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
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
RE: A-19-22

Tyler Slates
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
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.*

<table>
<thead>
<tr>
<th>PARCEL #</th>
<th>OWNER NAME</th>
<th>CURRENT ADDRESS</th>
<th>NEW ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>2800053007018000</td>
<td>ED GOODWIN</td>
<td>2604 COUNTRY CLUB CIR</td>
<td>2317 COUNTRY CLUB PLACE</td>
</tr>
</tbody>
</table>

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  Weygard Surveyors
Phone Number  205-942-0086 Email  ray@weygardsurveyor.com
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)):

<table>
<thead>
<tr>
<th>Lot Area (sf)</th>
<th>Zoning Code Requirement</th>
<th>Existing Development</th>
<th>Proposed Development</th>
</tr>
</thead>
<tbody>
<tr>
<td>30,000 sq. ft.</td>
<td>19,326 +/- sq. ft.</td>
<td>19,326.0 sq. ft.</td>
<td></td>
</tr>
<tr>
<td>Lot Width (ft)</td>
<td>100.0'</td>
<td>160.82'</td>
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<tr>
<td>Front Setback (ft) primary</td>
<td>40.0'</td>
<td>39.9'</td>
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</tr>
<tr>
<td>Front Setback (ft) secondary</td>
<td>NA</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>Right Side Setback</td>
<td>40.0'</td>
<td>39.8'</td>
<td></td>
</tr>
<tr>
<td>Left Side Setback</td>
<td>15.0'</td>
<td>43.4'</td>
<td></td>
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<tr>
<td>Right Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 22' high → 22' high or greater →</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Left Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 22' high → 22' high or greater →</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Rear Setback (ft)</td>
<td>40.0'</td>
<td>21.0' +/-</td>
<td></td>
</tr>
<tr>
<td>Lot Coverage (%)</td>
<td>25%</td>
<td>16.5% +/-</td>
<td></td>
</tr>
<tr>
<td>Building Height (ft)</td>
<td>35.0'</td>
<td>20.0' +/-</td>
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</tr>
<tr>
<td>Other</td>
<td>Other</td>
<td>Other</td>
<td>Other</td>
</tr>
</tbody>
</table>
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/lab

Enclosures

cc: Mr. and Mrs. Ed Goodwin
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
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.
### 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  
reynoldsurvey59@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):

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<td>30,000sf</td>
<td>17,948sf</td>
</tr>
<tr>
<td>Lot Width (ft)</td>
<td></td>
<td></td>
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<tr>
<td>Front Setback (ft)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>primary</td>
<td>40’</td>
<td>28.8’</td>
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<tr>
<td>secondary</td>
<td></td>
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<tr>
<td>Right Side Setback</td>
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<td>Other</td>
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</tbody>
</table>
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

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

Tax_Parcels

Residence A District

ArcGIS Web AppBuilder

JeffCoAL, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA | Hunter Simmons | Jefferson County Information Technology Services |
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
I, Robert Reynolds, a Registered Surveyor, do hereby certify that this is a true and correct plat or map of Lot ____, Block ____, 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 the land 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

Reg. No. 25657
Renovations to the Wolff Residence
Schematic Design 01: 06/26/2020

Round Columns

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

Side Elevation
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)?

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

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…”)

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

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

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

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.

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.

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.
## 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 Reversion Trust (Trustee: Anna Marasco)
- **Phone Number**: 205-908-8091
- **Email**: anna_marasco@alinduscourts.gov
- **Name of Surveyor**: Robert Reynolds
- **Phone Number**: 205-823-7900

### Property owner or representative agent must be present at hearing

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

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<th>Proposed Development</th>
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</thead>
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<td></td>
<td></td>
</tr>
<tr>
<td><strong>Lot Width (ft)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Front Setback (ft) primary</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Front Setback (ft) secondary</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Right Side Setback</strong></td>
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<td><strong>Left Side Setback</strong></td>
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</tr>
<tr>
<td><strong>Right Side Setback (ft):</strong> For non-conforming narrow lots in Res-B or Res-C. Less than 22' high \rightarrow 22' high or greater \rightarrow</td>
<td>15', 5'4”, 5'4”</td>
<td></td>
</tr>
<tr>
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<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td><strong>Lot Coverage (%)</strong></td>
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<td></td>
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<tr>
<td><strong>Building Height (ft)</strong></td>
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<td></td>
</tr>
<tr>
<td><strong>Other</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
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
STATE OF ALABAMA
JEFFERSON COUNTY

"CLOSING SURVEY"

I, Robert Reynolds, a Registered Surveyor, do hereby by state that this is a true and correct plat or map of Lot 19, Block 1, 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 over or across said lands except as
shown. According to my survey this the 12TH day

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

Purchaser: MANASCO
Address: 3416 MOUNTAIN PARK DRIVE

Robert Reynolds
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
Date 8-27-20
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 nonconforming

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, if granted, will have no adverse effect on the privacy of the adjoining neighbors.
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  briens@emai1.com
Name of Surveyor  Buck Callahan
Phone Number  205-229-1993 Email  buck@southcentralsurveying.com
Name of 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)):

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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,

[Signature]

Eric Dale
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

Appendix
LOCATION: 2 West Montcrest Drive

ZONING DISTRICT: Res-B

OWNERS: Amanda and Sam Brien
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 "T" at the Flood Insurance Rate Map for this area (Map No. 92-5469, 92-5470).
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 Montreal 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 |
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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

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: 205-246-8391 Email: ROGOFF.JASON@GMAIL.COM

Name of Surveyor: Rowland Jacks

Phone Number: 205-890-3390 Email:

Name of Architect (if applicable): Chess Reems

Phone Number: 205-413-8531 Email: CHESS@CHRISTOPHERAS.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)):

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

Scale: 1 inch = 40 feet File: S-1337/19-AAA
Will add eglan us
To enhance privacy

Views from location of wall looking towards adjacent properties
Variance Application - Part I

Project Data

Address of Subject Property  3103 Salisbury Rd.
Zoning Classification  Resulence A
Name of Property Owner(s)  Angela Thornton + 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.m.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)):

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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

Appendix
LOCATION: 3103 Salisbury Road

ZONING DISTRICT: Res-A

OWNERS: Angela Thornton and Howard Downey
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.*
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: siisy@sissy austin.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@sissy austin.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):

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<td>Lot Coverage (%)</td>
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<tr>
<td>Building Height (ft)</td>
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<td>Other</td>
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<tr>
<td>Other</td>
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</table>
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
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
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

"Closing Survey"

Dexter Avenue
50' R.O.W.

NOTE:
All parts of this survey and this drawing have been completed in accordance with the current requirements of the best of my knowledge, information, and belief, according to my survey of 1940.
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 far enough and water penetrates, trench 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 not require sprinkler system or screened porch.**
Variance Application - Part I

**Project Data**

<table>
<thead>
<tr>
<th>Address of Subject Property</th>
<th>11 Montevallo Lane, Mountain Brook, Alabama 35213</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning Classification</td>
<td>Residence B District</td>
</tr>
<tr>
<td>Name of Property Owner(s)</td>
<td>Cooper Bennett</td>
</tr>
<tr>
<td>Phone Number</td>
<td>205.746.3417 Email: <a href="mailto:cooperbennett@gmail.com">cooperbennett@gmail.com</a></td>
</tr>
<tr>
<td>Name of Surveyor</td>
<td>Southeastern Surveyors Inc.</td>
</tr>
<tr>
<td>Phone Number</td>
<td>205.956.7152 Email: <a href="mailto:shgilbert@bellsouth.net">shgilbert@bellsouth.net</a></td>
</tr>
<tr>
<td>Name of Architect (if applicable)</td>
<td>Residential Design Consultant  Warren Kyle</td>
</tr>
<tr>
<td>Phone Number</td>
<td>205.965.6777 Email: <a href="mailto:wwkstudio@gmail.com">wwkstudio@gmail.com</a></td>
</tr>
</tbody>
</table>

Property owner or representative agent must be present at hearing

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

<table>
<thead>
<tr>
<th>Lot Area (sf)</th>
<th>Zoning Code Requirement</th>
<th>Existing Development</th>
<th>Proposed Development</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Width (ft)</td>
<td>10,000 sf Min</td>
<td>7,928.5 sf</td>
<td>7928.5 sf</td>
</tr>
<tr>
<td>Front Setback (ft)</td>
<td>70'</td>
<td>75.83'</td>
<td></td>
</tr>
<tr>
<td>Front Setback (ft)</td>
<td>35'</td>
<td>19.9'</td>
<td>19.9'</td>
</tr>
<tr>
<td>Right Side Setback</td>
<td>N/A</td>
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<td></td>
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<tr>
<td>Left Side Setback</td>
<td>12.5'</td>
<td></td>
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</tr>
<tr>
<td>Right Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C:</td>
<td>N/A</td>
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<tr>
<td>Less than 22’ high</td>
<td>22’ high or greater</td>
<td></td>
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<tr>
<td>Left Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C:</td>
<td>N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Less than 22’ high</td>
<td>22’ high or greater</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rear Setback (ft)</td>
<td>35’</td>
<td>46.7’</td>
<td>23’</td>
</tr>
<tr>
<td>Lot Coverage (%)</td>
<td>35% Building</td>
<td>19% Building</td>
<td>33.5% Building</td>
</tr>
<tr>
<td>Building Height (ft)</td>
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<td>Other</td>
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<tr>
<td>Other</td>
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</table>
**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 interested below that the following is a true and correct copy of a map or plot of a survey made by me of the described property.

Lot 16, Monte Carlo Lane, as recorded in Map 2632, 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 line easements over or across said land visible on the surface except as shown; that there are no utility poles, guy wires, lines, structures, or supports thereof (excepting those that serve the premises only), except as shown; that I have consulted the Federal Insurance Administration Flood Hazard Boundary Maps and this boundary property IS NOT located in a Flood Hazard Area (as determined by graphic plottings); and all the parts of this survey are 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.

FRN: Map No. 01734 C 005799 September 3, 2010

The survey was performed with conventional equipment and techniques. Horizontals and vertical controls were established by GPS observations using NAVD 1988 vertical and NAD 83 horizontal datum. Bearings are based on Alabama State Plane Coordinates, Zone 2. 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 Montevilla 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
5162 Scenic View Drive
Birmingham, Alabama 35210
(205) 956-7125 Fax(205) 956-7146

Lot Area = 7928.5 SF
Buildable Area = 973.5 SF
19% Coverage

EXISTING CONDITION
WITH CURRENT SETBACKS

Legend
- property line
- utilities pole
- open pipe duct
- fire hydr.
- power box
- tree
- cagged pipe duct
- Valve box
- water valve
- offset cross
- guy anchor
- commencing point
- 30" tile inlet
- gas valve
- Drain Manhole
- sanitary manhole
- Tel. Manhole
- Sign
- measured dim
- platted dim
- water meter
- gas meter
- power meter
- chain link fence
- gas line
- water line
- overhead utility line
- wire fence
- wood fence
- center line
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)?

____________________________________________________________________________
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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…”)

____________________________________________________________________________
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____________________________________________________________________________

No.

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

____________________________________________________________________________
____________________________________________________________________________
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____________________________________________________________________________

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.