

BZA Packet

September 21, 2020

Hello All,

Enclosed please find your packet for the meeting of September 21, 2020.

We have:

- 1 extension request
- 7 new cases

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

www.mtnbrook.org

- Calendar (upper right corner)
- Board of Zoning Adjustment (September 21, 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
SEPTEMBER 21, 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. **Case A-19-22: Extension-** Ann Thomas, property owner, requests variances from the terms of the Zoning Regulations to allow a new single family dwelling to be 15 feet from the rear property line (north) in lieu of the required 40 feet; also for the lot coverage to be 37% in lieu of the maximum allowable 25%. – **2317 Country Club Place.** (Original variance approvals granted on October 21, 2019, address has been changed from 2504 Country Club Circle)
2. **Case A-20-23:** Ronald and Liz Wolff, property owners, request a variance from the terms of the Zoning Regulations to allow for the construction of a porch to be located 28.8 feet from the front property line in lieu of the required 40 feet.- **56 Ridge Drive**
3. **Case A-20-24:** Anna Manasco, property owner, requests a variance from the terms of the Zoning Regulations to allow for the construction of roof over an existing porch to be located 5.4 feet from the side property line in lieu of the required 15 feet. - **3416 Mountain Park Drive**
4. **Case A-20-25:** Amanda and Sam Brien, property owners, request variances from the terms of the Zoning Regulations to allow for the construction of additions to be located 11.1 feet from the side property line in lieu of the required 12.5 feet and 21.6 feet from the property line along the secondary front in lieu of the required 35 feet. - **2 West Montcrest Drive**
5. **Case A-20-26:** Jason Rogoff, property owner, requests variances from the terms of the Zoning Regulations to allow for the construction of new home to be located 13’3” feet from the side property line in lieu of the required 15 feet and a variance to allow a concrete retaining wall topped by a black iron fence to be a total of 11 feet in height in the side and rear yards in lieu of the 8 feet maximum height allowed. - **3525 Mountain Park Drive**

6. **Case A-20-27:** Angela Thornton and Howard Downey, property owners, request a variance from the terms of the Zoning Regulations to allow for the construction of an addition to an existing home to be located 12.5 feet from the side property line in lieu of the required 15 feet. - **3103 Salisbury Road**
7. **Case A-20-28:** Cooper Bennett, property owner, requests variances from the terms of the Zoning Regulations to allow for the construction of additions to an existing non-conforming home to be located 19.9 feet from the front property line in lieu of the required 35 feet, 14.8 feet from the secondary front property line in lieu of the required 35 feet and 23 feet from the rear property line in lieu of the required 35 feet.-**11 Montevallo Lane**
8. **Case A-20-29: :** Stephen and Lucy Spann, property owners, request a variance from the terms of the Zoning Regulations to allow for the construction of a covered screened in porch to be located 0 feet from the secondary front property line in lieu of the required 35 feet.-**301 Dexter Ave**
9. Next Meeting: Monday, October 19, 2020
8. Adjournment

Ed Goodwin
3144 Overhill Rd
Mountain Brook, AL
35223

RE: A-19-22

Cell 205-616-3745

Tyler Slaten
PLANNER
City of Mountain Brook
56 Church Street
Mountain Brook, AL 35213

Dear Tyler,

Please put my request on the
September agenda for a 6 month
extension. No changes to original
variance request. You have all
information in our file. Hank Long
will be my representative.

Thanks

Ed Goodwin

CITY OF MOUNTAIN BROOK

A-19-22



Wade Cherry - GIS Manager

Department of Building, Design, and Sustainability

56 Church St – Suite 234

Mountain Brook, AL 35213

Phone: (802)3830, Fax: (205) 879-6913

New USPS Address

January 8, 2020

Ed Goodwin
3144 Overhill Road
Birmingham, AL 35223

Please be advised that the below described parcel of property located within the City of Mountain Brook, has been assigned a new address as described below. ***This memo is being sent for your records, and should be considered official notification of your address change.***

<u>PARCEL #</u>	<u>OWNER NAME</u>	<u>CURRENT ADDRESS</u>	<u>NEW ADDRESS</u>
2800053007018000	ED GOODWIN	2504 COUNTRY CLUB CIR	2317 COUNTRY CLUB PLACE

We realize that this address change is inconvenient. To ease this transition, we have notified the U.S. Post Office. Any mail addressed to your old address will continue to be delivered for up to one year. The City of Mountain Brook has notified all appropriate emergency services and utilities. We have also notified the Jefferson County Board of Registrars concerning voter registration. If you are a property owner, we suggest contacting the Tax Assessor's Office at 325-5505 to change your tax notice mailing address. You are responsible for changing all of your personal correspondence and you may wish to send a copy of this letter to any bank, loan office, mortgage holder or insurance provider you may be using. Please keep a copy of this letter with your deeds and other important papers.

It is important that you post and use your new address.

Thank you for your consideration in this matter. Please contact this office at (205) 802-3830 if you have any questions or concerns about this address change.

Wade Cherry, GISP



Variance Application - Part I

Project Data

Address of Subject Property 2504 Country Club Circle

Zoning Classification Residence A

Name of Property Owner(s) Mr. and Mrs. Ed Goodwin

Phone Number 205-616-3745 (c) Email regooo@aol.com

Name of Surveyor Weygand Surveyors

Phone Number 205-942-0086 Email ray@weygandsurveyor.com

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

Phone Number 205-323-4564 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.	19,326 +/- sq. ft.	19,326.0 sq. ft.
Lot Width (ft)	100.0'	160.82'	160.82'
Front Setback (ft) <i>primary</i>	40.0'	39.9'	40.0'
Front Setback (ft) <i>secondary</i>	NA	NA	NA
Right Side Setback	40.0'	39.8'	40.0'
Left Side Setback	15.0'	43.4'	15.0'
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'	21.0' +/-	15.0'
Lot Coverage (%)	25%	16.5% +/-	24% +/-
Building Height (ft)	35.0'	20.0' +/-	33.0' +/-
Other			
Other			

Henry Sprott Long & Associates
ARCHITECTS

September 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. Ed Goodwin
Case No. A-19-22

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.

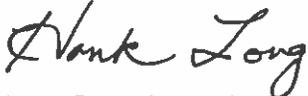
We propose to build a new residence on the non-conforming parcel at 2504 Country Club Circle. The existing residence will be removed. We are requesting a variance at the rear setback to allow the new residence to be 15'-0" from the rear property line rather than the required 40'-0" feet. The new residence will meet all of the other requirements for Residence "A" zoning. This non-conforming parcel does not have the required lot area to meet Residence A zoning requirements and the parcel is also a corner lot.

Four copies of the graphic explanation of the proposed residence, as shown on the attached drawing/ Site Plan, are included. The list of the adjacent property owners and \$ 100.00 check to cover the hearing fee were submitted with the initial variance request which was heard on August 19, 2019 as Case No. A-19-22. All information is submitted in preparation for the zoning board meeting on Monday, October 21, 2019.

Thank you for your consideration in this matter.

Sincerely,

HENRY SPROTT LONG & ASSOCIATES, INC.



Henry Sprott Long, Jr., President

HSLjr/ab

Enclosures

cc: Mr. and Mrs. Ed Goodwin

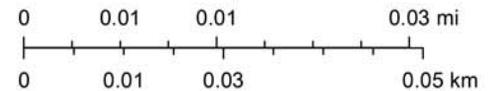
A-19-22 Zoning



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

Tax_Parcels Residence A District
0 Rec-2

1:1,128



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

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

Report to the Board of Zoning Adjustment

A-19-22

Petition Summary

Request to allow a new single family dwelling to be 15 feet from the rear setback (north) in lieu of the required 40 feet.

Analysis

The hardships in this case are the corner lot configuration and the lot size (19, 326 sf in lieu of the required 30,000 sf). As may be seen on the attached aerial, the house on the adjoining property to the north is located to the *northeast* of the subject house (approx. 100-foot separation), such that the entire subject lot is forward/west of the house on the adjoining lot. As such, any approval of this variance request would not hinder the flow of light and air to the adjoining property as presently developed.

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

Impervious Area

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

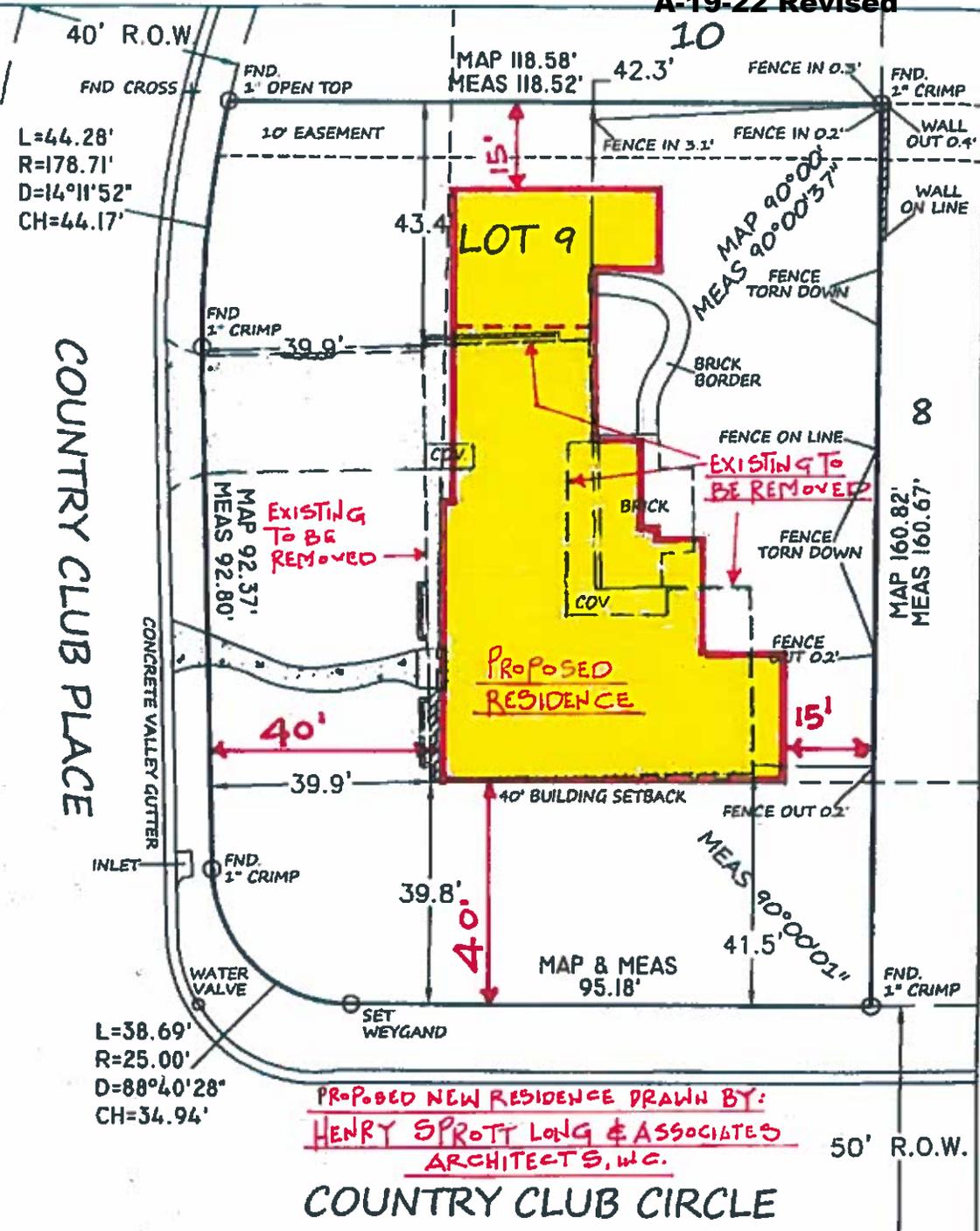
LOCATION: 2504 Country Club Drive

ZONING DISTRICT: Res-A

OWNER: Edward Goodwin

LEGEND

ASP	ASPHALT
BLDG	BUILDING
CALC	CALCULATED
MEAS	MEASURED
CH	CHORD
LNG	LONG CHORD
d	DEFLECTION
Δ	DELTA
ESMT	EASEMENT
HW	HEADWALL
MN	MINIMUM
MH	MANHOLE
OH	OVERHANG
POR	PORCH
R	RADIUS
R.O.W.	RIGHT OF WAY
SAN	SANITARY
STM	STORM
UTIL	UTILITY
AC	ACRES
S.F.	SQUARE FEET
CL	CENTERLINE
A/C	AIR CONDITIONER
o	POLE
—x—	ANCHOR
—x—	FENCE
—x—	OVERHEAD UTILITY WIRE
PWMT	PAVEMENT
W/	WITH
TAN	TANGENT
RES	RESIDENCE
LG	LIGHT
COV	COVERED
■	DECK
●	CONCRETE
■	WALL
□	COLUMN



SCALE: 1"=30'

STATE OF ALABAMA
JEFFERSON COUNTY

"Property Boundary Survey"

I, Ray Weygand, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot 9, GRASSMERE ESTATES BEING A RESURVEY OF LOTS 1, 2 AND 3, GRASSMERE SURVEY, as recorded in Map Volume 51, Page 22, in the Office of the Judge of Probate, Jefferson County, Alabama. I hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief according to my survey of MARCH 3, 2019. Survey invalid if not sealed in red.

Order No.: 2832
Purchaser:
Address: 2504 COUNTRY CLUB CIRCLE

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

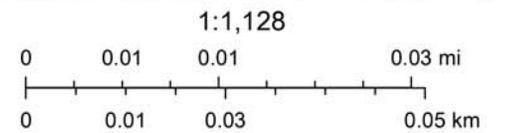


Note: (a) No title search of the public records has been performed by this firm and land shown hereon was not abstracted for easements and/or rights-of-way, recorded or unrecorded. The parcel shown hereon is subject to setbacks, easements, zoning, and restrictions that may be found in the public records of said county and/or city. (b) All bearings and/or angles, are deed/record map and actual unless otherwise noted. (c) Underground portions of foundations, footings, and/or other underground structures, utilities, cemeteries or burial sites were not located unless otherwise noted. (d) The shown north arrow is based on deed/record map. (e) This survey is not transferable. (f) Easements not shown on recorded map are not shown above.

A-19-22 Aerial



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



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

Web AppBuilder for ArcGIS
Hunter Simmons | DigitalGlobe, Microsoft |

Attachment to the Variance Application for Mr. and Mrs. Ed Goodwin

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)?

We wish to remove the existing residence and build a new residence on this lot which is zoned Residence A. The existing lot is non-conforming because it is 19,326.0 +/- square feet rather than the required 30,000.0 square feet. In addition, the property is a corner lot which requires 3 40'-0" setbacks. This, combined with the non-conforming lot area, creates a hardship because of the very restrictive buildable area remaining after meeting the setbacks on the non-conforming lot area.

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...")

The applicant did not create the non-conforming lot so the request is not a result of an action by the applicant.

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

The only variance that the applicant is requesting is at the rear setback, which is required because of the non-conforming lot area and relatively shallow front to rear property depth. Otherwise, the new residence shall meet all of the other requirements for Residence "A" zoning. Note the existing residence is approximately 21.0' from the rear property line. Therefore, the granting of a variance would be consistent with the purpose and intent of the Zoning Regulations because it would address the hardship caused by the non-conforming lot area and corner lot restrictive set back configuration.



Variance Application - Part I

Project Data

Address of Subject Property 56 Ridge Drive, Mountain Brook, AL 35213

Zoning Classification Residence A

Name of Property Owner(s) Ronald and Liz Wolff Phone
Number 205-482-0232 Email lobowolff8@hotmail.com Name

of Surveyor Robert Reynolds

Phone Number 205-832-7900 Email reynoldssurvey59@bellsouth.net

Name of Architect (if applicable) Carrie Taylor Architect, LLC

Phone Number 205-835-8069 Email carrie@carrietaylorarchitect.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)	30,000sf	17,948sf	17,948sf
Lot Width (ft)			
Front Setback (ft) <i>primary</i>	40'	28.8'	28.8'
Front Setback (ft) <i>secondary</i>			
Right Side Setback			
Left Side Setback			
Right Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 22' high → 22' high or greater →			
Left Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 22' high → 22' high or greater →			
Rear Setback (ft)			
Lot Coverage (%)			
Building Height (ft)			
Other			
Other			



833 Oxmoor Road
Birmingham, AL 35209
carrie@carrietaylorarchitect.com
(205)835-8069

August 26th, 2020

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

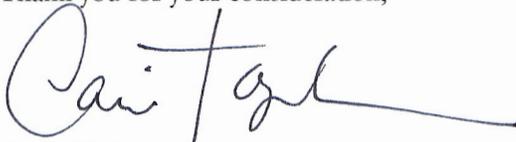
Dear Ms. Hazen,

Thank you for the opportunity to present our application for a variance for the residence located at 56 Ridge Drive. Our scope for the proposed project is limited to an existing canvas porch-like structure that is located on an existing stone terrace on the front of the home. Both the terrace and canvas structure were original to the home when my clients purchased it and they have seen how necessary the canvas is to shade the front of the home as it has full southern exposure on that façade. My clients would like to replace the canvas with a permanent porch structure that is more in keeping with the home's architectural style.

This property is challenged by a number of factors: it is a pie-shaped, steep, shallow lot that is also on a curve at that part of Ridge Drive, making access and buildability on this lot a challenge. In fact, when calculating the lot area, we realized it is a little more than half of the minimum required, which would make re-locating this porch function very difficult. For example, the front door is located on the side of the home because grade-level access at the front of the home is so challenging due to the slope.

This proposed new porch structure would be comprised of 4 classical columns and a sloping standing seam metal roof that would match other existing metal roofs on the home. The footprint would match the existing canvas structure footprint, which does not extend the full width of the terrace and we would match the existing handrails. The terrace and canvas structure currently extend to 28.8' off of the street, so we would be asking for an 11.2' variance to replace it with the permanent structure.

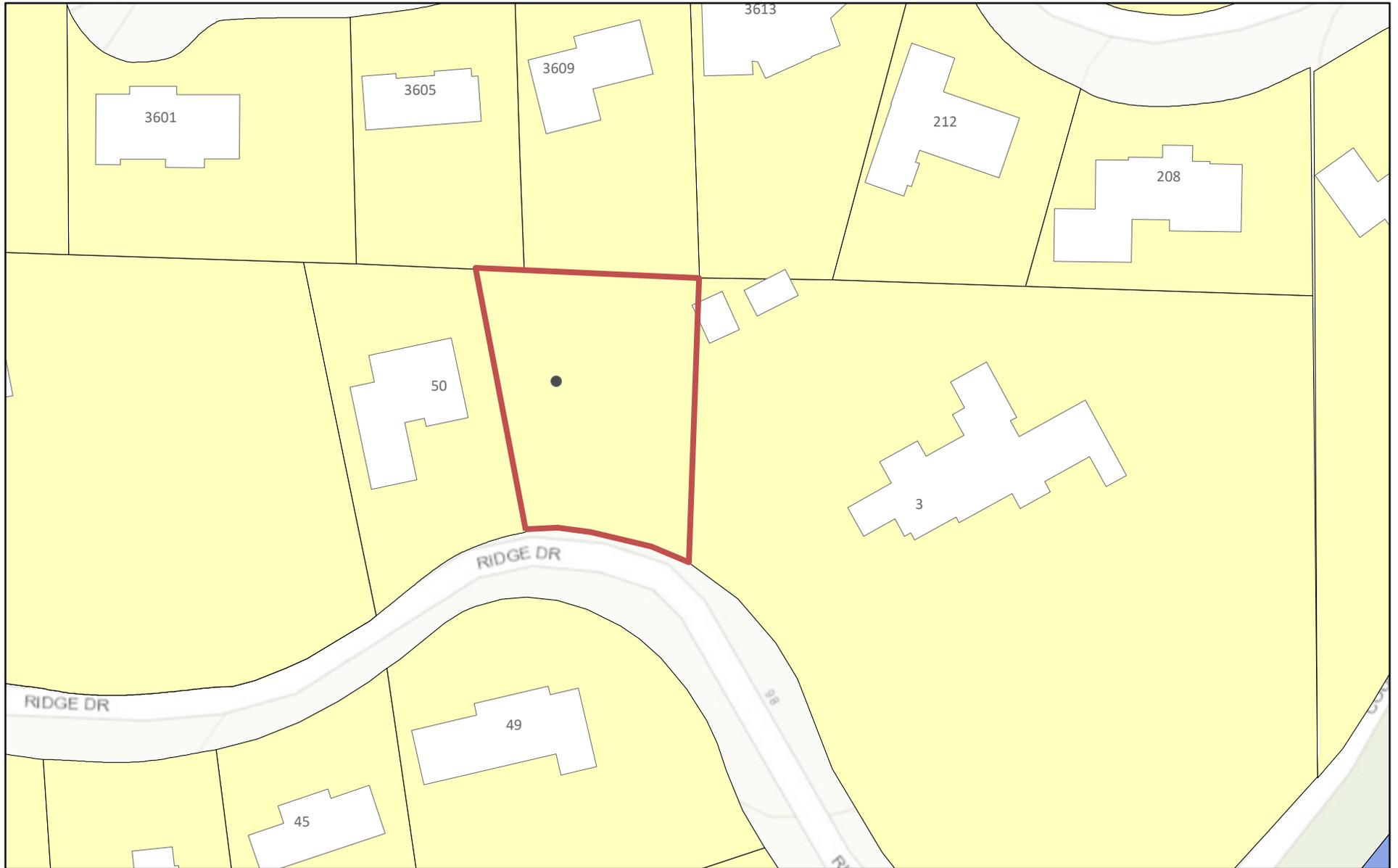
Thank you for your consideration,



Carrie Taylor
Principal Architect



A-20-23 Zoning



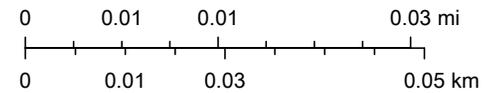
9/14/2020, 1:11:37 PM

Tax_Parcels

 Rec-2

 Residence A District

1:1,128



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

ArcGIS Web AppBuilder

JeffCoAL, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA | Hunter Simmons | Jefferson County Information Technology Services |

Report to the Board of Zoning Adjustment

A-20-23

Petition Summary

Request to allow for the construction of a porch to be located 28.8 feet from the front property line in lieu of the required 40 feet.

Analysis

The hardships in this case are a shallow lot on a curve that is steep in topography and a pie shaped lot. The applicant is seeking the variance in order to improve an existing stone terrace. The current terrace is covered by canvas. The proposal would improve the existing terrace by adding a more substantial roof that is comprised of 4 classical columns and a sloping standing seam metal roof that matches the existing metal roofs on the home. The footprint of the terrace is not expanding.

Impervious Area

No proposed changes to lot or impervious coverages.

Subject Property and Surrounding Land Uses

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

Affected Regulation

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

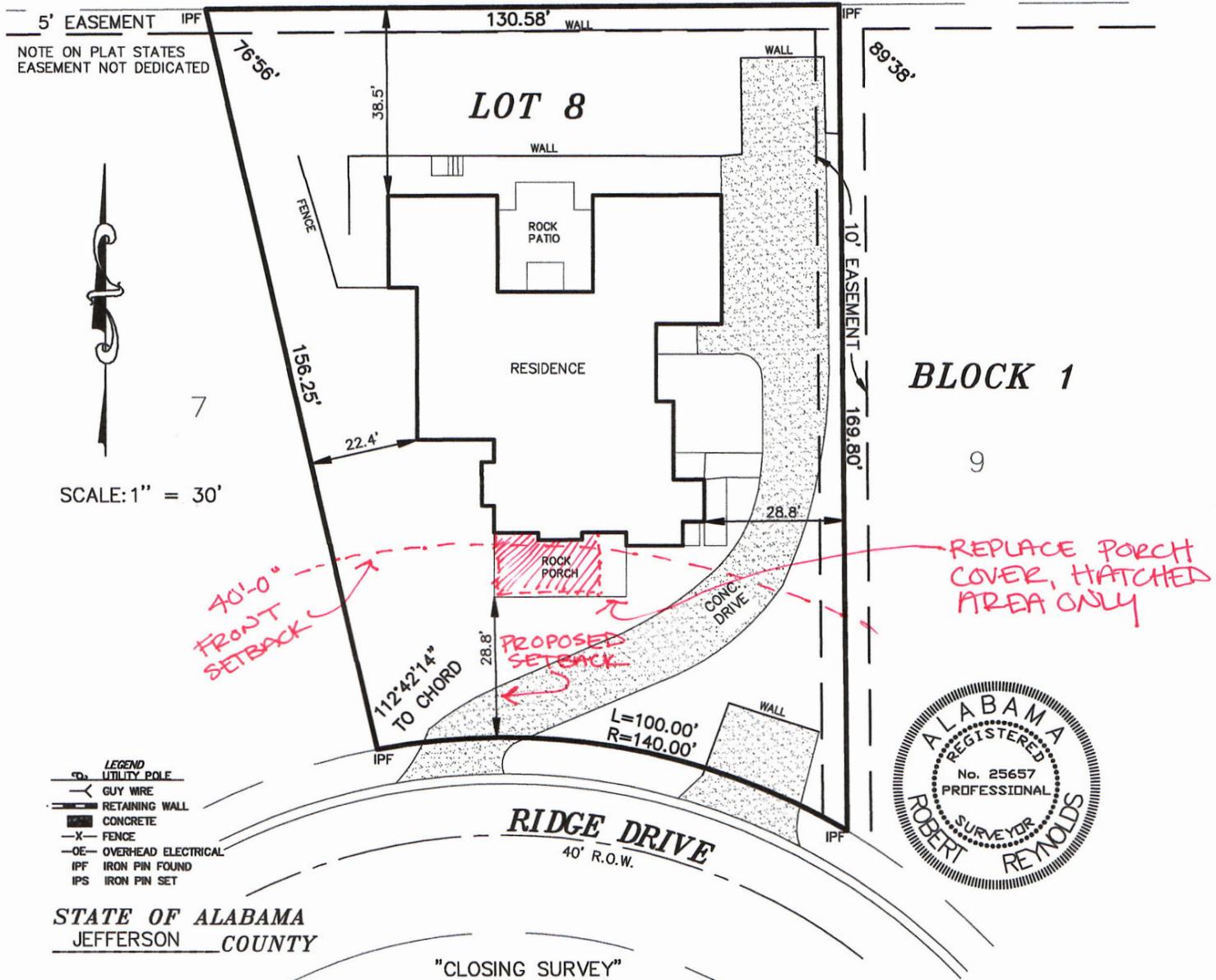
Appends

LOCATION: 56 Ridge Drive

ZONING DISTRICT: Res-A

OWNERS: Ronald and Liz Wolff

REYNOLDS SURVEYING CO., INC.
Surveying - Land Planning



I, Robert Reynolds, a Registered Surveyor, do here by state that this is a true and correct plat or map of Lot 8, Block 1, of ROCKRIDGE PARK, as recorded in Map Book 14, Page 75 in the Office of the Judge Of Probate in Jefferson County, Alabama. All parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice of Surveying in the State of Alabama to the best of my knowledge, information and belief. The improvements on said premises are as shown. There are no visible encroachments on over or across said lands except as shown. According to my survey this the 26th day of August, 2020.

NOTE: This survey is not transferable to any additional institutions or subsequent owners.

Address: 56 Ridge Drive

Robert Reynolds

Reg. No. 25657

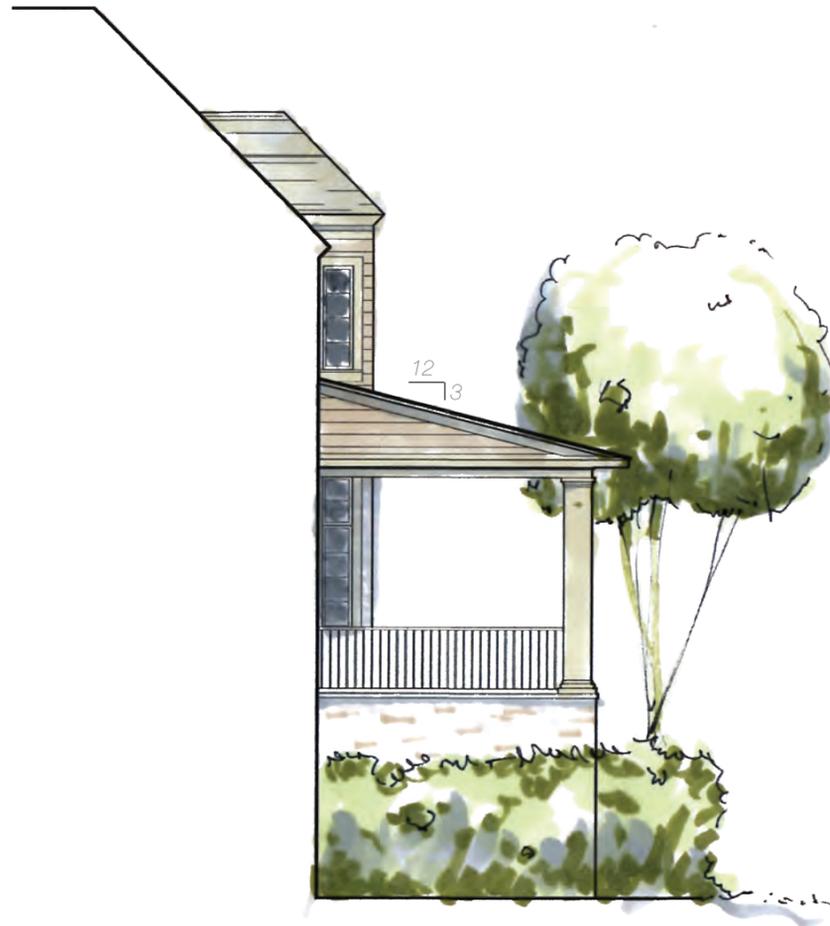


CARRIE TAYLOR
ARCHITECT

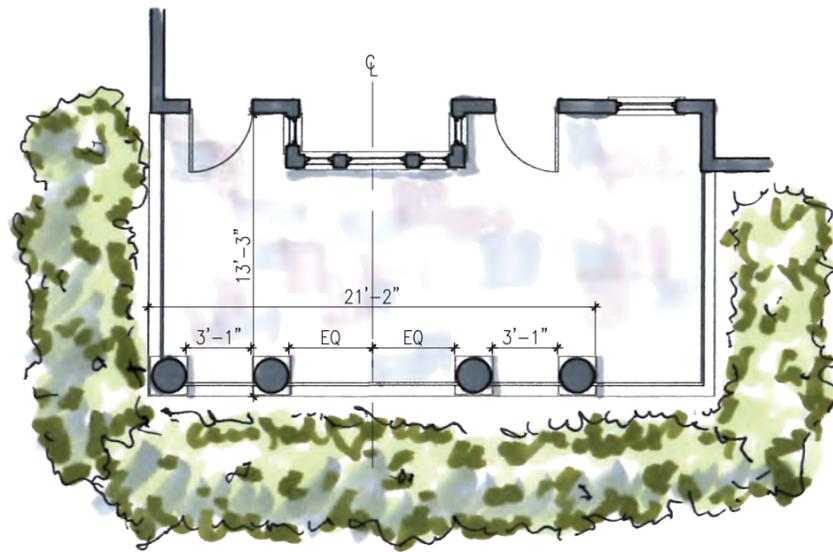
Renovations to the Wolff Residence

Schematic Design 01: 06/26/2020

Round Columns



Side Elevation
Scale: 1/8"=1'-0"



Floor Plan
Scale: 1/8"=1'-0"



Front Elevation
Scale: 1/8"=1'-0"



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)?

This property is located on a pie-shaped lot, on a steep hill, in a curve that generally makes access and any improvements challenging. The lot is also shallower than the surrounding lots zoned Residence A, causing the lot area to be a little more than half of the minimum required area. This means the buildable area is therefore smaller. Additionally, the house faces south, so the porch structure is a critical architectural element for the interior spaces of the home.

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

The front patio is an original condition to the house as is the canvas structure currently used to shade the patio as well as interior space. The intent of the project is to replace the existing structure with a more permanent porch structure in the same location.

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

The porch structure is located on an existing patio so it is not increasing the lot coverage. It is replacing an existing structure, so it is not changing the light, air, noise or safety currently experienced by neighboring properties.

A-20-23 Aerial



9/14/2020, 1:12:26 PM

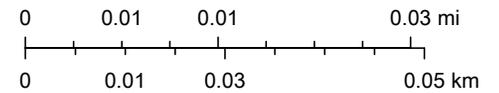
2018 Aerial

Red: Band_1

Green: Band_2

Blue: Band_3

1:1,128



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

ArcGIS Web AppBuilder

JeffCoAL, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA | Hunter Simmons | Jefferson County Information Technology Services |



Variance Application - Part I

Project Data

Address of Subject Property 3416 Mountain Park Drive

Zoning Classification Residence A

Name of Property Owner(s) Mountain Park Drive Revocable Trust (Trustee Anna Manasco)

Phone Number 205-908-8094 Email anna_manasco@alnd.uscourts.gov

Name of Surveyor Robert Reynolds

Phone Number 205-823-7900 Email _____

Name of Architect (if applicable) _____

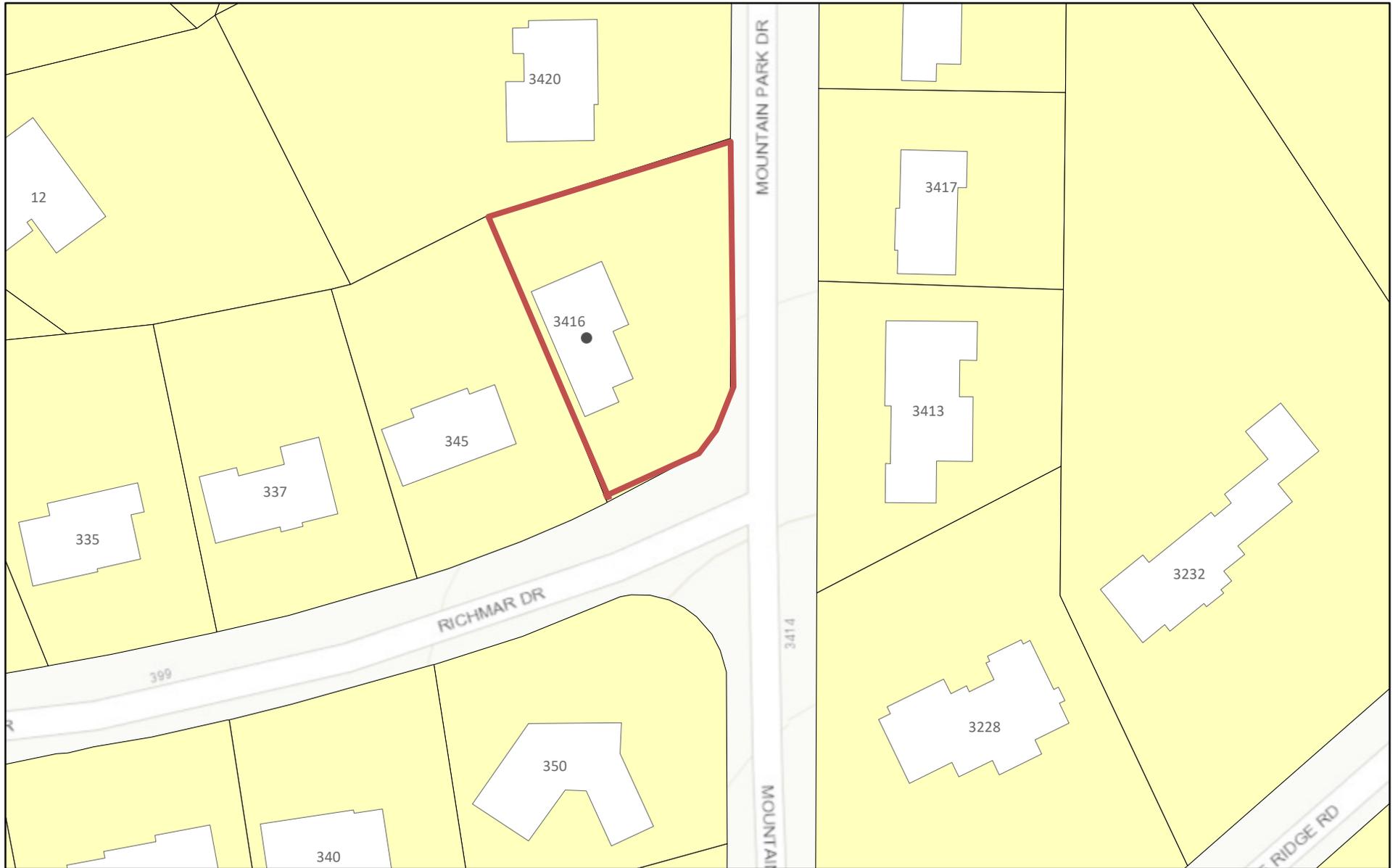
Phone Number _____ Email _____

Property owner or representative agent must be present at hearing

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

	Zoning Code Requirement	Existing Development	Proposed Development
Lot Area (sf)			
Lot Width (ft)			
Front Setback (ft) <i>primary</i>			
Front Setback (ft) <i>secondary</i>			
Right Side Setback			
Left Side Setback	15'	5'4"	5'4"
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-20-24 Zoning

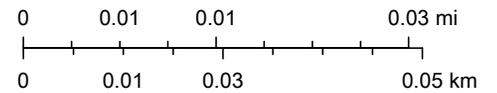


9/14/2020, 1:15:12 PM

Tax_Parcels

 Residence A District

1:1,128



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

Report to the Board of Zoning Adjustment

A-20-24

Petition Summary

Request to allow the construction of a roof over an existing porch to be located 5.4 feet from the side property line in lieu of the required 15 feet.

Analysis

The hardships in this case are an irregularly shaped corner lot and the existing design constraints. The applicant is proposing to cover and screen in an existing porch on the side of the house. Only a portion of the existing deck will be covered. The rest will remain uncovered.

Impervious Area

The proposed impervious lot coverage will be 28%.

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

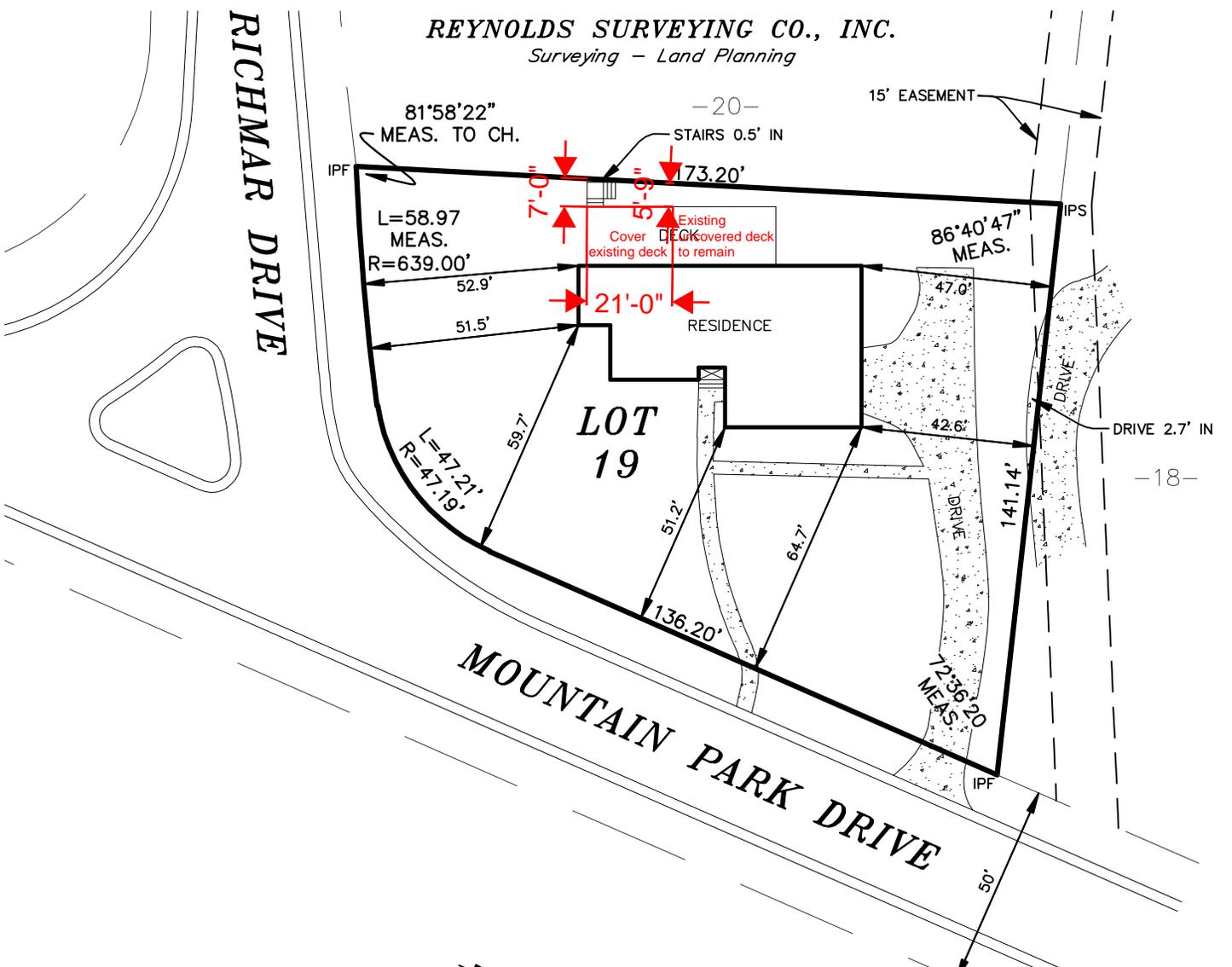
Appends

LOCATION: 3416 Mountain Park Drive

ZONING DISTRICT: Res-A

OWNERS: Anna Manasco

REYNOLDS SURVEYING CO., INC.
 Surveying - Land Planning



- LEGEND**
- UTILITY POLE
 - GUY WIRE
 - RETAINING WALL
 - CONCRETE
 - FENCE
 - OVERHEAD ELECTRICAL
 - IRON PIN FOUND
 - IRON PIN SET

SCALE: 1" = 40'



STATE OF ALABAMA
 JEFFERSON COUNTY

"CLOSING SURVEY"

I, Robert Reynolds, a Registered Surveyor, do here by state that this is a true and correct plat or map of Lot 19, Block ---, of RESURVEY OF LOT 19 DONNA LYNN ESTATES, as recorded in Map Book 43, Page 12 in the Office of the Judge Of Probate in JEFFERSON County, Alabama. All parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice of Surveying in the State of Alabama to the best of my knowledge, information and belief. The improvements on said premises are as shown. There are no visible encroachments on over or across said lands except as shown. According to my survey this the 12TH day of APRIL, 2020.

NOTE: This survey is not transferable to any additional institutions or subsequent owners.
 Purchaser: MANASCO
 Address: 3416 MOUNTAIN PARK DRIVE
 Reg. No. 25657



Anna Manasco
 3416 Mountain Park Dr.
 Mountain Brook, AL 35213

08.27.20

Preliminary Scope of Work Screen Porch

This estimate is based on preliminary drawings by Twin, meetings with the owner and a subcontractor onsite walkthrough.

Work Description:

I. SITE PREP/DEMO:

A. Exterior:

1. The back porch speakers will be saved
2. The railing on the back deck will be removed
3. The decking on the back deck will be removed

Notes on Demo:

- All items that the owner would like to save must be specified in writing by the owner and given to Twin prior to their removal
- All construction debris will be removed from the job site.
- A silt fence to protect areas designated by the owner
- Dumpsters will be staged in the driveway throughout the duration of the project
- The yard will be left at a finish grade, landscaping will be required by the owner.
- Owner to move or remove any existing irrigation systems prior to construction

II. ROOF:

- A. The new roof will be shingled with asphalt architectural shingles
- B. All valley flashing to be 20" rolled galvanized
- C. All counter flashing to be stepped
- D. Drip edge on all horizontal eaves

- E. All plumbing boots to be lead or neoprene collared
- F. Mechanical terminations to be painted
- G. Ridge venting is included
- H. Power venting is not included
- I. Color to be chosen by the homeowner
- J. Waterproof membrane to be installed on all slopes equal or less than a three pitch

III. GUTTERS:

- A. New 6" K-style, seamless, aluminum gutters will be installed new roof line
 - 1. Shurflo gutter guard system will be installed
 - 2. New 3"x4" downspouts will be installed
 - 3. Color to be chosen by the owner

Notes on Gutters:

- The gutter downspouts will not be buried away from the house

IV. EXTERIOR PAINTING:

- A. All pressure treated deck members will be stained. Sherwin Williams™ Superdeck® waterborne exterior stain will be used.

V. ELECTRICAL:

- A. Wiring and installation of the following, including receptacles and switching, has been included in accordance with typical electrical layout and local electrical codes:
 - 1. Exterior:
 - i. One new fan will be installed
 - ii. Four recessed lights will be installed
- B. All fixture locations will be verified with the homeowner before installation

VI. DECKS, PORCHES, AND HARDSCAPES:

- A. Back Deck:
 - 1. Floor System:
 - i. The floor system will be repaired as needed
 - ii. The decking will be premium grade pressure treated 5/4 material
 - 2. Railing:
 - i. The railing will be 2"x 2" pickets with a 2"x 6" top rail and 2"x 4" horizontal bracing

3. Stairs:

- i. Stairs will be built to the back yard with pressure treated lumber

B. Back Screened Porch:

1. Ceiling:

- i. Ceiling will be vaulted and will have 1"x 6" T&G, V-groove cedar

2. Screen:

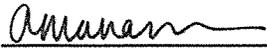
- i. Screens will be black vinyl in aluminum frames, held in place with wood stops
- ii. Screen doors will be purchased with the given allowance and installed by the contractor. Allowance includes hinges, locking and self-closing hardware

Deck, Porch, and Hardscape Allowances:

Screen Doors	\$1,800.00
Allowance includes tax and delivery charges	

Notes on the Project:

- Final numbers will be provided with full construction plans
- An allowance item is an item that is included in our quote for a stated price. The homeowner will be billed for the actual cost. The allowance will include taxes and delivery. The allowance is for material only unless otherwise noted. **Note that all allowance items are available to the homeowner at BUILDER COST.**
- Twin Construction will not be responsible for the warranty of allowance items purchased online or from a non-local vendor
- General Liability and Worker's Compensation insurance is provided by the contractor
- Builder's Risk insurance is not included in this proposal and must be purchased by the homeowner
- All permits are included in this bid
- We have included 0 additional sewer impact fees
 - We assume a current fixture count is on file at the Jefferson County Sewer Department
- The house will be professionally cleaned at the end of the project
- A portable toilet will be provided for workers
- All monthly utility charges during construction are the responsibility of the homeowner



Anna Manasco

8.27.20

Date



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)?

This is an irregularly shaped corner lot. Additionally, the footprint of the existing residence (which the variance does not seek to enlarge) presents a hardship: the setbacks in the front and rear are much larger than is required by code. Further, the existing deck (which the variance does not seek to enlarge, simply to screen in a part of as a screen porch) is nonconforming.

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. Deck was existing non conforming

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

If granted, this variance would not change the footprint of the existing residence. The adjoining neighbors do not object. The height of the deck will remain unchanged, and the owner will not attempt to make the screen porch fully enclosed as part of the home. Accordingly, the ~~variance~~ variance, if granted, will have no adverse effect on the privacy of the adjoining neighbors.

A-20-24 Aerial



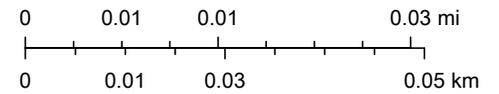
9/14/2020, 1:16:26 PM

2018 Aerial

Red: Band_1

Green: Band_2 Blue: Band_3

1:1,128



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

ArcGIS Web AppBuilder

JeffCoAL, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA | Hunter Simmons | Jefferson County Information Technology Services |



Variance Application - Part I

Project Data

Address of Subject Property #2 West Montcrest

Zoning Classification B

Name of Property Owner(s) Estate of Jane McPherson Elliott

Agent: Amanda & Sam Brien

Phone Number 678-427-4570 Email brien1s@gmail.com

Name of Surveyor Buck Callahan

Phone Number 205-229-1993 Email buck@southcentralsurveying.com

Name of ^{Designer} Architect (if applicable) Michael Eric Dale

Phone Number 205-873-1676 Email eric@ericdale.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>	<u>3.5</u>	<u>21.6</u>	<u>25.5</u>
Right Side Setback	<u>12.5</u>	<u>13.9</u>	<u>11.1</u>
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 (%)	<u>40% max.</u>		<u>33%</u>
Building Height (ft)			
Other			
Other			

M I C H A E L E R I C D A L ERESIDENCE DESIGN
INTERIOR DESIGN

August 27, 2020

Board of Zoning Adjustment
City of Mountain Brook, AL

Property Address: #2 West Montcrest Drive, Mountain Brook, AL

Property Owners: Estate of Jane McPherson Elliott

Agent/ Buyers of Property: Kristen Amanda and John Samuel Brien

Representative of Agent: Eric Dale

Dear Board Members:

We are planning a one-story addition to the existing one-level home on this property.

There is street frontage on two sides of the lot, as Jackson Boulevard becomes West Montcrest Drive. Instead of a typical corner condition, the roadway curves into the lot and removes a sizable amount of land at the frontage. The house was placed at an angle to address this curving roadway.

The placement of the house creates difficulties in locating a significant addition anywhere other than at the left end. We would like to continue the existing left end alignment directly to the rear 35' rear setback. At that point, we would be within the 35' frontage requirement, as well, but our starting point is the existing left rear corner which is at 25.5 feet from the property line. However, the city right of way appears to be larger than normal so that the house does not seem uncharacteristically close to the roadway on the left side.

We would also like to build a modest addition to the right side for a slightly larger kitchen. The addition simply fills an existing corner and is within the existing home alignments. We would be into the required side setback only at a small corner, coming at 11.1 feet from the right side property line. Again, it is the existing placement of the house that creates the hardship and problem.

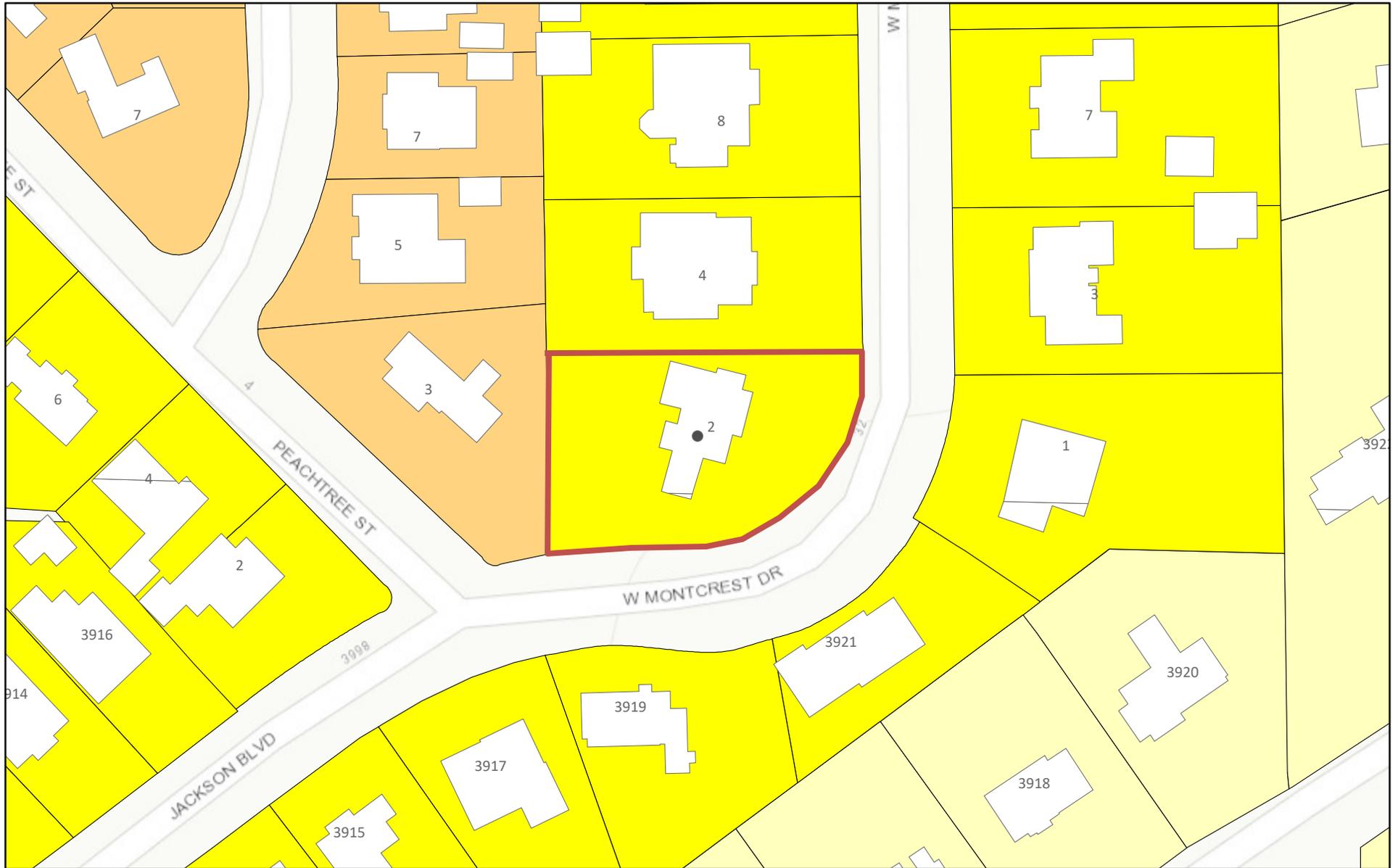
Thank you for your consideration,



Eric Dale

935 LANDALE ROAD
BIRMINGHAM, AL 35222
VOICE: 205.873.1676
TEXTS: 205.873.1676
ERIC@ERICDALE.COM

A-20-25 Zoning

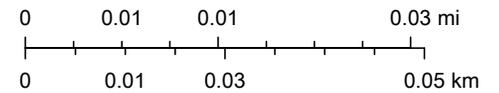


9/15/2020, 9:44:49 AM

Tax_Parcels

- Residence B District
- Residence A District
- Residence C District

1:1,128



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

Report to the Board of Zoning Adjustment

A-20-25

Petition Summary

Request to allow the construction of additions to an existing home to be located 11.1 feet from the side property line in lieu of the required 12.5 feet and 21.6 feet from the property line along the secondary front in lieu of the required 35 feet.

Analysis

The hardships in this case are an atypical corner lot and the existing design constraints. The corner lot orientation is the result of a curved street frontage that wraps around two sides of the property. The existing home is non-conforming with regard to the secondary front setback as it currently sits 21.6 feet from the property line along that front. The addition on that side will not be closer to the secondary front property line than the house is now.

The applicant is proposing a one story addition on the left and rear of the home as well as a small addition to the right that will encroach 1.4 feet into the side setback. The house is situated at an angle to address the curving roadway and creates difficulties in being able to add on to in a way that wouldn't require a variance.

Impervious Area

This proposal will put the lot coverage at 23% and the impervious coverage will be 33% which is in compliance with both ordinance regulations.

Subject Property and Surrounding Land Uses

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

Affected Regulation

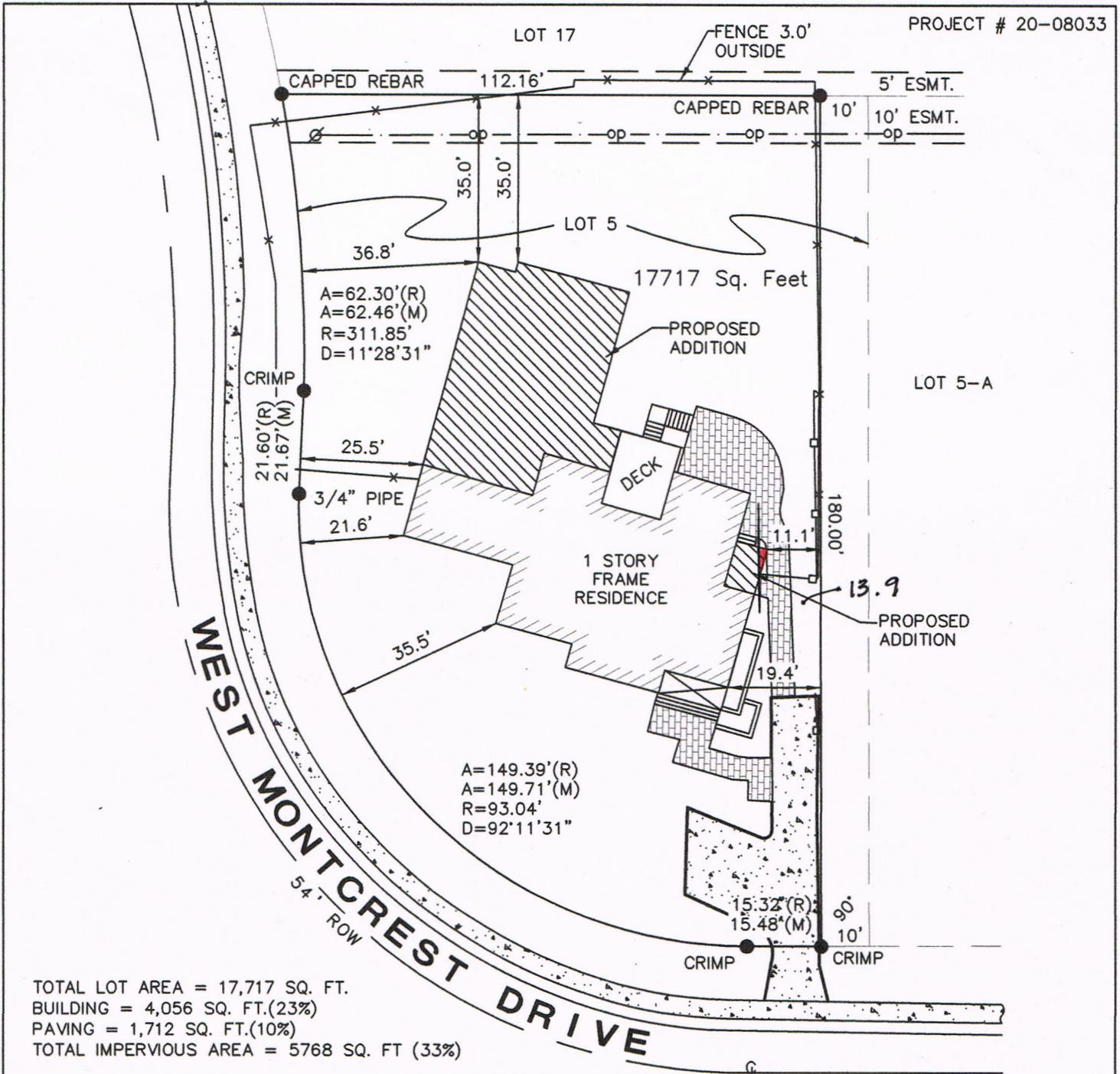
Article IV, Residence B District; Section 129-52, Area and Dimensional Requirements

Appends

LOCATION: 2 West Montcrest Drive

ZONING DISTRICT: Res-B

OWNERS: Amanda and Sam Brien



TOTAL LOT AREA = 17,717 SQ. FT.
 BUILDING = 4,056 SQ. FT.(23%)
 PAVING = 1,712 SQ. FT.(10%)
 TOTAL IMPERVIOUS AREA = 5768 SQ. FT (33%)

Lot Survey/ Plot Plan 0' 30' 60' 90'

STATE OF ALABAMA
 JEFFERSON COUNTY

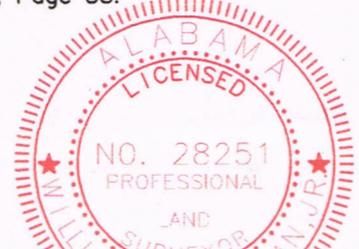


TO ALL INTERESTED PARTIES:
 SCALE: 1" = 30'

I hereby state that 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.

Lot 5, according to the survey of SHADES VALLEY GARDENS, SECOND SECTOR, as the same appears of record in the Office of the Judge of Probate, Jefferson County, Alabama, in Map Book 25, Page 55. LESS AND EXCEPT the North 10 feet of said Lot 5.

That there are no rights-of-way, easements, joint driveways or encroachments, over or across said land, visible on the surface or shown on recorded map, except as shown; that this survey shows the improvements located on said property; and that there are no electrical or telephone wires, (excluding wire which serve the premises only) or structures or supports therefor, including poles, anchors and guy wires, on or over said property, except as shown; and that the property is not located in a special hazard area and is shown in a Zone "X" on the Flood Insurance Rate Map for this area (Map No.





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)?

- This is an atypical corner lot in that there is no actual corner, but instead West Montcrest curves into the lot, taking away significant land from the frontage.
- The house placement makes building an addition on the right very difficult. The house would seem out of character with neighborhood.

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?

- We are maintaining the setback alignment that was already established when the house was built.
- We are keeping the existing home and its one-story character.

A-20-25 Aerial



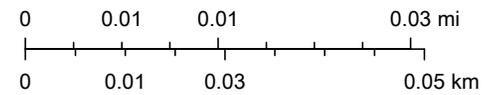
9/14/2020, 1:26:03 PM

2018 Aerial

 Red: Band_1

 Green: Band_2  Blue: Band_3

1:1,128



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

ArcGIS Web AppBuilder

JeffCoAL, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA | Hunter Simmons | Jefferson County Information Technology Services |



Variance Application - Part I

Project Data

Address of Subject Property 3525 MOUNTAIN PARK DRIVE

Zoning Classification RESIDENTIAL

Name of Property Owner(s) JASON ROGOFF

Phone Number 205.266.8391 Email ROGOFF.JASON@GMAIL.COM

Name of Surveyor ROWLAND JACKINS

Phone Number 205-870-3390 Email _____

Name of Architect (if applicable) CHRIS REEBALS

Phone Number 205-413-8531 Email CHRIS@CHRISTOPHERAI.COM

Property owner or representative agent must be present at hearing

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

	Zoning Code Requirement	Existing Development	Proposed Development
Lot Area (sf)			
Lot Width (ft)			
Front Setback (ft) <i>primary</i>			
Front Setback (ft) <i>secondary</i>			
Right Side Setback			
Left Side Setback	1'9" TOTAL IN 3.34 ft		
Right Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 22' high → 22' high or greater →			
Left Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 22' high → 22' high or greater →			
Rear Setback (ft)	3' FENCE OR RETAINMENT WALL		
Lot Coverage (%)			
Building Height (ft)			
Other	FRONT PARKING		
Other			

Variance Application
Part II

Side Setback

The plans for the home result in the south corner extending 1'9" into the 15' side setback. The total square footage encroaching on the setback is 3.34 sq. ft. as is documented on the accompanying site plan.

The condition from which relief is sought is a result of action by the applicant. The foundation and foundation walls were poured and an architectural change occurred after that resulting in what had previously been uncovered steps to the basement now being incorporated into the overall roof structure.

The granting of this variance is consistent with the purpose and intent of the Zoning Regulations because the overall architectural adjustment causing the issue adds additional functional and aesthetic value to the property.

Rear Setback

The property is 110' at its peak and 81' at its lowest point. The grade change is quite stark in both the front and rear of the property. The natural location for the home results in the need to add a retaining wall on the rear side of the property in order to have a functional back yard. The total length of the retaining wall is approximately 89', ranges in height from 1' to 7', and we would like to add a 3' black iron fence on top for safety reasons. As is detailed on the accompanying map, there is an approximate 40' portion where the 3' black iron fence on top of the retaining wall results in a total structure that is between 9' and 10' tall. The wall will be poured concrete with a dark stucco finish and stone cap. The purpose for the darker stucco finish and stone cap is to disappear the wall into the existing landscape. There are a number of trees and shrubs between other property owners and the proposed wall/fence combination (see attached photos from location of wall looking towards other property owners). Just inside the fence, large evergreens will be planted to add additional visual appeal. Additional shrubbery will be added on the lower side of the wall as well to shield views of the wall from neighbors.

The condition was not a result of action by the applicant. It is a naturally steep lot.

The granting of this variance would be consistent with the purpose and intent of the Zoning Regulations because it will result in a residential backyard with safe fencing on a lot that features challenging topography.

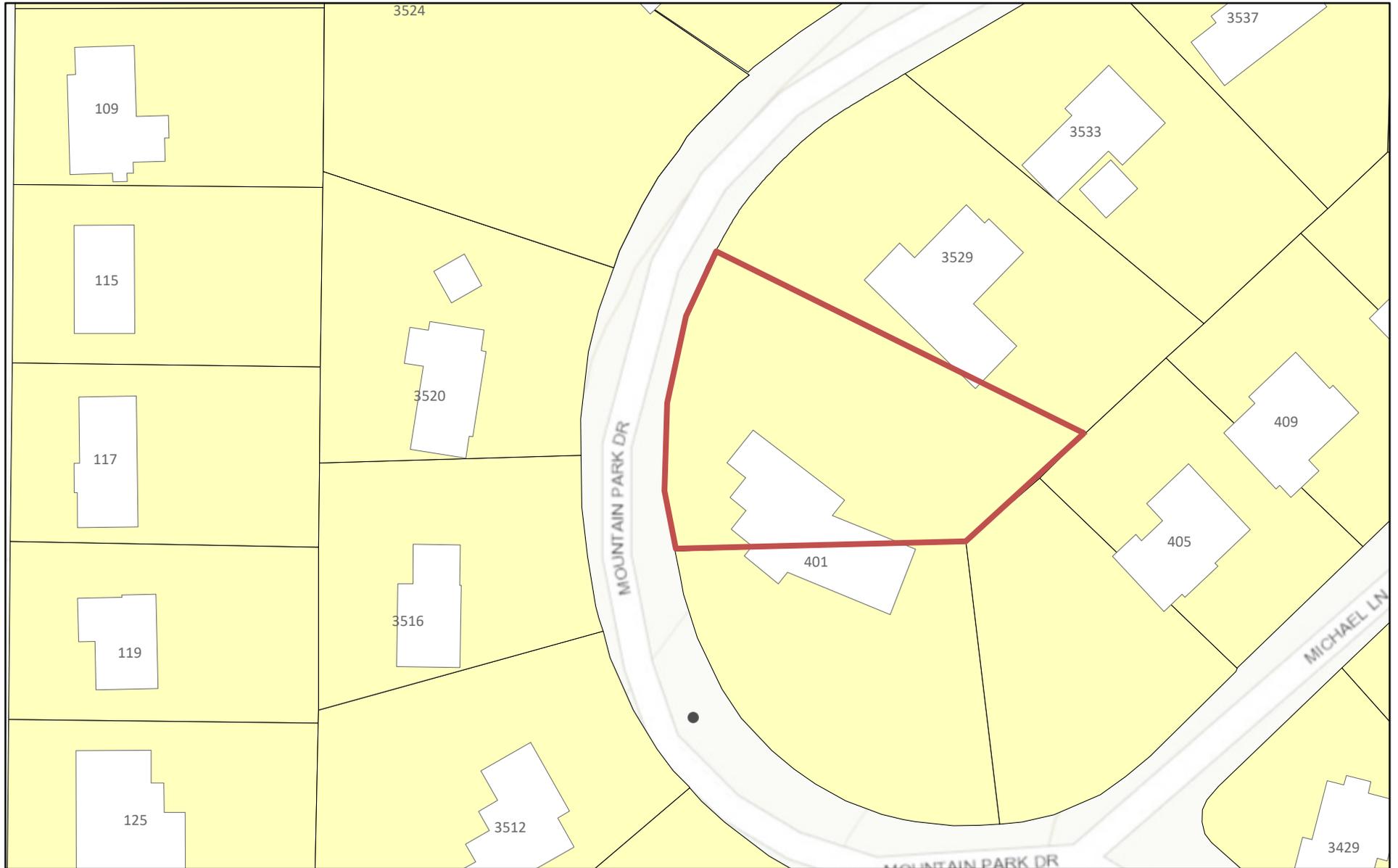
Front Parking

The intense grade change results in limited parking and turnaround space at the top of the property. Since backing down such a steep driveway would be difficult and dangerous, we would like to add street parking to the north of the driveway mouth as is drawn on the accompanying site plan. It would be an architecturally incorporated to the end of the driveway.

The condition from which relief is sought is not a result of action by the applicant.

Granting of this variance would be consistent with the purpose and intent of the Zoning Regulations as it provides a safe parking area off the road (blind curve) and a walkway to the driveway for members of the household and guests.

A-20-26

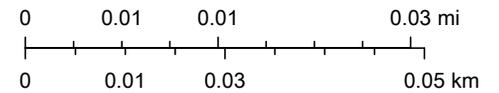


9/14/2020, 1:35:38 PM

Tax_Parcels

 Residence A District

1:1,128



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

Report to the Board of Zoning Adjustment

A-20-26

Petition Summary

Request to allow the construction of new home to be located 13'3" feet from the side property line in lieu of the required 15 feet and a variance to allow a concrete retaining wall topped by a black iron fence to be a total of 11 feet in height in the side and rear yards in lieu of the 8 feet maximum height allowed.

Analysis

The hardships in this case are topography and an irregularly shaped lot. The property slopes from 110 feet at its highest point to 81 feet at its lowest. The applicant is seeking relief from regulations of the Zoning Ordinance with regard to the side setback and wall height in the sides and rear yards in order to construct a new home.

The applicant stated that the foundation of the new home and foundation walls were poured and an architectural change occurred after resulting in what had previously been uncovered steps to the basement now being incorporated into the overall roof structure necessitating the need for the side setback variance. The encroachment into the side setback is 1.9 linear feet and approximately 3.34 square feet.

The retaining wall in the side and rear yards ranges from 1.7 feet to 8 feet in height and will be topped with a black iron fence that will add an additional 3 feet in height. This is due to the severe slope of the property.

Impervious Area

The proposed building and impervious coverage is 15% with no driveway or sidewalk shown on survey.

Subject Property and Surrounding Land Uses

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

Affected Regulation

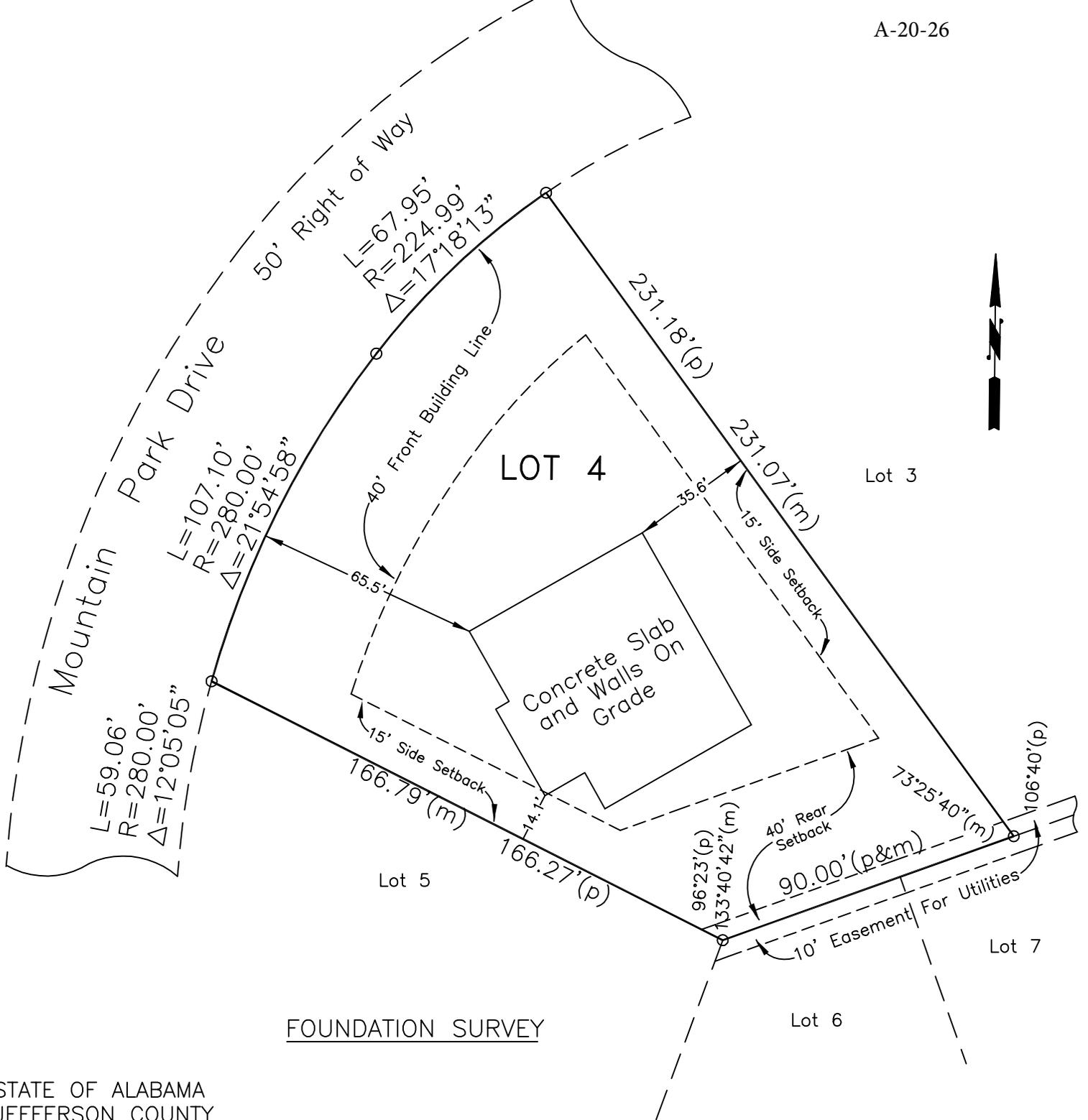
Article III, Residence A District; Section 129-34, Area and Dimensional Requirements

Appends

LOCATION: 3525 Mountain Park Drive

ZONING DISTRICT: Res-A

OWNERS: Jason Rogoff



FOUNDATION SURVEY

STATE OF ALABAMA
JEFFERSON COUNTY

I, Rowland Jackins, a Registered Land Surveyor in the State of Alabama, hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Land Surveying in the State of Alabama to the best of my knowledge, information and belief for the following described property:

Lot 4, according to the plat of Donna Lynn Estates, as recorded in Map Book 38, Page 8, in the Probate Office of Jefferson County, Alabama;

I further state that there are no rights of ways, easements or joint driveways over or across said land visible on the surface except as shown, that there are no electric or telephone wires (excluding those which serve the premises only) or structures or supports thereof, including poles, anchor or guy wires on or over said property except as shown, that there are no encroachments except as shown; that the improvements are located as shown above. No underground utilities were located.

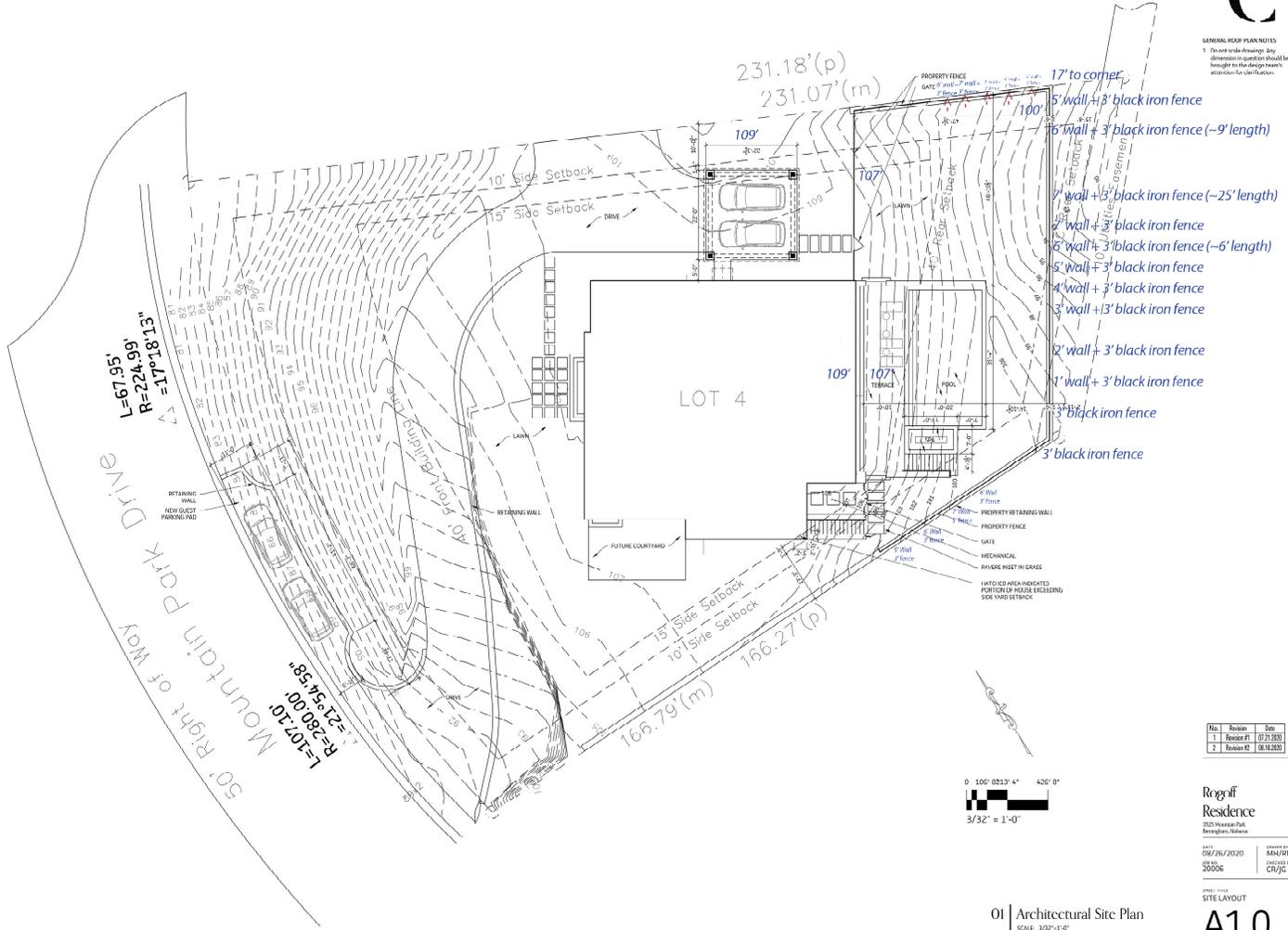
According to my field survey of August 10, 2020;



Rowland Jackins
 Rowland Jackins, PLS, Alabama Reg.No.18399
 Jackins, Butler & Adams, Inc.
 3430 Independence Drive, Suite 30
 Birmingham, Alabama 35209
 (205) 870-3390

C

GENERAL NOTES:
1. Dimensions in question should be brought to the design team's attention for clarification.



No.	Revision	Date
1	Revision #1	07/21/2020
1	Revision #2	08/18/2020

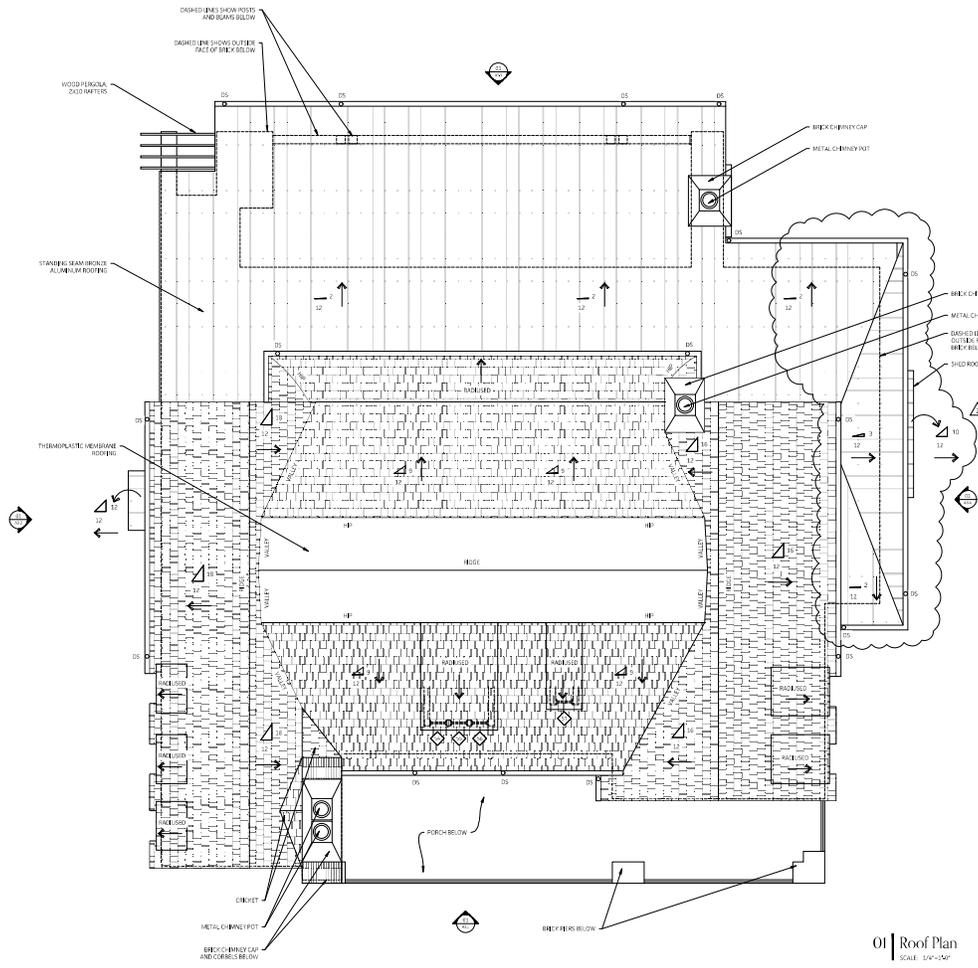
Rogoff
Residence
3025 Mountain Park
Beverly Hills, CA

DATE: 08/18/2020
SCALE: 3/32" = 1'-0"

DESIGNED BY: MARMAN
CHECKED BY: CR/JC

01 | Architectural Site Plan
SCALE: 3/32" = 1'-0"

A1.0



No.	Revised	Date
1	Final	01/27/2020
2	Revised	01/28/2020

**Rogoff
Residence**

3025 Woodson Park
Baltimore, MD

DATE: 02/18/2020
 DRAWN: MHR/RY
 CHECKED: CR/JS

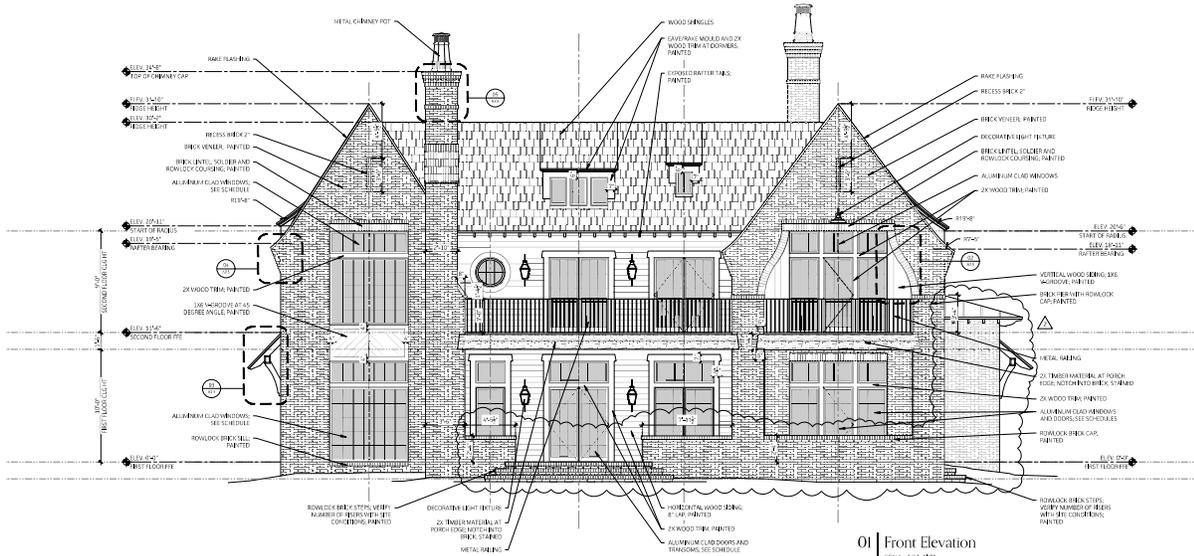
PROJECT:
ROOF PLAN

A2.4

01 | Roof Plan
SCALE: 1/4"=1'-0"

C

- GENERAL ELEVATION NOTES**
1. Do not scale drawings. Any dimension in question shall be interpreted by the design team.
 2. Design team will provide a complete schedule of materials and finishes including but not limited to: paint, stone, tile, metal, and glass. Other materials and finishes shall be coordinated with the design team when necessary.



01 | Front Elevation
SCALE: 3/4"=1'-0"

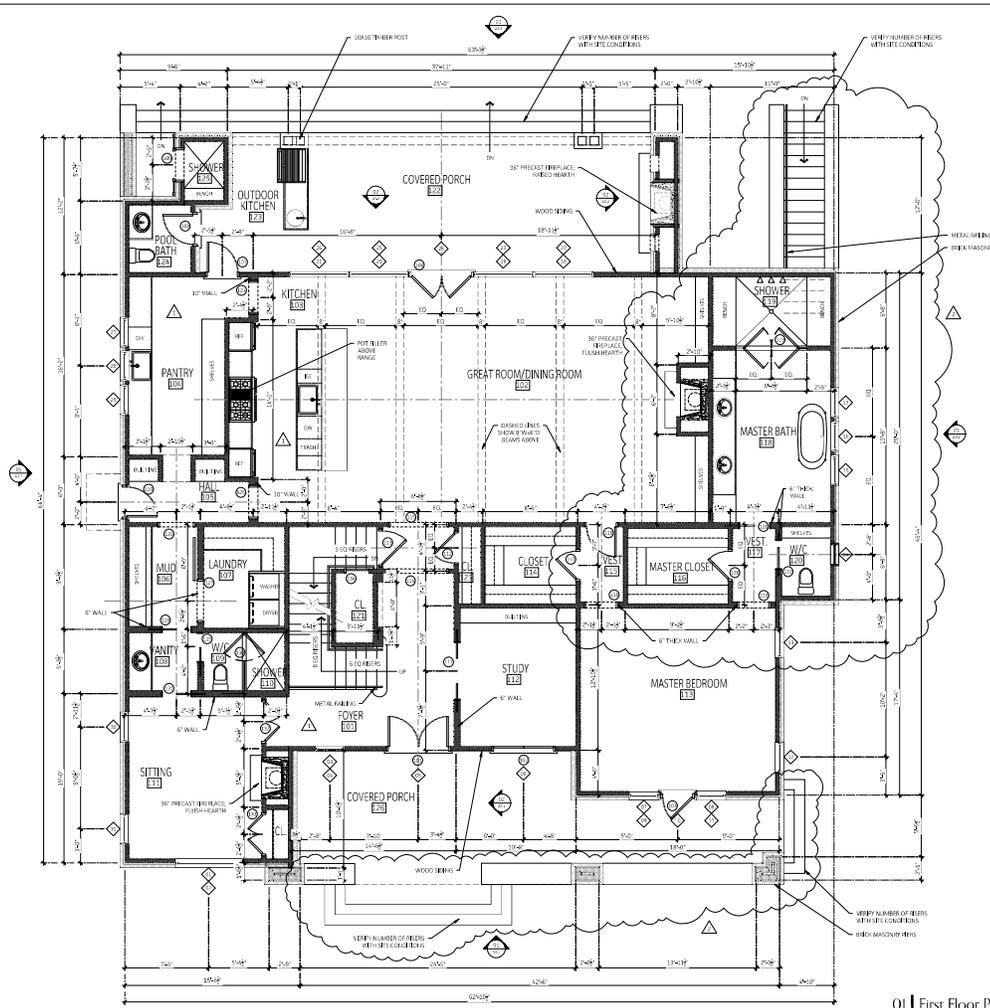
No.	Revised	Date
1	Issued	8/22/20
2	Revised	8/26/20

**Rogoff
Residence**

3000 Westwood Park
Beverly Hills, CA 90210

DATE: 08/19/2020
DRAWN: MHR/RY
CHECKED: CR/GS

01 | FRONT ELEVATION
A3.1



01 | First Floor Plan
SCALE: 1/8" = 1'-0"

C

GENERAL NOTES:
1. Do not duplicate any dimensions unless they are specifically noted for attention.

No.	Revised	Date
1	Final	8/27/20
2	Issue #2	8/28/20

**Rogoff
Residence**
3025 Waverly Park
Beverly Hills, CA

DATE: 08/18/2020
DRAWN: M4/RN
CHECKED: CR/GS

01 | FIRST FLOOR PLAN
A2.2



*Views from location
of wall looking towards
adjacent properties*



A-20-26 Aerial



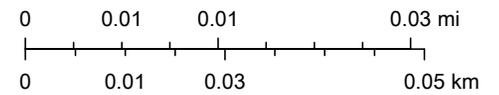
9/14/2020, 1:38:07 PM

2018 Aerial

 Red: Band_1

 Green: Band_2  Blue: Band_3

1:1,128



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

ArcGIS Web AppBuilder

JeffCoAL, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA | Hunter Simmons | Jefferson County Information Technology Services |



Variance Application - Part I

Project Data

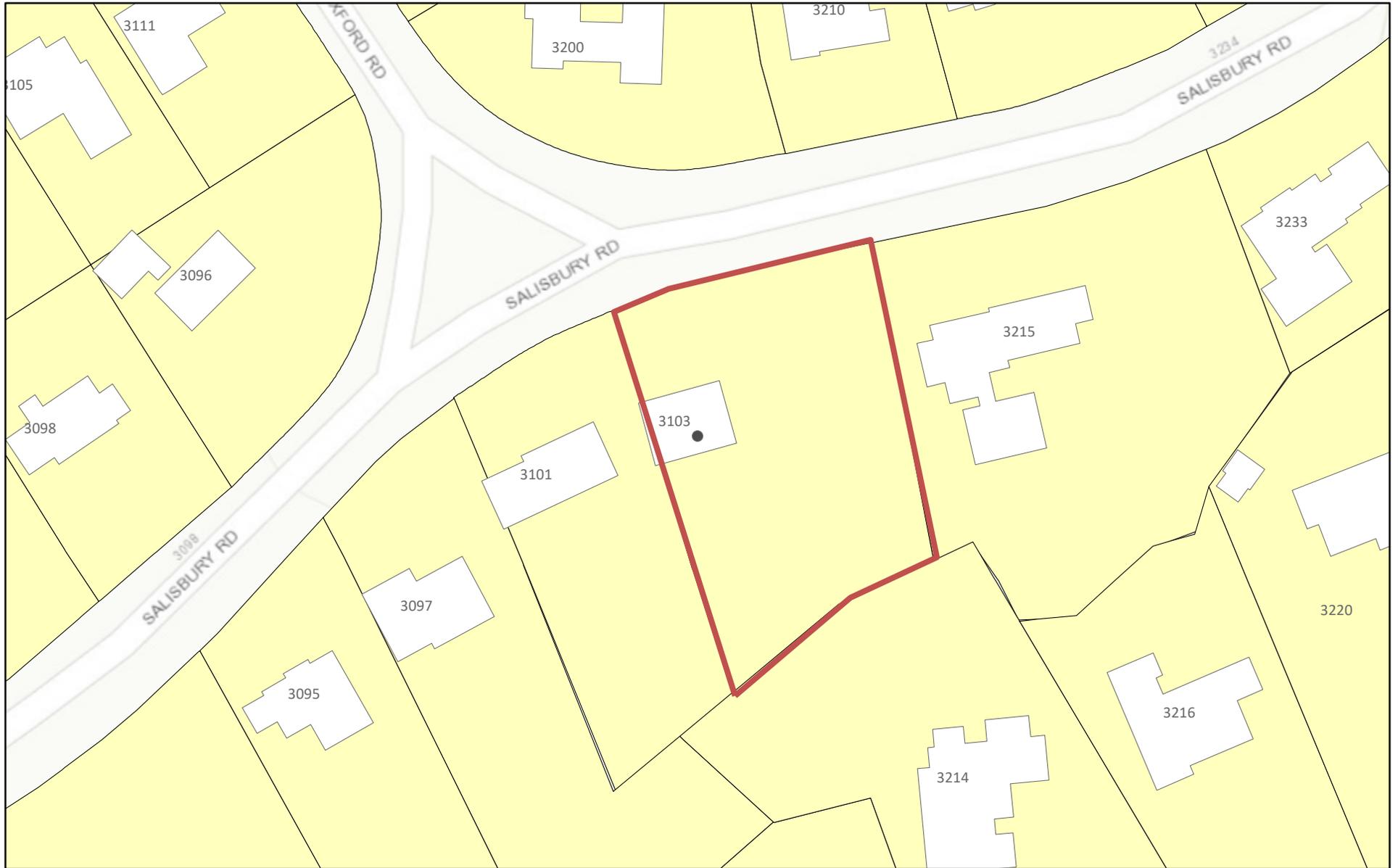
Address of Subject Property 3103 Salisbury Rd.
 Zoning Classification Residence A
 Name of Property Owner(s) Angela Tharnton + Howard Downey
 Phone Number 205 740-2722 Email howard@downey-law.com
 Name of Surveyor Ray Weygand
 Phone Number 205-942-0086 Email ray@weygandsurveyor.com
 Name of Architect (if applicable) John Forney
 Phone Number 205 585-7586 Email john.n.forney@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'	15'	12.5'
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-20-27 Zoning

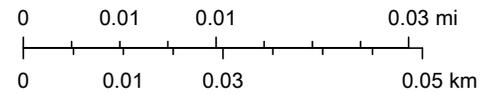


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Tax_Parcels

 Residence A District

1:1,128



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

Report to the Board of Zoning Adjustment

A-20-27

Petition Summary

Request to allow the construction of an addition to an existing home to be located 12.5 feet from the side property line in lieu of the required 15 feet.

Analysis

The hardship in this case is the design constraint due to the orientation of the existing home. The home is situated at a slight angle to the west property line. The requested variance would allow the owners to build a new main bedroom wing above a new two car garage. The proposed addition maintains the same alignment with the existing side of the home. A small sliver of the proposed addition will encroach 2.5 feet into the side setback at the rear of the addition.

Impervious Area

The two lots have not been combined into one lot at this point. The existing impervious percentage for lot 26 is 29%.

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

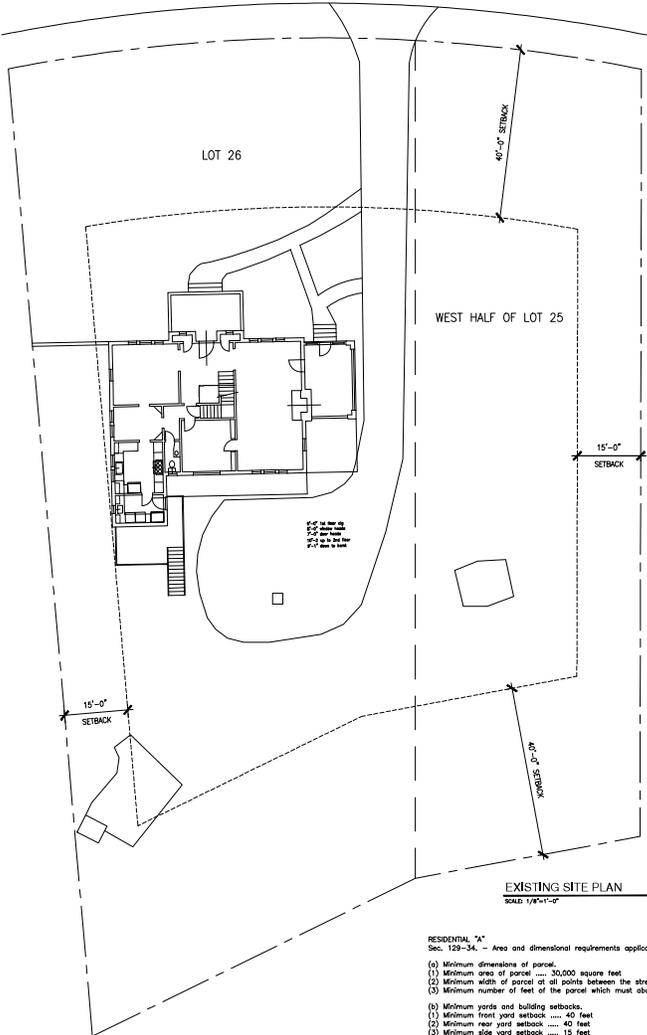
Appends

LOCATION: 3103 Salisbury Road

ZONING DISTRICT: Res-A

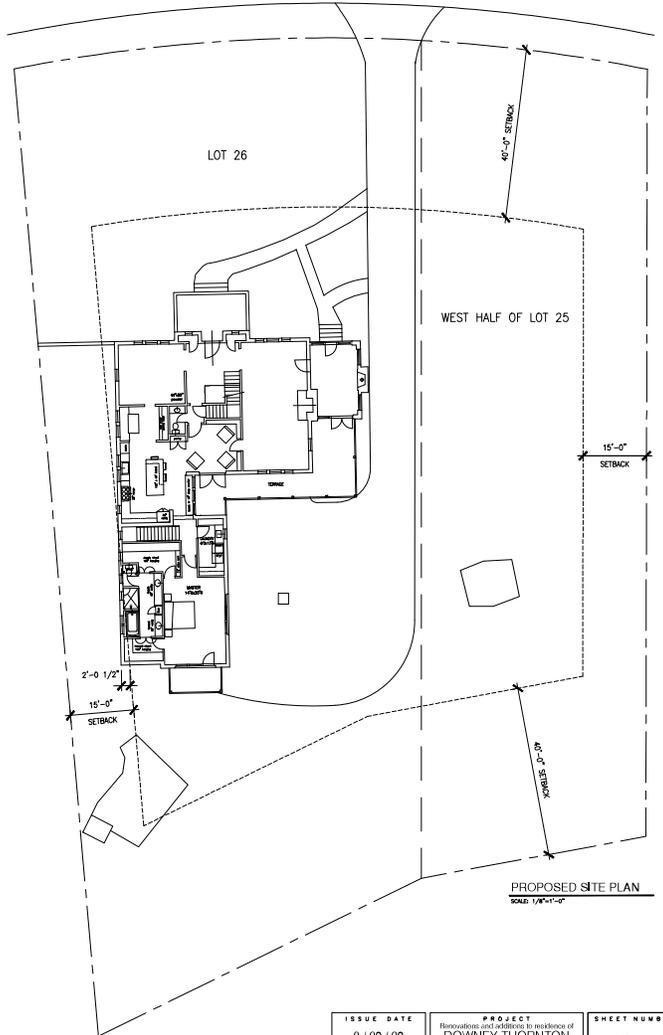
OWNERS: Angela Thornton and Howard Downey

SALISBURY ROAD



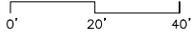
EXISTING SITE PLAN
SCALE: 1/8"=1'-0"

SALISBURY ROAD

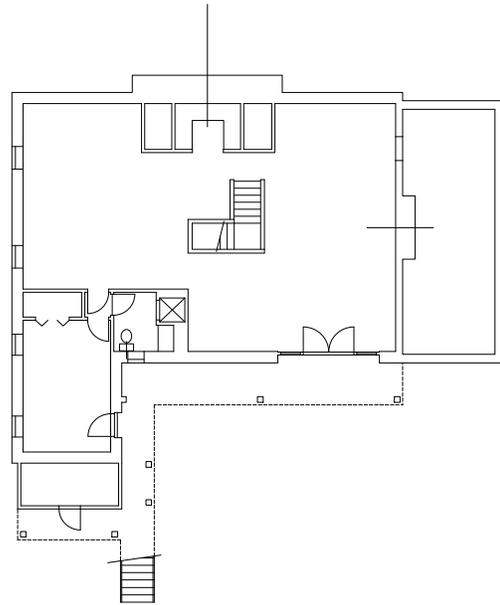
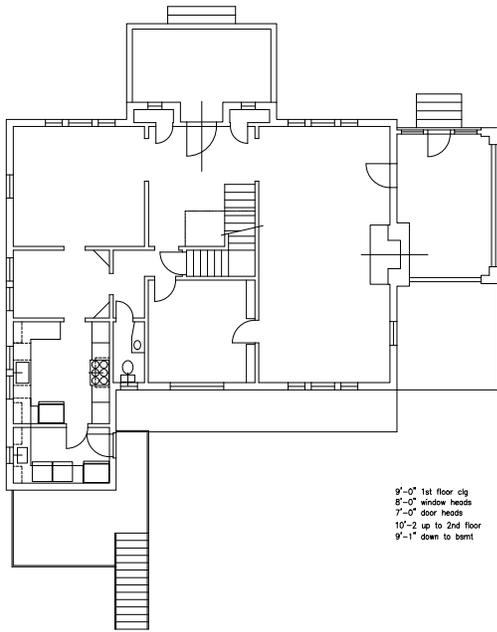


PROPOSED SITE PLAN
SCALE: 1/8"=1'-0"

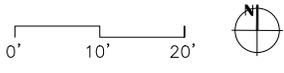
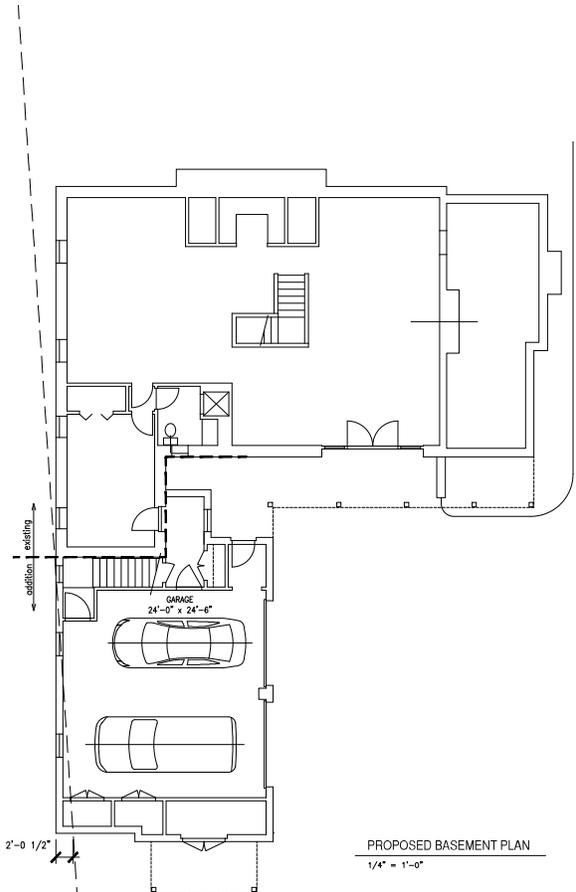
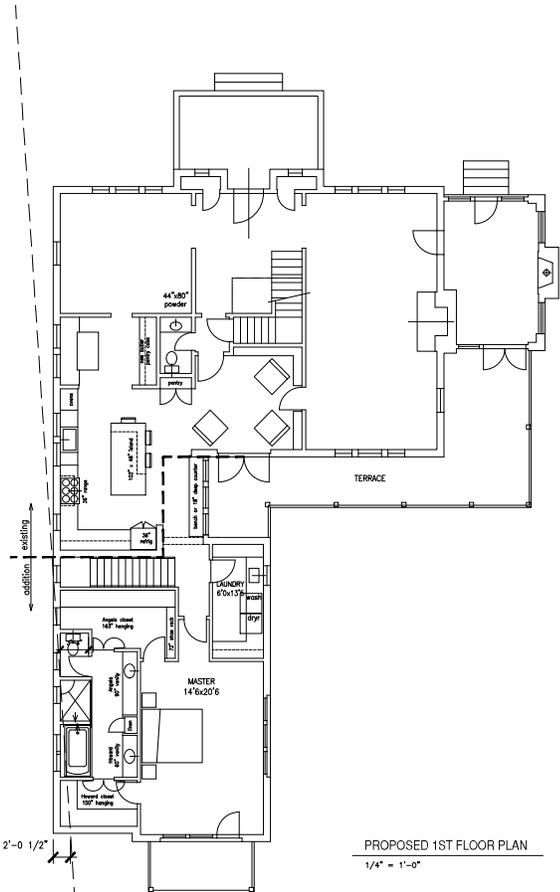
- RESIDENTIAL "A"
Sec. 129-34. - Area and dimensional requirements applicable to permitted uses in section 129-31(a)-(c).
- (a) Minimum dimensions of parcel.
 (1) Minimum area of parcel 30,000 square feet.
 (2) Minimum width of parcel at all points between the street line and the front setback line 100 feet.
 (3) Minimum number of feet of the parcel which must abut a street 100 feet.
- (b) Minimum yards and building setbacks.
 (1) Minimum front yard setback 40 feet.
 (2) Minimum rear yard setback 40 feet.
 (3) Minimum side yard setback 15 feet.
- (c) Building limitations.
 (1) Maximum building area 25 percent of the total area of the parcel. Impervious surfaces are limited to 5 percent more than the allowed maximum building area, as specified in subsection 113-228(a) of chapter 11.3.
 (2) Maximum building height 35 feet.
 (3) Maximum number of stories 2.



ISSUE DATE 8 / 20 / 20	PROJECT Renovations and additions to residence of DOWNEY-THORNTON 3103 Salisbury Road Birmingham, AL	SHEET NUMBER S1
REVISIONS PRELIMINARY	JOHN FORNEY ARCHITECT PO BOX 130028 BIRMINGHAM, AL 35213	



ISSUE DATE 8 / 21 / 20	PROJECT Renovation and addition to residence of DOWNEY-THORNTON 3103 Sabalery Road Birmingham, AL	SHEET NUMBER A1
REVISIONS PRELIMINARY	JOHN FORNEY ARCHITECT PO BOX 134028 BIRMINGHAM AL 35213 <small>205.988.1924</small>	



ISSUE DATE 8 / 21 / 20	PROJECT Renovation and addition to residence of DOWNEY-THORNTON 3103 Sabalbury Road Birmingham, AL	SHEET NUMBER A2
REVISIONS PRELIMINARY	JOHN FORNEY ARCHITECT PO BOX 130028 BIRMINGHAM AL 35213 205.988.1524	



EXISTING EAST ELEVATION
1/4" = 1'-0"

2ND FLOOR CLG +19'-0"
2ND FLOOR +10'-2.5"
1ST FLOOR CLG +9'-0"
1ST FLOOR 0'-0"
BASEMENT -9'-1.5"



EXISTING NORTH ELEVATION
1/4" = 1'-0"

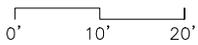


PROPOSED EAST ELEVATION
1/4" = 1'-0"

2ND FLOOR CLG +19'-0"
2ND FLOOR +10'-2.5"
1ST FLOOR CLG +9'-0"
1ST FLOOR 0'-0"
BASEMENT -9'-1.5"



PROPOSED NORTH ELEVATION
1/4" = 1'-0"



ISSUE DATE 8 / 21 / 20	PROJECT Renovations and additions to residence of DOWNEY-THORNTON 3102 Salisbury Road Birmingham, AL	SHEET NUMBER A3
REVISIONS PRELIMINARY	JOHN FORNEY ARCHITECT PO BOX 130028 BIRMINGHAM, AL 35213	



Variance Application Part II

Required Findings (Sec. 129-455 of the Zoning Ordinance)

To aid staff in determining that the required hardship findings can be made in this particular case, please answer the following questions with regard to your request. **These findings must be made by the Board of Zoning Adjustment in order for a variance to be granted** (please attach a separate sheet if necessary).

What special circumstances or conditions, applying to the building or land in question, are peculiar to such building or land, and do not apply generally to other buildings or land in the vicinity (including size, shape, topography, location or surroundings)?

The existing residence was built in the 1920s at a slight angle to the west (right) property line. Our planned addition of a main bedroom wing above a new two car garage aligned with the rear west side of the house encroaches on the 15' side setback by 25" at its south end. We are therefore asking for a 2.5' reduction of the right 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...")

The existing condition of building and property line not aligning was not the result of an action by the applicant. The decision to add to the existing residence is an action by the applicant, but through a careful review of options we determined the best way to do this is to align the addition with the west edge of the house.

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

Granting of this variance will allow updating of this legacy residence, increasing its lifespan and value going forward. The minor encroachment on the side setback will not impair the health, safety, convenience and welfare of adjacent neighbors, but will generally increase these through the improvements planned by the property owners.



EXISTING WEST ELEVATION
1/4" = 1'-0"



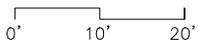
EXISTING SOUTH ELEVATION
1/4" = 1'-0"



PROPOSED WEST ELEVATION
1/4" = 1'-0"



PROPOSED SOUTH ELEVATION
1/4" = 1'-0"



ISSUE DATE 8 / 21 / 20	PROJECT Renovation and additions to residence of DOWNEY-THORNTON 3103 Sabalery Road Birmingham, AL	SHEET NUMBER A4
REVISIONS PRELIMINARY	JOHN FORNEY ARCHITECT PO BOX 130028 BIRMINGHAM AL 35213	

A-20-27 Aerial



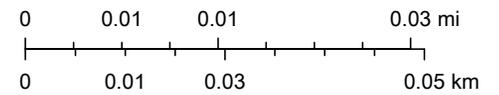
9/14/2020, 1:40:28 PM

2018 Aerial

 Red: Band_1

 Green: Band_2  Blue: Band_3

1:1,128



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

ArcGIS Web AppBuilder

JeffCoAL, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA | Hunter Simmons | Jefferson County Information Technology Services |



Variance Application - Part I

Project Data

Address of Subject Property 301 DEXTER AVENUE

Zoning Classification RES C

Name of Property Owner(s) STEPHEN & LUCY SPANN

Phone Number 917-860-9615 Email SISSY@SISSYAUSTIN.COM

Name of Surveyor RAY WEYGAND

Phone Number 205-942-0086 Email ray-weygand@bellsouth.net

Name of Architect (if applicable) SISSY AUSTIN

Phone Number 917-860-9615 Email SISSY@SISSYAUSTIN.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>	0 15'	< 5.1'	0
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			

WRITTEN STATEMENT FOR VARIANCE APPLICATION

August 28, 2020

301 Dexter Avenue

Stephen and Lucy Spann ask for a variance at their home in order to:

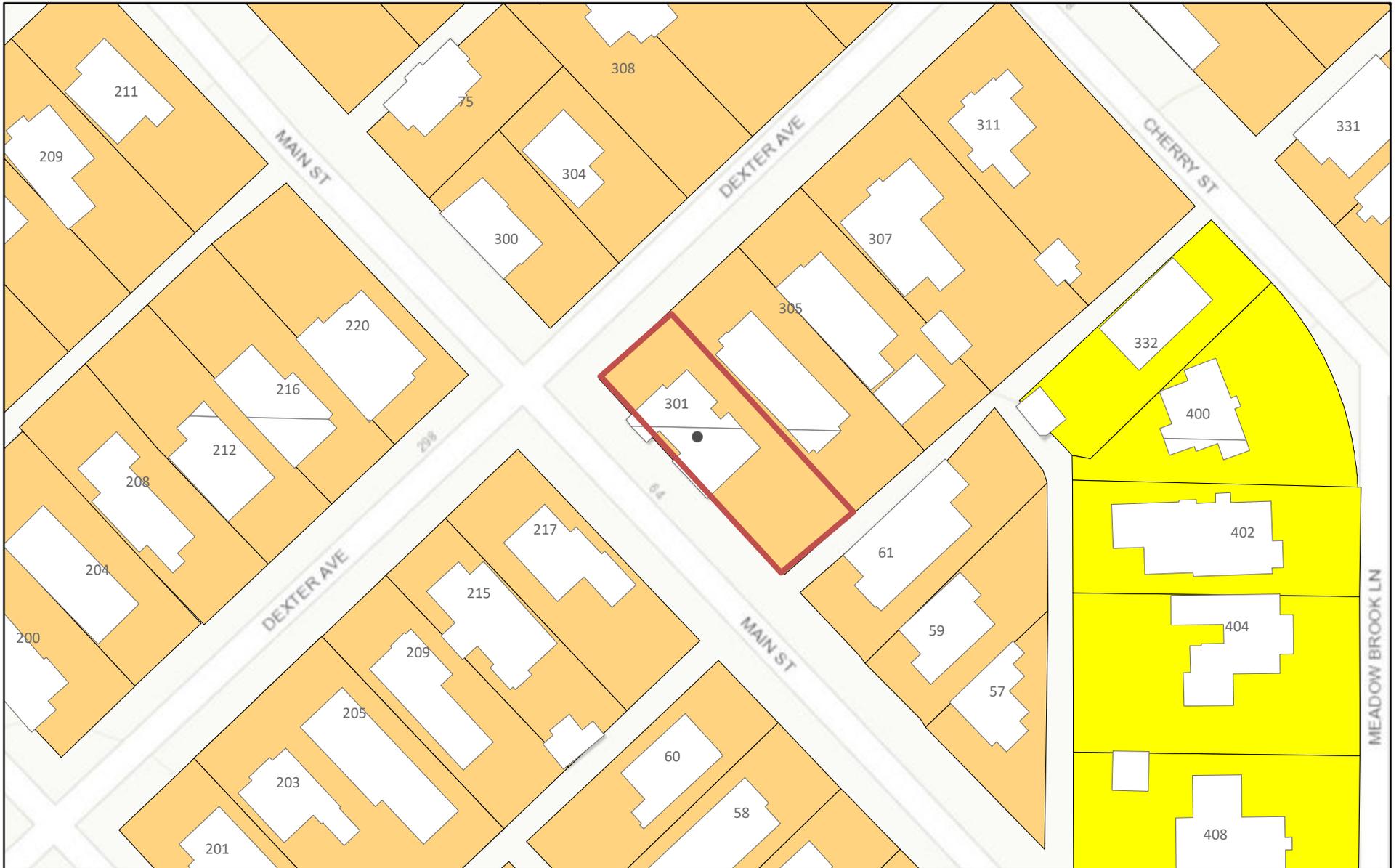
1. Replace and Extend the Roof over their existing covered porch
2. Extend their covered porch to their property line
3. Screen-in the new porch

Thank you,

Sissy Austin

Sissy Austin

A-20-29 Zoning

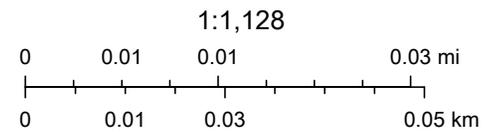


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Tax_Parcels

 Residence C District

 Residence B District



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

Report to the Board of Zoning Adjustment

A-20-29

Petition Summary

Request to allow the construction of a covered screened in porch to be located 0 feet from the secondary front property line in lieu of the required 35 feet.

Analysis

The applicant stated that the hardships in this case are a corner lot configuration and a unique lot. The existing home and porch are non-conforming. The proposed project includes replacing, screening in and extending the existing non-conforming porch that is currently a little less than 5 feet from the secondary front property line. The proposed extension would push the porch all the way to the property line for a setback of 0 feet.

Impervious Area

The existing impervious coverage of the lot is 49% which is non-conforming.

Subject Property and Surrounding Land Uses

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

Affected Regulation

Article V, Residence C District; Section 129-62, Area and Dimensional Requirements

Appends

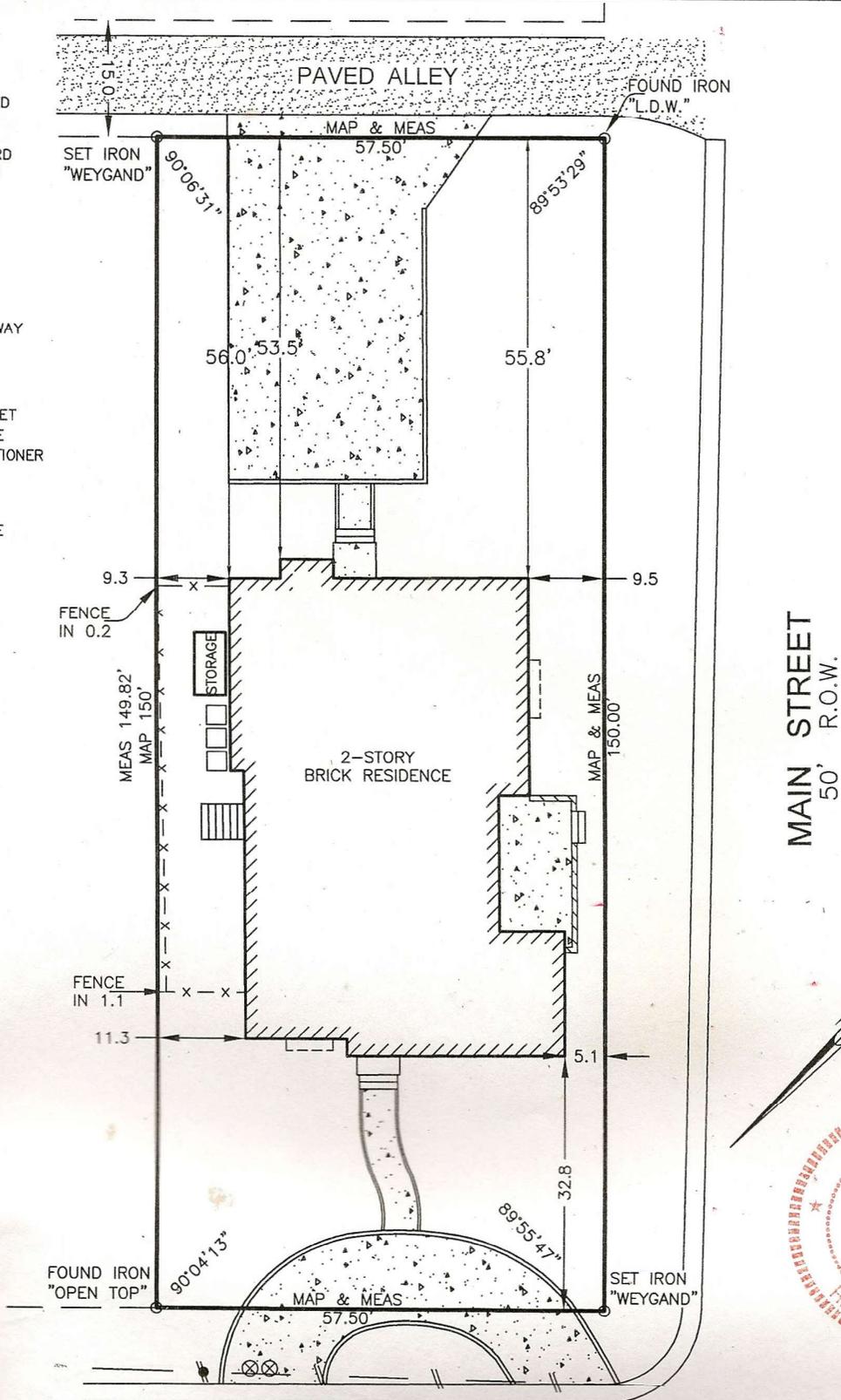
LOCATION: 301 Dexter Avenue

ZONING DISTRICT: Res-C

OWNERS: Stephen and Lucy Spann

LEGEND

ASP	ASPHALT
BLDG	BUILDING
CALC	CALCULATED
MEAS	MEASURED
CH	CHORD
LNG	LONG CHORD
d	DEFLECTION
Δ	DELTA
ESMT	EASEMENT
HW	HEADWALL
MIN	MINIMUM
⊗	MANHOLE
OH	OVERHANG
POR	PORCH
R	RADIUS
R.O.W.	RIGHT OF WAY
SAN	SANITARY
STM	STORM
UTIL	UTILITY
AC	ACRES
S.F.	SQUARE FEET
⊕	CENTERLINE
A/C	AIR CONDITIONER
●	POLE
—	ANCHOR
-X-	FENCE
— —	POWER LINE
PVMT	PAVEMENT
W/	WITH
TAN	TANGENT
RES	RESIDENCE
oLGT	LIGHT
COV	COVERED
▨	DECK
⊙	CONCRETE
▨	WALL



MAIN STREET
50' R.O.W.

DEXTER AVENUE
50' R.O.W.

NOTES:

1. ANGLES ARE AS MEASURED.
2. GROSS LOT AREA = 8619.8 SQ. FT.
3. IMPERVIOUS SURFACE = 4206.4 SQ. FT.
4. IMPERVIOUS AREA = 48.7% OF LOT



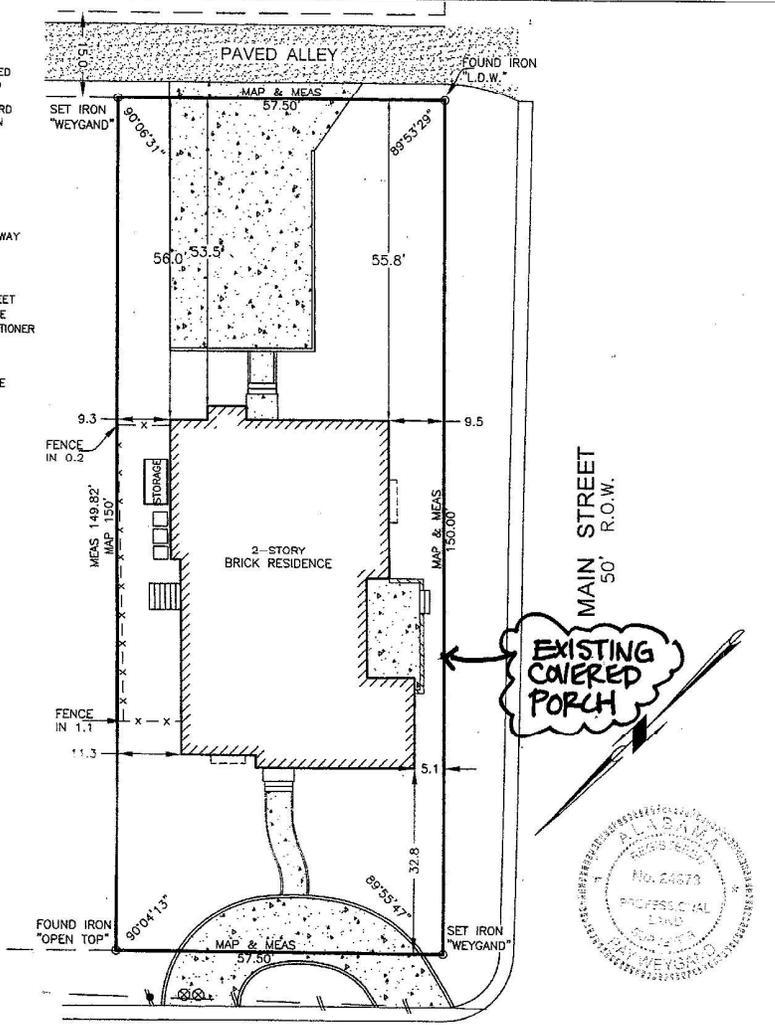
SCALE: 1"=20'
STATE OF ALABAMA
JEFFERSON COUNTY

"Closing Survey"

I, Ray Weygand, a Registered Land Surveyor, hereby certify that I have surveyed Lot 6, Block 22, CRESTLINE HEIGHTS, as recorded in Map Volume 7, Page 15, in the Office of the Judge of Probate, Jefferson County, Alabama; that there are no electric or telephone wires (excluding wires which serve the premises only) or structures or supports thereon, including poles, anchors and guy wires, (visible on the surface) on or over said premises except as shown; that there are no encroachments on said lot except as shown and that improvements are located as shown above. I hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the State of Alabama to the best of my knowledge, information and belief, according to my survey of 11/11/11.

LEGEND

- ASP ASPHALT
- BLDG BUILDING
- CALC CALCULATED
- MEAS MEASURED
- CH CHORD
- LNG LONG CHORD
- d DEFLECTION
- Δ DELTA
- ESMT EASEMENT
- HW HEADWALL
- MIN MINIMUM
- ⊙ MANHOLE
- OH OVERHANG
- POR PORCH
- R RADIUS
- R.O.W. RIGHT OF WAY
- SAN SANITARY
- STM STORM
- UTIL UTILITY
- AC ACRES
- S.F. SQUARE FEET
- CL CENTERLINE
- A/C AIR CONDITIONER
- POLE
- X— ANCHOR
- X— FENCE
- X— POWER LINE
- PVMT PAVEMENT WITH TANGENT
- WY WY
- RES RESIDENCE
- oLGT LIGHT COVERED
- COV COVERED
- DECK DECK
- CONCRETE WALL



MAIN STREET
R.O.W.
50'

EXISTING
COVERED
PORCH



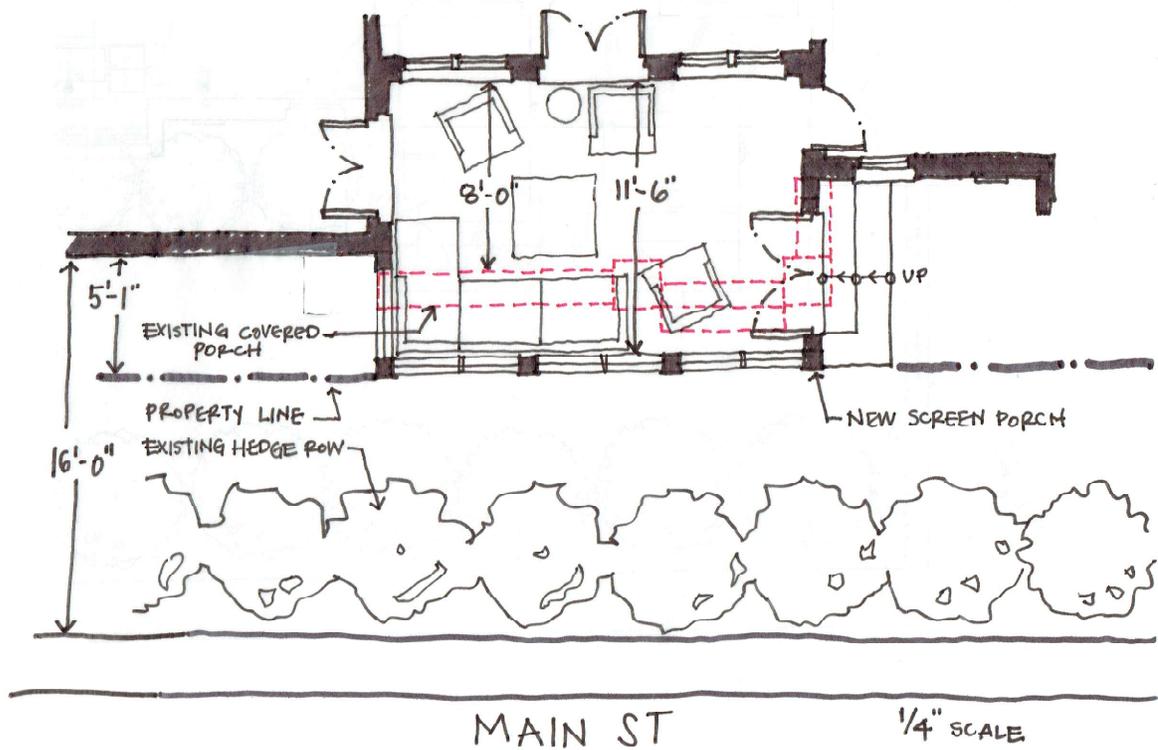
DEXTER AVENUE
50' R.O.W.

- NOTES:
1. ANGLES ARE AS MEASURED.
 2. GROSS LOT AREA = 8619.8 SQ. FT.
 3. IMPERVIOUS SURFACE = 4206.4 SQ. FT.
 4. IMPERVIOUS AREA = 48.7% OF LOT

SCALE: 1" = 10'
STATE OF ALABAMA
ALABAMA COUNTY

"Closing Survey"

By Weigand & Associates, Inc., Professional Engineers, No. 24679, State of Alabama, I certify that there are no rights shown, easements or other encroachments on or over said premises except as shown, that there are no encroachments on said lot except as shown and that all parts of this survey and drawing have been completed in accordance with the current requirements of the State of Alabama to the best of my knowledge, information and belief, according to my duty as a Professional Engineer.













BEAUTYCOUNTER

A-20-29 Aerial



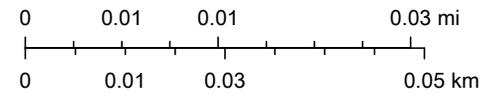
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2018 Aerial

Red: Band_1

Green: Band_2 Blue: Band_3

1:1,128



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

ArcGIS Web AppBuilder

JeffCoAL, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA | Hunter Simmons | Jefferson County Information Technology Services |



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)?

- Non-conforming corner lot with 2 fronts, unique lot.
- Existing covered porch roof is rotting. Roof does not extend out far enough and water penetrates french doors. As a result, owner has to replace doors and deal with constant maintenance issue.

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...")

Owners inherited this issue from previous owner.

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

Owners will maintain their privacy hedge and do required sprinkler system at screened porch.



Variance Application - Part I

Project Data

Address of Subject Property 11 Montevallo Lane, Mountain Brook, Alabama 35213
 Zoning Classification Residence B District
 Name of Property Owner(s) Cooper Bennett
 Phone Number 205.746.3417 Email cooperbennett@gmail.com
 Name of Surveyor Southeastern Surveyors Inc.
 Phone Number 205.956.7152 Email shgilbert@bellsouth.net
 Name of Architect (if applicable) Residential Design Consultant Warren Kyle
 Phone Number 205.965.6777 Email wwkstudio@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)	10,000 sf Min	7,928.5 sf	7928.5 sf
Lot Width (ft)	70'	75.83'	
Front Setback (ft) <i>primary</i>	35'	19.9'	19.9'
Front Setback (ft) <i>secondary</i>	35'	14.8'	14.8'
Right Side Setback	N/A		
Left Side Setback	12.5'		
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)	35'	46.7'	23'
Lot Coverage (%)	35% Building	19% Building	33.5% Building
Building Height (ft)			
Other			
Other			

A-20-28 Zoning



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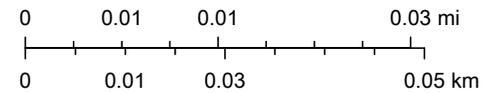
..... LotLines

 Residence B District

Tax_Parcels

 Residence A District

1:1,128



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

Report to the Board of Zoning Adjustment

A-20-28

Petition Summary

Request to allow the construction of additions to an existing non-conforming home to be located 19.9 feet from the front property line in lieu of the required 35 feet, 14.8 feet from the secondary front property line in lieu of the required 35 feet and 23 feet from the rear property line in lieu of the required 35 feet.

Analysis

The hardships in this case are a corner lot configuration with the design constraint of an existing non-conforming house. This Residence B lot is approximately 7928.5 square feet in total area which is less than the minimum parcel area of 10,000 square feet required in this zoning district. The corner lot configuration carries two required front setbacks of 35 feet each as well as a required rear setback of 35 feet as well.

The proposed scope of work includes the construction of a 1.5 story, 4 bedroom, 3.5 bathroom house utilizing as much of the existing structure as possible. The existing home will be expanded along the primary front and rear.

Impervious Area

The proposal is in compliance with the allowable lot coverage at 34% and the impervious surface limit at 40%.

Subject Property and Surrounding Land Uses

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

Affected Regulation

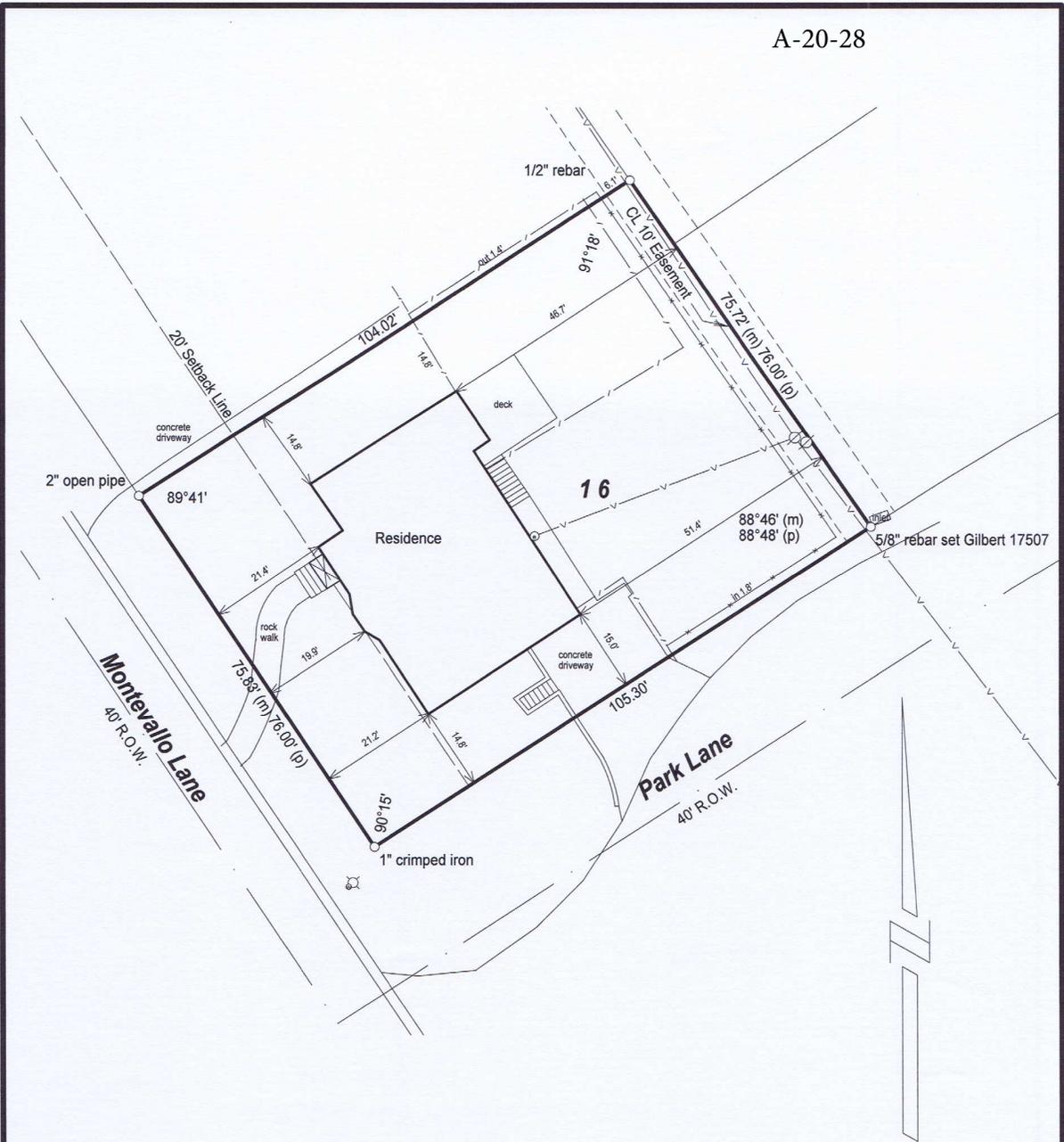
Article IV, Residence B District; Section 129-52, Area and Dimensional Requirements

Appends

LOCATION: 11 Montevallo Lane

ZONING DISTRICT: Res-B

OWNERS: Cooper Bennett



STATE OF ALABAMA
JEFFERSON COUNTY

I, Steven H. Gilbert, a Professional Land Surveyor in the State of Alabama, hereby certify to the parties listed below that the following is a true and correct copy of a map or plat of a survey made by me of the following described property:

Lot 16, Montevallo Lane, as recorded in Map Book 24, Page 76, in the Probate Office of Jefferson County, Alabama.

I further certify that the building(s) now erected on said property are within the boundaries of same except as may be shown; that there are no encroachments from adjacent property except as shown; that there are no Rights-of-way, Easements, or joint driveways over or across said land visible on the surface, except as shown; that there are no utility poles, guy wires, lines, structures, or supports therefor (excepting those that serve the premises only), except as shown; that I have consulted the Federal Insurance Administration Flood Hazard Boundary maps and found this property IS NOT located in a Flood Hazard Area (as determined by graphic plotting); and 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.

FIRM Map No. 01073 C 0557 H September 3, 2010

This survey was performed with conventional equipment and techniques. Horizontal and vertical control was established by GPS observations using NAVD 1988 vertical and NAD 83 horizontal datum. Bearings are based on Alabama State Plane Coordinates, West Zone. Corrections were obtained from the ALDOT CORS network.

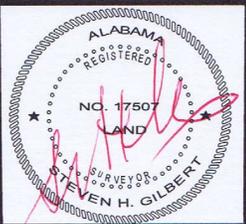
This survey is invalid unless sealed in red ink.

Legend

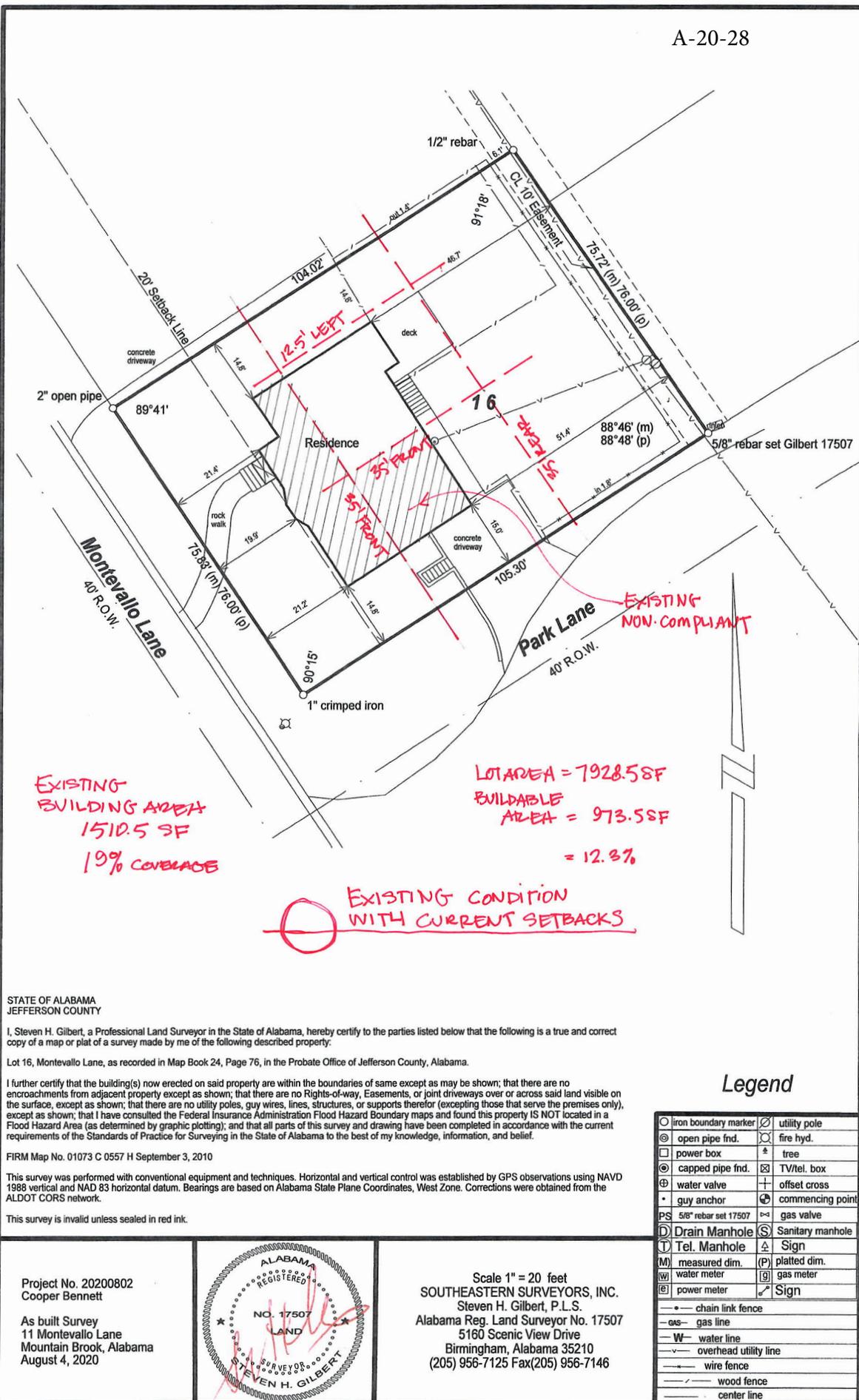
○ iron boundary marker	⊗ utility pole
⊙ open pipe fnd.	⊗ fire hyd.
□ power box	▲ tree
⊙ capped pipe fnd.	⊠ TV/tel. box
⊕ water valve	+ offset cross
• guy anchor	⊕ commencing point
PS 5/8" rebar set 17507	⊕ gas valve
D Drain Manhole	S Sanitary manhole
T Tel. Manhole	△ Sign
M measured dim.	(P) platted dim.
W water meter	G gas meter
⊕ power meter	⊕ Sign
—•— chain link fence	
—gas— gas line	
—W— water line	
—v— overhead utility line	
— wire fence	
—/— wood fence	
— center line	

Project No. 20200802
Cooper Bennett

As built Survey
11 Montevallo Lane
Mountain Brook, Alabama
August 4, 2020



Scale 1" = 20 feet
SOUTHEASTERN SURVEYORS, INC.
Steven H. Gilbert, P.L.S.
Alabama Reg. Land Surveyor No. 17507
5160 Scenic View Drive
Birmingham, Alabama 35210
(205) 956-7125 Fax(205) 956-7146



STATE OF ALABAMA
JEFFERSON COUNTY

I, Steven H. Gilbert, a Professional Land Surveyor in the State of Alabama, hereby certify to the parties listed below that the following is a true and correct copy of a map or plat of a survey made by me of the following described property:

Lot 16, Montevallo Lane, as recorded in Map Book 24, Page 76, in the Probate Office of Jefferson County, Alabama.

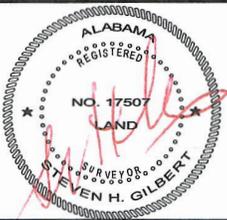
I further certify that the building(s) now erected on said property are within the boundaries of same except as may be shown; that there are no encroachments from adjacent property except as shown; that there are no Rights-of-way, Easements, or joint driveways over or across said land visible on the surface, except as shown; that there are no utility poles, guy wires, lines, structures, or supports therefor (excepting those that serve the premises only), except as shown; that I have consulted the Federal Insurance Administration Flood Hazard Boundary maps and found this property IS NOT located in a Flood Hazard Area (as determined by graphic plotting); and 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.

FIRM Map No. 01073 C 0557 H September 3, 2010

This survey was performed with conventional equipment and techniques. Horizontal and vertical control was established by GPS observations using NAVD 1988 vertical and NAD 83 horizontal datum. Bearings are based on Alabama State Plane Coordinates, West Zone. Corrections were obtained from the ALDOT CORS network.

This survey is invalid unless sealed in red ink.

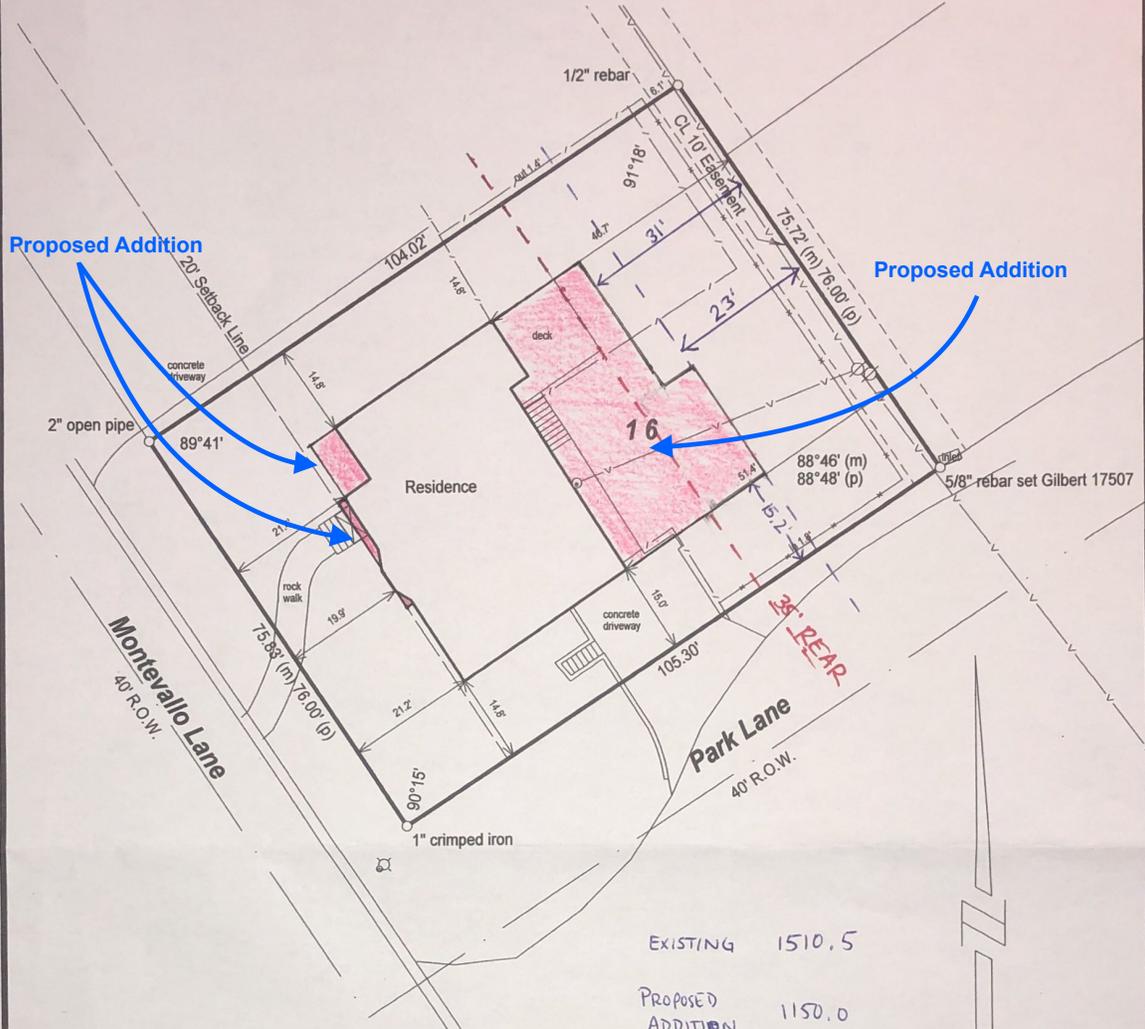
Project No. 20200802
Cooper Bennett
As built Survey
11 Montevallo Lane
Mountain Brook, Alabama
August 4, 2020



Scale 1" = 20 feet
SOUTHEASTERN SURVEYORS, INC.
Steven H. Gilbert, P.L.S.
Alabama Reg. Land Surveyor No. 17507
5160 Scenic View Drive
Birmingham, Alabama 35210
(205) 956-7125 Fax(205) 956-7146

Legend

○ iron boundary marker	⊗ utility pole
⊙ open pipe fnd.	⊗ fire hyd.
□ power box	△ tree
⊙ capped pipe fnd.	⊗ TV/tel. box
⊕ water valve	+ offset cross
• guy anchor	⊕ commencing point
PS 5/8" rebar set 17507	⊗ gas valve
⊗ Drain Manhole	⊗ Sanitary manhole
⊗ Tel. Manhole	△ Sign
M measured dim.	(P) platted dim.
(W) water meter	(G) gas meter
(E) power meter	⊗ Sign
— chain link fence	
— gas— gas line	
— W— water line	
— overhead utility line	
— wire fence	
— wood fence	
— center line	



EXISTING	1510.5
PROPOSED ADDITION	1150.0
	<hr/>
	2660.5
LOT AREA	7928.5
BUILDING COVERAGE	33.5%

PROPOSED ADDITION

STATE OF ALABAMA
JEFFERSON COUNTY

I, Steven H. Gilbert, a Professional Land Surveyor in the State of Alabama, hereby certify to the parties listed below that the following is a true and correct copy of a map or plat of a survey made by me of the following described property:

Lot 16, Montevallo Lane, as recorded in Map Book 24, Page 76, in the Probate Office of Jefferson County, Alabama.

I further certify that the building(s) now erected on said property are within the boundaries of same except as may be shown; that there are no encroachments from adjacent property except as shown; that there are no Rights-of-way, Easements, or joint driveways over or across said land visible on the surface, except as shown; that there are no utility poles, guy wires, lines, structures, or supports therefor (excepting those that serve the premises only), except as shown; that I have consulted the Federal Insurance Administration Flood Hazard Boundary maps and found this property IS NOT located in a Flood Hazard Area (as determined by graphic plotting); and 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.

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D Drain Manhole	S Sanitary manhole
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M measured dim.	P platted dim.
w water meter	⊕ gas meter
⊕ power meter	✓ Sign
— chain link fence	
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Project No. 20200802
Cooper Bennett

As built Survey
11 Montevallo Lane
Mountain Brook, Alabama
August 4, 2020



Scale 1" = 20 feet
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SCOPE OF PROJECT: 11 Montevallo Lane, Mountain Brook, Alabama 35213

We propose to build a 1 ½ Story, 4 Bedroom, 3 ½ Bath residence with approx. 3500 SF of heated/cooled area. The residence will be of a scale and materials appropriate and comparable to that of the surrounding neighborhood. Our goal is to utilize as much of the existing structure that is appropriate and feasible. The daylight basement will provide utilitarian space and garage parking for two to three cars accessed from Park Lane.



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 property is situated on a corner lot and therefore has two fronts. There is no "dedicated" alley opposite the primary frontage and as a result the "front" set back on the secondary frontage (Park Lane) is 35' per current zoning. The Property is Non-conforming in its lot area. Both the front and the right side of the existing structure are substantially non-compliant. Because of this unique circumstance only 12.3% is buildable under prevailing zoning.

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?

We believe the variance request, if granted, would indeed be in keeping with the purpose and intent of the current Zoning Regulations. Our intent is to widen but maintain facade alignment along both Montevallo Lane and Park Lane. Along Montevallo Lane and Park Lane, the proposed new footprint/facade will be in alignment with the existing facades to maintain alignment with adjacent properties.

A-20-28 Aerial



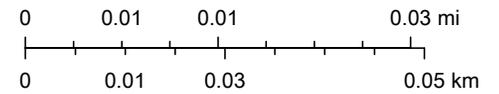
9/14/2020, 1:44:56 PM

2018 Aerial

Red: Band_1

Green: Band_2 Blue: Band_3

1:1,128



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

ArcGIS Web AppBuilder

JeffCoAL, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA | Hunter Simmons | Jefferson County Information Technology Services |