

BZA Packet

December 6, 2019

Hello All,

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

We have:

- 2 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 (December 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 802-3811 or send me an email at slatent@mtnbrook.org ...

Looking forward to seeing you on Monday!

Tyler

MEETING AGENDA
CITY OF MOUNTAIN BROOK
BOARD OF ZONING ADJUSTMENT
DECEMBER 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: October 21, 2019 (The Board did not meet in November)
 2. **Case A-19-39:** Jonathan and Rebecca Doss, property owners, request a variance from the terms of the Zoning Regulations to allow an addition to an existing single family dwelling to be 7.9 feet from the side property line (northeast) in lieu of the required 15 feet. – **3625 Mountain Park Drive**
 3. **Case A-19-40:** Craig and Christopher Hey, property owners, request a variance from the terms of the Zoning Regulations to allow an addition to an existing single family dwelling to be 6 feet 2 inches from the side property line (northeast) in lieu of the required 15 feet. – **3514 Grand Rock Circle.**
 4. Next Meeting: **Tuesday**, January 21, 2020
 5. Adjournment



Variance Application - Part I

Project Data

Address of Subject Property 3625 Mountain Park Drive
 Zoning Classification ~~Est. R-A~~ R-A
 Name of Property Owner(s) Jonathan + Rebecca Dass
 Phone Number (205) 999-1068 Email JAD930@gmail.com
 Name of Surveyor Ray Weygand
 Phone Number (205) 942-0686 Email ray@weygandsurveyor.com
 Name of Architect (if applicable) John Holmes
 Phone Number (205) 249-4455 Email johnholmesarchitect@charter.net

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		
Lot Width (ft)	107	107	107
Front Setback (ft) primary	40'	80'	37.5' and 40.0'
Front Setback (ft) secondary	NA	NA	NA
Right Side Setback	15 10.0'	22.0'	6.7' 8.0'
Left Side Setback	? 15 10.0'	15.0'	70'
Right Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 22' high → 22' high or greater →	NA	NA	NA
Left Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 22' high → 22' high or greater →	NA	NA	NA
Rear Setback (ft)	NA	NA	NA
Lot Coverage (%)	35	8.5	10.5
Building Height (ft)	35	16	16
Other			
Other			

November 17, 2019

Jonathan and Rebecca Doss
3625 Mountain Park Dr
Mountain Brook, AL 35213

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

Re: BZA Application- 3625 Mountain Park Drive

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:

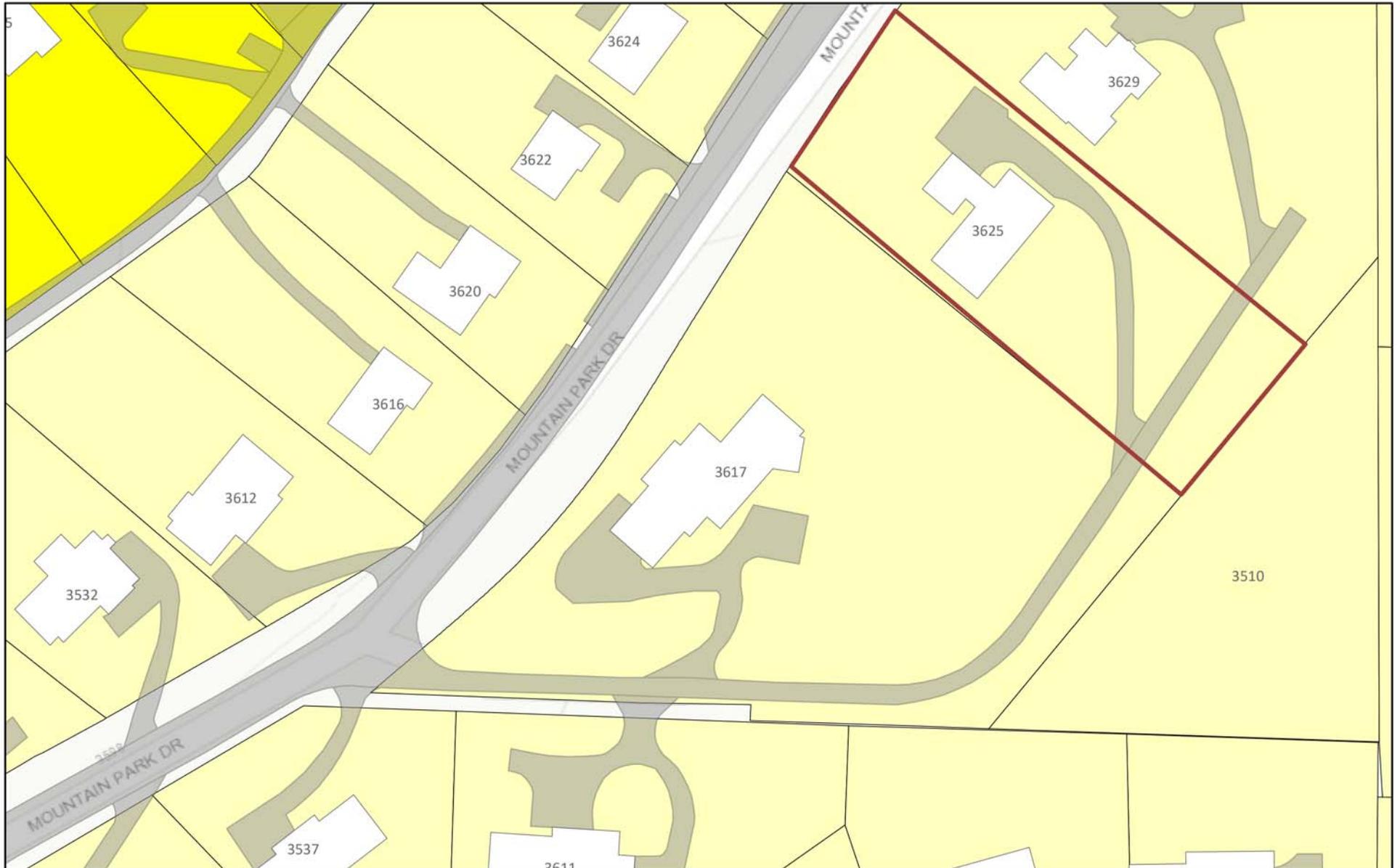
- a. The subject property is within the Estate District and pre-dates current zoning regulations and setbacks.
- b. The "primary back" of the house faces the street and the mailbox but due to topography and elevation is not visible from the road.
- c. The "primary front" where you approach the house by car located on a private driveway and is not visible from any public street.
- d. The house is on a septic tank system located in the "primary back" behind the house and beside the driveway. Its location does not allow reconfiguration of the driveway or buildable alternatives.
- e. The variance request is based on the fact that the current setbacks were established a number of years after the home was originally constructed, and the addition of a garage is consistent with the other 3 homes on the street.
- f. 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 attached structure in relation to the existing home.

Thank You,

Jonathan and Rebecca Doss

A-19-39 Zoning



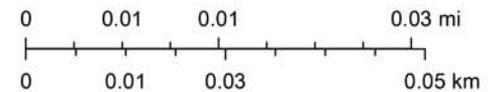
12/10/2019, 10:24:57 AM

 Pavement  Residence B District

Tax_Parcels

 Residence A District

1:1,128



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

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

Report to the Board of Zoning Adjustment

A-19-39

Petition Summary

Request to allow an addition to an existing single family dwelling to be 7.9 feet from the side property line (northeast) in lieu of the required 15 feet.

Analysis

The hardships in this case are the existing design constraints and the topography. The garage addition is proposed to connect to the terminus of the existing driveway; also the driveway serves as a private ingress/egress for the property to the immediate northeast, further limiting the placement of a garage on the rear of this site.

An existing septic tank between the front building line and the front property line further limits the placement of the addition (keeping it from being located farther from the side property line). It is anticipated that the applicant will provide a site plan at the meeting, indicating the location of the septic tank.

The property appears to have topographical challenges that further limit the location of the addition. As proposed, the addition would be at the same elevation as the main structure which sits considerably above the travel lane below.

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

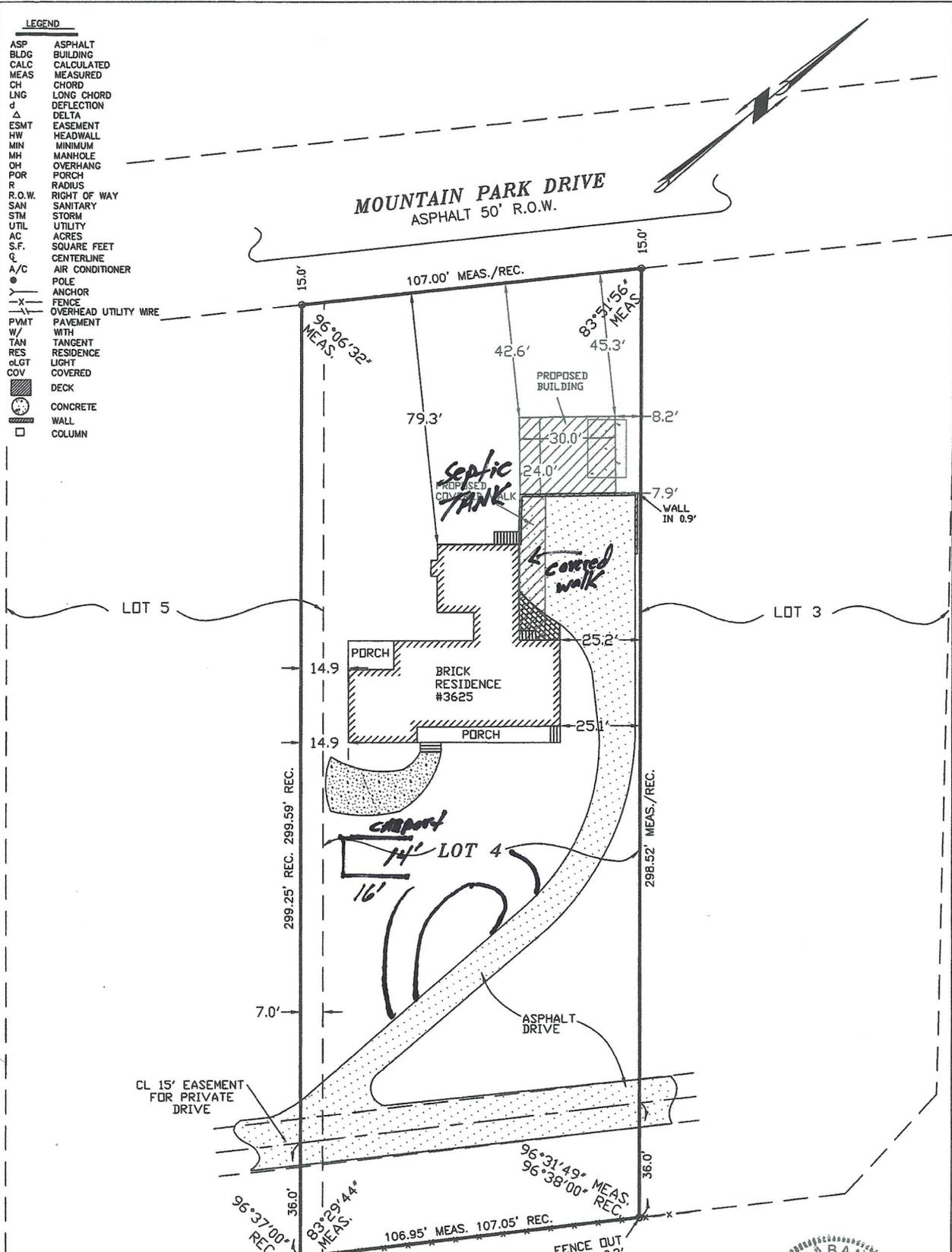
LOCATION: 3625 Mountain Park Drive

ZONING DISTRICT: Res-A

OWNERS: Johnathan and Rebecca Doss

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
- X- FENCE
- |- OVERHEAD UTILITY WIRE
- PVMT PAVEMENT
- W/ WITH
- TAN TANGENT
- RES RESIDENCE
- LGHT LIGHT
- COV COVERED
- DECK DECK
- CONCRETE CONCRETE
- WALL WALL
- COLUMN 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 4 & NE 7 FEET OF LOT 5, Block 5, MOUNTAIN PARK ESTATES, as recorded in Map Volume 23, Page 54, 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, 2019. Survey invalid if not sealed in red.

Order No.: 4298
 Purchaser:
 Address: 3925 MOUNTAIN PARK DRIVE

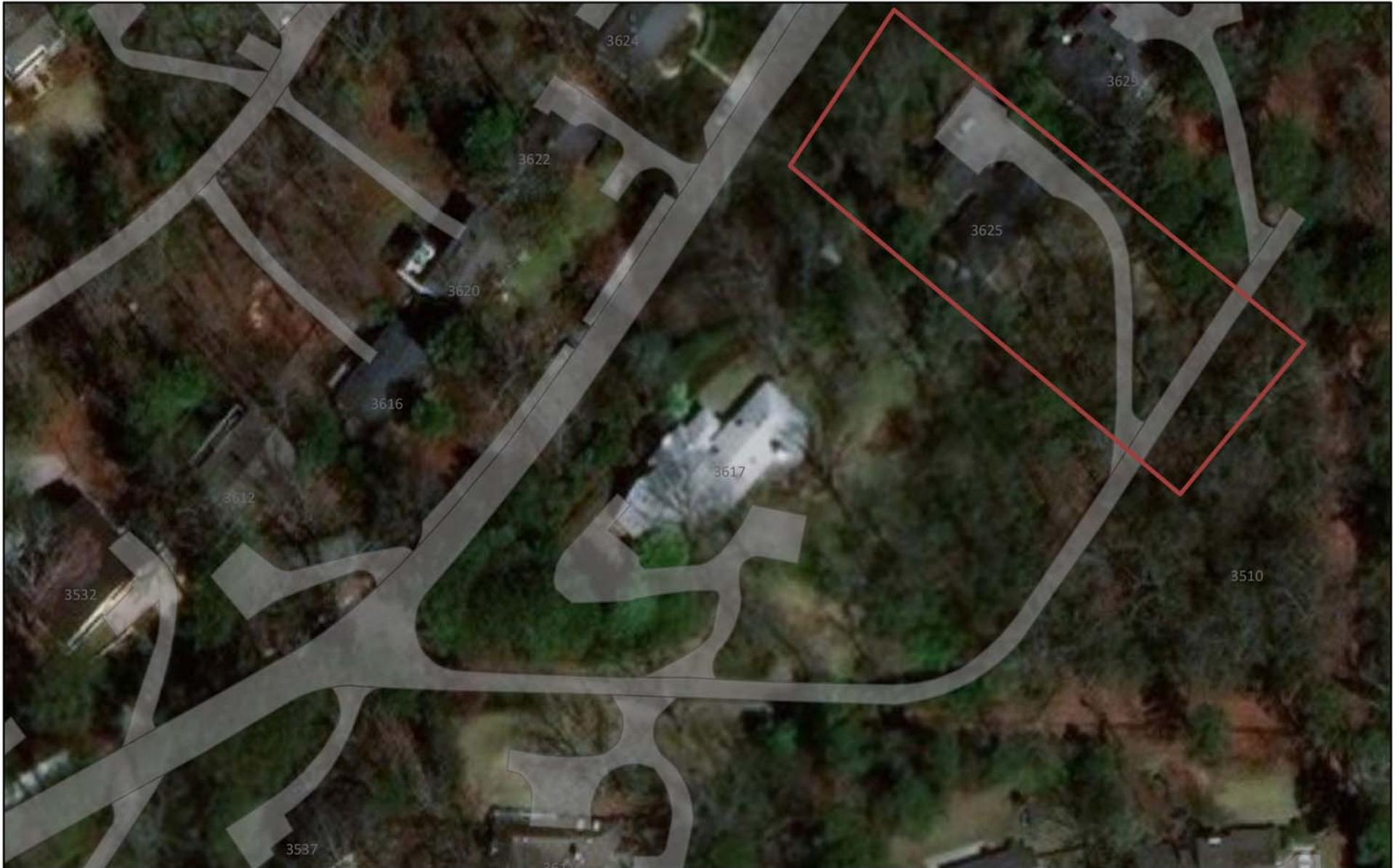
Ray Weygand
 Ray Weygand, Reg. L.S. #24973
 169 Oxmoor Road Homewood, AL 35209
 Phone: (205) 942-0086 Fax: (205) 942-0087
 Copyright ©

WEYGAND
 SURVEYORS



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.

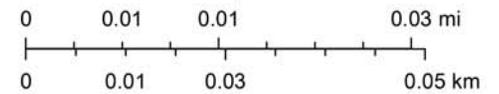
A-19-39 Aerial



12/10/2019, 10:27:07 AM

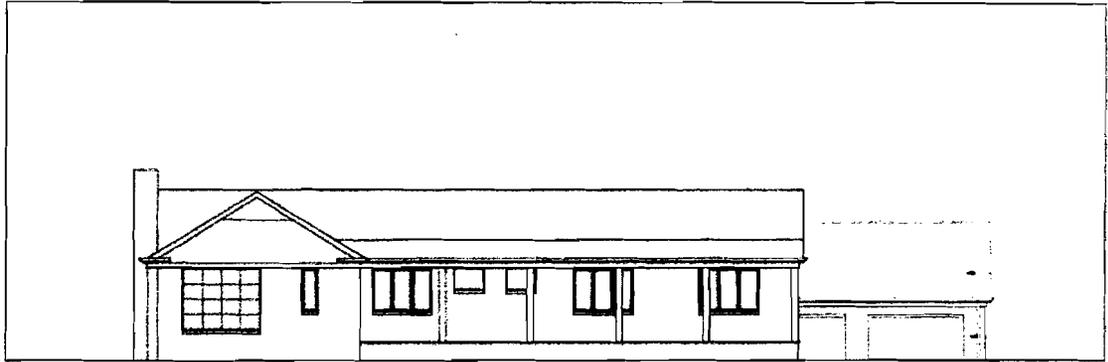
 Pavement

1:1,128



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

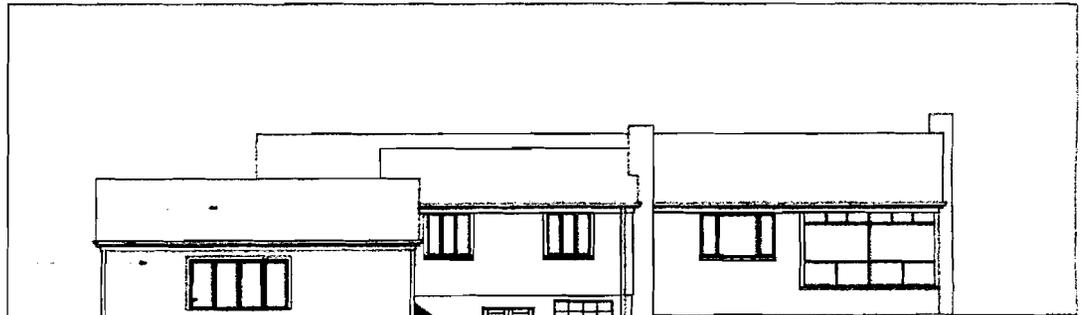
Web AppBuilder for ArcGIS
Hunter Simmons | Shelby Co GIS/ALDOT/USGS, DigitalGlobe, Microsoft |



MATCH TO
SCHEDULE

PAINTED TO
MATCH EX

1 SOUTH (FRONT) ELEVATION



MATCH COMPOSITION
SHINGLES

PAINTED WOOD SHINGLES TO
MATCH EXISTING RESIDENCE

METAL CLAD CASEMENTS
FLAT WOOD TRIM TO MATCH
RESIDENCE

EXPOSED REINFORCED
CONCRETE

2 NORTH (REAR) ELEVATION



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 non-conforming design constraints
including: Irregular shaped lot
lot size
topography
septic tank*

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?

*Flow of air and light will be maintained
The other 3 of the 4 houses on
this street have additions that
include garages*

11/19/19

Jonathan and Rebecca Doss
3625 Mountain Park Drive
Mountain Brook, AL 35213

Tim and Bea Healy
3629 Mt Park Drive
Birmingham, AL 35213

Dear Tim and Bea,

We are hoping to build a new attached garage on the back of our house (facing Mountain Park Drive) at the end of the driveway and are required to apply for a variance from the Mountain Brook Board of Zoning. The zoning code states that the structure must be 10 feet from the property line from the right but since our current driveway is on the property line at the right and a septic tank is on the left, the new garage is proposed at 6' 7" from the right side to allow minimum dimensions.

There is the foundation of a former structure on the site 3' from the right property line that will be removed. The rear of the proposed garage encroaches the front property line from the street on one corner by a couple of feet due to the irregular shape of the property line and road as seen on the attached drawing.

Your approval is not a required piece of the application, but I want to make sure all bases 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.

Our emails are Jon: JAD930@gmail.com and Becca: Rebeccadoss@gmail.com.

Thank you,

Jon
(205) 999-1068

Approved 11-19-19

Tim Healey


Bea Healey

A-19-39

11/19/19.

Jonathan and Rebecca Doss
3625 Mountain Park Drive
Mountain Brook, AL 35213

Richard and Helen Owens
3632 Mt Park Drive
Birmingham, AL 35213

Dear Richard and Helen,

We are hoping to build a new attached garage on the back of our house (facing Mountain Park Drive) at the end of the driveway and are required to apply for a variance from the Mountain Brook Board of Zoning. The zoning code states that the structure must be 10 feet from the property line from the right but since our current driveway is on the property line at the right and a septic tank is on the left, the new garage is proposed at 6' 7" from the right side to allow minimum dimensions.

There is the foundation of a former structure on the site 3' from the right property line that will be removed. The rear of the proposed garage encroaches the front property line from the street on one corner by a couple of feet due to the irregular shape of the property line and road as seen on the attached drawing.

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Our emails are Jon: JAD930@gmail.com and Becca: Rebeccadoss@gmail.com.

Thank you,

Jon
(205) 999-1068

"
APPROVE"
Looks BEAUTIFUL!
Dickie & HELEN

Jonathan and Rebecca Doss
3625 Mountain Park Drive
Mountain Brook, AL 35213

Tom and Betty Meadows
3625 Mt Park Drive
Birmingham, AL 35213

Dear Tom and Betty,

We are hoping to build a new attached garage on the back of our house (facing Mountain Park Drive) at the end of the driveway and are required to apply for a variance from the Mountain Brook Board of Zoning. The zoning code states that the structure must be 10 feet from the property line from the right but since our current driveway is on the property line at the right and a septic tank is on the left, the new garage is proposed at 6' 7" from the right side to allow minimum dimensions.

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Our emails are Jon: JAD930@gmail.com and Becca: Rebeccadoss@gmail.com.

Thank you,

Jon
(205) 999-1068



Jon Doss <jad930@gmail.com>

Approve

2 messages

Tom Meadows <tmead3208@gmail.com> Wed, Nov 20, 2019 at 10:59 AM
To: JAD930@gmail.com

It sounds nice Jon.

Tommy Meadows

Jon Doss <jad930@gmail.com> Wed, Nov 20, 2019 at 12:53 PM
To: Rebecca Jones <rebeccadoss@gmail.com>

Yes!

Sent from my iPhone

Begin forwarded message:

From: Tom Meadows <tmead3208@gmail.com>
Date: November 20, 2019 at 10:59:38 AM CST
To: jad930@gmail.com
Subject: Approve

[Quoted text hidden]

A-19-39

11/19/19

Jonathan and Rebecca Doss
3625 Mountain Park Drive
Mountain Brook, AL 35213

Lucas and Leah Fitts
3624 Mt Park Drive
Birmingham, AL 35213

Dear Lucas and Leah,

We are hoping to build a new attached garage on the back of our house (facing Mountain Park Drive) at the end of the driveway and are required to apply for a variance from the Mountain Brook Board of Zoning. The zoning code states that the structure must be 10 feet from the property line from the right but since our current driveway is on the property line at the right and a septic tank is on the left, the new garage is proposed at 6' 7" from the right side to allow minimum dimensions.

There is the foundation of a former structure on the site 3' from the right property line that will be removed. The rear of the proposed garage encroaches the front property line from the street on one corner by a couple of feet due to the irregular shape of the property line and road as seen on the attached drawing.

Your approval is not a required piece of the application, but I want to make sure all bases 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.

Our emails are Jon: JAD930@gmail.com and Becca: Rebeccadoss@gmail.com.

Thank you,

Jon
(205) 999-1068

A-19-39

11/19/19.

Jonathan and Rebecca Doss
3625 Mountain Park Drive
Mountain Brook, AL 35213

Walter and Edna Rush
1420 Swallow Lane
Birmingham, AL 35213

Dear Walter and Edna,

We are hoping to build a new attached garage on the back of our house (facing Mountain Park Drive) at the end of the driveway and are required to apply for a variance from the Mountain Brook Board of Zoning. The zoning code states that the structure must be 10 feet from the property line from the right but since our current driveway is on the property line at the right and a septic tank is on the left, the new garage is proposed at 6' 7" from the right side to allow minimum dimensions.

There is the foundation of a former structure on the site 3' from the right property line that will be removed. The rear of the proposed garage encroaches the front property line from the street on one corner by a couple of feet due to the irregular shape of the property line and road as seen on the attached drawing.

Your approval is not a required piece of the application, but I want to make sure all bases 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.

Our emails are Jon: JAD930@gmail.com and Becca: Rebeccadoss@gmail.com.

Thank you,

Jon
(205) 999-1068

11/19/19.

Jonathan and Rebecca Doss
3625 Mountain Park Drive
Mountain Brook, AL 35213

Mrs Caroline Ward
3617 Mt Park Drive
Birmingham, AL 35213

Dear Caroline,

We are hoping to build a new attached garage on the back of our house (facing Mountain Park Drive) at the end of the driveway and are required to apply for a variance from the Mountain Brook Board of Zoning. The zoning code states that the structure must be 10 feet from the property line from the right but since our current driveway is on the property line at the right and a septic tank is on the left, the new garage is proposed at 6' 7" from the right side to allow minimum dimensions.

There is the foundation of a former structure on the site 3' from the right property line that will be removed. The rear of the proposed garage encroaches the front property line from the street on one corner by a couple of feet due to the irregular shape of the property line and road as seen on the attached drawing.

Your approval is not a required piece of the application, but I want to make sure all bases 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.

Our emails are Jon: JAD930@gmail.com and Becca: Rebeccadoss@gmail.com.

Thank you,

Jon
(205) 999-1068

Jonathan and Rebecca Doss
3625 Mountain Park Drive
Mountain Brook, AL 35213

November 19, 2019

Mr. Daniel Hugh
3510 Pine Ridge Dr.
Birmingham, AL 35213

Dear Daniel,

We are hoping to build a new attached garage on the back of our house (facing Mountain Park Drive) at the end of the driveway and are required to apply for a variance from the Mountain Brook Board of Zoning. The zoning code states that the structure must be 10 feet from the property line from the right but since our current driveway is on the property line at the right and a septic tank is on the left, the new garage is proposed at 6' 7" from the right side to allow minimum dimensions.

There is the foundation of a former structure on the site 3' from the right property line that will be removed. The rear of the proposed garage encroaches the front property line from the street on one corner by a couple of feet due to the irregular shape of the property line and road as seen on the attached drawing.

Your approval is not a required piece of the application, but I want to make sure all bases 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.

Our emails are Jon: JAD930@gmail.com and Becca: Rebeccadoss@gmail.com.

Thank you,

Jon
(205) 999-1068

11/19/19

Jonathan and Rebecca Doss
3625 Mountain Park Drive
Mountain Brook, AL 35213

Jennifer Haise
3628 Mt Park Drive
Birmingham, AL 35213

Dear Jennifer,

We are hoping to build a new attached garage on the back of our house (facing Mountain Park Drive) at the end of the driveway and are required to apply for a variance from the Mountain Brook Board of Zoning. The zoning code states that the structure must be 10 feet from the property line from the right but since our current driveway is on the property line at the right and a septic tank is on the left, the new garage is proposed at 6' 7" from the right side to allow minimum dimensions.

There is the foundation of a former structure on the site 3' from the right property line that will be removed. The rear of the proposed garage encroaches the front property line from the street on one corner by a couple of feet due to the irregular shape of the property line and road as seen on the attached drawing.

Your approval is not a required piece of the application, but I want to make sure all bases 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.

Our emails are Jon: JAD930@gmail.com and Becca: Rebeccadoss@gmail.com.

Thank you,

Jon
(205) 999-1068



Variance Application - Part I

Project Data

Address of Subject Property 3514 Grand Rock Circle

Zoning Classification H

Name of Property Owner(s) Craig S. & Christopher L. Hey

Phone Number 205-966-0779 Email Craighey@gmail.com

Name of Surveyor David McKinney - SMW Engineering

Phone Number 205-397-6784 Email DMcKinney@SMW@gmail.com

Name of Architect (if applicable) Brent Uptain

Phone Number 205-540-7540 Email BrentUptain@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	15	30	~16
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			
Other			

A-19-40

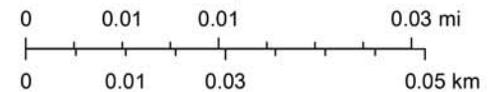


12/2/2019, 12:41:41 PM

Tax_Parcels

 Residence A District

1:1,128



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

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

Report to the Board of Zoning Adjustment

A-19-40

Petition Summary

Request to allow an addition to an existing single family dwelling to be 6 feet 2 inches from the side property line (northeast) in lieu of the required 15 feet.

Analysis

The hardships in this case are the existing design constraints, the irregular shape of the lot, and the topography. The garage addition is proposed at the terminus of an existing driveway.. The irregular shape and topography of the property have dictated the location of the existing house, atop a knoll in the center of the property. Topographic challenges are such that the grade falls away from the house, especially at the rear (see attached topography map, embedded in upper right corner of attached “Topography and Second Floor Plan”).

The existing garage is being converted to a new livable space; therefore, this proposal could be perceived as a self-imposed hardship.

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

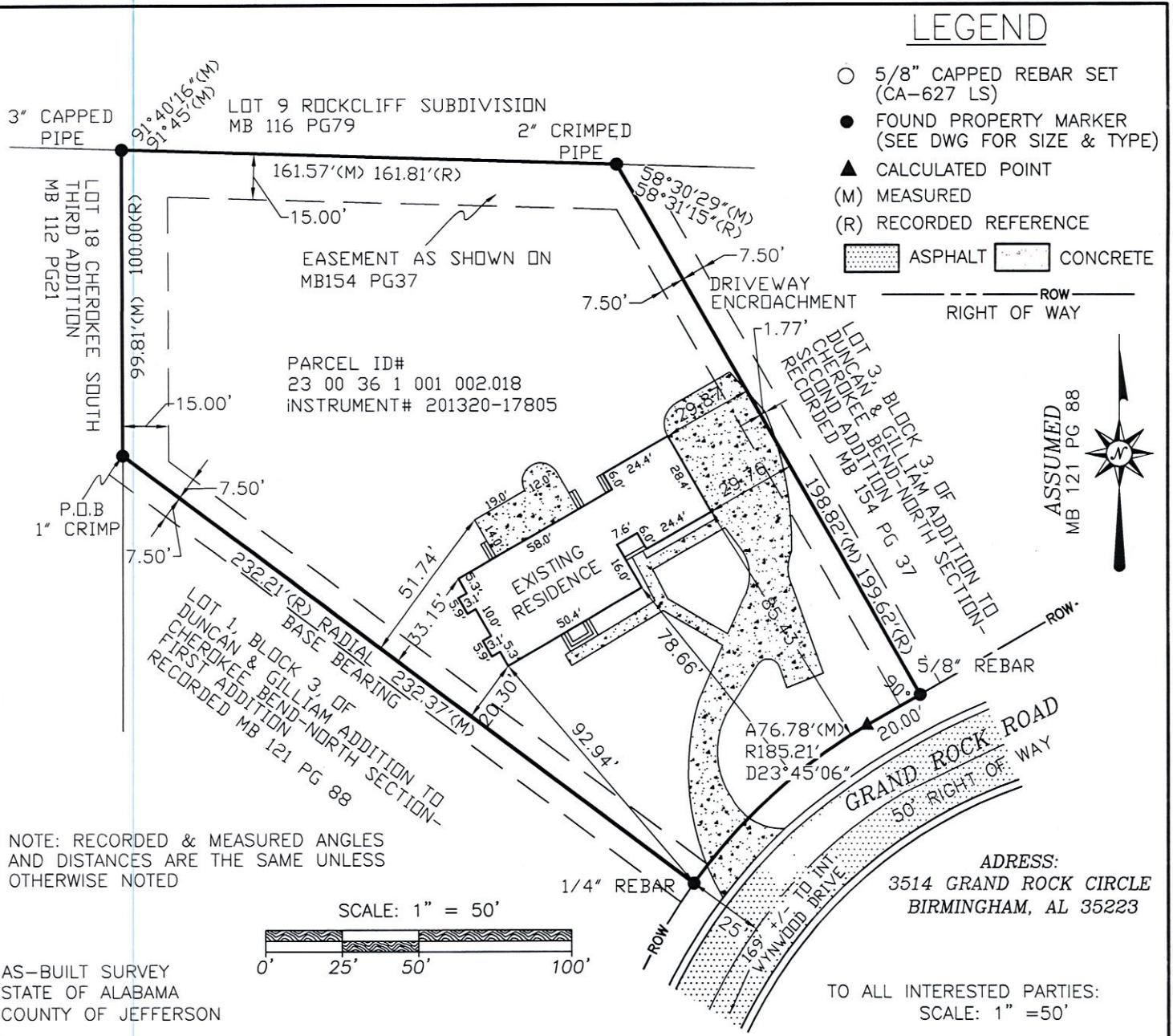
LOCATION: 3514 Grand Rock Circle

ZONING DISTRICT: Res-A

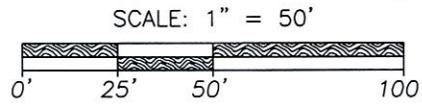
OWNERS: Craig and Christopher Hey

LEGEND

- 5/8" CAPPED REBAR SET (CA-627 LS)
- FOUND PROPERTY MARKER (SEE DWG FOR SIZE & TYPE)
- ▲ CALCULATED POINT
- (M) MEASURED
- (R) RECORDED REFERENCE
- ▨ ASPHALT
- ▩ CONCRETE



NOTE: RECORDED & MEASURED ANGLES AND DISTANCES ARE THE SAME UNLESS OTHERWISE NOTED



AS-BUILT SURVEY
STATE OF ALABAMA
COUNTY OF JEFFERSON

ADDRESS:
3514 GRAND ROCK CIRCLE
BIRMINGHAM, AL 35223

TO ALL INTERESTED PARTIES:
SCALE: 1" = 50'

I, David D. McKinney, Alabama Registered No. 30350, hereby state that all parts of this survey, performed on the 30th day of November, 2019, and the 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.

Legal Description (As supplied by client recorded in Instrument # 201320-17805)

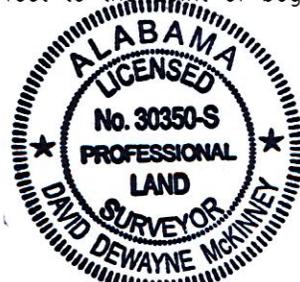
A parcel of land located in the NE ¼ of the NE ¼ of Section 36, Township 17 South, Range 2 West, more particularly described as follows:

Begin at the most Northerly corner of Lot 1, Block 3, of Duncan & Gilliam Addition to Cherokee Bend-North Section-First Addition as recorded in Map Book 121, Page 88, in the Office of the Judge of Probate in Jefferson County, Alabama; thence in a Northerly direction along the projection of the Westerly line of said Lot 1, a distance of 100.00 feet; thence 91 degrees 45 minutes right, in a Easterly direction, a distance of 161.81 feet; thence 58 degrees 31 minutes 15 seconds right in a Southerly direction a distance of 199.62 feet; thence 90 right in a Southwesterly direction a distance of 20.00 feet to the beginning of a curve to the left, having a central angle of 23 degrees 41 minutes 36 seconds and a radius of 185.21 feet; thence in a Southwesterly direction along said curve, a distance of 76.60 feet to the most Easterly corner of said Lot 1; thence in a Northwesterly direction along a line radial to said curve, a distance of 232.21 feet to the point of beginning.

Note: No title or abstract research was performed by the undersigned.

GIVEN UNDER MY HAND AND SEAL, this the 30th day of November, 2019.

David D. McKinney
Alabama Registered No. 30350



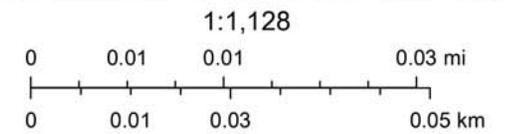
PROJECT NO. 14-0535

<p>SMW ENGINEERING GROUP, INC.</p>	<p>SMW Engineering Group, Inc. 158 Business Center Drive Birmingham, Alabama 35244 Ph: 205-252-6985 www.smweng.com</p>	<p>TYPE OF SURVEY MORTGAGE SURVEY</p>					
	<p>REVISIONS</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">NO.</th> <th style="width: 75%;">DESCRIPTION</th> <th style="width: 20%;">DATE</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	DESCRIPTION	DATE			
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A-19-40 Aerial

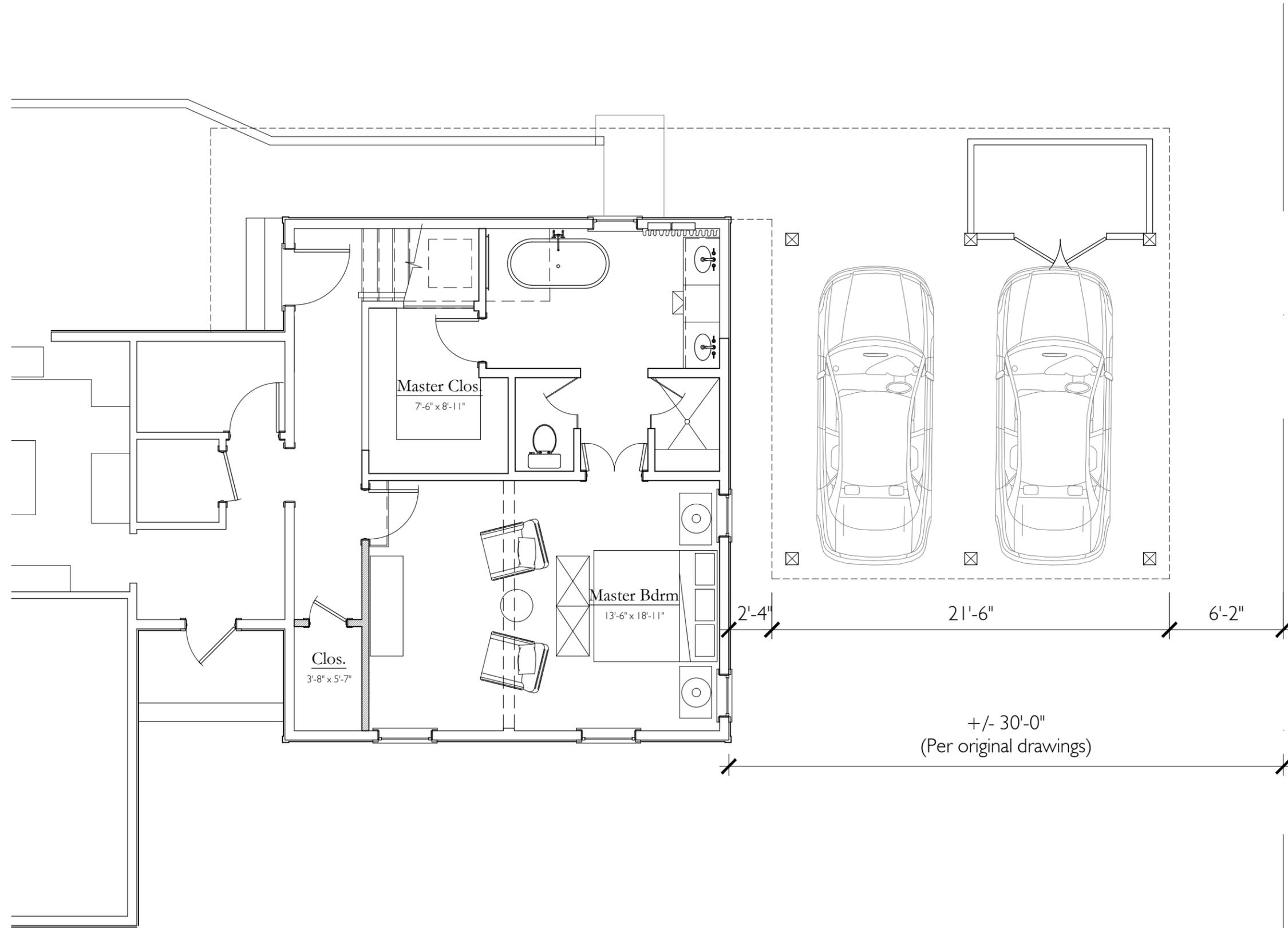


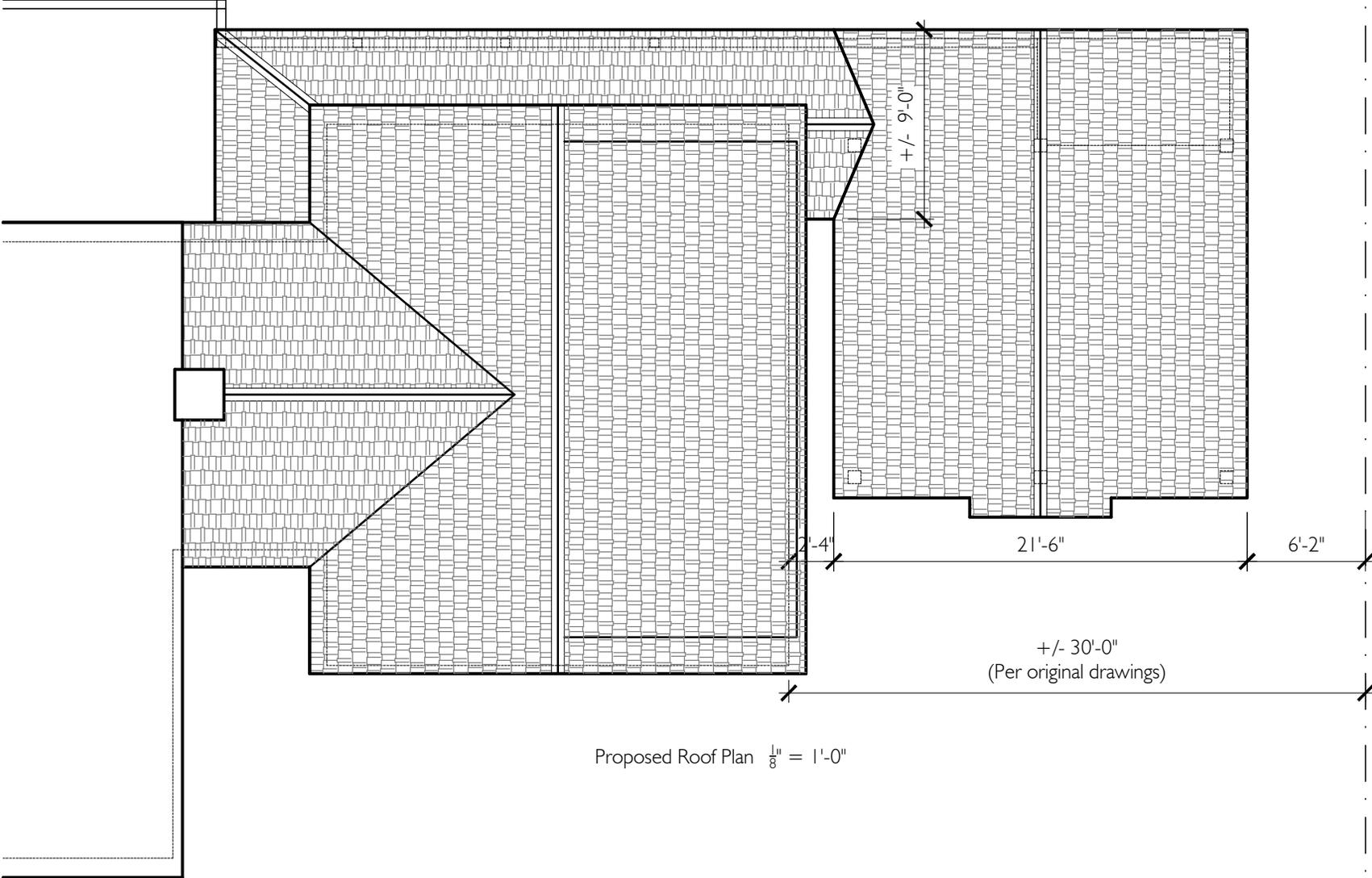
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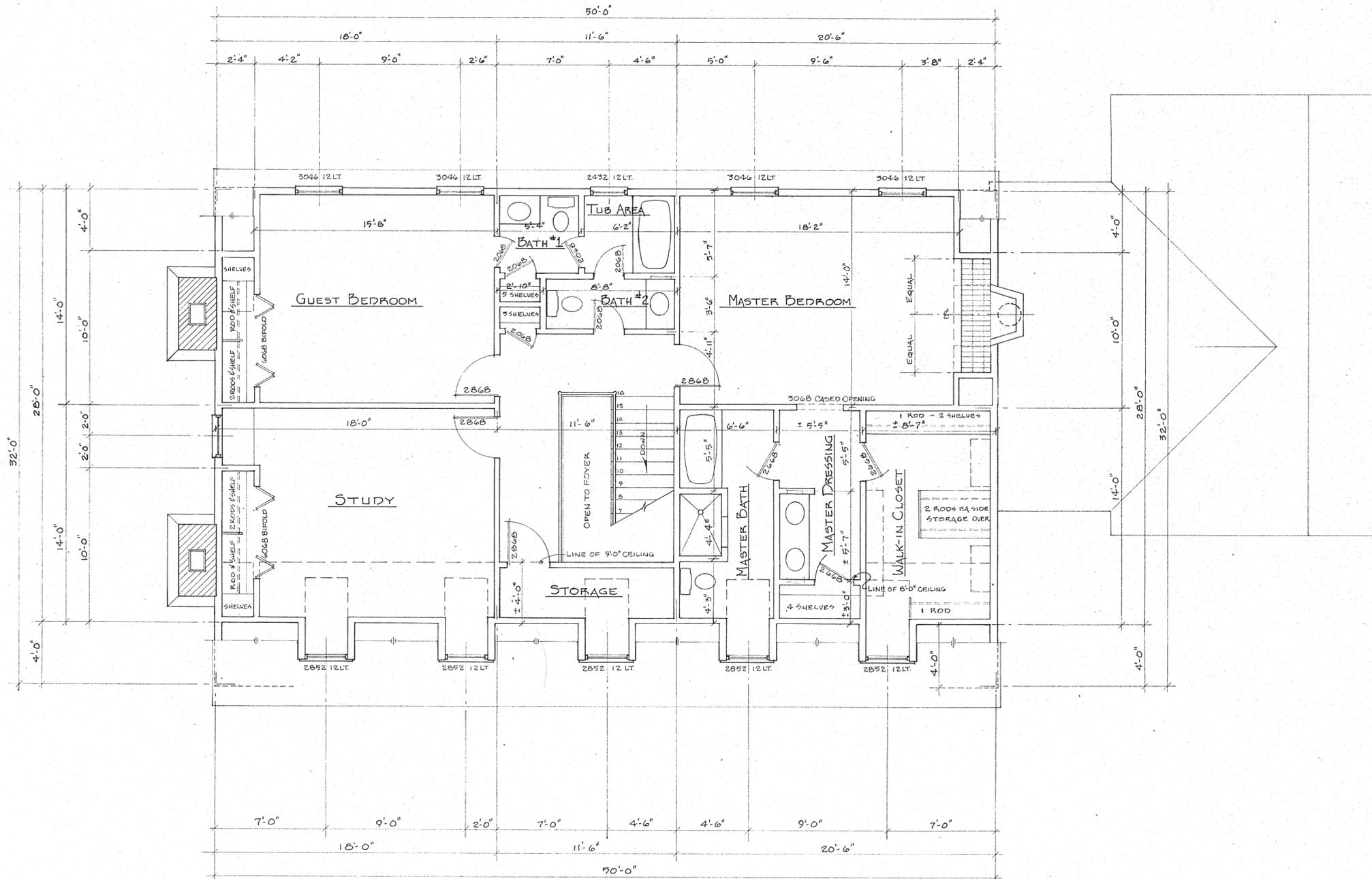
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus

Web AppBuilder for ArcGIS
Hunter Simmons | Shelby Co GIS/ALDOT/USGS, DigitalGlobe, Microsoft |

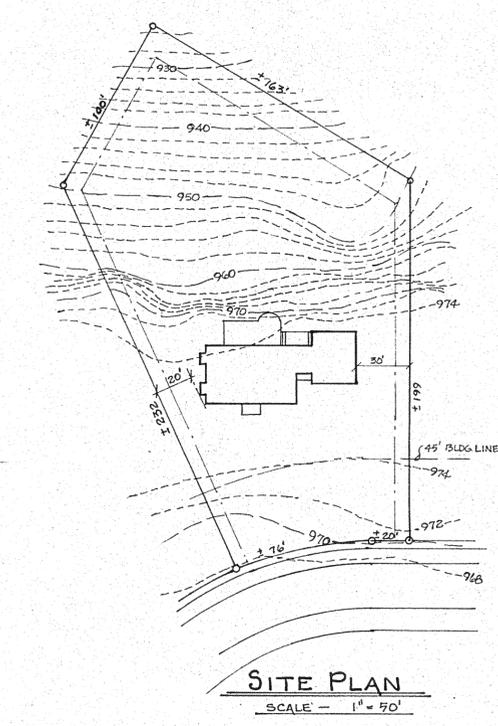








SECOND FLOOR PLAN
SCALE 1/4" = 1'-0"



SITE PLAN
SCALE - 1" = 50'



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 abnormally shaped. Currently we have paved parking to w/in 3' of the property line. We would like to build the attached Carport. We do not plan on removing the hedge in place.

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...")

Additional space was needed. Our house sits on a large rock outcropping. We could not push back to not build out the garage. Going forward logically required a setback.

We are trying to thoughtfully expand our space in an architecturally desirable way. We think we will bring up property values. Our neighbors have been very supportive of what we're doing.

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

We are bound by an irregular lot with notable topography. ~~This setback~~ We feel this will create a more beautiful house. Meets the requirements w/ a Variance and will help property values.