

BZA Packet

August 19, 2024

Hello All,

Enclosed please find your packet for the meeting of August 19, 2024.

We have:

- 6 new cases

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

www.mtnbrook.org

- Calendar (upper right corner)
- Board of Zoning Adjustment (August 19, 2024)
- Meeting Information (for agenda) and Supporting Documents (to view proposed plans and/or survey select link associated with the case number)

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

Looking forward to seeing you on Monday!

Tyler

MEETING AGENDA
CITY OF MOUNTAIN BROOK
BOARD OF ZONING ADJUSTMENT
AUGUST 19, 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: July 15, 2024
 2. **Case A-24-29: Noel and Kelly Keathley**, property owners, requests variances from the terms of the Zoning Regulation to allow an addition to be 26 feet 8 inches from the rear property line (north) in lieu of the required 35 feet. - **916 Beech Lane**
 3. **Case A-24-30: Russ and Jann Blitz**, property owners, request a variance from the terms of the Zoning Regulation to allow an addition to be 30 feet from the secondary front (Rockhill Road, east) in lieu of the required 40 feet.
- **3698 Rockhill Road**
This is the same proposal as was approved by BZA (Case A-22-09) on March 21, 2022 (the approval of which has expired).
 4. **Case A-24-31: Daniel Hubbard and Juliana Harless**, property owners, request variances from the terms of the Zoning Regulation to allow a new single family dwelling to be 28 feet from the front property line (Elm Street) in lieu of the required 35 feet; and for portions of the house (higher than 22 feet) to be 8.87 feet from the left side property line (north) and 8.17 feet from the right side property line (south) both in lieu of the required 12 feet. -**123 Elm Street**
 5. **Case A-24-32: Mr. and Mrs. Scott Barringer**, property owners, request a variance from the terms of the Zoning Regulation to allow a new covered front porch to be 30 feet from the front property line (Jackson Boulevard) in lieu of the required 35 feet.
3904 Jackson Blvd.
 6. **Case A-24-33: Charlie and Maggie Pond**, property owners, request a variance from the terms of the Zoning Regulation to allow a single family dwelling to be 8 feet from the left side setback (east) in lieu of the required 12 feet for any portion of the structure that is higher than 22 feet.- **2429 Park Lane**

7. **Case A-24-34: Stephen and Holly Gunn**, property owners, request a variance from the terms of the Zoning Regulations to allow an addition to the existing single family home to be 5 feet from the side property line (north) in lieu of the required 15 feet. - **3021 Cambridge Road**
This request is the same proposal as was approved by BZA (Case A-23-14) on April 17, 2023 (the approval of which has expired)

8. Next Meeting: **Monday, September 16, 2024**

9. Adjournment



Variance Application - Part I

Project Data

Address of Subject Property 916 Beech Lane 35213

Zoning Classification Res C

Name of Property Owner(s) NOEL & KELLY KEATHLEY

Phone Number 225 571-2460 Email noelkeathley@aqztech.com

Name of Surveyor Weygand

Phone Number 205 942-0086 Email info@weygand.com

Name of Architect (if applicable) Randy Britton

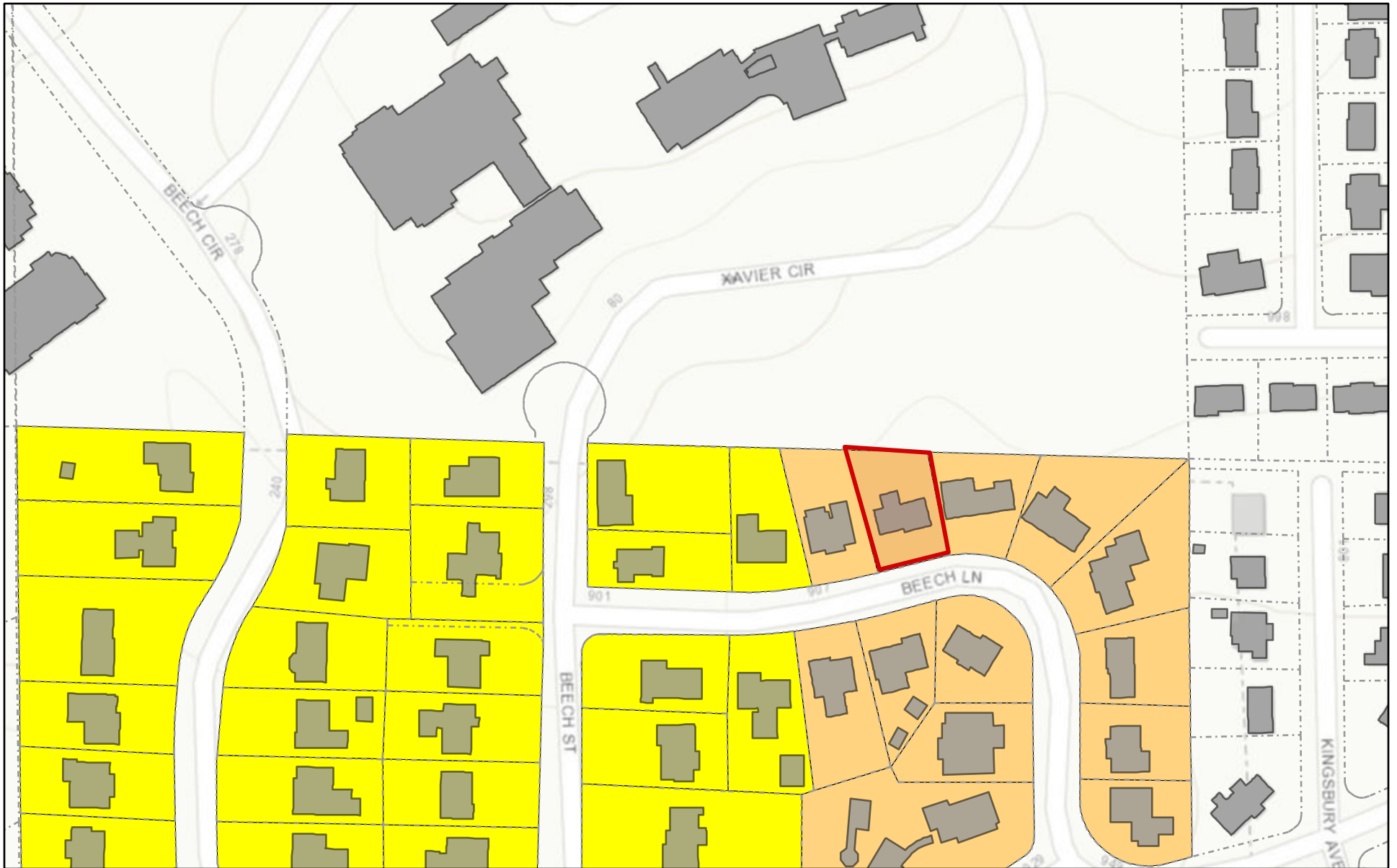
Phone Number 205 807 5462 Email rbaracht@gmail.com

Property owner or representative agent must be present at hearing

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

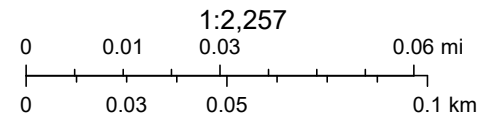
	Zoning Code Requirement	Existing Development	Proposed Development
Lot Area (sf)		11,326	
Lot Width (ft)		31.3	
Front Setback (ft) <i>primary</i>		35	
Front Setback (ft) <i>secondary</i>			
Right Side Setback		10	
Left Side Setback		10	
Right Side Setback (ft): For non-conforming narrow lots in Res-B 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)		35	
Lot Coverage (%)		11.2%	22.7%
Building Height (ft)			
Other			
Other			

A-24-29 Zoning



8/1/2024, 9:19:41 AM

- Building Footprints 2020vl
- Lot Lines
- Tax_Parcels 2021
- Residence B District
- Residence C District



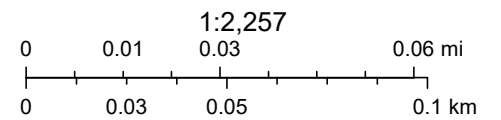
JeffCoAL, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

A-24-29 Aerial



8/1/2024, 9:21:47 AM

----- Lot Lines 2022 Imagery ■ Green: Band_2
■ Red: Band_1 ■ Blue: Band_3



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

Report to the Board of Zoning Adjustment

A-24-29

Petition Summary

Request to allow an addition to be 26 feet 8 inches from the rear property line (north) in lieu of the required 35 feet.

Scope of Work

The scope of work includes a rear addition to an existing single family home.

Variance Request for Setback

Nexus: The hardship in this case is the irregular lot shape related to the angled rear property line.

Standard Hardships Required

The subject request appears to possibly meet “c.” 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 (angled rear lot line creates 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

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

1. That special circumstances or conditions apply to the building or land in question, and
2. That these circumstances are peculiar to such building or land, and
3. That these circumstances do not apply generally to other buildings or land in the vicinity;
4. The condition from which relief or a variance is sought did not result from action by the applicant;
5. That the granting of this variance:
 - a. will not impair an adequate supply of light and air to adjacent property (in that the rear of the subject lot borders Saint Frances Xavier Catholic Church located in the city limits of Birmingham and the portion of the church lot adjacent to the rear of the proposed encroachment is heavily wooded).

Impervious Area

The proposal is in compliance with 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

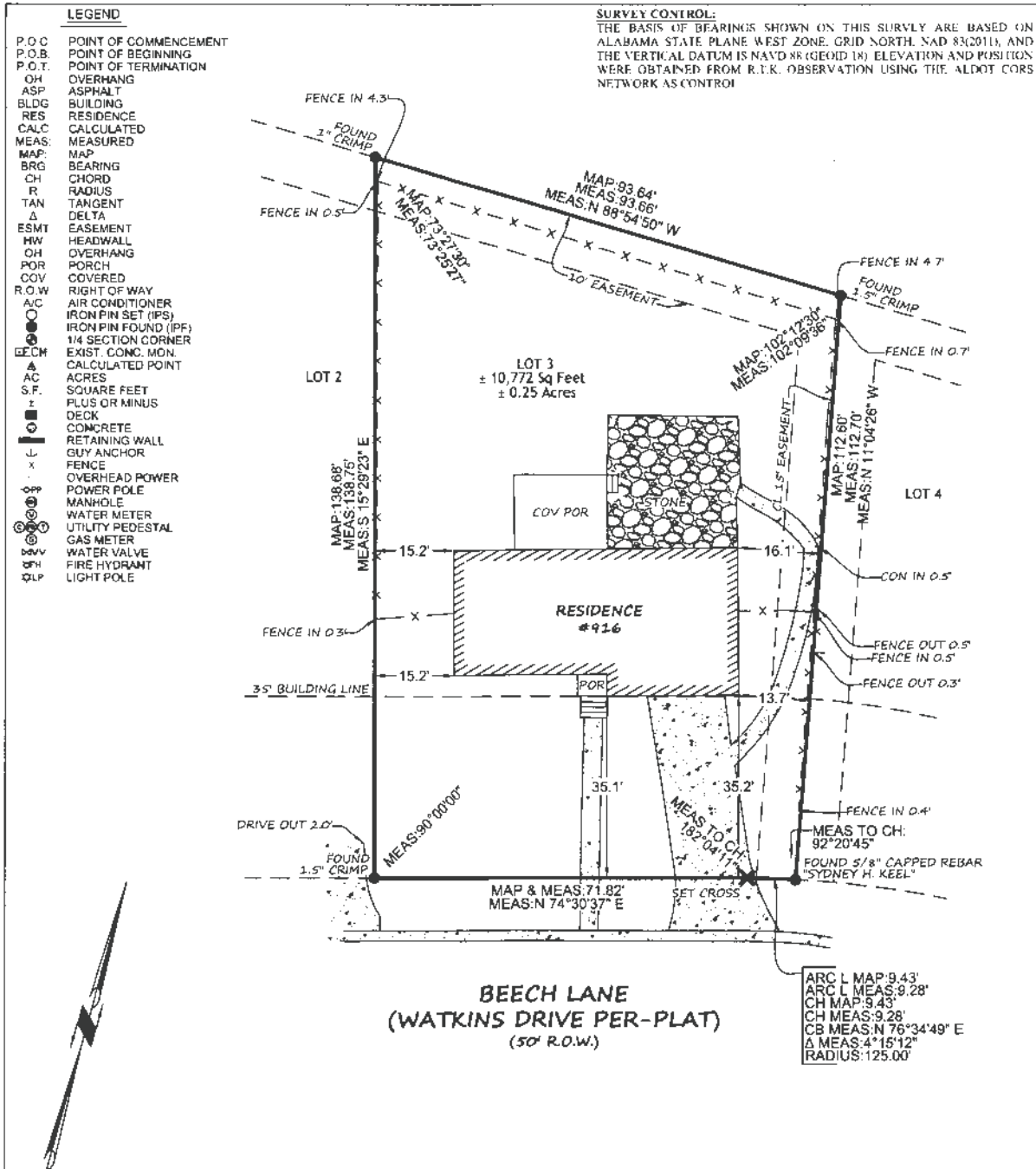
Article V, Sec. 129-62 Residence C District

Appends

LOCATION: 916 Beech Lane

ZONING DISTRICT: Residence C District

OWNERS: Noel and Kelly Keathley



STATE OF ALABAMA)
COUNTY OF JEFFERSON)

"PROPERTY BOUNDARY SURVEY"

I, Thomas Scott Dreher, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot 3, of BEECH HILLS 5TH SECTOR, as recorded in Map Volume 59, Page 81, 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 JULY 1, 2024. Survey invalid if not signed and sealed.

Order No.: 20241340
Purchaser:
Address: 916 BEECH LN

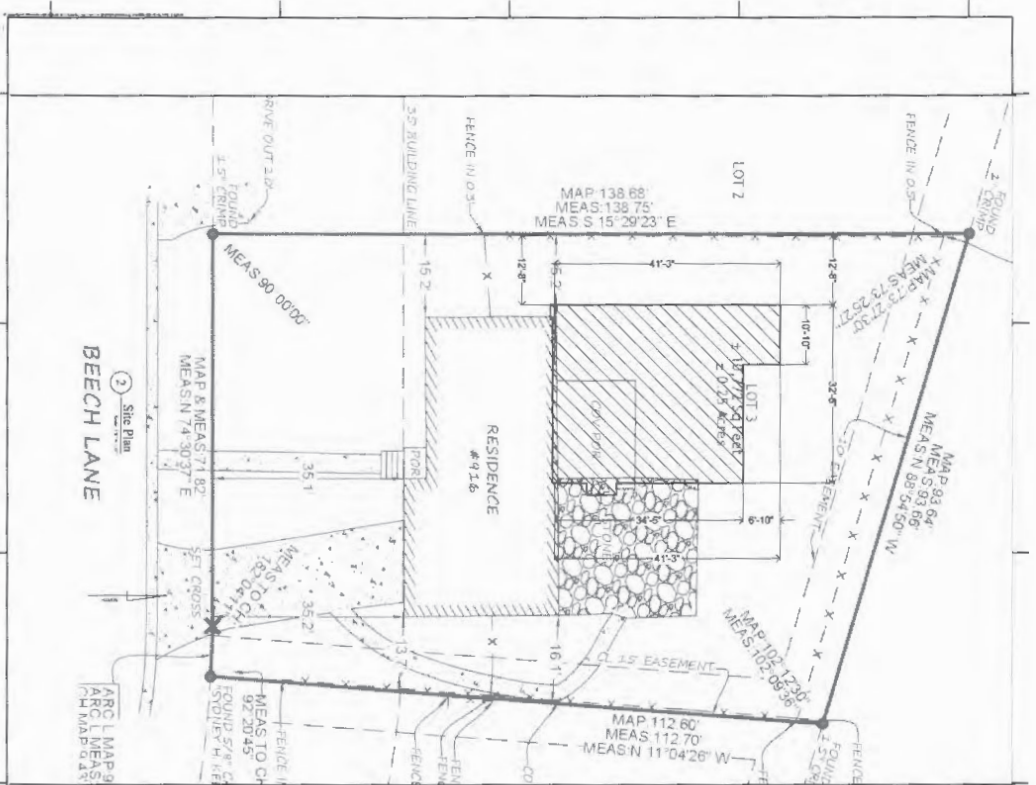
BY: *Thomas Scott Dreher* Date: JULY 3, 2024
Thomas Scott Dreher, PLS AL 50407
173 Oxmoor Road
Homewood, AL 35209
(205) 942-0086



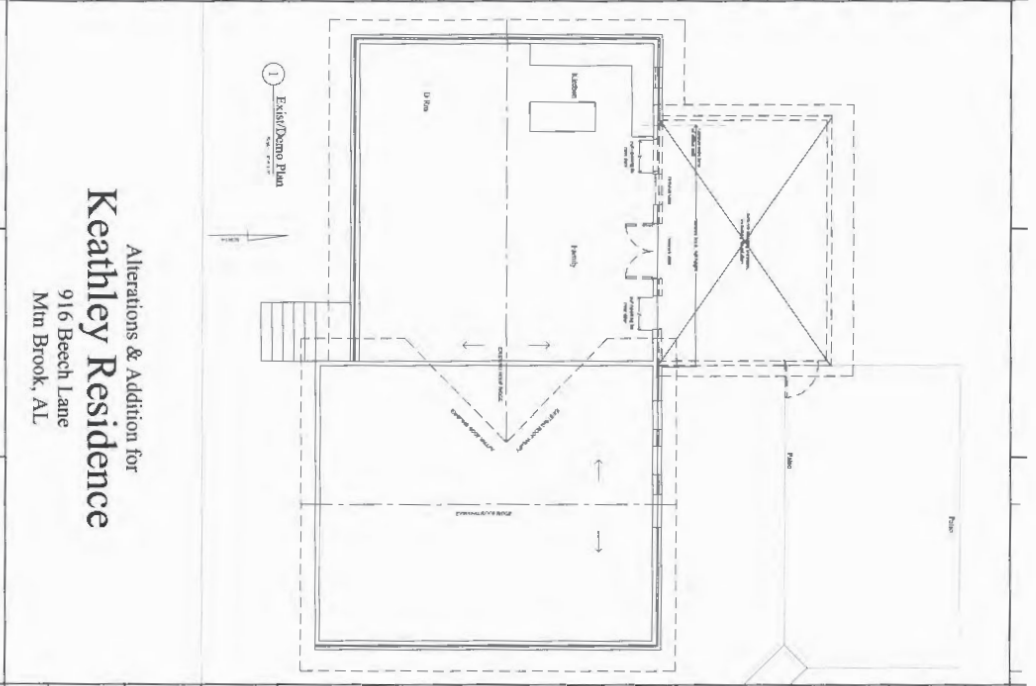
Notes: (a) No title search of the public records has been performed by this firm, and land shown hereon was not abstracted for easements and/or rights-of-way, recorded or unrecorded. The parcel shown hereon is subject to setbacks, easements, zoning, and restrictions that may be found in the public records of said county and/or city. (b) All bearings and/or angles are dead/record map unless otherwise noted in such form as Measured (Deed). (c) Underground portions of foundations, footings, and/or other underground structures, utilities, cemeteries or burial sites were not located unless otherwise noted. (d) This survey is not transferable. (e) Easements not shown on recorded map are not shown above. (f) All iron pins set (IPS) by this firm are 1/2" rebar with an orange cap inscribed WEYGAND CA50309 and shall not be removed. (g) All corners set MAG. nails and washer will be silver and inscribed WEYGAND CA50309.

		WEYGAND		0' 20' 40' 60'	
SCALE: 1" = 20'	APPROVED BY: Thomas Scott Dreher PLS AL. REG NO. 50407	DATE OF FIELD WORK: 07/01/2024			
DATE: 07/03/2024	SURVEYED BY: JS / DRAWN BY: BAB		Job #: 20241340	GRAPHIC SCALE: 1" = 20' Copyright ©	

A-24-29



② Site Plan
BEECH LANE



① Existing/Demo Plan

Alterations & Addition for
Keathley Residence
916 Beech Lane
Min Brook, AL

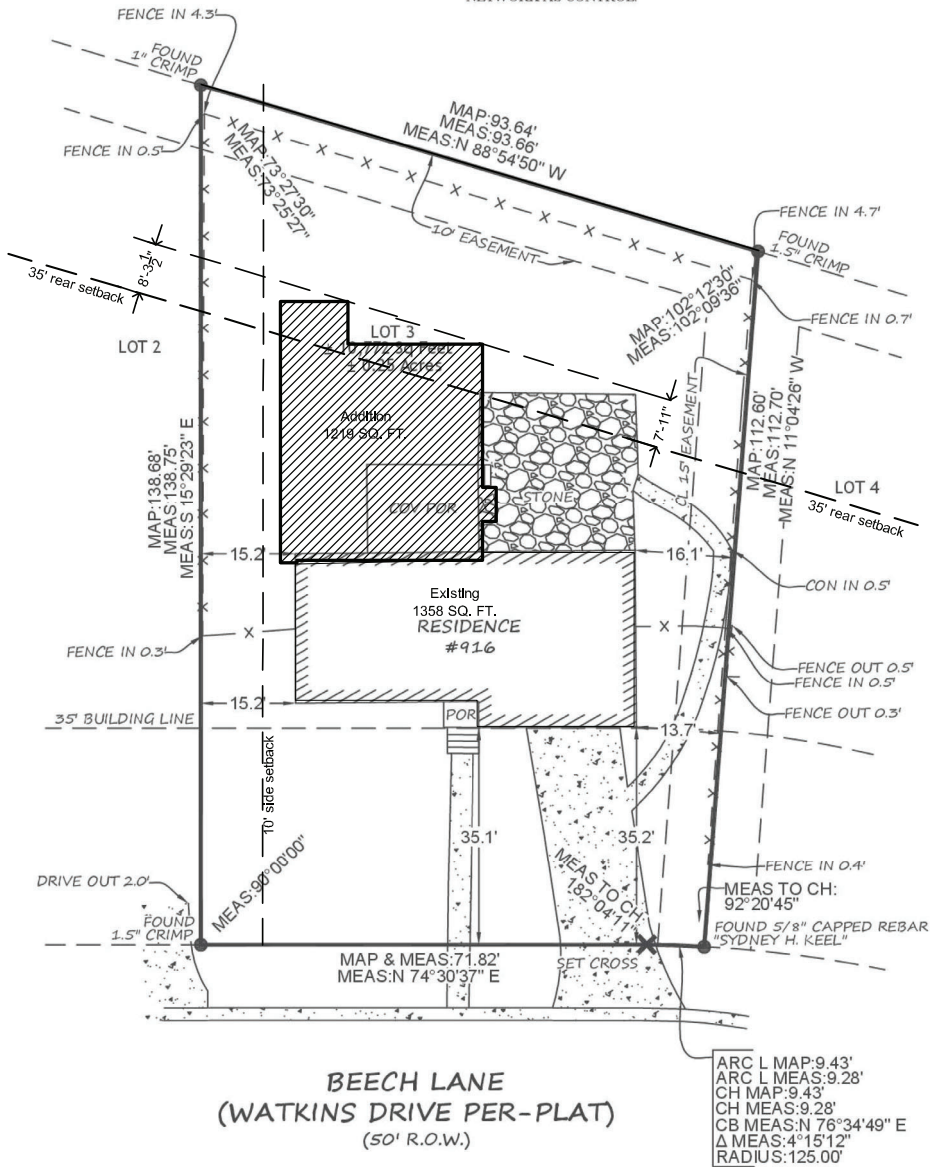
<p>Plan: Existing & Proposed Site</p>	<p>AL180</p>	<p>1 of 4</p>	<p>Alterations & Addition for Keathley Residence 916 Beech Lane Min Brook, AL</p>	<p>Plan Book ADDITEL 1/2" = 1'-0" 1/8" = 1'-0" 1/16" = 1'-0" 1/32" = 1'-0" 1/64" = 1'-0"</p>
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LEGEND

- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- P.O.T. POINT OF TERMINATION
- OH OVERHANG
- ASP ASPHALT
- BLDG BUILDING
- RES RESIDENCE
- CALC CALCULATED
- MEAS: MEASURED
- MAP: MAP
- BRG BEARING
- CH CHORD
- R RADIUS
- TAN TANGENT
- Δ DELTA
- ESMT EASEMENT
- HW HEADWALL
- OH OVERHANG
- POR PORCH
- COV COVERED
- R.O.W. RIGHT OF WAY
- A/C AIR CONDITIONER
- IRON PIN SET (IPS)
- IRON PIN FOUND (IPF)
- ⊕ 1/4 SECTION CORNER
- ⊕ EXIST. CONC. MON
- △ CALCULATED POINT
- AC ACRES
- S.F. SQUARE FEET
- ± PLUS OR MINUS
- ▣ DECK
- ▣ CONCRETE
- ▣ RETAINING WALL
- ↓ GUY ANCHOR
- x- FENCE
- v- OVERHEAD POWER
- POWER POLE
- MANHOLE
- WATER METER
- UTILITY PEDESTAL
- GAS METER
- WATER VALVE
- FIRE HYDRANT
- LIGHT POLE

SURVEY CONTROL:

THE BASIS OF BEARINGS SHOWN ON THIS SURVEY ARE BASED ON ALABAMA STATE PLANE WEST ZONE, GRID NORTH, NAD 83(2011), AND THE VERTICAL DATUM IS NAVD 88 (GEOID 18). ELEVATION AND POSITION WERE OBTAINED FROM R.T.K. OBSERVATION USING THE ALDOT CORS NETWORK AS CONTROL.



**BEECH LANE
(WATKINS DRIVE PER-PLAT)
(50' R.O.W.)**

ARC L MAP:9.43'
ARC L MEAS:9.28'
CH MAP:9.43'
CH MEAS:9.28'
CB MEAS:N 76°34'49" E
Δ MEAS:4°15'12"
RADIUS:125.00'

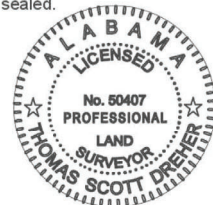
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Order No.: 20241340
Purchaser:
Address: 916 BEECH LN

BY: *Thomas Scott Dreher* Date: JULY 3, 2024
Thomas Scott Dreher, PLS AL 50407
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Homewood, AL 35209
(205) 942-0086

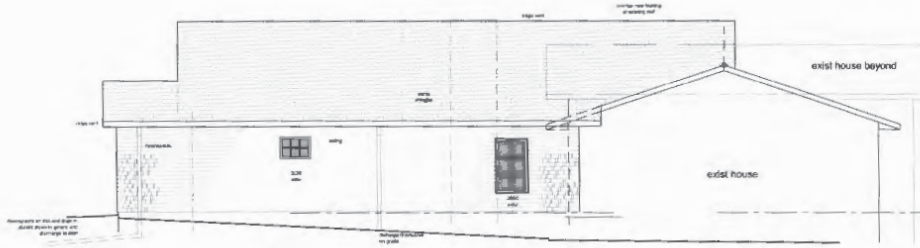


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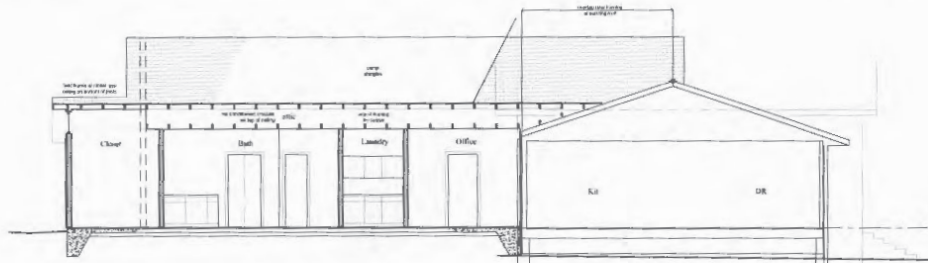
WEYGAND		0' 20' 40' 60'
SCALE: 1" = 20'	APPROVED BY: Thomas Scott Dreher PLS AL REG. NO. 50407	DATE OF FIELD WORK: 07/01/2024
DATE: 07/03/2024	SURVEYED BY: JS / DRAWN BY: BAB	Job #: 20241340
		GRAPHIC SCALE: 1" = 20' Copyright ©



1 South Elevation
DATE: 12/11/10



2 West Elevation
DATE: 12/11/10



3 Long Section
DATE: 12/11/10

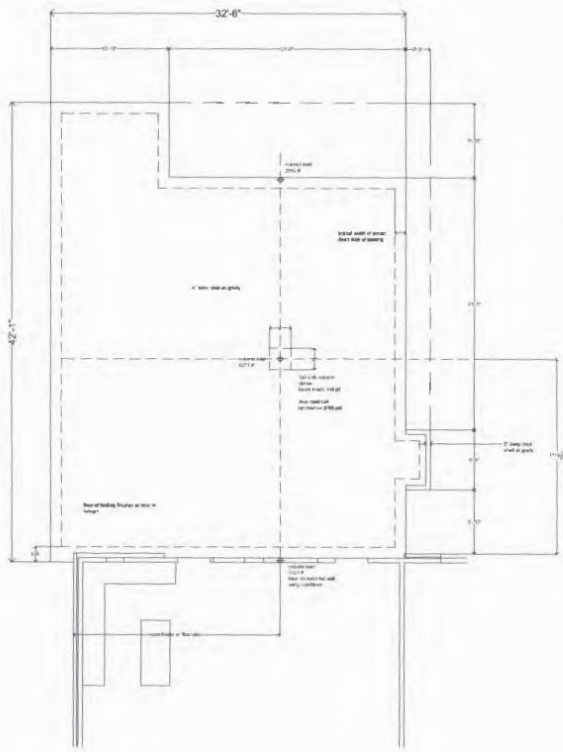
Early Review
Architect

Alterations & Addition for
Keathley Residence
470 Beech Lane
Mills Branch, VA

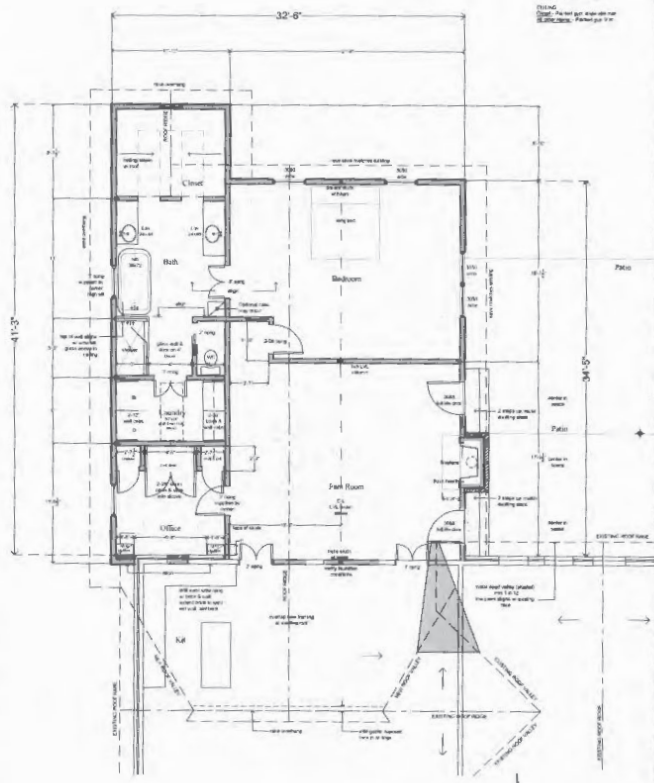
West &
South Elevation
Long Section

A2.12

4 of 4



2 Foundation Plan
Scale: 1/8" = 1'-0"



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

Finishes

Plaster	1/2" thick on masonry
Wall Paper	1/2" thick on masonry
Wood	1/2" thick on masonry
Roofing	1/2" thick on masonry
Paint	1/2" thick on masonry
Other	1/2" thick on masonry

Kathy Baker
Architect

Attention: & Address for
Keathley Residence
916 Beech Lane
Murfreesboro, TN

Floor Plan &
Foundation Plan

A1.11

2 of 4

Hardship Variance

916 Beech Lane
Mt. Brook, AL 35213
Scope of Project

We (Noel and Kelly Keathley) live at 916 Beech Lane and are interested in building a master suite, laundry room, office and den that will increase the footprint of our home by 1,206 sq. ft. We are working with Randy Britton (architect) and Jimmy Jetton (Contractor) to perform the work.

We live on the edge of the Mtn. Brook city limit and the rear of the property is adjacent to the wooded area of St. Xavier Church. No one has ever lived on that part of the property parcel and I don't believe anyone ever could do to a road cutting through that. Our rear property line is odd and is far less deep on rear right side and the existing architectural drawings have the master bedroom encroaching 8' into the rear right-side setback.

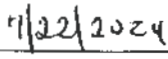
We are asking for a variance due to a few reasons:

1. We have two sets of divorced parents that are elderly and are starting to have health issues (early onset dementia, cancer and severe arthritis). It is highly likely that we will have 1 or more parents that will need to live with us at some point due to these health concerns, not having any type of financial health care and no spouse to live with. To help with this we need more space desperately.
2. Kelly works from home and as of now is working from our guest bedroom which I also use it for my closet. We need an office built so we can use the guest bedroom appropriately,
3. After learning that we were in the setback we discussed the possibility of putting the office above the bedroom in the addition. However, we would need to make the office a bedroom and stairs present a problem for the parents and it is much more expensive.

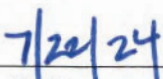
We would appreciate the opportunity to do this home addition as understanding the situation we are in.

Sincerely,


Noel Keathley


Date


Kelly Keathley


Date



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 WAY OUR PROPERTY IS - THE REAR SIDE OF THE PROPERTY LINE COMES MUCH CLOSER TO THE HOUSE ON THE BACK RIGHT SIDE.

WE SIT ON THE MTN. BROOK BOUNDARY TO CITY OF BHAM. WE BACK UP TO ST. XAVIER CHURCH WOODS.

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 AMOUNT OF SO FOOTAGE WE WOULD LIKE TO ADD ENCRACHES INTO THE SETBACK. WE ARE LOOKING TO ADD A MASTER SUITE, LAUNDRY ROOM, OFFICE AND DEN. WE WOULD LIKE TO KEEP IT ONE LEVEL DUE TO:

1. WE WILL BE HAVING A PARENT LIVE WITH US AT SOME POINT (HEALTH)
2. MY WIFE HAS TO HAVE AN OFFICE DUE TO WORKING AT HOME.
3. IT IS COST PROHIBITIVE FOR US TO ADD MULTIPLE LEVELS

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

THIS WOULD ALLOW US TO LIVE IN A MORE ^{CONDUVIVE} ~~CONVIVIVE~~ HOME FOR THE FAMILY AND ADDITIONAL FAMILY MEMBERS TO RESIDE AS WELL AS ALLOW US ALL TO MOVE AROUND WITHOUT STAIRS.



Variance Application - Part I

Project Data

Address of Subject Property 3698 Rockhill Road, 35223

Zoning Classification Residence A

Name of Property Owner(s) Russ and Jann Blitz

Phone Number 205-913-2408 Email rblitz@ghrr.com

Name of Surveyor Weygand Surveyors

Phone Number 205-942-0086 Email _____

Name of Architect (if applicable) Robert Thompson w/ Thompson Architecture, Inc.

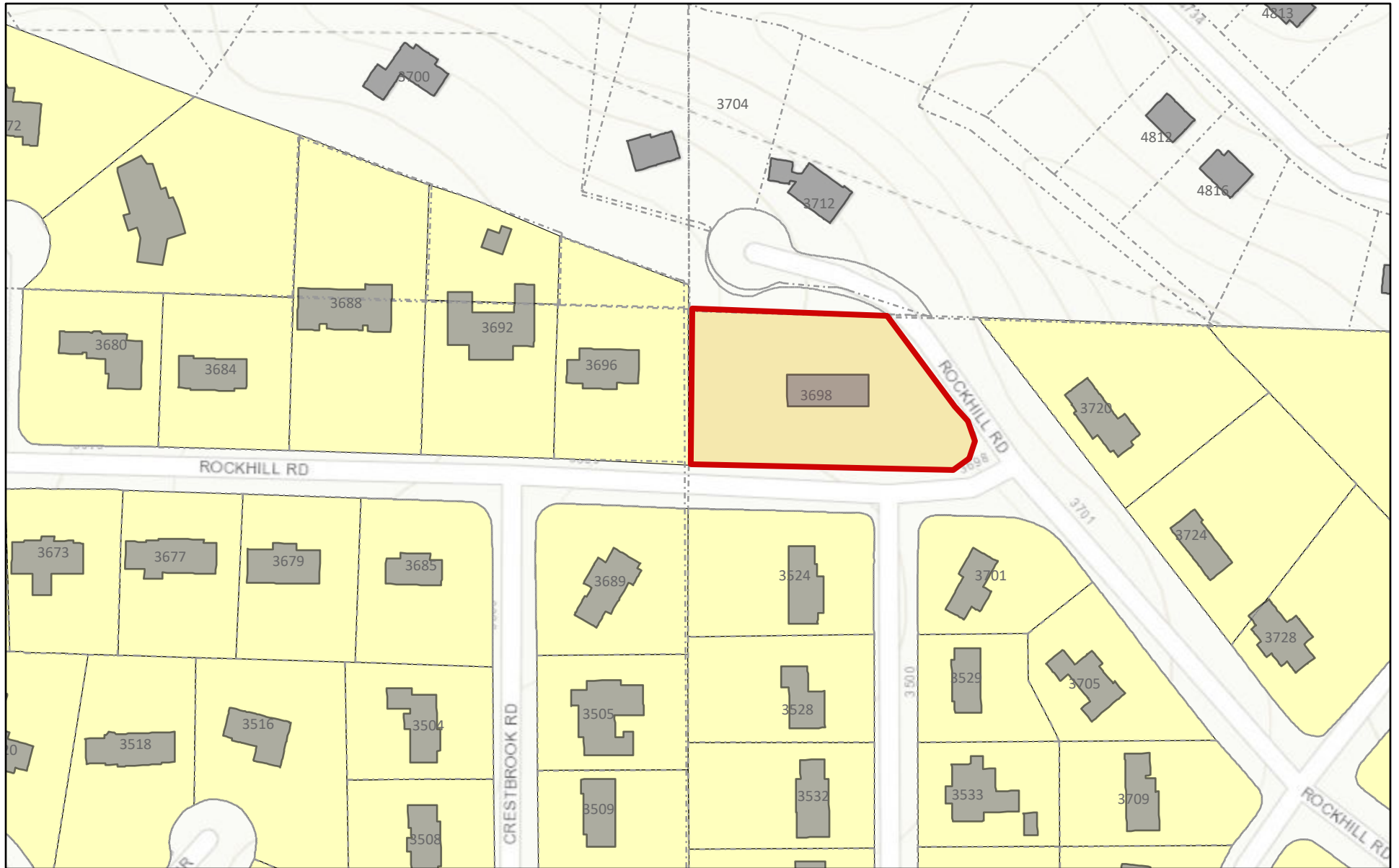
Phone Number 205-999-6461 Email rthompson@thompsonarchitecture.com

Property owner or representative agent must be present at hearing





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

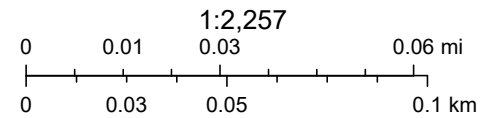
	Zoning Code Requirement	Existing Development	Proposed Development
Lot Area (sf)			
Lot Width (ft)			
Front Setback (ft) <i>primary</i>			
Front Setback (ft) <i>secondary</i>	40'	40'	30'
Right Side Setback			
Left Side Setback			
Right Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: 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-24-30 Zoning



8/1/2024, 9:03:41 AM

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



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

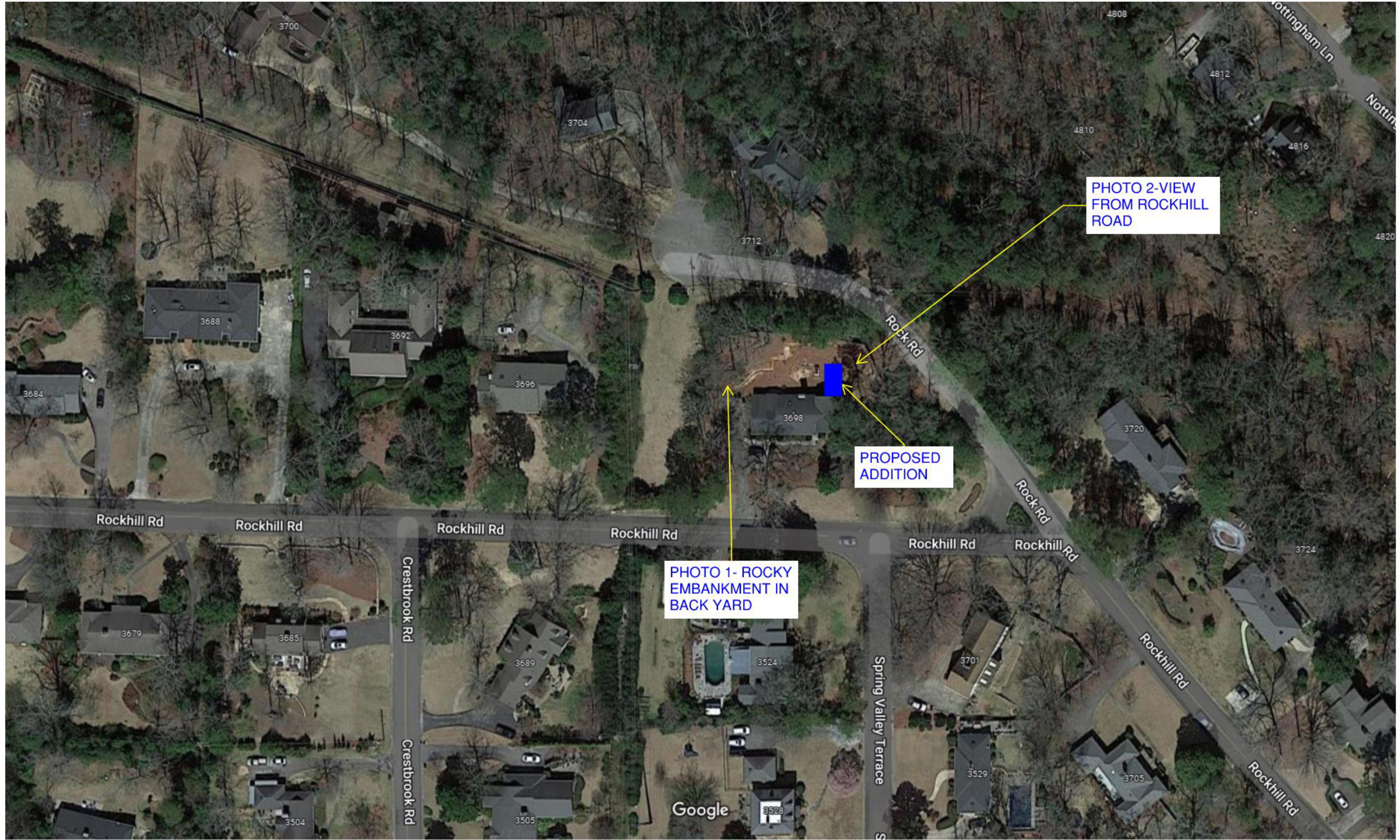


PHOTO 2-VIEW FROM ROCKHILL ROAD

PROPOSED ADDITION

PHOTO 1- ROCKY EMBANKMENT IN BACK YARD

Report to the Board of Zoning Adjustment

A-24-30

Background

This case was approved by the Board of Zoning Adjustment on March 21, 2022. The applicants stated that after the approval they chose to not build at that time. Now they are requesting same variance be approved again. The current variance request and scope of work are identical to the original proposal.

The remainder of this report is from the original BZA case.

Petition Summary

Request to allow an addition to be 30 feet from the secondary front property line (Rockhill Road) in lieu of the required 40 feet

Scope of Work

The scope of work entails a proposed master suite addition to the existing single family dwelling.

Variance Request for Secondary Front (Rockhill Road) Setback

Nexus: The hardships in this case are the corner lot configuration, lot shape, topography, and 70 feet of utility easements along the west side of the property; all of which are reasonably related to the request for the addition to be located in the secondary front yard.

Possible Findings for Approval: The corner lot configuration and angle of the property line along the secondary front hinder the ability to achieve an addition on this side of the home. The proposed addition is outside of the required setback of 40 feet where it connects to the existing home, but the corner addition would cross the setback line as it moves toward the rear of the property. The applicant has also stated that the left or west side of the property is steep and rocky which would make the addition difficult on the opposite side of where it is proposed.

It is anticipated that an approval of such variance:

- a. would be not detrimental to the streetscape along Rockhill Road (the odd curvature of the road on the secondary front does not serve as the primary front setback any other lot);
- b. is somewhat minor in nature (in that only the corner of the proposed addition would encroach into the setback).

Impervious Area

The proposal is in compliance with the allowable impervious surface area.

Subject Property and Surrounding Land Uses

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

Affected Regulation

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

Appends

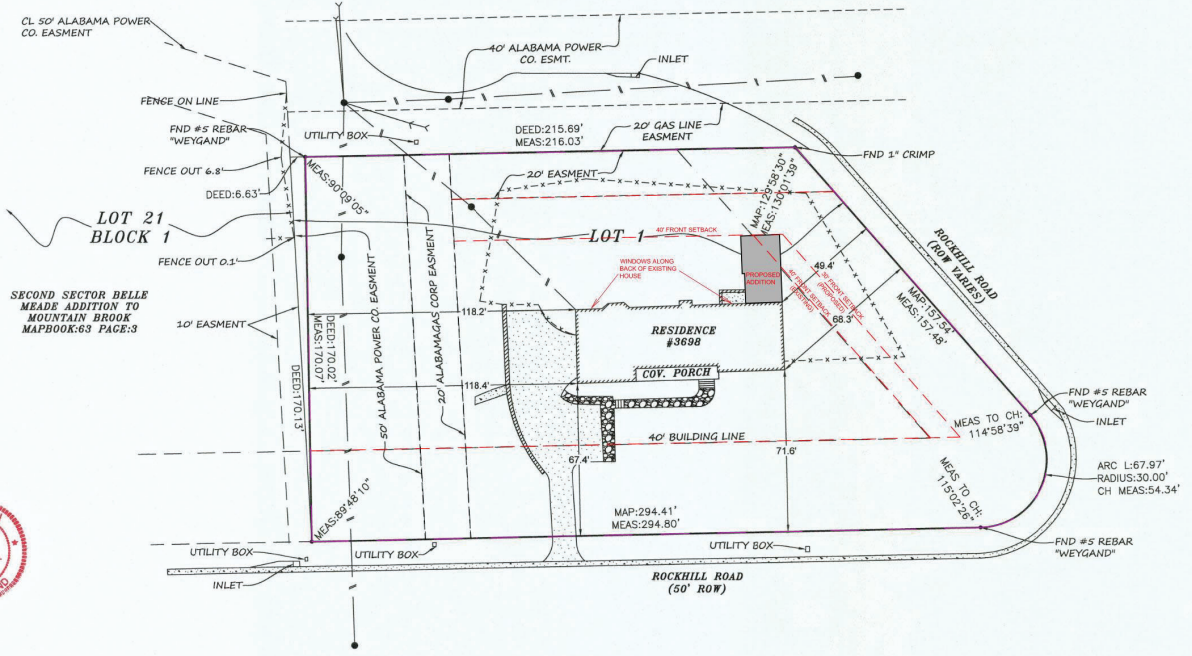
LOCATION: 3698 Rockhill Road

ZONING DISTRICT: Residence A District

OWNERS: Russ and Jan Blitz

LEGEND

- ASP ASPHALT
- BLDG BUILDING
- CALC CALCULATED
- MEAS MEASURED
- CH CHORD
- LNG LONG CHORD
- d DEFLECTION
- Δ DELTA
- ESMT EASEMENT
- HW HEADWALL
- MIN MINIMUM
- MH MANHOLE
- OH OVERHANG
- POR PORCH
- R RADIUS
- R.O.W. RIGHT OF WAY
- SAV SANITARY
- STM STORM
- UTIL UTILITY
- AC ACRES
- S.F. SQUARE FEET
- CL CENTERLINE
- A/C AIR CONDITIONER
- POLE POLE
- ANCHOR ANCHOR
- FENCE FENCE
- OVERHEAD UTILITY WIRE OVERHEAD UTILITY WIRE
- PVMT PAVEMENT WITH TANGENT
- TAN TANGENT
- RES RESIDENCE
- LG LIGHT COVERED
- COV COVERED
- DECK DECK
- CONCRETE CONCRETE
- WALL WALL
- COLUMN 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 1, BELLE MEADE ADD TO MTN BROOK 14TH SEC., as recorded in Map Volume 77, Page 93, in the Office of the Judge of Probate, Jefferson County, Alabama. I hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief, according to my survey of JANUARY 19, 2021. Survey invalid if not sealed in red.

Order No.: 20210086
Purchaser:
Address: 3698 ROCKHILL ROAD

Ray Weygand
Ray Weygand, Reg. L.S. #24973
169 Oxmoor Road Homewood, AL 35209
Phone: (205) 942-0088 Fax: (205) 942-0387
Copyright ©



Lot 1, according to the Survey of the 14th Sector of Belle Meade Addition to Mountain Brook, as recorded in Map Book 77, Page 93, in the Probate Office of Jefferson County, Alabama.

LESS AND EXCEPT the following portion of said lot:
Beginning at the southwest corner of said Lot 1, run thence northerly along the west line of the lot for 170.13 feet to the northwest corner of said Lot 1; thence right and easterly along the north line of said Lot 1 for 6.63 feet; thence in a southerly direction for 170.02 feet to the point of beginning.

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.



PHOTO 2- VIEW FROM TAIL
OF ROCKHILL ROAD

A-24-30



**PHOTO 1- ROCKY EMBANKMENT
ON WEST SIDE OF PROPERTY**

Russ and Jann Blitz
3698 Rockhill Road
Mountain Brook, AL 35223

July 25, 2024

Mr. Tyler Slaton
City of Mountain Brook
56 Church Street
Mountain Brook, AL 35213

Re: Addition to Residence for
Russ and Jann Blitz
Mountain Brook, Alabama
Request for Variance

Dear Tyler,

We would like to add a primary suite to our house located at 3698 Rockhill Road, and we would like to request a variance for the secondary front setback. We requested and received a variance for this project in March of 2022, but we decided not to build at that time. Now that we are ready to build, we are requesting the variance again.

Our house is a 1970's era ranch style house, and as with many houses of that era, it does not have a true Primary Suite. Because of steep terrain and a preponderance of rock along the left side and rear of the property, the only location to reasonably add is on the right side of the rear of the house. Unfortunately, Rockhill Road wraps around the right side and the rear of our property, creating a front setback on (3) sides.

We are requesting a secondary front setback variance of 10', from 40' to 30'. Though this is a front setback variance, it is actually along the right side of the property. At this point, Rockhill Road has a short leg that ends in a cul-de-sac at the rear of the property, and there are only three houses on this leg of Rockhill Road. Because the across-the-street neighbor's property is so large, their house is not actually across the street from the proposed addition; there is only an empty wooded portion of the neighbor's property directly across the street.

Because of the hardship of the three front setbacks and steep rocky terrain elsewhere, we feel there is a true hardship that justifies a variance. Also, we do not feel that we are imposing on any neighbors, and the house will remain a harmonious fit in the neighborhood.

Thank you so much for your consideration of this request.


Jann Blitz



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)?

Rockhill Road fronts this property on 3 sides, creating a front setback on 3 sides of the property.

Easements and steep, rocky terrain on the West side of the property limits an addition to the house on that West side, but there is a front setback on the East side (as well as the North and South side).

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...")

This is not a self-imposed hardship. This will be the first addition to be constructed on this house.

This 1970's era house has no master suite, and the owner would like to create one with this addition.

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

This leg of Rockhill Road contains only three houses, and the land directly across from the proposed addition has no house on it (It is part of a larger piece of property that already has a house; just not near this addition). The addition will not be visible at all from these three houses, nor will it be visible at all from the main portion of Rockhill Road. We think the spirit of maintaining front setbacks is achieved because of the nature of this portion of Rockhill Road.



CITY OF MOUNTAIN BROOK

A-22-09

Department of Planning, Building &
Sustainability
56 Church Street
Mountain Brook, Alabama 35213
Telephone: 205.802.3810
www.mtnbrook.org

**BOARD OF ZONING ADJUSTMENT
MEETING SUMMARY**

Meeting Date: March 21, 2022
Case Number: A-22-09
Case Address: 3698 Rockhill Road
Property Owner(s): Russ and Jann Blitz, rblitz@ghrr.com
Representative: Robert Thompson, Thompson Architecture, Inc.
rthompson@thompsonarchitecture.com

Type Request: Russ and Jann Blitz, property owners, request variances from the terms of the Zoning Regulations to allow an addition to be 30 feet from the secondary front property line (Rockhill Road) in lieu of the required 40 feet.

Action Taken: The Board of Zoning Adjustment approves the variance request as submitted.

Tyler Slaten, Planner
City of Mountain Brook
56 Church St
Mountain Brook, AL 35213
Office 205-802-3811



Variance Application - Part I

Project Data

Address of Subject Property 123 ELM STREET
 Zoning Classification RESIDENCE "C"
 Name of Property Owner(s) DANIEL HUBBARD & JULIANA HARLESS
 Phone Number 334.398.0832 Email DBHUBBARD@LEAVELINVESTMENTS.COM
 Name of Surveyor CHRIS RAY
 Phone Number 256.246.3243 Email CHRIS.RAY@RAYANDGILLIAND.COM
 Name of Architect (if applicable) BRIAN JERNIGAN, RESIDENTIAL DESIGNER
 Phone Number 205.531.8915 Email BRIAN@WM.BRIANJERNIGAN.COM

Property owner or representative agent must be present at hearing





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

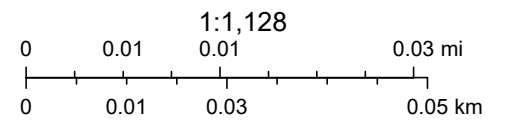
	Zoning Code Requirement	Existing Development	Proposed Development
Lot Area (sf)	7500	7202	
Lot Width (ft)	70'	50'	50'
Front Setback (ft) <i>primary</i>			28'
Front Setback (ft) <i>secondary</i>			
Right Side Setback			
Left Side Setback			
Right Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 22' high → 22' high or greater →	12' ABOVE 22'		8.36' vertical 8.17 from property line
Left Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 22' high → 22' high or greater →	12' ABOVE 22'		8.36' vertical 8.47 from property line
Rear Setback (ft)			
Lot Coverage (%)			
Building Height (ft)			
Other			
Other			

A-24-31 Zoning



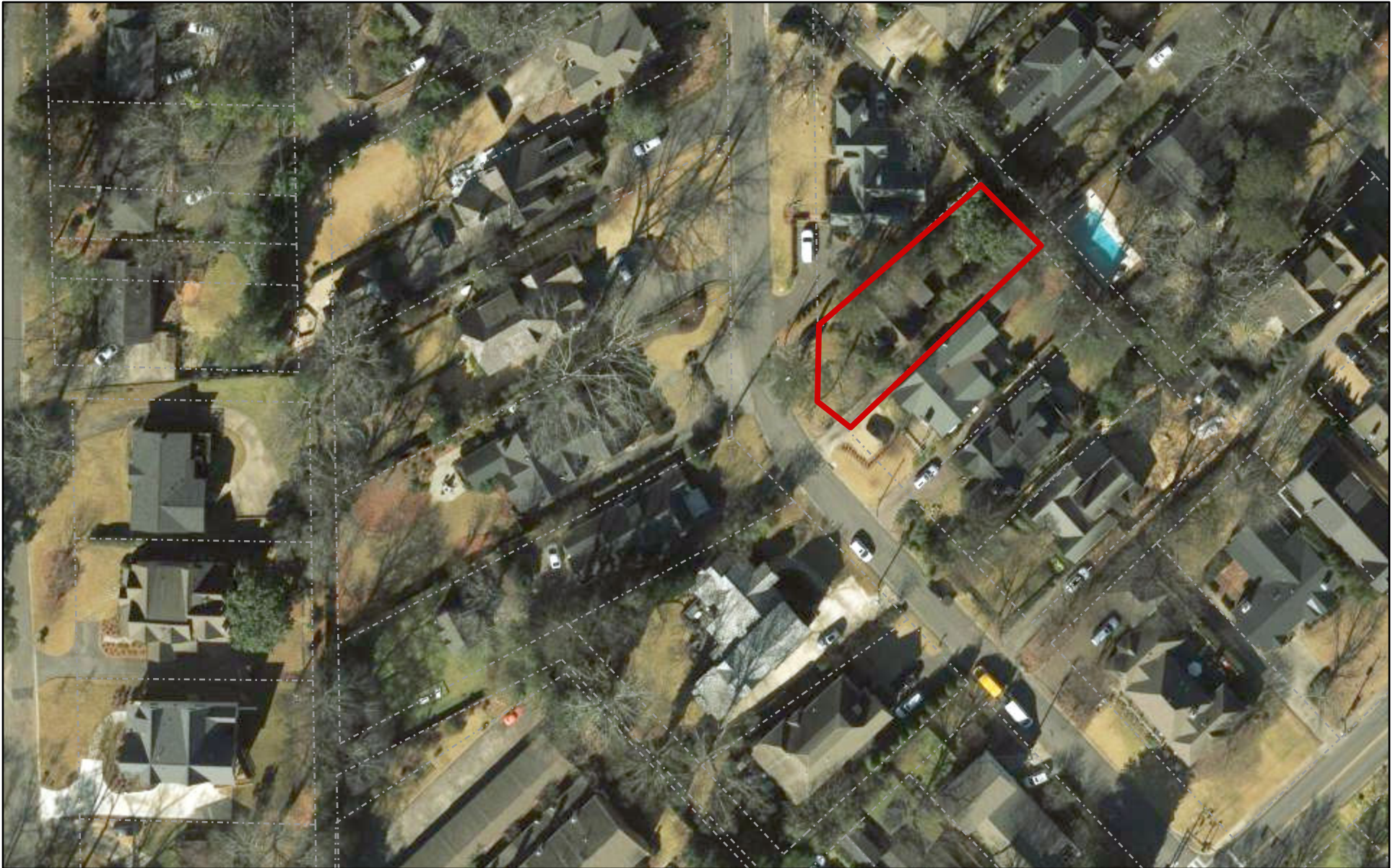
8/1/2024, 10:05:14 AM

-  Building Footprints 2020vl
 -  Lot Lines
 -  Professional District
 -  Residence C District
- Tax_Parcels 2021



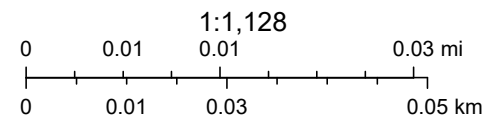
JeffCoAL, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

A-24-31 Aerial



8/1/2024, 10:07:51 AM

----- Lot Lines 2022 Imagery ■ Green: Band_2
■ Red: Band_1 ■ Blue: Band_3



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

Report to the Board of Zoning Adjustment

A-24-31

Petition Summary

Request to allow a new single family dwelling to be 28 feet from the front property line (Elm Street) in lieu of the required 35 feet; and for portions of the house (higher than 22 feet) to be 8.87 feet from the left side property line (north) and 8.17 feet from the right side property line (south) both in lieu of the required 12 feet.

Scope of Work

The scope of work includes the construction of a new two story single family home.

Variance Request for Setbacks

Nexus: The hardship in this case is the irregular lot shape related to the angled front property line. The front property line angles inward on the left side of the property where the proposed encroachment is located. The majority of the front of the home is outside of the required front setback of 35 feet with the exception of the corner along this angle property line.

With regard to the proposed side setbacks for portions of the home above 22 feet in height, staff cannot identify a hardship on the land that would warrant both sides of this new structure encroaching into the setbacks. The lot is narrow at 50 feet in width, but the zoning code has specific built in relief for side setbacks on lots of this width.

Standard Hardships Required

The subject request appears to possibly meet “c.” 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 (angled front lot line creates 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

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. may impair an adequate supply of light and air to adjacent property (in that the proposed two story structure would encroach into the required side setbacks on both sides above 22 in height);
 - b. will not be detrimental to the streetscape (in that the proposed encroachment is situated in a curve in the road and the majority of the structure is behind the required setback line except for the front left corner most affect by the angled property line);
 - g. is in not harmony with the spirit and intent of the zoning ordinance (as it relates to the side setback requests due the lot already receiving built in relief on both sides as prescribed by the zoning code allowances for non-conforming lot width)

Impervious Area

The total impervious surface percentage cannot be calculated as the plot plan does not show a driveway, sidewalks or any other hardscape areas.

Subject Property and Surrounding Land Uses

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

Affected Regulation

Article V, Sec. 129-62 Residence C District

Appends

LOCATION: 123 Elm Street

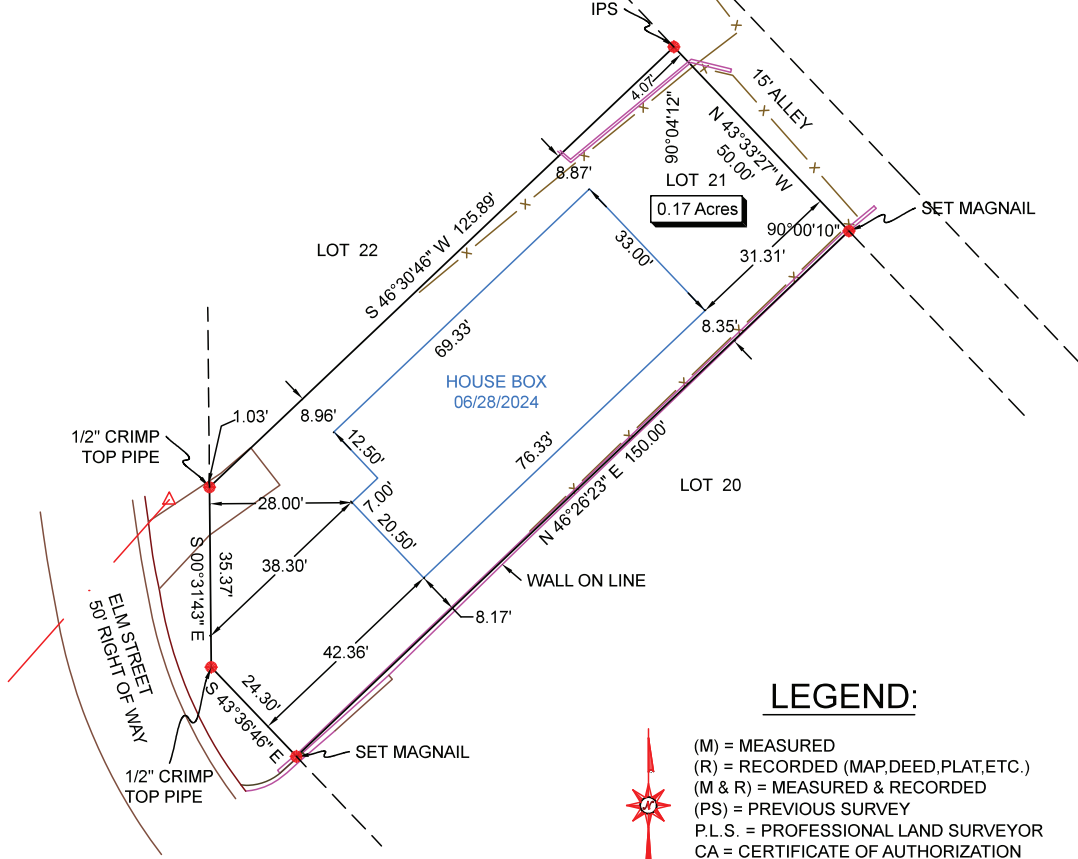
ZONING DISTRICT: Residence C District

OWNERS: Daniel Hubbard and Juliana Harless

RAY & GILLILAND, P.C.	
122 NORTH CALHOUN AVENUE P.O. BOX 1183 SYLACAUGA, ALABAMA 35150	TEL NO. (256) 245-3243 FAX NO. (256) 245-3202
DRAWN BY: CMR	FILE: HUBBARD
PLOT PLAN	SCALE: 1" = 30'
	DATE: 06/28/2024

BEARINGS ARE STATE PLANE
NAD 83 ALABAMA WEST ZONE

REFERENCE SURVEY BY LAURENCE D. WEYGAND
DATE JUNE 15, 1993



LEGEND:

- (M) = MEASURED
 - (R) = RECORDED (MAP, DEED, PLAT, ETC.)
 - (M & R) = MEASURED & RECORDED
 - (PS) = PREVIOUS SURVEY
 - P.L.S. = PROFESSIONAL LAND SURVEYOR
 - CA = CERTIFICATE OF AUTHORIZATION (0114 - LAND SURVEYING)
 - G.P.S. = GLOBAL POSITIONING SYSTEM
 - = POWER POLE / OVERHEAD UTILITY
 - = FENCE
 - POB = POINT OF BEGINNING
 - POC = POINT OF COMMENCEMENT
 - IPS = SET 1/2" REBAR CA#0114
- Copyright Ray & Gilliland P.C. 2024

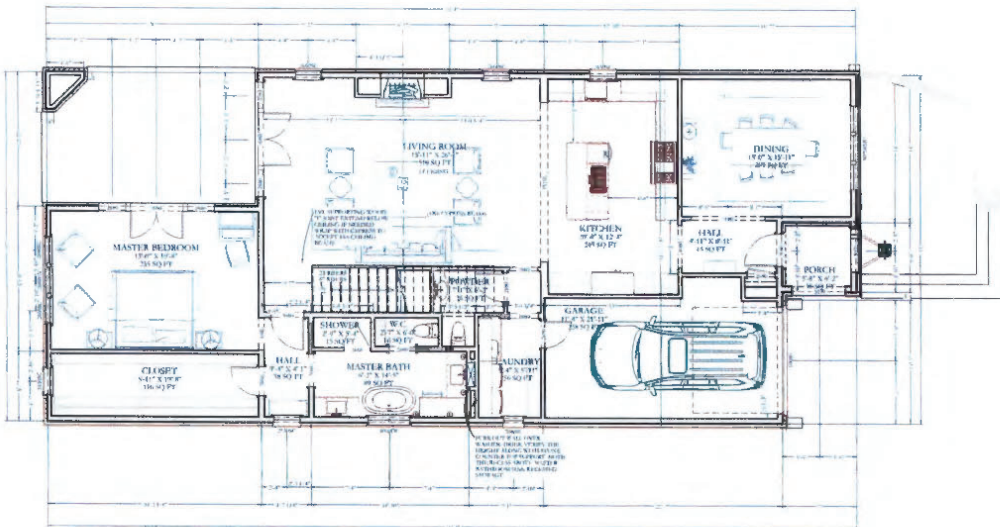
STATE OF ALABAMA
JEFFERSON COUNTY

I, Christopher M. Ray, a Registered Land Surveyor in the State of Alabama, hereby certify that all parts of this survey and plat (or drawing) have been completed in accordance with the requirements of the Standards for the Practice of Surveying in the State of Alabama, being more particularly described as follows, to-wit: Lot No. 21 Block 9 of Crestline Heights as shown by map of said subdivision on record in the office of the Judge of Probate of Talladega County, Alabama in Plat Book 7 at Page 16.

According to my survey this the 28th day of June, 2024.

Christopher M. Ray, Ala. Reg. No. 26017
Ray and Gilliland, P. C., Ala. Board Cert. No. CA-0114-LS






FIRST FLOOR PLAN
 1/4"=1'-0"
 LIVING AREA
 1003 sq. ft.

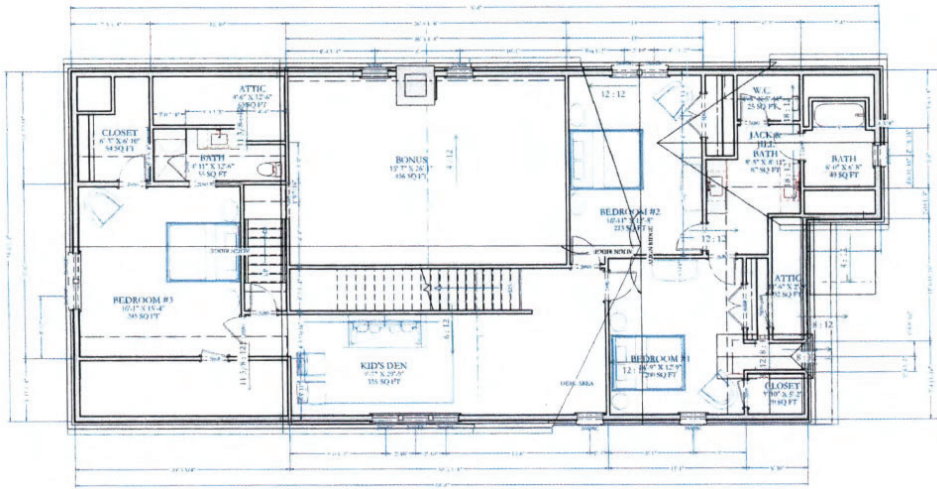
NOTES:

- CONTRACTOR IS RESPONSIBLE FOR THE PROVISION OF ALL NECESSARY PERMITS AND INSURANCE.
- CONTRACTOR IS RESPONSIBLE FOR ALL LOCAL, STATE, FEDERAL, COUNTY AND MUNICIPAL CODES AND REGULATIONS.
- CONTRACTOR IS RESPONSIBLE FOR COMPLIANCE WITH ALL APPLICABLE LOCAL, STATE, FEDERAL, COUNTY AND MUNICIPAL CODES AND REGULATIONS.
- THESE DIMENSIONS ARE THE MEASUREMENTS OF THE EXTERIOR AND DO NOT INCLUDE THE WALLS OR FINISHES. THERE ARE NO OTHER FINISHES OR OTHER LOCAL, STATE, FEDERAL, COUNTY AND MUNICIPAL CODES AND REGULATIONS.

DATE PUBLISHED 7/26/2024



Wm. BRIAN JERNIGAN INC.
 RESIDENTIAL & INTERIOR DESIGN
 141 EAST GLENVIEW ROAD
 BIRMINGHAM, ALABAMA 35209
 PH (205) 331-8915
 A NEW HOME FOR THE DANIEL HE BRARD & JULIANA BARRILES
 121 FLEMING STREET
 MOUNTAIN BROOK, ALABAMA 35227
 DWGARD PLANS
 FILED IN
 JUNE 13, 2024



SECOND FLOOR PLAN
 1/4"=1'-0" LIVING AREA
 1325 SQ FT

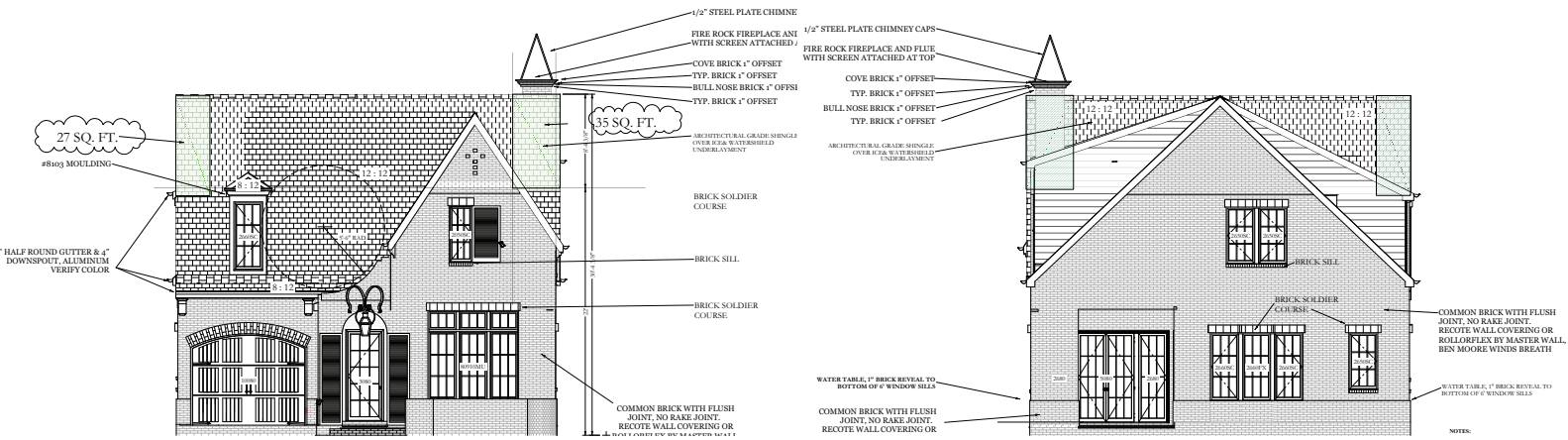
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DATE PUBLISHED 7/24/2014

Wm. BRIAN JERNIGAN INC.
 REGISTERED ARCHITECT
 13750 N. 10TH AVE. SUITE 100
 DUBLIN, GA 31028
 404.484.1234
 WWW.WBJINC.COM

DESIGNED BY Wm. Brian Jernigan
 DRAWN BY Wm. Brian Jernigan
 CHECKED BY Wm. Brian Jernigan
 DATE 7/24/2014

A5



FRONT ELEVATION

REAR ELEVATION



RIGHT ELEVATION

NOTES:

- CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFICATION OF ALL EXISTING CONDITIONS AND DIMENSIONS.
- CONTRACTOR IS RESPONSIBLE FOR COMPLIANCE WITH ALL APPLICABLE LOCAL, STATE AND NATIONAL CODES AND ORDINANCES.

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DATE PUBLISHED 8/7/2024

Wm. BRIAN JERNIGAN INC.
RESIDENTIAL & INTERIOR DESIGN

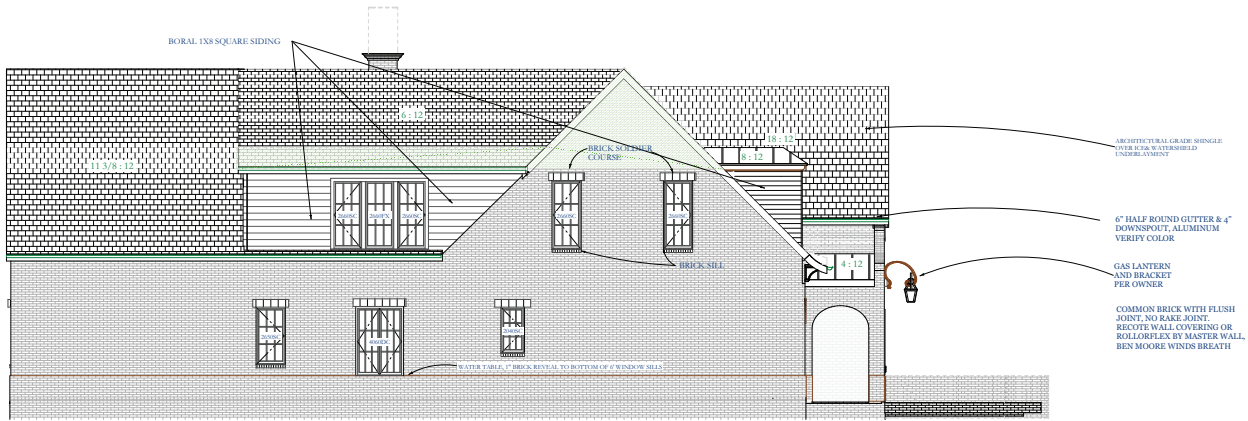
141 EAST GLENWOOD DRIVE
BIRMINGHAM, ALABAMA 35209

PHONE: (205) 531-8915

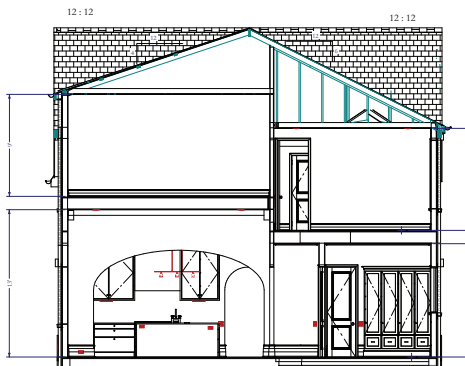
A NEW HOME FOR THE DANIEL, HUBBARD & JULIANA HARLESS
123 ELM STREET
MOUNTAIN BROOK, ALABAMA 35213

DISCARD PLANS
PRIOR TO
JUNE 13, 2024

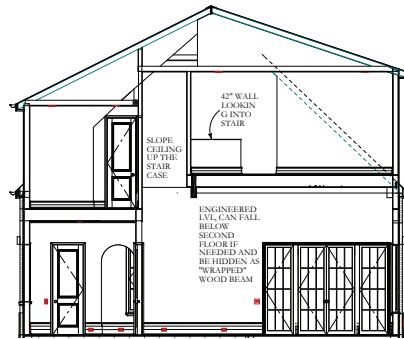
A6



LEFT ELEVATION



SECTION THRU LAUNDRY / LIVING



SECTION THRU MASTER BEDROOM VESTIBULE / LIVING ROOM

NOTES:

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DATE PUBLISHED 8/7/2024



Wm. BRIAN JERNIGAN INC.
RESIDENTIAL & INTERIOR DESIGN

141 EAST GLENWOOD DRIVE
BIRMINGHAM, ALABAMA 35209

PHONE: (205) 531-8915
A NEW HOME FOR THE DANIEL, HUBBARD & JULIANA HARBES
123 ELM STREET
MOUNTAIN BROOK, ALABAMA 35213

DISCARD PLANS
PRIOR TO
JUNE 13, 2024

A7

WE ARE EXCITED TO BEGIN OUR LIFE TOGETHER AND LIVE IN AN ESTABLISHED NEIGHBORHOOD IN MOUNTAIN BROOK. OUR HOME WAS DESIGNED WITH THE NEIGHBORHOOD'S FABRIC IN MIND. IT'S PUSHED BACK FROM THE STREET AND HAS A COTTAGE STYLE. A GRASSED FRONT TERRACE IS PLACED TO LOOK OVER THE FRONT YARD AND A PLACE TO GREET NEIGHBORS WALKING BY. A PEA GRAVEL DRIVE IS ON THE LEFT WITH A STONE BORDER. THE HOUSE SITS WITHIN SET BACKS ON THE SIDES AND REAR. WE THANK YOU FOR YOUR CONSIDERATION TO MAKE OUR DREAM HOME A POSSIBILITY.

David Huddell

7/25/2024

Juliana Hardace

7.25.2024



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)?

WE ARE ASKING FOR A VARIANCE DUE TO THE LOTS
UNUSUAL SHAPE WITH ANGLED FRONT LEFT
ANGLED LOT LINE, UNUSUAL SIZE AND WIDTH

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 LOTS UNUSUAL SHAPE AND SIZE IS THE ISSUE.
THE HOUSE IS PUSHED TO THE REAR. THE FRONT RIGHT
OF HOUSE SITS 42'-9" FROM PROPERTY LINE.
THE RIGHT SIDE'S 1'-7" ENCROACHMENT IS LESS THAN
ONE SQUARE FOOT

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

THE DEVELOPMENT OF THIS AND SURROUNDING
LOTS WAS BEFORE ANY OR CURRENT
ZONING REGULATIONS.



Variance Application - Part I

Project Data

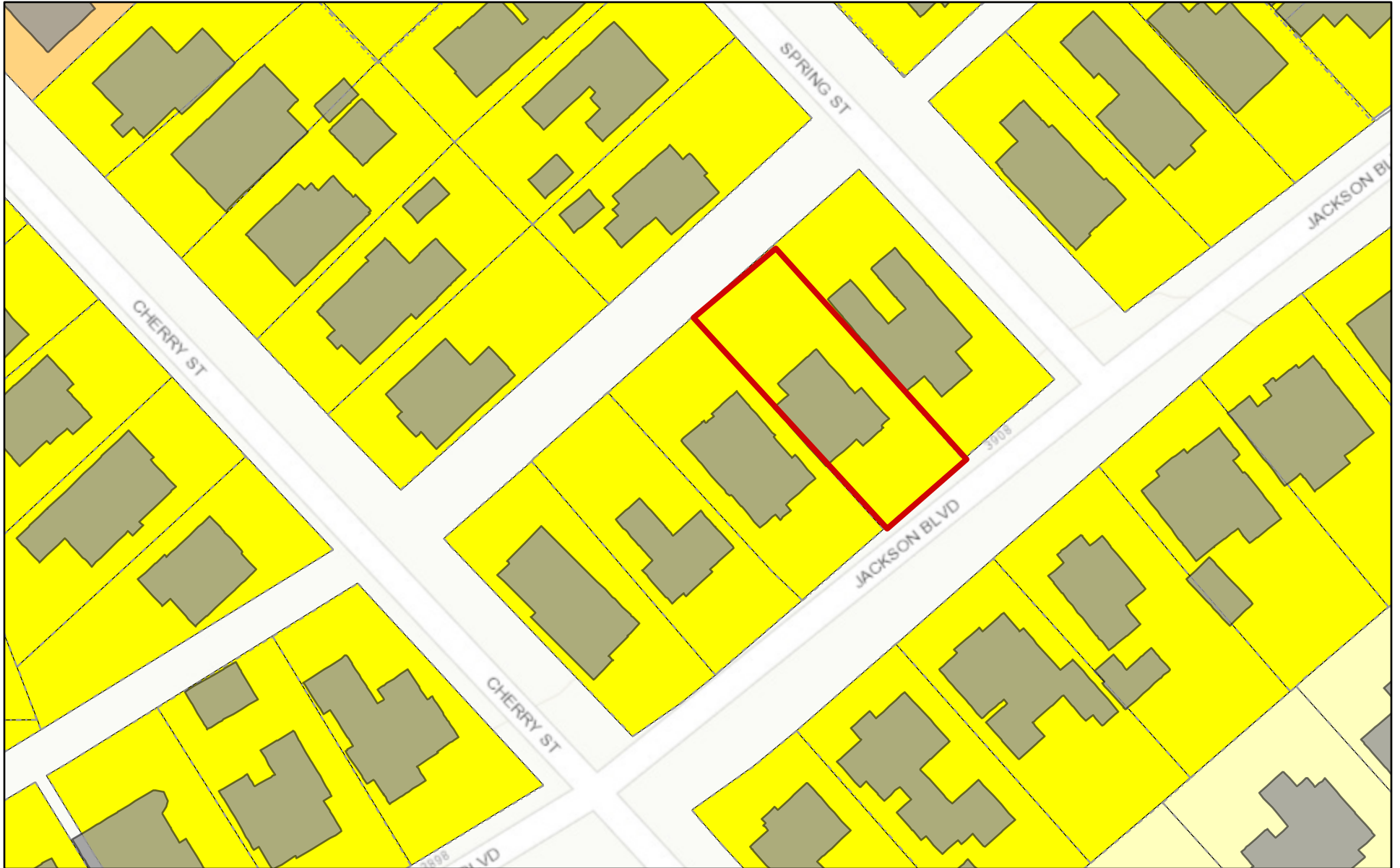
Address of Subject Property 39104 JACKSON BLVD.
 Zoning Classification Res "B"
 Name of Property Owner(s) MR. and MRS. SCOTT BARRINDER
 Phone Number 205-410-2520 Email SCOTT@BARRINDERCFR.COM
 Name of Surveyor CALLAHAN
 Phone Number 205-229-1993 Email _____
 Name of Architect (if applicable) CAREY HOLLINGSWORTH
 Phone Number 205-907-3711 Email ch3arch@att.net

Property owner or representative agent must be present at hearing

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

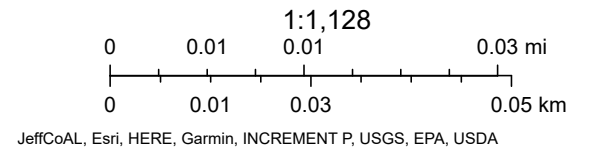
	Zoning Code Requirement	Existing Development	Proposed Development
Lot Area (sf)			
Lot Width (ft)			
Front Setback (ft) <i>primary</i>	35.0'	30.55'	30.55'
Front Setback (ft) <i>secondary</i>			
Right Side Setback			
Left Side Setback			
Right Side Setback (ft): For non-conforming narrow lots in Res-B 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-24-32 Zoning



8/1/2024, 11:30:21 AM

- Building Footprints 2020v1
- Lot Lines
- Tax_Parcels
- Residence A District
- Residence B District
- Residence C District

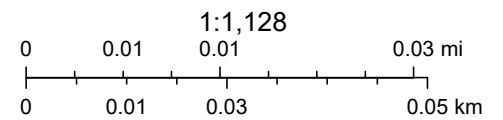


A-24-32 Aerial



8/1/2024, 11:31:57 AM

----- Lot Lines 2022 Imagery
Red: Band_1 Green: Band_2 Blue: Band_3



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

Report to the Board of Zoning Adjustment

A-24-32

Petition Summary

Request to allow a new covered front porch to be 30 feet from the front property line (Jackson Boulevard) in lieu of the required 35 feet.

Scope of Work

The scope of work includes additions and alterations to the existing single family home including a new uncovered front patio and widening of a non-conforming covered front porch.

Variance Request for Setback

Nexus: The hardship in this case is the existing design constraint of the non-conforming home. The existing structure is 30 feet from the front property line along Jackson Boulevard at the front covered porch. The new covered front porch would expand laterally, but would maintain the same setback as it relates to the property line and not encroach closer than it does now.

Standard Hardships Required

The subject request appears to possibly 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 of non-conforming dwelling)

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; (in that the front setback will stay the same)

Impervious Area

This proposal exceeds the maximum impervious surface percentage allowed.

Subject Property and Surrounding Land Uses

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

Affected Regulation

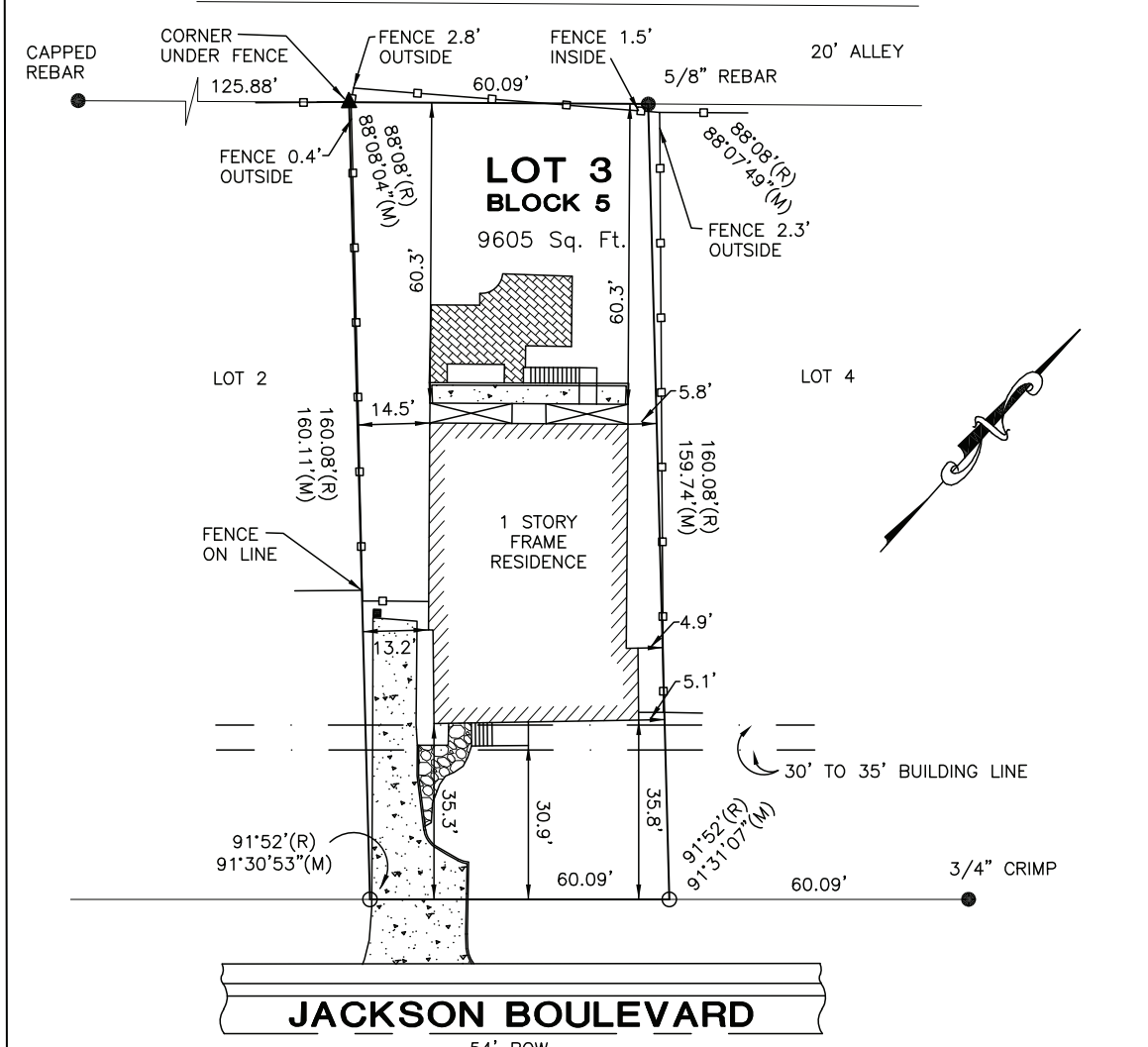
Article IV, Sec. 129-52 Residence B District

Appends

LOCATION: 2904 Jackson Boulevard

ZONING DISTRICT: Residence B District

OWNERS: Mr. and Mrs. Scott Barringer



Lot Survey



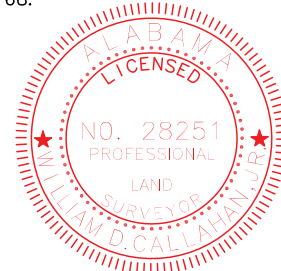
STATE OF ALABAMA
JEFFERSON COUNTY

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

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

Lot 3, Block 5, according to the survey of SHADES VALLEY GARDENS, as the same appears of record in the Office of the Judge of Probate, Jefferson County, Alabama, in Map Book 24, Page 68.

That there are no rights-of-way, easements, joint driveways or encroachments, over or across said land, visible on the surface or shown on recorded map, except as shown; that this survey shows the improvements located on said property; and that there are no electrical or telephone wires, (excluding wire which serve the premises only) or structures or supports therefor, including poles, anchors and guy wires, on or over said property, except as shown; and that the property is not located in a special hazard area and is shown in a Zone "X" on the Flood Insurance Rate Map for this area (Map No. 01073C0413H, dated September 24, 2021).



GIVEN UNDER MY HAND AND SEAL, this the 7th day of August, 2024.

William D. Callahan, Jr.

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

CLIENT:
CAREY HOLLINGSWORTH

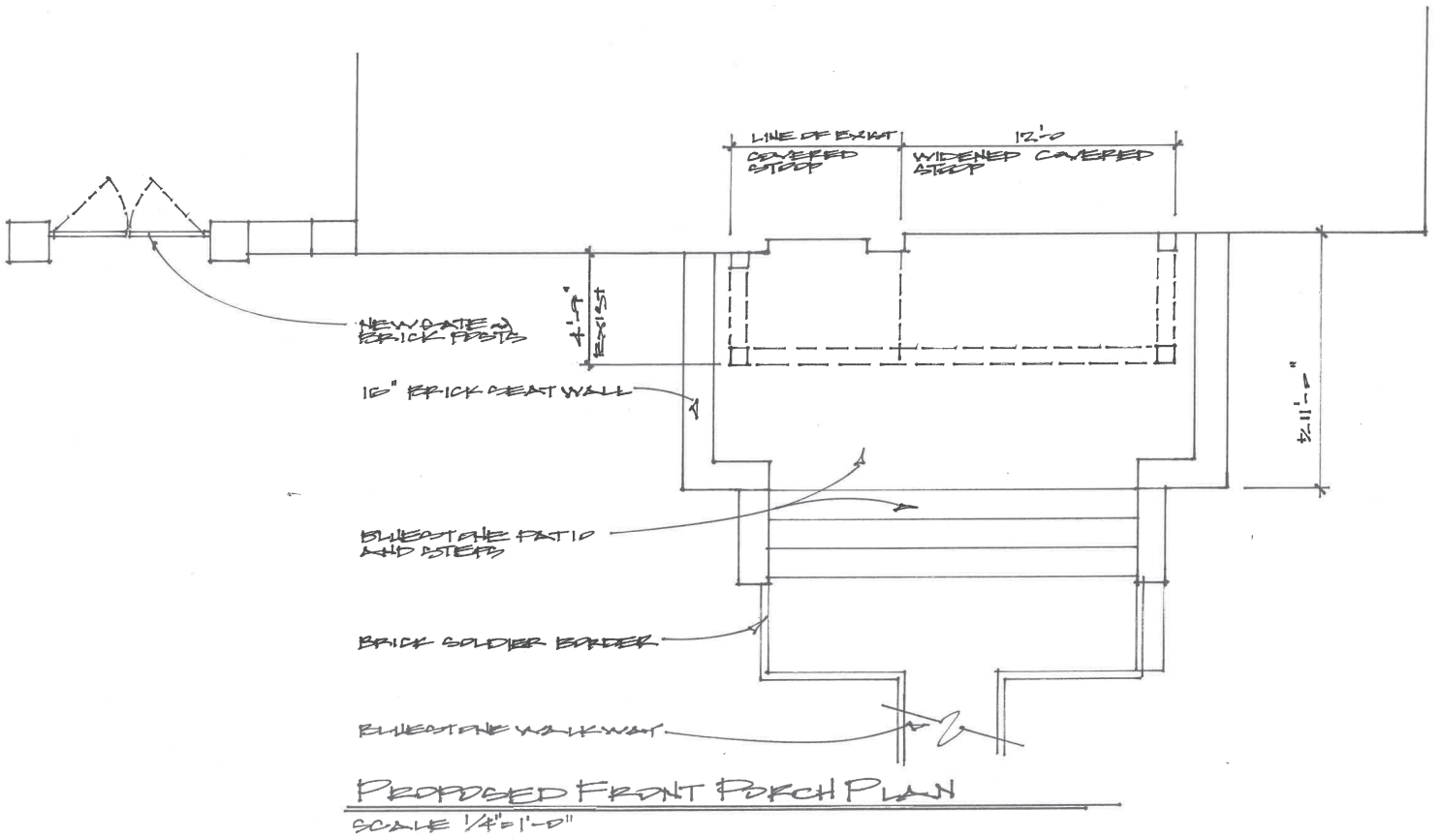
Field Survey: 07-16-2024

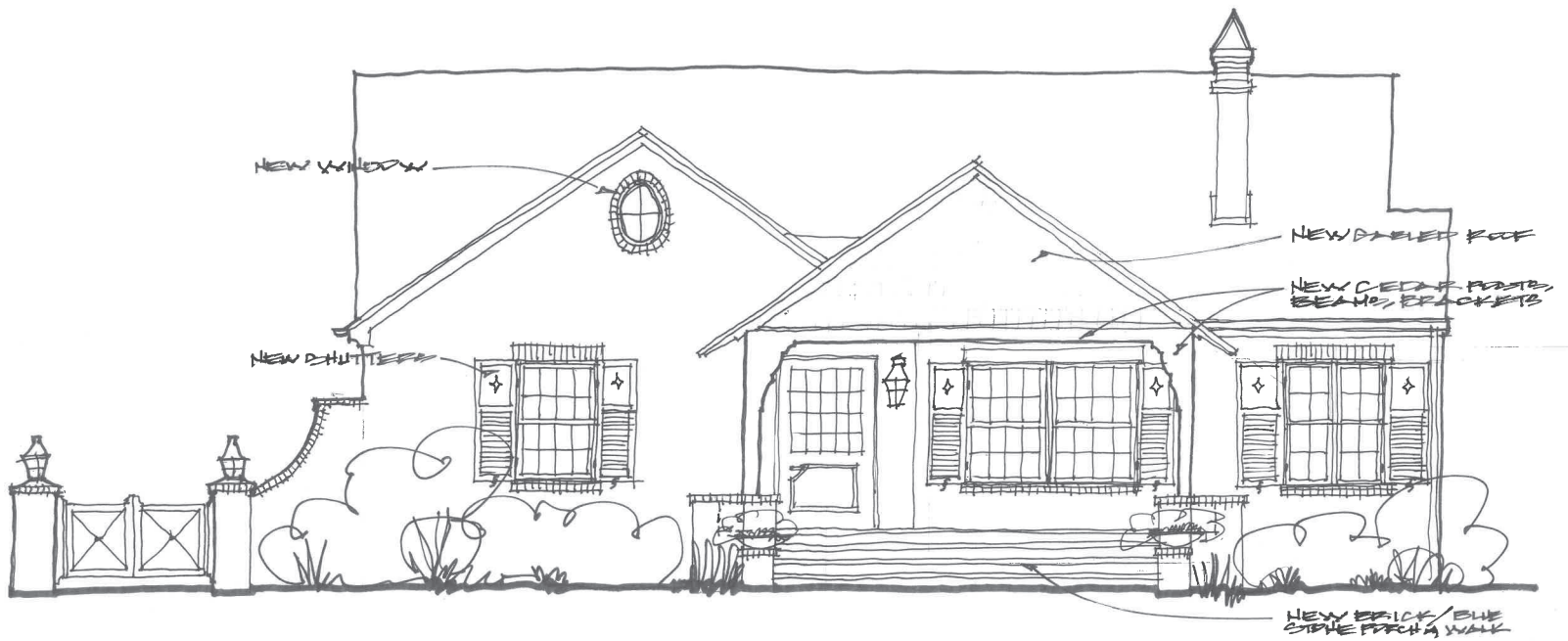


South Central Surveying, LLC
RESIDENTIAL & COMMERCIAL LAND SURVEYING

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

- = WOOD FENCE
- = CONCRETE
- U.T.S. = UNABLE TO SET
- (R) = RECORDED
- (M) = MEASURED
- M.B.L. = MINIMUM BUILDING LINE
- = CAPPED REBAR SET
- = IRON FOUND (DESCRIPTION)
- ASPH. = ASPHALT
- op— = OVERHEAD POWER
- ⊗ = POWER POLE





PROPOSED FRONT ELEVATION



July 25, 2024

Board for Zoning Adjustment
 City of Mountain Brook
 56 Church Street
 Mountain Brook, Alabama 35213

RE: 3904 Jackson Boulevard

Dear Board Members,

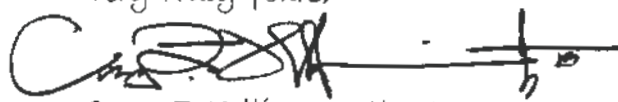
On behalf of Mr. and Mrs. Scott Barringer I submit a request for variance for the property at 3904 Jackson Boulevard. The Owner requests relief from the front setback.

The existing structure is a typical (formerly) 1950's style Crestline cottage that was added on to in the rear at some point. It is currently undergoing significant interior renovations with no increase in footprint. It is the Owners wish to give the front a facelift commensurate with so many of the other houses in the area. It still remains small in stature comparatively speaking. The front wall of the house pretty much sits on the 35' setback line, with a slight step back of about 8" near the center. There is a small covered non-conforming stoop at the entry. It is pretty useless other than providing a bit of cover for the front door. It is also very outdated looking. We propose to replace the stoop with a larger uncovered front patio and widen the covered portion to give the house some more mass, increasing the size of the front gable and using more modern looking posts. As you will see, it is pretty much dwarfed by the house to the left. The new covered portion would be in line with the existing.

The house to the right and the one across the street line up about the same as the subject house in relation to the sidewalk and street. The house two doors down sits significantly closer to the street, with a covered porch similar in size to what we are proposing. The survey used for the application is dated 1992. An updated one will be submitted prior to the meeting. A resurvey has been performed but a new drawing has not been received. There have been no changes to the footprint since the survey was completed. A conceptual front plan and elevation is attached.

Thank you for your consideration,

Very Truly Yours,



Carey F. Hollingsworth, III



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)?

- EXISTING NONCONFORMITY SIMILAR TO NEARBY HOMES

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? ^{CHANGE}

- NO INCREASE IN NON CONFORMING SETBACK
-- UNIQUE CHARACTERISTIC



Variance Application - Part I

Project Data

Address of Subject Property 2429 PARK LN, MOUNTAIN BROOK, AL 35213

Zoning Classification Residence C - Non Conforming

Name of Property Owner(s) CHARLIE AND MAGGIE POND

Phone Number 251-232-1180 Email CHARLESPOND@GMAIL.COM

Name of Surveyor DAVID B. ENTREKIN

Phone Number 205-991-8965 Email NA

Name of Architect (if applicable) ANDREW R. TAYLOR

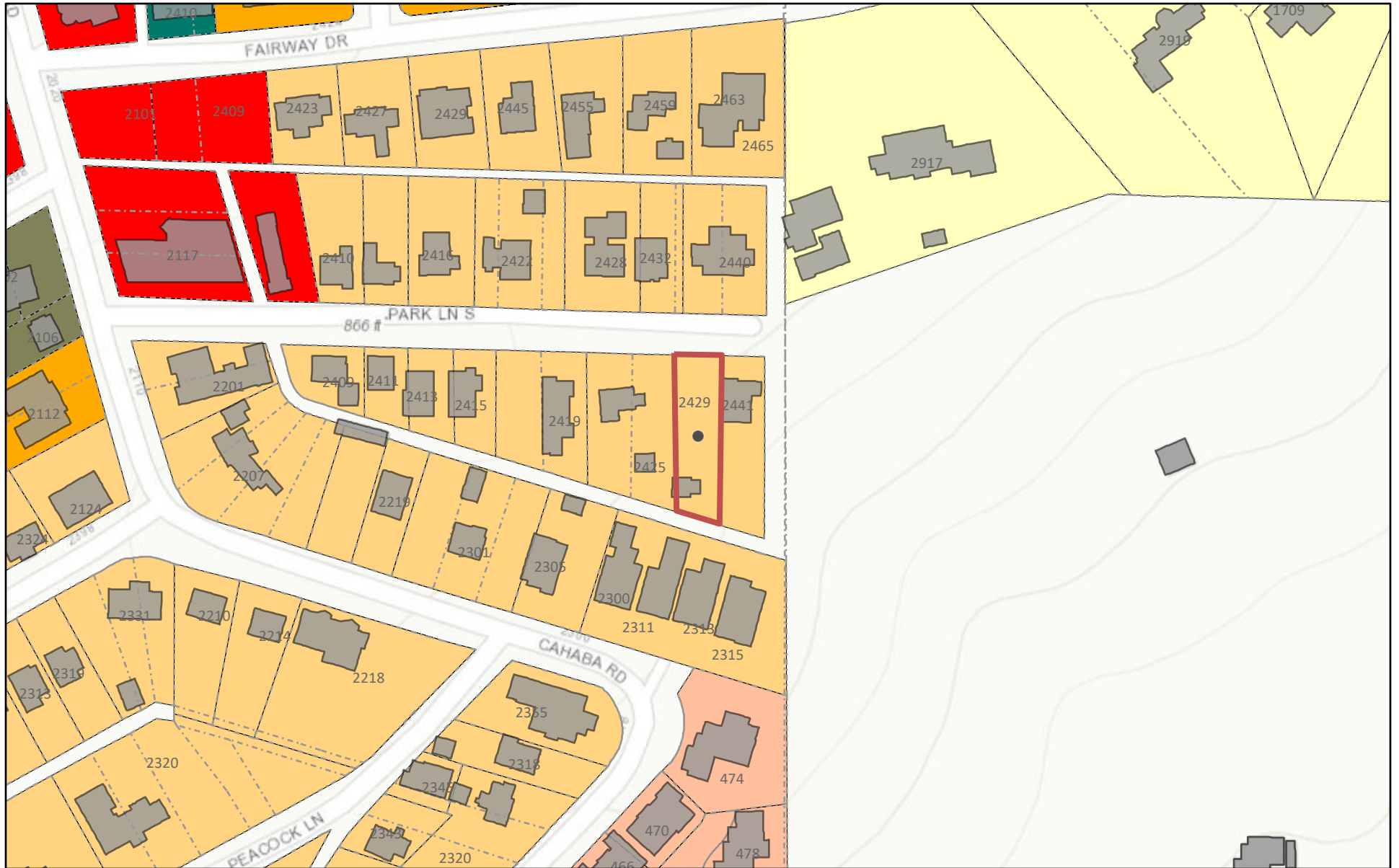
Phone Number 228-216-0782 Email ATAYLOR@DADOT.COM

Property owner or representative agent must be present at hearing

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

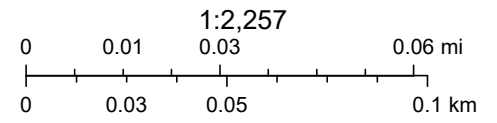
	Zoning Code Requirement	Existing Development	Proposed Development
Lot Area (sf)			
Lot Width (ft)			
Front Setback (ft) <i>primary</i>			
Front Setback (ft) <i>secondary</i>			
Right Side Setback			
Left Side Setback			
Right Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 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 →	8' SETBACK LESS THAN 22' HIGH. 12' SETBACK GREATER THAN 22' HIGH.	NA	8' SETBACK LESS THAN 22' HIGH. 8' SETBACK GREATER THAN 22' HIGH.
Rear Setback (ft)			
Lot Coverage (%)			
Building Height (ft)			
Other			
Other			

A-24-33 Zoning



8/14/2024, 8:12:35 AM

- Building Footprints 2020v1
- Lot Lines
- Local Business District
- MXD
- Residence A District
- Residence C District
- Residence D District
- RID
- Professional District



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

A-24-33 Aerial



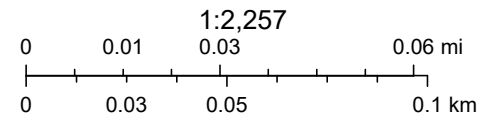
8/14/2024, 8:14:49 AM

2023 Imagery

Red: Band_1

Green: Band_2

Blue: Band_3



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

Report to the Board of Zoning Adjustment

A-24-33

Petition Summary

Request to allow a single family dwelling to be 8 feet from the left side setback (east) in lieu of the required 12 feet for any portion of the structure that is higher than 22 feet.

Scope of Work

The scope of work includes the construction of a new two story single family home.

Variance Request for Setbacks

Nexus: The applicant stated that the hardships in this case are the narrow lot width and topographic challenges. The lot does slope downward from front to rear.

With regard to the proposed side setbacks for portions of the home above 22 feet in height, staff cannot identify a hardship on the land that would warrant the left side of this new structure encroaching into the setback. The lot is narrow at 50 feet in width, but the zoning code has specific built in relief for side setbacks on lots of this width.

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 (grade change sloping from front to rear of property)
- 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. may impair an adequate supply of light and air to adjacent property (in that the proposed two story structure would encroach into the required setback on left side above 22 in height);
- g. is in not harmony with the spirit and intent of the zoning ordinance (as it relates to the side setback requests due the lot already receiving built in relief on both sides as prescribed by the zoning code allowances for non-conforming lot width)

Impervious Area

This proposal exceeds the maximum impervious surface percentage allowed.

Subject Property and Surrounding Land Uses

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

Affected Regulation

Article V, Sec. 129-62 Residence C District

Appends

LOCATION: 2429 Park Lane

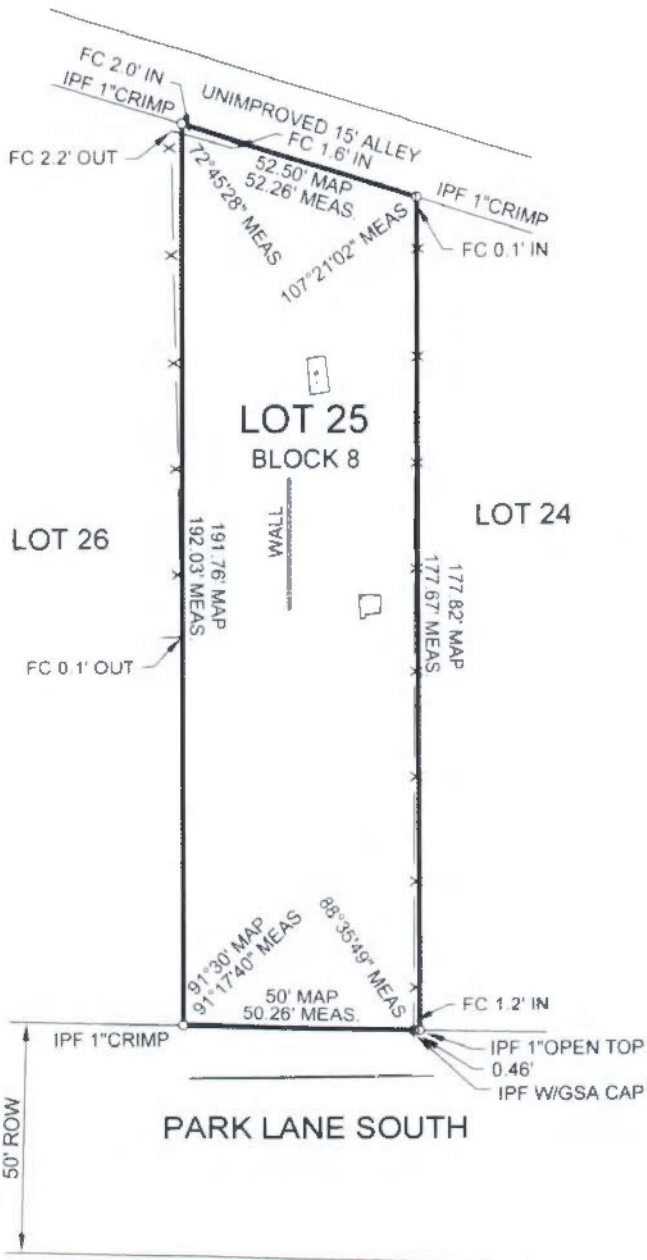
ZONING DISTRICT: Residence C District

OWNERS: Charlie and Maggie Pond

LEGEND:

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

SCALE: 1" = 40'



STATE OF ALABAMA
SHELBY COUNTY

I, David B. Entreklin, a registered Land Surveyor, certify that I have surveyed Lot 25, Block 8, FIRST ADDITION TO SOUTH HIGHLANDS as recorded in Map Book 7, Pages 105 & 106 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: 2429 Park Lane South according to my survey of July 24, 2024. Survey is not valid unless it is sealed with embossed seal or stamped in red.

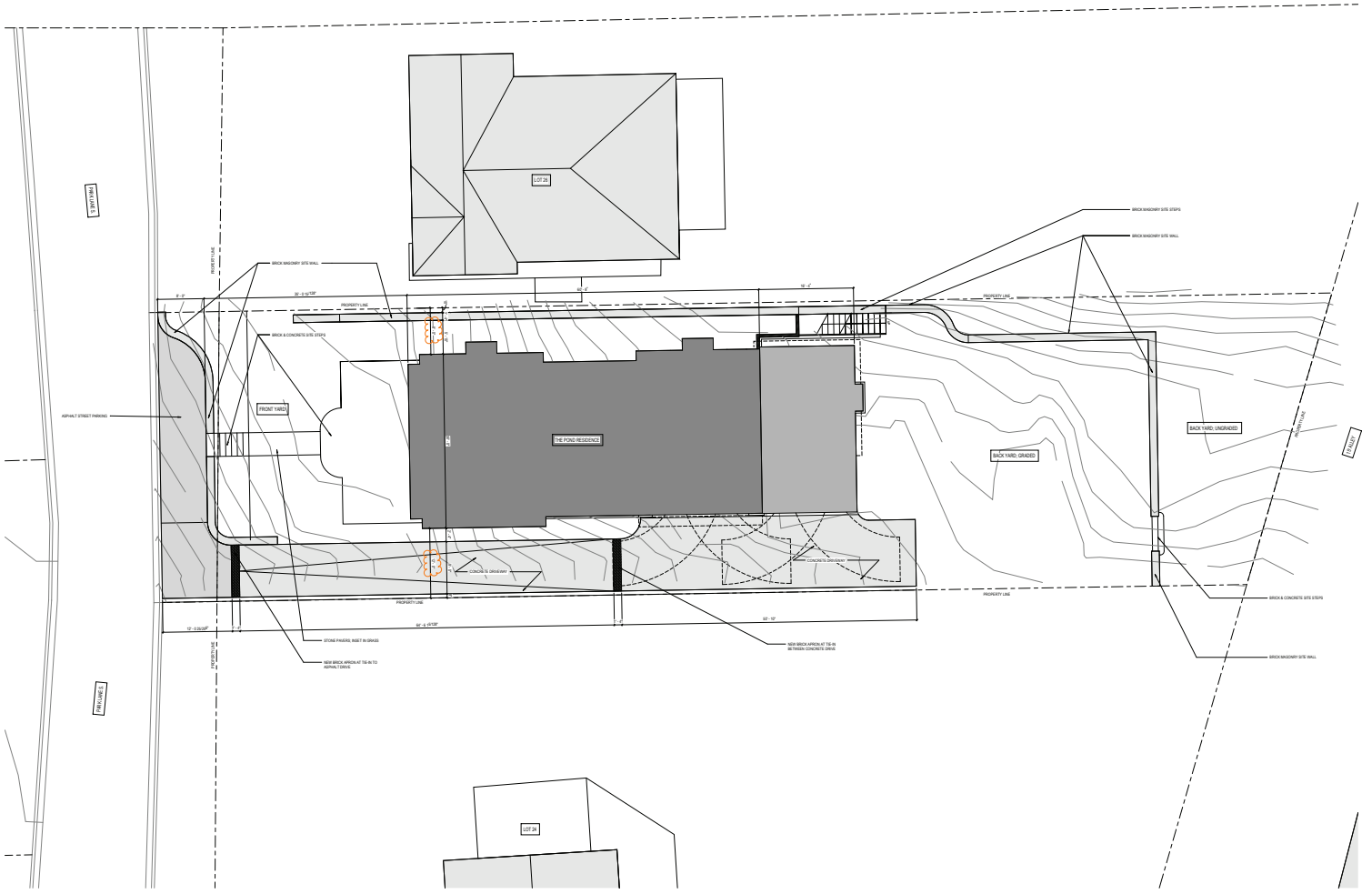
SURVEYING SOLUTIONS, INC.
2232 CAHABA VALLEY DRIVE SUITE M
BIRMINGHAM, AL 35242
PHONE: 205-991-8965

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

7-25-2024
Date of Signature



Order No. 328581
Purchaser: Taylor
Type of Survey: Property Boundary



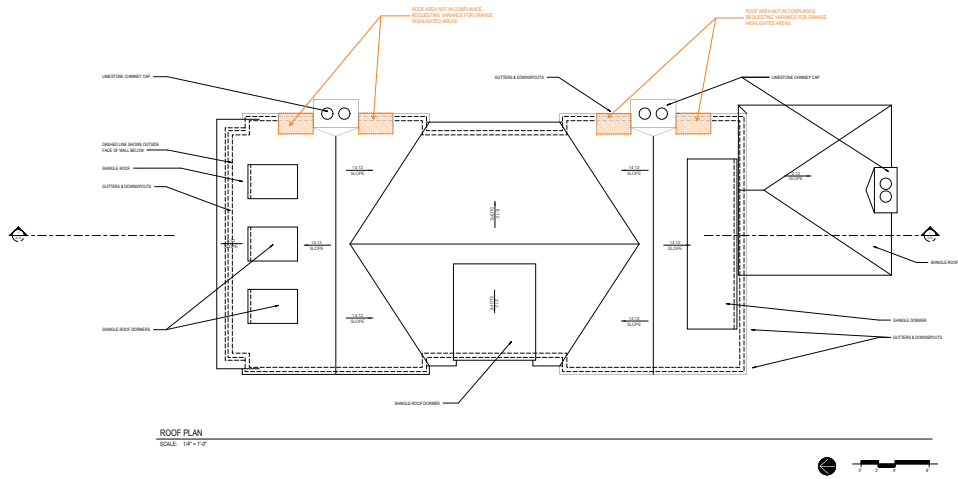
SITE PLAN

SCALE: 3/8" = 1'-0"



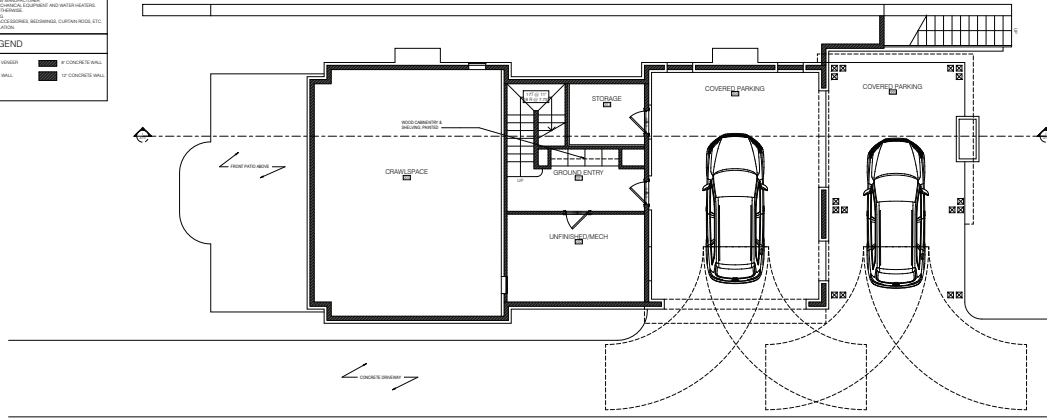
PARK LANE RESIDENCE
 BZA VARIANCE REQUEST
 JULY 25th, 2024

ATA



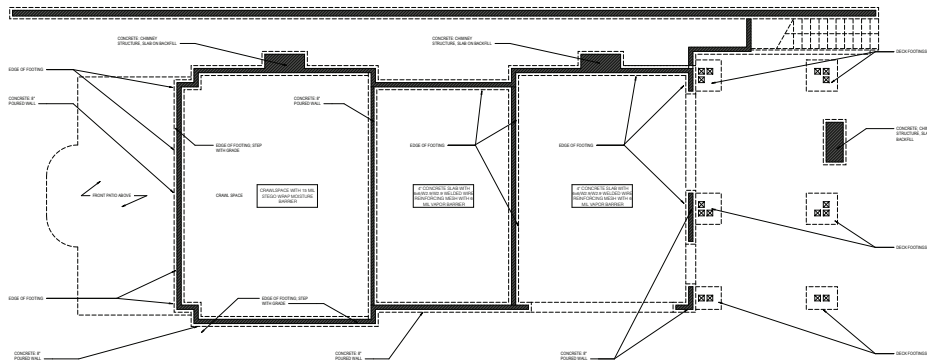
FLOOR PLANS FOR REFERENCE

GENERAL PLAN NOTES			
1. TO VIEW AND UNDERSTAND THE ARCHITECTURE IN THIS DOCUMENT, REFER TO THE ARCHITECTURE AND CONSTRUCTION MANUALS AND SPECIFICATIONS, WHICH ARE AVAILABLE TO THE PUBLIC AT THE PROJECT LOCATION AND AT THE PROJECT OFFICE. THE ARCHITECTURE AND CONSTRUCTION MANUALS AND SPECIFICATIONS ARE AVAILABLE TO THE PUBLIC AT THE PROJECT OFFICE AND AT THE PROJECT OFFICE. THE ARCHITECTURE AND CONSTRUCTION MANUALS AND SPECIFICATIONS ARE AVAILABLE TO THE PUBLIC AT THE PROJECT OFFICE AND AT THE PROJECT OFFICE.			
WALL LEGEND			
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	12\"/>		16\"/>
	20\"/>		24\"/>



GROUND FLOOR
SCALE: 1/8" = 1'-0"

GENERAL FOUNDATION NOTES			
1. TO VIEW AND UNDERSTAND THE ARCHITECTURE IN THIS DOCUMENT, REFER TO THE ARCHITECTURE AND CONSTRUCTION MANUALS AND SPECIFICATIONS, WHICH ARE AVAILABLE TO THE PUBLIC AT THE PROJECT LOCATION AND AT THE PROJECT OFFICE.			
WALL LEGEND			
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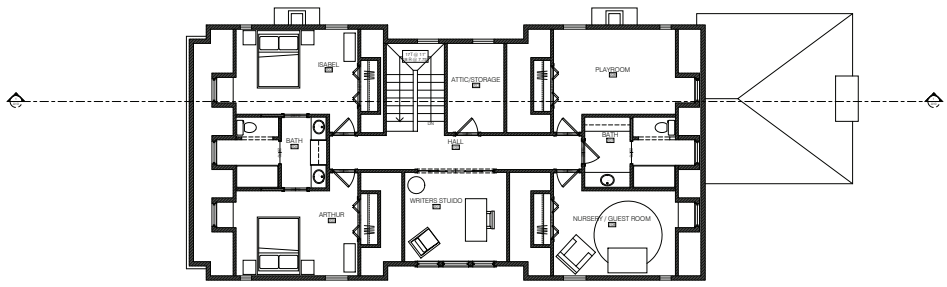


FOUNDATION PLAN
SCALE: 1/8" = 1'-0"

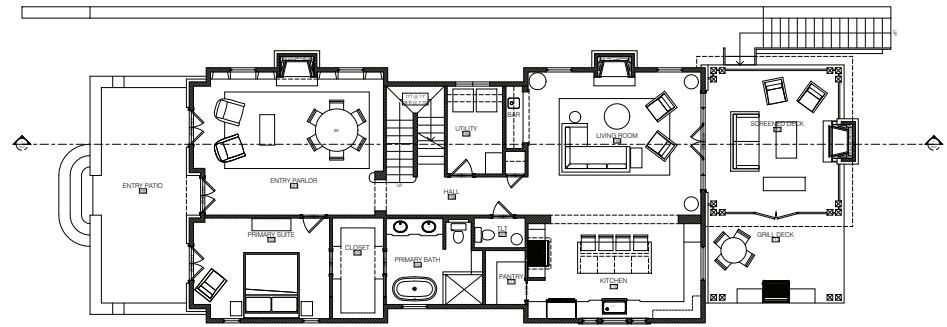
GENERAL PLAN NOTES		
1. ALL ROOMS SHALL BE FINISHED TO THE CENTERLINE UNLESS OTHERWISE NOTED.		
2. ALL WALLS SHALL BE FINISHED TO THE CENTERLINE UNLESS OTHERWISE NOTED.		
3. ALL FLOORS SHALL BE FINISHED TO THE CENTERLINE UNLESS OTHERWISE NOTED.		
4. ALL CEILING SHALL BE FINISHED TO THE CENTERLINE UNLESS OTHERWISE NOTED.		
5. ALL DOORS SHALL BE FINISHED TO THE CENTERLINE UNLESS OTHERWISE NOTED.		
6. ALL WINDOWS SHALL BE FINISHED TO THE CENTERLINE UNLESS OTHERWISE NOTED.		
7. ALL STAIRS SHALL BE FINISHED TO THE CENTERLINE UNLESS OTHERWISE NOTED.		
8. ALL ELEVATORS SHALL BE FINISHED TO THE CENTERLINE UNLESS OTHERWISE NOTED.		
9. ALL MECHANICAL EQUIPMENT AND WASHERS/DRYERS SHALL BE FINISHED TO THE CENTERLINE UNLESS OTHERWISE NOTED.		
10. ALL MECHANICAL EQUIPMENT AND WASHERS/DRYERS SHALL BE FINISHED TO THE CENTERLINE UNLESS OTHERWISE NOTED.		
11. ALL MECHANICAL EQUIPMENT AND WASHERS/DRYERS SHALL BE FINISHED TO THE CENTERLINE UNLESS OTHERWISE NOTED.		
12. ALL MECHANICAL EQUIPMENT AND WASHERS/DRYERS SHALL BE FINISHED TO THE CENTERLINE UNLESS OTHERWISE NOTED.		
13. ALL MECHANICAL EQUIPMENT AND WASHERS/DRYERS SHALL BE FINISHED TO THE CENTERLINE UNLESS OTHERWISE NOTED.		
14. ALL MECHANICAL EQUIPMENT AND WASHERS/DRYERS SHALL BE FINISHED TO THE CENTERLINE UNLESS OTHERWISE NOTED.		
15. ALL MECHANICAL EQUIPMENT AND WASHERS/DRYERS SHALL BE FINISHED TO THE CENTERLINE UNLESS OTHERWISE NOTED.		
16. ALL MECHANICAL EQUIPMENT AND WASHERS/DRYERS SHALL BE FINISHED TO THE CENTERLINE UNLESS OTHERWISE NOTED.		
17. ALL MECHANICAL EQUIPMENT AND WASHERS/DRYERS SHALL BE FINISHED TO THE CENTERLINE UNLESS OTHERWISE NOTED.		
18. ALL MECHANICAL EQUIPMENT AND WASHERS/DRYERS SHALL BE FINISHED TO THE CENTERLINE UNLESS OTHERWISE NOTED.		
19. ALL MECHANICAL EQUIPMENT AND WASHERS/DRYERS SHALL BE FINISHED TO THE CENTERLINE UNLESS OTHERWISE NOTED.		
20. ALL MECHANICAL EQUIPMENT AND WASHERS/DRYERS SHALL BE FINISHED TO THE CENTERLINE UNLESS OTHERWISE NOTED.		

WALL LEGEND			
■	1/2" WOOD FRAMED WALL	■	CONCRETE WALL
■	1/2" WOOD FRAMED WALL	■	CONCRETE WALL
■	1/2" WOOD FRAMED WALL	■	CONCRETE WALL
■	1/2" WOOD FRAMED WALL	■	CONCRETE WALL
■	1/2" WOOD FRAMED WALL	■	CONCRETE WALL

FLOOR PLANS FOR REFERENCE



SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"



FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

Memorandum

Date: July 25, 2024

To: Tyler Slaten
Senior Planner

From: Andrew Taylor, AIA

CC: Andrew Davis, Charlie Pond, Maggie Pond

RE: Project Description
Pond Residence on Park Lane
Mountain Brook, AL

Mr. Slaten,

The Pond Residence on Park Lane is a 3,000 sq. ft. 5-bedroom/3.5-bathroom single family home on Park Lane S. in Mountain Brook, Alabama. The residence will be constructed on a single lot, lot 25, block 8, First addition to South Highlands as recorded in Map Book 7, pages 105 & 106. The house will have two main stories, with a basement entry and covered parking on the ground level. The first level will include an entry parlor, dining room, utility room, primary bedroom & bathroom, family room, kitchen, and powder room. The second level will have four equally sized bedrooms, two shared bathrooms, and an office. The exterior will feature painted brick, painted wood siding, and a shingle roof, consistent with the surrounding properties in size and scale.

Yours Truly,

A handwritten signature in black ink, appearing to read "A. Taylor" with a stylized flourish at the end.

Andrew Taylor, AIA



Variance Application Part II

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

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

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

The property designated as Lot 25-Block 8 features a narrow configuration with a substantial grade differential of 29 feet from the front to the rear. The terrain is characterized by a steep incline, with a descent of over 17 feet from the street level in the primary building zone. Notably, the lot spans a width of merely 50 feet at its broadest expanse, rendering it considerably narrower than the adjacent properties and parcels in the immediate vicinity.

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

No.

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

The proposed construction within the specified variance area will amount to less than 38 square feet. The approval of said variance will have a negligible impact on the light and air access to the adjacent property. Moreover, the granting of the variance will not result in increased noise, fire hazard, or any other threat to public safety within the surrounding properties.



Variance Application - Part I

Project Data

Address of Subject Property 3021 Cambridge Road
 Zoning Classification Res A
 Name of Property Owner(s) Holly & Stephen Gunn
 Phone Number 251-401-9076 Email hollyjw511@gmail.com
 Name of Surveyor Ray Weygand
 Phone Number 205-942-0086 Email ray@weygandsurveyor.com
 Name of Architect (if applicable) Sissy Austin
 Phone Number 917-860-9615 Email sissy@sissyaustrin.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)):

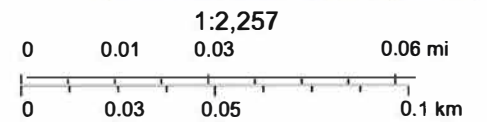
	Zoning Code Requirement	Existing Development	Proposed Development
Lot Area (sf)			
Lot Width (ft)			
Front Setback (ft) <i>primary</i>			
Front Setback (ft) <i>secondary</i>			
Right Side Setback			
Left Side Setback	15'	15'	5'
Right Side Setback (ft): For non-conforming narrow lots in Res-B or Res-C: Less than 22' high → 22' high or greater →	(FIFTEEN)	(FIFTEEN)	(FIVE)
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-24-34 A-23-14 Zoning



4/6/2023, 12:08:20 PM

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



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

ArcGIS Web AppBuilder

A-24-34
A-23-14 Aerial



4/6/2023, 12:09:17 PM

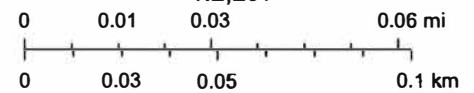
Aerial 2021

Red: Band_1

Green: Band_2

Blue: Band_3

1:2,257



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-24-34

Background

This case was approved by the Board of Zoning Adjustment on April 17, 2023. The city determined that construction for the scope of work specifically related to the variance had not started prior to April 17, 2024 rendering the variance null due to the expiration of allowed 1 year time period. The original variance request was to allow the new carport addition to be 3 feet from the side property line. This request was amended at the BZA hearing to a distance of 5 feet which was ultimately approved. The current request and scope of work are identical to the approved variance.

The remainder of this report is from the original BZA case.

Revised Petition Summary

Request to allow an addition to the existing single family home to be 5 feet from the side property line (north) in lieu of the required 15 feet.

Petition Summary

Request to allow an addition to the existing single family home to be 3 feet from the side property line (north) in lieu of the required 15 feet.

Scope of Work

The scope of work includes the construction of a new carport addition on the side of the existing home.

Variance Request for Side Setback

Nexus: The applicant stated that the lot width is the hardship in this case. While it is true that the subject lot is narrow as it relates to the Residence A district minimum lot width (75 actual vs 100 required), the lot is approximately the same width as every other lot on this side of Cambridge Road (between Heathermoor Road and Watkins Road). Therefore, the narrowness of the lot is not unique or peculiar to the subject property.

It is anticipated that an approval of such variance:

- a. could impair an adequate supply of light and air to adjacent property (since the proposed addition is to 3 feet from the side property line);
- b. could increase the risk of fire (since the proximity of the carport is within 5 feet of the property line);

Impervious Area

The proposal is in compliance with the allowable impervious surface area.

Subject Property and Surrounding Land Uses

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

Affected Regulation

Article III, Section 129-34 Area and dimensional requirements

Appends

LOCATION: 3021 Cambridge Road

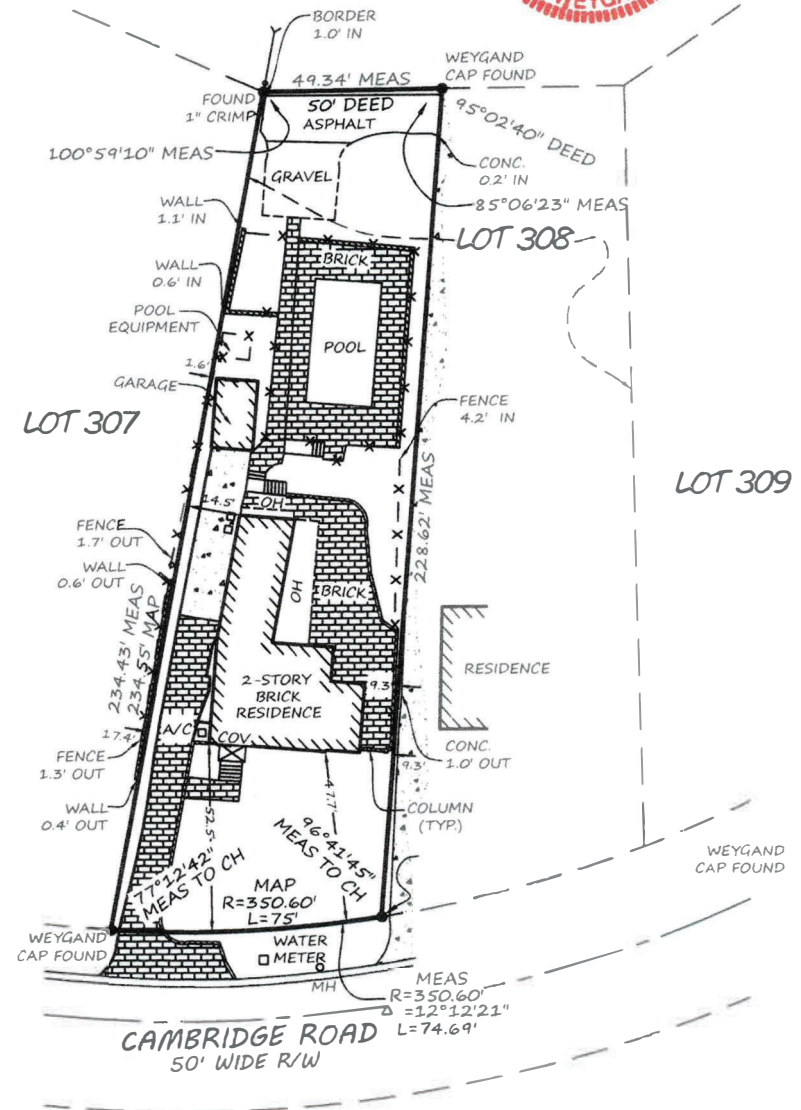
ZONING DISTRICT: Residence A District

OWNERS: Holly and Stephen Gunn



LEGEND

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



LEGAL DESCRIPTION

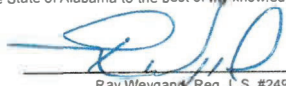
Part of Estate #308, Canterbury Sector, Mountain Brook Estates, according to map and survey of Canterbury Sector of Mountain Brook Estates, recorded in Map Book 19, Page 40, in the Office of the Judge of Probate of Jefferson County, Alabama, more particularly described as follows: Begin at the point on the easterly line of Cambridge Road where the southerly line of said Estate intersects the line between said Estate and Estate #307, in said survey, run thence in a northeasterly direction along the line dividing said Estates to the northeasterly line of said Estate #308, run thence in a southeasterly direction along the northeasterly line of said Estate #308 for a distance of 50 feet; thence at an angle to the right of 95°-2'-40" run in a southwesterly direction to a point on the southerly line of Estate #308 which is 75 feet southeasterly from the point of beginning; run thence in a northwesterly direction along the southerly line of said Estate #308 to the point of beginning, being all that part of said Estate lying west of a line drawn from the middle point of the northeast line of said Estate to the middle point of the southwest line of said Estate, and being situated in Jefferson County, Alabama, Birmingham Division.

STATE OF ALABAMA)
JEFFERSON COUNTY)

"Closing Survey"

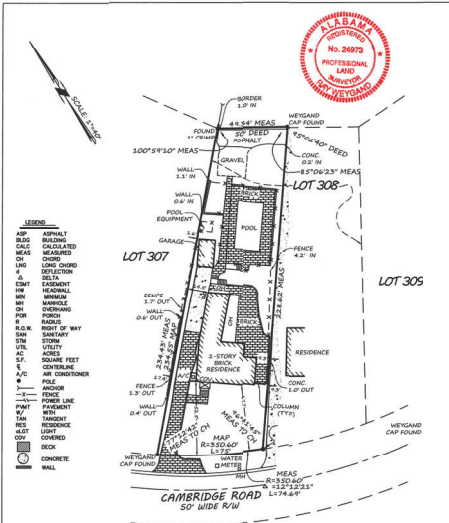
I, Ray Weygand, a Registered Land Surveyor, hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief, according to my survey of APRIL 15, 2021. Survey invalid if not sealed in red.

Order No: 20210570
Purchaser:
Address: 3021 CAMBRIDGE ROAD


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



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



LEGAL DESCRIPTION

Part of Estate #208, Carverbury Sector Mountain Brook Estates, according to map and survey of Carverbury Sector of Mountain Brook Estates, recorded in Map Book 18 Page 46, as the Office of the Judge of Probate of Jefferson County, Alabama, most particularly described as follows: Begin at the point on the eastern line of Cambridge Road where the

STATE OF ALABAMA
JEFFERSON COUNTY

I, Ray Weygand, a Registered Land Surveyor, hereby state that all parts of this survey and drawing have been compiled 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 15, 2021. Survey made if not stated in text.

Order No. 20210523
Professional Seal
Address: 3021 CAMBRIDGE ROAD
100 Oxford Road, Homewood, AL 36866
Phone: (205) 942-0088 Fax: (205) 942-0087
Copyright ©

Note: (a) No title search of the public records has been performed by this firm and land shown herein was not searched for easements and/or rights of way, recorded or unrecorded. The parcel shown herein is subject to setbacks, easements, zoning, and restrictions that may be found in the public records of said county and/or city. (b) Easements and/or rights are indicated on this map and shall unless otherwise noted. (c) Underground portions of foundations, terraces, and/or other underground structures, utilities, manholes 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 to be transferred. (f) Easements not shown on record/record maps are not shown above.

1: SURVEY
SCALE 1/32" = 1'-0"



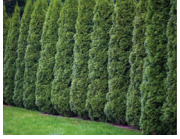
REID'S HOUSE - DRIVE - GUNN'S HOUSE



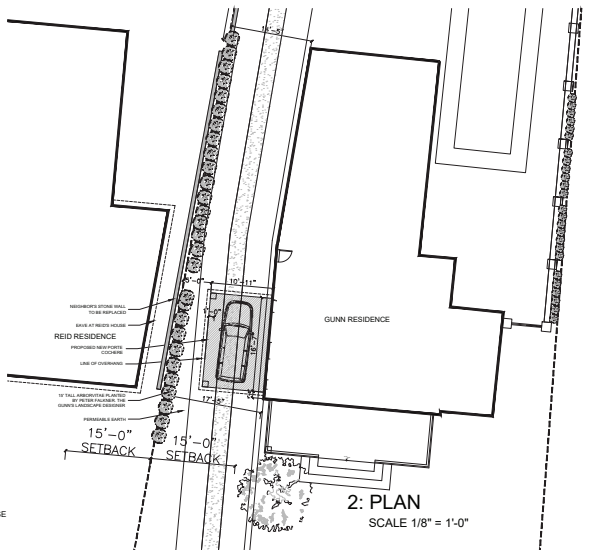
REID'S OLD WALL + FENCE



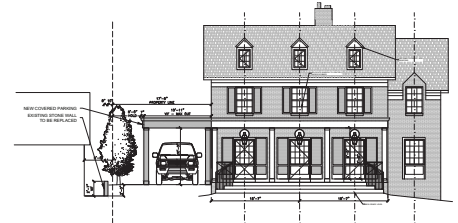
LOOKING AT REID'S HOUSE



PROPOSED HEDGE BETWEEN HOUSES



2: PLAN
SCALE 1/8" = 1'-0"



3: FRONT OF HOUSE
SCALE 1/8" = 1'-0"

GENERAL CONTRACTOR
ARCHITECT
BEST & SMITH
LANDSCAPE DESIGNER
PETER PALANCA

Alterations to the Residence of Holly & Stephen Gunn
3021 Cambridge Road
Birmingham, AL 35223

VARIANCE
DATE
APPROVED BY
TITLE
APPROVED VARIANCE



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)?

- Lot width ~ Narrow lot relief
- our lot is 75' wide ~ min Res A is 100'
- runoff/drainage/permeability improvements
- Secondary ~ no covered parking

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 LOT IS NARROW; THE NEIGHBORING HOUSE IS 5' OFF OF OUR LINE. THIS SAME APPLICATION WAS PREVIOUSLY APPROVED. WE HAVE, IN RELIANCE UPON THE APPROVAL, REBUILT THE NEIGHBORING OWNERS' WALL AT THE COST OF ~\$100,000.00, AND IMPROVED OUR LOT WITH GRADING, RELOCATION OF UTILITY LINES, AND INSTALLATION OF DRAINAGE SYSTEM, AND OTHER IMPROVEMENTS, THAT WERE NECESSARY TO THE CONSTRUCTION OF THE APPROVED ADDITION - WITHIN ONE YEAR OF THE APPROVAL.



CITY OF MOUNTAIN BROOK

A-23-14

Department of Planning, Building &
Sustainability
56 Church Street
Mountain Brook, Alabama 35213
Telephone: 205.802.3810
www.mtnbrook.org

**BOARD OF ZONING ADJUSTMENT
MEETING SUMMARY**

Meeting Date: April 17, 2023
Case Number: A-23-14
Case Address: 3021 Cambridge Road
Property Owner(s): Stephen and Holly Gunn, hollyjw511@gmail.com
Representative(s): Charles Beavers, cbeavers@beaverslawllc.com
Sissy Austin, sissy@sissyaustin.com

Type Request: Stephen and Holly Gunn, property owners, request a variance from the terms of the Zoning Regulations to allow an addition to the existing single family home to be 3 feet from the side property line (north) in lieu of the required 15 feet.
3021 Cambridge Road

Action Taken: The Board of Zoning Adjustment approved the applicant's request to amend the original request as follows:

Stephen and Holly Gunn, property owners, request a variance from the terms of the Zoning Regulations to allow an addition to the existing single family home to be 5 feet from the side property line (north) in lieu of the required 15 feet.

The Board of Zoning Adjustment approved the variance request as amended.

Tyler Slaten, Planner
City of Mountain Brook
56 Church St
Mountain Brook, AL 35213
Office 205-802-3811