

AFFIDAVIT

RE: SETBACK ZONING REGULATIONS

The Setback Variance on the following described property:

Lot 100B, a resurvey of Lots 99A and 100A of Daventry - Amended Plat of Sector II,
recorded in Map Book 28, page 100 in the Probate Office of Shelby County, Alabama.

has been approved by the City of Calera as shown in the letter from the City of Calera attached hereto and incorporated herein by reference. The house has a garage on the front of the house which reduces the required setback to 10 feet per the old RG regulations of the City of Calera and the recorded Declaration of Protective Covenants for Daventry Subdivision as recorded in Inst. 1999-29871, article III (s).

Hardage-Criss Construction Company, Inc.


Russell A. Hardage, President

Sworn to and subscribed by before
me this 30th day of September, 2002.


Notary Public

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

MIKE KENT
Zoning Official



COUNCIL MEMBERS:

ARTHUR DAVIS

LEMOYNE GLASGOW

WINFRED JONES

BOBBY PHILLIPS

TOMMIE L. CADLE MORRISON

September 27, 2002

To Whom It May Concern:

Daventry 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

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

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

RESURVEY OF DAVENTRY - SECTOR 1, MB 26, PG 98

DAVENTRY - AMENDED
PLAT OF SECTOR II
MB 27, PG 25

LOT 104

LOT 51

LOT 50

LOT 100B

1 STORY BRICK
RES.

LOT 99B

DAVENTRY LANE

50' ROW

Survey of Lot 100B, Block _____ according to A RESURVEY OF LOTS 99A AND 100A OF DAVENTRY - AMENDED PLAT OF SECTOR II *, as recorded in the Office of the Judge of Probate of afore-said County in Plat Book 28, Page 100: The address based on reliable information and sources of said Lot is 829 DAVENTRY LANE, 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 0135 B Dated SEPT. 16, 1982

SURVEY FOR: REED

REQUESTED BY: JEAN TATE

TYPE OF SURVEY: MORTGAGE FINAL

DATE OF FIELD SURVEY: 9-13-02

*REC IN MB 27, PG 25 / ** SH. CO. FLOOD USED; THIS AREA OF CALERA NOT INCORPORATED AT TIME OF F.I.R.M. FLOOD STUDY.

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 | AC - ACRES. |
| ▨ - WOOD DECK | CL - 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" = 20'

BASIS OF BEARING USED: PLAT

SOURCE OF INFORMATION USED IN MAKING THIS SURVEY IS:
RECORD MAP

JOB # 6946

DATE: 9-16-02

DRAWN: KEL

CHECKED: DWW

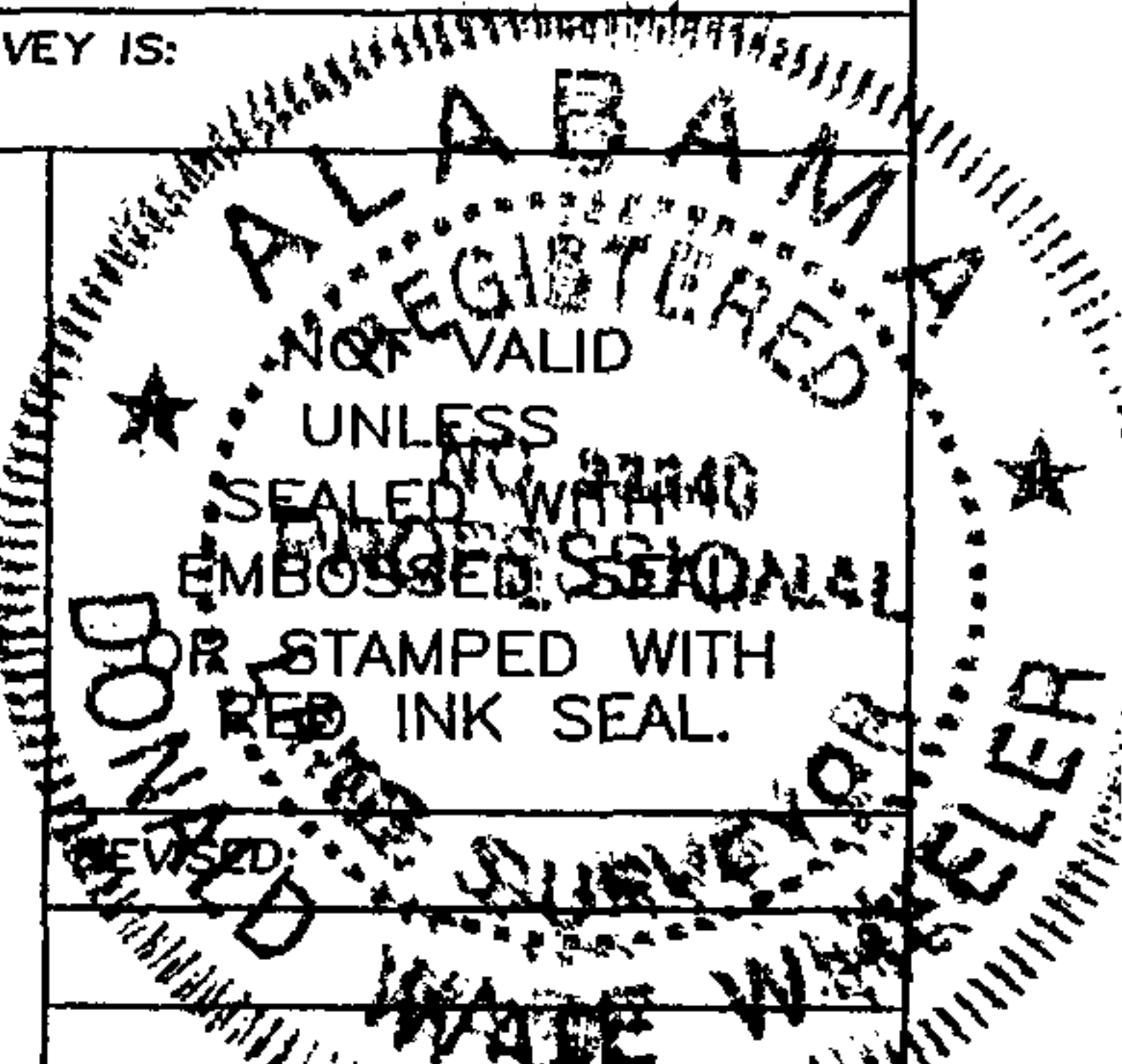
SHEET NO 1 of 1

PREPARED BY:

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

TEL-205-664-2566
FAX-205-664-2616

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



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]