

BZA Packet

September 11, 2019

Hello All,

Enclosed please find your packet for the meeting of September 16, 2019.

We have:

- 1 carry over case
- 3 new cases

If you receive any citizen inquiries regarding these cases the proposed plans may be viewed by going to:

www.mtnbrook.org

- Calendar (upper right corner)
- Board of Zoning Adjustment (September 16, 2019)
- Meeting Information (for agenda) and Supporting Documents (to view proposed plans and/or survey select link associated with the case number)

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 Monday!

Dana

MEETING AGENDA
CITY OF MOUNTAIN BROOK
BOARD OF ZONING ADJUSTMENT
SEPTEMBER 16, 2019

PRE-MEETING: (ROOM A106) 4:30 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: July 15, 2019 and August 19, 2019
 2. **Case A-19-22:** Edward Goodwin, property owner, requests variances from the terms of the Zoning Regulations to allow a new single family dwelling to be 15 feet from the rear property line (north) in lieu of the required 40 feet; also for the lot coverage to be 37% in lieu of the maximum allowable 25%. - **2504 Country Club Circle.** (*Carried over from the August 19, 2019 meeting.*)
 3. **Case A-19-33:** Jerry and Mary Louise Choate, property owners, request variances from the terms of the Zoning Regulations to allow a new single family dwelling to be 22.6 feet from the front property line, and 28.3 feet (house) and 23.3 feet (uncovered stair and rail) from the rear property line, all in lieu of the required 35 feet; and to be 10.1 feet from the side property line (north), and 12.1 feet from the side property line (south), both in lieu of the required 12.5 feet. - **12 Montevallo Lane.**
 4. **Case A-19-34:** Justin and Claire Drummond, property owners, request variances from the terms of the Zoning Regulations to allow additions and alterations to be 27 feet from the primary front property line (Randolph Road), and to be 36.5 feet from the secondary front property line (Fairway Drive), both in lieu of the required 40 feet. - **56 Randolph Road.**
 5. **Case A-19-35:** Burnham Hawk, property owner, requests variances from the terms of the Zoning Regulations to allow a covered deck (26 feet high at midpoint of roof) to be 5.2 feet from the side property line (northeast), and a stair/handrail (15 feet high) to be 1 foot from the side property line (northeast), both in lieu of the required 8 feet. - **2121 English Village Lane.**
 6. Next Meeting: October 21, 2019
 7. Adjournment



Variance Application - Part I

Project Data

Address of Subject Property 2504 Country Club Dr.
 Zoning Classification RES A
 Name of Property Owner(s) Ann Thomas
 Phone Number 205-862-2013 Email athomas@paypocner.com
 Name of Surveyor Weygand
 Phone Number 205 942-0086 Email ray@weygandsurveyor.com
 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)			
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)	40	43	15
Lot Coverage (%)			
Building Height (ft)			
Other			
Other			

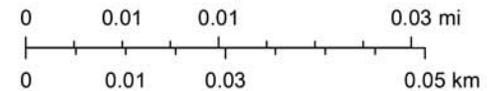
A-19-22 Zoning



8/8/2019, 11:03:46 AM

Tax_Parcels Residence A District
0 Rec-2

1:1,128



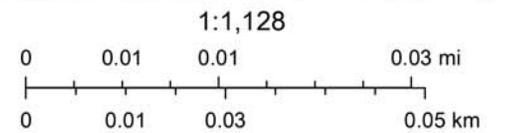
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS,

Web AppBuilder for ArcGIS
Hunter Simmons | Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA |

A-19-22 Aerial



8/8/2019, 11:06:40 AM



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus

Web AppBuilder for ArcGIS
Hunter Simmons | DigitalGlobe, Microsoft |

Report to the Board of Zoning Adjustment

A-19-22

Petition Summary

Request to allow a new single family dwelling to be 15 feet from the rear property line (north) in lieu of the required 40 feet; also for the lot coverage to be 37% in lieu of the maximum allowable 25%.

Analysis

The hardship in this case is the corner lot configuration. The applicant in this case is under contract for the subject property, and, therefore has not developed precise plans for the new house. As such, the request is for a “box,” or buildable area wherein the north (rear) setback is proposed to be 15 feet.

As may be seen on the attached aerial, the house on the adjoining property to the north is located to the *northeast* of the subject house (approx. 100 feet separation), such that the entire subject lot is forward/west of the house on the adjoining lot. As such, any approval of this variance request would not hinder the flow of light and air to the adjoining property as presently developed.

Alternately, the property to the north could be developed to within 15 feet of the subject property, so the common property line between it and the subject property “acts” more like a side property line than a rear. The required side setback for Res-A is 15 feet.

Impervious Area and Lot Coverage

The proposed buildable area “box,” as drawn, would exceed the maximum allowable 25% lot coverage, up to 37%. In turn, the maximum impervious area would be exceeded (max allowed is 30%). There is no apparent hardship that would warrant approval of the request to exceed the allowable lot coverage; however, the proposed setbacks could be approved such that a house be designed within the buildable area, but not to exceed the allowable lot coverage and buildable 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

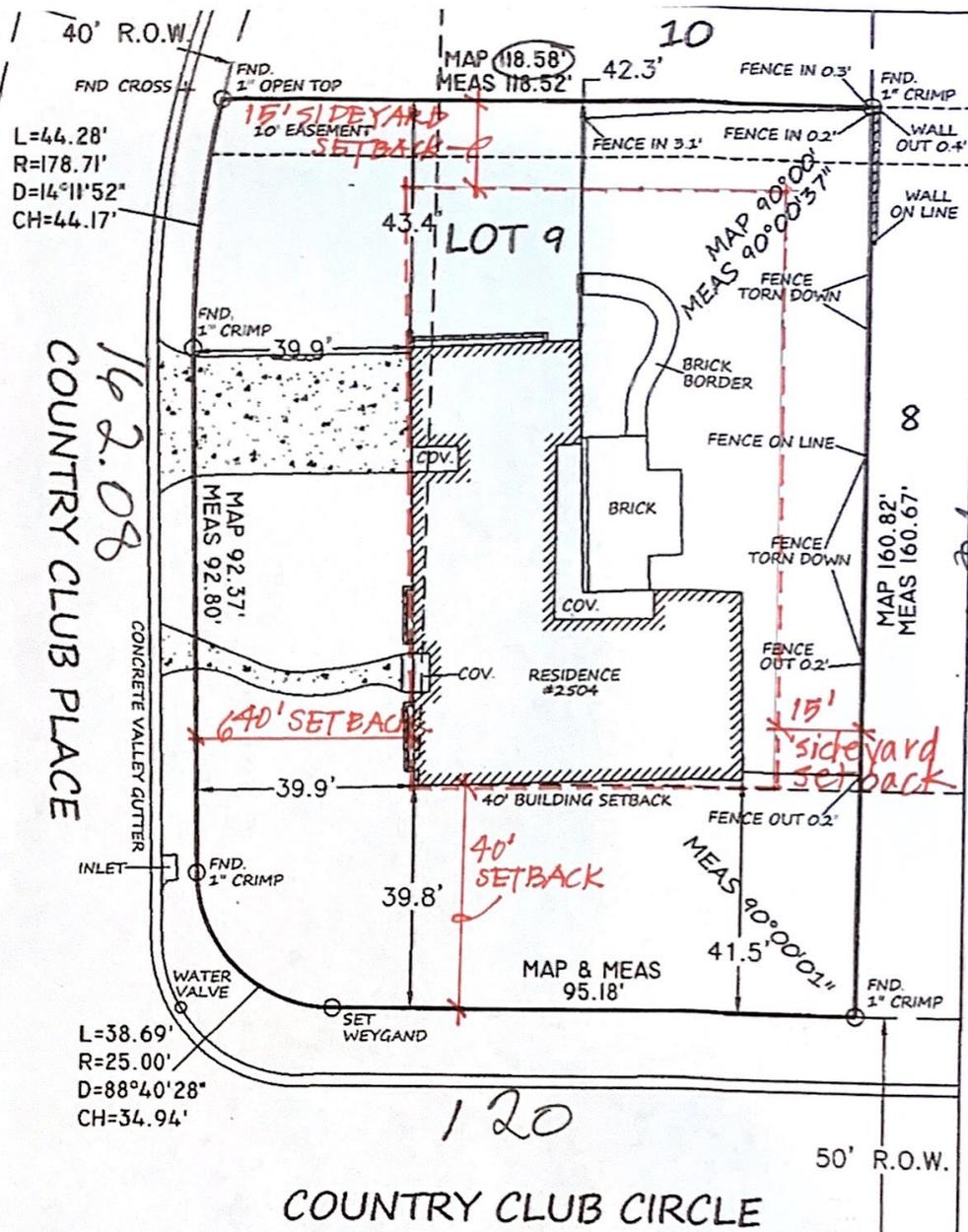
LOCATION: 2504 Country Club Drive

ZONING DISTRICT: Res-A

OWNER: Ann Thomas

LEGEND

ASP	ASPHALT
BLDG	BUILDING
CALC	CALCULATED
MEAS	MEASURED
CH	CHORD
LONG	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



SCALE: 1"=30'

STATE OF ALABAMA
JEFFERSON COUNTY

"Property Boundary 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, GRASSMERE ESTATES BEING A RESURVEY OF LOTS 1, 2 AND 3, GRASSMERE SURVEY, as recorded in Map Volume 51, Page 22, 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 MARCH 3, 2019. Survey invalid if not sealed in red.

Order No: 2832

Purchaser:

Address: 2504 COUNTRY CLUB CIRCLE

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.



Variance Application - Part I

Project Data

Address of Subject Property 12 MONTEVALLO LAKE . BIRMINGHAM, AL 35213

Zoning Classification B

Name of Property Owner(s) MARY LOUISE AND GARY CHOATE

Phone Number 205.901.6104 Email mchoate@fixturesandfinishes.com

Name of Surveyor SURVEYING SOLUTIONS, INC

Phone Number 205.991.8965 Email _____

Name of Architect (if applicable) PAUL PATEY ARCHITECTS (EBRETTWOOD)

Phone Number 404.931.6889 Email ebcc@PAUL.PATEYARCHITECTS.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)	7000	7000	7000
Lot Width (ft)	70	70	70
Front Setback (ft) <i>primary</i>	35	23	23
Front Setback (ft) <i>secondary</i>			
Right Side Setback	12.5	10.1	10.1
Left Side Setback	12.5	12.1	12.1
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)	35	28	28
Lot Coverage (%)	35%	27%	27%
Building Height (ft)			
Other			
Other			

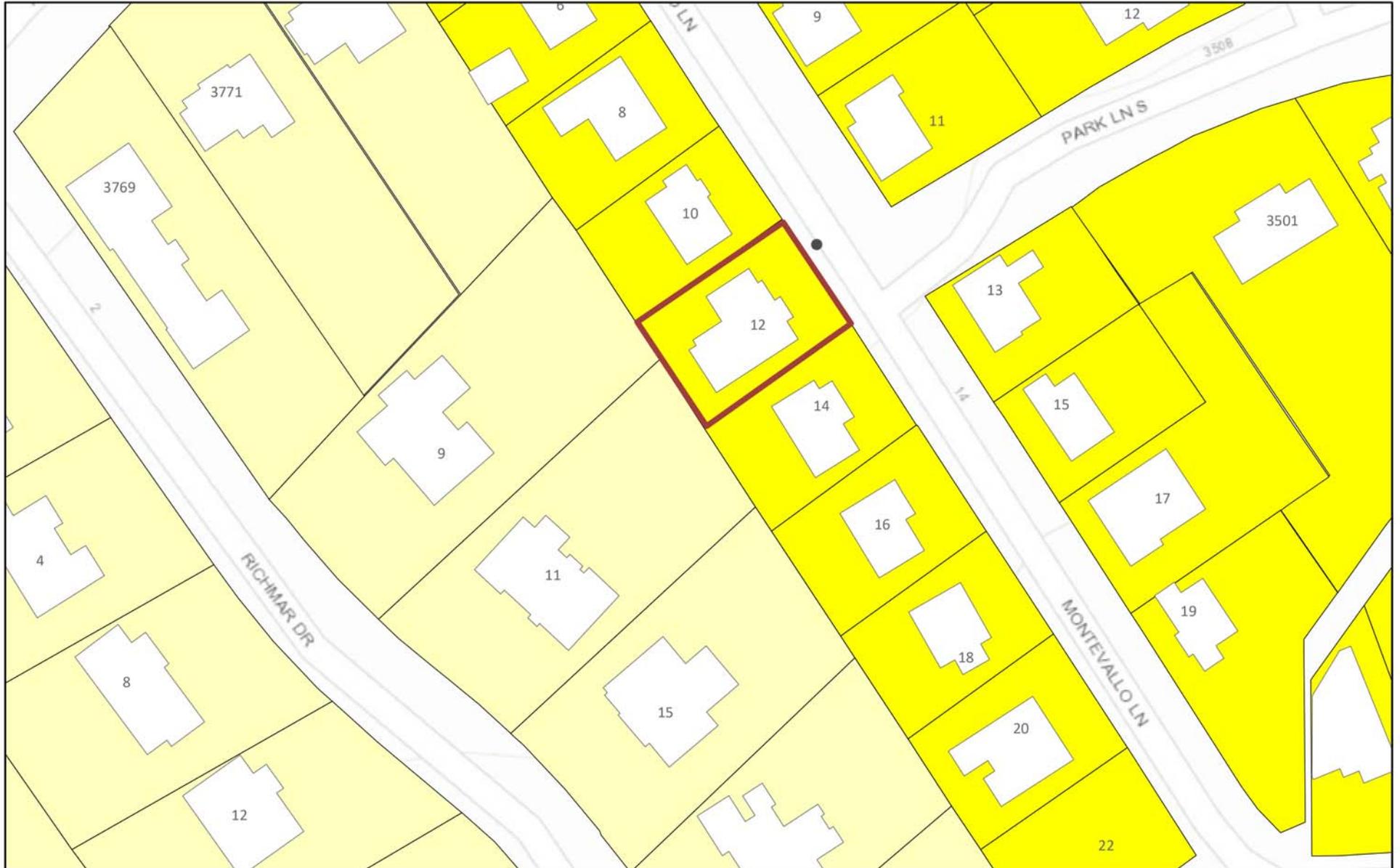
PLANNING BOARD

11

We are proposing to build a new house on the existing foundation of the existing house. The existing house is nonconforming to the current setbacks. The existing basement is to remain, the new framing will start at the main level of the house.



A-19-33 Zoning



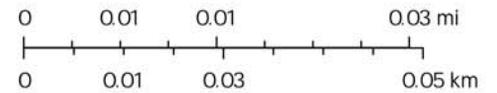
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Tax_Parcels

Residence A District

Residence B District

1:1,128



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS,

Web AppBuilder for ArcGIS
Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA | Hunter Simmons |

Report to the Board of Zoning Adjustment

A-19-33

Petition Summary

Request to allow a new single family dwelling to be 22.6 feet from the front property line, and 28.3 feet (house) and 23.3 feet (uncovered stair and rail) from the rear property line, all in lieu of the required 35 feet; and to be 10.1 feet from the side property line (north), and 12.1 feet from the side property line (south), both in lieu of the required 12.5 feet.

Analysis

The hardships in this case are the lot size (7,000 in lieu of the required 10,000), the shallow lot depth (100 feet), and the existing design constraints. The proposal is to construct a new house atop the existing foundation. Additional main level square footage is to be added to the right rear corner, matching side and rear yard encroachments; the new second floor is to match the foundation's front and side setbacks, but will maintain the required rear setback.

As staff and the Board have noted in the past, all of the lots on both sides of Montevallo Lane were platted with 20-foot front yard setbacks (County zoning prior to annexation into the city) and all of the houses exist at 20 feet from the front property line. Also, as noted below (*Background* section), the Board has approved similar variances for a front yard setbacks to be in line with others along the same street.

Background

On September 17, 2018, the Board approved Case A-18-28 for 7 Montevallo Lane to allow additions and alterations to the front porch of an existing single family dwelling to be 19.5 feet from the front property line (Montevallo Lane) in lieu of the required 35 feet.

On July 18, 2016, the Board approved Case A-16-31 for 8 Montevallo Lane to allow additions and alterations to an existing single family dwelling to be 25.4 feet from the rear property line (southwest) in lieu of the required 30 feet.

On December 19, 2016, the Board approved Case A-16-51 for 6 Montevallo Lane to allow a new single family dwelling to be 20 feet from the front property line (Montevallo Lane) in lieu of the required 35 feet.

On January 17, 2017, the Board approved Case A-17-03, for 10 Montevallo Lane, to allow a new single family dwelling to be 20 feet from the front property line (Montevallo Lane) in lieu of the required 35 feet.

Impervious Area

The proposal is in compliance with the allowable lot coverage, but exceeds the allowable impervious area (53% where the maximum allowed is 40%). Should the Board approve this case the project will have to comply with the maximum impervious area of 40%, either by reducing the proposed impervious area or mitigating it with on-site detention.

Subject Property and Surrounding Land Uses

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

Affected Regulation

Article IV, Residence B District; Section 129-52, Area and Dimensional Requirements

Appends

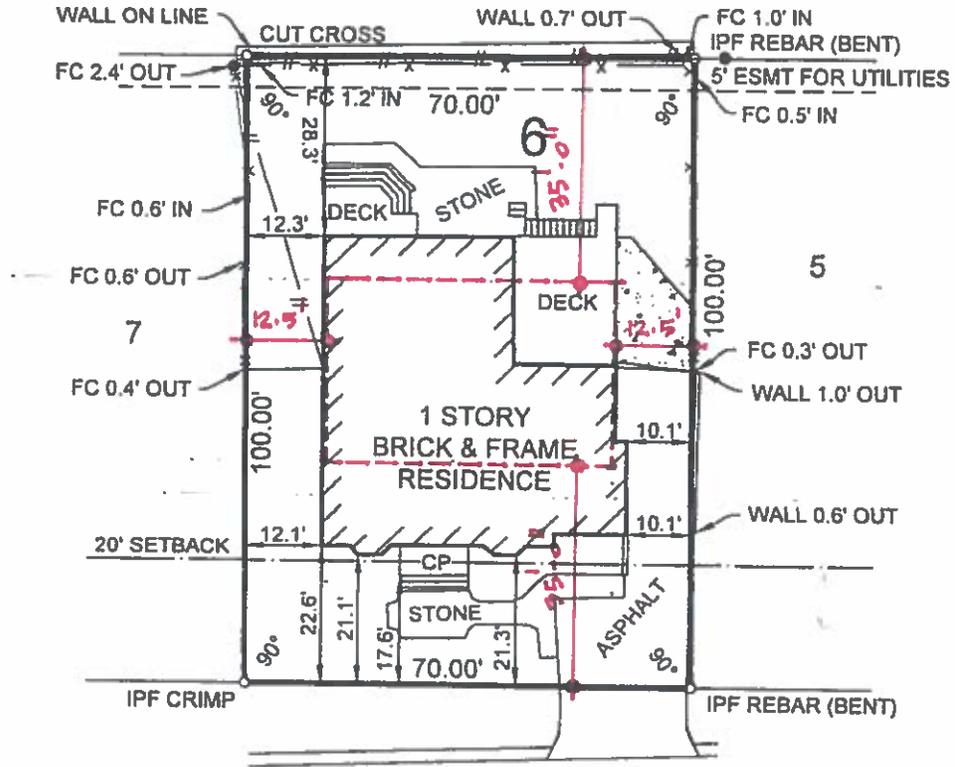
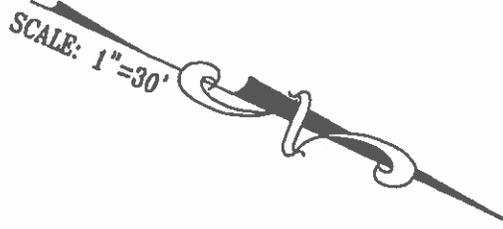
LOCATION: 12 Montevallo Lane

ZONING DISTRICT: Res-B

OWNERS: Jerry and Mary Louise Choate

LEGEND:

- ASPH = asphalt
- BGR = bearing
- BLDG = building
- CALC = calculated
- CAP = capped iron
- CL = centerline
- CH = chord
- CONC = concrete
- C = covered
- D = deflection
- DA = curve delta angle
- E = east
- ESMT = easement
- F = fence
- FND = found
- H = headwall
- IPF = iron pin found
- IPF* = iron pin found w/KBW cap
- IPF S = iron pin set w/SSI cap
- L = length
- MEAS = measured
- MIN = minimum
- MH = manhole
- N = north
- OH = overhang
- P = porch
- PC = point of curve
- PB = point of beginning
- POC = point of commencement
- PT = point of tangent
- PVMT = pavement
- R = radius
- REC = recorded
- RES = residence
- ROW = right of way
- S = south
- SAN = sanitary
- STM = storm
- SWR = sewer
- SYN = synthetic
- UTIL = utility
- U = uncovered
- W = west
- YI = yard inlet
- D = degrees
- M = minutes, in
- S = bearings or angles
- SEC = seconds, in
- B = bearings or angles
- F = feet, in distance
- A = acres
- M = more or less,
- P = plus or minus



MONTEVALLO LANE

EXISTING HOUSE SURVEY

STATE OF ALABAMA
SHELBY COUNTY

Carl Daniel Moore, a registered Land Surveyor, certify that I have surveyed Lot 6, MONTEVALLO LANE as recorded in Map Book 24, Page 76 in the Office of the Judge of Probate, Jefferson County, Alabama; 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; that the correct address is as follows: 12 Montevallo Lane according to my survey of August 1, 2019. Survey is not valid unless it is sealed with embossed seal or stamped in red.

SURVEYING SOLUTIONS, INC.
2232 CAHABA VALLEY DRIVE SUITE M
BIRMINGHAM, AL 35242
PHONE: 205-991-8965

Carl Daniel Moore

Carl Daniel Moore, Reg. L.S. #12159

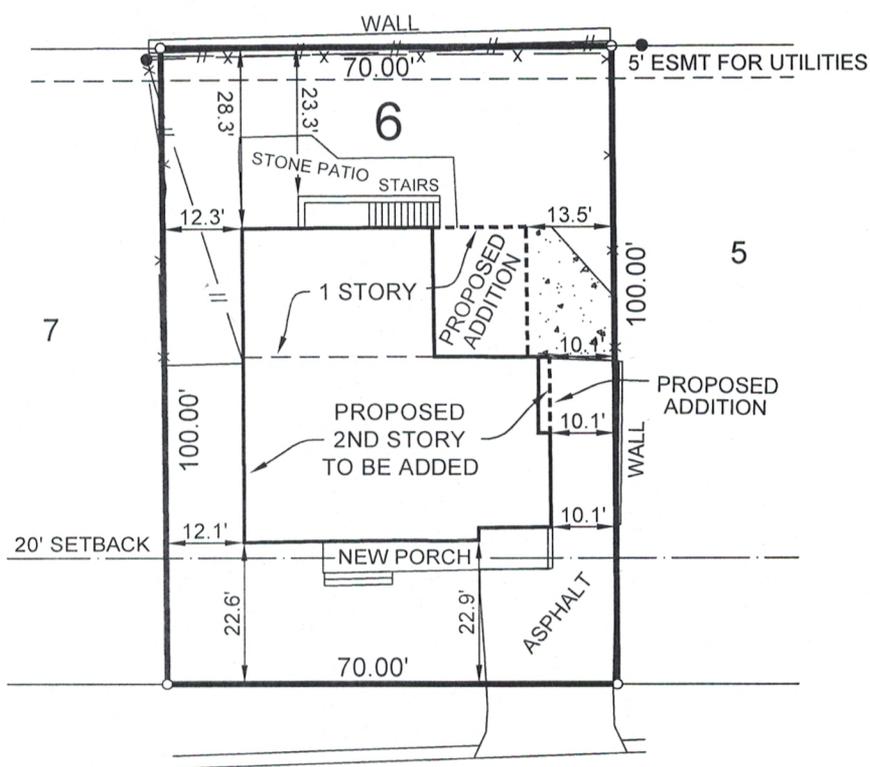
8-2-19

Date of Signature



Order No. 171365
Purchaser: Garbrick Choate
Type of Survey: Closing

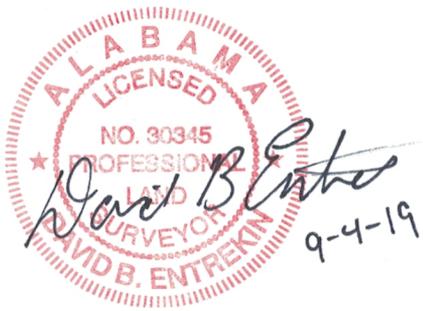
SCALE: 1"=30'



MONTEVALLO LANE

LOT = 7,000± SQ FT
 IMPERVIOUS BLDG = 1,948 SQ FT = 27.83%
 IMPERVIOUS SURFACE = 1,879 SQ FT = 26.84%

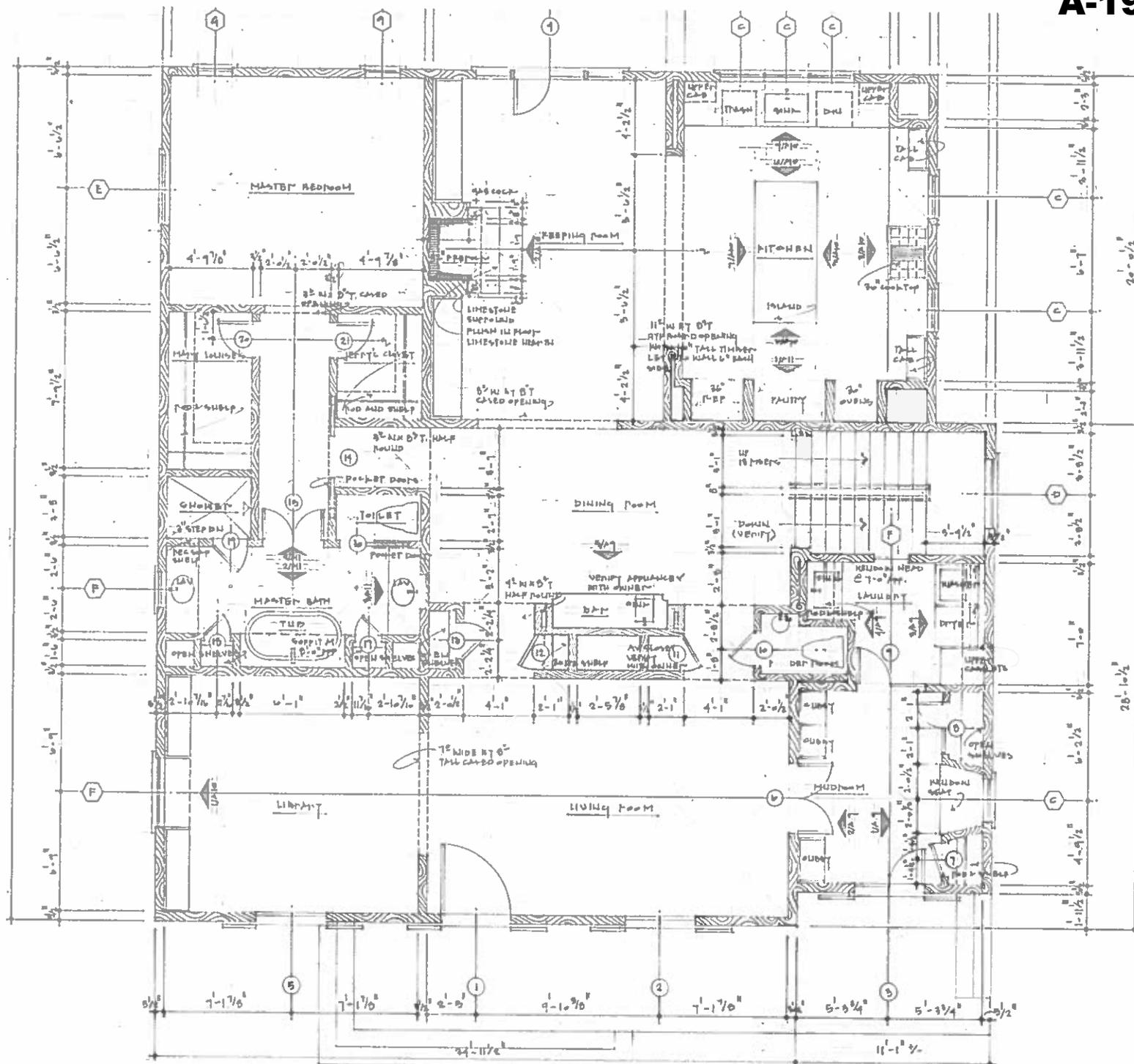
SITE PLAN
 (THIS IS NOT A SURVEY)
 LOT 6
 MONTEVALLO LANE



PREPARED BY: SURVEYING SOLUTIONS, INC.
 2232 CAHABA VALLEY DRIVE SUITE M
 BIRMINGHAM, AL 35242
 (205) 991-8965

PREPARED FOR: MARY LOUISE GARBRICK CHOATE
 12 MONTEVALLO LANE
 BIRMINGHAM, AL 35213
 (205) 901-6104

SCALE: 1" = 30' JOB NO. 171365 DATE: 8-2-2019 REV:9-4-2019
 \ACAD\SUBDIVISION\JEFFERSON COUNTY\MONTEVALLO LANE\LOT6 MONTEVALLO LANE



1. MAIN LEVEL FLOOR PLAN 1/4" = 1'-0"

Handwritten notes and dimensions on the right side of the page:

- 19'-5 1/2"
- 17'
- 34'-11"
- 15'-5"
- 17'-5"
- 4'-11 1/2"

PAUL BATES ARCHITECTS

2336 20th Avenue Alley S.W.
Birmingham Alabama 35222
205.414.9939
paulbatesarchitects.com

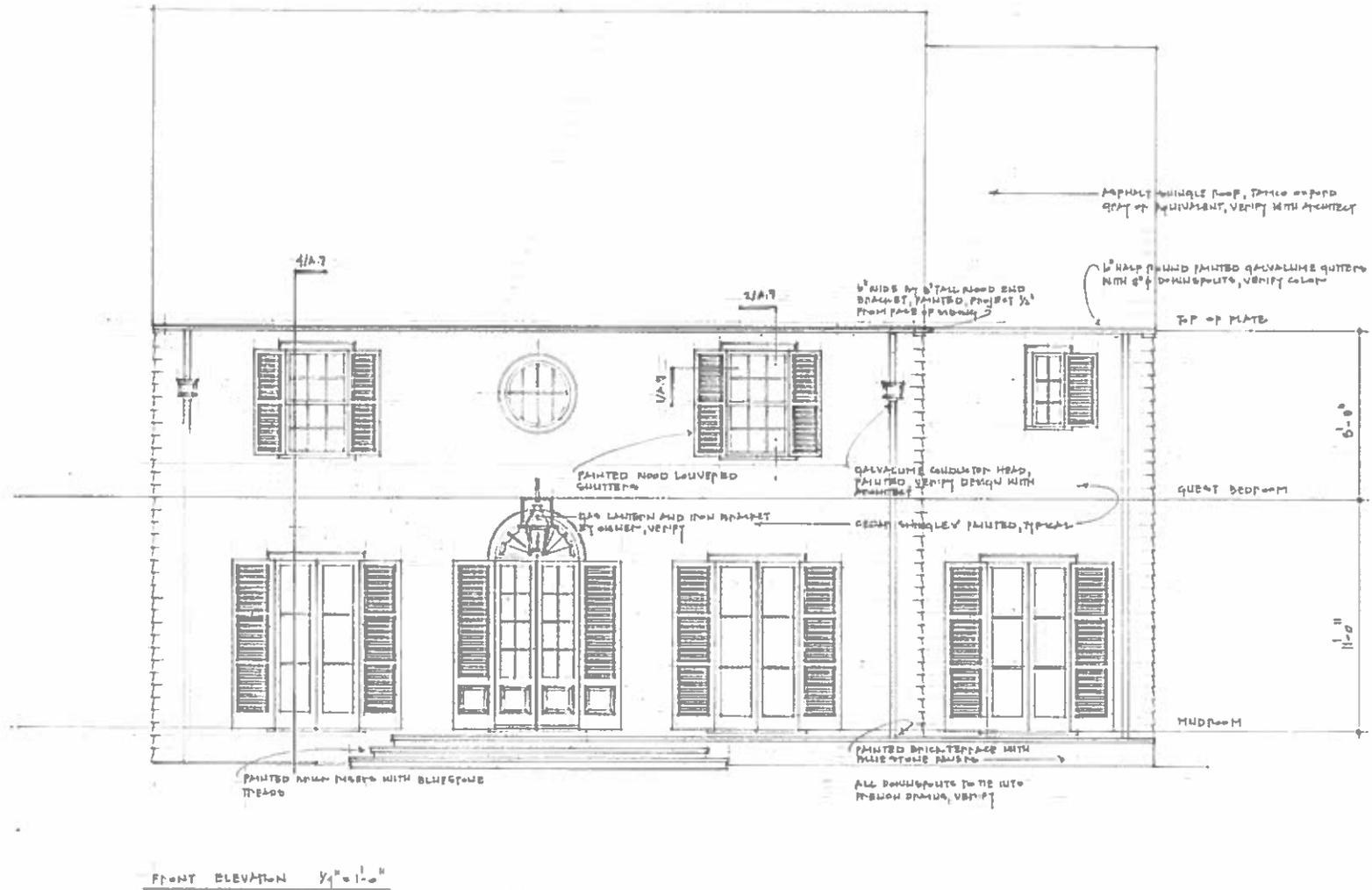
a renovation
for
the choate family

12 Montevallo Lane
Mountain Brook, Alabama

MAIN LEVEL FLOOR PLAN

DESIGNED 10, 2010
REVISED JANUARY 10, 2011

A.3



PAUL BATES
 ARCHITECTS

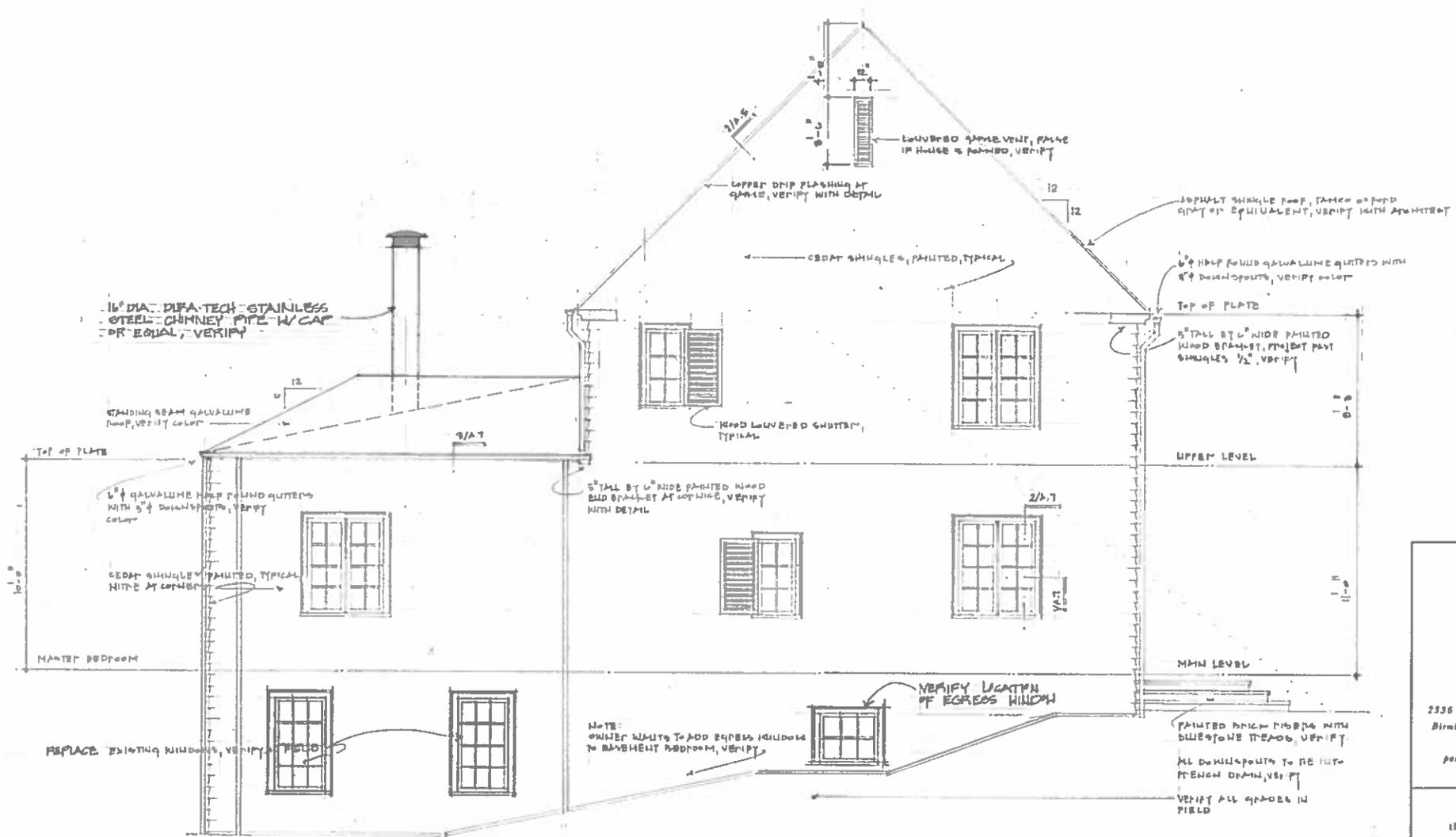
2336 20th Avenue Alley So.
 Birmingham Alabama 35211
 205.414.9939
 paulbatesarchitects.com

a renovation
 for
 the choate family
 12 monticello lane
 mountain brook, alabama

FRONT ELEVATION

DECEMBER 16, 2010
 REVISED JANUARY 18, 2011

A-9



PAUL BATES ARCHITECTS

2336 20th Avenue Alley Sae
Birmingham Alabama 35222
205.414.9939
paulbatesarchitects.com

a renovation
for
the choate family

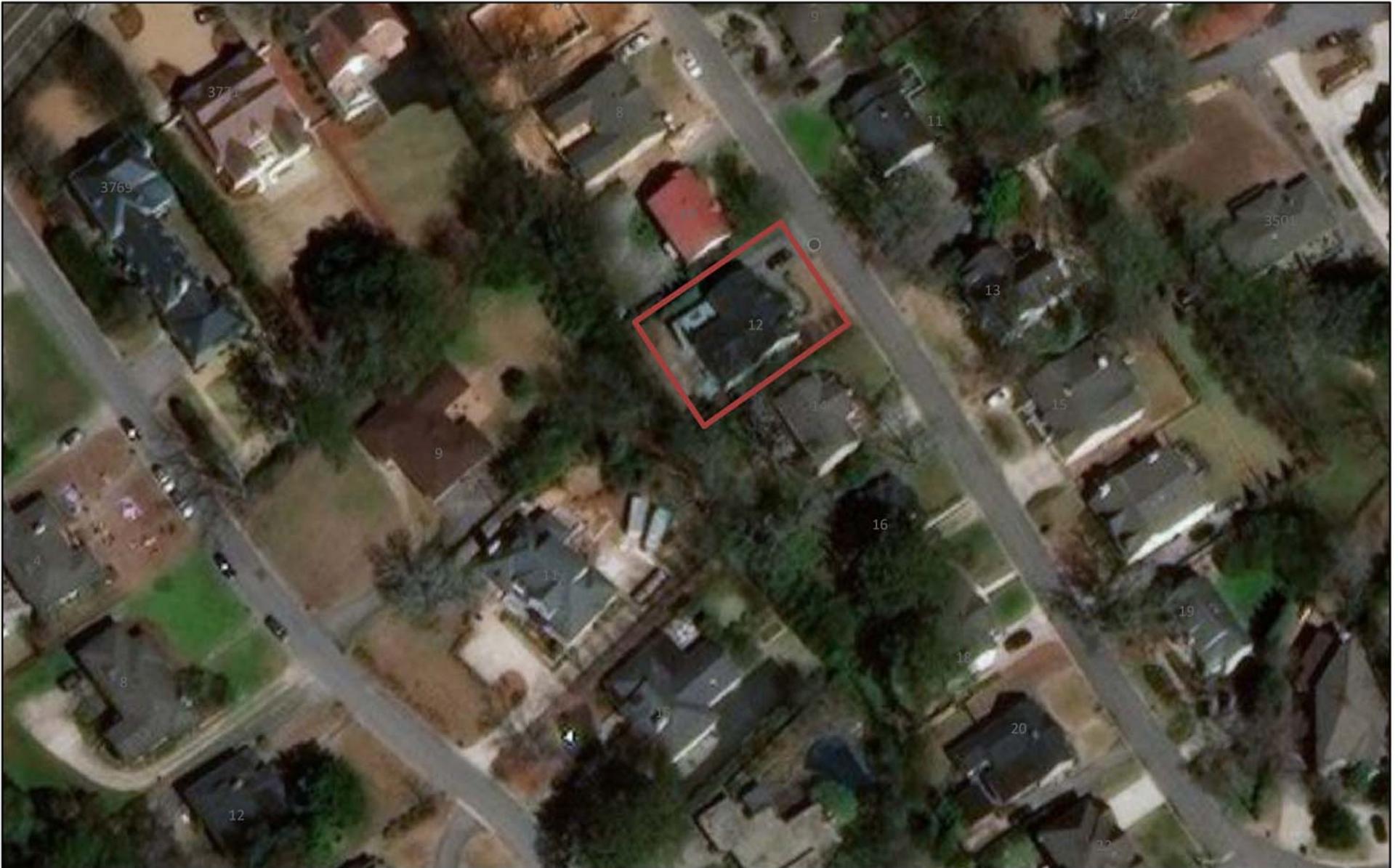
12 montevallo lane
mountain brook, alabaa

SIDE ELEVATION

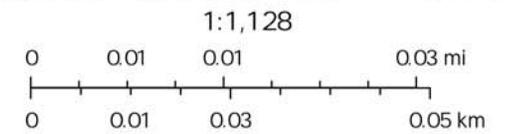
DECEMBER 13, 2018
REVISED JANUARY 10, 2019
REV. 06/27/2019

SIDE ELEVATION-W 1/4" = 1'-0"

A-19-33 Aerial



9/11/2019, 3:07:41 PM



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus

Web AppBuilder for ArcGIS
Hunter Simmons | DigitalGlobe, Microsoft |



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 EXISTING BUILDING FOUNDATION, WHICH WE ARE REBUILDING ON TOP OF DOES NOT CONFORM TO THE CURRENT SETBACKS IMPOSED ON THE LOT.

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?

THIS VARIANCE WOULD ALLOW 12 MONTEVALLO LAKE, TO BE CONSISTENT WITH NON CONFORMING ADJACENT PROPERTIES.



Variance Application - Part I

Project Data

Address of Subject Property 56 Randolph Road

Zoning Classification Residence 'A'

Name of Property Owner(s) Justin M. Drummond and Claire M. Drummond

Phone Number 205. 515 - 4226 Email jdrummond@stonebuilding.com

Name of Surveyor Walter Schuel Engineering by Joseph F Breighner, Jr.

Phone Number 205. 323 - 6166 Email jfb@schuel.com

Name of Architect (if applicable) Barrett Architecture Studio, by Lauren Barrett

Phone Number 205. 250 - 0161 Email lauren@barrettarchstudio.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>	40'	30'	30' *
Front Setback (ft) <i>secondary</i>	40'	19.6'	19.6'
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			* 3' cantilevered canopy
Other			



August 22, 2019

Dana Hazen
Director of Planning, Building & Sustainability
City of Mountain Brook
56 Church Street
Mountain Brook, Alabama 35213

re: BZA Application - 56 Randolph Road

To Members of the Board of Zoning Adjustment,

In support of the attached application and documents for the variance request for the referenced property, please consider the following:

- a. The subject property is within the Residence 'A' District, and pre-dates current zoning regulations and setbacks. Being a corner property fronting both Randolph Road and Fairway Drive, both the primary and secondary front setbacks are set at 40 feet.
- b. The "primary front" of the existing house faces Randolph Road and is 30' from the front property line. Part of this variance request is for a 3' deep wood framed cantilevered canopy over the existing front door, which presently has no cover from the weather. The new canopy will be supported from the wall without columns.
- c. The "secondary front" of the existing house faces Fairway Drive and is 19.6' from the property line. Part of this variance request is for 'filling-in' a portion of a recessed area, and the small area will be approximately 37' from the property line, but will not extend beyond any portion of the existing house.
- d. The variance request is based on the fact that the current front yard setbacks were established a number of years after the home was originally constructed, and the line of the cantilevered canopy is consistent with other homes on the street; and, the 'filling-in' portion the request will be significantly behind the current wall of the house (and further from the street) facing Fairway Drive.
- e. The requested variance is fully in harmony with the purpose and intent of the Zoning Regulations.

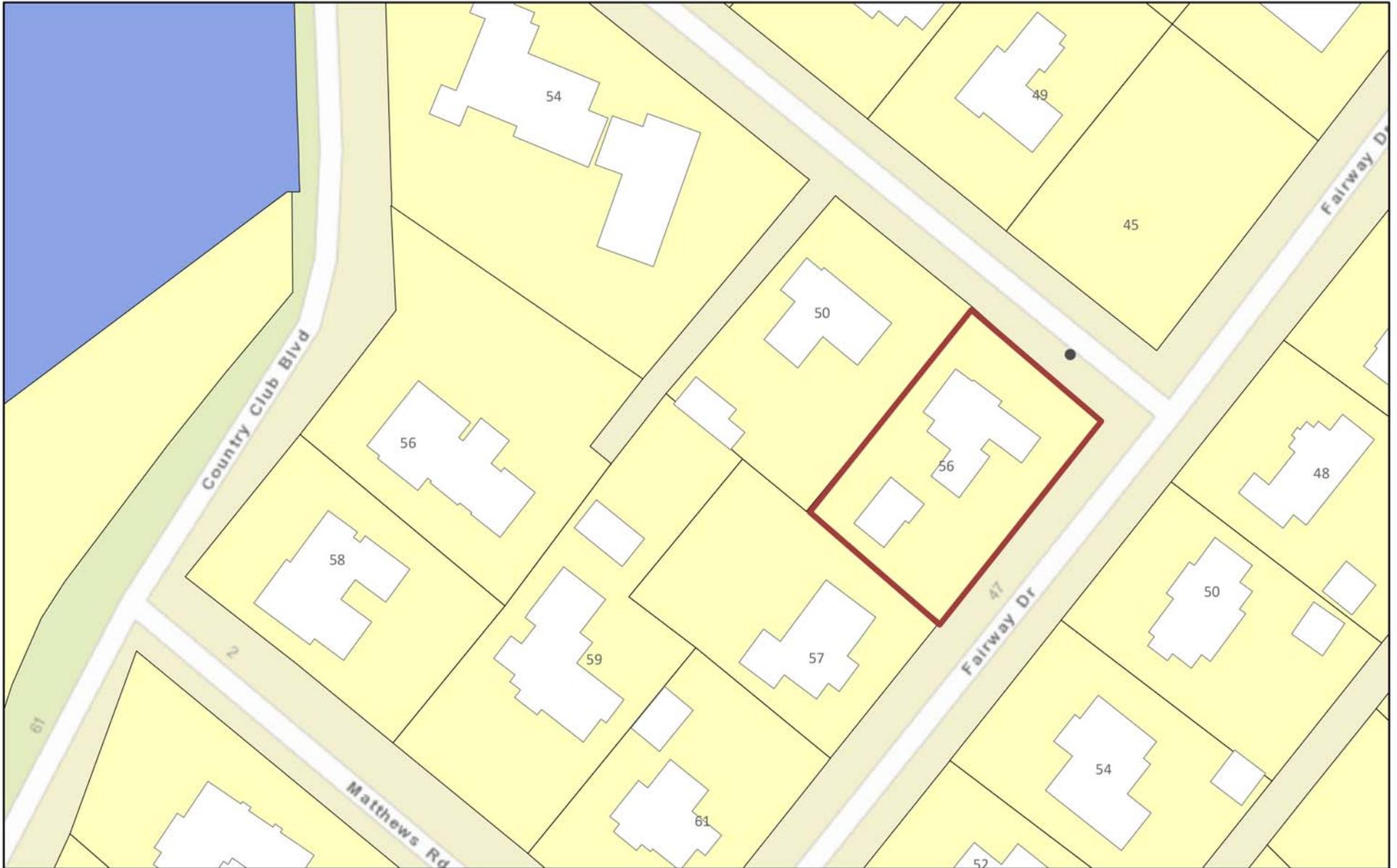
The attached site plan and architectural drawings demonstrate the existing setbacks and the proposed new work.

Regards,

Barrett Architecture Studio, LLC

Lauren Barrett, AIA

A-19-34 Zoning



9/11/2019, 3:54:56 PM

Tax_Parcels

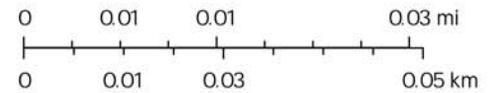


Rec-2



Residence A District

1:1,128



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan,

Web AppBuilder for ArcGIS
Hunter Simmons | Esri, HERE, Garmin, INCREMENT P, NGA, USGS |

Report to the Board of Zoning Adjustment

A-19-34

Petition Summary

Request to allow additions and alterations to an existing single family dwelling to be 27 feet from the primary front property line (Randolph Road), and to be 36.5 feet from the secondary front property line (Fairway Drive), both in lieu of the required 40 feet.

Analysis

The hardships in this case are the existing design constraints and the corner lot configuration. The proposal includes the addition of a 3-foot deep cantilevered canopy at the front door (facing Randolph Road); also, to “fill in” a recessed area on the portion of the house that faces Fairway Drive. Both encroachments are minor in nature; the approvals of which are not anticipated to be detrimental to the streetscapes.

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

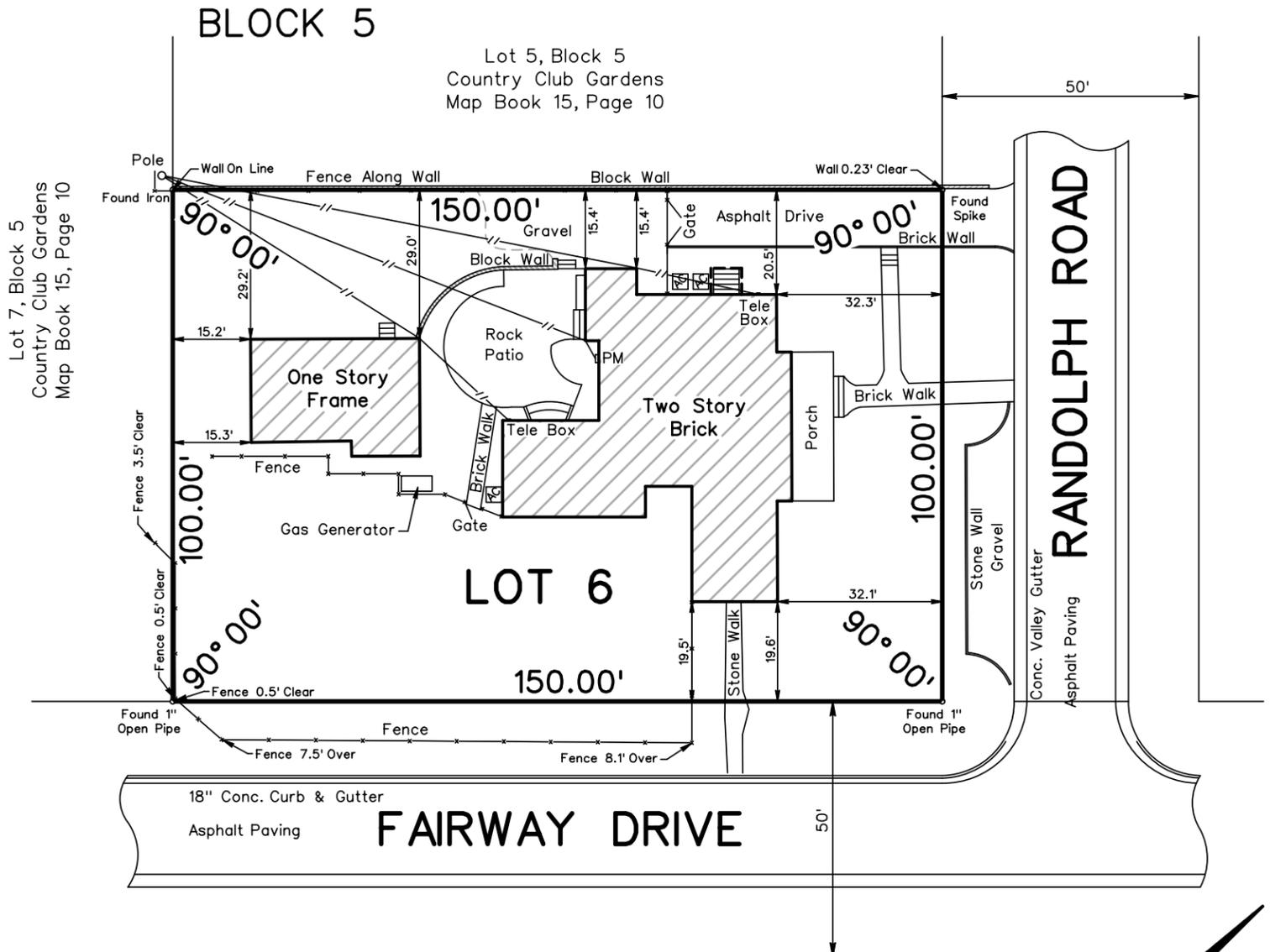
Article III, Residence A District; Section 129-34, Area and Dimensional Requirements

Appends

LOCATION: 56 Randolph Road

ZONING DISTRICT: Res-A

OWNERS: Justin and Claire Drummond



STATE OF ALABAMA
JEFFERSON COUNTY

I, Joseph F. Breighner, Jr., a Registered Professional Land Surveyor in the State of Alabama, hereby certify that this survey and drawing of the parcel described hereon, were made by individuals under my supervision (Field Work performed on May 20, 2019), and 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.

This property is not located within the 100 year flood area and is in Unshaded Zone "X" (areas determined to be out of 0.2% annual chance floodplain) as shown on the National Flood Insurance Programs "FIRM" Flood Insurance Rate Map of Jefferson County, Alabama, according to Panel 557 of 755, Map Number 01073C0557H dated September 3, 2010, as published by the Federal Emergency Management Agency.

SCHOEL ENGINEERING CO., INC.

Joseph F. Breighner, Jr.
Joseph F. Breighner, Jr., Alabama License No. 17518
Issue Date: May 21, 2019



LEGAL DESCRIPTION

Lot 6, Block 5, Country Club Gardens, as recorded in Map Book 15, Page 10 in the Office of the Judge of Probate of Jefferson County, Alabama.

Containing 15,000 Square Feet or 0.344 Acres.

G:/19/102/Lot Survey/19102_Lot Survey.dgn

DATE: 5/21/2019
DRAWN BY: N.R.F.
CHECKED BY: J.F.B.
FIELD CREW: P.D.W.
FIELD BOOK: #3025

**56 RANDOLPH ROAD
MOUNTAIN BROOK, ALABAMA
BOUNDARY SURVEY**

Copyright © 2019 Walter Schoel Engineering Company, Inc.

SCHOEL
Consulting Engineers

1001 22nd Street South
Birmingham, Alabama 35205
205.323.6166

Civil
Surveying
Environmental
Water Resources
High Definition
Surveying

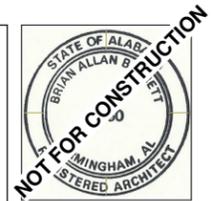


2 PERSPECTIVE VIEW

RENOVATION NOTES

- | 1. Selective Demolition | 2. General Notes |
|---|---|
| A. Protect all hardwood floors with min. one layer of 46mil Ram Board Protection Roll before beginning demolition operations. Maintain floor protection throughout demolition activities. Carefully protect existing front door for duration of construction; and or remove and temporarily replace with construction door - while protecting existing door frame. Protect all interior handrails noted to remain from damage during entire construction phase. | A. Existing free-standing garage structure is not in scope of work. |
| B. Carefully mark limits of all proposed selective wall, door and window openings for approval prior to cutting. | B. Examine all brick veneer to remain in place for excessive erosion of mortar joints and settlement of brick veneer. Point-up joints in a manner consistent with good masonry practice. |
| C. Remove all plaster and lath from existing walls and ceilings, including insulation unless noted otherwise. | C. Examine all joints in metal roofing where adjacent to brick veneer. Clean and re-caulk with sealant appropriate to the application. Note any flashing that has deteriorated or is un-sound, and contact Architect or Owner for proposed remediation. |
| D. Remove all existing ceramic tile floor and wainscoting to face of studs. | D. If during the build-back, the Contractor becomes aware of any condition, structural soundness, prior termite infestation, water damage, and the like, he shall immediately contact Architect and Owner before proceeding. |
| E. Turn off water, gas and electricity at meter or panel boards unless otherwise directed by Owner. | E. All exterior exposed wood shall receive one coat latex primer and two coats latex semi-gloss paint. Primer may be omitted on existing wood. |
| F. Disconnect all plumbing fixtures from supplies and drains prior to removal of all plumbing fixtures. | F. Contractor shall engage a profession chimney cleaning service to examine soundness and cleanliness of both chimneys; and notify Architect and Owner of any condition needing repair. Include normal cleaning of both chimney flues and dampers in scope of work. |
| G. Protect existing HVAC equipment, refrigerant lines, ductwork, and openings from damage during demolition and build-back activities. | |
| H. Do not remove or damage existing windows and exterior doors prior to replacement. | |
| I. Carefully remove brick veneer with hand tools wherever possible. Clean and store as directed all sound half and whole brick for future re-use on house. | |
| J. Do not remove any existing roof until immediately prior to re-roofing. Expose only the amount of roof to be replaced during each work day. Examine existing roof deck and verify any deck that is not sound. Provide a material and labor allowance per SF to remove and replace unsound decking. Document any un-sound wood deck with photographs for confirmation. | |
| K. Carefully mark extent of exterior demolition of walks, patios, steps and the like for approval prior to cutting and removal. All trees marked for removal shall be removed in their entirety. For trees larger than 4" caliper, where stump removal is impractical, stumps may be ground to min. 6" below finish grade. | |
| L. Provide soil erosion and sediment control as required by the City of Mountain Brook. Maintain protection throughout course of construction. | |
| M. Contractor shall be responsible for all costs associated with demolition debris removal from the property. Provide roll-off dumpster to store all demolition debris, and locate where designated by Owner. | |

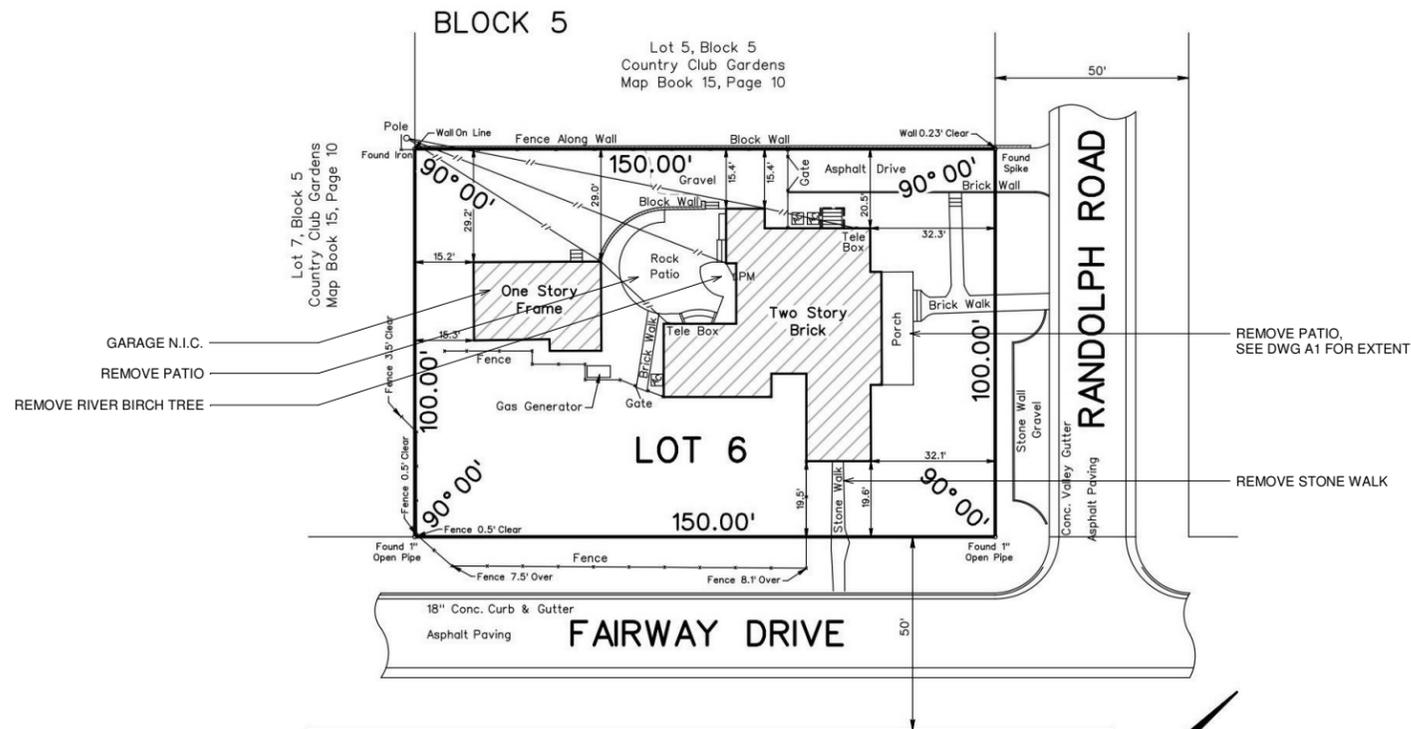
BUILDING COVERAGE DATA	MAX ALLOWABLE UNDER ROOF	MAX IMPERVIOUS SURFACES
ALLOWABLE FOR 15,000 SF LOT	25.0% = 3,750.00 SF	30.0% = 4,500.00 SF
EXISTING	19.6% = 2,941.95 SF	31.6% = 4,738.11 SF
PROPOSED	20.6% = 3,095.89 SF	29.8% = 4,476.50 SF



BARRETT
ARCHITECTURE
STUDIO

2320 HIGHLAND AVENUE
SUITE 250
BIRMINGHAM, ALABAMA 35205
205.250.6161
barrettarchstudio.com

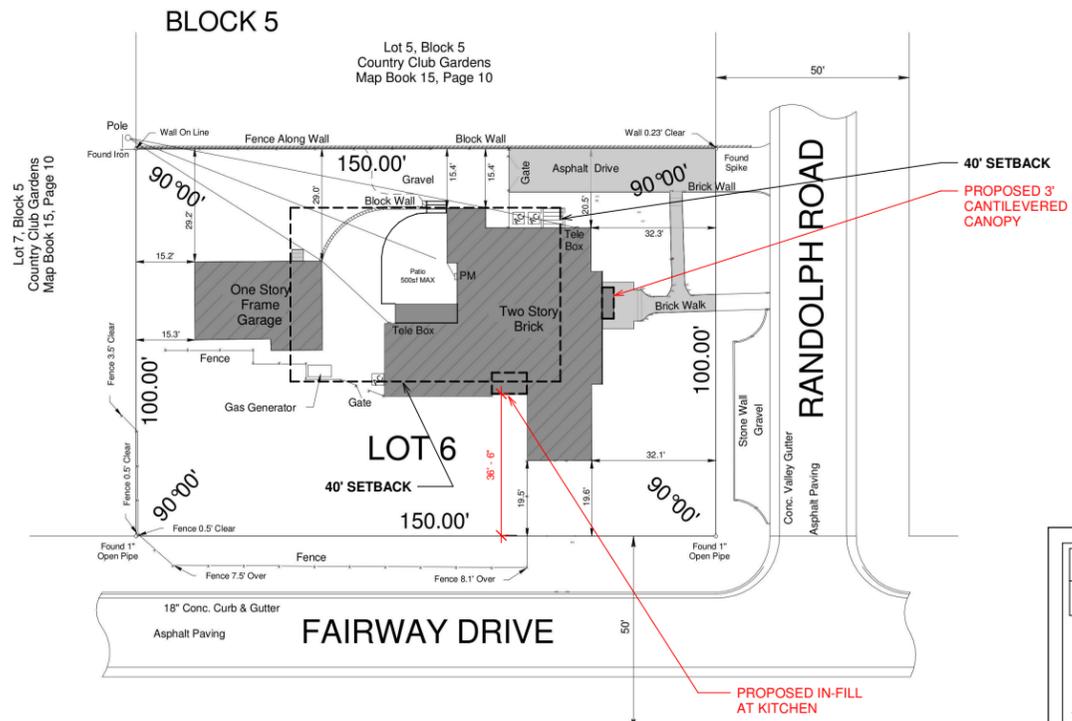
DRUMMOND RESIDENCE RENOVATIONS
56 RANDOLPH ROAD
MOUNTAIN BROOK, ALABAMA



Scale: 1" = 20'
Graphic Scale



EXISTING SITE PLAN



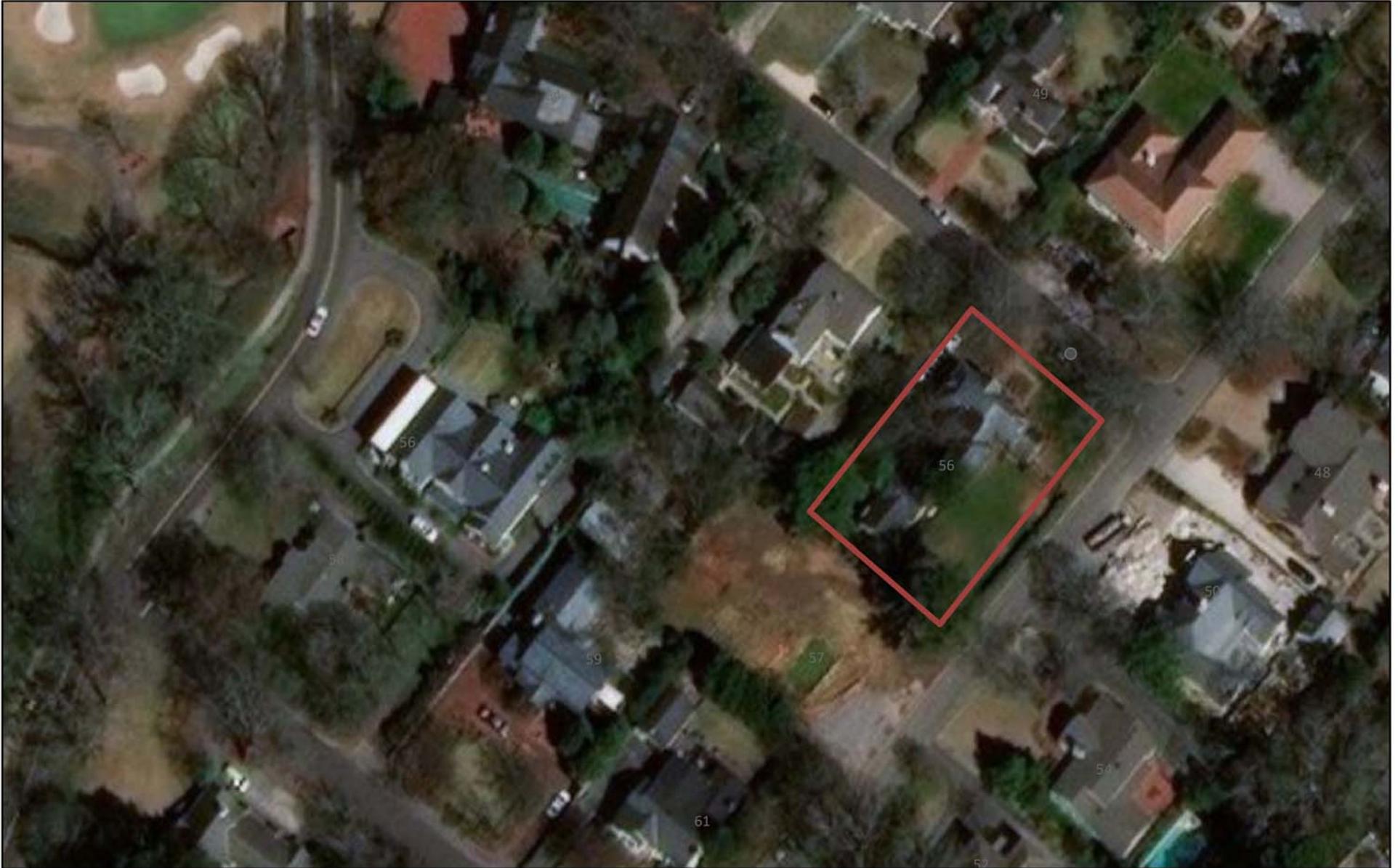
PROPOSED SITE PLAN

Revision Schedule	
Revision Date	Revision Number

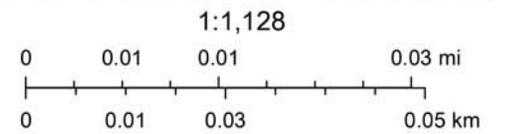
REVISIONS

DATE	08.09.19
PROJECT NUMBER	18-045
SHEET TITLE	Site Plan
SHEET NUMBER	A0
OF	
PM: Author	CR: Checker

A-19-34 Aerial



9/11/2019, 3:56:47 PM



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus

Web AppBuilder for ArcGIS
Hunter Simmons | DigitalGlobe, Microsoft |



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 house was constructed prior to the establishment of setbacks, as were other houses on the same street. Because the house is closer to the front property lines than permitted under current regulations. The house is deemed compliant based on section 129.35 (a)(1). A cantilevered canopy not exceeding 3' is allowed on the house, measured from the 40' setback. The "infill" on the Fairway Drive side is not reducing the distance between the house and the property line.

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 condition was created due to the house being constructed before zoning setbacks were established.

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

- 1) The front of the house that faces Randolph Road is very closely aligned with the front of the other houses.
- 2.) The front of the house that faces Fairway Drive is 19.6' from the property line. The proposed small "infill" is significantly further from the street than the wall that is 19.6 feet away



Variance Application - Part I

Project Data

Address of Subject Property 2121 English Village Lane
 Zoning Classification Residence C District
 Name of Property Owner(s) Burkman Hawk
 Phone Number 256-738-4373 Email burkmanhawk@gmail.com
 Name of Surveyor Ray Weygard
 Phone Number 205-942-0086 Email info@weygardsurveyors.com
 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)			
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 →			5.2
Rear Setback (ft)			
Lot Coverage (%)			
Building Height (ft)			18
Other			17
Other			

2121 English Village Project Scope:

The proposed project is the replacement of an existing 20 x 20 deck that has been deemed unsafe due to old age and weathering. The new build is the exact same footprint as the existing deck with the only change being an added roof covering half of the area to allow for a screened in section.

A-19-35 Zoning



9/11/2019, 4:03:22 PM

Tax_Parcels  Residence C District

0

Report to the Board of Zoning Adjustment

A-19-35

Petition Summary

Request to allow a covered deck (26 feet high at midpoint of roof) to be 5.2 feet from the side property line (northeast), and a stair/handrail (15 feet high) to be 1 foot from the side property line (northeast), both in lieu of the required 8 feet.

Analysis

The hardships in this case are the narrowness of the lot (50 feet), the existing design constraints, and the steep topography at the rear of the property. The proposal is to replace an existing deteriorated deck and stair in the same location; the existing deck and stair are open; the proposed new deck is to be covered and screened in. The reason for the improvements being proposed close to the east side property line is that the driveway and parking take access from the site's west side.

Article IV of the zoning code allows a house on a narrow Res-C lot to be up to 22 feet high within 8 feet of the side property line. Any open stair is allowed to be up to the side property line, but is then limited to 8 feet in height.

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 V, Residence C District; Section 129-63, Special Provisions for Nonconforming Residence C Lots

Appends

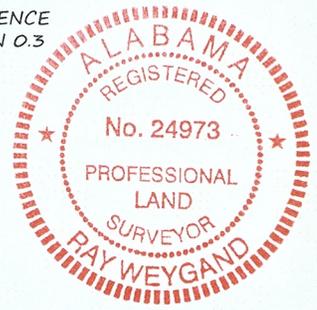
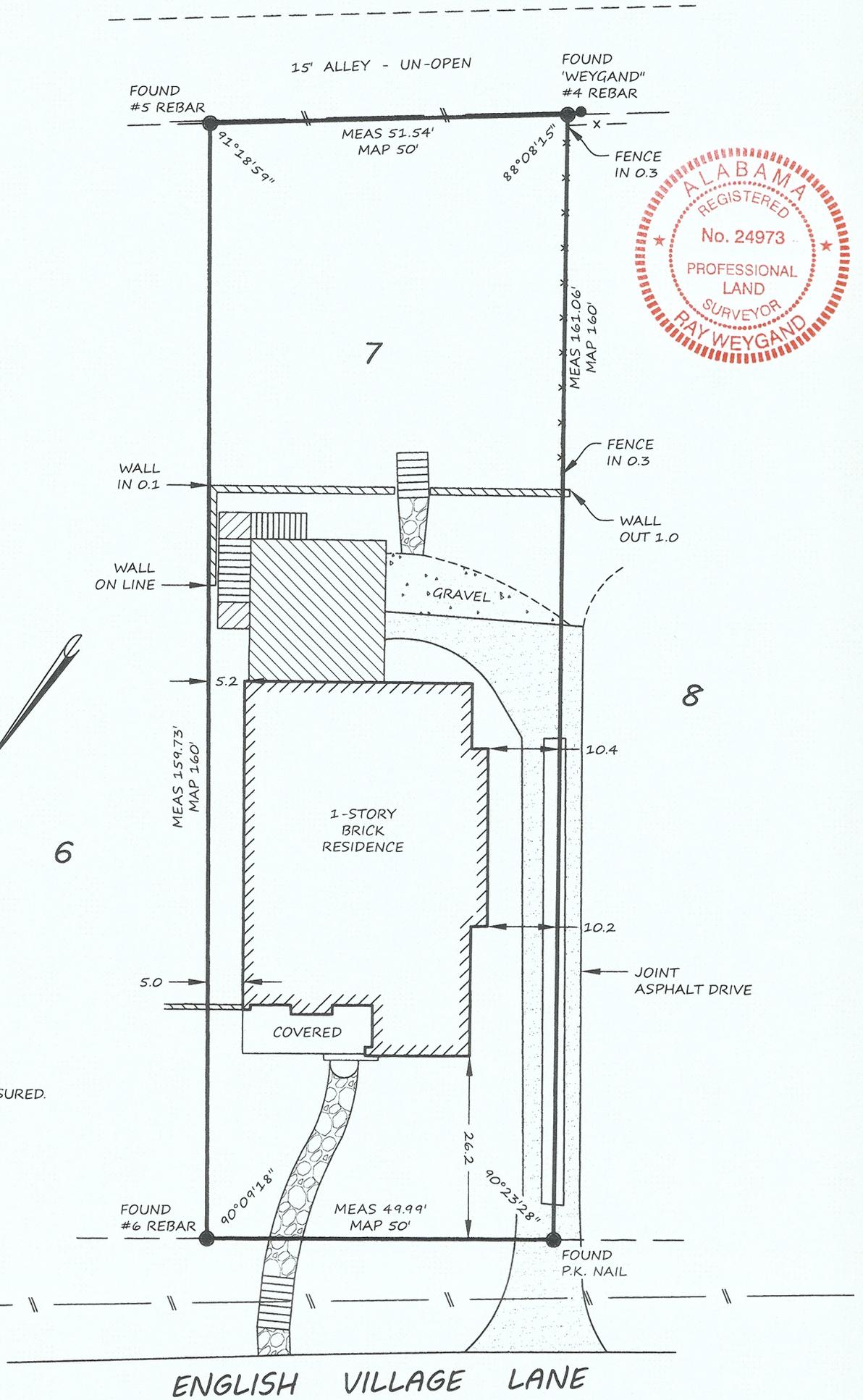
LOCATION: 2121 English Village Lane

ZONING DISTRICT: Res-C

OWNER: Burnham Hawk

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—	POWER LINE
PVMT	PAVEMENT
W/	WITH
TAN	TANGENT
RES	RESIDENCE
oLGT	LIGHT
COV	COVERED
▨	DECK
○	CONCRETE
▨	WALL



NOTES:
1. ANLGES ARE AS MEASURED.

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 7, BLOCK 5, MAP OF RESURVEY OF FIRST ADDITION OT SOUTH HIGHLANDS, as recorded in Map Volume 7, Page 105 & 106, 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 AUGUST 28, 2018. Survey Invalid if not sealed in red.

Order No.: 1163
Purchaser: HAWK
Address: 2121 ENGLISH VILLAGE LANE

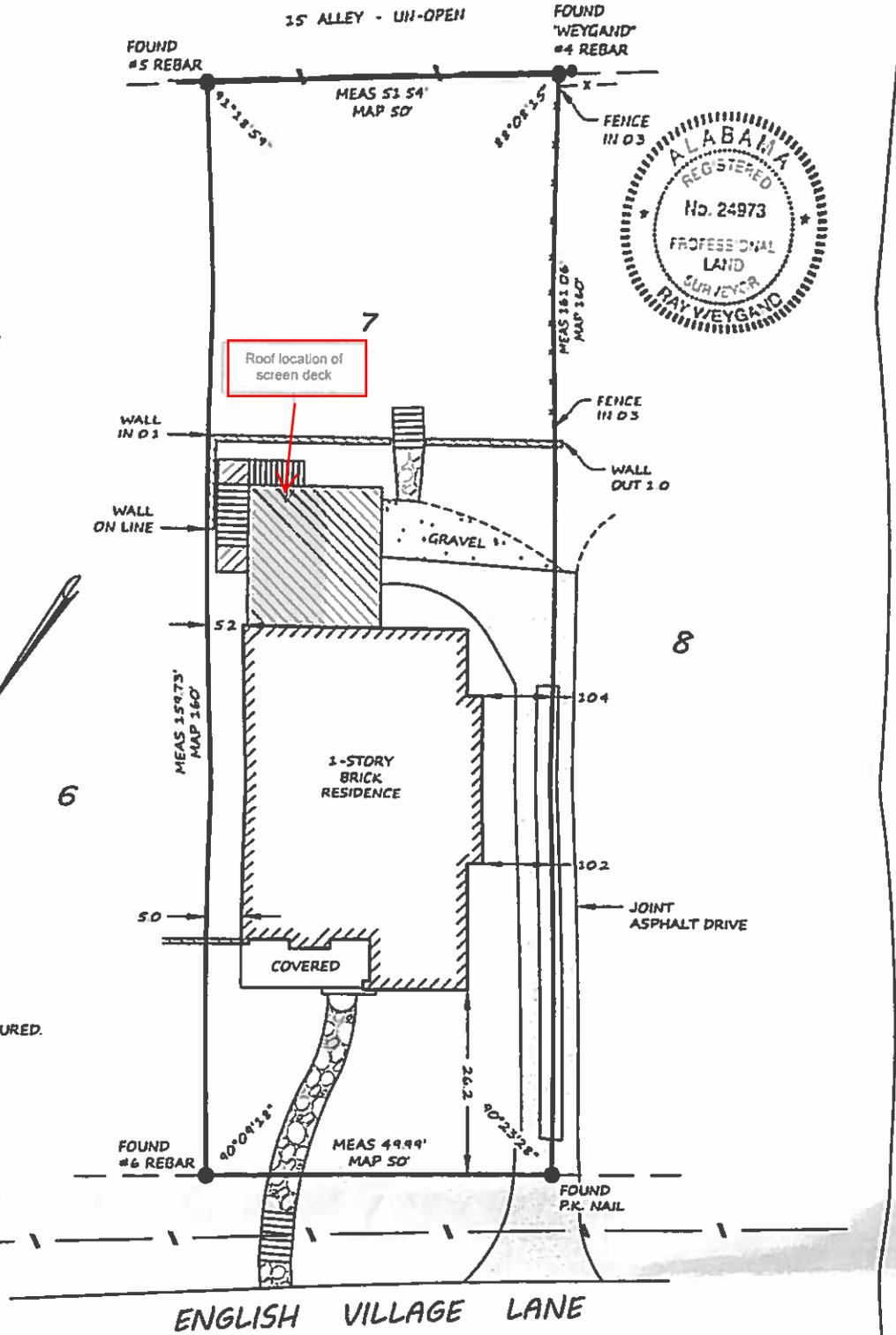
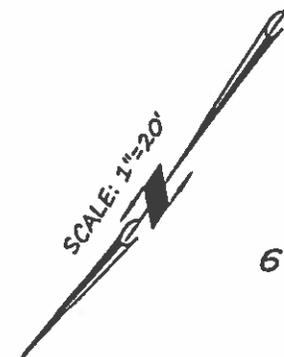
Ray Weygand, Reg. L.S. #24973
169 Oxmoor Road Homewood, AL 35209
Phone: (205) 942-0086 Fax: (205) 942-0087
Copyright ©



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.

LEGEND

ASP	ASPHALT
BLDG	BUILDING
CALC	CALCULATED
MEAS	MEASURED
CH	CHORD
LNC	LONG CHORD
d	DEFLECTION
Δ	DELTA
ESMT	EASEMENT
HW	HEADWALL
MN	MANHOLE
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
E	CENTERLINE
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○	POLE
○	ANCHOR
X	FENCE
—	POWER LINE
PVMT	PAVEMENT
W/TAN	TANGENT
RCS	RESIDENCE
SLGT	LIGHT
COV	COVERED
■	DECK
○	CONCRETE
—	WALL



NOTES:
1. ANLGES ARE AS MEASURED.

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 7, BLOCK 5, MAP OF RESURVEY OF FIRST ADDITION OF SOUTH HIGHLANDS, as recorded in Map Volume 7, Page 105 & 106, 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 AUGUST 26, 2018. Survey invalid if not sealed in red

Order No: 1163
Purchaser: HAWK
Address: 2121 ENGLISH VILLAGE LANE

[Signature]
Ray Weygand, Reg. L.S. #24973
169 Osborn Road, Homewood, AL 35209
Phone: (205) 942-0086 Fax: (205) 942-0087



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.



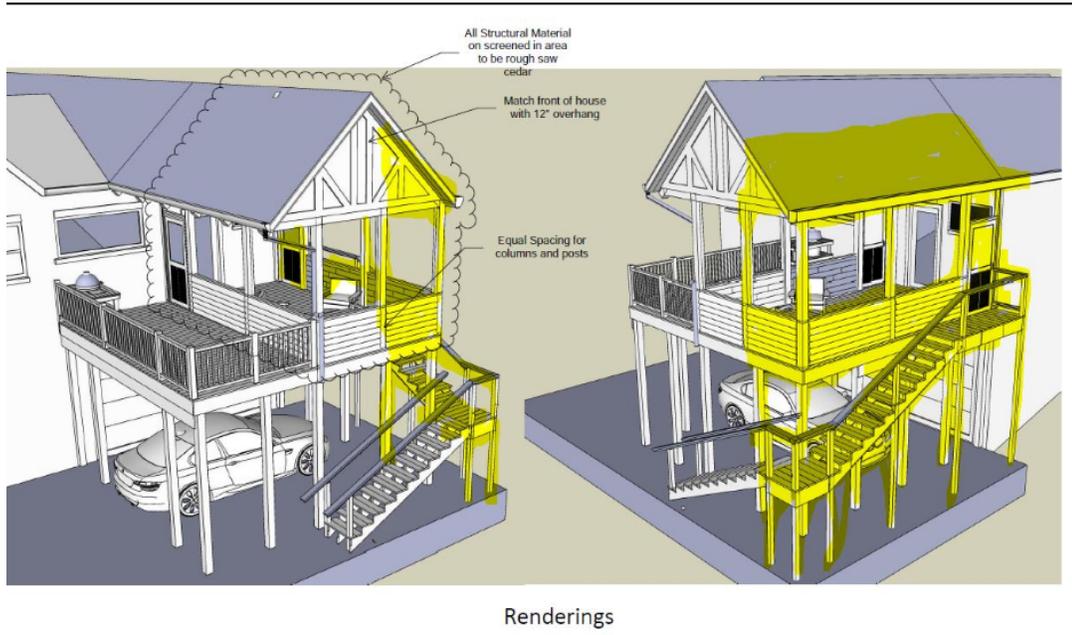
Dana Hazen <hazend@mtnbrook.org>

A-19-35 Proposed Encroachments

1 message

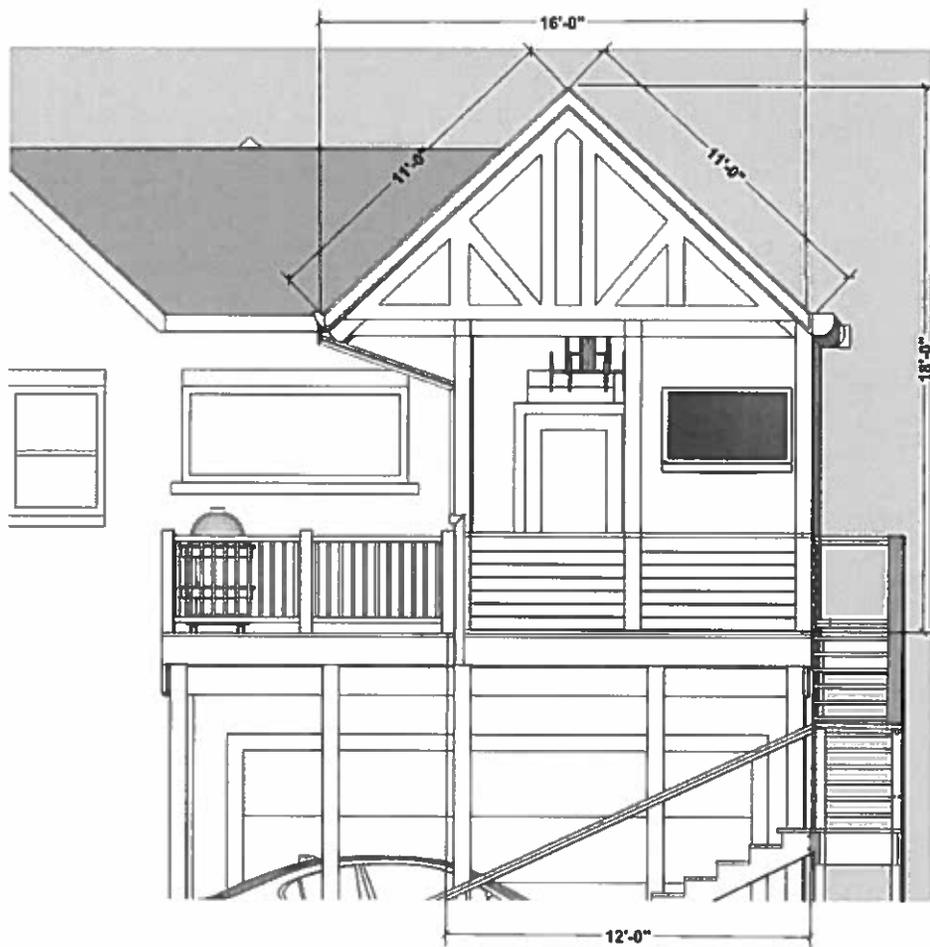
Dana Hazen <hazend@mtnbrook.org>
To: Dana Hazen <hazend@mtnbrook.org>

Mon, Sep 9, 2019 at 5:20 PM

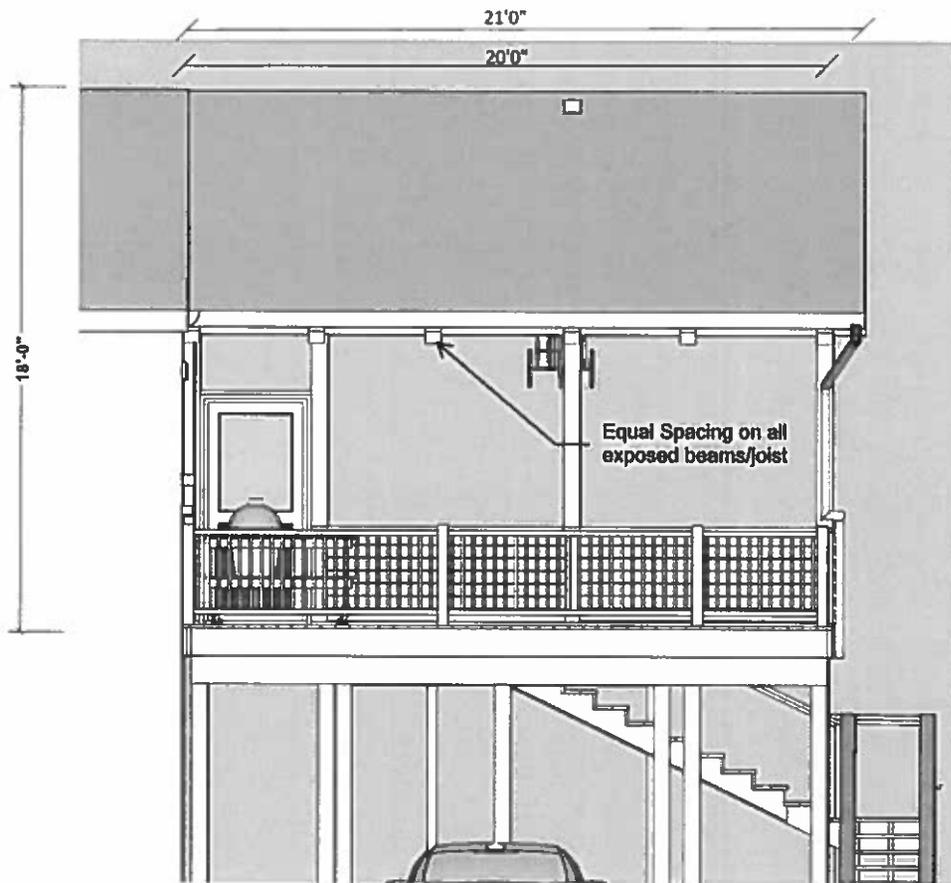


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Dana O. Hazen, MPA, AICP
Director of Planning, Building & Sustainability

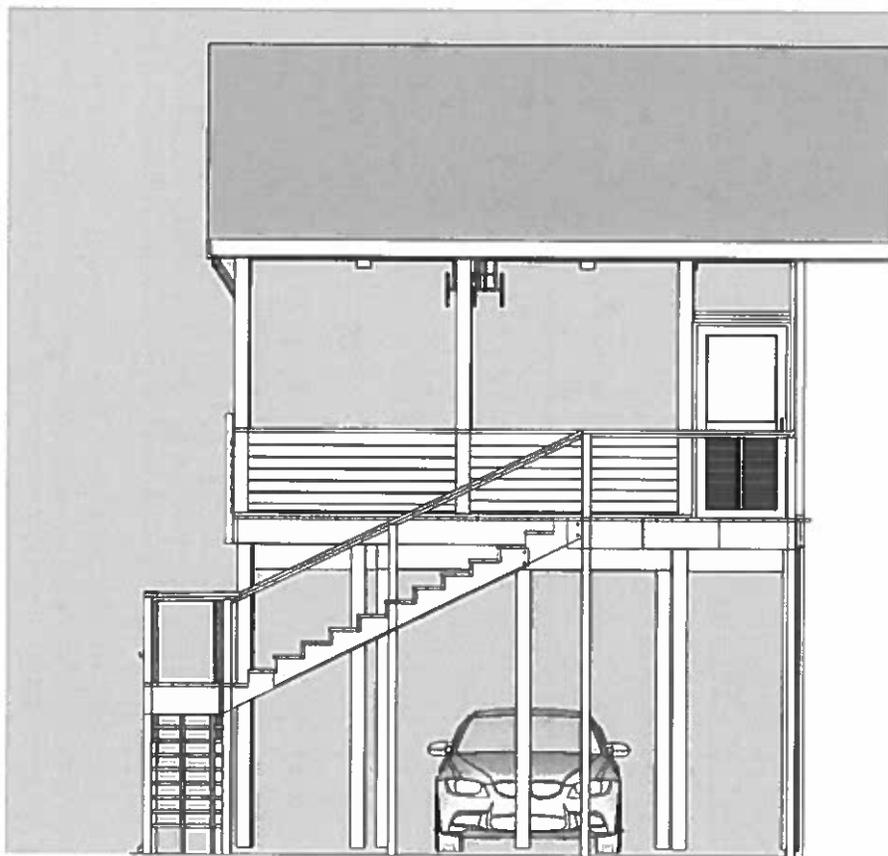
205/802-3816 phone
205/879-6913 fax
City of Mountain Brook
56 Church Street
Mountain Brook, AL 35213



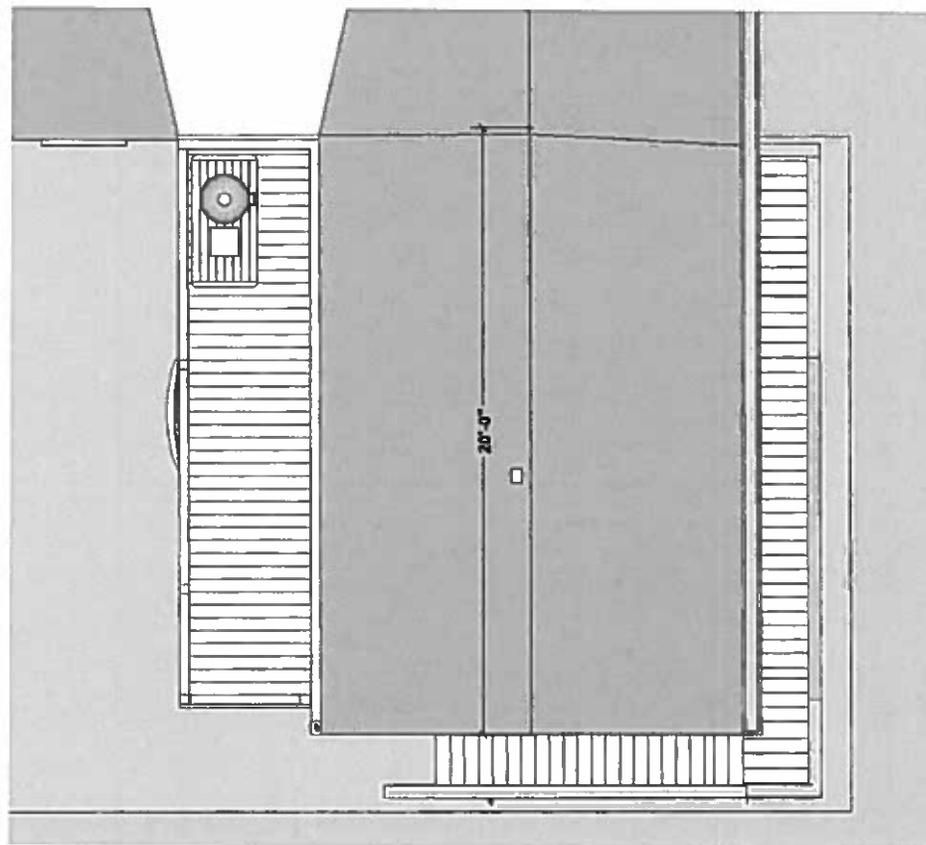
South Elevation



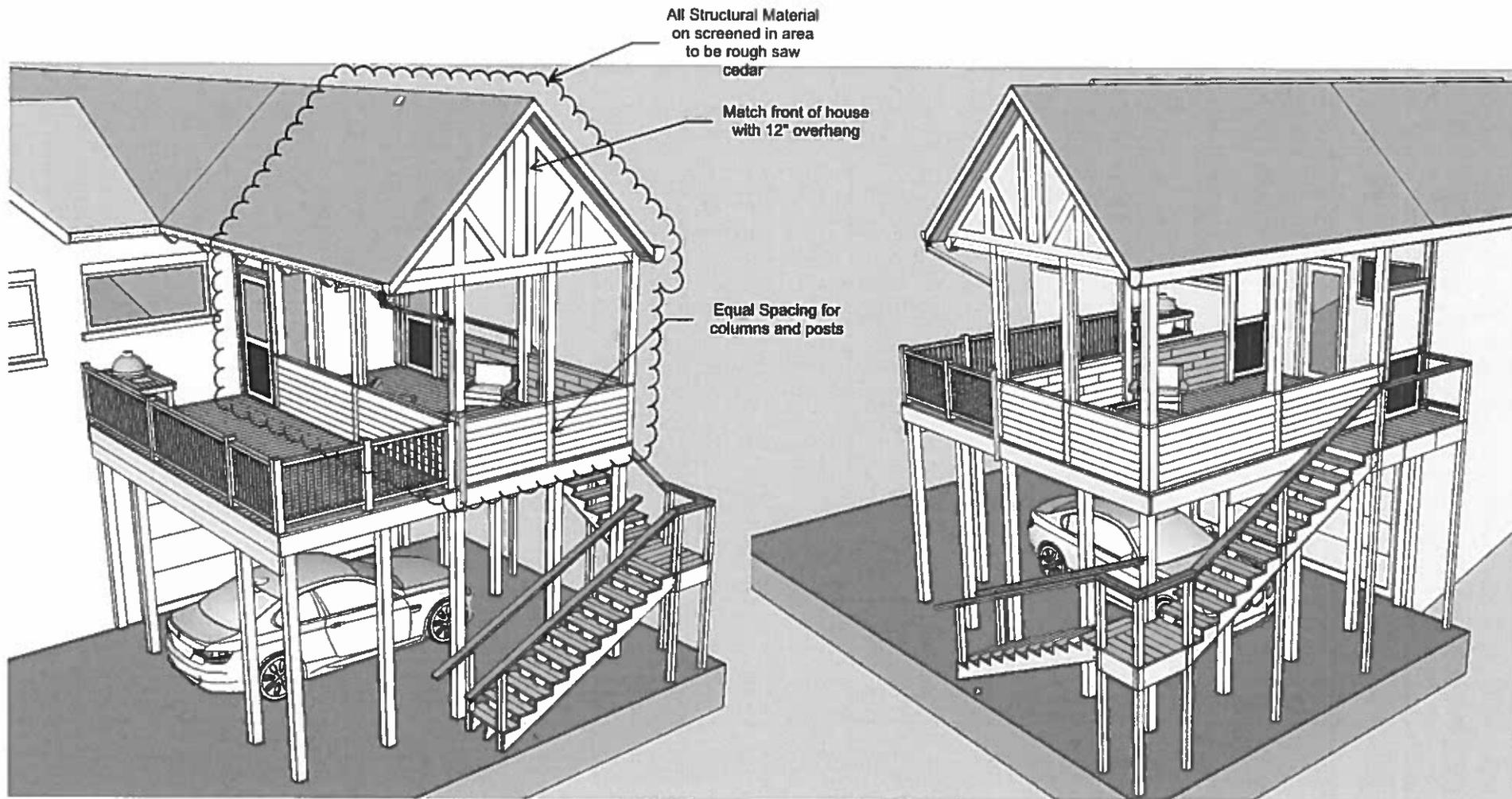
West Elevation



East Elevation

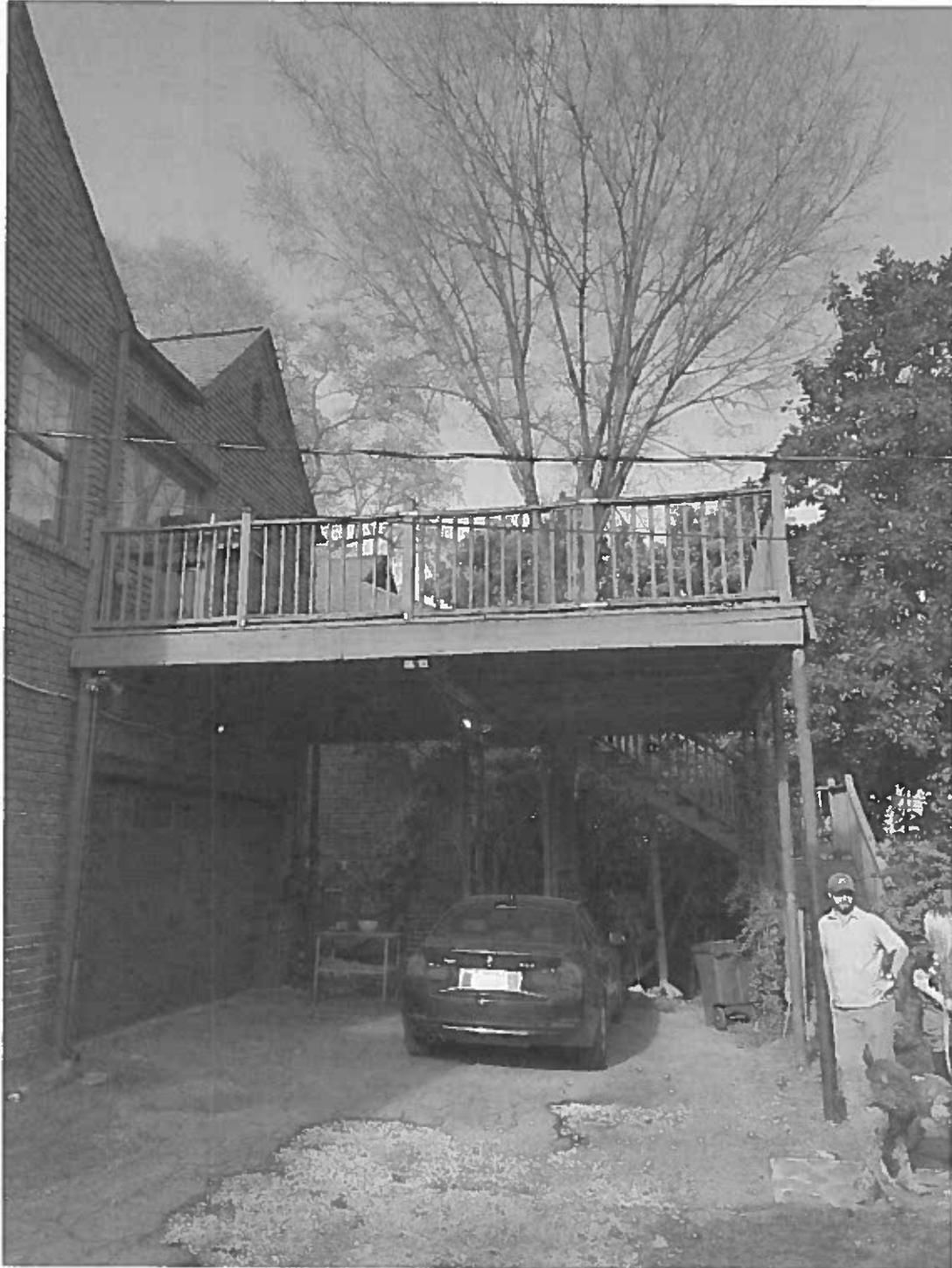


Top Plan View



Renderings



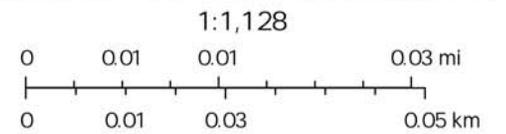




A-19-35 Aerial



9/11/2019, 4:04:46 PM



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus

Web AppBuilder for ArcGIS
Hunter Simmons | DigitalGlobe, Microsoft |



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 current lot size is 50 feet while the setback regulations are determined based on a 60 foot lot. Additionally, the current topography and surrounding areas of the lot ^{prevent} parking and garage access from the right side of the deck. Because of this, the additional support beams for the roof must be on the left side of the deck to not block access to three parking spots - including garage access.

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 - Due to the existing home being 3 feet in the setback because the lot is 50 feet and not the standard lot.

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

Because the existing home is in the setback by 3 feet, the proposed new roof will be as well. There is no proposed section of the build that is closer to the setback than the current home.



Burnham Hawk <burnhamhawk@gmail.com>

2121 English Village Lane: Variance

Blake Smith <blakesmith187@gmail.com>
To: Burnham Hawk <burnhamhawk@gmail.com>

Tue, Aug 20, 2019 at 8:56 PM

Approve. It's going to look great!

-Blake

On Tue, Aug 20, 2019 at 7:42 PM Burnham Hawk <burnhamhawk@gmail.com> wrote:

Hey Blake,

Hope all is well with you and Nancy. As you know, we are building a new deck/screened porch on the back of our house and are having to apply for a variance from the Mountain Brook Board of Zoning. The zoning code states that any roof line must be 8 feet from the property line. But since our current roof is only 5 feet from the property line, the new roof will be as well (snip below).



Burnham Hawk <burnhamhawk@gmail.com>

2121 English Village Lane: Variance

Jay Friedman <jayfriedman@friedman-lawyers.com>
To: Burnham Hawk <burnhamhawk@gmail.com>

Tue, Aug 20, 2019 at 8:59 AM

Burnham,

We approve. Looks like a beautiful project. Please let me know if I can do anything else.

Jay

FRIEDMAN

DAZZIO, ZULANAS & BOWLING, P.C.

Jay Friedman

3800 CORPORATE WOODS DRIVE, BIRMINGHAM, ALABAMA 35242
P. 205-278-7057 F: 205-278-7001 FRIEDMAN-LAWYERS.COM

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From: Burnham Hawk [mailto:burnhamhawk@gmail.com]
Sent: Tuesday, August 20, 2019 8:54 AM
To: Jay Friedman
Subject: 2121 English Village Lane: Variance



Burnham Hawk <burnhamhawk@gmail.com>

2121 English Village Lane: Variance

Lauryn Walker <laurywalker@me.com>
To: Burnham Hawk <burnhamhawk@gmail.com>

Thu, Aug 22, 2019 at 9:54 AM

Approved!!!

Lauryn

Lauryn Walker
laurywalker@me.com

On Aug 20, 2019, at 9:02 AM, Burnham Hawk <burnhamhawk@gmail.com> wrote:

Lauryn,

Thanks for hopping on the phone today. As mentioned, we are building a new deck/screened porch on the back of our house and are required to apply for a variance from the Mountain Brook Board of Zoning. The zoning code states that any roof line must be 8 feet from the property line but since our current roof line is only 5 feet from the line, the new roof will be as well (snip below).

<image.png>

I'm also attaching our plans for the deck. Note that the new build is the exact same footprint as our old deck with the only difference being the roof.

Your approval is not a required piece of the application, but I want to make sure all basis are covered when we apply for the variance. If you could please respond with a simple "approve", it would be greatly appreciated. If you have any questions, please do not hesitate to reach out.

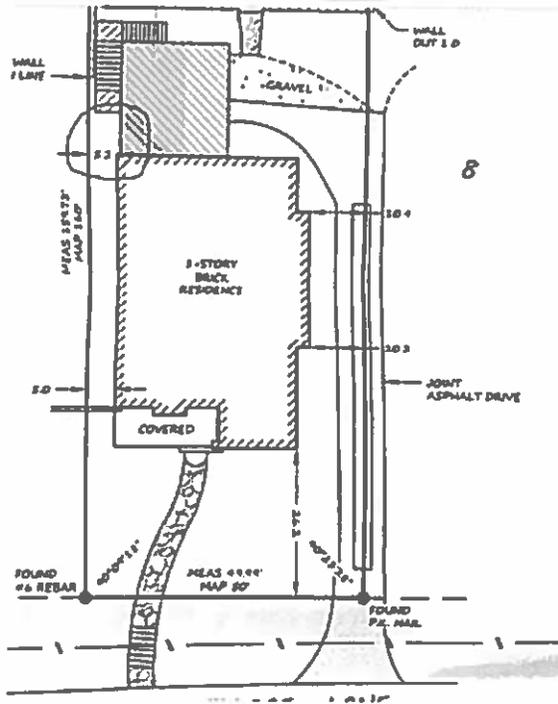
Thank you,
Burnham
(256) 738-4373

--
Burnham S. Hawk
(256) 738-4373

<2121 English Village Lane (1) (1).pdf>

Jay,

Nice speaking with you on Sunday. As mentioned, we are building a new deck/screened porch on the back of our house and are required to apply for a variance from the Mountain Brook Board of Zoning. The zoning code states that any roof line must be 8 feet from the property line but since our current roof line is only 5 feet from the line, the new roof will be as well (snip below).



I'm also attaching our plans for the deck. Note that the new build is the exact same footprint as our old deck with the only difference being the roof.

Your approval is not a required piece of the application, but I want to make sure all basis are covered when we apply for the variance. If you could please respond with a simple "approve", it would be greatly appreciated. If you have any questions, please do not hesitate to reach out.

Thank you,

Burnham

(256) 738-4373