Hello All,

Enclosed please find your packet for the meeting of February 16, 2021.

We have:
- 1 case that was carried over from the January agenda
- 6 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 (February 16, 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 Tuesday!

Tyler
MEETING AGENDA
CITY OF MOUNTAIN BROOK
BOARD OF ZONING ADJUSTMENT
TUESDAY, FEBRUARY 16, 2021
PRE-MEETING: 4:15 P.M.
REGULAR MEETING: 5:00 P.M.
MEETING TO BE HELD VIRTUALLY USING ZOOM VIDEO CONFERENCING
(ACCESS INSTRUCTIONS ON MEETING WEBPAGE)

NOTICE

Any variance which is granted today expires and becomes null and void one year from today unless construction is begun in less than one year from today on the project for which the variance is granted. If construction will not be started within one year from today, the applicant may come back in 11 months and ask for a six-month extension, which the Board normally grants.

Any variance which is granted, regardless of the generality of the language of the motion granting the variance, must be construed in connection with, and limited by, the request of the applicant, including all diagrams, plats, pictures and surveys submitted to this Board before and during the public hearing on the variance application.

1. Approval of Minutes: January 19, 2021

2. Case A-21-01: Allison Cease, property owners, request a variance from the terms of the Zoning Regulations to allow a new single family home to be 15 feet 10 inches from the rear property line (north) in lieu of the required 35 feet. - 209 Nash Circle (carried over from January 19, 2021).

3. Case A-21-02: Douglas and Ann Carpenter, property owners, request a variance from the terms of the Zoning Regulations to allow a covered front porch addition to be 27 feet from the front property line (Overton Road) in lieu of the required 40 feet. - 3037 Overton Road

4. Case A-21-08: Mr. and Mrs. Sam Bellman, property owners, request variances from the terms of the Zoning Regulations to allow additions to an existing single family dwelling to match existing non-conforming front and side setbacks: 30.1 feet from the front property line (Norman Drive) in lieu of the required 35 feet; and 9.8 feet from the side property line (south) and 11.9 feet from the side property line (north), both in lieu of the required 12.5 feet. - 37 Norman Drive

5. Case A-21-09: Colter Somerville, property owner, requests variances from the terms of the Zoning to allow the addition of new dormer windows to be 30.96 feet from the front property line (Elm Street), and a new first floor awning to be 25.13 feet from the front property line (Elm Street); both in lieu of the required 35 feet. – 1 Elm Street

6. Case A-21-10: Neil and Margaret Trawick, property owners, request a variance from the terms of the Zoning Regulation to allow a screened porch/deck addition to be 31.5 feet from the rear property line (north) in lieu of the required 40 feet. - 4631 Pine Mountain Road
7. **Case A-21-11:** Mary Halsey Maddox, property owner, requests a variance from the terms of the Zoning Regulations to allow a screened porch 21.56 feet from the rear property line (north) in lieu of the required 35 feet. - **6 Montrose Circle**

8. **Case A-21-12:** Hallett Johnson IV, property owner, requests variances from the terms of the Zoning Regulations to allow a detached accessory building to be located in a required secondary front yard (Overcrest Road), whereas detached buildings are required to be behind the principal building line; and to allow said building 32.4 feet from the secondary front property line (Overcrest Road) in lieu of the required 100 feet. - **3270 East Briarcliff Road**

9. **Next Meeting:** **Monday,** March 15, 2021

10. 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  allison.cease@gmail.com
Name of Surveyor  Weggard
Phone Number  942-0086  Email  ray-weggard@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>
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<td>14,528 sf²</td>
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<tr>
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<td>75' max</td>
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<td>35'</td>
<td>35'</td>
<td>35'</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>
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<tr>
<td>Rear Setback (ft)</td>
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<td>15'10&quot;</td>
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<td>35%</td>
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<td>Building Height (ft)</td>
<td>35'</td>
<td>35'</td>
<td>35'</td>
</tr>
<tr>
<td>Other</td>
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</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>
Petition Summary
Request to allow the construction of 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.

Background
On November 20, 2017, the Board approved a similar request for this property (A-17-44), 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. The plans to go forward with construction never materialized.

On November 13, 2007, the Board approved a similar request (Case 3844) on the adjoining property the west, for a new single family dwelling to be 20 feet from the rear property line in lieu of the required 35 feet. According to the minutes of that meeting, the previous house on that lot was 18 feet from the rear property line.

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

Appendex
LOCATION: 209 Nash Circle

ZONING DISTRICT: Residence B District

OWNERS: Allison Cease
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 7% 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 208 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 3037 DOWNTON RD, MOUNTAIN BROOK 35223

Zoning Classification

Name of Property Owner(s) DOUGLAS M. CARPENTER
Phone Number 205-967-7436 Email carpenter.dougy7436@att.net

Name of Surveyor WEY SAND SURVEYORS, INC.
Phone Number 205-942-0086 Email OFFICE@WEYSANDSURVEYORS.COM

Name of Architect (if applicable) ELM CONSTRUCTION, ELLIOTT LITE
Phone Number 205-508-3109 Email efplkkn@elmconstructionllc.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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<td>15,000</td>
<td>15,000</td>
<td>15,000</td>
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<td></td>
<td>107</td>
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<table>
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<th>Lot Width (ft)</th>
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<table>
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<tr>
<th>Front Setback (ft)</th>
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<tbody>
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<td>primary</td>
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<td></td>
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<tr>
<td>40</td>
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<table>
<thead>
<tr>
<th>Front Setback (ft)</th>
</tr>
</thead>
<tbody>
<tr>
<td>secondary</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>28</td>
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<table>
<thead>
<tr>
<th>Right Side Setback</th>
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</table>
| "I don't understand what "primary" and "secondary" mean."
|                     |
| But the house is 40' and the board will take it to 28 feet. |

<table>
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<tr>
<th>Left Side Setback</th>
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</table>

| 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 |
|                     |                     |

<table>
<thead>
<tr>
<th>Rear Setback (ft)</th>
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<th>Lot Coverage (%)</th>
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<th>Building Height (ft)</th>
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<tr>
<th>Other</th>
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<tr>
<th>Other</th>
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</table>
Petition Summary
Request to allow a covered front porch addition to be 27 feet from the front property line (Overton Road) in lieu of the required 40 feet.

Analysis
The hardship in this case is the lot is smaller than average for the Residence A District. This lot is approximately 15,000 square feet which is smaller than some other lots in the surrounding area. The minimum lot size for a Residence A lot is 30,000 square feet.

Background
On March 18, 2019, the Board approved a secondary front setback request for a property to the east along Overton (A-19-08), to allow a new single family dwelling to be 30 feet from the secondary front property line (Overton Road) and 28 feet 3 inches from the rear property line (west), both in lieu of the required 40 feet.

Impervious Area
The proposed impervious surface area is 36% which exceeds 30% maximum.

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: 3037 Overton Road

ZONING DISTRICT: Residence B District

OWNERS: Douglas and Ann Carpenter
STATE OF ALABAMA)  
JEFFERSON COUNTY)  

"Closing Survey"

I, Ray Weygand, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot 21, SHOOK ADDITION TO WILLIAMSBURG CIRCLE, as recorded in Plat Book 78, Page 92, in the Office of the Judge of Probate, Jefferson County, Alabama. I hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief, according to my survey of NOVEMBER 25, 2020. Survey invalid if not sealed in red.

Order No.: 20202511  
Purchaser:  
Address: 3037 OVERTON ROAD  
169 Oxmoor Road Homewood, AL 35209  
Phone: (205) 942-0088  
Fax: (205) 942-0087  
Copyright ©

Note: (a) No title search of the public records has been performed by this firm and land shown herein was not abstracted for easements and/or rights-of-way, recorded or unrecorded. The parcel shown herein 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.

Ray Weygand, Reg. L.S. #24673
169 Oxmoor Road Homewood, AL 35209
Phone: (205) 942-0088 Fax: (205) 942-0087

WEYGAND SURVEYORS

Legend:
- ASP - ASPHALT
- BLDG - BUILDING
- CALC - CALCULATED
- MEAS - MEASURED
- CH - CHORD
- LNG - LONG CHORD
- d - DEFLECTION
- A - DELTA
- ESMT - EASEMENT
- HW - HEADWALL
- MIN - MINIMUM
- MH - MANHOLE
- OH - OVERHANG
- POR - PORCH
- R - RIGHT OF WAY
- SAN - SANITARY
- STM - STORM
- UTL - UTILITY
- AC - ACRES
- S.F. - SQUARE FEET
- C - CENTERLINE
- A/C - AIR CONDITIONER
- P - POLE
- Y - ANCHOR
- X - FENCE
- W/ - WITH
- RES - RESIDENCE
- L - LIGHT
- COV - COVERED
- DECK
- CONCRETE
- WALL
Statement in Regard to Variance at above address.

This variance will allow us to have a twelve foot covered but open front porch to our house to give needed shelter to our front door and to give us a place to sit in front of our house where we can chat with our neighbors as they walk by, as most of us did years ago. That was a wonderful custom in the past before air conditioning took people inside and a new custom of privacy took people to their patios in the back yard.

This will be a very welcome addition in our aging lives as we spend more and more time sedentary and at home, yet eager to see our neighbors.

There are only two other homes on our block, and both of those families approve of our plans. There are no residences across the street.

A similar variance was granted at 3800 Arundel Drive for a port a cochere that reduces the front set back to 28 feet and 3 inches on the Overton side of that house.

Our addition will reduce the front set back to a little over 28 feet on the east end of the porch and about 30 feet on the west end. (Our house sits at an angle to Overton.)

Our lot is small, only 15,000 square feet, and that is why the house is almost at the forty foot front set back.

Sincerely,

[Signature]

12/15/2020
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)?

Lot is only 15,000'
Front door is poorly sheltered
This will not impair light or air to adjacent property, will not increase more or danger of fire or impaired public safety. Nor will it increase street congestion or risk of flooding or diminish property values. Nor will it impair the health, safety, comfort, morals or general welfare of the inhabitants of Mountain Brook.

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?

A similar variance was granted at 3800 a number where the north side of this property faces over 180 rd. a few blocks south of our property.

Statement in regard to variance is attached
Variance Application - Part I

Project Data

Address of Subject Property  37 Norman Drive
Zoning Classification  Residence 'B'
Name of Property Owner(s)  Mr. and Mrs. Sam Bellman
Phone Number  205-999-1317  Email
Name of Surveyor  Gonzales Strength and Associates, Inc.
Phone Number  205-942-2486  Email
Name of Architect (if applicable)  Henry Sprott Long & Associates, Inc.
Phone Number  205-323-4564  Email  hanklong@bellsouth.net

Property owner or representative agent must be present at hearing

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

<table>
<thead>
<tr>
<th></th>
<th>Zoning Code Requirement</th>
<th>Existing Development</th>
<th>Proposed Development</th>
</tr>
</thead>
<tbody>
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<td>10,308 s.f.</td>
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<td>Lot Width (ft)</td>
<td>75 feet</td>
<td>80' front, 60' rear</td>
<td>80' F, 60' R</td>
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<tr>
<td>Front Setback (ft)</td>
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<td></td>
</tr>
<tr>
<td>primary</td>
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<tr>
<td>secondary</td>
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<tr>
<td>Right Side Setback</td>
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<tr>
<td>Left Side Setback</td>
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<tr>
<td>For non-conforming narrow lots in Res-B or Res-C: Less than 22' high → 22' high or greater →</td>
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<td>NA</td>
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<td>Left Side Setback (ft):</td>
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<td>For non-conforming narrow lots in Res-B or Res-C: Less than 22' high → 22' high or greater →</td>
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</tbody>
</table>
Petition Summary
Request to allow additions to an existing single family dwelling to match existing non-conforming front and side setbacks: 30.1 feet from the front property line (Norman Drive) in lieu of the required 35 feet; and 9.8 feet from the side property line (south) and 11.9 feet from the side property line (north), both in lieu of the required 12.5 feet.

Analysis
The hardship in this case is the lot shape. The lot is 80 feet wide at the front property line and 60 feet wide at the rear. The existing house is non-conforming with regard to the front and both side setbacks. The proposed scope of work would include adding a 2nd story to the existing footprint that would not be closer to the property line than the current location of the home, but still in the front and side setbacks. The proposed addition to the rear which includes extending the existing master bedroom, dining room and adding a screened porch will not encroach into the rear setback and will be the same distance to the south property line as the existing building (9.8 feet at the closest point).

An existing shed that is 277 square feet and .7 feet from the side property will be removed during construction.

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

Appends
LOCATION: 37 Norman Drive

ZONING DISTRICT: Residence B District

OWNERS: Mr. and Mrs. Sam Bellman
January 15, 2021

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. Sam Bellman
37 Norman Drive

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 construction of alterations and additions to the existing non-conforming residence at 37 Norman Drive. We propose to add a second floor to the existing one story residence and to add a Screen Porch and extend the existing Master Bedroom and Dining Room to the rear of the house. Also, there is an existing shed in the rear yard that will be removed during construction. The shed is 0.7 feet from the right side property line and is 277 square feet. The house is zoned Residence "B" and is non-conforming in that the front of the existing house is 30.1 feet from the front property line, rather than the required 35.0 feet, the right side of the house is 9.8 feet from the side property line, rather than the required 12.5 feet and the left side of the house is 11.9 feet from the property line rather than the required 12.5 feet. The proposed second floor addition will not encroach any closer to the property lines than the current non-conforming setbacks mentioned above. The additions to the rear of the house will meet the rear and left side setback requirements and will be at least 9.8 feet from the right side property line.

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 February 16, 2021.

Thank you for your consideration in this matter.

Sincerely,

HENEY SPROTT LONG & ASSOCIATES, INC.

Henry Sprott Long, Jr., President

HSLJr/ab

Enclosures

cc: Mr. and Mrs. Sam Bellman
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 Request for Mr. and Mrs. Sam Bellman

1. The positioning of the existing house on the lot is non-conforming primarily because of the tapered right side property line. The lot is 80.0 feet wide at the front property line and 60.0 feet wide at the rear property line. The tapered right side property line caused the original house to be pushed toward the wider front yard but resulted in non-conforming front and side setbacks. Therefore, the tapered shape of the lot has created a hardship because as the lot tapers, it becomes narrower than the current requirement of 75.0 feet at the front setback line.

2. No.

3. The proposed alterations and additions will meet the required rear setback and will not be any closer to the front and side property lines than the current non-conforming setbacks. In addition, we will be removing a non-conforming Shed building which is 0.7 feet from the right side property line. Therefore, the granting of the variance will allow relief from the hardship caused by the irregular shaped lot.
A-21-08 Aerial

2/1/2021, 2:54:39 PM

2018 Aerial

Red: Band_1

Green: Band_2

Blue: Band_3

0 0.01 0.01 0.03 mi

0 0.01 0.03 0.05 km

Jefferson County Information Technology Services, 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  
1 Elm Street

Zoning Classification  

Name of Property Owner(s)  
Colter D. Somerville

Phone Number  
(205) 478-1226  
Email: colterdeansomerville@gmail.com

Name of Surveyor  
Ray Weygand

Phone Number  
(205) 942-0086  
Email: ray@weygandsurveyors.com

Name of Architect (if applicable)  
Bruce T. McLeod

Phone Number  
(205) 940-4611  
Email: bruce@mcleodg.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>
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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  |
| Rear Setback (ft)      |                         |                      |                      |
| Lot Coverage (%)       |                         |                      |                      |
| Building Height (ft)   |                         |                      |                      |
| Other: Front overhanging awning  
35′  
-  
25.13′  |
| Other: Dormer Addition  
35′  
-  
30.96′  |
Scope of Work: "Front Awning - Cantilevered"

* A variance request to allow construction of a cantilevered awning to be located 25'3" feet from the property line in lieu of the required 35' feet setback.

The intent of the cantilevered awning addition is to provide rain and sun protection over the existing front door stoop.
The existing stoop is 5' out from front door and the proposed awning would be 4'8"(please refer to survey for plan details).
We have included architectural drawings to aid in visuals.

[Signature]
Owner Name: Colter D. Somerville
Date: 1/22/21

Scope of Work: "Finish existing attic space, Dormer Windows"

A variance request to allow construction of dormer windows in the existing roof. The dormers would be nested in the existing roof structure and would be well below the existing roof peak.
The dormers would also be pulled back from the existing front face (14") and completely within the current footprint of the structure.
WIn order to request that the existing attic space be finished as well (please refer to the attic plan for details).

* The current front face of the house is at 29.8' from property line.
The proposed dormers would be set back roughly 14" from current front face of house, which would make the distance from property line to dormers around 30.96'.

[Signature]
Owner Name: Colter D. Somerville
Date: 1/22/21
Report to the Board of Zoning Adjustment

A-21-09

Petition Summary
Request to allow the addition of new dormer windows to be 30.96 feet from the front property line (Elm Street), and a new first floor awning to be 25.13 feet from the front property line (Elm Street); both in lieu of the required 35 feet.

Analysis
The hardships in this case are the triangular shape of the lot and the existing design constraints. The existing home is non-conforming with regard to the front setback, with the front façade being 29.8 feet from the front property line.

The proposed scope of work includes a cantilevered awning to extend 4 feet 8 inches from the front façade (25.13 feet from the property line). Also proposed are new dormer windows to be 30.96 feet from the property line. The new dormer windows will be set back approximately 14 inches inside the existing front façade.

As may be seen on the attached zoning map, the majority of the houses along this block of Elm Street maintain the required 35-foot front setback. As a matter of context, Section 129-336 allows cantilevered awnings to encroach 3 feet into a required front setback without a variance (in cases where the front façade of the house conforms to the required front setback).

Impervious Area
The proposed impervious surface area will not be increased as a result of this proposal.

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: 1 Elm Street

ZONING DISTRICT: Residence C District

OWNERS: Colter Somerville
25.13’ (Awning to property line)
30.96’ (dormer face to property line)

LOT 16
BLOCK 23

SCALE: 1”=30’
STATE OF ALABAMA
JEFFERSON COUNTY

I, Ray Weygand, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot 16, BLOCK 23, CRESTLINE HEIGHTS, as recorded in Map Volume 7, Page 16, 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 FEBRUARY 4, 2020. Survey invalid if not sealed in red.

Order No.: 20200160
Purchaser: J ELM STREET
Address: 169 Oxmoor Road Homewood, AL 35209
Phone: (205) 942-0086 Fax: (205) 942-0087

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.
FRONT ELEVATION

1/8" = 1'-0"

SOMERVILLE
1.14.21
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)?

Shape + Size of the lot - (Triangle)
Due to shape and size of lot, and setback requirements, the owner is limited to utilizing existing space in attic (area below roof).

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?

These variances would not create any adverse impacts to surrounding properties while allowing the owner to enjoy their property rights.
Variance Application - Part I

Project Data

Address of Subject Property: 4631 Pine Mountain Rd Mountain Brook, AL 35213

Zoning Classification: Residential

Name of Property Owner(s): Neil and Margaret Trawick

Phone Number: 337-274-5039 Email: ntrawi@gmail.com

Name of Surveyor: Ray Weygand

Phone Number: 205-942-0086 Email: 

Name of Architect (if applicable): Twin Construction

Phone Number: 205-802-3920 Email: william@twincompanies.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>
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<td>Lot Width (ft)</td>
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<td>Other</td>
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<tr>
<td>Other</td>
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Petition Summary
Request to allow a screened porch/deck addition to be 31.5 feet from the rear property line (north) in lieu of the required 40 feet.

Analysis
The applicant is proposing to construct a new screened porch on the rear of the existing home 31.5 feet from the property line. The municipal boundary line between Mountain Brook and Irondale follows along the rear property line of this lot and the property owner owns the undeveloped lot behind the subject location.

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: 4631 Pine Mountain Road

ZONING DISTRICT: Residence A District

OWNERS: Neil and Margaret Trawick
Legal Description:
Lot 98, according to the Survey of Gibbs & Perkins Addition to Cherokee, Band Eight Sector, as recorded in Map Book 87, Page 87, in the Probate Office of Jefferson County, Alabama.

Also begin at the Southwest corner of the Southwest quarter of Section 25, Township 17 South, Range 2 West, Jefferson County, Alabama, and run East along the North line of Lots 99 and 96, Gibbs & Perkins Addition to Cherokee Band Eight Sector (Map Book 87, Page 87) for a distance of 130.82 feet to the Point of Beginning; thence continue East along said sold course for a distance of 126.62 feet to a point on the Southwest boundary of Regency East, 7th Sector (Map Book 101, Page 73) thence turn on an angle of 100°26'11" to the left and run in a northeasterly direction along the Southwest boundary of Lots 11 and 10 of said Regency East, 7th Sector for a distance of 130.82 feet to a point on the Southwest boundary of Regency East, 3rd Sector (Map Book 97, Page 91); thence run on said boundary of said Regency East, 3rd Sector for a distance of 130.82 feet; thence turn on an angle of 40°15'33" to the left on a Southerly direction for a distance of 125.11 feet to the Point of Beginning.

STATE OF ALABAMA
JEFFERSON COUNTY

"Closing Survey"

Ray Weygand, Registered Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed the real property as shown herein in Jefferson County, Alabama. I hereby state that all parts of this survey and drawing have been performed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief, according to my survey of November 16, 2017. Survey not held if not read.

Order No.: 992124

Furnishers:

Ray Weygand, Reg. L.S. #24953
180 Conoco Road, Homewood, AL 35209
Phone: (205) 542-0089 Fax: (205) 542-0089

Ray Weygand, Registered Surveyor

Note: (a) No title search of the public records has been performed by this firm and land shown herein was not abstracted for easements and/or rights of way, recorded or unrecorded. The parcel shown herein is subject to setoffs, easements, zoning, and restrictions that may be found in the public records of said county and city. (b) All bearings and/or angles, and all distances referred to actual survey, and all calculations made herein are based upon surveyed points. (c) No underground structures, utilities, or otherwise noted. (d) The Survey not held if not read. (e) Easements not shown on recorded map are not shown above.

A-21-10
Exhibit A - Scope of Work
Screen Porch

This estimate is based on meetings with the owners and drawings dated 01.06.21.

No interior design time is included in this estimate.

We will finalize the drawings as a permit set as part of this estimate. An updated boundary survey will need to be provided by the owner. A foundation survey will be required by the City and paid for by Twin.

Work Description:

I. SITE PREP/DEMO:

A. Demolition:
   1. The windows will be removed from the rear den wall and the sill framing will be removed

Notes on Demo:
- The concrete slab will remain where possible (footings areas will have the concrete cut)
- 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.
- 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. EXTERIOR DOORS AND WINDOWS:

A. A new quad slider door will be purchased with the given allowance and installed by the contractor in the existing window opening

Exterior Door and Window Allowance:
Slider Doors

Notes on Windows and Doors:
- All windows and doors will be installed per the manufacturer’s specifications
- Allowance includes tax and delivery charges

III. ROOF:

A. The new porch roof will be shingled with asphalt architectural shingles to match the existing as close as possible
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

IV. GUTTERS:

A. No Leaf Filter is included in this price, still trying to find pricing options
B. New 6” K-style, seamless, aluminum gutters will be installed
   1. New 3”x4” downspouts will be installed
   2. Color to be chosen by the owner

Notes on Gutters:
- The gutter downspouts will be tied into the existing drain line

V. EXTERIOR SIDING AND TRIM:

A. The brick will be repaired around the new door as needed

VI. EXTERIOR PAINTING:

A. The brick and siding on the house will be touched up to match the existing
B. All pressure treated porch members will be stained. Sherwin Williams™ Superdeck® waterborne exterior stain will be used.
VII. PLUMBING:

A. A gas line will be run to the new fireplace  
B. We will inspect the gas line on the existing fireplace

VIII. 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. Four sloped style recessed lights will be provided and installed on the screen porch
   2. One flood light will be moved
   3. One outlet will be provided and installed at the screen porch
   4. One outlet will be installed above the fireplace
   5. One fan will be purchased with the given allowance and installed by the contractor

B. All fixture locations will be verified with the homeowner before installation

Notes:
- No alarm or speaker system is included in this bid
- All recessed lights will be 6”, installed with white trim kits and LED bulbs
- New switches and outlets will match existing color as close as possible
- No dimmers are included in this estimate

Electrical Allowance:  
Recessed Lights/LED Bulbs By Twin Fan  
Allowance includes tax and delivery charges

IX. INSULATION:

A. Insulation will be repaired around the new door

X. FIREPLACE:

A. A new ventless fireplace will be purchased and installed with the given allowance
B. A cedar mantel will be installed by the contractor
C. A limestone surround and hearth will be installed with the given allowance
D. The inside of the chimney will have a Hardi siding installed with butt joints
E. The hearth will be raised
F. No chimney will be framed
Fireplace Allowance:
Fireplace (labor and material)
Mantel and Hearth (material and labor)
Allowance includes tax and delivery charges

XI. INTERIOR DOORS & TRIM:

A. New trim will be installed around the door to match the house

XII. INTERIOR PAINTING:

A. The new door, new trim, and affected wall in the den will be painted to match the house

XIII. DECKS, PORCHES, AND HARDSCAPES:

A. Back Screened Porch and Grilling Deck:
   1. Footings:
      i. New 2’ x 2’ concrete pier footings at each post
   2. Floor System:
      i. The floor system will be pressure treated pine and the size will be determined on site
      ii. The decking will be premium grade pressure treated 5/4 material (Attached with a hidden fastener system)
   3. Railing/Posts:
      i. The posts will be 6” x 6” pressure treated lumber with brackets on one side of the screen
      ii. The railing will be as designed with a 2”x6” top rail and 2”x4” X design
   4. Stairs:
      i. Pressure treated pine stairs will be installed to the yard
   5. Ceiling:
      i. Ceiling will be vaulted and will have beaded plywood installed
   6. Screen:
      i. Screens will be black vinyl in aluminum frames, held in place with wood stops
      ii. Screen door will be purchased with the given allowance and installed by the contractor. Allowance includes hinges, locking and self-closing hardware

B. A cut bluestone paver will be installed over the existing pea gravel concrete (not including under the deck and screen porch).

Deck, Porch, and Hardscape Allowances:
Screen Door
Allowance includes tax and delivery charges
Notes on the Project:

- 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 included in this proposal.

- 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 affected areas of the house will be 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.
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)?

- Both the front and rear parcels of land are owned by the applicant.
- The rear parcel is located in a different municipality.

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?

- Granting of this variance will allow improvement of an existing property, thus promoting appreciation of the property’s value as well as the value of neighboring properties. The proposed development will not encroach upon properties owned by anyone other than the applicant and should not cause any hardship on adjacent property owners.
Variance Application - Part I

Project Data

Address of Subject Property ____________________________________________________
Zoning Classification ________________________________________________________
Name of Property Owner(s) __________________________________________________
Phone Number _______________________ Email _____________________________________
Name of Surveyor ______________________ Phone Number ______________________ 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):

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<td>9.0’</td>
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<td>Rear Setback (ft)</td>
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Petition Summary
Request to allow a screened porch 21.56 feet from the rear property line (north) in lieu of the required 35 feet.

Analysis
The hardship in this case is the irregular lot shape. The existing home is non-conforming with regard to the rear setback as it is currently 24.93 feet from the property line. The proposed screened porch would be 21.56 feet from the property line and located in place of an existing wood deck. The screened porch would be in line with the rear of the home, but due to the orientation of the building and angle of the property line, it would be about 3 feet closer to the rear property line.

Impervious Area
The proposed impervious surface area is 42% which exceeds the 40% limit.

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: 6 Montrose Circle

ZONING DISTRICT: Residence B District

OWNERS: Mary Halsey Maddox
STATE OF ALABAMA
JEFFERSON COUNTY

I, Carl Daniel Moore, a registered Land Surveyor, certify that I have surveyed Lot 6, AMENDED MAP OF MONTROSE CIRCLE as recorded in Map Book 33, Page 37, 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: 6 MONTROSE CIRCLE, according to my survey of July 20, 2020. Survey is not valid unless it is sealed with embossed seal or stamped in red.

Order No. 332465
Purchaser: Maddox
Type of Survey: Closing

SURVEYING SOLUTIONS, INC.
2232 CAHABA VALLEY DRIVE SUITE M
BIRMINGHAM, AL 35242
PHONE: 205-991-8955

Carl Daniel Moore, Reg. L.S. #12159

7-31-2020
Date of Signature
January 19, 2021

Board of Zoning Adjustments
The City of Mountain Brook
56 Church Street
Mountain Brook, Alabama 35213

ATTENTION: Tammy Reid

RE: Proposed Addition to the Residence of Dr. Mary Halsey Maddox

To the members of the Board of Zoning Appeals:

The attached submission comprises a request for construction in the City of Mountain Brook.

We are requesting a variance to allow for the construction of a screen porch to the existing non-confirming residence, which is located on a non-confirming lot at 6 Montrose Circle. The addition will not impact the front elevation of the home, and will meet all side yard setback requirements. At the rear of the home, the proposed porch will follow the footprint of an existing deck and will align with the existing rear of the house. At its closest point, the corner of the porch will be 21.56 feet rather than the required 30 foot rear yard setback. The existing home, at its closest point, is located 24.93 feet from the rear property line. The variance is requested such that the owner may utilize the existing exterior doors for access to the porch.

All required application forms, including a drawing showing the proposed outline of the new porch, as well as a recent survey and list of adjacent property owners are included for consideration at the February 16, 2021 scheduled meeting. Required fees will be submitted to City Hall.

Sincerely,

Taylor P Lossler Davis, AIA

cc: Maddox
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 lot located at 6 Montrose Circle, is a non-conforming lot with an irregular shape, which was likely created prior to 1950. The existing addition, which was built by previous owners over 10 years ago, extends beyond the current zoning rear yard setback. The scope of the proposed project includes the addition of a screened porch at the rear of the existing residence. The proposed extent of the porch footprint at the rear of the house aligns with the existing den as well as the existing wood deck, also built by prior owners. The extent of the deck is intended to capture an existing door from the current family room for access to the 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?

The proposed screened porch addition, which would take the place of an existing wood deck, is already screened from view by the existing den addition, and is well within the setback limits on the other side of the building. As a single story home, the porch provides outdoor, shaded living space which does not detract from the scale of the existing house, impact the elevation as seen from the street, or create privacy issues for neighbors on either side. As the current health crisis continues, we are now all familiar with being encouraged to work from home and to gather outdoors. As a Children’s Hospital physician with two young children, the ability to work from home during the COVID pandemic has been critically important to my capacity to provide care to my patients while keeping them and myself well. The proposed porch would support my ability to work from home while caring for my children when they are out of school, as the house does not currently have dedicated office space. In this instance, the proposed small screened porch provides outdoor living space, shaded from the sun, which contributes to the promotion of public health, consistent with the City of Mountain Brook's Zoning Ordinance, in Section 129-12.
Variance Application - Part I

Project Data

Address of Subject Property  3270 E. BREACHT Rd

Zoning Classification

Name of Property Owner(s)  HALETTE JOHNSON

Phone Number  617-938-3955  Email  halette.johnson@yahoo.com

Name of Surveyor  DAVE AARRINGTON

Phone Number  205-229-5734  Email  Dave@ArringtonSurvey.com

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>
<th>Lot Area (sf)</th>
<th>Existing Development</th>
<th>Proposed Development</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Width (ft)</td>
<td>168.7</td>
<td>NA</td>
</tr>
<tr>
<td>Front Setback (ft) primary</td>
<td>100'</td>
<td>96.4 (Auxiliary)</td>
</tr>
<tr>
<td>Front Setback (ft) secondary</td>
<td>100'</td>
<td>96.4 (Auxiliary)</td>
</tr>
<tr>
<td>Right Side Setback</td>
<td>40'</td>
<td>41.3</td>
</tr>
<tr>
<td>Left Side Setback</td>
<td>40'</td>
<td>41.3</td>
</tr>
<tr>
<td>Right Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 22' high</td>
<td>100'</td>
<td>169</td>
</tr>
<tr>
<td>Left Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 22' high</td>
<td>100'</td>
<td>169</td>
</tr>
<tr>
<td>Rear Setback (ft)</td>
<td>100'</td>
<td>NA</td>
</tr>
<tr>
<td>Lot Coverage (%)</td>
<td>100</td>
<td>169</td>
</tr>
<tr>
<td>Building Height (ft)</td>
<td>169</td>
<td>NA</td>
</tr>
<tr>
<td>Other</td>
<td>169</td>
<td>169</td>
</tr>
<tr>
<td>Other</td>
<td>169</td>
<td>169</td>
</tr>
</tbody>
</table>
Report to the Board of Zoning Adjustment

**A-21-12**

**Petition Summary**
Request to allow a detached accessory building to be located in a required secondary front yard (Overcrest Road), whereas detached buildings are required to be behind the principal building line; and to allow said building 32.4 feet from the secondary front property line (Overcrest Road) in lieu of the required 100 feet.

**Analysis**
The hardship in this case is topography. The lot slopes from back to front and it situated only 8-10 inches above solid rock limiting the possible suitable locations for the accessory building. The corner lot configuration also requires two front setbacks of 100 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 XIX, General Area and Dimensional Requirements; Section 129-314, Accessory Structures and Accessory Buildings on Residential Lots

**Appends**
LOCATION: 3270 East Briarcliff Road

ZONING DISTRICT: Estate Residence District

OWNERS: Douglas and Ann Carpenter
I, JEFF D. ARRINGTON, A REGISTERED LAND SURVEYOR, CERTIFY THAT I HAVE SURVEYED LOT 3, ACCORDING TO THE SURVEY OF BRIARCLIFF FOURTH SECTOR, AS RECORDED IN MAP VOLUME 45 PAGE 12, 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.

NOTES:
1. NO TITLE SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED BY THIS FIRM AND LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS AND/OR RIGHTS-OF-WAYS, RECORDED OR UNRECORDED. THE PARCEL SHOWN HEREON IS SUBJECT TO SETBACKS, EASEMENTS, ZONING AND RESTRICTIONS THAT MAY BE FOUND IN THE PUBLIC RECORDS OF SAID COUNTY.
2. ALL BEARING AND/OR ANGLE, AND DISTANCES ARE DEED AND ACTUAL UNLESS OTHERWISE NOTED: DEED=(D); MEASURED=(M); PLAT/RECORD MAP=(P).
3. UNDERGROUND PORTIONS OF FOUNDATIONS, FOOTINGS, OR OTHER UNDERGROUND STRUCTURES WERE NOT LOCATED UNLESS OTHERWISE NOTED.
4. THIS SURVEY IS VALID ONLY WITH AN ORIGINAL SIGNATURE AND A LEGIBLE SEAL.
5. BEARING REFERENCE IS BASED ON RECORDED PLAT AND SOURCE OF INFORMATION IS RECORDED PLAT AND FIELD EVIDENCE.
6. TYPE OF SURVEY: FINAL SURVEY

LEGEND
RIGHT OF WAY
CENTERLINE
POINT OF BEGINNING
RADIUS
ARC LENGTH
FEET
INCHES OR SECONDS
DEGREE
EAST
SOUTH
WEST
NORTH
R.O.W.
C/L
P.O.B.
R
L
FIRE HYDRANT
UTILITY POLE
WOOD FENCE
CHAIN LINK FENCE
OVERHEAD ELECTRIC
CONCRETE
GAS METER
P O W E R  P O L E
HARDWOOD TREE
SOFTWOOD TREE
STONE
ALABAMA REG. #18664
DATE
1" = 20'
Supporting Photos

A. View from front of the house – East Briarcliff Rd is behind
B. View from across Overcrest Rd – East Briarcliff is to the left

C. View from next to Requested shed placement highlighting landscaping for coverage

D. Picture of Tuff Shed (ours will have white trim, not blue)
VARIANCE APPLICATION
PART II

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 first special circumstance we have is that we live on a corner lot requiring any added structure be further from the boundary line. Additionally, our lot is on the high-side of the East Briarcliff hill and the entire lot is sloped and only 8-10 inches above solid rock. It is impossible to find an area flat enough in order to place the additional Auxiliary Structure (shed) to where it would make sense and be usable. A normal lot with normal topography and surroundings would enable us to select another area within the boundaries and dig out a flat area on which to place the shed, not to mention if we didn’t live on a corner lot, we could place this structure the 30’ from the boundary that we would like to.

Was the condition from which relief is sought a result of action by the applicant?

No, the hardship of the topography of the land was pre-existing and has posed a challenge for other elements of our landscaping including plating trees, bushes and other coverage that stay alive. This was also a challenge when previous owners dug out the area for the pool. As mentioned previously, we also live on a corner lot which is the only reason the variance is required.

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

The granting of this variance would allow us additional storage and space with which we can better organize and continue making best efforts to keep our yard clean and presentable. We need the extra space due to our large family and want to ensure that everything – particularly children’s toys and yard equipment have a spot and are easily accessible for use. Today these items are not accessible or organized well as they are piled on top of each other in our garage and throughout our yard. The shed is an expensive, pre-made shed from Home Depot and is designed to match the look and feel of our home.