

BZA Packet

June 20, 2022

Hello All,

Enclosed please find your packet for the meeting of June 20, 2022.

We have:

- 1 carryover
- 2 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 (June 20, 2022)
- Meeting Information (for agenda) and Supporting Documents (to view proposed plans and/or survey select link associated with the case number)

If you have any questions about the cases please don't hesitate to give me a call at 802-3811 or send me an email at slatent@mtntbrook.org ...

Looking forward to seeing you on Monday!

Tyler

MEETING AGENDA
CITY OF MOUNTAIN BROOK
BOARD OF ZONING ADJUSTMENT
June 20, 2022
PRE-MEETING: 4:40 P.M.
REGULAR MEETING: 5:00 P.M.

**MEETING TO BE HELD IN PERSON AT CITY HALL AND 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: May 16, 2022
 2. **Case A-22-15:** Doug Levene, property owner, requests a variance from the terms of the Zoning Regulations to allow a new single family dwelling to be 32.2 feet from the rear property line (west) in lieu of the required 40 feet. - **3800 Buckingham Place** (*case carried over from May 16th meeting*)
 3. **Case A-22-17: Mickey and Marjorie Trimm**, property owners, request variances from the terms of the Zoning Regulations to allow an addition to a single family home to be 31.9 feet from the secondary front property line (Rock Creek Way) in lieu of the required 40 feet. -**4013 Rock Creek Way**
 4. **Case A-22-19: William and Judy Nelson**, property owners, request variances from the terms of the Zoning Regulations to allow a spa in the secondary front yard (Overton Road) in lieu of the requirement that accessory structures (and pools) be located only in a side yard or rear yard. -**2704 Woodridge Road**
 5. Next Meeting: **July 22 2022**
 6. Adjournment



Variance Application - Part I

Project Data

Address of Subject Property 3800 Buckingham Place

Zoning Classification RA

Name of Property Owner(s) Doug Levene

Phone Number 205-229-4000 Email llevene@bellsouth.net

Name of Surveyor Engineering Design Group

Phone Number 205-403-9158 Email dutton@edgalabama.com

Name of Architect (if applicable) Jim Kelly -Designer

Phone Number 205-223-6582 Email customhomedesigns@hotmail.com

Property owner or representative agent must be present at hearing

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

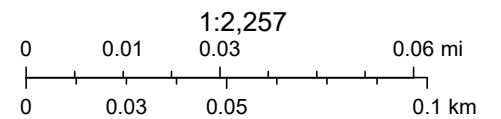
	Zoning Code Requirement	Existing Development	Proposed Development
Lot Area (sf)			
Lot Width (ft)			
Front Setback (ft) <i>primary</i>			
Front Setback (ft) <i>secondary</i>			
Right Side Setback			
Left Side Setback			
Right Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 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)	40'		32.2'
Lot Coverage (%)			
Building Height (ft)			
Other			
Other			

A-22-15 Aerial



4/26/2022, 11:41:55 AM

..... LotLines 2018 Aerial
■ Green: Band_2
■ Red: Band_1
■ Blue: Band_3



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri

ArcGIS Web AppBuilder

JeffCoAL, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, USDA | Jefferson County Information Technology Services | Hunter Simmons |

Report to the Board of Zoning Adjustment

A-22-15

Petition Summary

Request to allow a new single family dwelling to be 32.2 feet from the rear property line (west) in lieu of the required 40 feet.

Scope of Work

The scope of work involves the construction of a new single family dwelling.

Variance Request for Rear Setback

Nexus: The request to encroach into the rear setback is related to the hardships of *the corner lot configuration* and *lot shape*. The overall lot area of 24,874 is also less than the minimum lot area required for Res-A which is 30,000.

Similar Background

There are similar examples of variances in the immediate vicinity. The approved variances were for a new single family dwelling to be 32.92 feet (A-15-01) and for a new single family dwelling to be 29.1 (A-16-43) feet from the rear property line (both in lieu of the required 40 feet). Hardships on those cases were of a similar nature as to the subject case.

Possible Findings for Approval: Three of the four required setbacks for the subject lot are *40-foot setbacks* with the exception of the interior side yard (south) reduce the buildable area when compared to similar sized non-corner lots in the area. The rear property line (west) is also angled in an irregular way.

It is anticipated that an approval of such variance:

- a. will not impair an adequate supply of light and air to adjacent property (since the adjoining property (on Cromwell) presents the subject property with a rear);
- b. is minor in nature (since the proposed encroachment spans only two small portions of the rear façade);
- c. does not merely serve as a convenience to the applicant (in that the corner lot configuration depletes the allowable building coverage below that of similarly-sized interior lots in the vicinity);

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

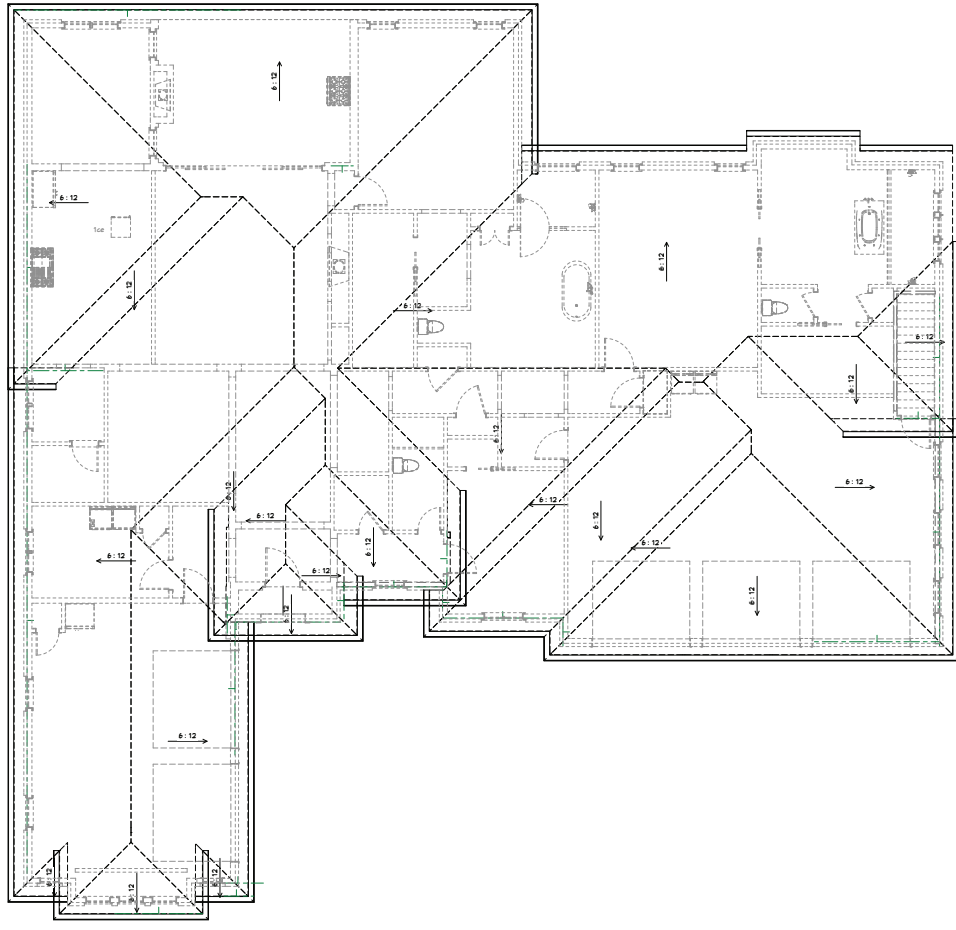
Article III, Residence A District; Section 129-34, Area and Dimensional Requirements

Appends

LOCATION: 3800 Buckingham Lane

ZONING DISTRICT: Residence A District

OWNERS: Doug Levine



roof plan

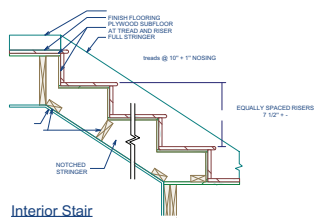
NO.	DATE	DESCRIPTION

levene overton rd 10 8 2021 B

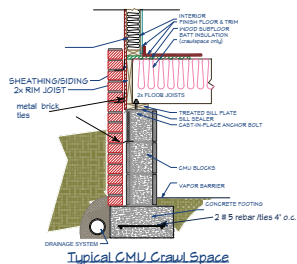
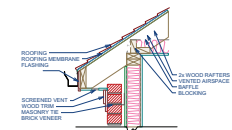
Jim Kelly
CUSTOM HOME
DESIGNS

725-223-6602
 email: ccd@jimkellydesigns.com

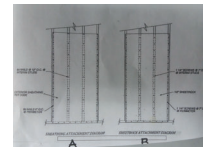
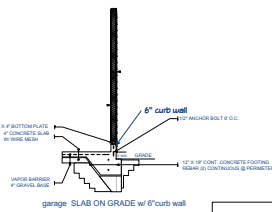
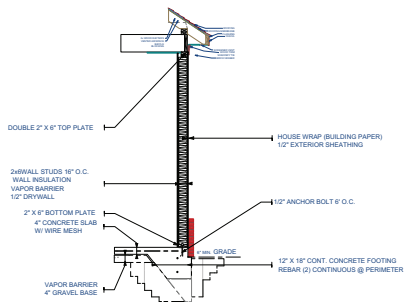
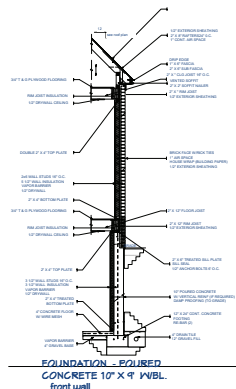
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SHEET:	



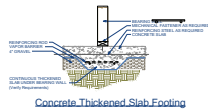
Interior Stair



Typical CMU Crawl Space



- GENERAL FRAMING NOTES**
- THE FOLLOWING NOTES ARE SUGGESTED MINIMUM REQUIREMENTS ONLY DUE TO A VARIANCE OF CODES PER REGION. PLEASE REFER TO AND COMPLY WITH ALL LOCAL CODES. CONSULT WITH LOCAL ENGINEERS FOR ALL STRUCTURAL REQUIREMENTS.
1. PROVIDE PURLINS AT MID HEIGHT OF ALL WALLS.
 2. ALL JOISTS AND RAFTERS SHALL BE ALLOWED OVER STUDS BELOW.
 3. ALL HEADERS SHALL BE 2x12'S WITH 1/2" PLYWOOD FLITCH PLATE UNLESS OTHERWISE NOTED.
 4. PRIMER TO INSTALL DOUBLE FLOOR JOISTS UNDER PARTITIONS PARALLEL TO JOIST DIRECTION.
 5. PROVIDE 1/4" CROSS BRACING AT MID POINT OF SPAN OR 8' O.C. MAXIMUM IN ALL FLOORS.
 6. ALL EXTERIOR CORNERS INSIDE AND OUTSIDE CORNERS SHALL BE BRACED WITH 1/2" CDX PLYWOOD. BRACING SCHEDULE SHALL BE AS COMBINED AT 8' O.C. AT ALL EDGES AND IN COMMONS AT 12' O.C. AT ALL INTERMEDIATE STUDS. (OPTION - APPROVED DIAGONAL BRACING BOTH DIRECTIONS AT 12' O.C. AT ALL INTERMEDIATE STUDS).
 7. ALL COLLARS OR SOLID TRIMMING SHALL EXTEND DOWN THRU ALL LEVELS AND TERMINATE AT THE BASEMENT FLOOR AND BE SUPPORTED BY A THICKENED SLAB, GRADE BEAM, OR FOOTING DESIGNED TO CARRY LOAD.
 8. PROVIDE DOUBLE 3X8 STRONGBACK AT MID SPAN FOR CEILING JOISTS WITH SPAN GREATER THAN 16'-0".
 9. PROVIDE COLLAR TIES AT UPPER 1/3 OF VERTICAL DISTANCE BETWEEN RIDGE BOARD AND CEILING JOIST AT 4'-0" O.C. MAXIMUM.
 10. SIP VALLEY RAFTERS AND RIDGE BOARDS SHALL BE ONE (1) "X" SIZE LARGER THAN RAFTERS.
 11. ROOF CEILING SHALL BE 1/2" CDX PLYWOOD. MINIMUM.
 12. WHERE PRE ENGINEERED FLOOR AND ROOF TRUSSES ARE USED, TRUSS MANUFACTURERS MUST PROVIDE DRAFT DRAWINGS WHICH BEAR SEAL OF REGISTERED ENGINEER IN STATE IN WHICH WORK IS TO BE PERFORMED.
 13. ALL G.I.D. FRAMING, COLUMNS, BEAMS, ETC., TO BE DESIGNED BY LOCAL STRUCTURAL ENGINEER AND MEET ALL LOCAL CODES.
 14. ALL FINISHED WALL DIMENSIONS ARE BASED ON 2X4 STUDS UNLESS OTHERWISE NOTED.



Concrete Thickened Slab Footing

NO.	DESCRIPTION

levene overton rd 10 & 2021 B

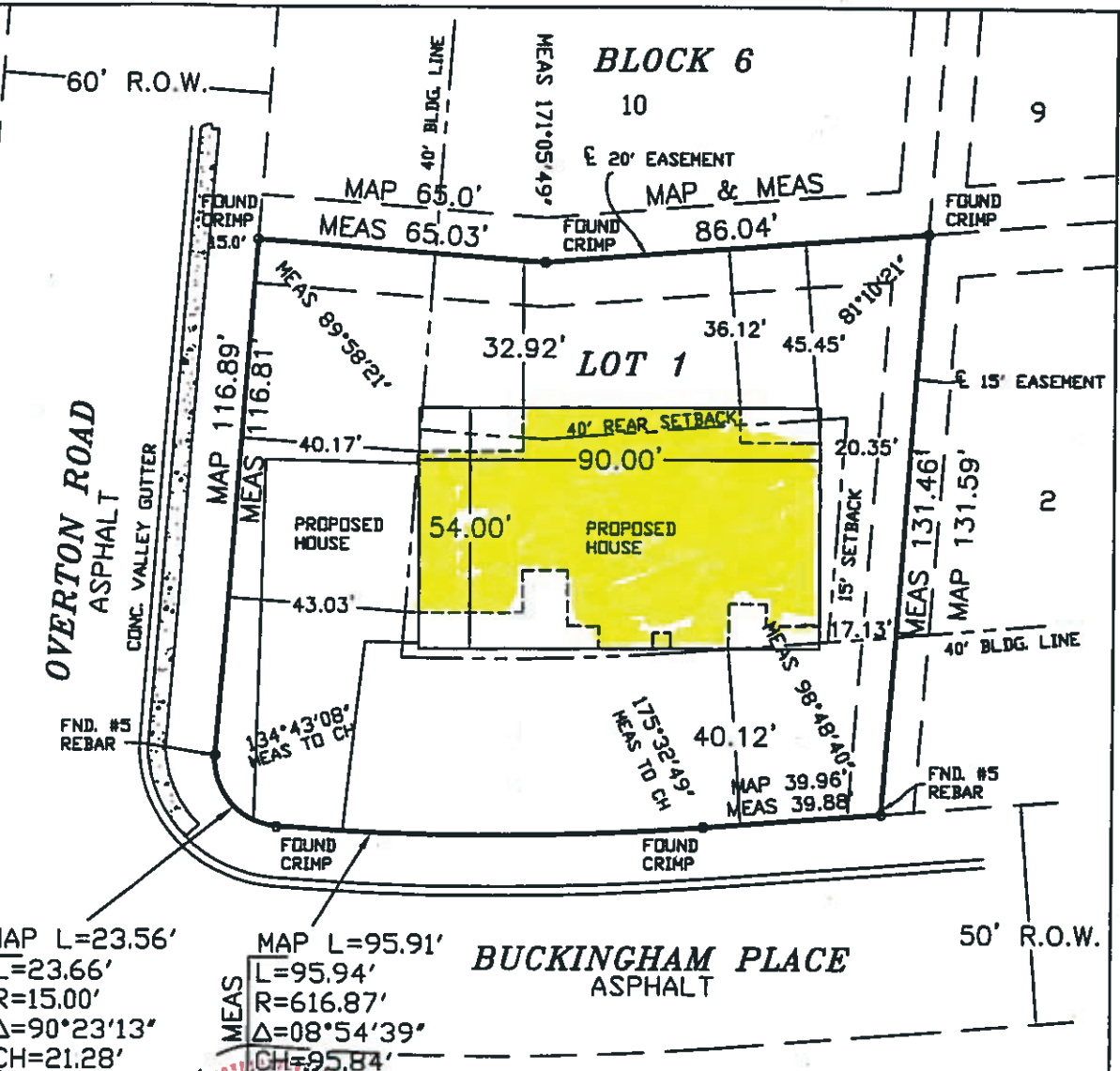
DATE:	4/15/2022
SCALE:	1/4"=1'-0"
SHEET:	

Jim Kelly
CUSTOM HOME
DESIGNS

262-223-6602
email: cc@jimkellydesigns.com

LEGEND

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



SCALE: 1"=40'
 STATE OF ALABAMA
 JEFFERSON COUNTY

"PLOT PLAN"

I, Ray Weygand, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot 1, Block 6, MOUNTAIN BROOK GARDEN ESTATES, as recorded in Map Volume 58, Page 73, in the Office of the Judge of Probate, Jefferson County, Alabama; that there are no rights-of-way, easements or joint driveways over or across said land visible on the surface except as shown; that there are no electric or telephone wires (excluding wires which serve the premises only) or structures or supports therefor, including poles, anchors and guy wires, (visible on the surface) on or over said premises except as shown; that there are no encroachments on said lot except as shown and that improvements are located as shown above. I hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief; according to my survey of JULY 23, 2015. Survey invalid if not sealed in red.

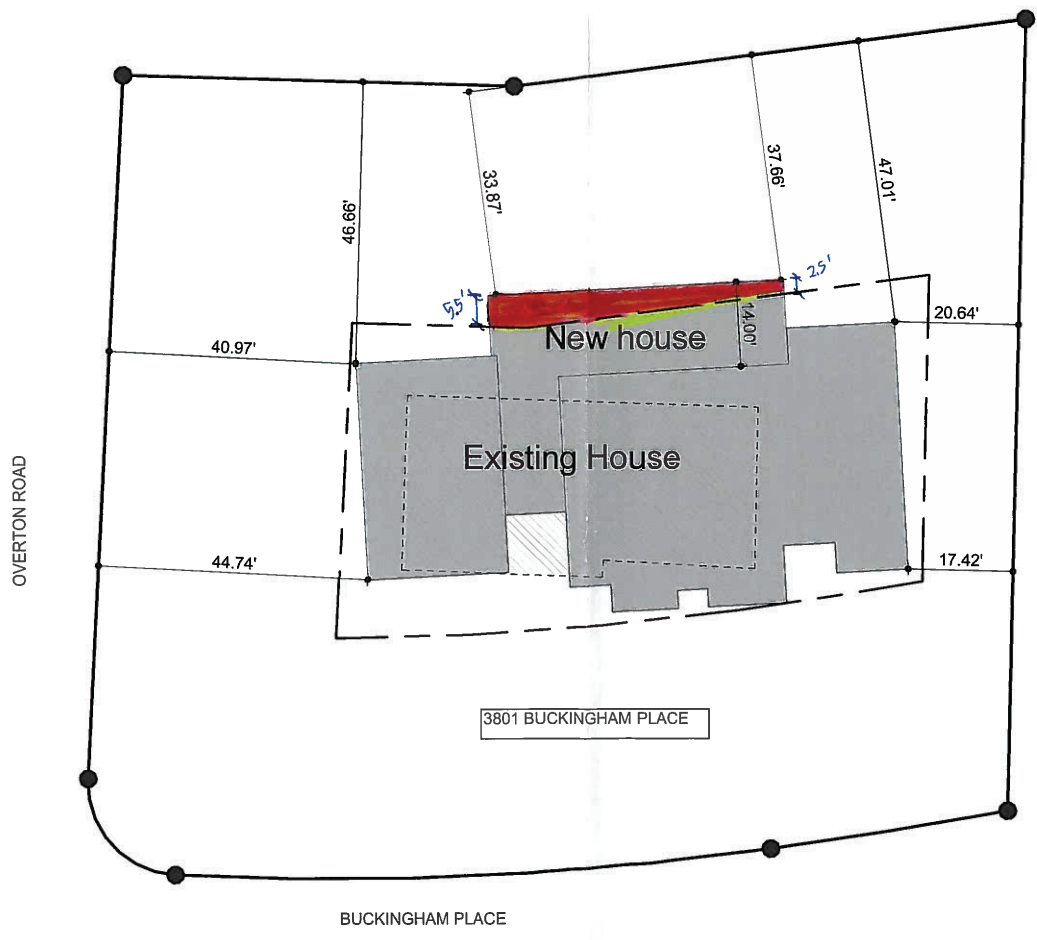
Order No.: 48992
 Purchaser:
 Address: 3601 BUCKINGHAM PLACE

[Signature]

Ray Weygand, Reg. L.S. #24973
 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. We do not look for underground sewers or flip manhole covers. (d) The shown north arrow is based on deed/record map. (e) This survey is not transferable and is only good for 6 years and only good to the person/co. that pays for it at time of survey. (f) Easements not shown on record map are not shown above.

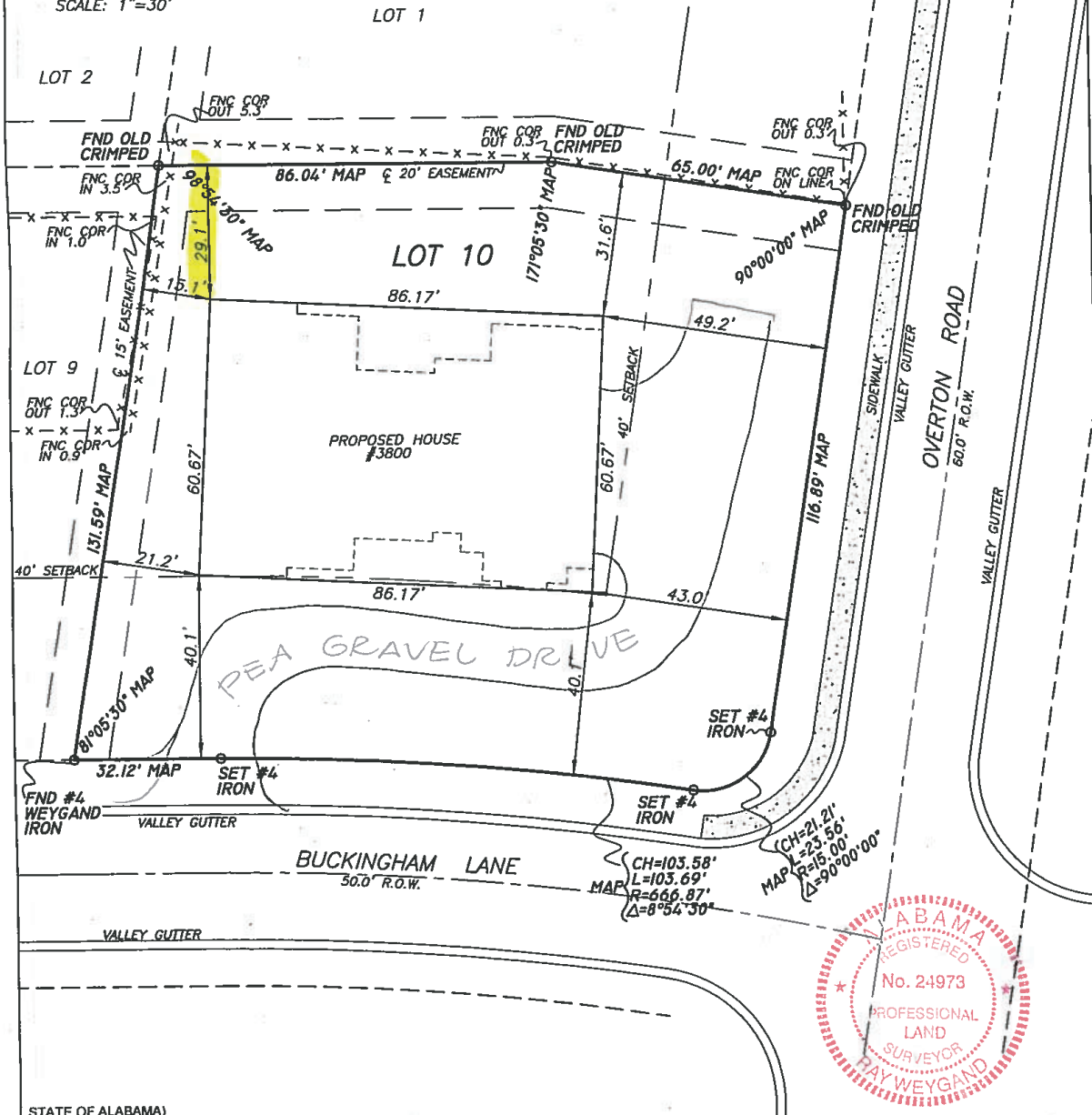
A-15-01



3801 BUCKINGHAM PLACE

LEGEND

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



STATE OF ALABAMA)
JEFFERSON COUNTY)

"Plot Plan"

I, Ray Weygand, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed LOT 10, MOUNTAIN BROOK GARDEN ESTATES, BLOCK 6 as recorded in Map Volume 56, Page 73 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 SEPTEMBER 16, 2016. Survey invalid if not sealed in red.

Order No.: 76602
Purchaser: VANDELVEDE
Address: 3800 BUCKINGHAM LANE

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.



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 proposed residence is on a corner lot which means it includes two 40' front setbacks which is very restrictive. Other lots on the street and in the neighborhood do not have to contend with the double front setbacks. The rear lot line is also not square as the rear left side cuts back into the lot, reducing the buildable footprint.~~

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 double 40' front setbacks are already in place and the lot owner simply wishes to build a one level home which is made difficult by the restrictive double front setbacks.~~

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

~~The proposed home is in keeping with other homes recently built in the area and the variance requested is for only a small corner portion of the home in the rear. There remains a large buffer between the rear of this home and the rear of the home on Cromwell. The variance request does not negatively affect anyone. The 40' front setback off of Overton Road is to remain unchanged.~~

DocuSigned by:

Jason Kessler 4/15/2022

DEF3C2634BD42C...

DocuSigned by:

Doug Levens 4/15/2022

6A0E07D93FBE493...



Variance Application - Part I

Project Data

Address of Subject Property 4013 Rock Creek Way

Zoning Classification Residence A

Name of Property Owner(s) Marjorie & Mickey Trimm

Phone Number 205-706-9936 Email Residence A

Name of Surveyor Robert Reynolds

Phone Number 205-823-7900 Email reynoldssurvey@bellsouth.net

Name of Architect (if applicable) David Blackmon (Blackmon Rogers Architects)

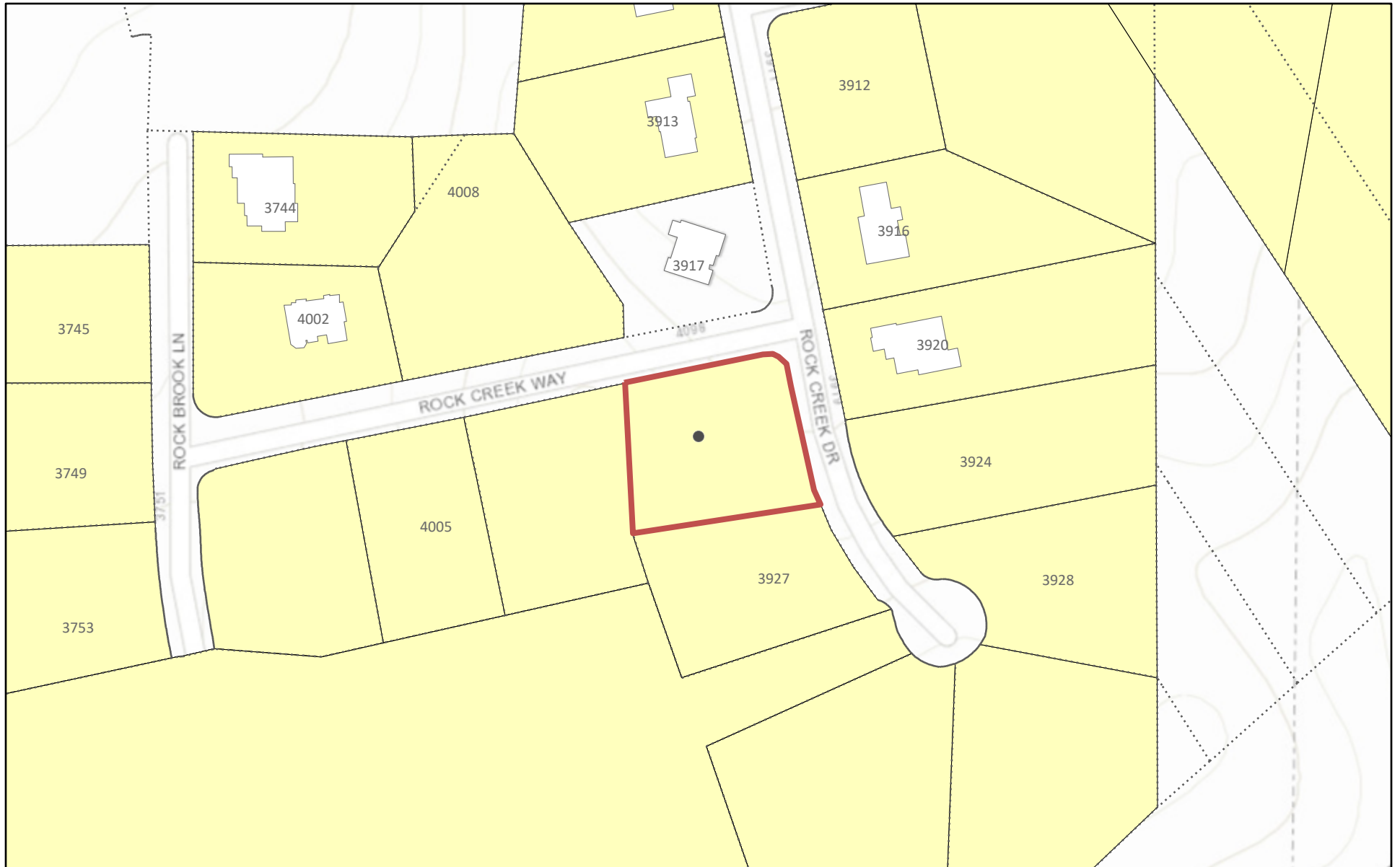
Phone Number 205-837-4886 Email david@blackmonrogers.com

Property owner or representative agent must be present at hearing

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

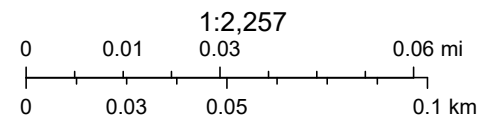
	Zoning Code Requirement	Existing Development	Proposed Development
Lot Area (sf)			
Lot Width (ft)			
Front Setback (ft) <i>primary</i>			
Front Setback (ft) <i>secondary</i>	40'-0"	39'-11"	32'-0"
Right Side Setback			
Left Side Setback			
Right Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 22' high → 22' high or greater →			
Left Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 22' high → 22' high or greater →			
Rear Setback (ft)			
Lot Coverage (%)			
Building Height (ft)			
Other			
Other			

A-22-17 Zoning



6/3/2022, 8:35:03 AM

..... LotLines
Tax_Parcels 2021
Residence A District



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri

ArcGIS Web AppBuilder

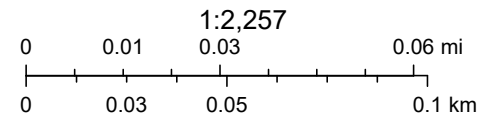
JeffCoAL, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, USDA | Jefferson County Information Technology Services | Hunter Simmons |

A-22-17 Aerial



6/3/2022, 8:36:07 AM

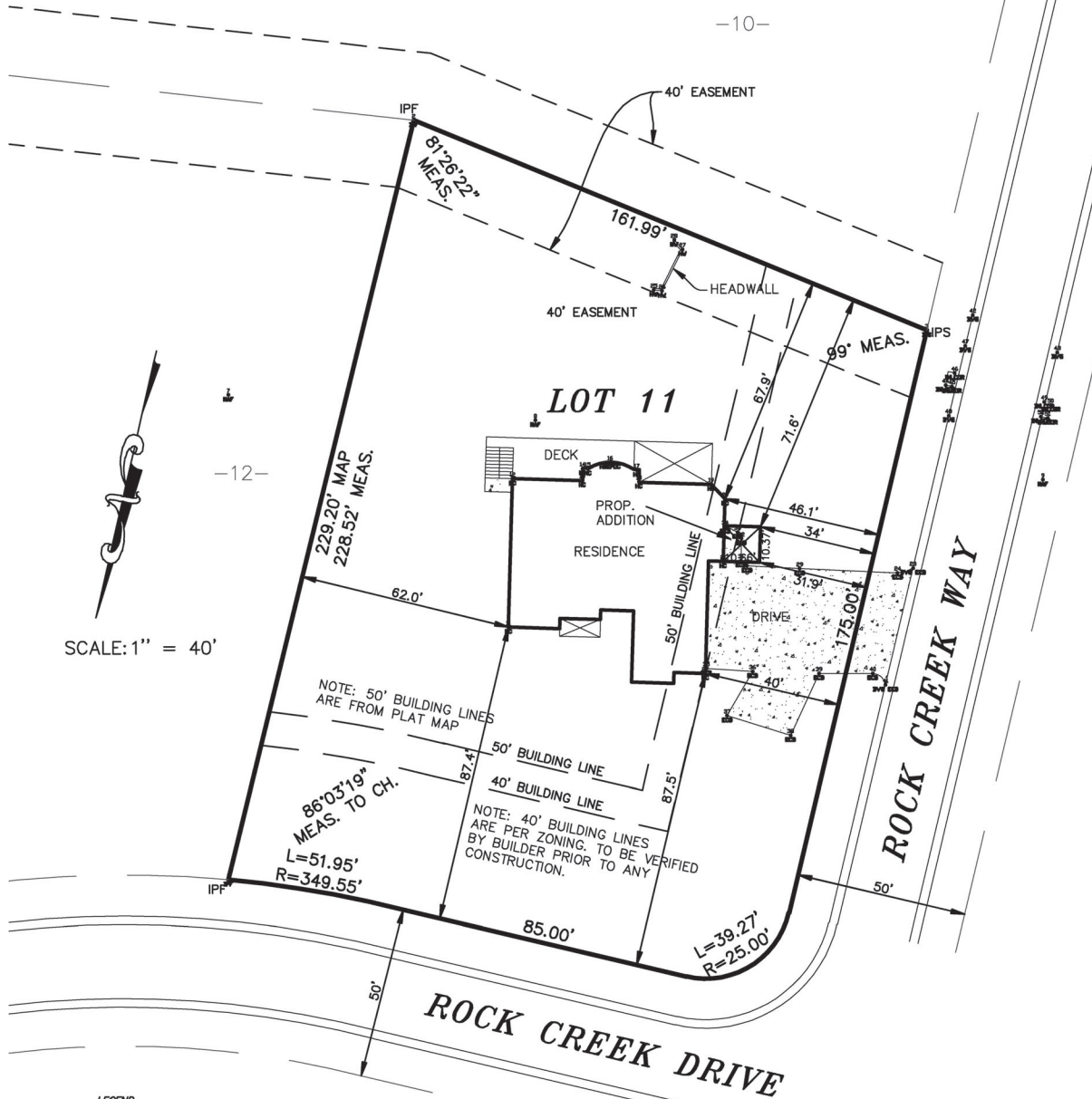
..... LotLines 2018 Aerial
■ Red: Band_1
■ Green: Band_2
■ Blue: Band_3



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri

ArcGIS Web AppBuilder

REYNOLDS SURVEYING CO., INC.
Surveying - Land Planning



SCALE: 1" = 40'

- LEGEND**
- UTILITY POLE
 - GUY WIRE
 - RETAINING WALL
 - ▨ CONCRETE
 - X- FENCE
 - OE- OVERHEAD ELECTRICAL
 - IPF IRON PIN FOUND
 - IPS IRON PIN SET

STATE OF ALABAMA
JEFFERSON COUNTY

"PROPERTY & PLOT PLAN SURVEY"



I, Robert Reynolds, a Registered Surveyor, do here by state that this is a true and correct plat or map of Lot 11, Block —, of CHEROKEE BEND SOUTH SECTOR 2ND ADDITION, as recorded in Map Book 197, Page 54 in the Office of the Judge Of Probate in JEFFERSON County, Alabama. All parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice of Surveying in the State of Alabama to the best of my knowledge, information and belief. The improvements on said premises are as shown. There are no visible encroachments on over or across said lands except as shown. According to my survey this the 13TH day of APRIL, 2022.

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

Robert Reynolds
Reg. No. 25657 B139/52

Address: 4013 ROCK CREEK WAY

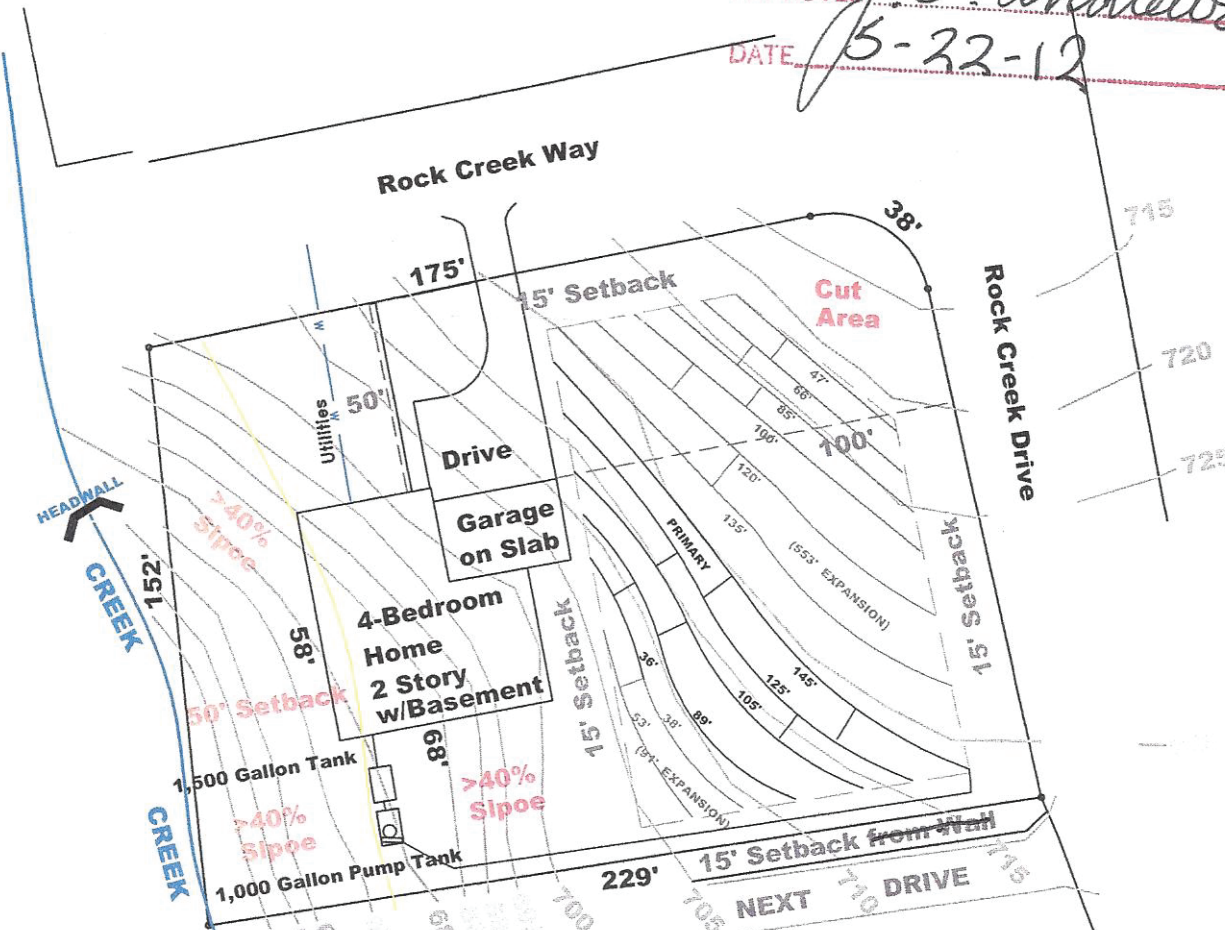
"PRE-CONSTRUCTION MEETING REQUIRED"

FILE COPY

Disposal Design
Standard 18" Field Lines
125 Linear Feet Per Bedroom = 500 Linear Feet
500 Linear Feet Shown on Plot Plan
644 Linear Feet Expansion Shown on Plot Plan
1500 Gallon Septic Tank, 1000 Gallon Pump Tank
0.5 HP Effluent Pump and Sump Alarm

JEFFERSON COUNTY
DEPARTMENT OF HEALTH
BIRMINGHAM, ALABAMA

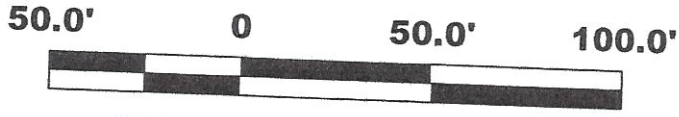
APPROVED: *J.C. Andrews*
DATE: *5-22-12*



RE-CONSTRUCTION MEETING REQUIRED

15' Setback from Wall
Note: Wall is Not Boundary

SEE APPLICATION # 2012-a-064
FOR CONDITIONS OF THIS APPROVAL.
ANY CHANGE IN HOUSE SIZE AND/OR HOUSE
LOCATION MAY VOID THIS APPROVAL.



NOT A SURVEY
ORIGINAL PLAT SOURCE
SOUTH CHEROKEE BEND



ATKINS ENGINEERING, LLC
CIVIL AND ENVIRONMENTAL ENGINEERING AND CONSULTING

176 RICHARDSON ROAD JASPER, AL 35504
PHONE (205) 388-0147 FAX (205) 302-0765

TITLE Proposed Plot Plan Revised
Trim Property, Lot 11 South Cherokee Bend
3923 Rock Creek Drive
Mt. Brook, Alabama

DRAWN BY E. Atkins CHECKED BY N/A SCALE shown DATE 5-2-12



Google



Google



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 extreme topography of the lot along with the existing septic field lines and required reserve septic area limit the available lot area for an addition. Likewise, the angle of the existing home pushes one corner of this small addition further into the setback.

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

No. The owner would like to improve the functionality and aesthetics of the existing side entrance. The location of the driveway and large retaining wall limit the options along this side of the house.

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

As a corner lot with a distinct front facade and side (garage) facade, we view this as a relatively minor encroachment into the secondary front setback in order to functionally and aesthetically improve the side entrance to the home.



Variance Application - Part I

Project Data

Address of Subject Property 2704 WOODRIDGE ROAD, MOUNTAIN BROOK, AL 35223
 Zoning Classification RESIDENCE A DISTRICT
 Name of Property Owner(s) WILLIAM AND JUDY NELSON
 Phone Number _____ Email bnelson@nelbro.com
 Name of Surveyor WILLIAM CALAHAN
 Phone Number 205-229-1993 Email will@southcentral surveying.com
 Name of Architect (if applicable) DAN LOEBERBAUM
 Phone Number 205-834-4711 Email dloerberbaum@loerberbaumincnaia.com

Property owner or representative agent must be present at hearing

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

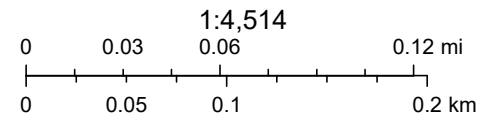
	Zoning Code Requirement	Existing Development	Proposed Development
Lot Area (sf)			
Lot Width (ft)			
Front Setback (ft) <i>primary</i>			
Front Setback (ft) <i>secondary</i>			
Right Side Setback			
Left Side Setback			
Right Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 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			SPA IN FRONT YARD
Other			

A-22-19 Zoning



6/3/2022, 8:40:20 AM

- | | | |
|-------------------------|----------------------------------|---------------------------|
| CADStreetCenterlines | JeffcoMunicipalBoundary_Negative | Tax_Parcels |
| InterimTaxParcels | Tax_Parcels 2021 | Estate Residence District |
| JeffCoMunicipalBoundary | Estate Residence District | Residence A District |
| | Residence A District | |



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri

ArcGIS Web AppBuilder

A-22-19 Aerial



6/3/2022, 8:43:58 AM

2018 Aerial

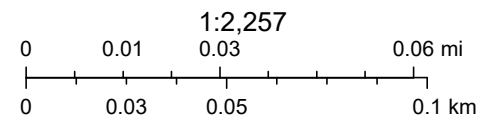
Red: Band_1



Green: Band_2



Blue: Band_3



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri

ArcGIS Web AppBuilder

JeffCoAL, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, USDA | Jefferson County Information Technology Services | Hunter Simmons |

Report to the Board of Zoning Adjustment

A-22-19

Petition Summary

Request to allow a spa in the secondary front yard (Overton Road) in lieu of the requirement that accessory structures (and pools) be located only in a side yard or rear yard.

Scope of Work

The scope of work entails a proposed a new spa in the secondary front yard.

Variance Request for Secondary Front (Overton Road) Yard

Nexus: The hardship in this case is the double frontage lot configuration which is reasonably related to the request.

Possible Findings for Approval: The double frontage lot has the primary front on Woodridge Road, with Overton Road being the rear of the home. The site has an existing pool to the rear of the home (within in the secondary front yard area along Overton Road) in the same location as the proposed spa. The topography is such that the area in question sits approximately 60 feet above the Overton Road which would shield the view of the proposed spa from the secondary front entirely.

It is anticipated that an approval of such variance:

- a. is minor in nature (in that the proposed addition is very small).
- b. Is in keeping with the spirit and intent of the zoning ordinance (in that the proposed structure will not be visible from the secondary road frontage).

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 129-318, Private Recreational Facilities in Residential Districts.

Appends

LOCATION: 2704 Woodridge Road

ZONING DISTRICT: Residence A District

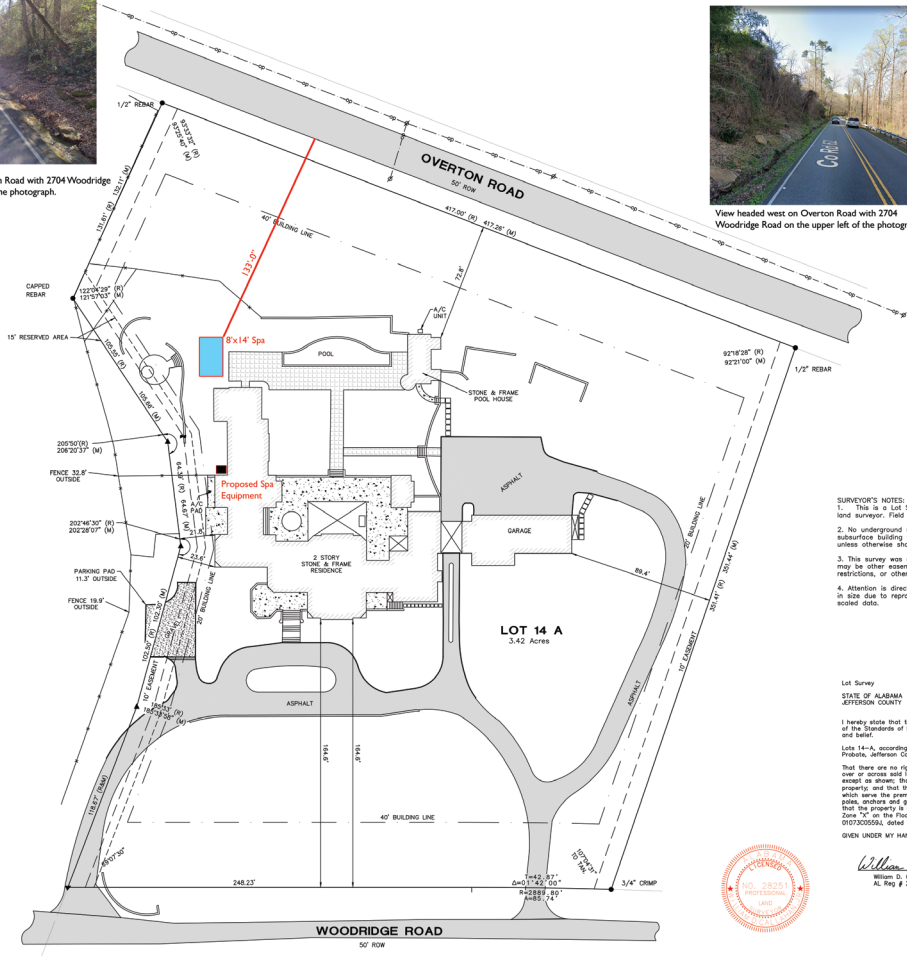
OWNERS: William and Judy Nelson



View headed east on Overton Road with 2704 Woodridge Road on the upper right of the photograph.

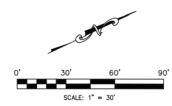


View headed west on Overton Road with 2704 Woodridge Road on the upper left of the photograph.



LEGEND

● IRON FOUND (DESCRIPTION)	□ CONCRETE
○ 1/2" REBAR SET WITH QIP STAKES	▨ BRICK PAVERS
⊕ UTILITY POLE	▩ STONE PAVERS
ROW RIGHT OF WAY	(M) - MEASURED
--- OVERHEAD UTILITY LINES	(R) - RECEIVED
--- FENCE	□ GATE INLET
--- WATER LINE	AC ACRES
--- WATER METER	⊕ GAS METER
12" = FIRE HYDRANT	⊕ SANITARY SEWER MH
18" = TOP OF WALL ELEVATION	FC - FENCE CORNER
INCHES = MEASUREMENT ELEVATION	⊕ POWER BOX



SURVEYOR'S NOTES:

- This is a Lot Survey, made on the ground under the supervision of a registered land surveyor. Field survey was completed on May 20, 2022.
- No underground utilities, underground encroachments, underground mines, or subsurface building foundations were measured or located as a part of this survey, unless otherwise shown. Trees and shrubs not located, unless otherwise shown.
- This survey was conducted without the benefit of an abstract of title, therefore, there may be other easements, rights-of-way, setback lines, agreements, reservations, restrictions, or other similar matters of public record, not depicted on this survey.
- Attention is directed to the fact that this survey may have been reduced or enlarged in size due to reproduction. This should be taken into consideration when obtaining scaled data.

Lot Survey
STATE OF ALABAMA
JEFFERSON COUNTY

I hereby state that this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief.

Lot 14-A, according to the COGNATE RECORDS, on the same appears of record in the Office of the Judge of Probate, Jefferson County, Alabama, in Map Book 191, Page 68.

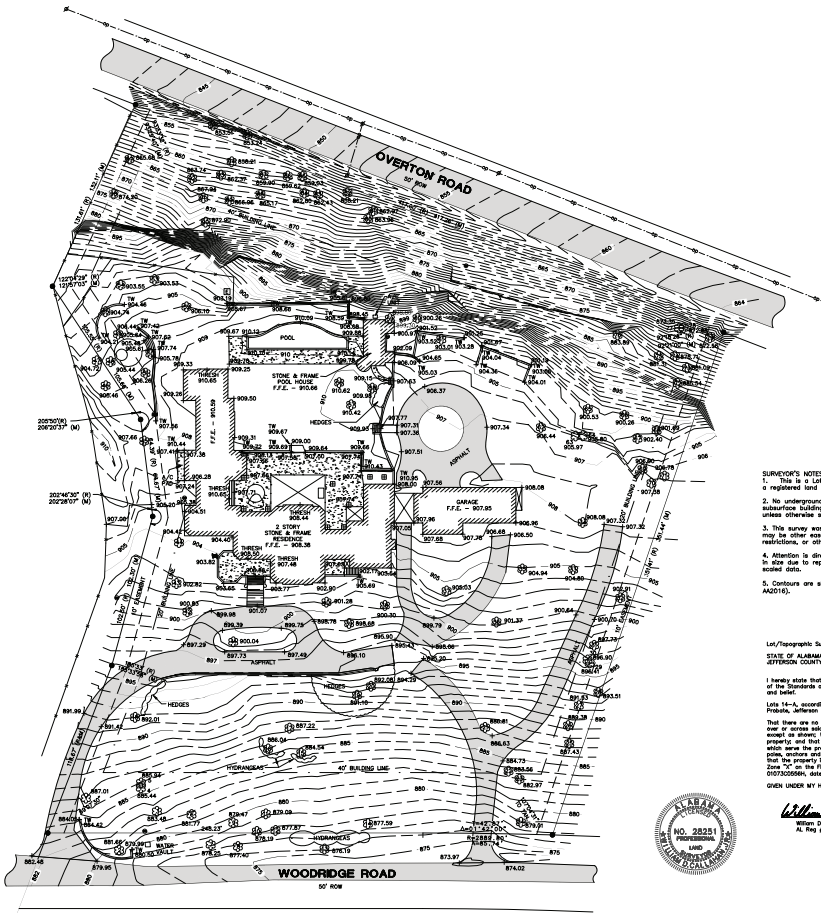
That there are no rights-of-way, easements, joint driveway or encroachments, new or across said land, visible on the surface or shown on recorded maps, except as shown; that this survey shows the improvements located on said property; and that there are no electrical or telephone wires, (including wire which serve the premises) or structures, or supports therefor, including poles, anchors and guy wires, on or over said property, except as shown; and that the property is not located in a special hazard area and is shown in a "Zone X" on the Flood Insurance Rate Map for this area (Map No. 01202055A, dated September 24, 2021).

GIVEN UNDER MY HAND AND SEAL, this the 24th day of May, 2022.



William D. Callahan, Jr.
William D. Callahan, Jr., PLS
AL Reg # 28251

<p>South Central Surveying, LLC RESIDENTIAL LAND SURVEYING 106 S. SUNSET TRAIL PRIME 202-224-1000 FAX 202-224-0401 BALTIMORE, MD 21204 EMAIL: info@southcentralsurveying.com</p>	
<p>PROJECT NO. 15-11013</p>	<p>DATE MAY 2022</p>



LEGEND

●	IRON FOUND DESCRIPTION	□	CONCRETE
○	1/2" IRON PIPE SET WITH CAP STRAP	▨	STONE FRAMES
○	UTILITY POLE	▨	RECORDED
—	BOUNDARY OF SEC.	▨	UNRECORDED
—	INTERING UTILITY LINES	▨	SPRINKLER
—	FENCE	AC	ACRES
—	WATER LINE	○	6" GAS METER
—	SEWER LINE	○	1/2" GAS METER
—	WATER METER	○	WATER METER
—	FIRE HOSE	○	WATER METER
—	TOP OF WALL ELEVATION	FC	FENCE CORNER
—	POWER AGE		

TREE INFORMATION

1	14' PINE
2	14' PINE
3	14' PINE
4	14' PINE
5	14' PINE
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87	14' PINE
88	14' PINE
89	14' PINE
90	14' PINE

SURVEYOR'S NOTES:

- This is a Topographic Survey, made on the ground under the supervision of a registered land surveyor. Field survey was completed on December 4, 2015.
- No underground utilities, underground encroachments, underground pipes, or subterranean building foundations were measured or located as a part of this survey, unless otherwise shown. Trees and shrubs not located, unless otherwise shown.
- This survey was conducted without the benefit of an abstract of title, therefore, there may be other encumbrances, rights-of-way, easements, reservations, restrictions, or other similar matters of public record, not depicted on this survey.
- Attention is directed to the fact that this survey may have been reduced or enlarged in size due to reproduction. This should be taken into consideration when obtaining scaled data.
- Contours are shown of one (1) foot intervals and are based on U.S.G.S. datum (F.D. AAD101).

Lot/Topographic Survey
 STATE OF ALABAMA
 STEPHEN COUNTY

I hereby certify that this survey and drawing have been completed in accordance with the current requirements of the Board of Licensure for the State of Alabama to the best of my knowledge, information and belief.

Let it be further certified that the CORNBY RESERVE, as the same appears of record in the Office of the Judge of Probate, Stephens County, Alabama, is Map Book 181, Page 68.

That there are no rights-of-way, easements, joint interests or encroachments, known or unknown, shown on the survey or shown on recorded maps, except as shown; that this survey shows the improvements located on said property and that there are no other improvements shown, including any which were the premises only or structures or appurtenant interests, including poles, wires, pipes, or any other appurtenances, shown or shown, and that the property is not located in a special flood hazard area as shown on Zone XA on the Flood Insurance Rate Map for the area (Map No. 150100000A), dated September 3, 2010.

WEN UNDER MY HAND AND SEAL, this 4th day of December, 2015.



William D. Collier, Jr.
 Registered Professional Land Surveyor
 License No. 28351

South Central Surveying, LLC
 1000 W. 10th Street, Suite 100
 Muskogee, Oklahoma 74401
 Phone: 918.682.1111
 Fax: 918.682.1112
 Email: info@southcentralsurveying.com

DATE: 12/04/2015
 TIME: 10:00 AM
 PROJECT NO: 15-11013

PROPERTY ADDRESS:
 2704 WOODRIDGE ROAD
 MT. BROOK, AL 35223



Google

Image capture



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 CLIENT WOULD LIKE TO ADD A SMALL SPA ADJACENT TO THEIR EXISTING POOL. SINCE THEIR LOT TOUCHES TWO ROADS THEIR BACKYARD IS CONSIDERED A SECONDARY FRONT. HOWEVER, FOR THIS FRONTAGE, THEY ARE 60' ABOVE OVERTON ROAD BY A VEGETATIVE SCREEN. DRIVERS CAN NOT SEE THE POOL OR HOME FROM THE ROAD.

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. THIS IS THE EXISTING TOPOGRAPHY. THE EXISTING GRADE AND POOL ARE 60' ABOVE OVERTON ROAD AND THE SITE LINES FROM DRIVERS ONLY SEE VEGETATION AND EXPOSED ROCK.

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

THE TOPOGRAPHY CREATES A CONDITION THAT THE SECONDARY FRONT DOES NOT FEEL LIKE A FRONT YARD BUT THE CODE IS WRITTEN IN SUCH A WAY THAT THIS CREATES A SITUATION WHERE A VARIANCE IS BEING ASKED.