

# BZA Packet

April 20, 2020

**Hello All,**

Enclosed please find your packet for the meeting of April 20, 2020.

**We have:**

- 1 extension request
- 3 new cases

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

[www.mtnbrook.org](http://www.mtnbrook.org)

- Calendar (upper right corner)
- Board of Zoning Adjustment (April 20, 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@mtntbrook.org](mailto:slatent@mtntbrook.org) ...

**Looking forward to seeing you on Monday!**

**Tyler**

**MEETING AGENDA**  
**CITY OF MOUNTAIN BROOK**  
BOARD OF ZONING ADJUSTMENT  
APRIL 20, 2020  
PRE-MEETING: 4:30 P.M.  
REGULAR MEETING: 5:00 P.M.

MEETING TO BE HELD VIRTUALLY USING ZOOM VIDEO CONFERENCING  
(ACCESS INSTRUCTIONS ON MEETING WEBPAGE)

**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: February 18, 2020
  2. **Case A-19-16:** Mr. and Mrs. Benny LaRussa, property owners, requests variances from the terms of the Zoning Regulations to allow a new single family dwelling to be 10 feet from the side property line (north) in lieu of the required 15 feet; and two chimneys to be 8 feet from the side property line (north) in lieu of the required 13 feet. **3031 Canterbury Road** (*Extension – Initial approval on May 20, 2019.*)
  3. **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**
  4. **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**
  5. **Case A-20-08:** Rebecca and Jonathan Doss, property owners, request a variance from the terms of the Zoning Regulations to allow the construction of a pool in the front yard (Mountain Park Drive side) in lieu of the requirement that swimming pools must be located to the rear of the principal dwelling. – **3625 Mountain Park Drive.**
  6. Next Meeting: **May 18, 2020**
  7. Adjournment



## Variance Application - Part I

### Project Data

Address of Subject Property 3031 Canterbury Road

Zoning Classification Residence A

Name of Property Owner(s) Mr. and Mrs. Benny LaRussa

Phone Number 908-9245 Email blarussa@sterlingmanagement.com

Name of Surveyor Weygand Surveyors

Phone Number 942-0087 Email ray@weygandsurveyor.com

Name of Architect (if applicable) Henry Sprott Long & Associates, Inc.

Phone Number 323-4564 Email hanklong@bellsouth.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 sq. ft.	22,962 +/- sf	22,962 +/- sf
Lot Width (ft)	100 ft.	*85 ft. front elev.	*85 ft. front elev.
Front Setback (ft) <i>primary</i>	40 ft.	68.0 ft.	61 ft.
Front Setback (ft) <i>secondary</i>	NA	NA	NA
Right Side Setback	15 ft.	10.2 ft.	15 ft.
Left Side Setback	15 ft.	10.0 ft.	** 10.0 ft. at house
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)	40.0 ft.	93.0 ft.	70.0 ft.
Lot Coverage (%)	25%	11.13%	16.86%
Building Height (ft)	35 ft.	27.0 ft.	34.0 ft.
Other			
Other			

\* 82 feet at front setback.

\*\* 8.0 ft. at 2 chimneys.

Henry Spratt Long & Associates  
ARCHITECTS

---

April 25, 2019

Board of Zoning Adjustments  
The City of Mountain Brook  
Post Office Box 13009  
Mountain Brook, AL 35213

ATTENTION: Dana Hazen

RE: A Proposed New Residence for Mr. and Mrs. Benny LaRussa

Ladies and Gentlemen:

This letter is submitted in accordance with the standards for request of a variance for construction in the City of Mountain Brook.

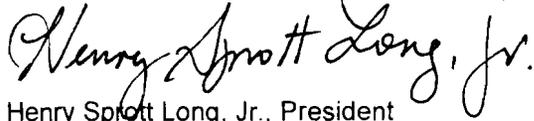
We are requesting a variance to allow the construction of a new residence on the non-conforming parcel at 3031 Canterbury Road. The existing residence will be removed. The new residence will be two stories on the front portion and the rear wing will be one story with various offsets (see attached Site Plan). We are requesting a variance on the left side to allow the residence to be 10'-0" and 2 chimneys to be 8'-0" from the left side rather than the required 15 feet. The new residence will meet all of the other requirements for Residence "A" zoning. This non-conforming parcel does not have the required lot area, the required lot width nor the required street frontage to meet the current Residence A zoning requirements. .

Four copies of the graphic explanation of the proposed residence are included along with a list of the adjacent property owners and a \$ 100.00 check to cover the hearing fee. All information is submitted in preparation for the zoning board meeting on Monday, May 20, 2019.

Thank you for your consideration in this matter.

Sincerely,

HENRY SPROTT LONG & ASSOCIATES, INC.



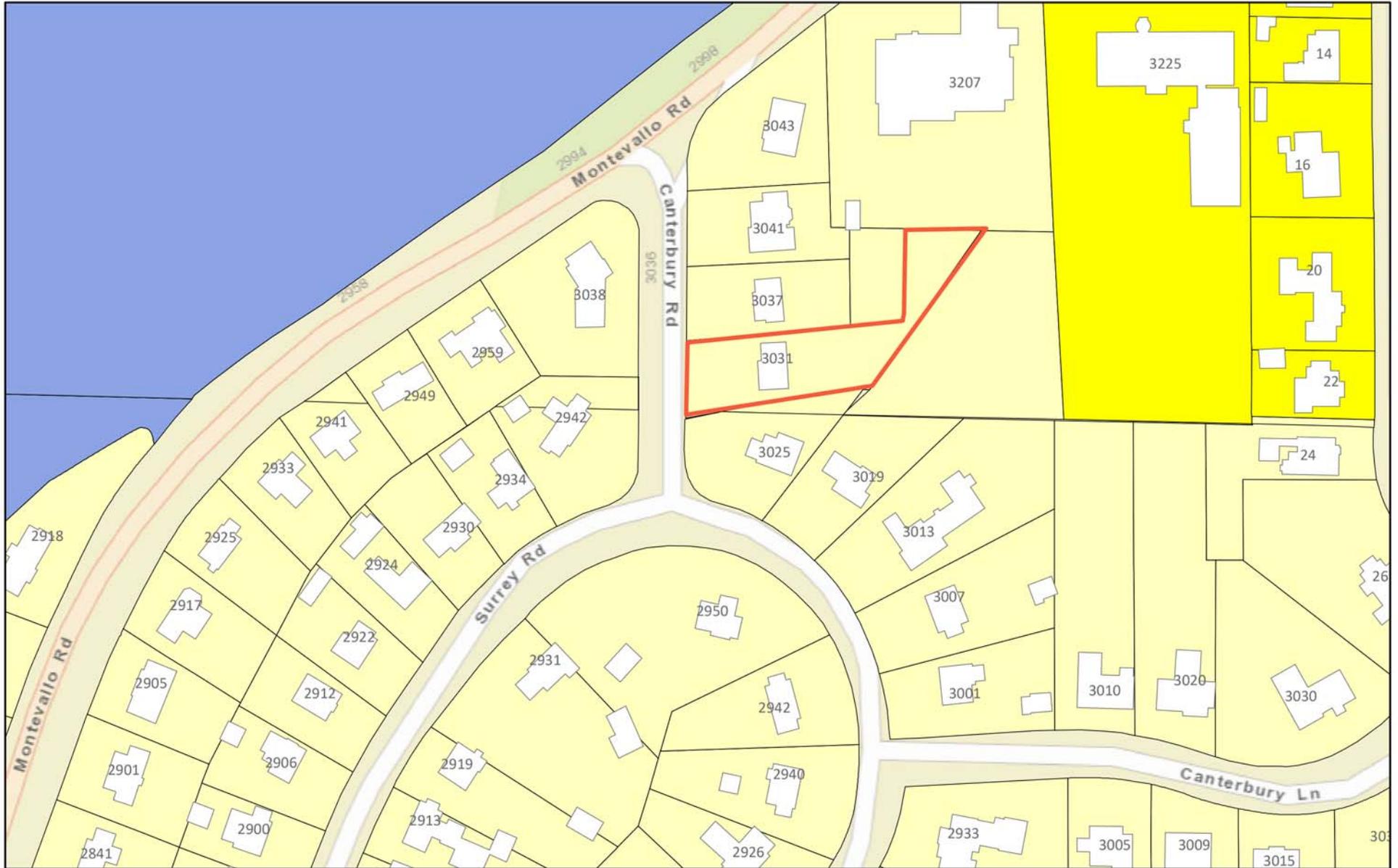
Henry Spratt Long, Jr., President

HSLjr/ab

Enclosures

cc: Mr. and Mrs. Benny LaRussa

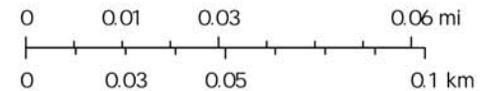
# A-19-16 Zoning



5/15/2019, 4:59:42 PM

- SiteAddressPoints
- Tax\_Parcels
- BuildingFootprints
- Residence B District
- Residence A District
- Rec-2

1:2,257



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-19-16**

#### ***Petition Summary***

Request to allow a new single family dwelling to be 10 feet from the side property line (north) in lieu of the required 15 feet; and two chimneys to be 8 feet from the side property line (north) in lieu of the required 13 feet.

#### ***Analysis***

The hardships in this case are the lot size (22,962 sf in lieu of the minimum 30,000), the lot width (82 feet at the front setback line in lieu of the required 100 feet), and the irregular shape of the lot (narrows from front to back).

As may be seen on the attached survey, the existing house encroaches into both required 15-foot side setbacks. The new house will conform to the south side setback, and will encroach into the north side setback (main structure and chimneys). A 62-foot front yard setback is proposed in lieu of the allowable 40 feet.

#### ***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

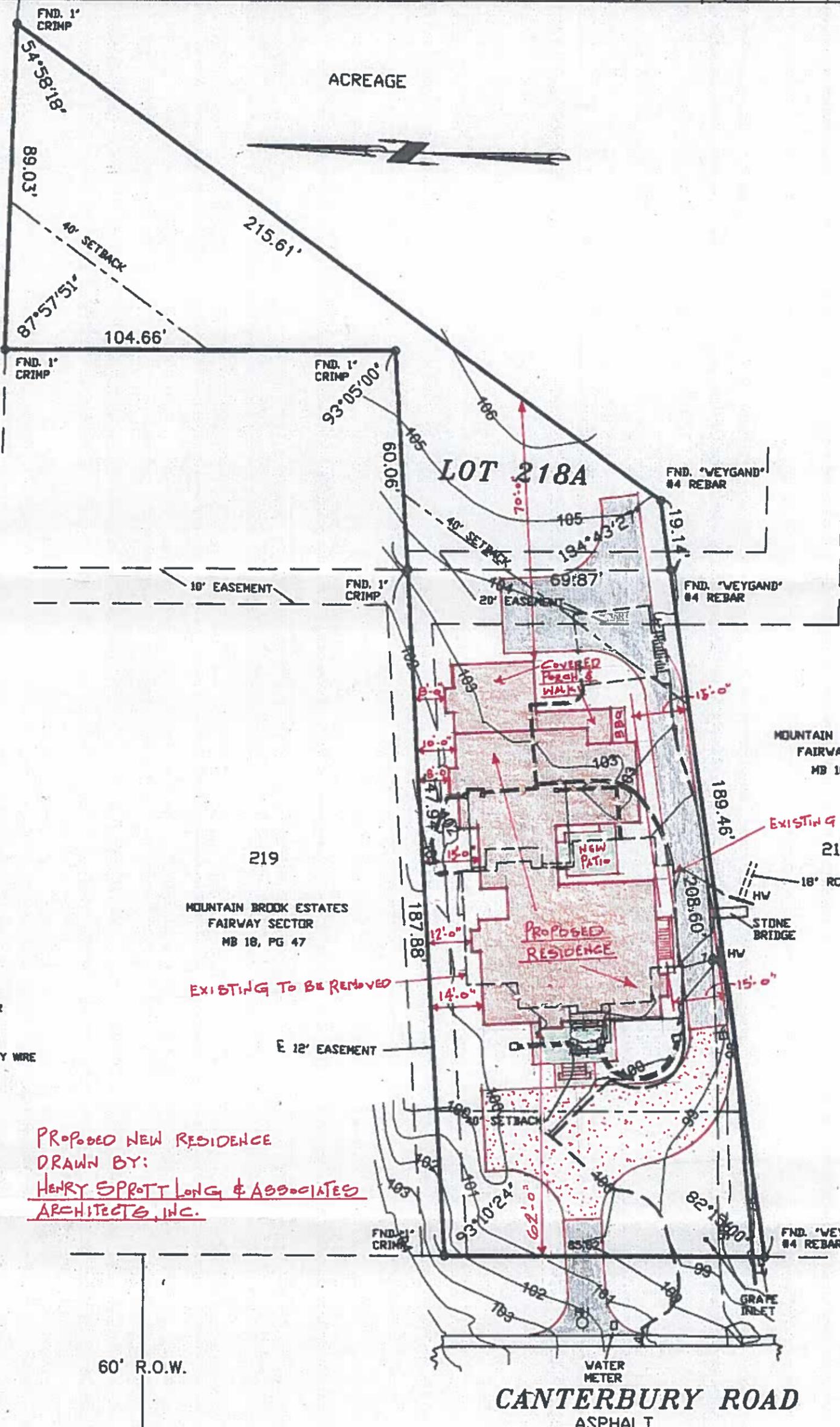
#### ***Appends***

LOCATION: 3031 Canterbury Road

ZONING DISTRICT: Res-A

OWNERS: Mr. and Mrs. Benny LaRussa

ACREAGE



LEGEND

- ASP ASPHALT
- BLDG BUILDING
- CALC CALCULATED
- MEAS MEASURED
- CH CHORD
- LONG LONG CHORD
- d DEFLECTION
- $\Delta$  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
- Y ANCHOR
- X FENCE
- OVERHEAD UTILITY WIRE
- PWMT PAVEMENT
- W WITH
- TAN TANGENT
- RES RESIDENCE
- LGST LIGHT
- COV COVERED
- DECK DECK
- CONCRETE CONCRETE
- WALL WALL
- COLUMN COLUMN

PROPOSED NEW RESIDENCE  
 DRAWN BY:  
 HENRY SPROTT LONG & ASSOCIATES  
 ARCHITECTS, INC.

SCALE: 1"=30'

STATE OF ALABAMA)  
 JEFFERSON COUNTY)

"Topographic Survey"

I, Ray Weygand, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot 218A, CALLAHAN CANTERBURY ROAD RESURVEY, as recorded in Map Volume, Page, 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 22, 2019. Survey invalid if not sealed in red.

Order No.: 2437  
 Purchaser:  
 Address: 3031 CANTERBURY ROAD

Ray Weygand, Reg. L.S. #24873  
 109 Ozmoor Road, Homewood, AL 36209  
 Phone: (205) 942-0086 Fax: (205) 942-0087  
 Copyright ©



Notes: (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.

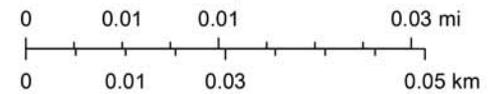
# A-19-16 Aerial



5/15/2019, 5:02:29 PM

SiteAddressPoints

1:1,128



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

Web AppBuilder for ArcGIS  
Hunter Simmons | DigitalGlobe, Microsoft |

Attachment to the Variance Application for Mr. and Mrs. Benny LaRussa

**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 at 3031 Canterbury Road is zoned Residence "A" is non-conforming as follows:

1. Required minimum lot size is 30,000 square feet. The actual lot contains 22,962 sq. ft. +/-.
2. Required lot width is 100 feet from street line to front setback line. The front property line is 85 feet +/- wide and the front setback is 82 feet wide +/-.
3. The lot is an unusual shape and tapers to a narrower dimension from the front setback width of 82 feet +/- to a setback width of 71 feet +/- at the easement in the rear yard.
4. Minimum number of feet which must abut a street is 100 feet and this lot measures 88 feet +/- at the street.

Therefore, the lot is non-conforming in all areas of the Mountain Brook Zoning Ordinance for Residence "A", Sec. 129-34.a.

**Was the condition from which relief is sought 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...")**

We are proposing to tear down the existing residence at 3031 Canterbury Road and build a new residence on the lot. The new residence will be 2 story on the front portion of the house and the rear wing will be 1 story with various offsets (see attached Site Plan). Items 1-4 listed in the paragraph above have created the hardship in that we don't have the lot size or width that is typically required for Residence "A" zoning. We meet all of the other Residence "A" requirements except we are asking for a variance for a setback of 10'-0" on the left side (8'-0" at two chimneys that are 7 feet wide each). Note: The existing residence is 10 feet from the left side. Also, the main front section of the proposed new house which is most adjacent to the house on the left side, will be 14'-0" from the left side property line.

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

The nonconforming width and the tapered shape of the lot create a hardship that is difficult to address. As an example, the width of the existing house is 57 feet +/- and is 10 feet from each side property line. The total width of the proposed new residence is 52 feet +/-, not including chimneys, but would still require a variance on the left side. If the lot were the required 100 foot width, we would not require a variance. Therefore, the granting of a variance would be consistent with the purpose and intent of the Zoning Regulations because it would address the hardship of the non-conforming lot size and width.



## 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 BLANCH

Phone Number (601) 807-7814 Email JIMMY @ JAMESBLANCHLAW.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,

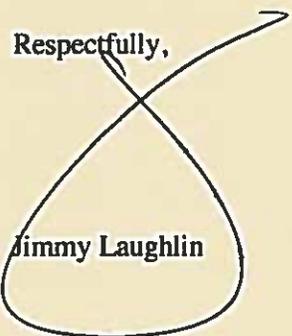
I am an architect writing on behalf of property owners, Mallie and Jay Whatley, concerning 3400 Sherwood Road.

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.

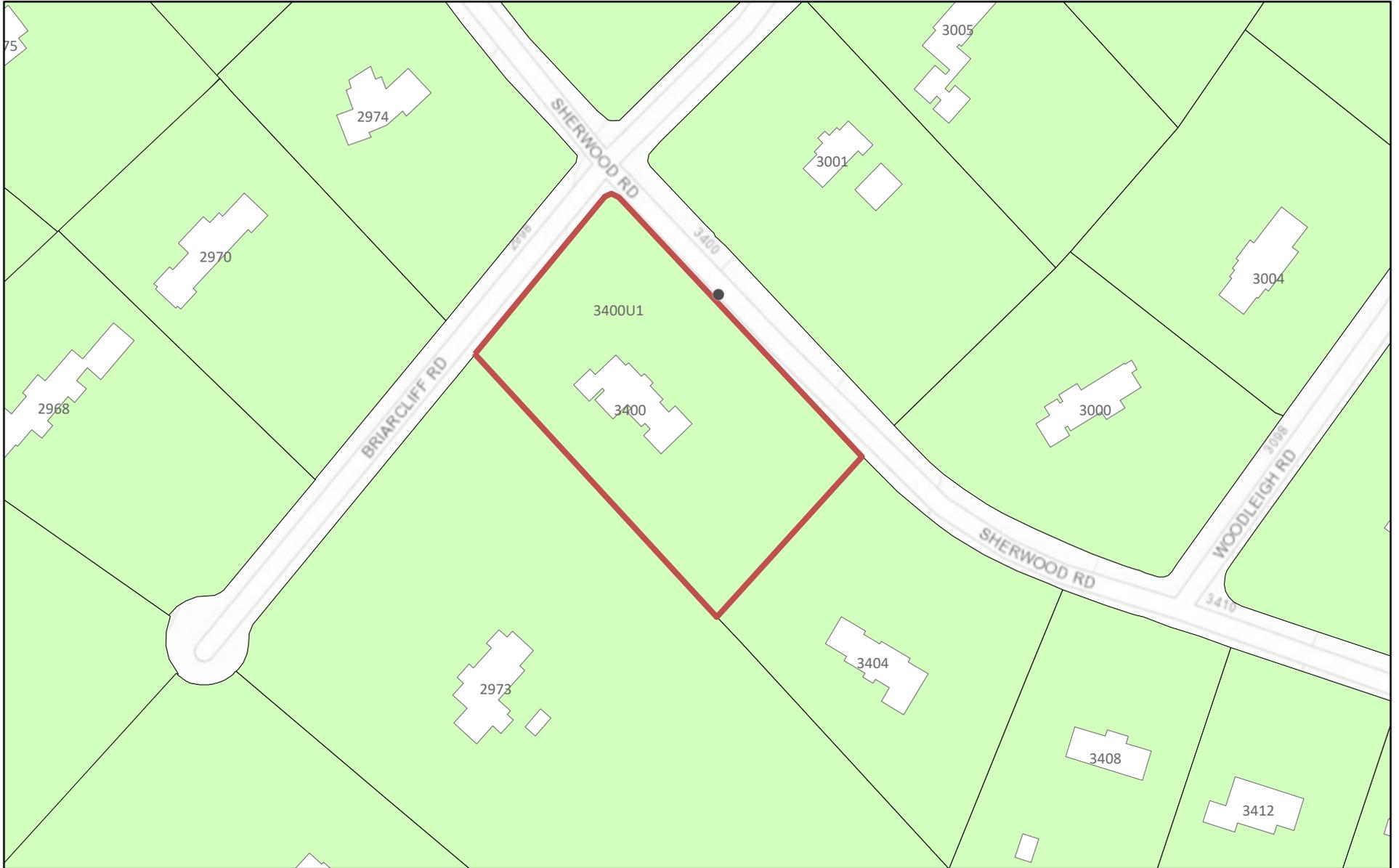
The property is zoned Estate Residence District and is existing non-conforming at the rear. With all of the hardships listed above we feel the granting of this variance is in harmony with the purpose and intent of the Zoning Regulations.

Respectfully,



Jimmy Laughlin

# A-20-06 Zoning

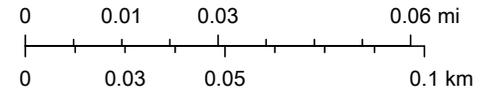


2/27/2020, 12:57:00 PM

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***

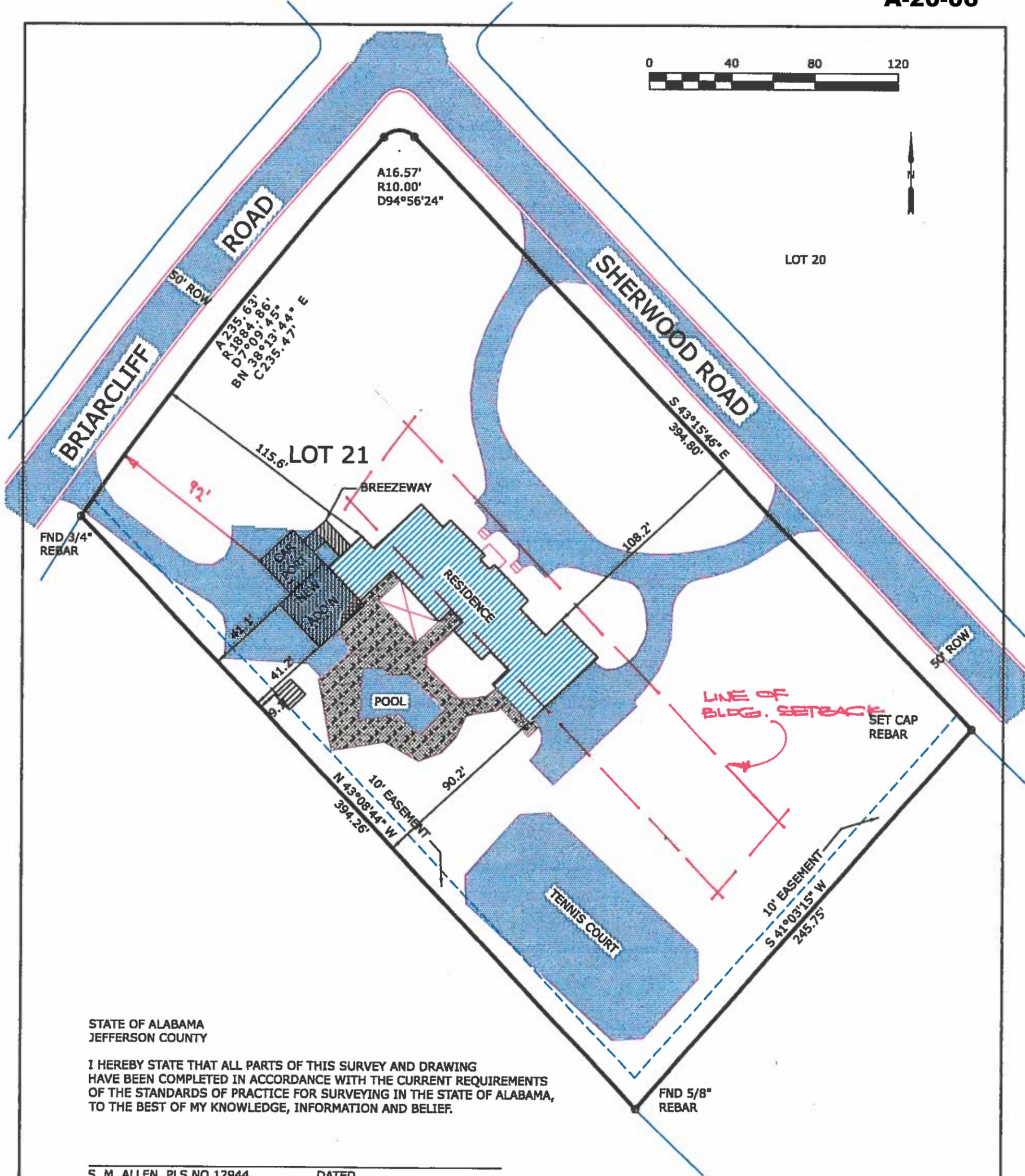
Article VI, Estate Residence District, Section 129-72, Area and Dimensional Requirements

#### ***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.

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



JAMES B. LAUGHLIN

JIMMY@JAMESBLAUGHLIN.COM

c. 205.807.7814 / o. 205.775.6055

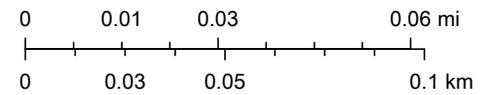


# A-20-06 Aerial



2/27/2020, 12:58:34 PM

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 LVEDWARDS@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

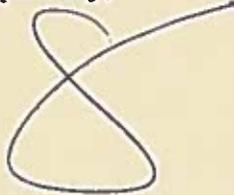
To whom it may concern,

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



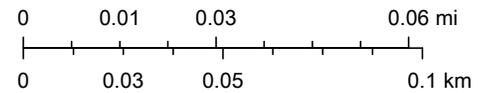
2/27/2020, 1:03:54 PM

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

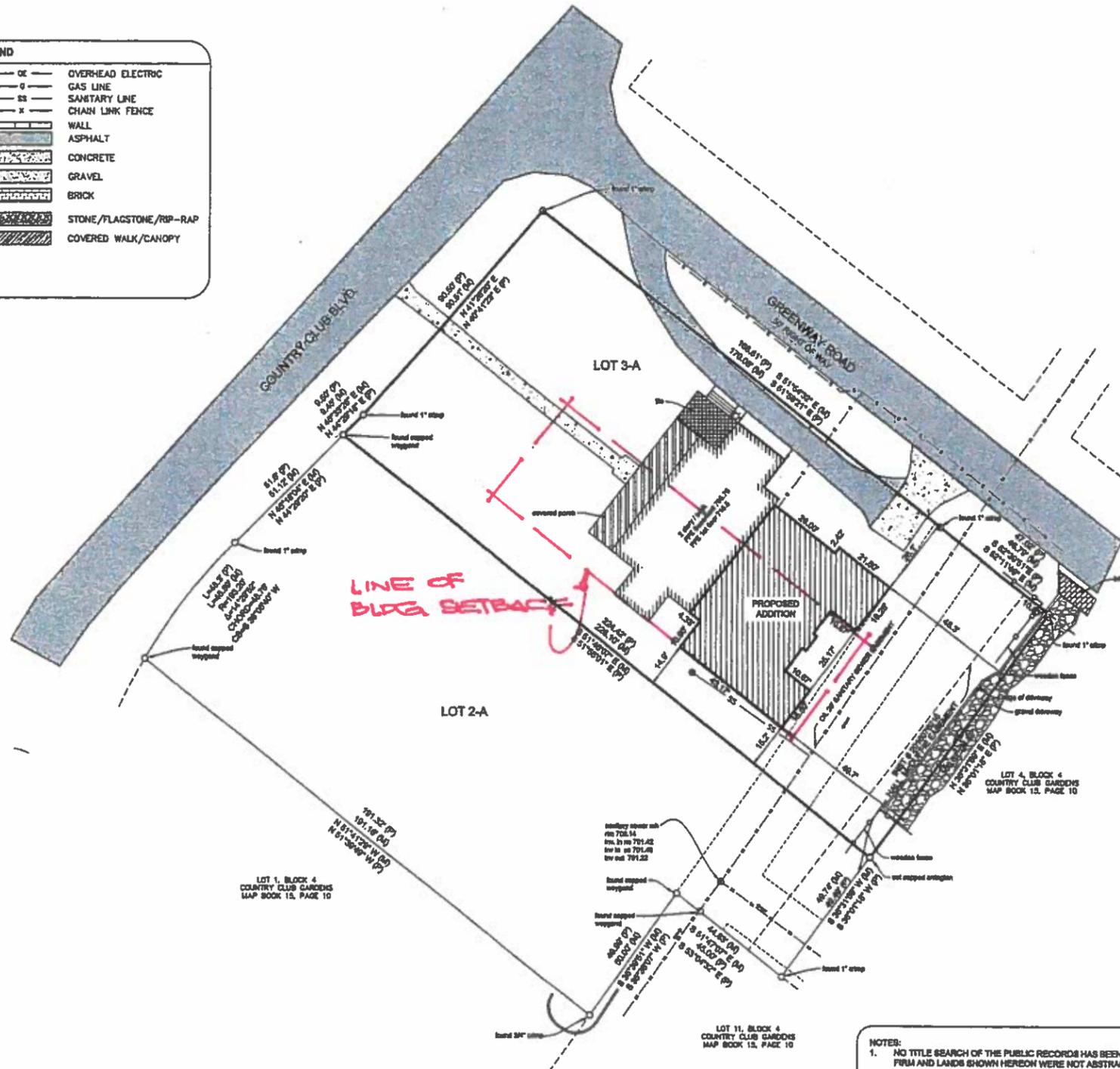
GRAPHIC SCALE



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	—G—	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
LOCATION & DESCRIPTION SITUATED IN THE NW 1/4 OF SECTION 4, TOWNSHIP 18 SOUTH, RANGE 2 WEST, JEFFERSON COUNTY, ALABAMA		CHECKED BY JDA
		DATE 2-18-2020
		SCALE 1" = 20'
		PARTY CHIEF JJ
		PROJECT NO. 73163
		SHEET 1 OF 1

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





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

JAMES B. LAUGHLIN



*elevation at rear*

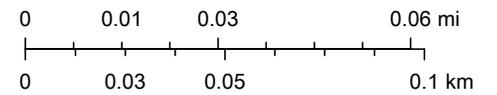
JAMES B. LAUGHLIN

# A-20-07 Aerial



2/27/2020, 1:04:51 PM

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)?

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 SITED 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.



## Variance Application - Part I

### Project Data

Address of Subject Property 3625 Mountain Park Drive

Zoning Classification R-A

Name of Property Owner(s) Rebecca + Jonathan Doss

Phone Number (205) 999-1068 Email Jad930@gmail

Name of Surveyor Ray Weygand

Phone Number (205) 942-0068 Email rayweygandsurveyor.com

Name of Architect (if applicable) N/A

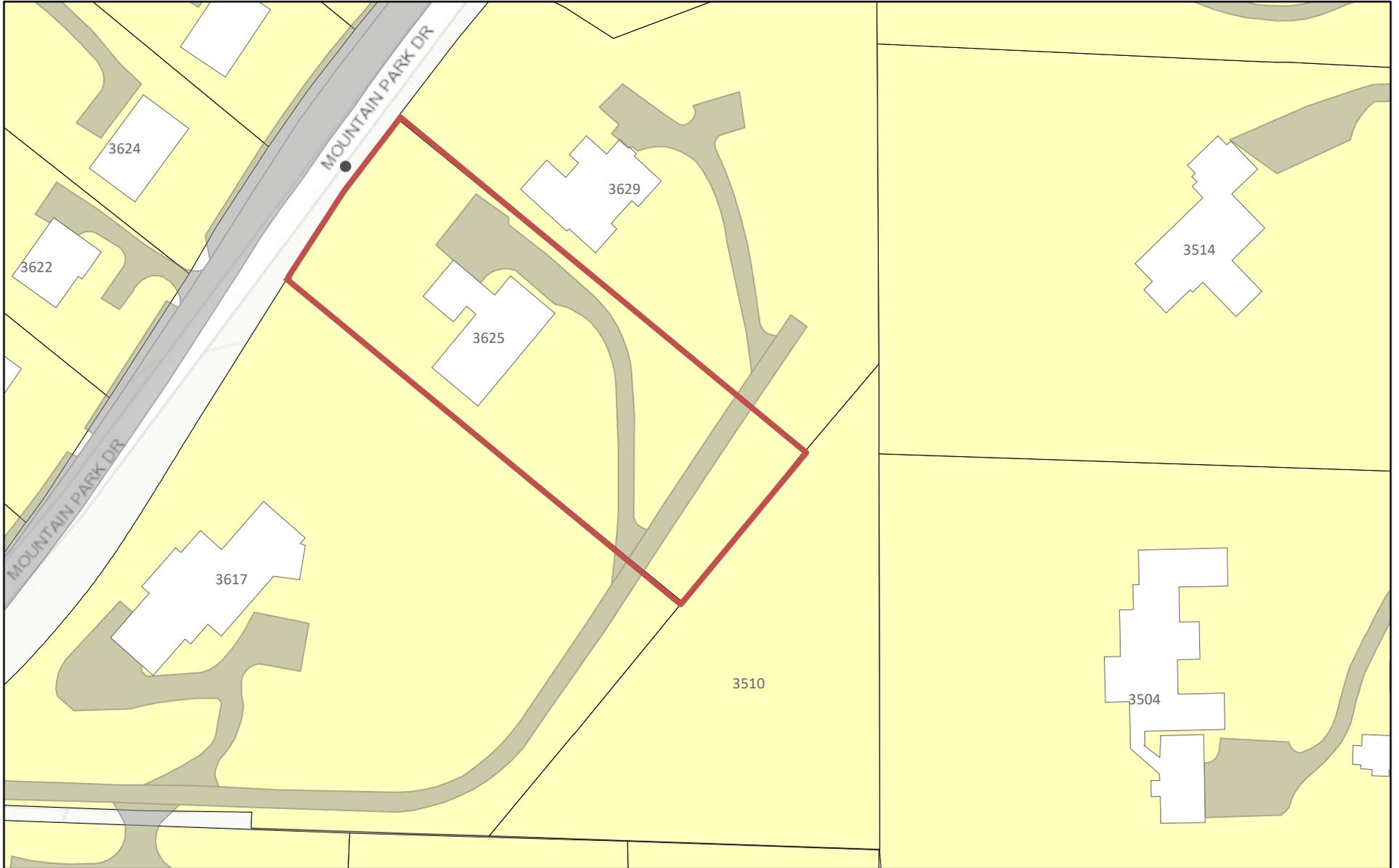
Phone Number \_\_\_\_\_ Email \_\_\_\_\_

Property owner or representative agent must be present at hearing

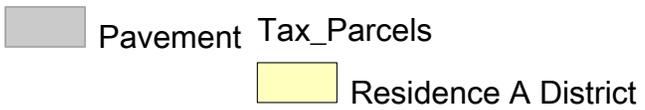
Please fill in only applicable project information (relating directly to the variance request(s)):

	Zoning Code Requirement	Existing Development	Proposed Development
Lot Area (sf)	30,000		
Lot Width (ft)	107	107	107
Front Setback (ft) <i>primary</i>	40	80	60
Front Setback (ft) <i>secondary</i>	N/A		
Right Side Setback	10	-	45
Left Side Setback	10	-	10
Right Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 22' high → 22' high or greater →	N/A		
Left Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 22' high → 22' high or greater →	N/A		
Rear Setback (ft)	N/A		
Lot Coverage (%)	35	10.5 / 10.5	11.5
Building Height (ft)	3.5	-	0
Other			
Other			

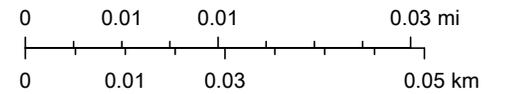
# A-20-08 Zoning



4/8/2020, 12:29:17 PM



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 | Jefferson County Information Technology Services |

## Report to the Board of Zoning Adjustment

**A-20-08**

### ***Petition Summary***

Request to allow the construction of a pool in the front yard (Mountain Park Drive side) in lieu of the requirement that swimming pools must be located to the rear of the principal dwelling.

### ***Analysis***

The hardship in this case according to the applicant is that the back of the house faces the street. The front of the house is accessed by a private drive on the rear of the property. The applicant also stated that the proposed location of the pool is at an elevation that would not allow it to be visible from the street.

The existing design constraints would make it difficult to comply with the Zoning regulations.

### ***Impervious Area***

The proposal exceeds the allowable impervious surface area. The impervious surface percentage for this lot is currently at 34.6 with the proposed addition and carport shown on the survey. The maximum impervious surfacing allowed for this property is 30%.

### ***Subject Property and Surrounding Land Uses***

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

### ***Affected Regulation***

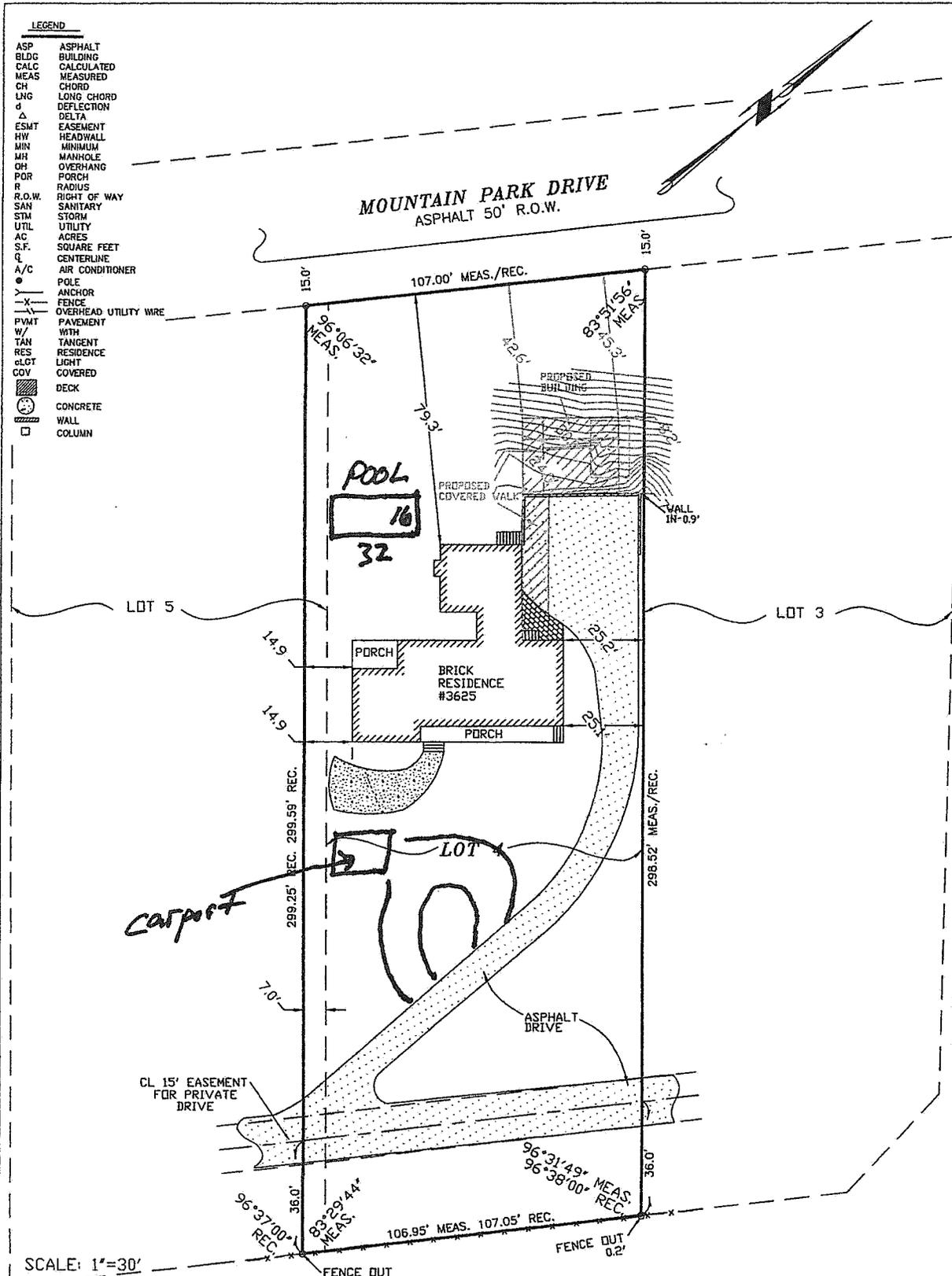
Article XIX, Sec. 129-318, Private recreational facilities in residential districts

### ***Appends***

LOCATION: 3625 Mountain Park Drive

ZONING DISTRICT: Residence A District

OWNERS: Rebecca and Johnathan Doss



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.

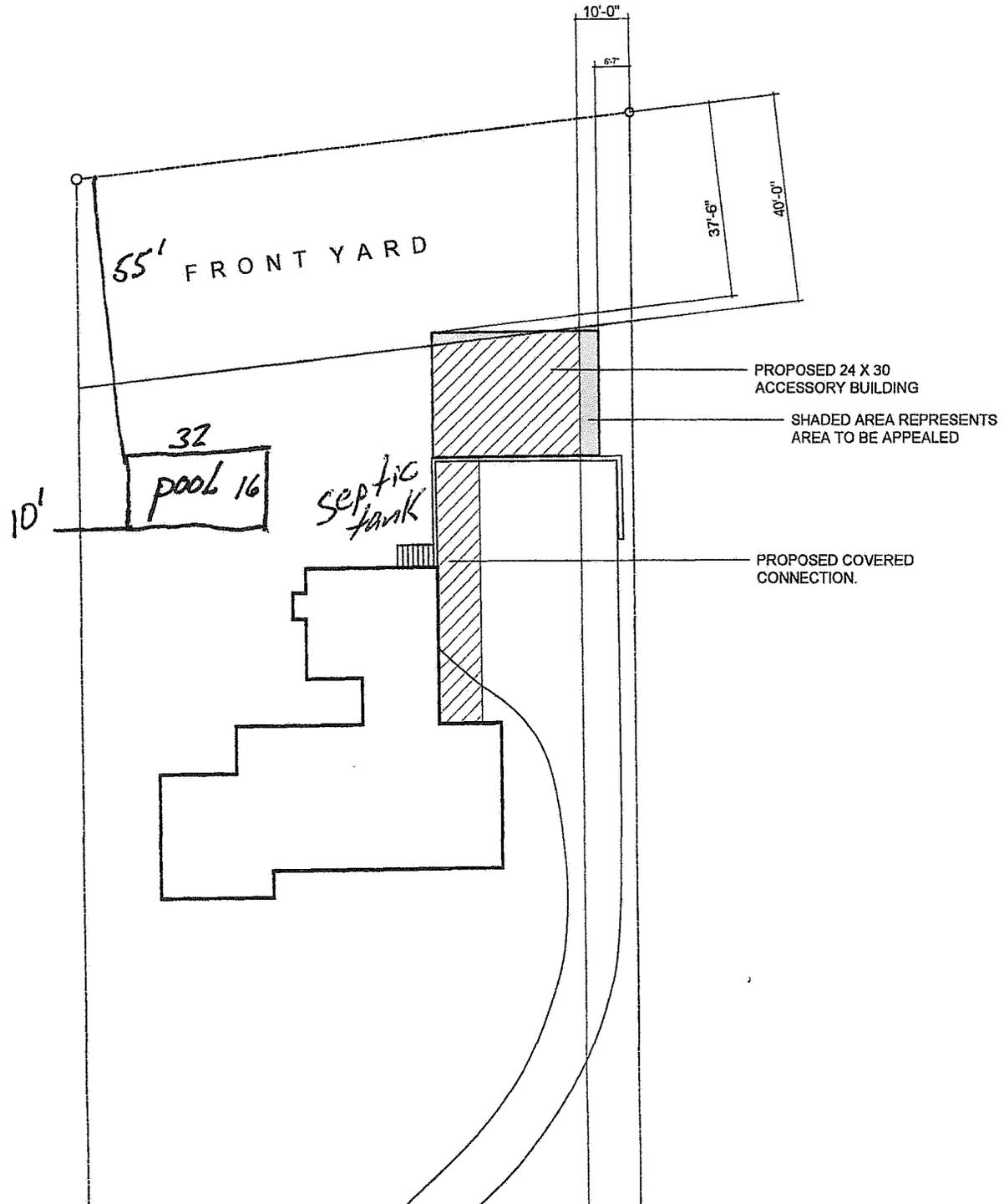
Order No: 4298  
Purchaser:  
Address: 3625 MOUNTAIN PARK DRIVE

*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-20-08 Aerial



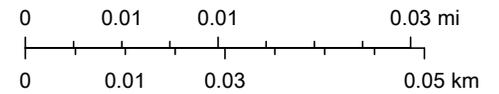
4/8/2020, 12:32:26 PM

2018 Aerial

 Red: Band\_1

 Green: Band\_2  Blue: Band\_3

1:1,128



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



## 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 "primary back" of the house faces the street + mailbox  
but due to topography and elevation is not visible from road*

*The "primary front" where you approach the house by car is located  
on a private driveway and is not visible from any public street.*

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 requested variance is in full harmony with the purpose  
and intent of zoning regulations.*

*The unique characteristics of the lot dictated the  
design and the required access via private driveway*