

VARIANCE OF SET-BACK LINE

I, THE UNDERSIGNED, DEVELOPER, UNDER THE DECLARATION OF PROTECTIVE COVENANTS, RESTRICTIONS, EASEMENTS, RIGHTS AND LIENS OF MARENGO, SECTOR 2. UNDER SAID COVENANTS THE DEVELOPER HAS THE POWER TO AMEND SET-BACK LINES IN SAID SUBDIVISION.

I HAVE SEEN THE ATTACHED SURVEY DATED AUGUST 27, 2002, AND PREPARED BY ROBERT C. FARMER ON LOT 38 MARENGO, SECTOR TWO AS RECORDED IN MAP BOOK 26 PAGE 90 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA. UNDER THE TERMS OF THE COVENANTS THE DEVELOPER 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.

DEVELOPER

MARENGO BUILDING & DEVELOPMENT, INC.

BY:

JOE A. SCOTCH, JR., VICE PRESIDENT

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE 30TH DAY OF AUGUST, 2002.

NOTARY PUBLIC

MY COMMISSION EXPIRES: 2-20-03

PEGGY L. MURPHREE
MY COMMISSION EXPIRES FEBRUARY 20, 2003

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



COUNCIL MEMBERS:

ARTHUR DAVIS

LEMOYNE GLASGOW

WINFRED JONES

BOBBY PHILLIPS

TOMMIE L. CADLE MORRISON

August 29, 2002

To Whom It May Concern:

In accordance with Article VII Section 1.00 of the City of Calera Zoning Ordinance (attached) the front setbacks have been modified for Lot 38 in the Marengo Subdivision. If you need further assistance please feel free to contact me at the number provided.

Mike Wood

Mike Wood
Building Official
City of Calera

MW/ki

Lot 38, Marengo, Sector Two Map B0ok 26 page 90

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

ARTICLE VII

SUPPLEMENTAL REGULATIONS

Section 1.00 Area Modification for Lots of Record

The Calera Zoning Board of Adjustment shall approve all proposed development involving non-conforming lots of record. [See Article V, General Regulations, Section 2.00 and subsection 2.01]

Section 2.00 General Yard Requirements

A. Every part of a required yard shall be open to the sky, unobstructed by any structure or part thereof, and, unoccupied for storage, servicing or similar uses, except as provided for herein.

B. More than one (1) multiple dwelling, office, institutional, industrial or public building may be located upon a lot or tract of land, but such dwellings shall not encroach upon the front, side or rear yards required by the district regulations.

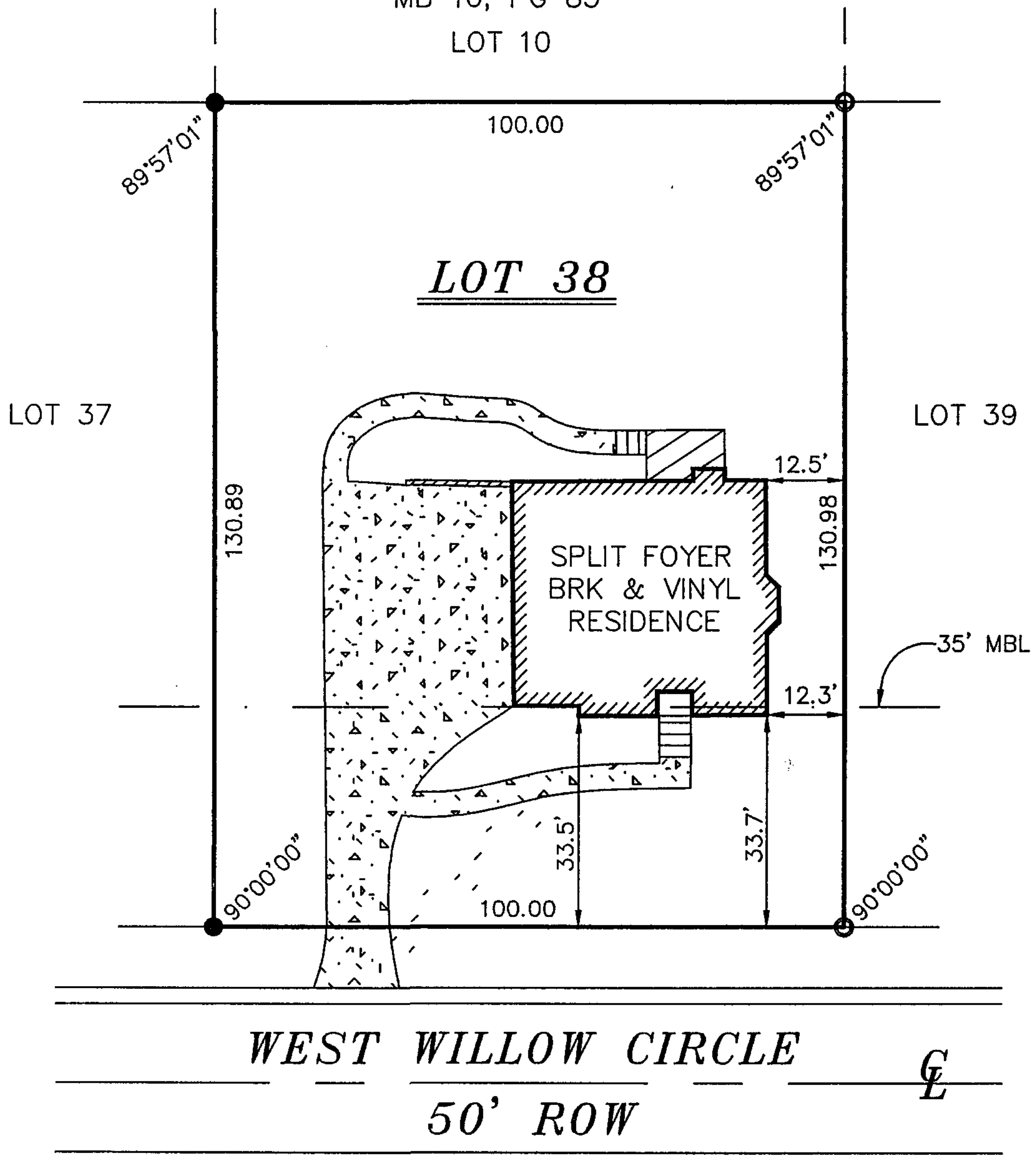
C. In certain cases the Building Official can modify the front and the rear yard requirements to a point of no more than (5) five feet, in any district. A distance over this will have to go to the Board of Adjustments and Appeals for a variance approval, but the side yards must meet the requirements for the district in question.

2.01 Front Yard Modifications

- A. Where forty percent (40%) or more of the frontage on the same side of the street between two (2) intersecting streets is presently developed or may hereafter be developed with buildings that have (with a variation of five feet (5') or less) a front yard greater or lesser in depth than herein required, new buildings shall not be erected closer to the street than the average front yard so established by the existing dwelling.
- B. Where forty percent (40%) or more of the frontage on one (1) side of a street between two (2) intersecting streets is presently developed or may hereafter be developed with buildings that do not have a front yard as described below. The following shall apply:
 - 1. Where a building is to be erected on a parcel of land that is within one hundred feet (100') of existing buildings on both sides, the minimum front yard shall be a line drawn between the closest front corners of the adjacent buildings
 - 2. Where a building is to be erected on a parcel of land that is within one hundred feet (100') of an existing building on one (1) side only, such building may be erected as close to the street as the existing building
- C. Through lots shall provide the required front yard on both sides.
- D. Corner lots shall provide a front yard on each street.



SHADY HILLS
MB 16, PG 83
LOT 10



Survey of Lot 38, Block _____ according to MARENGO
SECTOR TWO, as recorded in the Office of the Judge of
Probate of afore-said County in Plat Book 26, Page 90: The address based on
reliable information and sources of said Lot is 237 WEST WILLOW CIRCLE
_____, Alabama and is INSIDE the corporate limits of
the CITY OF CALERA: That said lot lies in Zone 'C', according to
F.I.R.M. Community-Panel Number 010191 0165 B Dated SEPT. 16, 1982

SURVEY FOR: MAHAN

REQUESTED BY: DAVID

TYPE OF SURVEY: MORTGAGE SURVEY

DATE OF FIELD SURVEY: 8/27/02

LEGEND

- | | |
|-------------------------------------|--|
| 1 - CONCRETE MONUMENT FOUND. | ● - IRON PIN FOUND 1/2" OUTSIDE DIAMETER |
| ○ - PK NAIL FOUND | —U— - OVERHEAD UTILITY LINE(S). |
| ○ - # 5 REBAR SET WITH CAP STAMPED. | -X- - FENCE. |
| □ - PK NAIL SET | ▨ - CONCRETE. |
| ○ - UTILITY POLE. | — - NOT TO SCALE. |
| ▨ - BRICK WALL | A - ACRES. |
| ▨ - WOOD DECK | ℄ - CENTERLINE |
| ▨ - COVERED WOOD DECK | ESM'T - EASEMENT. |
| ▨ - SCREENED IN DECK | M B L - MINIMUM BUILDING LINE |
| | ROW - RIGHT OF WAY. |
| | — - CONCRETE BLOCK WALL |
| | — - BRICK WALL |

0 SCALE 1" = 30'

BASIS OF BEARING USED: PLAT

SOURCE OF INFORMATION USED IN MAKING THIS SURVEY IS
RECORD MAP

JOB # 6797

DATE: 8/27/02

DRAWN: LETTS

CHECKED: DWW

SHEET NO 1 of 1

PREPARED BY:

R. C. FARMER
and
ASSOCIATES, INC.
246 YEAGER PARKWAY
PELHAM, ALABAMA
35124

TEL-205-664-2506
FAX-205-664-2616

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.

[Signature]

