

**AFFIDAVIT RE: COMPLIANCE WITH  
FRONT SET BACK REGULATIONS**

My name is Jackie Williams and I am the President of Jackie Williams Co., Inc. I have personal knowledge of the matters referred to in this affidavit.

My company constructed a house on the following described lot:

Lot 95, according to the Map and Survey of Summerchase Phase 4, as recorded in Map Book 26, Page 111, in the Probate Office of Judge of Probate of Shelby County, Alabama.

In accordance with the regulations of the City of Calera, the house built on the above described lot has an enclosed garage on the front of the house and so that the location of the house is subject to a 10 foot minimum front set back. Therefore, the house on this lot is in compliance with the City of Calera's applicable Zoning regulations covering the Summerchase Subdivision. See Addendum "A" (letter from City of Calera) and Addendum "B" (regulations of the City of Calera) which are incorporated herein by reference.

Jackie Williams Co., Inc.



By: Jackie Williams, President

Sworn to and subscribed to before me  
this 26th day of April, 2002.

  
\_\_\_\_\_  
Notary Public

**COURTNEY H. MASON, JR.**  
**MY COMMISSION EXPIRES MARCH 5, 2003**

# ADDENDUM "A"

## City of Calera

GEORGE W. ROY  
Mayor

LINDA STEELE  
City Clerk

JIM FINN  
Police Chief

DAVID L. JONES  
Public Works Director

MICHAEL WOOD  
Building Official

MIKE KENT  
Zoning Official



### COUNCIL MEMBERS:

ARTHUR DAVIS

LEMOYNE GLASGOW

WINFRED JONES

BOBBY PHILLIPS

TOMMIE L. CADLE MORRISON

April 24, 2002

To Whom It May Concern:

Summerchase Subdivision is governed by the old RG regulations of the City of Calera. We have attached a copy showing where the front setbacks can be moved. Please refer back to these regulations for any future problems that may arise.

Thank You,

*Mike Wood*  
Mike Wood

POST OFFICE BOX 187 • CALERA, ALABAMA 35040

OFFICE (205) 668-3638 • MAYOR (205) 668-3500 • FAX (205) 668-0921 • Email: [www.cityofcalera.org](http://www.cityofcalera.org)

*"Large enough to be progressively aware, yet small enough to still care"*

# ADDENDUM "B"

## Section 10.00 RG Residential Garden Home District

### 10.01 Intent

To provide areas suitable for the development of residential garden homes along with selected institutional and commercial uses which are integrally related to residential neighborhoods.

### 10.02 Uses Permitted

A. The following uses shall be permitted in the RG Garden Home District:

#### 1. Residential Uses

- a. Accessory Structures or Buildings  
[Subject to Article VII, Section 6.00]
- b. Residential Garden Homes

#### 2. Institutional Uses

- a. Home Instruction
- b. Public Utility Services

#### 3. Temporary Uses

- a. Garage or Yard Sales  
[Subject to Article VII, Section 9.00]

### 10.03 Special Exception Uses

A. The following uses may be permitted subject to a special exception use permit being granted by the Zoning Board of Adjustment and further subject to appropriate permits being issued. [See Article VIII.]

#### 1. Commercial Uses

- a. Home Occupations  
[Subject to Article VIII, Section 9.00]

### 10.04 Area and Dimensional Regulations

Except as may provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be required:

Minimum Lot Area: 4,000 square feet  
Minimum Lot Width: Forty feet (40') at building line

**Minimum Yard Setbacks:**

Front:	Twenty feet* (20')
Rear:	Twenty-five feet (25')
Side:	Zero feet** (0')

\* Undedicated Road: Forty-five feet (45') from the centerline

\* If enclosed garage provided with unit, Front: Ten feet (10')

\*\* See Article IV, Section 5.2, Residential Uses, Garden Home Illustration.

Corner Lots: Shall have the same setbacks on both streets or roads.

Minimum Floor Area:	One story - 1,000 square feet
	Two story - 850 square feet on first floor

Side yards are subject to the following building separation provisions:

1. Garden Homes shall be located so as to permit a minimum of ten feet (10') between homes measured from the closest outside wall to closest outside wall.
2. No building in an RG District shall be located less than twenty-five feet (25') from any boundary of the RG Development abutting single family residential zoning districts.

**Eave Overhangs:** Cornices or eaves may extend into adjoining property when allowed by properly executed and recorded covenants between property owners. All such cornices and eaves shall be fire-proof.

**Requirements for non-sewered development:**

In the event, a site is to be developed with septic tank facilities, the developer/builder shall produce an Engineering Report, for the perusal of the Planning Commission, City of Calera, prepared by a State of Alabama Registered Professional Engineer. This report shall contain all the relevant information, on the site, pertaining to the soil conditions, soil capacity, percolation study, proximity to flood plains, etc. The developer/builder shall be required to produce a permit from the Shelby County Health Department. The City of Calera shall issue a permit for the development of garden homes, to the developer/builder in concern, based on the findings and recommendations of the Shelby County Health Department. In accordance with these recommendations, the density, unit size and other relevant requirements for garden homes shall be provided by the City of Calera to the developer/builder.



### **10.05 Buffer Requirements**

Unless otherwise stipulated, when any lot is to be developed for any use other than single family residential and such lot abuts a lot occupied or zoned for single family residential development, a minimum buffer yard width of twenty-five feet (25') shall be required. [See Article VII, Supplemental Regulations, subsections 13.00 through 13.03.]

### **10.06 Additional Regulations (When Applicable)**

- A. No fence shall be permitted forward of the front corner of the house; and, other fences shall not exceed seven feet (7') in height.
- B. Due to the zero lot line, easements or comparable access rights shall be included in the deed so as to permit maintenance on each home.
- C. All utilities shall be placed underground.
- D. There shall be two (2) paved, off-street parking spaces for each unit.
- E. Customary accessory buildings or structures, one (1) per parcel or lot, shall not exceed two hundred (200) square feet.

## **Section 11.00 RT Residential Town-house District**

### **11.01 Intent**

To provide areas suitable for Town-house Residential Dwellings

### **11.02 Uses Permitted**


- A. Residential Uses
  - 1. Customary Accessory Structures provided they are located in the rear yard only
  - 2. Town-house Residential Dwellings
- B. Institutional Uses
  - 1. Public Utility Services
- C. Temporary Uses
  - 1. Garage Sales [Subject to Article VII, Section 9.00]

VARIANCE OF SET-BACK LINE

I, THE UNDERSIGNED, AM ONE OF THE ARCHITECTURAL CONTROL COMMITTEE MEMBERS UNDER THE DECLARATION OF PROTECTIVE COVENANTS, & RESTRICTIONS OF SUMMERCHASE SUBDIVISION, PHASE FOUR, RECORDED INSTRUMENT #2000-09762 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA. UNDER SAID COVENANTS I HAVE THE POWER TO AMEND SET-BACK LINES AND RESTRICTIVE COVENANTS IN SAID SUBDIVISION.

I HAVE SEEN THE ATTACHED SURVEY DATED APRIL 19, 2002, AND PREPARED BY M.D. ARRINGTON ON LOT 95 SUMMERCHASE, PHASE 4, AS RECORDED IN MAP BOOK 26 PAGE 111 IN THE OFFICE OF THE JUDGE OF PROBATE IN SHELBY COUNTY, ALABAMA.. UNDER THE TERMS OF THE COVENANTS, THE ARCHITECTURAL CONTROL COMMITTEE HAS THE POWER AND DOES HEREBY GRANT A VARIANCE FROM THE SET-BACK LINE TO PERMIT THE IMPROVEMENTS ON SAID LOT TO BE LOCATED AS SHOWN IN THE ATTACHED SURVEY.

ARCHITECTURAL CONTROL COMMITTEE  
OF SUMMERCHASE

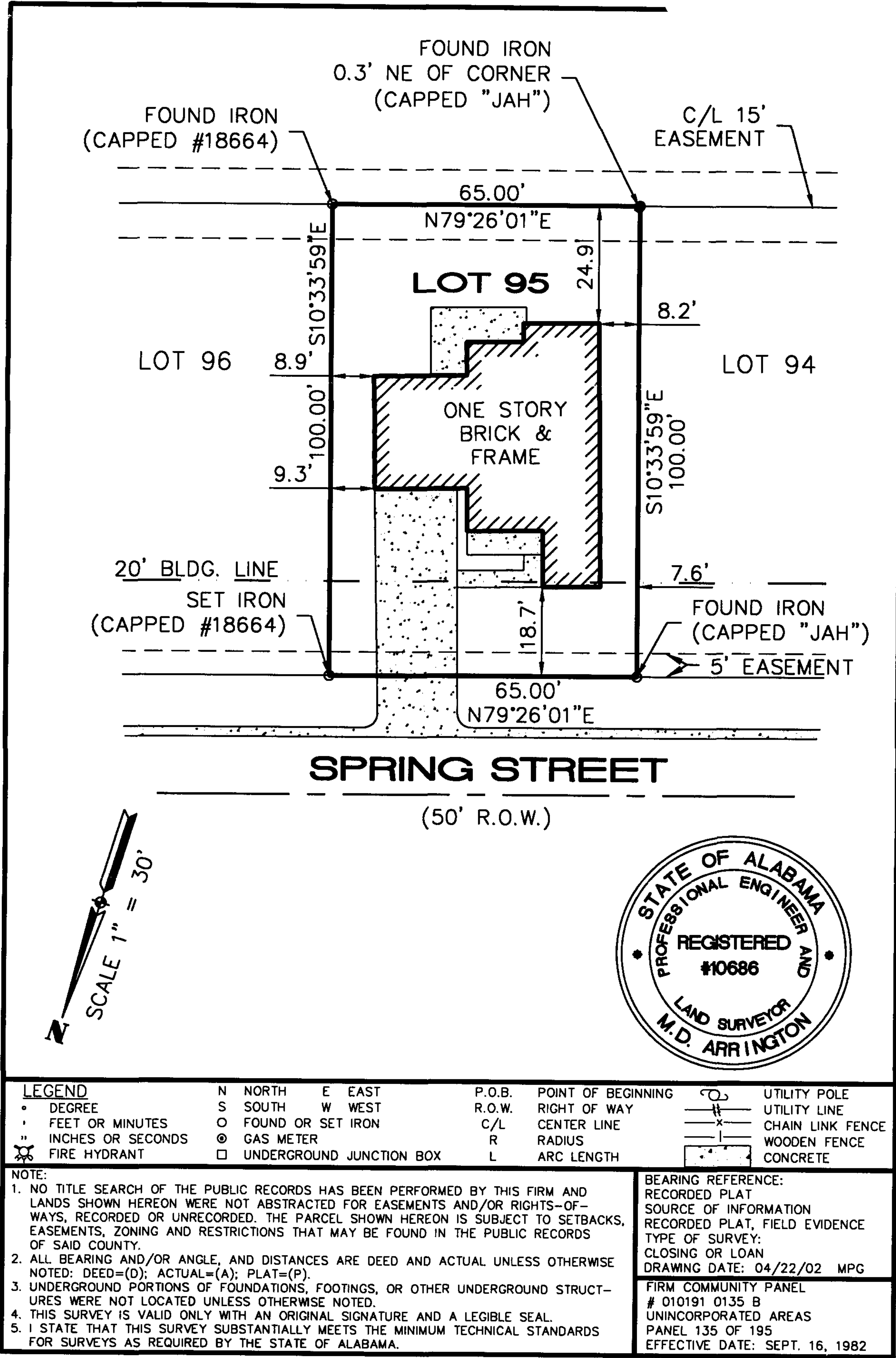
  
JACKIE WILLIAMS

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE 26TH DAY OF APRIL, 2002.

  
NOTARY PUBLIC

MY COMMISSION EXPIRES:

COURTNEY H. MASON, JR.  
MY COMMISSION EXPIRES MARCH 5, 2003



STATE OF ALABAMA  
SHELBY COUNTY

I, M. D. Arrington, a registered Engineer-Land Surveyor, certify that I have surveyed Lot 95, Block           , according to the survey of SUMMERCHASE PHASE 4 as recorded in Map Volume 26, Page 111, in the office of the Judge of Probate Shelby County, Alabama; That all parts of this survey have been completed in accordance with the requirements of the Minimum Technical Standards for Practice of Land Surveying in the State of Alabama to the best of my knowledge, information and belief; That I have consulted the Federal Insurance Administration "Flood Insurance Rate Map", and found that according to the shaded area on said map that this property IS NOT located in "a special flood hazard area (Zone A); That there are no encroachments on said lot except as shown; That improvements are located as shown above.

Address: 153 SPRING STREET  
Date of Survey: 04-19-2002  
Order No. 24438 Field Book #: 458  
For: RASH

*M. D. Arrington*  
M.D. Arrington, Reg. #10686, PH:985-9315(Fax 985-9385)  
Arrington Engineering & Land Surveying, Inc.  
137 Business Center Drive, Birmingham, Alabama 35244