Hello All,

Enclosed please find your packet for the meeting of January 19, 2021.

We have:
- 5 new case

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 (January 19, 2021)
- 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. Approval of Minutes: December 21, 2020

2. Case A-21-01: Allison Cease, property owners, requests a variance from the terms of the Zoning Regulations to allow the construction of an attached garage on a new single family home to be located 15’10” from the rear property line in lieu of the required 35 feet. 209 Nash Circle

3. Case A-21-03: Grantland and Lauren Rice, property owners, request a variance from the terms of the Zoning Regulations to allow structural alterations to an existing non-conforming home that is 34 feet from the front property line in lieu of the required 35 feet. 24 Spring Street

4. Case A-21-04: Mr. and Mrs. Edmund Seibels, property owners, request a variance from the terms of the Zoning Regulations to allow additions to an existing non-conforming home to be located 34 feet from the rear property line in lieu of the required 40 feet. 75 Fairway Drive

5. Case A-21-05: Marshall and Melissa Wood, property owners, request a variance from the terms of the Zoning Regulations to allow an addition to an existing home to be located 19 feet from the rear property line in lieu of the required 35 feet. 913 Crestview Drive

6. Case A-21-06: Kelly Ann Bowman, property owner, requests a variance from the terms of the Zoning Regulations to allow the construction of a covered deck to be located 17 feet from the rear property line in lieu of the required 35 feet. 913 Greenbriar Circle

7. Next Meeting: Tuesday, February 16, 2021

9. Adjournment
## Variance Application - Part I

### Project Data

- **Address of Subject Property**: 209 Nash Circle
- **Zoning Classification**: Res B
- **Name of Property Owner(s)**: Allison Cease
- **Phone Number**: 256-298-1325, Email: allisoncease@gmail.com
- **Name of Surveyor**: Weggand
- **Phone Number**: 942-0086, Email: rayweggand@bellsouth.net
- **Name of Architect (if applicable)**: Richard Long
- **Phone Number**: 637-5777, Email: richard@longandlongdesign.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)):

<table>
<thead>
<tr>
<th></th>
<th>Zoning Code Requirement</th>
<th>Existing Development</th>
<th>Proposed Development</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area (sf)</td>
<td>10,000 sf</td>
<td>14,528 sf</td>
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<tr>
<td>Lot Width (ft)</td>
<td>75' min</td>
<td>75' max</td>
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<td>Front Setback (ft)</td>
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<td>35'</td>
<td>35'</td>
</tr>
<tr>
<td>Front Setback (ft) secondary</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Right Side Setback</td>
<td>12.5'</td>
<td>12.5'</td>
<td>12.5'</td>
</tr>
<tr>
<td>Left Side Setback</td>
<td>12.5'</td>
<td>12.5'</td>
<td>12.5'</td>
</tr>
<tr>
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<td>For non-conforming narrow lots in Res-B or Res-C:</td>
<td></td>
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<tr>
<td></td>
<td>Less than 22' high →</td>
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<td></td>
<td>22' high or greater →</td>
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<tr>
<td>Left Side Setback (ft):</td>
<td>For non-conforming narrow lots in Res-B or Res-C:</td>
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<td></td>
<td>22' high or greater →</td>
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<td></td>
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<td>Rear Setback (ft)</td>
<td>35'</td>
<td>17.3'</td>
<td>15'10&quot;</td>
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<td>35%</td>
<td>35%</td>
<td>35%</td>
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<td>35'</td>
<td>35'</td>
<td>35'</td>
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<tr>
<td>Other</td>
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<tr>
<td>Other</td>
<td></td>
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</tbody>
</table>
Petition Summary
Request to allow the construction of an attached garage on a new single family home to be located 15’10” from the rear property line in lieu of the required 35 feet.

Analysis
The hardships in this case are unusual lot shape and topography. The irregular lot shape makes it difficult to comply with the required setbacks of this zoning district.

The proposed scope of work for this property is for a new single family home with attached garage. A similar rear setback variance of 17.3 feet was approved in 2017, but the plans to go forward with construction never materialized.

Impervious Area
Staff is waiting on a revised to scale plot plan to confirm the lot coverage and impervious percentages. The expectation is that both will meet the code requirements.

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: 209 Nash Circle

ZONING DISTRICT: Residence B District

OWNERS: Allison Cease
### Abbreviations

- A-21-01

### General Notes

1. All dimensions are in feet unless otherwise specified. The contractor shall provide all necessary materials and labor for the completion of the construction. The contractor shall be responsible for any errors or omissions in the plans and specifications.

2. The construction documents, drawings, and specifications shall be considered as final and no change orders or modifications shall be allowed.

3. The contractor shall comply with all local, state, and federal codes and regulations. The contractor shall be responsible for all necessary permits and approvals.

4. The contractor shall provide all necessary materials and labor for the completion of the construction. The contractor shall be responsible for any errors or omissions in the plans and specifications.

5. The contractor shall be responsible for all necessary permits and approvals. The contractor shall provide all necessary materials and labor for the completion of the construction.

6. The contractor shall comply with all local, state, and federal codes and regulations. The contractor shall provide all necessary materials and labor for the completion of the construction.

7. The contractor shall be responsible for any errors or omissions in the plans and specifications. The contractor shall provide all necessary materials and labor for the completion of the construction.

### CEASE RESIDENCE

209 NASH CIRCLE

| SQUARE FOOTAGES | 
|-----------------|------------------|
| FIRST LEVEL LIVING | 2,736 |
| UPPER LEVEL GARDEN | 1,402 |
| FIRST LEVEL | 1,678 |
| TOTAL | 5,814 |
| LOT AREA | 46,520 |
| HOMESTEAD AREA | 1,111 |
| EXTERNAL HOUSE FOOTPRINT | 4,240 |
| TOTAL INTERIOR FOOTPRINT | 5,544 |
Meeting Date: November 20, 2017
Case Number: A-17-44
Case Address: 209 Nash Circle
Property Owner(s): Nash Properties, LLC
tmcet@ao.com
Representative: Richard Long, Long and Long Design
Richard@longandlongdesign.com

**Type Request:**
The property owner requests variances from the terms of the Zoning Regulations to allow a new single family dwelling, a portion of which is to be 17.3 feet from the rear property line (north) in lieu of the required 35 feet.

**Action Taken:**
The Board of Zoning Adjustment approved the variance request as submitted.

Dana O. Hazen, MPA, AICP
Director of Planning, Building and Sustainability
Variance Application
Part II

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

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

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

1) Triangular shaped cul-de-sac lot; 10 ft T% grade change across width of buildable area.

2) Shape of lot causes difficulty in achieving max buildable area (building and lot lines would not be parallel for most of the building).

3) Lot 206 next door is a mirror lot w/ a 17.3' rear property encroachment.

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?

We intend to keep any part of the house footprint where a variance is needed (i.e. rear setback) to a minimum in order to encroach on the neighbor’s direction as little as possible. The variance would allow for a main level two car garage that would have garage doors facing the side property, not the street.

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________
Variance Application - Part I

Project Data

Address of Subject Property  
24 SPRING STREET MOUNTAIN BROOK, AL 35213

Zoning Classification  
RESIDENCE C

Name of Property Owner(s)  
GRANTLAND AND LAUREN RICE

Phone Number  
GRANTLAND: 205-913-0475
LAUREN: 205-913-8189

Email  
grantland.rice@gmail.com ; laurenwrice@gmail.com

Name of Surveyor  
DANNY MOORE (SURVEYING SOLUTIONS, INC.)

Phone Number  
205-991-8965

Email  
dannymoore@ssi-ala.com

Name of Architect (if applicable)  
BILL MOORE (CARLISLE MOORE ARCHITECTS)

Phone Number  
205-966-2554

Email  
bill@carlislemoorearchitects.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 Width (ft)</td>
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<td>Front Setback (ft)</td>
<td>35'-0&quot;</td>
<td>34'-0&quot;</td>
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<tr>
<td>Front Setback (ft)</td>
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</table>
Petition Summary
Request to allow structural alterations to an existing non-conforming home that is 34 feet from the front property line in lieu of the required 35 feet.

Analysis
The hardship in this case is the design constraint of the existing non-conforming home. This project includes structural alterations and additions, but none of the work will include moving the front wall closer to the street. The applicant explained that the survey they used to design the plans around showed the home to be right on the setback line at 35 feet. However, a recent survey showed that to be incorrect and the front wall is almost 1 foot over the setback line which triggered the need for this variance request.

Impervious Area
The proposed lot coverage is approximately 22% and the proposed impervious coverage is approximately 43%.

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: 24 Spring Street

ZONING DISTRICT: Residence C District

OWNERS: Grantland and Lauren Rice
HATCH SHOWS
PROPOSED ADDITION
A-21-03

LEGEND
ASPH = asphalt
BNG = bearing
BLOG = building
CALC = calculated
CAP = capped iron
CL = centered
CH = chord
CONC = concrete
C = covered
d = deflection
D = curve delta angle
E = end
EASEMENT = easement
FC = fence
FD = found
HWH = heelwall
I = iron pin
IPI = iron pin in sandals in a cap
IIP = iron pin in sandals in a cap
J = jack
K = key
L = location
MIN = minimum
MINA = minimum axis
N = north
NW = northwest
P = porch
PC = point of curve
PBL = point of beginning
PDC = point of departure
PT = point of tangent
PVR = pavement
R = radius
RBC = recorded
RES = residence
ROW = right of way
S = south
SAN = sanitary
STM = storm
SV = sewer
SYN = synthetic
UTL = utility
U = uncontrolled
W = west
YI = yard inlet
Z = degrees
° = minutes, in
" = bearings or angles
" = seconds, in
" = bearings or angles
" = feet, in distance
AC = acres
" = more or less, or plus or minus

STATE OF ALABAMA
JEFFERSON COUNTY

I, Carl Daniel Moore, a registered Land Surveyor, certify that I have surveyed Lot 18-A, ELOCK 21, ECHOLS RESURVEY OF CRESTLINE HEIGHTS as recorded in Map Book 195, Page 76, in the Office of the Judge of Probate, Jefferson County, Alabama; 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; that the correct address is as follows: 24 Spring Street, according to my survey of November 29, 2020. Survey is not valid unless it is sealed with embossed seal or stamped in red.

SURVEYING SOLUTIONS, INC.
2232 CAHABA VALLEY DRIVE SUITE M
BIRMINGHAM, AL 35242
PHONE: 205-991-8965

Order No. 267308
Purchaser: Carlisle Moore Architect
Type of Survey: Property Boundary

Carl Daniel Moore, Reg. L.S. #12’59
Date of Signature
RICE RESIDENCE

24 SPRING STREET
MOUNTAIN BROOK, ALABAMA

90% CONSTRUCTION SET

DECEMBER 22, 2020
NOTE:
REMOVE EXISTING SHUTTERS
REMOVE EXISTING FIREPLACE AND CHIMNEY
REMOVE EXISTING ISLAND
REMOVE EXISTING DECK AND PORCH
REMOVE BUILT-INS
REMOVE CEILING; FINISH AND MODIFY STRUCTURE TO ALLOW FOR VAULT
REMOVE EXISTING INTERIOR WINDOW AND DOOR; THICKEN WALL

LEGEND
DEMOLISH
EXISTING PATIO
OPEN WINDOW TO BE EXPANDED AND WALL TO BE THICKENED
CONFIRM EXISTING PERGOLA

DEMOLISH EXISTING AREAWAY AND CLOSE CRAWL SPACE

DEMOLISH EXISTING AREAWAY AND CLOSE CRAWL SPACE

REMOVE EXISTING CABINETRY

SCALE:
DEMOLITION PLAN 1/4" = 1'-0"
EXISTING ROOF TO REMAIN

NEW ROOF TO BLEND WITH EXISTING ROOF. MATCH SLOPE OF EXISTING ROOF

NEW ROOF-STANDING SEAM TO MATCH EXISTING, MATCH SLOPE OF EXISTING ROOF

ADDITION TO EXISTING ROOF TO EXTEND OVER NEW PATIO; MATCH EXISTING ROOF MATERIAL AND SLOPE OF EXISTING ROOF

EXISTING CHIMNEY

NEW CHIMNEY

REMOVE EXISTING CHIMNEY AND REPLACE WITH NEW ROOFING

LARGER DASHED LINE SHOWS APPROXIMATE OUTSIDE FACE OF STUD BELOW

SMALLER DASHED LINE SHOWS APPROXIMATE OUTSIDE FACE OF SIDING BELOW

LARGER DASHED LINE SHOWS APPROXIMATE OUTSIDE FACE OF STUD BELOW; LINE UP NEW EXTERIOR WALL WITH EXISTING EXTERIOR WALL.

SMALLER DASHED LINE SHOWS APPROXIMATE OUTSIDE FACE OF SIDING BELOW.

NOTE: HATCH SHOWN ONLY ON ROOF AREAS THAT WILL BE AFFECTED.

NEW CRICKET; SLOPE TO MIN. REQUIRED BY MANUFACTURER.

ROOF PLAN

RICE RESIDENCE

DECEMBER 22, 2020

SCALE: 1/4" = 1'-0"
4" RAFTER BEARING
MATCH EXISTING
4" STEP AT PORCH
MATCH EXISTING SIDING
2" PAVERS AT PORCH
AND TREADS
BEVOLO GAS LIGHT; SIGNATURE SERIES;
TUSCAN 25" WITH BRACKET
NEW ROUND LOUVER; PAINTED;
VERIFY COLOR WITH ARCHITECT
EXISTING WINDOW
10X10 DOUGLAS FIR COLUMNS
AND BRACKETS
WOOD RAILING
TYPICAL ROOF - MATCH EXISTING
ROOF MATERIAL AND SLOPE
TYPICAL SIDING; MATCH EXISTING
MORTAR WASH @ ALL
EXPOSED FOUNDATION
WALL; COLOR TO BE
SELECTED BY ARCHITECT
TYP. STONE VENEER;
MATCH EXISTING
STONE UNDER BAY WINDOW
TO BE BATTERED @ 3 4 : 12
4'-31 2"
3'-10"
6'-2"
6" TRIM
6" TRIM
MATCH HEAD
HEIGHTS OF
EXISTING WINDOWS
MATCH HEAD
HEIGHTS OF
EXISTING WINDOWS
DASHED LINE INDICATES APPROXIMATE
LOCATION OF EXISTING ROOF
TYPICAL RAKE TRIM; MATCH
EXISTING
MORTAR WASH @ ALL
EXPOSED FOUNDATION
WALL; COLOR TO BE
SELECTED BY ARCHITECT
LOCATIONS OF EXISTING WINDOWS
ARE APPROXIMATE
MATCH EXISTING METAL ROOFING
10X10 DOUGLAS FIR COLUMNS
AND BRACKETS
WOOD RAILING
TYP. STONE VENEER;
MATCH EXISTING;
STONE UNDER BAY WINDOW
TO BE BATTERED @ 3 4 : 12
MATCH HEAD
HEIGHTS OF
EXISTING WINDOWS
MATCH HEAD
HEIGHTS OF
EXISTING WINDOWS
TRIM AROUND NEW WINDOWS TO
MATCH EXISTING TRIM
MATCH HEAD
HEIGHTS OF
EXISTING WINDOWS
MATCH HEAD
HEIGHTS OF
EXISTING WINDOWS
A4.2

REMOVE EXISTING BATHROOM WINDOW AND TRIM; REPLACE WITH SIDING TO MATCH 10X10 COLUMNS AND 4X4 INTERMEDIATE COLUMNS; DOUGLAS FIR

NEW SCREENED PORCH EXTEND EXISTING ROOF OUT OVER NEW PATIO TYPICAL RAKE TRIM; MATCH EXISTING TYPICAL ROOF - MATCH EXISTING ROOF MATERIAL

NEW FIREPLACE AND CHIMNEY AT NEW SCREENED IN PATIO; TYPICAL STONE

A4.3

NEW FIREPLACE AND CHIMNEY AT NEW SCREENED IN PATIO; TYPICAL STONE EXTEND EXISTING ROOF OUT OVER NEW PATIO; MATCH EXISTING ROOF MATERIAL

REMOVE EXISTING FIREPLACE AND CHIMNEY IN FAMILY ROOM A DDITION EXISTING EXISTING FIREPLACE AND CHIMNEY 1'-0" RAFTER BEARING MATCH EXISTING 1'-6" RAFTER BEARING MATCH EXISTING
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…”)

No, the existing front wall of the structure is already non-conforming. We are proposing to keep the wall in the same location as the existing front wall, 1'-0" beyond the required setback.

____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________

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

The addition would not encroach over the front yard set back anymore than it currently does.

____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
Variance Application - Part I

**Project Data**

Address of Subject Property 75 Fairway Drive

Zoning Classification Residence A

Name of Property Owner(s) Mr. and Mrs. Edmund Seibels

Phone Number 205-837-9221 Email esiebels@outlook.com

Name of Surveyor Jeff Arrinton/Arrington Engineering

Phone Number 205-985-9315 Email

Name of Architect (if applicable) Henry Spratt 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)):

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<tr>
<th>Lot Area (sf)</th>
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<th>Existing Development</th>
<th>Proposed Development</th>
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<td>30,000 s.f.</td>
<td>20,670 s.f.</td>
<td>20,670 s.f.</td>
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<td>100 ft.</td>
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<td>Secondary</td>
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<td>15'-'0&quot;</td>
<td>14.9'</td>
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<tr>
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<th>Zoning Code Requirement</th>
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<th>Proposed Development</th>
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<tr>
<td>15'-'0&quot;</td>
<td>48.6'</td>
<td>35.5''/+-</td>
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| 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 → |
|-------------------|-------------------------|----------------------|----------------------|

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<th>Zoning Code Requirement</th>
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<tr>
<td>40'-'0&quot;</td>
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<th>Zoning Code Requirement</th>
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<td>25%</td>
<td>16.5%'/+-</td>
<td>19.6%</td>
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<th>Building Height (ft)</th>
<th>Zoning Code Requirement</th>
<th>Existing Development</th>
<th>Proposed Development</th>
</tr>
</thead>
<tbody>
<tr>
<td>35'-'0&quot;</td>
<td>25'-'0&quot;'/+-</td>
<td>25'-'0&quot;'/+-</td>
<td></td>
</tr>
</tbody>
</table>

Other

Other
Petition Summary
Request to allow additions to an existing non-conforming home to be located 34 feet from the rear property line in lieu of the required 40 feet.

Analysis
The hardships in the case are the design constraints of the existing non-conforming house, irregular lot shape in the rear and smaller lot size for this zoning district. The existing home is 29.3 feet from the rear property line. The proposed addition on the rear would be at 34 feet and not closer than where the current structure sits. The lot has an angled rear property line that is unusual. The lot is also approximately 20,670 square feet which is smaller than the minimum required Res A lot size of 30,000 square feet.

The scope of work includes two small additions to the front of the home, extending the garage along the left side and adding a screen porch addition to the rear. Only the screen porch addition requires a variance as the rest complies with the zoning regulations for this district.

Impervious Area
The proposed lot coverage is approximately 20% and the proposed impervious coverage is approximately 50%.

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: 75 Fairway Drive
ZONING DISTRICT: Residence A District
OWNERS: Mr. and Mrs. Edmund Seibels
FAIRWAY DRIVE
50' R.O.W.

NOTES:
ADDITIONS SHOWN ON THIS DRAWING
ARE MADE BY HENRY SPROTT LING & ASSO.

LEGAL:

1. No title search of the public records has been performed by this firm and lands shown herein
   were not abstracted for easements and/or rights-of-ways, recorded or unrecorded. The
   parcels shown herein are subject to setback, easements, zoning and restrictions that may be
   found in the public records of said county.
2. All bearings and/or angles and distances are deed and actual unless otherwise noted: deed=d;
3. Measured=d, recorded map/plat=p, property line l.
4. Underlying portions of foundations, footings, or other underground structures were not
   located unless otherwise noted.
5. This survey is valid only with an original signature and a legible seal.
6. Refer to plat and source of information is recorded plat and field evidence.
7. Type of Survey: Final Survey

STATE OF ALABAMA
JEFFERSON COUNTY

I, Jeff D. Arrington, a registered Land Surveyor, certify that I have surveyed Lot 11B Block 7, according to the
survey of BRADY'S RESURVEY, as recorded in Map Volume 150, Page 83, in the office of the Judge of
Probate Jefferson County, Alabama; 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; That there are no encroachments on said lot except as shown; That improvements
are located as shown above. No Flood Zone Determination was requested or performed as part of this survey.

Address: 75 FAIRWAY DRIVE
Drawing Date: 11/30/2020 By: MA
Date of Survey: 11/23/2020 Party Chief: KS
Order No. 76189
For: SEIBELS

Jeff D. Arrington, AL Reg. #18664
Arrington Engineering & Land Surveying, Inc.
2032 Valleydale Road, Birmingham, AL 35244
Phone: (205) 985-9315 (Fax 205-985-9385)
December 22, 2020

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

ATTENTION: Tammy Reid via email

RE: Proposed Alterations and Additions to the Residence of Mr. and Mrs. Edmund Seibels

Ladies and Gentlemen:

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

We are requesting a variance to allow the construction of additions to the existing non-conforming residence and lot at 75 Fairway Drive. We propose to add two small additions to the front of the house, extend the existing Garage to the left side of the house and add a Screen Porch to the rear of the house. The additions to the front of the house will meet all setback requirements. The Garage extension to the left side of the house will meet the side setback but will be 38.0 feet from the rear property line rather than the required 40.0 feet. The Screen Porch addition to the rear of the house, at its closest point to the rear property line, will be 34.0 feet from the rear property line rather than the required 40.0 feet. Therefore, we are requesting a variance to allow the Garage extension to the left side and the addition of a Screen Porch at the rear of the existing residence.

The required variance application forms, graphic explanation of the proposed additions and list of adjacent property owners are included in this email. A check for $100.00 to cover the hearing fee will be mailed to Tammy Reid at the City Hall address. All information is submitted in preparation for the zoning board meeting on Tuesday January 19, 2021.

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. Edmund Seibels
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)?

See attached

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...")

See attached

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

See attached
Attachment to the Variance Application for Mr. and Mrs. Edmund Seibels

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 current Residence "A" property is non-conforming in that the lot area is 20,670 sq. ft. rather than the required 30,000 sq. ft. and the lot shape is unusual for the neighborhood. The unusual shape and non-conforming area make it difficult to meet the rear setback requirement.

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...")

No.

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

The proposed additions to the front will meet the setback requirements. The proposed Garage extension to the left side of the house will meet the side yard setback but will be 38.0 feet from the rear property line rather than the required 40.0 feet. The proposed addition to the rear will not encroach any further into the rear yard setback than the current 29.3 feet and because of the angle of the rear lot line, the proposed rear addition will be 34.0 feet +/- from the rear property line at the left side of the addition and 43.5 feet +/- at the right side of the addition. Therefore, the granting of a variance will allow for construction of the proposed additions because of the hardships of a smaller, non-conforming lot and the irregular lot configuration.
Variance Application - Part I

Project Data

Address of Subject Property  913 Crestview Drive

Zoning Classification  B

Name of Property Owner(s)  Melissa and Marshall Wood

Phone Number  901-488-9728  Email  melissabwood@gmail.com

Name of Surveyor  Weygand Surveyors

Phone Number  205-942-0086  Email  office@weygandsurveyors.com

Name of Architect (if applicable)  James Laughlin

Phone Number  205-867-7814  Email  jimmy@jameslaughlin.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):

<table>
<thead>
<tr>
<th>Lot Area (sf)</th>
<th>Zoning Code Requirement</th>
<th>Existing Development</th>
<th>Proposed Development</th>
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</thead>
<tbody>
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<td></td>
<td>10,000</td>
<td>15,440</td>
<td>Same</td>
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<tr>
<td>Lot Width (ft)</td>
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<td>Front Setback (ft) primary</td>
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<td>35.4</td>
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</tr>
<tr>
<td>Front Setback (ft) secondary</td>
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<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Right Side Setback</td>
<td>12.5</td>
<td>N/A</td>
<td>Same</td>
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<td>Left Side Setback</td>
<td>12.5</td>
<td>33.1</td>
<td>35.2</td>
</tr>
<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></td>
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<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>
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</tr>
<tr>
<td>Rear Setback (ft)</td>
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<td>19</td>
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<tr>
<td>Lot Coverage (%)</td>
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<td>Building Height (ft)</td>
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<tr>
<td>Other</td>
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<td></td>
</tr>
<tr>
<td>Other</td>
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</tbody>
</table>
Petition Summary
Request to allow an addition to an existing home to be located 19 feet from the rear property line in lieu of the required 35 feet.

Analysis
The hardship in this case is the corner lot configuration that carries two required front yard setbacks of 35 feet reducing the buildable area of the parcel. The proposed construction would feature a master addition to the rear of the existing home.

Impervious Area
The proposed lot coverage is approximately 25% and the impervious surfacing area is approximately 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

Appendix
LOCATION: 913 Crestview Drive

ZONING DISTRICT: Residence B District

OWNERS: Melissa and Marshall Wood
STATE OF ALABAMA
JEFFERSON COUNTY

"Plot Plan"

1. Ray Weygand, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot 9, AMENDED MAP OF EUCLID ESTATES 3RD SECTOR, as recorded in Plat Book 43, Page 4, 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 DECEMBER 19, 2020. Survey invalid if not sealed in red.

Order No.: 20202788
Purchaser: Ray Weygand
Address: 913 CRESTVIEW DRIVE
169 Oxnood Road Homewood, AL 35209
Phone: (205) 942-0086 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.
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 parcel has two secondary fronts. The proposed addition approaches 15.2 feet on the rear setback line. We feel the addition which brackets Monticello promotes harmony and safety to the surrounding parcels.

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

No

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

The variance has been previously been approved but the timing was not right for our family. This time is now right and we are ready and able to proceed.
Variance Application - Part I

Project Data

Address of Subject Property: 913 Green Briar Circle
Zoning Classification: Residential
Name of Property Owner(s): Kelly Ann Bowman
Phone Number: 615-948-0203 Email: KellyBowman@hotmail.com
Name of Surveyor: Weygand Surveyors
Phone Number: 942-0084 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)):

<table>
<thead>
<tr>
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<td>For non-conforming narrow lots in Res-B or Res-C:</td>
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<td>Less than 22' high</td>
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<tr>
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</tr>
<tr>
<td>Other</td>
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</tbody>
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Petition Summary
Request to allow the construction of a covered deck to be located 17 feet from the rear property line in lieu of the required 35 feet.

Analysis
The hardships in this case are the corner lot configuration, existing design constraint and irregular lot shape. The corner lot requiring two front setbacks of 35 feet reduces the buildable area of this lot.

Currently there is an existing uncovered deck that is 17 feet from the rear property line. This proposal would replace the existing deck in the exact same footprint while covering a portion of it and screening it in. The new deck would not encroach closer to the rear property line than where the existing deck sits now.

Impervious Area
The proposed lot coverage is approximately 20% and the impervious coverage is approximately 26%.

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: 913 Greenbriar Circle

ZONING DISTRICT: Residence C District

OWNERS: Kelly Ann Bowman
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, BEECH HILLS 6TH SECTOR, as recorded in Map Volume 84, Page 39, 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 DECEMBER 23, 2020. Survey invalid if not sealed in red.

Order No.: 20202830  
Address: 913 GREENBRIAR CIRCLE

Ray Weygand, Reg. L.S. #24973  
169 Oxmoor Road  Homewood, AL 35209  
Phone: (205) 942-0086  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.
Request for Variance for Rear Set back

This is in support of my request for a variance to the rear setback requirement of 30 feet for an existing non-conforming lot, Residence C Zoning. My intent is to replace the existing deck structure within its current footprint and cover a portion converting it into a screened in porch. I am requesting a variance that would allow the existing depth of the current deck footprint to be covered. The existing deck structure is 17’ feet off of the rear property line and I am not seeking to expand the depth of the structure. I am not asking for any square footage additions or encroachment. My goal is to add functionality and value that is consistent with my neighborhood and beautify something that previously was an eye sore.

913 Greenbriar Circle – Scope of Work

- Repair and replace existing decking
- Replacing / reinforcing structural support for decking including the upgrade from 4 x 4 structural supports to 6 x 6
- Adding additional floor joists and joist hangers
- Replacing any existing rotted materials
- New handrails and stairs to access ground level deck
- Cover and roof 2/3rds of the existing deck footprints
- Screen in Covered portion of deck

Notes:

- Existing decking to be covered is 17’ off of the southern property line
- Similar variance granted for 905 Sheridan Drive (see attached pictures)

Inspiration:
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 original structure is on a corner lot and is already built beyond the building set back on the north and east sides. The proposed covered porch is outside the 15’ easement on the south side and remains within the original footprint. Requesting to cover part of existing footprint to convert to a porch.

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?

I am not asking for any square footage additions or encroachment. I am requesting to replace and repair an existing structure and make a portion of it into a screened in porch. My goal is to add functionality and value that is consistent with my neighborhood and beautify something that was previously an eye sore.
City of Mountain Brook
56 Church Street
Mountain Brook, AL 35213
December 29, 2020
To Whom It May Concern:

Kelly Bowman is my next door neighbor. I live at 210 Hagood Street, and she lives to the left of me at 913 Greenbriar Circle. She contacted me today regarding the porch/deck repair she is doing and asked me if I would send my approval to Mountain Brook City for the required variance. She discussed this idea with me several months ago and expressed her excitement at the opportunity of being able to make this improvement and make needed repairs. She also explained to me her plan for covering the deck to add privacy for both of us. I think this is a value add to her and only adds to our street and to our neighborhood. Her deck was rotting in several areas and was in need of repair. I work in real estate and realize that this outdoor area will add to the value of her property and to mine as well.

She is without a doubt the best neighbor I have ever had in my 43 years. I am excited for her and this improvement, and I am 100 percent on board with her making needed improvements to her deck. Kelly is a Mountain Brook native and helped me in my transition to moving to Mountain Brook 5 years ago. She makes sure my packages are safe when I am out of town and has become a close trusted friend and neighbor. She is respected in Crestline and in Mountain Brook, and I have full confidence that her new deck will be beautiful, tasteful and will add value to the area.

Please feel free to reach out to me with any questions at all!

Sarah Hyche
205-272-0659
Sarah.hyche@charter.com
Re: 913 Greenbriar Circle - Variance Request

Dinks Gaskin <dinks.gaskin@gmail.com>
To: Kelly Bowman

Caution! This message was sent from outside your organization.

Kelly:

This will be a nice addition to your house in my opinion and I am not opposed to the variance.

Blessings,

Dinks Gaskin
913 Greenbriar Circle

On Dec 22, 2020, at 8:29 PM, Kelly Bowman <Kelly.bowman@hillbett.com> wrote:

Dinks,

Good evening! As you know, I am in the process of repairing and replacing my existing deck on the back of my house. We'd like to extend the roof to cover a portion of the deck and are in the process of requesting a variance from the City of Mountain Brook. My intent is to cover the entire depth and about 2/3rds of the width. The exterior will be painted to match the house and trim and I've included in image of what we're hoping to accomplish below. As my neighbor, can you let me know if you have any concerns or if you are in support of the variance change. Thanks so much for your help!

<image001.png>
Re: 913 Greenbriar Circle - Variance Request

Meg Gore <meguscette@yahoo.com>
To Kelly Bowman

Caution! This message was sent from outside your organization.

Kelly,

The photo looks beautiful! I have no concerns and I think the covered deck will be a great addition to your house, so I support the variance change. We have a covered patio area in our backyard that extends from the back of our house as well. I think it adds to our enjoyment of the backyard and looks nice too. Good luck!

Meg Gore (905 Greenbriar Circle)
205-410-9748

Sent from my iPhone

On Dec 22, 2020, at 2:38 PM, Kelly Bowman <Kelly.Bowman@hibbett.com> wrote:

Meg,

Good afternoon! As you know, I am in the process of repairing and replacing my existing deck on the back of my house. We'd like to extend the roof to cover a portion of the deck and are in the process of requesting a variance from the City of Mountain Brook. My intent is to cover the entire depth and about 2/3rds of the width. The exterior will be painted to match the house and trim and I've included in image of what we're hoping to accomplish below. As my neighbor, can you let me know if you have any concerns or if you are in support of the variance change. Thanks so much for your help!
Re: 913 Greenbriar Circle - Variance Request

Shari Triedman <sharipeters@hotmail.com>
To: Kelly Bowman

To Whom it May Concern,

I reside at 900 Greenbriar Circle and I am a neighbor of Kelly Bowman who resides at 913 Greenbriar Circle. I have no concerns about Ms. Bowman’s backyard deck/porch project and I am in full support of a variance change.

Sincerely,
Shari Triedman
900 Greenbriar Circle
Mountain Brook, AL 35213

205-542-0675 On Dec 22, 2020, at 11:10 AM, Kelly Bowman <Kelly.Bowman@hibbett.com> wrote:

Shari,

Good morning! As you know, I am in the process of repairing and replacing my existing deck on the back of my house. We’d like to extend the roof to cover a portion of the deck and are in the process of requesting a variance from the City of Mountain Brook. My intent is to cover the entire depth and about 2/3rds of the width. The exterior will be painted to match the house and trim and I’ve included in image of what we’re hoping to accomplish below. As my neighbor, can you let me know if you have any concerns or if you are in support of the variance change. Thanks so much for your help!

<image001.png>
Re: 913 Greenbriar Circle - Variance Request

Donna Greene <donnamtnbrook@aol.com>  
To: Kelly Bowman

Caution! This message was sent from outside your organization.

This is FABULOUS!!! What a tremendous asset to the neighborhood!!! Can't WAIT to see if finished!!!

Donna Greene

Sent from my iPhone

On Dec 27, 2020, at 4:55 PM, Kelly Bowman <Kelly.Bowman@hobett.com> wrote:

Donna,

Good evening! As you know, I am in the process of repairing and replacing my existing deck on the back of my house. We'd like to extend the roof to cover a portion of the deck and are in the process of requesting a variance from the City of Mountain Brook. My intent is to cover the entire depth and about 2/3rds of the width. The exterior will be painted to match the house and trim and I've included an image of what we're hoping to accomplish below. As my neighbor, can you let me know if you have any concerns or if you are in support of the variance change. Thanks so much for your help!

<image001.png>

Kelly Bowman  
Senior Project Manager, Marketing
Hi Kelly! I have no concerns at all. It looks great. Enjoy!

On Tue, Dec 22, 2020, 4:19 PM Kelly Bowman <Kelly.Bowman@hibbett.com> wrote:

Ruth,

Good afternoon! As you know, I am in the process of repairing and replacing my existing deck on the back of my house. We'd like to extend the roof to cover a portion of the deck and are in the process of requesting a variance from the City of Mountain Brook. My intent is to cover the entire depth and about 2/3rds of the width. The exterior will be painted to match the house and trim and I've included in image of what we're hoping to accomplish below. As my neighbor, can you let me know if you have any concerns or if you are in support of the variance change. Thanks so much for your help!