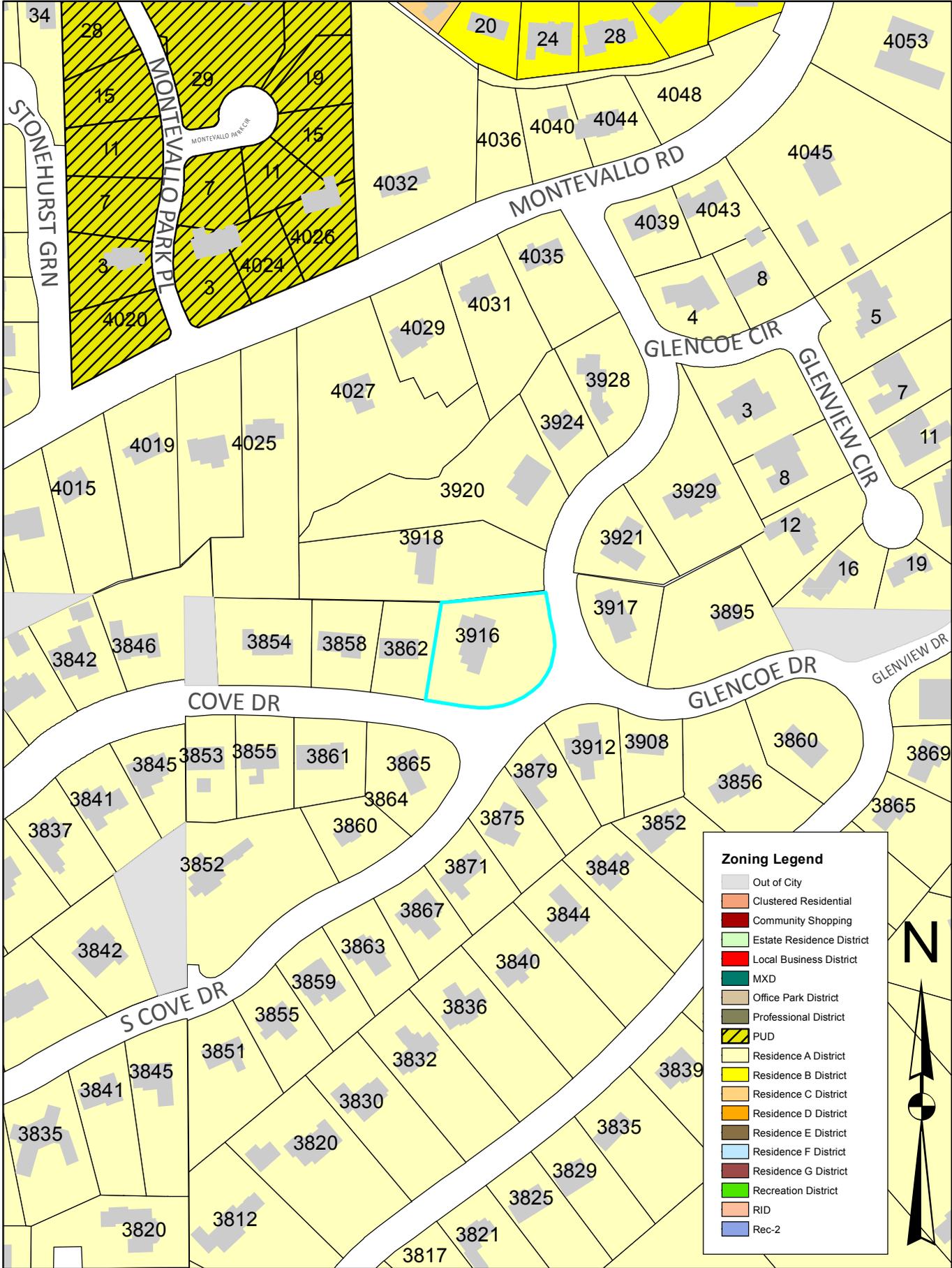
	Zoning Code Requirement	Existing Development	Proposed Development
Lot Area (sf)			
Lot Width (ft)			
Front Setback (ft) <i>primary</i>			
Front Setback (ft) <i>secondary</i>			
Right Side Setback			
Left Side Setback			
Right Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 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	(OVER, PLEASE)		
Other			

A) SEEKING TO BUILD A SWIMMING POOL
ON A SIDE YARD / CORNER LOT CONFIGURATION

B) SEEKING TO ADD A 6 FOOT WALL - INSTEAD
OF THE 4 FOOT WALL REQUIRED.

PLEASE NOTE - AS POOL WILL BE SLIGHTLY
SUNKEN TO FIT ON LOT, THE FENCE AT
6 FEET WILL ALSO BE SUNKEN

A-18-35 (Zoning Map)



Report to the Board of Zoning Adjustment

A-18-35

Petition Summary

Request to allow a swimming pool, arbor and 5-8 foot high privacy wall in the required secondary front yard (South Cove Drive/Cove Drive), whereas the zoning code requires that accessory structures be behind the front building line, and swimming pools be to the rear of the principal structure; walls are limited to 4 feet in height in a required front setback (40 feet in Res-A).

Recent Background

On December 17, 2018, the Board carried the subject case over for revisions, at the applicant's request.

Proposed Revisions

The size of the pool area has been reduced and the shape of pool area has been rotated 90 degrees such that the proposed wall is 16 feet from the secondary front property line (where it was 6 feet from such in previous rendering).

Analysis

The hardships in this case are the topography, the corner lot configuration and the existing design constraints. The proposed wall ranges from 5 feet above the grade (closest to the street) to 8 feet above the grade as it joins the house. The wall is proposed to be 6.3 feet from the secondary front property line (North Cove Drive), where the height limit is 4 feet.

The proposed arbor is located just inside the proposed wall, and is proposed to be approximately 6 feet above the existing grade. The swimming pool is proposed in the secondary front yard, where the zoning code requires that it be to the rear of the principle structure.

Background

On February 16, 2016, the Board approved a request (A-16-09) on the subject property to allow the construction of an uncovered auto court, the retaining walls of which will range from 3 feet to 8.5 feet in height (approximately 28 feet from the front property line), where walls are limited to 4 feet in height within the 40-foot front yard setback, the location of which may be seen on the attached topography survey.

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 III, Residence A District; Section 129-34, Area and Dimensional Requirements

Article XIX, General Area and Dimensional Requirements; Section 129-314, Accessory Structures on Residential Lots

Article XIX, General Area and Dimensional Requirements; Section 129-315, Fences and Walls in Residential Districts

Appends

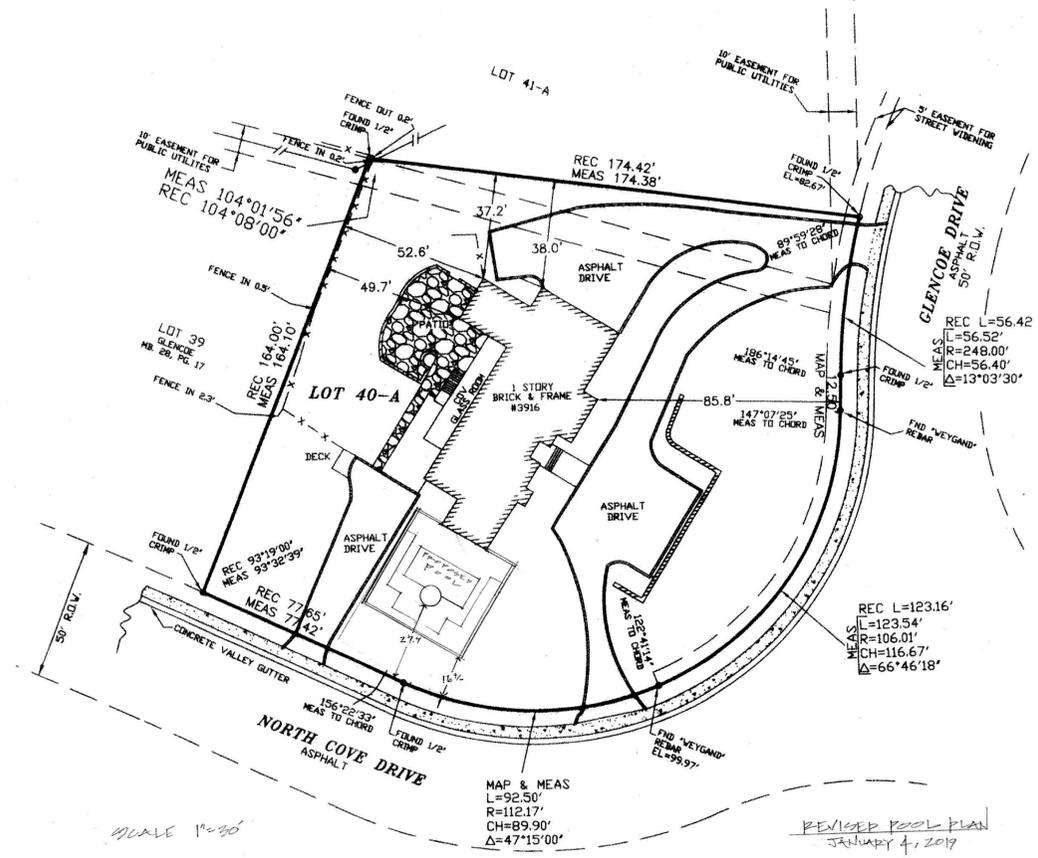
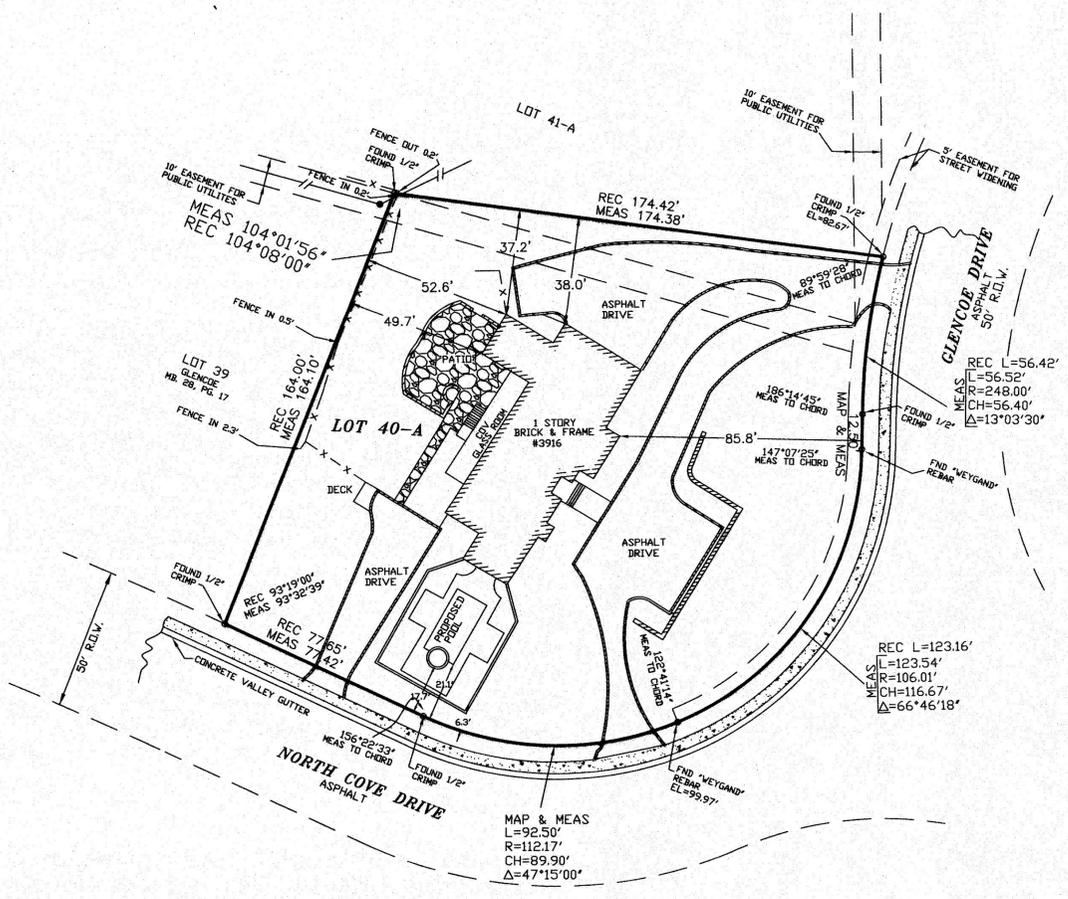
LOCATION: 3916 Glencoe Drive

ZONING DISTRICT: Res-A

OWNERS: Charlie and Jennifer Regan

- LEGEND**
- ASP ASPHALT
 - BLDG BUILDING
 - CALC CALCULATED
 - MEAS MEASURED
 - CH CHORD
 - LONG LONG CHORD
 - DELTA DELTA
 - ESMT EASEMENT
 - HW HEADWALL
 - MIN MINIMUM
 - MH MANHOLE
 - OH OVERHANG
 - POB POB
 - R RADIUS
 - R.O.W. RIGHT OF WAY
 - SAH SANITARY
 - STM STORM
 - UTL UTILITY
 - AC ACRES
 - S.F. SQUARE FEET
 - CL CENTERLINE
 - A/C AIR CONDITIONER
 - ANCHOR ANCHOR
 - FENCE FENCE
 - OVERHEAD UTILITY WIRE OVERHEAD UTILITY WIRE
 - PAVMT PAVEMENT
 - WITH WITH
 - TAN TANGENT
 - RES RESIDENCE
 - SLGT SLIGHT
 - COV COVERED
 - DECK DECK
 - CONCRETE CONCRETE
 - WALL WALL
 - COLLAN COLLAN
 - STONE STONE

SCALE 1"=30'



STATE OF ALABAMA
JEFFERSON COUNTY

"Plot Plan"

I, Ray Weygand, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot 40-A, A RESURVEY OF LOTS 40 & 41 GLENCOE AND LOT 39 - A RESURVEY OF LOT 39, FF. SNEDECOR SURVEY AND A PART OF THE S.W. 1/4 OF SEC 34, TWP. 17S, R2W, as recorded in Map Volume 82, Page 41, 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 the 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 NOVEMBER 20, 2018. Survey invalid if not sealed in red.

Order No.: 1892
Purchaser:
Address: 39116 GLENCOE DRIVE

Ray Weygand, Reg. L.S. #24973
169 Oxbow Road, Homewood, AL 35209
Phone: (205) 942-0068 Fax: (205) 942-0087
Copyright ©



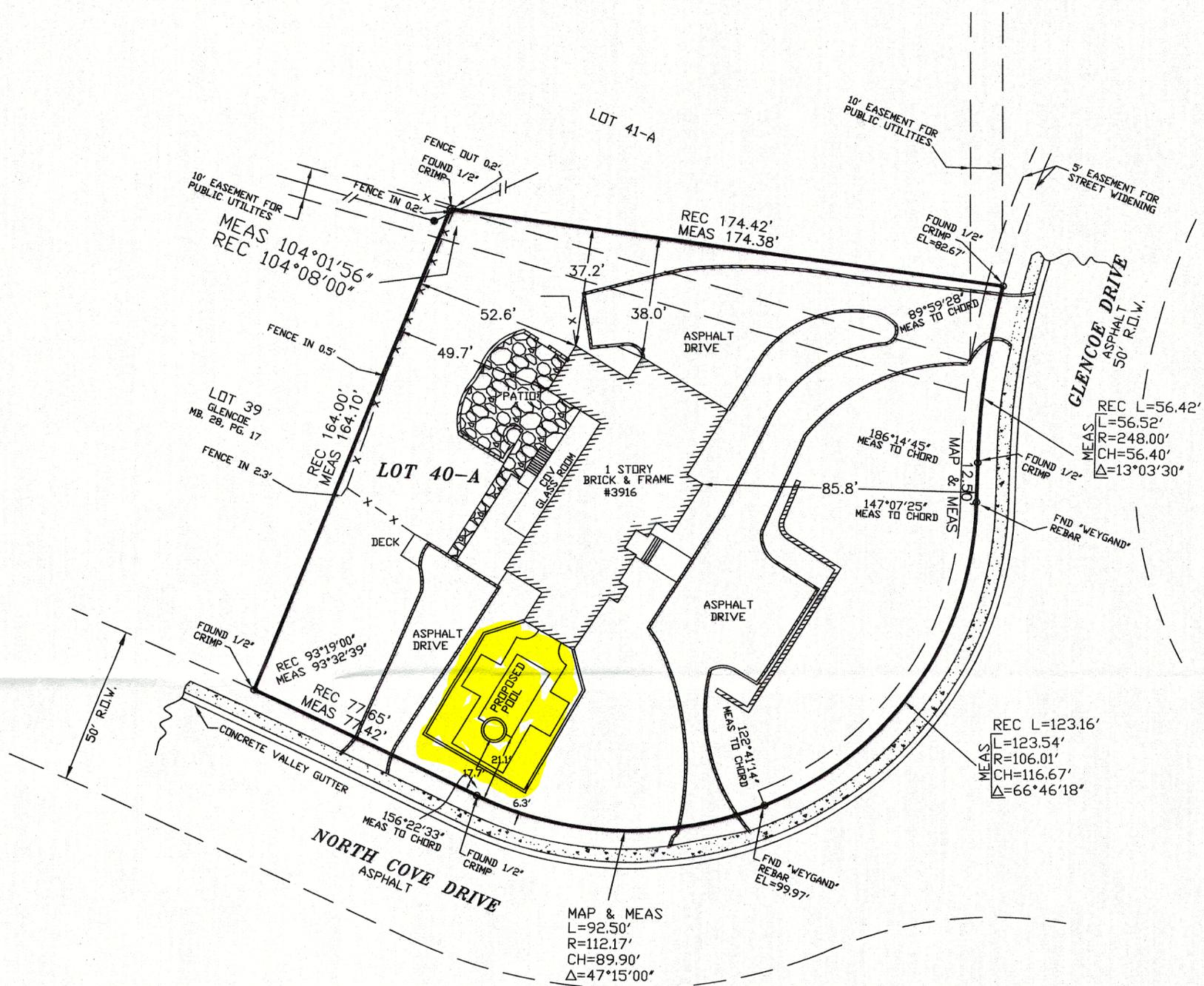
ORIGINAL POOL PLAN
NOVEMBER 21, 2018

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 based on a true north arrow and actual unless otherwise noted. (c) Underground portions of foundations, footings, and/or other underground structures, utilities, cements 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 a true north arrow. (e) This survey is not transferable and is only good for 6 years and only good to the person who pays for it at time of survey. (f) Easements not shown on record map are not shown above.

A-18-35

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
- FENCE
- OVERHEAD UTILITY WIRE
- PVMT PAVEMENT
- WITH
- TAN TANGENT
- RES RESIDENCE
- LGT LIGHT
- COVERED
- COV COVERED
- DECK
- CONCRETE
- WALL
- COLUMN
- STONE

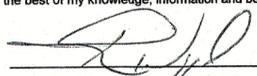


STATE OF ALABAMA)
JEFFERSON COUNTY)

"Plot Plan"

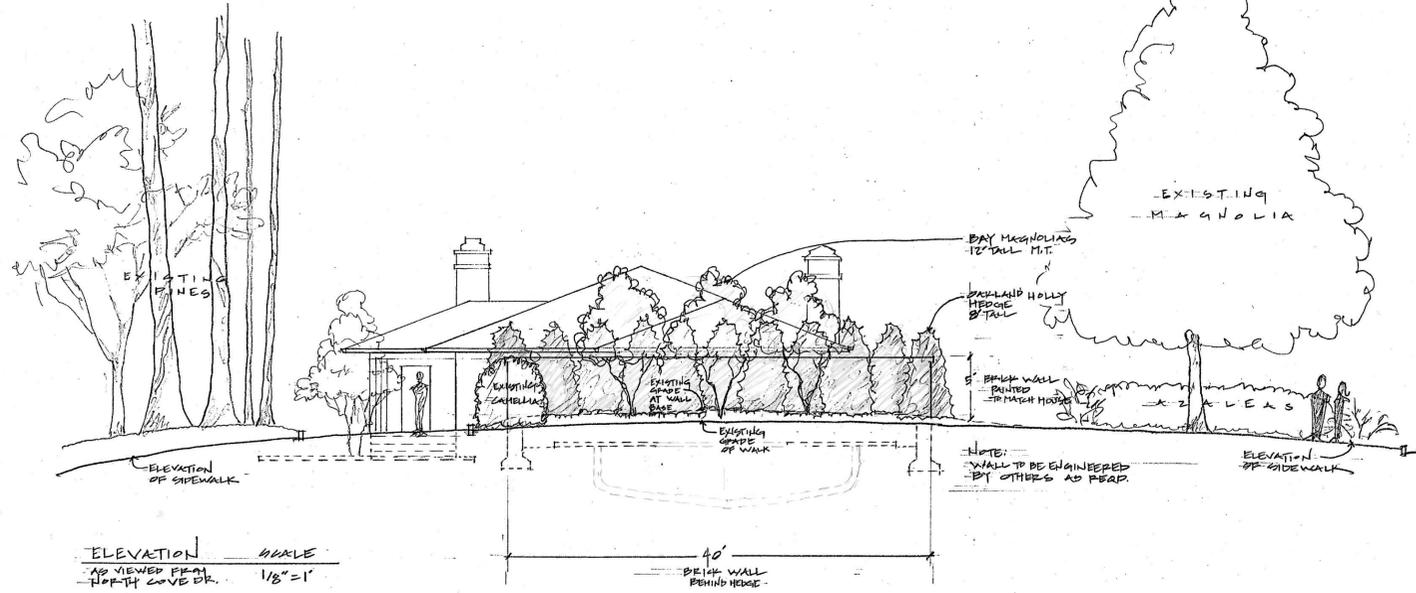
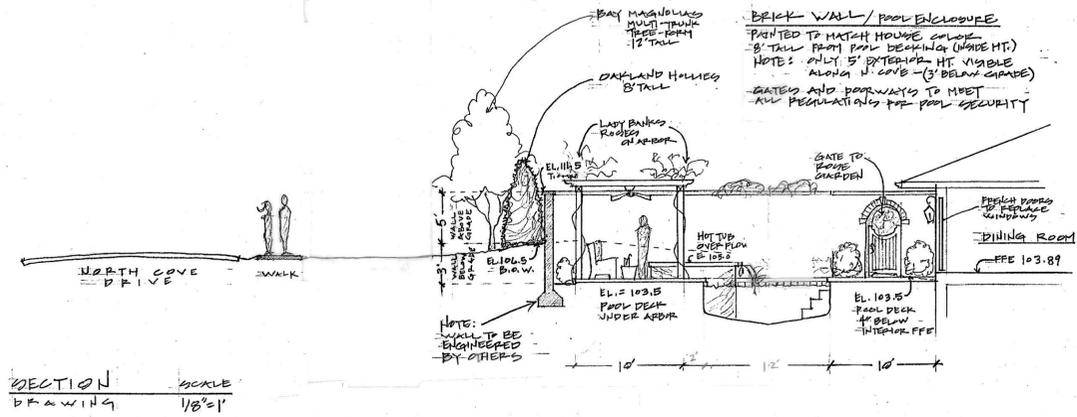
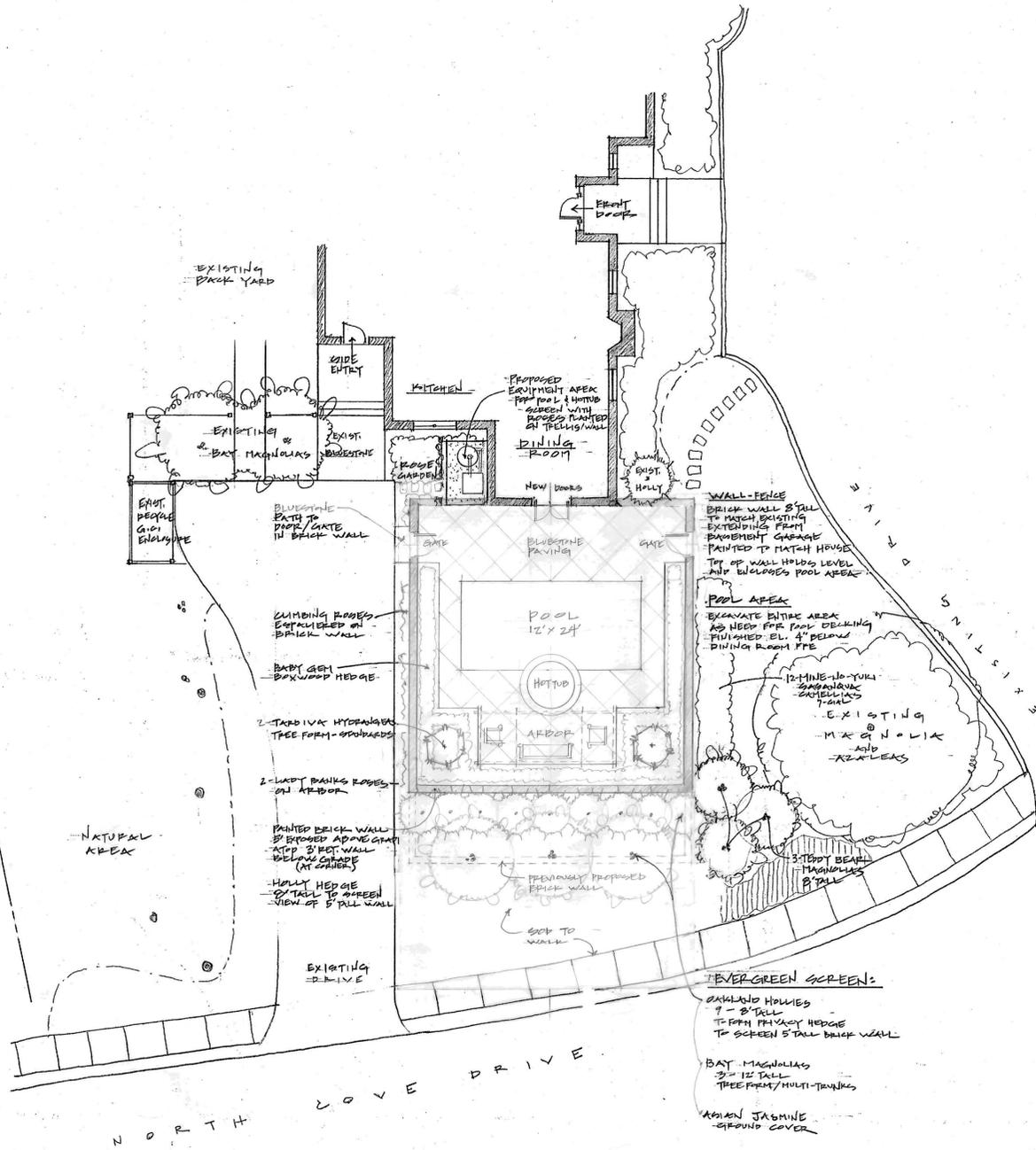
I, Ray Weygand, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot 40A, A RESURVEY OF LOTS 40 & 41 GLENCOE AND LOT 3 - A RESURVEY OF LOT "F", F.F. SNEDECOR SURVEY AND A PART OF THE S.W. 1/4 OF SEC 34, TWP. 17S, R2W, as recorded in Map Volume 82, Page 41, 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 NOVEMBER 20, 2018. Survey invalid if not sealed in red.

Order No.: 1692
Purchaser:
Address: 39116 GLENCOE DRIVE


Ray Weygand, Reg./L.S. #24973
169 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 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 5 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.



REVISED DESIGN
JANUARY 4, 2019

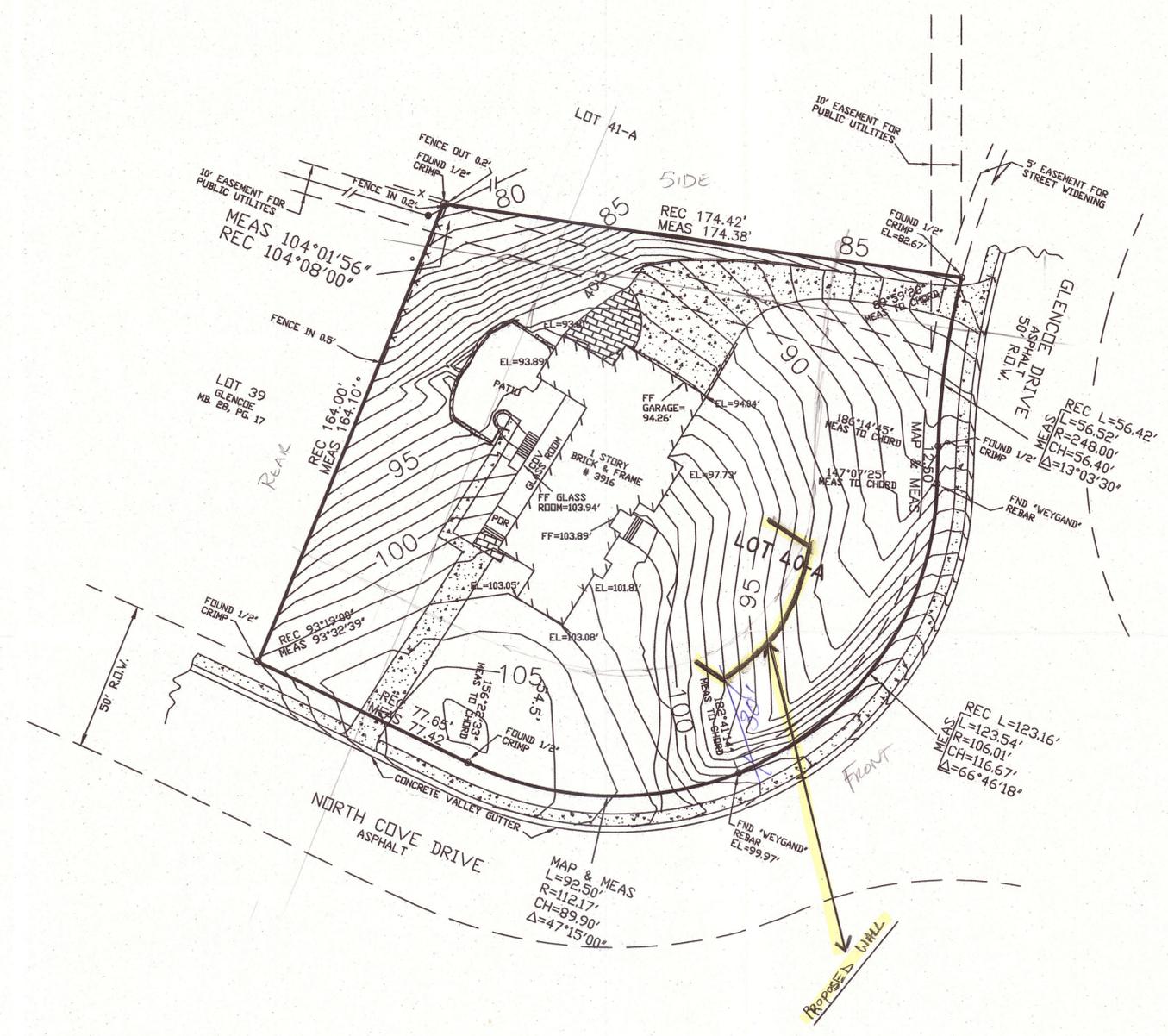
ORIGINALLY DESIGNED
NOVEMBER 21, 2018

LANDSCAPE DEVELOPMENT PLAN FOR THE
REGAN RESIDENCE
5916 GLENCOE DRIVE - MOUNTAIN BROOK, ALABAMA
PROPOSED POOL AND COURTYARD



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 WIRE
PVMT	PAVEMENT
W	WITH
TAN	TANGENT
RES	RESIDENCE
oLGT	LIGHT
COV	COVERED
▨	DECK
▩	CONCRETE
▧	WALL
□	COLUMN



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 40A, A RESURVEY OF LOTS 40 & 41 GLENCOE AND LOT 3 - A RESURVEY OF LOTS 3, F.F. SNEDECOR SURVEY AND A PART OF THE S.W. 1/4 OF SEC 34, TWP. 17S, R2W, as recorded in Map Volume 82 Page 41, 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 JULY 24, 2015. Survey invalid if not sealed in red.

Order No.: 49217
Purchaser:
Address: 39116 GLENCOE DRIVE

Ray Weygand
Ray Weygand, Reg. L.S. #24973
169 Oxmoor Road, Homewood, AL 35209
Phone: (205) 942-0088 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-18-35 (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)?

AS ONE LOT IS ON A CORNER, THE ONLY POSSIBLE PLACE TO USE IS ON A SIDE LOT, ON A CORNER

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 "HARDSHIP" EXISTS AS THE TOPOGRAPHY OF THIS LOT IS PROHIBITIVE FOR A POOL IN ALL OTHER AREAS BUT THE "SIDE" YARD.

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

THE ADDITION OF THE POOL AND SURROUNDING FOLIAGE WILL BE A VERY ATTRACTIVE ENHANCEMENT TO THE LOT. ALL IN THE AREA HAVE APPRECIATED THE FORMER IMPROVEMENTS MADE TO THE LOT AND ARE READY TO SEE THESE CHANGES AS WELL.



Variance Application - Part I

Project Data

Address of Subject Property 31 Country Club Blvd. Mountain Brook, AL 35213

Zoning Classification Residence 'A'

Name of Property Owner(s) Catherine and Gary York

Phone Number (205) 790-3493 Email gyork90@gmail.com, cathymyork@gmail.com

Name of Surveyor Mike Allen, Allsurv LLC

Phone Number (205) 663-4251 Email leftahair1@yahoo.com

Name of Architect (if applicable) James Laughlin

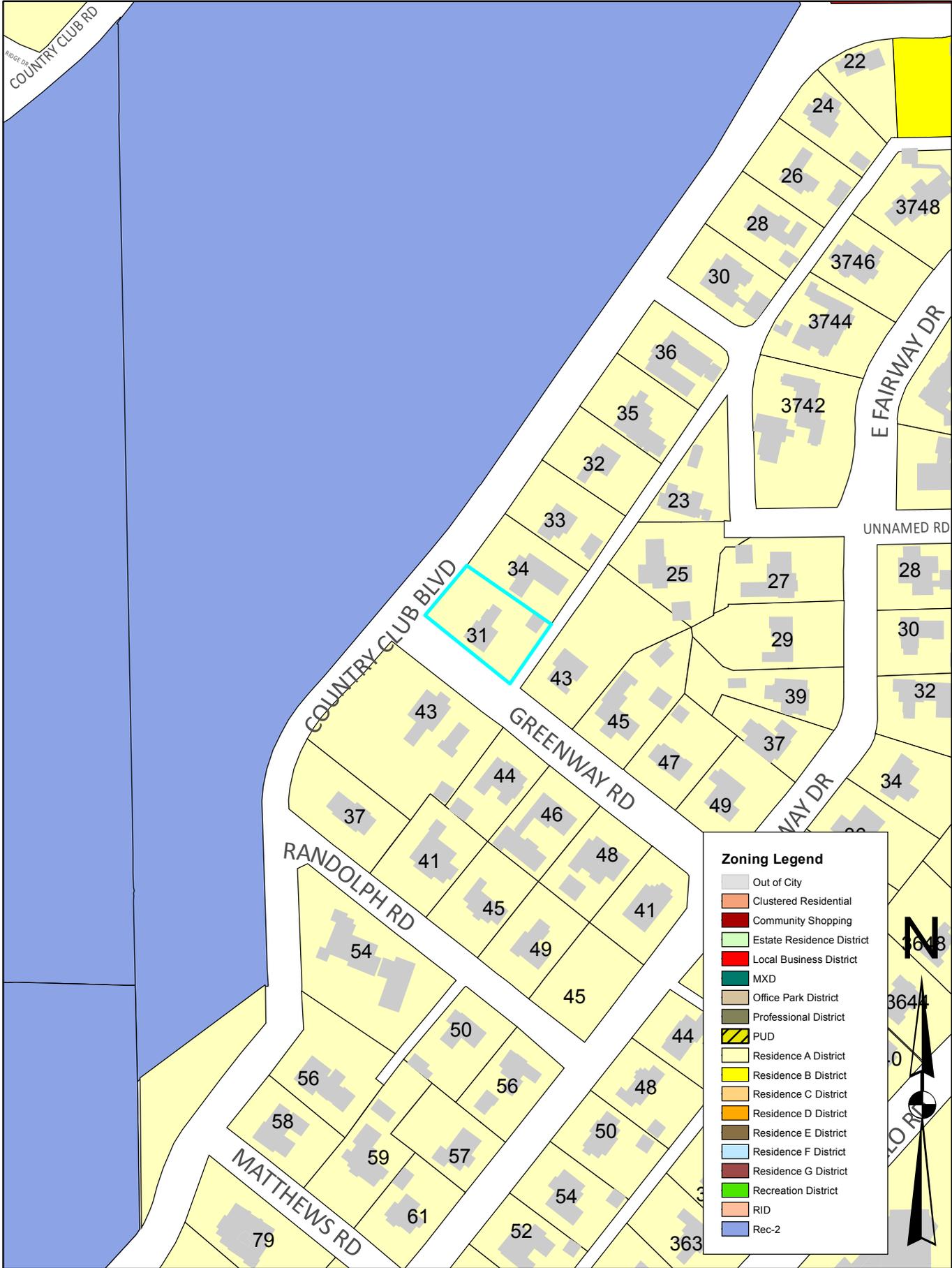
Phone Number (205) 807-7814 Email jameslaughlin4@gmail.com

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)		16988 sqft	
Lot Width (ft)			
Front Setback (ft) <i>primary</i>			
Front Setback (ft) <i>secondary</i>	40 ft		27.4 -24.4 ft-
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 →			
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)	40 ft		15.0 ft
Lot Coverage (%)	25 %	14.0 %	22.7 %
Building Height (ft)			
Other			
Other			

A-19-04 (Zoning Map)



Report to the Board of Zoning Adjustment

A-19-04

Revised Petition Summary

Request to allow an addition to an existing single family dwelling to be 15 feet from the rear property line (southeast) in lieu of the required 40 feet. Also for a new bay window to be 27.4 feet from the secondary front property line (Greenway Road) in lieu of the required 40 feet. *(The previously proposed detached garage has been eliminated from the plan, and the existing detached accessory structure at the left rear corner of the site is to be removed).*

Previous Petition

Request to allow an addition to an existing single family dwelling to be 23.7 feet from the rear property line (southeast) in lieu of the required 40 feet, and to be 14.5 feet from the side property line (northeast) in lieu of the required 15 feet. Also for a new detached garage to be 0.8 feet from the secondary front property line (Greenway Road) in lieu of the required 40 feet, and in lieu of the limitation that it be behind the front building line (Greenway Road).

Analysis

The hardships on this lot are the corner lot configuration and the existing design constraints of the principal structure being 66 feet from the primary front property line (Country Club Boulevard).

The proposed rear yard encroachment is not unlike many others along Country Club Boulevard, and the proposed bay window in the secondary front setback does not appear to pose an detrimental effect to the streetscape, given that it is behind the existing secondary front building line.

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

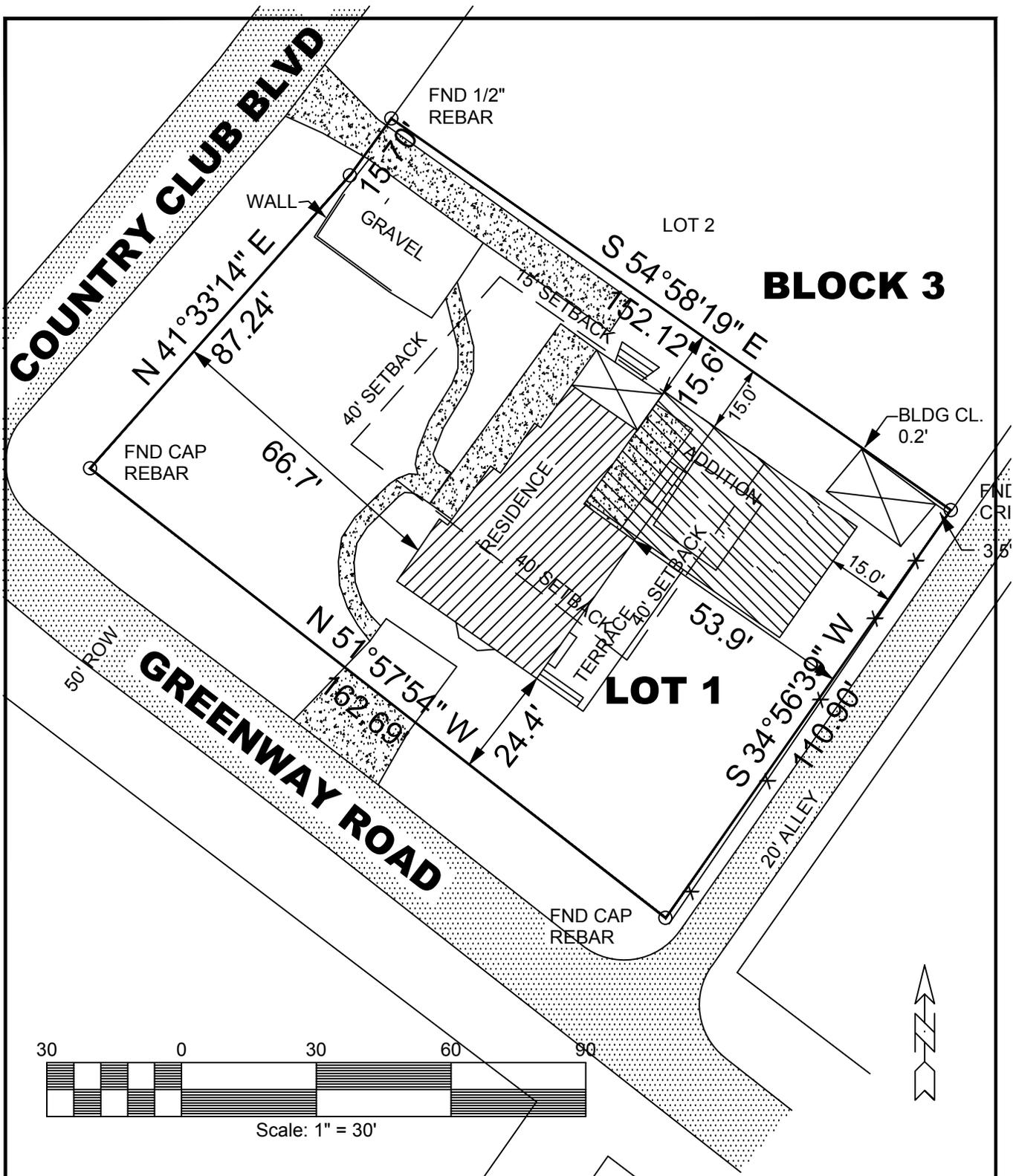
Article III, Residence A District; Section 129-34, Area and Dimensional Requirements

Appends

LOCATION: 31 Country Club Boulevard

ZONING DISTRICT: Res-A

OWNERS: Gary and Cathy York



DRAWN BY: SMA
 DATE: 11-13-18
 DWG. NO.: 15468
 APPROVED BY: SMA

PROJECT PROPOSED ADD'N
 DATE OF FIELD SURVEY 11/13-18
 BEARINGS STATE PLANE WEST
 CLOSURE 1:20000

ALLSURV, LLC
 S.M. ALLEN, PLS 12944
 9378 HIGHWAY 119
 SUITE B
 ALABASTER, AL. 35007
 205 663-4251

A-19-04 (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 hardship is a direct result of the strict limitations set by three 40 foot setbacks. The limited buildable area paired with the existing site conditions are unique to this property. The existing house has a relatively small footprint (14% lot coverage) and is sited toward the rear of the property which is significantly deeper than it is wide. The eight surrounding properties (three adjacent and four remaining on the block) have similar conditions and seven of the eight encroach at the rear setback. Only two properties have the restriction of a secondary front. The average encroachment of these seven residences is 21.6 ft; the average of the three adjacent residences is 17.2 ft, and the average of the two abutting properties is 23.0 ft.

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, all hardships result from existing conditions

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

The proposed addition is a direct response to existing conditions and zoning restrictions. Further, the addition mimics those of adjacent properties that are similar but with fewer restrictions. It also keeps the secondary front clear per requirement.



Variance Application - Part I

Project Data

Address of Subject Property 31 Country Club Blvd. Mountain Brook, AL 35213

Zoning Classification Residence 'A'

Name of Property Owner(s) Cathy and Gary York

Phone Number (205) 790-3493 Email gyork90@gmail.com, cathyryork@gmail.com

Name of Surveyor Mike Allen, Allsurv LLC

Phone Number (205) 663-4251 Email leftahair1@yahoo.com

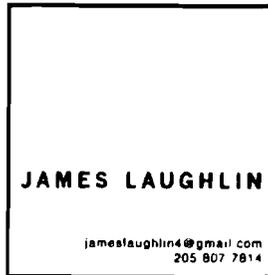
Name of Architect (if applicable) James Laughlin

Phone Number (205) 807-7814 Email jameslaughlin4@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)		16988 sqft	
Lot Width (ft)			
Front Setback (ft) <i>primary</i>	40 ft		
Front Setback (ft) <i>secondary</i>	40 ft (10 ft for complying a garage)		0.8 ft
Right Side Setback			
Left Side Setback	15 ft		
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)	40 ft		23.7 ft
Lot Coverage (%)	25 %		24.72 %
Building Height (ft)			
Other			
Other			



November 20, 2018

To Whom It May Concern,

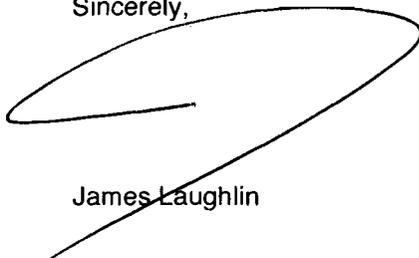
On behalf of Cathy and Gary York, the property owners, please see the project statement below.

The proposed scope of work includes a master addition and a detached two car garage. We are requesting a variance from the terms of zoning regulations to allow the master addition to be 23.7 feet from the rear property line in lieu of the required 40 feet and the garage 0.8 feet from the side property line in lieu of the required 10 feet for a complying detached garage.

The residence is on the corner of Country Club Boulevard and Greenway Road thus having a secondary front at the cross street. The hardship we face is in the restrictions placed by the 40 foot secondary front setback, the siting of the existing house and shape of the parcel. The existing dwelling is-sited toward to rear of the property, which is significantly deeper than it is wide. This paired with the restriction of having three 40 foot setbacks limits any room to expand the already small footprint. The existing lot coverage is approximately 14%.

With the garage bracketing the cross street and the master addition mimicking the even larger additions to neighboring properties, the proposed work is in harmony with intent of zoning regulations and the context of surround properties.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to be "James Laughlin".

James Laughlin



Report to the Board of Zoning Adjustment

A-18-38

Petition Summary

Request to allow an addition to an existing single family dwelling to be 23.7 feet from the rear property line (southeast) in lieu of the required 40 feet, and to be 14.5 feet from the side property line (northeast) in lieu of the required 15 feet. Also for a new detached garage to be 0.8 feet from the secondary front property line (Greenway Road) in lieu of the required 40 feet, and in lieu of the limitation that it be behind the front building line (Greenway Road).

Analysis

The hardships on this lot are the corner lot configuration and the existing design constraints of the principal structure being 66 feet from the primary front property line (Country Club Boulevard). While some relief to the secondary front setback (Greenway Road) and the rear setback may be warranted by these hardships, in order to better preserve the streetscape along Greenway Road the proposed detached garage would be less detrimental if it were at least in line with the front building line along Greenway Road. (It should be noted that a detached accessory building of this size may be 10 from the rear property line).

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 III, Residence A District; Section 129-34, Area and Dimensional Requirements

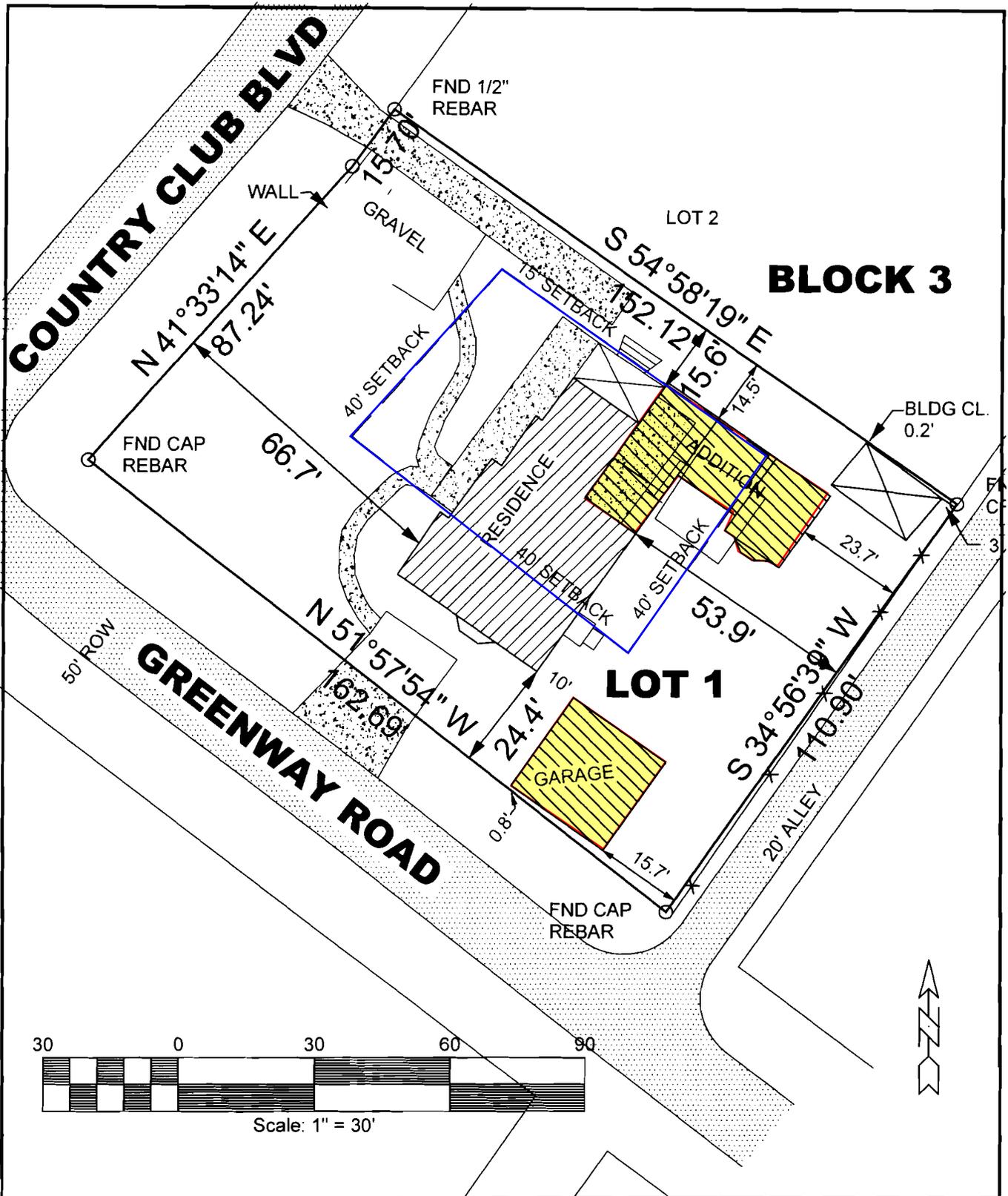
Article XIX, General Area and Dimensional Requirements; Section 129-314, Accessory Structures on Residential Lots

Appends

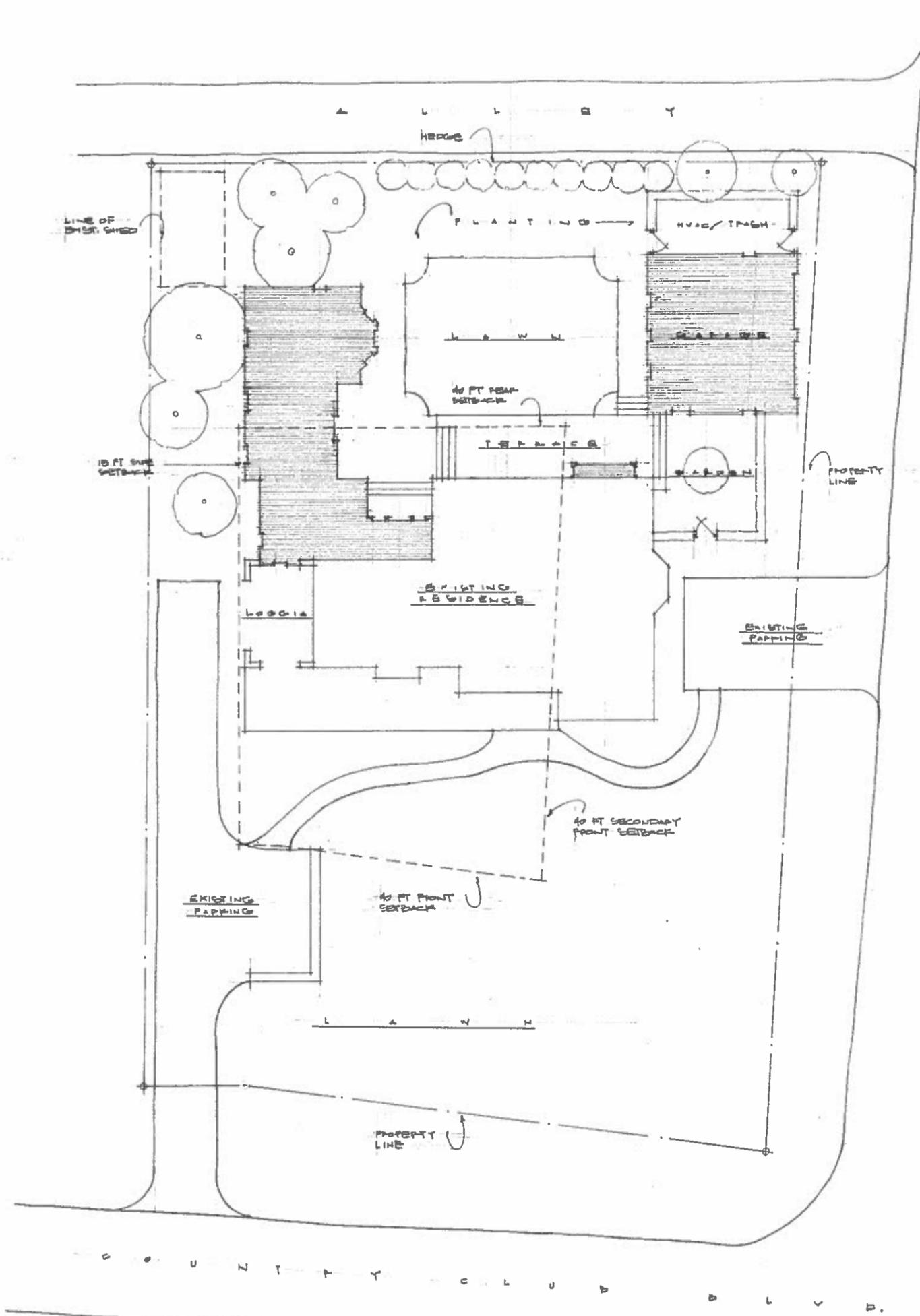
LOCATION: 31 Country Club Boulevard

ZONING DISTRICT: Res-A

OWNERS: Gary and Cathy York



DRAWN BY: SMA	PROJECT: PROPOSED ADD'N	<p>ALLSURV, LLC</p> <p>S.M. ALLEN, PLS 12944 9378 HIGHWAY 119 SUITE B ALABASTER, AL. 35007 205 663-4251</p>
DATE: 11-13-18	DATE OF FIELD SURVEY 11/13-18	
DWG. NO.: 15468	BEARINGS STATE PLANE WEST	
APPROVED BY: SMA	CLOSURE 1:20000	



site plan
1:10

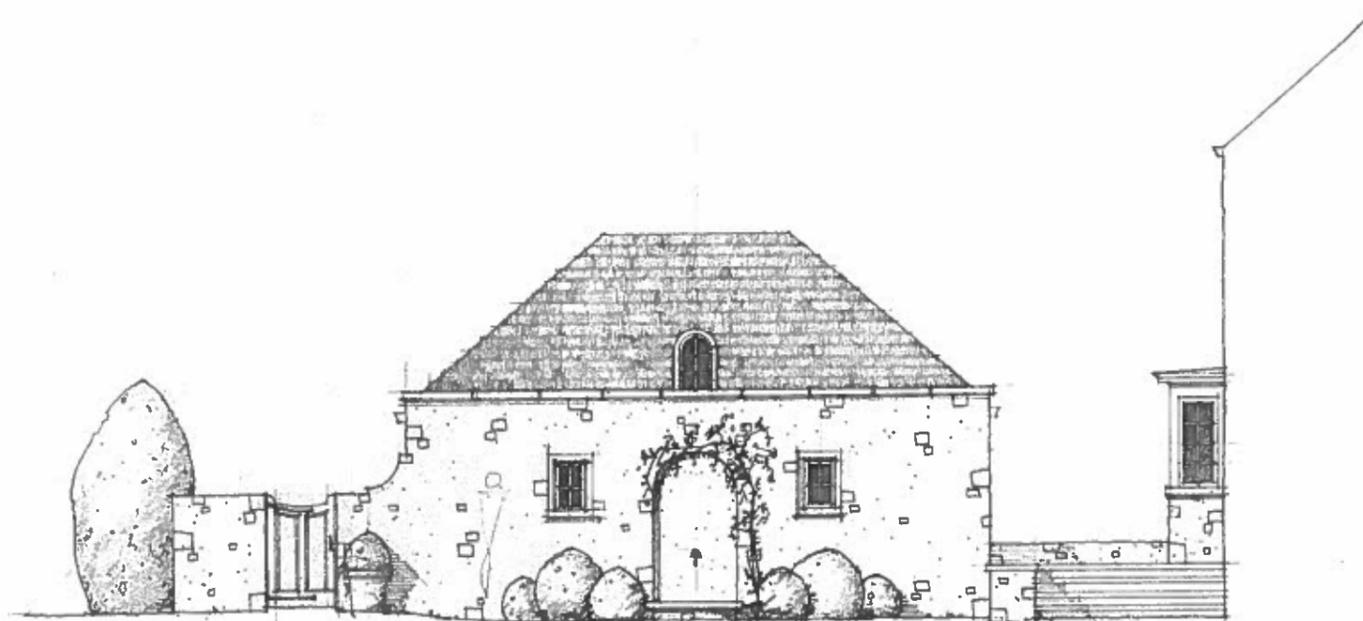


renovations for

cathy & gary york

no. 31 country club blvd.
mountain brook, alabama

JAMES LAUGHLIN



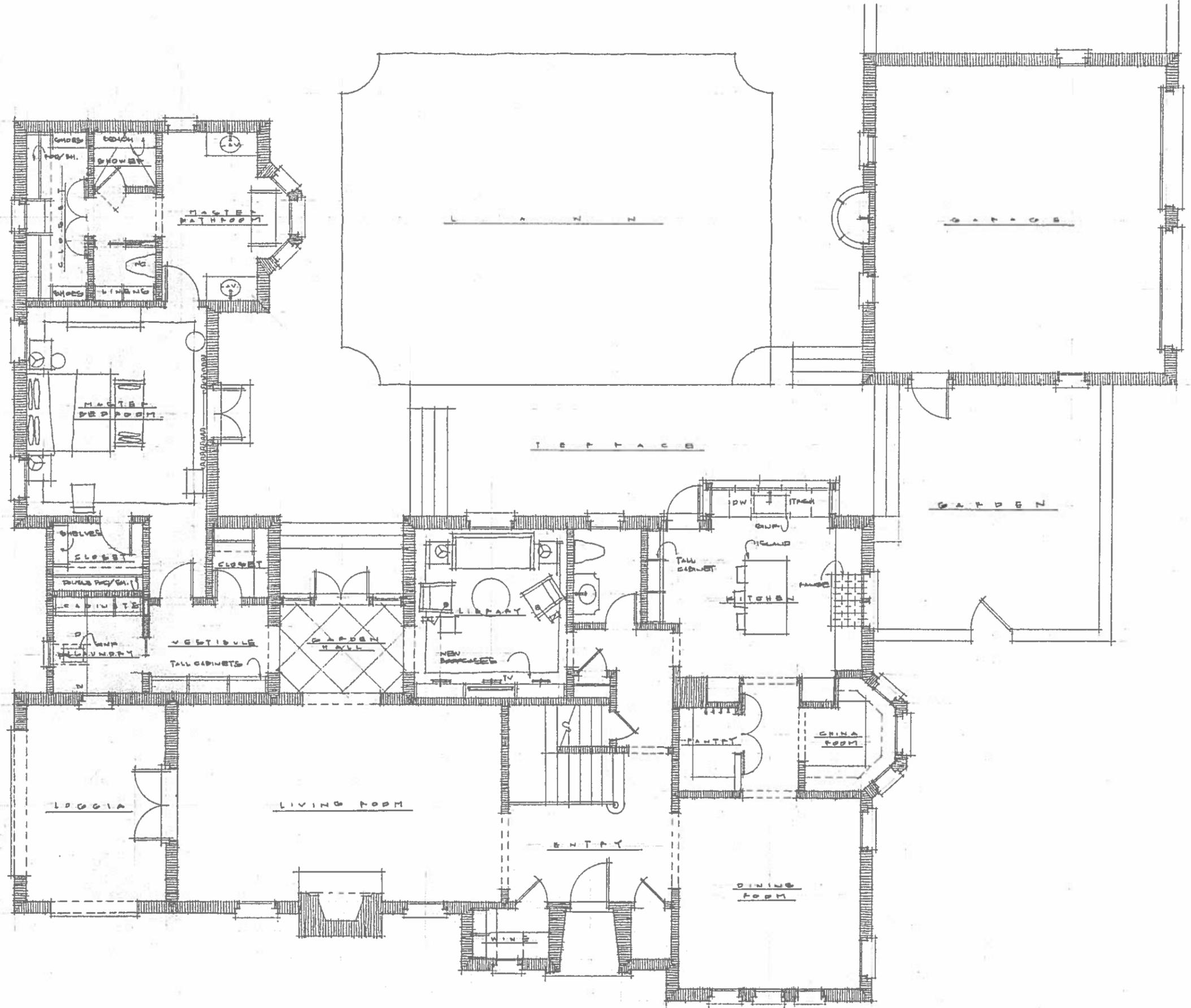
elevation at garage



elevation at master



elevation at garden



floor plan

JAMES LAUGHLIN

Google Maps 31 Country Club Blvd

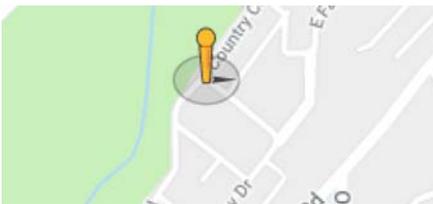


Image capture: Jun 2015 © 2018 Google

Mountain Brook, Alabama



Street View - Jun 2015



Google Maps 31 Greenway Rd

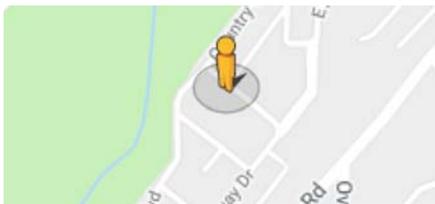


Image capture: Jun 2015 © 2018 Google

Mountain Brook, Alabama



Street View - Jun 2015





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 hardship is a direct result of the strict limitations caused by the three 40 foot setbacks. The limited buildable area paired with the existing site conditions are unique to this property. The existing house has a relatively small footprint (14% lot coverage) and is sited toward the rear of the property which is significantly deeper than it is wide.

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, all hardships result from existing conditions.

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

The proposed work is a direct response to existing conditions of the site and residence and, further, the context of adjacent properties. The master addition mimics those to adjacent properties and the garage brackets the cross street, thus maximizing natural daylight. The intent is such that it is architecturally in keeping and seemingly original to the existing house.



Variance Application - Part I

Project Data

Address of Subject Property 2537 Monte Vallo Drive

Zoning Classification _____

Name of Property Owner(s) Chase Adcox

Phone Number 205-233-2317 Email Chase Adcox@gmail.com

Name of Surveyor _____

Phone Number _____ Email _____

Name of Architect (if applicable) _____

Phone Number _____ Email _____

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)	30,000	3,200	no change
Lot Width (ft)	100	51	no change
Front Setback (ft) <i>primary</i>	40	24	match existing
Front Setback (ft) <i>secondary</i>			
Right Side Setback	15	4	match existing
Left Side Setback	15	13	match existing
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)	40	1.5	10 feet?
Lot Coverage (%)			
Building Height (ft)			
Other			
Other			

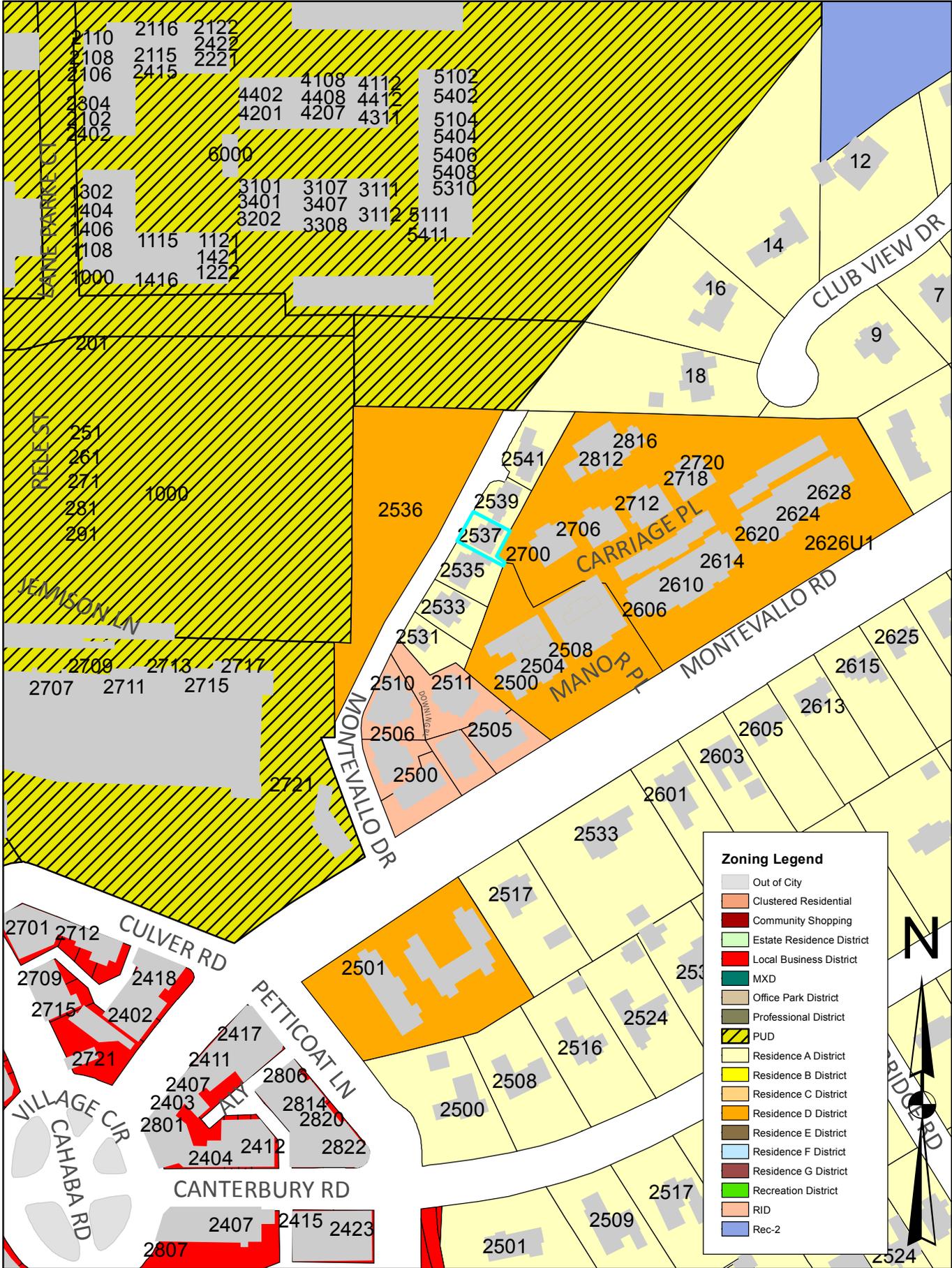
To Whom It May Concern:

Please see the attached drawings which illustrate the proposed modifications to the home located at 2537 Montevallo Drive. The proposed changes are to allow for the construction of living space at the second-floor level of the home including one additional bedroom and one additional bathroom. The new design includes a modified roof design and construction of two shed dormers.

This new design not only allows for the creation of new living space but also allows for the repair and restructuring of load bearing beams, which support the original roof structure and have sagged and moved out of place causing damage to the ceiling at the first-floor level. The finished height of the building at the ridge will increase to a finished height which is at 22 feet 3 inches above grade, 1 foot 11 inches above the original ridge height. All materials and fixtures on the home are to be matching and consistent with the original home.

Please note that no changes will be made to the original footprint of the building or changes in the setback placement or encroachments.

A-18-37 (Zoning Map)



Zoning Legend	
[Grey Box]	Out of City
[Light Orange Box]	Clustered Residential
[Dark Red Box]	Community Shopping
[Light Green Box]	Estate Residence District
[Red Box]	Local Business District
[Dark Green Box]	MXD
[Light Brown Box]	Office Park District
[Yellow Box]	Professional District
[Yellow Box with Diagonal Lines]	PUD
[Light Yellow Box]	Residence A District
[Yellow Box]	Residence B District
[Light Orange Box]	Residence C District
[Orange Box]	Residence D District
[Dark Orange Box]	Residence E District
[Light Blue Box]	Residence F District
[Dark Red Box]	Residence G District
[Green Box]	Recreation District
[Light Orange Box]	RID
[Blue Box]	Rec-2



Report to the Board of Zoning Adjustment

A-18-37

Petition Summary

Request to allow alterations and second floor additions to an existing single family dwelling to match the existing first floor footprint, 24 feet from the front property line (Montevallo Drive) and 1.5 feet from the rear property line, both in lieu of the required 40 feet; and 4 feet from the side property line (south) and 13 feet from the side property line (north), both in lieu of the required 15 feet.

Analysis

The hardships in this case are the lot size (3,200), width (51 feet) and depth (60 feet), as well as existing design constraints (existing footprint encroaches into all required setbacks).

Apparently what prompted the subject project was insufficient load-bearing roof beams, which have led to a sagging first floor ceiling. The replacement of the roof prompted further design considerations (additional second floor living space). New second floor area is proposed to match existing front and side setbacks. A new roof will be to within 1.5 feet of the rear property line.

At the time of this writing, the applicant has not complied with the request to supply the proposed rear setback for the second floor improvements. It appears to be approximately 10-12 feet from the rear property line. It is unclear as to whether it is located within the 10-foot wide sewer easement that runs along the rear property line. This information should be made available at the hearing; the public notice indicates a rear setback of 1.5 feet, so a revision to “farther away” will be sufficient.

Impervious Area

The proposal is not in compliance with the allowable lot coverage or impervious surface area, but is not proposed to increase.

Subject Property and Surrounding Land Uses

The property contains a single-family dwelling, with the same on either side, townhomes to the rear, and Lane Parke across Montevallo Drive.

Affected Regulation

Article III, Residence A District; Section 129-34, Area and Dimensional Requirements

Appends

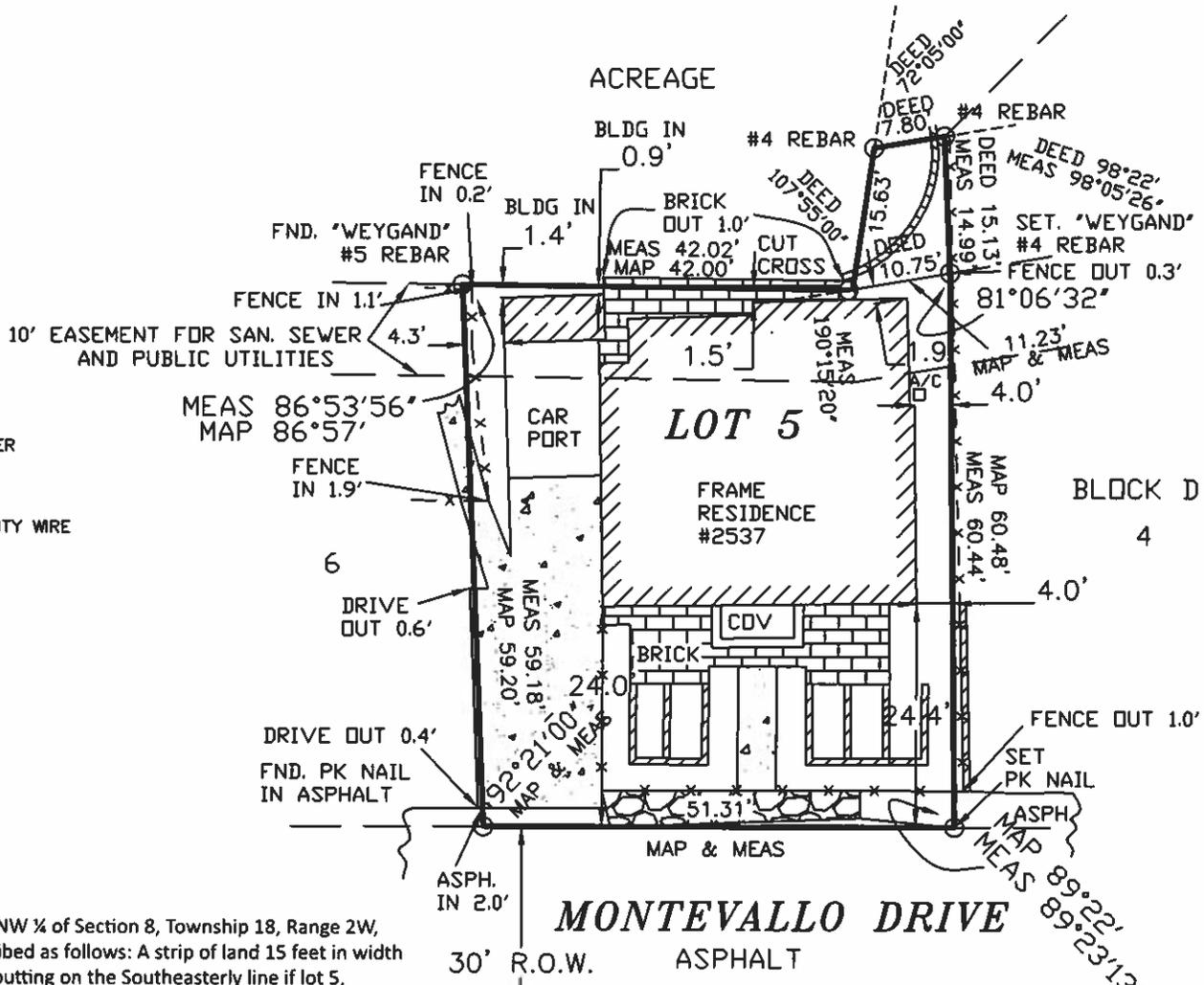
LOCATION: 2537 Montevallo Drive

ZONING DISTRICT: Res-A

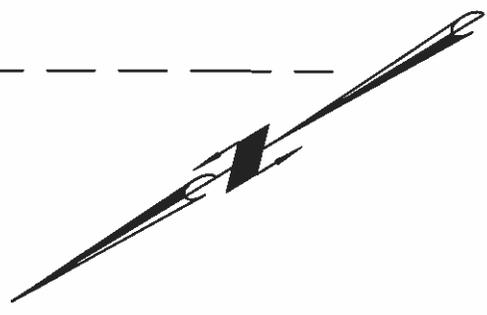
OWNER: Chase Adcox

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



Part of the SE ¼ of the NW ¼ of Section 8, Township 18, Range 2W, more particularly described as follows: A strip of land 15 feet in width lying adjacent to and abutting on the Southeasterly line of lot 5, Canterbury Crossroads, First Addition to Mountain Brook Village, Resurvey of Lots 3, 4, 5, 6, and part of Lot "D", as recorded in Map Book 28, Page 95, records of the Jefferson County Probate Court, being more particularly as follows; Beginning at the Southeasterly corner between Lots 4 and 5 of said Survey, run Northeasterly along the Southeasterly line of Lot 5, 10.75 feet, thence at an angle of 107 deg 55 min to the right 15.63 feet, thence at an angle of 72 deg 05 min to the right 7.80 feet, thence at an angle of 98 deg 22 min to the right 15.13 feet to the point of beginning, as shown on Surveyor's map by Thomas O. Smith, dated August 8, 1952 and marked on each corner with an iron stake.



SCALE: 1"=20'
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 5, A RESURVEY AND SUBDIVISION OF LOTS 3, 4, 5, 6 AND PART OF LOT 1, BLOCK "D" ACCORDING TO MAP OF CANTERBURY CROSSROADS FIRST ADDITION TO MOUNTAIN BROOK VILLAGE, as recorded in Map Volume 21, Page 46, in the Office of the Judge of Probate, Jefferson County, Alabama and a parcel of land as described 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 MAY 12, 2018. Survey invalid if not sealed in red.

Order No.: 99258
Purchaser: _____
Address: 2537 MONTEVALLO DRIVE

Ray Weygand
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. (d) The shown north arrow is based on deed/record map. (e) This survey is not transferable. (f) Easements not shown on recorded map are not shown above.

Existing front
Elevation



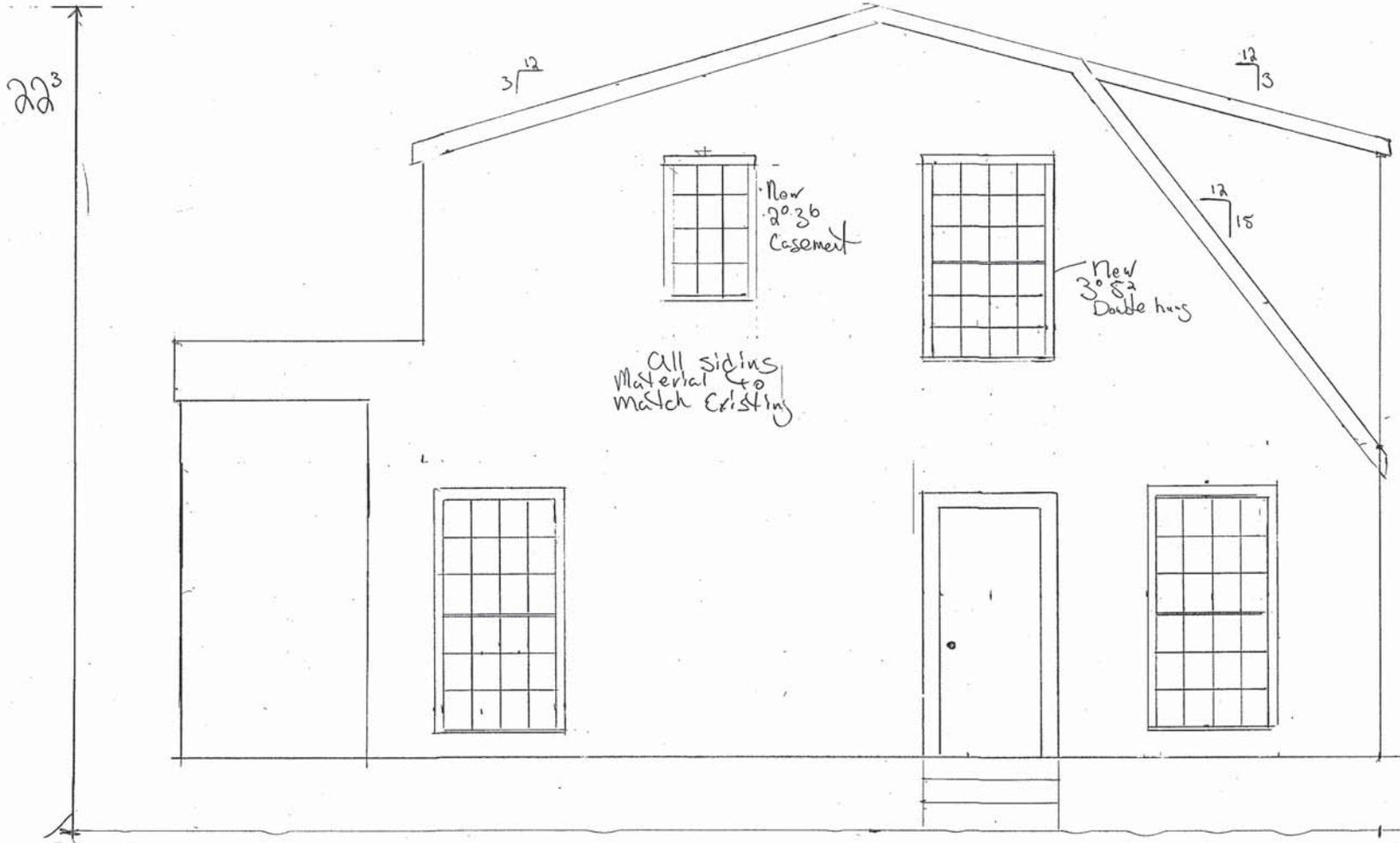
Proposed front
Elevation



Existing Left side
Elevation



Proposed
Left side
Elevation



223

3/12

12/13

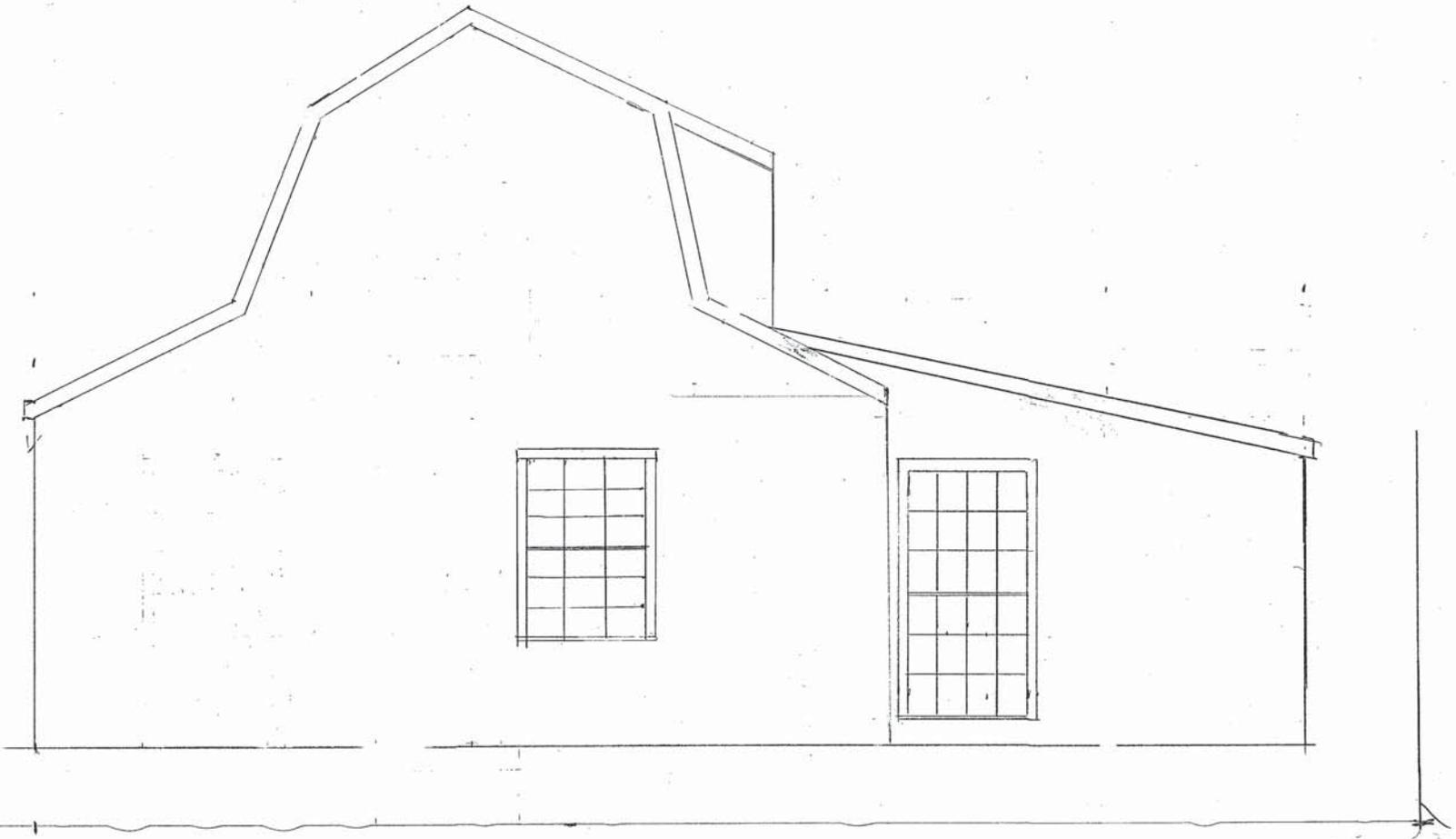
New
2036
Casement

New
3052
Double hung

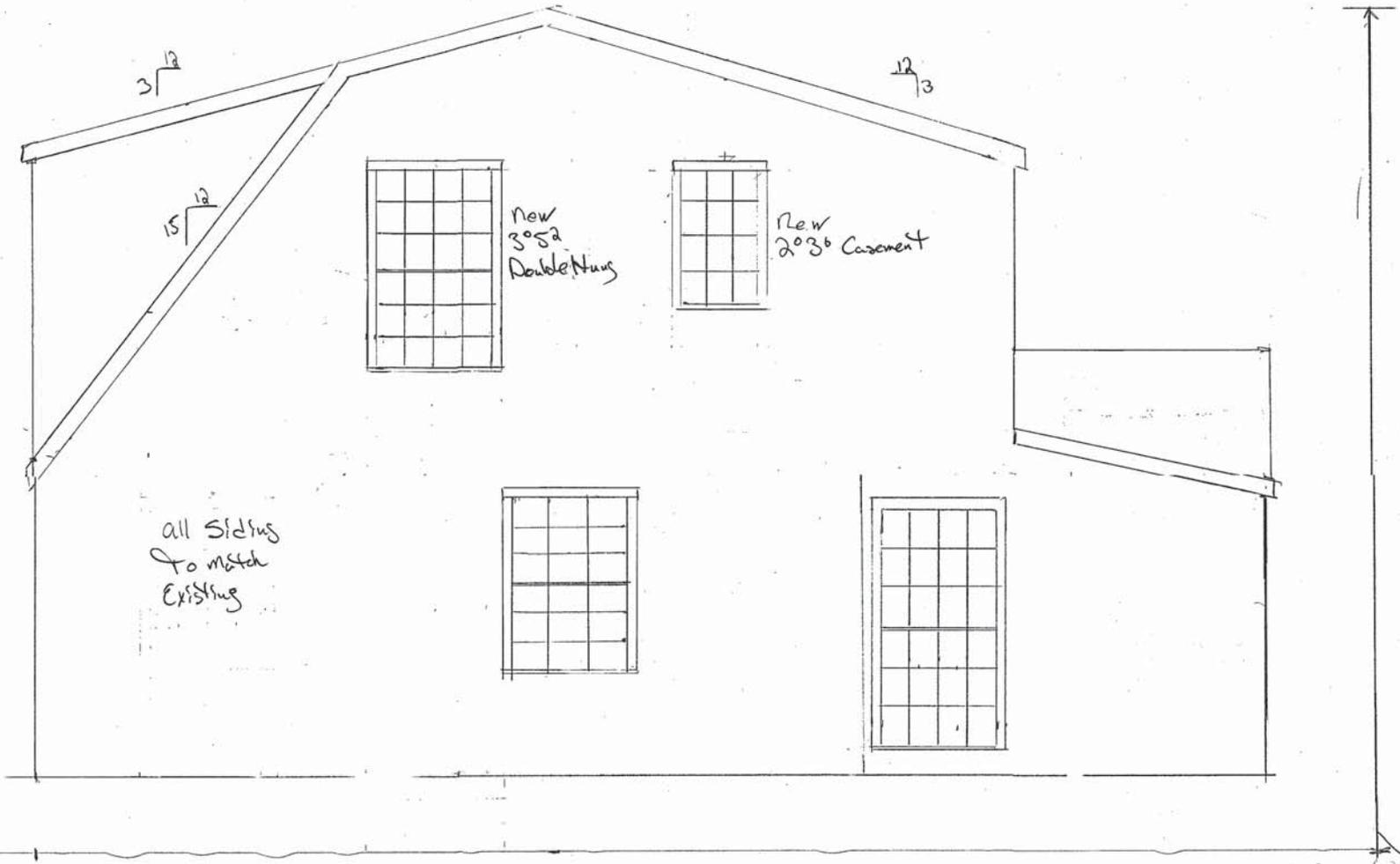
All siding
material to
match existing

12/15

Existing Right
Elevation



Proposed
Right Side
Elevation



A-18-37 (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)?

NOA conforming lot. See attached notations

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...")

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



Variance Application - Part I

Project Data

Address of Subject Property 19 Glenview Circle Mtn Brook 35213
 Zoning Classification RES A
 Name of Property Owner(s) JOHN + CATHERINE ROMERO (APTUS CAPITAL LLC)
 Phone Number 205-612-5711 Email J.ROMERO@GMAIL.COM
 Name of Surveyor WEYGAND SURVEYORS
 Phone Number 205-942-0086 Email DKSIMMI@Charter.NET
 Name of Architect (if applicable) DEBBIE SIMMONS
 Phone Number 205-223-2331 Email see ABOVE

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)		20,037 (Est)	
Lot Width (ft)			
Front Setback (ft) <i>primary</i>			
Front Setback (ft) <i>secondary</i>	40	40 +/-	32
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 →			
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)	40'		20'
Lot Coverage (%)			
Building Height (ft)			
Other			
Other			

John Romero
749 Euclid Circle
Birmingham, AL 35213
205-612-5711
jromero@gmail.com

December 26, 2018

Dear Mountain Brook Board of Zoning Adjustment:

We are seeking a variance to modify and extend our current one level laundry room on the left side of our house (to include the same footprint of the existing laundry room) and extend it out towards the pool which would also incorporate a new bathroom. The small addition, with about 120 SF of new space, would remain one level and not have a 2nd story like the other parts of the house. Presently, there is no bathroom or immediate access to laundry room from the pool area so this new structure would allow seamless access to those important features in keeping with the functionality of well-designed Mountain Brook homes.

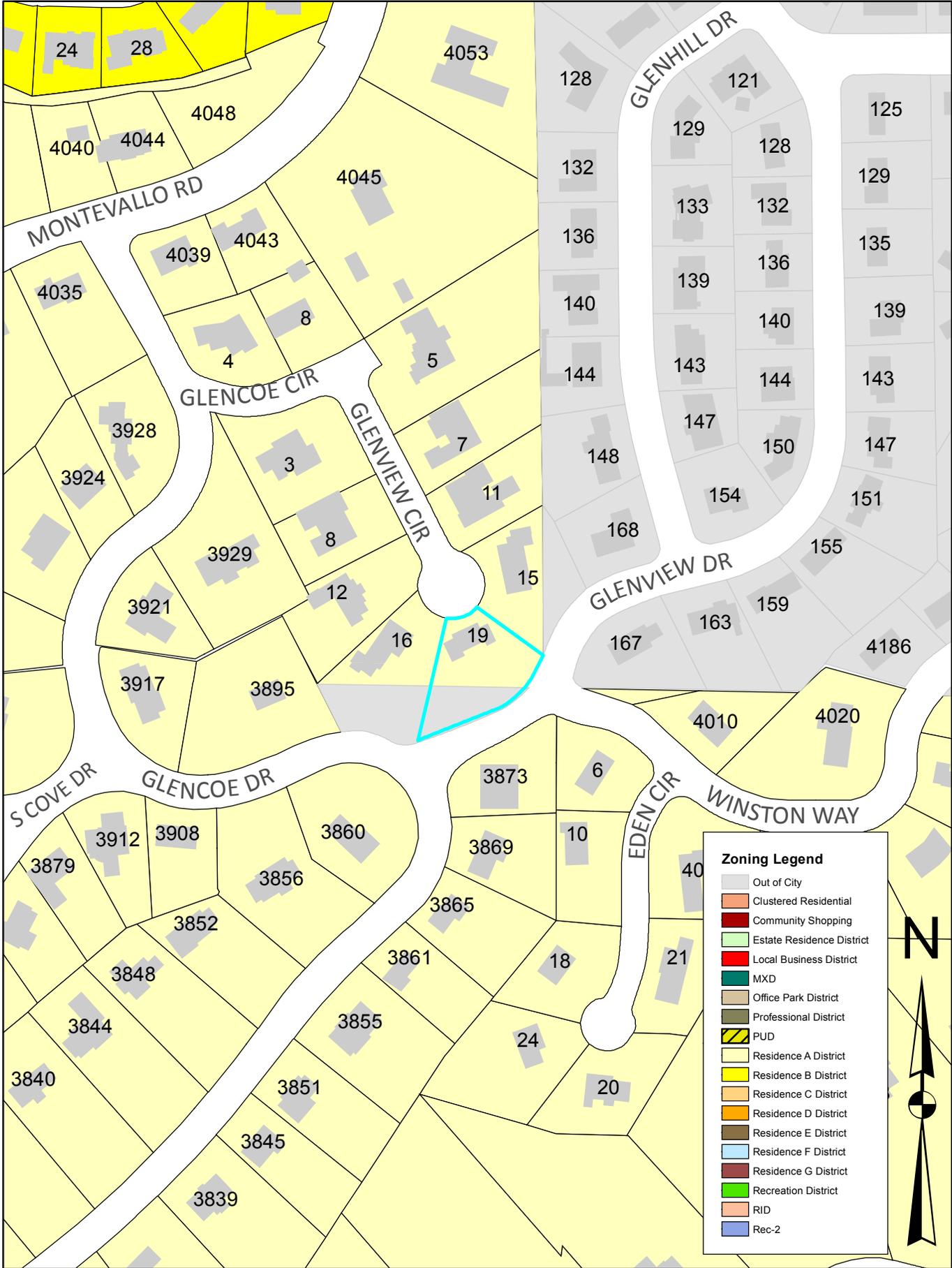
Thank you in advance for considering our proposal which we feel will help create sustainable long-term value for this special home. I believe you will find it meets all the requirements necessary for approval based on the general information listed in the application papers of the City of Mountain Brook.

Best regards,

A handwritten signature in blue ink that reads "John + Catherine Romero". The signature is written in a cursive, flowing style.

John and Catherine Romero

A-19-01 (Zoning Map)



Zoning Legend	
[Grey Box]	Out of City
[Light Orange Box]	Clustered Residential
[Red Box]	Community Shopping
[Light Green Box]	Estate Residence District
[Red Box]	Local Business District
[Dark Green Box]	MXD
[Light Brown Box]	Office Park District
[Light Green Box]	Professional District
[Yellow Box]	PUD
[Light Yellow Box]	Residence A District
[Yellow Box]	Residence B District
[Light Orange Box]	Residence C District
[Orange Box]	Residence D District
[Brown Box]	Residence E District
[Light Blue Box]	Residence F District
[Dark Brown Box]	Residence G District
[Green Box]	Recreation District
[Light Orange Box]	RID
[Blue Box]	Rec-2



Report to the Board of Zoning Adjustment

A-19-01

Petition Summary

Request to allow an addition to an existing single family dwelling to be 32 feet from the secondary front property line (Glenview Drive) in lieu of the required 40 feet.

Analysis

The hardships in this case are the lot size (20,000), the irregular lot shape, and the shallow lot depth along the left side of the property (124 feet, leaving only 44 feet of buildable depth after required 40-foot front double-front setbacks are deducted). The proposal involves an addition to the rear left corner of the house.

Given that the rear (secondary front) of the property is at a higher elevation than the house, and given that the subject property is at the end of a cul-de-sac (and therefore the “rear” setback does not “align” with that of adjoining properties), it is not anticipated that an approval of this request would be detrimental to the streetscape or to adjoining properties.

Impervious Area

The proposal is in compliance with the allowable lot coverage, but exceeds the allowable impervious surface area by 220 square feet. Therefore, the existing impervious area will have to be reduced for permit issuance.

Subject Property and Surrounding Land Uses

The property contains a single-family dwelling, and is surrounded by same.

Affected Regulation

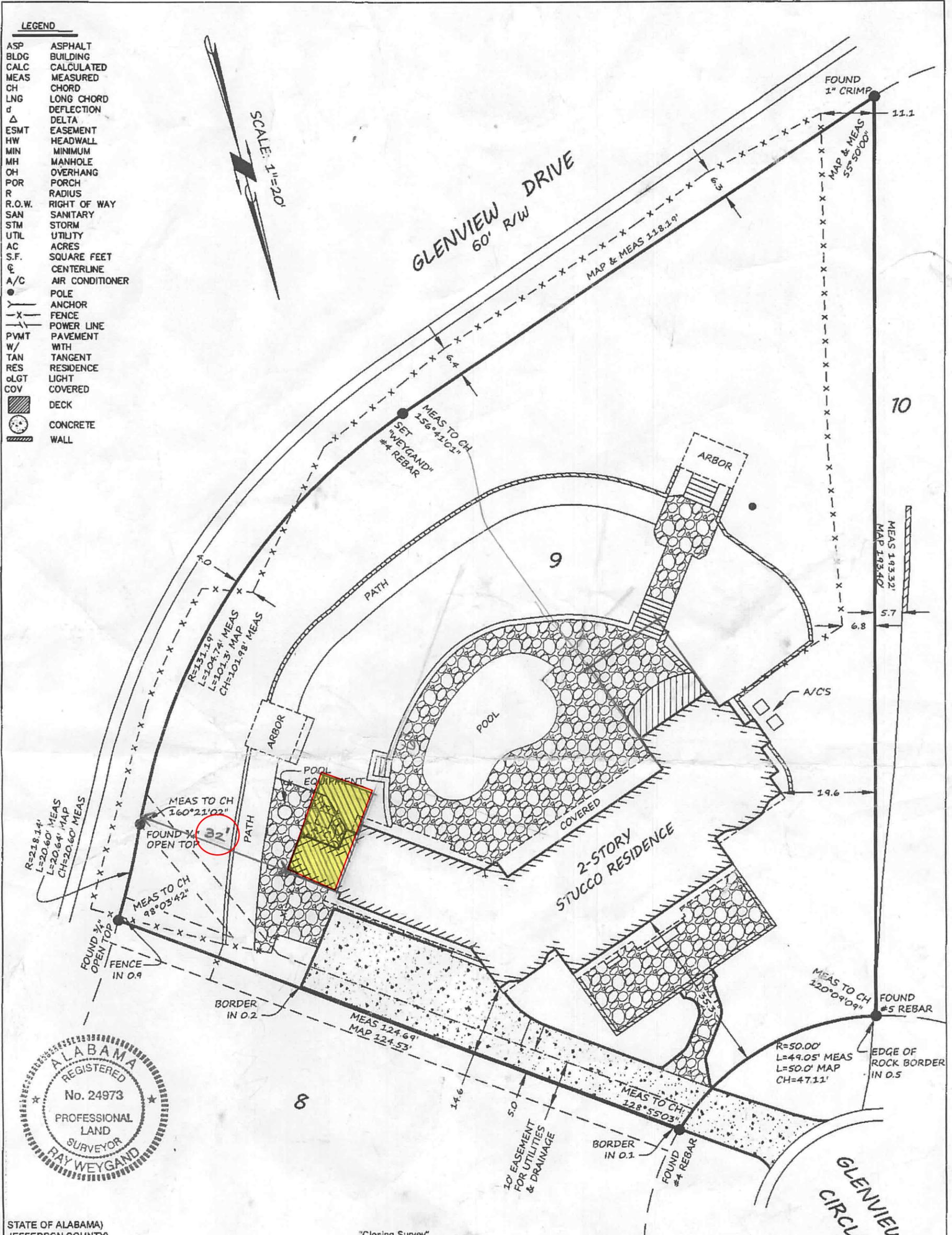
Article III, Residence A District; Section 129-34, Area and Dimensional Requirements

Appends

LOCATION: 19 Glenview Circle

ZONING DISTRICT: Res-A

OWNERS: John and Catherine Romero



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
⊕	CENTERLINE
A/C	AIR CONDITIONER
●	POLE
—	ANCHOR
-X-	FENCE
—	POWER LINE
PVMT	PAVEMENT
W/	WITH
TAN	TANGENT
RES	RESIDENCE
oLGT	LIGHT
COV	COVERED
▨	DECK
○	CONCRETE
▨	WALL



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 9, GLENVIEW CIRCLE, as recorded in Map Volume 43, Page 88, in the Office of the Judge of Probate, Jefferson County, Alabama. 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 NOVEMBER 20, 2018. Survey invalid if not sealed in red.

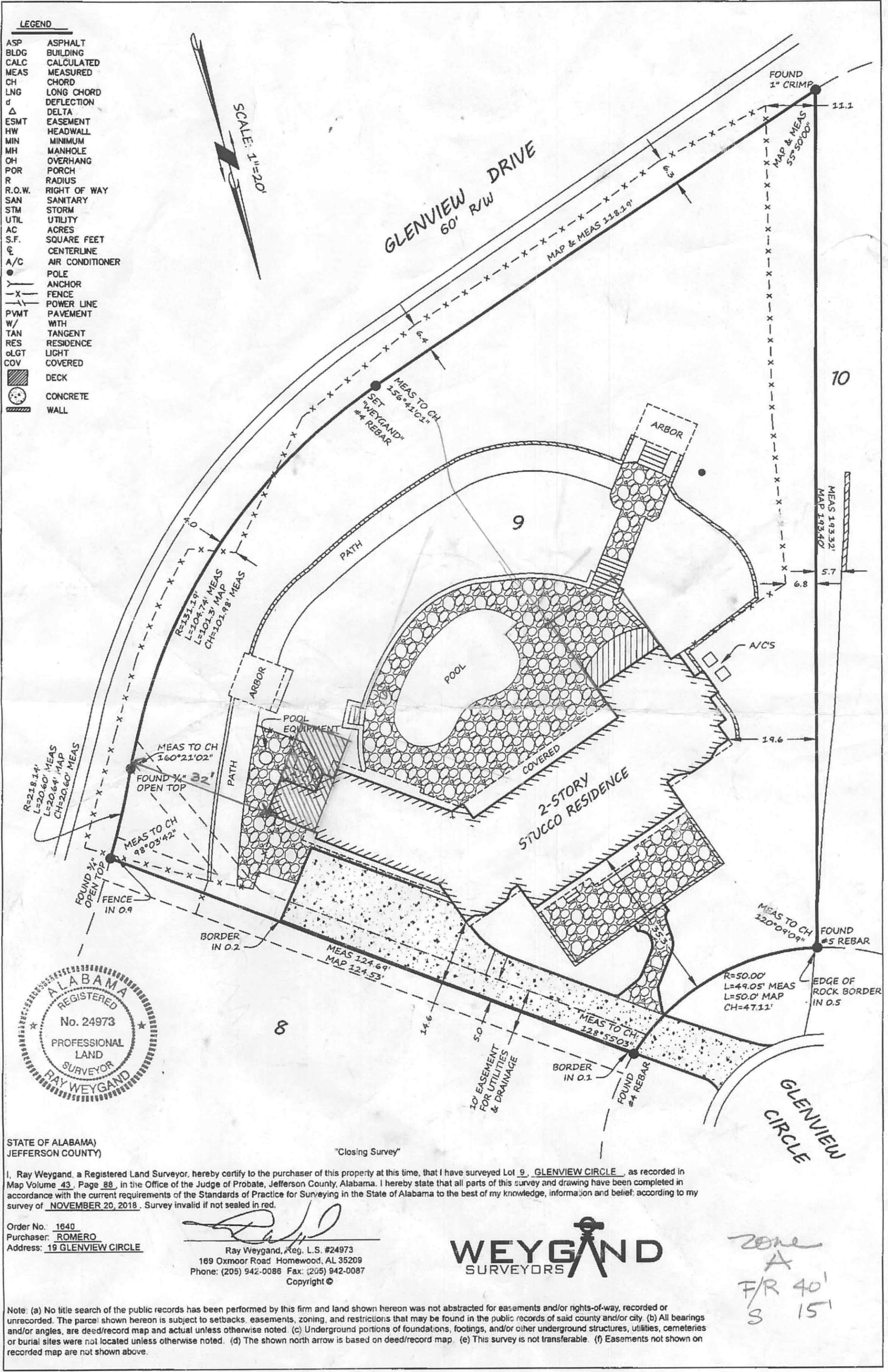
Order No. 1640
Purchaser: ROMERO
Address: 19 GLENVIEW CIRCLE

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



Zone A
F/R 40'
S 15'

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. (d) The shown north arrow is based on deed/record map. (e) This survey is not transferable. (f) Easements not shown on recorded map are not shown above.



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
⊕	CENTERLINE
A/C	AIR CONDITIONER
●	POLE
—	ANCHOR
-X-	FENCE
—	POWER LINE
PVMT	PAVEMENT
W/	WITH
TAN	TANGENT
RES	RESIDENCE
oLGT	LIGHT
COV	COVERED
▨	DECK
○	CONCRETE
▩	WALL



STATE OF ALABAMA
JEFFERSON COUNTY)

"Closing Survey"

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Order No. 1640
Purchaser: ROMERO
Address: 19 GLENVIEW CIRCLE

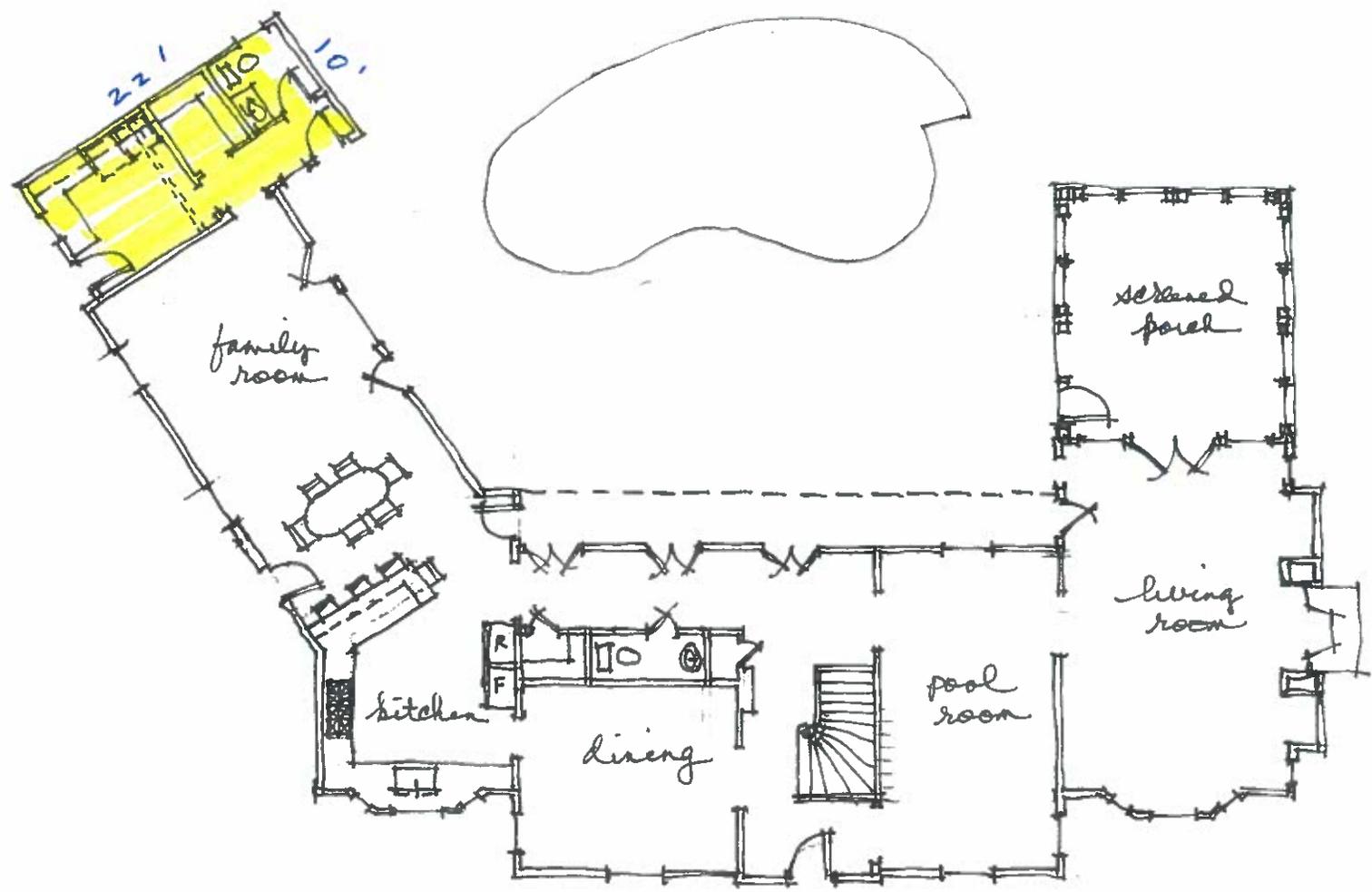
Ray Weygand
Ray Weygand, Reg. L.S. #24973
169 Oxmoor Road Homewood, AL 35209
Phone: (205) 942-0086 Fax: (205) 942-0087
Copyright ©



*Zone A
F/R 40'
S 15'*

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. (d) The shown north arrow is based on deed/record map. (e) This survey is not transferable. (f) Easements not shown on recorded map are not shown above.

PROPOSED



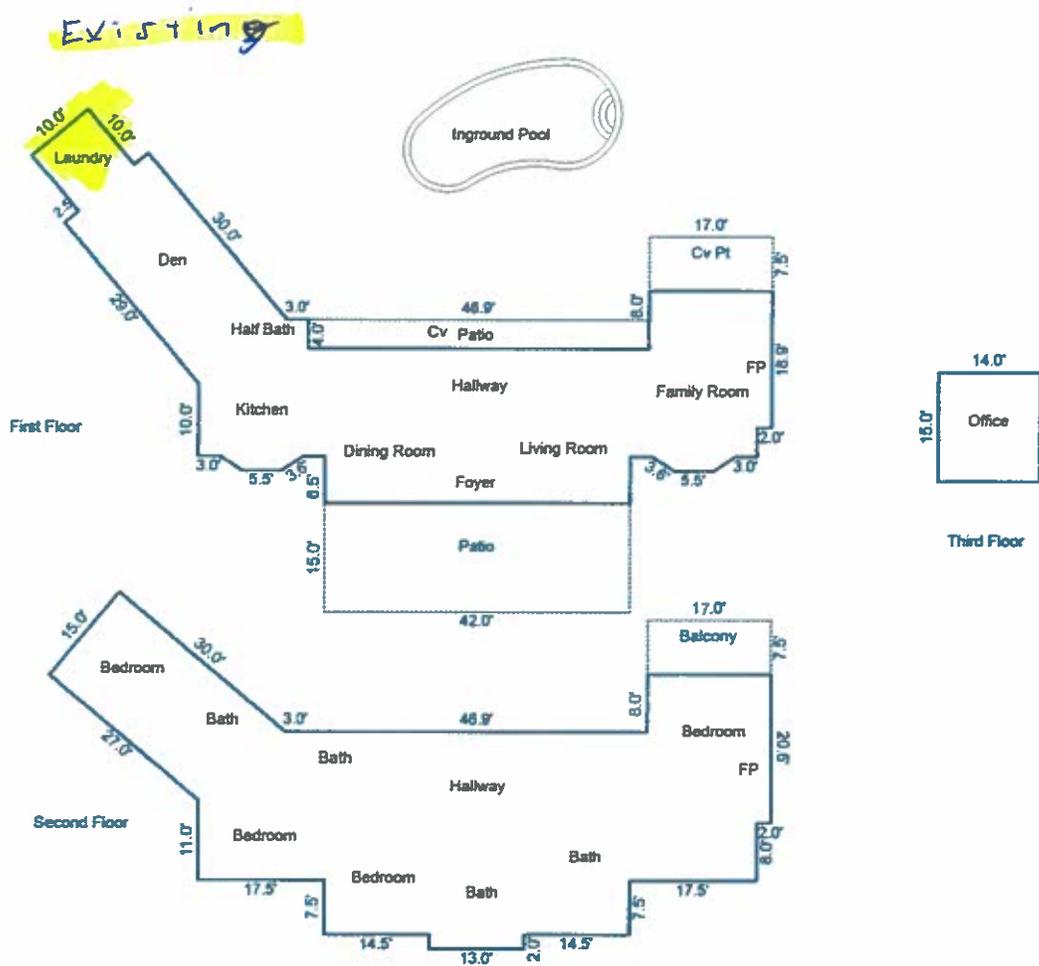
First Floor Plan
1/8" = 1'-0" scheme B
(NO REAR STAIR)





SKETCH ADDENDUM

Borrower or Owner Aptus Capital
 Property Address 19 GLENVIEW CIR
 City BIRMINGHAM County JEFFERSON State AL Zip Code 35213
 Client Lima One Capital



Sketch by Apex Sketch

AREA CALCULATIONS SUMMARY					AREA CALCULATIONS BREAKDOWN							
Code	Description	Factor	Net Size	Perimeter	Net Totals	Name	Base x	Height x	Width =	Area		
GLA1	First Floor	1.0	2159.4	300.2	2159.4	First Floor		42.0 x	6.5 =	273.0		
GLA2	Second Floor	1.0	2455.5	284.5	2455.5			10.0 x	10.0 =	100.0		
GLA3	Third Floor	1.0	210.0	58.0	210.0			0.5 x	1.6 x	0.8 =	0.6	
P/P	Cv Pt	1.0	187.6	101.8				0.5 x	13.8 x	6.8 =	46.9	
	Balcony	1.0	127.5	49.0					8.9 x	1.6 =	13.8	
	Patio	1.0	630.0	114.0					12.1 x	10.0 =	121.3	
	Cv Pt	1.0	127.5	49.0	1072.6				18.9 x	2.4 =	44.7	
									5.5 x	2.0 =	11.0	
									0.5 x	3.6 x	1.7 =	3.0
									0.5 x	3.6 x	1.7 =	3.0
									29.0 x	15.0 =	435.0	
									18.9 x	0.6 =	12.0	
									14.9 x	11.5 =	171.1	
									5.5 x	2.0 =	11.0	
									0.5 x	3.6 x	1.7 =	3.0
									0.5 x	3.6 x	1.7 =	3.0
	Net LIVABLE		(rounded)		4,825	18 add Items						
						34 total Items			(rounded)		4,825	



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)?

IRREGULAR PIE SHAPED LOT WHICH IMPACTS
DEPTH OF LOT + STEEP TOPOGRAPHY IN
REAR IMPACTED OFFERING CONSTRUCTION

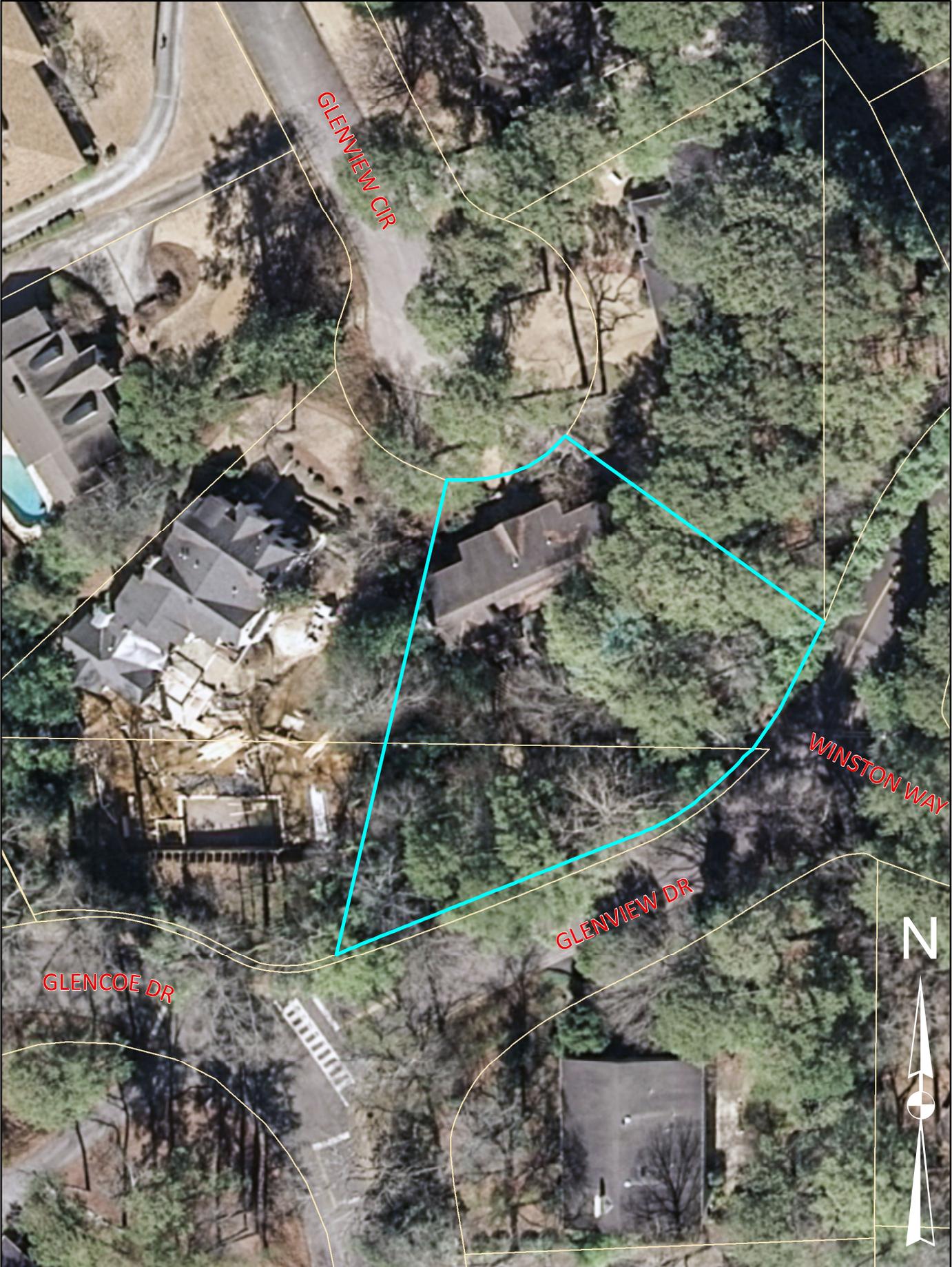
Was the condition from which relief is sought a result of action by the applicant? (i.e., *self-imposed hardship* such as: "...converted existing garage to living space and am now seeking a variance to construct a new garage in a required setback...")

No

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

SMALL ADDITION OF LAUNDRY / BATHROOM SERVING
POOL IS NOT VISIBLE FROM LEFT SIDE NEIGHBOR'S
VIEW. IT IS BARELY VISIBLE FROM RIGHT SIDE NEIGHBOR
(THE HALEY'S) AND FROM VIEW OF REAR WHICH IS
CITY OF B'HAM'S GLENVIEW DRIVE. THERE IS NO
HOUSE IN THE REAR OF OUR LOT

A-19-01 (Aerial Map)





Variance Application - Part I

Project Data

Address of Subject Property 3236 Rockledge Road, Mountain Brook, AL 35213

Zoning Classification Residence A District

Name of Property Owner(s) Allen and Mimi Ritchie

Phone Number (205) 215-1851 Email Cotton11@aol.com

Name of Surveyor Robert Reynolds

Phone Number (205) 823-7900 Email reynoldssurvey@bellsouth.net

Name of Architect (if applicable) Nimrod Long & Associates, (Dave Giddens)

Phone Number 323-6072 Email dgiddens@nimrodlong.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			
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 <u>Pool in side yard</u>			
Other			



Land Planners
Landscape Architects
Urban Designers

December 21, 2018

To: City of Mt. Brook Board of Zoning Adjustments

RE: Variance Application

Applicant Name and Address: Allen and Mimi Ritchie, 3236 Rockledge Road, Mt. Brook, AL 35213

The Applicant desires to build a small swimming pool in the side yard. The improvements would include the pool, deck for seating, a roofed Pavilion (Approximately 14'x11') with possible fire place and or grill, and new landscaping. The pool would be set back from the street approximately 75'. A new short retaining wall (1' to 3' ht.) to support the pavilion and pool deck would be constructed above and behind the existing retaining wall and softened with new plantings.

Sincerely,
Nimrod Long and Associates,

David E. Giddens,
Principal

A-19-02 (Zoning Map)



Zoning Legend

- Out of City
- 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-19-02

Petition Summary

Request to allow a swimming pool to be located in the side yard (northeast) in lieu of the requirement to be to the rear of the principal structure.

Analysis

The hardships in this case are the irregular shape of the lot, the shallow depth of the lot (150 feet), and the topography in the rear of the lot. The proposed swimming pool is to be located to the side of the house in lieu of the requirement to be to the rear. However, existing and proposed landscape enhancements (see Landscape Development Plan) may reduce any potential detrimental effect to the adjoining property (whose adjoining left side contains the driveway and garage entrance for said property).

Impervious Area

The proposal is in compliance with the allowable lot coverage, but exceeds the allowable impervious surface area by 990 square feet. Therefore, the existing impervious area will have to be reduced for permit issuance.

Subject Property and Surrounding Land Uses

The property contains a single-family dwelling, and is surrounded by same.

Affected Regulation

Article III, Residence A District; Section 129-34, Area and Dimensional Requirements

Article XIX, General Area and Dimensional Requirements; Section 129-318, Private Recreational Facilities in Residential Lots

Appends

LOCATION: 3236 Rockledge Road

ZONING DISTRICT: Res-A

OWNERS: Allen and Mimi Ritchie



Subject Property



Adjoining Property (left side yard)



Rear retaining wall (subject property)

A-19-02 (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 shallow in depth and the rear yard topography is steep. The bedrock is close to the surface in rear yard. Building a pool would require extensive bedrock excavation

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?



Variance Application - Part I

Project Data

Address of Subject Property 3004 SALISBURY ROAD

Zoning Classification RESIDENCE A

Name of Property Owner(s) ROBERT & KATHLEEN ISRAEL

Phone Number 913-1093 Email ROBERT.C.ISRAEL@GMAIL.COM

Name of Surveyor RAY WEYGAND

Phone Number 942-0086 Email RAY@WEYGANDSURVEYOR.COM

Name of Architect (if applicable) MEREDITH@MSHERRILL.COM ↙

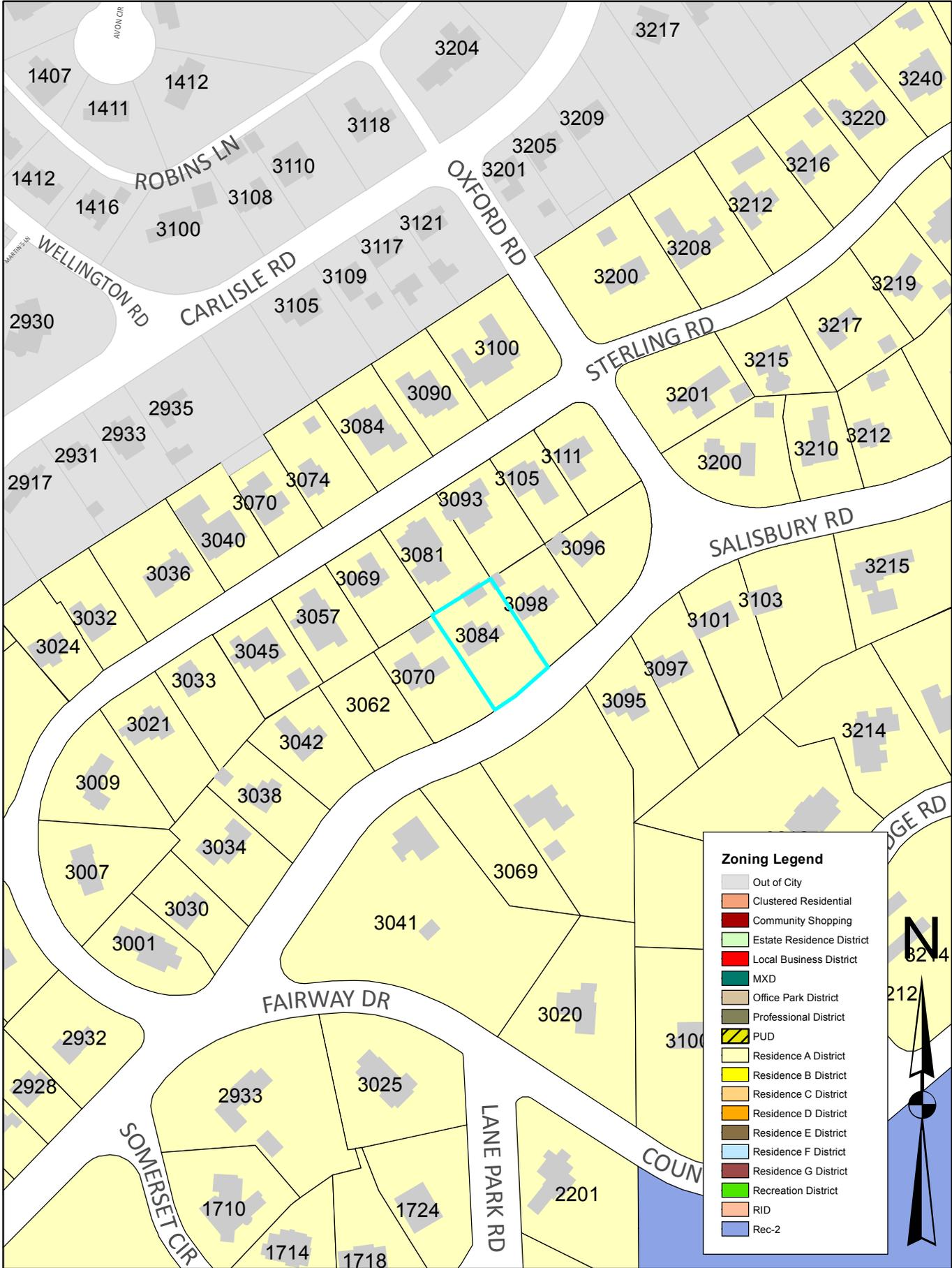
Phone Number 451-7055 Email MEREDITH SHERRILL ↙

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	<u>15 FEET</u>		<u>10 FEET</u>
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			

A-19-03 (Zoning Map)



Zoning Legend	
[Grey Box]	Out of City
[Light Orange Box]	Clustered Residential
[Red Box]	Community Shopping
[Light Green Box]	Estate Residence District
[Red Box]	Local Business District
[Dark Green Box]	MXD
[Light Brown Box]	Office Park District
[Light Green Box]	Professional District
[Yellow Box]	PUD
[Light Yellow Box]	Residence A District
[Yellow Box]	Residence B District
[Light Orange Box]	Residence C District
[Orange Box]	Residence D District
[Brown Box]	Residence E District
[Light Blue Box]	Residence F District
[Dark Brown Box]	Residence G District
[Green Box]	Recreation District
[Light Orange Box]	RID
[Blue Box]	Rec-2



Report to the Board of Zoning Adjustment

A-19-03

Petition Summary

Request to allow additions to an existing single family dwelling to be 10 feet from the side property line (southwest) in lieu of the required 15 feet, and 25 feet from the rear property line (northwest) in lieu of the required 40 feet.

Analysis

The hardships in this case are the lot size (17,000) and existing design constraints (house is 80 feet from the front property line, where 40 feet is required). The proposal involves the addition of a master bedroom, which is proposed to be 10 feet from the left side property line. A rear yard loggia (covered porch) is proposed to encroach to within 25 feet of the rear property line.

As may be seen on the attached zoning map of neighboring properties, the proposed front building line is consistent with others on along the same side of Salisbury, which meets the spirit and intent of the zoning regulations. Also, all of the other properties along the same side of Salisbury (where houses are similarly situated toward the rear of the lot) have buildings that are closer than 40 feet from the rear property line. Rear setbacks along this side of Salisbury range from 5 feet to 22 feet, with an average rear setback of 11 feet.

Background on Neighboring Lot

On September 8, 2014, the Board approved the construction of a new single family dwelling at 3062 Salisbury Road (2 lots to the east) to be 16 feet from the rear property line in lieu of the required 40 feet (Case 4137). In the report for that case it was noted that a private deed restriction is recorded against that property which requires that the house be a minimum of 70 feet from the street (which translates to approximately 60 feet from the front property line).

The finding for approval of that variance was that some degree of relief in the rear setback was warranted in order to maintain the established front building line in the neighborhood, and in order to maintain the architectural scale and character of this block of Salisbury.

It is unknown whether or not the same front yard deed restriction applies to the subject property, but it is likely that it applies to the entire block.

Impervious Area

While the existing house is in compliance with the allowable lot coverage the property is not compliant with the allowable impervious area. The applicant has indicated that a portion of the paved rear patio is to be removed in conjunction with this project, and will come into compliance for permitting.

Subject Property and Surrounding Land Uses

The property contains a single-family dwelling, and is surrounded by same.

Affected Regulation

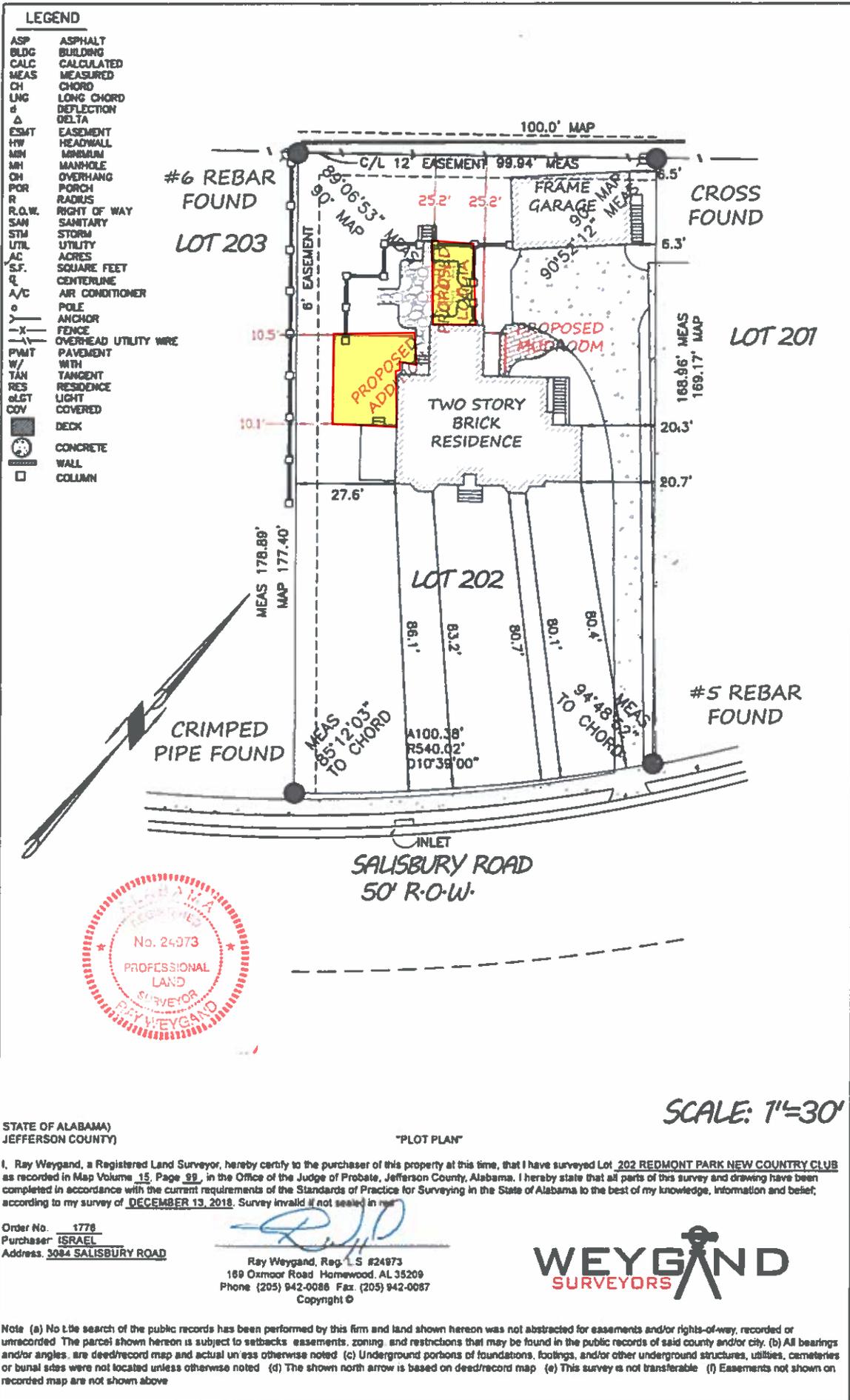
Article III, Residence A District; Section 129-34, Area and Dimensional Requirements

Appends

LOCATION: 3084 Salisbury Road

ZONING DISTRICT: Res-A

OWNERS: Robert and Kathleen Israel



STATE OF ALABAMA
JEFFERSON COUNTY)

"PLOT PLAN"

SCALE: 1"=30'

I, Ray Weygand, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot 202 REDMONT PARK NEW COUNTRY CLUB as recorded in Map Volume 15, Page 99, in the Office of the Judge of Probate, Jefferson County, Alabama. 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 DECEMBER 13, 2018. Survey invalid if not sealed in map.

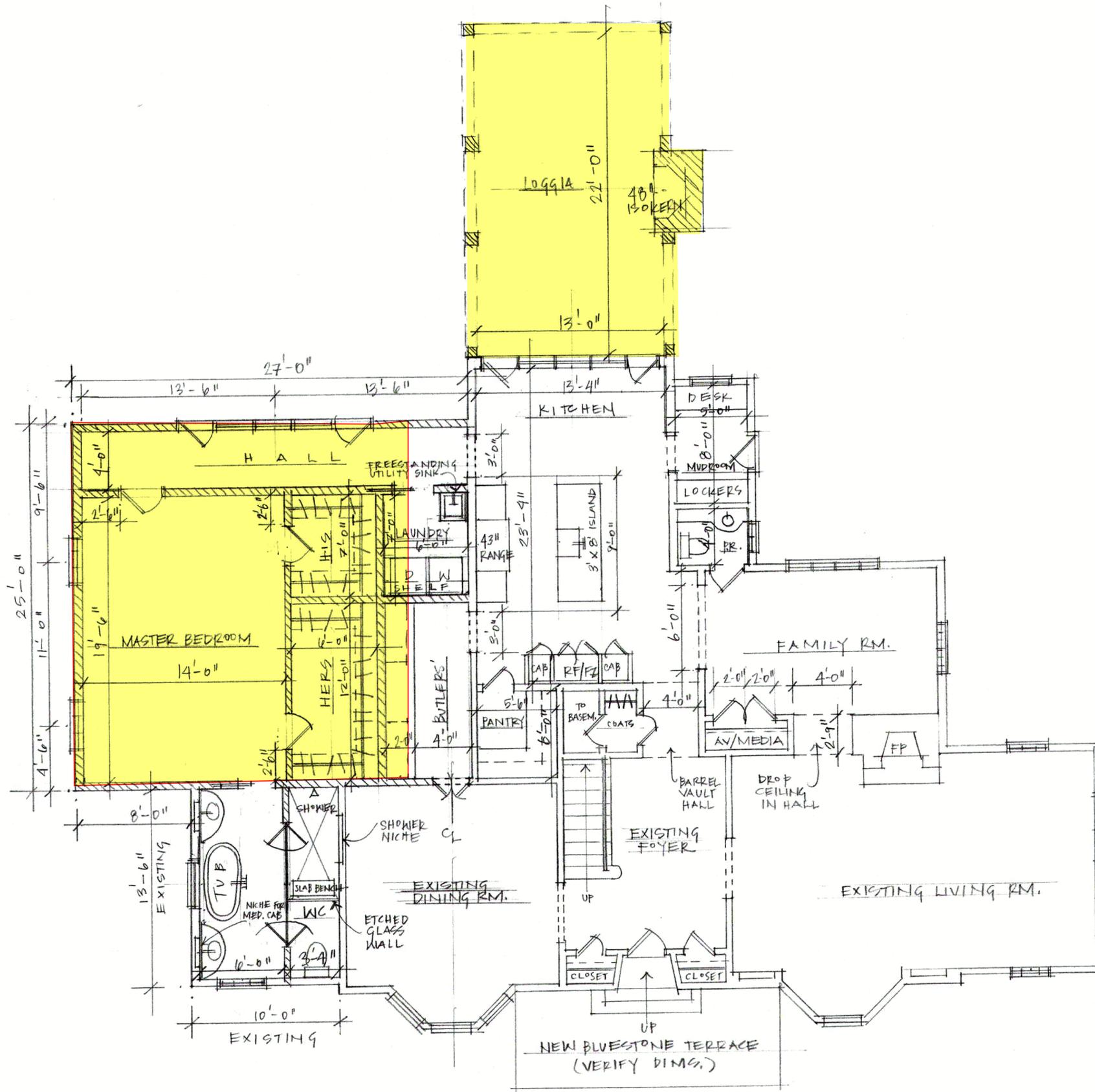
Order No. 1778
Purchaser: ISRAEL
Address: 3084 SALISBURY ROAD

[Signature]

Ray Weygand, Reg. L.S. #24973
169 Oxmoor Road Homewood, AL 35209
Phone (205) 942-0088 Fax (205) 942-0087
Copyright ©



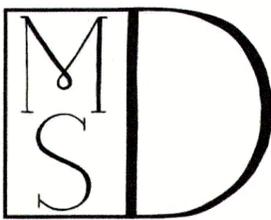
Note (a) No title search of the public records has been performed by this firm and land shown hereon was not abstracted for easements and/or rights-of-way, recorded or unrecorded. The parcel shown hereon is subject to setbacks, easements, zoning, and restrictions that may be found in the public records 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. (d) The shown north arrow is based on deed/record map. (e) This survey is not transferable. (f) Easements not shown on recorded map are not shown above.



ISRAEL RESIDENCE
 FLOOR PLAN 3/16" = 1'-0"

M. SHERRILL
 DEC. 14, 2010

A RENOVATION AND ADDITION FOR
KATHLEEN AND ROBERT ISRAEL
 3084 SALISBURY ROAD
 MOUNTAIN BROOK, AL ABAMA



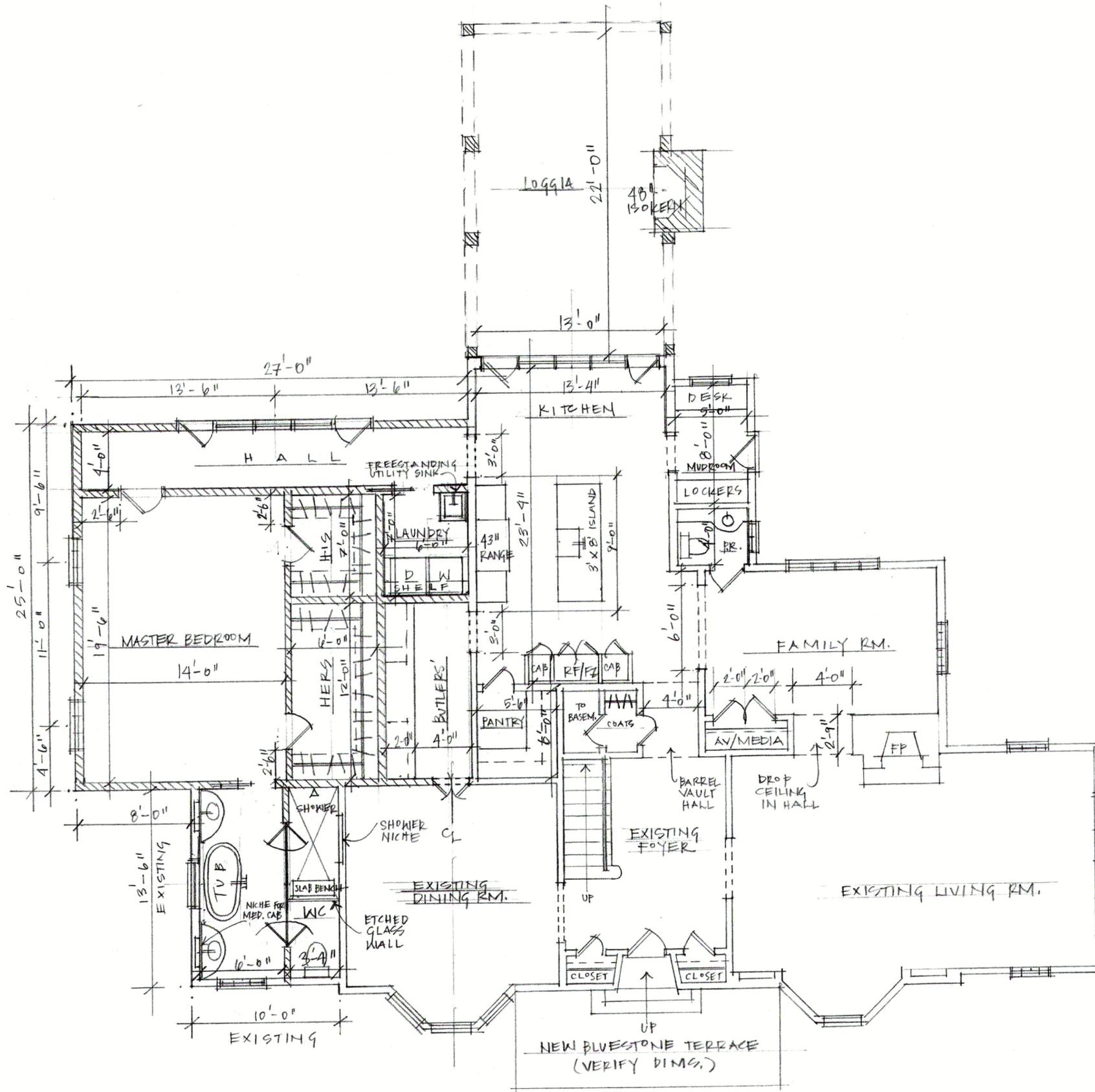
call: 205.451.7055
 write: meredith@msherrill.com

October 17, 2018

FLOOR PLAN

scale 3/16" = 1'-0"

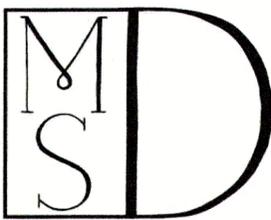
sheet number **A1**



ISRAEL RESIDENCE
 FLOOR PLAN 3/16" = 1'-0"

M. SHERRILL
 DEC. 14, 2010

A RENOVATION AND ADDITION FOR
KATHLEEN AND ROBERT ISRAEL
 3084 SALISBURY ROAD
 MOUNTAIN BROOK, AL ABAMA



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 write: meredith@msherrill.com

October 17, 2018

FLOOR PLAN

scale 3/16" = 1'-0"

sheet number **A1**

A RENOVATION AND ADDITION FOR
KATHLEEN AND ROBERT ISRAEL
 3084 SALISBURY ROAD
 MOUNTAIN BROOK, AL ABAMA



call: 205.451.7055

write: meredith@msherrill.com

October 17, 2018

**EXTERIOR
 ELEVATIONS**

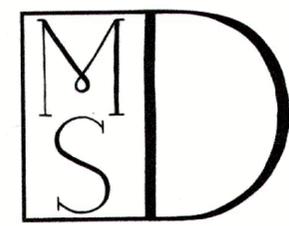
scale 3/16" = 1'-0"

sheet number **A2**



⊕ ISRAEL RESIDENCE
 ELEVATION @ LEFT SIDE

A RENOVATION AND ADDITION FOR
KATHLEEN AND ROBERT ISRAEL
3084 SALISBURY ROAD
MOUNTAIN BROOK, AL ABAMA



call: 205.451.7055
write: meredith@msherrill.com
October 17, 2018

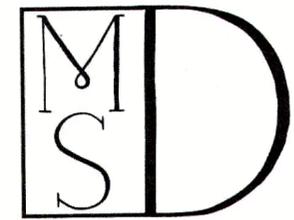
EXTERIOR ELEVATIONS
scale 3/16" = 1'-0"
sheet number **A2**



⊕ ISRAEL RESIDENCE
↑ ELEVATION @ LEFT SIDE

3/16" = 1'-0"

A RENOVATION AND ADDITION FOR
KATHLEEN AND ROBERT ISRAEL
 3084 SALISBURY ROAD
 MOUNTAIN BROOK, AL ABAMA



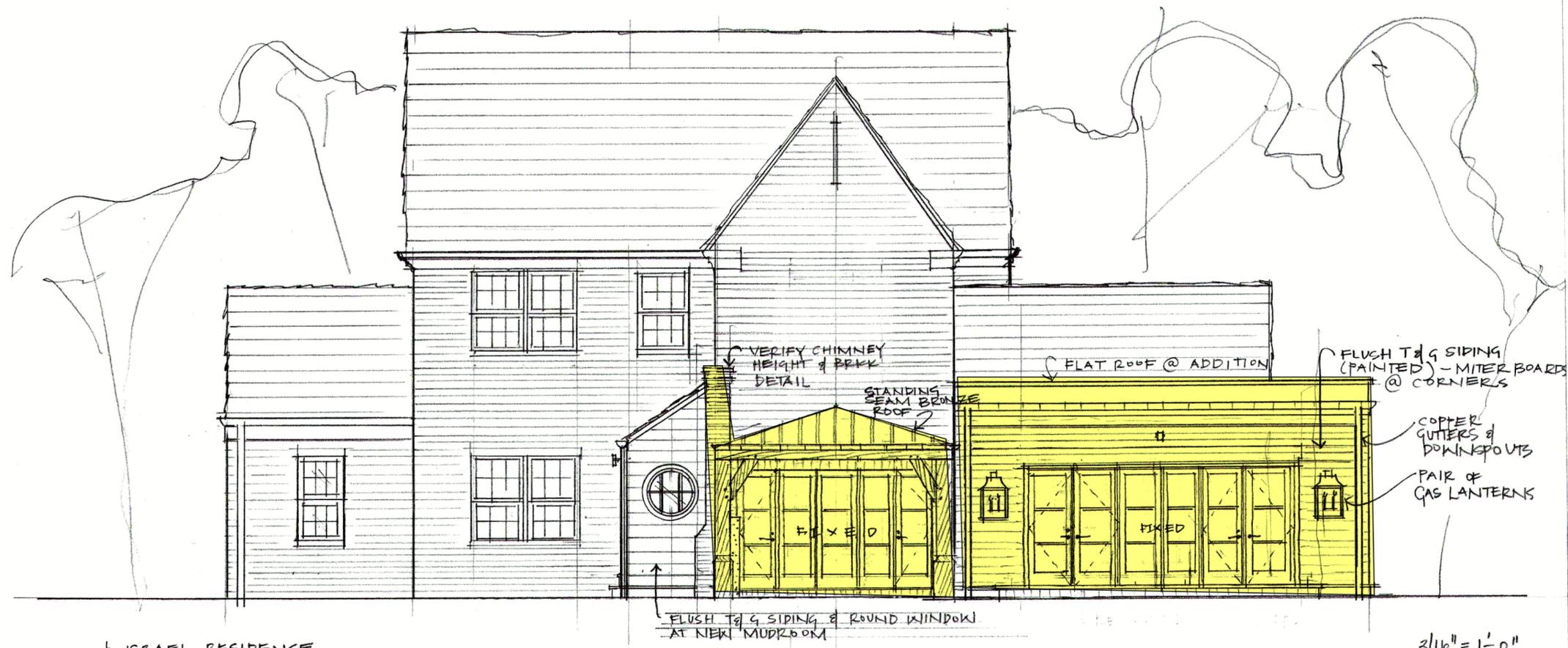
call: 205.451.7055
 write: meredith@msherrill.com,

October 17, 2018

**EXTERIOR
 ELEVATIONS**

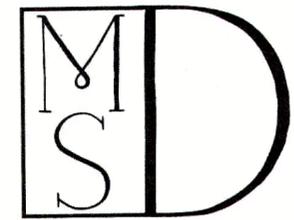
scale 3/16" = 1'-0"

sheet number **A3**



⊕ ISRAEL RESIDENCE
 ELEVATION @ REAR

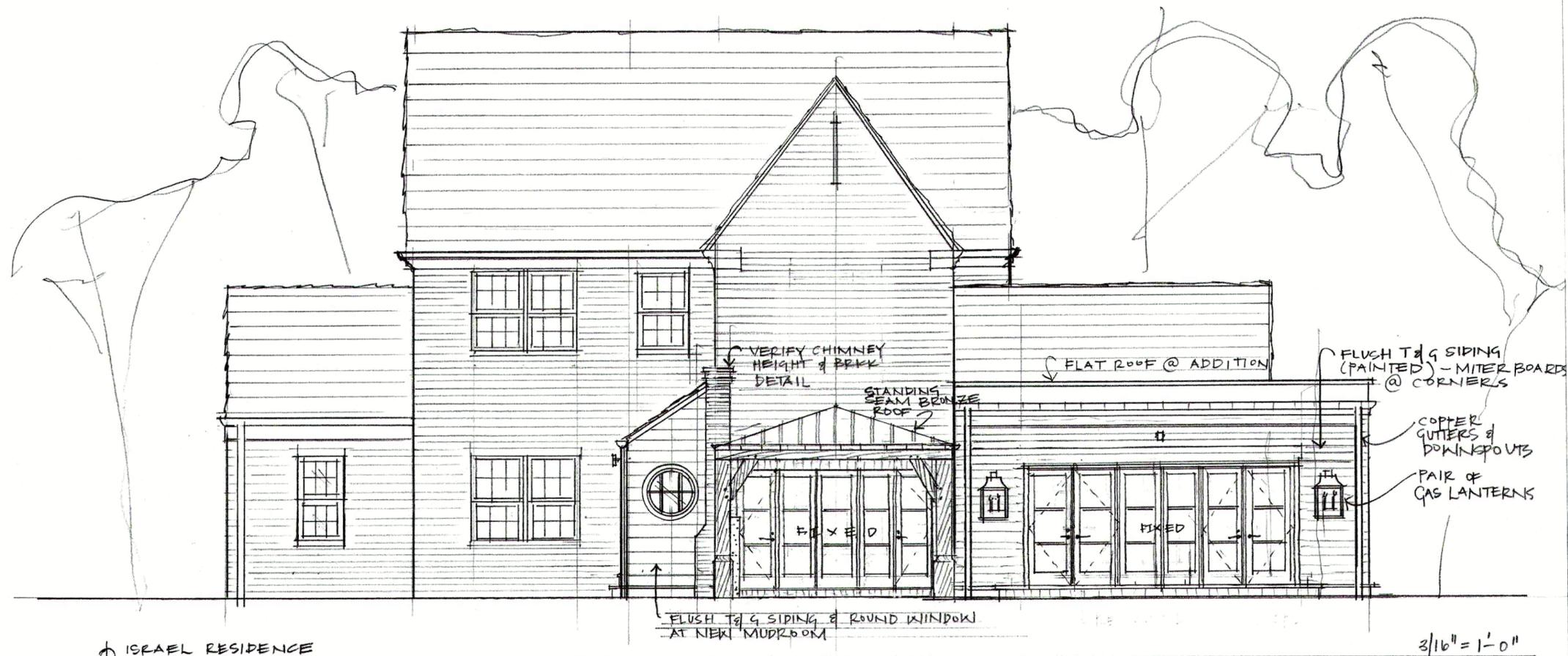
A RENOVATION AND ADDITION FOR
KATHLEEN AND ROBERT ISRAEL
 3084 SALISBURY ROAD
 MOUNTAIN BROOK, AL ABAMA



call: 205.451.7055
 write: meredith@msherrill.com,
 October 17, 2018

EXTERIOR ELEVATIONS

scale 3/16" = 1'-0"
 sheet number **A3**



⊕ ISRAEL RESIDENCE
 ELEVATION @ REAR

A-19-03 (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)?

existing design constraints are in place that do not allow enough space at the rear of the house to allow for the necessary addition of a master bedroom on the main level without the five foot variance we request on the left side.

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...")

Yes - we are seeking a variance to construct a master bedroom on the main level of the home where it does not currently exist.

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

The new structure we are seeking to add will not be obtrusive, is not visible from the street and will adhere aesthetically to the surrounding homes and neighborhood.