

BZA Packet

March 11, 2020

Hello All,

Enclosed please find your packet for the meeting of March 16, 2020.

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 (March 16, 2020)
- 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
MARCH 16, 2020

PRE-MEETING: (ROOM A106) 4:45 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.

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1. Approval of Minutes: February 18, 2020
 2. **Case A-20-06:** Jay and Mallie Whatley, property owners, request variances from the terms of the Zoning Regulations to allow the addition of a new master bedroom and attached carport to an existing home to be located be 92 feet from the secondary front property line (Briarcliff Road) in lieu of the required 100 feet and 41.1 feet from the rear property line (southwest) in lieu of the required 100 feet. **3400 Sherwood Road**
 3. **Case A-20-07:** Lee and Jenny Edwards, property owners, request a variance from the terms of the Zoning Regulations to allow an addition to an existing home to be located 26.1 feet from the front property line (Greenway Road) in lieu of the required 40 feet. **43 Country Club Boulevard**
 4. Next Meeting: **Tuesday**, April 21, 2020
 5. Adjournment



Variance Application - Part I

Project Data

Address of Subject Property 3400 SHERWOOD ROAD

Zoning Classification ESTATE

Name of Property Owner(s) MALIE & JIM WHOLEY

Phone Number (205) 603-2621 Email MALIEWHOLEY @ YAHOO.COM

Name of Surveyor MIKE ALLEN

Phone Number (205) 283-9921 Email LEFTHAIR1 @ YAHOO.COM

Name of Architect (if applicable) JAMES LAUGHLIN

Phone Number (601) 807-7814 Email JIMMY @ JAMESBLAUGHLIN.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>	100 FT	115.6 FT	92 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)	100 FT	70 FT	41.1 FT
Lot Coverage (%)			
Building Height (ft)			
Other			
Other			

JAMES B. LAUGHLIN

January 24, 2020

To whom it may concern,

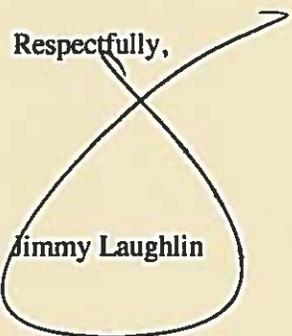
I am an architect writing on behalf of property owners, Mallie and Jay Whatley, concerning 3400 Sherwood Road.

The proposal herein consists of the addition of a master bedroom and carport at the Southwest or back right corner of the existing residence.

Our intent is that the addition be as unintrusive as possible. The location of the addition is quite limited by drastic fall in topography on the Southeast (left) end of the existing residence, large rock outcroppings on the Northwest (right) end and restrictions of a secondary front setback along Briarcliff Road.

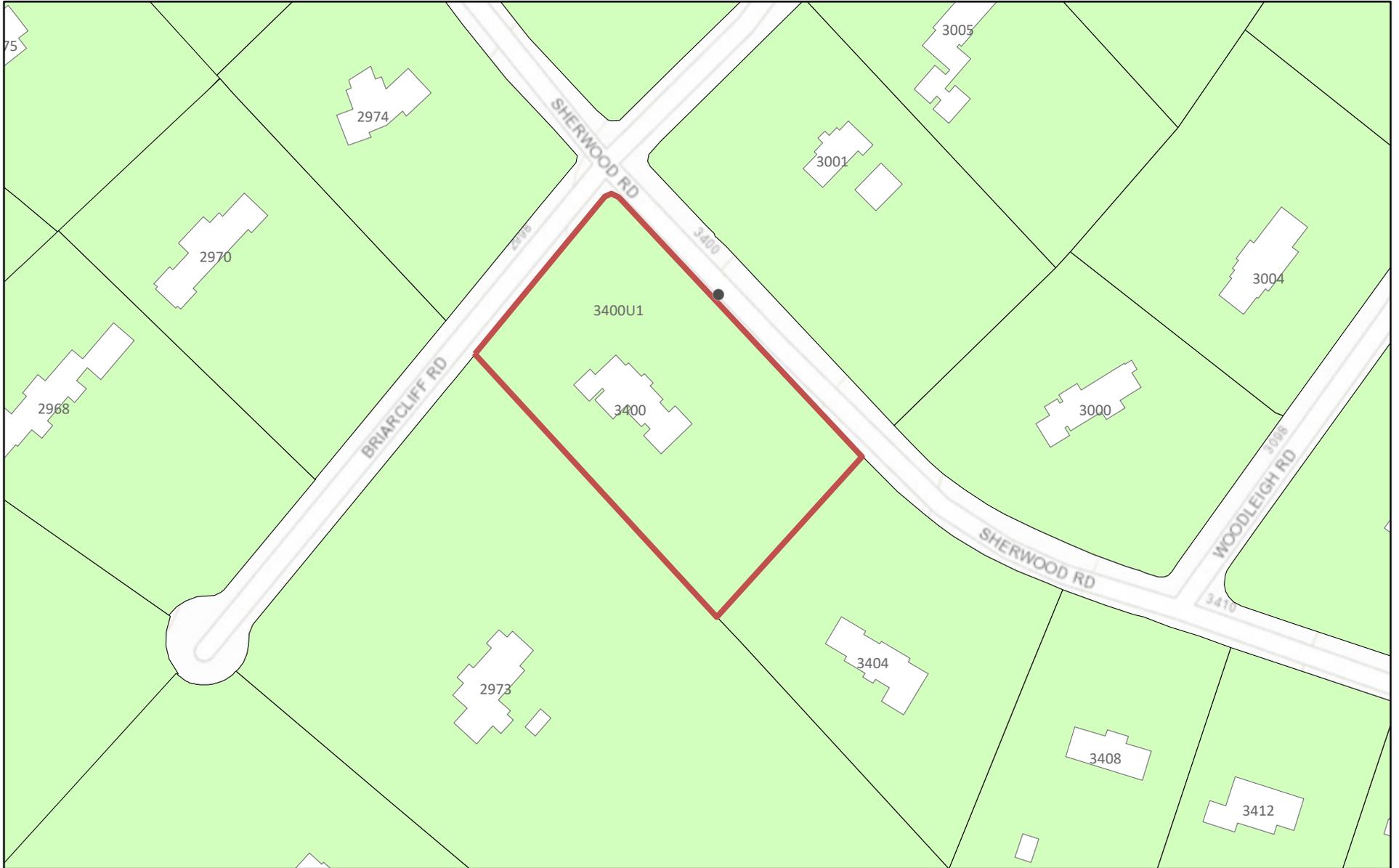
The property is zoned Estate Residence District and is existing non-conforming at the rear. With all of the hardships listed above we feel the granting of this variance is in harmony with the purpose and intent of the Zoning Regulations.

Respectfully,



Jimmy Laughlin

A-20-06 Zoning

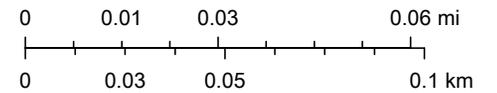


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Tax_Parcels

 Estate Residence District

1:2,257



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-20-06

Petition Summary

Request to allow the addition of a new master bedroom and attached carport to an existing home to be located be 92 feet from the secondary front property line (Briarcliff Road) in lieu of the required 100 feet and 41 feet from the rear property line (southwest) in lieu of the required 100 feet.

Analysis

The hardships in this case are the topography, rock outcropping and secondary frontage. The topographical challenge of this property is the fall in elevation across the property from Northwest to Southeast. The elevation drops approximately 40 feet across the parcel.

The applicant indicated that there is a rock outcropping that exists on the northwest side of the property. This outcropping makes the area unbuildable.

The subject location is also a corner lot which requires a setback of 100 feet along the secondary front in addition to the required setback of 100 feet along the primary front, limiting the overall buildable area of the lot.

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

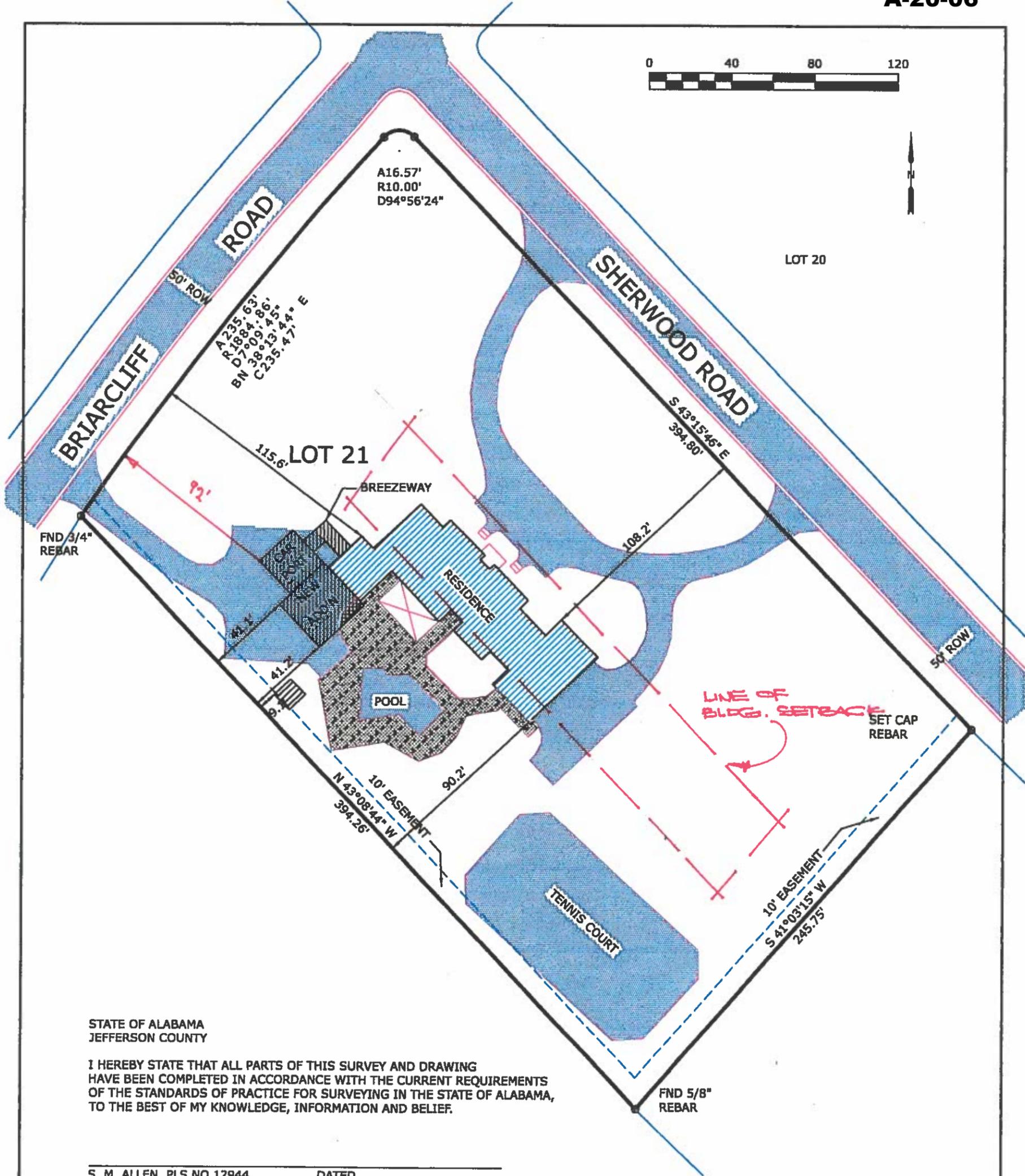
Article VI, Estate Residence District, Section 129-72, Area and Dimensional Requirements

Appends

LOCATION: 3400 Sherwood Road

ZONING DISTRICT: Estate Residence District

OWNERS: Mallie and Jay Whatley



STATE OF ALABAMA
JEFFERSON COUNTY

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.

S. M. ALLEN PLS NO 12944 DATED _____

DESCRIPTION
LOT 21, RESURVEY OF PARTS OF ESTATES B, C AND G, HIGHLANDS SECTOR OF
MOUNTAIN BROOK ESTATES, AS RECORDED IN MAPBOOK 33, PAGE 94, IN THE
PROBATE OFFICE.

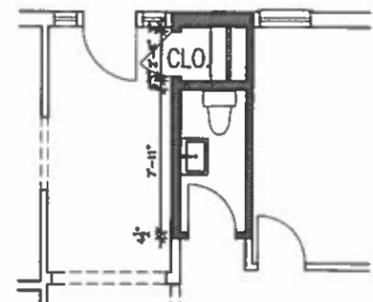
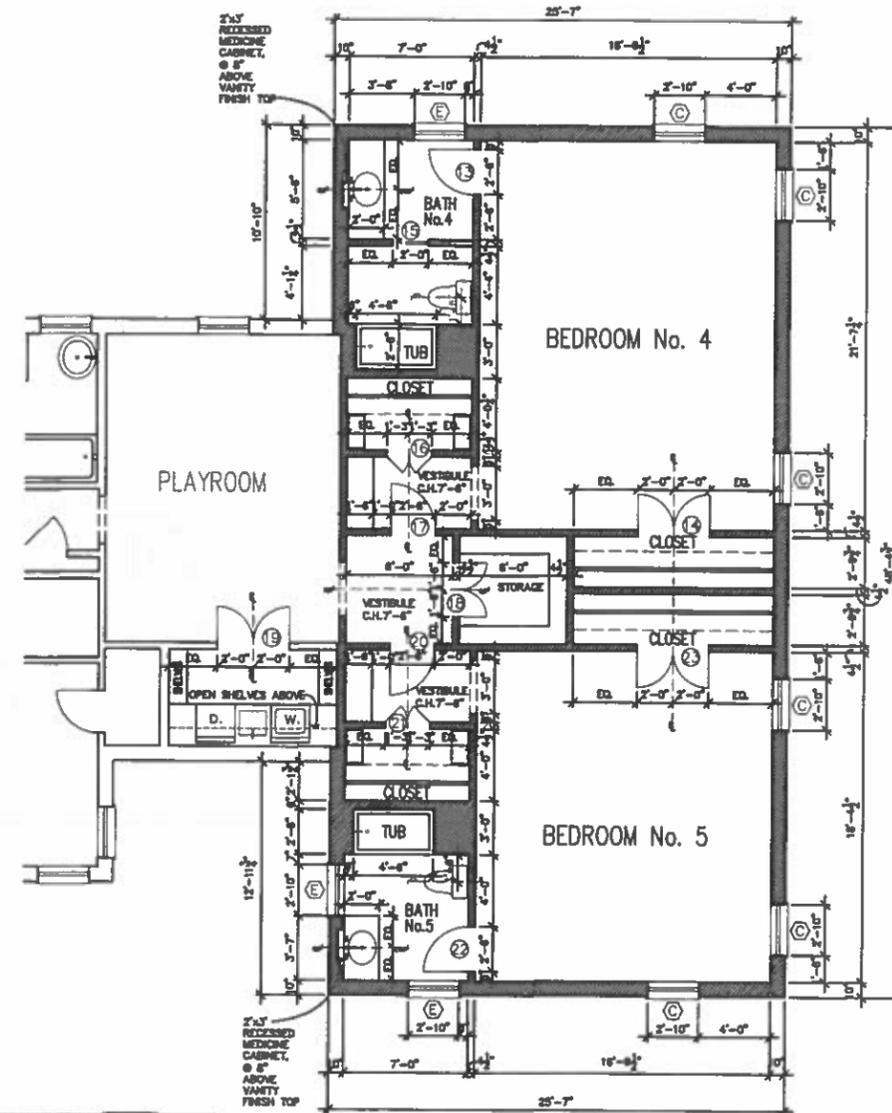
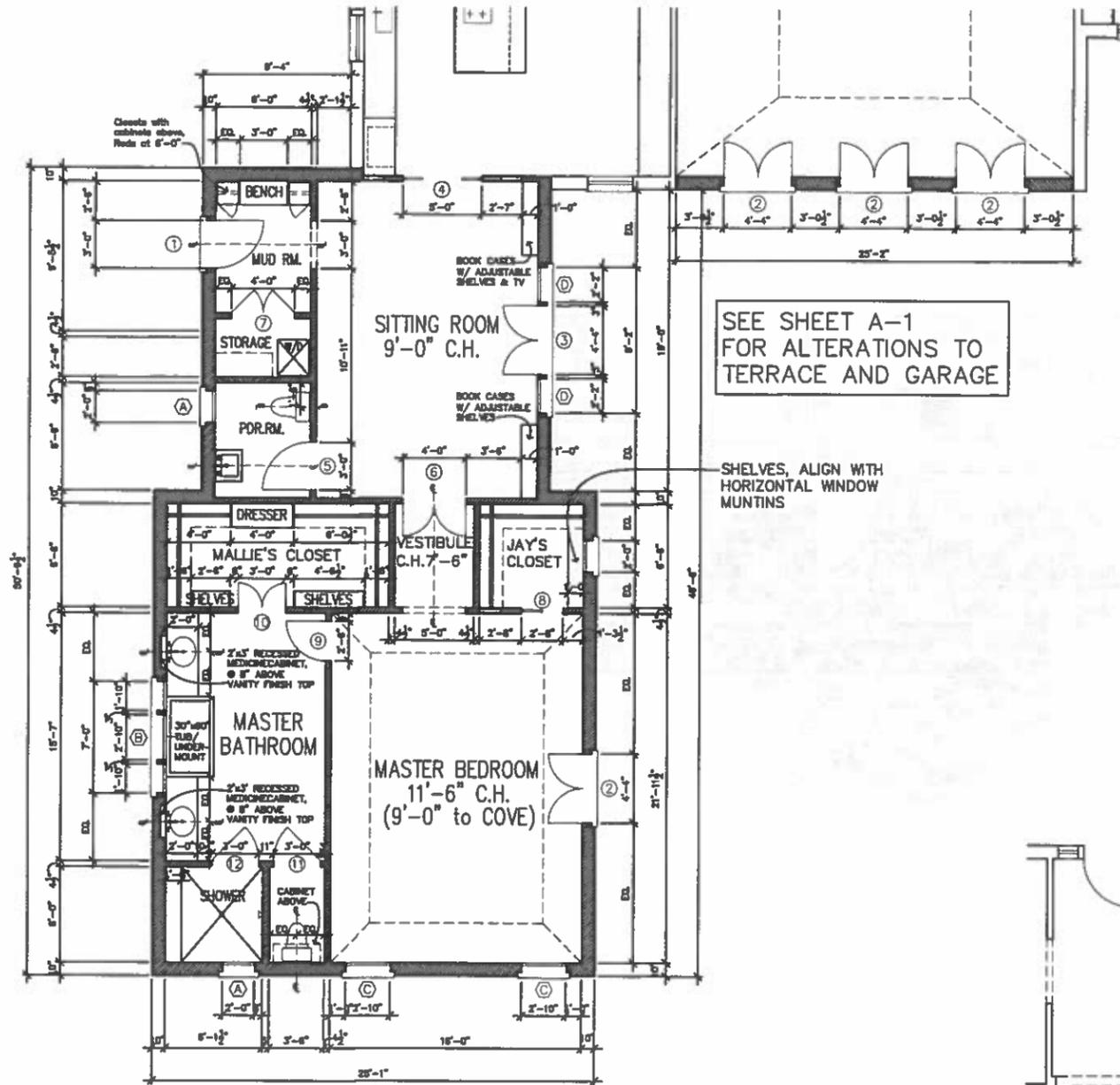
DRAWN BY: SMA	REVISIONS	PROJECT PLOT PLAN	ALLSURV, LLC S.M. ALLEN, PLS 12944 9378 HIGHWAY 119 SUITE B ALABASTER, AL. 35007 205 663-4251
DATE: 1-21-20		DATE OF FIELD SURVEY 8-17-19	
DWG. NO.: 15784		BEARINGS ASSUMED NORTH	
APPROVED BY: SMA		CLOSURE 1:20000	



JAMES B. LAUGHLIN

JIMMY@JAMESBLAUGHLIN.COM

c. 205.807.7814 / o. 205.775.6055



Renovations to 3400 Sherwood Road
for Mallie and Jay Whatley

Date: 11/24/19
Title: Floor Plan

JIMMY@JAMESBLAUGHLIN.COM
c. 205.807.7814 / o. 205.775.6055

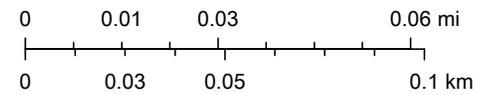
JAMES B. LAUGHLIN

A-20-06 Aerial



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1:2,257



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

Web AppBuilder for ArcGIS
Hunter Simmons | Shelby Co GIS/ALDOT/USGS, 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)?

1 - DRASTIC FALL IN TOPOGRAPHY (SOUTH EAST)

2 - POOR OUTCROPPING / COSTLY OR UNBUILDABLE
CONDITIONS (NORTHWEST)

3 - SECONDARY FRONT AT BRACCLIFF ROAD (100 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.

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

THE PROPOSED LOCATION OF THE ADDITION IS A
RESULT OF THE HARDSHIPS LISTED ABOVE. IT IS
SITED IN A UNINTRUSIVE MANNER AND DOES NOT
RESTRICT THE LIGHT, SAFETY, ETC. OF
ADJACENT PROPERTIES.



Variance Application - Part I

Project Data

Address of Subject Property 43 COUNTRY CLUB BLVD

Zoning Classification 'A'

Name of Property Owner(s) JENNY T. LEE EDWARDS

Phone Number (205) 283-6700 Email LWEDWARDS@GMAIL.COM

Name of Surveyor MIKE ALLEN

Phone Number (205) 283-9921 Email LEFTHAIR@C-TOHOO.COM

Name of Architect (if applicable) JAMES B. WICKHAM

Phone Number (205) 207-7814 Email JOHNT@JAMESBLANCHARD.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>	40 FT	15 FT	26.5 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)			
Lot Coverage (%)			
Building Height (ft)			
Other			
Other			

JAMES B. LAUGHLIN

February 21, 2020

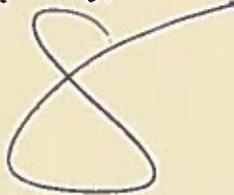
To whom it may concern,

I am an architect writing on behalf of Jenny and Lee Edwards concerning 43 Country Club Boulevard.

The proposal consists of an addition to the rear of an existing residence.

Our hardship is the restriction of a secondary front setback along Greenway Road. The proposed addition is scaled and sited in such a way that it is not imposing. The line of the addition is fourteen feet behind that of the furthest projecting existing wall and it is a story and a half compared to two stories at the existing house.

Respectfully,

A handwritten signature in black ink, consisting of a large, stylized loop that resembles the number '8' or a similar symbol, with a long horizontal stroke extending to the right from the top of the loop.

Jimmy Laughlin

A-20-07 Zoning



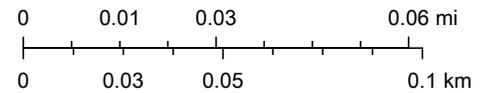
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Tax_Parcels

Residence A District

Rec-2

1:2,257



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-20-07

Petition Summary

Request to allow an addition to an existing home to be located be 26.1 feet from the front property line (Greenway Road) in lieu of the required 40 feet.

Analysis

The hardships in this case are the secondary front setback, the narrowness of the lot (90 feet in lieu of 100), and the existing design constraints. The required setback along the secondary front is 40 feet. The proposed addition would be located 26.1 feet from the front property line at the closest point. The existing home is currently 15 feet from the property line on the same side. The addition would not be closer to the property line than the home is now.

As may be seen on the attached zoning map, the house directly across Greenway Road (31 Country Club Boulevard) is closer than 40 feet from the secondary front property line as well. The Board approved a variance for an addition to said house to be 27 feet from the secondary front (Greenway Road) on January 22, 2019 (Case A-19-04). Therefore, any approval of the subject request would be in keeping with the streetscape in the immediate vicinity.

The subject home is approximately 100 feet from the primary front property line (Country Club Boulevard) where only 40 feet is required. While an addition could be made to the primary front of this house, the applicant desires to respect the primary front building line established along other properties on Country Club Boulevard which are farther back than the prescribed 40 feet.

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: 43 Country Club Boulevard

ZONING DISTRICT: Residence A District

OWNERS: Jenny and Lee Edwards

PLOT PLAN
NEW ADDITION
EDWARDS RESIDENCE

LOT 3-A, ACCORDING TO A REBURY OF
LOTS 2,3 & PART OF LOT 4, BLOCK 4,
COUNTRY CLUB GARDENS, MAP BOOK
250, PAGE 90

SITUATED IN THE NW 1/4 OF SECTION 4, TOWNSHIP 18
SOUTH, RANGE 2 WEST, JEFFERSON COUNTY,
ALABAMA

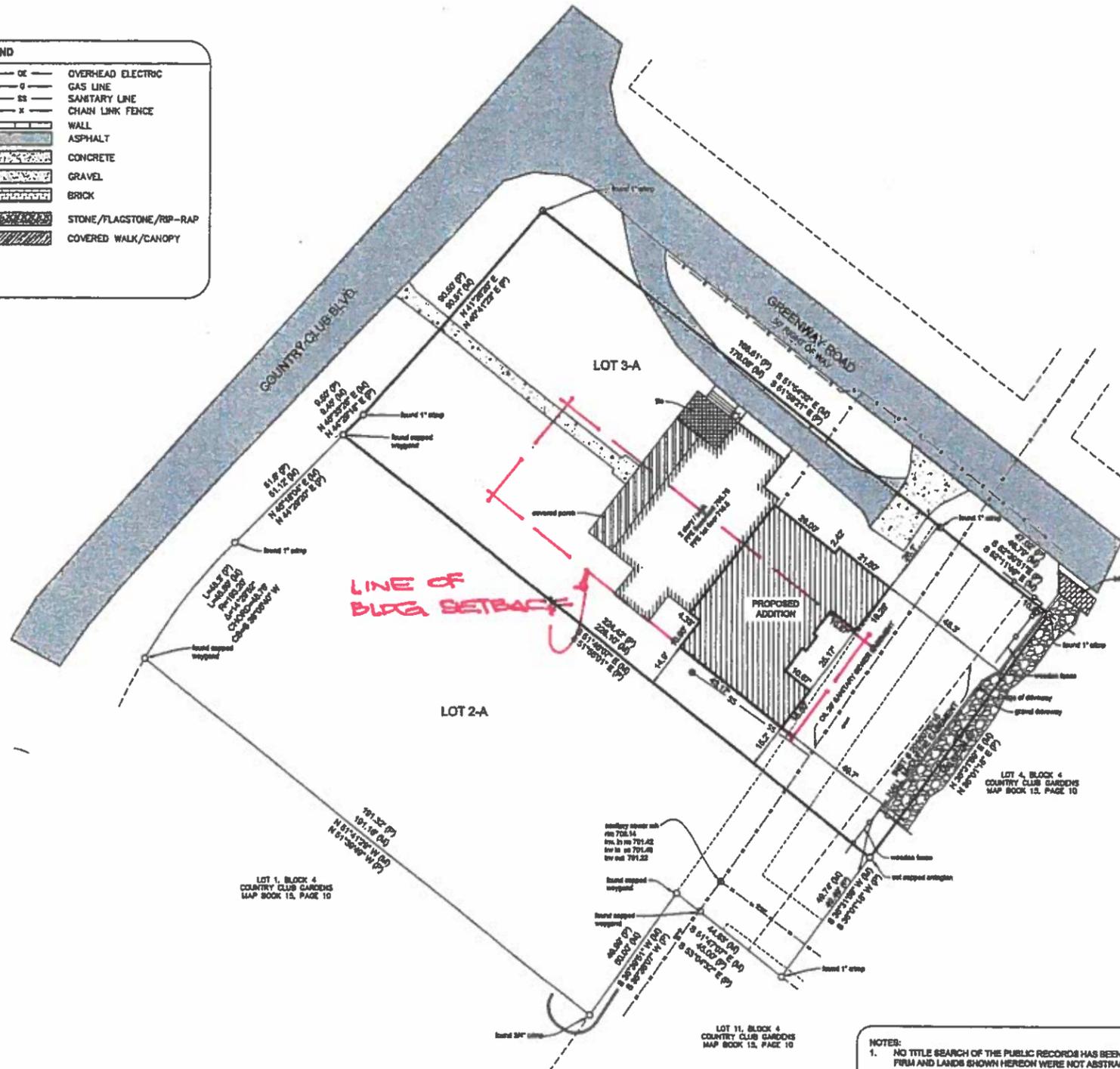
GRAPHIC SCALE



SURVEY CONTROL

THE BASIS OF BEARINGS AND OR
COORDINATES SHOWN ON THIS SURVEY ARE
BASED ON ALABAMA STATE PLANE WEST ZONE,
GRID NORTH, NAD (83) (11) POSITION WAS
OBTAINED FROM R.T.K. OBSERVATION USING
THE ALDOT CORS NETWORK AS CONTROL.

LEGEND			
○	UTILITY POLE	—○—	OVERHEAD ELECTRIC
○	LIGHT POLE	—○—	GAS LINE
—	GUY WIRE	—SS—	SANITARY LINE
—	FIRE HYDRANT	—X—	CHAIN LINK FENCE
⊕	WATER VALVE	▭	WALL
⊕	WATER METER	▭	ASPHALT
⊕	GAS VALVE	▭	CONCRETE
⊕	GAS METER	▭	GRAVEL
⊕	STORM MANHOLE	▭	BRICK
⊕	SANITARY MANHOLE	▭	STONE/FLAGSTONE/RSP-RAP
⊕	CLEANOUT	▭	COVERED WALK/CANOPY
⊕	MAILBOX		
⊕	HARDWOOD TREE		
○	CORNER MONUMENT		
⊕	AC		



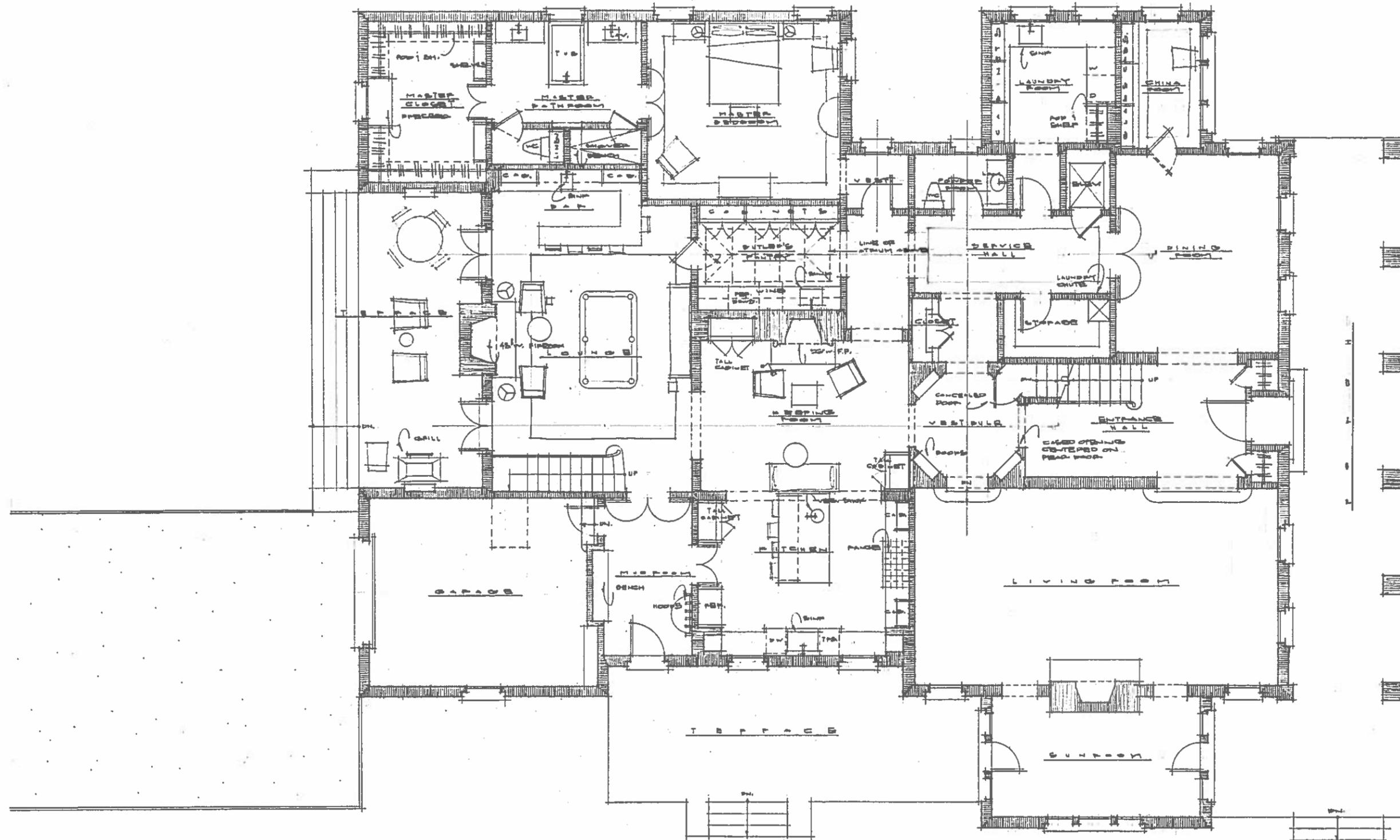
- NOTES:
- NO TITLE SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED BY THIS FIRM AND LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS AND/OR RIGHTS OF WAYS, RECORDED OR UNRECORDED. THE PARCELS SHOWN HEREON IS SUBJECT TO SETBACKS, ZONING, AND RESTRICTIONS THAT MAY BE FOUND IN THE PUBLIC RECORD OF SAID COUNTY.
 - ALL BEARINGS AND/OR ANGLES, AND DISTANCES ARE DEED AND ACTUAL UNLESS OTHERWISE NOTED: DEED=(D); MEASURED=(M); RECORD MAP/PLAT=(P); CALCULATED=(C).
 - UNDERGROUND PORTIONS OF FOUNDATIONS, FOOTINGS, OR OTHER UNDERGROUND STRUCTURES WERE NOT LOCATED UNLESS OTHERWISE NOTED.
 - THIS SURVEY IS VALID ONLY WITH AN ORIGINAL SIGNATURE AND A LEGIBLE SEAL.

ARRINGTON ENGINEERING
Civil Engineers - Surveyors - Land Planners

Office: (205) 965-9315
Fax: (205) 965-9365
2032 Valleydale Road
Birmingham AL 35244

DRAWING TITLE PLOT PLAN NEW ADDITION EDWARDS RESIDENCE	DRAWN BY: JDA CHECKED BY: JDA DATE: 2-18-2020 SCALE: 1" = 20' PARTY CHIEF: JJ PROJECT NO.: 73163 SHEET: 1 OF 1
LOCATION & DESCRIPTION SITUATED IN THE NW 1/4 OF SECTION 4, TOWNSHIP 18 SOUTH, RANGE 2 WEST, JEFFERSON COUNTY, ALABAMA	

811
Know what's below.
Call before you dig.
Call 2 working days before digging.
It's the Law!



main floor plan

JAMES B. LAUGHLIN



renovations & additions for
jenny & lee edwards
no. 43 country club blvd mountain brook, alabama

JAMES B. LAUGHLIN



elevation at rear

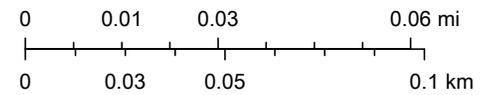
JAMES B. LAUGHLIN

A-20-07 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 |



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)?

SECONDARY FAULT SETBACK

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?

THE PROPOSED ADDITION IS IN HARMONY WITH
THE ZONING REGULATIONS AND IS SCALED AND
SITED IN SUCH A WAY THAT IT IS NOT IMPOSING.
THE LINE OF THE ADDITION IS FOURTEEN FEET
BEHIND THE FURTHEST PROJECTING EXISTING WALL.