

**CITY OF VESTAVIA HILLS
BOARD OF ZONING ADJUSTMENT
AGENDA
MARCH 19, 2020
6:00 P.M.**

Roll Call.

Approval of Minutes: January 16, 2020.

- (1) **BZA-0320-03** John Michael & Myra Price Grund are requesting a **Front Setback Variance** for the property located at **2013 Vesthaven Way**. The purpose of this request is to reduce the front setback to 34' in lieu of the required 50' to build an addition to the current home. The property is owned John Michael & Myra Price Grund and is zoned Vestavia Hills R-2.

- (2) **BZA-0320-04** Anna Reynolds is requesting a **Front Setback Variance** for the property located at **4117 North Cahaba Drive**. The purpose of this request is to reduce the front setback to 22' in lieu of the required 40' to build a new home. The property is owned by Anna Reynolds and is zoned Vestavia Hills R-4.

- (3) **BZA-0320-05** Frank and Susanne Rowell are requesting a **Side Setback Variance** for the property located at **416 Longview Drive**. The purpose of this request is to reduce the side setback to 5' in lieu of the required 15' to build an addition to the current home. The property is owned by Frank and Susanne Rowell and is zoned Vestavia Hills R-2.

Time of Adjournment.

CITY OF VESTAVIA HILLS
BOARD OF ZONING ADJUSTMENT
MINUTES

January 16, 2020

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
Jim Griffo
George Ponder
Tony Renta, Alt
Robert Gower

MEMBERS ABSENT: Donald Holley Alt

OTHER OFFICIALS PRESENT: Jack Wakefield, Planner/GIS

APPROVAL OF MINUTES

The minutes of December 19, 2019 were presented for approval.

MOTION Motion to dispense with the reading of the minutes of December 19, 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. Jones – yes
Mr. Ponder – yes	Mr. Rice – abstain
Mr. Renta – yes	Mr. Gower – yes

Motion carried.

VARIANCE FOR LOCATION OF A FENCE

BZA-1219-30

Cooper Smith is requesting a **Variance for the Location of a Fence** for the property located at **1200 Vestavia Place**. The purpose of this request is to build a fence in the front setback to allow for privacy. The property is owned Cooper Smith and is zoned Vestavia Hills R-9.

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

Cooper Smith stated that he had the property staked out, at the request of the Board, and that Christopher Brady noted there would not be any sight distance issues.

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 variance for the location of a fence, for the property located at 1200 Vestavia Place, was made by Mr. Jones and 2nd was by Mr. Ponder (with the stipulation that the applicant follow all comments outlined by Christopher Brady. Motion was carried on a roll call vote as follows:

Mr. Griffo - yes	Mr. Jones – yes
Mr. Ponder – yes	Mr. Rice – yes
Mr. Renta – yes	Mr. Gower – yes

Motion carried.

SIDE & REAR SETBACK VARIANCE

BZA-0120-01 Kathryn O' Quinn is requesting a **Side & Rear Setback Variance** for the property located at **4224 White Oak Drive**. The purpose of this request is to reduce the rear setback to 10' in lieu of the required 15' & to reduce the side setback to 2' in lieu of the required 10'. The reason for this request is to build a detached garage. The property is owned by Kathryn O'Quinn and is zoned Vestavia Hills R-4.

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

Kathryn O'Quinn stated that they wanted to add a three-car garage and that the undersized lot caused a hardship.

Mrs. O'Quinn also state that the previous drive-way has already been moved to allow for access to the garage.

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 5' rear setback variance to reduce the setback to 10' in lieu of the required 15' & a 8' side setback variance to reduce the setback to 2' in lieu of the required 10', for the property located at 4224 White Oak Drive, was made by Mr. Jones and 2nd was by Mr. Gower. Motion was carried on a roll call vote as follows:

Mr. Griffo - yes	Mr. Jones – yes
Mr. Ponder – yes	Mr. Rice – yes
Mr. Renta – yes	Mr. Gower – yes

Motion carried.

REAR SETBACK VARIANCE

BZA-0120-02 Jeanne Clayton is requesting a **Rear Setback Variance** for the property located at **3028 La Haven Circle**. The purpose of this request is to reduce the setback to 15' in lieu of the required 25', to build a playroom. The property is owned by Jeanne Clayton and is zoned Vestavia Hills R-4.

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

James Clayton stated that they wanted to add a playroom addition to the current home and that the odd shaped lot and the creek on the property caused a hardship.

Mr. Jones asked if this request would divert the natural flow of water.

Mr. Clayton stated it would not and that the addition would be 30' from the creek.

A question was asked about the roof line and Mr. Clayton responded that it would be the same pitch as the current roof line.

Mr. Rice opened the floor for a public hearing.

Jeremey Carter, 4028 Meadowview Circle, & Ron Davidson, 4020 Meadowlawn Drive, had questions about the development and requested to see the drawings submitted.

Both property owners viewed the site plan and discussed it with the applicant. After the discussion, both were satisfied

There being no one else in the public that wanted to speak, Mr. Rice closed the public hearing and opened the floor for a motion.

MOTION Motion to approve a 10' rear setback variance to reduce the setback to 15' in lieu of the required 25' for the property located at 3028 La Haven Circle, 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. Jones – yes
Mr. Ponder – yes	Mr. Rice – yes
Mr. Renta – yes	Mr. Gower – yes

Motion carried.

At 6:26 PM, Mr. Rice made a motion to adjourn. The meeting adjourned at 6:26 PM.

A handwritten signature in blue ink, appearing to read "J. Wakefield". The signature is written in a cursive style with a large initial "J" and "W".

Jack Wakefield,
Planner/GIS

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

Date: **MARCH 19, 2020**

- **CASE: BZA-0320-03**
- **REQUESTED ACTION:** 16' front setback variance to reduce the setback to 34' in lieu of the required 50'.
- **ADDRESS/LOCATION:** 2013 Vesthaven Way
- **APPLICANT/OWNER:** John Michael & Myra Price Grund
- **REPRESENTING AGENT:** N/A
- **GENERAL DISCUSSION:** Applicants are seeking a front setback variance to build an addition on the side of the current home. The applicants contend there is a hardship because the lot is a corner lot. There is a 50' recorded front setback. The applicant drafted a covenants waiver, which was signed by all the required property owners, and recorded it with Jefferson County. The applicant's property is zoned Vestavia Hills R-2.
- **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.

2013 Vesthaven Way
Front Variance for a garage
John & Myra Grund

Clerk: SSTEPHENS

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: John Michael & Myra Price Grund

Address: 2013 Vesthaven Way
Vestavia, AL 35216

Phone #: 205-637-6822 Other #: 205-602-7229

E-Mail: mikemyrag@aol.com

Representing Attorney/Other Agent
Name: _____

Address: _____

Phone #: _____ Other #: _____

E-Mail: _____

2020 FEB 18 AM 11:38

II. DESCRIPTION OF PROPERTY:

LOCATION: 2013 Vesthaven Way Vestavia, AL
Street Address

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.
 - 16 ' front/side/rear (circle one) setback variance to reduce the setback to 34 ' in lieu of the required 50 '.
 - _____ ' 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 _____.

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).

My property is a corner lot and my house is at an angle which limits my use of property, currently my existing garage is very tight for one car. The new design would allow for two car garage with some storage space. We are both over 67 years old and this will improve property both in value and being safer for entry.

VI. OWNER AFFIDAVIT:

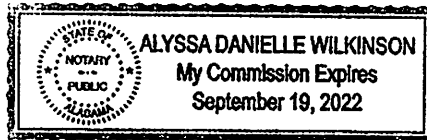
I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing. I, also, understand that I am asking for a variance based on the Zoning Code only and not on any or all covenants that are on the subject property.

John Michael Grund
Myra Grace Grund
Owner Signature/Date

Representing Agent (if any)/date

Given under my hand and seal
this 18th day of February 2020.

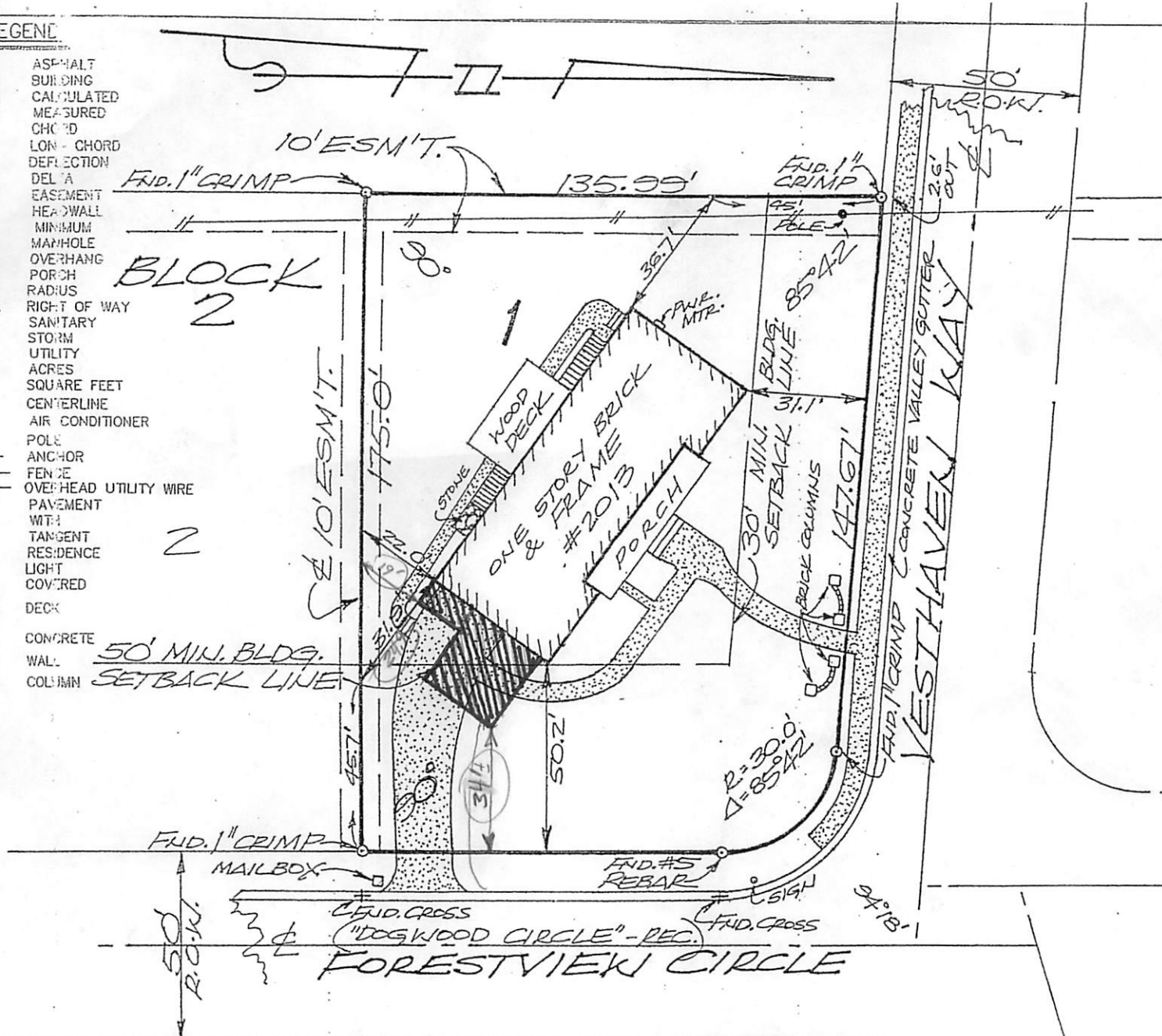
Alyssa Danielle Wilkinson
Notary Public
My commission expires Sep 19
day of September, 2020.



Z-0320-03//2800304005007.000
2013 Vesthaven Way
Front Variance for a garage
John & Myra Grund

LEGEND

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



SCALE: 1" = 40'

STATE OF ALABAMA)
JEFFERSON COUNTY)

"Closing Survey"

I, Laurence D. Weygand, a registered Engineer-Land Surveyor, or Ray Weygand, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot 1, Block 2, MAP OF VESTHAVEN - FIRST SECTOR, as recorded in Map Volume 45, Page 38, in the Office of the Judge of Probate, Jefferson County, Alabama; that there are no rights-of-way, easements or joint driveways over or across said land visible on the surface except as shown; that there are no electric or telephone wires (excluding wires which serve the premises only) or structures or supports therefor, including poles, anchors and guy wires, (visible on the surface) on or over said premises except as shown; that there are no encroachments on said lot except as shown; and that improvements are located as shown above. That I have consulted the Federal Insurance Administration "Flood Hazard Boundary Map" and found that this property is not located in "a special flood hazard area"; 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 13, 2012. Survey invalid if not sealed in red.

Order No.: 53460
Purchaser: GRUND
Address: 2013 VESTHAVEN WAY
Flood Zone "X" Map Number: 0107300558H

Laurence D. Weygand
Laurence D. Weygand, Reg. PE-LS #10373
Ray Weygand, Reg. LS #24973
169 Oxmoor Road Homewood, AL 35209
Phone: (205) 942-0086 Fax: (205) 942-0087



Note: (a) No title search of the public records has been performed by this firm and land shown hereon was not abstracted for easements and/or rights-of-way, recorded or unrecorded. The parcel shown hereon is subject to setbacks, easements, zoning, and restrictions that may be found in the public records of said county and/or city. (b) All bearings and/or angles, are deed/record map and actual unless otherwise noted. (c) Underground portions of foundations, footings, and/or other underground structures, utilities, cemeteries or burial sites were not located unless otherwise noted. We do not look for underground sewers or flip manhole covers. (d) The shown north arrow is based on deed/record map. (e) This survey is not transferable and is only good for 6 years and only good to the person/co. that pays for it at time of survey. (f) Easements not shown on record map are not shown above.

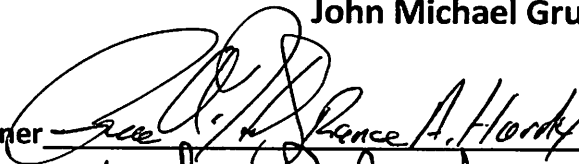
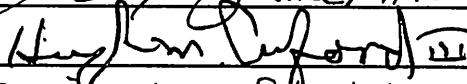

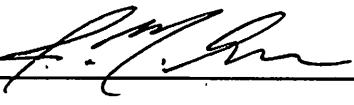
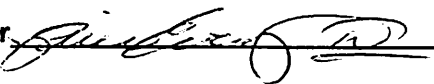
2013 Vesthaven Way
Front Variance for a garage
John & Myra Grund

STATE OF ALABAMA
JEFFERSON COUNTY

NULLIFICATION OF RESTRICTION

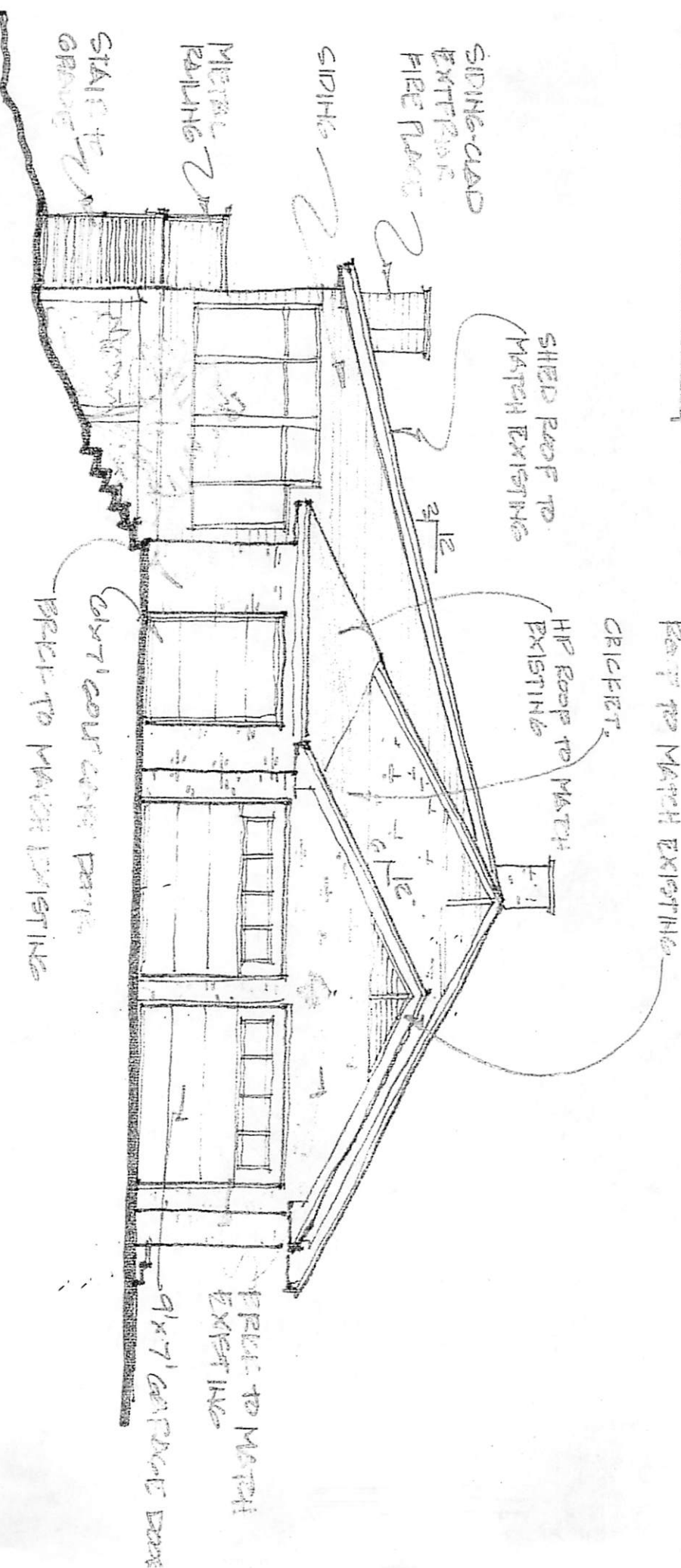
The undersigned majority of the owners of lots in the survey recorded as:
MAP OF VESTHAVEN – FIRST SECTOR, MAP VOLUME 45, PAGE 38 agree to
Offer LOT #1, Block 2 relief from the side building setback of 50 feet due to
Hardships.

John Michael Grund Lot #1 Block 2

Owner	<u></u>	Lot no.	<u>6</u>	Date:	<u>2/3/2020</u>
Owner	<u></u>	Lot no.	<u>4</u>	Date:	<u>2/3/2020</u>
Owner	<u>Michelle S. Schmittke</u>	Lot no.	<u>5</u>	Date:	<u>2/3/2020</u>
Owner	<u>Taylor Triantos</u>	Lot no.	<u>2</u>	Date:	<u>2/3/2020</u>
Owner	<u></u>	Lot no.	<u>3</u>	Date:	<u>2/3/2020</u>
Owner	<u>Kaye Carlisle</u>	Lot no.	<u>87</u>	Date:	<u>2/3/2020</u>
Owner	<u>John Michael Grund</u>	Lot no.	<u>1</u>	Date:	<u>2/16/20</u>
Owner	_____	Lot no.	_____	Date:	_____
Owner	<u></u>	Lot no.	<u>8</u>	Date:	<u>2-3-2020</u>
Owner	_____	Lot no.	_____	Date:	_____
Owner	<u></u>	Lot no.	<u>8</u>	Date:	<u>2/3/2020</u>
Owner	_____	Lot no.	_____	Date:	_____

21E
 RAILING FOR DESIGN
 HEIGHT ONLY

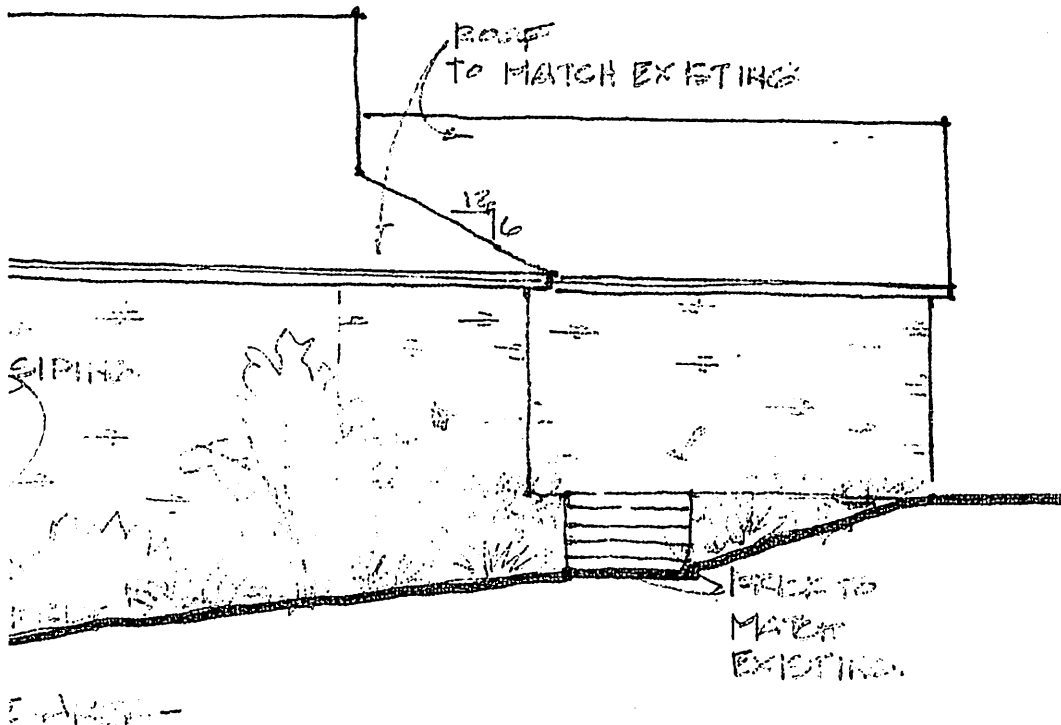
TRACTOR TO VERIFY &
 PROVIDE ALL CIVIL, ELECTRIC,
 AIRING, MECHANICAL &
 STRUCTURAL PLUMB
 EXCLUDED FOR PREPARE,
 THE CONTRACTOR &
 SNEET PUBLICATION.



SCHEMATIC SIDE ELEVATION - REVISED

Z-0320-03/2800304005007.000
 2013 Vesthaven Way
 Front Variance for a garage
 John & Myra Grund

Z-0320-03//2800304005007.000
2013 Vesthaven Way
Front Variance for a garage
John & Myra Grund



ALONSO DESIGN

Residential Design Services

2013 Vesthaven Way

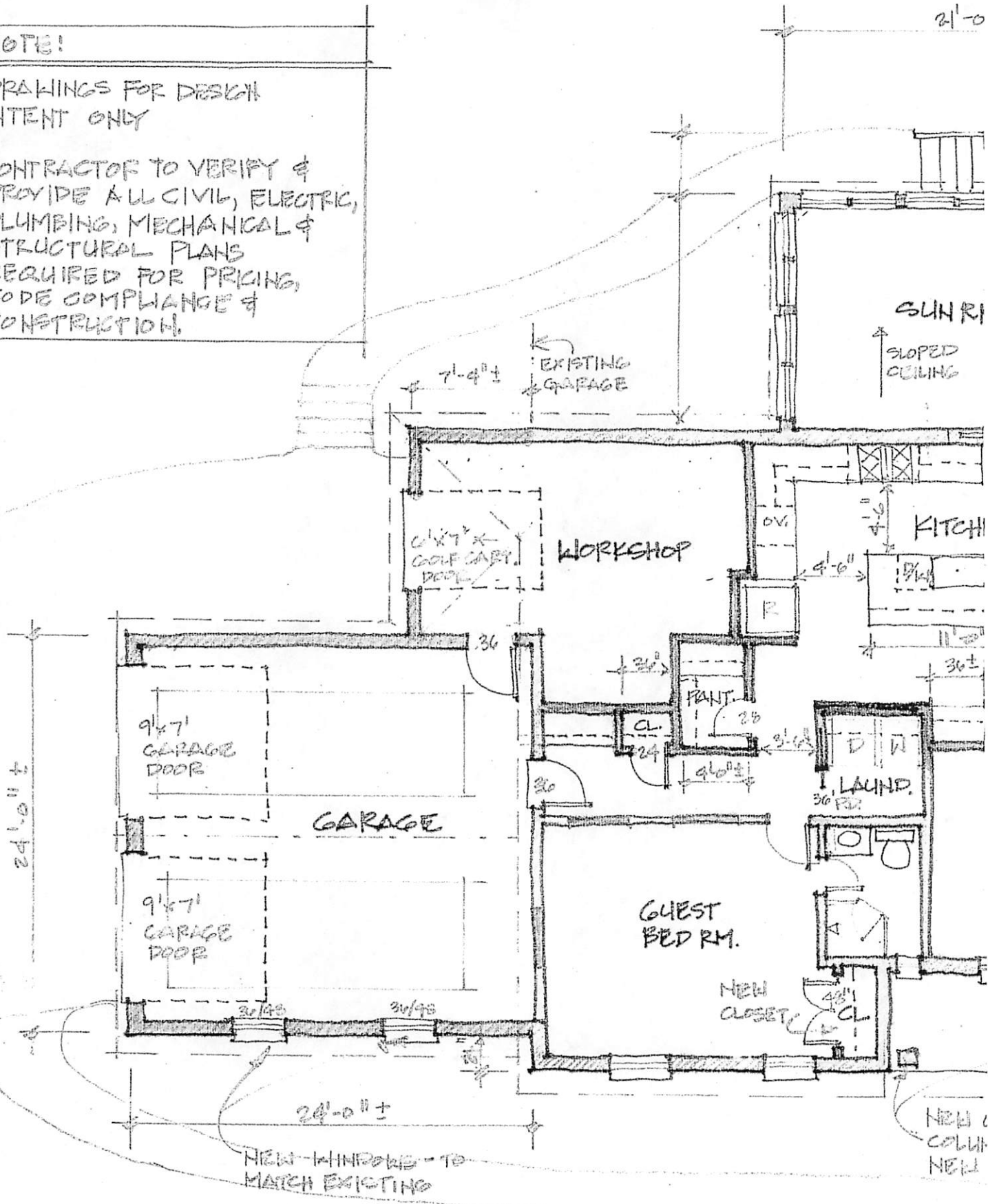
Birmingham, Alabama 35216

NOTE!

DRAWINGS FOR DESIGN INTENT ONLY

CONTRACTOR TO VERIFY & PROVIDE ALL CIVIL, ELECTRIC, PLUMBING, MECHANICAL & STRUCTURAL PLANS REQUIRED FOR PRICING, CODE COMPLIANCE & CONSTRUCTION.

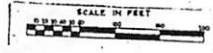
21' 0"



SCHEMATIC PARTIAL FLOOR PLAN - C - REV. 1
SCALE: 1/8" = 1'-0"

**MAP OF
VESTHAVEN - FIRST SECTOR**
Located in NW 1/4 of SE 1/4 Section 30, Township 18 South, Range 2 West
Jefferson County, Alabama

Scale: 1" = 40' Feet
Shepard and Wilkerson, Engineers
April 1936



STATE OF ALABAMA
JEFFERSON COUNTY

I, E. M. Shepard, Civil Engineer and Surveyor, and Emmett M. Cloud and M. B. Stinger, as President and Secretary, respectively, of Overland Development Incorporated, a corporation, do hereby certify that the foregoing map is a true and correct map or plat of Vesthaven, showing the number and dimensions of lots to be set back together with the width of each Street, Avenue, Road, and other Public Way, and showing the reason of the land as platted in the government survey of NW 1/4 of SE 1/4, Section 30, Township 18 South, Range 2 West of the "Meridian" Township 18 South, Jefferson County, Alabama. A 3/4" iron pipe has been set at each corner of all lots.

In Witness whereof we have hereunto set our hand this 19 day of April 1936.

E. M. Shepard
Civil Engineer and Surveyor, Cert. No. 421

Emmett M. Cloud
President

Robert C. Case
Secretary

STATE OF ALABAMA
JEFFERSON COUNTY

I, Emmett M. Cloud, a "Notary Public" in and for said County and State, hereby certify that E. M. Shepard whose name as civil engineer and surveyor, and Emmett M. Cloud and M. B. Stinger whose names as President and Secretary, respectively, of Overland Development Incorporated, a corporation, are signed to the foregoing plat and who are known to me and acknowledged before me on the day that they were informed of the contents of said certificate, they execute the same voluntarily and with full authority on the day the same were made.

Given under my hand and seal this 19 day of April 1936.

Emmett M. Cloud
Notary Public

Overland Development Incorporated

Robert C. Case
Secretary

James H. Wilson
President

Henry J. Holliman
TOWN ENGINEER

The H. N. DONAHOO CONTRACTING CO., INC. hereby joins in the execution of this survey as mortgagee.

H. N. DONAHOO CONTRACTING CO., INC.
H. N. Donahoo
Secretary

STATE OF ALABAMA
JEFFERSON COUNTY

I, W. L. Brantley, Notary Public in and for said County and State, hereby certify that E. M. Shepard, Emmett M. Cloud, M. B. Stinger, Robert C. Case, James H. Wilson, Henry J. Holliman, and H. N. Donahoo are the persons whose names are signed to the foregoing plat and who are known to me and acknowledged before me on the day that they were informed of the contents of said certificate, they execute the same voluntarily and with full authority on the day the same were made.

Given under my hand and seal this 19 day of May 1936.

W. L. Brantley
Notary Public

STATE OF ALABAMA
JEFFERSON COUNTY

I, W. L. Brantley, Notary Public in and for said County and State, hereby certify that E. M. Shepard, Emmett M. Cloud, M. B. Stinger, Robert C. Case, James H. Wilson, Henry J. Holliman, and H. N. Donahoo are the persons whose names are signed to the foregoing plat and who are known to me and acknowledged before me on the day that they were informed of the contents of said certificate, they execute the same voluntarily and with full authority on the day the same were made.

Given under my hand and seal this 19 day of May 1936.

W. L. Brantley
Notary Public

STATE OF ALABAMA
JEFFERSON COUNTY

I, W. L. Brantley, Notary Public in and for said County and State, hereby certify that E. M. Shepard, Emmett M. Cloud, M. B. Stinger, Robert C. Case, James H. Wilson, Henry J. Holliman, and H. N. Donahoo are the persons whose names are signed to the foregoing plat and who are known to me and acknowledged before me on the day that they were informed of the contents of said certificate, they execute the same voluntarily and with full authority on the day the same were made.

Given under my hand and seal this 19 day of May 1936.

W. L. Brantley
Notary Public

Note: All Easements Are Shown Thus

SE Corner of NW 1/4 of SE 1/4 Section 30, Township 18 South, Range 2 West

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

Date: **MARCH 19, 2020**

- **CASE: BZA-0320-04**
- **REQUESTED ACTION:** 18' front setback variance to reduce the setback to 22' in lieu of the required 40'.
- **ADDRESS/LOCATION:** 4117 North Cahaba Drive
- **APPLICANT/OWNER:** Anna Reynolds
- **REPRESENTING AGENT:** N/A
- **GENERAL DISCUSSION:** Applicants are seeking a front setback variance to build a home. The applicants contend there is a hardship because the lot is a corner lot, and that the regulations surrounding the septic tank, limits the amount of buildable space. The current house on the property is already non-conforming and this new home would be pushed a couple feet further back from Ridgley Road. The new house will abide by the side setback regulation. The applicant's property is zoned Vestavia Hills R-4.
- **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 HILL BOARD OF ZONING ADJUSTMENT APPLICATION

The owner of the property understands that the Board of Zoning Adjustment only has jurisdiction to grant variances from the Vestavia Hills Zoning Code in cases of undue hardship only. Variances cannot be considered or granted on any kind of private covenants as covenants are restrictions 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, the BZA can only grant a variance based on the Zoning Code and that is the only portion of the building setback changes that the BZA can vote upon. Once a waiver is filed with the Office of the Probate, please include a copy of the recorded amendment with the application to the Office of the City Clerk.

Please note: Only completed applications will be accepted by this office. The applicant is responsible for the Application Fee as well as all postage fees incurred by this request.

I. APPLICANT INFORMATION:

Owner of Property (This Section Must Be Completed)Name: Anna L. ReynoldsAddress: 710 Barristers Court
Birmingham AL 35292Phone #: (205) 401-1518 Other #: (205) 229-7562E-Mail: ANNA.REYNOLDS@MAC.COM**Billing/Responsible Party**Name: Same as above

Address: _____

Phone #: _____ Other #: _____

E-Mail: _____

FEB 18 AM 11:16

Representing Attorney/Other Agent

Name: _____

Address: _____

Phone #: _____ Other #: _____

E-Mail: _____

**This section must be completed in order for a representative to represent the owner.*

II. DESCRIPTION OF SUBJECT PROPERTY:

LOCATION: 4117 North Cahaba Drive
Street Address

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.
 _____ front/side/rear (circle one) setback variance to reduce the setback to
22.5' in lieu of the required 40'.
 _____' 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. Variance for location of a fence.
6. Sign Code Variance (See Section _____).
7. Other - Explain (See Section _____).

IV. ZONING

Vestavia Hills Zoning for the subject property is _____.

V. HARDSHIP

Describe those things which you feel justify the action requested. An Undue Hardship is required in order to seek a variance. 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).

See attached

VI. PROJECT:

Describe the scope of the project and/or the reason for requesting this variance.

Building new home at 4117 North Cahaba Drive. Requesting a variance to allow new home to accept septic tank and field lines.

VII. 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. ***Note, this application must be signed by the owner of the property before a notary. The original application shall be submitted, no copies shall be accepted***

 2/18/2020
Owner Signature/Date

Representing Agent (if any)/date

Given under my hand and seal
this 18th day of FEBRUARY, 20 20.


Notary Public

My commission expires 1st
day of JUNE, 20 21.



My Commission Expires:
June 1, 2021

The septic system must be situated in such a manner that it limits the area in which the house can be built. Due to the amount of field line space needed for the septic system and required secondary disposal area required by Jefferson county, along with the land which has already been used for the pre-existing system, in addition with the current setback regulations, we are limited to an area in which the house can be built. Additionally, the topography is such that it shifts the house to the area we need to build.

The current existing structure has non conforming conditions. The house sits 21' 0" off Ridgely Drive and the set back is 40'. We will be improving compliance at 22.5'. The existing structure is 16' from side property line and we will be within compliance at 10'.

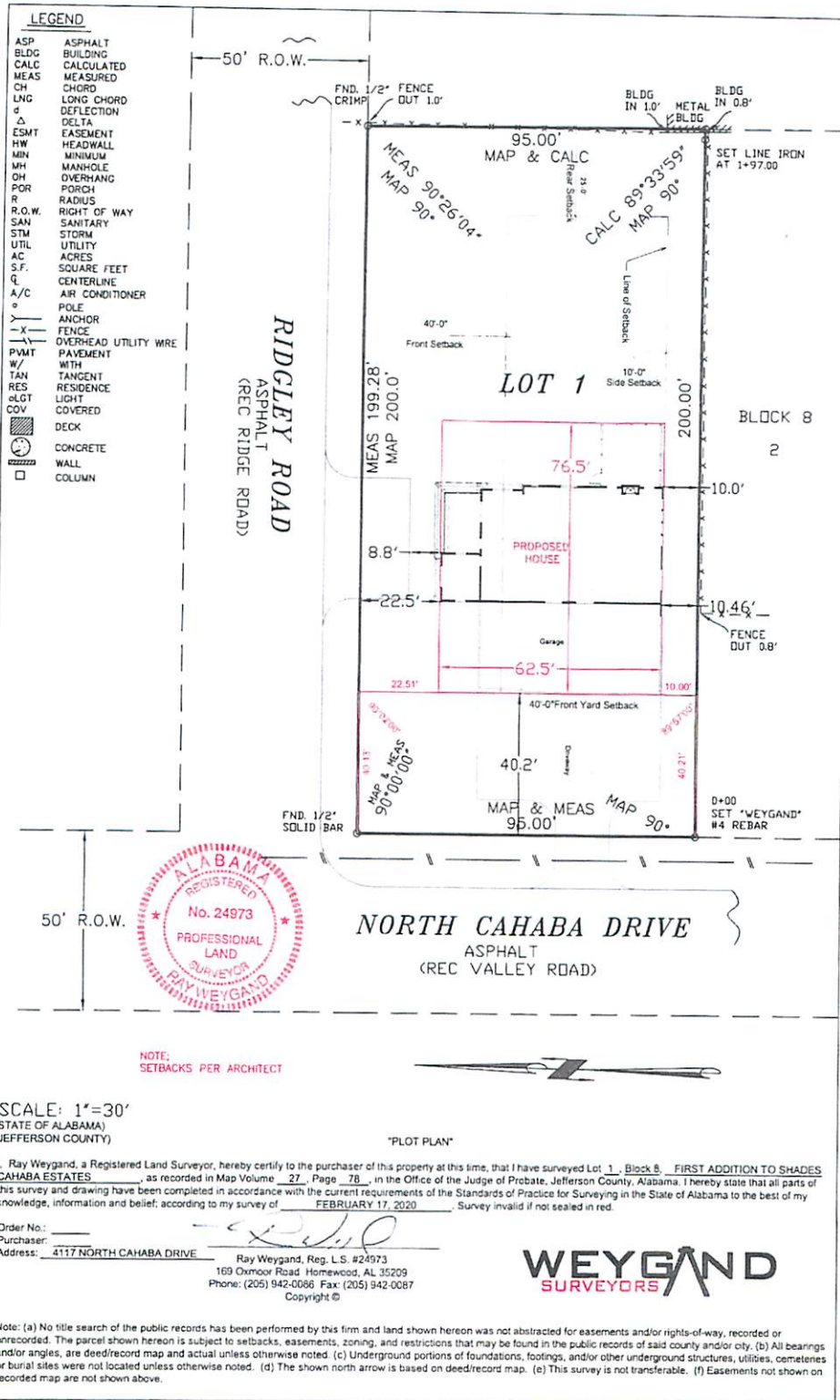
Our property is zoned R-4 with the following setbacks:

Front – 40'
Rear – 25'
Side 10'

Our property is a corner lot with two road frontages, we are penalized for having two front facing elevations with no additional buildable space.

We are not making anything existing worse, only improving.

Z-0320-04//2800232009010.000
4117 North Cahaba Drive
Front Variance for a new home
Anna Reynolds R4



LEGEND

- SP ASPHALT
- DG BUILDING
- LC CALCULATED
- AS MEASURED
- I CHORD
- G LONG CHORD
- DEFLECTION
- DELTA
- MT EASEMENT
- / HEADWALL
- N MINIMUM
- I MANHOLE
- I OVERHANG
- R PORCH
- RADIUS
- D.W. RIGHT OF WAY
- N SANITARY
- M STORM
- IL UTILITY
- ACRES
- SQUARE FEET
- CENTERLINE
- /C AIR CONDITIONER
- POLE
- ANCHOR
- X FENCE
- X- OVERHEAD UTILITY WIRE
- MT PAVEMENT
- / WITH
- N TANGENT
- ES RESIDENCE
- .GT LIGHT
- IV COVERED
- DECK
- CONCRETE
- WALL
- COLUMN

RIDGLEY ROAD
 ASPHALT
 (REC RIDGE ROAD)

FND. 1/2' CRIMP

FENCE OUT 1.0'

BLDG IN 1.0'

BLDG IN 0.8'

METAL BLDG

95.00'
MAP & CALC

MEAS 90°26'04"
MAP 90°

CALC 89°33'59"
MAP 90°

SET LINE IRON AT 1+97.00

LOT 1

BLOCK 8
2

MEAS 199.28'
MAP 200.0'

200.00'

FND. 1/2' SOLID BAR

MAP & MEAS 90°00'00"
34.3'

MAP & MEAS 95.00'

MEAS 33.9'
MAP 89°59'55"
MAP 90°

0+00 SET 'WEYGAND' #4 REBAR

1 STORY FRAME RESIDENCE #4117

50' R.O.W.

NORTH CAHABA DRIVE

ASPHALT
(REC VALLEY ROAD)



Weygand



SCALE: 1"=30'

Z-0320-04//2800232009010.000
4117 North Cahaba Drive
Front Variance for a new home
Anna Reynolds R4



SD-7
Elevation A
1-30-20

architectural cooperative

Virgilio-Reynolds Residence

Z-0320-04//2800232009010.000
4117 North Cahaba Drive
Front Variance for a new home
Anna Reynolds R4



architectural cooperative

Virigillo-Reynolds Residence

SD-6
Exterior Rendering
1-30-20

Z-0320-04/2800232009010.000
4117 North Cahaba Drive
Front Variance for a new home
Anna Reynolds R4



SD-8
Elevation B
1-30-20

architectural **cooperative**

Viriglio-Reynolds Residence

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

Date: **MARCH 19, 2020**

- **CASE: BZA-0320-05**
- **REQUESTED ACTION:** 10' side setback variance to reduce the setback to 5' in lieu of the required 15'.
- **ADDRESS/LOCATION:** 416 Longview Drive
- **APPLICANT/OWNER:** Frank and Susanne Powell
- **REPRESENTING AGENT:** James Laughlin
- **GENERAL DISCUSSION:** Applicants are seeking a side setback variance to build an addition to the current home. The applicant contends there is a hardship because the lot is oddly shaped. The lot becomes narrower the further back you go, limiting the amount of buildable space. Currently this house sits on two lots. Through the advice of Rebecca Leavings, if approved, this case shall be contingent on re-platting Lot 6 and the far edge of Lot 7 into one lot. The applicants and their representing agent have agreed to this and are currently drafting that new plat for submittal in an upcoming Planning & Zoning Commission meeting. The applicant's property is zoned Vestavia Hills R-2.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** Contingent on submitting an updated plat with Planning & Zoning Commission.
 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 the Board of Zoning Adjustment only has jurisdiction to grant variances from the Vestavia Hills Zoning Code in cases of undue hardship only. Variances cannot be considered or granted on any kind of private covenants as covenants are restrictions 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, the BZA can only grant a variance based on the Zoning Code and that is the only portion of the building setback changes that the BZA can vote upon. Once a waiver is filed with the Office of the Probate, please include a copy of the recorded amendment with the application to the Office of the City Clerk.

Please note: Only completed applications will be accepted by this office. The applicant is responsible for the Application Fee as well as all postage fees incurred by this request.

I. APPLICANT INFORMATION:

Owner of Property (This Section Must Be Completed)

Name: FRANK AND SUSANNE ROWELL

Address: 416 LONGVIEW DRIVE
VESTAVIA HILLS, AL 35216

Phone #: (205) 542-1274 Other #: _____

E-Mail: FRANK.T.ROWELL@GMAIL.COM

Billing/Responsible Party

Name: N/A

Address: _____

Phone #: _____ Other #: _____

E-Mail: _____

2020 FEB 18 AM 11:50

416 Longview Drive
Side Variance for renovations &
addition
Frank & Susanne Rowell

Representing Attorney/Other Agent

Name: JAMES LAUGHUN (ARCHITECT)
Address: 4337 LORANE SOUTH
BIRMINGHAM, AL 35222
Phone #: (205) 807-7314 Other #: _____
E-Mail: JIMMY@JAMESBLAUGHUN.COM

**This section must be completed in order for a representative to represent the owner.*

II. DESCRIPTION OF SUBJECT PROPERTY:

LOCATION: 416 LONGVIEW DRIVE VESTAVIA 35216
Street Address
BALTIMORE ESTATES, G-A (ALL 6, PART 7), Block 16
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 5' in lieu of the required 15'.
 _____' 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. Variance for location of a fence.
6. Sign Code Variance (See Section _____).
7. 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. An Undue Hardship is required in order to seek a variance. 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).

ODD LOT SHAPE — THE SIDE PROPERTY LINE IS CANTED AND 'PIES' TO THE REAR. THE IRREGULAR SHAPE MAKES THE SETBACK THAT MUCH MORE RESTRICTING; ADDITIONALLY, THE LOCATION OF THE SEPTIC SYSTEM RESTRICTS THE OPTION OF ADDING TO THE FRONT OF THE LOT.

VI. PROJECT:

Describe the scope of the project and/or the reason for requesting this variance.

THE PROJECT INVOLVES RENOVATIONS AND ADDITIONS TO AN EXISTING RESIDENCE.

THE CANTED SIDE LINE PROHIBITS THE PROPOSED SINGLE STORY ADDITION TO THE REAR.


VII. OWNER AFFIDAVIT:

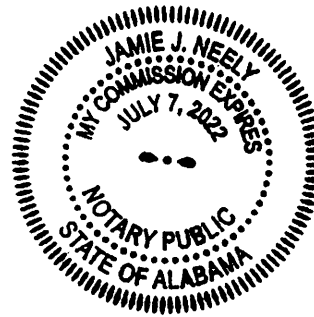
I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing. I, also, understand that I am asking for a variance based on the Zoning Code only and not on any or all covenants that are on the subject property. **Note, this application must be signed by the owner of the property before a notary. The original application shall be submitted, no copies shall be accepted**


Owner Signature/Date

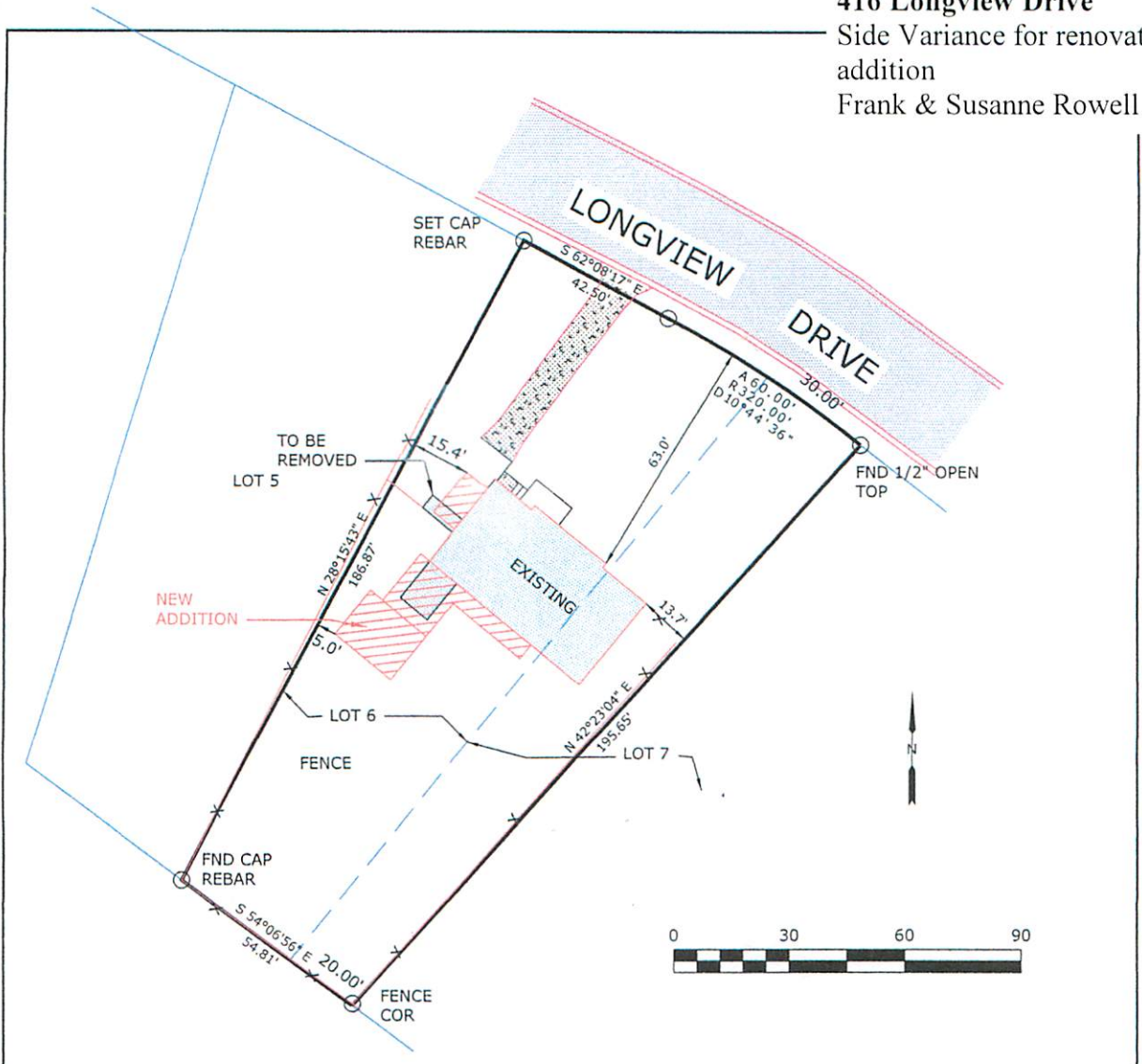
Representing Agent (if any)/date

Given under my hand and seal
this _____ day of _____, 20____.


Notary Public
My commission expires 7-7-22
day of 17th Feb, 2020.



416 Longview Drive
Side Variance for renovations &
addition
Frank & Susanne Rowell



STATE OF ALABAMA
JEFFERSON COUNTY

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.

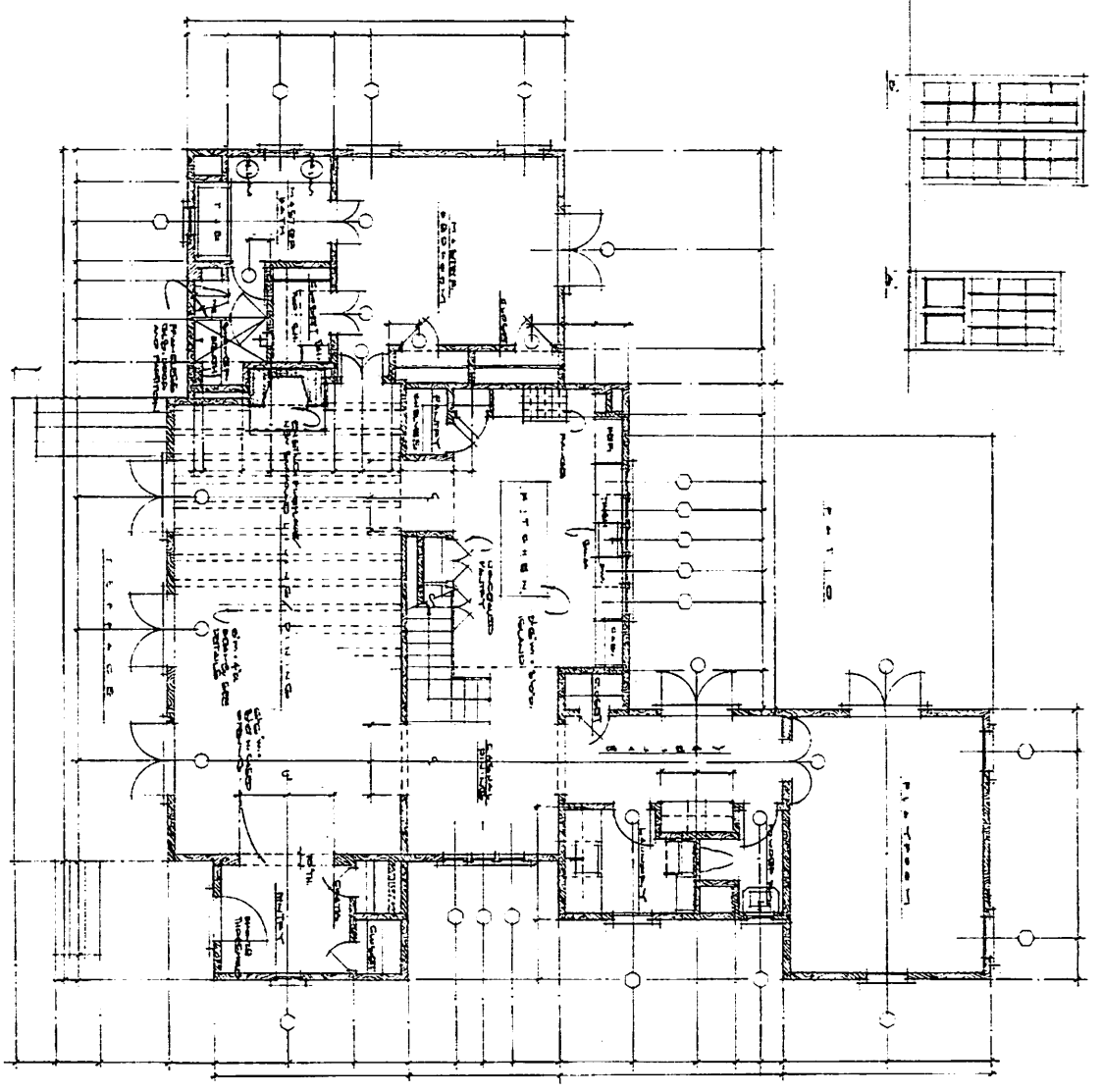
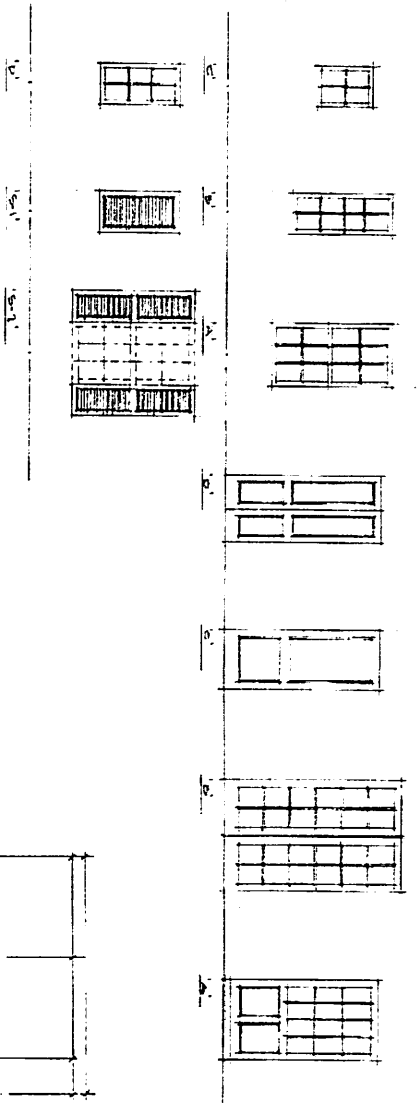
S.M. Allen 2-16-2020
 S. M. ALLEN PLS NO 12944 DATED



DESCRIPTION

All of Lot 6, in Block 16, according to the Survey of Biltmore Estates, a map of which is recorded in Map Book 17, Pages 59 and 60, in the Probate Office of Jefferson County, Alabama, and a part of Lot 7, in said Block 16, in said survey, which part of Lot 7 is more particularly described as follows: Beginning at the most Northerly corner of said Lot 7 at a point where the Southeasterly line of said Lot 6 and the Northwesterly line of Lot 7 intersect at Longview Drive; thence Southeasterly along Longview Drive 30 feet; thence Southeasterly in a straight line to the Westerly or rear line of said Lot 7 to a point 20 feet Southeasterly from the most Westerly corner of said Lot 7; thence 20 feet to said Westerly corner of said Lot 7; thence Northeasterly along the Northerly line of said Lot 7, to the Point of Beginning.

DRAWN BY: SMA	REVISIONS	PROJECT PLOT PLAN	ALLSURV, LLC S.M. ALLEN, PLS 12944 9378 HIGHWAY 119 SUITE B ALABASTER, AL 35007 205.663-4251
DATE: 2-16-2020		DATE OF FIELD SURVEY 7-9-19	
DWG. NO.: 15917		BEARINGS ASSUMED NORTH	
APPROVED BY: SMA		CLOSURE 1:20000	

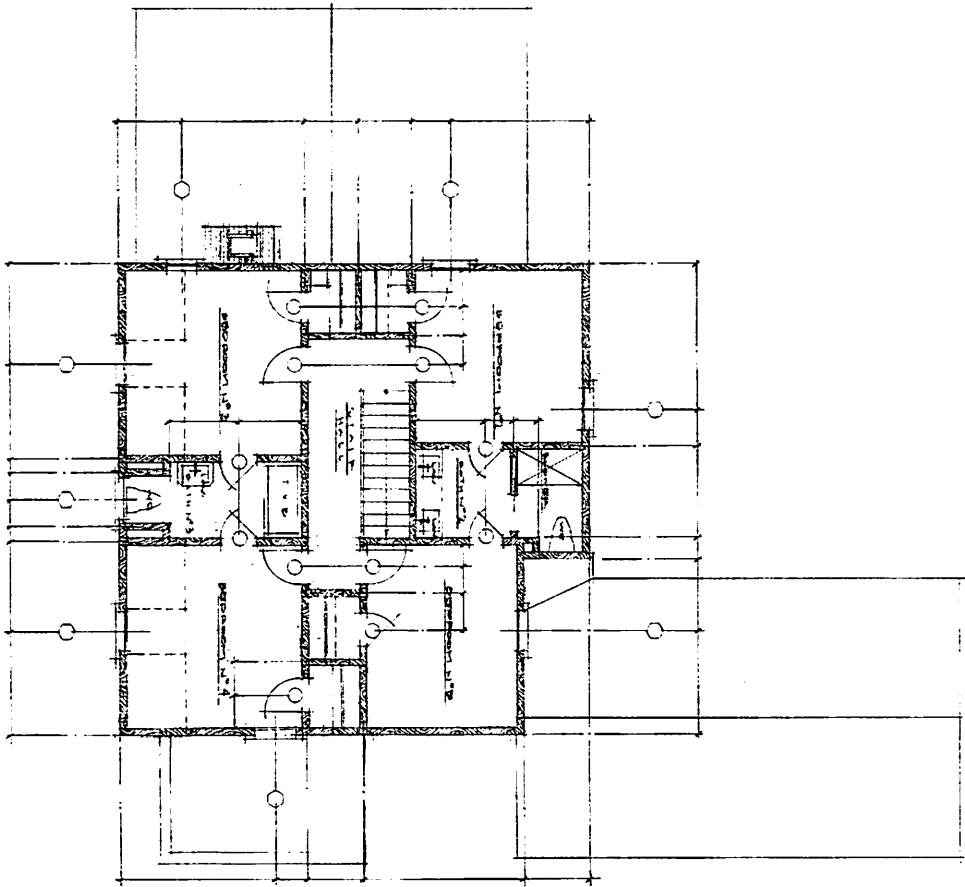


JAMES B. LAUGHLIN

APPROVED FOR
 CONSTRUCTION
 BY THE
 BOARD OF
 ARCHITECTS
 OF THE STATE OF
 MASSACHUSETTS
 ON 05/12/2019
 AT 10:00 AM
 IN THE
 CITY OF
 BOSTON

Z-0320-05//2800194012019.000
 416 Longview Drive
 Side Variance for renovations &
 addition
 Frank & Susanne Rowell

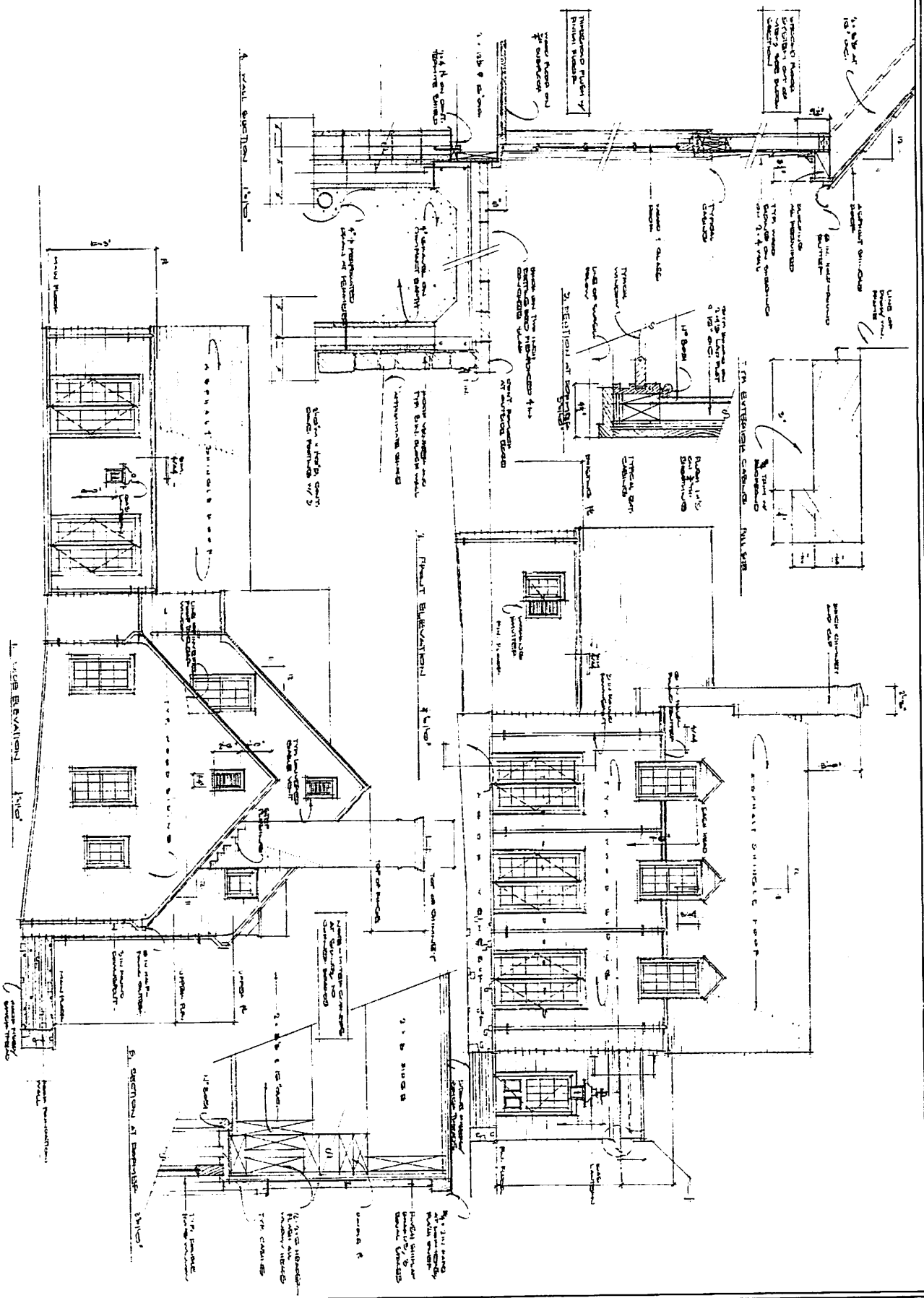
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416 Longview Drive
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addition
Frank & Susanne Rowell



JAMES B. LAUGHLIN

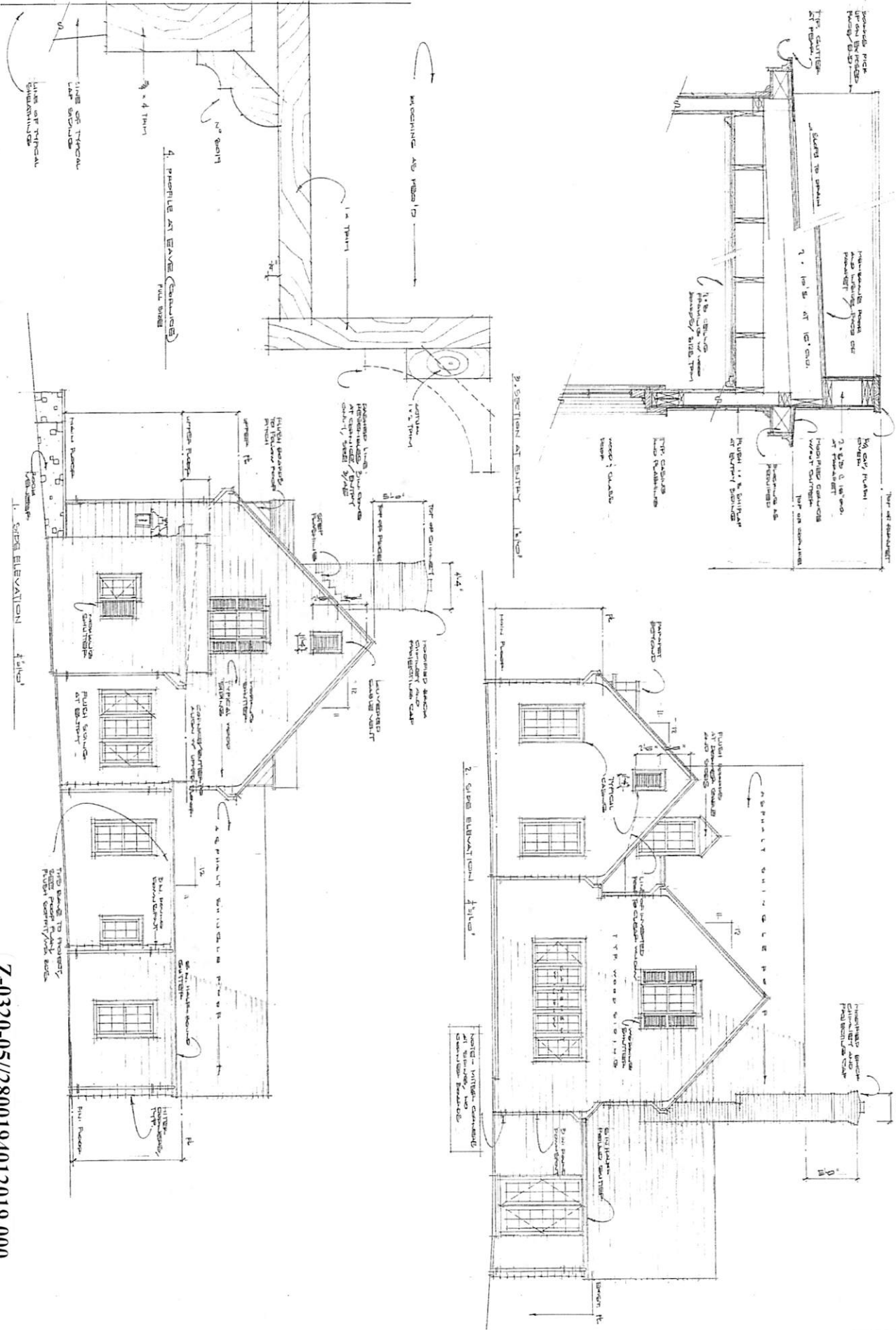
PROFESSIONAL ARCHITECT
No. 10000
State of Virginia
Professional Seal
James B. Laughlin
Architect
1987

Z-0320-05//2800194012019.000
 416 Longview Drive
 Side Variance for renovations &
 addition
 Frank & Susanne Rowell



JAMES B. LAUGHLIN

NOT TO SCALE
 ALL DIMENSIONS TO FACE UNLESS SPECIFIED OTHERWISE
 ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE 2009 IBC
 ALL MATERIALS SHALL BE APPROVED BY THE LOCAL HEALTH DEPARTMENT
 ALL ELECTRICAL SHALL BE APPROVED BY THE LOCAL ELECTRICAL BOARD
 ALL MECHANICAL SHALL BE APPROVED BY THE LOCAL MECHANICAL BOARD
 ALL PLUMBING SHALL BE APPROVED BY THE LOCAL PLUMBING BOARD
 ALL PAINT SHALL BE APPROVED BY THE LOCAL HEALTH DEPARTMENT
 ALL FINISHES SHALL BE APPROVED BY THE LOCAL HEALTH DEPARTMENT



Z-0320-05/2800194012019.000
 416 Longview Drive
 Side Variance for renovations &
 addition
 Frank & Susanne Rowell

JAMES B. LAUGHLIN

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