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Shelby Cnty Judge of Probate, AL
12/17/2002 09:10:00 FILED/CERTIFIED

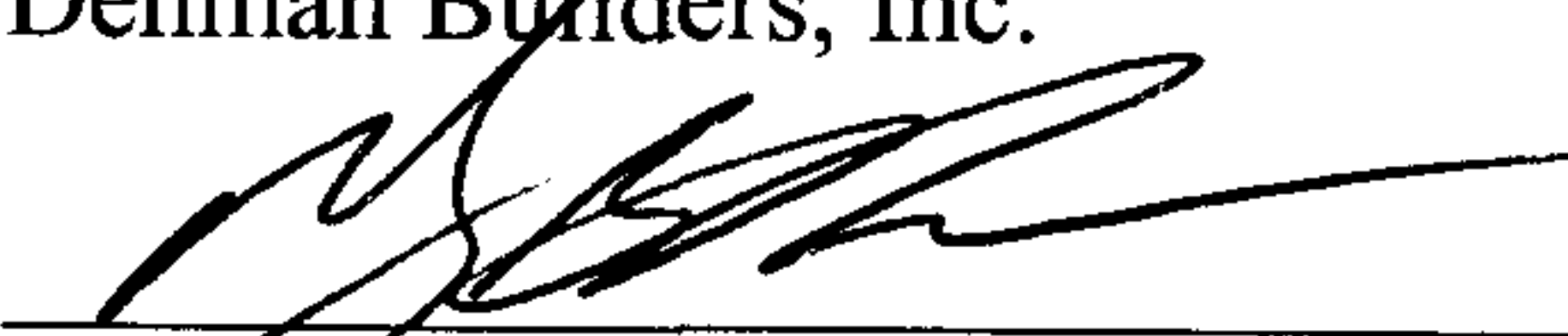
AFFIDAVIT OF VARIANCE

I am Rodney Denman, President of Denman Builders, Inc. and I am the owner of the following described property:

Lot 16, according to the Survey of Carrington, as recorded in Map Book 25, page 17, in the Probate Office of Shelby County, Alabama.

During the construction of the improvements on the above described property it was necessary to move the house further back on the lot. A variance has been obtained from the Developer of the subdivision (see attached copy) and the City of Calera (see attached letter dated December 13, 2002 from Mike Wood).

Denman Builders, Inc.


Rodney Denman, President

Sworn to and subscribed to before
me this 13th day of December, 2002.


Notary Public

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

VARIANCE OF SET-BACK LINE

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

I HAVE SEEN THE ATTACHED FOUNDATION SURVEY DATED MAY 9, 2002, AND PREPARED BY J. ALBERT HILL ON LOT 16 CARRINGTON AS RECORDED IN MAP BOOK 25 PAGE 17 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.

Forsight Development, LLC
DEVELOPER

BY: Paul J. Spina, Jr. MEMBER
Paul J. Spina, Jr., Member

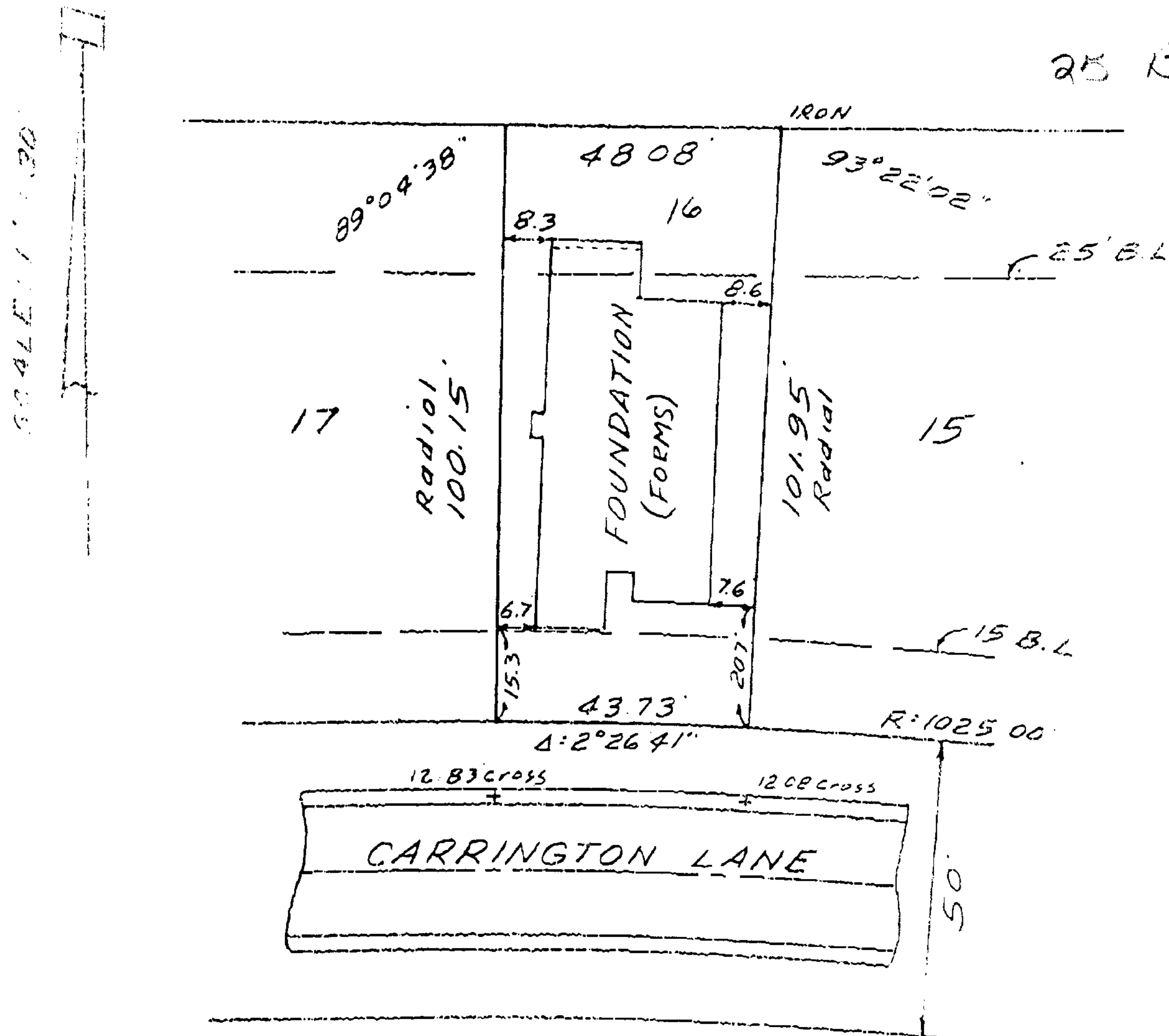
SWORN TO AND SUBSCRIBED BEFORE ME THIS THE 13th DAY OF DECEMBER, 2002.

Richard G. Cantano
NOTARY PUBLIC

MY COMMISSION EXPIRES: 2/4/04

Set back
line15
Statement 30-35

25 Blome

STATE OF ALABAMA
JEFFERSON COUNTY

I, J. Albert Hill, a Registered Land Surveyor in Birmingham, Alabama, hereby certify that this survey and drawing have been completed in accordance with the requirements of the Minimum Technical Standards for Land Surveying in the State of Alabama and that this is a true and correct map of

Lot 16 Block - CARRINGTON SECTOR II.

as recorded in Map Book 25 Page 17 In the Probate Office of SHELBY County, Alabama.

The correct street address is CARRINGTON LANE according to my survey

on 9TH day of MAY 2002

Purchaser: (DENMAN BUILDERS)

HILL SURVEYING COMPANY
2301-A Second Avenue North
Birmingham, Alabama 35203
205-326-3388

J. Albert Hill
J. Albert Hill
Alabama Reg. No. 9682

Invoice No. 020920

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

December 13, 2002

To Whom It May Concern:

In accordance with Article VII Section 1.00 of the City of Calera Zoning Ordinance (attached) the rear setbacks have been modified for Lot 16 in the Carrington Subdivision. If you need further assistance please feel free to contact me at the number provided.

Mike Wood
Building Official
City of Calera

MW/ki

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"

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.