



Vestavia Hills
Board of Zoning Adjustment Agenda
October 19, 2023
6:00 PM

1. Roll Call
2. Approval Of Minutes
3. BZA-23-18 **Tyler Kime** is requesting a **Rear Setback Variance** for the property located at **1823 Canton Road**. The purpose of this request is to reduce the rear setback to 20' in lieu of the required 30', to build a garage addition. The property is owned by Tyler Kime and is zoned **Vestavia Hills R-2**.
4. BZA-23-24 **Brian Malcom** is requesting a **Side Setback Variance** for the property located at **2525 Aspen Cove Drive**. The purpose of this request is to reduce the side setback to 12' in lieu of the required 15', to build deck addition. The property is owned by Brian Malcom and is zoned **Vestavia Hills R-2**.
5. BZA-23-27 **Shannon George** is requesting a **Variance for Location of Fence in the Front Setback** for the property located at 1829 Canyon Road. The purpose of this request is to build a privacy fence in the front setback. The property is owned by Shannon George and is zoned **Vestavia Hills R-2**.
6. BZA-23-28 **Brandon Stovall** is requesting a **Rear and Side Setback Variance** for the property located at **1837 Cedarwood Road**. The purpose of this request is to reduce the rear setback to 40' in lieu of the required 50' & to reduce the side setback to 9' in lieu of the required 15', to build an addition. The property is owned by Brandon Stovall and is zoned **Vestavia Hills R-2**.
7. Time Of Adjournment

CITY OF VESTAVIA HILLS
BOARD OF ZONING ADJUSTMENT
MINUTES

September 21, 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
Ryan Rummage, Alt

MEMBERS ABSENT

Stephen Greer
Tony Renta

OTHER OFFICIALS PRESENT:

Jack Wakefield, Planner/GIS

APPROVAL OF MINUTES

The minutes of August 19, 2023 were presented for approval.

MOTION Motion to dispense with the reading of the minutes of August 19, 2023 was made by Mr. Jones and 2nd was by Mr. Rummage. Motion as carried on a voice vote as follows:

Mr. Fliegel – yes	Mr. Rummage – yes
Mr. Jones – yes	Chairman Rice – yes
Mr. Parchman – yes	
Motion carried.	

REAR & SIDE SETBACK VARIANCE

BZA-23-19 Allison and Jeff Phillips are requesting **Rear & Side Setback Variance** for the property located at **1909 Mission Road**. The purpose of this request is to reduce the side setback to 5' in lieu of the required 15', to cover the existing porch. The property is owned by Allison and Jeff Phillips and is zoned **Vestavia Hills R-2**.

Mr. Wakefield explained that the request is to cover the existing deck.

Jeff Phillips was present for the case and stated the corner lot caused a hardship. Mr. Phillips stated that the existing deck is in the easement but the proposed roof will not encroach.

Chairman Rice asked whether the overhead power line would cause any issues.

Mr. Phillips stated that they are well within the guidelines.

Chairman Rice opened the floor for a public hearing.

Christian Beyer, 1110 Winward Lane, asked what the dimension of the roof line would be? Concerned about the size of the structure.

Sidney Webby, representing the applicants, stated that ceiling would be 9'6", with the roof being at or under the maximum requirement of 16'.

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

Motion to APPROVE 10' Rear Setback Variance to Reduce the Setback to 5' in Lieu of the Required 15' & a 14' Side Setback Variance to Reduce the Setback to 1' in Lieu of the Required 15', for the property located at 1909 Mission Road was made by Mr. Fliegel and 2nd was by Mr. Jones. Motion was carried on a roll call vote as follows:

Mr. Fliegel – yes	Mr. Rummage – yes
Mr. Jones – yes	Chairman Rice – yes
Mr. Parchman – yes	
Motion carried.	

VARIANCE FOR LOCATION OF FENCE

BZA-23-20 Hind Lal is requesting a **Variance for Location of Fence in the Front Setback** for the property located at **1149 Mayland Lane**. The purpose of this request is to build a small fence in the front setback. The property is owned by Hind Lal and is zoned **Vestavia Hills R-2**.

Mr. Wakefield explained that the request is to build a deck in the front setback.

Hind Lal was present for the case and stated that the fence was needed for safety of the children playing in the yard. Mr. Lal stated that when he had the fence constructed he was informed that a decorative fence would be allowed in the front.

Mr. Wakefield stated that there is a Code stipulation that allows decorative fence between the front of the house and front setback line. Also, that Mr. Lal's house sits 64' from the front lot line, but the front setback line is 50'.

Mr. Jones stated that this is not a hardship and the hardship must run with the land.

Mr. Lal stated there is nothing with the land that prevents the fence in the rear or side

Mr. Rummage brought up the security fence zoning regulation and asked for clarification.

Mr. Wakefield stated that this would not fit, because the criteria for a security fence wouldn't be met here. Mr. Wakefield listed those requirements.

Chairman Rice stated that the Board can vote now, but with the risk of it being voted down. The other option is to withdraw and work with Mr. Wakefield to move the fence back to an acceptable location.

Mr. Lal stated that he would like to withdraw.

FRONT SETBACK VARIANCE

BZA-23-21 Wedgworth Construction is requesting a **Front Setback Variance** for the property located at **3120 Midland Drive**. The purpose of this request is to reduce the front setback to 30' in lieu of the required 40', to build a house. The property is owned by Wedgworth Construction and is zoned **Vestavia Hills R-4**.

Mr. Wakefield explained that the request is to build a house

Patrick Gilbert, 4154 Crosshaven Drive, was present for the case and stated that the steep slope in the rear forces the house to be pushed into the front setback. The lot is also oddly shaped.

Chairman Rice opened the floor for a public hearing.

Heather Leonard, 3741 Wimbledon Drive, was concerned about the size of Midland Drive and people possibly parking on that narrow road. She was also concerned about pollution coming from the site into the rear creek.

Mr. Gilbert stated that he has worked with the City to widen the road adjacent to the houses he builds on that street. He also stated he has a water runoff detention location on the property and that run off was being measured. He says he is doing everything he can to prevent polluting the creek. Engineering will also be reviewing his plans as it relates to the creek.

Adam Leonard, 3741 Wimbledon Drive, stated that there are tire tracks on either side of the road. He is concerned about the narrow road with a curve as people are driving off the road. This is a safety hazard.

Mr. Gilbert stated that there are Mountain Brook properties on the road, so he cannot speak for those. He is just doing what Vestavia Hills Engineering has advised.

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

Motion to APPROVE 10' Front Setback Variance to Reduce the Setback to 30' in Lieu of the Required 40', for the property located at 3120 Midland Drive was made by Mr. Jones and 2nd was by Mr. Fliegel. Motion was carried on a roll call vote as follows:

Mr. Fliegel – yes	Mr. Rummage – yes
Mr. Jones – yes	Chairman Rice – yes
Mr. Parchman – yes	
Motion carried.	

MULTIPLE SETBACK VARIANCE

BZA-23-22 Vestavia 31 RE, LLC is requesting **Multiple Variances** for the property located at **1467 Montgomery Highway**. The purpose of this request is to build a commercial structure. The property is owned by Vestavia 31 RE, LLC and is zoned **Vestavia Hills B-3**.

Mr. Wakefield explained that the request is to build a commercial development on Hwy 31.

Chris Ekroate was present for the case and stated that the odd-shaped lot and creek/flood way on the property causes a hardship. Mr. Ekroate preceded to read each variance being requested (attached Exhibit 1).

Mr. Rice asked a parking related question. Since there is an agreement with the restaurants proposed as tenants okaying the parking limitation, what would

happen if a non-breakfast restaurant. went in and was competing for spaces with the existing non-breakfast restaurant.

Mr. Ekroate said this is of course market dependant, but the vision is for this tenant to always be a breakfast restaurant, so that no parking issues would arise.

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 to APPROVE the variances requested in the attached Exhibit 1, for the property located at 1467 Montgomery Hwy was made by Mr. Jones and 2nd was by Mr. Fliegel. Motion was carried on a roll call vote as follows:

Mr. Fliegel – yes	Mr. Rummage – yes
Mr. Jones – yes	Chairman Rice – yes
Mr. Parchman – yes	
Motion carried.	

FRONT SETBACK VARIANCE

BZA-23-21 Wedgworth Construction is requesting a **Front Setback Variance** for the property located at **3120 Midland Drive**. The purpose of this request is to reduce the front setback to 30' in lieu of the required 40', to build a house. The property is owned by Wedgworth Construction and is zoned **Vestavia Hills R-4**.

Mr. Wakefield explained that the request is to cover the existing deck.

James Woods was present for the request and stated the corner lot caused a hardship.

No questions from the Board

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 to APPROVE 35' Front Setback Variance to Reduce the Setback to 15' in Lieu of the Required 50', for the property located at 2100 Chestnut Road was made by Mr. Jones and 2nd was by Mr. Parchman. Motion was carried on a roll call vote as follows:

Mr. Fliegel – yes	Mr. Rummage – yes
Mr. Jones – yes	Chairman Rice – yes
Mr. Parchman – yes	
Motion carried.	

At 7:10 PM, Mr. Jones made a motion to adjourn. The meeting adjourned at 7:10 PM.

Jack Wakefield,
Planner/GIS

**ATTACHMENT TO VARIANCE REQUEST****Patton Place – A New Commercial Development**

1467 Montgomery Highway
Vestavia Hills

Request for Variances – Summary**Summary of Project**

The project is planned to contain approximately 13,523 sf+/- of leasable building area with approximately 5,183 sf of shops with the remainder being for two restaurants: 3,728 sf for Big Bad Breakfast (BBB) and 4,612 sf for Waldo's Chicken & Beer (WCB). Who these restaurants are is important to consider for the variance requests being made.

The site for this project has been vacant in recent years, where it was most recently developed as a hotel, but its most recent lease tenants have been Luckie's Pine Straw, Christmas tree sales, and used car sales overflow among others.

The subject property is shaped like a shallow wedge, where much of the open space while appearing to be developable, is actually ALDOT right-of-way. It has a developable depth of 215'+/- reducing as it runs southerly to about 100'+/-. Its rear boundary is within the limits of Patton Creek and a key bridge under U.S. Highway 31 is located at the southern tip of the property. The property is within the area of lower Highway 31 that is subject to routine flooding by Patton Creek.

This property is heavily impacted by the FEMA floodway limits and the 100-yr water surface elevation, where no amount of "fill" is allowed within the limits of floodway, including buildings, and all insurable structures are required to be built with finished floor elevations (FFE) at 12" above the 100-yr water surface elevation (WSE). Of the developable area on this property in the 215' deep zone, the floodway reduces that depth for building and "fill" placement by about 85', and in the 100' zone, the floodway fully impacts this developable area. The site is currently zoned B-3, where the front setbacks are 30'. Including all of these reductions in building area depths results in a very shallow and oddly shaped area where a building may be placed, and the resultant area (18,858 sf+/-) for buildings is just short of 24% of the property (79,689 sf+/-).

Within this buildable area, the buildings must be at least 12" above the 100-yr WSE, which means the footprints and the sidewalks and hardscapes accessing them must be built up from existing grade 45" (3.75') with walls so that they can achieve the minimum FFE. It should be noted that since no fill is allowed within the floodway limits, the handicap ramps and stairs needed to get to the built-up building must also occupy the available buildable area on this site.



ATTACHMENT TO VARIANCE REQUEST

Within the floodway limits, as long as no “fill” is placed, hardscapes and parking are permitted along with other greenspaces and open spaces. The site will require a 15’ minimum drive all the way around the building for service, parking, and fire truck access. Because of the hardscapes needed to access the buildings from the parking area, the resultant open spaces coming from the parking and access arrangement, and to provide more aesthetic views for patrons instead of a view of a major traffic arterial road, the buildings will have an aesthetic “front” facing Highway 31 but will also have eating and gathering spaces to the rear of the building, where it is intended most of the patrons will congregate if not inside the building itself. Warning signage that the parking areas at the rear of the property are within an area subject to routine flooding will be placed between the parking stalls and Patton Creek.

Explanation and List of Variances Requested

Sec. 8.1 Off-Street Parking

Based on the planned tenant mix of strip retail and restaurants, the total parking calculated for this development is either 128 or 144 total parking spaces required depending on the method for calculating the restaurant spaces as strictly calculated from Table 8.1. A shared parking model as defined in Table 8.1.1 of the zoning ordinance results in maximum required parking spaces of 123 and 139 respectively. The larger number of parking spaces of 139 required will be used for discussion. Reference the site plan that is part of the variance request submittal and the table titled Hours of Operation and Parking Demand By Use. Within the table it lists the parking requirements for each restaurant and their Hours of Operation and Peak Demand Hours during the week and through the weekend. Table 8.1.1 - Shared Parking Reduction by Use table in the zoning ordinance does not precisely consider the hours of operation and peak demand for the tenants.

It should be understood that the restaurant tenants each have peak demand times that differ from what is represented in Table 8.1.1. BBB’s peak demand times during the week are 7:30am – 10:00am and extend to 11:00am on the weekend. WCB’s peak demand times during the week are 11:30am – 1:00pm and extend to 2:00pm on the weekend. While it is hard to predict the peak hours of a retail tenant, it is speculated that most retail tenants, not being restaurants, will have a peak demand between the hours of 3pm – 6pm daily. In summary, the tenant mix has peak demand timeframes, not in conflict, throughout the day. Furthermore, the restaurant tenants are aware of the challenging parking situation on this site and are comfortable with the formal parking situation because of the peak demand timeframes they expect along with the potential “opportunity parking” that cannot be quantified, where patrons will improvise a place to park near the site.



ATTACHMENT TO VARIANCE REQUEST

In order to endorse and comply with the Highway 31 Master Plan that the city has approved, this site also has pedestrian access through existing hardscapes off-site to remain and with a new sidewalk to be constructed as part of this project that will tie to new sidewalks that are to be constructed as part of the city's plans for this area. This walkability will aid in easing the peak parking demands for this development.

Although the tenant mix and their peak demand time frames favor an increased reduction in the peak parking demand, and this is understood by the proprietors, this situation cannot be supported with a strict interpretation of the zoning ordinance and a variance to the off-street parking demand is requested.

Sec. 6.5, Table 6.5 B-3 District Area and Dimensional Regulations

The property is heavily impacted by the FEMA floodway limits and the 100-yr water surface elevation, where no amount of "fill" is allowed within the limits of floodway, including buildings, and all insurable structures are required to be built with FFEs at 12" above the 100-yr WSE. The existing buildable area (18,858 sf+/-) is very shallow and oddly shaped where a building may be placed is just short of 24% of the overall property area (79,689 sf+/-). A reduction in the front building setback from 30' to 15' will increase the buildable area by just over 24% bringing the total buildable area to just over 29% of the overall property (23,404 sf+/-), which is a significant increase in buildable area. Without an increase in the buildable area of this property, there is no viable development option for it.

Because the site is so heavily impacted by the FEMA floodway and 100-year water surface elevation, a variance to adjust the front building setback from 30' to 15' is requested.

Sec. 8.3.3 Off-Street Loading in Front Yard

Due to the site constraints previously explained in the project summary and the need to allow a large tractor-trailer (WB-50) delivery truck to access the site, one of the two required loading areas is positioned on the front of the proposed building to allow access for this size vehicle that would otherwise not be able to get in or out of the site. A second loading area that a medium sized tractor-trailer (WB-40) may utilize is positioned at the rear of the building.

Because one of the two required loading areas will be positioned in front of the building, a variance to this section is requested.

ATTACHMENT TO VARIANCE REQUEST**Sec. 8.3.2 Off-Street Loading Screening**

Because one of the two required loading areas will be positioned in front of the building within the front yard as explained above, it cannot be adequately screened as required by this section and a variance is requested.

Sec. 9.4.5.a Dumpster Location

Due to the site constraints previously explained in the project summary, that there are planned to be patio dining and gathering spaces at the rear of the property where the noxious odor would detract from the enjoyment of patrons, and to place the dumpsters and the required screening out of the floodway, it is necessary to place the dumpsters in the front of the primary building but facing away from the frontage and to the rear of the property.

Because this placement is not allowable with a strict interpretation of the zoning ordinance, a variance to this section is being requested.

Sec. 9.2.2.1 Frontage Landscaping

Due to the site constraints previously explained in the project summary and to maximize the off-street parking on this site, it is necessary to limit the amount of landscaping within the parking and vehicle drive areas of this site. There are areas within the floodway limits and planned gathering areas where landscaping will be embellished and enhanced in order to compensate for the reduction within the hardscape areas. Furthermore, it should be noted that there will be a significant net decrease in hardscape and impervious areas on this project site.

Because this plan for the design is not allowable with a strict interpretation of the zoning ordinance, while we feel it will still comply with the spirit of the Highway 31 master plan, a variance to this section is being requested.

ATTACHMENT TO VARIANCE REQUEST**Sec. 9.2.2.2 Perimeter Landscaping**

Due to the site constraints previously explained in the project summary and to maximize the off-street parking on this site, it is necessary to limit the amount of landscaping within the parking and vehicle drive areas of this site. This request is limited to the side/north line of the property. There are areas within the floodway limits and planned gathering areas where landscaping will be embellished and enhanced in order to compensate for the reduction within the hardscape areas. Furthermore, it should be noted that there will be a significant net decrease in hardscape and impervious areas on this project site.

Because this plan for the design is not allowable with a strict interpretation of the zoning ordinance, while we feel it will still comply with the spirit of the Highway 31 master plan, a variance to this section is being requested.

Sec. 9.2.3 Interior Landscaping

Due to the site constraints previously explained in the project summary and to maximize the off-street parking on this site, it is necessary to limit the amount of landscaping within the parking and vehicle drive areas of this site. There are areas within the floodway limits and planned gathering areas where landscaping will be embellished and enhanced in order to compensate for the reduction within the hardscape areas. Furthermore, it should be noted that there will be a significant net decrease in hardscape and impervious areas on this project site.

Because this plan for the design is not allowable with a strict interpretation of the zoning ordinance, while we feel it will still comply with the spirit of the Highway 31 master plan, a variance to this section is being requested.

Sec. 9.2.4 Building Landscaping

Due to the site constraints previously explained in the project summary and to maximize the off-street parking on this site and not impede the pedestrian accessibility within the buildable area of the site, it is necessary to limit the amount of landscaping adjacent to the buildings. There are areas within the floodway limits and planned gathering areas where landscaping will be embellished and enhanced in order to compensate for the reduction within the hardscape areas. Furthermore, it should be noted that there will be a significant net decrease in hardscape and impervious areas on this project site.

Because this plan for the design is not allowable with a strict interpretation of the zoning ordinance, while we feel it will still comply with the spirit of the Highway 31 master plan, a variance to this section is being requested.



VESTAVIA HILLS

Board of Zoning Adjustment Planners Report

MEETING DATE

October 19, 2023

AGENDA ITEM

BZA-23-18 **Tyler Kime** is requesting a **Rear Setback Variance** for the property located at **1823 Canton Road**. The purpose of this request is to reduce the rear setback to 20' in lieu of the required 30', to build a garage addition. The property is owned by Tyler Kime and is zoned **Vestavia Hills R-2**.

BACKGROUND

10' Rear Setback Variance to Reduce the Setback to 20' in Lieu of the Required 30'.

PLANNER'S REVIEW/RECOMMENDATION

The applicant is seeking a rear setback variance to build a garage addition. The applicant contends the many easements on the property cause a hardship. There is a sewer pipe that runs down the center of the property, preventing a third of the property from being built on. The garage is a two-story addition that will line up with the side of the existing house. No part of the addition will be within an easement.

ATTACHMENTS

1. Engineering Comments
2. Application
3. Current Survey
4. As-Built Survey
5. Renderings
6. Affidavit

Jack Wakefield
City Planner



BZA-23-18

Engineering Review

Variance and Special Exception Application

Status: Complete

Became Active: Aug 28, 2023

Assignee: Ethan Fisher

Completed: Sep 11, 2023

Applicant

Tyler Kime
jenni.kime@gmail.com
1832 Canton Road
Vestavia Hills, AL 35216
205-966-7524

Primary Location

1832 CANTON RD
VESTAVIA HILLS, AL 35216

Owner:

Tyler and Jennifer Kime
1832 Canton Road Vestavia Hills, AL 35216

Comments

Ethan Fisher, Sep 11, 2023

Please be advised that the maximum allowable lot coverage/ impervious area for your site is 30%. The current lot coverage is around 29%. The existing impervious versus proposed impervious will be reviewed more in-depth during the engineering review of your permit submittal. Please be prepared to show that the net impervious area will be below that 30%.



BZA-23-18

Variance and Special Exception Application

Status: Active

Submitted On: 7/12/2023

Primary Location

1832 CANTON RD

VESTAVIA HILLS, AL 35216

Owner

Tyler and Jennifer Kime

Canton Road 1832 Vestavia Hills, AL 35216

Applicant

 Tyler Kime

 205-966-7524

 jenni.kime@gmail.com

 1832 Canton Road
Vestavia Hills, AL 35216

Agenda Information

Agenda Scheduling

October 2023

Comments/Delay/Explanation

Applicant Information

I am filling this out as the

Owner

Billing/Responsible Party

Name

Tyler and Jenni Kime

Phone #

205-966-7524

Address

1832 Canton Road

City/State/Zip

Vestavia Hills

Email

tyler_kime@yahoo.com

Subject Property Information

Subject Property Address

1832 Canton Road Vestavia Hills, AL
35216

Legal Description of Subject Property ?

Lot 17, Block 6, Southridge

REASONS FOR REQUEST

Front Setback Variance

☐

Rear Setback Variance

☒

Setback Required*

30 feet

Setback Requested*

20 feet

Side Setback Variance

☐

Other Setback Variance

☐

Lot Area Variance

☐

Lot Width Variance

☐

Variance for location of a fence.

☐

Sign Code Variance

☐

A decision of the Zoning Official which the applicant believes to be contrary to the meaning of the Zoning Ordinance.

☐

Other

☐

ZONING

Vestavia Hills Zoning for the subject property is

PROJECT

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

The scope of the project consists of a garage addition to the existing structure and interior renovation of existing space.

We are the Kime family and the property owners requesting a variance. Currently, we have a garage that is not suitable for functional use because of the existing size and acute angle to enter and exit. The garage is sized for 1 car and not 2. Because of this, we currently park outside of the house on adjacent pavement. We, the Kime family, want to construct an addition to our home in the area that we currently park and do some interior renovations to give more space and function better for our family. The garage addition will give us the ability to cover our vehicles and provide a secure line to store our vehicles. The location of the proposed addition is the only feasible location on the property to accommodate this addition for various reasons. The terrain of the land and available area on the property lends the proposed addition location as the ideal space. This location is closest to the kitchen and the existing garage so important living connections are close and accessible. The addition still allows for driveway access to the new garage location. Putting the addition on the opposite side of the house and property is not feasible because of available space to neighboring property considering access and functionality. Putting the addition in the front of the house is not conducive for the neighborhood, front setback and the massing of the house. The sewerline easement runs through the west side of the property which also limits the available space for the addition. The undue hardship is ultimately related to the existing available land and terrain, and that the location shown is the only spot that is feasible. Please consider granting this variance to our family.

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 scope of the project consists of a garage addition to the existing structure and interior renovation of existing space.

We are the Kime family and the property owners requesting a variance. Currently, we have a garage that is not suitable for functional use because of the existing size and acute angle to enter and exit. The garage is sized for 1 car and not 2. Because of this, we currently park outside of the house on adjacent pavement. We, the Kime family, want to construct an addition to our home in the area that we currently park and do some interior renovations to give more space and function better for our family. The garage addition will give us the ability to cover our vehicles and provide a secure line to store our vehicles. The location of the proposed addition is the only feasible location on the property to accommodate this addition for various reasons. The terrain of the land and available area on the property lends the proposed addition location as the ideal space. This location is closest to the kitchen and the existing garage so important living connections are close and accessible. The addition still allows for driveway access to the new garage location. Putting the addition on the opposite side of the house and property is not feasible because of available space to neighboring property considering access and functionality. Putting the addition in the front of the house is not conducive for the neighborhood, front setback and the massing of the house. The sewerline easement runs through the west side of the property which also limits the available space for the addition. The undue hardship is ultimately related to the existing available land and terrain, and that the location shown is the only spot that is feasible. Please consider granting this variance to our family.

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 scope of the project consists of a garage addition to the existing structure and interior renovation of existing space.

We are the Kime family and the property owners requesting a variance. Currently, we have a garage that is not suitable for functional use because of the existing size and acute angle to enter and exit. The garage is sized for 1 car and not 2. Because of this, we currently park outside of the house on adjacent pavement. We, the Kime family, want to construct an addition to our home in the area that we currently park and do some interior renovations to give more space and function better for our family. The garage addition will give us the ability to cover our vehicles and provide a secure line to store our vehicles. The location of the proposed addition is the only feasible location on the property to accommodate this addition for various reasons. The terrain of the land and available area on the property lends the proposed addition location as the ideal space. This location is closest to the kitchen and the existing garage so important living connections are close and accessible. The addition still allows for driveway access to the new garage location. Putting the addition on the opposite side of the house and property is not feasible because of available space to neighboring property considering access and functionality. Putting the addition in the front of the house is not conducive for the neighborhood, front setback and the massing of the house. The sewerline easement runs through the west side of the property which also limits the available space for the addition. The undue hardship is ultimately related to the existing available land and terrain, and that the location shown is the only spot that is feasible. Please consider granting this variance to our family.

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:*

The scope of the project consists of a garage addition to the existing structure and interior renovation of existing space.

We are the Kime family and the property owners requesting a variance. Currently, we have a garage that is not suitable for functional use because of the existing size and acute angle to enter and exit. The garage is sized for 1 car and not 2. Because of this, we currently park outside of the house on adjacent pavement. We, the Kime family, want to construct an addition to our home in the area that we currently park and do some interior renovations to give more space and function better for our family. The garage addition will give us the ability to cover our vehicles and provide a secure line to store our vehicles. The location of the proposed addition is the only feasible location on the property to accommodate this addition for various reasons. The terrain of the land and available area on the property lends the proposed addition location as the ideal space. This location is closest to the kitchen and the existing garage so important living connections are close and accessible. The addition still allows for driveway access to the new garage location. Putting the addition on the opposite side of the house and property is not feasible because of available space to neighboring property considering access and functionality. Putting the addition in the front of the house is not conducive for the neighborhood, front setback and the massing of the house. The sewerline easement runs through the west side of the property which also limits the available space for the addition. The undue hardship is ultimately related to the existing available land and terrain, and that the location shown is the only spot that is feasible. Please consider granting this variance to our family.

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:*

The scope of the project consists of a garage addition to the existing structure and interior renovation of existing space.

We are the Kime family and the property owners requesting a variance. Currently, we have a garage that is not suitable for functional use because of the existing size and acute angle to enter and exit. The garage is sized for 1 car and not 2. Because of this, we currently park outside of the house on adjacent pavement. We, the Kime family, want to construct an addition to our home in the area that we currently park and do some interior renovations to give more space and function better for our family. The garage addition will give us the ability to cover our vehicles and provide a secure line to store our vehicles. The location of the proposed addition is the only feasible location on the property to accommodate this addition for various reasons. The terrain of the land and available area on the property lends the proposed addition location as the ideal space. This location is closest to the kitchen and the existing garage so important living connections are close and accessible. The addition still allows for driveway access to the new garage location. Putting the addition on the opposite side of the house and property is not feasible because of available space to neighboring property considering access and functionality. Putting the addition in the front of the house is not conducive for the neighborhood, front setback and the massing of the house. The sewerline easement runs through the west side of the property which also limits the available space for the addition. The undue hardship is ultimately related to the existing available land and terrain, and that the location shown is the only spot that is feasible. Please consider granting this variance to our family.

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 scope of the project consists of a garage addition to the existing structure and interior renovation of existing space.

We are the Kime family and the property owners requesting a variance. Currently, we have a garage that is not suitable for functional use because of the existing size and acute angle to enter and exit. The garage is sized for 1 car and not 2. Because of this, we currently park outside of the house on adjacent pavement. We, the Kime family, want to construct an addition to our home in the area that we currently park and do some interior renovations to give more space and function better for our family. The garage addition will give us the ability to cover our vehicles and provide a secure line to store our vehicles. The location of the proposed addition is the only feasible location on the property to accommodate this addition for various reasons. The terrain of the land and available area on the property lends the proposed addition location as the ideal space. This location is closest to the kitchen and the existing garage so important living connections are close and accessible. The addition still allows for driveway access to the new garage location. Putting the addition on the opposite side of the house and property is not feasible because of available space to neighboring property considering access and functionality. Putting the addition in the front of the house is not conducive for the neighborhood, front setback and the massing of the house. The sewerline easement runs through the west side of the property which also limits the available space for the addition. The undue hardship is ultimately related to the existing available land and terrain, and that the location shown is the only spot that is feasible. Please consider granting this variance to our family.

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

The scope of the project consists of a garage addition to the existing structure and interior renovation of existing space.

We are the Kime family and the property owners requesting a variance. Currently, we have a garage that is not suitable for functional use because of the existing size and acute angle to enter and exit. The garage is sized for 1 car and not 2. Because of this, we currently park outside of the house on adjacent pavement. We, the Kime family, want to construct an addition to our home in the area that we currently park and do some interior renovations to give more space and function better for our family. The garage addition will give us the ability to cover our vehicles and provide a secure line to store our vehicles. The location of the proposed addition is the only feasible location on the property to accommodate this addition for various reasons. The terrain of the land and available area on the property lends the proposed addition location as the ideal space. This location is closest to the kitchen and the existing garage so important living connections are close and accessible. The addition still allows for driveway access to the new garage location. Putting the addition on the opposite side of the house and property is not feasible because of available space to neighboring property considering access and functionality. Putting the addition in the front of the house is not conducive for the neighborhood, front setback and the massing of the house. The sewerline easement runs through the west side of the property which also limits the available space for the addition. The undue hardship is ultimately related to the existing available land and terrain, and that the location shown is the only spot that is feasible. Please consider granting this variance to our family.

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

The scope of the project consists of a garage addition to the existing structure and interior renovation of existing space.

We are the Kime family and the property owners requesting a variance. Currently, we have a garage that is not suitable for functional use because of the existing size and acute angle to enter and exit. The garage is sized for 1 car and not 2. Because of this, we currently park outside of the house on adjacent pavement. We, the Kime family, want to construct an addition to our home in the area that we currently park and do some interior renovations to give more space and function better for our family. The garage addition will give us the ability to cover our vehicles and provide a secure line to store our vehicles. The location of the proposed addition is the only feasible location on the property to accommodate this addition for various reasons. The terrain of the land and available area on the property lends the proposed addition location as the ideal space. This location is closest to the kitchen and the existing garage so important living connections are close and accessible. The addition still allows for driveway access to the new garage location. Putting the addition on the opposite side of the house and property is not feasible because of available space to neighboring property considering access and functionality. Putting the addition in the front of the house is not conducive for the neighborhood, front setback and the massing of the house. The sewerline easement runs through the west side of the property which also limits the available space for the addition. The undue hardship is ultimately related to the existing available land and terrain, and that the location shown is the only spot that is feasible. Please consider granting this variance to our 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.*

The scope of the project consists of a garage addition to the existing structure and interior renovation of existing space.

We are the Kime family and the property owners requesting a variance. Currently, we have a garage that is not suitable for functional use because of the existing size and acute angle to enter and exit. The garage is sized for 1 car and not 2. Because of this, we currently park outside of the house on adjacent pavement. We, the Kime family, want to construct an addition to our home in the area that we currently park and do some interior renovations to give more space and function better for our family. The garage addition will give us the ability to cover our vehicles and provide a secure line to store our vehicles. The location of the proposed addition is the only feasible location on the property to accommodate this addition for various reasons. The terrain of the land and available area on the property lends the proposed addition location as the ideal space. This location is closest to the kitchen and the existing garage so important living connections are close and accessible. The addition still allows for driveway access to the new garage location. Putting the addition on the opposite side of the house and property is not feasible because of available space to neighboring property considering access and functionality. Putting the addition in the front of the house is not conducive for the neighborhood, front setback and the massing of the house. The sewerline easement runs through the west side of the property which also limits the available space for the addition. The undue hardship is ultimately related to the existing available land and terrain, and that the location shown is the only spot that is feasible. Please consider granting this variance to our family.

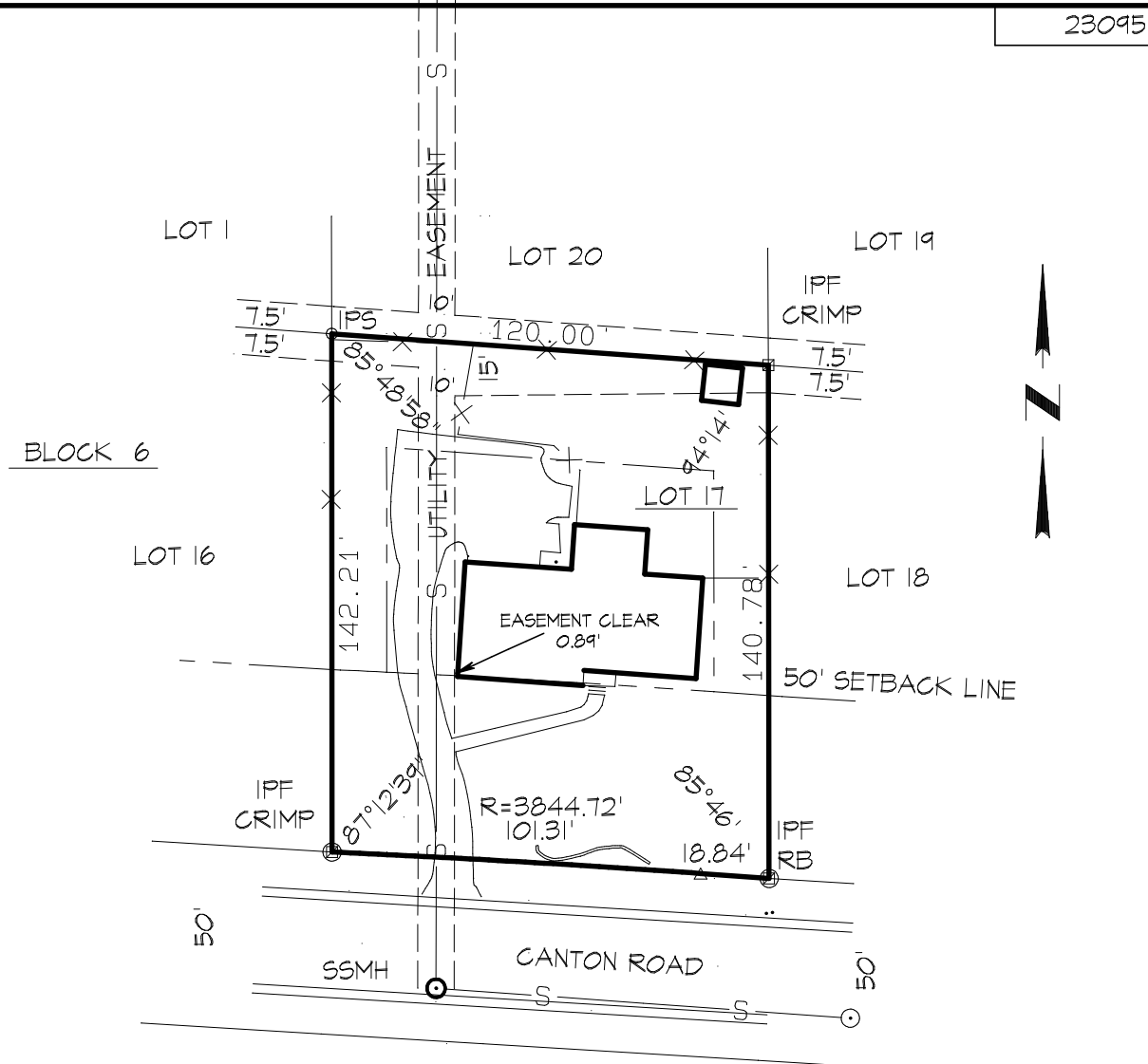
NOTE: In proving that an unnecessary hardship has been imposed on the property as a result of the strict interpretation of this Ordinance, the following conditions cannot be considered pertinent to the determination of whether or not an unnecessary hardship exists: (1) proof that a variance would increase 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

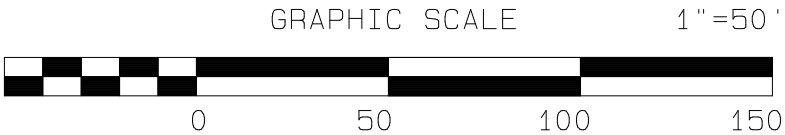
✓ Tyler Beaudry Kime
Jun 22, 2023



THE 10' EASEMENT SHOWN IS CENTERED ON THE LOCATION OF THE SEWER LINE

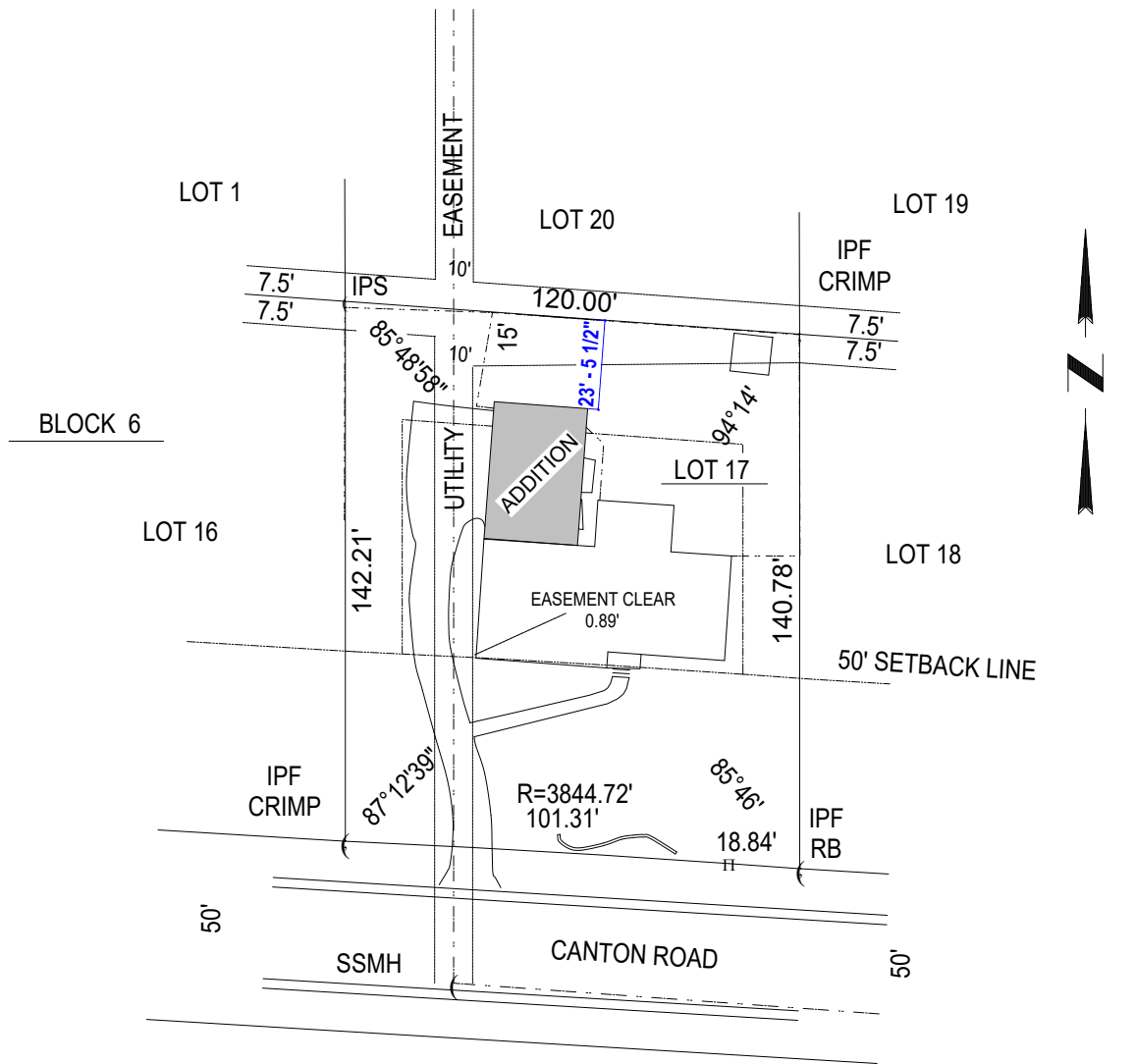
30' REAR SET BACK
15' SIDE SETBACK
50' FRONT SETBACK

LOT 17, BLOCK 6 ACCORDING TO THE MAP OF SOUTHRIDGE ADD TO VESTIVIA HILLS 12TH ADDITION PLAT AS RECORDED IN MAP BOOK 66, PAGE 59 IN THE PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA



FOR THE ABOVE DESCRIBED PROPERTY, I, KARL HAGER, HEREBY STATE THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

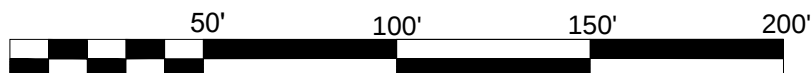
SOURCE OF TITLE:		KARL HAGER, PLS.
DATE:	C/L = CENTERLINE IPS = 5/8" REBAR WITH CAP IPF = IRON PIN FOUND CALC. = CALCULATED MEAS. = MEASURED ROW = RIGHT OF WAY CONC. = CONCRETE PP = POWER POLE FC = FENCE POST/CORNER MTL = METAL BM = BENCH MARK FOUND TBM = BENCH MARK SET ANC = POWER POLE ANCHOR	
TYPE OF SURVEY	N = NORTH S = SOUTH W = WEST E = EAST POC = POINT OF COMMENCEMENT POB = POINT OF BEGINNING o = #5 rebar set ø = POINT EXISTING ⌵ = POINT CALC Δ = POINT NOT SET — = FENCE LINE - - - = EASEMENT LINE — = OVER HEAD POWER/TELE	
HAGER COMPANY, INC. 1825-D 12TH AVE BESSEMER, AL 35020 (205) 424-4235		



THE 10' EASEMENT SHOWN IS CENTERED
ON THE LOCATION OF THE SEWER LINE

30' REAR SET BACK
15' SIDE SETBACK
50' FRONT SETBACK

LOT 17, BLOCK 6 ACCORDING TO THE MAP OF SOUTHRIDGE ADD TO VESTIVIA HILLS
12TH ADDITION PLAT AS RECORDED IN MAP BOOK 66, PAGE 59 IN THE PROBATE OFFICE
OF JEFFERSON COUNTY, ALABAMA



[illegible]

SHEET TITLE

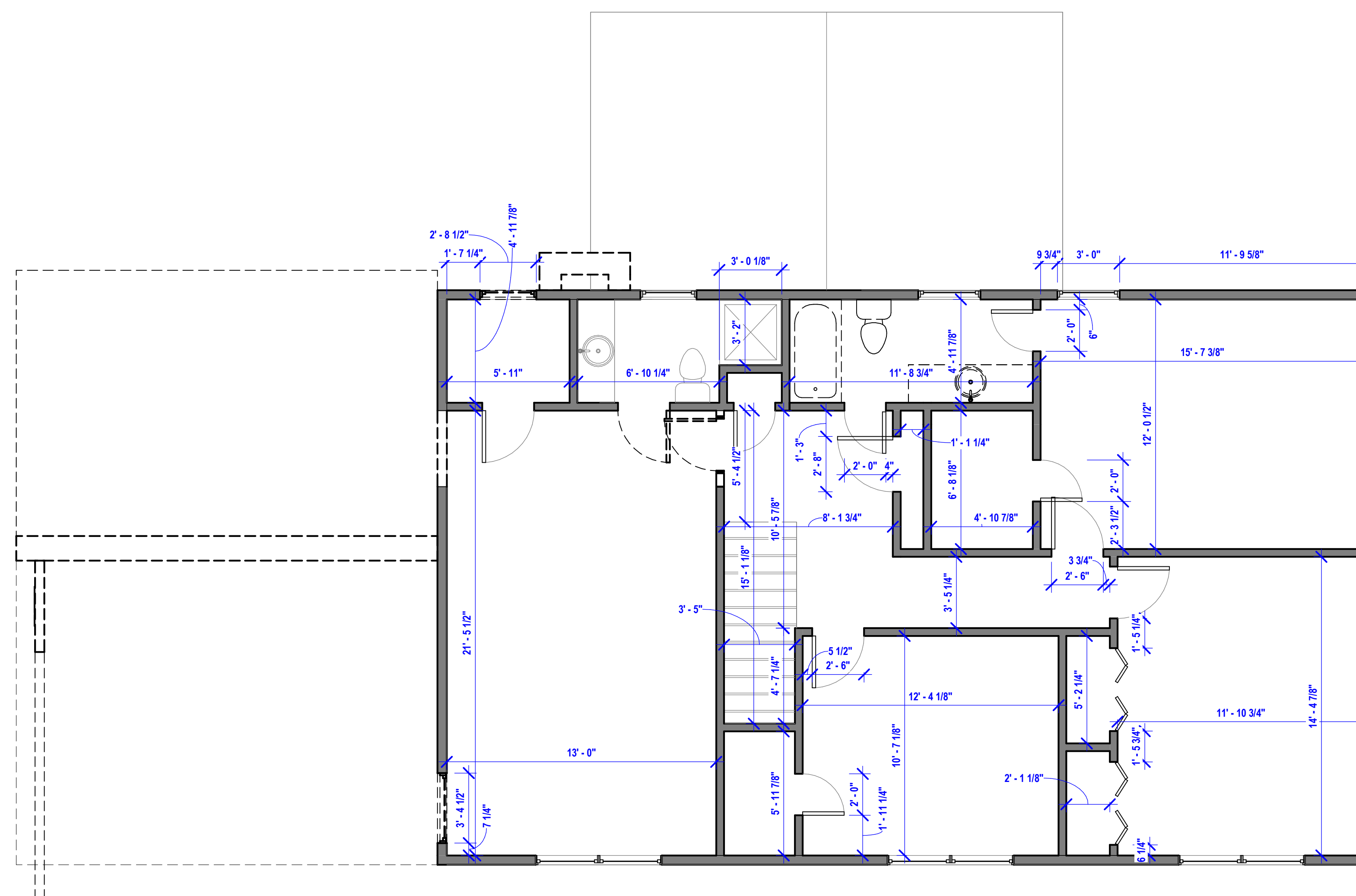
EXISTING
DEMO FL
PLANS

PROJECT NO.	DRAWN BY	CHECKED BY
B23-22	MM	MM

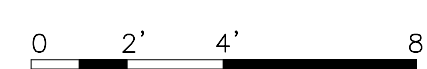
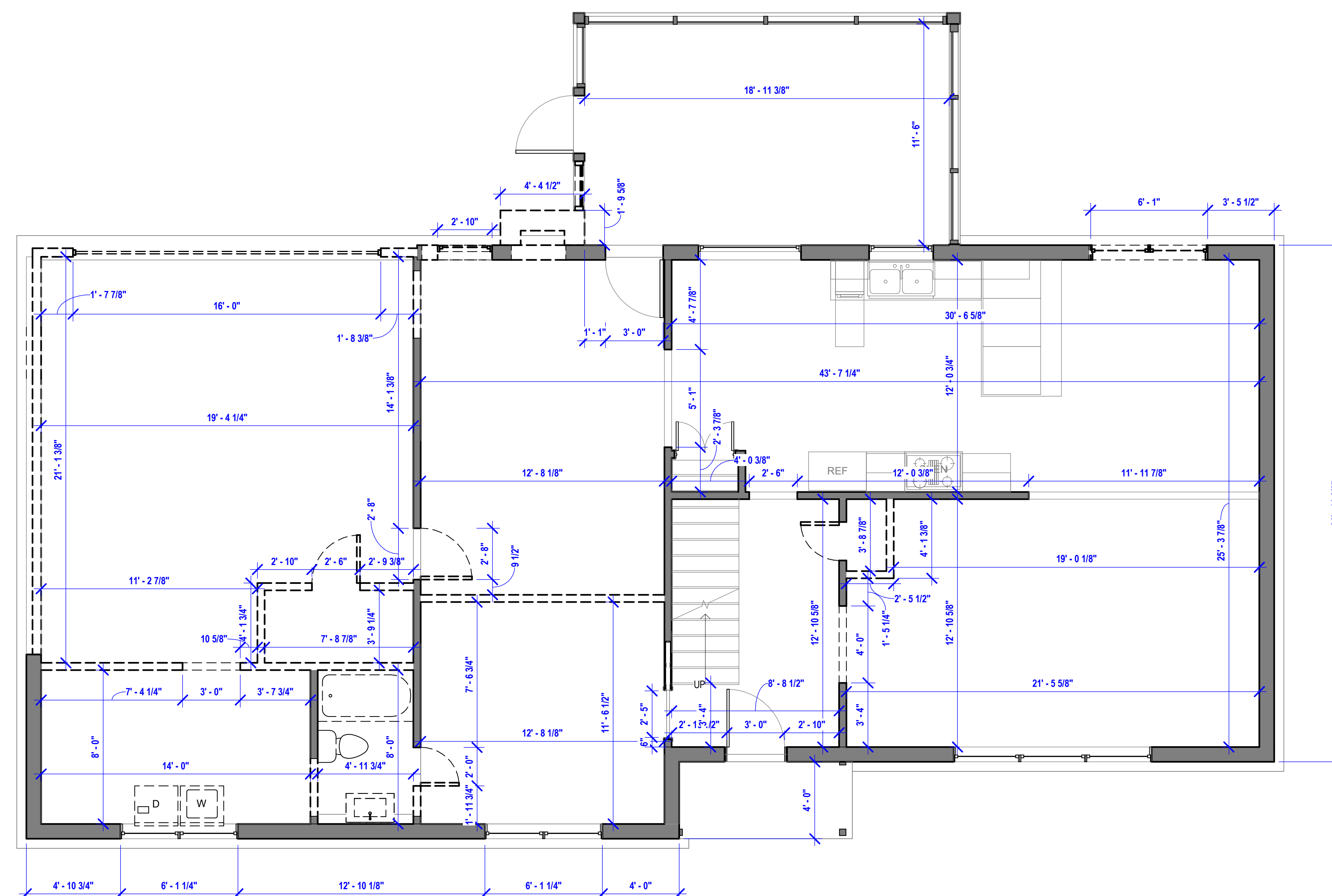
SHEET NO.

A1.00

EX. LVL 2 FLOOR PLAN



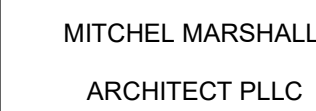
EX. LVL 1 FLOOR PLAN





NOTE - CONTRACTOR TO COORDINATE AND IMPLEMENT ROOF DRAINAGE WITH NEW DESIGN, EXISTING & NEW GRADES, AND PIPE DOWNSPOUTS AS NECESSARY TO MOVE WATER AWAY FROM STRUCTURE AND HAVE POSITIVE DRAINAGE ON FINAL PROJECT





PLANNING
DESIGN
MANAGEMENT

1832 CANTON ROAD, VESTAVIA HILLS, ALABAMA 35216

DATE ISSUED
9-13-23

[illegible]NEW ROOF
PLAN

PROJECT NO.	DRAWN BY	CHECKED BY
B23-22	Author	Checker

A1.03



NOTE - CONTRACTOR TO VERIFY EXISTING ROOF SLOPES AND COORDINATE WITH NEW DESIGN

9/14/2023 10:01:23 AM



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: _____, 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 | ☐ Request for Variance |
| ☐ Preliminary Plat Approval | ☐ Special Exception |
| ☐ Final Plat Approval | ☐ Design Review Approval |
| ☐ Conditional Use Approval | |

Signed: _____
Owner Signature/Date

_____ 4/27/23

STATE OF ALABAMA
COUNTY OF Jefferson

Given under my hand and seal
this 27 day of June, 2023.

Notary Public

My commission expires 6 day of 5, 2024.



VESTAVIA HILLS

Board of Zoning Adjustment Planners Report

MEETING DATE

October 19, 2023

AGENDA ITEM

BZA-23-24 **Brian Malcom** is requesting a **Side Setback Variance** for the property located at **2525 Aspen Cove Drive**. The purpose of this request is to reduce the side setback to 12' in lieu of the required 15', to build deck addition. The property is owned by Brian Malcom and is zoned **Vestavia Hills R-2**.

BACKGROUND

3' Side Setback Variance to Reduce the Setback to 12' in Lieu of the Required 15'.

PLANNER'S REVIEW/RECOMMENDATION

The applicant is seeking a side setback variance to build a deck. The applicant contends the odd-shaped lot and drainage structures on the property cause a hardship. The deck will sit in line with the existing house (which is not encroaching within the setback). The side lot line near the rear of the lot is irregularly shaped, forcing the deck to encroach. The deck will stay out of the existing easements.

ATTACHMENTS

1. Application
2. As-Built Survey
3. Affidavit

Jack Wakefield
City Planner



BZA-23-24

Variance and Special Exception Application

Status: Active

Submitted On: 8/23/2023

Primary Location

2525 ASPEN COVE DR

VESTAVIA HILLS, AL 35243

Owner

Brian Malcom

Aspen Cove Drive 2525 Vestavia Hills, AL
35243

Applicant

 Angie Finley

 205-563-0348

 decr81@yahoo.com

 107 E David Green Rd
Birmingham, AL 35244

Agenda Information

Agenda Scheduling

October 2023

Comments/Delay/Explanation

Applicant Information

I am filling this out as the

Representative Agent

Billing/Responsible Party

Name

Angie Finley

Phone #

205-563-0348

Address

107 E David Green Rd

City/State/Zip

Birmingham, AL 35244

Email

decr81@yahoo.com

Representing Attorney/Other Agent

Name

Angie Finley

Phone #

205-563-0348

Address

107 E David Green Rd

City/State/Zip

Birmingham, AL 35244

Email

decr81@yahoo.com

Subject Property Information

Subject Property Address

2525 Aspen Cove Drive

REASONS FOR REQUEST

Front Setback Variance

☐

Rear Setback Variance

☐

Side Setback Variance

☒

Setback Required*

15'

Setback Requested*

12'

Other Setback Variance

☐

Lot Area Variance

☐

Lot Width Variance

☐

Variance for location of a fence.

☐

Sign Code Variance

☐

A decision of the Zoning Official which the applicant believes to be contrary to the meaning of the Zoning Ordinance.

☐

Other

☐

ZONING

Vestavia Hills Zoning for the subject property is

PROJECT

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

I would like to add a deck to the back of the house and in doing so will cross over the setback line. There is a large drainage ditch area between my property and the neighbor on that side.

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).*

Due to the shape of my property and the location of my home I'm unable to add stairs or a deck off the rear without crossing over the setback line.

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 side of my property is adjacent to a large drainage ditch that runs along my fence line between my property and the neighbor.

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:*

Adding a deck on the rear of my home will not affect any adjoining properties. The neighbors will not be able to see the deck.

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:*

Most properties in the neighborhood have decks or patios on the rear of their home that are similar in size and location.

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 not affect any adjoining properties or allow for the deck addition to be seen from other properties in the area.

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

I have not intentionally laid out the home so that the deck would impede the setback line.

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

In order to leave approximately 7'6" between the deck and the existing fence which will put the deck 12'8" from the setback line I have cut the corner of the deck at an angle.

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.*

This variance will not allow such non permissible uses prohibited by the terms of the ordinance.

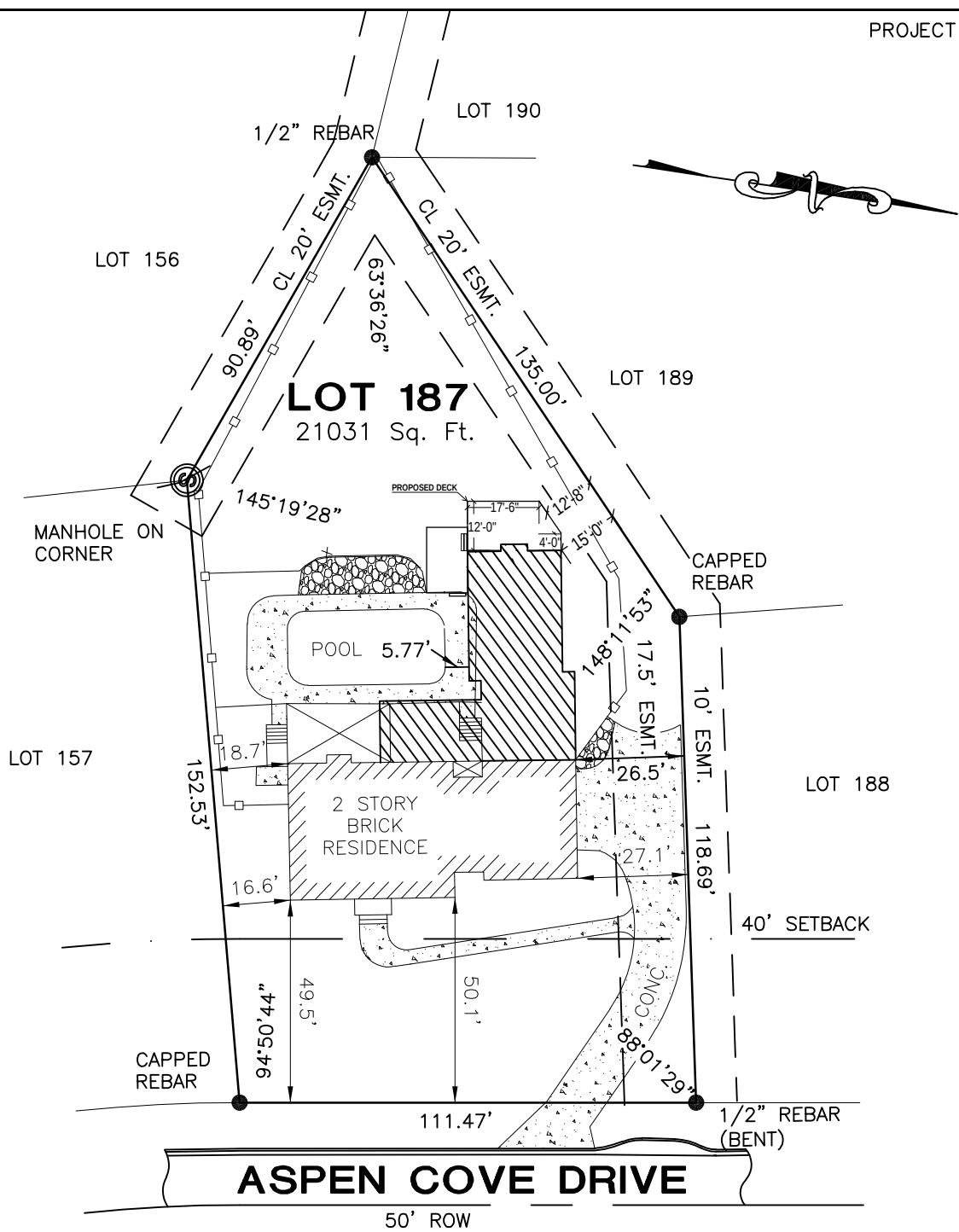
NOTE: In proving that an unnecessary hardship has been imposed on the property as a result of the strict interpretation of this Ordinance, the following conditions cannot be considered pertinent to the determination of whether or not an unnecessary hardship exists: (1) proof that a variance would increase 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.

Representing Agent Signature ?

✓ Angela Finley
Aug 23, 2023



Lot Survey/ Plot Plan 0' 40' 80' 120'

STATE OF ALABAMA
JEFFERSON COUNTY



TO ALL INTERESTED PARTIES:
SCALE: 1" = 40'

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

Lot 187, according to the survey of COUNTRYWOOD HIGHLANDS, as the same appears of record in the Office of the Judge of Probate, Jefferson County, Alabama, in Map Book 139, Page 59 A&B.

That there are no rights-of-way, easements, joint driveways or encroachments, over or across said land, visible on the surface or shown on recorded map, except as shown; that this survey shows the improvements located on said property; and that there are no electrical or telephone wires, (excluding wire which serve the premises only) or structures or supports therefor, including poles, anchors and guy wires, on or over said property, except as shown; and that the property is not located in a special hazard area and is shown in a Zone "X" on the Flood Insurance Rate Map for this area (Map No. 01073C0567J, dated September 24, 2021).

GIVEN UNDER MY HAND AND SEAL, this the 1st day of August, 2022.

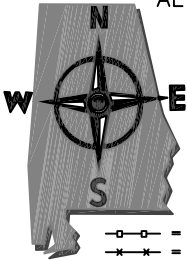
William D. Callahan, Jr.

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

CLIENT:
DRAKE HOMES



Field Survey: 06-07-2022



South Central Surveying, LLC
RESIDENTIAL & COMMERCIAL LAND SURVEYING

156 SUNSET TRAIL
ALABASTER, ALABAMA 35007
PHONE 205-229-1993

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



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: 2525 Aspen Cove Dr., 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: Angie Finley 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:

Brian Maf
Owner Signature/Date

STATE OF ALABAMA

COUNTY OF Jefferson

Given under my hand and seal
this 17 day of August, 2023.

Charles Woods

Notary Public



My commission expires 28 day of April, 2025.



VESTAVIA HILLS

Board of Zoning Adjustment Planners Report

MEETING DATE

October 19, 2023

AGENDA ITEM

BZA-23-27 **Shannon George** is requesting a **Variance for Location of Fence in the Front Setback** for the property located at 1829 Canyon Road. The purpose of this request is to build a privacy fence in the front setback. The property is owned by Shannon George and is zoned **Vestavia Hills R-2**.

BACKGROUND

Variance for Location of Fence in the Front Setback.

PLANNER'S REVIEW/RECOMMENDATION

The applicant is seeking a variance for the location of a fence in the front setback. The applicant contends the odd-shaped lot causes a hardship. The lot doesn't front two streets, but how the road abuts their property creates a corner lot shape. This limits the areas where the fence can be located. The extra few feet of fencing is needed on the proposed side of the lot in particular, because of safety concerns.

ATTACHMENTS

1. Application
2. Survey
3. Proposed Fence Location
4. Affidavit

Jack Wakefield
City Planner



BZA-23-27

Variance and Special Exception Application

Status: Active

Submitted On: 9/18/2023

Primary Location

1829 CANYON RD

VESTAVIA HILLS, AL 35216

Owner

Joseph Thachuthara-George and Shannon
George

Canyon Road 1829 Vestavia Hills, AL 35216

Applicant

 Shannon George

 334-419-6923

 shannogeorge@gmail.com

 1829 Canyon Road
canyon rd
Vestavia Hills, Alabama 35216

Agenda Information

Agenda Scheduling

October 2023

Comments/Delay/Explanation

Applicant Information

I am filling this out as the

Owner

Billing/Responsible Party

Name

Joseph Thachuthara - George

Phone #

713-859-6449

Address

1829 Canyon Road

City/State/Zip

Vestavia Hills/Alabama/35216

Email

jktgeorge1@gmail.com

Subject Property Information

Subject Property Address

1829 Canyon Road

Legal Description of Subject Property ?

Residential Property

REASONS FOR REQUEST

Front Setback Variance

☐

Rear Setback Variance

☐

Side Setback Variance

☐

Other Setback Variance

☐

Lot Area Variance

☐

Lot Width Variance

☐

Variance for location of a fence.

☒

Details ?

We're asking for the front of the fence to be in line with the edge of the home, not to surpass the front of the home in order to fence in a larger area of our yard to keep the neighbors' vicious dogs off of our property as we have continually had problems with the dogs on our property, acting aggressively at times. One of them is a pit bull.

Sign Code Variance

☐

A decision of the Zoning Official which the applicant believes to be contrary to the meaning of the Zoning Ordinance.

☐

Other

☐

ZONING

Vestavia Hills Zoning for the subject property is

PROJECT

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

The variance would allow several additional feet to be fenced in and would eliminate a very strange-shaped fenced-in area from being built. The purpose of the fence is for enhanced personal safety for ourselves, our two-year-old son, and any and all guests in our yard.

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).*

We are asking for accommodations that would allow for a few extra feet of fencing. As previously stated, this is because of the zoning requirements, the shape of our side yard as we could be considered a corner lot due to a cul-de-sac, and most importantly, for the safety of our family, primarily our two-year-old son.

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:*

Please see the survey and proposed fence build provided to us by the fencing company of our choice.

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:*

The city should determine this but I would hope any accommodations requested in the name of safety of children would be granted to any resident of Vestavia Hills.

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:*

No one will be inconvenienced by this as it's our personal property.

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 safety and well-being of my family and my son should not be injurious to anyone. Also, we have had no support from the city in keeping our neighbor's vicious dogs off of our property for the last 2.5 years.

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

Our neighbor continually letting his dogs come into our yard is not me self-imposing the need for a variance for our fence. If needed, we can provide police reports that have been made during these incidents that occurred on multiple occasions.

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

See the attached fence proposal and make a determination.

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 do not understand this statement.

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

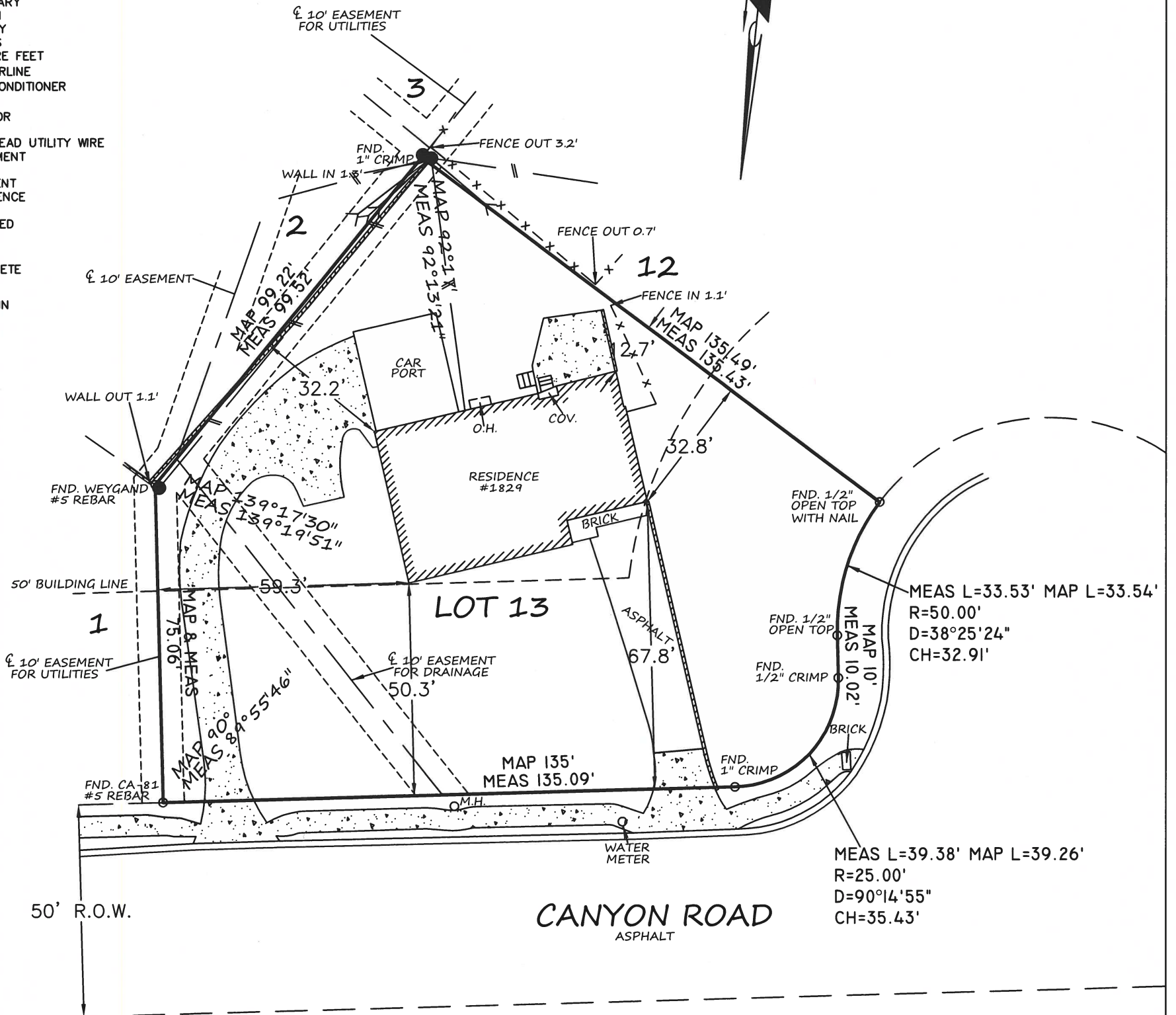
I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing. Simultaneously with the submittal of this application, I am hereby submitting a notarized affidavit signed by the owner of the property in the attachments 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

✓ Joseph Thachuthara - George
Sep 2, 2023

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
OLGT	LIGHT
COV	COVERED
DECK	DECK
CONCRETE	CONCRETE
WALL	WALL
COLUMN	COLUMN



SCALE: 1"=30'
STATE OF ALABAMA)
JEFFERSON COUNTY)

"Property Boundary Survey"

I, Ray Weygand, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot 13, MAP OF SOUTHRIDGE ADDITION TO VESTAVIA HILLS, as recorded in Map Volume 42, Page 13, in the Office of the Judge of Probate, Jefferson County, Alabama. I hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief; according to my survey of JANUARY 16, 2020. Survey invalid if not sealed in red.

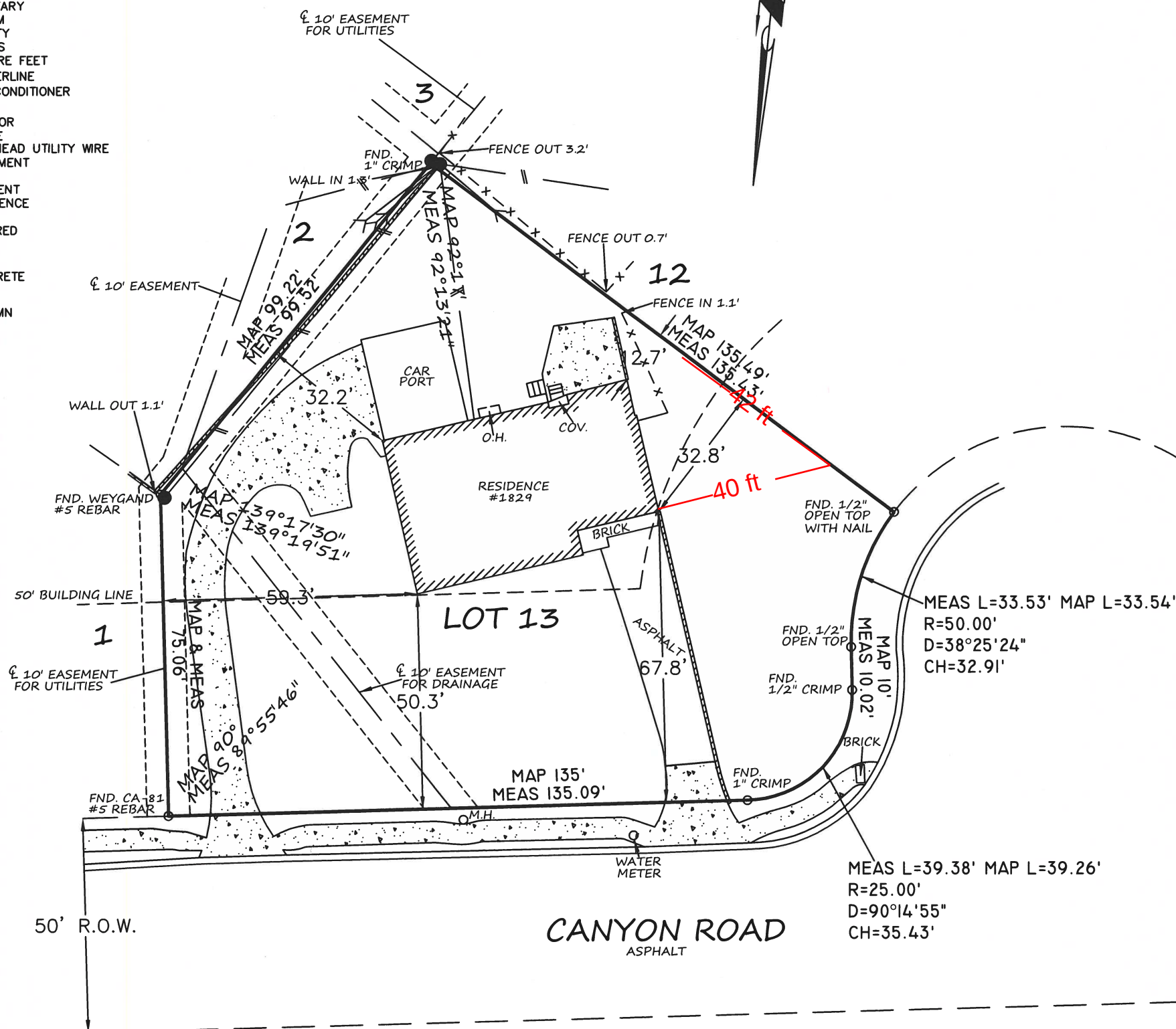
Order No.: 20200042
Purchaser:
Address: 1829 CANYON ROAD

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

WEYGAND
SURVEYORS

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.

ASP	ASPHALT
BLDG	BUILDING
CALC	CALCULATED
MEAS	MEASURED
CH	CHORD
LNG	LONG CHORD
d	DEFLECTION
Δ	DELTA
ESMT	EASEMENT
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R	RADIUS
R.O.W.	RIGHT OF WAY
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S.F.	SQUARE FEET
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—X—	OVERHEAD UTILITY WIRE
PVMT	PAVEMENT
W/	WITH
TAN	TANGENT
RES	RESIDENCE
oLGT	LIGHT
COV	COVERED
	DECK
	CONCRETE
	WALL
□	COLUMN



"Property Boundary Survey"

Order No.: 20200042
Purchaser: _____
Address: 1829 CANYON ROAD

Ray Weygand, Reg. L.S. #24973
169 Oxmoor Road Homewood, AL 35209
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Copyright ©



WEYGAND
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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: 1829 Canyon Rd, Vestavia Hills, AL 35216, 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: Ms. Shannon K George (Spouse and co-owner of the property) 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:

Joseph K. Thachuthara-George 09/18/2023

Owner Signature/Date

JOSEPH K. THACHUTHARA-GEORGE

STATE OF ALABAMA

COUNTY OF Jefferson

Given under my hand and seal

this 18th day of September, 2023.

Dionne A. Hardwick

Notary Public

My commission expires 1st day of December, 2025.





VESTAVIA HILLS

Board of Zoning Adjustment Planners Report

MEETING DATE

October 19, 2023

AGENDA ITEM

BZA-23-28 **Brandon Stovall** is requesting a **Rear and Side Setback Variance** for the property located at **1837 Cedarwood Road**. The purpose of this request is to reduce the rear setback to 40' in lieu of the required 50' & to reduce the side setback to 9' in lieu of the required 15', to build an addition. The property is owned by Brandon Stovall and is zoned **Vestavia Hills R-2**.

BACKGROUND

10' Front Setback Variance to Reduce the Setback to 40' in Lieu of the Required 50'
& 6' Side Setback Variance to Reduce the Setback to 9' in Lieu of the Required 15'.

PLANNER'S REVIEW/RECOMMENDATION

The applicant is seeking rear and side setback variances to renovate and add on to the existing house. The applicant contends the current house sits far back enough on the lot that it creates handicap accessibility issues. The encroachment of 10' into the front setback would allow for the homeowner to create a handicap accessible entrance and access to the second floor.

ATTACHMENTS

1. Application
2. Cedarwood Official Site Plan
3. As-Built Survey
4. Renderings
5. Affidavit

Jack Wakefield
City Planner



BZA-23-28

Variance and Special Exception Application

Status: Active

Submitted On: 9/19/2023

Primary Location

1837 CEDARWOOD RD

VESTAVIA HILLS, AL 35216

Owner

Brandon Stovall

Applicant



Del Romero



205-822-7936



del@taylorburton.com



3239 Lorna Road

Suite 108

Birmingham, AL 35216

Agenda Information



Agenda Scheduling

October 2023



Comments/Delay/Explanation

Applicant Information

I am filling this out as the

Representative Agent

Billing/Responsible Party

Name

Taylor Burton Company

Phone #

205-822-7936

Address

3239 Lorna Road, Suite 108

City/State/Zip

Birmingham, AL 35216

Email

del@taylorburton.com

Representing Attorney/Other Agent

Name

Phone #

Address

City/State/Zip

Email

Subject Property Information

Subject Property Address

1837 Cedarwood Road

Legal Description of Subject Property

Lot 11, Block 2, according to the Survey of Southwood Addition to Vestavia Hills 1st Sector, as recorded in Map Book 42, page 33, In the Probate Office of Jefferson County, Alabama, Birmingham Division

REASONS FOR REQUEST

Front Setback Variance☒**Setback Required***

50

Setback Requested*

40

Rear Setback Variance☐**Side Setback Variance**☒**Setback Required***

15'

Setback Requested*

10'

Other Setback Variance☐**Lot Area Variance**☐**Lot Width Variance**☐**Variance for location of a fence.**☐**Sign Code Variance**☐

A decision of the Zoning Official which the applicant believes to be contrary to the meaning of the Zoning Ordinance.

☐

Other

☐

ZONING

Vestavia Hills Zoning for the subject property is

PROJECT

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

Addition and renovation per plans. Handicap accessibility extension for aging parents.

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).*

Handicap accessibility for aging parents.

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:*

Existing home is built too far up on the lot preventing the handicap accessible addition from being within the existing setbacks.

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:*

Not applicable.

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:*

Existing setback requirements prevent homeowners from creating a handicap accessible entrance and access to the second floor.

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:*

Yes, this addition will be pretty and improve the existing curb appeal of the neighborhood.

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

Correct, the homeowners intention is to create a handicap accessible entrance and access to the second floor.

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

Yes, a 10ft variance will allow the homeowner to create a handicap accessible entrance and access to the second floor.

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.*

Correct, this 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.

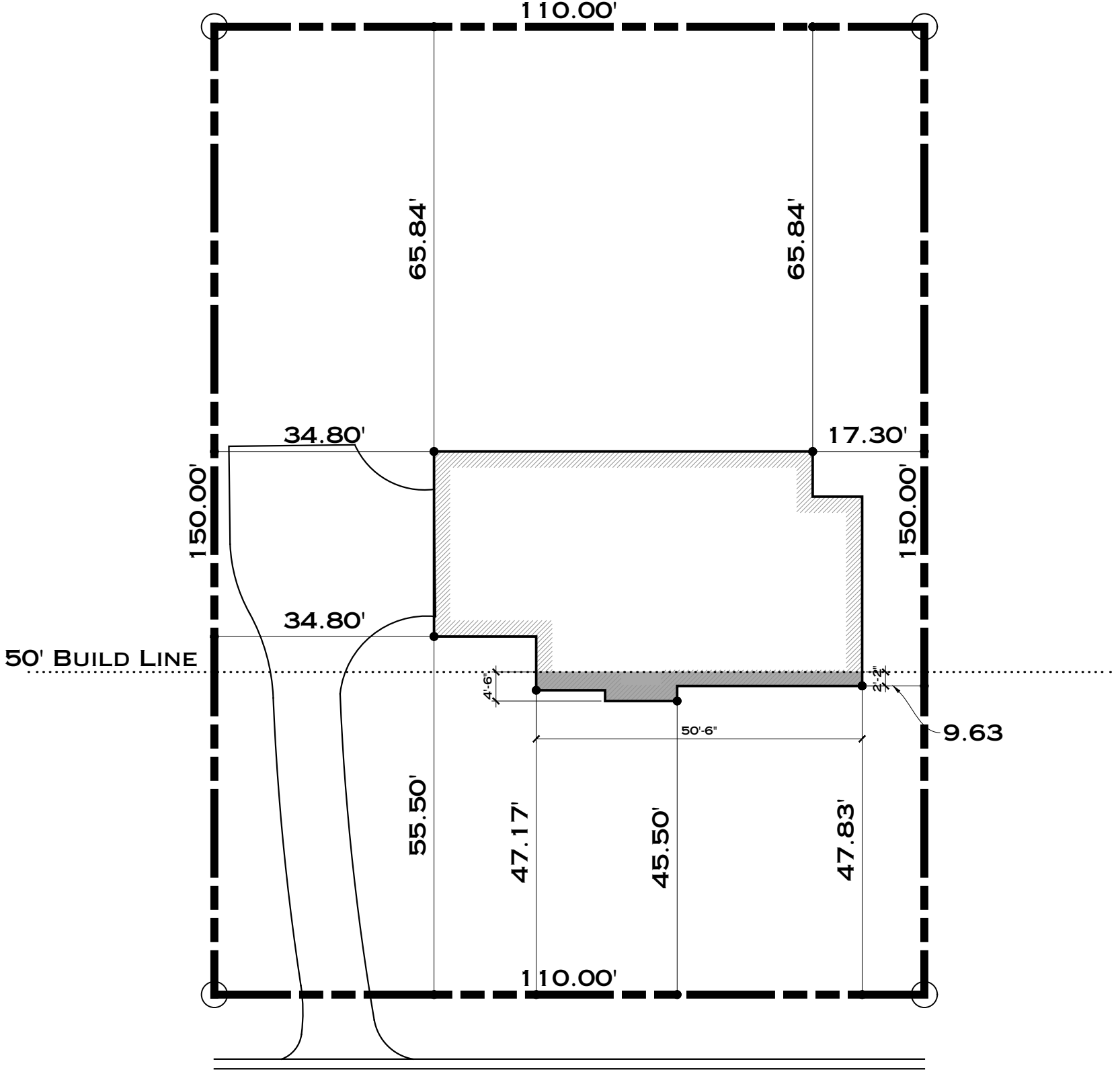
NOTE: In proving that an unnecessary hardship has been imposed on the property as a result of the strict interpretation of this Ordinance, the following conditions cannot be considered pertinent to the determination of whether or not an unnecessary hardship exists: (1) proof that a variance would increase 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.

Representing Agent Signature ?

✓ Daniell Taylor Burton
Sep 19, 2023

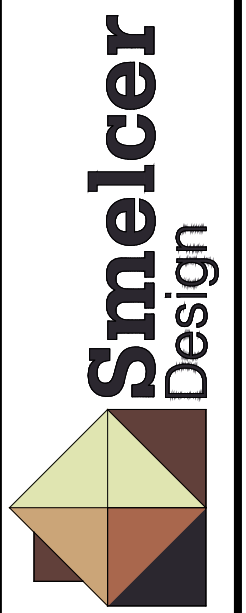


1
A1

Site Plan
1" = 20'-0"



PLAN INFORMATION	
PROJECT NAME:	CUSTOM DESIGN
COMMUNITY:	---
LOT NUMBER:	---
CLIENT NAME:	----
PDF CREATION DATE:	9/25/23 - 1:36PM
SMELCER DESIGN DJSMLCER@YAHOO.COM DANNYSMLCER@GMAIL.COM DAVID: 205.229.3835 DANNY: 205.296.1215	



SHEET INDEX	
#	NAME
A0	TITLE SHEET
A1	SITE PLAN
A2.1	FOUNDATION PLAN
A2.2	1ST FLOOR PLAN
A2.3	2ND FLOOR PLAN
A2.4	ROOF PLAN
A3.1	EXTERIOR ELEVATIONS
A3.2	EXTERIOR ELEVATIONS
A3.3	EXTERIOR ELEVATIONS
A3.4	EXTERIOR ELEVATIONS
A4.1	DETAIL SHEET
E1.1	ELECTRICAL SHEET
E1.2	ELECTRICAL SHEET
TOTAL SHEETS: 13	

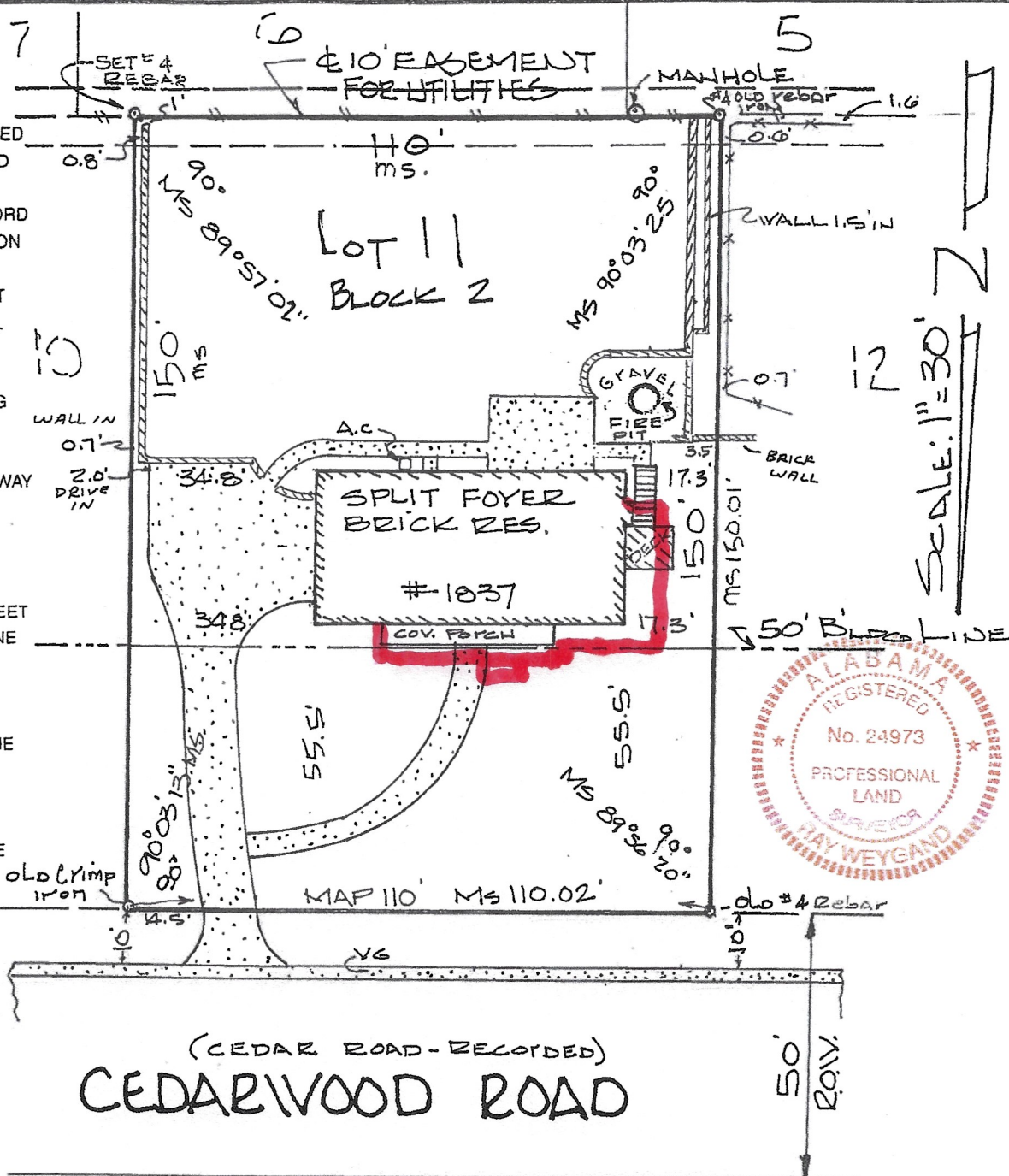
SHEET INFORMATION	
A1.1	
Site Plan	

LEGEND

ASPH	ASPHALT
BLDG	BUILDING
CALC	CALCULATED
MEAS	MEASURED
CH	CHORD
LNG CH	LONG CHORD
d	DEFLECTION
Δ	DELTA
ESMT.	EASEMENT
HW	HEADWALL
MIN.	MINIMUM
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POR	PORCH
R	RADIUS
R.O.W.	RIGHT OF WAY
SAN	SANITARY
STM	STORM
UTIL	UTILITY
AC.	ACRES
S.F.	SQUARE FEET
CL	CENTERLINE
●	POLE
—	ANCHOR
***	FENCE
— —	POWER LINE
PVMT.	PAVEMENT
W/	WITH
TAN	TANGENT
RES	RESIDENCE
o LGT	LIGHT
COV	COVERED



DECK

CONCRETE
WALLSTATE OF ALABAMA)
JEFFERSON COUNTY)

"Closing Survey"

* OF SOUTHWOOD ADDITION
TO VESTAVIA HILLS

I, Ray Weygand, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot 11, Block 2, First Sector as recorded in Map Volume 43 Page 33, in the Office of the Judge of Probate, Jefferson County, Alabama; that there are no rights-of-way, easements or joint driveways over or across said land visible on the surface except as shown; that there are no electric or telephone wires (excluding wires which serve the premises only) or structures or supports therefor, including poles, anchors and guy wires, (visible on the surface) on or over said premises except as shown; that there are no encroachments on said lot except as shown and that improvements are located as shown above. 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 MARCH 23, 2016. Survey invalid if not sealed in red.

Order No.: 82797

Purchaser: LUGO

Address: 1837 CEDARWOOD ROAD

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

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

Drawing Notes

1. These drawings are designed to be legible and scalable on 11x17 (Ledger) size paper, which significantly reduces the builder's overhead printing costs. The drawings will be the indicated scales if they are printed at **100%** on 11x17 size paper. If the builder requires a larger scale, the drawings can be printed at **200%** on 22x34 (ANSI D), or larger size paper. The indicated scales will then become doubled (i.e. a drawing indicated as 1/8"=1'-0" will scale out to 1/4"=1'-0"). Setting the page scaling in the PDF print dialog box to any auto scaling options (fit to page, reduce to margins, etc..) will cause these drawings to not size to any useful scale.
2. All framing dimensions are typically to the outside face of stud on exterior walls, or to the center of interior walls, windows, & doors, unless noted otherwise.
3. All slab dimensions are to outer most edge of slab (or brick ledge if applicable), or to centerline of a footing, plumbing fixture, or electrical fixture unless noted otherwise.
4. Beam and joist notes are referencing the joist system above the referenced floor plan (i.e. the ceiling joists) unless stated otherwise. For example, an annotated joist on the 1st floor is referencing the ceiling joist system for the first floor. (Which may also be the floor joist system of the 2nd floor).
5. Walls are drawn at modular sizes. (4", 6", 8" etc.) Brick veneer stud walls are drawn with a typical 4" brick pocket to accommodate a queen size brick thickness.
6. Finished floor areas are counted to the outside edge of the load bearing material unless noted otherwise.
7. All fixtures, appliances, cabinets, built-ins, and other symbols drawn in this set of plans are representational in nature. They are used to show design intent only. Refer to the contractor's specification sheet for actual conditions, details and specs. (i.e., a typical kitchen sink shown in the drawings may be specified as a farm sink, or an oval tub shown in the drawings may be specified as a rectangular tub.)
8. Locate interior doors so that door casing abuts sheetrock of adjacent wall. In cases where a door is shown in the approximate center of a wall, locate door in the exact center of the wall.
9. The Designer shall not be held liable for any errors, omissions, or deficiencies in any form by any party whatsoever.

Key to Graphic Symbols

1

A1.1

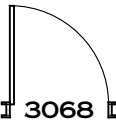
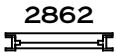
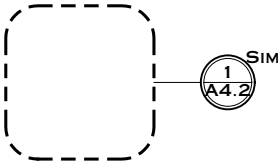
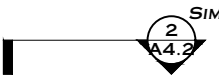
View Name

1/8" = 1'-0"



PLATE LINE

9'-0"



View Title. This symbol indicates that the drawing above it is Drawing 1 of Sheet A1.1. The scale is 1/8" = 1'-0" if printed at 100%.

Elevation Symbol. The right arrow indicates Elevation Number 1 on Sheet A3.1.

Level Elevation Symbol. This symbol shows the name of the level and the elevation height above or below the 1st floor (the origin).

Section Callout. The section this symbol is pointing to is shown on Drawing 2 of Sheet A4.2. If "SIM" is written, it will indicate that the section may be similar in nature, but may not be an exact condition of the reference.

Detail Callout. The detail this symbol is pointing to is shown on Drawing 1 of Sheet A4.2. If "SIM" is written, it will indicate that the detail may be similar in nature, but may not be an exact condition of the reference.

Door & Window Tags. The upper example tag notates a window that is 2'-8" wide by 6'-2" tall. The lower example tag notates a door that is 3'-0" wide by 6'-8" tall. Rough opening sizes should be verified by the manufacturer.

Common Abbreviations

±	approximately	n/a	not applicable
@	at	nts	not to scale
aff	above finished floor	oc	on center
b.o.	bottom of...	ph	telephone jack
bd.	board	pt	pressure treated
bsmt	basement	r/a	return air
cl	centerline	ref.	refrigerator
cmu	concrete masonry unit	req'd	required
c/t	cooktop	sd	smoke detector
d	dryer	sim.	similar
dbl	double	sqft	square feet
dn	down	t&g	tongue and groove
d/w	dishwasher	t.o.	top of...
eq.	equal	tv	cable television
fc	flex conduit	typ.	typical
hb	hose bibb	u/c	under counter
IM	ice maker	vif	verify in field
k/s	knee space	w	washer
kp	keypad	w/	with
m/w	microwave oven	w/c	wine cooler
max.	maximum	wh	water heater
mil	millimeter	wp	waterproof
min.	minimum	wwm	welded wire mesh

Wall Material Key

8"

8" Block

12"

12" Block

8" 4"

8" Block w/ 4" Brick Ledge

10"

10" Formed Concrete

10" 4"

10" Formed Concrete w/ 4" Brick Ledge

4"

Stud Wall (drawn at 4" nominal size)

4"

Interior Load Bearing Stud Wall

4" 8"

Stud Wall w/ Brick Veneer (drawn at 8" nominal size)

Concrete footing (see detail drawings for size)



1837 Cedarwood Road

PLAN INFORMATION

PROJECT NAME:
CUSTOM DESIGN

COMMUNITY:

LOT NUMBER:

CLIENT NAME:

PDF CREATION DATE:
7/14/23 - 12:58PM

SMELCER DESIGN
DJSMLCER@YAHOO.COM
DANNYSMLCER@GMAIL.COM
DAVID: 205.229.3835
DANNY: 205.296.1215

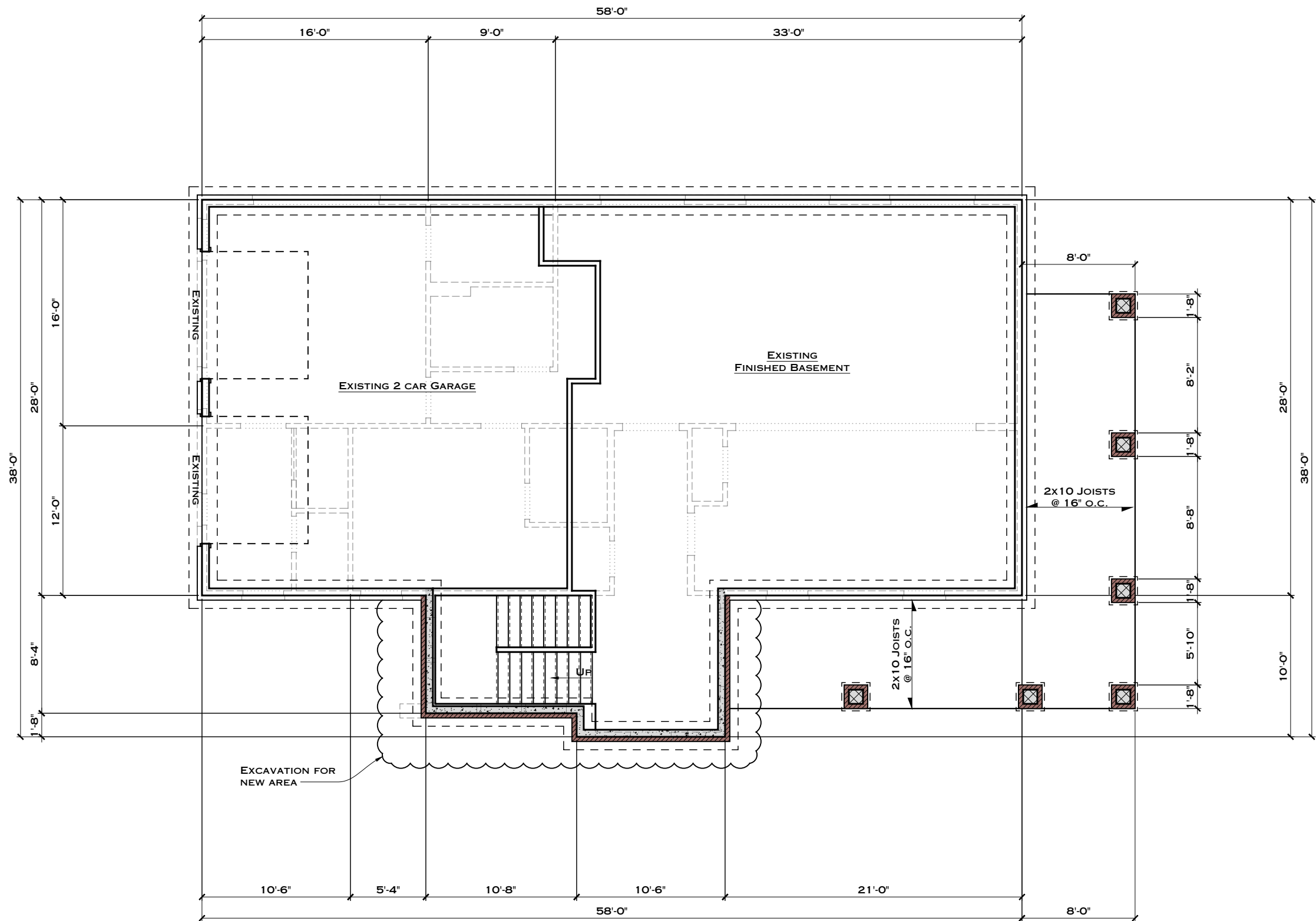


SHEET INDEX

#	NAME
A0	TITLE SHEET
A1	SITE PLAN
A2.1	FOUNDATION PLAN
A2.2	1ST FLOOR PLAN
A2.3	2ND FLOOR PLAN
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A3.3	EXTERIOR ELEVATIONS
A3.4	EXTERIOR ELEVATIONS
A4.1	DETAIL SHEET
E1.1	ELECTRICAL SHEET
E1.2	ELECTRICAL SHEET
TOTAL SHEETS: 13	

SHEET INFORMATION

A0
Title Sheet



1
A2.1

Foundation Plan

1/8" = 1'-0"



PLAN INFORMATION

PROJECT NAME:
CUSTOM DESIGN

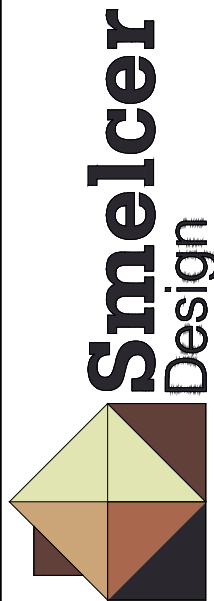
COMMUNITY:

LOT NUMBER:

CLIENT NAME:

PDF CREATION DATE:
7/14/23 - 12:58PM

SMELCER DESIGN
DJSMLCER@YAHOO.COM
DANNYSMLCER@GMAIL.COM
DAVID: 205.229.3835
DANNY: 205.296.1215

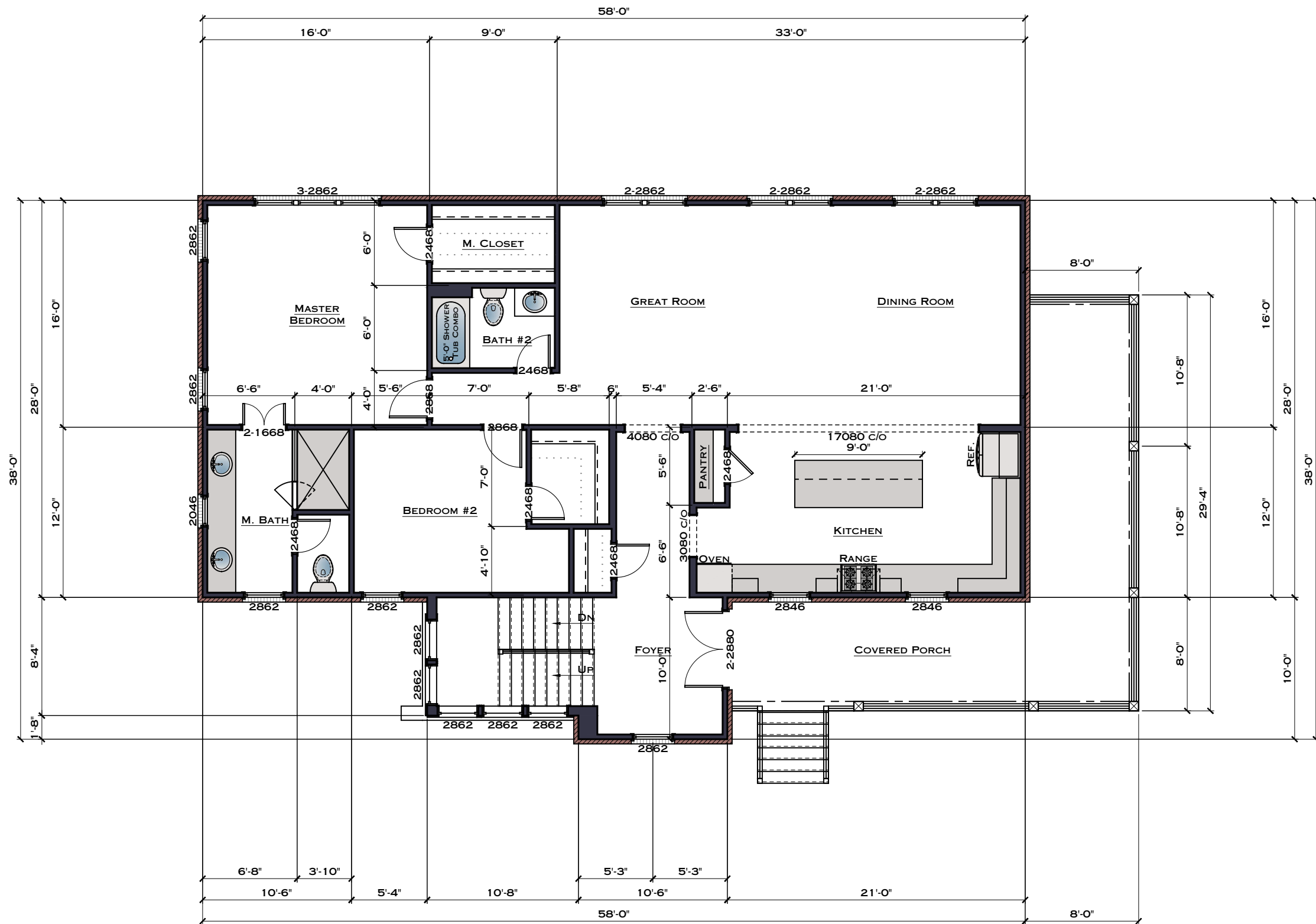


SHEET INDEX

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A1	SITE PLAN
A2.1	FOUNDATION PLAN
A2.2	1ST FLOOR PLAN
A2.3	2ND FLOOR PLAN
A2.4	ROOF PLAN
A3.1	EXTERIOR ELEVATIONS
A3.2	EXTERIOR ELEVATIONS
A3.3	EXTERIOR ELEVATIONS
A3.4	EXTERIOR ELEVATIONS
A4.1	DETAIL SHEET
E1.1	ELECTRICAL SHEET
E1.2	ELECTRICAL SHEET
TOTAL SHEETS: 13	

SHEET INFORMATION

A2.1
Foundation Plan



1
A2.2

1st Floor Plan

1/8" = 1'-0"



PLAN INFORMATION

PROJECT NAME:
CUSTOM DESIGN

COMMUNITY:

LOT NUMBER:

CLIENT NAME:

PDF CREATION DATE:
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SMELCER DESIGN
DJSMLCER@YAHOO.COM
DANNYSMLCER@GMAIL.COM
DAVID: 205.229.3835
DANNY: 205.296.1215

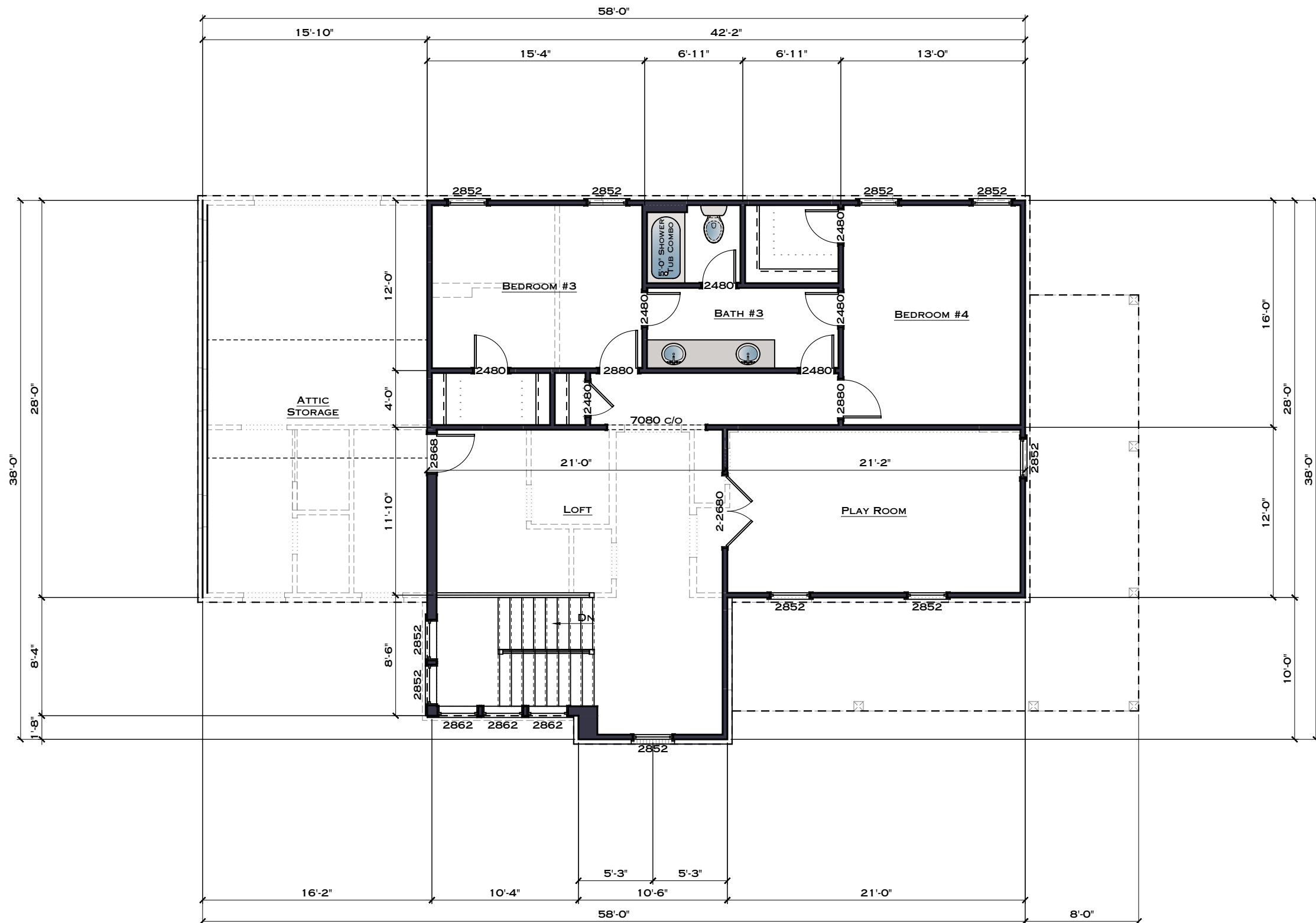


SHEET INDEX

#	NAME
A0	TITLE SHEET
A1	SITE PLAN
A2.1	FOUNDATION PLAN
A2.2	1ST FLOOR PLAN
A2.3	2ND FLOOR PLAN
A2.4	ROOF PLAN
A3.1	EXTERIOR ELEVATIONS
A3.2	EXTERIOR ELEVATIONS
A3.3	EXTERIOR ELEVATIONS
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A4.1	DETAIL SHEET
E1.1	ELECTRICAL SHEET
E1.2	ELECTRICAL SHEET
TOTAL SHEETS: 13	

SHEET INFORMATION

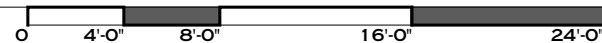
A2.2
1st Floor Plan



1
A2.3

2nd Floor Plan

1/8" = 1'-0"



PLAN INFORMATION

PROJECT NAME:
CUSTOM DESIGN

COMMUNITY:

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A3.2	EXTERIOR ELEVATIONS
A3.3	EXTERIOR ELEVATIONS
A3.4	EXTERIOR ELEVATIONS
A4.1	DETAIL SHEET
E1.1	ELECTRICAL SHEET
E1.2	ELECTRICAL SHEET
TOTAL SHEETS: 13	

SHEET INFORMATION

A2.3

2nd Floor Plan



1

A3.1

Front Elevation

1/8" = 1'-0"

0

4'-0"

8'-0"

16'-0"

24'-0"

PLAN INFORMATION

PROJECT NAME:
CUSTOM DESIGN

COMMUNITY:

LOT NUMBER:

CLIENT NAME:

PDF CREATION DATE:
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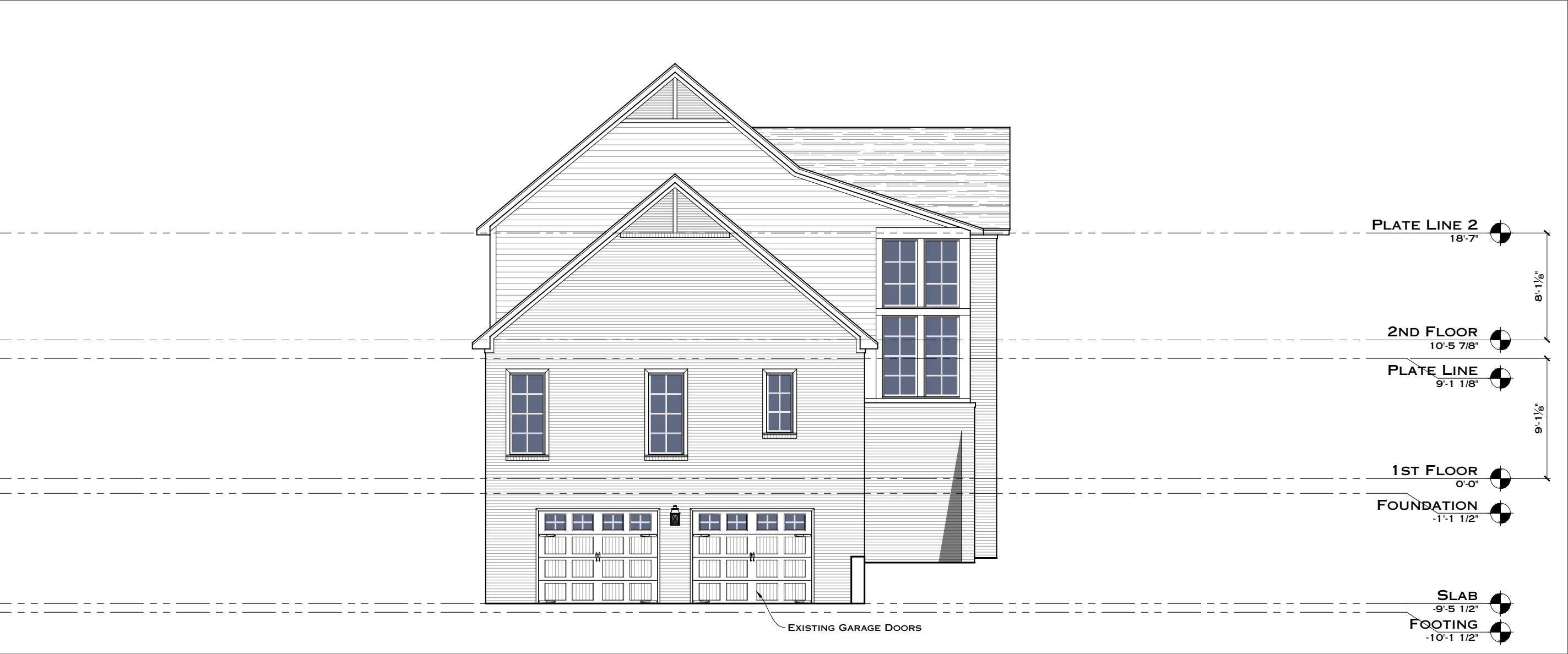


SHEET INDEX

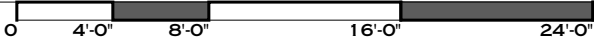
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A4.1	DETAIL SHEET
E1.1	ELECTRICAL SHEET
E1.2	ELECTRICAL SHEET
TOTAL SHEETS: 13	

SHEET INFORMATION

A3.1
Exterior Elevations



1 Left Elevation
A3.2 1/8" = 1'-0"



PLAN INFORMATION
PROJECT NAME: CUSTOM DESIGN
COMMUNITY: ---
LOT NUMBER: ---
CLIENT NAME: ----
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A3.3	EXTERIOR ELEVATIONS
A3.4	EXTERIOR ELEVATIONS
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E1.1	ELECTRICAL SHEET
E1.2	ELECTRICAL SHEET
TOTAL SHEETS: 13	

SHEET INFORMATION
A3.2
Exterior Elevations



1 Rear Elevation
A3.3 1/8" = 1'-0"

PLAN INFORMATION

PROJECT NAME:

CUSTOM DESIGN

COMMUNITY:

LOT NUMBER:

CLIENT NAME:

PDF CREATION DATE:

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Smelcer

Design

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A3.3	EXTERIOR ELEVATIONS
A3.4	EXTERIOR ELEVATIONS
A4.1	DETAIL SHEET
E1.1	ELECTRICAL SHEET
E1.2	ELECTRICAL SHEET
TOTAL SHEETS: 13	

SHEET INFORMATION

A3.3

Exterior Elevations

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1

A3.4

Right Elevation

1/8" = 1'-0"

0

4'-0"

8'-0"

16'-0"

24'-0"

PLAN INFORMATION

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E1.1	ELECTRICAL SHEET
E1.2	ELECTRICAL SHEET
TOTAL SHEETS: 13	

SHEET INFORMATION

A3.4
Exterior Elevations

