

BZA Packet

January 16, 2024

Hello All,

Enclosed please find your packet for the meeting of January 16, 2024.

We have:

- 3 new cases

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

www.mtnbrook.org

- Calendar (upper right corner)
- Board of Zoning Adjustment (January 16, 2024)
- Meeting Information (for agenda) and Supporting Documents (to view proposed plans and/or survey select link associated with the case number)

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

Looking forward to seeing you on Tuesday!

Tyler

16MEETING AGENDA
CITY OF MOUNTAIN BROOK
BOARD OF ZONING ADJUSTMENT
January 16, 2024
PRE-MEETING: 4:45 P.M.
REGULAR MEETING: 5:00 P.M.

**MEETING TO BE HELD IN PERSON AT CITY HALL AND VIRTUALLY USING ZOOM VIDEO
CONFERENCING
(ACCESS INSTRUCTIONS ON MEETING WEBPAGE)**

NOTICE

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

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

1. Approval of Minutes: December 18, 2023
2. **Case A-24-01: Stuart and Mary Hurst**, property owners, request a variance from the terms of the Zoning Regulations to allow alterations to the existing non-conforming single family dwelling to be 30.4 feet from the front property line (Winthrop Avenue) in lieu of the required 35 feet. **-20 Winthrop Avenue**
3. **Case A-24-02: Matt and Allison Scully**, property owners, request a variance from the terms of the Zoning Regulations to allow an addition to be 5 feet from the side property line (south) in lieu of the required 8 feet. **-12 Alden Lane**
4. **Case A-03: Lib and Coates Covington**, property owners, request variances from the terms of the Zoning Regulation to allow an addition to be 11.46 feet from the side property line (east) in lieu of the required 12.5 feet and to be 24.68 feet from the rear property line (south) in lieu of the required 35 feet. **-14 Montrose Circle**
5. Next Meeting: **Tuesday, February 20, 2024**
6. Adjournment



Variance Application - Part I

Project Data

Address of Subject Property 20 Winthrop Avenue, Mountain Brook, AL 35213

Zoning Classification Residence B - Non-conforming

Name of Property Owner(s) Mary Stuart and Stuart Hurst

Phone Number (205) 329-3883 Email mary.stuart.hurst@gmail.com

Name of Surveyor Weygand Surveyors

Phone Number (205) 942-0086 Email _____

Name of Architect (if applicable) Mary Coleman Clark Architect LLC

Phone Number (205) 999-0304 Email mcc@mccarchitect.com

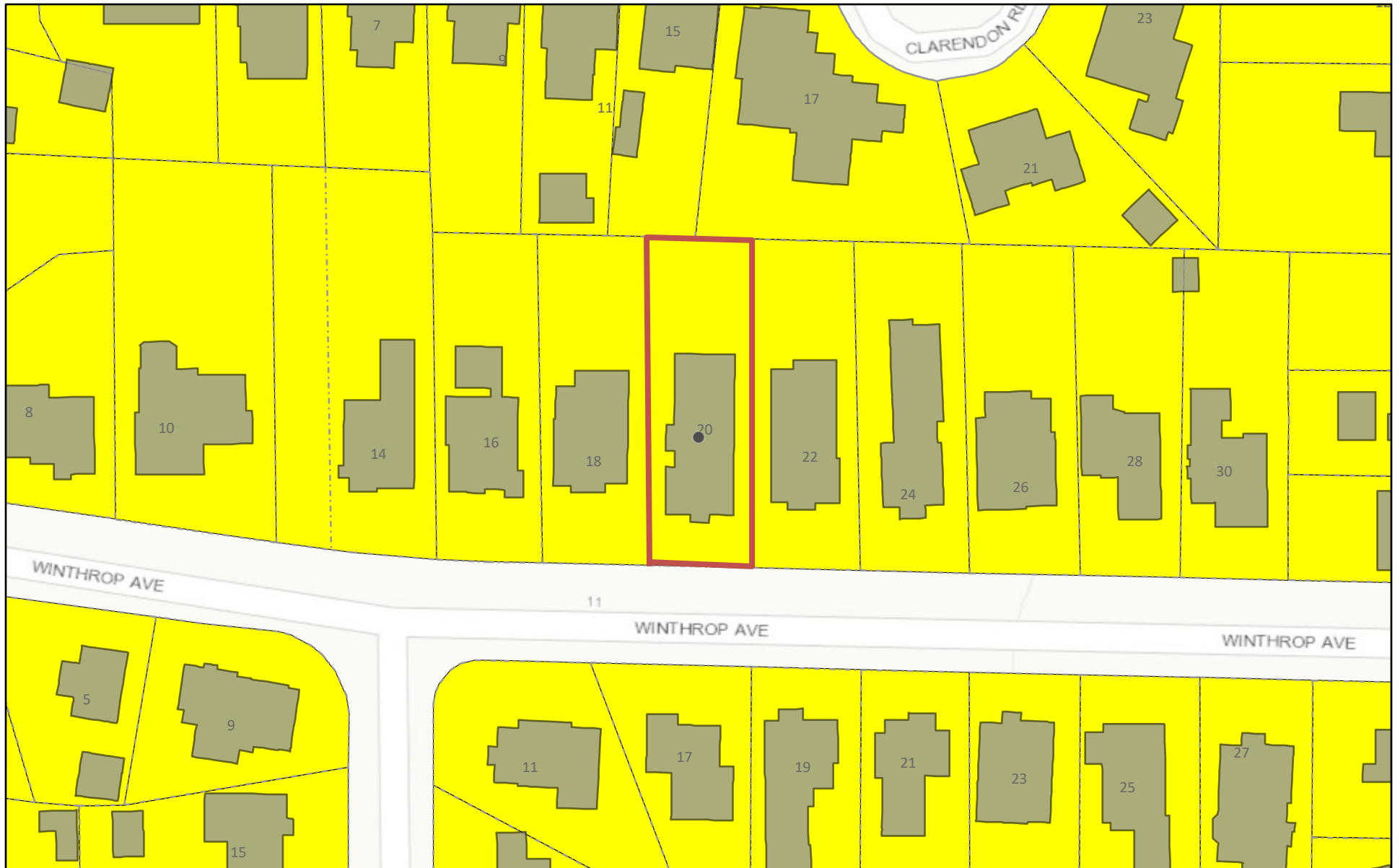


Property owner or representative agent must be present at hearing



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

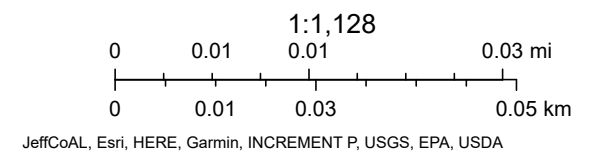
	Zoning Code Requirement	Existing Development	Proposed Development
Lot Area (sf)			
Lot Width (ft)			
Front Setback (ft) <i>primary</i>	35.0 feet	25.5 feet	30.4 feet
Front Setback (ft) <i>secondary</i>			
Right Side Setback			
Left Side Setback			
Right Side Setback (ft): For non-conforming narrow lots 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			
Other			

A-24-01



1/9/2024, 3:27:21 PM

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



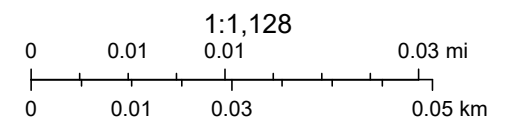
A-24-01 Aerial



1/3/2024, 7:31:43 AM

Aerial 2021

Green: Band_2 Blue: Band_3
Red: Band_1



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-24-01

Petition Summary

Request to allow alterations to the existing non-conforming single family dwelling to be 30.4 feet from the front property line (Winthrop Avenue) in lieu of the required 35 feet.

Scope of Work

The scope of work includes alterations to front of the existing non-conforming home which feature removing a covered entry, a new door and front windows and a new roof.

Variance Request for Setback

Nexus: The hardship in this case is the existing design constraint. Portions of the existing structure including the front entry roof are as close as 25.5 feet from the front property line. The main part of the structure is 30.4 feet from the front property line. This proposal would remove the roof structure over the front entry which would see the front encroachment reduced from the current 25.5 feet to 30.4 feet.

Standard Hardships Required

The subject request appears to meet “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 with the front of the structure already located in the setback).

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:
 - b. will not be detrimental to the streetscape (as the non-conforming front portion of the structure would move farther from the street than what exists today);

- g. is in harmony with the spirit and intent of the zoning ordinance (as the front encroachment would be reduced from 25.5 feet to 30.4 feet).

Impervious Area

The proposal exceeds the maximum impervious surface limit.

Subject Property and Surrounding Land Uses

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

Affected Regulation

Article IV, Section 129-52 Area and dimensional requirements





Appends

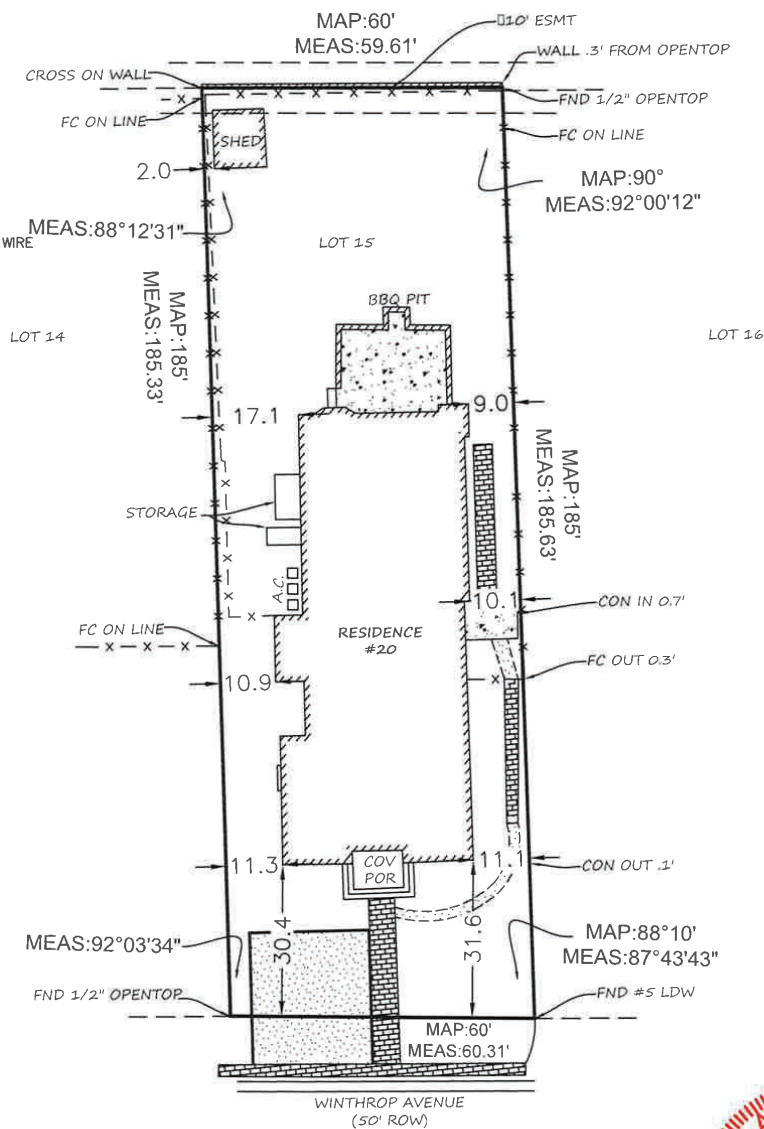
LOCATION: 20 Winthrop Avenue

ZONING DISTRICT: Residence B District

OWNERS: Mary and Stuart Hurst

LEGEND

ASP	ASPHALT
BLDG	BUILDING
CALC	CALCULATED
MEAS	MEASURED
CH	CHORD
LNG	LONG CHORD
Δ	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
\oint	CENTERLINE
A/C	AIR CONDITIONER
●	POLE
>—	ANCHOR
—X—	FENCE
—/—	OVERHEAD UTILITY
PVMT	PAVEMENT
W/	WITH
TAN	TANGENT
RES	RESIDENCE
COV	LIGHT
○	COVERED
	DECK
	CONCRETE
	WALL
	COLUMN



SCALE: 1"=30'



STATE OF ALABAMA)
JEFFERSON COUNTY)

"Property Boundary Survey"

I, Ray Weygand, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot 15, BLOCK 3 COLONIAL HILLS, as recorded in Map Volume 18, Page 22, in the Office of the Judge of Probate, Jefferson County, Alabama. I hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief, according to my survey of APRIL 24, 2023. Survey invalid if not sealed in red.

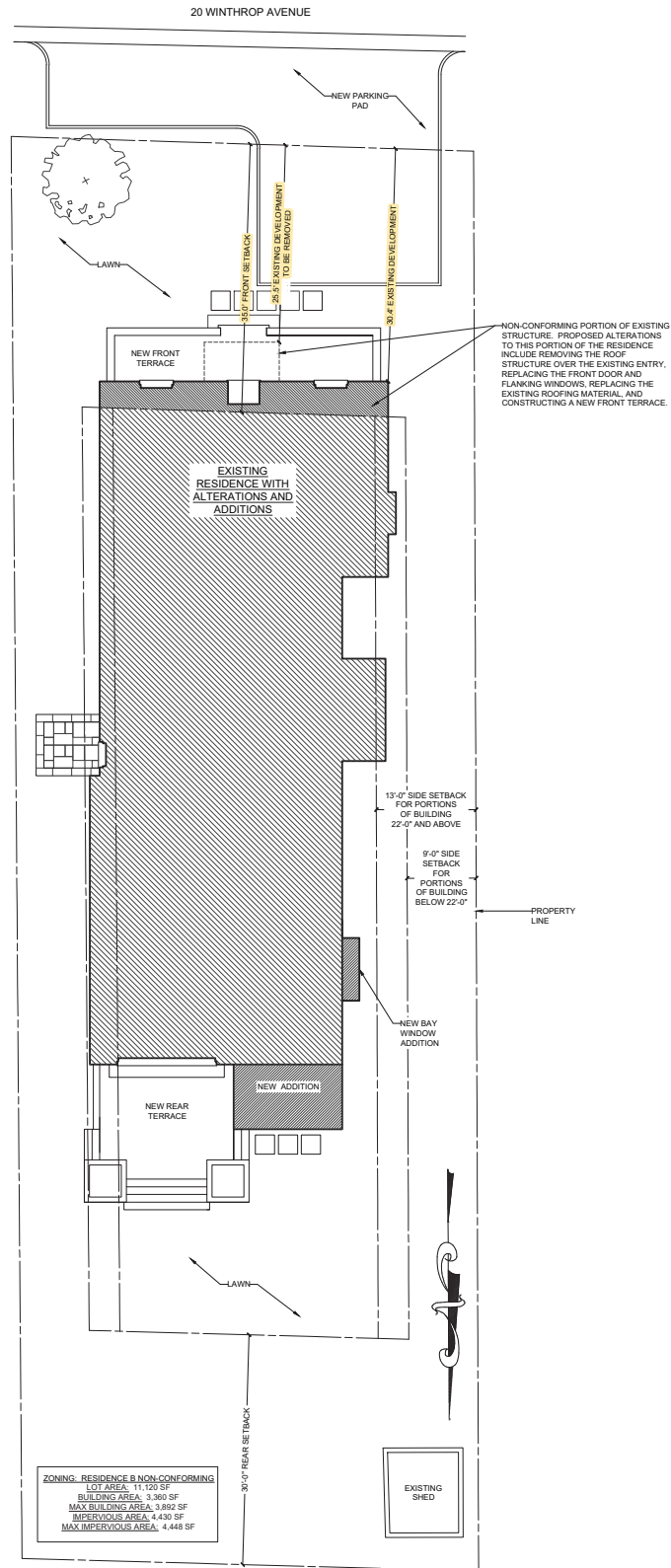
Order No.: 20230473
Purchaser: _____
Address: 20 WINTHROP AVE

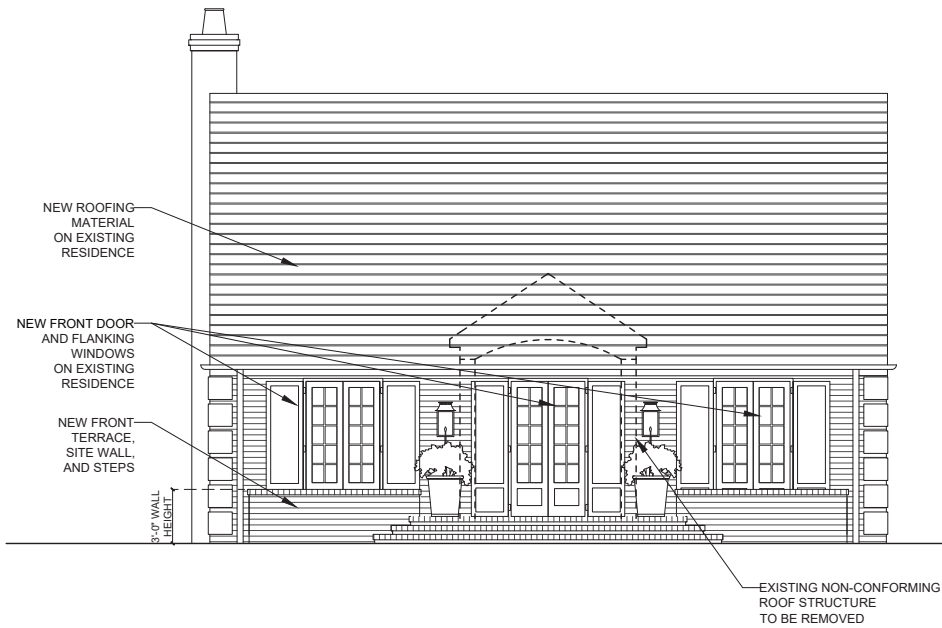
Ray Weygand, Reg. L.S. #24973
169 Oxmoor Road Homewood, AL 35209
Phone: (205) 942-0086 Fax: (205) 942-0087
Copyright ©



WEYGND
SURVEYORS

Note: (a) No title search of the public records has been performed by this firm and land shown hereon was not abstracted for easements and/or rights-of-way, recorded or unrecorded. The parcel shown hereon is subject to setbacks, easements, zoning, and restrictions that may be found in the public records of said county and/or city. (b) All bearings and/or angles, are deed/record map and actual unless otherwise noted. (c) Underground portions of foundations, footings, and/or other underground structures, utilities, cemeteries or burial sites were not located unless otherwise noted. (d) The shown north arrow is based on deed/record map. (e) This survey is not transferable. (f) Easements not shown on record map are not shown above.





PROPOSED FRONT ELEVATION
3/16" = 1'-0"

ALTERATIONS AND ADDITIONS FOR
MARY STUART AND STUART HURST
20 WINTHROP AVENUE

VARIANCE APPLICATION
DECEMBER 15, 2023
SUPPLEMENTAL DRAWINGS

MDA
Mary Stuart and Stuart Hurst, LLC



EXISTING FRONT ELEVATION
NOT TO SCALE

ALTERATIONS AND ADDITIONS FOR
MARY STUART AND STUART HURST
20 WINTHROP AVENUE

VARIANCE APPLICATION
DECEMBER 15, 2023
SUPPLEMENTAL DRAWINGS



A-24-01

MCCA

December 15, 2023

Tyler Slaten
City Planner
City of Mountain Brook
56 Church Street
Mountain Brook, AL 35213

Variance Application

On behalf of the Owners, Mary Stuart and Stuart Hurst, enclosed is a variance application for 20 Winthrop Avenue, Mountain Brook, AL 35213. The scope of the project includes alterations and additions to an existing residence, as shown in the provided supplemental drawings.

Sincerely,



Mary Coleman Clark



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)?

20 Winthrop Avenue is a Residence B Non-conforming lot with an existing structure built over the 35' front setback requirement. The roof structure over the existing front entry is 25.5' from the front property line; the existing residence is 30.4' from the front property line.

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

The Owners would like to make alterations and additions to the existing residence, and a portion of the existing residence built over the front setback line, posing an existing design constraint that is non-conforming to the zoning code. The Owners would like to reduce this encroachment by removing the roof structure over the existing front entry. Further proposed improvements in the front setback include replacing the front door and flanking windows and replacing the roofing on the existing residence.

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

The proposed alterations to the front exterior elevation would not restrict the neighbors' access to light and air as the improvements reduce the existing encroachment in the front setback.



Variance Application - Part I

Project Data

Address of Subject Property 12 ALDEN LANE
 Zoning Classification B
 Name of Property Owner(s) ALLISON & MATTHEW SCULLY
 Phone Number 205-790-1658 Email allison.burg@gmail.com
 Name of Surveyor DAVID ENTREKIN / SURVEYING SOLUTIONS
 Phone Number 205-991-8965 Email davidentrekin@ssi-212.com
 Name of ^{Designer} Architect (if applicable) MICHAEL ERIC DALE
 Phone Number 205-873-1676 Email eric@ericdale.com

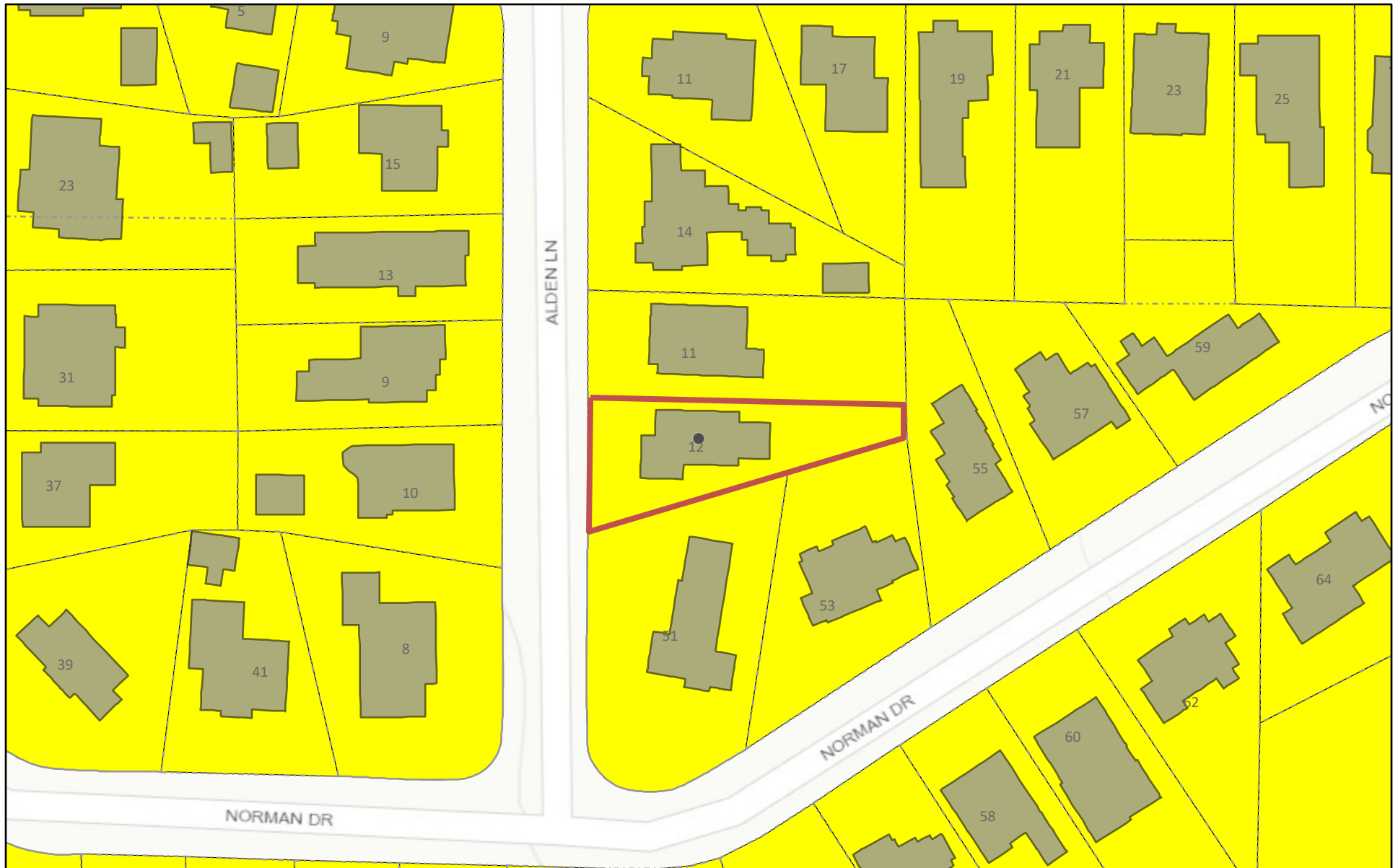


Property owner or representative agent must be present at hearing

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

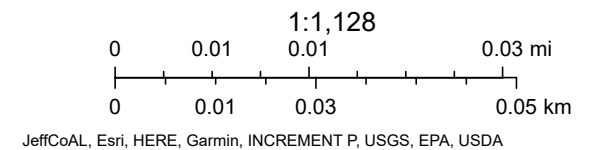
	Zoning Code Requirement	Existing Development	Proposed Development
Lot Area (sf)			
Lot Width (ft)			
Front Setback (ft) <i>primary</i>			
Front Setback (ft) <i>secondary</i>			
Right Side Setback			
Left Side Setback			
Right Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 22' high → 22' high or greater →	<u>B</u>	<u>B.6</u>	<u>5</u>
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 (%)	<u>40</u>	<u>less than 40</u>	<u>no change</u>
Building Height (ft)			
Other			
Other			

A-24-02 Zoning



1/3/2024, 7:38:20 AM

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



A-24-02 Aerial



1/3/2024, 7:39:11 AM

Aerial 2021

Green: Band_2 Blue: Band_3
Red: Band_1

1:1,128
0 0.01 0.01 0.03 mi
0 0.01 0.03 0.05 km

Jefferson County Department of Information Technology , 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 |

Report to the Board of Zoning Adjustment

A-24-02

Petition Summary

Request to allow an addition to be 5 feet from the side property line (south) in lieu of the required 8 feet.

Scope of Work

The scope of work includes the addition of a covered screened porch.

Variance Request for Setback

Nexus: The hardships in this case are the narrow and unusual lot shape and existing design constraints. The lot tapers from 75 feet wide in the front to 20 feet wide in the rear. The right side property line is angled and squeezes in toward the existing single family dwelling. The proposed location of the covered screened porch is currently a raised terrace that is 3.8 feet from the side property line at it closest point. The proposal would shave the corner of the existing terrace to make the proposed porch 5 feet from the side property line.

Standard Hardships Required

The subject request appears to meet “a.”, “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 (the lot tapers down to 20 feet wide in the rear)
- b. exceptional shallowness
- c. irregular shape (lot line along the side with proposed addition is angled)
- 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 of the existing raised terrace).

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 (as the proposed porch is somewhat minor in nature and will not substantially change the structure's relationship with adjacent property).

Impervious Area

The proposal is in compliance with the maximum impervious surface area allowed.

Subject Property and Surrounding Land Uses

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

Affected Regulation

Article IV, Section 129-52 Area and dimensional requirements

Appendix

LOCATION: 12 Alden Lane

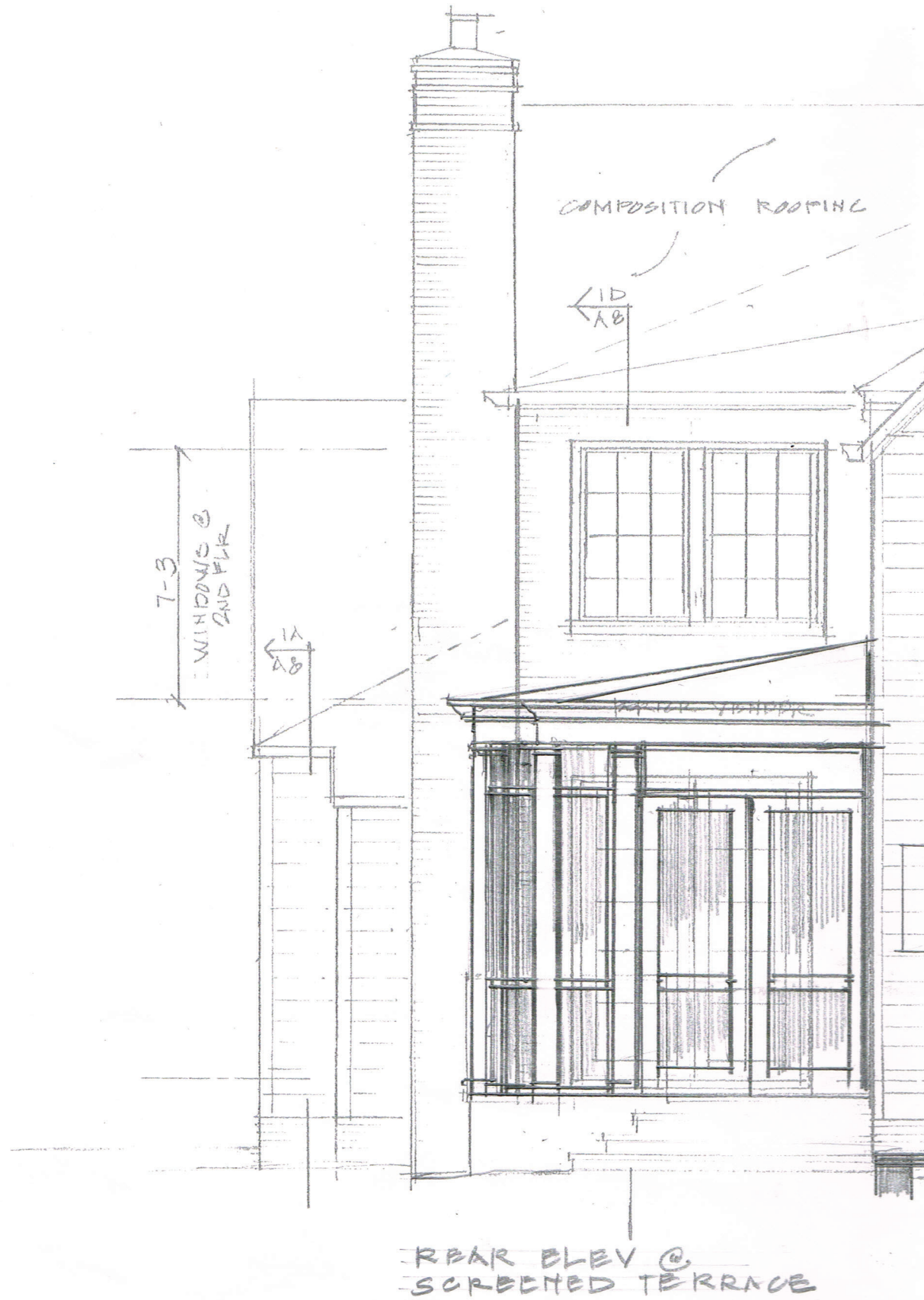
ZONING DISTRICT: Residence B District


OWNERS: Allison and Matthew Scully

VACAD\SUBDIVISION\JEFFERSON COUNTY\COLONIAL HILLS\LOT12 BLK5 COLONIAL HILLS



SCREENED PORCH
RIGHT SIDE ELEVATION





Garage of
neighbor's home
is at rear of their
property- no
porch or terrace;
holly privacy
screen

photo 2



Photo 3

shows neighbor's property adjacent to proposed porch-garage is at rear of their home.

MICHAEL ERIC DALE

RESIDENCE DESIGN
INTERIOR DESIGN

December 13, 2023

Board of Zoning Adjustment
City of Mountain Brook
Mountain Brook, AL 35213

Re: 12 Alden Lane
Allison & Matt Scully, Owners

Dear Board Members:

The Scullys would like to turn an existing raised masonry terrace on the right rear side of their home into a screened porch with roof cover. Because of the severely angled right side property line, this proposed work is closer than the 8 feet side setback granted by "special provisions" in the Zoning Code for non-conforming narrow lots in Zone B.

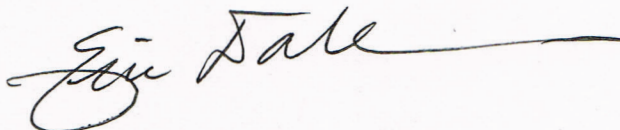
Currently, this terrace at its closest point (a corner) is 3.8 feet from the right property line. The Scullys will amend the existing terrace by taking away a small area at that corner so that the final setback of the porch would be 5 feet at the closest point.

The shape of the lot presents a severe hardship in developing the structure for the porch. The surrounding area is made up mostly of odd-shaped lots with unique problems, but probably none as peculiar as this one. The particular problems presented by the angled right side property line along with narrow width of the lot do not apply to other lots in the area generally. (Please see photo 1.)

The back of the neighbor's garage faces this terrace (See photo 2.) The neighbors do not currently have a terrace or porch at the rear. That neighbor has large holly shrubs that very effectively obscure the view between the properties.

We are not adding any impermeable surfaces to the lot with the roof addition since the terrace is masonry.

Thank you for your consideration.



Eric Dale

935 LANDALE ROAD
BIRMINGHAM, AL 35222
205.873.1676
ERIC@ERICDALE.COM



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 oddly shaped with an angled right property line that severely impacts the usability of the lot.
- At the front setback line, the width of the lot is much less than the 75 ft. zoning standard.

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 immediate neighborhood is made up of odd-sized and shaped lots with little standardization. Most have unique characteristics and problems, but this lot is especially burdened by its odd shape with extremely angled right property line.

The extreme narrowness at the rear of this lot makes any kind of development difficult.



Variance Application - Part I

Project Data

Address of Subject Property 14 Montrose Circle, 35213

Zoning Classification Residence B

Name of Property Owner(s) Lib and Coates Covington

Phone Number 205-447-0101 Email coatescovington0@gmail.com

Name of Surveyor MTM Engineers - Joey Miller

Phone Number 205-283-5878 Email jmillier@mtmengineers.com

Name of Architect (if applicable) Carrie Taylor

Phone Number 205-835-8069 Email carrie@carrietaylorarchitect.com



Property owner or representative agent must be present at hearing

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

	Zoning Code Requirement	Existing Development	Proposed Development
Lot Area (sf)			
Lot Width (ft)			
Front Setback (ft) <i>primary</i>			
Front Setback (ft) <i>secondary</i>			
Right Side Setback			
Left Side Setback			
Right Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 22' high → 22' high or greater →			
Left Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 22' high → 22' high or greater →	12.5'	11.54'	11.46' (previously approved setback was 11.41')
Rear Setback (ft)	35'	24.68'	24.68' (previously approved setback was 20.27')
Lot Coverage (%)	35%	24%	26%
Building Height (ft)			
Other			
Other			

A-24-03 Zoning




1/3/2024, 7:50:31 AM

 Building Footprints 2020v1

Tax_Parcels 2021

Lot Lines

 Residence A District

 Residence B District

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

ArcGIS Web AppBuilder

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

A-24-03 Aerial



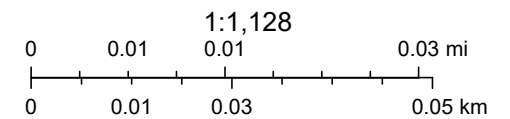
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Aerial 2021

Red: Band_1

Green: Band_2

Blue: Band_3



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-24-03

Petition Summary

Request to allow an addition to be 11.46 feet from the side property line (east) in lieu of the required 12.5 feet and to be 24.68 feet from the rear property line (south) in lieu of the required 35 feet.

Scope of Work

The scope of work includes the addition of a covered screened porch.

Background

Variances were granted to allow side and rear encroachments prior to the house being constructed in its current location. The proposed porch area was anticipated by those variances and approved in the same location as what is currently being requested. The approved porch area was not constructed in this location when the house was initially built, and the applicants are now seeking approval for the same area as the original approval.

Variance Request for Setback

Nexus: The hardships in this case are the unusual lot shape and existing design constraints. The front of the lot is situated in a curve and the house is pushed back towards the rear corner of the lot. It is non-conforming as it relates to the side and rear setback. There is also an irregularly shaped lot line in the back corner of the yard.

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 (unusual lot shape at the rear and the front is in a curve)
- 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 of the home).

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 (as the proposed porch is minor in nature).

Impervious Area

The proposal is in compliance with the maximum impervious surface area allowed.

Subject Property and Surrounding Land Uses

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

Affected Regulation

Article IV, Section 129-52 Area and dimensional requirements

Appends

LOCATION: 14 Montrose Circle

ZONING DISTRICT: Residence B District

OWNERS: Lib and Coates Covington

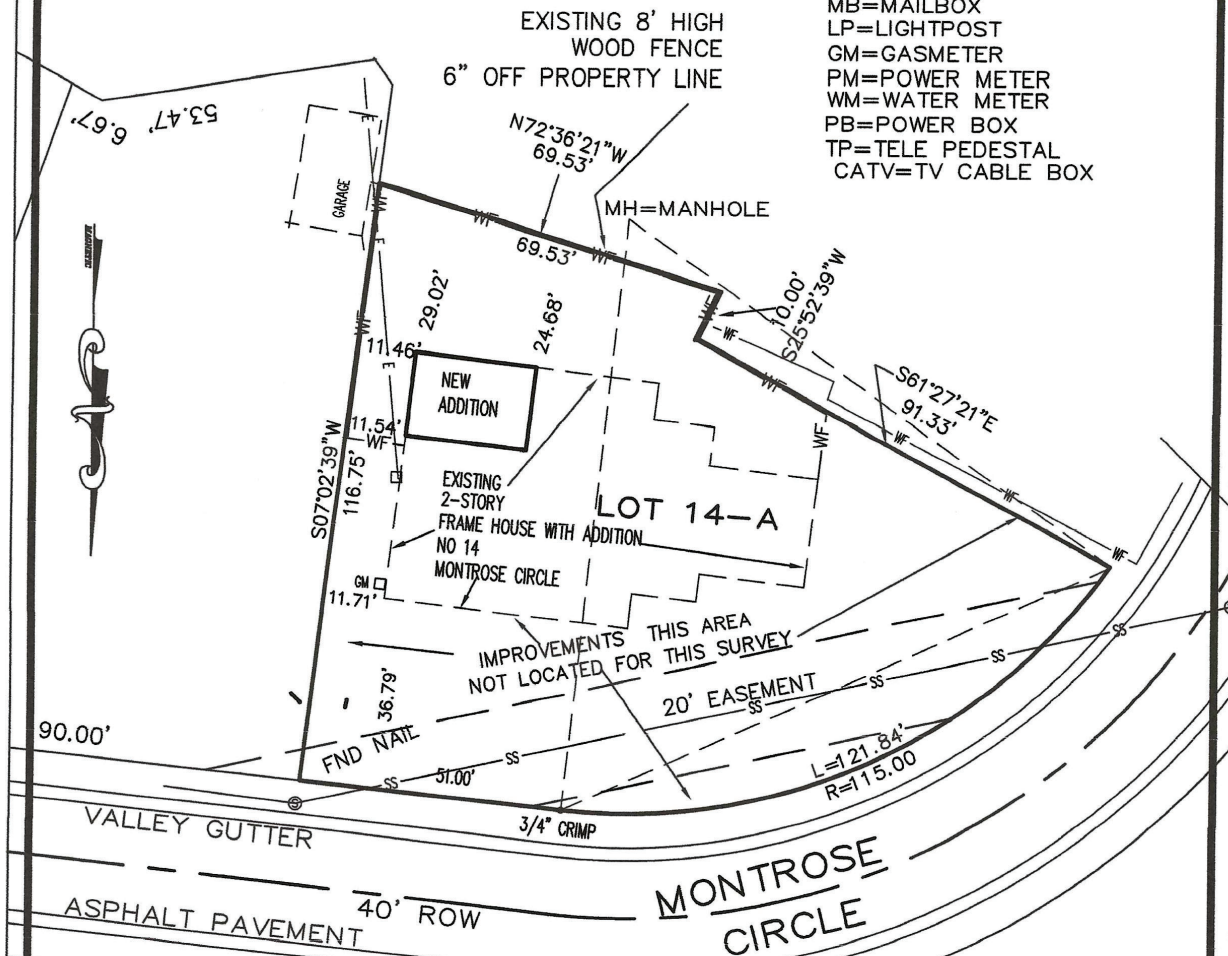
BUILDER IS RESPONSIBLE FOR INSTALLATION AND MAINTENANCE OF EROSION CONTROL MEASURES.
BUILDER IS RESPONSIBLE FOR PROVIDING A SITE FREE FROM DRAINAGE PROBLEMS.

SCALE: 1" = 30'

PREPARED BY

MTTR ENGINEERS, INC.

IPS=SET 5\8" REBAR
IPF=FOUND REBAR
X=CROSS
CO=CLEANOUT
ICV=IRRIGATION CONTROL VALVE
MB=MAILBOX
LP=LIGHTPOST
GM=GASMETER
PM=POWER METER
WM=WATER METER
PB=POWER BOX
TP=TELE PEDESTAL
CATV=TV CABLE BOX



INSTALL SILT
FENCE AS NEEDED

INSERT CONSTRUCTION
EXIT AT DRIVE
LOCATION

STATE OF ALABAMA
JEFFERSON COUNTY

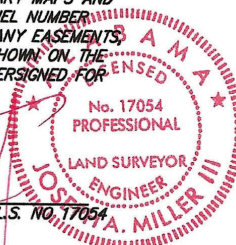
I, JOSEPH A. MILLER, III A REGISTERED CIVIL ENGINEER AND LAND SURVEYOR OF BIRMINGHAM, ALABAMA DO HEREBY CERTIFY TO:
THE OWNER LISTED BELOW ON THE DATE SHOWN BELOW
THAT THE FOREGOING TO BE A TRUE AND CORRECT MAP OR PLAT OF THE SURVEY MADE BY ME AND DESCRIBED OF:
RECORD SURVEY AND PLOT PLAN FOR ADDITION :
LOT 14 A OF RESURVEY OF LOT 14 MONTROSE
AS RECORDED IN MAP BOOK 246, PAGE 73, IN THE PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA.

THE SOLE PURPOSE OF THIS SURVEY IS FOR USE AS A MORTGAGE LOAN CERTIFICATE SURVEY OR MORTGAGE LOAN CLOSING
SURVEY SHOWING THE EXISTENCE OR NONEXISTENCE OF ENCROACHMENTS INTO OR OUT OF SAID PROPERTY. I HEREBY CERTIFY
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 BUILDINGS NOW ERECTED ON SAID PROPERTY ARE WITHIN THE BOUNDARIES OF SAME EXCEPT AS MAY
BE SHOWN; THAT THERE ARE NO ENCROACHMENTS FROM ADJOINING PROPERTY EXCEPT AS MAY BE SHOWN; THAT THERE ARE
NO RIGHTS OF WAY, EASEMENTS, OR JOINT DRIVEWAYS OVER OR ACROSS SAID LAND VISIBLE ON THE SURFACE EXCEPT AS MAY
BE SHOWN; THAT THERE ARE NO ELECTRIC OR TELEPHONE WIRES (EXCLUDING SERVICE WIRES THAT SERVE THE PREMISES ONLY)
OR STRUCTURES OR SUPPORTS THEREFOR, INCLUDING POLES, ANCHORS, AND GUY WIRES, ON OR OVER SAID PREMISES EXCEPT
AS MAY BE SHOWN; THAT I HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAPS AND
FOUND THAT THIS PROPERTY IS NOT LOCATED IN A DESIGNATED FLOOD HAZARD AREA ACCORDING TO FEMA PANEL NUMBER
01073C0413 G DATE: SEPTEMBER 29, 2006, THE PREMISES SHOWN AND DESCRIBED HEREON ARE SUBJECT TO ANY EASEMENTS,
ZONING RESTRICTIONS, RIGHT-OF-WAYS, RESTRICTIONS, AND SETBACK LINES WHETHER OR NOT THEY MAY BE SHOWN ON THE
PLAT HEREON OR WHETHER OR NOT RECORDED IN THE PUBLIC RECORDS. NO LIABILITY IS ASSUMED BY THE UNDERSIGNED FOR
ANY LOSS THAT MAY BE ASSOCIATED WITH THE EXISTENCE OF ANY OF EASEMENTS OR RESTRICTIONS.

THE CORRECT STREET ADDRESS IS: 14 Montrose, Mountain Brook, Al.

FEMA PANEL: # 01073C0413 G DATED: SEPTEMBER 29, 2006
DATE: NOVEMBER 29, 2023 FILED: MONTROSE RESURVEY 14A
INVOICE NO. 230740 ATTORNEY: NONE
ORDERED BY: COVINGTON 65.23.19/ Fence 02.10.21 ADD 11-29-23
OWNER: COATES COVINGTON
FIELD FILE: RESURVEY OF LOT 14 MONTROSE.TXT
SURVEYOR AND FIELD WORK DATE: JBC-06.14.19& MM 11-28-23
DRAWN BY AND DATE: JBC ON 06.14.19/JAM 2.10.21/JBC 11-29-23

JOSEPH A. MILLER, III, P.E. & L.S. NO. 17054
3 RIVERCHASE RIDGE
HOOVER, ALABAMA 35244
TELEPHONE (205) 320-0114
ORIGINAL SURVEY--NOT VALID UNLESS SIGNED &
SEALED IN RED INK BY THE ABOVE SURVEYOR.

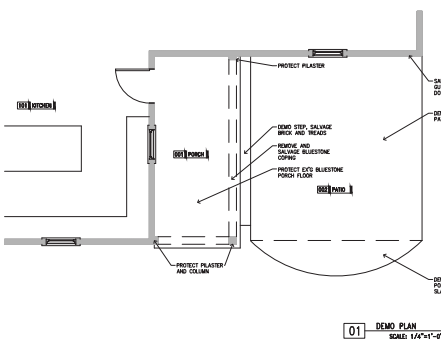
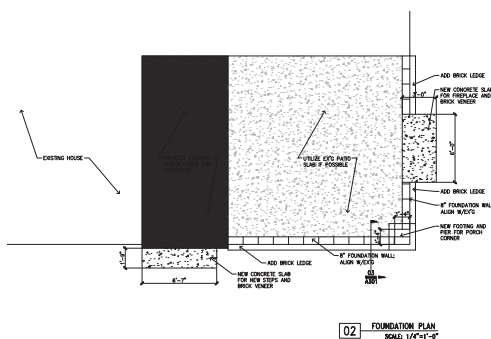
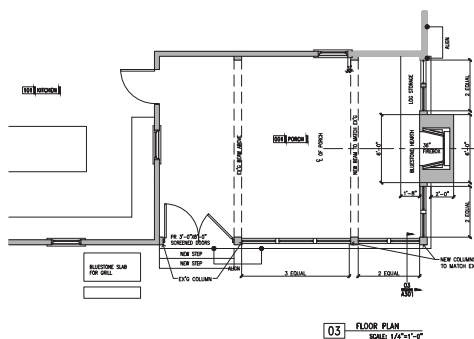
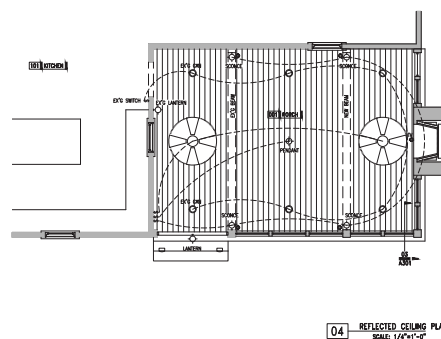


IONS TO THE RESIDENCE OF
TES COVINGTON
14 MONTROSE CIRCLE
MOUNTAIN BROOK, AL 35213

001

Diagram illustrating the roof plan for the addition, showing the new standing seam copper roof and the existing porch. Key features include:

- EXIST. PORCH
- NEW STANDING SEAM COPPER ROOF
- CHIMNEY CAP
- 61'00" - 0"
- 3' 11/2"
- HIP ROOF AT RETURN
- HIP ROOF AT RETURN
- SCALE: 1/8" = 1'-0"
- 05 ROOF PLAN







CARRIE TAYLOR
ARCHITECT

December 22nd, 2023

Tyler Slaten
Senior Planner
City of Mountain Brook
56 Church Street
Mountain Brook, AL 35213

Dear Mr. Slaten,

Please find attached an application for a variance for a side and rear setback for the residence located at 14 Montrose Circle. This variance is based on a previously approved variance wherein the footprint of the proposed project was approved but not fully constructed.

The lot in question is an irregular corner lot as well as located on a curve, so that the benefits of the space of a corner lot are not realized. Even so, the current home is compliant with the front setback, however the rear of the home is compliant with the variance approved in 2019. The addition would also comply with these setbacks, so we are requesting the same variance as approved previously in order to complete the project.

Please let me know if you have any questions.

Thanks,
Carrie Taylor

Principal Architect, Carrie Taylor Architect, LLC





Variance Application Part II

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

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

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

This variance request is based on an approved variance request from 2019. The lot is an irregularly shaped corner lot, with the corner being curved, not rectilinear. The house is in keeping with this difficult front setback, however this causes the home to sit closer to the rear and opposite side lot lines. The porch addition would be constructed within the original footprint that the deck was in for the previously approved variance application.

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 addition is to be constructed within variance setbacks approved for the rest of the home.

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

The variance for this footprint was approved three years ago but not constructed in it's entirety. This variance would allow the project to be finished within the setbacks approved for the original project.