

BZA Packet

July 17, 2023

Hello All,

Enclosed please find your packet for the meeting of July 17, 2023.

We have:

- 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 (July 17, 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 ...

Looking forward to seeing you on Monday!

Tyler

MEETING AGENDA
CITY OF MOUNTAIN BROOK
BOARD OF ZONING ADJUSTMENT
July 17, 2023
PRE-MEETING: 4:30 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: June 19, 2023
 2. **Case A-23-22: Dr. Dick Briggs**, property owner, requests variances from the terms of the Zoning Regulations to allow a detached accessory structure to be 6.6 feet from the rear property line (south) in lieu of the required 40 feet. **-2925 Southwood Road**
 3. **Case A-23-23: Leslie Bashinsky**, property owner, requests variances from the terms of the Zoning Regulations to allow a new single family home to be 34 feet from the secondary front property line (Matthews Road) in lieu of the required 40 feet, and to allow a pool to be 1 foot from the side property line (southwest) in lieu of the required 10 feet. **-79 Country Club Boulevard**
 4. **Case A-23-24: Keith and Fran Anderton**, property owners, request variances from the terms of the Zoning Regulations to allow additions and alterations to an existing single family dwelling to be 34.7 feet from the front property line (Mountain Park Drive) in lieu of the required 35 feet, and 5.7 feet from the side property line (southeast) in lieu of the required 9 feet. **-3724 Mountain Park Drive**
 5. **Case A-23-26: Sara James**, property owner, requests variances from the terms of the Zoning Regulations to allow an addition to be 13 feet 4 inches from the rear property line (northwest) in lieu of the required 30 feet, and to allow pool equipment to be 5 feet from the side property line (southwest) in lieu of the required 10 feet. **-304 Dexter Avenue**
 6. **Case A-23-27: Daniel and Mary Balkovetz**, property owners, request variances from the terms of the Zoning Regulations to allow an addition to the existing single family dwelling to be 34.5 feet from the rear property line (southeast) in lieu of the required 40 feet. **-4217 Antietam Drive**

7. **Case A-23-25: Blake Smith and Nancy Shinouda**, property owner, requests variances from the terms of the Zoning Regulations to allow additions and alterations to an existing single family dwelling to be 3 feet from the side property line (west) in lieu of the required 8 feet for portions of the building less than 22 feet high, and in lieu of the required 12 feet for portions of the building greater than 22 feet high.-**2119 English Village Lane**
8. Next Meeting: **August 21, 2023**
9. Adjournment



Variance Application - Part I

Project Data

Address of Subject Property 2925 SOUTHWOOD RD, MT. BROOK 35203

Zoning Classification RESIDENTIAL

Name of Property Owner(s) DICK D BRIGGS JR

Phone Number 205-879-5280 Email DICKBRIGGSJR@GMAIL.COM

Name of Surveyor SURVEYING SOLUTIONS INC

Phone Number 205-999-8965 Email NA

Name of Architect (if applicable) NA

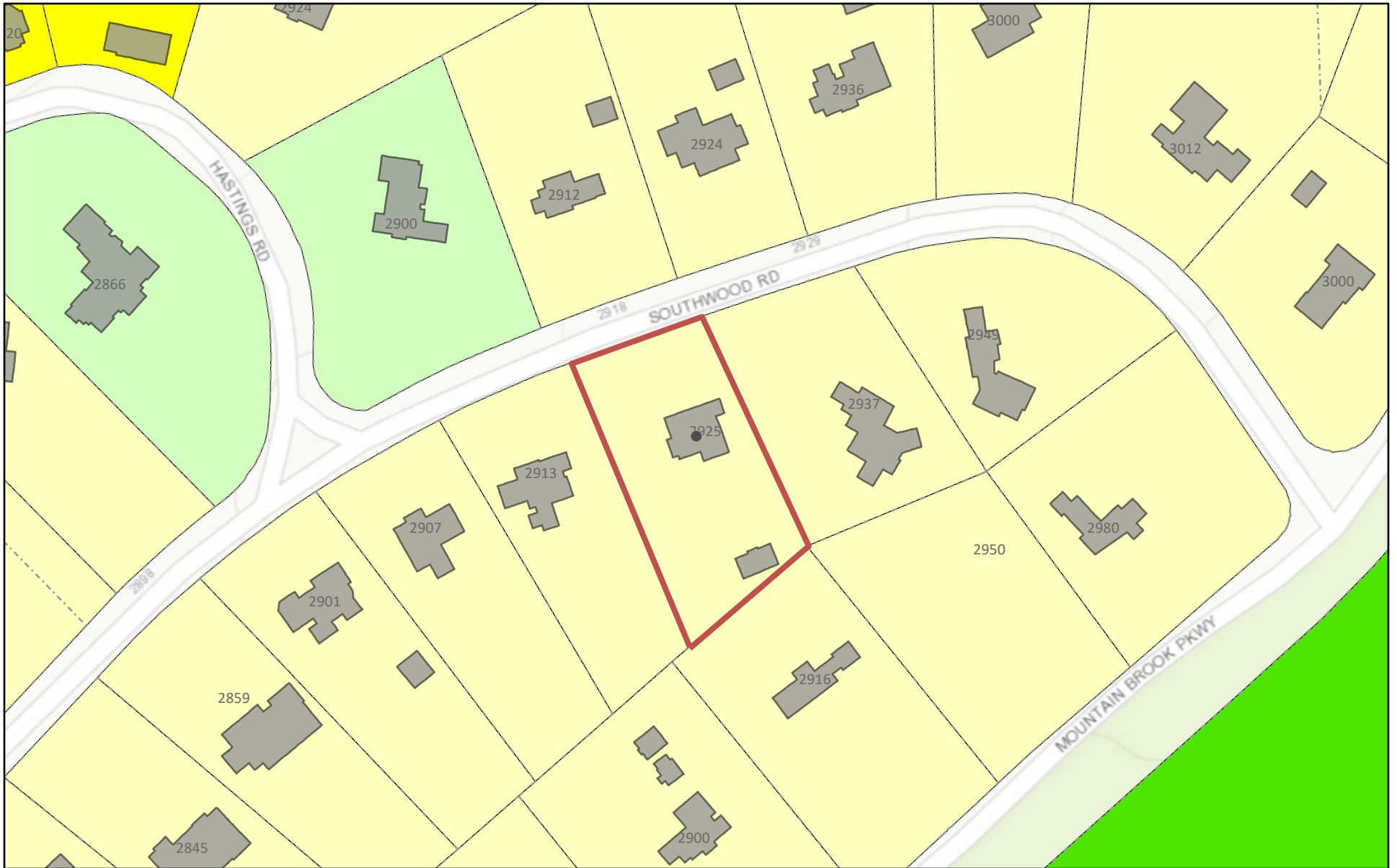
Phone Number NA Email NA

Property owner or representative agent must be present at hearing
RIAN DEMPSEY WILL BE PRESENT AS CONTRACTOR 205-500-1504

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

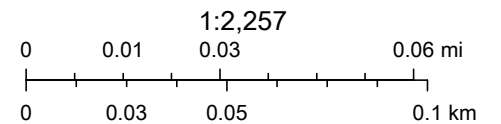
	Zoning Code Requirement	Existing Development	Proposed Development
Lot Area (sf)			
Lot Width (ft)			
Front Setback (ft) <i>primary</i>			
Front Setback (ft) <i>secondary</i>			
Right Side Setback			
Left Side Setback			
Right Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 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	<u>40-</u>	<u>6.6'</u>	<u>6.6'</u>
Other	<u>1,024 SQFT</u>		

A-23-22 Zoning



6/29/2023, 10:36:25 AM

- Building Footprints 2020v1
- Tax_Parcels 2021
- Residence B District
- Lot Lines
- Estate Residence District
- Residence A District
- Recreation District



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

ArcGIS Web AppBuilder

A-23-22 Aerial



6/29/2023, 10:37:50 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-23-22

Petition Summary

Request to allow detached accessory structure to be 6.6 feet from the rear property line (south) in lieu of the required 40 feet.

Scope of Work

The scope of work includes the construction new detached accessory structure to replace one that was damaged by a storm.

Variance Request for Setback

Nexus: The applicant has stated that the hardships in this case are the existing design constraints (existing foundation and utilities), and the angled rear lot line. These stated hardships appear to be reasonably related to the variance request; however, a different view of this case might be that now is the appropriate time to bring a non-conforming building into zoning compliance. The building does not meet the spirit and intent of the zoning ordinance with respect to setback allowance for small detached buildings which are truly “accessory” in nature. The subject building is proposed to be 804 square feet which is not considered “accessory” by the fact that the zoning code requires it to maintain the same side and rear setbacks as the principal structure (40 feet). It is understood that the utilities and footprint already exist, but for all intents and purposes the proposed building is new.

Standard Hardships Required

It may be reasoned that the subject request meets “c.” and “e.” of the following hardship standards:

Section 129-455 of the municipal code outlines the hardships that the board may consider as justification for the granting of a variance:

- a. exceptional narrowness
- b. exceptional shallowness
- c. irregular shape
- d. exceptional topographic conditions
- e. other extraordinary and exceptional situations or conditions of such parcel which would result in peculiar, extraordinary and practical difficulties (existing design constraints).

Applicable findings for any motion to approve should be read into the record of minutes. The Board may determine that the following findings are applicable to this case:

1. That special circumstances or conditions apply to the building or land in question (in that the foundation and utilities are already in place), and

2. That these circumstances are peculiar to such building or land, and
3. That these circumstances do not apply generally to other buildings or land in the vicinity;
4. The condition from which relief or a variance is sought did not result from action by the applicant;
5. That the granting of this variance:
 - a. will not impair an adequate supply of light and air to adjacent property; (given the depth of the rear yard behind the subject property);

Potential Findings for Denial Might Include:

That the granting of this variance:

- a. merely serves as a convenience to the applicant (in that the location of the existing foundation and utilities makes reconstruction in this location easier);
- b. is not in harmony with the spirit and intent of the zoning ordinance (given that the size of the detached building is not considered, by definition, to be incidental or “accessory,” being required to maintain a 40 foot rear setback by code).

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: 2925 Southwood Road

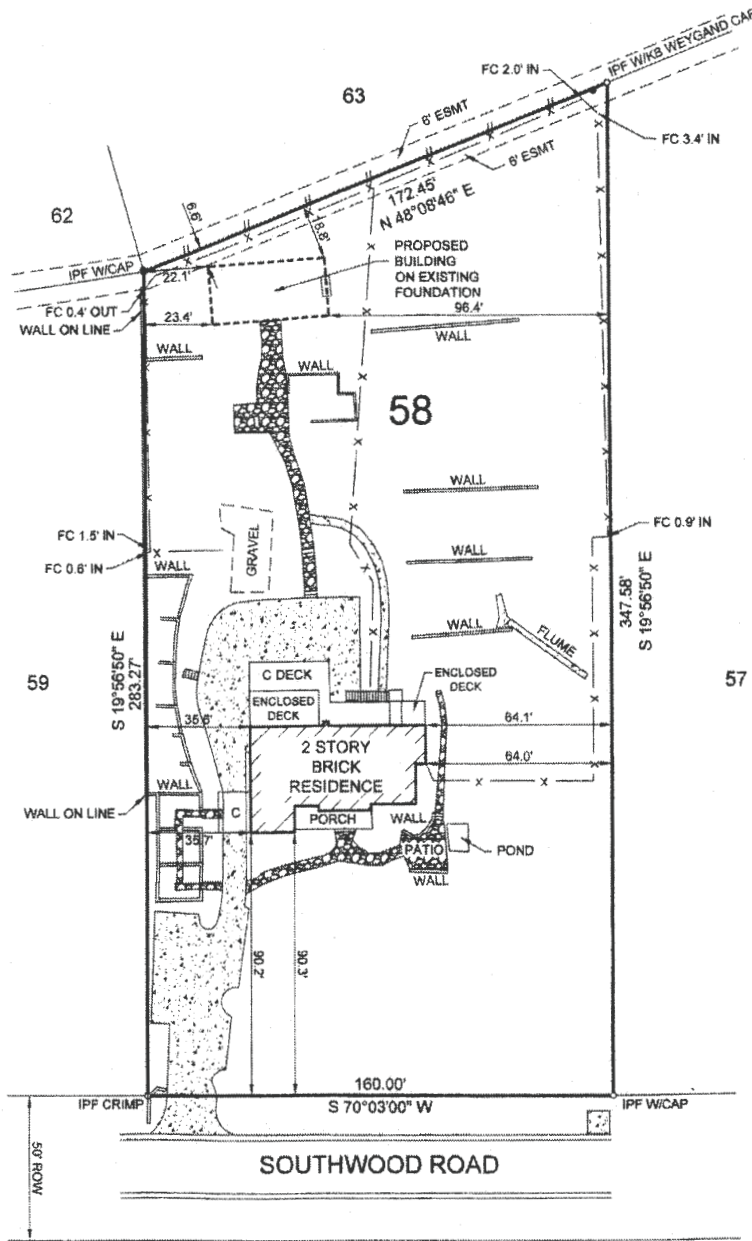
ZONING DISTRICT: Residence A District

OWNERS: Dick D. Briggs Jr.



LEGEND:

- ASPH = asphalt
- BRG = bearing
- BLDG = building
- CALC = calculated
- CAP = capped iron
- CL = centerline
- CH = chond
- CONC = concrete
- C = covered
- d = deflection
- D = curve data angle
- E = east
- ESMT = easement
- FC = fence
- FD = found
- HW = headwall
- IPF = iron pin found
- IPF* = iron pin found w/BSI cap
- IPB = iron pin set w/BSI cap
- L = length
- MEAS = measured
- MIN = minimum
- MH = manhole
- N = north
- CH = overhang
- P = porch
- PC = point of curve
- POB = point of beginning
- POC = point of commencement
- PT = point of tangment
- PVMT = pavement
- R = radius
- REC = recorded
- RES = residence
- RDW = right of way
- S = south
- SAN = sanitary
- STM = storm
- SWR = sewer
- SYN = synthetic
- UTL = utility
- U = uncovered
- W = west
- WI = vart inlet
- ° = degrees
- ' = minutes, in
- " = bearings or angles
- '' = seconds, in
- ' = bearings or angles
- ' = feet, in distance
- AC = acres
- ± = more or less or plus or minus



LOT 50,392± SQ FT
 IMPERVIOUS 9,710 SQ FT
 IMPERVIOUS = 19.27%

STATE OF ALABAMA
 SHELBY COUNTY

I, Carl Daniel Moore, a registered Land Surveyor, certify that I have surveyed Lot 58, MOUNTAIN BROOK ESTATES as recorded in Map Book 18, Pages 76 & 77 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: 2925 Southwood Road according to my survey of May 26, 2023. Survey is not valid unless it is sealed with embossed seal or stamped in red.

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

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

6-1-2023
 Date of Signature



Order No. 917899
 Purchaser: Dempsey Built
 Type of Survey: Property Boundary



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)?

THERE WAS A CABIN THERE. IT WAS DEMOLISHED BY A TREE THAT FELL ON IT DURING A STORM. FOUNDATION, WATER, SEWER + POWER ARE ALREADY RUN TO THAT LOCATION. WE JUST WANT TO BUILD IT BACK.

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 HARDSHIP WAS CAUSED BY NATURE.

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

IT WOULD ALLOW US TO BUILD THE CABIN IN THE SAME PLACE IT WAS AND NOT HAVE TO MOVE ALL THE UTILITIES AND FOUNDATION



Variance Application - Part I

Project Data

Address of Subject Property 79 Country Club Boulevard

Zoning Classification Residence A

Name of Property Owner(s) Ms. Leslie Bashinsky

Phone Number 205-907-4258 Email lbashinsky@bellsouth.net

Name of Surveyor Arrington Engineering

Phone Number 205-985-9315 Email jeff@arringtonengineering.com

Name of Architect (if applicable) Hank Long- Henry Sprott Long & Associates, Inc.

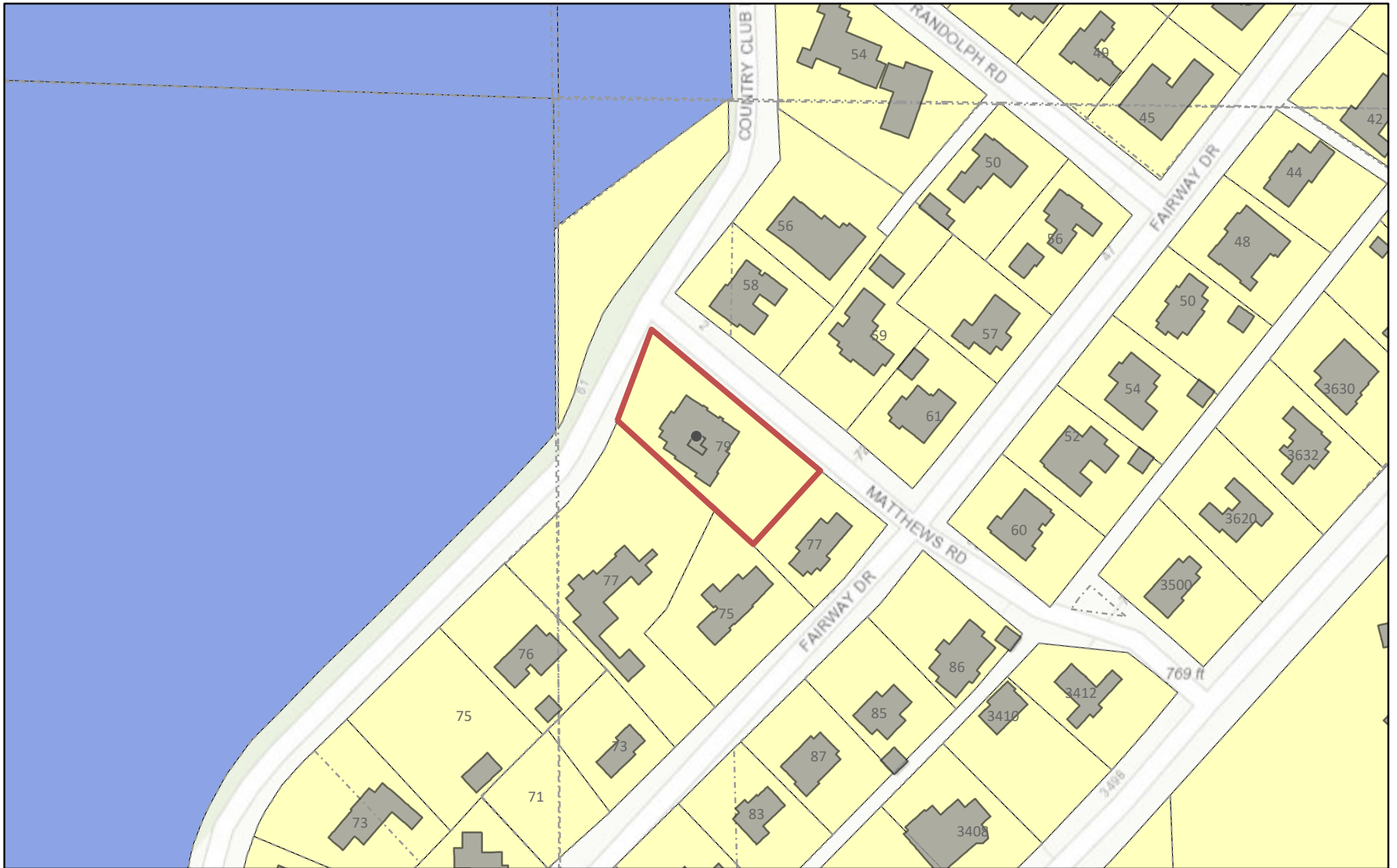
Phone Number 205-323-4564 Email hanklong@bellsouth.net

Property owner or representative agent must be present at hearing

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

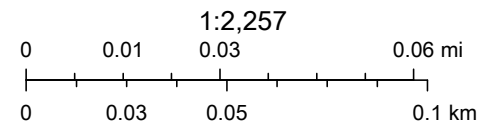
	Zoning Code Requirement	Existing Development	Proposed Development
Lot Area (sf)	30,000 sf	24,230 sf	24,230 sf
Lot Width (ft)	100 ft.	110.0 to 112.77	110.0 to 112.77
Front Setback (ft) <i>primary</i>	40.0 ft.	47.0 ft. +/-	48.0 ft. +/-
Front Setback (ft) <i>secondary</i>	40.0 ft.	19.5 ft.	34.0 ft.
Right Side Setback	15.0 ft.	15.6 ft.	15.0 ft.
Left Side Setback	15.0 ft.	see front second.	see front secondary
Right Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 22' high → 22' high or greater →	N.A.	N.A.	N.A.
Left Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 22' high → 22' high or greater →	N.A.	N.A.	N.A.
Rear Setback (ft)	40.0 ft.	79 ft.	58 ft.
Lot Coverage (%)	25%	20.4% +/-	15.61% +/-
Building Height (ft)	35 ft.	20 ft. +/-	35 ft.
Other			
Other			

A-23-23 Zoning



6/29/2023, 12:56:31 PM

- Building Footprints 2020v1
- Lot Lines
- Tax_Parcel 2021
- Residence A District
- Rec-2



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

ArcGIS Web AppBuilder

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

A-23-23 Aerial



6/29/2023, 12:58:35 PM

Aerial 2021



Green: Band_2



Blue: Band_3



Red: Band_1

1:2,257

0 0.01 0.03 0.06 mi

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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-23-23

Petition Summary

Request to allow a new single family home to be 34 feet from the secondary front property line (Matthews Road) in lieu of the required 40 feet, and to allow a pool to be 1 foot from the side property line (southwest) in lieu of the required 10 feet.

Scope of Work

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

Variance Request for Setback

Nexus: The hardship in this case is the corner lot configuration. The corner lot configuration in the Residence A zoning district requires three setbacks of 40 feet reducing the buildable area. The existing non-conforming home is both larger in its encroachment into the secondary front setback along Matthews Road, as well as larger in its overall footprint compared to the proposed new construction. It should be noted that the proposed encroachment does not span the entire building façade (as does the current encroachment), but it proposed as two “pop-outs,” with a u-shaped courtyard between them. Also, the lot coverage is proposed to be reduced from 20% to 15%.

The proposed pool is to be 1 foot from the interior side property line, but the pool equipment will conform to the required setback of 10 feet.

Standard Hardships Required

The subject request appears to meet “e.” for the the following hardship standards (in that it is a corner lot configuration):

Section 129-455 of the municipal code outlines the hardships that the board may consider as justification for the granting of a variance:

- a. exceptional narrowness
- b. exceptional shallowness
- c. irregular shape
- d. exceptional topographic conditions
- e. other extraordinary and exceptional situations or conditions of such parcel which would result in peculiar, extraordinary and practical difficulties (existing design constraints).

Applicable findings for any motion to approve should be read into the record of minutes. The Board may determine that the following findings are applicable to this case:

1. That special circumstances or conditions apply to the building or land in question, and
2. That these circumstances are peculiar to such building or land, and

3. That these circumstances do not apply generally to other buildings or land in the vicinity;
4. The condition from which relief or a variance is sought did not result from action by the applicant;
5. That the granting of this variance:
 - a. will not impair an adequate supply of light and air to adjacent property; (since the pool is in an in-ground structure)
 - b. will not be detrimental to the streetscape (in that the only other house along this same side of Matthews Road is approximately 26 feet from the secondary front property line along Matthews);
 - c. does not merely serve as a convenience to the applicant;
 - d. is in harmony with the spirit and intent of the zoning ordinance (in that the proposed secondary front setback does not break “line” with the facades of other structures along the same side of the street).

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

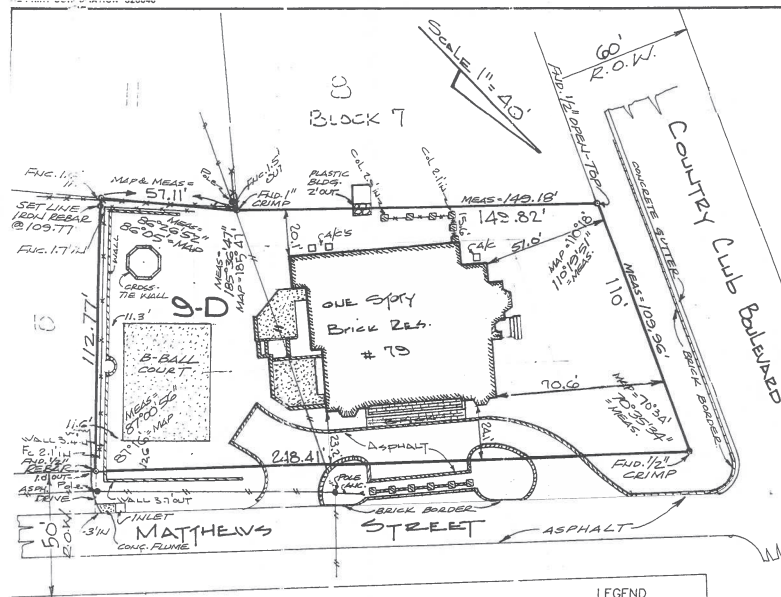
Article III, Section 129-34 Area and dimensional requirements

Appends

LOCATION: 79 Country Club Boulevard

ZONING DISTRICT: Residence A District

OWNERS: Leslie Bashinsky



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
SF.	SQUARE FEET
CL	CENTERLINE
A/C	AIR CONDITIONER
●	POLE
⋈	ANCHOR
-x-	FENCE
---	PIPER LINE
PVMT	PAVEMENT
W/	WITH
TAN	TANGENT
RES	RESIDENCE
oLGT	LIGHT
COV	COVERED
▨	DECK
⊕	CONCRETE
▤	WALL

* A Resurvey of Lots 9 and 9-C, Block 7, First Addition to Country Club Gardens (as recorded in Map Book 17, Page 87) and Lots 9-A and 9-B, Block 7, Country Club Gardens (as recorded in Map Book 15, Page 10)



STATE OF ALABAMA
JEFFERSON COUNTY

"Closing Survey"

I, Ray Weygard, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot 9-D, Block 7, * as recorded in Map Volume 23, Page 22, 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 lot 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 MARCH 12, 2014. Survey (inv.) if not sealed in red.

Order No.: 98260
Purchaser:
Address: 79 COUNTRY CLUB BOULEVARD

Ray Weygard
Ray Weygard, Reg. L.S. #24973
169 Oxmoor Road, Homewood, AL 35209
Phone: (205) 942-0086 Fax: (205) 942-0087

Note: (a) No field 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 and/or burial sites were not located unless otherwise noted. We do not look for underground sewers or fire 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.

SURVEY OF EXIST. RESIDENCE
AT 79 COUNTRY CLUB BLYD.

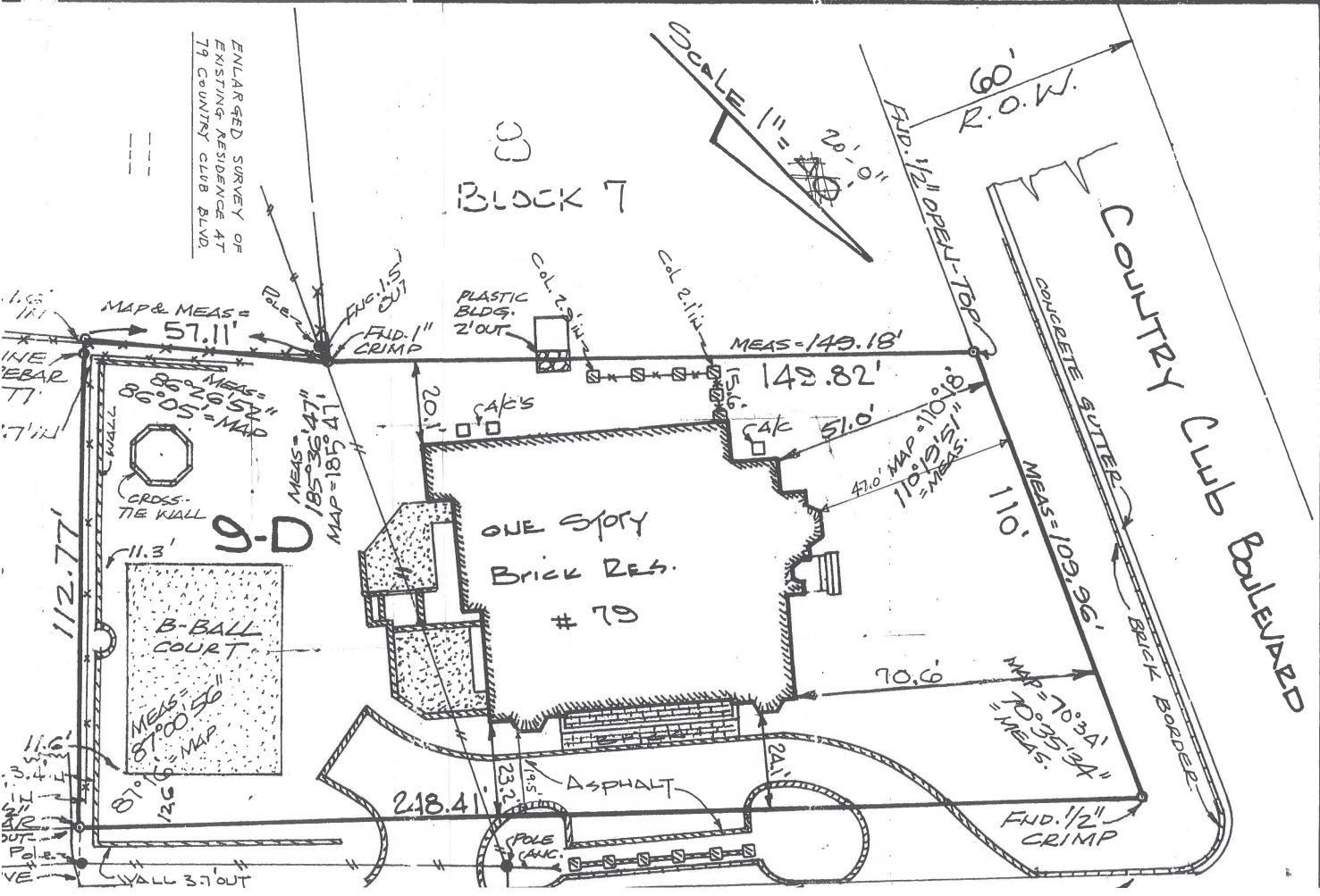
ENLARGED SURVEY OF
EXISTING RESIDENCE AT
79 COUNTRY CLUB BLVD.

BLOCK 7

SCALE 1" = 20'-0"

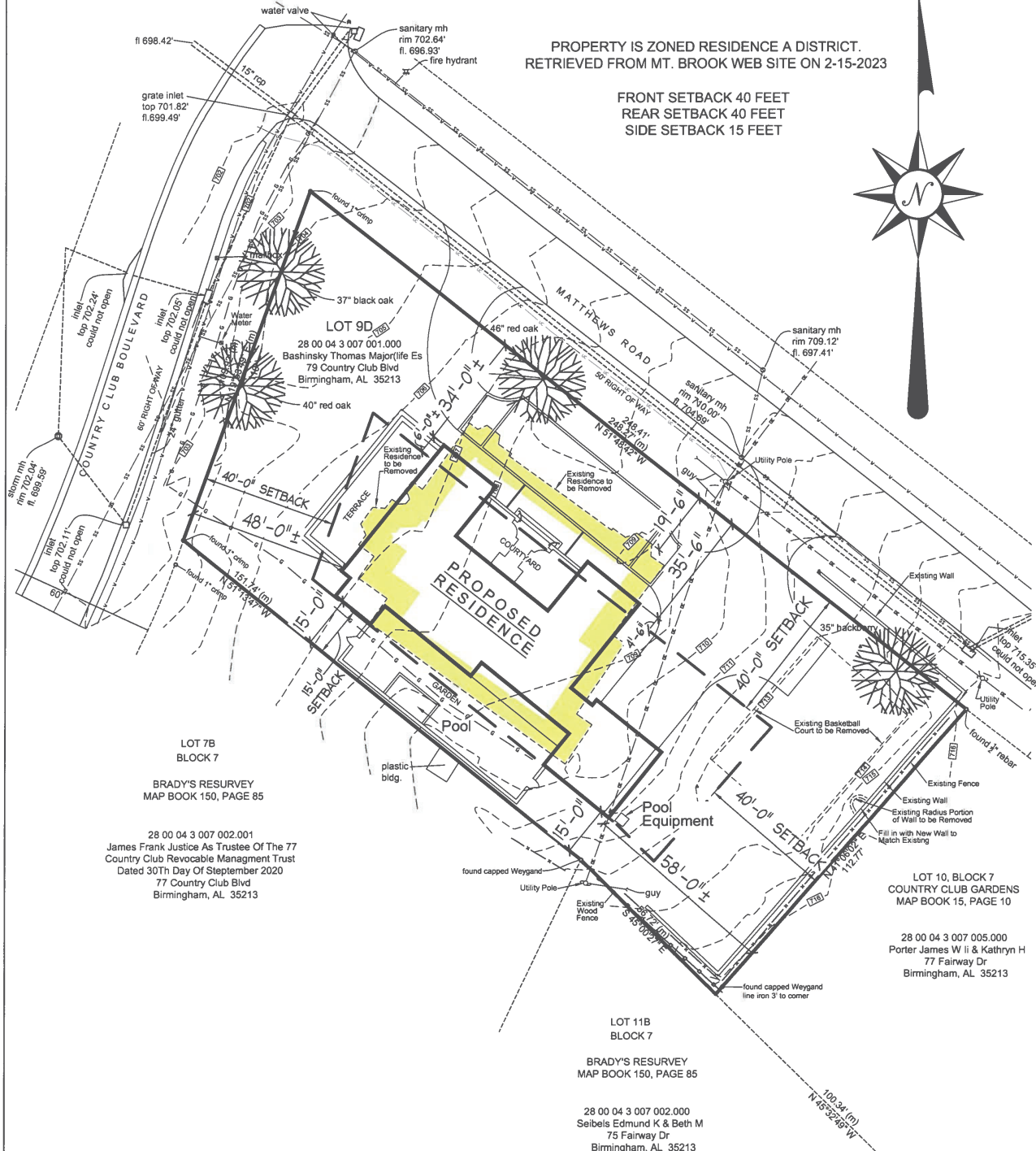
60'
R.O.W.

COUNTRY CLUB BOULEVARD



PROPERTY IS ZONED RESIDENCE A DISTRICT.
RETRIEVED FROM MT. BROOK WEB SITE ON 2-15-2023

FRONT SETBACK 40 FEET
REAR SETBACK 40 FEET
SIDE SETBACK 15 FEET



S I T E P L A N

SCALE 1" = 30' - 0"

PRELIMINARY
NOT FOR
CONSTRUCTION
06.13.23

A RESIDENCE FOR MRS. LESLIE BASHINSKY MOUNTAIN BROOK, ALABAMA

Henry Sprott Long & Associates, Inc.
ARCHITECTS
3016 Clairmont Avenue Birmingham, Alabama
Phone: 205-323-4564







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 Attachment

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 Attachment

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

See Attachment

Attachment to the Variance Application for Ms. Leslie Bashinsky

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 non-conforming Residence A lot at 79 Country Club Boulevard has an existing non-conforming residence with a setback of 19.5 feet at the secondary front setback. We propose to tear down the existing residence and build a new residence that would have a setback of 34.0 feet from the secondary front on Matthews Road rather than the required 40.0 feet. All other setbacks will meet Residence "A" requirements. This non-conforming setback request is created by the corner lot setback restrictions, which require two front and one rear setback of 40.0 feet. Therefore, the combination of the more restrictive 2 fronts and one rear setback required for corner lots and the non-conforming lot size of 24,230 sf, rather than the required 30,000 sf, has created a hardship that makes it necessary to ask for a variance at the secondary front setback for the new residence.

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 residence will encroach less than the existing residence non-conforming secondary front setback. The new 34.0 foot front secondary setback requested is less invasive than the existing 19.5 foot secondary setback. Therefore, the granting of a variance will allow relief from the hardships caused by the corner lot setback restrictions while bring the lot closer to conformity with the required secondary front corner lot setback. Also, the lot coverage for the new residence will be less than the existing residence and will be approximately 15.6% in lieu of the existing 20.4% lot coverage.

Henry Sprott Long & Associates

ARCHITECTS

June 19, 2023

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

ATTENTION: Tammy Reid via email

RE: Proposed New Residence at 79 Country Club Boulevard for Ms. Leslie Bashinsky

Ladies and Gentlemen:

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

We are requesting a variance to allow the construction of a new residence at 79 Country Club Boulevard, which is zoned Residence "A". The non-conforming Residence A lot at 79 Country Club Boulevard currently has an existing non-conforming residence with a setback of 19.5 feet at the secondary front setback. We propose to tear down the existing residence and build a new residence that would have a setback of 34.0 feet from the secondary front on Matthews Road rather than the required 40.0 feet. All other setbacks will meet Residence "A" requirements. This non-conforming setback request is created by the corner lot setback restrictions, which require two front and one rear setback of 40.0 feet. Therefore, the combination of the more restrictive 2 fronts and one rear setback required for corner lots and the non-conforming lot size of 24,230 sf, rather than the required 30,000 sf, has created a hardship that makes it necessary to ask for a variance at the secondary front setback for the new residence. The proposed residence will encroach less than the existing residence non-conforming secondary front setback. The new 34.0 foot front secondary setback requested is less invasive than the existing 19.5 foot secondary setback. Therefore, the granting of a variance will allow relief from the hardships caused by the corner lot setback restrictions while bring the lot closer to conformity with the required secondary front corner lot setback. Also, the lot coverage for the new residence will be less than the existing residence and will be approximately 15.6% in lieu of the existing 20.4% lot coverage.

We are also requesting a variance to allow construction of a small plunge pool (7'-0" x 14'-0") to be 1'-0" off of the right side property line in lieu of the required 10'-0" setback for pools. We are proposing an 8'-0" tall wall at the right side property line and the proposed pool will abut the inside face of the wall. The proposed pool equipment will meet the required 10'-0" setback requirement.

The required variance application forms, graphic explanation of the proposed additions and certified list of adjacent property owners are included. A check for \$ 100.00 to cover the hearing fee is also included. All information is submitted in preparation for the zoning board meeting on Monday July 17, 2023.

Thank you for your consideration in this matter.

Sincerely,

HENRY SPROTT LONG & ASSOCIATES, INC.

A handwritten signature in cursive script that reads "Hank Long".

Henry Sprott Long, Jr., President

HSLjr/ab

Enclosures

cc: Ms. Leslie Bashinsky



Variance Application - Part I

Project Data

Address of Subject Property 3724 Mountain Park Drive
 Zoning Classification Residence 'B'
 Name of Property Owner(s) Fran and Keith Anderton
 Phone Number 205-600-6621 Email fkanderton@gmail.com
 Name of Surveyor Steven J. Clinkscates
 Phone Number 205-671-1033 Email info@clinksurveying.com
 Name of Architect (if applicable) Matthew V. Costanzo
 Phone Number 205-266-2825 Email matt@mvcarchitect.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)):

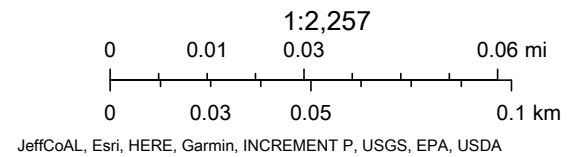
	Zoning Code Requirement	Existing Development	Proposed Development
Lot Area (sf)			
Lot Width (ft)			
Front Setback (ft) <i>primary</i>	35'	34.7'	34.7'
Front Setback (ft) <i>secondary</i>			
Right Side Setback			
Left Side Setback			
Right Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 22' high → 22' high or greater →	9'	3.2'	5.7'
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-23-24 Zoning



6/29/2023, 1:11:32 PM

- Building Footprints 2020v1
- Lot Lines
- Tax_Parcel 2021
- Residence B District
- Residence A District
- Residence D District



A-23-24 Aerial



6/29/2023, 1:12:56 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-23-24

Petition Summary

Request to allow additions and alterations to an existing single family dwelling to be 34.7 feet from the front property line (Mountain Park Drive) in lieu of the required 35 feet, and 5.7 feet from the side property line (southeast) in lieu of the required 9 feet.

Scope of Work

The scope of work includes the enclosure of an existing covered front porch and a new single story addition on the right side.

Variance Request for Setbacks

Nexus: The hardship in this case is the existing design constraint. The non-conforming covered front porch is currently 34.7 feet from the front property line, and aligns with the existing front façade of the house. The addition along the side aligns with the existing side façade of the house at 5.7 feet. Neither addition will increase the encroachment from what currently exists. It should be noted that the existing footprint of house is skewed toward the right side of the narrow property, with a greater-than-required side setback on the left side of the property.

Standard Hardships Required

The subject request appears to meet “a.” and “e.” of the following hardship standards:

Section 129-455 of the municipal code outlines the hardships that the board may consider as justification for the granting of a variance:

- a. exceptional narrowness
- b. exceptional shallowness
- c. irregular shape
- d. exceptional topographic conditions
- e. other extraordinary and exceptional situations or conditions of such parcel which would result in peculiar, extraordinary and practical difficulties (existing design constraints).

Applicable findings for any motion to approve should be read into the record of minutes. The Board may determine that the following findings are applicable to this case:

1. That special circumstances or conditions apply to the building or land in question, and
2. That these circumstances are peculiar to such building or land, and
3. That these circumstances do not apply generally to other buildings or land in the vicinity;
4. The condition from which relief or a variance is sought did not result from action by the applicant;
5. That the granting of this variance:

- a. will not impair an adequate supply of light and air to adjacent property (given that it is a one-story addition and are aligned with the existing facades);
- b. will not be detrimental to the streetscape (given that the enclosed porch is within the existing footprint of the house, and aligns with the front façade of the house);
- c. does not merely serve as a convenience to the applicant (in that it makes practical sense to align with the existing house);
- d. is in harmony with the spirit and intent of the zoning ordinance.

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

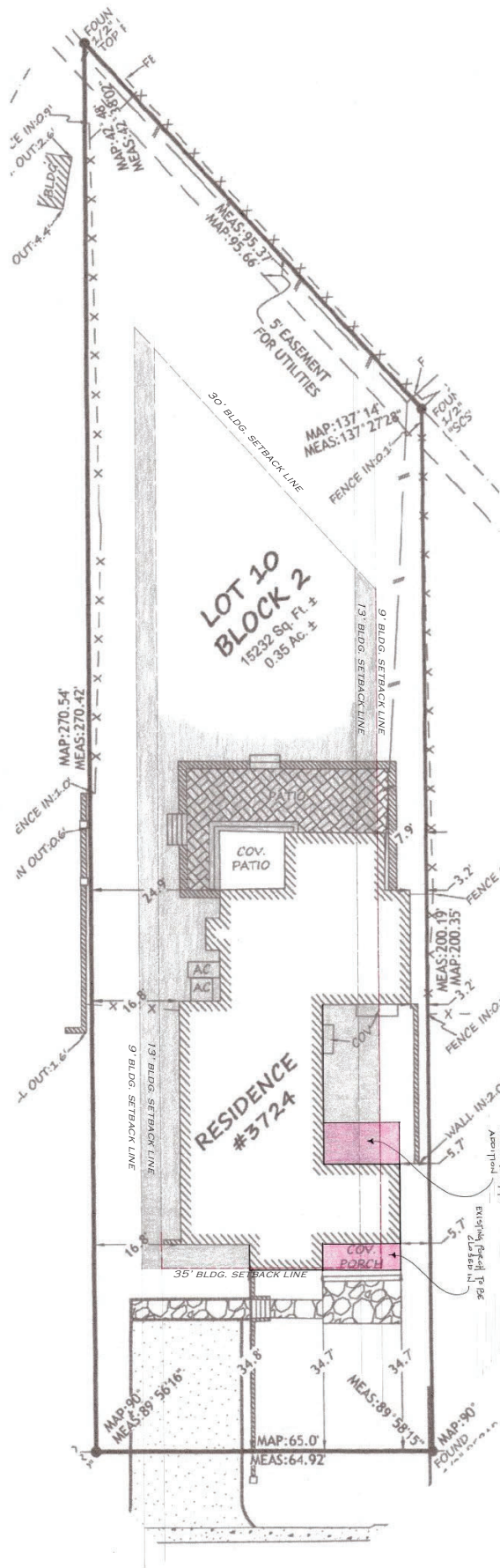
Article IV, Section 129-53 Area and dimensional requirements

Appends

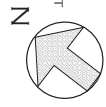
LOCATION: 3724 Mountain Park Drive

ZONING DISTRICT: Residence B District

OWNERS: Fran and Keith Anderton



SITE ANALYSIS FOR VARIANCE REQUEST
 scale: 1" = 10'-0"



1
1

JUNE 21ST 2023

A Renovation and Addition to the residence of
 Mr. and Mrs. Keith Anderton and Family
 3724 Mountain Park Drive, Mountain Brook, Alabama

MV MATTHEW V. COSTANZO
 ARCHITECT
 4425 KENNESAW DRIVE • BIRMINGHAM, ALABAMA 35213
 205-266-2825



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 SHAPE OF THE LOT AND THE EXISTING DESIGN CONSTRAINTS OF THE CURRENT RESIDENCE.

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 RELIEF SOUGHT WAS NOT A RESULT OF ACTION BY THE APPLICANT

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

IT WOULD ALLOW THE OWNERS TO INCORPORATE SPACE THAT CURRENT EXISTS UNDER ROOF AND ADD A NEW PORCH THAT TIES INTO THE EXISTING STRUCTURE



MATTHEW V. COSTANZO
ARCHITECT

June 20, 2023

Mountain Brook Board of Zoning Adjustment
56 Church Street
Mountain Brook, AL 35213

Board Members:

This letter, written on behalf of Mr. and Mrs. Keith Anderton, is a request for a variance to close in an existing porch, and construct a new single-story addition that extends beyond the required setback lines. The property is located at 3724 Mountain Park Drive.

The property, which is zoned Non-Conforming Residence B, has a required front setback of 40.0 feet, and a required side setback of 9.0 feet from the property line. The current residence as it exists extends beyond the front and right-side setbacks. Due to the existing design constraints, a variance is requested to close in an existing front porch and allow the construction of a new single-story addition in the areas that currently sit beyond the required setback. The new addition will have a roof height similar to what currently exists on the front porch. No other variance is requested at this time.

We appreciate your assistance in this matter.

Sincerely,

Matthew V. Costanzo
Registered Architect, AL #8888



Variance Application - Part I

Project Data

Address of Subject Property 304 DEXTER AVENUE

Zoning Classification RESIDENCE C DISTRICT

Name of Property Owner(s) SARA JAMES

Phone Number (702) 581-2108 Email DENBOJAMES@GMAIL.COM

Name of Surveyor RAY WEYGAND

Phone Number (205) 942-0086 Email _____

Name of Architect (if applicable) EMILY COE - THOMPSON ARCHITECTURE

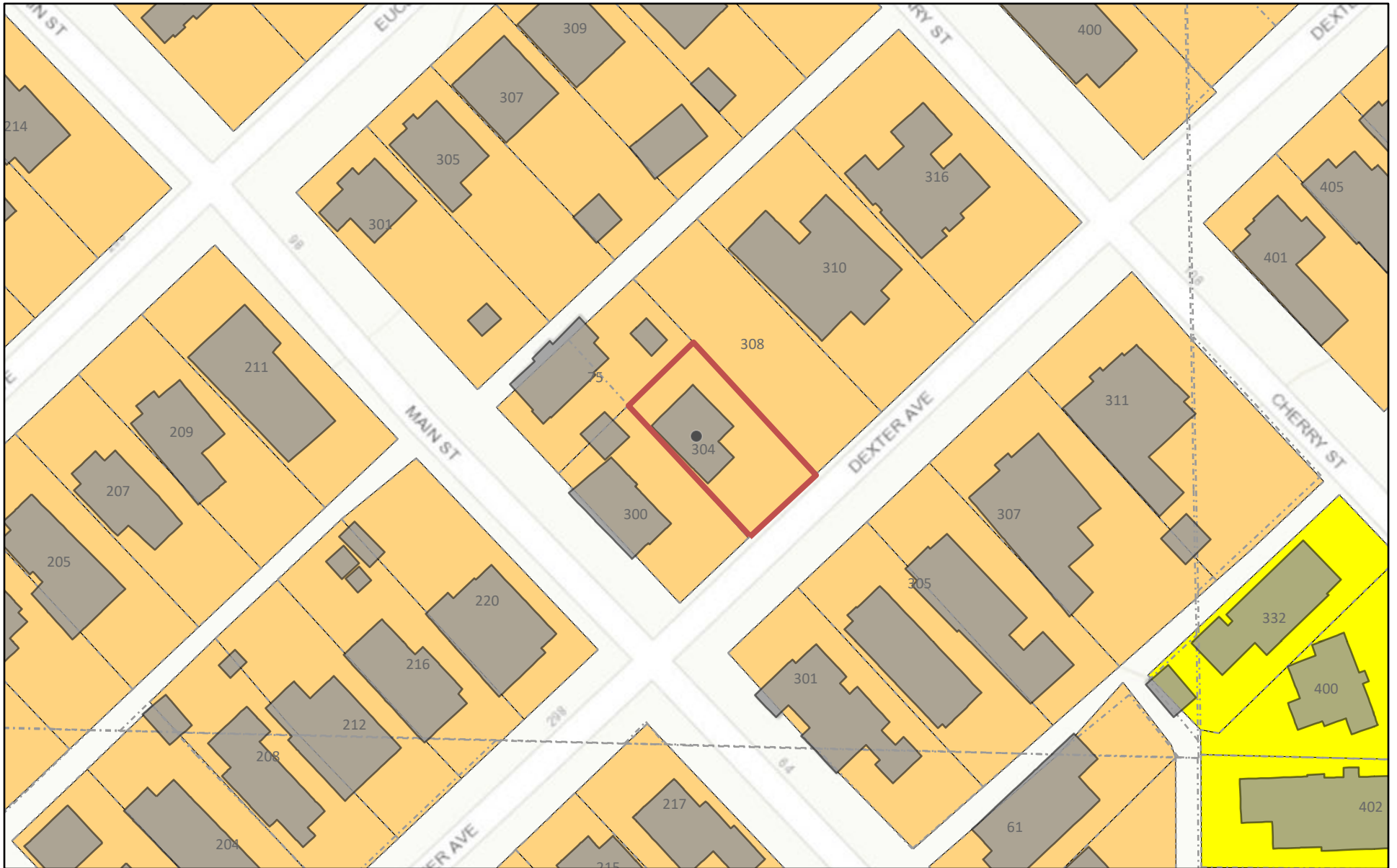
Phone Number (205) 414-1272 Email ECO@THOMPSONARCHITECTURE.COM

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)	7500	5000	5000
Lot Width (ft)	70'	50'	50'
Front Setback (ft) <i>primary</i>	35'	24.9'	N/A
Front Setback (ft) <i>secondary</i>	15'	N/A	N/A
Right Side Setback	NONCORMING	11.8'	
Left Side Setback	NONCORMING	8'	
Right Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 22' high → 22' high or greater →	8' 12'	8' N/A	8'-5" N/A
Left Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 22' high → 22' high or greater →	8' 12'	8' N/A	8' N/A
Rear Setback (ft)	30'	25'	13'-4"
Lot Coverage (%)	35 %	29 %	34.9 %
Building Height (ft)	35'	32'	13'-0" @ WALL FACE 22'-0" @ HIGHEST POINT
Other			
Other			

A-23-26 Zoning



7/5/2023, 10:26:32 AM

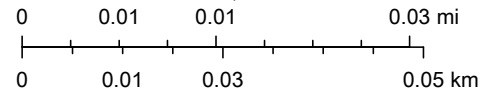
Building Footprints 2020v1 Tax_Parcels 2021

Lot Lines

Residence B District

Residence C District

1:1,128



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

ArcGIS Web AppBuilder

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

A-23-26 Aerial



7/5/2023, 10:27:40 AM

Aerial 2021



Green: Band_2



Blue: Band_3



Red: Band_1

1:1,128

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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-23-26

Petition Summary

Request to allow an addition to be 13 feet 4 inches from the rear property line (northwest) in lieu of the required 30 feet, and to allow pool equipment to be 5 feet from the side property line (southwest) in lieu of the required 10 feet.

Recent Background

On June 19, 2023, the Board heard a request (Case A-23-18) to allow additions and alterations to be 24 feet 6 inches from the front property line (Dexter Avenue) in lieu of the required 35 feet, to be 12 feet from the rear property line (northwest) in lieu of the required 30 feet, to be 6 feet from the side property line (northeast) in lieu of the required 8 feet for portions of the building below 22 feet in height, to allow the maximum building area to be 39.9% in lieu of the maximum allowed of 35 percent, to allow walls to be as tall as 12 feet 9 inches in height in a front setback in lieu of the maximum front yard wall height allowed of 4 feet, to allow a wall to be as tall as 12 feet 4 inches in height in a side setback (northeast) in lieu of the maximum wall height allowed in a side setback of 8 feet, to allow a pool to be 0 feet from the rear property line (northwest) in lieu of the required 10 feet, and to allow pool equipment to be located 5 feet from a side property line (southwest) in lieu of the required 10 feet.

The Board approved the variances related to the front setback and walls. The Board denied the variances for lot coverage and the rear and side setbacks. The Board also approved the applicant's request to withdraw the pool and related pool equipment from the original request.

Scope of Work

The scope of work for the revised proposal entails:

- An addition to the rear that is smaller in scope than that which was denied by the Board;
- Adding back in the request for the pool equipment in the side yard (5 feet);
- Relocating the pool to meet setback requirements (no variance needed);
- Revising the rear addition to be 8 feet from the side property line (no longer needing a variance; originally 6 feet from the side property line);
- Reducing the lot coverage to meet the code.

Request for Rear Setback

Nexus: While it is true that the subject property's lot size (5,000) is smaller than the required 7,500 square foot lot/setback ratio, and the lot is shallow at 100 feet in depth versus an average of 150, there is not a strong nexus between lot size, width, and depth and the proposed encroachment request. Given the shallowness of the lot, a minor rear yard encroachment may be appropriate; however, the considerable requested rear yard

encroachment is 16 feet 8 inches into a required 30 foot rear setback, and appears to be more a matter of convenience than an undue hardship.

Request for Rear Setback

The applicant is also requesting a setback variance to allow the pool equipment to be 5 feet from the left side property line in lieu of the required 10 feet. The applicant has provided information related to the proposed sound suppression of this equipment.

Impervious Area

The proposed post construction impervious surface area exceeds the maximum allowed; which would have to be remedied with the Building Official in order to pull a permit, should the variances be approved.

Subject Property and Surrounding Land Uses

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

Affected Regulation

Article V, Section 129-63 Special provisions for nonconforming Residence C lots

Appends

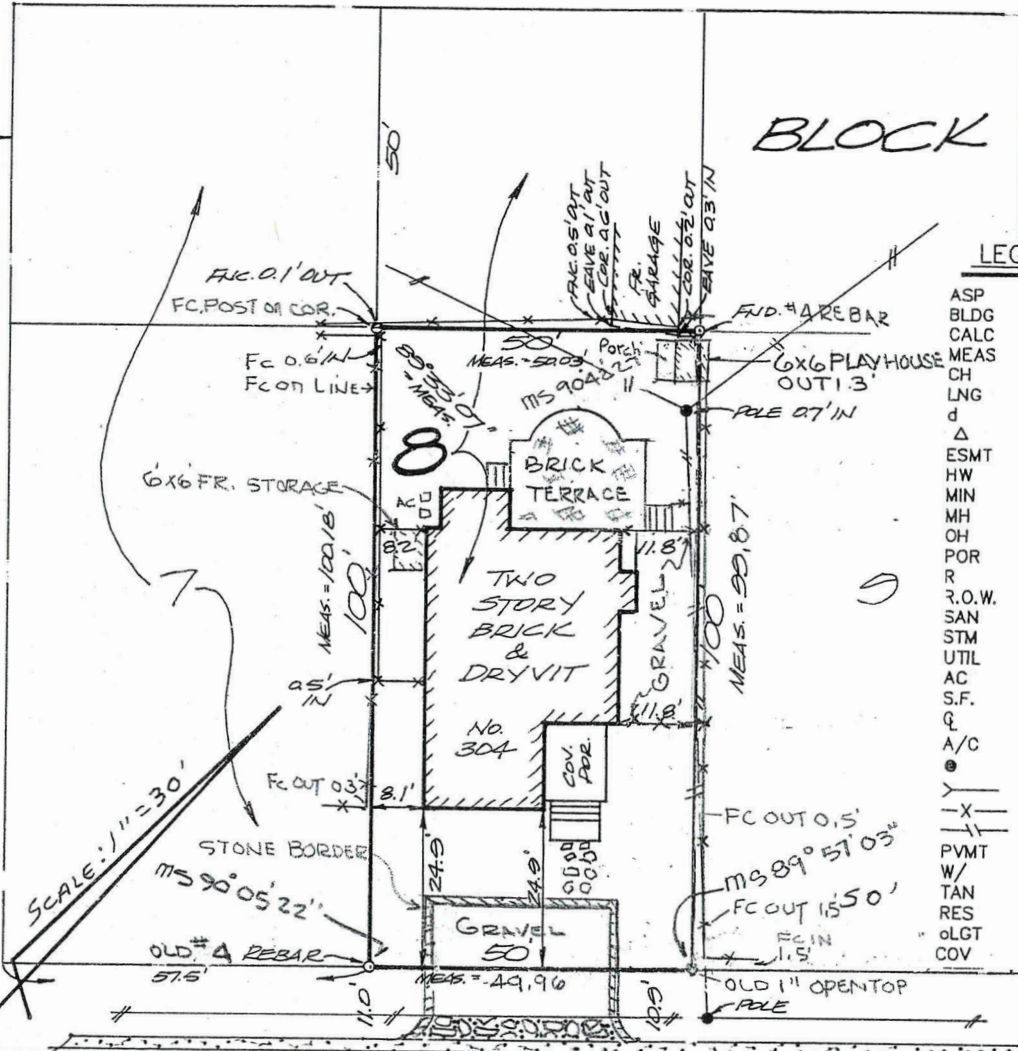
LOCATION: 304 Dexter Avenue

ZONING DISTRICT: Residence C District

OWNERS: Sara James

MAIN STREET

BLOCK 15



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
⋈	ANCHOR
-X-	FENCE
— —	OVERHEAD UTILITY
PVMT	PAVEMENT
W/	WITH
TAN	TANGENT
RES	RESIDENCE
oLGT	LIGHT
COV	COVERED

SCALE: 1" = 30'



DEXTER AVENUE

*S.E. 100 FEET OF LOT 8

"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 * Block 15 CRESTLINE HEIGHTS as recorded in Map Volume 7, Page 16 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 MARCH 23, 2010. Survey invalid if not sealed in red.

Order No.: 82788
 Purchaser:
 Address: 304 DEXTER AVE.

[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.

REQUESTING AN 16'-8" VARIANCE TO ALLOW FOR 13'-4" REAR SETBACK DUE TO HARDSHIP OF LOT SIZE. BUILDING WOULD NOT BE TALLER THAN 22'-0"

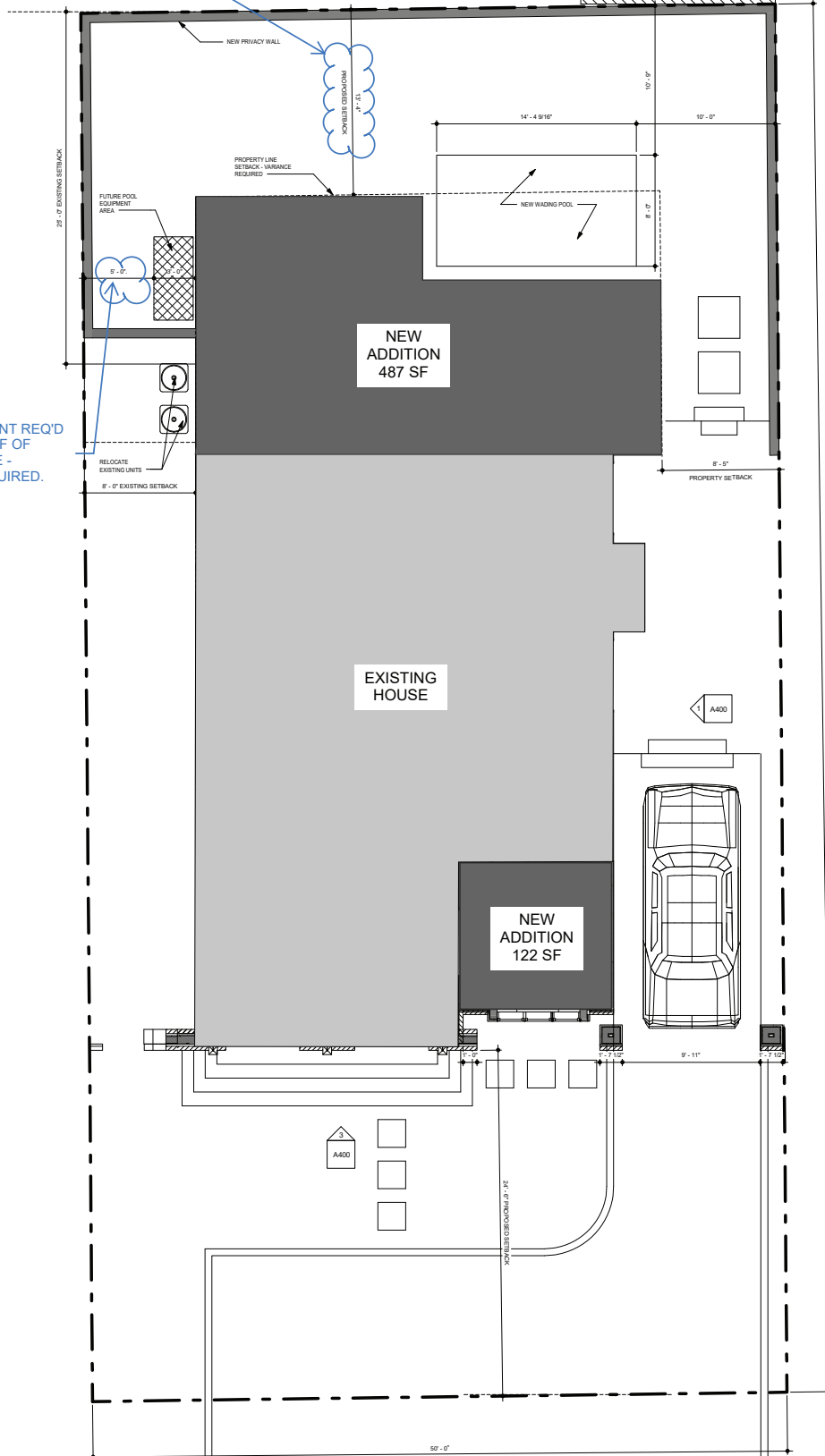


THOMPSONARCHITECTURE
INCORPORATED

EXISTING NEIGHBOR GARAGE

EXISTING NEIGHBOR GARAGE

POOL EQUIPMENT REQ'D TO SIT 10'-0" OFF OF PROPERTY LINE - VARIANCE REQUIRED.



JAMES RESIDENCE
304 DEXTER AVENUE

EXISTING SF @ FIRST FLOOR	-	1140 SF
MUD ROOM ADDITION	-	122 SF
MASTER ADDITION	-	487 SF
TOTAL		1749 SF

LOT SIZE	5,000 SF	ALLOWABLE	PROVIDED
FOOTPRINT	1,749 SF	35 %	34.98 %

REQUESTING AN 18' VARIANCE TO ALLOW FOR 12'-0" REAR SETBACK DUE TO HARDSHIP OF LOT SIZE. BUILDING WOULD NOT BE TALLER THAN 22'-0"

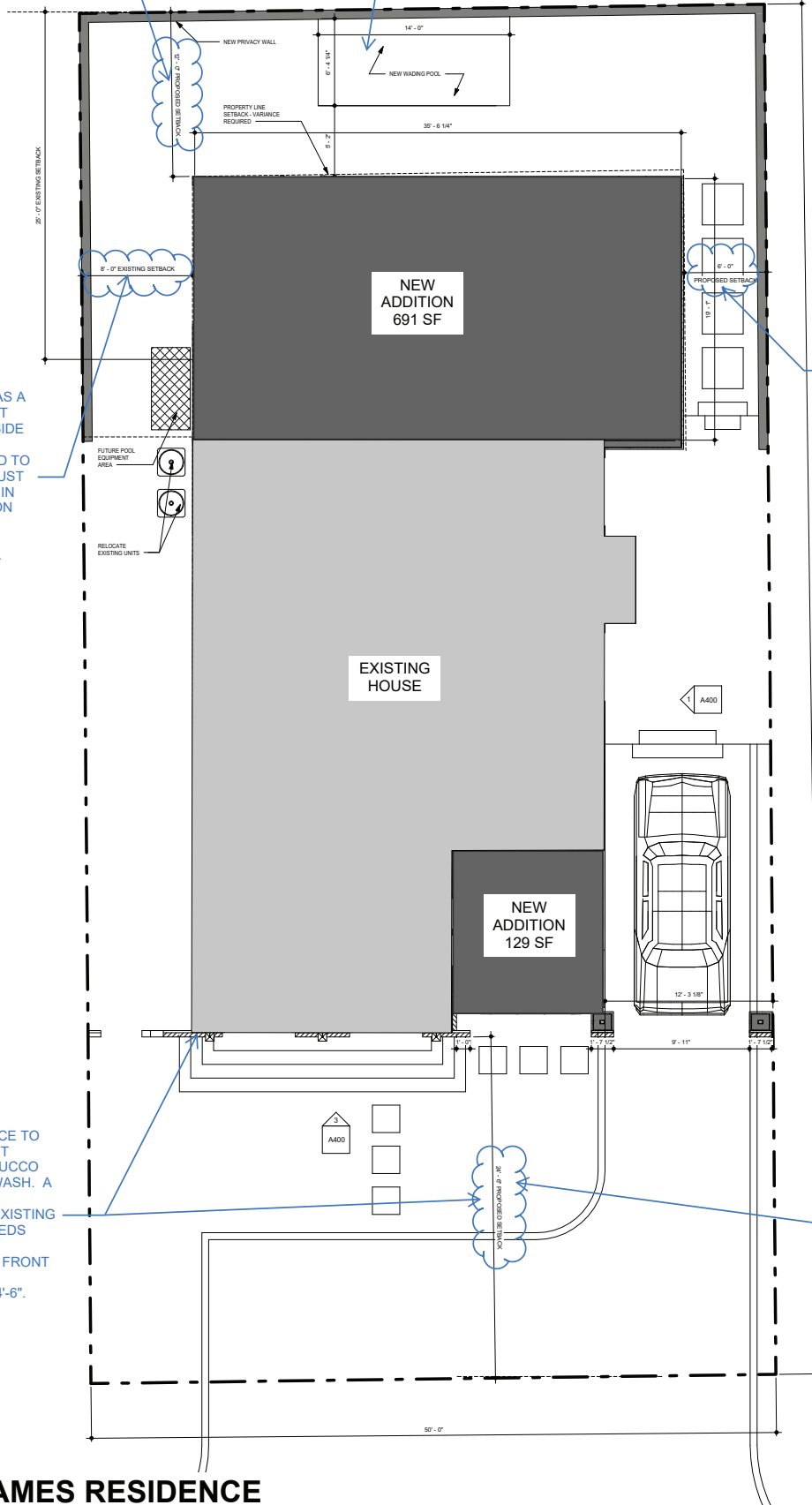
POOLS REQUIRE A 10'-0" SETBACK OFF OF REAR PROPERTY LINE. THIS WOULD NOT BE A FULL SIZE POOL AND WOULD BE MORE OF A DIPPING OR WADING POOL - WE ARE REQUESTING THE POOL BE ALLOWED TO SIT AGAINST THE REAR PRIVACY WALL AND THEREFORE REQUESTING A 10'-0" SETBACK VARIANCE

LOT IS RECOGNIZED AS A NONCONFORMING LOT PER ZONING CODE. SIDE YARD SETBACK IS THEREFORE ALLOWED TO BE 8'-0". BUILDING MUST REMAIN BELOW 22'-0" IN HEIGHT. NEW ADDITION WOULD ALIGN WITH EXISTING HOME. - NO VARIANCE REQUIRED.

LOT IS RECOGNIZED AS A NONCONFORMING LOT PER ZONING CODE. SIDE YARD SETBACK IS THEREFORE ALLOWED TO BE 8'-0". REQUESTING A 2'-0" VARIANCE

REQUEST VARIANCE TO REVISE THE FRONT VENEER FROM STUCCO TO A BRICK LIMEWASH. A 35'-0" SETBACK IS REQUIRED. THE EXISTING RESIDENCE EXCEEDS THIS DIMENSION. REQUESTING THE FRONT SETBACK TO BE REDUCED 4" TO 24'-6".

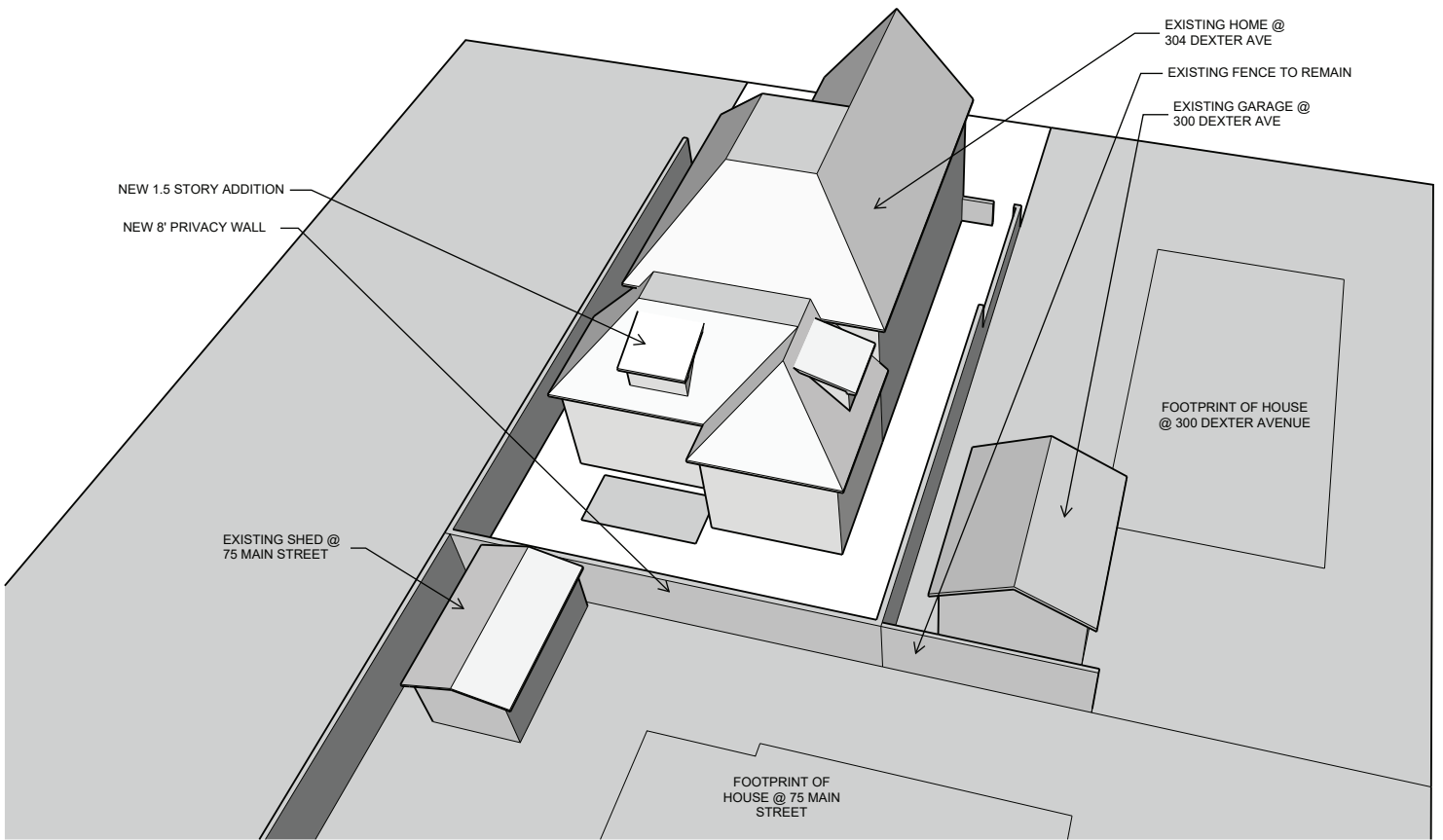
FRONT YARD SETBACK IS SET AT 35'-0". BUILDING MUST REMAIN BELOW 35'-0" IN HEIGHT. VARIANCE REQUIRED FOR NEW ADDITION

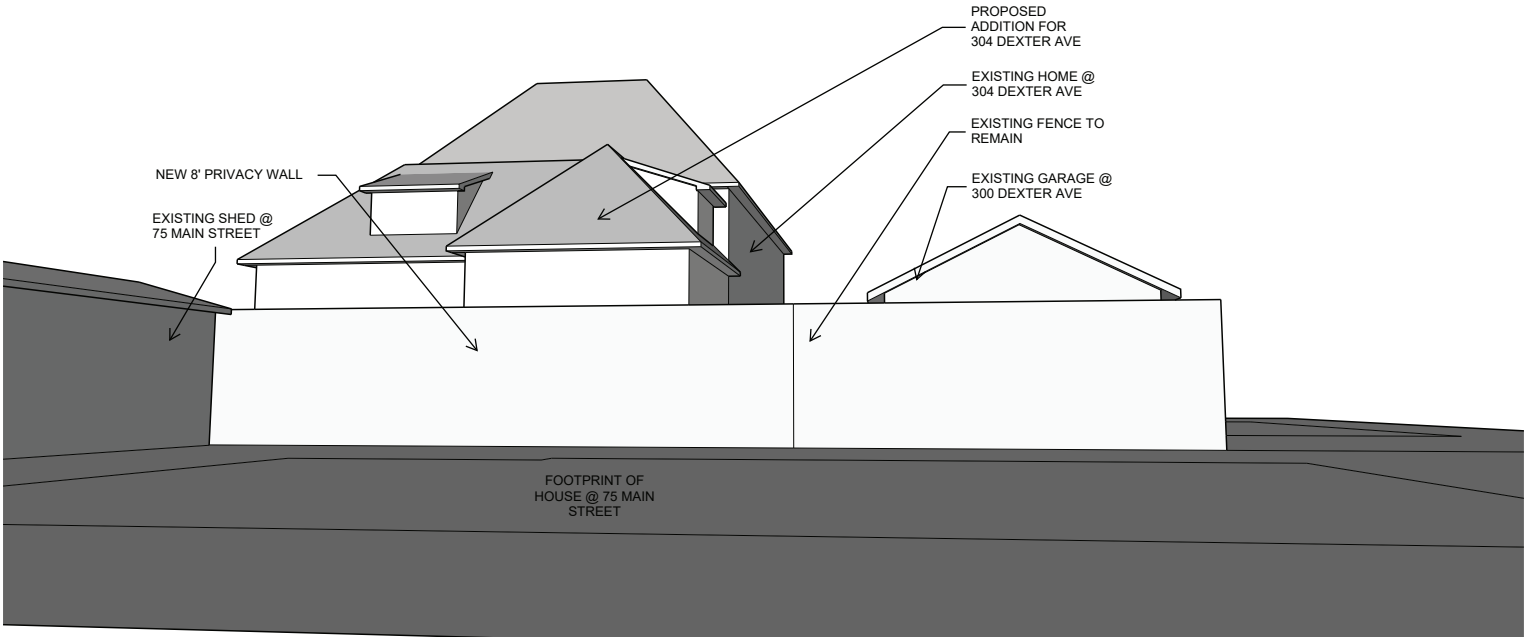


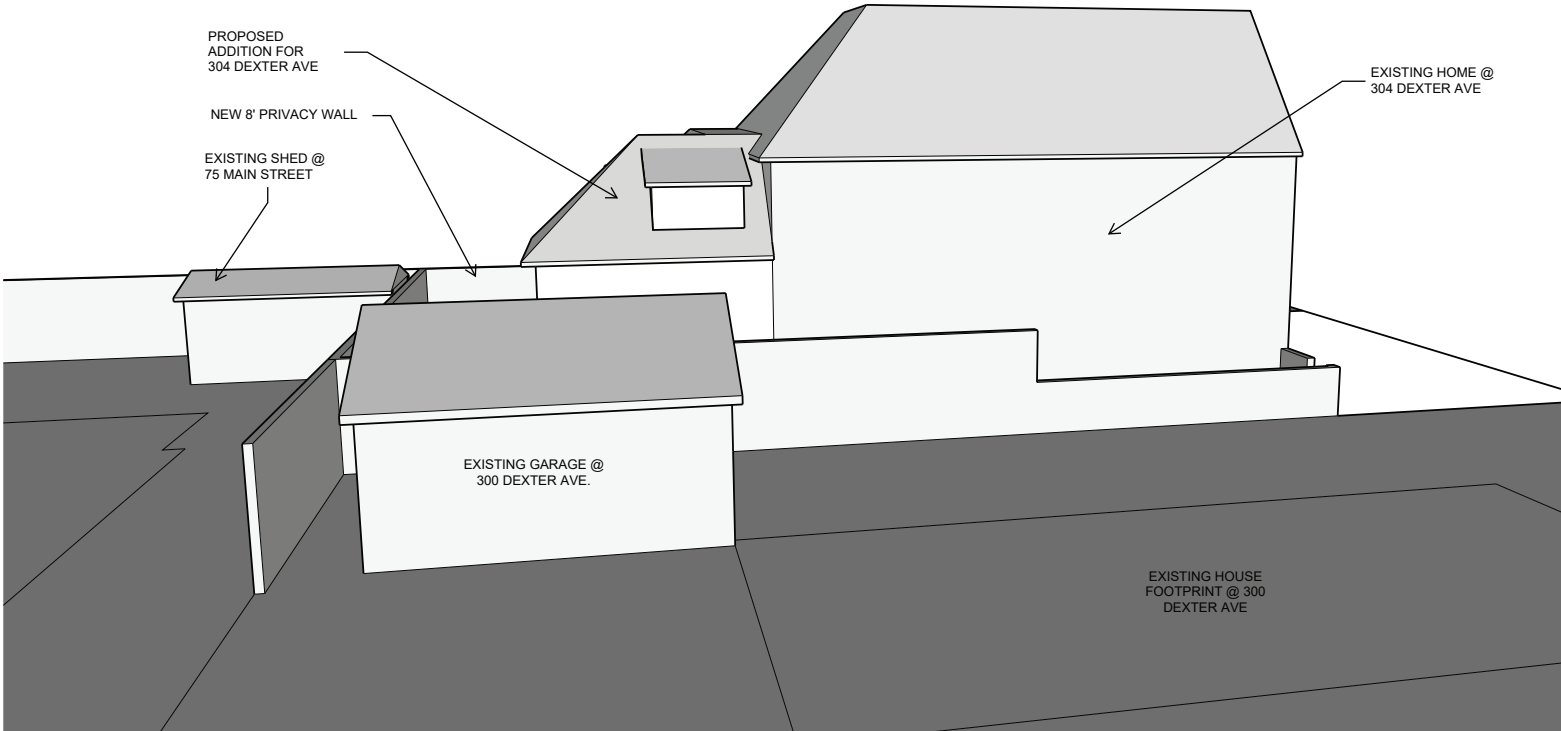
JAMES RESIDENCE
304 DEXTER AVENUE

POTENTIAL FIRST FLOOR ADDITION - 652 SF + 129 SF
POTENTIAL SECOND FLOOR ADDITION - 503 SF + 129 SF
TOTAL PROPOSED ADDITION 1,413 SF

	LOT SIZE	ALLOWABLE	PROVIDED	IF HAD CONFORMING LOT
FOOTPRINT	5,000 SF	35 %	39 %	26.6 %
IMPERVIOUS	1,997 SF	40%	42%	28%
	2103 SF			







Serene+

NOISE REDUCTION POOL PUMP EQUIPMENT COVER

"Premier Innovations Inc."

MODEL : L080580U

Dimensions :
15L x 12W x 14H



5
Year
Warranty

FEATURES

- ★ 75% - 90% Sound Reduction
- ★ Easy Assembly. Lays Flat Storage
- ★ Versatile or Custom Fit Available
- ★ Use with your favorite pool pump
- ★ One Year limited warranty
- ★ Various colors available to blend into your landscape
- ★ No Operating Costs
- ★ Lid removes for pump inspection and maintenance
- ★ Durable, lightweight, high-temperature resistant
- ★ Protect against: rust, dirt, rain, snow and sun
- ★ Extends the life of your pump, protects against corrosion

COMPATIBLE WITH

✓ **PENTAIR**
Whisper-Flo
Dynamo
SuperFlo

✓ **HAYWARD**
Tristar
SuperPump II
Max-Flo II
Max-Flo XL

✓ **STA-RITE**
Max-E-Glass
Dura-Glass
Max-E-Pro

✓ **JACCUZI**
Magnum- Force

✓ **JANDY**
Pro Series

U.S. PATENT No.: 7, 874, 400



100% Satisfaction Guaranteed. If you are unhappy with the product you may return it up to 30 days after delivery for a full refund minus 10% restocking fee and the product must be in excellent condition. (The buyer is responsible for shipping cost)



Serene+

NOISE REDUCTION POOL PUMP EQUIPMENT COVER

"Premier Innovations Inc."

MODEL : L080556U

Dimensions :
21L x 14W x 17H



5
Year
Warranty

FEATURES

- ★ 75% - 90% Sound Reduction
- ★ Easy Assembly. Lays Flat Storage
- ★ Versatile or Custom Fit Available
- ★ Use with your favorite pool pump
- ★ One Year limited warranty
- ★ Various colors available to blend into your landscape
- ★ No Operating Costs
- ★ Lid removes for pump inspection and maintenance
- ★ Durable, lightweight, high-temperature resistant
- ★ Protect against: rust, dirt, rain, snow and sun
- ★ Extends the life of your pump, protects against corrosion

COMPATIBLE WITH

- JANDY**
 SHPF Stealth series
 PHPM Stealth series
 Plus HP series
- HAYWARD**
 NorthStar
- PENTAIR**
 Whisper-Flo XF
- Waterway**
 SVL56 – High Flow

U.S. PATENT No.: 7, 874,400



100% Satisfaction Guaranteed. If you are unhappy with the product you may return it up to 30 days after delivery for a full refund minus 10% restocking fee and the product must be in excellent condition. (The buyer is responsible for shipping cost)





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 not only a very small lot in width but it is also a very small lot in length making it one of the smallest lots in Residence C District.

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. No updates to the property have been made.

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 for a new master suite off the rear of the property along with an upgraded courtyard area that includes a small wading pool.

SARA JAMES
403 DEXTER AVENUE
BIRMINGHAM, AL 35213

June 23, 2023

WRITTEN STATEMENT

To Whom it May Concern,

The James residence is located on a nonconforming lot that is only 50' wide by 100' deep where most properties in this area are 75' wide by 150' deep. Our hardship is that we have a piece of property that is 34% smaller than the minimum property size for this particular zoning classification.

Sara James is requesting the following variance requests regarding their property setbacks:

- 1) Master Suite addition at the rear of the property. The new addition at the rear of the property would require an 16'-8" variance at the rear of the property to reduce the required 30'-0" setback to 13'-4".
- 2) Wading Pool. The backyard is to be updated to include a small wading pool. While the pool itself will sit the 10'-0" minimum away from the property lines, the pool equipment will need to sit inside of the 10'-0" buffer required. We anticipate that because this is a much smaller pool than is typical, that the pool equipment would not be very large. We are also planning to use a noise reduction cover to help mediate any noise concerns.

Thank you for your consideration on these matters.

Emily Coe, AIA
Thompson Architecture, Inc.

Margaret A. Burg
75 Main Street
Birmingham, AL 35213
(205) 422-9966

July 12, 2023

VIA E-MAIL

hazend@mtnbrook.org

slatent@mtnbrook.org

Dana Hazen, MPA, AICP
Director of Planning, Building and Sustainability

Tyler Slaten, Senior Planner

Re: Case A-23-26: Sara James
City of Mountain Brook
Board of Zoning Adjustment
July 17, 2023 Meeting

Dear Dana & Tyler,

The purpose of this letter is to strongly oppose the substantial variance requests outlined in the above-referenced Case A-23-26: Sara James as follows:

1. Flooding. My property floods in the area adjacent to 304 Dexter and the variance will exacerbate that problem and does not propose any remediation measures.

First, I am concerned that if the 304 Dexter dwelling is built over capacity additional drainage issues will occur causing additional flooding to my property which could lead to extensive damage to my yard, house, and garage. I have experienced flooding of the garage building on my property (adjacent to the property) as well as my front, back and side yards and I am concerned that the proposed changes to 304 Dexter will exacerbate that flooding.

Second, I am also concerned that a Perimeter Wall will impede water flow and cause additional flooding to my property. I have seen no details regarding the type of wall that will be constructed on the property line or the plan for drainage.

2. Lot Coverage. I strongly disagree with a 13' 4" rear property set back to add a 17' 1.5-story addition when the required set back is 30 feet. Regardless of the percentage, this puts the home too close to my property and the second story will be directly overlooking my property, and I believe my property will be adversely affected as a result. I suspect the owners are planning to add a patio around the pool. What type of surface will be used for this? I do not see anything on the site plan.

There is an existing detached shed/storage building on the James' property approximately 6"-10" from the back of my garage. It is not shown on the plan. Will it be removed?

The existing wood fence is my property and is not shown on the site plan. My fence is approximately 2" inside the property line.

I strongly oppose the requested variance for the large addition. The variance request amounts to an overbuilding of the property and will result in damage to and loss of enjoyment of my property. The codes and regulations are in place to protect the property as well as the adjacent homeowners and neighborhoods. This lot is too small and narrow for a house of this size.

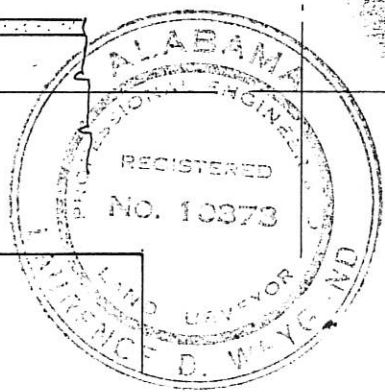
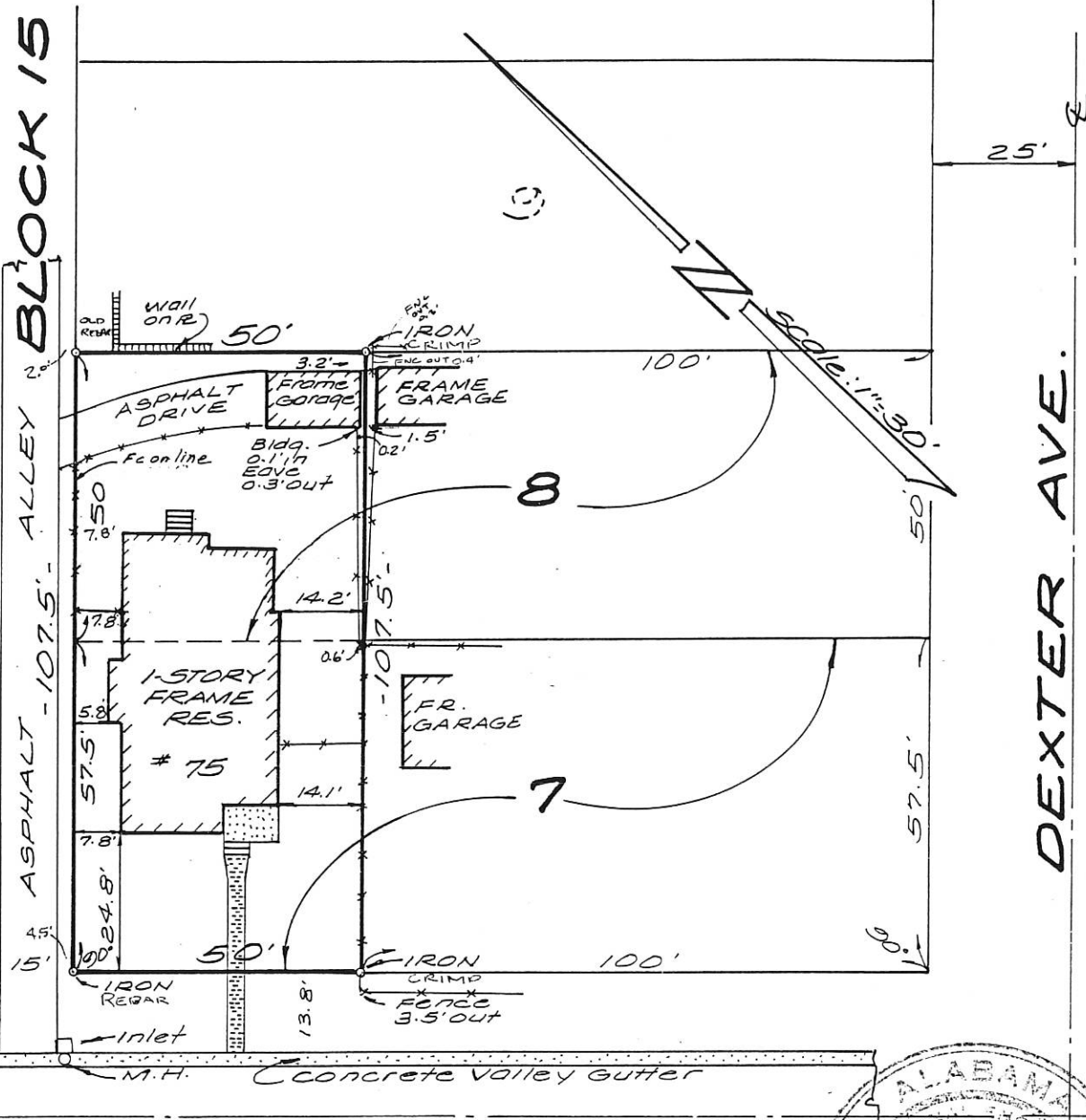
Attached please find the survey for 75 Main Street. Also attached are pictures of the flooding on my property taken in May 2023. The pictures were taken as the water began to recede. The water line on my garage and fence is visible in the photos. The water was 12 inches high on my privacy fence which is approximately 2" inside the property line between my property and 304 Dexter.

Kindest regards,



Margaret A. Burg

Attachments



MAIN STREET

AS BUILT SURVEY MEETS M.T.S.

STATE OF ALABAMA } * THE NW 50 FEET OF
 JEFFERSON COUNTY } LOTS 7 AND 8

I, Laurence D. Weygand, a registered Engineer- Land Surveyor, certify that I have surveyed Lot...*...Block...15...CRESTLINE HEIGHTS...as recorded in Map Volume...7... Page...16...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 premises only) or structures or supports therefor, including poles, anchors and guy wires, on or over said premises except as shown; 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" **, that there are no encroachments on said lot except as shown; that improvements are located as shown above; and that the correct address is as follows: 75 MAIN STREET; according to my survey of: DEC. 28, 1995

BURG
 Order No. 49495
 Survey invalid if not sealed in red.
 F.I.R.M.: Flood Zone "C"
 C.R.: 010128-0001B
 Date: 1-2-81
 Laurence D. Weygand, Reg. No. 10 373 phone: 942-0086
 169 Oxmoor Road; Birmingham, AL 35209

BRUNING 40-21 69212-02













Variance Application - Part I

Project Data

Address of Subject Property 4217 ANTIETAM DR.

Zoning Classification RESIDENCE A

Name of Property Owner(s) DANIEL + MARY BALKOVETZ

Phone Number 205-276-3123 Email MBALKOVETZ@GMAIL.COM

Name of Surveyor JACKINS, BUTLER + ADAMS, INC

Phone Number 205-870-3390 Email BBSURV@BELLSOUTH.NET

Name of Architect (if applicable) STUDIO C ARCHITECTURE

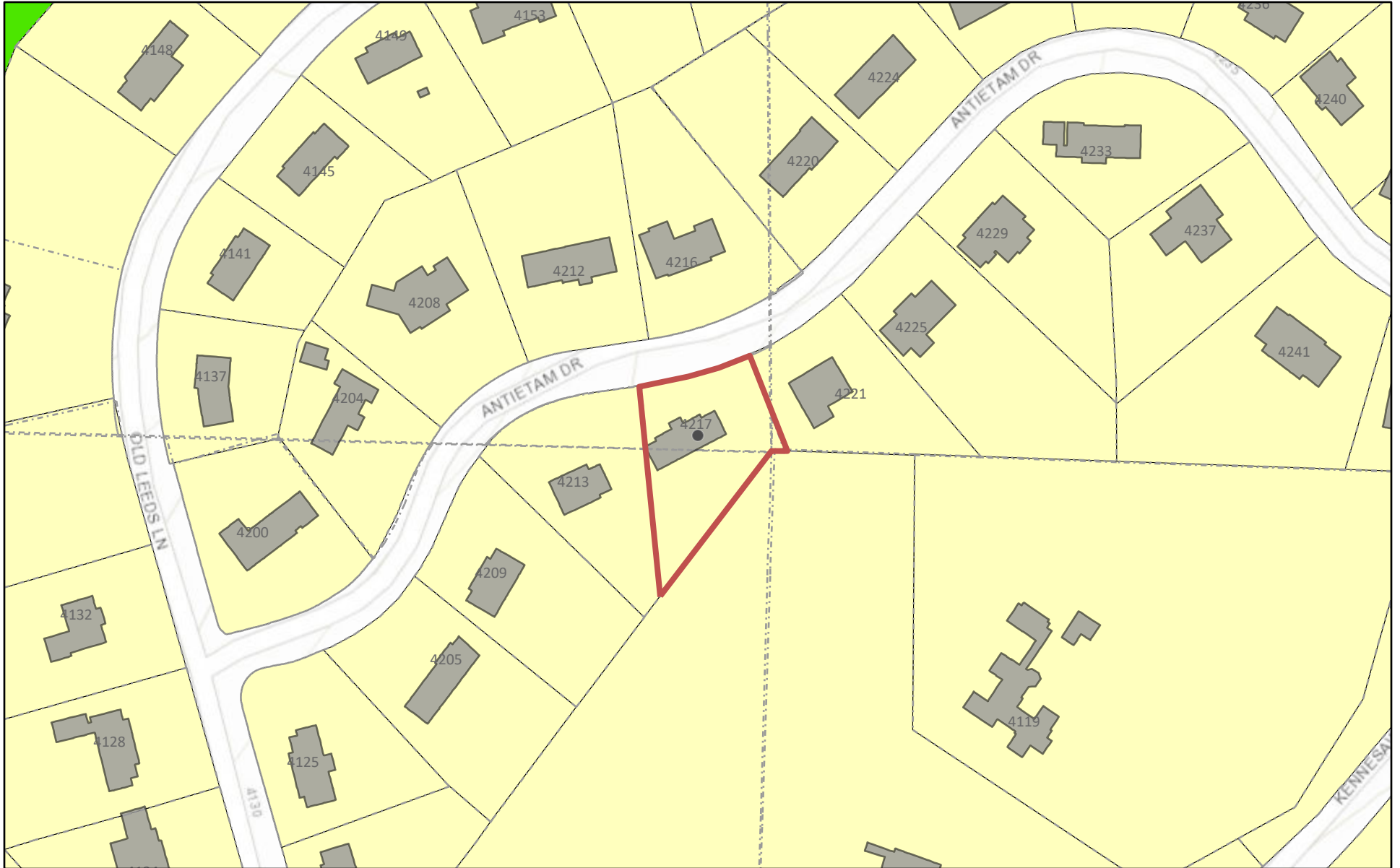
Phone Number 205 322 2315 Email CHERRI@STUDIOARCH.COM

Property owner or representative agent must be present at hearing




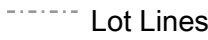

Please **fill in only applicable** project information (relating directly to the variance request(s)):

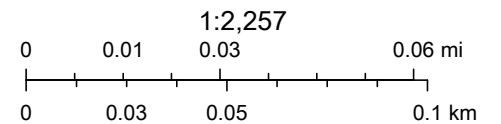
	Zoning Code Requirement	Existing Development	Proposed Development
Lot Area (sf)			
Lot Width (ft)			
Front Setback (ft) <i>primary</i>	40'	55'-4"	
Front Setback (ft) <i>secondary</i>			
Right Side Setback	15'	15'-6"	
Left Side Setback	15'	45'-6"	
Right Side Setback (ft): For non-conforming narrow lots 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'	44'	34'-5"
Lot Coverage (%)	25%	15%	16.5%
Building Height (ft)	35'	29'	29'
Other			
Other			

A-23-27 Zoning



7/5/2023, 3:32:50 PM

-  Building Footprints 2020v1
-  Residence A District
-  Recreation District
-  Lot Lines
-  Tax_Parcels 2021



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

ArcGIS Web AppBuilder

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

A-23-27 Aerial



7/5/2023, 3:33:43 PM

Aerial 2021

Red: Band_1



Green: Band_2



Blue: Band_3

1:2,257

0 0.01 0.03 0.06 mi

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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-23-27

Petition Summary

Request to allow an addition to the existing single family dwelling to be 34.5 feet from the rear property line (southeast) in lieu of the required 40 feet.

Scope of Work

The scope of work includes a single story addition to the rear of the existing home.

Variance Request for Setback

Nexus: The hardship in this case is unusual lot shape. The rear of the property line is angled in its relationship to the rear façade of the house.

Standard Hardships Required

The subject request appears to meet “c.” and “e.” of the following hardship standards:

Section 129-455 of the municipal code outlines the hardships that the board may consider as justification for the granting of a variance:

- a. exceptional narrowness
- b. exceptional shallowness
- c. irregular shape
- d. exceptional topographic conditions
- e. other extraordinary and exceptional situations or conditions of such parcel which would result in peculiar, extraordinary and practical difficulties (existing design constraints).

Applicable findings for any motion to approve should be read into the record of minutes. The Board may determine that the following findings are applicable to this case:

1. That special circumstances or conditions apply to the building or land in question, and
2. That these circumstances are peculiar to such building or land, and
3. That these circumstances do not apply generally to other buildings or land in the vicinity;
4. The condition from which relief or a variance is sought did not result from action by the applicant;
5. That the granting of this variance:
 - a. will not impair an adequate supply of light and air to adjacent property; (in that the nearest adjacent home to the rear is approximately 375 feet away from the proposed addition and the area between the structures is heavily vegetated).
 - e. will not be the risk of flooding or water damage;
 - g. is in harmony with the spirit and intent of the zoning ordinance (in that the house exceeds most required setbacks, given the lot's unique shape).

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

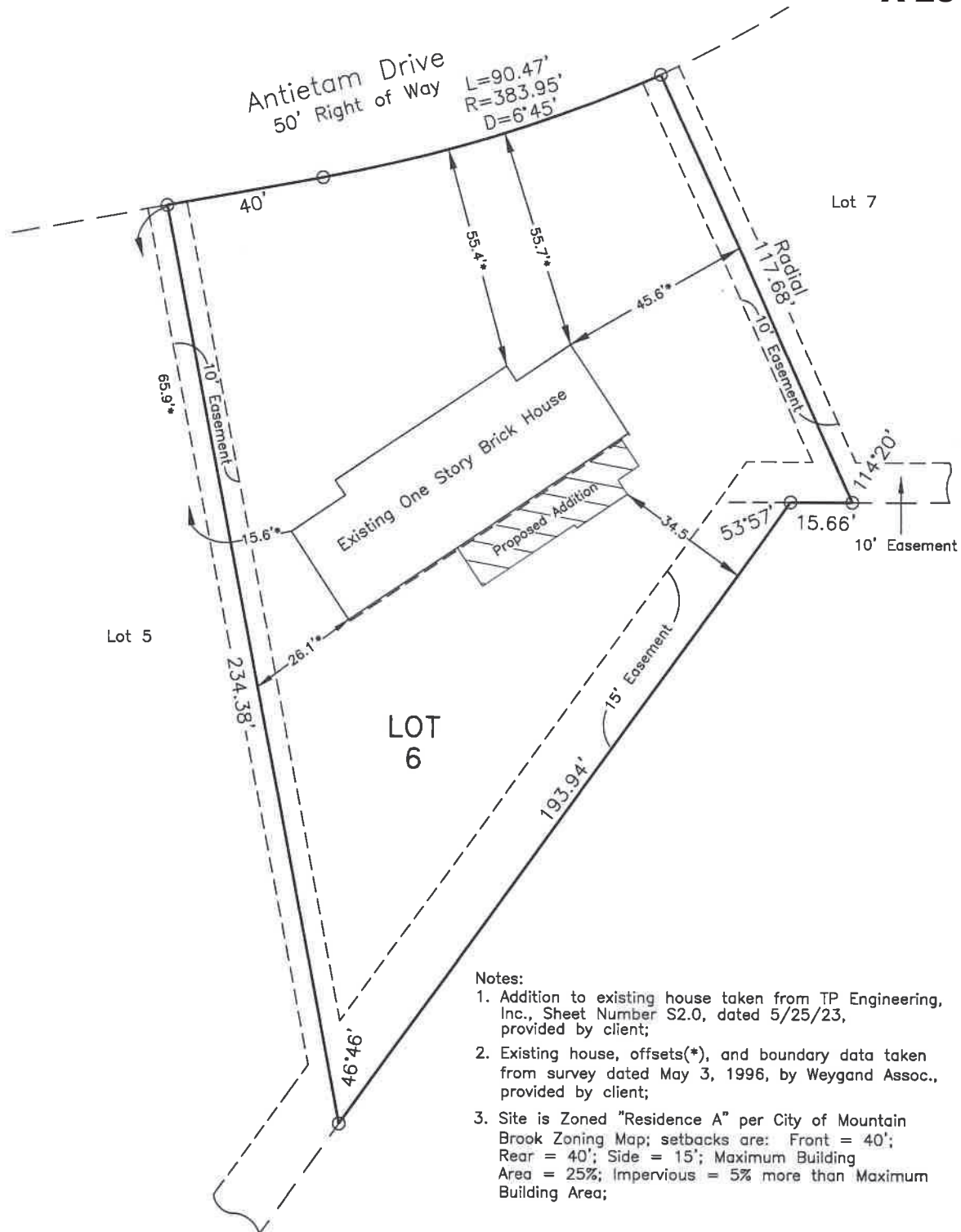
Article III, Section 129-34 Area and dimensional requirements

Appends

LOCATION: 4217 Antietam Drive

ZONING DISTRICT: Residence A District

OWNERS: Daniel and Mary Balkovetz



Notes:

1. Addition to existing house taken from TP Engineering, Inc., Sheet Number S2.0, dated 5/25/23, provided by client;
2. Existing house, offsets(*), and boundary data taken from survey dated May 3, 1996, by Weygand Assoc., provided by client;
3. Site is Zoned "Residence A" per City of Mountain Brook Zoning Map; setbacks are: Front = 40'; Rear = 40'; Side = 15'; Maximum Building Area = 25%; Impervious = 5% more than Maximum Building Area;

Prepared by Rowland Jackins, PLS
Alabama Reg. No. 18399

PLOT PLAN

Lot 6, Amended Map of Cherokee Bend
First Sector
Mapbook 70, Page 21, Judge of Probate Office,
Jefferson County, Alabama

Scale: 1 Inch = 30 Feet June, 2023

JACKINS, BUTLER & ADAMS, INC.
SURVEYING-GEOLOGY
3430 INDEPENDENCE DRIVE, SUITE 30
BIRMINGHAM, ALABAMA 35209
(205) 870-3390

S-1714/23-A Dwg. 1





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



4025 Kelly Creek Lane, Moody, AL 35004

City of Mountain Brook Variance Application Part 2

4217 Antietam Drive

The lot at 4217 Antietam Drive has a hardship due to the uncommon size and shape of the lot. Further, the overall size of the lot is smaller than the current 30,000 SF requirement. The rear property line is skewed rather than relatively square and therefore the left side of the lot is approximately 50% shorter than the right, and shorter than adjacent lots in general. For this reason, a small addition off the rear would encroach slightly on the required rear setback on the left corner only.

The purpose of this relief request is to add a small addition off the back of the house. This addition will allow for additional living space on the lower level and the main level as well. These spaces will include a guest suite as well as a multi purpose space in the lower level. An expansion of the Master Suite on the main level will allow for a reconfiguration of the bathrooms in order to make them accessible as the owners age. An elevator will be added as well for the same purpose.

Granting of this variance would be consistent with the intent of the Zoning Regulations as the improvement would enhance the property and property value. The proposed addition is in the rear and therefore not visible from the street. This particular lot backs up to an oversized lot of over 10 acres with several acres of natural area in the rear, thus the requested variance would not crowd the adjacent lot.



4025 Kelly Creek Lane, Moody, AL 35004

City of Mountain Brook Variance Application

4217 Antietam Drive

June 23, 2023

BECA Residential Construction, LLC proposes to build an addition off the rear of the existing Balkovetz Residence located at 4217 Antietam Drive. Work will be performed under contract with the Owners, Daniel and Mary Balkovetz.

The addition will be a 2 story addition including basement and main level. The addition will be painted brick veneer to be consistent with the existing house, with roofing to match as well, in both slope and material. The new roof line will be lower than the existing main ridge and therefore the work will not be visible from the front. This addition will involve some amount of remodel to the existing structure in order to tie it in. All interior finishes will be consistent with or in upgrade to the existing structure.

Builder will install poured wall foundation with slab foundation. Construction access will be via the existing driveway, as to avoid more ground disturbance than required. Silt fencing will be installed along the lower side of the property as required for erosion control.

This addition will allow for additional living space on the lower level and the main level as well. These spaces would include a guest suite as well as a multi purpose space in the lower level. An expansion of the Master Suite on the main level would allow for a reconfiguration of the bathrooms in order to make them accessible as the owners age. An elevator will be added as well for the same purpose.

A handwritten signature in blue ink, appearing to read "Victor Wright", is written over a light blue grid background.

Victor Wright
Owner



Variance Application - Part I

Project Data

Address of Subject Property 2119 English Village Lane, Mountain Brook, AL 35223

Zoning Classification Residence C

Name of Property Owner(s) Nancy Shinouda, Blake Smith

Phone Number 919-271-6759 / 731-446-1954 Email nancy.shinouda@gmail.com

Name of Surveyor Rowland Jackins

Phone Number 205-870-3390 Email _____

Name of Architect (if applicable) Ben Strout

Phone Number 205-569-8774 Email ben@stroutarch.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):

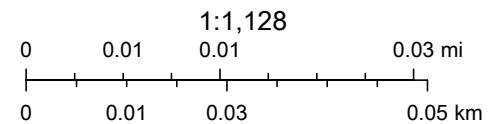
	Zoning Code Requirement	Existing Development	Proposed Development
Lot Area (sf)			
Lot Width (ft)			
Front Setback (ft) <i>primary</i>			
Front Setback (ft) <i>secondary</i>			
Right Side Setback			
Left Side Setback			
Right Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 22' high → 22' high or greater →	8'	3.4'	4.6'
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-23-25 Zoning



6/29/2023, 1:33:02 PM

-  Building Footprints 2020v1
-  Lot Lines
-  Residence C District
-  Tax_Parcels 2021



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

A-23-25 Aerial



6/29/2023, 1:37:29 PM

Aerial 2021



Green: Band_2



Blue: Band_3



Red: Band_1

1:1,128

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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-23-25

Petition Summary

Request to allow additions and alterations to an existing single family dwelling to be 3 feet from the side property line (west) in lieu of the required 8 feet (for portions of the building less than 22 feet high), and in lieu of the required 12 feet (for portions of the building greater than 22 feet high).

Background

A permit request for additions and alterations to an existing single family dwelling was submitted to the city, and the permit was issued. The focus of the permit review was on the rear addition (uncovered deck); however, a new second floor addition was also proposed to the single story house. The permit reviewer inadvertently believed the second floor to be existing and not proposed as new construction. Effectively, a permit was issued for both the rear component and the second floor component, and the second floor is near completion.

Subsequently the applicant decided to apply for a variance to add a cover to the rear deck, and submitted an application for BZA. During the review of the BZA it came to light that the new second floor also needed a variance, aligning with the non-conforming first floor at 3 feet from the right side property line. As may be seen on sheet A102 of the drawings, the new second floor is much smaller in bulk than the first floor, and the portion that encroaches to within 3 feet of the side property line is approximately 13 feet in length.

The original variance request was related to the portion of the new proposed covered rear deck where a portion of the covered stairway would encroach into the side setback. This isolated request may be considered relatively minor in nature, given that the covered stairway would be located behind the farthest encroaching part of the existing side façade.

Scope of Work

The scope of work includes a new 2nd story addition and new cover to the porch in the rear.

Variance Request for Setbacks

Nexus: The hardship in this case is the narrow lot width, and existing design constraints.

Standard Hardships Required

The subject request appears to meet “a.” and “e.” of the following hardship standards:

Section 129-455 of the municipal code outlines the hardships that the board may consider as justification for the granting of a variance:

- a. exceptional narrowness

- b. exceptional shallowness
- c. irregular shape
- d. exceptional topographic conditions
- e. other extraordinary and exceptional situations or conditions of such parcel which would result in peculiar, extraordinary and practical difficulties (existing design constraints).

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 V, Section 129-63 Area and dimensional requirements

Appends

LOCATION: 2119 English Village Lane

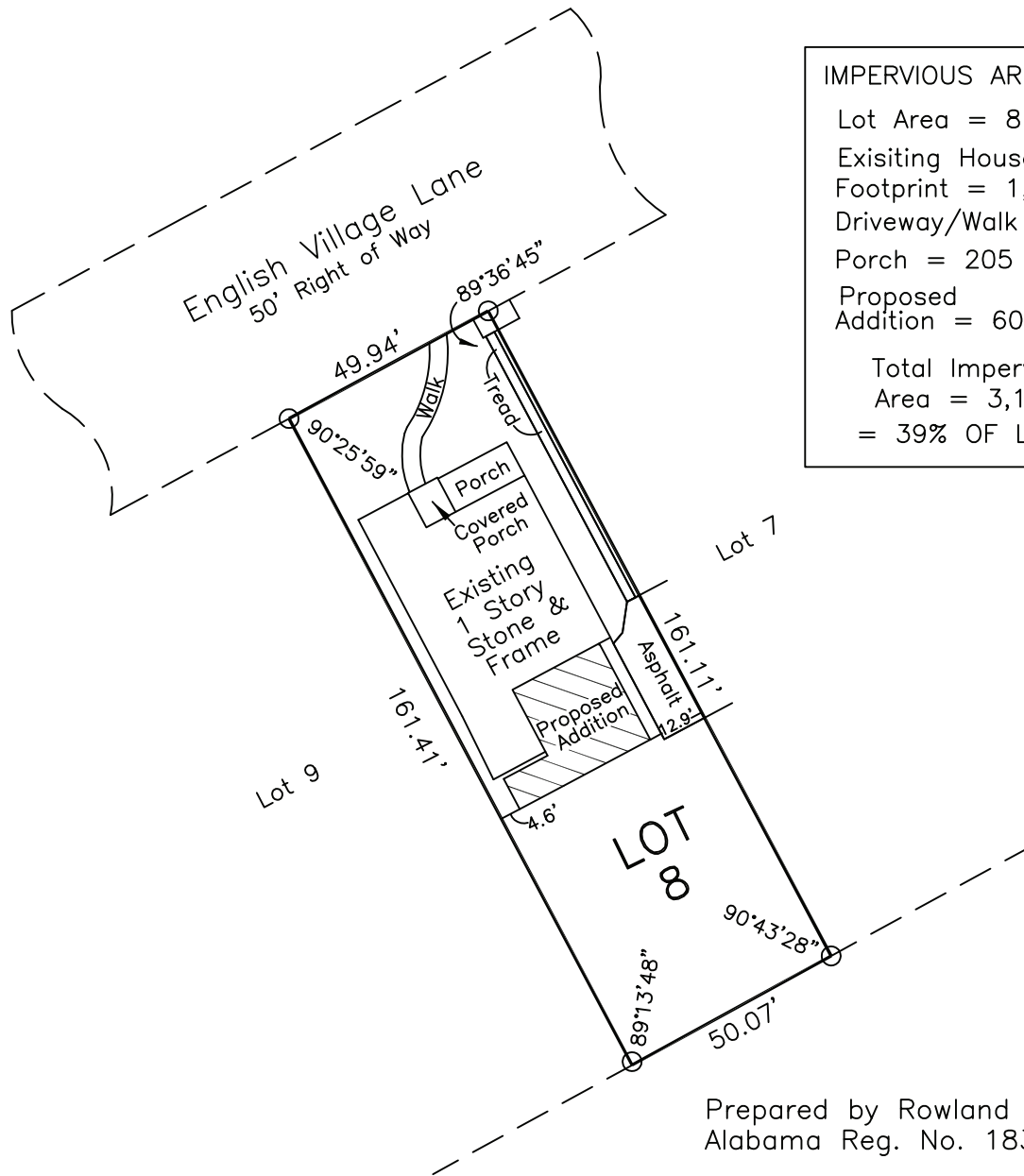
ZONING DISTRICT: Residence C District

OWNERS: Nancy Shinouda and Blake SMith

IMPERVIOUS AREA CALCULATION

Lot Area = 8,064 SF
 Existing House
 Footprint = 1,802 SF
 Driveway/Walk = 573 SF
 Porch = 205 SF
 Proposed
 Addition = 602 SF

Total Impervious
 Area = 3,182 SF
 = 39% OF Lot Area



Prepared by Rowland Jackins, PLS
 Alabama Reg. No. 18399

Notes:

1. Proposed Addition depiction taken from AnotherStory.com Sheet A102, provided by client;
2. Existing improvements and lot dimensions are scaled from Surveying Solutions, Inc. survey dated 7/9/18; provided by client;
3. Site is Zoned Residence "C" District, per City of Mountain Brook Zoning Map; Setbacks are: Front=35'; Rear=35'; Side=10'; minimum lot area=7500 sq.ft. Maximum Building Area=35%;



PLOT PLAN

2119 English Village Lane, Mountain Brook
 Lot 8, Block 5, First Addition to South Highlands
 Mapbook 7, Pages 105 & 106, Judge of
 Probate Office, Jefferson County, Alabama
 Scale: 1 Inch = 40 Feet February, 2023

JACKINS, BUTLER & ADAMS, INC.
 SURVEYING-GEOLOGY
 3430 INDEPENDENCE DRIVE, SUITE 30
 BIRMINGHAM, ALABAMA 35209
 (205) 870-3390
 S-1337/23-III Dwg.1

Alterations to Tudor Residence

CODE SUMMARY
2018 IRC

MOUNTAIN BROOK CODE SUMMARY

GENERAL INFORMATION

Name of Project: SHINOUDA ALTERATIONS

Owner or Authorized Agent: NANCY SHINOUDA

Email:

Phone #:

Owned by: Privately City/County

Code enforcement jurisdiction: City County

Name of Jurisdiction: City of HOMEWOOD

SCOPE OF WORK

Building Description:

Scope of Work:

BUILDING CODE

2015 IRC

JOB SPECIFIC CODE

DESIGN OF RECORD

PROJECT COORDINATION

DESIGNER	LICENSE #	TELEPHONE #
Ben Strout	6673	(205) 569-8774

BUILDING DATA

PARCEL #: 28 00 06 4 021 010.001
 OWNER: SHINOUDA NANCY S
 ADDRESS: 2119 ENGLISH VILLAGE LN MOUNTAIN BRK AL 35223-172..
 LOCATION: 2119 ENGLISH VILLAGE LN AL 35223



VICINITY

- O - OPERATIONS
- Z - CONTRACTOR/SHOP DRAWINGS
- X - OTHER DISCIPLINES
- R - RESOURCE
- T - TELECOMMUNICATIONS
- E - ELECTRICAL
- M - MECHANICAL
- D - PROCESS
- P - PLUMBING
- F - FIRE PROTECTION
- Q - EQUIPMENT
- I - INTERIORS
- A - ARCHITECTURAL
- S - STRUCTURAL
- L - LANDSCAPE
- C - CIVIL
- W - CIVIL WORKS
- B - GEOTECHNICAL
- V - SURVEY/MAPPING
- H - HAZARDOUS MATERIALS
- G - GENERAL

COVER SHEET



SHINOUDA
 SECOND STORY
 305 OXFORD LN
 Homewood, AL
 35209

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SITE PROTECTION:

- FURNISH AND INSTALL PLASTIC BARRIERS IN FRONT ROOM TO CORON WORK AREA FROM REST OF HOUSE AS NEEDED UPON RECEIVING DEMO ORDER.
- FURNISH AND INSTALL PLASTIC BARRIERS OVER PENETRATING COLLAND TO SECOND STORY. FURNISH AND INSTALL PLASTIC BARRIERS OVER DOORCASES (OPENING IN ENTRY ROOM AND BACK LIVING ROOM) AND IN NECESSARY LOCATIONS TO BE SECURED UPON RECEIVING DEMO ORDER. BARRIERS MAY BE INSTALLED IN APPROPRIATE LOCATION WHICH WILL GO FROM FLOOR TO CEILING TO LOCATE PLASTIC WALLS. WHEN THIS WORK IS COMPLETED, BARRIERS SHOULD BE REMOVED FROM THE WORK AREA.
- WHEN PERFORMING DEMOLITION, DRYWALL, AND HARDWOOD FLOORING WORK, FURNISH AND INSTALL PLASTIC BARRIERS TO PROTECT WORK AREA FROM REST OF HOUSE.
- FURNISH AND INSTALL FLOOR & CEILING PROTECTION IN ENTRY ROOM AND AS NEEDED THROUGHOUT PROJECT TO MAINTAIN ACCESS TO ENTRY ROOM.
- MAINTAIN CLEAN AND SAFE JOB SITE FOR DURATION OF PROJECT.
- REMOVE RESPONSIBILITIES FOR DEMOLITION AND REPAIRS TO BE COMPLETED PRIOR TO COMMENCING WORK.
- REMOVE FRAGILE ITEMS FROM WORK AREA PRIOR TO WORKING IN ADJACENT TO WORK AREAS AND SECURING FRAGILE ITEMS PRIOR TO WORK BEGINNING.

DEMOLITION:

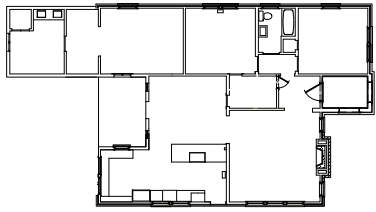
- Contractor to remove existing wall structure as shown provided.
- Contractor to remove existing wall in place at closed joint.
- Contractor to remove existing wall and remove wall as shown provided.
- Contractor to remove existing wall structure as shown provided in second floor only.
- Contractor to remove existing wall structure as shown provided in second floor only.
- Contractor to remove existing wall structure as shown provided in second floor only.

SITE MAINT:

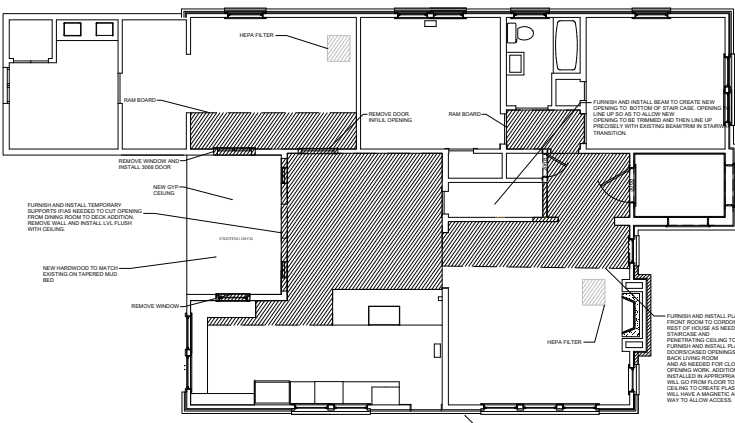
- Contractor to include necessary permits for special construction related debris removal project location.
- Contractor to maintain a clean and orderly site conditions throughout duration of project.
- Contractor to include installation of debris containment system as determined by project manager.
- Contractor to include installation of debris containment system as determined by project manager.
- Contractor to include installation of debris containment system as determined by project manager.
- Contractor to include installation of debris containment system as determined by project manager.

CLEAN UP:

- ONCE WORK COMPLETE:
- CLEAN ALL GARBAGE AND DEBRIS. LEAVE BEHIND ANY APPLIANCE/DEVICE INSTALLATION/ORDER MANUALS IN ONE CHARGE OR AS DETERMINED BY PROJECT MANAGER.
- WIP DOWN COUNTERTOPS AND OTHER FLAT SURFACES.
- VACUUM FLOORING, REMOVE MOISTURE FROM BARRIER SEQUENCES.
- REMOVE ALL DEBRIS AND MATERIALS FROM THE WORK AREA.
- WASH INTERIOR & EXTERIOR OF WINDOWS WITH SOAP.
- REMOVE FROM SITE ALL EXCESS BUILDING MATERIALS, TRASH AND TOOLS.
- REMOVE FROM SITE ALL EXCESS BUILDING MATERIALS, TRASH AND TOOLS.
- REMOVE FROM SITE ALL EXCESS BUILDING MATERIALS, TRASH AND TOOLS.



EXISTING PLAN 1/8" = 1'-0"



DEMO PLAN 1/8" = 1'-0"



AnotherStory.com
 438 CARR AVE. STE. 1, HOMEWOOD, AL 35209
 WWW.ANOTHERSTORY.COM



SHINOUDA SECOND STORY
 305 OXFORD LN
 HOMEWOOD, AL 35209

DATE	01/11/2024
PROJECT	DEMOS
DRAWN BY	BOB
CHECKED BY	BOB
SCALE	AS SHOWN
PROJECT NO.	
CAD FILE NO.	
DATE	
DESIGN BY	BOB
CHECKED BY	BOB
DATE	
PROJECT NO.	
CAD FILE NO.	
DATE	



SHINOQUA
SECOND STORY
305 OXFORD LN
HOMEWOOD, AL
35209

PROJECT NO.	
DATE	
DESIGNER	BOB
CONTRACTOR	BOB
COPYRIGHT	© 2007 ARCHITECTURE, LLC 2011
PROJECT TITLE	ELECTRICAL

SYMBOL	DESCRIPTION
	WEATHER PROOF OUTSIDE OUTLET
	ABOVE COUNTER LOCATION
	FLUSH FLOOR/DECK OUTLET
	VENTI LOCATION
	25 VOLT OUTLET CONNECTION
	CEILING MOUNTED LIGHT FIXTURE
	WALL BRACKET MOUNTED LIGHT FIXTURE
	RECESSED CEILING MOUNTED LIGHT FIXTURE
	RECESSED DIRECTIONAL CEILING LIGHT FIXTURE
	RECESSED CEILING LIGHT FIXTURE
	RECESSED LIGHT FOR WET AREA
	UNDER CABINET LED LIGHT
	EXTERIOR CABINET ALUMINUM FLOOD LIGHTS
	CEILING MOUNTED RECESSED FAN LIGHT
	CEILING MOUNTED FAN AND HEATER
	CEILING MOUNTED FAN LIGHT

SYMBOL	DESCRIPTION
	GUTTER AND DOWNSPOUTS

SYMBOL	DESCRIPTION
	WINDOWS

SYMBOL	DESCRIPTION
	EXTERIOR DOORS

SYMBOL	DESCRIPTION
	PAINTING

SYMBOL	DESCRIPTION
	PLUMBING

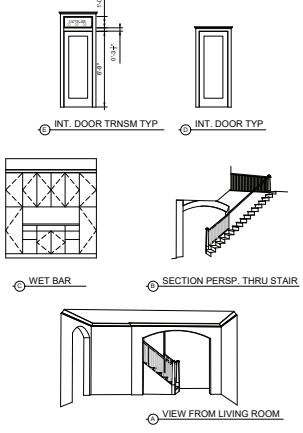
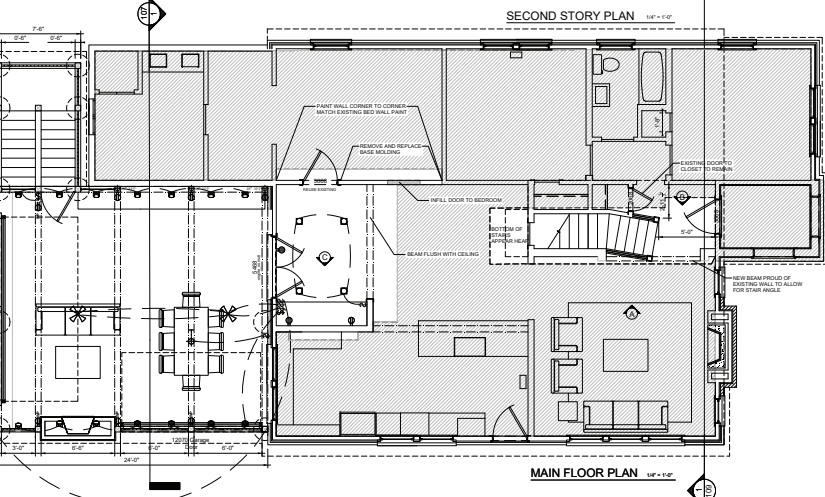
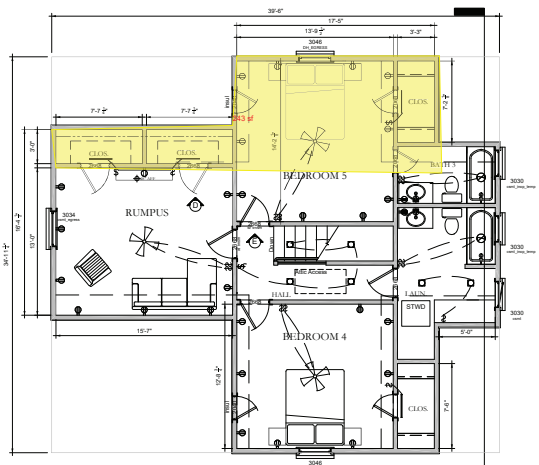
SYMBOL	DESCRIPTION
	INSULATION

SYMBOL	DESCRIPTION
	HEATING & AIR

SYMBOL	DESCRIPTION
	ELECTRICAL

SYMBOL	DESCRIPTION
	INTERIOR FINISHES

SYMBOL	DESCRIPTION
	EXTERIOR FINISHES



Contractor includes an allowance of \$5,000 to construct a wet bar with a granite countertop and stainless steel sink. The wet bar shall be located in the living area and shall include a sink, countertop, and stainless steel sink. The wet bar shall be constructed with a granite countertop and stainless steel sink. The wet bar shall be constructed with a granite countertop and stainless steel sink.

10'-0"

10'-0"

SECOND STORY PLAN 1/8" = 1'-0"

MAIN FLOOR PLAN 1/8" = 1'-0"

FRAMING NOTES:

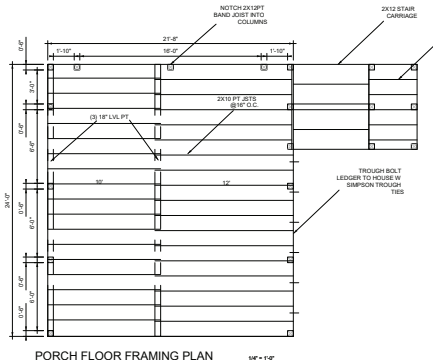
1. Furnish and install 16 self-storing, second-story brand brackets on existing top plates. Install top plates with proper fasteners.
2. Furnish and install 2x4 blocking on existing top plates and install on second-story brand brackets. Close finished, 1x6 to the bases with planting bolts and install on structural framing of second story. Secure with toe-nails to prevent rotation.
3. Furnish and install new 1x6 beams at perimeter of house, secured to brackets, as needed to support new second-story floor structure for 2nd floor.
4. Furnish and install 2x4 framing members and 1/2" sheathing as needed to frame new exterior walls of second-story addition.
5. Furnish and install temporary 2x4 framing members as needed to support new roof rafters and new roof structure.
6. Frame new conditions of second story as shown. Sills & joists to match existing and new roof lines to be framed from above.
7. Furnish and install exterior sheathing on roof with roofing paper.
8. Furnish and install 1/2" sheathing on roof to create new soffits and fascia.
9. Furnish and install 2x4 ceiling, edge of joists, in locations where air may blow from top to bottom.
10. Other notes & special notes apply to this plan, including notes, and details items & remove existing house roof.
11. Remove existing roof.
12. Frame new roof structure.
13. Change new second-story floor.
14. Locate plates for new 2x4 and header floor joists as needed to secure 2x4 framing. Electrical and other services to be moved to second story. Project changes to document framing of main ceiling & second story floor.
15. Furnish and install 2x4 blocking secured in place with construction adhesive and nails.
16. Frame exterior second-story walls & ceiling as shown.
17. Furnish and install new, double-hung windows in exterior locations as shown and meeting existing window openings.
18. Install windows in exterior locations as shown.
19. Install exterior doors, jambs, and trim. Use galvanized 1x4 oak framing across top of new windows and trim windows as shown.
20. Install exterior doors, jambs, and trim. Use galvanized 1x4 oak framing across top of new windows and trim windows as shown. Spray foam insulation around perimeter of windows, doors and trim to meet manufacturer's instructions. Seal all trim, doors and trim to remove air from air sealing joints.
21. To repair minor defects, finish exterior walls as shown. Remove and trim exterior walls from existing main ceiling as needed for proper installation of new roof lines. Install temporary support walls in space as needed.
22. Furnish and install 2x4 framing members as needed to create new stairs from main to second story. Call, number and remove existing ceiling joists in string areas as needed.
23. Furnish and install temporary supports that needed to cut opening to new living room from front dining room.

CONVENTIONAL FRAMING:

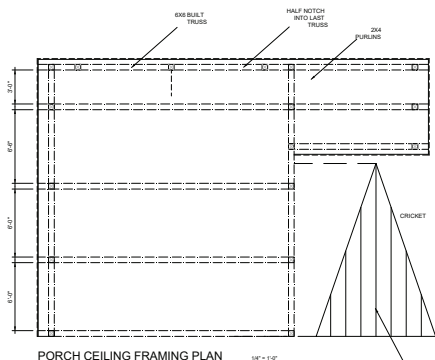
- 1. Floor System: Commercial 2x10 Yellow Pine Framing 24" On Center 1x6G
- 2. Ceiling System: 2x4 Yellow Pine Framing 16" On Center 1x6G
- 3. Sheathing: 7/16" OSB with Tyvek building wrap
- 4. Siding System: Commercial 2x Yellow Pine
- 5. Roof Decking: 7/16" OSB with Synthetic Full Underlayment

ROOFING

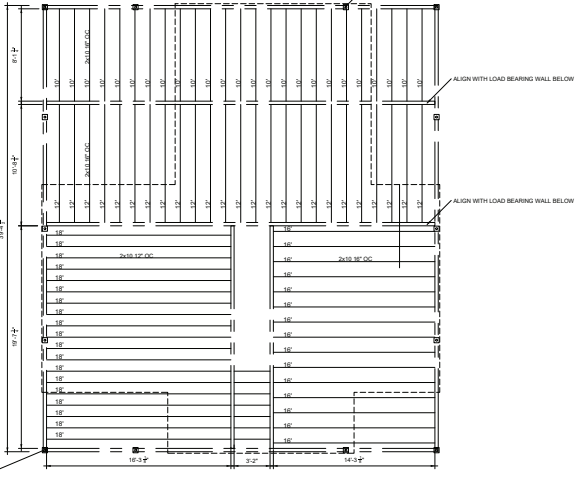
- 1. 1/2" gage Sheathing System Metal installed over top and some second members as covered porch roof structure per plans provided.
- 2. Current Termite Approval Stamp to be installed over synthetic felt.
- 3. Install all exterior structural framing at all overhangs and wall junctions.
- 4. Roof color to be provided by Owner.



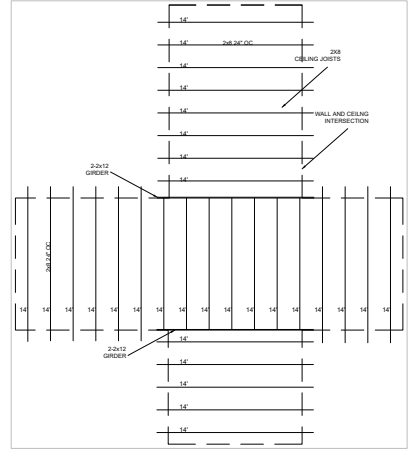
PORCH FLOOR FRAMING PLAN 1/8" = 1'-0"



PORCH CEILING FRAMING PLAN 1/8" = 1'-0"



SECOND FLOOR FRAMING PLAN 1/8" = 1'-0"



CEILING FRAMING PLAN 1/8" = 1'-0"



SHINOUDA
SECOND STORY
305 OXFORD LN
HOMEWOOD, AL
35209

DATE	
DESCRIPTION	
BY	
CHECKED	
DATE	
PROJECT NO.	
CLIENT	
SCALE	
PROJECT	
DATE	
BY	
CHECKED	
DATE	



SHINOUDA
 SECOND STORY
 305 OXFORD LN
 HOMEWOOD, AL
 35209

DATE	
ISSUED FOR	
BY	
CHECKED BY	
DATE	
PROJECT NO.	
DATE FILED	
DESIGNED BY	SSJ
CHECKED BY	SSJ
COPYRIGHT ARCHITECTURE LLC 2017	
SHEET TITLE	ELEVATIONS

EXTERIOR VENEER

A. Brick / Stone
 • Contractor to install Modular size Brick veneer as required to achieve structural finished with space removed from left side gable end per plans.
 • Contractor does not include purchase of any additional stone in this project.

B. Cement and Sill
 • Contractor to install Lames Hardie or Equal 3/4" with enclosed saw boards at sides and rear per plans provided.

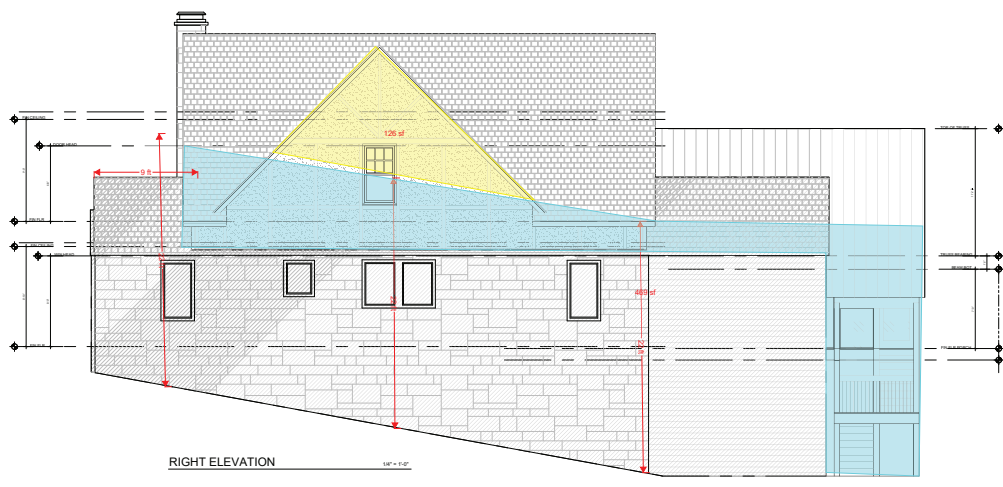
C. Siding
 • Contractor to install Lames Hardie or Equal stucco panels with 3/4" saw boards at sides and rear per plans provided.

D. Stucco
 • Contractor to install stucco siding and wood trim boards at front gable end to match existing as similar as possible.

NOT IN CONTRACT



NOT IN CONTRACT



EXTERIOR VENEER

A. Brick Veneer
 Contractor to install Modular size brick veneer as required to increase height of chimney structure blended with stone removed from left side gable wall per plan.
 Contractor does not include purchase of any additional stone in this project.
 Identification:
 • Contractor does not include any additional masonry work in this project.
 Installation:
 a. Prepare and install
 b. Contractor to install James Hardie or Equal Ltd with enclosed veneer board on stone.
 c. Stucco
 Contractor to install James Hardie or Equal stucco panels with led and led stone.
 Board to be used per plans provided.
 d. Details
 Contractor to install stucco siding and wood trim boards at front porch entry to match existing as similar as possible.

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SHINOUDA SECOND STORY
 305 OXFORD LN
 HOMEWOOD, AL 35209

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	08/20/2024
2	ISSUED FOR PERMIT	08/20/2024
3	ISSUED FOR PERMIT	08/20/2024
4	ISSUED FOR PERMIT	08/20/2024
5	ISSUED FOR PERMIT	08/20/2024

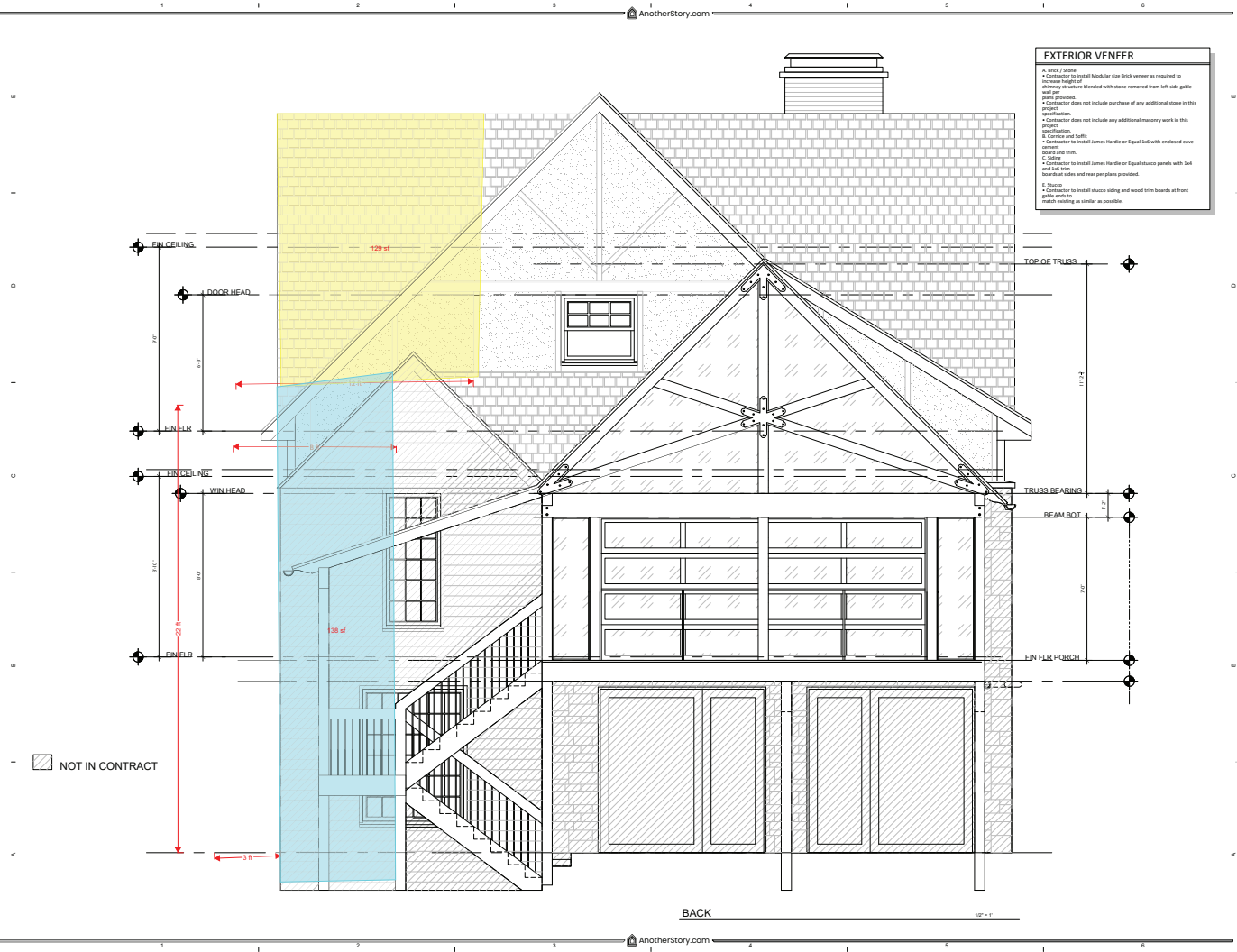
A106



NOT IN CONTRACT

EXTERIOR VENEER

- A. Brick Veneer
- Contractor to install Modular size Brick veneer as required to achieve height of chimney as noted with stone veneer trim with side gable wall per plans provided.
- Contractor does not include purchase of any additional stone in this project.
- Contractor does not include any additional masonry work in this project.
- B. Concrete and Soffit
- Contractor to install James Hardie or Equal 2x4 with enclosed eave soffit, board and trim.
- Contractor to install James Hardie or Equal stucco panels with 2x4 and 2x6 trim.
- Contractor to install and rear per plans provided.
- C. Siding
- D. Siding
- Contractor to install shingle siding and wood trim boards at front porch existing as under as possible.



DATE	REVISION

PROJECT NO: 805
 CLIENT: SHINOUDA SECOND STORY ARCHITECTURE, LLC #01
 SHEET TITLE



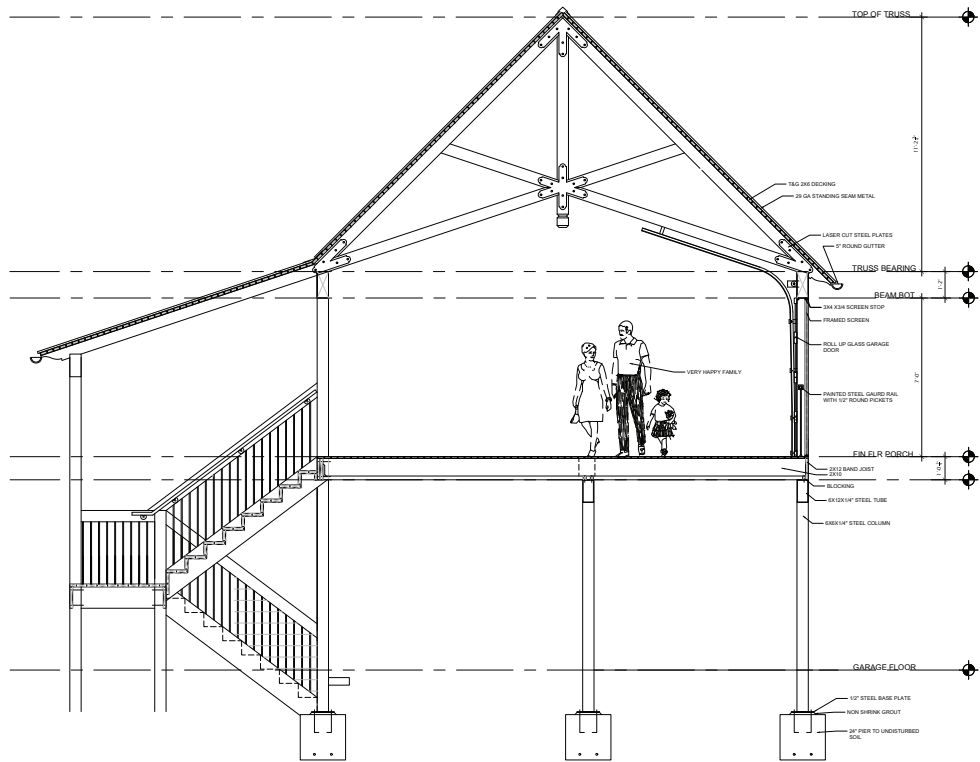
**SHINOZUKA
 SECOND STORY**
 305 OXFORD LN
 HOMEWOOD, AL
 35209

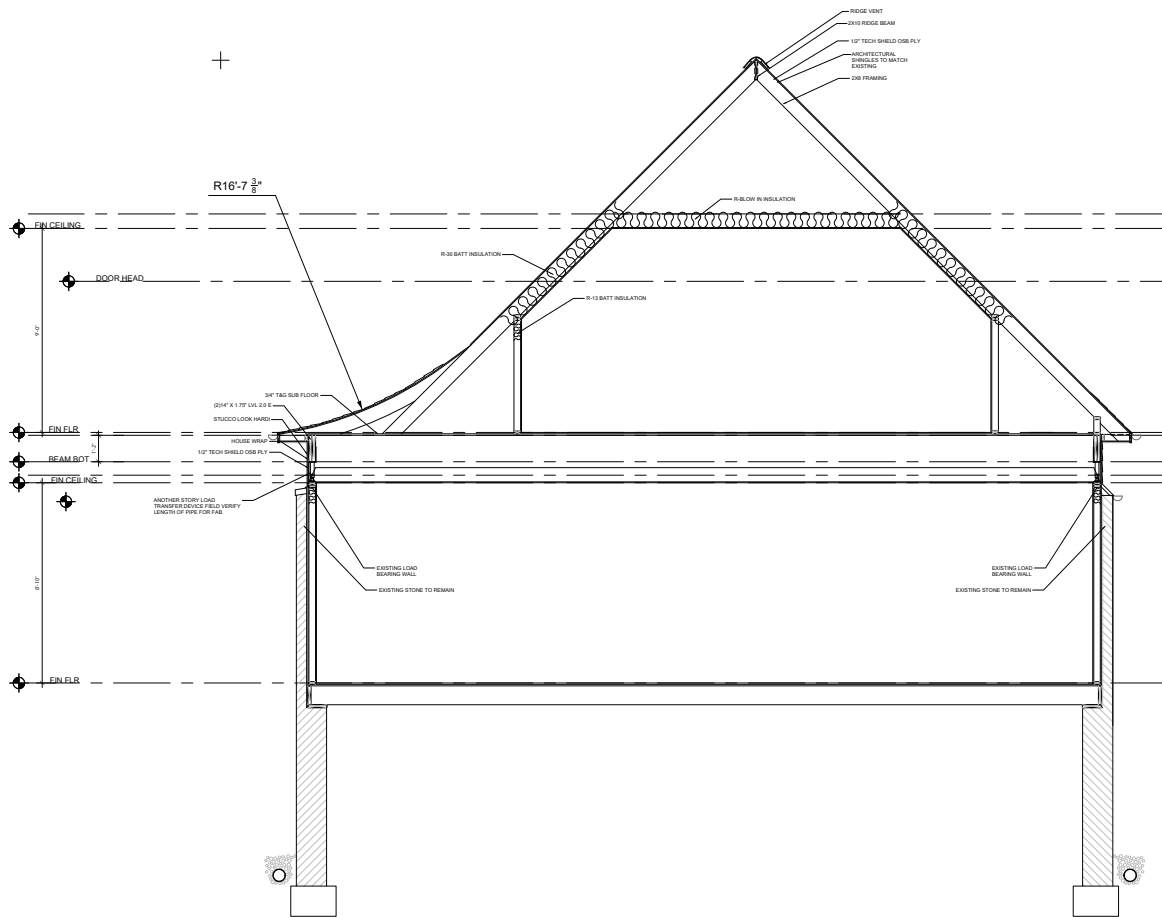
NO.	DATE	DESCRIPTION
1	02/15/23	ISSUED FOR PERMIT
2	02/15/23	ISSUED FOR PERMIT
3	02/15/23	ISSUED FOR PERMIT
4	02/15/23	ISSUED FOR PERMIT
5	02/15/23	ISSUED FOR PERMIT
6	02/15/23	ISSUED FOR PERMIT
7	02/15/23	ISSUED FOR PERMIT
8	02/15/23	ISSUED FOR PERMIT
9	02/15/23	ISSUED FOR PERMIT
10	02/15/23	ISSUED FOR PERMIT

DESIGNED BY: **BOB**
 CHECKED BY: **BOB**
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SHEET TITLE:
SECTION
 PROJECT NO:
 CAD FILE:

A108





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SHINOUDA SECOND STORY
 305 OXFORD LN
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 35209

NO.	DATE	DESCRIPTION

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 CHECKED BY: **SSD**
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DATE: 11/14/11
 SHEET NO.: **SECTION**
A109



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 on a significant incline resulting in the rear of the house and parking pad being below the main level of the house. We are building a porch above the parking pad with stairs up to the porch allowing access to the rear of the house that we currently do not have. We would like for the stairs to be covered as it will be our primary access to the house.

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 stairs to the porch must be built alongside existing structure that was originally built within the required setback.

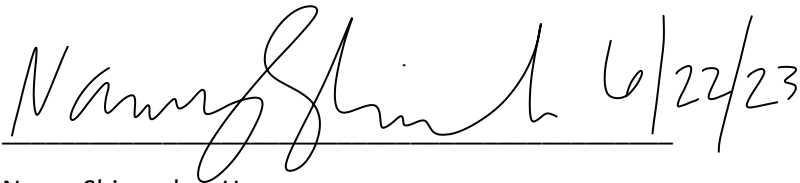
How would the granting of this variance be consistent with the purpose and intent of the Zoning Regulations?

The stairs will be built alongside existing structure of the house and will not protrude farther into the setback than the existing structure or affect neighboring property in any negative way.

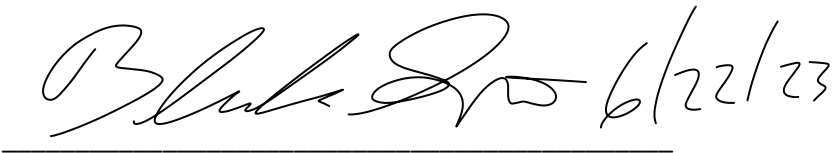
Variance Application – Scope of Project

2119 English Village Lane

We are in the process of adding a second story to expand our home, but part of the addition is a new screened porch over our existing parking pad. This will allow for covered parking and a way to access the rear of our house, which we currently do not have. We will have stairs going up from the parking pad to the porch. The stairs will be built alongside existing structure of the home that was originally built within the setback. It is currently 3.4' from the property line. The stairs will be 4.6' from the line. Our building plans that were approved and underway did not have a roof over the stairs, but we would like to add this to allow for fully covered entry into the home. This will essentially be an extension of the roof from the porch and will not negatively impact the adjacent property in any way.

 6/22/23

Nancy Shinouda – Homeowner

 6/22/23

Blake Smith – Homeowner