

CITY OF VESTAVIA HILLS
BOARD OF ZONING ADJUSTMENT

AGENDA

DECEMBER 17, 2020

6:00 P.M.

Roll Call.

Approval of Minutes: November 19, 2020.

- (1) **BZA-1220-34** Jonathan Watts is requesting a **Rear and Side Setback Variance** for the property located at **3433 Southampton Circle**. The purpose of this request is to reduce the rear setback to 10' in lieu of the approved 30' & to reduce the side setback to 10' in lieu of the required 15', to build multiple additions. The property is owned by Jonathan Watts and is zoned Vestavia Hills R-2.
- (2) **BZA-1220-35** Terry and Carolyn Hill are requesting a **Side Setback Variance** for the property located at **609 Tremont Drive**. The purpose of this request is to reduce the side setback to 4' in lieu of the required 20', to build a sun room addition in the back of the unit. The property is owned by the Board of Superannuate Homes – North American Conference – United Methodist Church and is zoned Vestavia Hills R-5.
- (3) **BZA-1220-36** Virginia Davis is requesting a **Variance for the Location of a Fence in the Front Setback** for the property located at **3101 Canterbury Place**. The purpose of this request is to install a 6' wooden privacy fence in the front setback. The property is owned by Virginia Davis and is zoned Vestavia Hills R-6.

Time of Adjournment.

CITY OF VESTAVIA HILLS
BOARD OF ZONING ADJUSTMENT
MINUTES

November 19, 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
Robert Gower
Stephen Greer, Alt
Donald Holley
Loring Jones, III
Thomas Parchman, Alt
Tony Renta

MEMBERS ABSENT:

OTHER OFFICIALS PRESENT: Jack Wakefield, Planner/GIS

APPROVAL OF MINUTES

The minutes of October 15, 2020 were presented for approval.

Mr. Jones requested that City Planner, Jack Wakefield, include a short message in the October minutes, to thank George Ponder and Jim Griffo. Both spent years serving the City as Board of Zoning Adjustment members. The City of Vestavia Hills and the Board of Zoning Adjustment, would like to thank these two for their time and commitment over the years. They will be greatly missed and we wish them both the best.

MOTION Motion to dispense with the reading of the minutes of October 15, 2020 was made by Mr. Jones and 2nd was by Mr. Gower. Motion as carried on a voice vote as follows:

Mr. Gower - yes	Mr. Jones – yes
Mr. Greer – yes	Mr. Parchman – yes
Mr. Holley – yes	Mr. Renta – yes
Mr. Jones – yes	Chairman Rice – yes
Motion carried	

REAR SETBACK VARIANCE

BZA-1120-33

ME Gilmore Properties LLC is requesting a Rear Setback Variance for the property located at 4209 Dolly Ridge Road. The purpose of this request is to reduce the rear setback to 10’ in lieu of the approved 30’, to be able to accommodate enough parking per B-3 requirements. The property is owned by ME Gilmore Properties LLC and is zoned Vestavia Hills B-3.

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.

Emily Gilmore was present for the case and stated this will be the site of a physical therapy clinic and they wanted to bring the existing building up to code, but have ran into problems and hardships. She also stated that safe parking is the key and that they prefer to push the building back to allow for a flatter parking surface.

Mr. Jones asked Ms. Gilmore to state her hardship as topography of the lot and odd shaped lot.

Ms. Gilmore repeated that topography of the lot and the odd shaped lot caused a hardship.

Mr. Gower asked if the topography in the rear would cause foundation issues.

Wade Lowry, 120 Bishops Cir, from EDG answered the question, stating it won’t cause foundation 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 20’ rear setback variance to reduce the setback to 10’ in lieu of the required 30’ for the property located at 4209 Dolly Ridge Rd, was made by Mr. Jones and 2nd was by Mr. Renta. Motion was carried on a roll call vote as follows:

- | | |
|------------------|---------------------|
| Mr. Gower - yes | Mr. Jones – yes |
| Mr. Greer – yes | Mr. Parchman – yes |
| Mr. Holley – yes | Mr. Renta – yes |
| Mr. Jones – yes | Chairman Rice – yes |
| Motion carried | |

At 6:13 PM, Mr. Rice made a motion to adjourn. The meeting adjourned at 6:37 PM.

Jack Wakefield,
Planner/GIS

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

Date: December 17, 2020

- **CASE: BZA-1220-34**
- **REQUESTED ACTION:** 20' rear setback variance to reduce the setback to 10' in lieu of the required 30' & 5' side setback variance to reduce the setback to 10' in lieu of the required 15'.
- **ADDRESS/LOCATION:** 3433 Southampton Circle
- **APPLICANT/OWNER:** Jonathan Watts
- **REPRESENTING AGENT:** Tommy Coggin
- **GENERAL DISCUSSION:** Applicant is seeking rear and side setback variances to build a home addition and carport. The applicant contends the pie-shaped lot causes a hardship. The applicant previously requested the addition to be closer to the rear property line. Upon staff review, it was noticed that the addition also encroached into the easement. We advised them to revise the original request. After site plan reconfiguration, the new proposal will not encroach in the rear easement. Staff also noticed that the current structure already encroaches into the side setback. This side of the house has no addition and the second request will bring the entire structure into compliance. 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.

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: Jonathan Watts
Address: 3433 Southampton Circle
Vestavia Hills, AL 35243
Phone #: 205-965-1875 Other #: _____
E-Mail: Jwatts@selind.com

Billing/Responsible Party

Name: (same)
Address: _____
Phone #: _____ Other #: **Z1220-34//2800294003010.000**
E-Mail: _____ **3433 Southampton Circle**
Rear Setback for carport
Jonathan Watts R2

Representing Attorney/Other Agent

Name: TOMMY COGGIN - Pres. Harris Coggin Bldg Co.
Address: 2029 Kentucky Ave
Vestavia Hills, AL
Phone #: 205-368-1671 Other #: _____
E-Mail: TCoggin@harrisCoggin.com

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

II. DESCRIPTION OF SUBJECT PROPERTY:

LOCATION: 3433 Southampton Circle
lot 6 Block 4 ^{Street Address} Coventry 1st + 2nd 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.
JKW 24ft front/side/rear (circle one) setback variance to reduce the setback to 6ft in lieu of the required 30ft .
20 ' front/side/rear (circle one) setback variance to reduce the setback to 10 ' in lieu of the required 30 ' .
5 ' front/side/rear (circle one) setback variance to reduce the setback to 10 ' 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. Variance for location of a fence.
6. Sign Code Variance (See Section _____).
7. Other - Explain (See Section _____).

Z1220-34//2800294003010.000
3433 Southampton Circle
Rear Setback for carport
Jonathan Watts R2

IV. ZONING

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

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).

The hardship in this case is based on the lot shape and width at the location of the house along with the position of the current home. Currently the house is slightly tilted closer to the property line in the left rear corner where the driveway is located. This along with the lot shape is

VI. PROJECT:

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

This house currently does not have a carport/garage. We would like to add a carport/screen porch/sleeping porch. Due to the carport extending over the rear setback we are requesting this variance.

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***

Jonathan Watts

Owner Signature/Date

[Signature]

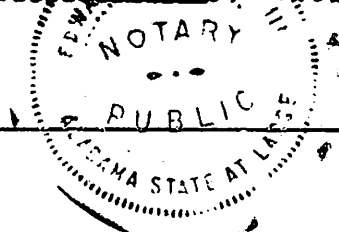
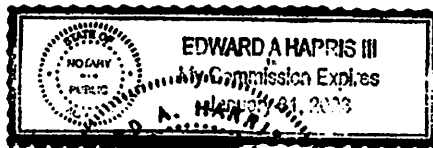
Representing Agent (if any)/date

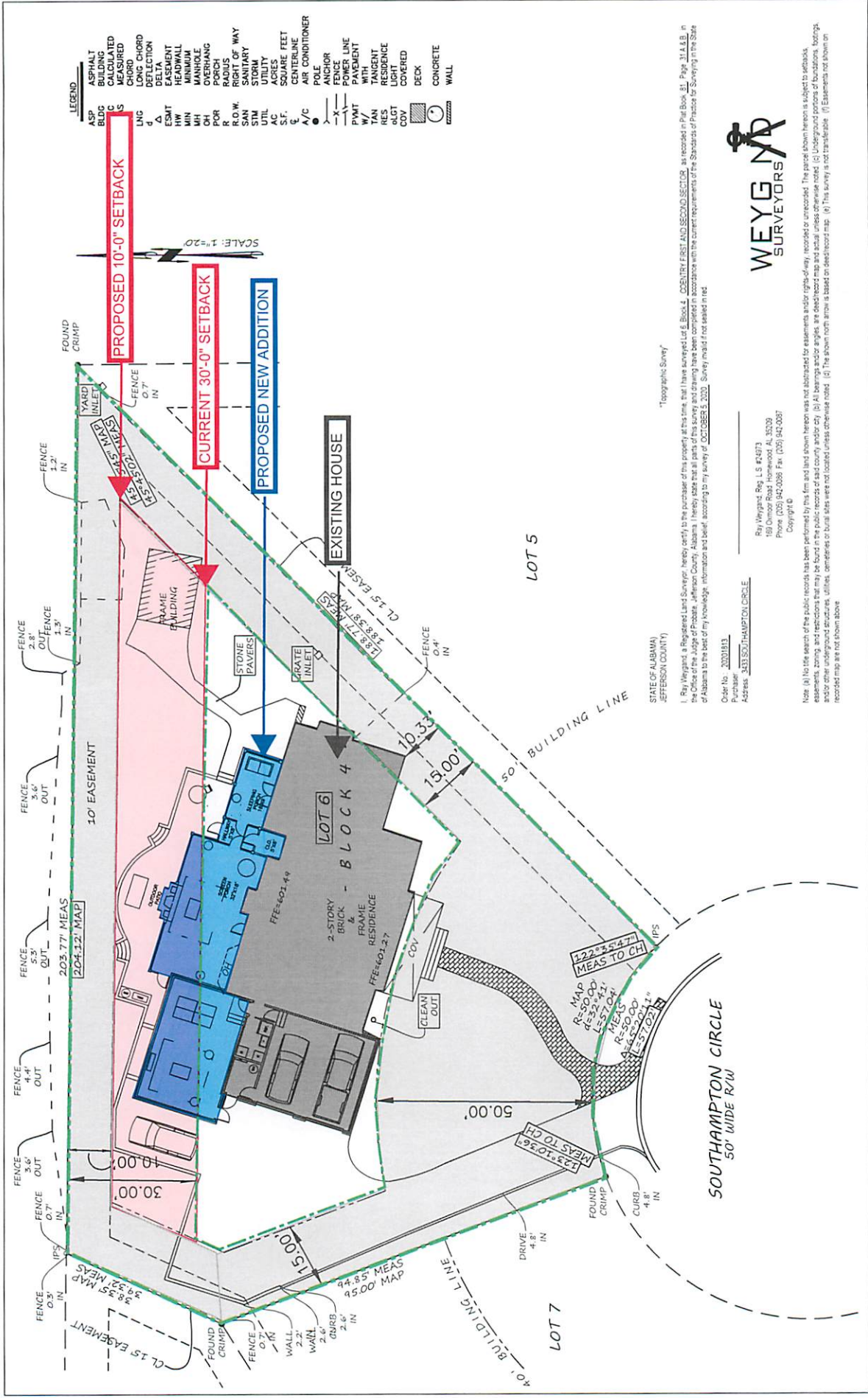
Given under my hand and seal
this 19th day of October, 2020.

[Signature]

Notary Public

My commission expires _____
day of _____, 20____.





LEGEND

ASP	ASPHALT
BLDG	BUILDING
CLS	CALCULATED
MS	MEASURED
CHORD	CHORD
DEF	DEFLECTION
Δ	DELTA
ESMT	EASEMENT
HW	HEADWALL
HW	HEADWALL
MH	MANHOLE
OVH	OVERHANG
POR	PORCH
R	RADIUS
RT	RIGHT OF WAY
ST	STREET
STR	STORM
UTL	UTILITY
AC	ACRES
S.F.	SQUARE FEET
CL	CENTERLINE
A/C	AIR CONDITIONER
●	PAVEMENT
○	POLE
—X—	FENCE
—P—	POWER LINE
—W—	W/PAVEMENT
—R—	RESIDENT
—RES	RESIDENCE
—LGT	LIGHT
—CDV	COVERED
▨	DECK
○	CONCRETE
▩	WALL

SCALE: 1"=20'

Topographic Survey

STATE OF ALABAMA
JEFFERSON COUNTY

I, RAY WEGGARD, a Registered Land Surveyor, hereby certify that I have surveyed Lot 6, Block 4, COBENTREE FIRST AND SECOND SECTORS, as recorded in Plat Book 31, Page 31 A & B, 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 OCTOBER 5, 2020. Survey should be filed as recorded.

Order No. 20201813
Purchaser: _____
Address: 3433 SOUTHAMPTON CIRCLE

Ray Weggard, Reg. L.S. #14973
191 Onmor Road, Homewood, AL 35209
Phone: (205) 942-0089 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 abstracted 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) All bearings and angles are as shown on the 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.

Z1220-34//2800294003010.000
3433 Southampton Circle
Rear Setback for carport R2
Jonathan Watts

§5.3. R-2 Medium Density Residential District

This district is intended to accommodate detached, single-family dwellings on moderately-sized lots together with other uses, as may be permitted on appeal, which are compatible with such residential uses.

5.3.1. Use Regulations: See Table 5 (at the end of this Article) for Permitted Uses, Special Exception Uses, and Conditional Uses.

1. Only low intensity institutional uses shall be permitted and only by Special Exception per §12.3 or as Conditional Uses per §13.3, as indicated in Table 5.

5.3.2. Area and Dimensional Regulations. The area and dimensional regulations set forth following and in Table 5.3 shall be observed (See also Article 4 General Regulations):

1. Only one main structure and its accessory buildings may be built on any lot of record, which, at the time of enactment of this Ordinance, is separately owned.
2. On no lot separately owned shall the aggregate width of required side yards be such that less than twenty-four (24) feet of the width of the lot be left to build upon after side yard requirements are observed.

5.3.3. Development Standards.

1. For accessory structures, see §4.4.
2. For parking requirements, see Article 8.
3. For landscaping requirements for permitted non-residential uses, see Article 9.
4. For sign regulations, see Article 11.

Table 5.3 R-2 District Area and Dimensional Regulations	
Min. Floor Area	1,600 sq. ft.
Min. Yard Setbacks	
Front	50 ft
Rear	30 ft
Side	15 ft
Min. Lot Area	15,000 sq. ft.
Min. Lot Width	100 ft
Max. Building Height	35 ft or 2 ½ stories, whichever is less
Max. Building Area	
On percent of lot	30%

J Watts

18,000

5342 / 29.66%

BZA

Z1220-34//2800294003010.000

CITY OF VESTAVIA HILLS
Department Review of Application
(To be completed by City Staff)

3433 Southampton Circle
Rear Setback for carport
Jonathan Watts R2

The following application and case file has been reviewed and the following comments have been submitted as follows:

Location: 3433 Southampton Circle Case No. BZA1220-34
Watts

Engineering: Date: 11/24/20 Initials: CB
Comments: no problems noted
 Recommended Not Recommended No Recommendation

Planning/DRB: Date: 11/24 Initials: [Signature]
Comments: N/A
 Recommended Not Recommended No Recommendation

GIS/Mapping: Date: _____ Initials: _____
Comments: _____
 Recommended Not Recommended No Recommendation

Fire Department: Date: 11/24 Initials: [Signature]
Comments: _____
 Recommended Not Recommended No Recommendation

Building Department: Date: 11/24/20 Initials: [Signature]
Comments: _____
 Recommended Not Recommended No Recommendation

City Clerk: Date: 11/24/2020 Initials: [Signature]
Comments: _____
 Recommended Not Recommended No Recommendation
OK ~~Enclosed case~~

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

Date: December 17, 2020

- **CASE: BZA-1220-35**
- **REQUESTED ACTION:** 16' side setback variance to reduce the setback to 4' in lieu of the required 20'.
- **ADDRESS/LOCATION:** 609 Tremont Drive
- **APPLICANT/OWNER:** Board of Superannuate Homes – North American Conference – United Methodist Church (Tenants: Terry & Carolyn Hill)
- **REPRESENTING AGENT:** Joe Smaha
- **GENERAL DISCUSSION:** Applicants are seeking a side setback variance to build a sun-room addition. The applicants state there is a hardship because this is an abnormal lot. This is an old development for retired priests. This was also originally in the County. Upon a compatible rezoning, the only zoning classification that this could be legitimately zoned to was R-5. Because of this R-5 zoning, the setbacks are rather large on a lot that is oddly-shaped and is very undersized. City staff and the applicants recommend that this action only affect this unit, and does not set a precedence for other units on the lot. Fire Marshall, Ryan Farrell, has no issues with the structure being inside the Fire Code 5' setback. The structure will be far enough away from the structure on the adjacent lot, alleviating any Fire issues. The organization that owns this development has signed off on the plan. The applicant's property is zoned Vestavia Hills R-5.
- **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.

TY 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: Board of Superannuate Homes - North Alabama Conference
Address: United Methodist Church
Sam Williamson - Executive Director
Phone #: _____ Other #: cell 205-965-5187
E-Mail: sam.williamson@umcna.org

Billing/Responsible Party

Name: Terry & Carolyn Hill
Address: 609 Tremont Drive
Phone #: 205-960-8227 Other #: 205-837-2379
E-Mail: chill74@ymail.com ranner7@ymail.com

Representing Attorney/Other Agent

Name: Joe Smaha (Hancock Construction)
Address: 2828 Old 280 Court Suite 200
Vestavia AL 35243
Phone #: 205-497-3284 Other #: 205-966-9011
E-Mail: j.smaha@hancockbuilt.com

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

II. DESCRIPTION OF SUBJECT PROPERTY:

LOCATION: 609 Tremont Drive - Vestavia, AL
Street Address

Subdivision name, Lot #, Block #, etc.

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

1. A request to vary:
16' variance to reduce the lot width to 16' in lieu of the required _____'.
16 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 16' in lieu of the required _____'.
16' front/side/rear (circle one) setback variance to reduce the setback to 4' in lieu of the required 20'.
_____' 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 _____).

Z1220-35//2800193014002.000
609 Tremont Drive
Side Setback for an addition
Bd. of Superannuate Homes
R5

IV. ZONING

Vestavia Hills Zoning for the subject property is R-5.

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 letter

VI. PROJECT:

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

This property was originally zoned in Jefferson County and was annexed by Vestavia. The variance requirements have changed, however our understanding property needs special appraisal.

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***

Sam Williams 11/16/20
Owner Signature/Date

Representing Agent (if any)/date

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

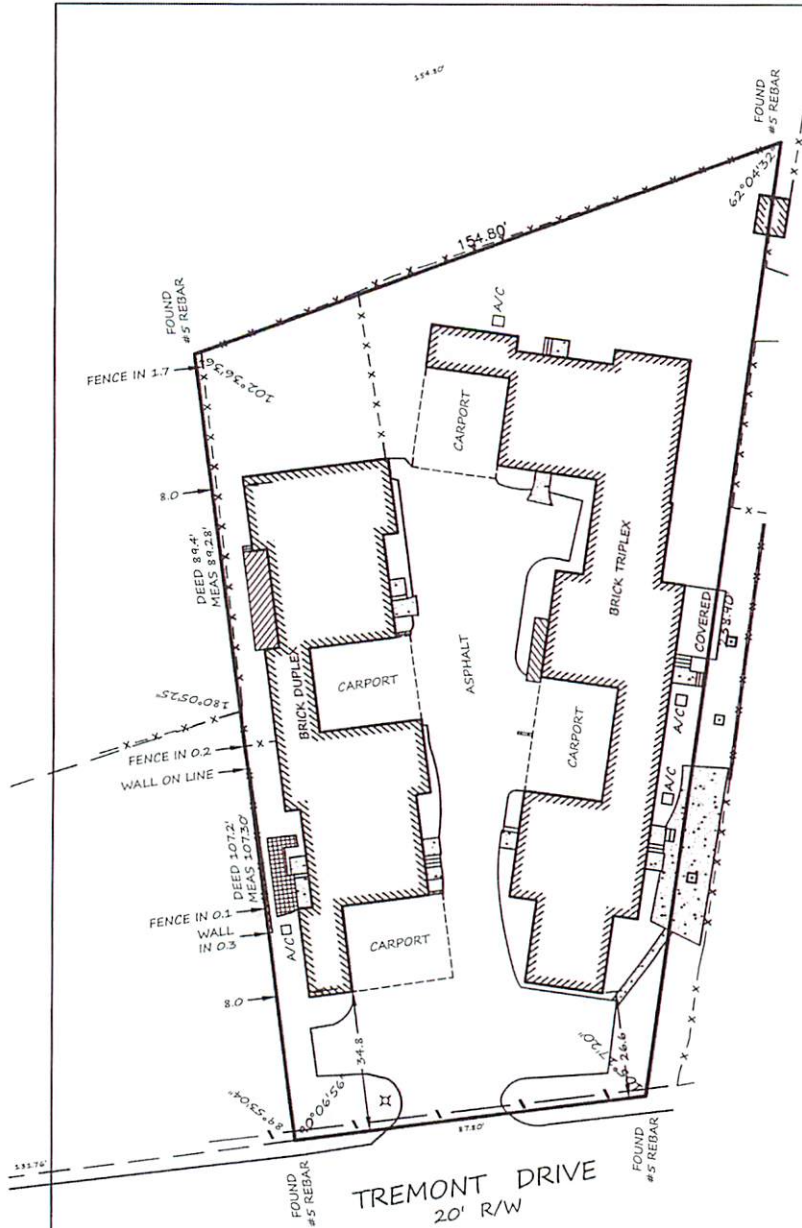
[Signature]
Notary Public

My commission expires 30
day of October, 2023.

My Commission Expires
October 30, 2023

LEGEND

- ASP ASPHALT
- BLDG BUILDING
- CALC CALCULATED
- CHRD CHORD
- CHRG CHORD
- LANG LONG CHORD
- DEF DEFLECTION
- DELTA DELTA
- CHP CHORD
- HEAD HEADWALL
- MIN MINIMUM
- MAN MANHOLE
- OH OVERHANG
- OR OR
- RADIUS RADIUS
- R.O.W. RIGHT OF WAY
- SAN SANITARY
- STM STORM
- UTL UTILITY
- ADJ ADJUST
- S.F. SQUARE FEET
- C CENTERLINE
- A/C AIR CONDITIONER
- POLE POLE
- ANCHOR ANCHOR
- PAVE PAVEMENT
- OVREAD OVERHEAD UTILITY WIRE
- PMT PAVEMENT
- W/W WITH
- TAN TANGENT
- RES RESIDENCE
- UTL UTILITY
- COV COVERED
- DECK DECK
- CONCRETE CONCRETE
- WALL WALL
- COLUMN COLUMN
- LIGHT POLE LIGHT POLE
- UTILITY BOX UTILITY BOX



STATE OF ALABAMA
JEFFERSON COUNTY

"Closing Survey"

I, Ray Weygand, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed part of Lot 10 & 10.A., SHADES HIGHLANDS, as recorded in Map Volume 13, Page 63, 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 SEPTEMBER 24, 2020. Survey invalid if not signed in red.

Order No.: 20201820
 Purchaser: 609 TREMONT DR
 Address: 169 Owens Road, Hoover, AL 35226
 Phone: (205) 942-0086 Fax: (205) 942-0087
 Copyright ©

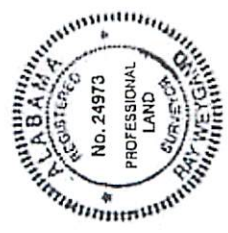
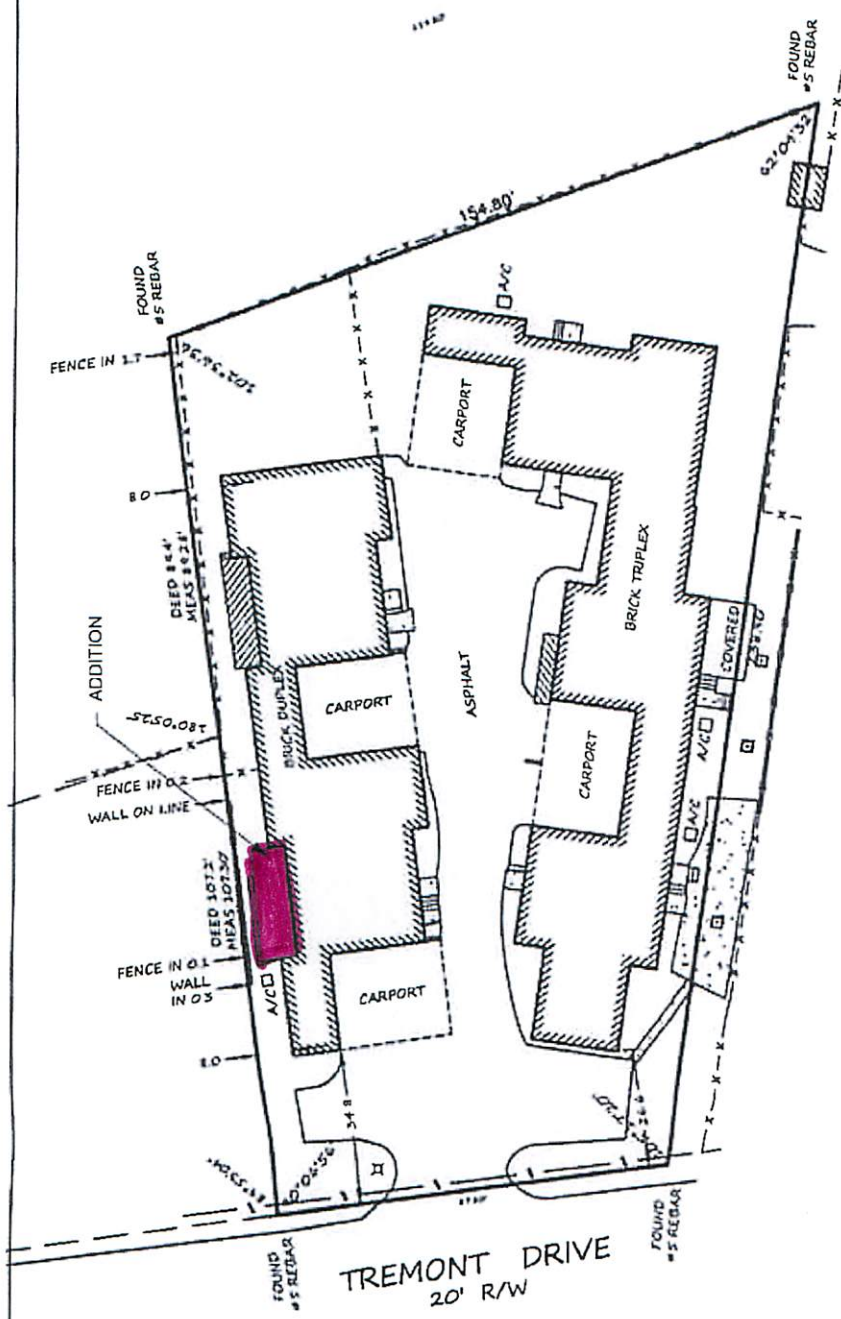


Note: (a) No title search of the public records has been performed by this firm and land shown hereon was not abstracted for easements and/or rights-of-way, recorded or unrecorded. (b) This parcel shown hereon is subject to all liens, mortgages, judgments, and other encumbrances of record and actual unless otherwise noted. (c) Undermost portions of features, utilities, easements 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.



Z1220-35//2800193014002.000
609 Tremont Drive
 Side Setback for an addition
 Bd. of Superannuate Homes
 R5

- LEGEND**
- ASP ASPHALT
 - BLDG BUILDING
 - CALC CALCULATED
 - MEAS MEASURED
 - CHORD
 - LONG LONG CHORD
 - DEF DEFLECTION
 - EAS EASEMENT
 - HEAD HEADWALL
 - MAN MANHOLE
 - OVER OVERHANG
 - POR PORCH
 - RAD RADUS WAY
 - RIGHT RIGHT TURN
 - STAIR STAIR
 - STR STRUT
 - UTIL UTILITY
 - AC ACRES
 - SQ SQUARE FEET
 - CF CENTERLINE
 - A/C AIR CONDITIONER
 - POLE
 - ANCHOR
 - FENCE
 - OVER OVERHEAD UTILITY WIRE
 - PAV PAVEMENT
 - TH THRESHOLD
 - RES RESIDENCE
 - BLG BLIGHT
 - COV COVERED
 - DECK
 - CON CONCRETE
 - WALL
 - COL COLUMN
 - LI LIGHT POLE
 - UB UTILITY BOX



STATE OF ALABAMA
JEFFERSON COUNTY

Closing Survey

I, Ray Weygand, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed part of Sec. 10 & 10 A, SHADES HIGHLANDS, as recorded in Map Volume 12, Page 63, in the Office of the Judge of Probate, Jefferson County, Alabama. I hereby state that all parts of this survey and easement 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 SEPTEMBER 24, 2020. Survey made if not located in file.

Ray Weygand, Reg. U.S. #24973
155 Cherokee Road, Birmingham, AL 35228
Phone: (205) 942-0088 Fax: (205) 942-6531
Copyright ©

WEYGAND
SURVEYORS

Order No.: 20201920
Purchaser: _____
Address: 600 TREMONT DR

Note: (a) No BLS search of the public records has been performed by this firm and land shown hereon was not abstracted for easements and/or right-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 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.

Approved By: [Signature]
 General Notes

co endeavor
 Architecture & Design

Company, LLC
 4411 Poplar Ave., AL 35214
 205 877 3294

City:

Structure #:

Material:

Elevation:

Planning:



Project:
 Room Addition

Permit Set

Client:

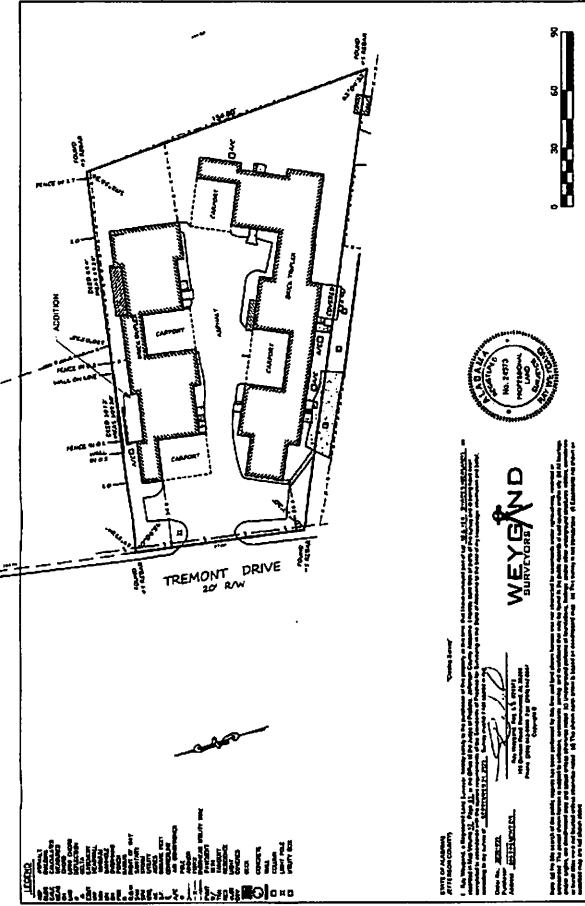
Architect:

Project Address:

City, State, Zip:

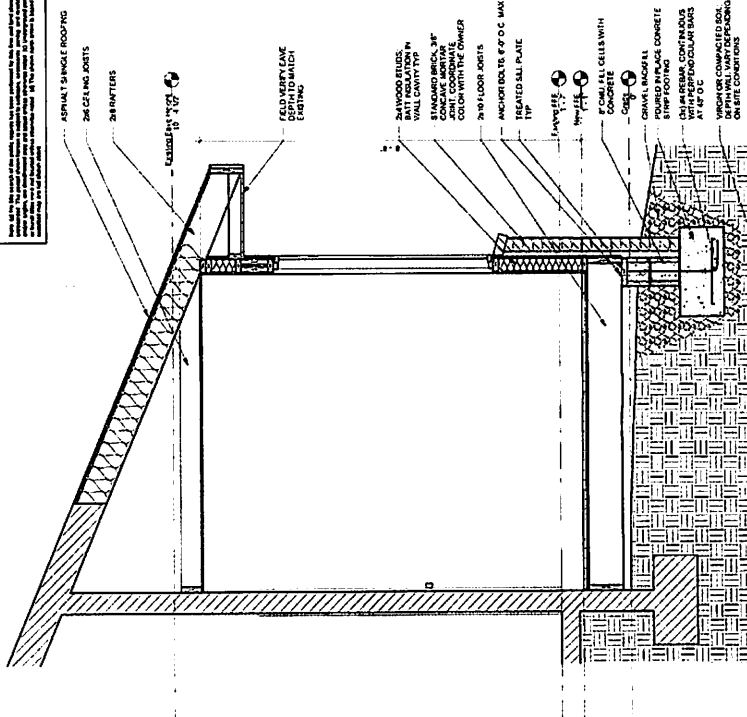
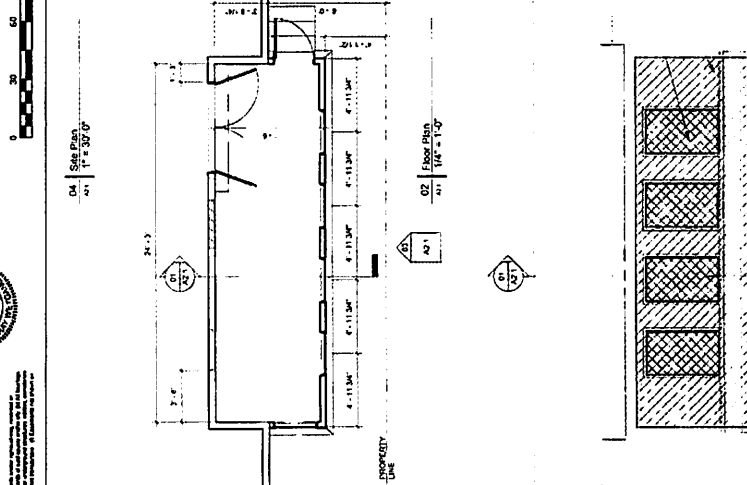
Project Number:

Plot Date:



WEYBAND
 SURVEYORS, INC.

Surveyors
 1. This Survey was made for the purpose of showing the location and extent of the proposed addition to the existing structure shown on the attached plat. The survey was made by the use of a total station and other modern surveying instruments. The survey was conducted in accordance with the standards and practices of the Surveying Profession. The survey was completed on [Date]. The survey was conducted by [Name]. The survey was reviewed and approved by [Name]. The survey was prepared by [Name]. The survey was checked by [Name]. The survey was approved by [Name]. The survey was prepared by [Name]. The survey was checked by [Name]. The survey was approved by [Name].



Existing Elevation
 WINDOW AREA = 40 SF (20x4)
 ELEVATION AREA = 205 SF

Company, LLC

HARDSHIP REQUEST

November 16, 2020

We are requesting a variance for 609 Tremont Drive to provide additional space for our daughter, Leslie and our two grandsons, Brody and Tyler Watrous, while they are living with us for this next year. Our son-in-law, Roger Watrous is deployed in Turkey with the U.S. Air Force. They are living with us for assistance in financial support and moral support during this difficult season.

Our daughter, Leslie has optic atrophy and has driving restrictions. With our two very active grandsons, we can help with transporting Brody and Tyler to various church, school and sports activities. We are also able to help provide a safe place for them to live during the turbulent times and all that COVID-19 has created.

This additional area will provide our daughter with extra living space. Due to COVID-19, I am currently working from home using our bedroom as an office. With the uncertainty of this virus, the children may also be required to revert to virtual learning during the school year.

In the future, there is a possibility that I will need to be caregiver to my mom, who is currently living in an assisted living facility. Her mental and physical health is declining, and I may need to move her to our home for a period.

Our complex on Tremont Drive is for retired pastors in the United Methodist Church. We have discussed with each of our neighbors that we are seeking to add additional space, and they have expressed approval. When we began considering building earlier in the summer, we discussed this with our neighbor, Rodney Jackson, who owns the property behind us on Tyson Drive. He advised that he had no problem with us adding to the property line.

Thank you for your consideration in approving this space for Leslie, Brody and Tyler. For the last 4 years, they have been separated from us while stationed in Germany. We are so blessed to have the opportunity to spend time with them during these formative years of the boys' lives.

Sincerely,



Terry and Carolyn Hill

Terry's phone: (205) 837-2379

e-mail: runner7@ymail.com

Carolyn's phone: (205) 960-8227

e-mail: chill74@ymail.com

Z1220-35//2800193014002.000
609 Tremont Drive
Side Setback for an addition
Bd. of Superannuate Homes
R5



NORTH ALABAMA CONFERENCE
THE BOARD OF SUPERANNUATE HOMES
THE UNITED METHODIST CHURCH

October 28, 2020

To: City of Vestavia Hills

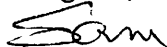
From: Rev. Sam Williamson
Executive Director
Superannuate Homes of the North Alabama Conference
of the United Methodist Church

Please allow this correspondence to serve as a "Letter of Approval" for the proposed changes to 609 Tremont Drive, Vestavia Hills, AL 35216. The Executive Committee of the Board of Superannuate Homes are aware of the proposed changes and have granted permission for the residents, Rev. Terry and Carolyn Hill, to proceed after meeting all other building codes and requirements of the City of Vestavia Hill's Inspection Department.

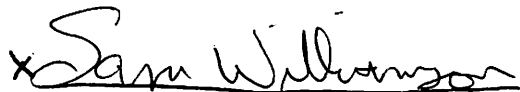
The Board of Superannuate Homes is a ministry of the North Alabama Conference of the United Methodist Church and are the sole owners of the aforementioned property.

Please don't hesitate to contact me should you have additional questions.


Regards,


Sam

Rev. Sam Williamson
Executive Director
Cell: 205-965-5189

X 

Z1220-35//2800193014002.000
609 Tremont Drive
Side Setback for an addition
Bd. of Superannuate Homes
R5

X 
Notary

My Commission Expires
October 30, 2023



NORTH ALABAMA CONFERENCE
THE BOARD OF SUPERANNUATE HOMES
THE UNITED METHODIST CHURCH

September 11, 2020

To: Vestavia Hills School Bd
Vestavia Hills, AL 35216

This letter is to confirm that Brody and Tyler Watrous, sons of Leslie Watrous, reside at 609 Tremont Drive, Vestavia Hills 35216.

This residence is owned by the Board of Superannuate Homes of the United Methodist Church, which provides retirement housing for retired ministers and their spouses.

The home at 609 Tremont Dr. is assigned to Rev. Terry and Carolyn Hill. They are the grandparents of Brody and Tyler Watrous and parents to Leslie Watrous. The Bd of Superannuate Homes has granted permission for Leslie Watrous and her sons to reside with her parents while Leslie's husband is deployed by the US military to a foreign country.

If you require any additional information, please don't hesitate to ask.

Sincerely,

Sam Williamson


Rev. Sam Williamson
Executive Director
Board of Superannuate Homes of the United Methodist Church
North Alabama Conference
sam.williamson@umcna.org
205-965-5189 (cell)

Z1220-35//2800193014002.000
609 Tremont Drive
Side Setback for an addition
Bd. of Superannuate Homes
R5

BZA

CITY OF VESTAVIA HILLS
Department Review of Application
(To be completed by City Staff)

The following application and case file has been reviewed and the following comments have been submitted as follows:

Location: 609 Tremont Drive Case No.: BZA/220-35
Hill

Engineering: Date: 11-17-20 Initials: YBK
Comments: no issues noted
 Recommended Not Recommended No Recommendation

Planning/DRB: Date: _____ Initials: _____
Comments: _____
 Recommended Not Recommended No Recommendation

GIS/Mapping: Date: _____ Initials: _____
Comments: _____
 Recommended Not Recommended No Recommendation

Fire Department: Date: 11/17/20 Initials: RF
Comments: _____
 Recommended Not Recommended No Recommendation

Building Department: Date: _____ Initials: _____
Comments: _____
 Recommended Not Recommended No Recommendation

City Clerk: Date: 11/24/2020 Initials: sc
Comments: _____
 Recommended Not Recommended No Recommendation

Z1220-35//2800193014002.000
609 Tremont Drive
Side Setback for an addition
Bd. of Superannuate Homes
R5

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

Date: **December 17, 2020**

- **CASE: BZA-1220-36**
- **REQUESTED ACTION:** Variance for Location of a Fence in the Front Setback
- **ADDRESS/LOCATION:** 3101 Canterbury Place
- **APPLICANT/OWNER:** Virginia Davis
- **REPRESENTING AGENT:** Elliot Pike or Adam Martz
- **GENERAL DISCUSSION:** Applicant is seeking a variance for the location of a fence in the front setback. The property is an odd-shaped lot and has two front setbacks limiting where the fence can be placed. Since there is no rear divider from the back of the Canterbury Place subdivision, City staff has determined that side of the lot that fronts Autumn Lane is a front setback. To fence in the back of their property, the fence will need to encroach into the Autumn Lane setback. This fence will be a 6' wooden privacy fence. The applicant proposes the fence be 14' from the curb of Autumn Lane. City Engineer, Christopher Brady, stated that if the fence is 14' from the curb then there are no sight distance issues. A couple neighbors of this applicant have expressed their concern over site distance on Autumn Lane. The applicant's property is zoned Vestavia Hills R-6.
- **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 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: Virginia Davis
Address: 3101 Canterbury Place
Vestavia Hills, AL 35243
Phone #: 205-902-1664 Other #: _____
E-Mail: vada4703@gmail.com

Billing/Responsible Party

Name: ELM Construction LLC
Address: 4100 Autumn Lane, Suite 104
Phone #: 205-368-3109 Other #: _____
E-Mail: ecpike@elmconstructionllc.com

Representing Attorney/Other Agent

Name: Elliott Pike or Adam Martz
Address: 4100 Autumn Lane, Suite 104
Vestavia Hills, AL 35243
Phone #: 205-368-3109 or Other #: _____
205-427-8689
E-Mail: espike@elmconstructionllc.com or amartz@elmconstructionllc.com

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

II. DESCRIPTION OF SUBJECT PROPERTY:

LOCATION: 3101 Canterbury Place
Street Address
Canterbury Place, Lot 14
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 _____ ' in lieu of the required _____ ' .
_____ ' 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 _____).

Z1220-36//2800221006025.000
3101 Canterbury Place
Variance for location of fence
Virginia Davis

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).

The house sits on an irregularly shaped lot in a cul-de-sac with easements along the right + rear of the lot abnormally close to the house. Placement of the fence should allow adequate sight distance from Canterbury Place Alley.

VI. PROJECT:

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

Install 6-ft wood Privacy fence as indicated on survey.

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**

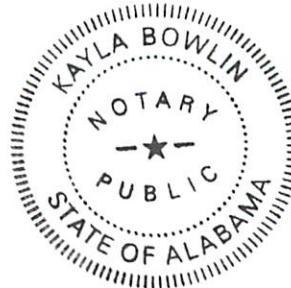
Virginia Davis 11/17/20
Owner Signature/Date

Elliott Pihl or Ada May
Representing Agent (if any)/date

Given under my hand and seal
this 17th day of November, 2020.

[Signature]
Notary Public

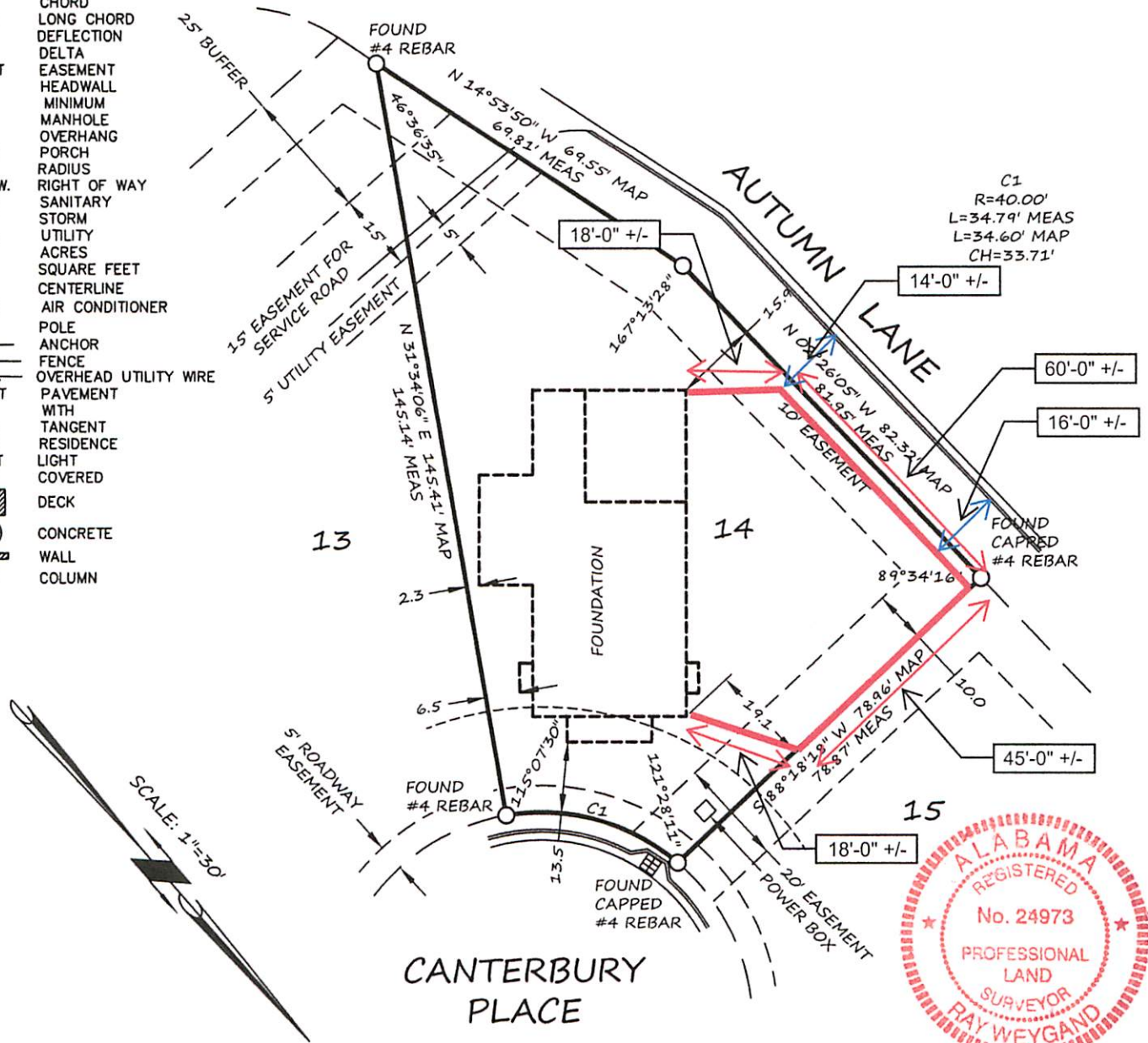
My commission expires November
day of 17th, 2021.



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
—X—	ANCHOR
—X—	FENCE
—X—	OVERHEAD UTILITY WIRE
PVMT	PAVEMENT
W/	WITH
TAN	TANGENT
RES	RESIDENCE
LGHT	LIGHT
COV	COVERED
▨	DECK
○	CONCRETE
▩	WALL
□	COLUMN

NOTES:
 1. BEARINGS ARE FROM RECORD MAP.
 2. ANGLES ARE AS MEASURED.



STATE OF ALABAMA)
 JEFFERSON COUNTY)

"As-built - Foundation - Survey"

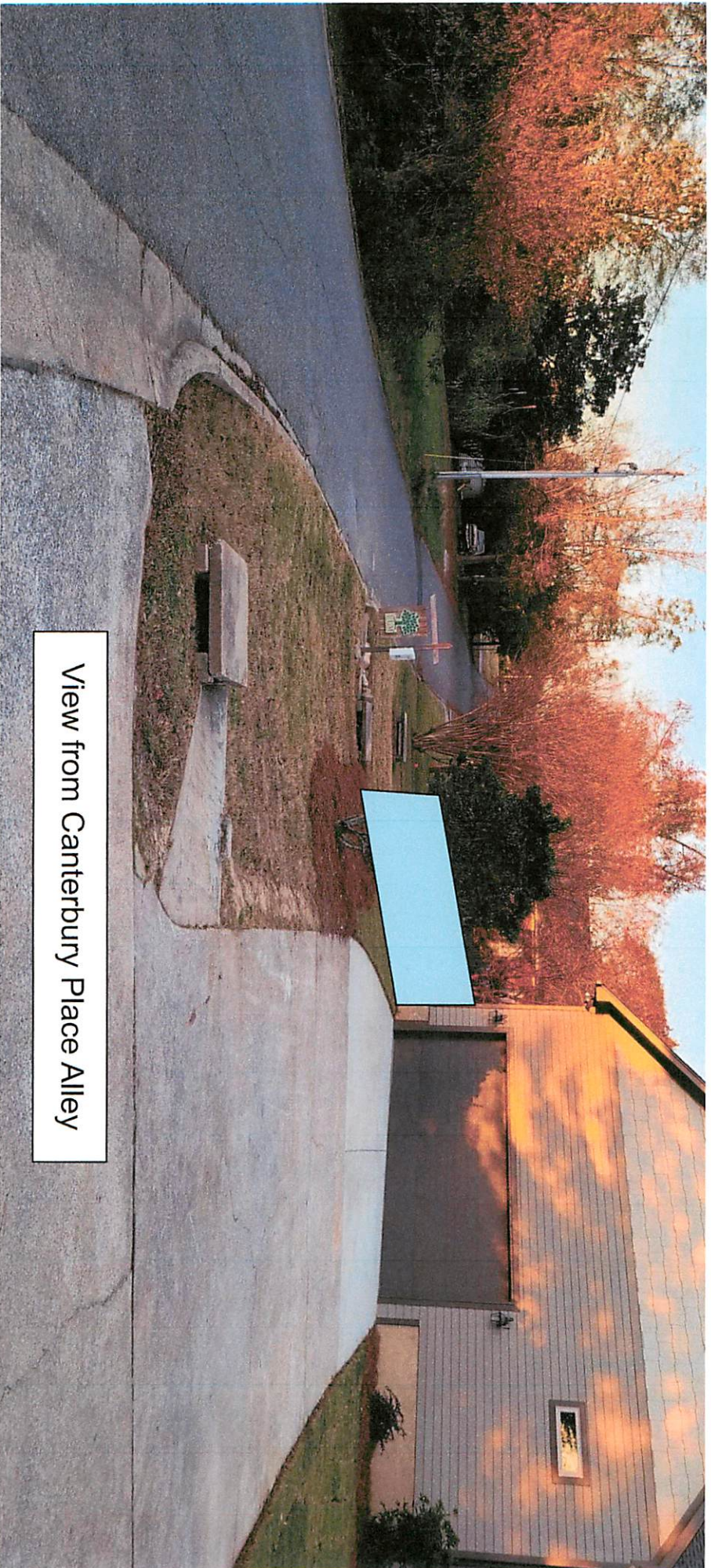
I, Ray Weygand, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot 14, CANTERBURY PLACE, as recorded in Map Volume 156, Page 17, in the Office of the Judge of Probate, Jefferson County, Alabama. I hereby state that all parts of this survey 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 May 7, 2020. Survey invalid if not sealed in red.

Order No.: 20200895
 Purchaser: _____
 Address: 3101 Canterbury Place

[Signature]
 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.



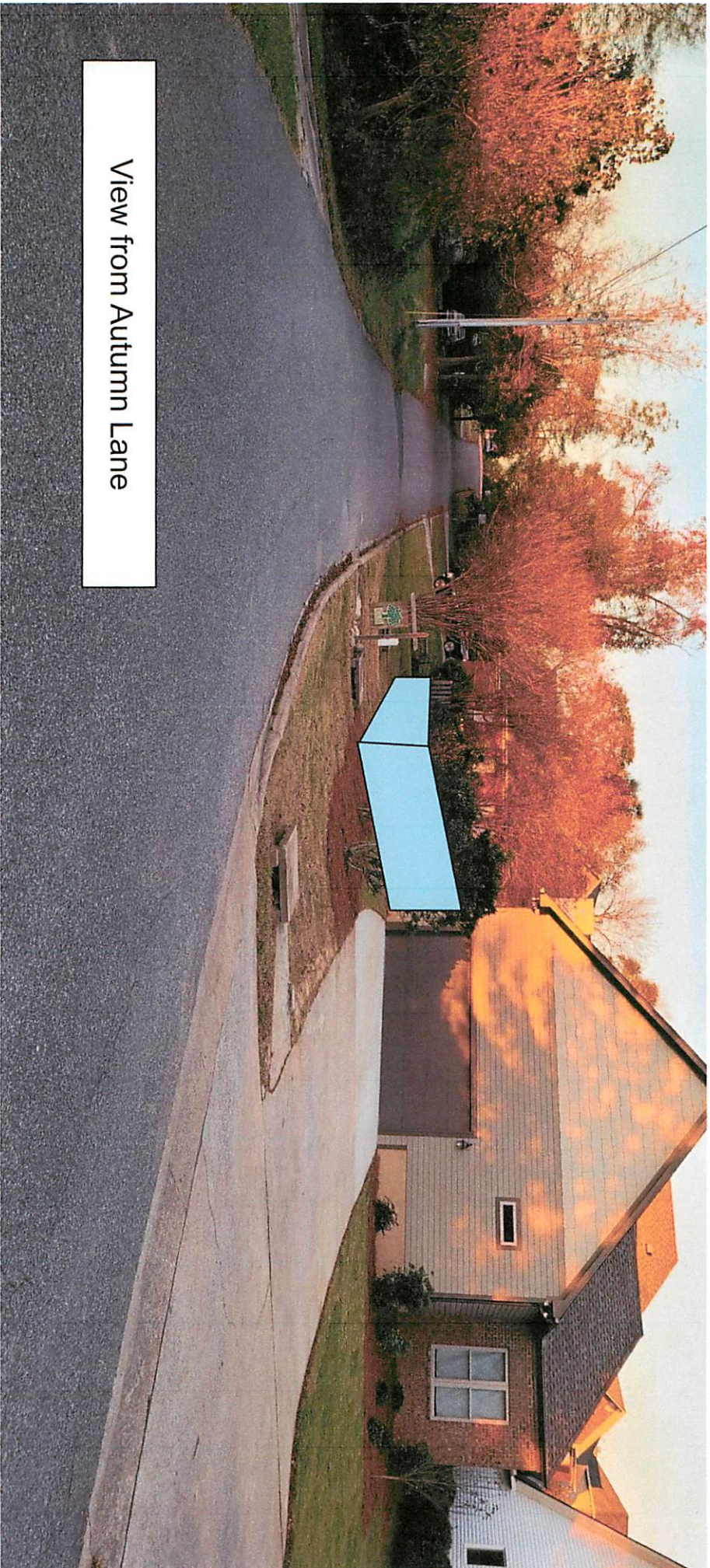
View from Canterbury Place Alley

Z1220-36//2800221006025.000

3101 Canterbury Place

Variance for location of fence

Virginia Davis



View from Autumn Lane

Z1220-36//2800221006025.000
3101 Canterbury Place
Variance for location of fence
Virginia Davis

BZA

Z1220-36//2800221006025.000

CITY OF VESTAVIA HILLS
Department Review of Applicatio
(To be completed by City Staff)

3101 Canterbury Place
Variance for location of fence
Virginia Davis

The following application and case file has been reviewed and the following comments have been submitted as follows: //

Location: 3101 Canterbury Place Case No.: Z1220-36
DAVIS

Engineering:

Date: 11/24/20 Initials: CB

Comments: recommend fence be placed a minimum 14' from
back of curb.

Recommended Not Recommended No Recommendation

Planning/DRB:

Date: 11/24 Initials: _____

Comments: MP

Recommended Not Recommended No Recommendation

GIS/Mapping:

Date: _____ Initials: _____

Comments: _____

Recommended Not Recommended No Recommendation

Fire Department:

Date: 11/24/20 Initials: ZF

Comments: _____

Recommended Not Recommended No Recommendation

Building Department:

Date: 11/24/20 Initials: (KOB)

Comments: _____

Recommended Not Recommended No Recommendation

City Clerk:

Date: 11/24/2020 Initials: W

Comments: 11/10

Recommended Not Recommended No Recommendation