

**CITY OF VESTAVIA HILLS
BOARD OF ZONING ADJUSTMENT
AGENDA
APRIL 18, 2019
6:00 P.M.**

Roll Call.

Approval of Minutes: March 21, 2019

- (1) **BZA-0419-07** Joseph & Christy Storrs are requesting a **Front Setback Variance** for the property located at **1820 Montclair Dr.** The purpose of this request is for a 10' front setback variance to reduce the setback to 50' in lieu of the required 60'. The property is owned by Joseph & Christy Storrs and is zoned Vestavia Hills R-2.

- (2) **BZA-0419-08** Marie & Kevin Gammill are requesting **Front & Rear Setback Variances** for the property located at **2068 Lakewood Dr.** The purpose of this request is for a 20' front setback variance to reduce the setback to 30' in lieu of the required 50' and a 15' rear setback variance to reduce the setback to 15' in lieu of the required 30'. The property is owned by Marie & Kevin Gammill and is zoned Vestavia Hills R-2.

- (3) **BZA-0419-09** Brett Hollett is requesting **Front, Rear & Side Setback Variances and Variances to Reduce Lot Size and Lot Width** for the property located at **2032 Chestnut Rd.** The purpose of this request is for a 15.5' front setback variance to reduce the setback to 34.5' in lieu of the required 50'; a 25' rear setback variance to reduce the setback to 5' in lieu of the required 30'; a 10' side setback variance to reduce the setback to 5' in lieu of the required 15'; a 24.93' variance to reduce lot width to 75.07' in lieu of the required 100'; and a 5,190 square foot variance to reduce the lot area to 9,810 square feet in the lieu of the required 15,000 square feet. The property is owned by Brett Hollett and is zoned Vestavia Hills R-3.

Time of Adjournment.

**CITY OF VESTAVIA HILLS
BOARD OF ZONING ADJUSTMENT
MINUTES**

MARCH 21, 2019

The Board of Zoning Adjustment of the City of Vestavia Hills met in regular session on this date at 6:00 PM. The roll was called with the following:

MEMBERS PRESENT: Rick Rice, Chairman
Loring Jones, III
Robert Gower
George Ponder
Jim Griffo

MEMBERS ABSENT: Donald Holley, Alt
Tony Renta, Alt

OTHER OFFICIALS PRESENT: Conrad Garrison, City Planner

APPROVAL OF MINUTES

The minutes of February 17, 2019 were presented for approval.

MOTION Motion to dispense with the reading of the minutes of February 17, 2019 was made by Mr. Jones and 2nd was by Mr. Griffo. Motion as carried on a voice vote as follows:

Mr. Griffo – yes	Mr. Gower – yes
Mr. Ponder – yes	Mr. Jones – yes
Mr. Rice – yes	Motion carried.

FRONT & SIDE SETBACK VARIANCES AND VARIANCES TO REDUCE LOT SIZE AND LOT WIDTH

BZA-0319-05 Aubrey D. Day III is requesting **Front & Side Setback Variances and Variances to Reduce Lot Size and Lot Width** for the property located at **304 Granada Dr.** The purpose of this request is for a 1’ front setback variance to reduce the setback to 39’ in lieu of the required 40’; a 7’ side setback variance to reduce the setback to 8’ in lieu of the required 15’; a 4’ side setback variance to reduce the setback to 11’ in lieu of the required 15’; a 25’ variance

to reduce lot width to 75’ in lieu of the required 100’; and a 3,741 square foot variance to reduce the lot area to 11,259 square feet in the lieu of the required 15,000 square feet. The property is owned by Aubrey D. Day III and is zoned Vestavia Hills R-3.

Mr. Garrison described the area where the property is located and read the review which included the purpose of the request, comprehensive plan and staff review.

Joshua Henderson was present to explain the request and stated that the size of the lot caused a hardship.

A discussion ensued about the front setback request.

Mr. Rice opened the floor for a public hearing. There being no one present in regard to the request, Mr. Rice closed the public hearing and opened the floor for a motion.

MOTION Motion to approve a 2.5’ front setback variance to reduce the setback to 39’ in lieu of the required 40’; a 7’ side setback variance to reduce the setback to 8’ in lieu of the required 15’; a 4’ side setback variance to reduce the setback to 11’ in lieu of the required 15’; a 25’ variance to reduce lot width to 75’ in lieu of the required 100’; and a 3,741 square foot variance to reduce the lot area to 11,259 square feet in the lieu of the required 15,000 square feet was made by Mr. Jones and 2nd was by Mr. Griffo. Motion was carried on a roll call vote as follows:

Mr. Griffo – yes	Mr. Gower – yes
Mr. Ponder – yes	Mr. Jones – yes
Mr. Rice – yes	Motion carried.

FRONT & REAR SETBACK VARIANCE

BZA-0319-06

Charles Blake Hudson is requesting **Front & Rear Setback Variances** for the property located at **2294 Lime Rock Rd.** The purpose of this request is for a 25’ front setback variance to reduce the setback to 25’ in lieu of the required 50’ and a 16’ rear setback variance to reduce the setback to 14’ in lieu of the required 30’. The property is owned by Charles Blake Hudson and is zoned Vestavia Hills R-2.

Mr. Garrison described the area where the property is located and read the review which included the purpose of the request, comprehensive plan and staff review.

Charles Blake Hudson was present to explain the request and stated that the corner lot caused a hardship.

Mr. Rice opened the floor for a public hearing. There being no one present in regard to the request, Mr. Rice closed the public hearing and opened the floor for a motion.

MOTION Motion to approve a 22' rear setback variance to reduce the setback to 8' in lieu of the required 30' for the property at 1829 Nottingham Dr. was made by Mr. Jones and 2nd was by Mr. Griffo. Motion was carried on a roll call vote as follows:

Mr. Griffo – yes	Mr. Gower – yes
Mr. Ponder – yes	Mr. Jones – yes
Mr. Rice – yes	Motion carried.

FRONT SETBACK VARIANCE

BZA-0219-04 CRGI, LLC is requesting a **Front Setback Variance** for the property located at **3228 Ridgely Court**. The purpose of this request is for a 10' front setback variance to reduce the setback to 25' in lieu of the allowed 35'. The property is owned by CRGI, LLC and is zoned Vestavia Hills R-4.

Mr. Garrison described the area where the property is located and read the review which included the purpose of the request, comprehensive plan and staff review.

Marc Scholl was present to explain the request and stated that he is seeking to improve the house to match others on the street.

Mr. Ponder and Mr. Jones led a discussion on whether there was a hardship for this lot.

Mr. Scholl asked to postpone the case to investigate the hardship issue and work with staff to see if a solution could be found.

Case postponed.

Conrad Garrison
City Planner

CITY OF VESTAVIA HILLS
SYNOPSIS AND STAFF RECOMMENDATION CONCERNING
APPLICATION BEFORE THE BOARD OF ZONING ADJUSTMENT

Date: APRIL 18, 2019

- **CASE:** BZA-0419-07
- **REQUESTED ACTION:** 10' front setback variance to reduce the setback to 50' in lieu of the required 60'
- **ADDRESS/LOCATION:** 1820 Montclair Dr.
- **APPLICANT/OWNER:** Joseph & Christy Storrs
- **GENERAL DISCUSSION:** Applicant is seeking a variance to build a new garage. Applicant contends the slope of the lot in the rear as well as field lines constitute a hardship. Applicant had a recorded setback, which has been waived due to the recordation of signatures. The applicant's property is zoned Vestavia Hills R-2.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** This request is consistent with the Comprehensive Plan for residential.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** No problems noted.
 2. **City Engineer Review:** No problems noted.
 3. **City Fire Marshal Review:** No problems noted.
 4. **Building Safety Review:** No problems noted.

CITY OF VESTAVIA HILLS BOARD OF ZONING ADJUSTMENT APPLICATION

The owner of the property understands that variances are granted based on the zoning code. Variances are not granted on any kind of covenants. Covenants are between property owners.

EXAMPLE: If you are asking for a variance from a building setback line and the building setback line is recorded on the plat and matches the Zoning Code, then the Board of Zoning Adjustment would only hear the case based on the Zoning Code requirements, not what is on the recorded plat. The recorded plat is a covenant between property owners of the subdivision. You must have signatures of every property owner on the recorded plat map to change the covenant portion of the setback. The letter of signatures approving the amendment of the covenants must be filed with the Office of the Probate Court. Again, we can only give a variance based on the Zoning Code and that is the only portion of the building setback changes that the Board of Zoning Adjustment will vote on. Once filed with the Office of the Probate, please bring a copy of the recorded amendment to the Office of the City Clerk and we will place it in the file.

I. APPLICANT INFORMATION:

Owner of Property (This Section Must Be Completed)

Name: Joseph + Christy Storrs

Address: 1820 Montclair Dr

Vestavia Hills, AL 35216

Phone #: 770 833 4798 Other #: _____

E-Mail: js.storrs@gmail.com

Representing Attorney/Other Agent

Name: _____

Address: _____

Phone #: _____ Other #: _____

E-Mail: _____

II. DESCRIPTION OF PROPERTY:

LOCATION: 1820 Montclair Dr.
Street Address

Lot 19, Block 6, of Montclair 5th Sector
Subdivision name, Lot #, Block #, etc.

III. REASONS FOR REQUEST (PLEASE FILL IN APPLICABLE STATEMENTS):

1. A request to vary:
_____ ' variance to reduce the lot width to _____ ' in lieu of the required _____ ' .
_____ square foot variance to reduce the lot area to _____ square feet in lieu of the required _____ square feet.
10 ' front/side/rear (circle one) setback variance to reduce the setback to 50 ' in lieu of the required 60 ' .
_____ ' front/side/rear (circle one) setback variance to reduce the setback to _____ ' in lieu of the required _____ ' .
_____ ' front/side/rear (circle one) setback variance to reduce the setback to _____ ' in lieu of the required _____ ' .
2. A decision of the Zoning Official which the applicant believes to be contrary to the meaning of the Zoning Ordinance.
3. An application to establish a use which must be approved by the Board of Zoning Adjustment (See Section _____).
4. A request for extension of non-conforming use (See Section _____).
5. Sign Code Variance (See Section _____).
6. Other - Explain (See Section _____).

IV. ZONING

Vestavia Hills Zoning for the subject property is Residential

V. HARDSHIP

Describe those things which you feel justify the action requested. List, when necessary, the specific sections of the City Code(s) which have a bearing on your request. (Use additional space on separate page if necessary).

VI. OWNER AFFIDAVIT:

I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing. I, also, understand that I am asking for a variance based on the Zoning Code only and not on any or all covenants that are on the subject property.

Joseph S. [Signature] 3/13/19
Owner Signature/Date

Representing Agent (if any)/date

Given under my hand and seal
this 13 day of March, 2019.

Katie Brown [Signature]
Notary Public

My commission expires 6th
day of November, 2022.



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REVISIONS

THE STORRS FAMILY
FOR
RENOVATION
1820 MONTCLAIR DRIVE
VESTAVIA HILLS, ALABAMA 35216

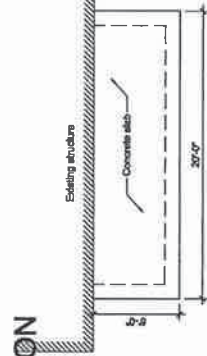
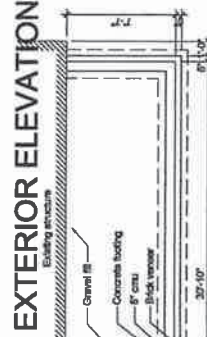
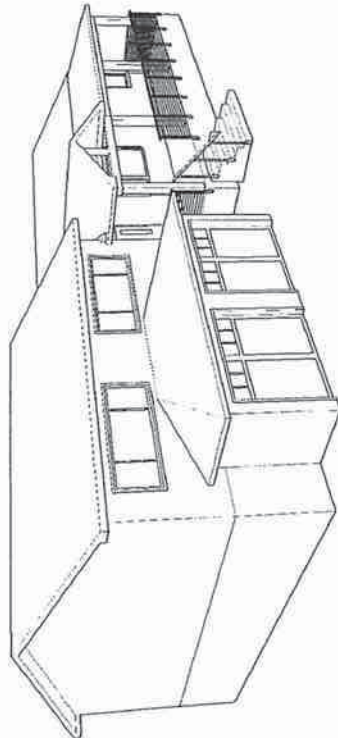
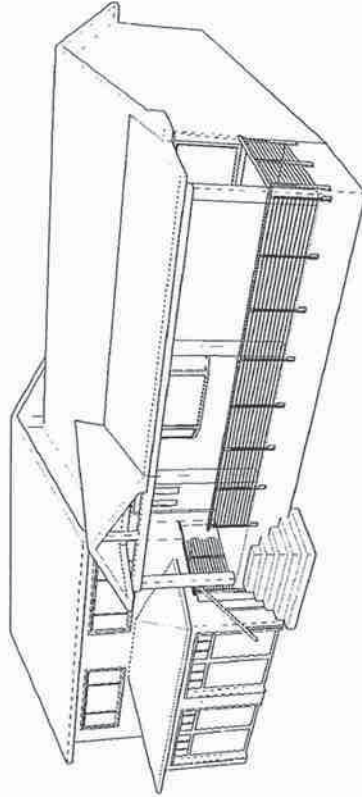
PROJECT TITLE	
SITE PLAN, NOTES, FLOOR PLAN, AND ELEVATIONS	
OWNER	DATE
EDM	Nov. 8, 2017
SHEET NUMBER	
A1	
SHEET 1 of 2	

FOUNDATION / FRAMING NOTES:

1. FOOTINGS SHALL REST ON COMPACTED SOIL CAPABLE OF SUPPORTING 2,000 P.S.I.
2. FOOTING EXCAVATION MUST BE KEPT DRY. SOIL MUST BE DRY AND COMPACTED BEFORE POURING FOOTING.
3. FOOTINGS SHALL HAVE A MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 3,000 P.S.I.
4. MINIMUM COVERAGE OF CONCRETE REINFORCEMENT SHALL BE 3".
5. ALL REBAR SPLICES AND CORNERS SHALL BE LAPPED A MINIMUM OF 36".
6. THE SURFACE AREA ADJACENT TO THE FOUNDATION SHALL BE PROVIDED WITH DRAINAGE DITCHES AND GRADED SO AS TO DRAIN SURFACE WATER AWAY FROM THE FOUNDATION WALLS.
7. ALL FRAMING SHALL BE SOUTHERN YELLOW PINE #2 OR BETTER.

PROJECT NOTES:

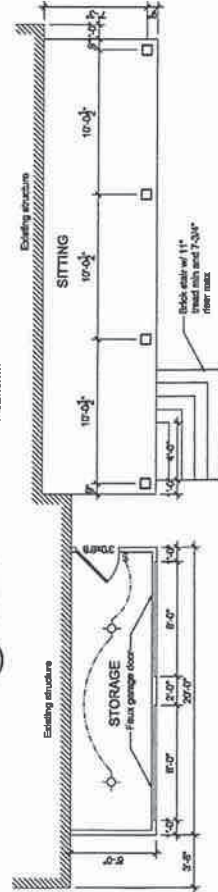
- A. CONTRACTOR SHALL FOLLOW REQUIREMENTS OF LOCAL IRC. CONTRACTOR SHALL ALSO COORDINATE ANY REQUIRED INSPECTIONS WITH THE CITY OF VESTAVIA HILLS AND OBTAIN ALL PERMITTING.
- B. EXTERIOR FINISH COLORS SHALL BE SELECTED BY THE OWNER.
- C. INSTALL OUTLETS AND DOWNSPOUTS (NOT SHOWN ON ELEVATIONS)
- D. COORDINATE DEMOLITION WORK WITH NEW WORK
- E. VERIFY NEW DRIVEWAY ELEVATION IN RELATION TO EXISTING DRIVE AND NEW STAIR



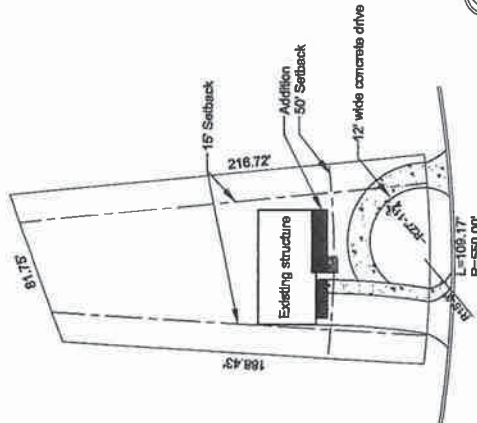
EXTERIOR ELEVATION



2 FOUNDATION PLAN
Scale: 1/4"=1'-0"



3 FLOOR PLAN
Scale: 1/4"=1'-0"



1 SITE PLAN
Scale: 1"=30'-0"

S

REVISIONS

RENOVATION
FOR
THE STORRS FAMILY
1820 MONTCLAIRE DRIVE
VESTAVIA HILLS, ALABAMA 35216

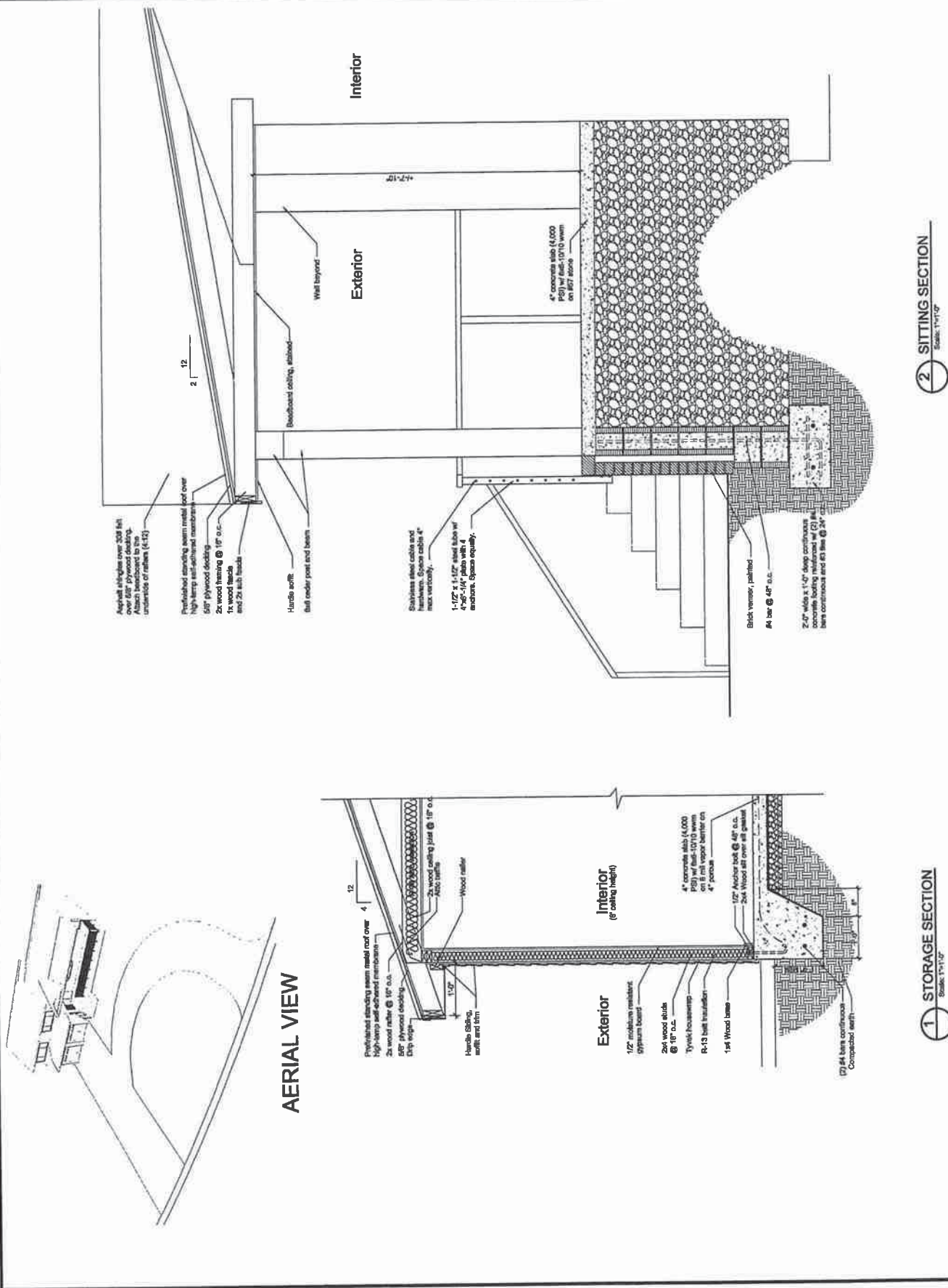
SHEET TITLE
SECTION

DRAWN BY
EDM

DATE
NOV. 3, 2017

SHEET NUMBER
A2

SHEET 2 OF 2



AERIAL VIEW

2 SITTING SECTION
Scale: 1/4" = 1'-0"

1 STORAGE SECTION
Scale: 1/4" = 1'-0"

Asphalt shingles over 200 lbs/ft² over 2x4 plywood decking. Includes 1/2" gypsum board, insulation of rafters (R-19).

Pre-finished standing seam metal roof over high-temp self-adhesive membrane.

5/8" plywood decking.

2x wood rafter @ 16" o.c.

1" wood sheath.

1x4 wood batten and 2x sub-floors.

Handle soffit.

Full cedar post and beam.

Boards: cedar, scribed.

Wall beyond.

4" concrete slab (4,000 PSI) w/ 6#-10#10 w/m on 8" form.

Subpines steel cable and hardware. Splice cable 4" max vertically.

1-1/2" x 1-1/2" steel tube w/ 1/2" x 1/2" steel plate w/ 1/2" x 1/2" steel anchor. Splice equidistant.

Block veneer, painted.

#4 bar @ 48" o.c.

2-2" wide x 1-1/2" deep continuous concrete footing reinforced w/ (2) #4 bars continuous and (6) bar @ 24" o.c.

Pre-finished standing seam metal roof over high-temp self-adhesive membrane.

2x wood rafter @ 16" o.c.

5/8" plywood decking.

Drip edge.

Handle soffit, soffit and trim.

1-1/2" x 1-1/2" steel tube w/ 1/2" x 1/2" steel plate w/ 1/2" x 1/2" steel anchor.

Wood rafter.

1/2" medium moisture gypsum board.

2x4 wood studs @ 16" o.c.

Tyvek housewrap.

R-19 batt insulation.

1x4 Wood batten.

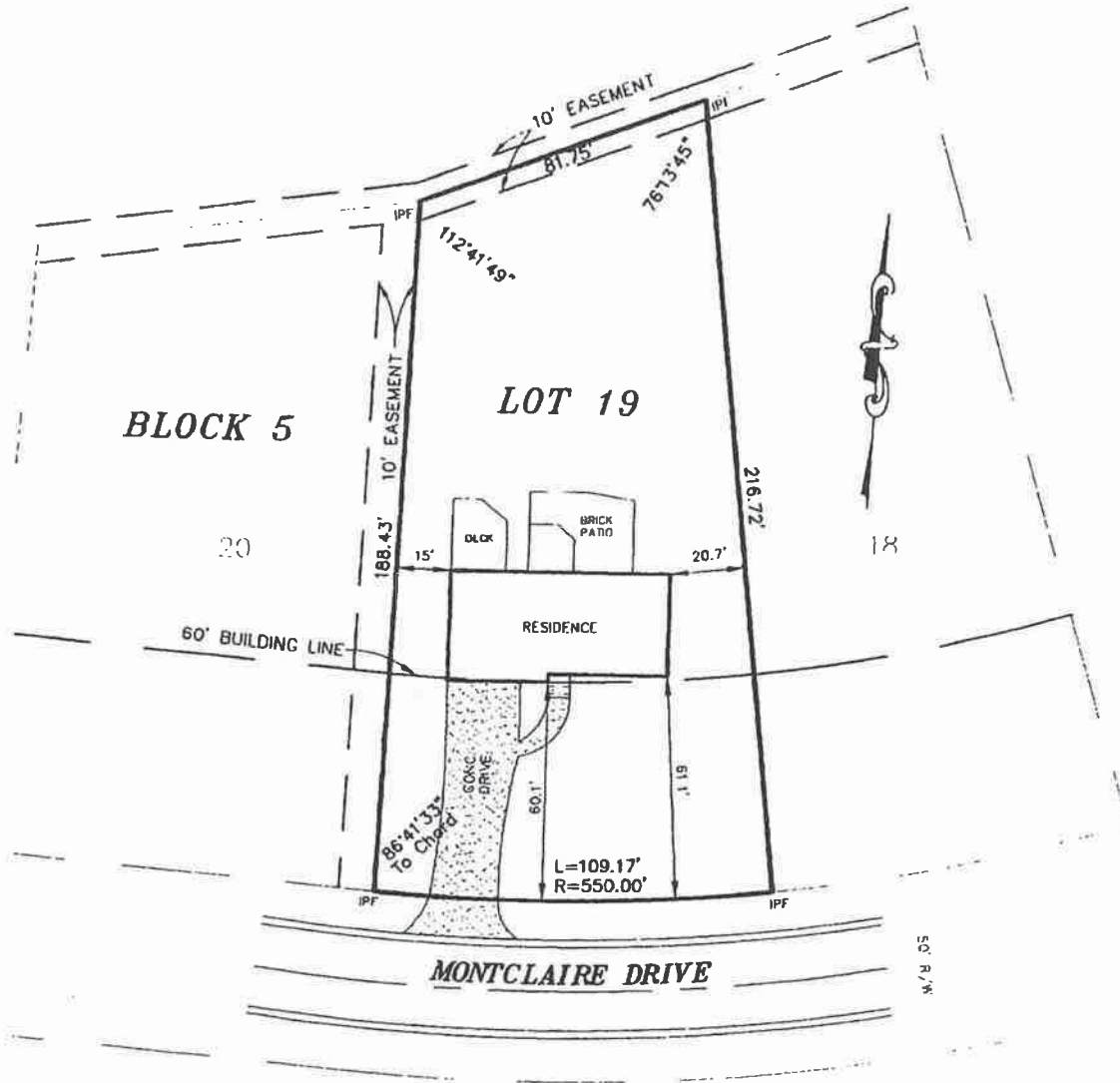
1-1/2" Anchor bolt @ 48" o.c. 2x4 Wood sill over all gasket.

(2) #4 bars continuous. Compacted earth.

4" concrete slab (4,000 PSI) w/ 6#-10#10 on 8" form vapor barrier on 4" form.

Interior (6" ceiling height).

REYNOLDS SURVEYING CO., INC.
Surveying - Land Planning



SCALE: 1" = 40'

- UTILITY POLE
- GUY WIRE
- RETAINING WALL
- CONCRETE
- X— FENCE
- OVERHEAD ELECTRICAL
- IPF IRON PIN FOUND
- IPS IRON PIN SET

STATE OF ALABAMA
JEFFERSON COUNTY

"CLOSING SURVEY"



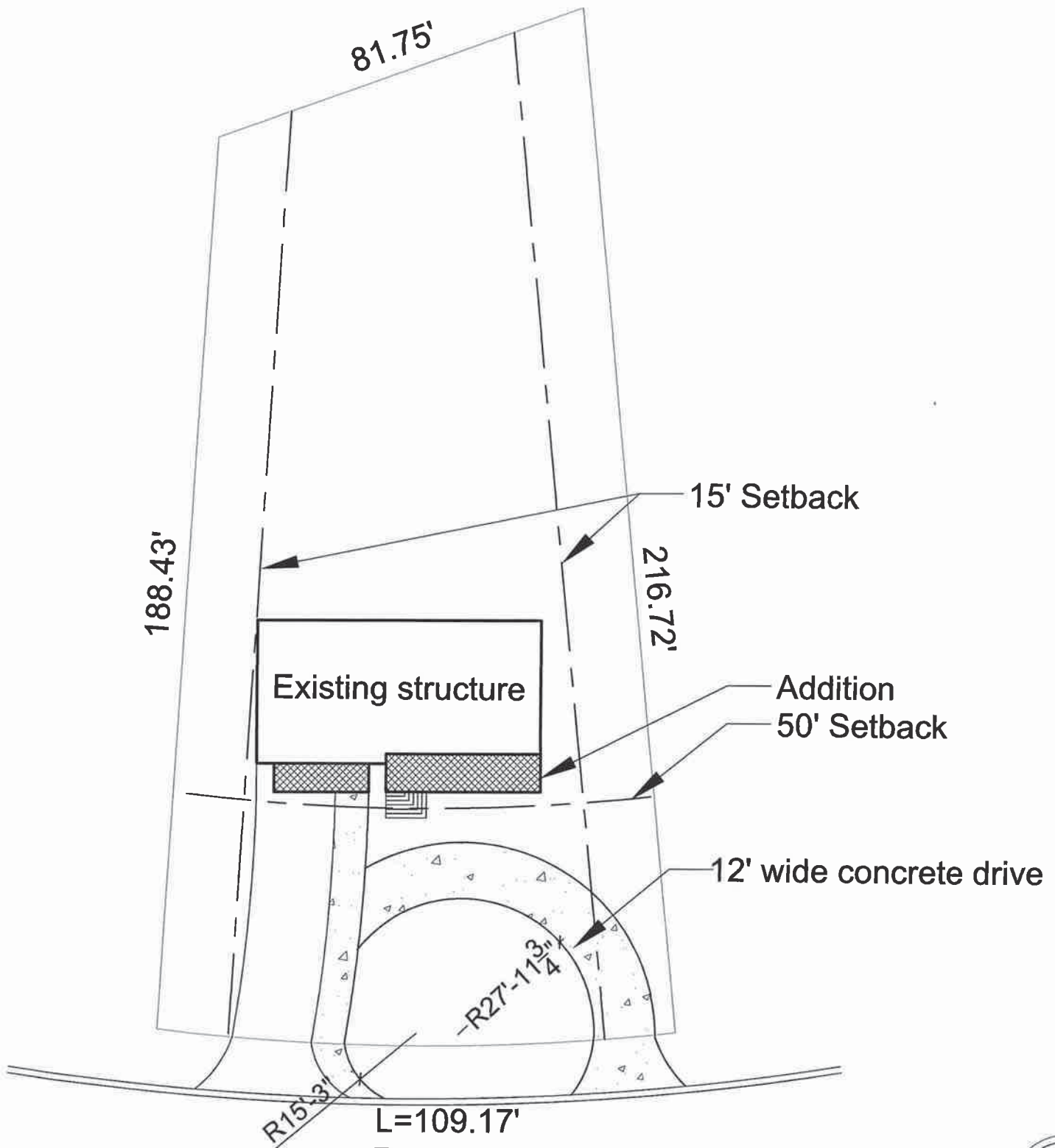
I, Robert Reynolds, a Registered Surveyor, do here by state that this is a true and correct plat or map of Lot 19, Block 6, of MONTCLAIRE FIFTH SECTOR, as recorded in Map Book 41, Page 74 in the Office of the Judge Of Probate in Jefferson County, Alabama. All parts of this survey and drawing have been 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 6th day of November, 2014.

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

Purchaser: Gantt
Address: 1820 Montclair Drive

Robert Reynolds
Reg. No. 25657

CG



SITE PLAN

Scale: 1"=30'-0"



TRUE NORTH

We, Joseph and Christy Storrs- property owners of Lot 19, Block 6, of Montclair Fifth Sector (1820 Montclair Dr.) in Vestavia Hills Alabama respectfully request your approval to make an amendment to the recorded 60-foot setback in order to make aesthetic improvements to the front of our home. We are planning on constructing a front porch addition and a storage addition which would cross this recorded 60-foot setback.

By signing the approval sheet, you agree for us to make an amendment to Lot 19, Block 6, of Montclair Fifth Sector, as recorded in Map book 41, Page 74 in the Office of the Judge of Probate in Jefferson County, Alabama.

This amendment will change the 60-foot set back to 50- feet and allow us to proceed with our construction plans.

County Division Code: AL040
Inst. # 2019022142 Pages: 1 of 3
I certify this instrument filed on
3/13/2019 11:04 AM Doc: NOTICE
Alan L.King, Judge of Probate
Jefferson County, AL. Rec: \$22.00

Clerk: NICOLE

Thank you for your consideration,

BZA0419-07//2800193008014.000
1820 Montclair Drive
Front Setback for an addition
Joseph & Christy Storrs

50' setback approval for Lot 19- Montclair 5th Sector

LOT	Address	Printed Name	Signature- approving 50' setback	Date
12	1852 Montclair dr	Miriam Curtiss	Miriam Curtiss	2/02/19
13	1848 Montclair dr	Will Stevens	Will Stevens	3/2/19
14	1844 Montclair dr	Martha Houbter	Martha Houbter	3/9/19
15	1840 Montclair dr	Jean Turmine	Jean Turmine	
16	1836 Montclair dr			
17	1832 Montclair dr			
18	1824 Montclair dr	Helen Traugh	Helen Traugh	
19	1820 Montclair dr	Phil Throver	Phil Throver	2/02/19
20	1816 Montclair dr	Patrick Claborn	Patrick Claborn	3/11/19
21	1814 Montclair dr			
22	1810 Montclair dr	Bill Seitz	Bill Seitz	3/10/19
8	1853 Montclair dr	Molly Bennett	Molly Bennett	2/2/19
9	1849 Montclair dr			
10	1845 Montclair dr	Demetra Sarris	Demetra Sarris	2/2/19
11	1841 Montclair dr	ELENA HAWKINS	Elena Hawkins	2/2/19
12	1837 Montclair dr	Smylie Kaufman	Smylie Kaufman	3/2/19
13	1833 Montclair dr	STEVEN CORHERN	Steven Corhern	2/2/2019
14	1831 Montclair dr			
15	1829 Montclair dr	Jason Greer	Jason Greer	2/22/19
16	1827 Montclair dr	Cory Reamer	Cory Reamer	2/7/19
34	1817 Montclair dr	JAY McFALLAND	Jay McFalland	2/2/19
33	1815 Montclair dr	Martin Hoerner	Martin Hoerner	2/2/19
32	1813 Montclair dr	Susan Doumar	Susan Doumar	3/9/19
31	1811 Montclair dr	ADAM VANSANT	Adam Vansant	3/2/19
30	1809 Montclair dr			
29	1807 Montclair dr			
28	1803 Montclair dr	Mary J Cherry	MARY J. CHERRY	3-2-19



Judges Alan L. King & Sherri C. Friday
Judge of Probate
Jefferson County Courthouse
716 Richard Arrington Jr. Blvd. North
Birmingham, AL 35203
(205) 325-5300

CUSTOMER INFORMATION

JOSEPH STORRS

TRANSACTION INFORMATION

Transaction #:	7407556	Source Code:	Over the Counter
Receipt #:	1013461	Return Code:	Over the Counter
Cashier Date:	03/13/2019	Comments:	
Print Date:	03/13/2019		
Cashier By:	NICOLE		

NOTICE

Instrument.: 2019022142

From: STORRS JOSEPH **To:**

RECORDING FEE	\$11.00
ARCHIVAL FEE	\$11.00

Document Total: \$22.00

PAYMENT: CC IPASS	b2e743e9	AMOUNT:	\$22.00	Credit Card Fee:	\$0.77
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Void / Revised Reason:

Credit Card Amount	\$0.00	Credit Card Fee	\$0.77
Signature	_____	Authorization	b2e743e9

Total Payments:	\$ 22.00	Total Fees:	\$ 22.00	Shortage:	\$ 0.00
Overage:	\$ 0.00	Total Change Returned:	\$ 0.00		

CITY OF VESTAVIA HILLS
SYNOPSIS AND STAFF RECOMMENDATION CONCERNING
APPLICATION BEFORE THE BOARD OF ZONING ADJUSTMENT

Date: APRIL 18, 2019

- **CASE:** BZA-0419-08
- **REQUESTED ACTION:** 20' front setback variance to reduce the setback to 30' in lieu of the required 50' and a 15' rear setback variance to reduce the setback to 15' in lieu of the required 30'
- **ADDRESS/LOCATION:** 2068 Lakewood Dr.
- **APPLICANT/OWNER:** Marie & Kevin Gammill
- **GENERAL DISCUSSION:** Applicant is seeking a variance to build a new garage. Applicant contends the corner lot constitutes a hardship. The applicant's property is zoned Vestavia Hills R-2.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** This request is consistent with the Comprehensive Plan for residential.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** No problems noted.
 2. **City Engineer Review:** No problems noted.
 3. **City Fire Marshal Review:** No problems noted.
 4. **Building Safety Review:** No problems noted.

BZA0419-08/2800311006008.000
2068 Lakewood Drive
Rear Setback for an addition
Kevin & Marie Gammill

**CITY OF VESTAVIA HILLS
BOARD OF ZONING ADJUSTMENT
APPLICATION**

The owner of the property understands that variances are granted based on the zoning code. Variances are not granted on any kind of covenants. Covenants are between property owners.

EXAMPLE: If you are asking for a variance from a building setback line and the building setback line is recorded on the plat and matches the Zoning Code, then the Board of Zoning Adjustment would only hear the case based on the Zoning Code requirements, not what is on the recorded plat. The recorded plat is a covenant between property owners of the subdivision. You must have signatures of every property owner on the recorded plat map to change the covenant portion of the setback. The letter of signatures approving the amendment of the covenants must be filed with the Office of the Probate Court. Again, we can only give a variance based on the Zoning Code and that is the only portion of the building setback changes that the Board of Zoning Adjustment will vote on. Once filed with the Office of the Probate, please bring a copy of the recorded amendment to the Office of the City Clerk and we will place it in the file.

I. APPLICANT INFORMATION:

Owner of Property (This Section Must Be Completed)

Name: Marie and Kevin Gammill

Address: 2068 Lakewood Drive

Vestavia Hills, Alabama 35216

Phone #: 2052439165 Other #: _____

E-Mail: kevingammill@gmail.com

Representing Attorney/Other Agent

Name: _____

Address: _____

Phone #: _____ Other #: _____

E-Mail: _____

BZA0419-08//2800311006008.000
2068 Lakewood Drive
Rear Setback for an addition
Kevin & Marie Gammill

II. DESCRIPTION OF PROPERTY:

LOCATION: 2068 Lakewood Drive, Vestavia, Alabama
Street Address
Fourth Addition Vestavia Lake Addition, Lot 5, Block 5, Map Book 45, Page 42
Subdivision name, Lot #, Block #, etc.

III. REASONS FOR REQUEST (PLEASE FILL IN APPLICABLE STATEMENTS):

1. A request to vary:
_____, variance to reduce the lot width to _____, in lieu of the required _____,
_____, variance to reduce the lot area to _____ square feet in lieu of the required _____ square feet.
30', front/side/rear (circle one) setback variance to reduce the setback to 15', in lieu of the required 30'.
_____, front/side/rear (circle one) setback variance to reduce the setback to _____, in lieu of the required _____,
_____, front/side/rear (circle one) setback variance to reduce the setback to _____, in lieu of the required _____.
2. A decision of the Zoning Official which the applicant believes to be contrary to the meaning of the Zoning Ordinance.
3. An application to establish a use which must be approved by the Board of Zoning Adjustment (See Section _____).
4. A request for extension of non-conforming use (See Section _____).
5. Sign Code Variance (See Section _____).
6. Other - Explain (See Section _____).

IV. ZONING

Vestavia Hills Zoning for the subject property is R-2.

V. HARDSHIP

Describe those things which you feel justify the action requested. List, when necessary, the specific sections of the City Code(s) which have a bearing on your request. (Use additional space on separate page if necessary).

The property located at 2068 Lakewood Drive has a hardship by means of being a corner lot that does not conform with the typical lot setbacks for R-2 zoning (50' Front, 30' Rear, and two 15' Sides). The lot has two front setbacks (50' and 30'), one side setback (15') and one rear setback (30'). With both a rear setback of 30' and a front setback of 50', the buildable area on the property is reduced. The owner is requesting that the rear setback opposite Lakewood Drive be reduced from a 30' setback to a rear setback of 15'.

VI. OWNER AFFIDAVIT:

BZA0419-08//2800311006008.000
2068 Lakewood Drive
Rear Setback for an addition
Kevin & Marie Gammill

*BZA Application
Revised May 5, 2016
Page 5*

I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing. I, also, understand that I am asking for a variance based on the Zoning Code only and not on any or all covenants that are on the subject property.

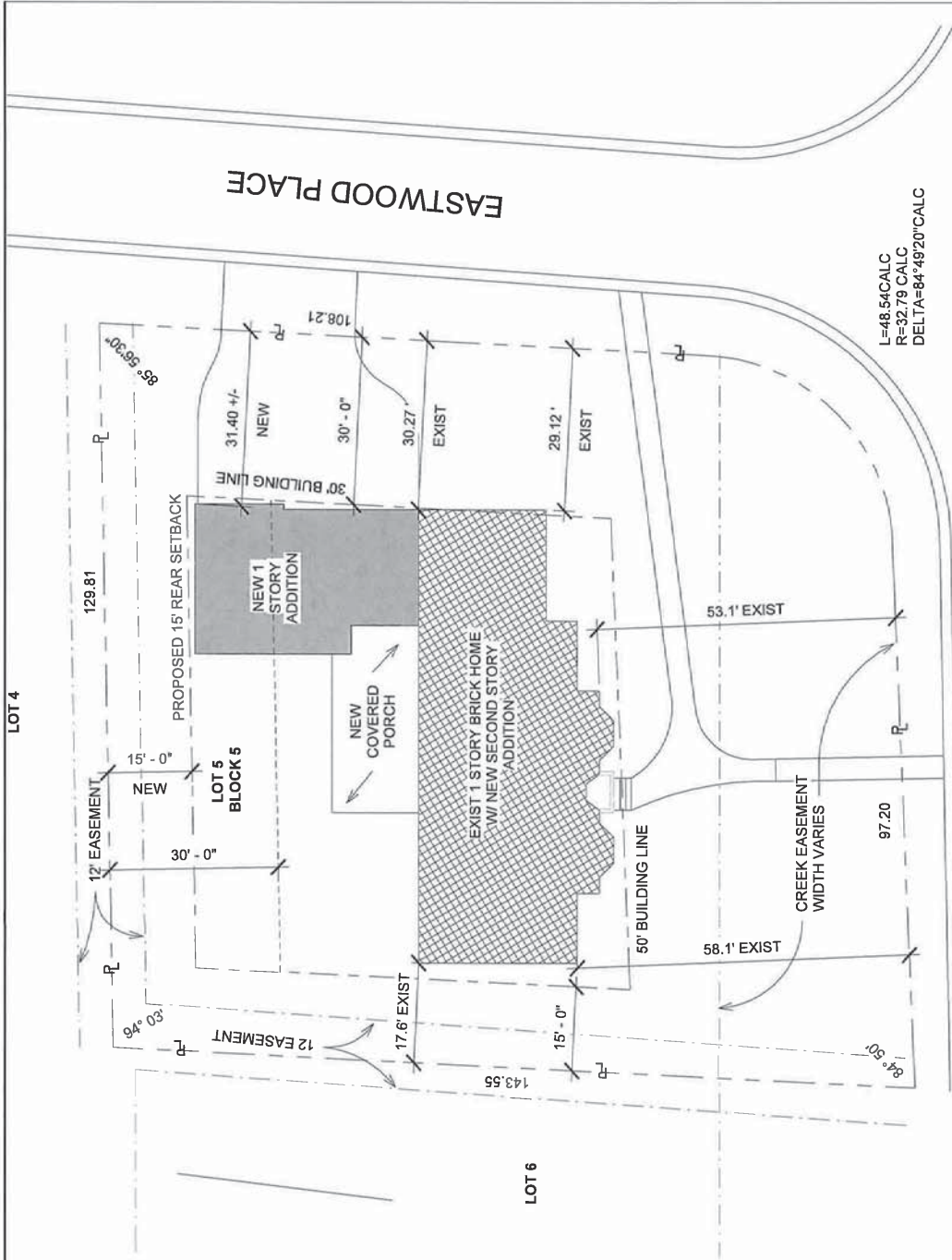


Owner Signature/Date *3/19/19* _____
Representing Agent (if any)/date

Given under my hand and seal
this 19 day of MARCH, 2019.



Notary Public
My commission expires 02
day of JULY, 2021.



L=48.54CALC
R=32.79 CALC
DELTA=84°49'20\"/>

ARCHITECTURAL SITE
SURVEY
1" = 20'-0"



LAKWOOD DRIVE

GAMMILL HOUSE - VARIANCE SUBMITTAL

BARRETT ARCHITECTURE STUDIO

03/18/2019

PROJECT NO. 18-061

A1

THIS DRAWING IS THE PROPERTY OF BARRETT ARCHITECTURE STUDIO, LLC AND IS NOT TO BE REPRODUCED, COPIED OR ALTERED IN WHOLE OR IN PART OR USED FOR ANY PURPOSE WITHOUT THE APPROVAL OF BARRETT ARCHITECTURE STUDIO, LLC AND IS TO BE RETURNED UPON REQUEST.

CITY OF VESTAVIA HILLS
SYNOPSIS AND STAFF RECOMMENDATION CONCERNING
APPLICATION BEFORE THE BOARD OF ZONING ADJUSTMENT

Date: APRIL 18, 2019

- **CASE:** BZA-0419-09
- **REQUESTED ACTION:** 15.5' front setback variance to reduce the setback to 34.5' in lieu of the required 50'; a 25' rear setback variance to reduce the setback to 5' in lieu of the required 30'; a 10' side setback variance to reduce the setback to 5' in lieu of the required 15'; a 24.93' variance to reduce lot width to 75.07' in lieu of the required 100'; and a 5,190 square foot variance to reduce the lot area to 9,810 square feet in the lieu of the required 15,000 square feet
- **ADDRESS/LOCATION:** 2032 Chestnut Rd.
- **APPLICANT/OWNER:** Brett Hollett
- **GENERAL DISCUSSION:** Applicant is seeking variances to bring lot and existing home and additions into compliance. Applicant contends the shape of lot and septic system causes a hardship. The applicant's property is zoned Vestavia Hills R-3.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** This request is consistent with the Comprehensive Plan for residential.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** No problems noted.
 2. **City Engineer Review:** No problems noted.
 3. **City Fire Marshal Review:** No problems noted.
 4. **Building Safety Review:** No problems noted.

CITY OF VESTAVIA HILLS BOARD OF ZONING ADJUSTMENT APPLICATION

The owner of the property understands that variances are granted based on the zoning code. Variances are not granted on any kind of covenants. Covenants are between property owners.

EXAMPLE: If you are asking for a variance from a building setback line and the building setback line is recorded on the plat and matches the Zoning Code, then the Board of Zoning Adjustment would only hear the case based on the Zoning Code requirements, not what is on the recorded plat. The recorded plat is a covenant between property owners of the subdivision. You must have signatures of every property owner on the recorded plat map to change the covenant portion of the setback. The letter of signatures approving the amendment of the covenants must be filed with the Office of the Probate Court. Again, we can only give a variance based on the Zoning Code and that is the only portion of the building setback changes that the Board of Zoning Adjustment will vote on. Once filed with the Office of the Probate, please bring a copy of the recorded amendment to the Office of the City Clerk and we will place it in the file.

I. APPLICANT INFORMATION:

Owner of Property (This Section Must Be Completed)

Name: Brett Hollett

Address: 2032 Chestnut Road

Vestavia 35216

Phone #: 205.482.2490 Other #: _____

E-Mail: bhollette@rplegal.com

Representing Attorney/Other Agent

Name: Drake Homes - Andrew Lange

Address: 2700 19th Place S. Suite 200

Homewood, AL 35209

Phone #: 637.3646 Other #: 337.0036

E-Mail: Andrew@drakehomes.net

2019 MAR 19 PM 2:29

II. DESCRIPTION OF PROPERTY:

LOCATION: 2032 Chestnut Road
Street Address

Biltmore Estates
Subdivision name, Lot #, Block #, etc.

III. REASONS FOR REQUEST (PLEASE FILL IN APPLICABLE STATEMENTS):

1. A request to vary:
 - 24.93' variance to reduce the lot width to 75.07' in lieu of the required 100.0'.
 - 5190 square foot variance to reduce the lot area to 9,810 square feet in lieu of the required 15,000 square feet.
 - 15.5' front side/rear (circle one) setback variance to reduce the setback to 34.5' in lieu of the required 50'.
 - 25' front/side rear (circle one) setback variance to reduce the setback to 5' in lieu of the required 30'.
 - 10' front/side/rear (circle one) setback variance to reduce the setback to 5' in lieu of the required 15'.
2. A decision of the Zoning Official which the applicant believes to be contrary to the meaning of the Zoning Ordinance.
3. An application to establish a use which must be approved by the Board of Zoning Adjustment (See Section _____).
4. A request for extension of non-conforming use (See Section _____).
5. Sign Code Variance (See Section _____).
6. Other - Explain (See Section _____).

IV. ZONING

Vestavia Hills Zoning for the subject property is R-3.

V. HARDSHIP

Describe those things which you feel justify the action requested. List, when necessary, the specific sections of the City Code(s) which have a bearing on your request. (Use additional space on separate page if necessary).

Majority of variances requested are due to pre-existing conditions of lot & existing home. Septic field lines are located in front of house not allowing for ample off street parking. Thus garage is moved to rear allowing for drive & parking.


VI. OWNER AFFIDAVIT:

2032 Chestnut Rd.

Variances for a new garage

Brett Hollett

I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing. I, also, understand that I am asking for a variance based on the Zoning Code only and not on any or all covenants that are on the subject property.



Owner Signature/Date



Representing Agent (if any)/date

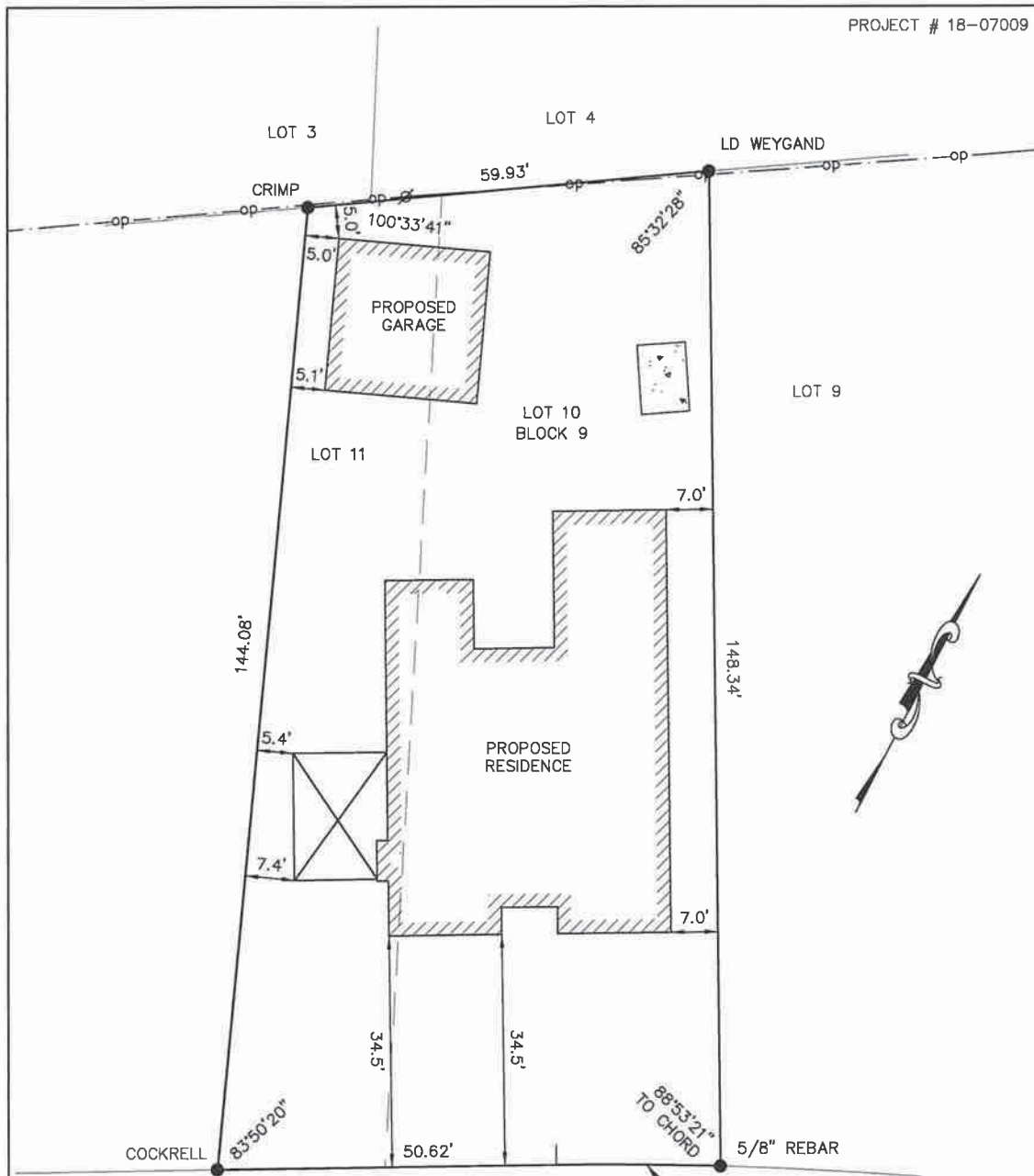
Given under my hand and seal
this 19 day of March, 2019.



Notary Public

My commission expires 31
day of July, 2021.





CHESTNUT ROAD

40' ROW

A=24.46'
R=599.18'
Δ=02°20'19"
C=24.45'

PLOT PLAN
LOT 10 & THE EAST 1/2 OF LOT 11, BLOCK 9
BILTMORE ESTATES
(MB 17 PG 59)

SCALE: 1" = 40'
DATE: 03-26-19

PREPARED FOR:
DRAKE HOMES



South Central Surveying, LLC
RESIDENTIAL & COMMERCIAL LAND SURVEYING

160 SUNSET TRAIL
ALABASTER, ALABAMA 35007
PHONE 205-220-1003

- | | | | | | | | | | |
|-----|------------------|---|--------------------|--------|---------------|--------|--------------------------|-------|----------------|
| —○— | WOOD FENCE | ▣ | CONCRETE | U.T.S. | UNABLE TO SET | M.B.L. | MINIMUM BUILDING LINE | ASPH. | ASPHALT |
| —●— | CHAIN LINK FENCE | ▣ | COVERED PORCH/DECK | (R) | RECORDED | ○ | GAPPED REBAR SET | —○— | OVERHEAD POWER |
| | | ⊗ | | (M) | MEASURED | ● | IRON FOUND (DESCRIPTION) | ⊗ | POWER POLE |