

# BZA Packet

February 20, 2024

**Hello All,**

Enclosed please find your packet for the meeting of February 20, 2024.

**We have:**

- 9 new cases

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

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

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

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

**Tyler**

**16MEETING AGENDA**  
**CITY OF MOUNTAIN BROOK**  
BOARD OF ZONING ADJUSTMENT  
February 20, 2024  
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: 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-24-03: 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. **Case A-24-04: Scott and Jenny Sobera**, property owners, request variances from the terms of the Zoning Regulation to allow a detached accessory structure (greenhouse) to be 5 feet from the rear property line (north) in lieu of the required 10 feet. **2824 Canoe Brook Circle**
  6. **Case A-24-05: Stephen Taylor and Catherine Agricola**, property owners, request variances from the terms of the Zoning Regulation to allow an alteration to the existing non-conforming garage to be 9.4 feet from the left side property line (west) in lieu of the required 12.5 and a screened in porch addition to be 23.5 feet from the secondary front property line (Cherry Street) in lieu of the required 35 feet. **3822 Jackson Blvd.**



7. **Case A-24-06: James Howe**, property owner, requests variances from the terms of the Zoning Regulation to allow an addition for an elevator shaft to be 8.2 feet from the left side property line (east) for portions of the structure above 22 feet in height in lieu of the required 12 feet. **18 Spring Street**
8. **Case A-24-07: John and Lynette Thurber**, property owners, request variances from the terms of the Zoning Regulation to allow pool equipment to be 6 feet from the rear property line (east) in lieu of the required 10 feet. **32 Country Club Blvd.**
9. **Case A-24-08: Mike and Penny Fuller**, property owners, request variances from the terms of the Zoning Regulation to allow additions and alterations to the existing non-conforming dwelling to be 13 feet 6 inches from the left side property line (north) in lieu of the required 15 feet, and to allow the building area to be 26.1 percent in lieu of the maximum allowed of 25 percent. **76 Country Club Blvd.**
10. **Case A-24-09: John Montgomery**, property owner, requests a variance from the terms of the Zoning Regulation to allow a pool to be located 7 feet from the rear property line (south) in lieu of the required 10 feet. **25 Fairway Drive**
11. Next Meeting: **Monday, March 18, 2024**
12. 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

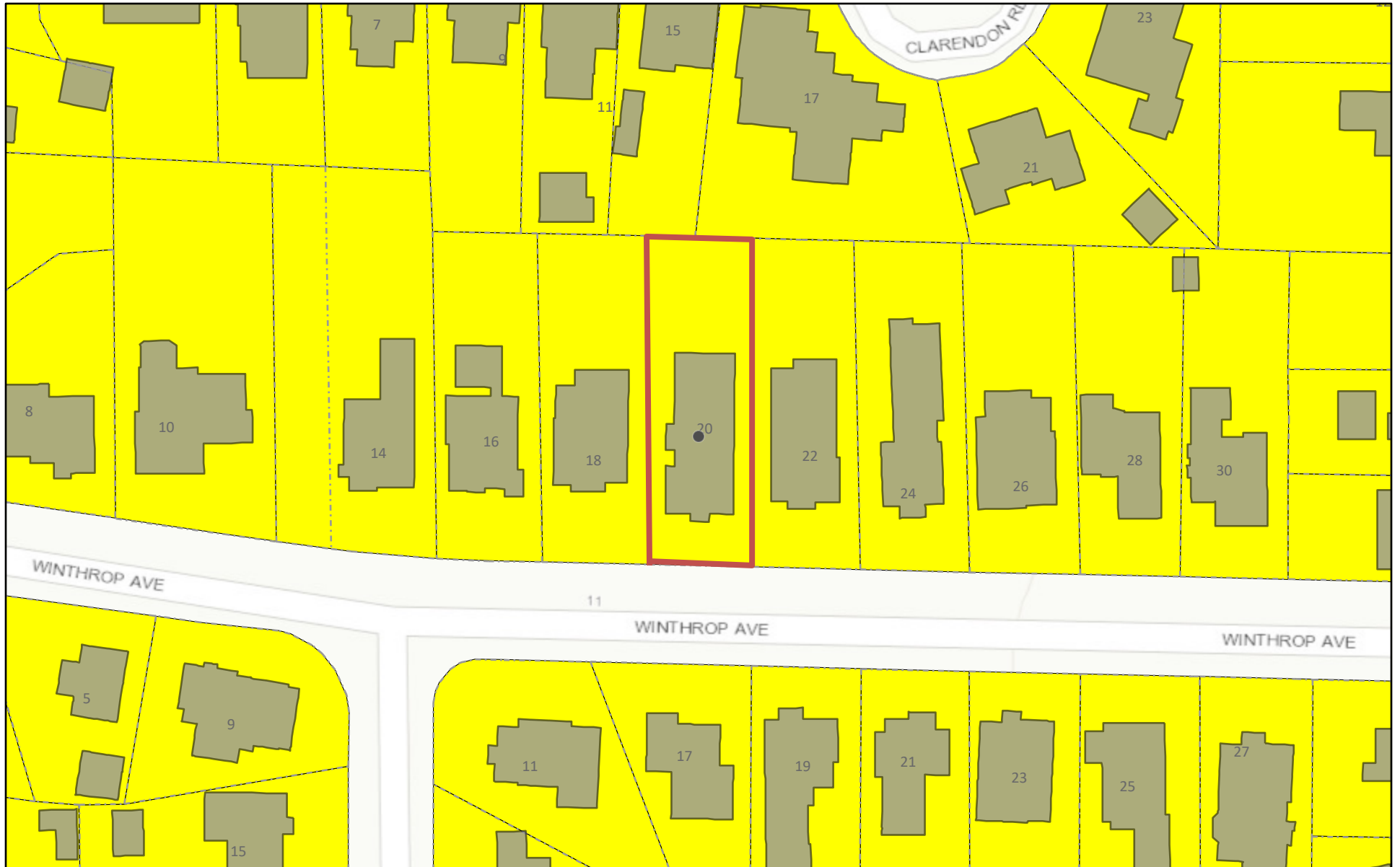


Property owner or representative agent must be present at hearing

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

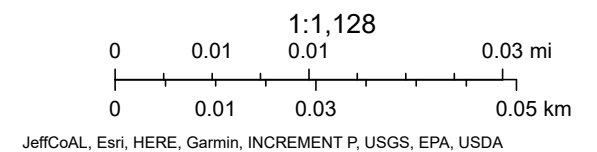
	Zoning Code Requirement	Existing Development	Proposed Development
Lot Area (sf)			
Lot Width (ft)			
Front Setback (ft) <i>primary</i>	35.0 feet	25.5 feet	30.4 feet
Front Setback (ft) <i>secondary</i>			
Right Side Setback			
Left Side Setback			
Right Side Setback (ft): For non-conforming narrow lots 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  
Tax\_Parcels 2021  
Lot Lines  
Residence B District





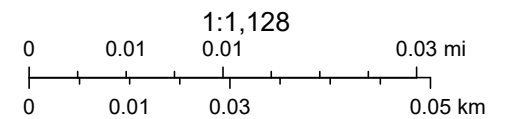
# A-24-01 Aerial



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

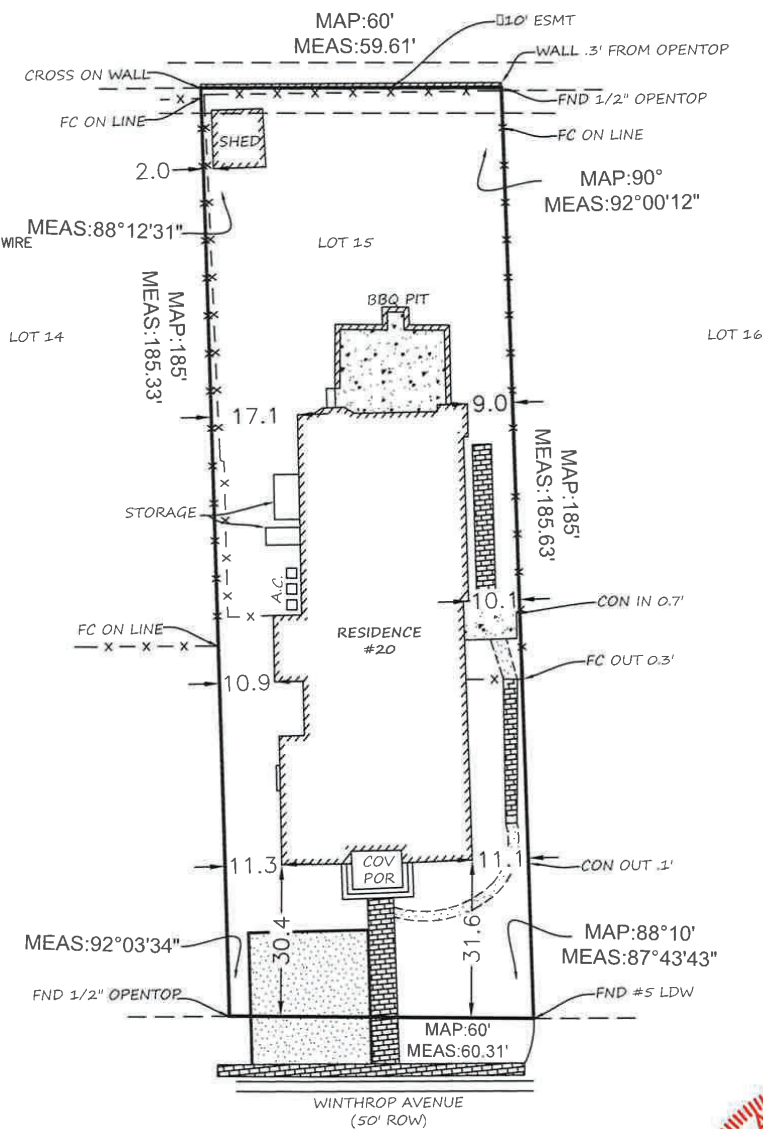
ZONING DISTRICT: Residence B District

OWNERS: Mary and Stuart Hurst



### LEGEND

ASP	ASPHALT
BLDG	BUILDING
CALC	CALCULATED
MEAS	MEASURED
CH	CHORD
LNG	LONG CHORD
$\Delta$	DEFLECTION
$\delta$	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
	FENCE
	OVERHEAD UTILITY
PVMT	PAVEMENT
W/	WITH
TAN	TANGENT
RES	RESIDENCE
COV	LIGHT
OLCT	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.

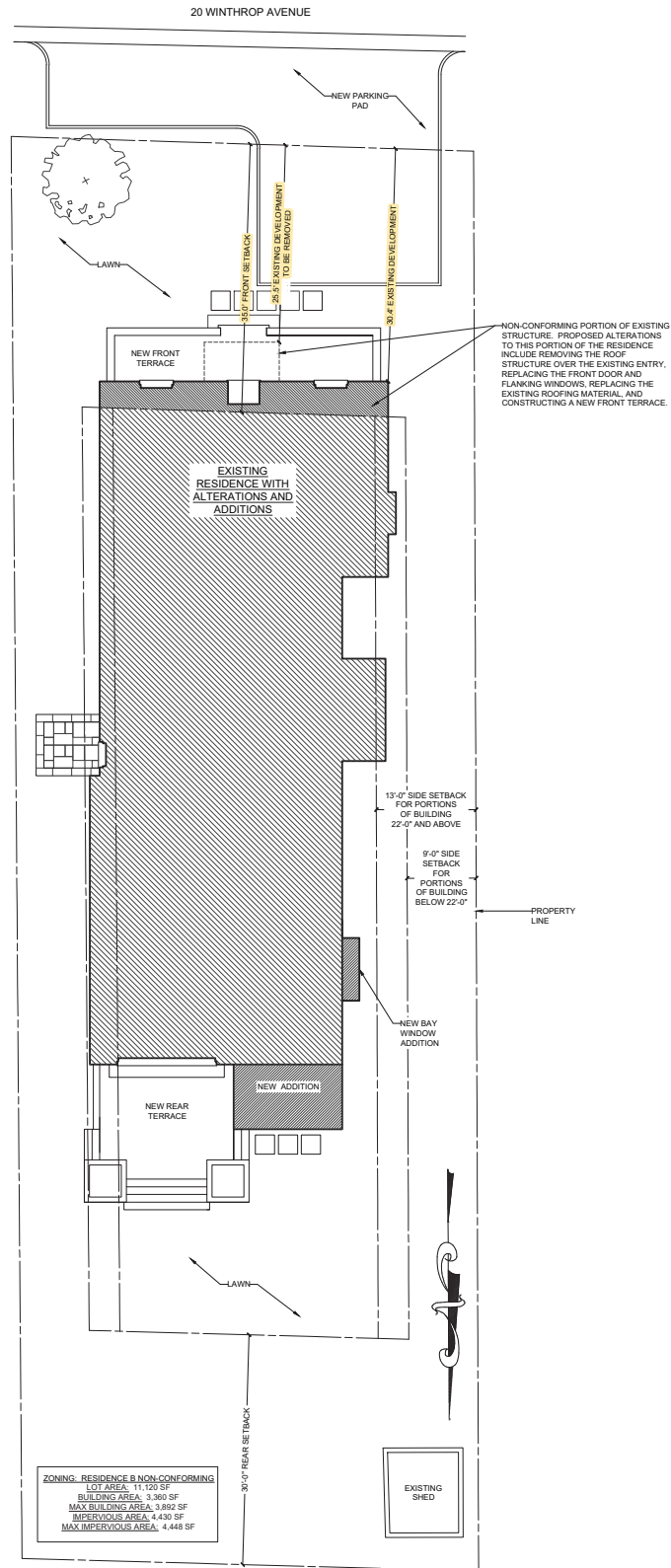
Order No.: 20230473  
Purchaser: \_\_\_\_\_  
Address: 20 WINTHROP AVE

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

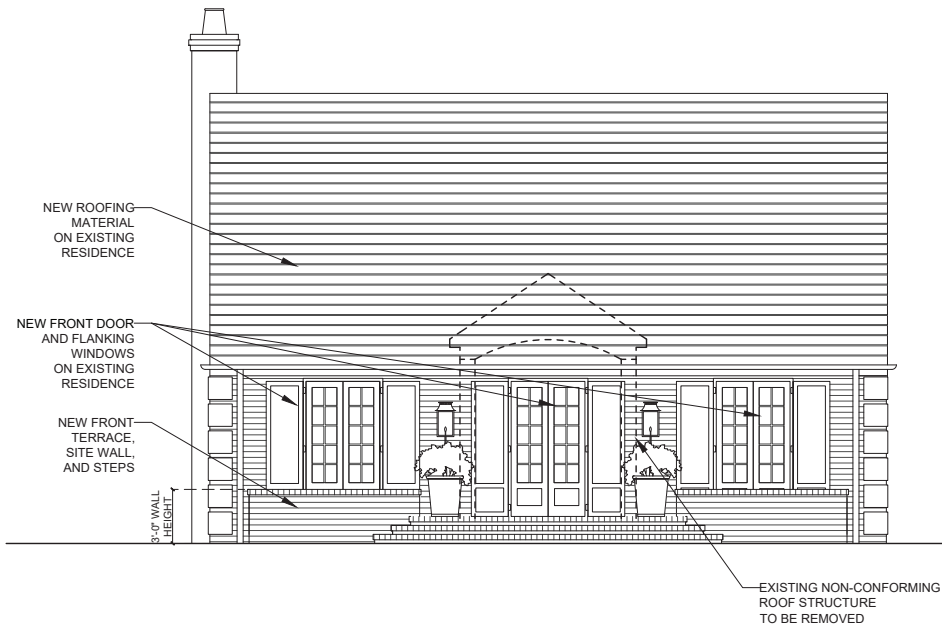


**WEYGND**  
SURVEYORS

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 ROOFING  
TO BE REPLACED

EXISTING WINDOWS  
AND FRONT DOOR  
TO BE REPLACE

EXISTING NON-  
CONFORMING ROOF  
STRUCTURE OVER  
EXISTING ENTRY TO BE  
REMOVED

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 <sup>Designer</sup> Architect (if applicable) MICHAEL ERIC DALE  
 Phone Number 205-873-1676 Email eric@ericdale.com

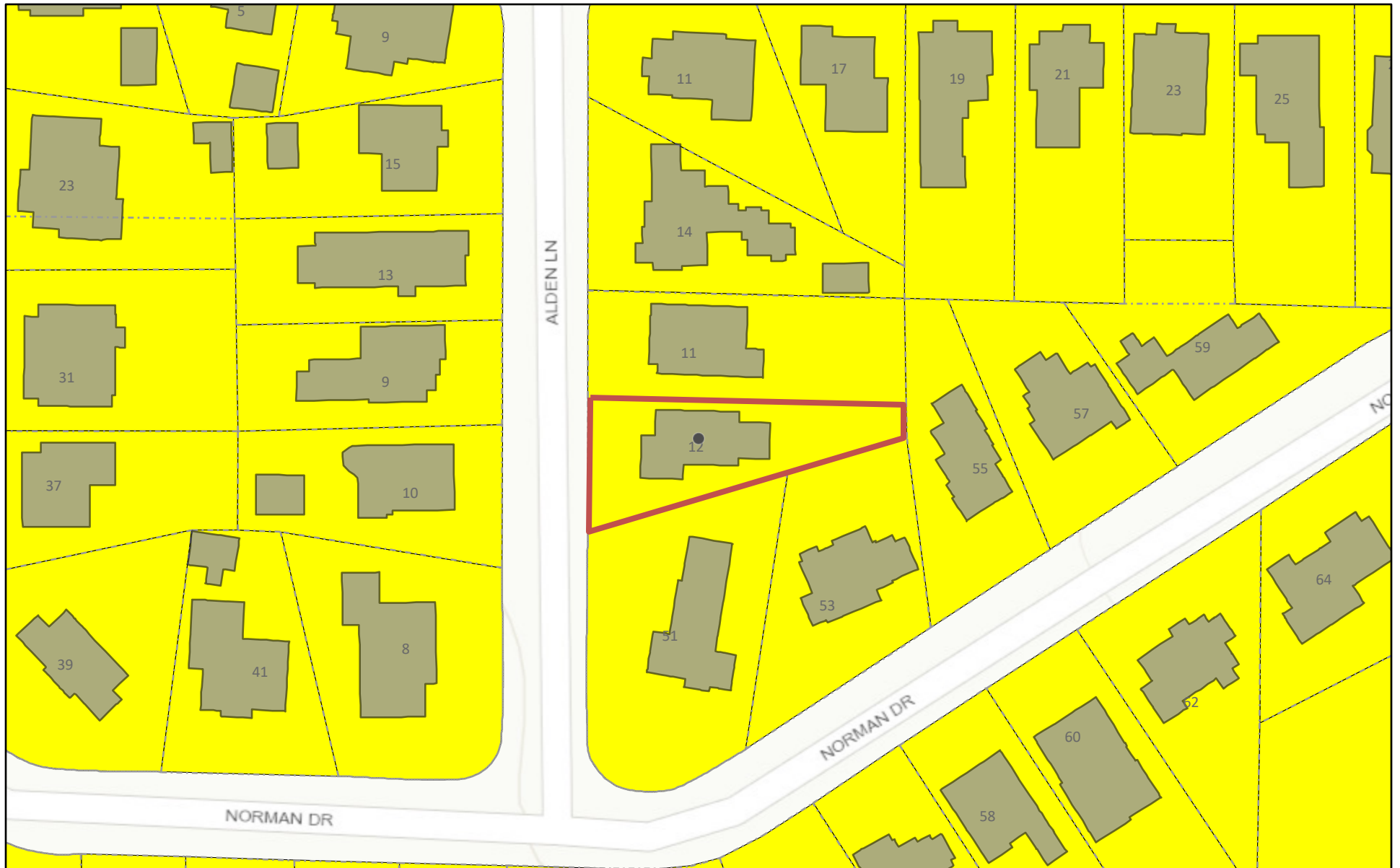


Property owner or representative agent must be present at hearing





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

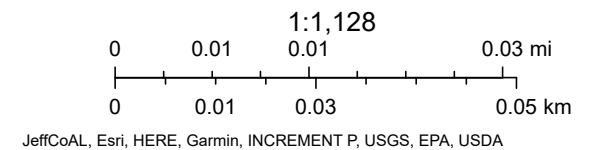
	Zoning Code Requirement	Existing Development	Proposed Development
Lot Area (sf)			
Lot Width (ft)			
Front Setback (ft) <i>primary</i>			
Front Setback (ft) <i>secondary</i>			
Right Side Setback			
Left Side Setback			
Right Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 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
-  Residence B District
-  Lot Lines
-  Tax\_Parcels 2021





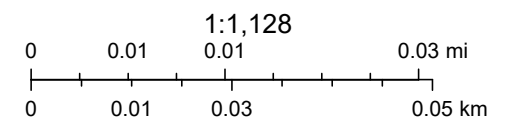
# A-24-02 Aerial



1/3/2024, 7:39:11 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

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

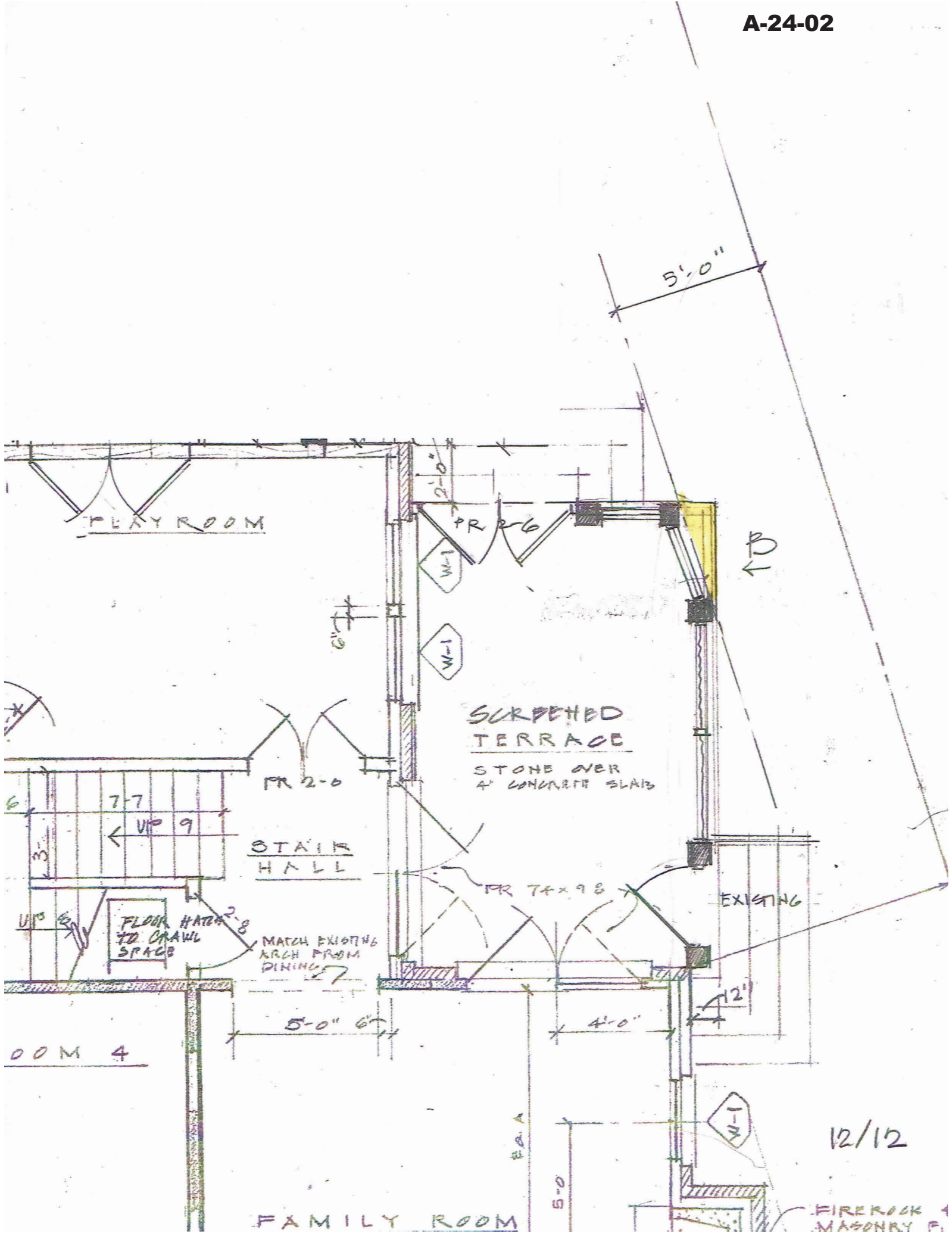
[illegible]

I, David B. Entrekin, a registered Land Surveyor, certify that I have surveyed Lot 12, Block 5, COLONIAL HILLS as recorded in Map Book 18, Page 22 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: 12 Alden Lane according to my survey of October 19, 2023. Survey is not valid unless it is sealed with embossed seal or stamped in red.

A circular professional seal for David B. Entrekina, an Alabama Professional Land Surveyor. The seal features the word "ALABAMA" at the top and "SURVEYOR" at the bottom, separated by two stars. In the center, it reads "LICENSED", "NO. 36345", "PROFESSIONAL", and "LAND". The name "DAVID B. ENTREKINA" is written along the bottom inner edge of the seal.

David B. Entrekin, Reg. L.S. #30345

Date of Signature

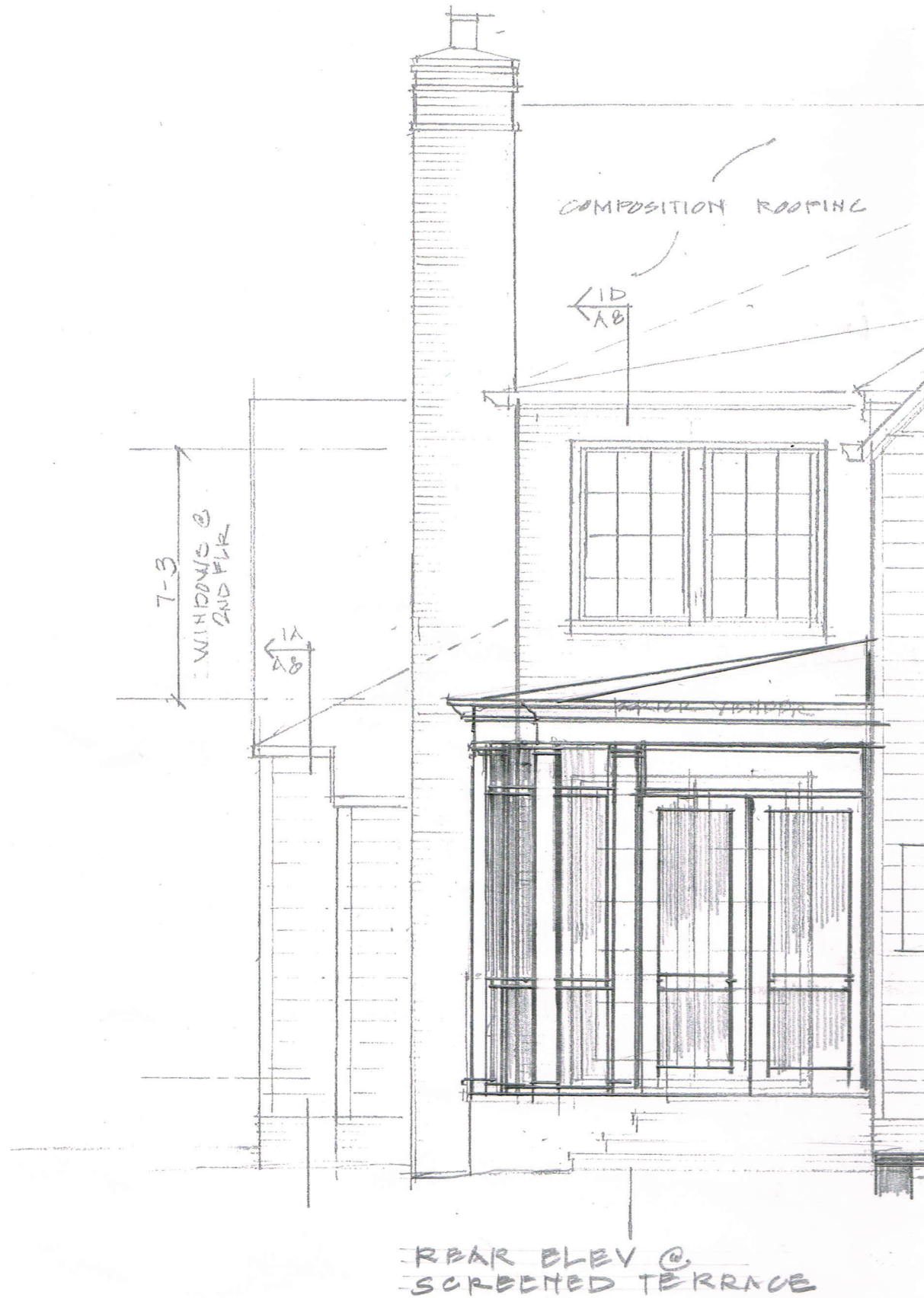


12/12






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.

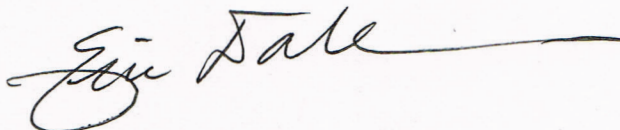
Currently, this terrace at its closest point (a corner) is 3.8 feet from the right property line. The Scullys will amend the existing terrace by taking away a small area at that corner so that the final setback of the porch would be 5 feet at the closest point.

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

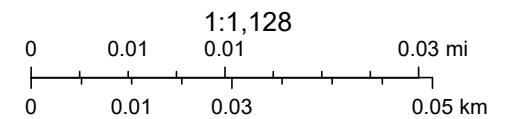
 Building Footprints 2020v1 Tax\_Parcels 2021

## Lot Lines

Tax\_Parcel 2021

 Residence A District

 Residence B District



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-24-03 Aerial



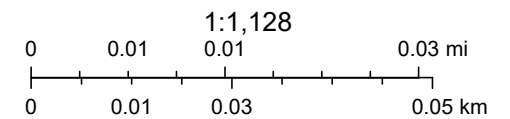
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Aerial 2021

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

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-24-03**

### ***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



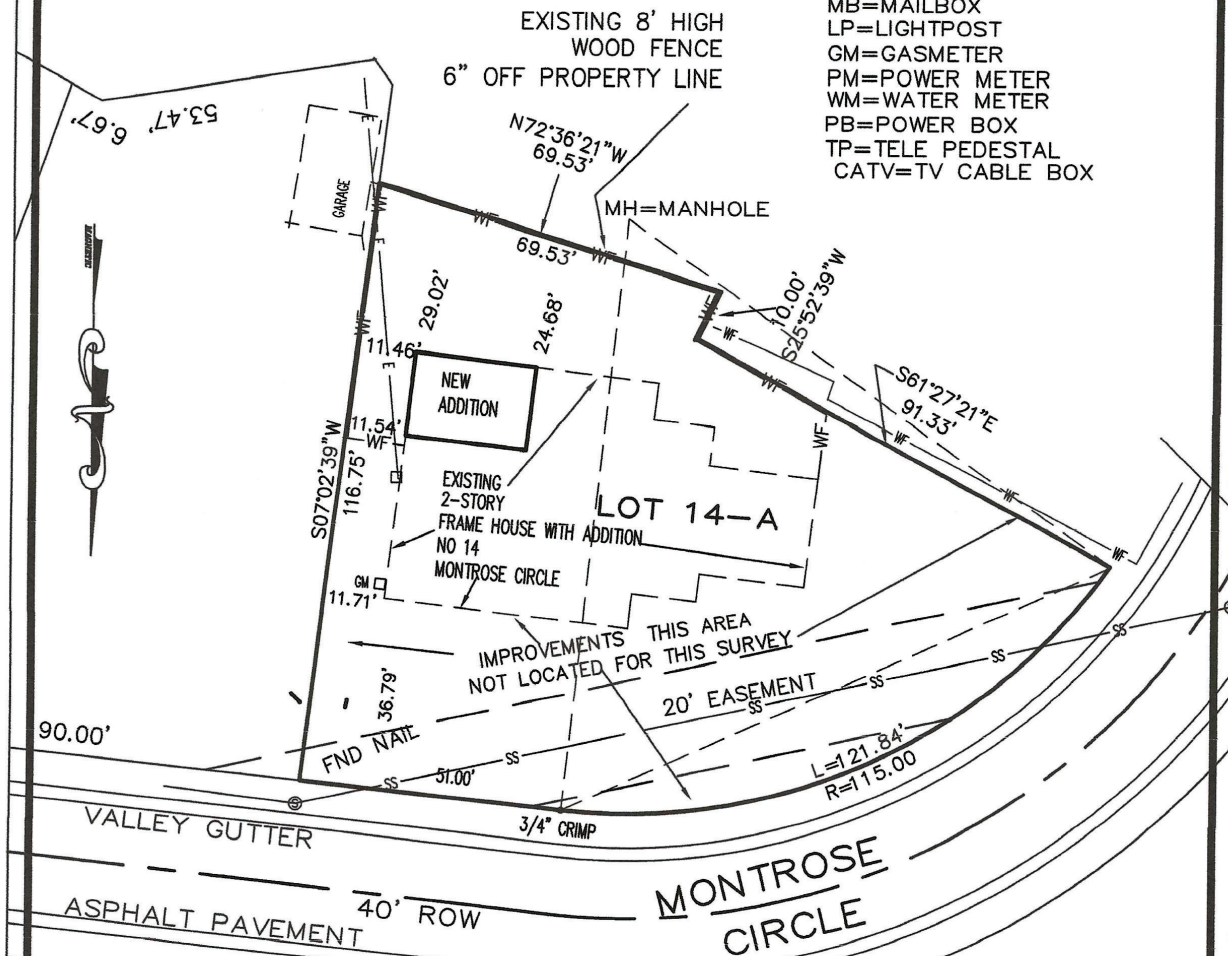
BUILDER IS RESPONSIBLE FOR INSTALLATION AND MAINTENANCE OF EROSION CONTROL MEASURES.  
BUILDER IS RESPONSIBLE FOR PROVIDING A SITE FREE FROM DRAINAGE PROBLEMS.

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

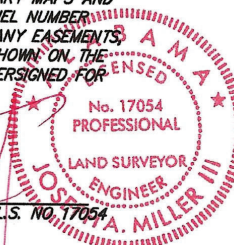
I, JOSEPH A. MILLER, III A REGISTERED CIVIL ENGINEER AND LAND SURVEYOR OF BIRMINGHAM, ALABAMA DO HEREBY CERTIFY TO:  
THE OWNER LISTED BELOW ON THE DATE SHOWN BELOW  
THAT THE THE FOREGOING TO BE A TRUE AND CORRECT MAP OR PLAT OF THE SURVEY MADE BY ME AND DESCRIBED OF:  
RECORD SURVEY AND PLOT PLAN FOR 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.



1. Refer to reflected ceiling plan legend for symbols.
2. Coordinate all new above ceiling installations to provide design elements and fixtures as shown on reflected ceiling plan.
3. Verify locations of all electrical and life safety lighting devices, mechanical ducts and grilles with Architect for coordination with design elements.
4. If access doors or panels are required, submit proposed type, size and location to Architect for approval prior to installation.
5. All mechanical ducts, grilles or access panels are to be painted to match the surface on which they occur.
6. Unless noted otherwise, ceiling height shall be as specified in building sections.
7. Where existing registers, lighting, etc. have been identified as to be removed, patch finish materials to match the surface on which the architect prior to abandoning existing fixture.
8. All wall mounted mechanical, duct or grilles, and fire extinguisher cabinets (FEC) to be painted to match the surface on which they occur.

DRAWING TITLE

ROOM NAME

DOOR TAG  
(SHOWING SIZE)

15. Project cleanup shall consist of a "vacuum sweep" to remove dust, dirt, debris, oil, stains, fingerprints and labels from all surfaces. All debris shall be properly disposed of and all staining and reflections of light removed.
16. Adjacent outlets and switches shall be gapped when possible. If not possible, install with minimum tolerance. All work to be signed.
17. Where electrical, mechanical and/or other mounted devices occur off the wall, but are not to be removed, they shall be centered above each other.
18. The Contractor is responsible for all work done and shall be held responsible on construction drawings. All items not shown and not existing shall be items as a complete system.
19. Mail outlets shall be located in baseboards.
20. The Contractor to verify all electrical work with the City.
21. Furniture plans are For Information Only.
22. The artist's work shall be limited to that indicated in the construction drawings. The Contractor shall not do more than what is indicated without prior written approval of the Architect. Any additional work performed without prior written approval shall be the Contractor's responsibility.
23. Tops and bottoms of all exterior doors (e.g. glass doors) shall be finished to meet manufacturer's requirements.
24. Building insulation envelope to follow the City's requirements.
25. Contractor shall review and verify all structural and connections.

any amount of time, any discrepancy in the contract documents be discovered or should there be any doubt as to the meaning or intent thereof, sub-contractors should not assume that the architect has made such findings to the contractor for communication to the architect. Clarifications will be made by the architect with supplemental information or by revision to the drawings, which will be issued to the contractor. In event of the contractor and sub-contractor failure to give such notice, the contractor-sub-contractor will be held responsible for results of any such defects, errors, or omissions and the cost of rectifying the same.

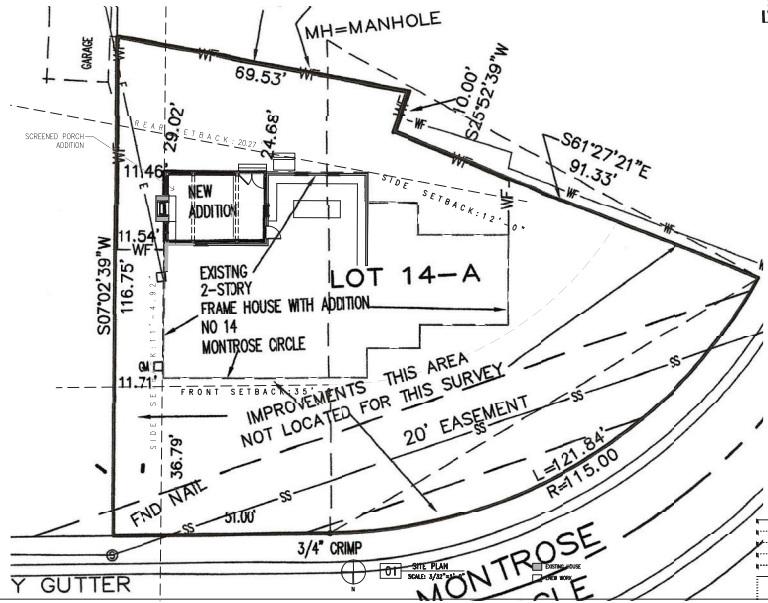
9. All floor finish transitions to occur under cantinere of door in closed position.

10. All patterned flooring to be centered in both directions and generated from center of room noted toward partitions, unless noted otherwise.

7. The Contractor shall provide blocking or bracing of all partitions as necessary to support any equipment or structure.
8. Dimensions are to the face of studs, unless noted otherwise.
9. Design and construct interior partitions to meet the following:
  - a. Maximum height shall be 240" as shown in limiting height tables by the manufacturer.
  - b. Maximum depth shall be 48".
10. All gypsum wallboard stud construction shall be done in accordance with the following:
  - a. Refer to the Gypsum Construction Handbook published by the United States Gypsum Association.
  - b. Refer to the Gypsum Construction Handbook, latest edition.
11. Gypsum board for walls and ceilings in the following locations:
  - a. Stairwells, and
  - b. To prevent or humidity shall be moisture resistant type.
12. Stud thickness shall be increased as required for hanging, electrical, piping, or other equipment that cannot be accommodated in specified dimensions.
13. Coordinate partition layout with mechanical design. Notify Architect to coordinate partition with any design elements.
14. Verify all electrical device and thermostat locations and dimensions with design elements.
15. Furnish access panels in walls and doors for the following:
  - a. Fire alarm pull stations where required, by code, official, or where service or maintenance is required.
  - b. Mechanical equipment (such as lighting, sound, or security equipment) in the same type, size and location. In addition, provide access to installation.

CARRIE TAYLOR  
2615 APRIL DRIVE  
BIRMINGHAM, AL 35243  
205.835.8069 (W)

OWNERS  
LIB AND COATES COVINGTON

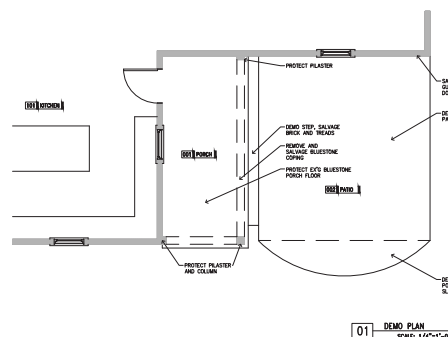
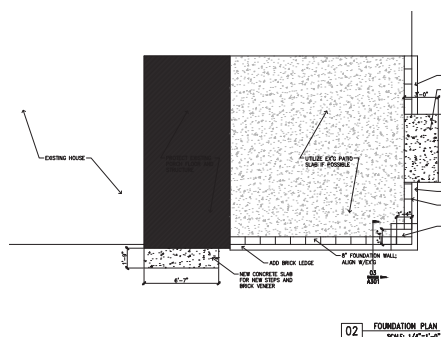
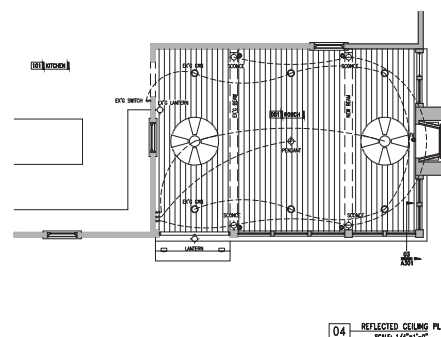


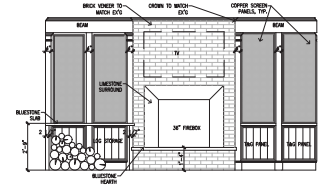
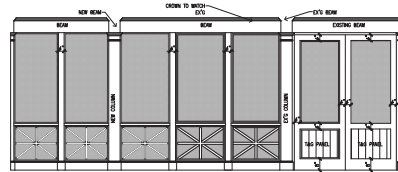
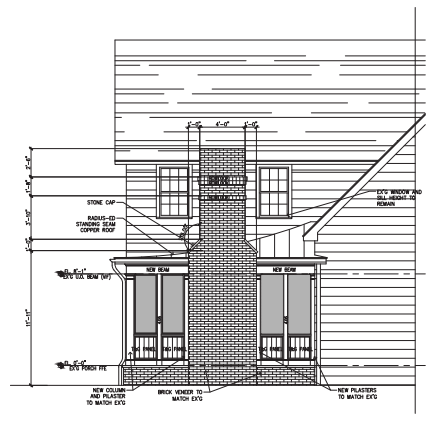
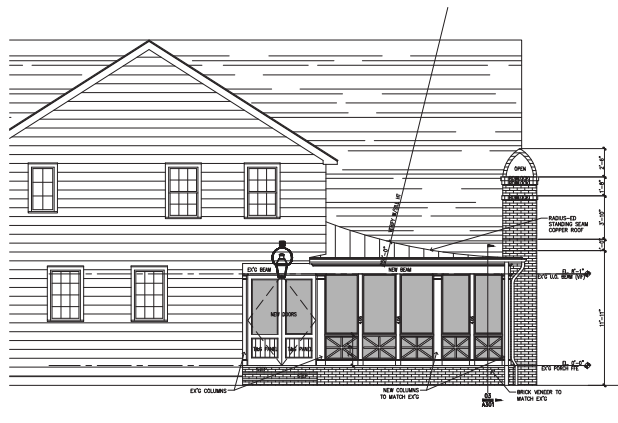
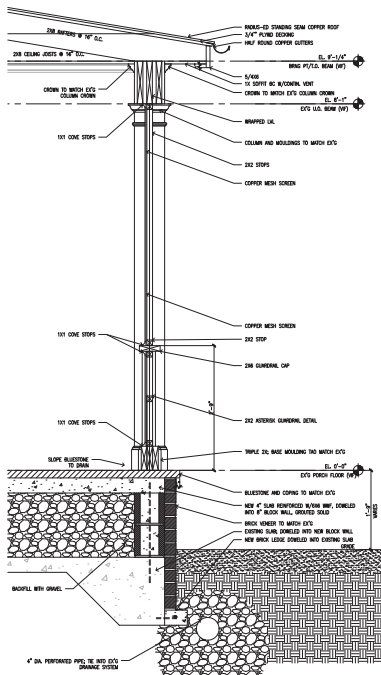
REVISIONS	
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LIB AND COATES CONSTRUCTION	
ADDITIONS TO THE RESIDING OF	
CARBIE TAYLOR ARCHITECT, LLC	
MOUNTAIN BROOK, LA 39213	
14 MONROE DRIVE	
BIRMINGHAM, AL 35203	
2013.05.09	
PRICING SET	
DATE	
11/7/23	



**ELECTRICAL NOTES:**

1. SWITCHES, OUTLETS, AND PLATES SHALL BE COLOR MATCHED. COLOR SHALL BE SELECTED BY OWNER. OUTLETS SHALL BE LOCATED IN BASEBOARDS.
2. ELECTRICIAN SHALL VERIFY COMPLIANCE WITH APPLICABLE CODES.
3. LAKEUP NEW FRAMING TO AVOID CONFLICTS WITH NEW PICTURE LOCATIONS. WHERE EXISTING FRAMING CONDITIONS CONFLICT WITH DIMENSIONS, CONTACT ARCHITECT FOR COORDINATION.
4. ALL PICTURES TO BE SWITCHED WITH DIMMERS, EXCEPT FOR CLOSETS, BATHROOMS, AND UNCONDITIONED SPACES.





PRELIMINARY  
NOT FOR  
CONSTRUCTION

SYMBOL	DESCRIPTION
AD	AREA DRAIN
AD-1	AD-1 DRAIN
AD-2	AD-2 DRAIN
AD-3	AD-3 DRAIN
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AD-100	AD-100 DRAIN

CARLEE TAYLOR ARCHITECT, LLC  
14 MONTROSE CIRCLE  
MOUNTAIN BROOK, AL 35213

ADDITIONS TO THE RESIDENCE OF  
LIB AND COATES COVINGTON  
14 MONTROSE CIRCLE  
MOUNTAIN BROOK, AL 35213

PRICING SET

DATE

11/1/23

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CARRIE TAYLOR  
ARCHITECT

December 22<sup>nd</sup>, 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 its entirety. This variance would allow the project to be finished within the setbacks approved for the original project.



## Variance Application - Part I

### Project Data

Address of Subject Property 2824 Canoe Brook Circle  
 Zoning Classification Residential or Scott  
 Name of Property Owner(s) Dr & Mrs Jenny Sobera  
 Phone Number 205 482.5005 Email Jenny Sobera@gmail.com  
 Name of Surveyor Ray Weyand  
 Phone Number 205. 942. 0000 Email info@weyandsurveyor.com  
 Name of Architect (if applicable) \_\_\_\_\_  
 Phone Number \_\_\_\_\_ Email \_\_\_\_\_



Property owner or representative agent must be present at hearing

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

	Zoning Code Requirement	Existing Development	Proposed Development
Lot Area (sf)			
Lot Width (ft)			
Front Setback (ft) <i>primary</i>	<u>60'</u>		
Front Setback (ft) <i>secondary</i>	<u>60'</u>		
Right Side Setback ( <i>Comm lot</i> )	<u>10'</u>	<u>47' to base @ prop. line brick wall</u>	<u>5'</u>
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			

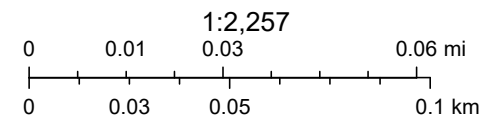


# A-24-04 Zoning



1/30/2024, 8:05:11 AM

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



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 |



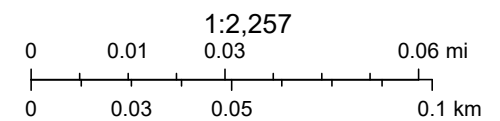
# A-24-04 Aerial



1/30/2024, 8:07:15 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-24-04**

### ***Petition Summary***

Request to allow a detached accessory structure (greenhouse) to be 5 feet from the rear property line (north) in lieu of the required 10 feet.

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

The scope of work includes the construction of a detached greenhouse. The proposed greenhouse would be 19 feet 3 inches by 13 feet 10 inches. This is approximately 266 square feet in area.

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

**Nexus:** The applicant stated that the corner lot configuration and topography are hardships.

### ***Standard Hardships Required***

The subject request appears to possibly meet “d.” 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 (applicant states there is a drop off)
- e. other extraordinary and exceptional situations or conditions of such parcel which would result in peculiar, extraordinary and practical difficulties

***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 greenhouse is somewhat minor in nature).

### ***Impervious Area***

The proposal exceeds that maximum allowed impervious surface limit.

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

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

***Affected Regulation***

Article XIX, Section 129-314 Accessory structures and accessory buildings on residential lots

***Appends***

LOCATION: 2428 Canoe Brook Circle

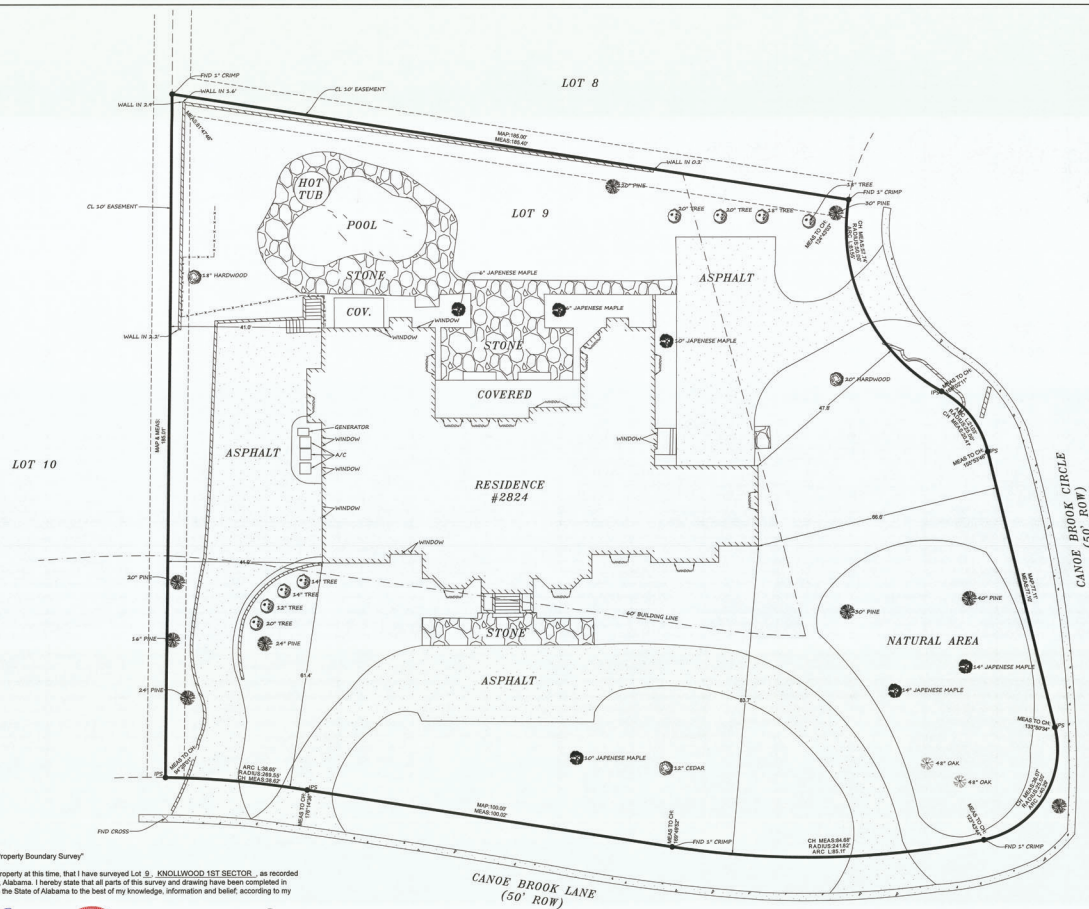
ZONING DISTRICT: Residence A District

OWNERS: Dr. and Mrs. Jenny Sobera



**LEGEND**

ASP ASPHALT  
BLDG BUILDING  
CALC CALCULATED  
CHD CHORD  
CHD LONG CHORD  
CHD DEFLECTION  
CHD DELTA  
CHD EASEMENT  
CHD HEADWALL  
CHD MANHOLE  
CHD OVERHANG  
CHD PORCH  
CHD RADIUS  
CHD RIGHT OF WAY  
CHD SANITARY  
CHD STORM  
CHD UTILITY  
CHD ACRES  
CHD SQUARE FEET  
CHD CENTERLINE  
CHD SET IN REBAR "KEYDAND"  
CHD AIR CONDITIONER  
CHD POOL  
CHD ANCHOR  
CHD FENCE  
CHD OVERHEAD UTILITY WIRE  
CHD PAVEMENT  
CHD WITH  
CHD TANGENT  
CHD RESIDENCE  
CHD LIGHT  
CHD COVERED  
CHD DECK  
CHD CONCRETE  
CHD WALL  
CHD COLUMN



SCALE: 1"=10'  
STATE OF ALABAMA  
JEFFERSON COUNTY

"Property Boundary Survey"

I, Ray Weyland, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot 9, KNOLLWOOD 1ST SECTOR, as recorded in Map Volume 21, 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 MARCH 2, 2021. Survey invalid if not sealed in red.

Order No.: 20210206  
Purchase  
Address: 2824 CANOE BROOK CIRCLE

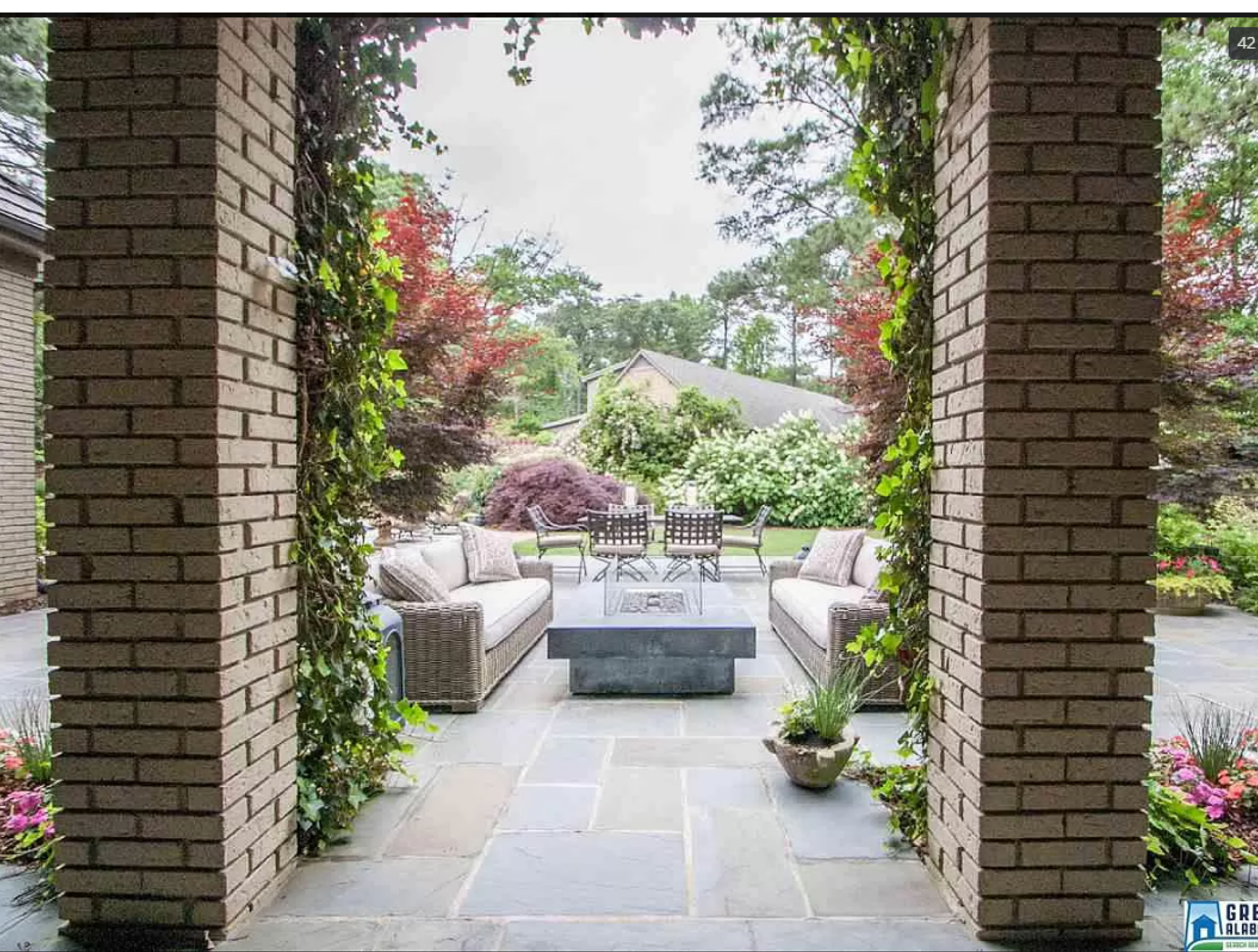
Ray Weyland, Reg. L.S. #24973  
168 Osmond Road, Homewood, AL 35209  
Phone: (205) 942-0066 Fax: (205) 942-0087  
Copyright ©

**WEYLAND**  
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 dead/reckoned map and actual unless otherwise noted. (c) Underground portions of foundations, footings, and/or other underground structures, utilities, sometimes or burial sites were not located unless otherwise noted. (d) The shown north arrow is based on dead/reckoned map. (e) This survey is not transferable. (f) Easements not shown on recorded map are not shown above.



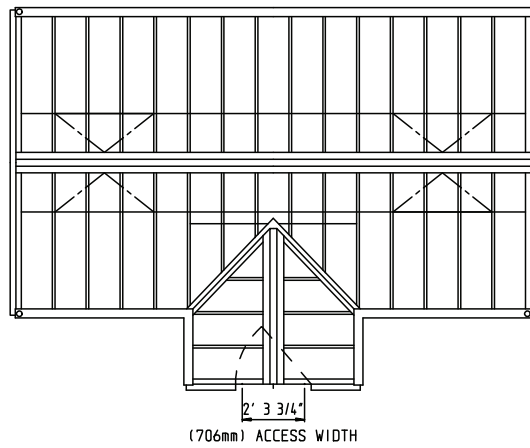




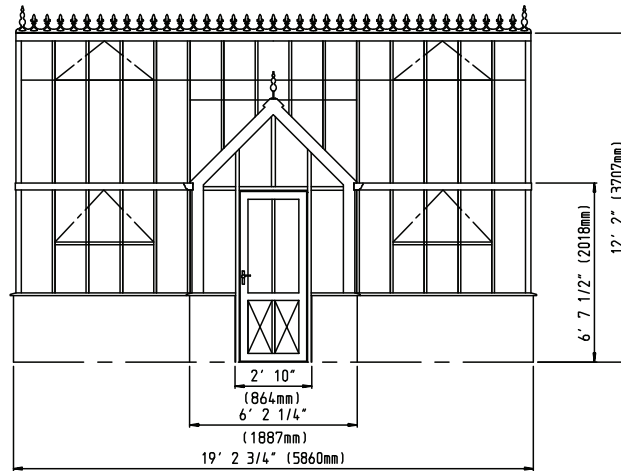




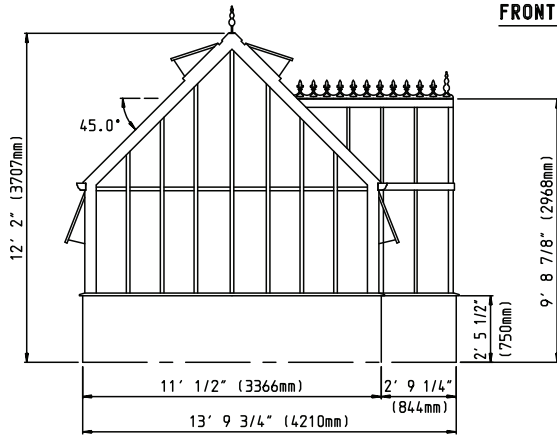




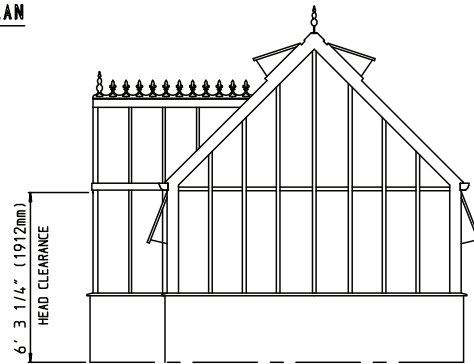
**AERIAL PLAN**



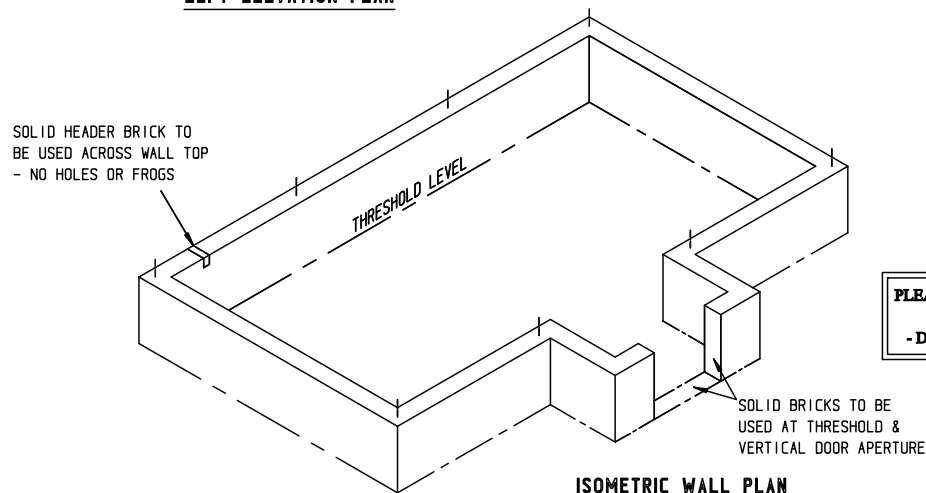
**FRONT ELEVATION PLAN**



**LEFT ELEVATION PLAN**



**RIGHT ELEVATION PLAN**



**ISOMETRIC WALL PLAN**

**PLEASE NOTE: THIS DRAWING IS FOR  
TENDERING PURPOSES ONLY,  
- DO NOT BUILD TO THIS DRAWING**

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?

The difficult situation (hardship) on this site is that we're working with a corner lot with two level/ beautiful fronts with 60' setbacks. That leaves our options with two sides for our goal Hartley Botanic planthouse installation. Given a large drop-off to a lower driveway and pool thoroughfare, that leaves us with one general area to install the planthouse. Our site plan call's out 5' setback here and the other secondary back/ side lot line, and we went down this avenue with design and planning originally until we came to pull a permit and learned of the 10' municipal setback. Given the tighter environment there, it would be intrusive to the space to install it any closer to the house and make the project unbearable altogether. Also, given that this space faces the neighboring gable and additional architectural elements, this would allow for plant and planthouse screening to separate the two spaces (entertaining and utility of the neighbor).

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

No. The site is simply limited to outdoor living space due to how the home had to be situated with the 60' front setbacks.

How would the granting of this variance be consistent with the purpose and intent of the zoning regulations?

Given that there is an existing 9' privacy wall, the neighbor and the client feel that it gives the perfect amount of space to plant screening plant material to cover the higher portion of the neighbors gable and our clients entertaining space from the neighbor. All neighbors in the vicinity agree with the goal project that it will help the space and not adversely affect their home.



## Variance Application - Part I

### Project Data

Address of Subject Property 3822 Jackson Blvd. 35213  
 Zoning Classification Residence B  
 Name of Property Owner(s) Stephen "Taylor" & Catherine Agricola  
 Phone Number 205-616-2873 Email taylor.agricola@stifel.com  
 Name of Surveyor Robert Reynolds  
 Phone Number 205-823-7900 Email \_\_\_\_\_  
 Name of Architect (if applicable) Greg Harper  
 Phone Number 205-369-6729 Email greg@precisehomedesign.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)):

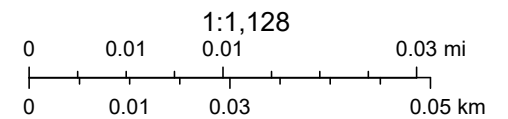
	Zoning Code Requirement	Existing Development	Proposed Development
Lot Area (sf)			
Lot Width (ft)			
Front Setback (ft) <i>primary</i>			
Front Setback (ft) <i>secondary</i>			
Right Side Setback			
Left Side Setback	<u>12.5 ft.</u>	<u>9.4 ft.</u>	<u>9.4 ft.</u>
Right Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 22' high → 22' high or greater →	<u>35 ft.</u>	<u>House - 8.5 ft.</u> <u>Back Porch - 23.5 ft.</u>	<u>House - 8.5 ft.</u> <u>Covered Back Porch - 23.5 ft.</u> <u>"New Hallway" - 35.5 ft.</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 (%)			
Building Height (ft)			
Other			
Other			

# A-24-05 Zoning



1/30/2024, 8:46:56 AM

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



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-24-05 Aerial



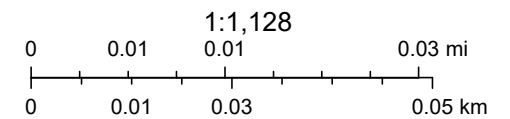
1/30/2024, 8:48:37 AM

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

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-24-05**

### ***Petition Summary***

Request to allow an alteration to the existing non-conforming garage to be 9.4 feet from the left side property line (west) in lieu of the required 12.5 and a screened in porch addition to be 23.5 feet from the secondary front property line (Cherry Street) in lieu of the required 35 feet.

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

The scope of work includes a structural alteration to the existing non-conforming garage to add a 2<sup>nd</sup> story within the current roofline with new dormer windows and a new roof over an existing deck to create a screened in porch.

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

**Nexus:** The hardships in this case are the corner lot configuration, irregular lot shape and existing design constraints. The secondary front lot line along Cherry Street is angled and creates an odd secondary front setback in relation to the existing home. The existing deck proposed to be covered and screened is to the rear of home, but the closest corner to Cherry Street is 23.5 feet from the property line. The closest corner of the principal dwelling is 8.5 feet from the property line along this same side. The existing garage is non-conforming with regard to the side setback at 9.4 feet. The scope of work involving the garage includes adding a 2<sup>nd</sup> story within the existing roof line without adding additional height or changing the footprint. The side setback encroachment of the garage will not change.

### ***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 (secondary front property line is angled creating an 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 garage is non-conforming with regard to the side setback and proposed screened porch is existing but uncovered)

***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 (will not change the encroachment, height or relationship between the existing garage and adjacent property)
  - b. will not be detrimental to the streetscape (the screened porch along the secondary front will be 15 feet farther away than the existing single family dwelling).

### ***Impervious Area***

The proposal exceeds that maximum allowed 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 Residence B District

### ***Appends***

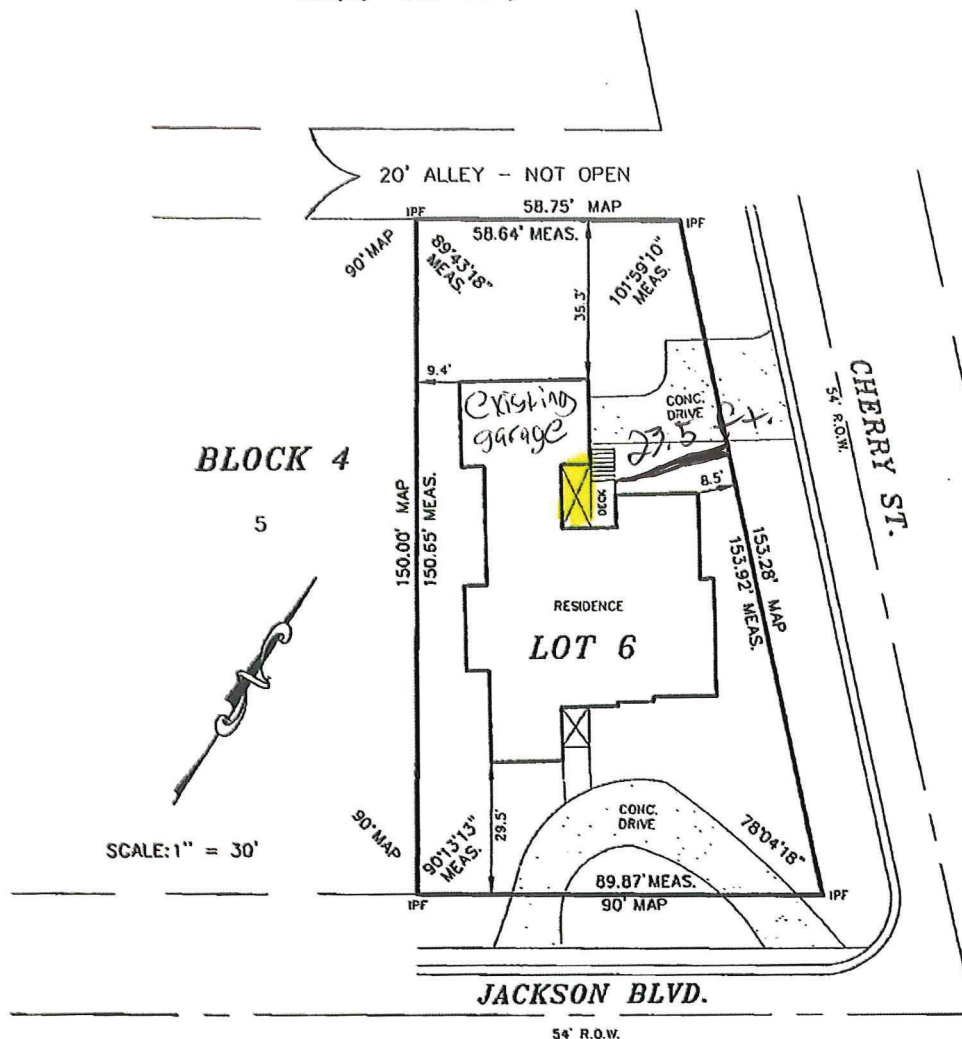
LOCATION: 3822 Jackson Boulevard

ZONING DISTRICT: Residence B District

OWNERS: Taylor and Catherine Agricola



REYNOLDS SURVEYING CO., INC.  
Surveying - Land Planning



LEGEND  
 - CH. UTILITY POLE  
 - C. CITY WIRE  
 - RETAINING WALL  
 - CONCRETE  
 - FENCE  
 - OVERHEAD ELECTRICAL  
 - IPF IRON PIN FOUND  
 - WS IRON PIN SET

STATE OF ALABAMA  
 JEFFERSON COUNTY

"CLOSING SURVEY"



I, Robert Reynolds, a Registered Surveyor, do here by state that this is a true and correct plat or map of Lot 6, Block 4, of SHADES VALLEY GARDENS, as recorded in Map Book 24, Page 68 in the Office of the Judge Of Probate in Jefferson County, Alabama. All parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice of Surveying in the State of Alabama to the best of my knowledge, information and belief. The improvements on said premises are as shown. There are no visible encroachments on over or across said lands except as shown. According to my survey this the 9th day of March, 2017.

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

Purchaser: Agricola  
 Address: 3822 Jackson Blvd.

*Robert Reynolds*  
 Reg. No. 25657

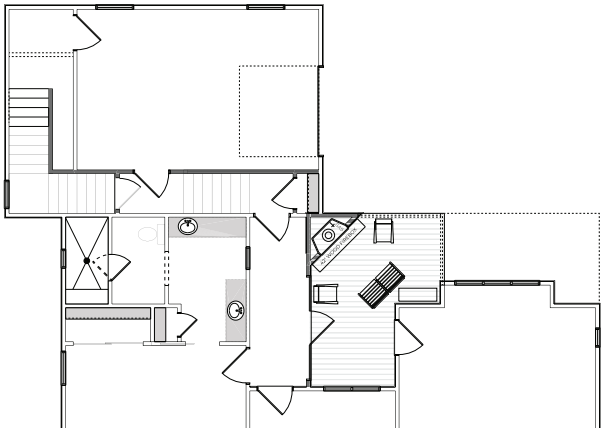
gta

PCA

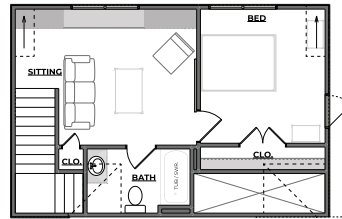
\*\*\* ALL LABELED SCALES ARE FOR 24x36 (ARCH D) PAPER. FOR 12x18 (ARCH B) SIZE PAPER, HALVE ALL LABELED SCALES. ANY OTHER SIZE PAPER WILL NOT BE TO SCALE \*\*\*







MAIN LEVEL ELECTRICAL PLAN  
SCALE: 1/8" = 1'-0"



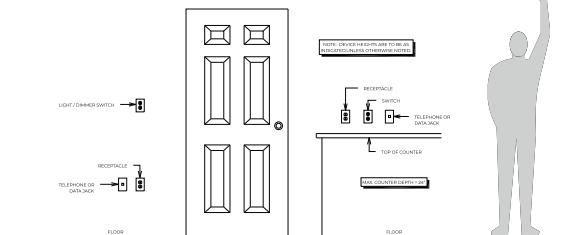
SECOND LEVEL ELECTRICAL PLAN  
SCALE: 1/8" = 1'-0"

ELECTRICAL SCHEDULE	
1	FAN BOX
2	LIGHT / FAN BOX
3	EYEBALL LIGHT
4	FREESTANDING PLUG OUTLET
5	EXTERIOR WATERPROOF DUPLEX RECEPTACLE
6	EXTERIOR WALL MOUNTED SCONCE OR LANTERN
7	SMOKE DETECTOR
8	EXHAUST FAN
9	SURFACE MOUNTED LIGHT FIXTURE
10	DIRECTIONAL RECESSED CAN
11	GROUND FAULT INTERRUPTER CIRCUIT (GFI)
12	CABLE TELEVISION
13	WALL SWITCH
14	DIMMER SWITCH
15	THREE WAY SWITCH
16	THREE WAY DIMMER SWITCH
17	FOUR WAY SWITCH
18	200-VOLT OUTLET
19	EXTERIOR FLOOR LIGHT WITH PHOTO ELECTRIC CELL
20	EXTERIOR FLOOR LIGHT
21	RECESSED CAN FIXTURE
22	CEILING MOUNTED PENDANT FIXTURE
23	WALL MOUNTED SCONCE
24	DUPLEX RECEPTACLE OUTLET
25	SWITCHED DUPLEX RECEPTACLE OUTLET
26	SWITCHED DUPLEX RECEPTACLE FLOOR OUTLET
27	TELEPHONE / CABLE COMBO
28	TELEPHONE RECEPTACLE
29	DATA OUTLET
30	TELEPHONE & DATA COMBO WALL OUTLET
31	FLOOR TELEPHONE RECEPTACLE
32	CEILING FAN FIXTURE
33	UNDER-CABINET MOUNTED FIXTURE
34	GARAGE DOOR OPENER
35	2'-0" FLORESCENT FIXTURE
36	4'-0" FLORESCENT FIXTURE

IF THIS STAMP IS NOT RED  
REPRODUCTION OF THESE PLANS BY ANY MEANS  
IS PROHIBITED BY FEDERAL LAW. VIOLATORS ARE  
PENALIZED BY FINES UP TO, BUT NOT LIMITED TO,  
\$100,000 PER OFFENSE.  
CONTACT PRECISE HOME DESIGN, LLC  
TO OBTAIN LEGAL COPIES OF THESE PLANS.  
IT IS AN ILLEGAL SET OF PLANS

ELECTRICAL NOTES - CODE: @USB ELECTRICALCODE

- THE DESIGN INTENT OF THE ELECTRICAL DIAGRAM IS TO SHOW THE LOCATION OF ELECTRICAL ITEMS THAT ARE DESIRED BY THE OWNER / BUILDER.
- THE ELECTRICAL CONTRACTOR SHOULD CONSULT WITH THE OWNER / BUILDER BEFORE MAKING ANY CHANGES TO THE ELECTRICAL PLAN.
- THE ELECTRICAL CONTRACTOR SHALL VERIFY THE ELECTRICAL PLAN TO ENSURE THAT THE PLAN MEETS ALL NATIONAL AND LOCAL CODES.
- ALL ELECTRICAL OUTLETS THAT ARE LOCATED NEAR ANY WATER CONDITION OR ON THE EXTERIOR OF THE HOUSE SHOULD BE GFI OUTLETS.
- THE SWITCHING AND OUTLETS SHALL BE COORDINATED WITH THE OWNER AND COLOR SHOULD MATCH THE INTERIOR TRIM COLOR.
- THE GENERAL CONTRACTOR SHALL COORDINATE THE INTERCOM SYSTEM, ALARM SYSTEM AND CENTRAL VACUUM SYSTEMS IF NEEDED WITH OWNERS.
- ALL REFRIGERATORS IN TOP AND BOTTOM PLACES FOR PLUMBING OR ELECTRICAL WORK TO BE DONE. THE ELECTRICAL PLAN FOR ADDITIONAL SPECIFICATIONS.
- THE GENERAL CONTRACTOR SHOULD VERIFY WITH THE OWNER THE LOCATION OF ALL TELEVISION, PHONE, CABLE AND COMPUTER OUTLETS.
- WALL LIGHT, RECEPTACLES, OUTLETS, ETC. SHOULD BE LOCATED AS CLOSE AS POSSIBLE TO THE LOCATION SHOWN ON THE ELECTRICAL PLAN.
- ALL LAMPS AND ELECTRICAL DEVICES TO BE PROVIDED FOR ALL LAMPS AND DEVICES (E.G. IN THE KITCHEN, BATHROOM, HALLS, ETC.).
- THE GENERAL CONTRACTOR SHALL VERIFY ALL EXTERIOR AND LANDSCAPE LIGHTING WITH THE OWNER BEFORE CONSTRUCTION.
- THE ELECTRICAL PANEL BOX SHALL BE SIZED TO ACCOMMODATE ALL CALCULATED LOADS AND PROVIDED FOR A MINIMUM OF EIGHT SPACE BREAKERS.
- THE ELECTRICAL AND GAS METER SHALL BE LOCATED AWAY FROM ANY PROMINENT VIEW.
- ALL CABLE AND EXTERIOR PLUGS AND LIGHT FIXTURES TO BE PROTECTED.



TYPICAL DEVICE MOUNTING HEIGHTS  
INCHES



## Variance Application Part II

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

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

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

I have an unusual shaped lot & also a corner lot. Our proposed project is filling in the interior of structures that are already on the property, for which I assume variances were previously granted. All of the existing exterior structure & footprint will remain the same with the exception of a dormer in the roof & possibly a new hallway where the porch currently is as well as putting a roof over current porch.

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

None, previous addition was done by previous owner.

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

We are for the most part ~~fitting~~ building in the interior of existing structures already on the property. At this point we are undecided on the "new hallway" which would be the only addition to exterior footprint. I have attached the plans for our ~~project~~ proposed project. Thank you.

1/19/2024

Ladies and Gentlemen of the Board of Zoning Adjustment,

My name is Taylor Agricola and I live at 3822 Jackson Blvd. I am writing today to request approval of a couple of variances to an addition to my property. I think it is important to note that almost all of my project will be done in the existing exterior footprint and roofline of the structures that are already on my property with 3 minor exceptions which I will note here. FYI, I have attached plans of my project that I have had drawn.

The majority of my project will be an addition to my existing garage. Currently the garage has very tall ceilings, so I am **not** proposing adding an additional story to the garage, I will fill in the interior of the existing structure by adding a 2<sup>nd</sup> story to that existing structure, while keeping the garage below still functional as a garage. Exception # 1 lies here, I will be working in the existing exterior footprint and roofline with the exception of adding a dormer window to the roof in the garage that will face the Cherry Street alley at the back of my property, this dormer is in my attached plans.

I am also considering adding a hallway that will connect the main house to the garage, which is in the attached plans, this will be the only new construction to exterior footprint, and it will be where the existing back porch is, and based on my measurements it would be compliant as it would be 35.5 feet from the set back on the Cherry Street side of my property. At this point we are undecided whether we will add this hallway, or leave that as part of our back porch.

The last exception to working in existing roofline, is that we are planning to rebuild our existing back porch in the exact location it is currently, but add a roof over the porch so that it will be screened in and covered.

Thanks in advance for your consideration. If you need any additional info please feel free to reach out to me.

Thanks again,

---

Taylor Agricola





## Variance Application - Part I

### Project Data

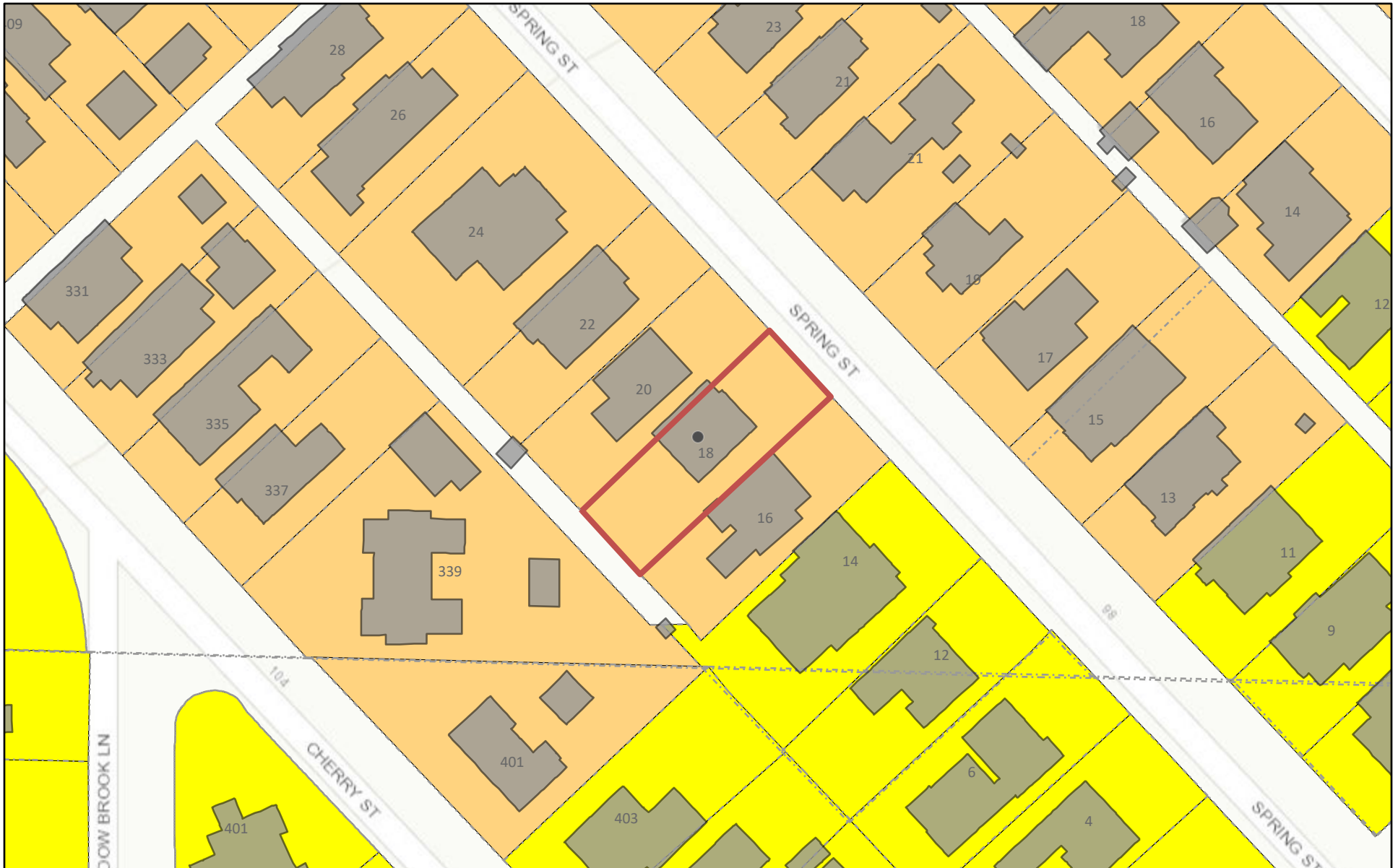
Address of Subject Property 18 Spring Street  
 Zoning Classification R-C  
 Name of Property Owner(s) James Howe  
 Phone Number 949-878-1757 Email Jamesfhowe@sbglobal.net  
 Name of Surveyor EDG  
 Phone Number 205-403-9158 Email Dutton@edgalabama.com  
 Name of Architect (if applicable) Frustoria Design  
 Phone Number 205-807-7045 Email Jake@frustoria.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):

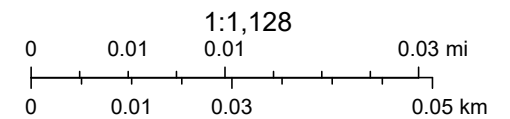
	Zoning Code Requirement	Existing Development	Proposed Development
Lot Area (sf)		7,500	Same
Lot Width (ft)		50	Same
Front Setback (ft) <i>primary</i>		35'	Same
Front Setback (ft) <i>secondary</i>			
Right Side Setback			
Left Side Setback			
Right Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 22' high → 22' high or greater →		8.2 12	Same
Left Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 22' high → 22' high or greater →		8.2 12	Same 8.2'
Rear Setback (ft)		30'	Same
Lot Coverage (%)		35%	Same
Building Height (ft)		32' 10"	Same
Other			
Other			

# A-24-06 Zoning



1/30/2024, 10:21:57 AM

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



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 |



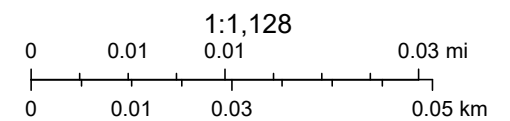
# A-24-06 Aerial



1/30/2024, 10:23:27 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-24-06**

### ***Petition Summary***

Request to allow an addition for an elevator shaft to be 8.2 feet from the left side property line (east) for portions of the structure above 22 feet in height in lieu of the required 12 feet.

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

The scope of work includes the addition of a new elevator shaft.

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

**Nexus:** The hardship in this case is the narrow lot width. The lot is 50 feet wide and qualifies for the side setback regulations for narrow lots to be 8 feet for portions of the structure below 22 feet in height and 12 feet for portions above. The existing home is situated 8.2 feet from the side property line. The proposed elevator shaft would not encroach closer than the existing 8.2 feet, but would extend above 22 feet in height where the required setback moves to 12 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 constraint as current home is 8.2 feet from the side 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:
  - a. will not impair an adequate supply of light and air to adjacent property (addition is somewhat minor in nature)

***Impervious Area***

The proposal exceeds that maximum allowed impervious surface limit.

***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 Residence C District

***Appends***

LOCATION: 18 Spring Street

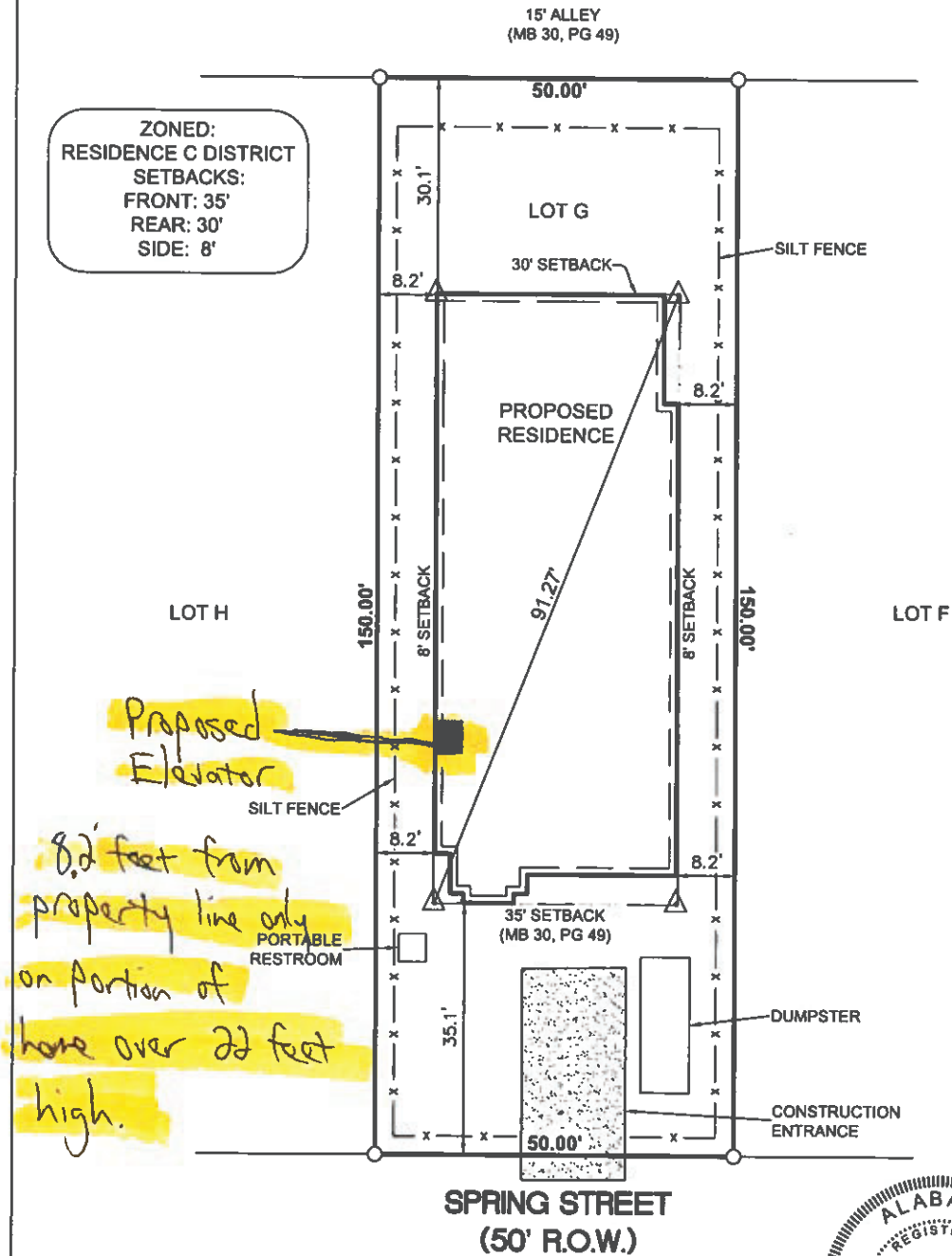
ZONING DISTRICT: Residence C District

OWNERS: James Howe

# PLOT PLAN LOT G

COFFMAN SURVEY A RESURVEY AND REARRANGEMENT OF PORTIIONS  
OF BLOCK 5, SHADES VALLEY GARDENS & BLOCK 21 CRESTLINE HEIGHTS  
MAP BOOK 30, PAGE 49  
JEFFERSON COUNTY, ALABAMA

ZONED:  
RESIDENCE C DISTRICT  
SETBACKS:  
FRONT: 35'  
REAR: 30'  
SIDE: 8'



NORTH ARROW BASED ON PLAT.

NOT A BOUNDARY SURVEY. FOR INFORMATION  
PURPOSES ONLY. HOUSE DIMENSIONS SHOW  
ARE FROM BUILDING PLANS SUPPLIED.

△ PROPOSED BOX CORNERS

SCALE: 1"=20'



PREPARED FOR: KESSLER  
JOB# KESS0115

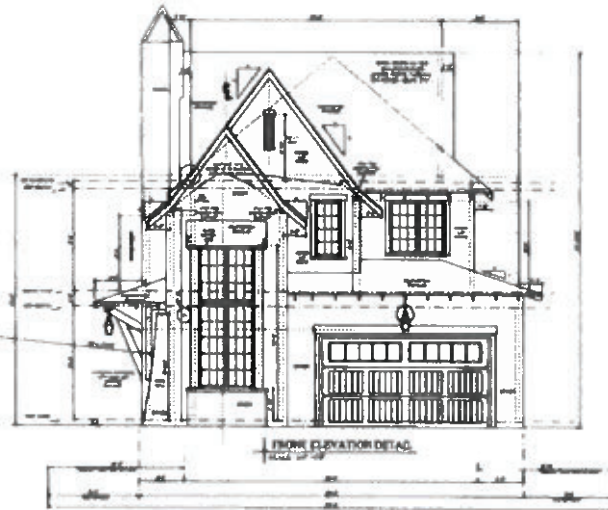
DATE: September 14, 2023

FOR INFORMATION ONLY

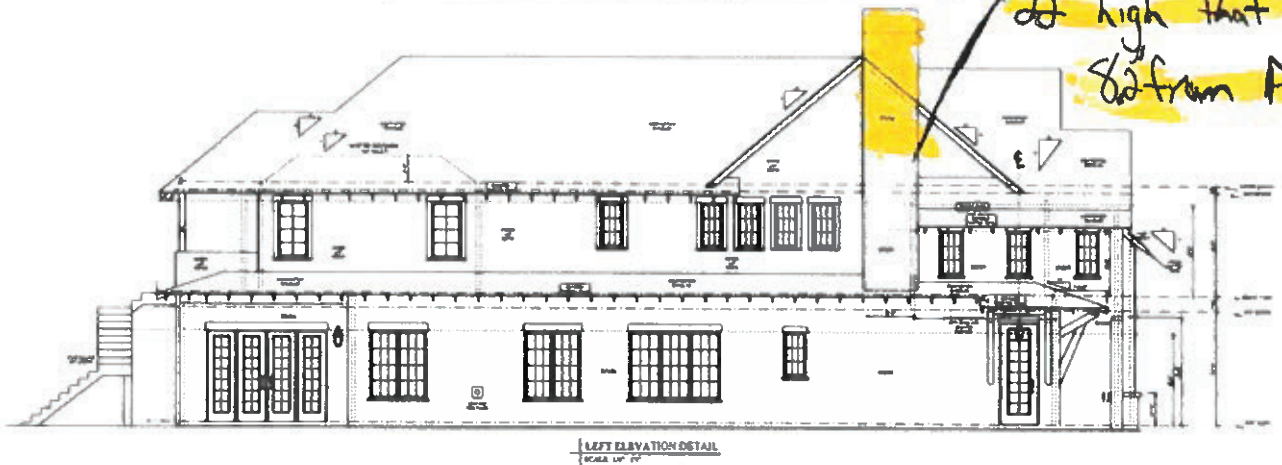
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PELHAM, AL 35124

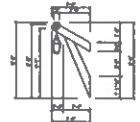
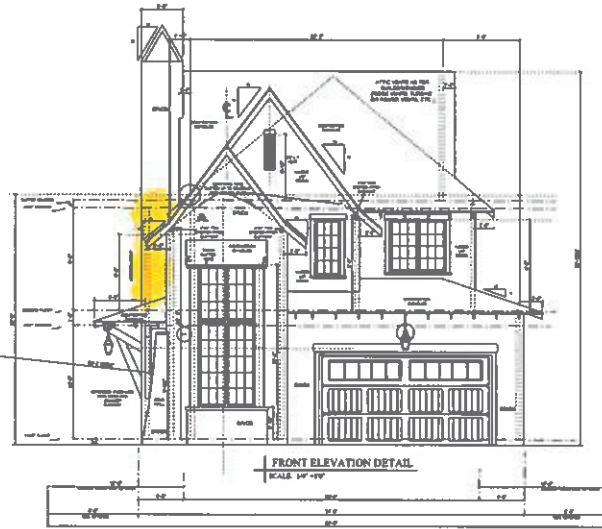






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82 from PL.





**GENERAL WINDOW NOTES**

Windows shown are to be installed in the wall.  
Windows shown are to be installed in the wall.  
Windows shown are to be installed in the wall.



**IMPORTANT INFORMATION**

PLEASE READ CAREFULLY

BEFORE STARTING CONSTRUCTION

1. The owner is responsible for obtaining all necessary permits and approvals from the local building department.

2. The owner is responsible for providing all necessary materials and labor for the construction of the building.

3. The owner is responsible for ensuring that the construction of the building complies with all applicable building codes and regulations.

4. The owner is responsible for ensuring that the construction of the building is completed within the specified time frame.

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**IMPORTANT CARPENTER NOTES**

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2. The carpenter is responsible for ensuring that the construction of the building is completed within the specified time frame.

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## 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)?

Owner's primary bedroom is located on the 2nd floor. A recent fall down the stairs at another home convinced Owner he needed an elevator for safety reasons. The only feasible option for an elevator is the proposed.

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...")

Owner is not attempting to substantially veer from the zoning regulations. This is a very minor encroachment into one setback solely for purposes of safety and peace of mind, not personal or financial gain.

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

This variance will in no way negatively affect any adjacent property, owners nor will it substantially stray from the originally approved house plan.





## Variance Application - Part I

### Project Data

Address of Subject Property 32 Country Club Blvd.

Zoning Classification Residential

Name of Property Owner(s) John and Lynette Thurber

Phone Number 301/ 538-6857 Email jsthurber@yahoo.com

Name of Surveyor \_\_\_\_\_

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

Name of Architect (if applicable) Landscape Architect Peter Falkner Pool Builder Cox Pools

Phone Number \_\_\_\_\_ Email Mark Oberkirch



Property owner or representative agent must be present at hearing

**John Thurber, Mark Oberkirch, Peter Falkner**

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)	10'		Pool Equip 6'
Lot Coverage (%)			
Building Height (ft)			
Other			
Other			


## A-24-07 Zoning




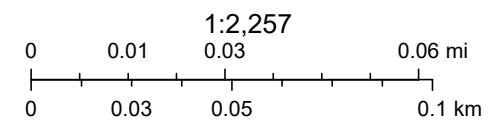
1/30/2024, 10:56:20 AM

 Building Footprints 2020v1

Tax\_Parcel 2021

 Residence A District

 Residence B District

 Rec-2

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

ArcGIS Web AppBuilder



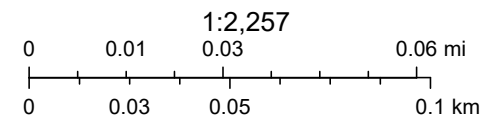
# A-24-07 Aerial



1/30/2024, 10:59:32 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-24-07**

### ***Petition Summary***

Request to allow pool equipment to be 6 feet from the rear property line (east) in lieu of the required 10 feet.

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

The scope of work includes the installation of pool equipment including the pump.

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

**Nexus:** Staff cannot identify a hardship on the land related to this request. However, it is worth pointing out that the proposed pool equipment would be surrounded by a masonry sound barrier to reduce the noise levels produced by the pump. This location in the rear yard also abuts an alley which moves it farther away from the rear neighbors than if the adjacent property directly bordered the subject location. The pool itself will be located outside of the required 10 foot setback.

### ***Standard Hardships Required***

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

***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 equipment is minor in nature and will be surrounded by a masonry enclosure).

### ***Impervious Area***

No change to the impervious surface percentage.

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

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

***Affected Regulation***

Article XIX, Section 129-314 Accessory structures and accessory buildings on residential lots

***Appends***

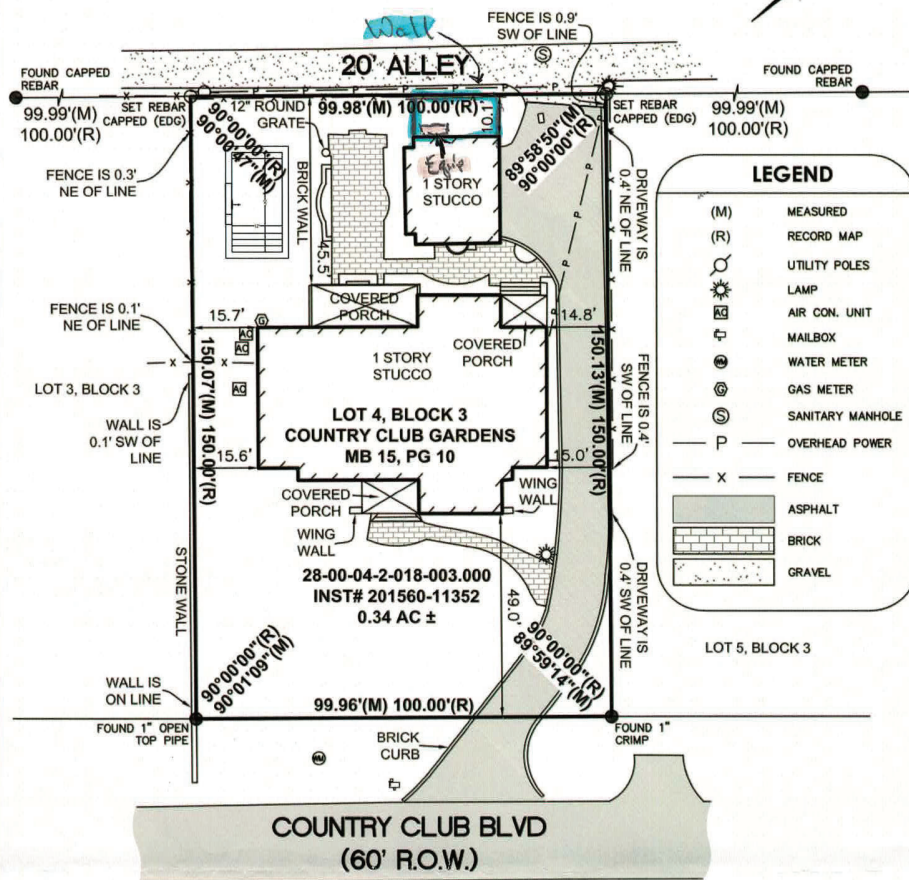
LOCATION: 32 Country Club Boulevard

ZONING DISTRICT: Residence A District

OWNERS: John and Lynette Thurber

# BOUNDARY SURVEY LOT 4, BLOCK 3

COUNTRY CLUB GARDENS  
MAP BOOK 15, PAGE 10  
JEFFERSON COUNTY, ALABAMA



## DESCRIPTION

Lot 4, BLOCK 3 of COUNTRY CLUB GARDENS as recorded in Map Book 15 Page 10 in the Office of the Judge of Probate in JEFFERSON County, Alabama.

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.

Surveyor's Signature: *[Signature]*  
Alabama License Number 26013, Date: August 24, 2023

## NOTE:

- North arrow based on PLAT.
- Survey not valid without original signature.

Address: 32 COUNTRY CLUB BLVD  
Date of Fieldwork: AUGUST 23, 2023  
Date of Survey: AUGUST 22, 2023  
Job Number: FALK0014  
Drawn By: JAT  
Survey For: PETER FAULKNER  
Type of Survey: BOUNDARY SURVEY  
Field Book, Page: FB 314, PG 28



120 BISHOP CIRCLE, SUITE 300  
PELHAM, AL 35124







# How Loud is a Pool Pump? The Ultimate Guide to Understanding Pool Pump Noise

✍ Written by: [Hank Cooper](#) 📅 Published: March 15, 2023

## Spread the love

Welcome to our ultimate guide to understanding **pool pump noise**. For pool owners, the sound of a pool pump can be a familiar and often necessary noise, but it can also be a nuisance, especially if it's too loud. In this guide, we'll take a closer look at the factors that contribute to pool pump noise, how it can affect your health and well-being, and the best tips and tricks for reducing noise. We'll also explore the best quietest pool pumps on the market and address some common misconceptions about pool pump noise.

Whether you're a new pool owner or a seasoned pro, it's essential to understand how loud your pool pump is and how to maintain a quiet and enjoyable pool area. Keep reading to learn everything you need to know about pool pump noise and how to reduce it.

We use cookies on our website to give you the most relevant experience by remembering your preferences and repeat visits. By clicking "Accept", you consent to the use of ALL the cookies.

[Cookie Settings](#)

[Accept](#)

**Anxiety and Depression:** Constant exposure to noise can also have a negative impact on mental health, contributing to symptoms of anxiety and depression. This can be particularly problematic for individuals who already struggle with mental health issues.

It's clear that the impact of pool pump noise goes far beyond annoyance. The psychological effects of constant noise exposure can have a significant impact on your overall health and well-being.

### 3 Factors That Contribute to Pool Pump Noise

**Pump Type:** The type of pool pump you have can significantly affect the amount of noise it produces. Single-speed pumps tend to be the loudest, while variable-speed pumps are quieter.

**Pump Age and Condition:** Older and poorly maintained pool pumps tend to make more noise than newer and well-maintained ones. Regular maintenance can help reduce noise levels.

**Pump Location:** The location of your pool pump can also affect noise levels. Pumps that are close to living areas or bedrooms will be more noticeable and disruptive.

**Installation and Surroundings:** Proper installation of the pump, including vibration pads and a soundproofed pump house or enclosure, can help reduce noise levels. The surroundings of the pump, such as nearby walls or fences, can also affect the noise level.

#### 3.1 The Role of Pool Pump Location in Noise Emission

**Distance from Pump to Living Area:** The distance between the pool pump and living areas can significantly affect the noise levels. The closer the pump is to living

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**Enclosure Placement:** If a sound enclosure is used, it should be placed as far away from living areas as possible. Sound barriers like walls, shrubs, or fences, can be installed to reduce the noise level further.

**Water Feature Positioning:** If the pool has a water feature like a waterfall, it's important to consider where it's located concerning the pool pump. The sound of the water feature can help mask the noise of the pump, but if the water feature is too close to the pump, it may make the overall noise level worse.

### 3.2 The Impact of Pool Pump Age on Noise Levels

**Wear and Tear:** As pool pumps age, the components can begin to wear and vibrate, causing an increase in noise levels.

**Outdated Technology:** Older pool pumps may not be as efficient or as quiet as newer models due to advancements in technology.

**Maintenance:** Proper maintenance can help extend the life of a pool pump and reduce noise levels. Neglecting maintenance can cause components to degrade faster and increase noise levels.

**Energy Efficiency:** Older pool pumps may be less energy-efficient, causing them to work harder and produce more noise. Upgrading to a newer, more efficient model can reduce noise levels while also saving on energy costs.

## 4 Tips and Tricks for Reducing Pool Pump Noise

**Choose the Right Pool Pump:** When purchasing a pool pump, look for models that advertise noise reduction features or low decibel levels. These pumps may cost a bit more upfront, but they can save you from the headache of dealing with a noisy pump in the long run.

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**Install a Fence:** Placing a fence around your pool pump can help to block out the noise it produces. This can be a simple wooden fence or a more elaborate acoustic barrier designed specifically for pool pumps.

**Adjust Pump Settings:** Lowering the speed of your pool pump can also reduce the amount of noise it produces. Many pool pumps come with adjustable speed settings, so experiment with different speeds until you find a setting that produces less noise without sacrificing performance.

**Regular Maintenance:** Keeping your pool pump in good working order can also reduce the amount of noise it produces. Regularly cleaning the pump and its parts, checking for loose connections or damaged components, and replacing worn-out parts can all help to keep your pump running quietly.

## 4.1 Strategies for Soundproofing Your Pool Pump

If reducing the noise level of your pool pump through location, replacement or repair is not possible, then soundproofing is the next step. Here are some **strategies** for soundproofing your pool pump:

- 1 **Enclose the pool pump** in a soundproof box or cabinet made of materials that absorb sound, such as mass loaded vinyl, foam, or fiberglass.
- 2 **Install a sound barrier** between the pool pump and your living areas, such as a fence, wall or shrubs.
- 3 **Use a vibration pad** under the pool pump to reduce the transfer of sound and vibration to the ground.
- 4 **Upgrade your pool pump** with a newer model that is designed to run more quietly.
- 5 **Use a pool pump cover** that reduces noise and vibration, while also protecting the pump from weather and debris.

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# 5 The Best Quietest Pool Pumps on the Market

If you're looking for a pool pump that won't disrupt the peace and quiet of your backyard oasis, consider one of the following **quiet pool pumps**.

**Pentair SuperFlo VS Variable Speed Pool Pump:** This pump operates at a low decibel level and has variable speed settings for efficient and quiet operation.

**Hayward TriStar VS Variable Speed Pool Pump:** Another energy-efficient option, this pump has a permanent magnet motor that operates quietly and smoothly.

**Intex Krystal Clear Sand Filter Pump:** This pump is designed for smaller above-ground pools and operates quietly without sacrificing performance.

**Sta-Rite IntelliPro Variable Speed Pool Pump:** This pump has a permanent magnet motor that operates at a low decibel level and features a built-in timer for easy scheduling.

**Jandy FloPro Variable Speed Pump:** This pump is designed for medium to large-sized pools and operates quietly with its permanent magnet motor and adjustable settings.

Investing in a quiet pool pump can greatly enhance your pool experience and allow for a more relaxing environment. Consider one of these top-rated pumps for a peaceful and enjoyable swim season.

## 5.1 Top 2 Quietest Pool Pumps: Reviews and Analysis

If you're in the market for a quiet pool pump, there are several options available. Here, we'll review two of the quietest models on the market:

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**Hayward SP2303VSP MaxFlo VS Variable-Speed Pool Pump** – This pump is another excellent choice for those seeking a quiet pool experience. Its permanent magnet, totally enclosed fan-cooled motor, and advanced hydraulic design help to minimize noise while maximizing energy efficiency.

Both of these pool pumps are designed to be energy-efficient and operate quietly, making them excellent choices for those who want a more peaceful pool experience. By investing in a high-quality, quiet pool pump, you can enjoy your pool without the distraction of loud, constant noise.

## 5.2 The Advantages and Disadvantages of Inverter Pool Pumps

Pool owners looking to upgrade their pool pump may be considering an inverter pool pump. These pumps use advanced technology to vary the speed of the motor based on the pool's needs. Before making a decision, it's important to consider the advantages and disadvantages of inverter pool pumps.

### Advantages

**Energy-efficient:** Inverter pool pumps can save up to 90% on energy costs compared to traditional single-speed pumps. They adjust the motor speed to match the pool's needs, reducing wasted energy.

**Quiet operation:** Because the motor speeds up or slows down based on the pool's needs, inverter pool pumps typically operate at a lower decibel level than traditional pumps.

### Disadvantages

**Higher upfront cost:** Inverter pool pumps are more expensive than traditional pumps, which can be a significant investment upfront.

**Complexity:** Inverter pool pumps are more complex than traditional pumps, which can make them more difficult to install and maintain.

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## 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)?

Our lot is fairly tight, and the back property line is the alleyway. Our pool project design, which was approved by the City of Mountain Brook back in ~~October~~, requires a small area for the pump equipment. We had planned for it to be located behind the garage, approx 6 feet from the wall along the alleyway. This location is over 40 feet from any adjacent property structures, and would be the least intrusive to our neighbors, especially with it being surrounded by a 4 foot high wall and with dampened noise built-in to the advanced technology pump equipment. There would be little detectable noise heard by any of our neighbors. Other options for location of the pool equipment would satisfy the 10' setback requirement, but would be closer to the neighbor next door, and more intrusive in terms of noise and visibility.

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?

This design layout would be the least intrusive to our neighbors, without compromising safety or access, which is the intent and purpose of the Zoning Regulation.



## Variance Application - Part I

### Project Data

Address of Subject Property 76 Country Club Blvd. Mountain Brook, 35213

Zoning Classification Residence A District

Name of Property Owner(s) Mike and Penny Fuller

Phone Number (205)837-1305

Email ptfuller@hotmail.com

Name of Surveyor Weygand Surveyors

Phone Number (205)942-0086

Email info@weygandsurveyor.com

Name of Architect (if applicable) Jeffrey Dungan Architects - project lead Sarah Barr

Phone Number (205)329-7033

Email sarah@jeffreydungan.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)	30,000 sf	16,802.5 sf	16,802.5 sf
Lot Width (ft)			
Front Setback (ft) <i>primary</i>			
Front Setback (ft) <i>secondary</i>			
Right Side Setback			
Left Side Setback	15'-0"	approx. 13'-6"	same as existing
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 (%)	25%	21.3%	26.1%
Building Height (ft)			
Other			
Other			

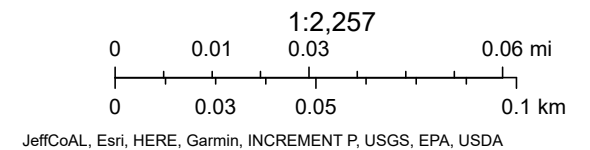


# A-24-08 Zoning



1/30/2024, 11:17:29 AM

- Building Footprints 2020v1
- Tax\_Parcels 2021
- Residence B District
- Residence A District
- Rec-2
- Lot Lines





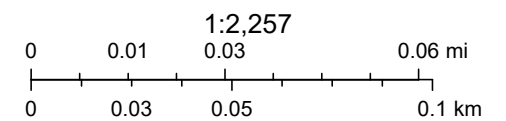
# A-24-08 Aerial



1/30/2024, 11:18:41 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-24-08**

### ***Petition Summary***

Request to allow additions and alterations to the existing non-conforming dwelling to be 13 feet 6 inches from the left side property line (north) in lieu of the required 15 feet, and to allow the building area to be 26.1 percent in lieu of the maximum allowed of 25 percent.

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

The scope of work additions and alterations to the existing non-conforming dwelling which includes extending the existing left side of the structure that is 13 feet 6 inches from the property line. The proposal also includes the removal of an existing detached garage and the construction of a new detached garage.

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

**Nexus:** The hardship related to the side setback request is the existing design constraint of the non-conforming home. The proposal would not increase the encroachment or move the side of the home closer to the property line, but would extend the side of the home from front to back.

### ***Variance Request for Building Area Coverage***

**Nexus:** The applicant stated that the hardship is that lot is 16,802 square feet in total area which is less than the 30,000 square foot minimum in Res-A. The applicant also mentioned the front property line being nearly 22 feet back from the edge of the street. Neither of these stated hardships are peculiar or unusual to the surrounding area.

The average lot size for this block (13 lots between Country Club Boulevard, Matthews Road and Fairway Drive) is approximately 18,978 square feet. The median lot size is 16,593. This puts the subject location very close to the average lot size and slightly above the median. The building area coverage maximum is 25 percent which applies evenly to all Residence-A lots regardless of size. A smaller lot is not a hardship as it relates to the ratio of building coverage allowed. Furthermore, the previous zoning regulations for minimum lot size in Residence-A was 15,000 square feet and it still had a maximum building coverage allowed of 25 percent. There are numerous Residence-A lots in this area and across the city that are well below the 30,000 square foot minimum because they were brought in or created under the 15,000 square foot requirement.

### ***Standard Hardships Required for the Side Setback***

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 constraint as current home is 13 feet 6 inches from the side 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:
  - a. will not impair an adequate supply of light and air to adjacent property (will not encroach closer to the property line than the existing side of the home)

### ***Standard Hardships Required for the Building Area***

Staff could not identify a hardship that relates to the proposed building area.

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

### ***Impervious Area***

The proposal exceeds that maximum allowed impervious surface limit.

### ***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 Residence A District

### ***Appends***

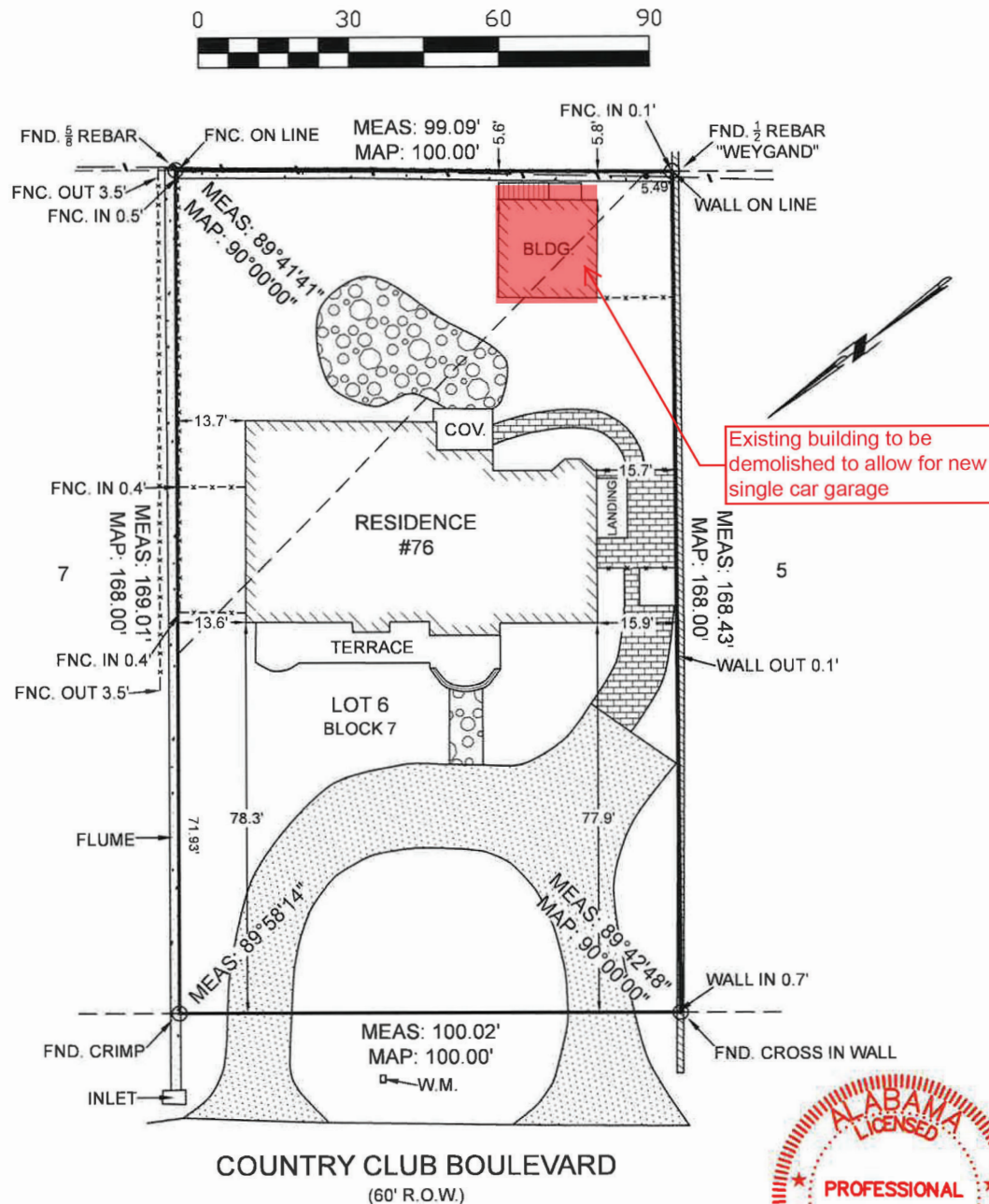
LOCATION: 76 Country Club Boulevard

ZONING DISTRICT: Residence A District

OWNERS: Mike and Penny Fuller

## LEGEND

ASP	ASPHALT	HW	HEADWALL	oLGT	LIGHT	ANCHOR
BLDG	BUILDING	MIN	MINIMUM	COV	COVERED	RADIUS
CALC	CALCULATED	MH	MANHOLE		DECK	RIGHT OF WAY
MEAS	MEASURED	OH	OVERHANG		CONCRETE	SANITARY
CH	CHORD	PVMT	PAVEMENT		WALL	STORM
LNG	LONG CHORD	W/TAN	WITH TANGENT	-X-	FENCE	UTILITY
d	DEFLECTION	RES	RESIDENCE	POR	PORCH	ACRES
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						CENTERLINE



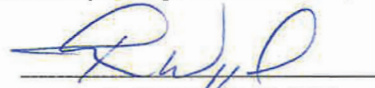
COUNTRY CLUB BOULEVARD  
(60' R.O.W.)

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 6, Block 7, Country Club Gardens & Matthews Randolph Development Company 1st Addition to Country Club Gardens, as recorded in Map Volume 15 & 17, Page 10 & 87, 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 August 11, 2023. Survey invalid if not sealed in red.

Order No.: 20231103  
Purchaser:  
Address: 76 Country Club Boulevard

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



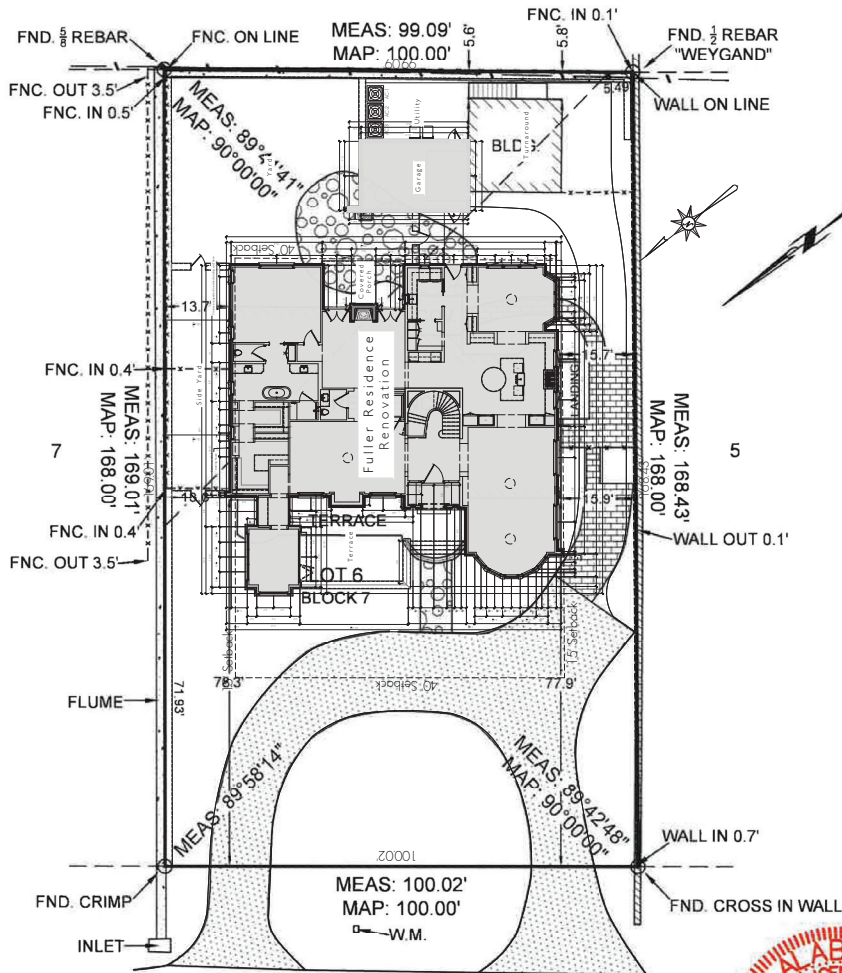
Note: (a) No title search of the public records has been performed by this firm and land shown hereon was not abstracted for easements and/or rights-of-way, recorded or unrecorded. The parcel shown hereon is subject to setbacks, easements, zoning, and restrictions that may be found in the public records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



# LEGEND

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COUNTRY CLUB BOULEVARD  
(60' R.O.W.)

STATE OF ALABAMA)  
JEFFERSON COUNTY)

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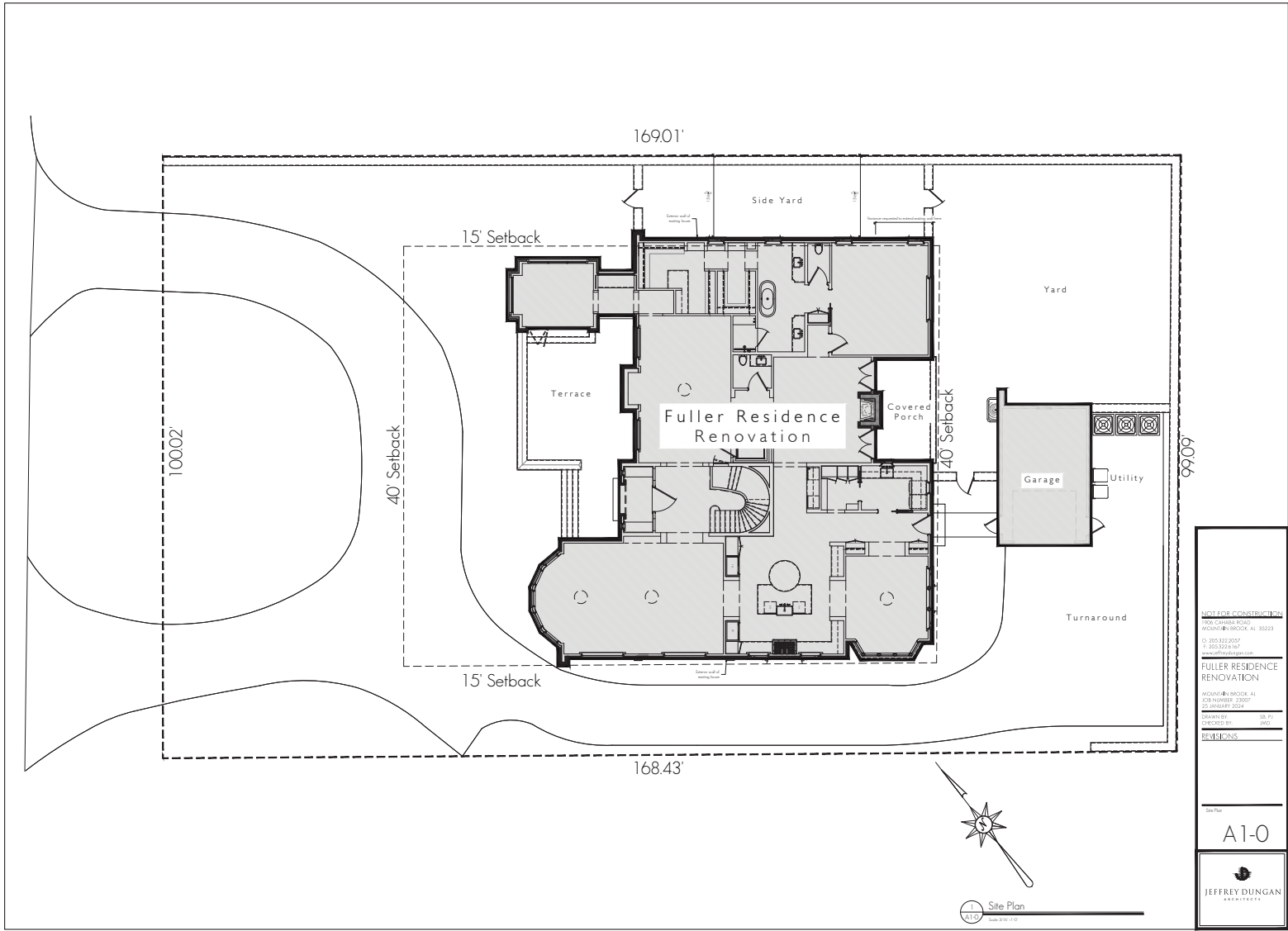
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ABBREVIATIONS	GENERAL NOTES	DRAWING INDEX	VICINITY MAP																																															
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Do not scale drawings. If dimensions are in question, the contractor shall be responsible for obtaining clarification from the architect before continuing with construction. All dimensions relating to existing conditions shall be field verified.</div><div>2. Dimensions are called out from outside face of CMU block @ exterior walls to centerline of interior stud walls. Window and door openings are dimensioned to center of opening.</div><div>3. Dimensions for elevations, sections, and details are called out from top of slab/stud floor.</div><div>4. Any dimensional discrepancies are to be directed to Jeffrey Dungan Architects, before fabrication of area in question.</div><div>5. Contractor to field verify all existing conditions and dimensions. Contractor to notify Jeffrey Dungan Architects of any discrepancies with these drawings and/or site information prior to beginning construction and/or ordering materials.</div><div>6. Contractor to provide wood blocking for all millwork and any wall hung counters, ledges and shelving. Provide blocking as required by construction.</div><div>7. All finish work shall be smooth, free from abrasion and/or tool marks on any exposed surfaces. All specified finishes are to be installed per manufacturers instructions.</div><div>8. All construction shall comply with all building codes and requirements having jurisdiction over this project.</div><div>9. See the electrical drawings for the locations of ceiling mounted smoke detectors, fire alarm devices, exit lights, etc. Verify with architectural reflected ceiling plan intent, the placement in relation to adjacent finishes or grids. Contractor to coordinate owner review meeting to approve all power and telephone outlet locations. This meeting shall be after all walls have been framed and before any wall finishes have been applied. Notify electrical as required to accommodate any owner selected fixtures / appliances. Notify Jeffrey Dungan Architects of any revisions.</div><div>10. Piping located above grade and inside the building shall be concealed in chases/furred spaces with the exception of piping in equipment rooms. The contractor shall coordinate with other trades to provide furring for piping installed in finish areas.</div><div>11. All doorframe locations are to be determined by: inside face of doorframe will be located minimum 4" clear from the edge of the adjacent partition, unless noted otherwise. For CMU walls - see dimensional plan.</div><div>12. Contractor to coordinate keying requirements with owner (insider keying, grandmaster keying, etc.)</div><div>13. Contractor to verify location of electrical floor outlets, telephone receptacles, and cable connections with architect prior to installation.</div><div>14. Contractor to verify location of thermostats, Air handlers, and condensating units with Architect prior to installation. All ductwork is to be concealed unless otherwise noted.</div><div>15. Beams, Headers and Lintels to be sized by an engineer or manufacturer.</div><div>16. Use double joists under walls, which run parallel to joists.</div><div>17. Exact size and reinforcement of all concrete footings must be determined by local soil conditions and acceptable practices of construction. Verifying design with local geotechnical engineer.</div><div>18. Electrical contractor to verify and/or size electrical system to meet or exceed local code requirements.</div><div>19. HVAC contractor to verify and/or size heating and cooling loads as for local codes, climatic conditions and building orientation, and volume of interior space.</div><div>20. Plumbing contractor plumbing materials and installation to be done in accordance with local requirements.</div><div>21. Windows designations are provided as the outer frame dimensions of the unit, and called out in feet and inches wide by feet and inches tall (Example: 2852 designation is a window with a 2 foot 8 inch wide by 5 foot 2 inch tall frame size).</div><div>22. Contractor to coordinate sill extensions as required for exterior wall conditions.</div><div>23. Framing call outs on plan are for structure above.</div></div> <div><div>COVER</div><div>T1-0 Title Sheet</div><div>ARCHITECTURAL</div><div>A0-1 Architectural Site Plan</div><div>A1-1 Main Level Floor Plan</div><div>A1-2 Upper Level Floor Plan</div><div>A1-3 Roof Plan</div><div>A2-1 Exterior Elevations</div><div>A2-2 Exterior Elevations</div><div>A2-3 Exterior Elevations</div></div> <div></div> <div></div> <div><div>THE FULLER RESIDENCE</div><div>RENOVATION</div><div>MOUNTAIN BROOK, ALABAMA</div></div> <tr><th>BUILDING CODES</th><th>SQUARE FOOTAGE</th><th colspan="2">PROJECT TEAM</th></tr> <tr><td>2021 IRC</td><td><table><tr><th>CONDITIONED SQ FT</th><th>UNCONDITIONED SQ FT</th></tr><tr><td>1ST FLOOR</td><td>---</td></tr><tr><td>2ND FLOOR</td><td>336.45</td></tr><tr><td>3RD FLOOR</td><td>338.90</td></tr><tr><td>TOTAL</td><td>7053.5</td></tr></table></td><td colspan="2"><table><tr><th>OWNER</th><th>ARCHITECT</th></tr><tr><td>Mike and Penny Fuller</td><td>Jeffrey Dungan Architects, Inc.</td></tr><tr><td></td><td>Contact: Jeff Dungan</td></tr><tr><td></td><td>Sarah Barr</td></tr><tr><td></td><td>Patricia Jones</td></tr><tr><td></td><td>1906 Cahaba Road</td></tr><tr><td></td><td>Mountain Brook, AL 35222</td></tr><tr><td></td><td>(205) 322-3057</td></tr></table></td></tr> <tr><td></td><td></td><td colspan="2"><table><tr><th>BUILDER</th><th>LANDSCAPE ARCHITECT</th></tr><tr><td>Tripp Remodeling LLC</td><td>Tripp Remodeling LLC</td></tr><tr><td>Contact: John Parler</td><td>Contact: Chad Crawford</td></tr><tr><td>4912 Colwell Mill Road</td><td>2841 Colwell Rd</td></tr><tr><td>Birmingham, AL 35242</td><td>Mountain Brook, AL 35223</td></tr><tr><td>205-369-9118</td><td>205-292-7515</td></tr></table></td></tr>	BUILDING CODES	SQUARE FOOTAGE	PROJECT TEAM		2021 IRC	<table><tr><th>CONDITIONED SQ FT</th><th>UNCONDITIONED SQ FT</th></tr><tr><td>1ST FLOOR</td><td>---</td></tr><tr><td>2ND FLOOR</td><td>336.45</td></tr><tr><td>3RD FLOOR</td><td>338.90</td></tr><tr><td>TOTAL</td><td>7053.5</td></tr></table>	CONDITIONED SQ FT	UNCONDITIONED SQ FT	1ST FLOOR	---	2ND FLOOR	336.45	3RD FLOOR	338.90	TOTAL	7053.5	<table><tr><th>OWNER</th><th>ARCHITECT</th></tr><tr><td>Mike and Penny Fuller</td><td>Jeffrey Dungan Architects, Inc.</td></tr><tr><td></td><td>Contact: Jeff Dungan</td></tr><tr><td></td><td>Sarah Barr</td></tr><tr><td></td><td>Patricia Jones</td></tr><tr><td></td><td>1906 Cahaba Road</td></tr><tr><td></td><td>Mountain Brook, AL 35222</td></tr><tr><td></td><td>(205) 322-3057</td></tr></table>		OWNER	ARCHITECT	Mike and Penny Fuller	Jeffrey Dungan Architects, Inc.		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NOT FOR CONSTRUCTION	
1000 LARSEN ROAD WILKINSON, BRIDGE, AL 35223 P: 205.322.2557 F: 205.322.6167 www.jdarchitects.com	
FULLER RESIDENCE RENOVATION	
PROJECT: BRIDGE, AL JOB NUMBER: 23007 20 JANUARY 2024	
DESIGNED BY	JD, TD
CHECKED BY	JD
REVISIONS	
A1-0	
JEFFREY DUNGAN ARCHITECTS	

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**LOT FOR CONSTRUCTION**  
 106 CHASSA ROAD  
 MOUNTAIN BROOK, AL 35223  
 205.322.2057  
 205.322.6167  
[jeff@myfloridagigs.com](mailto:jeff@myfloridagigs.com)

---

**MULLER RESIDENCE  
 RENOVATION**  
 MOUNTAIN BROOK, AL  
 JOB NUMBER 23007  
 15 JANUARY 2024

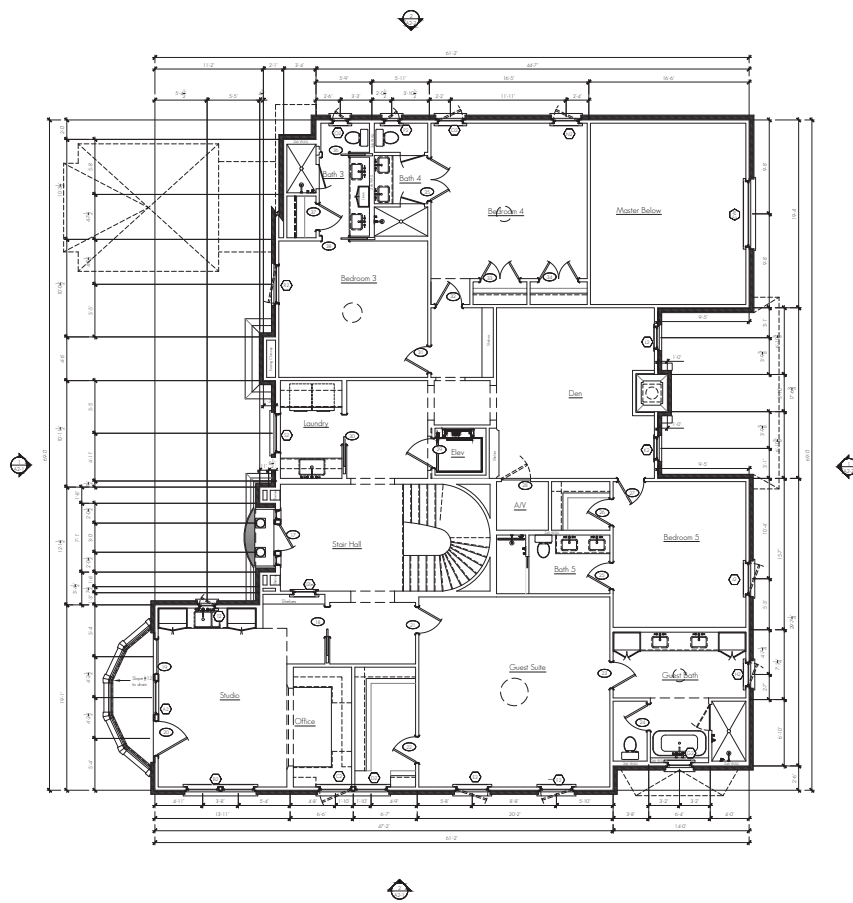
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**DRAWN BY: SB, P2**  
**CHECKED BY: JMD**

---

**REVISIONS**

Jeffrey Dungan Architects



**Upper Level Floor Plan**  
 Scale: 1/8" = 1'-0"

**NOT FOR CONSTRUCTION**  
 1000 CAMPUS ROAD  
 WILMINGTON, DEWICK, AL 35023  
 P: 205.332.2557  
 F: 205.332.6167  
 www.jeffreydungan.com

**FULLER RESIDENCE RENOVATION**  
 PROJECT: BRICK, AL  
 JOB NUMBER: 23007  
 20 JANUARY 2024

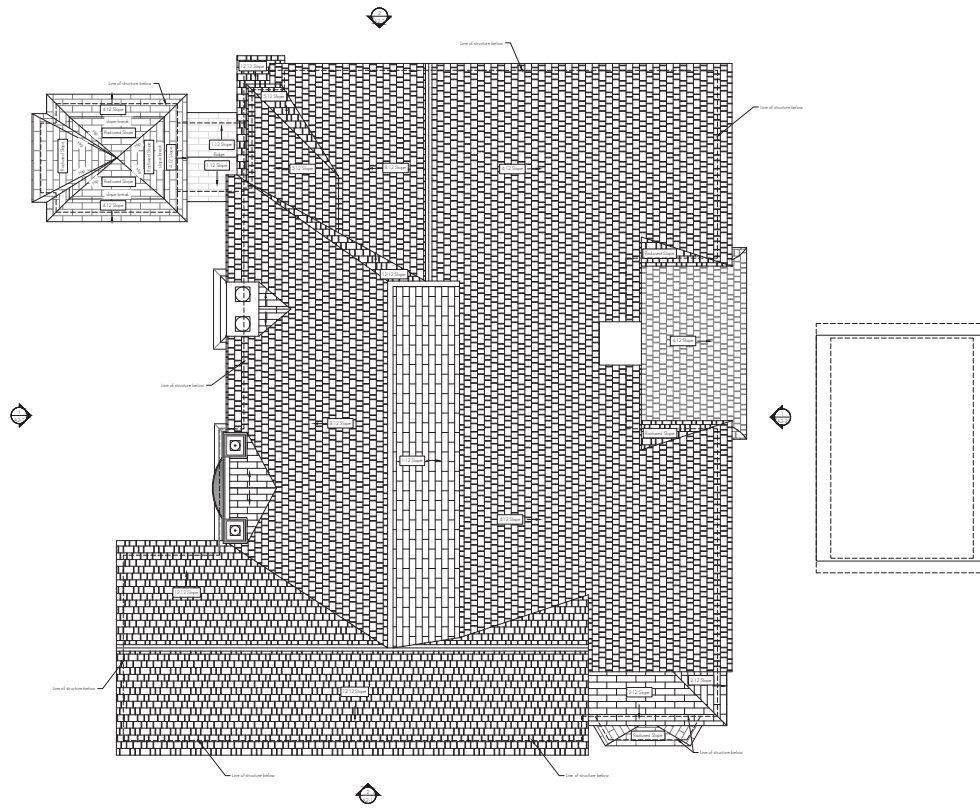
DESIGNED BY: J.D.  
 CHECKED BY: J.D.

**REVISIONS**

Upper Level Floor Plan

**A1-2**

**JEFFREY DUNGAN**  
 ARCHITECTS



1 Roof Plan  
Scale: 1/8" = 1'-0"

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NOT A CONTRACT  
NOT A PERMIT  
NOT A SPECIFICATION  
NOT A SCHEDULE

FULLER RESIDENCE  
RENOVATION

PROJECT: FULLER RESIDENCE, AL  
JOB NUMBER: 120007  
DATE: 01/15/2024  
DESIGNED BY: JDD  
CHECKED BY: JDD

REVISIONS

Sheet No.  
A1-3

JEFFREY DUNGAN  
ARCHITECTS





2 Right Side Elevation  
Scale: 1/8" = 1'-0"



1 Front Elevation  
Scale: 1/8" = 1'-0"

NOT FOR CONSTRUCTION  
1000 CAMPUS ROAD  
BIRMINGHAM, AL 35223  
P: 205.333.2557  
F: 205.333.6167  
www.jeffreydungan.com

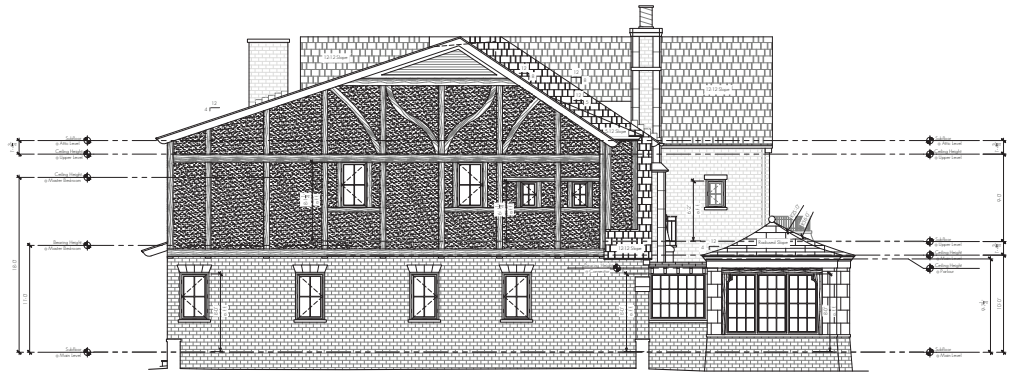
FULLER RESIDENCE RENOVATION  
PROJECT: BRICK, AL  
JOB NUMBER: 23007  
20 MAR 2024

DESIGNED BY: DS, TJ  
CHECKED BY: JWD

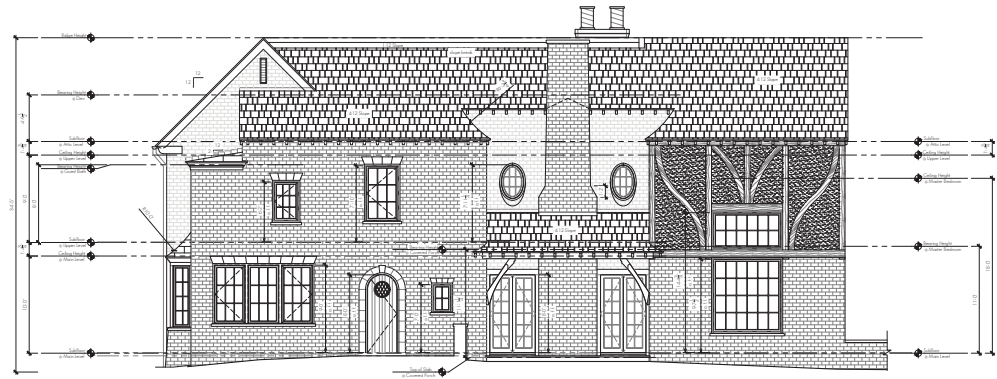
REVISIONS

Sheet Number  
A2-1

JEFFREY DUNGAN  
ARCHITECTS



2 Left Side Elevation



1 Back Elevation

NOT FOR CONSTRUCTION  
 1000 CUMMERS ROAD  
 PRICHARD, ALABAMA 36023  
 P: 205.332.2557  
 F: 205.332.6167  
[www.jeffreydungan.com](http://www.jeffreydungan.com)

FULLER RESIDENCE RENOVATION

PROJECT: BRICK AL  
 JOB NUMBER: 23007  
 20 MAR 2019 10:24  
 DRAWN BY: JLD  
 CHECKED BY: JLD

REVISIONS

Sheet Number  
 A2-2

JEFFREY DUNGAN  
 ARCHITECTS



## 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)?

Please see attached "Hardship and Statement of Scope"

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

No, the hardship arises from several factors mentioned in the attached "Hardship and Statement of Scope" and was not created by the property owner.

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

The suggested mitigation measures in the attached "Hardship and Statement of Scope" help keep the design of the property in line with the intent of the Zoning Regulations by limiting the stormwater impact of the slightly larger lot coverage.



## Hardship and Statement of Scope for 76 Country Club Blvd.

This variance request is for a slight increase in lot coverage, and the extension of an existing wall that overhangs the northeastern setback. The hardship with this lot in terms of lot coverage is that the survey shows the property line is set nearly twenty-two feet back from the edge of the street, when typically property lines fall between 8-10 feet from the street. That's an extra  $\pm 1200$  square feet of land that is maintained by the property owner, not the city, but isn't applicable to lot coverage calculations. The inclusion of this land that visibly is part of the lot, even if not per the surveyed property lines, would put our proposed design at under the required 25% lot coverage. With the current property line location, our lot coverage is slightly over the 25% limit, at 26.1%. In addition, this lot was labeled Residence A District, which has a minimum square footage of 30,000sf. This lot has only 16,802.5sf, creating a difficulty and disproportion in size of structure to the allowed lot coverage.

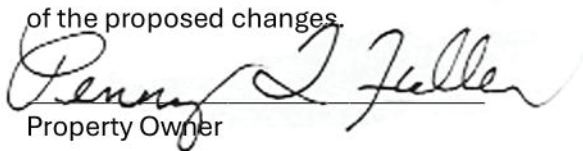
If we cannot factor in another 12-14 feet of property at the street - that is maintained by the lot owner but not unavailable for the lot coverage calculations- we propose installing mitigation measures to offset the potential impact of a slightly higher lot coverage:

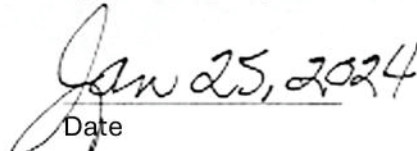
- Installing a cistern to capture excess rain on site and reduce the city's stormwater load
- Working with the landscape architect to include rain gardens with native plants to help rain water soak into the ground instead of contributing to Mountain Brook's flooding issues.

The owner and design team want to update the property to modern standards while keeping the character of this century-old home. Instead of demolishing this historic house to give the owner exactly what she needs to accommodate her husband's disability – a degenerative brain disorder that will soon require the use of a wheelchair – we decided to redo the poorly done 1970s addition at the back of the property to keep more in line with the original character and provide the needed space for the master suite on the main level. The expansion at the front of the house is minimal and stays well back from the 40' setback so as not to effect the experience along the street.

The old servants' quarters – a two-story structure located right up against the back property line – will be torn down to allow for a smaller, single-story, single-car garage located closer to the house. Other improvements include a new roof (within allowed height limitations) and updates to the hardscaping – such as updating the driveway with permeable pavers.

Below are some photos of the existing house. Included in this application are plans and elevations of the proposed changes.

  
Property Owner

  
Date



## Variance Application - Part I

### Project Data

Address of Subject Property 25 FAIRWAY DR.

Zoning Classification \_\_\_\_\_

Name of Property Owner(s) JOHN MONTGOMERY

Phone Number 205 266 0223 Email JOHN@BIECOM.COM

Name of Surveyor BUCK CAULHAN

Phone Number 205 229 1993 Email BUCK@SOUTHCENTRALSURVEYING.COM

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

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



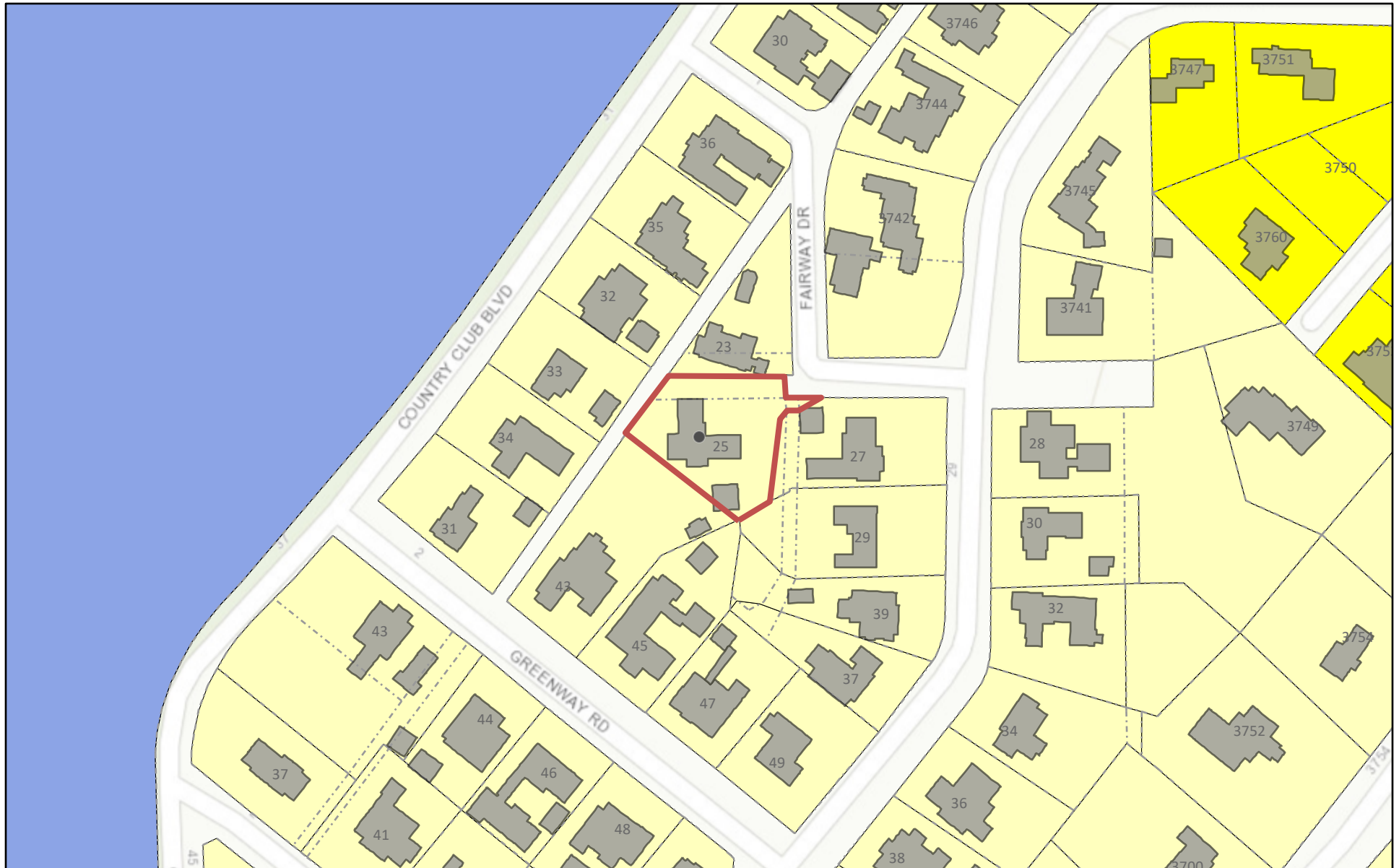
Property owner or representative agent must be present at hearing

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

	Zoning Code Requirement	Existing Development	Proposed Development
Lot Area (sf)			
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>10' SETBACK</u>		<u>7' SETBACK</u>
Other			

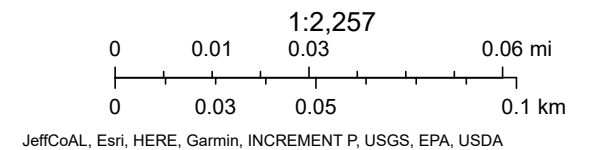
pool

# A-24-09 Zoning



1/30/2024, 11:23:47 AM

Building Footprints 2020v1  
 Tax\_Parcels 2021  
 Residence A District  
 Residence B District  
 Rec-2  
 Lot Lines





# A-24-09 Aerial



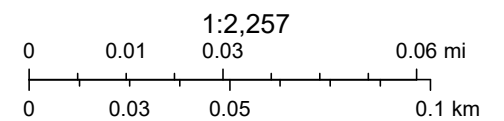
1/30/2024, 11:24:32 AM

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-24-09

### ***Petition Summary***

Request to allow a pool to be located 7 feet from the rear property line (south) in lieu of the required 10 feet.

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

The scope of work includes the installation of a new pool.

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

**Nexus:** The hardships in this case are the irregular lot shape and existing design constraints of the home. The lot is very oddly shaped with angled rear and side property lines. The existing home is set back deeply into the lot which limits the space in the rear and pools must be located to the rear of the principal dwelling. The pool equipment and pump will be located outside of the required 10 foot setback.

### ***Standard Hardships Required***

The subject request appears to possibly 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 (very irregular lot 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 constraint of house located toward the rear of the lot)

***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 only a small corner of the pool will encroach into the setback).

***Impervious Area***

The proposal exceeds that maximum allowed impervious surface limit.

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

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

***Affected Regulation***

Article XIX, Section 129-314 Accessory structures and accessory buildings on residential lots

***Appends***

LOCATION: 25 Fairway Drive

ZONING DISTRICT: Residence A District

OWNERS: John Montgomery





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

A circular red seal for a professional surveyor in Alabama. The outer ring contains the text "ALABAMA" at the top and "WILLIAM D. CALLAHAN, SURVEYOR" around the bottom. Inside this is a smaller circle with "LICENSED" at the top and "SURVEYOR" at the bottom. The center of the seal features the text "NO. 28251" and "PROFESSIONAL" above "LAND". Two small red stars are positioned on the left and right sides of the central text.

UNDER MY HAND AND SEAL, this the 12th do  
*William D. Callahan, Jr.*

Field Survey: 12-08-2023



**P.O. BOX 917  
ALABASTER, ALABAMA 35007  
PHONE 205-229-1993**

- = WOOD FENCE    [ ] = BRICK PAVING    ▲ = CALCULATED POINT    M.B.L. = MINIMUM BUILDING LINE    ASPH. = ASPHALT  
 —x—x— = CHAIN LINK FENCE    [X] = COVERED PORCH/DECK    (R) = RECORDED    ○ = CAPPED REBAR SET    —op— = OVERHEAD POWER  
   (M) = MEASURED    ● = IRON FOUND (DESCRIPTION)    Ø = POWER POLE



## 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)?

CONFIGURATION OF LOT PINCHED B/W FAIRWAY AND ALLEY PARALLEL TO COUNTRY CLUB BLVD WHICH SENDS STORMWATER RUNOFF ACROSS NORTHWEST SIDE DICTATES ONLY POOL LOCATION IN REAR YARD TO BE OFFSET BETWEEN RESIDENCE AND EXISTING AUXILIARY STRUCTURE. SAID LOCATION, DUE TO SPACE AND ELEVATION CHALLENGES, WILL PLACE POOL THREE FEET INTO EASEMENT ALONG SOUTH WEST BOUNDARY.

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?

EXISTING FENCE, TREES, AND SHRUBBERY ALONG SOUTH WEST BOUNDARY WILL REMAIN TO PROTECT BOTH AUDIO AND VISUAL SCREENING TO BOTH PROPERTY OWNERS.