



**Vestavia Hills
Board of Zoning Adjustment Agenda
June 15, 2023
6:00 PM**

1. Roll Call
2. Approval Of Minutes
3. BZA-23-11 **Kim Parker** is requesting a **Variance for Location of Fence in the Front Setback** for the property located at **1121 Winward Lane**. The purpose of this request is to build a decorative fence in the front setback. The property is owned by Kim Parker and is zoned **Vestavia Hills R-9**.
4. BZA-23-12 **Whitney Henderson** is requesting a **Variance for Location of Fence in the Front Setback** for the property located at **1119 Winward Lane**. The purpose of this request is to build a decorative fence in the front setback. The property is owned by Whitney Henderson and is zoned **Vestavia Hills R-9**.
5. BZA-23-13 **Phillip Young** is requesting a **Rear Setback Variance, Side Setback Variance, Lot Area Variance, & Lot Width Variance**, for the property located at **404 Fernwood Drive**. The purpose of this request is to reduce the Rear Setback to 5' in lieu of the required 15' & to reduce the Side Setback to 5' in lieu of the required 15' & to reduce the Lot Area to 11,227 sq ft in lieu of the required 15,000 sq ft & to reduce the Lot Width to 75' in lieu of the required 100', to renovate existing shed. The property is owned by Phillip Young and is zoned **Vestavia Hills R-3**.
6. Time Of Adjournment

CITY OF VESTAVIA HILLS
BOARD OF ZONING ADJUSTMENT
MINUTES

May 18, 2023

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
Michael Fliegel, Alt
Loring Jones, III
Thomas Parchman
Tony Renta

MEMBERS ABSENT:

Stephen Greer
Ryan Rummage, Alt

OTHER OFFICIALS PRESENT:

Jack Wakefield, Planner/GIS

APPROVAL OF MINUTES

The minutes of April 20, 2023 were presented for approval.

MOTION Motion to dispense with the reading of the minutes of April 20, 2023 was made by Mr. Jones and 2nd was by Mr. Parchman. Motion as carried on a voice vote as follows:

Mr. Fleigel – yes	Mr. Renta – yes
Mr. Jones – yes	Chairman Rice – yes
Mr. Parchman – yes	
Motion carried.	

Mr. Jones made an announcement welcoming a local Boy Scout troop to the public hearing. The group is attending as a part of attaining a merit badge.

VARIANCE FOR LOCATION OF FENCE

BZA-23-9 **Maria Cecil** is requesting a **Variance for Location of Fence in the Front Setback** for the property located at **313 Longview Drive**. The purpose of this request is to replace an existing fence within the front setback. The property is owned by Maria Cecil and is zoned **Vestavia Hills R-3**.

Mr. Wakefield explained the scope of the project and that the corner lot caused a hardship.

Maria Cecil, 313 Longview Drive, was present for the case and stated her hardship was a corner lot. The two front setbacks limit how much of her back yard can be fenced in. She also stated the new fence will go where the existing fence is located.

Chairman Rice asked what type of fence would it be? Also would it be see-through?

Mrs. Cecil stated that it will be a wood picket fence and that it would be see-through to an extent.

Chairman 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 in the front setback, for the property located at 313 Longview Drive, was made by Mr. Jones and 2nd was by Mr. Fleigel. Motion was carried on a roll call vote as follows:

Mr. Fleigel – yes	Mr. Renta – yes
Mr. Jones – yes	Chairman Rice – yes
Mr. Parchman – yes	
Motion carried.	

REAR & TWO SIDE SETBACK VARIANCES

BZA-23-10 **Megan & Reese Kincaid** are requesting a **Rear & Two Side Setback Variances** for the property located at **2129 Southwood Road**. The purpose of this request is to reduce the rear setback to 25' in lieu of the required 30' & to reduce the side setback (east side) to 12' in lieu of the required 15' & to reduce the side setback (west side) to 12' in lieu of the required 15', to build dining room and garage addition. The property is owned by Megan & Reese Kincaid and is zoned **Vestavia Hills R-2**.

Mr. Wakefield explained that the request was to build a dining room and garage addition and that the hardship was the terrain of the lot.

Matt Costanzo was present for the case, and he stated that the left to right slope and angled lot lines caused a hardship. He stated that this is the only location for the proposed addition.

Chairman 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 1' Side Setback Variance to Reduce the Setback to 16' in Lieu of the Required 17' & a 5' Accessory Structure/Principal Structure Setback Variance to Reduce the Setback of Accessory Structure to 5' in Lieu of the Required 10' (Condition that the Building Official review the plans of the off-set from the carport to the principal structure for all elements of the addition), for the property located at 2461 Mountain Vista Drive was made by Mr. Renta and 2nd was by Mr. Jones. Motion was carried on a roll call vote as follows:

Mr. Fleigel – yes	Mr. Renta – yes
Mr. Jones – yes	Chairman Rice – yes
Mr. Parchman – yes	
Motion carried.	

At 6:10 PM, Mr. Jones made a motion to adjourn. The meeting adjourned at 6:10 PM.

Jack Wakefield,
Planner/GIS



VESTAVIA HILLS

Board of Zoning Adjustment Planners Report

MEETING DATE

June 15, 2023

AGENDA ITEM

BZA-23-11 **Kim Parker** is requesting a **Variance for Location of Fence in the Front Setback** for the property located at **1121 Winward Lane**. The purpose of this request is to build a decorative fence in the front setback. The property is owned by Kim Parker and is zoned **Vestavia Hills R-9**.

BACKGROUND

Variance for Location of Fence in the Front Setback.

PLANNER'S REVIEW/RECOMMENDATION

The applicant is requesting a variance for the location of a decorative fence in the front setback. The applicant contends the alley way in the rear doesn't allow a fence in the backyard and the backyard's proximity to the sewer main also causes a hardship. The fence is a 3 foot wooden decorative fence. The fence will abut the front property line in the corner of the lot and will move back towards the house, so as to not enclose the parking pad in the front of the house. The applicant's property is zoned R-9.

ATTACHMENTS

1. Application
2. Survey
3. Proposed Drawing
4. Front Picture
5. Side Picture
6. Affidavit

Jack Wakefield
City Planner



BZA-23-11

Variance and Special Exception Application

Status: Active

Date Created: May 2, 2023

Applicant

Kim Parker
kparker@theparkercompanyllc.com
1148 Winward Lane
Vestavia Hills, AL 35216
2053695461

Primary Location

1121 WINWARD LN
VESTAVIA HILLS, AL 35216

Owner:

Parker Home Solutions, LLC
4010 Farr RD Bessemer, Alabama 35022

Agenda Information

Agenda Scheduling

June 2023

Applicant Information

I am filling this out as the

Owner

Billing/Responsible Party

Name

Parker Home Solutions, LLC

Phone #

205 369-5461

Address

4010 Farr RD

City/State/Zip

Bessemer, AL 35022

Email

kparker@theparkercompanyllc.com

Subject Property Information

Subject Property Address

1121 Winward Lane

Legal Description of Subject Property

lot 3

REASONS FOR REQUEST

Variance for location of a fence.



Details

We are requesting to put a fence in the front yard. This request is made out of a hardship. With the engineering requirements of the city for storm water drainage there was no way to attach a back yard directly to the houses. Because of this there is no way for a home owner to let their dogs/pets roam their back yard freely. We would have to put a short 3' fence to not only help separate the front yard of the houses, but also give the home owners a place for their furry friends to play. This will also help with safety for young kids to play in their own front yards while make their parents feel safe that they will not be hit by a car.

ZONING

Vestavia Hills Zoning for the subject property is

R-9

PROJECT

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

We are requesting to put a fence in the front yard. This request is made out of a hardship. With the engineering requirements of the city for storm water drainage there was no way to attach a back yard directly to the houses. Because of this there is not a way for a home owner to let their dogs/pets roam their back yard freely. We would have to put a short 3' fence to not only help separate the front yard of the houses, but also give the home owners a place for their furry friends to play. This will also help with safety for young kids to play in their own front yards while make their parents feel safe that they will not be hit by a car.

HARDSHIP

Please answer the following questions regarding hardship and briefly summarize and describe those things which you feel justify the action requested in the box below. 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 alley way in the back of the home prohibits a back yard from being attached to the home. Also the requirements of Jefferson county in relation to where the sewer main was to be located prohibited us from attaching a back yard to the home. The current code prevents us from constructing a fence in the front yard of a home. This will already created a hardship on the sell of the home and the lack of a fenced yard is a huge durtent for a potential buyer.

Before any variance is granted, the BZA must find that ALL of the following conditions exist. Please describe each of the following details in order for the BZA to determine if these warrants the described hardship.

1. There are extraordinary and exceptional conditions, which are peculiar to the piece of property in question because of its size, shape or topography, that are not applicable to the other lands or structures in the same district. Please explain:

The alley way in the back of the home prohibits a back yard from being attached to the home. Also the requirements of Jefferson county in relation to where the sewer main was to be located prohibited us from attaching a back yard to the home.

2. Granting the variance requested will not confer upon the applicant any special privileges that are denied to other owners of property in the District in which the property is located. Please explain:

No neighbors will not be affected in any way by the request being granted. There is also no special privlages that would be afforded to the home owner. It is granting them a privlage that all their other neighbors currently enjoy.

3. All literal interpretations of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by others of property int he distrctit in which the property is located. Please explain:

The home owner will not have a yard to enjoy with their kids or furry friends. They lack the freedom and safety that a fence provides. This is something that commonly enjoyed by all others in the area.

4. The requested variance will be in harmony with the purpose and intent of this Ordinance and will not be injurious to the neighborhood or to the general welfare. Please explain:

We are only asking to install a 3' tall fence. I believe that this ordinance was put in place to prohibit the construction of privacy fencens in the front of properties. I beleive that what we are asking for will only enhance the neighborhood not hurt the look or value of any property in the neighborhood.

5. The special circumstances are not the intended result of the actions of the applicant (i.e., self-imposed hardship). Please explain:

N/A The request is only to provide safe use of a front yard to the home owners.

6. The variance requested is the minimum variance that will make possible the legal use of the land, building or structure. Please explain:

N/A The request is only to provide safe use of a front yard to the home owners.

7. The no non-conforming use of neighboring lands, structures, or buildings in the same district, and no permitted or non-conforming use of lands, structures, or building in other districts shall be considered grounds for the issuance of a variance.

8. That a variance will not allow the permanent establishment of a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.

N/A The request is only to provide safe use of a front yard to the home owners.

NOTE: In proving that an unnecessary hardship has been imposed on the property as a result of the strict interpretation of this Ordinance, the following conditions cannot be considered pertinent to the determination of whether or not an unnecessary hardship exists: (1) proof that a variance would increase the financial return from land; or (2) personal or economic hardship; or (3) self-imposed hardship. In other words, hardship alone is not sufficient to permit a variance. It must be an "unnecessary hardship." Mere financial loss of a kind, which might be common to all of the property owners in a district, is not an "unnecessary hardship."

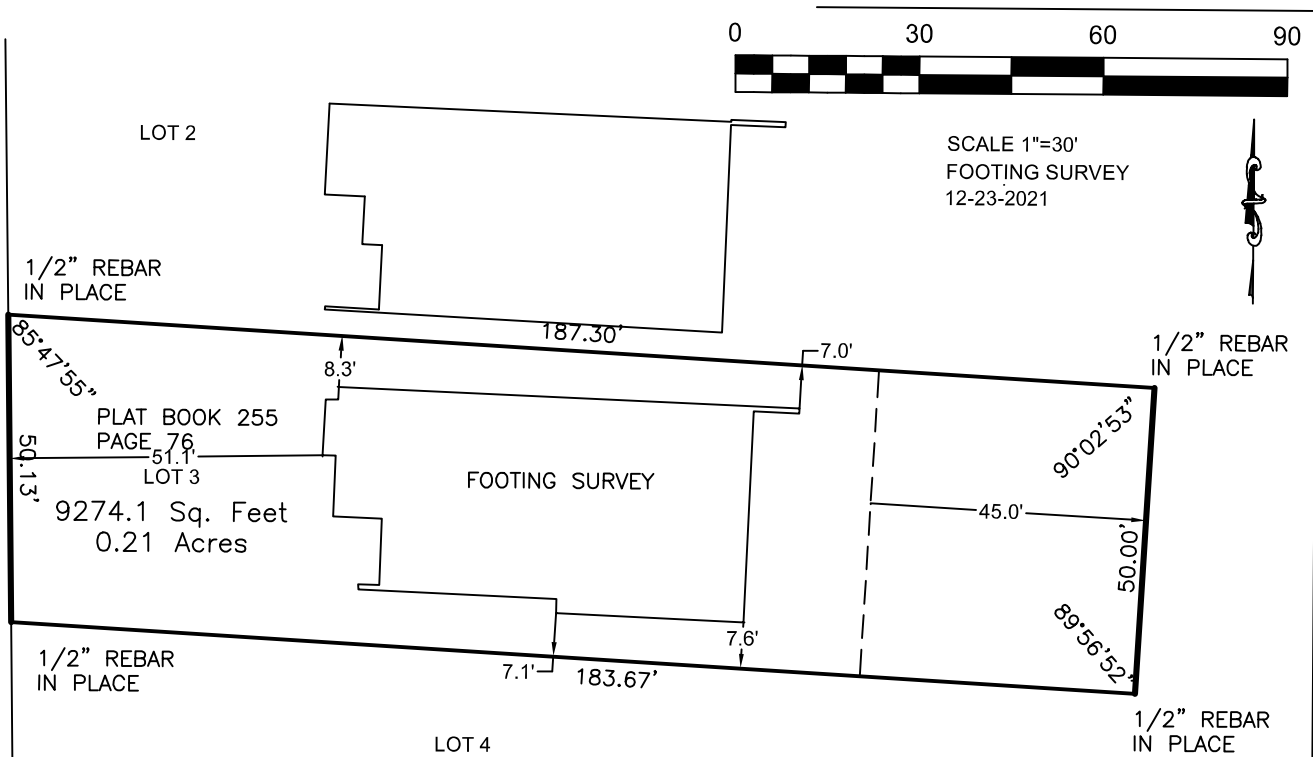
OWNER AFFIDAVIT

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. Simultaneously with the submittal of this application, I am hereby submitting a notarized affidavit signed by the owner of the property in the attachments section of this application. NOTE: Applications cannot be processed without the notarized owners affidavit. Owners authorization may be found on our main page.

Owner Signature

Brandon Parker
05/02/2023

WINWARD LANE
40' R/W



STATE OF ALABAMA
JEFFERSON COUNTY

I, James M. Ray, a Registered Land Surveyor in the State of Alabama, hereby certify that all parts of this survey and plat (or drawing) have been completed in accordance with the requirements of the Standards for the Practice of Surveying in the State of Alabama, being more particularly described as follows, to-wit: Lot 3 OF THE RESURVEY OF THE RESURVEY OF LOTS 13,14,15,AND 16 BLOCK I T.H. PAYNE SURVEYMAP BOOK 84 PAGE 14 Subdivision as shown on record in the office of the Judge of Probate of Jefferson County, Alabama in map book 255 page 76.

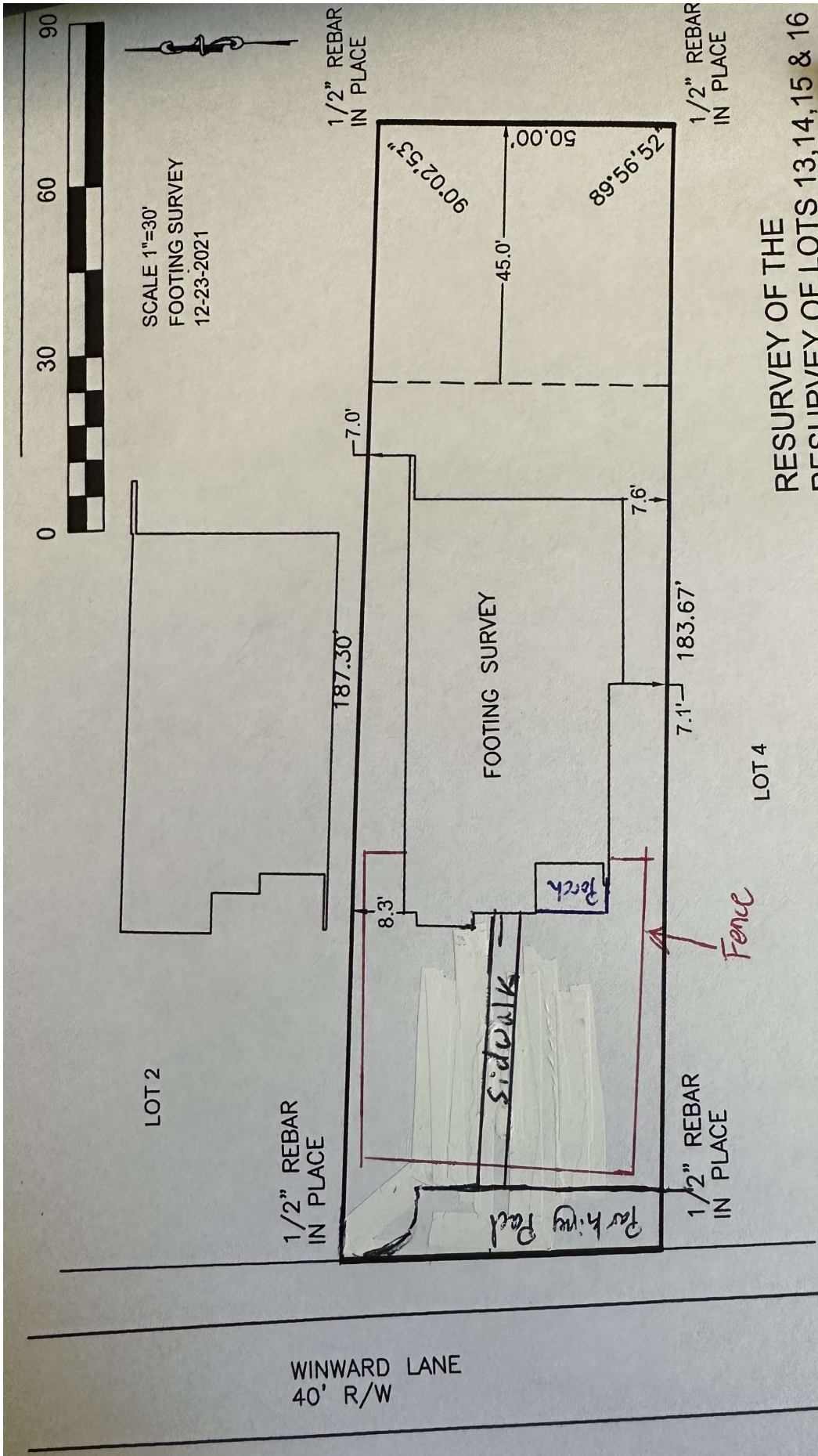
According to my survey this the 23nd day of DECEMBER 2021.

James M. Ray, Ala. Reg. No. 18383
Ray and Gilliland, P. C., Ala. Board Cert. No. CA-0114-LS

Note: 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. Underground portions of foundations and footings and/or other underground structures, utilities, cemeteries or burial sites were not located unless otherwise noted. We do not look for underground sewer or flip manhole covers. This survey is not transferable and may only be used by the person/company that pays for it at time of survey.

RESURVEY OF THE
RESURVEY OF LOTS 13,14,15 & 16
BLOCK I T.H. PAYNE SURVEY
MAP BOOK 84 PAGE 14
JEFFERSON COUNTY, ALABAMA

RAY & GILLILAND, P.C.	
122 NORTH CALHOUN STREET P.O. BOX 1183 SYLACAUGA, ALABAMA 35150	TEL NO. (256) 245-3243 FAX NO. (256) 245-3202
DRAWN BY: JMR	FILE: MAYLANDLANEVESTAVIA
	SCALE: 1"=30'
	DATE:



RESURVEY OF THE
RESURVEY OF LOTS 13,14,15 & 16
BLOCK I T.H. PAYNE SURVEY
MAP BOOK 84 PAGE 14
JEFFERSON COUNTY, ALABAMA

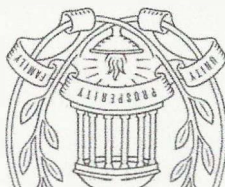
STATE OF ALABAMA
JEFFERSON COUNTY

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**City of Vestavia Hills
Office of the City Clerk**

OWNER AFFIDAVIT (This form must be notarized):

I do hereby declare that the following statements are correct concerning the subject property located at: 1121 Windward Lane, Vestavia Hills, Alabama and that statements submitted in my application are true and that I am: (please check all that apply).

☒ the Property Owner and representing myself in said request.

_____ the Property Owner, but I am authorizing a Representing Agent by the name of: _____ to represent me in the following request:

And am requesting: (please check)

- | | |
|---|---------------------------|
| _____ | Rezoning Request |
| _____ | Preliminary Plat Approval |
| _____ | Final Plat Approval |
| _____ | Conditional Use Approval |
| ☒ _____ | Request for Variance |
| _____ | Special Exception |
| _____ | Design Review Approval |

Signed: _____
Owner Signature/Date

STATE OF ALABAMA
COUNTY OF Jefferson
Given under my hand and seal
this 2nd day of May, 2023.

Notary Public

My commission expires 26th day of May, 2026.





VESTAVIA HILLS

Board of Zoning Adjustment Planners Report

MEETING DATE

June 15, 2023

AGENDA ITEM

BZA-23-12 **Whitney Henderson** is requesting a **Variance for Location of Fence in the Front Setback** for the property located at **1119 Winward Lane**. The purpose of this request is to build a decorative fence in the front setback. The property is owned by Whitney Henderson and is zoned **Vestavia Hills R-9**.

BACKGROUND

Variance for Location of Fence in the Front Setback.

PLANNER'S REVIEW/RECOMMENDATION

The applicant is requesting a variance for the location of a decorative fence in the front setback. The applicant contends the alley way in the rear doesn't allow a fence in the backyard and the backyard's proximity to the sewer main also causes a hardship. The fence is a 3 foot wooden decorative fence. The fence will abut the front property line in the corner of the lot and will move back towards the house, so as to not enclose the parking pad in the front of the house. The applicant's property is zoned R-9.

ATTACHMENTS

1. Application
2. Survey
3. Proposed Fence Location
4. Site Plan
5. Affidavit

Jack Wakefield
City Planner



BZA-23-12

Variance and Special Exception Application

Status: Active

Date Created: May 8, 2023

Applicant

Whitney Henderson
gortonwhitney@gmail.com
1119 Winward LN
Vestavia Hills, AL 35216
2564661333

Primary Location

1119 WINWARD LN
VESTAVIA HILLS, AL 35216

Owner:

Whitney Henderson
1119 Winward Ln Vestavia Hills, AL 35216

Agenda Information

Agenda Scheduling

June 2023

Applicant Information

I am filling this out as the

Owner

Billing/Responsible Party

Name

Whitney Henderson

Phone #

2564661333

Address

1119 Winward LN

City/State/Zip

Vestavia Hills/AL/35216

Email

Gortonwhitney@gmail.com

Subject Property Information

Subject Property Address

1119 Winward LN

Legal Description of Subject Property

Lot 2 OF RESURVEY OF THE RESURVEY OF LOTS 13, 14, 15, AND 16, BLOCK I T.H. PAYNE
SURVEYMAP BOOK 84 PAGE 14

REASONS FOR REQUEST

Variance for location of a fence.



Details

We are requesting to put a fence in the front yard. This request is made out of a hardship. With the engineering requirements of the city for storm drainage there was no way to attach a back yard directly to the houses. Because of this there is no way for myself, as the home owner to let my dog/pets roam in my yard freely. I also have a small child and would like a fence so that he can play in the yard without fear of him running into the street. I would love to put a short 3 foot fence to only help separate the front yard and allow my dog and child to have a safe place to play.

ZONING

Vestavia Hills Zoning for the subject property is

residential

PROJECT

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

We are requesting to put a fence in the front yard. This request is made out of a hardship. With the engineering requirements of the city for storm drainage there was no way to attach a back yard directly to the houses. Because of this there is no way for myself, as the home owner to let my dog/pets roam in my yard freely. I also have a small child and would like a fence so that he can play in the yard without fear of him running into the street. I would love to put a short 3 foot fence to only help separate the front yard and allow my dog and child to have a safe place to play.

HARDSHIP

Please answer the following questions regarding hardship and briefly summarize and describe those things which you feel justify the action requested in the box below. 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 alley way in the back of the home prohibits a back yard from being attached to the home. Also, the requirements of Jefferson County in relation to where the sewer main was to be located prohibited the builder from attaching a back yard to the home. The current code prevents us from constructing a fence in the front yard of the home. This will already create a hardship on the resell of my home and the lack of a fenced yard is a large deterrent for any potential buyer.

Before any variance is granted, the BZA must find that ALL of the following conditions exist. Please describe each of the following details in order for the BZA to determine if these warrants the described hardship.

1. There are extraordinary and exceptional conditions, which are peculiar to the piece of property in question because of its size, shape or topography, that are not applicable to the other lands or structures in the same district. Please explain:

Due to the alley in the back of the home and the sewer main location, the builder was unable to attach a back yard to the homes he built. Other homes in the area do not have this alley way so they all have a back yard that they can safely fence in.

2. Granting the variance requested will not confer upon the applicant any special privileges that are denied to other owners of property in the District in which the property is located. Please explain:

No. My neighbors will not be affected in any way by the request being granted. There is also no special privileges that would be afforded to myself as a home owner. It would be granting me privilege that all of my other neighbors currently enjoy.

3. All literal interpretations of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by others of property in the district in which the property is located. Please explain:

I will not have a yard for my dog and son to enjoy without fear of either of them running in to the street. I currently lack this freedom that a fence would safely provide. All of my other neighbors get to enjoy a yard that is fenced so that their pets and children can enjoy safely.

4. The requested variance will be in harmony with the purpose and intent of this Ordinance and will not be injurious to the neighborhood or to the general welfare. Please explain:

Our request is only to install a short 3 foot fence. It is my belief and/or understanding this ordinance was put in place to prohibit the construction of privacy fences in the front of properties. I do believe that what we are asking for will only enhance the neighborhood not hurt the look or value of any property in the neighborhood.

5. The special circumstances are not the intended result of the actions of the applicant (i.e., self-imposed hardship). Please explain:

N/A The request is only to provide safe use of my front yard for myself and my family.

6. The variance requested is the minimum variance that will make possible the legal use of the land, building or structure. Please explain:

N/A The request is only to provide safe use of my front yard for myself and my family.

7. The no non-conforming use of neighboring lands, structures, or buildings in the same

district, and no permitted or non-conforming use of lands, structures, or building in other districts shall be considered grounds for the issuance of a variance.

8. That a variance will not allow the permanent establishment of a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.

N/A The request is only to provide safe use of my front yard for myself and my family.

NOTE: In proving that an unnecessary hardship has been imposed on the property as a result of the strict interpretation of this Ordinance, the following conditions cannot be considered pertinent to the determination of whether or not an unnecessary hardship exists: (1) proof that a variance would increase the financial return from land; or (2) personal or economic hardship; or (3) self-imposed hardship. In other words, hardship alone is not sufficient to permit a variance. It must be an "unnecessary hardship." Mere financial loss of a kind, which might be common to all of the property owners in a district, is not an "unnecessary hardship."

OWNER AFFIDAVIT

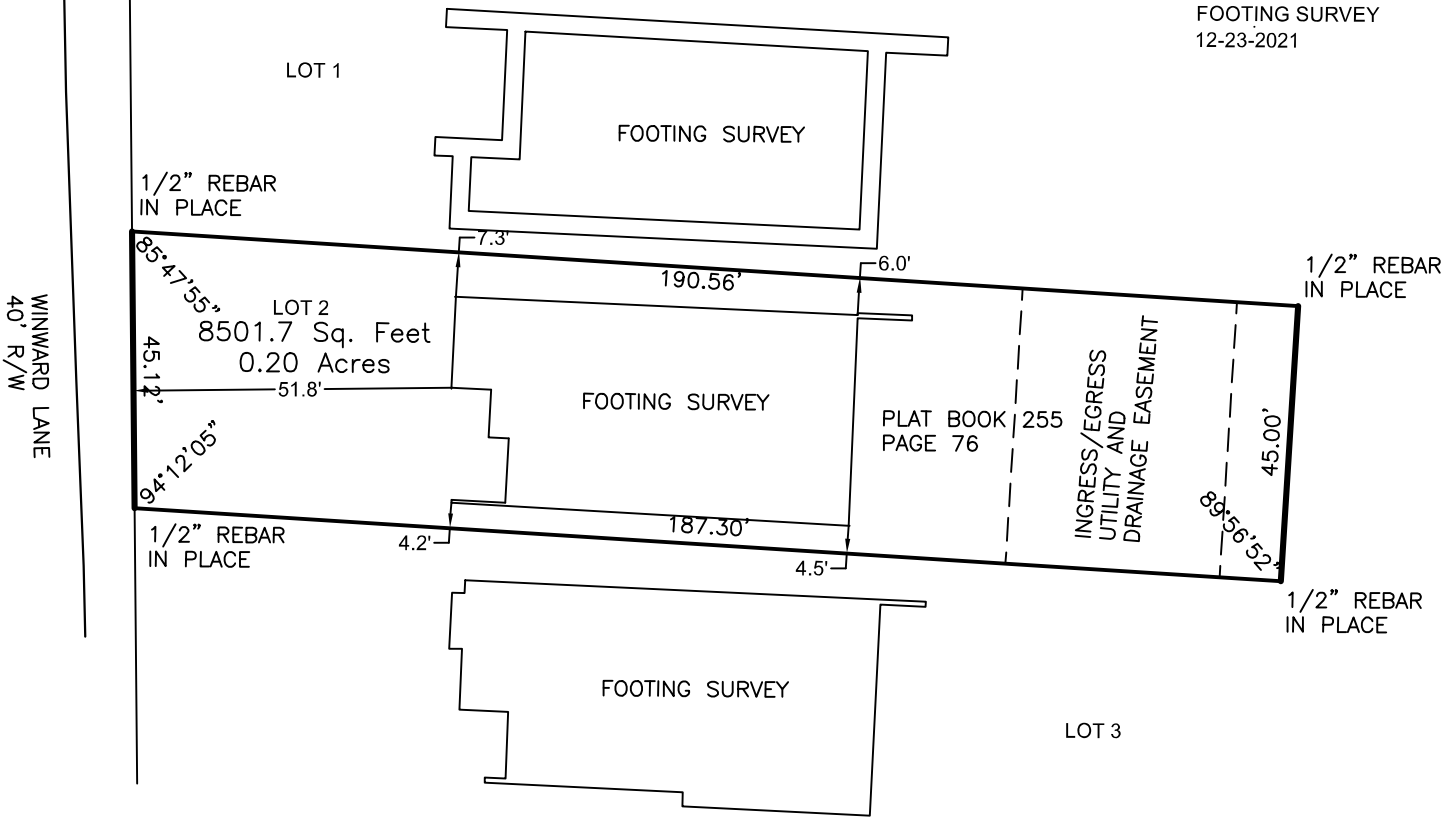
I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing. Simultaneously with the submittal of this application, I am hereby submitting a notarized affidavit signed by the owner of the property in the attachments section of this application. NOTE: Applications cannot be processed without the notarized owners affidavit. Owners authorization may be found on our main page.

Owner Signature

Whitney Lee Gorton Henderson
05/04/2023



SCALE 1"=30'
FOOTING SURVEY
12-23-2021



STATE OF ALABAMA
JEFFERSON COUNTY

I, James M. Ray, a Registered Land Surveyor in the State of Alabama, hereby certify that all parts of this survey and plat (or drawing) have been completed in accordance with the requirements of the Standards for the Practice of Surveying in the State of Alabama, being more particularly described as follows, to-wit: Lot 2 OF THE RESURVEY OF THE RESURVEY OF LOTS 13,14,15,AND 16 BLOCK I T.H. PAYNE SURVEYMAP BOOK 84 PAGE 14 Subdivision as shown on record in the office of the Judge of Probate of Jefferson County, Alabama in map book 255 page 76.

According to my survey this the 23nd day of DECEMBER 2021.

James M. Ray, Ala. Reg. No. 18383
Ray and Gilliland, P. C., Ala. Board Cert. No. CA-0114-LS

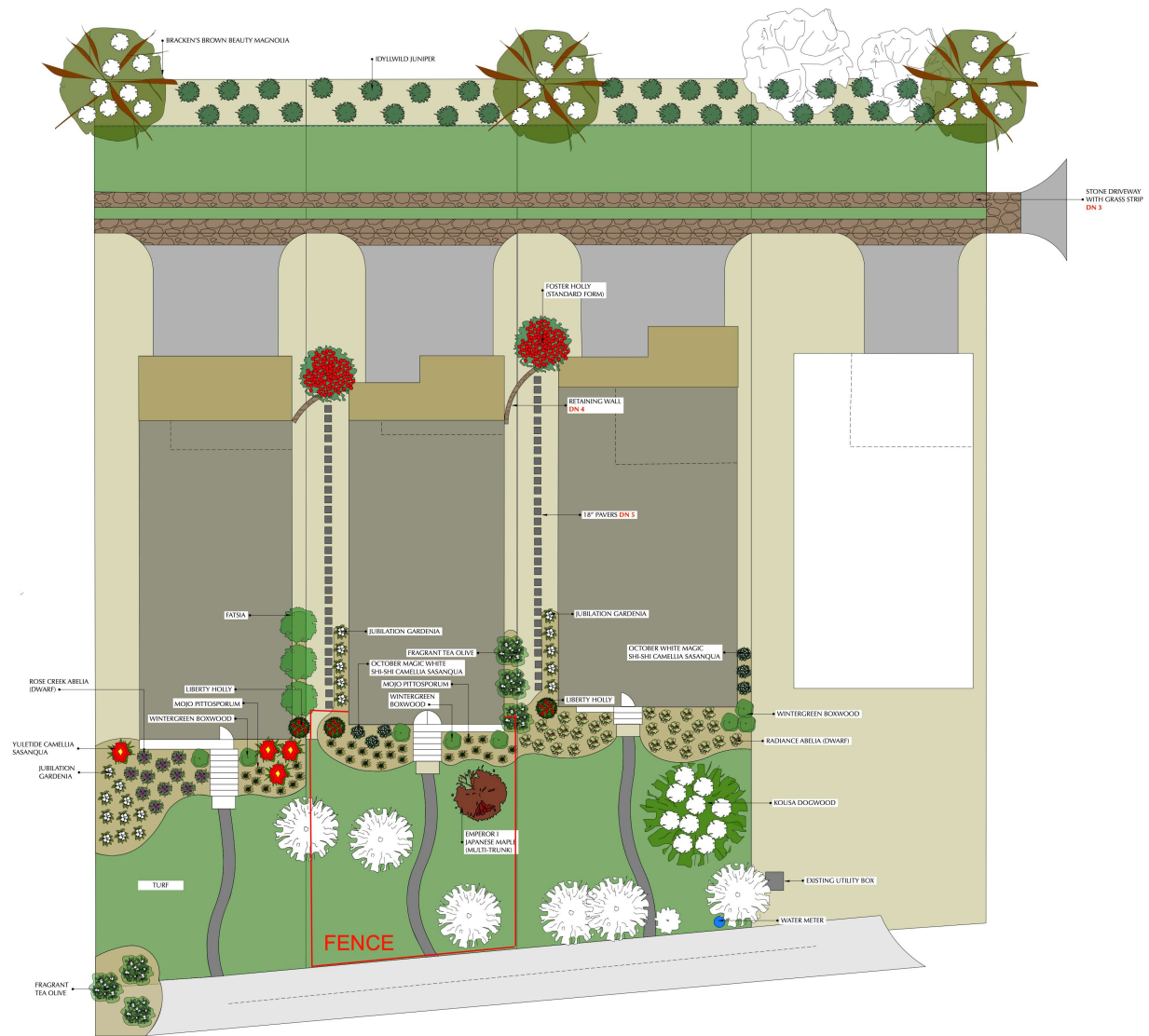
Note: No title search of the public records has been performed by this firm and land shown hereon was not abstracted for easements and /or rights-of-way, recorded or unrecorded. The parcel shown hereon is subject to setbacks, easements, zoning, and restrictions that may be found in the public records of said county and/or city. Underground portions of foundations and footings and/or other underground structures, utilities, cemeteries or burial sites were not located unless otherwise noted. We do not look for underground sewer or flip manhole covers.

This survey is not transferable and may only be used by the person/company that pays for it at time of survey.

RESURVEY OF THE
RESURVEY OF LOTS 13,14,15 & 16
BLOCK I T.H. PAYNE SURVEY
MAP BOOK 84 PAGE 14
JEFFERSON COUNTY, ALABAMA

PLAT BOOK 255
PAGE 76

RAY & GILLILAND, P.C.	
122 NORTH CALHOUN STREET P.O. BOX 1183 SYLACAUGA, ALABAMA 35150	TEL NO. (256) 245-3243 FAX NO. (256) 245-3202
DRAWN BY: JMR	FILE: MAYLANDLANEVESTAVIA
	SCALE: 1"=30'
	DATE:



DESIGN NOTES (INDICATED ON PLAN AS "DN")

1. REMOVE ALL WEEDS, GRASSES AND PLANTS IN THE TURF AREAS AND NEW DESIGNATED PLANTING BEDS.
2. WHEN PLANTING SHRUBS AND TREES, DIG THE HOLES TWICE THE WIDTH AND AS DEEP AS EACH PLANT'S ROOTBALL. MIX SOIL, CONDITIONER AND "BLACK KOW MANURE" WITH THE EXCAVATED SOIL. ADD A LITTLE OF THE MIXED SOIL TO THE BOTTOM OF THE HOLE. SET PLANTS IN THE HOLE MAKING SURE EACH SHRUB'S ROOTBALL IS 1" TO 1 1/2" INCHES ABOVE THE EXISTING SOIL LINE. EACH TREE'S ROOTBALL SHALL BE 2" TO 3 INCHES ABOVE THE EXISTING GRADE. PLACE THE MIXED SOIL AROUND THE ROOTBALL AND GRADE SOIL TO THE TOP OF EACH PLANT'S ROOTBALL. MAKE SURE ALL TREES AND SHRUBS ARE PLANTED STRAIGHT AND UPRIGHT. STAKE TREES ONLY WHEN NEEDED.
3. FOR THE DRIVEWAY IN THE BACK OF HOUSES, PREPARE THE AREAS WHERE THE STONE OR PAVERS ARE TO BE LAID WITH A BASE OF 4 INCHES OF CRUSHED STONE AND PACK OR TAMP THE GRAVEL LIME FIRM. THEN PLACE THE STONE OR PAVERS SO THEY ARE LEVEL WITH THE GRADE AND SMOOTH. IF NATURAL STONE IS TO BE USED IT SHOULD BE 3/4 TO 1 INCH THICK. IF PAVERS ARE USED THEY SHALL BE RATED FOR CAR TRAFFIC. ONCE ALL STONE/PAVERS ARE PLACED, SWEEP POLYMERIC SAND IN BETWEEN JOINTS.
4. BUILD LOW DRY-STACKED RETAINING WALLS WITH SANDSTONE (WALL BE ROCKS COLLECTED ON SITE) AT THE END OF THE HOUSES AS SHOWN ON PLAN TO HELP REDUCE WASHING. THE HEIGHT OF THE WALL SHALL BE DECIDED ONCE GRADING IS COMPLETE, BUT SHALL NOT EXCEED 3 FEET IN HEIGHT.
5. SMALL STRIP BETWEEN THE HOUSES SHALL HAVE PAVERS OR FLAGSTONE FOR A WALKING SURFACE. PAVEMENT OR ASPHALT JASMINE SHALL BE USED TO COVER THE GROUND. IF USING ASPHALT JASMINE, IT SHOULD BE PLANTED ON 18-INCH CENTERS.
6. BEFORE LAYING SOIL IN FRONT OF THE HOUSES, GRADE THE EXISTING SOIL SMOOTH. THERE SHOULD BE A SLIGHT CROWN IN THE MIDDLE OF THE YARD. ADD 2" TO 3 INCHES OF TOPSOIL AND SMOOTH THE SOIL BEFORE LAYING SOIL.
7. ONCE ALL PLANTING IS COMPLETE, COVER ALL NEW PLANTING AREAS WITH 2" TO 3 INCHES OF PINE STRAW AS A MULCH.

			PLANT KEY		
SYMBOL	COMMON NAME	BOTANIC NAME	FEATURES	SIZE	QTY
	FRAGRANT TEA OLIVE	OSMANTHUS FRAGRANS	A DROUGHT-TOLERANT EVERGREEN SHRUB, HIGHLY FRAGRANT FLOWERS BLOOM HEAVY IN SUMMER BUT ALSO APPEAR THROUGHOUT THE YEAR. GROWS TO 15 FEET TALL AND 10 FEET WIDE https://www.monrovia.com/plant-catalog/monrovia-osm-fs	6' B&B	6
	JUBILATION GARDENIA	GARDENIA JASMINEOIDES 'LEONE'	A COMPACT EVERGREEN SHRUB WITH FRAGRANT WHITE BLOOMS FROM SPRING THROUGH FALL. GROWS TO 4 FEET TALL AND WIDE https://southernhennepin.com/collections/southern-jubilation-gardenia	3 GAL	20
	YULETIDE CAMELLIA SASANQUA	CAMELLIA SASANQUA 'YULETIDE'	A COMPACT EVERGREEN SHRUB WITH BRIGHT RED FLOWERS AND COLORFUL CENTERS. PROVIDES WINTER COLOR WITH A LONG BLOOM SEASON. GLOSSY GREEN LEAVES PROVIDE AN EXCELLENT EVERGREEN FOUNDATION WHEN NOT IN BLOOM. ATTRACTS BIRDS AND BUTTERFLIES. GROWS TO 3 FEET TALL AND 4 FEET WIDE https://www.monrovia.com/collections/southern-yuletide-camellia	7 GAL	4
	ROSE CREEK ABELIA (DNWRF)	ABELIA X CHINENSIS 'ROSE CREEK'	A COMPACT EVERGREEN SHRUB. WINTER LEAVES CHANGE FROM PINKISH TO DARK GREEN AND PURPLE. SHOWY CLUSTERS OF FRAGRANT WHITE FLOWERS EMERGE IN SPRING. ATTRACTS HUMMINGBIRDS AND BUTTERFLIES. GROWS TO 3 FEET TALL AND 4 FEET WIDE https://www.monrovia.com/collections/monrovia-rose-creek-abelia	3 GAL	11
	WINTERGREEN BOXWOOD	BUXUS SINENSIS VAR. 'WINTERGREEN'	A SLOW-GROWING EVERGREEN SHRUB WITH SMALL, DELICATE LEAVES. FRAGRANT GREENISH-BLOSSOM SCENTED BLOOMS. DRIER RESISTANT. GROWS TO 3 FEET TALL AND WIDE https://www.plantworldinc.com/collections/boxwood/wintergreen-boxwood	30" TALL B&B	8
	MIDO PITTOSPORUM	PITTOSPORUM TOBIANA 'MIDO'	A COMPACT EVERGREEN SHRUB WITH COARSE TEXTURED, VARI-GATED FOLIAGE AND ORANGE-BLOSSOM SCENTED BLOOMS. DRIER RESISTANT. GROWS TO 3 FEET TALL AND WIDE https://www.monrovia.com/collections/monrovia-mido-pittosporum	3 GAL	20
	LIBERTY HOLLY	ILEX X 'CONY'	A DENSE EVERGREEN SHRUB WITH DARK GREEN, DEEPLY SERRATED LEAVES. CLUSTERS OF BRIGHT RED ORNAMENTAL BERRIES IN WINTER. GROWS IN AN UPRIGHT PYRAMIDAL FORM. GROWS TO 8 FEET TALL AND 4 FEET WIDE https://www.monrovia.com/collections/monrovia-liberty-holly	7 GAL	3
	FATSIA	FATSIA JAPONICA	A BRACED LEAF EVERGREEN SHRUB WITH DENSE, ATTRACTIVE FOLIAGE FOR SCREENING. SMALL CREAMY FLOWERS BLOOM IN FALL FOLLOWED BY PINKISH BLACK BERRIES. GROWS TO 10 FEET TALL AND WIDE https://www.monrovia.com/collections/monrovia-fatsia	7 GAL	3
	OCTOBER MAGIC WHITE SHRUB CAMELLIA SASANQUA	CAMELLIA SASANQUA 'GREEN ICE-204'	A LOW-GROWING EVERGREEN SHRUB WITH PINKISH-AN WHITE DOUBLE FLOWERS WHICH BLOOM OCTOBER THROUGH JANUARY. ATTRACTS BIRDS AND BUTTERFLIES. GROWS 4 FEET TALL AND WIDE https://southernhennepin.com/collections/southern-october-magic-white-shrub	7 GAL	6
	EMPEROR I JAPANESE MAPLE (MULTI-TRUNK)	ACER PALMATUM 'WOLF'	A MID-SIZED ORNAMENTAL TREE KNOWN FOR ITS VIGOROUS GROWTH AND STRONG FOLIAGE WHICH RANGES FROM RICH PLUM TO CRIMSON RED. GROWS TO 15 FEET TALL AND WIDE https://www.monrovia.com/collections/monrovia-emperor-i-japanese-maple	6" TO 8" TALL	1
	KOUSA DOGWOOD	CORNUS KOUSA	A SMALL DECIDUOUS FLOWERING TREE WITH SHOWY WHITE BLOOMS IN LATE SPRING. SPECTACULAR FALL LEAF COLOR. FLOWERS ARE FOLLOWED BY BERRY-LIKE FRUITS WHICH MATURE TO PINKISH RED THROUGH FALL. ATTRACTS BUTTERFLIES. SLOWLY GROWS TO 30 FEET TALL AND WIDE https://www.monrovia.com/collections/monrovia-kousa-dogwood	6" TO 8" TALL	1
	RADIANCE ABELIA (DNWRF)	ABELIA X GRANDIFOLIA 'RADIANCE'	AN EVERGREEN SHRUB WITH VARI-GATED GREEN AND WHITE FOLIAGE ON RED STEMS. FRAGRANT WHITE, TRUMPET-SHAPED FLOWERS BLOOM IN LATE SUMMER TO FALL. ATTRACTS BIRDS AND BUTTERFLIES. GROWS TO 3 FEET TALL AND 3.5 FEET WIDE https://www.monrovia.com/collections/monrovia-radiance-abelia	3 GAL	29
	FOSTER HOLLY (STANDARD FORM)	ILEX X 'ATENTATA FOSTER'	AN EVERGREEN SHRUB WITH GLOSSY, DARK GREEN LEAVES WITH WHITE SPRING FLOWERS AND RED BERRIES IN FALL. ONE OF THE RARE HOLLYS WHICH PRODUCES FRUIT WITHOUT FERTILIZATION FROM A MALE POLLINATOR. GROWS TO 30 FEET TALL AND 20 FEET WIDE https://www.afsdcg.com/products/fooster-holly	1 1/2" TO 2" CAUPER	2
	BRACKEN'S BROWN BEAUTY MAGNOLIA	MAGNOLIA GRANDIFLORA 'BRACKEN'S BROWN BEAUTY'	A HARDY EVERGREEN MAGNOLIA THAT DOES NOT LOSE AS MANY LEAVES AS OTHER VARIETIES. LUSTROUS, LATHERY FOLIAGE IS DARK GREEN WITH A GLOSSY UNIFORM UNDERSIDE. PRODUCES LARGE FRAGRANT FLOWERS. GROWS SLOWLY TO 20 FEET TALL AND 35 FEET WIDE https://www.monrovia.com/collections/monrovia-bracken-brown-beauty-magnolia	10' TO 12' TALL	3
	ERIOGONUM JUNIPER	JUNIPERUS VIRGINIANA 'ERIOGONUM'	AND UPRIGHT BRANCHING EVERGREEN CONIFER IDEAL FOR ITS RUGGED DARK GREEN FOLIAGE. GROWS TO 15 FEET TALL AND 6 FEET WIDE https://www.monrovia.com/collections/monrovia-eriogonum-juniper	30	

WINWARD LANE
VESTAVIA HILLS, AL 35216

DATE:
MAY 2022
LANDSCAPE
DESIGN

SCALE:
1 INCH = 10 FEET



Charlie Haggard Garden Design
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DESIGN NOTES (INDICATED ON PLAN AS "DN")

1. REMOVE ALL WEEDS, GRASSES AND PLANTS IN THE TURF AREAS AND NEW DESIGNATED PLANTING BEDS.
 2. WHEN PLANTING SHRUBS AND TREES, DIG THE HOLES TWICE THE WIDTH AND AS DEEP AS EACH PLANT'S ROOTBALL. MIX SOIL, CONDITIONER AND "BLACK KOW MANURE" WITH THE EXCAVATED SOIL. ADD A LITTLE OF THE MIXED SOIL TO THE BOTTOM OF THE HOLE. SET PLANTS IN THE HOLE MAKING SURE EACH SHRUB'S ROOTBALL IS 1" TO 1-1/2" INCHES ABOVE THE EXISTING SOIL LINE. EACH TREE'S ROOTBALL SHALL BE 2" TO 3" INCHES ABOVE THE EXISTING GRADE. PLACE THE MIXED SOIL AROUND THE ROOTBALL AND GRADE SOIL TO THE TOP OF EACH PLANT'S ROOTBALL. MAKE SURE ALL TREES AND SHRUBS ARE PLANTED STRAIGHT AND UPRIGHT. STAKE TREES ONLY WHEN NEEDED.
 3. FOR THE DRIVEWAY IN THE BACK OF HOUSES, PREPARE THE AREAS WHERE THE STONE OR PAVERS ARE TO BE LAID WITH A BASE OF 4 INCHES OF CRUSHED STONE AND PACK OR TAMP THE GRAVEL LIME FIRM. THEN PLACE THE STONE OR PAVERS SO THEY ARE LEVEL WITH THE GRADE AND SMOOTH. IF NATURAL STONE IS TO BE USED IT SHOULD BE 3" TO 4 INCHES THICK. IF PAVERS ARE USED THEY SHALL BE RATED FOR CAR TRAFFIC. ONCE ALL STONE/PAVERS ARE PLACED, SWEEP POLYMERIC SAND IN BETWEEN JOINTS.
- FOR THE CENTER STRIP OF THE DRIVEWAY PREPARE THE AREA WITH 5 INCHES OF CRUSHED STONE. THEN LAY PLASTIC GRID (SUCH AS "TECHNO EARTH PERMEABLE GRASS PAVERS") DOWN ACCORDING TO MANUFACTURER'S RECOMMENDATIONS. NEXT FILL THE GRID WITH TOPSOIL AND LAY SOIL OVER THE TOPSOIL AND PAVERS. YOU MAY WANT TO USE BERMUDA GRASS IN THE CENTER STRIP SINCE IT IS MORE AGGRESSIVE AND RECOVERS QUICKLY. THE BERMUDA CAN ALSO BE OVERSEED IN THE WINTER WITH WINTER GRASS.
4. BUILD LOW DRY-STACKED RETAINING WALLS WITH SANDSTONE (WALL BE ROCKS COLLECTED ON SITE) AT THE END OF THE HOUSES AS SHOWN ON PLAN TO HELP REDUCE WASHING. THE HEIGHT OF THE WALL SHALL BE DECIDED ONCE GRADING IS COMPLETE, BUT SHALL NOT EXCEED 3 FEET IN HEIGHT.
 5. THE SMALL STRIP BETWEEN THE HOUSES SHALL HAVE PAVERS OR FLAGSTONE FOR A WALKING SURFACE. PVA-GRASS OR ASIANIC JASMINE SHALL BE USED TO COVER THE GRASS. IF USING ASIANIC JASMINE, IT SHOULD BE PLANTED ON 18 INCH CENTERS.
 6. BEFORE LAYING SOIL IN FRONT OF THE HOUSES, GRADE THE EXISTING SOIL SMOOTH. THERE SHOULD BE A SLIGHT CROWN IN THE MIDDLE OF THE YARD. ADD 2" TO 3 INCHES OF TOPSOIL AND SMOOTH THE SOIL BEFORE LAYING SOIL.
 7. ONCE ALL PLANTING IS COMPLETE, COVER ALL NEW PLANTING AREAS WITH 2" TO 3 INCHES OF PINE STRAW AS A MULCH.

PLANT KEY					
SYMBOL	COMMON NAME	BOTANICAL NAME	FEATURES	SIZE	QTY
	FRAGRANT TEA OLIVE	OSMANthus FRAGRANS	A DROUGHT-TOLERANT EVERGREEN SHRUB, HIGHLY FRAGRANT FLOWERS BLOOM HEAVY IN SUMMER BUT ALSO APPEAR THROUGHOUT THE YEAR. GROWS TO 15 FEET TALL AND 10 FEET WIDE https://www.monrovia.com/evergreen/fragrant-tea-olive/	6' B&B	6
	JUBILATION GARDENIA	GARDENIA JASMINEODENS LEONE	A COMPACT EVERGREEN SHRUB WITH FRAGRANT WHITE BLOOMS FROM SPRING THROUGH FALL. GROWS TO 4 FEET TALL AND WIDE https://daphnereis.com/collections/jubilation-gardenia/	3 GAL	20
	YULETIDE CAMELLIA SASANQUA	CAMELLIA SASANQUA 'YULETIDE'	A COMPACT EVERGREEN SHRUB WITH BRIGHT RED FLOWERS AND COLORFUL CENTERS. PROVIDES WINTER COLOR WITH A LONG BLOOM SEASON. GLOSSY GREEN LEAVES PROVIDE AN EXCELLENT EVERGREEN FOUNDATION WHEN NOT IN BLOOM. ATTRACTS BIRDS AND BUTTERFLIES. GROWS TO 8 FEET TALL AND 6 FEET WIDE https://daphnereis.com/collections/yuletide-camellia-sasanqua/	7 GAL	4
	ROSE CREEK ABELIA (DNWAF)	ABELIA X CHINENSIS 'ROSE CREEK'	A COMPACT EVERGREEN SHRUB. WINTER LEAVES CHANGE FROM PINKISH TO DARK GREEN AND PURPLE. SHOWY CLUSTERS OF FRAGRANT WHITE FLOWERS EMERGE IN SPRING. ATTRACTS HUMMINGBIRDS AND BUTTERFLIES. GROWS TO 3 FEET TALL AND 4 FEET WIDE https://www.monrovia.com/rose-creek-abelia.html	3 GAL	11
	WINTERGREEN BORWICK	BUXUS SINICA VAR. 'INSULARIS' 'WINTERGREEN'	A SLOW-GROWING EVERGREEN SHRUB WITH SMALL, DELICATE LEAVES. FRAGRANT GREENISH-SILVER FLOWERS IN SPRING. MAKES AN EXCELLENT HEDGE. GROWS TO 4 FEET TALL AND 5 FEET WIDE https://www.daphnereis.com/collections/wintergreen-borwick/	10" TALL B&B	8
	MIDO PITTOSPORUM	PITTOSPORUM TOBIANA 'MIDO'	A COMPACT EVERGREEN SHRUB WITH COARSE TEXTURED, VARI-GATED FOLIAGE AND ORANGE-BLOSSOM SCENTED BLOOMS. DRIER RESISTANT. GROWS TO 3 FEET TALL AND WIDE https://daphnereis.com/collections/mido-pittosporum/	3 GAL	20
	LIBERTY HOLLY	ILEX X 'CONY'	A DENSE EVERGREEN SHRUB WITH DARK GREEN, DEEPLY SERRATED LEAVES. CLUSTERS OF BRIGHT RED ORNAMENTAL BERRIES IN WINTER. GROWS IN AN UPRIGHT PYRAMIDAL FORM. GROWS TO 8 FEET TALL AND 4 FEET WIDE https://www.monrovia.com/liberty-holly.html	7 GAL	3
	FATZIA	FATZIA JAPONICA	A BROADLEAF EVERGREEN SHRUB WITH DENSE, ATTRACTIVE FOLIAGE FOR SCREENING. SMALL CREAMY FLOWERS BLOOM IN FALL FOLLOWED BY PINKISH BLACK BERRIES. GROWS TO 10 FEET TALL AND WIDE https://www.monrovia.com/fatsia-japanica.html	7 GAL	3
	OCTOBER MAGIC WHITE SHRUB CAMELLIA SASANQUA	CAMELLIA SASANQUA 'GREEN ICE-204'	A LOW-GROWING EVERGREEN SHRUB WITH PINKISH AND WHITE DOUBLE FLOWERS WHICH BLOOM OCTOBER THROUGH JANUARY. ATTRACTS BIRDS AND BUTTERFLIES. GROWS 4 FEET TALL AND WIDE https://daphnereis.com/collections/october-magic-white-shrub-camellia-sasanqua/	7 GAL	6
	EMPEROR JAPANESE MAPLE (MULTI-TRUNK)	ACER PALMATUM 'WOLF'	A MID-SIZED ORNAMENTAL TREE KNOWN FOR ITS VIGOROUS GROWTH AND STRONG FOLIAGE WHICH RANGES FROM RICH PLUM TO CRIMSON RED. GROWS TO 15 FEET TALL AND WIDE https://www.monrovia.com/plant-catalog/datum/29/monrovia-japanese-maple/	6" TO 8" TALL	1
	KOUSA DOGWOOD	CORNUS KOUSA	A SMALL DECIDUOUS FLOWERING TREE WITH SHOWY WHITE BLOOMS IN LATE SPRING. SPECTACULAR FALL LEAF COLOR. FLOWERS ARE FOLLOWED BY BERRY-LIKE FRUITS WHICH MATURE TO PINKISH RED THROUGH FALL. ATTRACTS BUTTERFLIES. SLOWLY GROWS TO 30 FEET TALL AND WIDE https://www.daphnereis.com/collections/kousa-dogwood/	6" TO 8" TALL	1
	RADIANCE ABELIA (DNWAF)	ABELIA X GRANDIFOLIA 'RADIANCE'	AN EVERGREEN SHRUB WITH VARI-GATED GREEN AND WHITE FOLIAGE ON RED STEMS. FRAGRANT WHITE, TRUMPET-SHAPED FLOWERS BLOOM IN LATE SUMMER TO FALL. ATTRACTS BIRDS AND BUTTERFLIES. GROWS TO 3 FEET TALL AND 1.5 FEET WIDE https://daphnereis.com/collections/radiance-abelia/	3 GAL	29
	FOSTER HOLLY (STANDARD FORM)	ILEX X 'ATENTATA' 'FOSTER'	AN EVERGREEN SHRUB WITH GLOSSY, DARK GREEN LEAVES WITH WHITE SPRING FLOWERS AND RED BERRIES IN FALL. ONE OF THE RARE HOLLYS WHICH PRODUCES FRUIT WITHOUT FERTILIZATION FROM A MALE POLLINATOR. GROWS TO 30 FEET TALL AND 20 FEET WIDE https://www.daphnereis.com/collections/foster-holly/	1-1/2" TO 2" CAUPER	2
	BRACKEN'S BROWN BEAUTY MAGNOLIA	MAGNOLIA GRANDIFLORA 'BRACKEN'S BROWN BEAUTY'	A HARDY EVERGREEN MAGNOLIA THAT DOES NOT LOSE AS MANY LEAVES AS OTHER VARIETIES. LUSTROUS, LATHERY FOLIAGE IS DARK GREEN WITH A CROWNED UNDERSIDE. PRODUCES LARGE FRAGRANT FLOWERS. GROWS SLOWLY TO 20 FEET TALL AND 35 FEET WIDE https://www.monrovia.com/plant-catalog/datum/181/bracken-brown-beauty-magnolia/	10" TO 12" TALL	3
	EDENWILD JUNIPER	JUNIPERUS VIRGINIANA 'EDENWILD'	AND UPRIGHT BRANCHING EVERGREEN CONIFER IDEAL FOR ITS RUGGED DARK GREEN FOLIAGE. GREAT AS A HEDGE. GROWS TO 15 FEET TALL AND 6 FEET WIDE https://www.monrovia.com/datum/16/juniper.html	30	

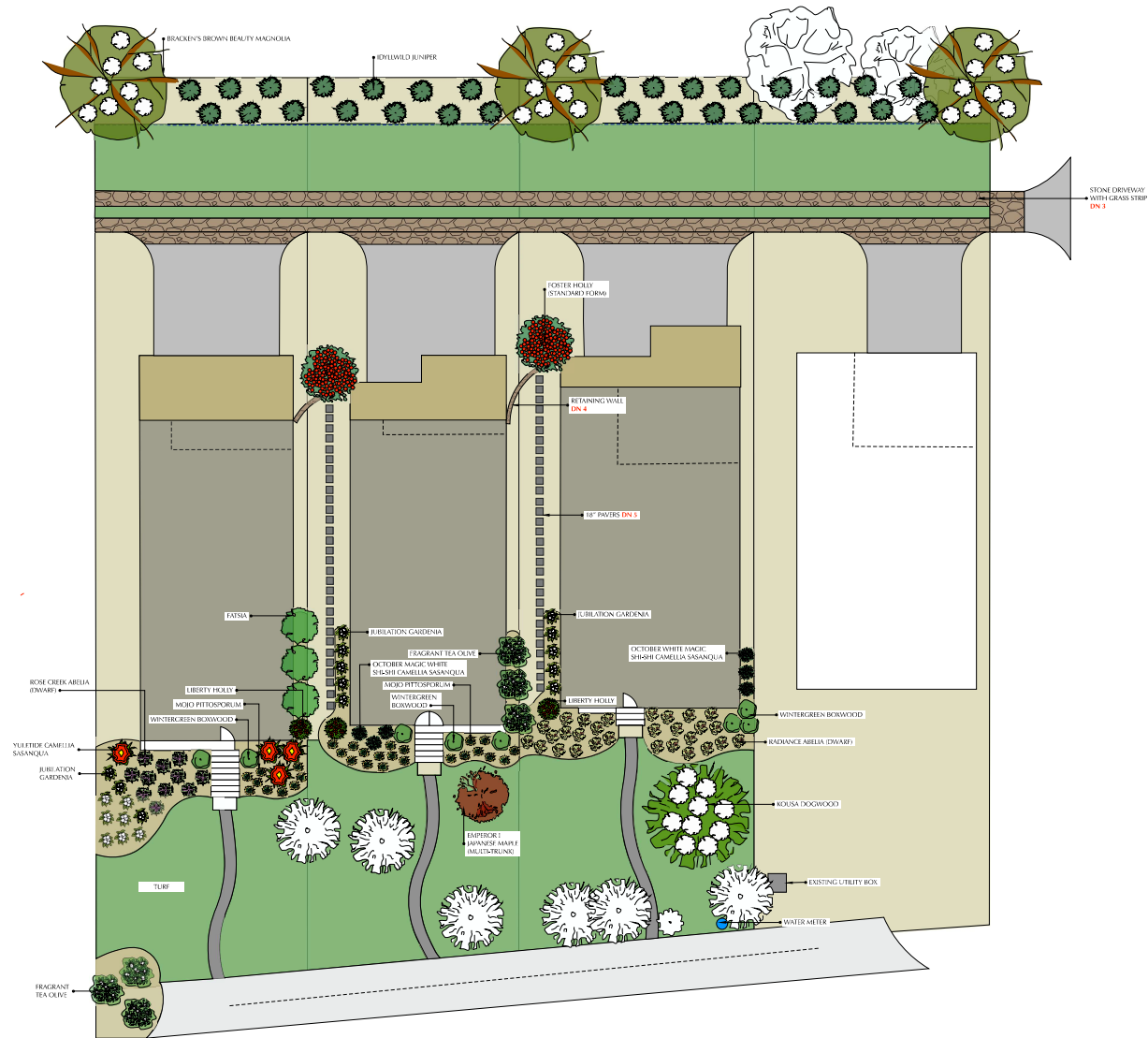
WINWARD LANE
VESTAVIA HILLS, AL 35216

DATE:
MAY 2022
LANDSCAPE
DESIGN

SCALE:
1 INCH = 10 FEET



Charlie Huggins Garden Design
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DESIGN NOTES (INDICATED ON PLAN AS "DN")

1. REMOVE ALL WEEDS, GRASSES AND PLANTS IN THE TURF AREAS AND NEW DESIGNATED PLANTING BEDS.
2. WHEN PLANTING SHRUBS AND TREES, DIG THE HOLES TWICE THE WIDTH AND AS DEEP AS EACH PLANT'S ROOTBALL. MIX SOIL, COMPOST AND BLACK KOW MANURE WITH THE EXCAVATED SOIL. ADD A LITTLE OF THE MIXED SOIL TO THE BOTTOM OF THE HOLE. SET PLANTS IN THE HOLE MAKING SURE EACH SHRUB'S ROOTBALL IS 1-2 TO 3-4 INCHES ABOVE THE EXISTING SOIL LINE. EACH TREE'S ROOTBALL SHALL BE 2-3 TO 4 INCHES ABOVE THE EXISTING GRADE. PLACE THE MIXED SOIL AROUND THE ROOTBALL AND GRADE SOIL TO THE TOP OF EACH PLANT'S ROOTBALL. MAKE SURE ALL TREES AND SHRUBS ARE PLANTED STRAIGHT AND UPRIGHT. STAKE TREES ONLY WHEN NEEDED.
3. FOR THE DRIVEWAY IN THE BACK OF HOUSE, PREPARE THE AREA WITH 5 INCHES OF CRUSHED STONE. THEN LAY PLASTIC GRID (SUCH AS TIED AND EARTH FRIENDLY GRASS PAVING) DOWN ACCORDING TO MANUFACTURER'S RECOMMENDATIONS. NET FILL THE GRID WITH TOPSOIL AND LAY SOIL OVER THE TOPSOIL AND PAVING. YOU MAY WANT TO USE BIRNOLA GRASS IN THE CENTER STRIP SINCE IT IS MORE AGGRESSIVE AND RECOVERS QUICKLY. THE BIRNOLA CAN ALSO BE OVERSEED IN THE WINTER WITH WINTER BLYE GRASS.
4. BUILD LOW DRY-STACKED RETAINING WALLS WITH SANDSTONE (BAY BE ROCKS COLLECTED ON SITE) AT THE END OF THE HOUSES AS SHOWN ON PLAN TO HELP REDUCE WASHING. THE HEIGHT OF THE WALL SHALL BE DECIDED ONCE GRADING IS COMPLETE, BUT SHALL NOT EXCEED 14 FEET IN HEIGHT.
5. THE SMALL STRIP BETWEEN THE HOUSES SHALL HAVE PAVING OR FLAGSTONE FOR A WALKING SURFACE. PAVING OR ASSIET JASMINE SHALL BE USED TO COVER THE GROUND. IF USING ASSIET JASMINE, IT SHOULD BE PLANTED ON 16 INCH CENTERS.
6. BEFORE LAYING SOIL IN FRONT OF THE HOUSES, GRAB THE EXISTING SOIL. SMOOTH. THERE SHOULD BE A SLIGHT GRAD IN THE MIDDLE OF THE YARD. ADD 2-3 TO 4 INCHES OF TOPSOIL AND SMOOTH THE SOIL BEFORE LAYING SOIL.
7. ONCE ALL PLANTING IS COMPLETE, COVER ALL NEW PLANTING AREAS WITH 2-3 TO 4 INCHES OF PINE STRAW AS A MULCH.

PLANT KEY						
SYMBOL	COMMON NAME	BOTANIC NAME	FEATURES	SIZE	QTY	
	FRAGRANT TEA OLIVE	OLIVANUS FRAGRANS	A DROUGHT-TOLERANT EVERGREEN SHRUB. HIGHLY FRAGRANT FLOWERS BLOOM HEAVILY IN SUMMER BUT ALSO APPEAR THROUGHOUT THE YEAR. GROWS TO 15 FEET TALL AND 10 FEET WIDE	9' B&B	6	https://www.merriam.com/olive-fruited.html
	JUBILATION GARDENIA	GARDENIA JASMINOIDES 'LEON'	A COMPACT EVERGREEN SHRUB WITH FRAGRANT WHITE BLOOMS FROM SPRING THROUGH FALL. GROWS TO 4 FEET TALL AND WIDE	3 GAL	20	https://www.merriam.com/olive-fruited.html
	VIOLETT CAMPELLIA SASANQUA	CAMELLIA SASANQUA 'VIOLETT'	A COMPACT EVERGREEN SHRUB WITH HIGHLY BRITTY LEAVES AND GLOSSY FOLIAGE. PROVIDES WINTER COLOUR WITH A LONG BLOOM SEASON. GLOSSY GREEN LEAVES PROVIDE AN EXCELLENT EVERGREEN FOUNDATION WHEN NOT IN BLOOM. ATTRACTS BIRDS AND BUTTERFLIES. GROWS TO 8 FEET TALL AND 6 FEET WIDE	7 GAL	4	https://www.merriam.com/olive-fruited.html
	ROSE CREEK ABELIA (DWARF)	ABELIA X CHINENSIS 'ROSE CREEK'	A COMPACT EVERGREEN SHRUB. WINTER LEAVES CHANGE FROM PINKISH TO DARK GREEN AND PINKISH. SNOWY CLUSTERS OF FRAGRANT WHITE FLOWERS EMERGE IN SPRING. ATTRACTS HUMMINGBIRDS AND BUTTERFLIES. GROWS TO 3 FEET TALL AND 4 FEET WIDE	3 GAL	11	https://www.merriam.com/olive-fruited.html
	WINTERGREEN BORWICKER	BUXUS SINENSIS 'WINTERGREEN'	A SLOW-GROWING EVERGREEN SHRUB WITH SMALL, DELICATE LEAVES. FRAGRANT GREENISH-YELLOW FLOWERS IN SPRING. MAKES AN EXCELLENT HEDGE. GROWS TO 4 FEET TALL AND 5 FEET WIDE	30" TALL BAR	8	https://www.merriam.com/olive-fruited.html
	MICRO PITTOSPORUM	PITTOSPORUM TORBIA 'MAGIC'	A COMPACT EVERGREEN SHRUB WITH COARSE TEXTURED, VARI-GATED FOLIAGE AND ORANGE-RED BLOSSOMS IN WINTER. GROWS TO 3 FEET TALL AND WIDE	3 GAL	20	https://www.merriam.com/olive-fruited.html
	LIBERTY HOLLY	ILEX X 'CONY'	A DENSE EVERGREEN SHRUB WITH DARK GREEN, DEEPLY SERRATED LEAVES. CLUSTERS OF BRIGHT RED ORNAMENTAL BERRIES IN WINTER. GROWS IN AN UPRIGHT FRAGRANT FORM. GROWS TO 8 FEET TALL AND 4 FEET WIDE	7 GAL	3	https://www.merriam.com/olive-fruited.html
	FATISIA	FATISIA JAPONICA	A BRONZE-LEAF EVERGREEN SHRUB WITH DENSE, AT-TRE-TIME FOLIAGE FOR SCREENING. SMALL CREAMY FLOWERS BLOOM IN FALL FOLLOWED BY REDDISH-BLACK BERRIES. GROWS TO 10 FEET TALL AND WIDE	7 GAL	3	https://www.merriam.com/olive-fruited.html
	OCTOBER MAGIC WHITE SHRUB CAMELLIA SASANQUA	CAMELLIA SASANQUA 'OCTOBER MAGIC'	A LONG-GROWING EVERGREEN SHRUB WITH PINKISH-PURPLE FLOWERS WHICH BLOOM THROUGH JANUARY. ATTRACTS BIRDS AND BUTTERFLIES. GROWS 4 FEET TALL AND WIDE	7 GAL	6	https://www.merriam.com/olive-fruited.html
	EMPEROR JAPANESE MAPLE (RED-FLOWERING)	ACER PALMATUM 'EMPEROR'	A MID-SIZED ORNAMENTAL TREE KNOWN FOR ITS VIGOROUS GROWTH AND STRONG FOLIAGE. FALL LEAF COLOR: FLOWERS ARE FOLLOWED BY BRASSICA FRUITS WHICH HARDEN TO PINKISH RED THROUGH FALL. ATTRACTS BUTTERFLIES. SLOWLY GROWS TO 30 FEET TALL AND WIDE	6" TO 8" TALL	1	https://www.merriam.com/olive-fruited.html
	KOUSA DOGWOOD	CORNUS KOUSA	A SMALL, DECIDUOUS CLIMBING TREE WITH SNOWY WHITE BLOOMS IN LATE SPRING. SPECTACULAR FALL LEAF COLOR. FLOWERS ARE FOLLOWED BY BRASSICA FRUITS WHICH HARDEN TO PINKISH RED THROUGH FALL. ATTRACTS BUTTERFLIES. SLOWLY GROWS TO 30 FEET TALL AND WIDE	6" TO 8" TALL	1	https://www.merriam.com/olive-fruited.html
	RADIANCE ABELIA (DWARF)	ABELIA X GRANDIFLORA 'RADIANCE'	A COMPACT EVERGREEN SHRUB WITH VARI-GATED GREEN AND WHITE FOLIAGE ON RED STEMS. FRAGRANT WHITE, BRUSH-LIKE FLOWERS BLOOM IN LATE SUMMER TO FALL. ATTRACTS BIRDS AND BUTTERFLIES. GROWS TO 3 FEET TALL AND 1.5 FEET WIDE	3 GAL	29	https://www.merriam.com/olive-fruited.html
	FOSTER HOLLY (STANDARD FORM)	ILEX X ATTENUATA 'FOSTER'	A COMPACT EVERGREEN SHRUB WITH GLOSSY, DARK GREEN LEAVES WITH WHITE SPONGE FLOWERS AND RED BERRIES IN FALL. ONE OF THE RARE HOLLYS WHICH PRODUCES FRUIT WITHOUT FERTILIZATION FROM A MALE POLLINATOR. GROWS TO 30 FEET TALL AND 30 FEET WIDE	14" TO 12" TALL	2	https://www.merriam.com/olive-fruited.html
	BRACKEN'S BROWN BEAUTY MAGNOLIA	MAGNOLIA GRANDIFLORA 'BRACKEN'S BROWN BEAUTY'	A HARDY EVERGREEN MAGNOLIA THAT DOES NOT LOSE AS MANY LEAVES AS OTHER VARIETIES. LUSTROUS, LEATHERY FOLIAGE IS DARK GREEN WITH A GLOSSY UNDERSIDE. PRODUCE LARGE FRAGRANT FLOWERS. GROWS SLOWLY TO 30 FEET TALL AND 35 FEET WIDE	10" TO 12" TALL	3	https://www.merriam.com/olive-fruited.html
	RIVERVALE JUNIPER	JUNIPERUS VIRGINIANA 'RIVERVALE'	A UPRIGHT BRANCHED CONIFER KNOWN FOR ITS AUGUST DARK GREEN FOLIAGE. GREAT AS A HEDGE. GROWS TO 15 FEET TALL AND 4 FEET WIDE	30		https://www.merriam.com/olive-fruited.html

WINWARD LANE
VESTAVIA HILLS, AL 35216

DATE:
MAY 2022
LANDSCAPE
DESIGN

SCALE: 1" = 10 FEET
0' 10' 20'



Charlie Thigpen Garden Design
Horticultural & Creative
Landscape Designer
CharlieThigpenGardenDesign.com
thigpen@garden-design.com
205.360.8157



VESTAVIA HILLS

Board of Zoning Adjustment Planners Report

MEETING DATE

June 15, 2023

AGENDA ITEM

BZA-23-13 **Phillip Young** is requesting a **Rear Setback Variance, Side Setback Variance, Lot Area Variance, & Lot Width Variance**, for the property located at **404 Fernwood Drive**. The purpose of this request is to reduce the Rear Setback to 5' in lieu of the required 15' & to reduce the Side Setback to 5' in lieu of the required 15' & to reduce the Lot Area to 11,227 sq ft in lieu of the required 15,000 sq ft & to reduce the Lot Width to 75' in lieu of the required 100', to renovate existing shed. The property is owned by Phillip Young and is zoned **Vestavia Hills R-3**.

BACKGROUND

10' Rear Setback Variance to Reduce the Setback to 5' in Lieu of the Required 15' & 10' Side Setback Variance to Reduce the Setback to 5' in Lieu of the Required 15' & 3,773 sq ft Lot Area Variance to Reduce the Lot Area to 11,227 sq ft in Lieu of the Required 15,000 sq ft & 15' Lot Width Variance to Reduce the Lot Width to 75' in Lieu of the Required 100'.

PLANNER'S REVIEW/RECOMMENDATION

The applicant is requesting multiple variances to renovate the existing rear accessory structure. The applicant contends the underground drain pipe causes a hardship if the structure were to be demolished and rebuilt to the specifications of the current zoning. There is currently a septic tank and field lines in the rear that limit the buildability. There is also a unique sewer drain accompanied with the septic lines in the rear. This request will not alter the current location of the structure and would just be a renovation because of storm water damage. The property is currently on a lot and a half and must be resurveyed to receive a permit for the renovation. The new lot would be undersized in both lot area and lot width. As a result, those subsequent variances are being requested too. The property is zoned R-3.

ATTACHMENTS

1. Engineering Comments
2. Application
3. Survey

4. Affidavit

Jack Wakefield
City Planner



BZA-23-13

Engineering Review

Variance and Special Exception Application

Status: Complete

Became Active: May 17, 2023

Assignee: Lori Beth Kearley

Completed: May 30, 2023

Applicant

Philip Young
pyoung@crcgroup.com
404 Fernwood Drive
Birmingham, AL 35216
2055403379

Primary Location

404 FERNWOOD DR
VESTAVIA HILLS, AL 35216

Owner:

Philip Young
Fernwood Drive 404 Fernwood Drive
Birmingham, AL 35216

Comments

Lori Beth Kearley, May 30, 2023

Any modifications that would result in a larger building footprint, additional concrete or other impervious surfaces would be subject to further engineering review at the Building permit stage to ensure the property maintains an allowable percentage of impervious surfaces on the lot. (i.e., no more than 30% of the total lot area)

Philip Young, May 30, 2023

Understood so do I need a variance still? What is your email i would like to include you on a not to Jack.

Lori Beth Kearley, May 30, 2023

My comment has no bearing on the need for variance. All that should be routed through Jack.



BZA-23-13

Variance and Special Exception Application

Status: Active

Date Created: May 12, 2023

Applicant

Philip Young
pyoung@crcgroup.com
404 Fernwood Drive
Birmingham, AL 35216
2055403379

Primary Location

404 FERNWOOD DR
VESTAVIA HILLS, AL 35216

Owner:

Philip Young
Fernwood Drive 404 Fernwood Drive
Birmingham, AL 35216

Agenda Information

Agenda Scheduling

June 2023

Applicant Information

I am filling this out as the

Owner

Billing/Responsible Party

Name

Philip Young

Phone #

2055403379

Address

404 Fernwood Drive

City/State/Zip

Vestavia, AL

Email

pyoung@crcgroup.com

Subject Property Information

Subject Property Address

404 Fernwood Drive

Legal Description of Subject Property

Primary Residence; Single Family Home

REASONS FOR REQUEST

Rear Setback Variance



Setback Required

15

Setback Requested

5

Side Setback Variance



Setback Required

15

Setback Requested

5

Lot Area Variance



Area Required

15,000 sq ft

Area Requested

11,227 sq ft

Lot Width Variance



Width Required

100'

Width Requested

75'

ZONING

Vestavia Hills Zoning for the subject property is

R3

PROJECT

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

We are renovating an existing shed that has been damaged by storm water runoff. The existing shed does not meet the current set back requirments so we are requisting a variance for the renovation.

HARDSHIP

Please answer the following questions regarding hardship and briefly summarize and describe those things which you feel justify the action requested in the box below. 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).

To move the existing shed to a new location or to tear down the existing shed and build a new one would create an undue hardship due to the addition cost involved. Also we would have to move an underground drain in order to move the shed to meet new variance requirements.

Before any variance is granted, the BZA must find that ALL of the following conditions exist. Please describe each of the following details in order for the BZA to determine if these warrants the described hardship.

1. There are extraordinary and exceptional conditions, which are peculiar to the piece of property in question because of its size, shape or topography, that are not applicable to the other lands or structures in the same district. Please explain:

The location of our septic tank and fill lines along with the unique sewer drain in our back yard do not accommodate moving the shed to a new location.

2. Granting the variance requested will not confer upon the applicant any special privileges that are denied to other owners of property in the District in which the property is located. Please explain:

This should not be considered as a special privilege as this is an existing structure.

3. All literal interpretations of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by others of property in the district in which the property is located. Please explain:

A literal interpretation of the set backs would require the shed to be moved into the middle of our backyard. Other property owners in our district commonly have sheds that are not in compliance with setback requirements.

4. The requested variance will be in harmony with the purpose and intent of this Ordinance and will not be injurious to the neighborhood or to the general welfare. Please explain:

The variance will be in harmony with the purpose as it is an existing structure and will not change sight lines or views for existing neighbors.

5. The special circumstances are not the intended result of the actions of the applicant (i.e., self-imposed hardship). Please explain:

The hardship is a result of the storm water runoff from the open city drain line that runs along the back of our property. No owner self-imposed hardship.

6. The variance requested is the minimum variance that will make possible the legal use of the land, building or structure. Please explain:

The variance request at 5 feet is the minimum variance that will allow our shed to sit in its existing locations without having the septic tank and lines moved or the city to move the storm drain and ditch in our back yard.

7. The no non-conforming use of neighboring lands, structures, or buildings in the same

district, and no permitted or non-conforming use of lands, structures, or building in other districts shall be considered grounds for the issuance of a variance.

8. That a variance will not allow the permanent establishment of a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.

I agree that if the variance is granted the sole use of the structure would be as a shed and for no other purpose.

NOTE: In proving that an unnecessary hardship has been imposed on the property as a result of the strict interpretation of this Ordinance, the following conditions cannot be considered pertinent to the determination of whether or not an unnecessary hardship exists: (1) proof that a variance would increase the financial return from land; or (2) personal or economic hardship; or (3) self-imposed hardship. In other words, hardship alone is not sufficient to permit a variance. It must be an "unnecessary hardship." Mere financial loss of a kind, which might be common to all of the property owners in a district, is not an "unnecessary hardship."

OWNER AFFIDAVIT

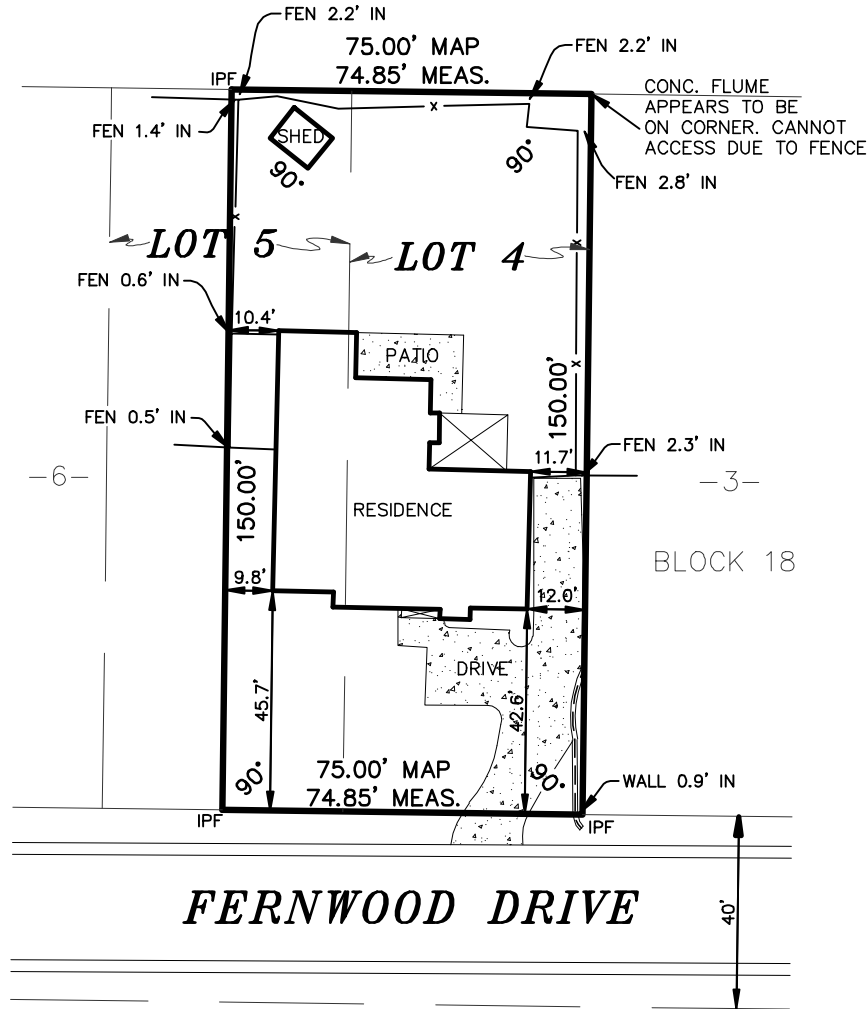
I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing. Simultaneously with the submittal of this application, I am hereby submitting a notarized affidavit signed by the owner of the property in the attachments section of this application. NOTE: Applications cannot be processed without the notarized owners affidavit. Owners authorization may be found on our main page.

Owner Signature

Philip Howard Young Jr.
05/12/2023

REYNOLDS SURVEYING CO., INC.

Surveying - Land Planning



LEGEND

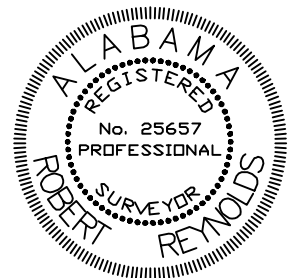
- UTILITY POLE
- GUY WIRE
- RETAINING WALL
- CONCRETE
- X FENCE
- OE OVERHEAD ELECTRICAL
- IPF IRON PIN FOUND
- IPS IRON PIN SET

SCALE: 1" = 40'

*LOT 4 AND THE
NORTH 1/2 OF LOT 5

"PROPERTY SURVEY"

STATE OF ALABAMA
JEFFERSON COUNTY

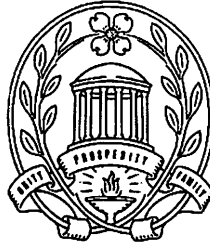


I, Robert Reynolds, a Registered Surveyor, do here by state that this is a true and correct plat or map of Lot _____, Block 18, of BILTMORE ESTATES, as recorded in Map Book 17, Page 59 in the Office of the Judge Of Probate in JEFFERSON County, Alabama. All parts of this survey and drawing have been completed 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 15TH day of DECEMBER, 2021.

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

Owner: YOUNG
Address: 404 FERNWOOD DR.

Robert Reynolds
Reg. No. 25657 Page 33 of 35



City of Vestavia Hills
Office of the City Clerk

OWNER AFFIDAVIT (This form must be notarized):

I do hereby declare that the following statements are correct concerning the subject property located at: 404 Fernwood Drive, Vestavia Hills, Alabama and that statements submitted in my application are true and that I am: *(please check all that apply)*.

X the Property Owner and representing myself in said request.

____ the Property Owner, but I am authorizing a Representing Agent by the name of: _____ to represent me in the following request:

And am requesting: (please check)

____ Rezoning Request
____ Preliminary Plat Approval
____ Final Plat Approval
____ Conditional Use Approval

X Request for Variance
____ Special Exception
____ Design Review Approval

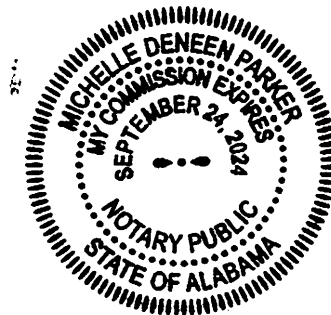
Signed:

Breanna H Young
Owner Signature/Date

STATE OF ALABAMA
COUNTY OF JEFFERSON

Given under my hand and seal
this 12th day of May, 2023.

Michelle Deneen Parker
Notary Public



My commission expires 24th day of Sept., 2024.

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[Handwritten signature or initials.]



[Faint handwritten notes or text.]

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