

# BZA Packet

March 20, 2023

**Hello All,**

Enclosed please find your packet for the meeting of March 20, 2023.

**We have:**

- 3 new cases

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

[www.mtnbrook.org](http://www.mtnbrook.org)

- Calendar (upper right corner)
- Board of Zoning Adjustment (March 20, 2023)
- 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](mailto:slatent@mtnbrook.org) ...

**Looking forward to seeing you on Monday!**

**Tyler**

**MEETING AGENDA**  
**CITY OF MOUNTAIN BROOK**  
BOARD OF ZONING ADJUSTMENT  
March 20, 2023  
PRE-MEETING: 4:45 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: February 21, 2023
  2. **Case A-23-10:** Patrick and Anna Robinson, property owners, request a variance from the terms of the Zoning Regulations to allow an addition to be 12 feet from the side property line (north) in lieu of the required 15 feet. **-5 Gaywood Circle**
  3. **Case A-23-11: David and Mary Anna Malone** property owners, request a variance from the terms of the Zoning Regulations to allow an addition to a single family dwelling to be 29 feet from the rear property line (east) in lieu of the required 35 feet. **-105 Crestwood Drive**
  4. **Case A-23-12: Jan Davis**, property owner, requests a variance from the terms of the Zoning Regulations to allow an addition to a single family dwelling to be 36.2 feet from the rear property line (west) in lieu of the required 40 feet. **-3812 Arundel Drive**
  5. Next Meeting: **April 17, 2023**
  6. Adjournment



## Variance Application - Part I

### Project Data

Address of Subject Property 5 Gaywood Circle, Mountain Brook AL 35213

Zoning Classification District Residence A

Name of Property Owner(s) Patrick & Anna Robinson Phone  
 Number 205-719-7910 Email patrick@capitalpaymentsusa.com Name

of Surveyor Ray Weygand

Phone Number 205-942-0086 Email ray@weygandsurveyor.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):

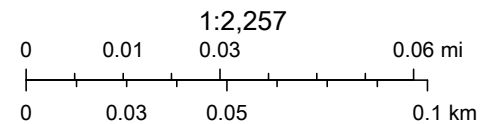
	Zoning Code Requirement	Existing Development	Proposed Development
Lot Area (sf)	30,000	15,161	15,161
Lot Width (ft)			
Front Setback (ft) <i>primary</i>			
Front Setback (ft) <i>secondary</i>			
Right Side Setback			
Left Side Setback	15	15	12
Right Side Setback (ft): For non-conforming narrow lots in 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-23-10 Zoning



2/24/2023, 9:06:41 AM

- Building Footprints 2020v1
- Lot Lines
- Residence D District
- Residence F District
- Residence A District
- PUD
- Tax\_Parcel 2021



JeffCoAL, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

ArcGIS Web AppBuilder

# A-23-10 Aerial



2/24/2023, 9:08:16 AM

Aerial 2021



Green: Band\_2



Blue: Band\_3



Red: Band\_1

1:2,257

0 0.01 0.03 0.06 mi

0 0.03 0.05 0.1 km

Jefferson County Department of Information Technology, JeffCoAL, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

ArcGIS Web AppBuilder

## Report to the Board of Zoning Adjustment

### A-23-10

#### ***Petition Summary***

Request to allow an addition to be 12 feet from the side property line (north) in lieu of the required 15 feet.

#### ***Scope of Work***

The scope of work includes additions and alterations to an existing single family dwelling as well as the construction of a new pool and pool house.

#### ***Variance Request for Rear Setback***

**Nexus:** The hardship in this case is the lot size. The Residence A minimum lot size is 30,000 and the subject location is approximately 15,161 square feet. The lot is also 83 feet wide and the required district minimum lot width is 100 feet.

#### ***It is anticipated that an approval of such variance:***

- a. is minor in nature (in that the encroachment only projects 3 feet into the setback and is 17 feet in length for a total encroachment of 51 square feet).

#### ***Impervious Area***

The proposed impervious surfacing (building area plus impervious surfaces) is 42 percent of the lot for this project which exceeds the maximum allowed of 30 percent in residence A. This will require an engineered plan to satisfy the requirement of the city's Stormwater Ordinance.

#### ***Subject Property and Surrounding Land Uses***

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

#### ***Affected Regulation***

Article III, Section 129-34 Area and dimensional requirements

#### ***Appends***

LOCATION: 5 Gaywood Circle

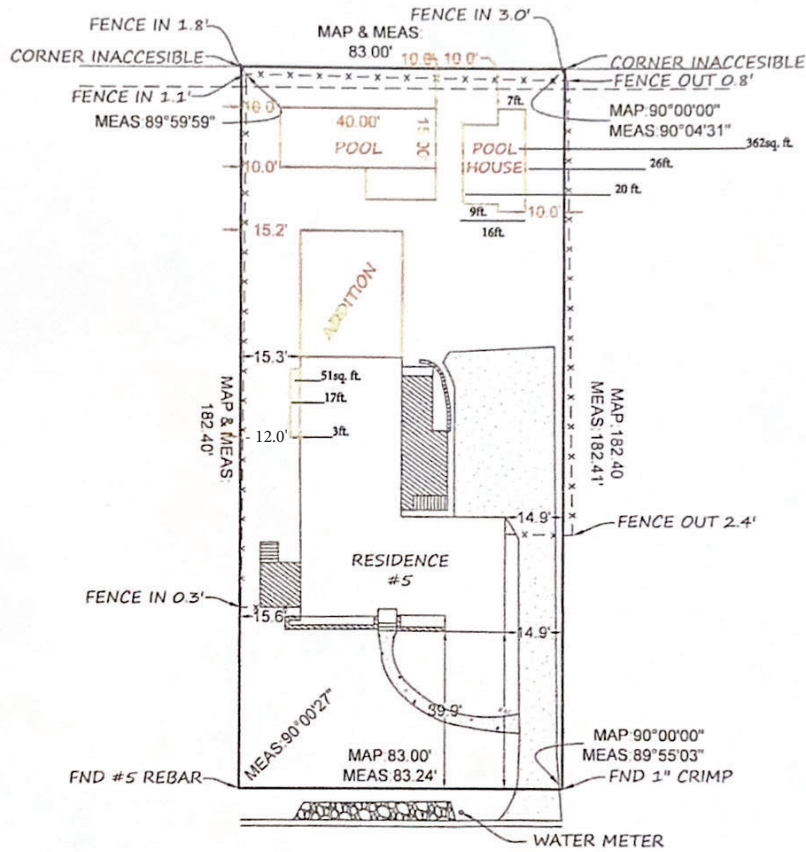
ZONING DISTRICT: Residence A District

OWNERS: Patrick and Anna Robinson

**LEGEND**

- ASP ASPHALT
- BLDG BUILDING
- CALC CALCULATED
- MEAS MEASURED
- CH CHORD
- LONG LONG CHORD
- DEF 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
- ANCHOR
- x- FENCE
- v- OVERHEAD UTILITY WIRE
- v- PAVEMENT
- W/ WITH
- TAN TANGENT
- RES RESIDENCE
- LIGHT LIGHT
- COV COVERED
- DECK DECK
- CONCRETE CONCRETE
- WALL WALL
- COLUMN COLUMN
- ASPHALT ASPHALT
- STONE STONE

**LOT AREA = 15,161 S.F.**  
**EXISTING IMPERVIOUS AREA = 4,463**  
**EXISTING IMPERVIOUS AREA = 29.4%**  
**PROPOSED IMPERVIOUS AREA = 42.4%**



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 2, MAP OF GAYWOOD PROPERTY OF CHAS. B. WELB, as recorded in Map Volume 32, Page 78, 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 JANUARY 31, 2023. Survey invalid if not sealed in red.

Order No. 20221856  
 Purchaser  
 Address 5 GAYWOOD CIRCLE

*[Signature]*  
 Ray Weygand, Reg. L.S. #24973  
 169 Oxmoor Road, Homewood, AL 35209  
 Phone: (205) 942-0086 Fax: (205) 942-0087  
 Copyright ©

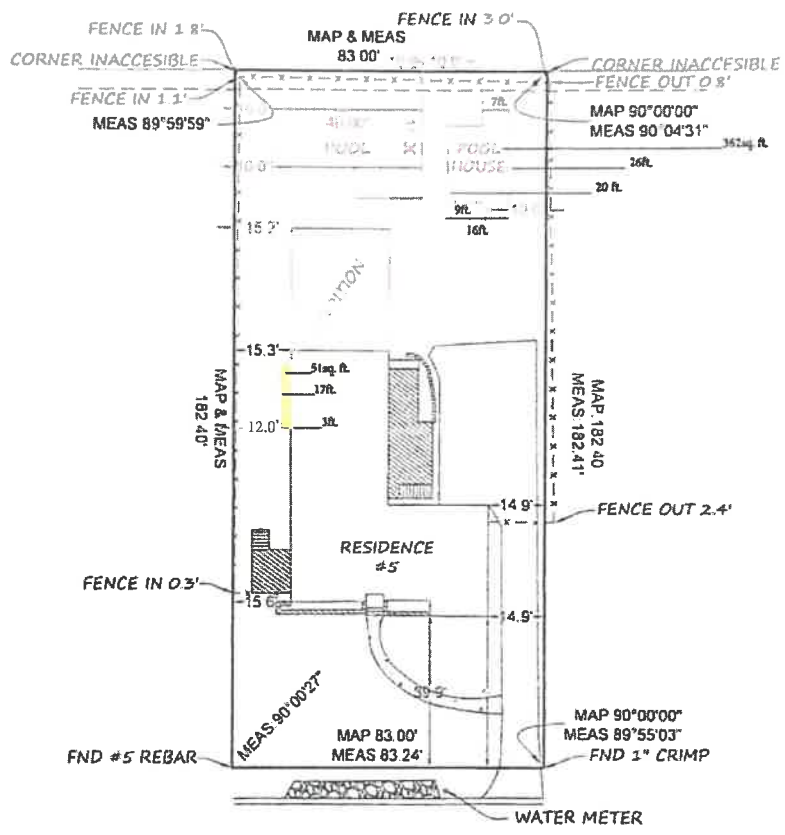


Note: (a) No title search of the public records has been performed by this firm and land shown hereon was not abstracted for easements and/or rights-of-way, recorded or unrecorded. The parcel shown hereon is subject to setbacks, easements, zoning, and restrictions that may be found in the public records of said county and/or city. (b) All bearings and/or angles, are deeded/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.

**LEGEND**

ASP	ASPHALT
BDK	BUILDING
CALC	CALCULATED
MEAS	MEASURED
CL	CLORD
ENC	ENCLOSURE
Δ	DELTA
FRM	FASCIUM
HR	HEATWALL
MR	MANHOLE
OH	OVERHANG
PR	PORCH
R	RADIUS
R.O.W.	RIGHT OF WAY
SN	SANITARY
STU	STORM
UTL	UTILITY
AC	ADDRESS
S.F.	SQUARE FEET
C	CENTRINE
A/C	AIR CONDITIONER
P	POLE
A	ANCHOR
F	FENCE
OV	OVERHEAD UTILITY WIRE
P	PAVEMENT
W	W/TH
TAN	TANGENT
RCS	RESIDENCE
LGT	LIGHT
COV	COVERED
□	DECK
○	CONCRETE
□	WALL
□	COLUMN
□	ASPHALT
□	STONE

**LOT AREA = 15,1619.F.**  
**EXISTING IMPERVIOUS AREA = 4,463**  
**EXISTING IMPERVIOUS AREA = 29.4%**  
**PROPOSED IMPERVIOUS AREA = 42.4%**



SCALE: 1"=30'



STATE OF ALABAMA  
 JEFFERSON COUNTY)

"PLOT PLAN"

I, Ray Weygand, a Registered Land Surveyor, hereby certify to the purchaser of the property at this time, that I have surveyed Lot 2, MAP OF GAYWOOD FRONTIERS OF CHAS. H. WELB, as recorded in Map Volume 32, Page 78, 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 JANUARY 31, 2023. Survey invalid if not sealed in red.

Order No. 20221856  
 Purchaser  
 Address: 5 GAYWOOD CIRCLE

*Ray Weygand*  
 Ray Weygand, Reg. L.S. #24673  
 169 Oriole Road, Homewood, AL 35209  
 Phone (205) 842-0086 Fax (205) 842-0087  
 Copyright ©



Note: (a) No true 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 double checked map and ground unless otherwise noted. (c) Underground portions of foundations, footings, and/or other underground structures, utilities, structures or buried wires were not located unless otherwise noted. (d) The shown north arrow is based on double checked map. (e) This survey is not for subdivision. (f) Easements are shown as recorded in maps are not shown above.



**Variance Application – Written Statement**

Date: 2/8/2023

We live at 5 Gaywood Circle, Mountain Brook AL 35213.

We are adding on 1,600 square feet off the back of our existing home to add 2 bedrooms, 2 baths and extending our master bedroom to have more space in our bathroom and room. The top floor is where the master room and bath is located and below is where the 2 older children's (age 12 & 11) new bedrooms will be with their own bath. The older children currently live in the original part of the house and have their own room but the 4 and 2 year old share a room currently right next to the two older children. With a 5<sup>th</sup> child on the way we wanted to separate the older children from the younger kids to give them their space and make room upstairs so the 3 smaller children can each have their own room. We are also adding a pool in the backyard along with a pool pavilion. Due to the impervious space rules, we are working with James Cassidy of InSite Civil Engineering who has designed us a retention piping system we are putting in so we adhere to the impervious space rules.

Homeowner: Patrick Robinson

Signature: 

Homeowner: Anna Robinson

Signature: 



## 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)?

I currently have a family of 6 (wife & 4 children) with another child on the way and needed more space to accomodate our growing family. We currently have 4 bedrooms so with 5 children we would like to provide them with their own rooms so we don't have to put the baby with the 2 and 4 year old. We also love our neighborhood and this was by far the most economical decision to stay in this home and add on versus moving given the cost would have been double.

When creating our plan we tried to be as conscious as possible in our approach of design with our lot size of 15,161 which is half of the 30,000 zoning code requirement.

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

No

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

Minor in nature due to size which is 3ft x 17ft (51 sq. ft.) and minimal impact to adjacent property.

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## Variance Application - Part I

### Project Data

Address of Subject Property 105 CRESTWOOD DR.

Zoning Classification RESIDENCE B

Name of Property Owner(s) DAVID & MARY ANNA MALONE

Phone Number 205.936.1099 Email MALONENCAA@YAHOO.COM

Name of Surveyor RAY WEYLAND

Phone Number 205.942.0086 Email RAY@WEYLANDSURVEYOR.COM

Name of Architect (if applicable) Rob Walker

Phone Number 205.254.3212 Email rob@rw4arch.com

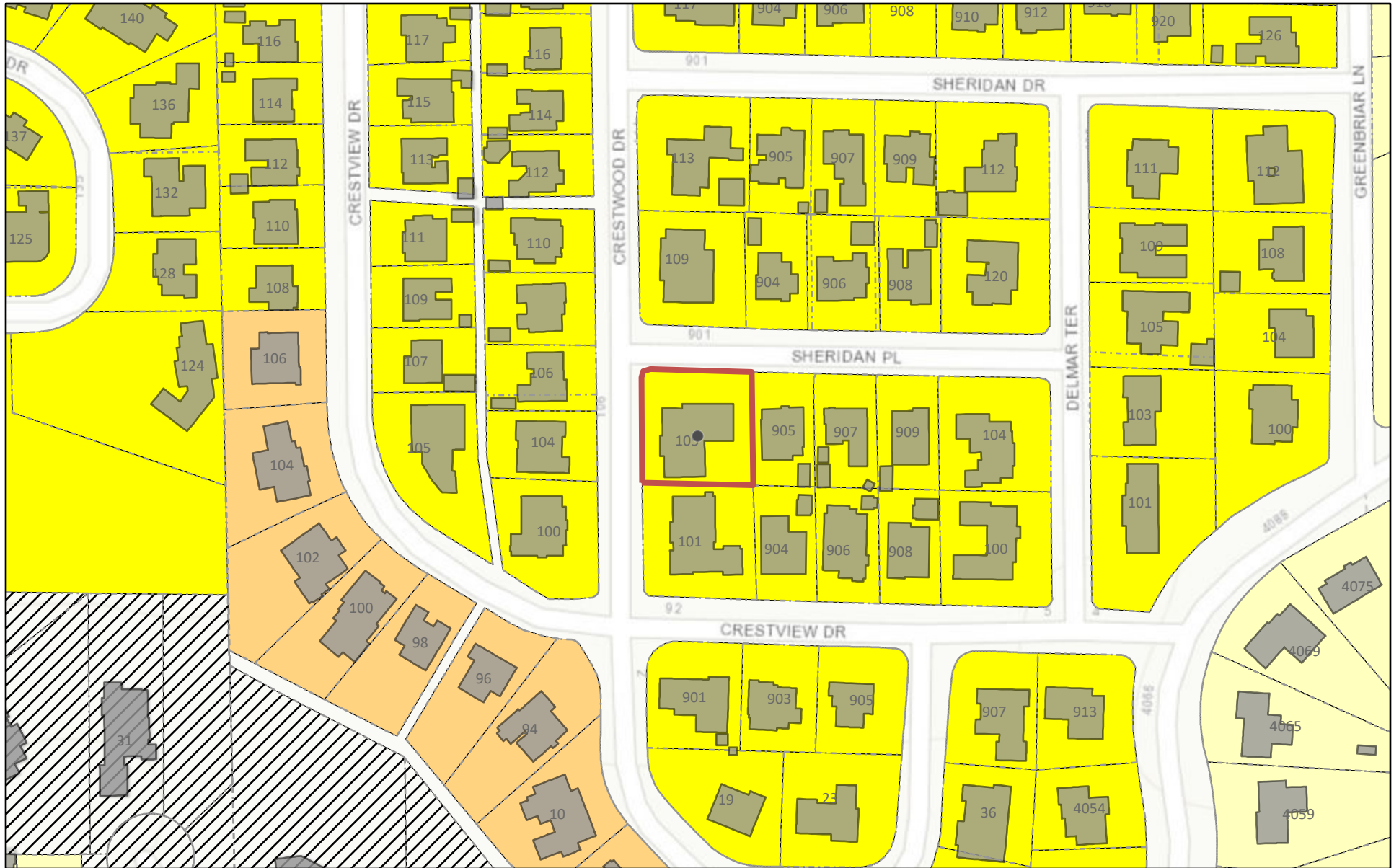


Property owner or representative agent must be present at hearing

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)	<u>35'</u>	<u>17.5'</u>	<u>29'</u>
Lot Coverage (%)			
Building Height (ft)			
Other			
Other			

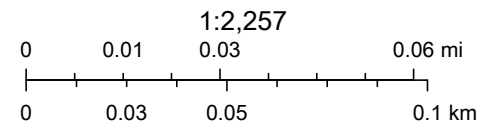
# A-23-11 Zoning



3/2/2023, 10:16:32 AM

- Building Footprints 2020v1
- Lot Lines
- PUD
- Tax\_Parcels 2021
- Residence C District
- Residence A District

- Residence B District
- Residence C District



JeffCoAL, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

ArcGIS Web AppBuilder

# A-23-11 Aerial



3/2/2023, 10:19:03 AM

Aerial 2021



Green: Band\_2



Blue: Band\_3



Red: Band\_1

1:2,257

0 0.01 0.03 0.06 mi

0 0.03 0.05 0.1 km

Jefferson County Department of Information Technology , JeffCoAL, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

ArcGIS Web AppBuilder

## Report to the Board of Zoning Adjustment

A-23-11

### ***Petition Summary***

Request to allow an addition to a single family dwelling to be 29 feet from the rear property line (east) in lieu of the required 35 feet.

### ***Background***

In August of 2012, a variance request was approved for a rear setback of 17.5 feet for the construction of a new carport on this property.

### ***Scope of Work***

The scope of work includes the construction of a new covered patio with a fireplace over an existing uncovered patio.

### ***Variance Request for Rear Setback***

**Nexus:** The hardship in this case is the corner lot configuration.

### ***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 house to the east presents a side yard to the rear of the subject property meaning that structure can be as close as 12.5 feet from the shared property line that the applicant is proposing a setback of 29 feet for the covered patio).

### ***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, Section 129-52 Area and dimensional requirements

### ***Appends***

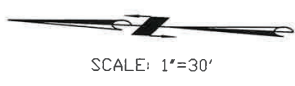
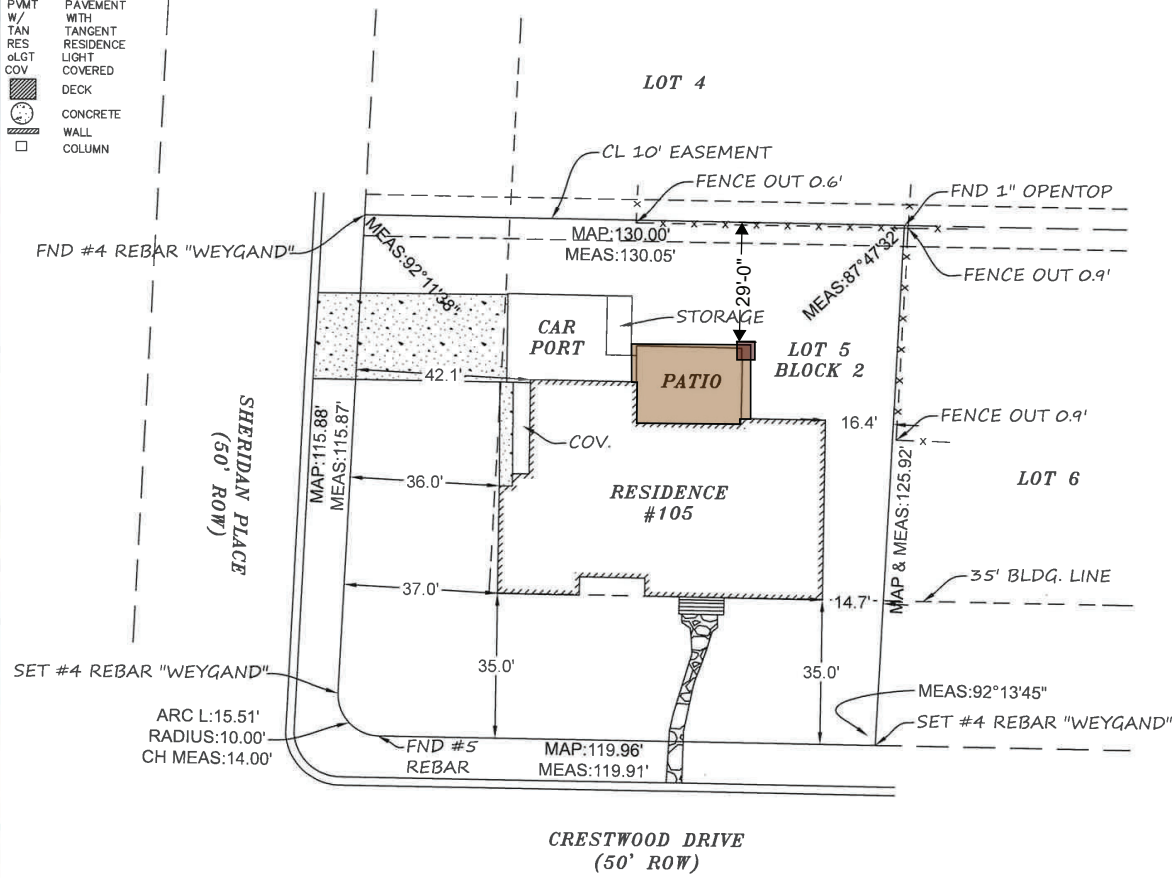
LOCATION: 105 Crestwood Drive

ZONING DISTRICT: Residence B District

OWNERS: David and Mary Anna Malone

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 WITH TAN
- RES RESIDENCE
- oLGT LIGHT COVERED
- DECK
- CONCRETE WALL
- COLUMN

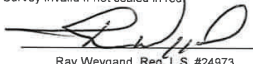


STATE OF ALABAMA)  
JEFFERSON COUNTY)

"Property Boundary Survey"

I, Ray Weygand, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot 5 BLOCK 2, EUCLID ESTATES 1ST SECTOR as recorded in Map Volume 31, Page 35, 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 MAY 3, 2022. Survey invalid if not sealed in red.

Order No.: 20220504  
Purchaser:  
Address: 105 CRESTWOOD DRIVE

  
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.

Rob Walker Architects, LLC  
2229 First Avenue South – Suite 110  
Birmingham, AL 35233  
205-254-3212



February 24, 2023

Planning, Building & Sustainability  
City of Mountain Brook  
56 Church Street  
Mountain Brook, AL 35213

**RE: 105 Crestwood Drive**

To whom it may concern:

The owners of 105 Crestwood Drive would like to request a rear yard setback variance of 29' from the 35' requirement to construct a new covered patio with a fireplace over the existing patio. The owners received a similar variance in 2012 (Case 4074) for a new carport and it was noted at the time that this particular rear yard functioned more as side yard due to the lot being on a corner.

Sincerely,

Rob Walker, AIA





## 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 IS A CORNER LOT & THEREFORE HAS  
TWO FRONT YARDS W/ TWO REAR YARDS

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 OWNER'S RECEIVED A VARIANCE (CASE 4074)  
IN AUGUST 13, 2012 FOR A GARAGE ADDITION AND  
WAS NOTED THAT THIS REAR YARD FUNCTION AS A  
SIDE YARD.

## Report to the Board of Zoning Adjustment

4074

### ***Petition Summary***

Request to allow the construction of a carport addition to be 17.5 feet from the rear property line (west) in lieu of the required 35 feet.

### ***Analysis***

The hardship on this lot is the fact that is a corner lot. The “front” is along Crestwood, with the rear opposite (east). This house orientation (facing either east or west) is the same for all eight corner lots along Crestwood/Del Mar, As may be seen on the attached zoning map (with houses) there are four existing houses that have similar rear yard setbacks that are less than the required 35 feet (as proposed by the applicant).

Since all of these “rear” yards face “side” yards of internal lots, these rear yards serve more as sides than rears, and the required side setbacks on adjoining lots is only 10 feet. Therefore, no detrimental effect to the adjoining property to the east is anticipated in conjunction with any approval of this request.

### ***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***

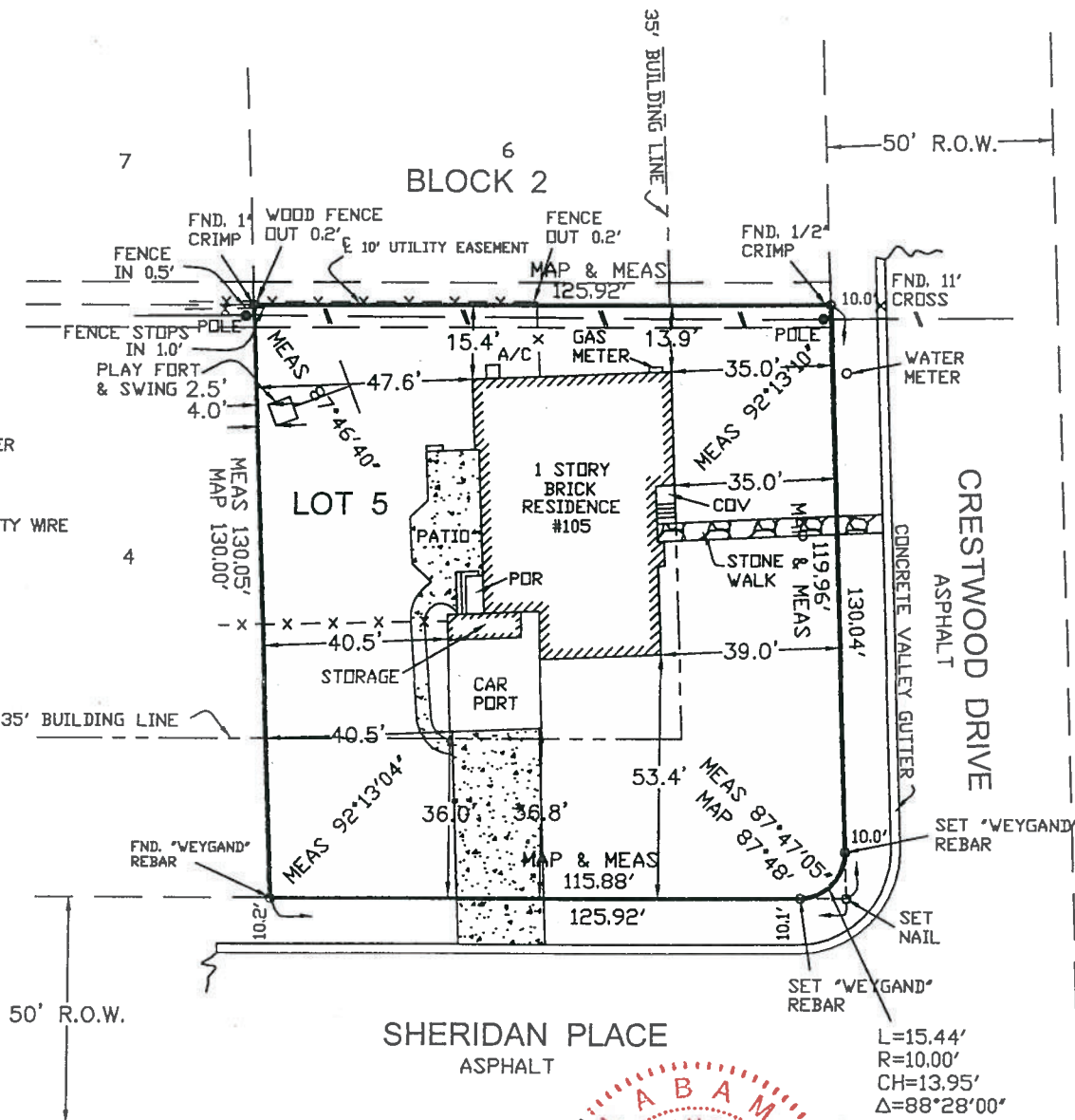
LOCATION: 105 Crestwood Drive

ZONING DISTRICT: Residence B

OWNERS: David and Mary Anna Malone

**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
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- X— OVERHEAD UTILITY WIRE
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- W/ WITH
- TAN TANGENT
- RES RESIDENCE
- oLGT LIGHT
- COV COVERED
- ▨ DECK
- CONCRETE
- ▩ WALL
- COLUMN



Existing



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

"Closing Survey"

I, Laurence D. Weygand, a registered Engineer-Land Surveyor, or Ray Weygand, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot 5, Block 2, EUCLID ESTATES FIRST SECTOR, as recorded in Map Volume 31, Page 35, 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. That I have consulted the Federal Insurance Administration "Flood Hazard Boundary Map" and found that this property is not located in "a special flood hazard area"; 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 20, 2012. Survey invalid if not sealed in red.

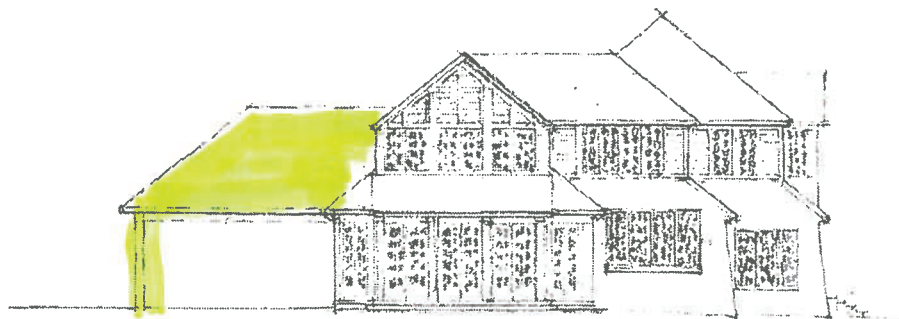
Order No.: 53509  
Purchaser: MALONE  
Address: 105 CRESTWOOD DRIVE  
Flood Zone "X" Map Number: 01073C0413G

*Laurence D. Weygand*  
Laurence D. Weygand, Reg. PE-LS #10373  
Ray Weygand, Reg. LS #24973  
169 Oxmoor Road Homewood, AL 35209  
Phone: (205) 942-0086 Fax: (205) 942-0087  
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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.



4071



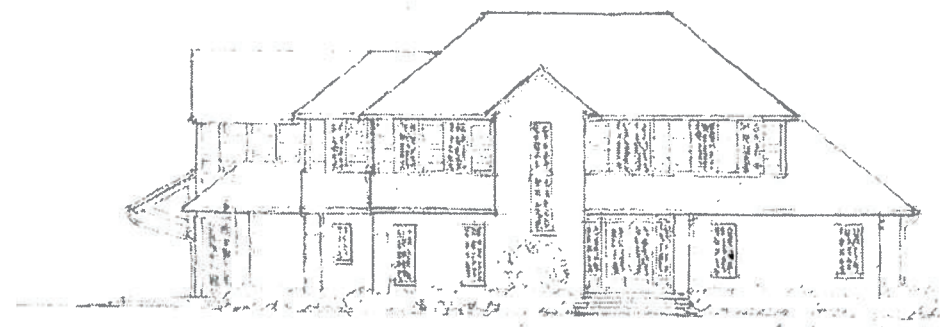
LEFT SIDE ELEVATION

1" = 20'-0"

MALONE

0.9.12

North/Sheridan Place



FRONT ELEVATION SKETCH

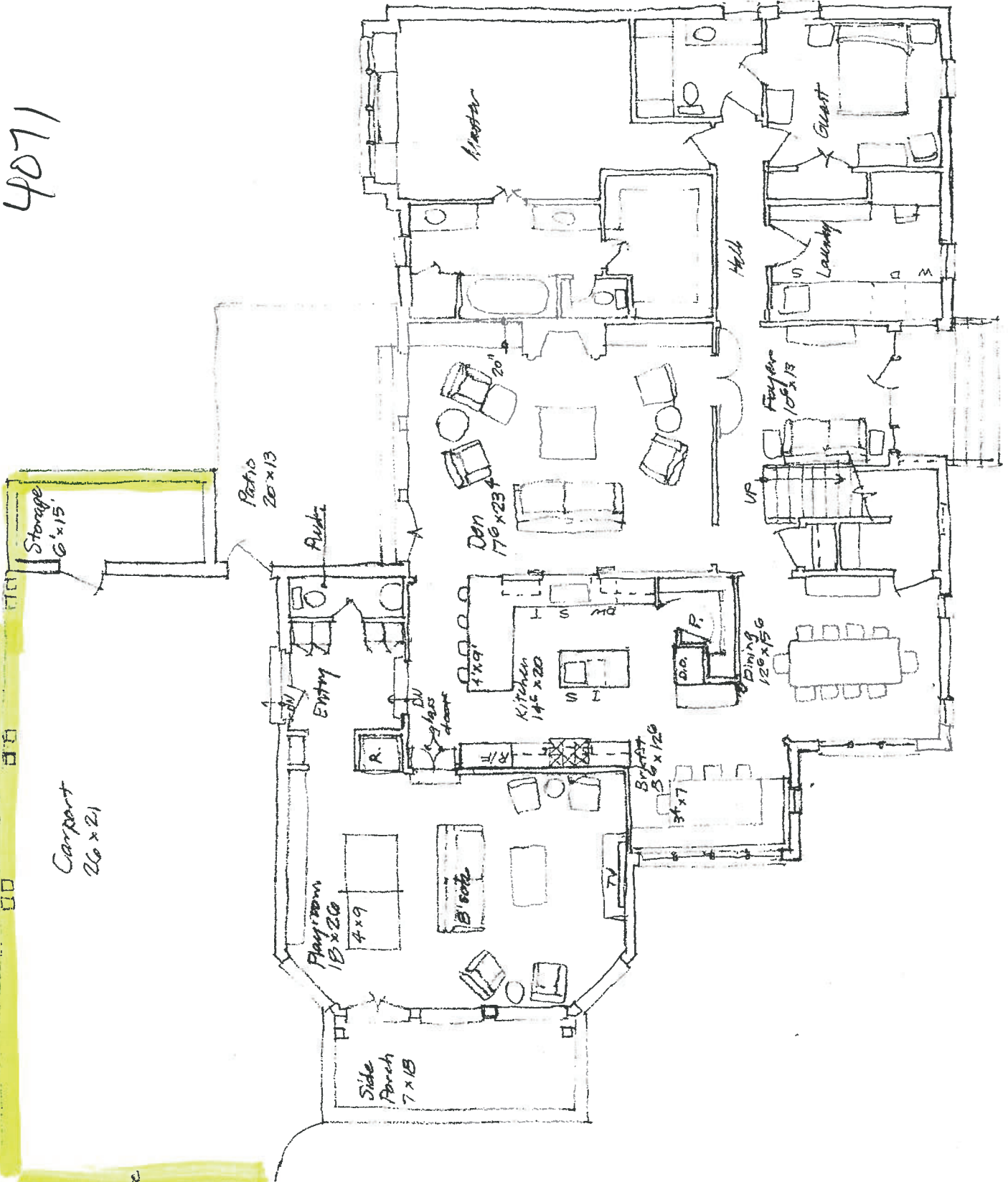
1" = 20'-0"

MALONE

0.9.12

West/Crestwood Drive

4071



MALONE

SKETCH FIRST FLOOR PLAN-C3

Sheridan Place  
 Downstair's



## Variance Application - Part I

### Project Data

Address of Subject Property 3812 Arundel Drive

Zoning Classification RA

Name of Property Owner(s) Jan Davis Represented by Russell Building Co

Phone Number \_\_\_\_\_ Email \_\_\_\_\_

Name of Surveyor Buck Callahan

Phone Number 205-229-1993 Email \_\_\_\_\_

Name of Architect (if applicable) \_\_\_\_\_

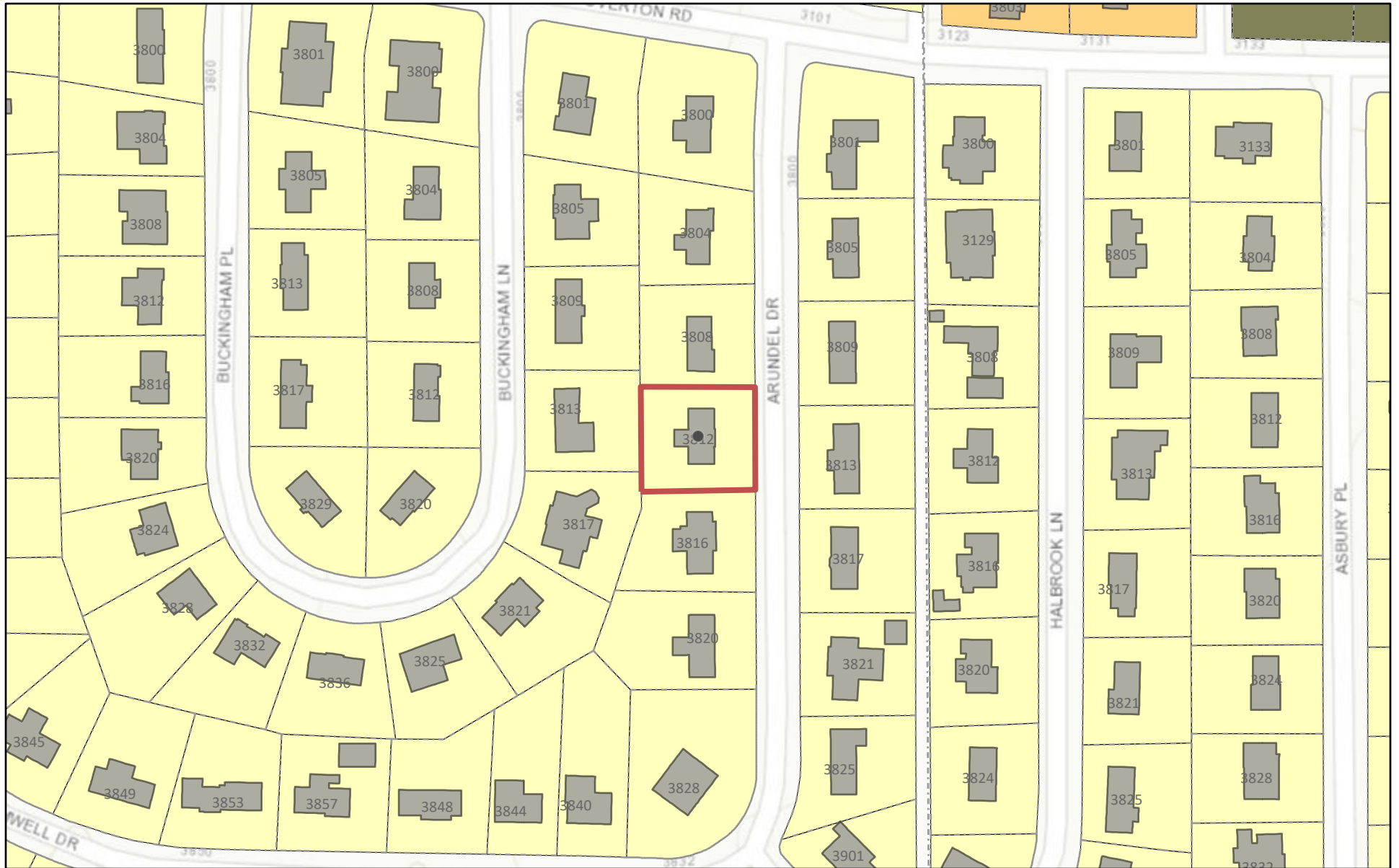
Phone Number \_\_\_\_\_ Email \_\_\_\_\_

Property owner or representative agent must be present at hearing

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

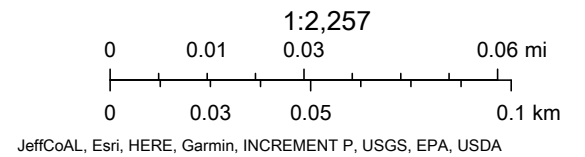
	Zoning Code Requirement	Existing Development	Proposed Development
Lot Area (sf)	15073		
Lot Width (ft)	116		
Front Setback (ft) <i>primary</i>	40		
Front Setback (ft) <i>secondary</i>			
Right Side Setback	15		
Left Side Setback	15		
Right Side Setback (ft): For non-conforming narrow lots in Res-B or 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	36.3	36.3
Lot Coverage (%)			
Building Height (ft)			
Other			
Other			

# A-23-12 Zoning



3/3/2023, 2:13:31 PM

- Building Footprints 2020v1 Tax\_Parcels 2021
- Lot Lines
- Residence A District
- Professional District
- Residence C District





# A-23-12 Aerial



3/3/2023, 2:15:24 PM

Aerial 2021



Green: Band\_2



Blue: Band\_3



Red: Band\_1

1:2,257

0 0.01 0.03 0.06 mi

0 0.03 0.05 0.1 km

Jefferson County Department of Information Technology | JeffCoAL, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

ArcGIS Web AppBuilder

## Report to the Board of Zoning Adjustment

A-23-12

### ***Petition Summary***

Request to allow an addition to a single family dwelling to be 36.2 feet from the rear property line (west) in lieu of the required 40 feet.

### ***Scope of Work***

The scope of work includes the addition of a roof over an existing deck.

### ***Variance Request for Rear Setback***

**Nexus:** The hardship in this case is the existing design constraint. The house is odd shaped with an existing deck in the same footprint as the proposed covered deck.

### ***It is anticipated that an approval of such variance:***

- a. is minor in nature (in that the encroachment only projects 3.8 feet into the setback and only covers a small portion of the width of the structure and not the entire house).

### ***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***

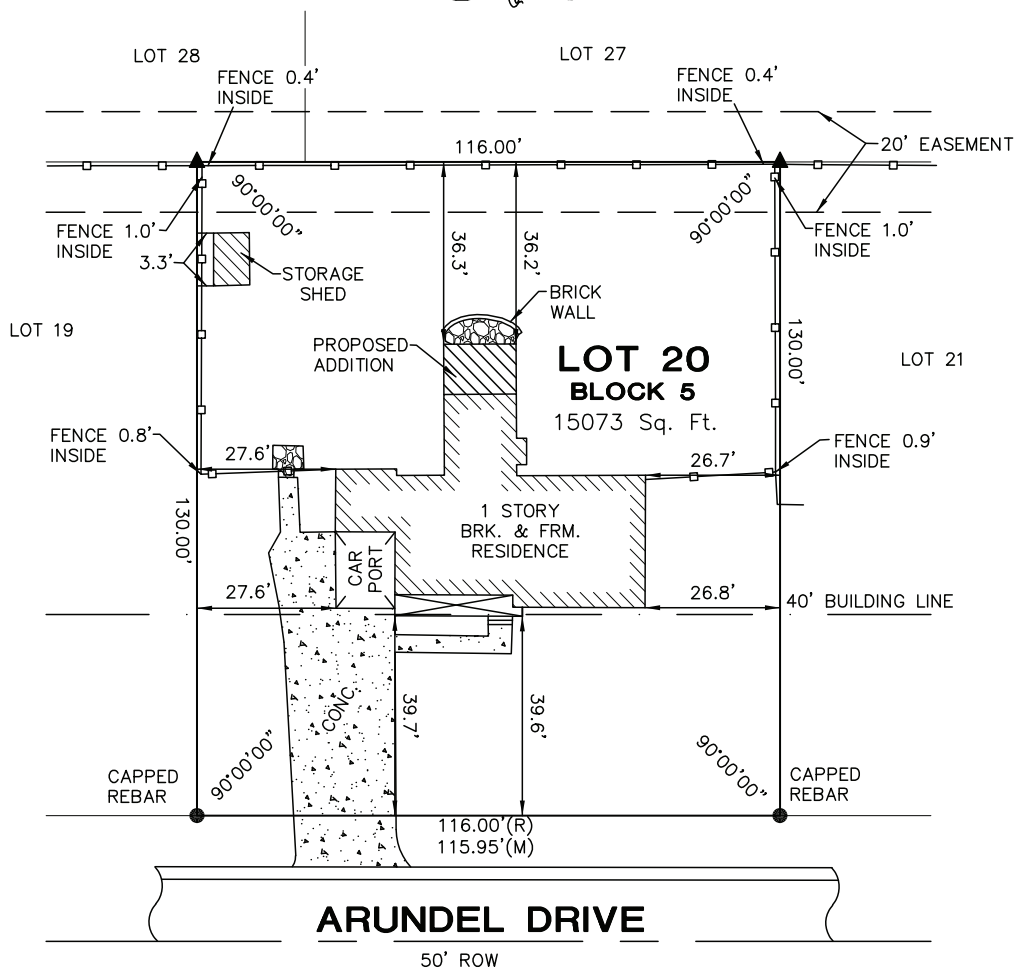
Article III, Section 129-34 Area and dimensional requirements

### ***Appends***

LOCATION: 3812 Arundel Drive

ZONING DISTRICT: Residence A District

OWNERS: Jan Davis



Lot Survey



STATE OF ALABAMA  
JEFFERSON COUNTY

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

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

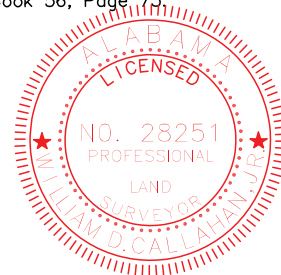
Lot 20, Block 5, according to the survey of MOUNTAIN BROOK GARDENS ESTATES, as the same appears of record in the Office of the Judge of Probate, Jefferson County, Alabama, in Map Book 56, Page 73.

That there are no rights-of-way, easements, joint driveways or encroachments, over or across said land, visible on the surface or shown on recorded map, except as shown; that this survey shows the improvements located on said property; and that there are no electrical or telephone wires, (excluding wire which serve the premises only) or structures or supports therefor, including poles, anchors and guy wires, on or over said property, except as shown; and that the property is not located in a special hazard area and is shown in a Zone "X" on the Flood Insurance Rate Map for this area (Map No. 01117C0236E, dated February 20, 2013).

GIVEN UNDER MY HAND AND SEAL, this the 6th day of February, 2023.

*William D. Callahan, Jr.*

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



CLIENT:  
RUSSELL BUILDING CO.

Field Survey: 02-03-2023



**South Central Surveying, LLC**  
RESIDENTIAL & COMMERCIAL LAND SURVEYING

P. O. BOX 917  
ALABASTER, ALABAMA 35007  
PHONE 206-229-1993

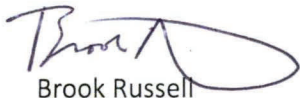
- = WOOD FENCE
- \*—\*— = CHAIN LINK FENCE
- ▣ = CONCRETE
- ▤ = COVERED PORCH/DECK
- U.T.S. = UNABLE TO SET
- (R) = RECORDED
- (M) = MEASURED
- M.B.L. = MINIMUM BUILDING LINE
- = CAPPED REBAR SET
- = IRON FOUND (DESCRIPTION)
- ▲ = CALCULATED POINT
- op— = OVERHEAD POWER
- ∅ = POWER POLE

Zoning Board,

3/3/23

The owner at 3812 Arundel drive has an exiting deck that extends 10 feet from her home. She would simply like to turn the existing deck to a covered cedar porch. The covered porch would be consistant with the existing roof and house.

Thank you

A handwritten signature in black ink, appearing to read "Brook Russell", with a large, stylized flourish extending from the end of the name.

Brook Russell

Russell Building Company



## 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 house has an odd shape.

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

The owner would like to take an existing deck and put roof over it. The existing deck was built over the set back line years ago.

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

With the structure already there, it would add to the value of the neighborhood and house to have convert the existing deck to a covered porch.

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