


AFFIDAVIT AT TO MODIFIED FRONT SET BACK LINE

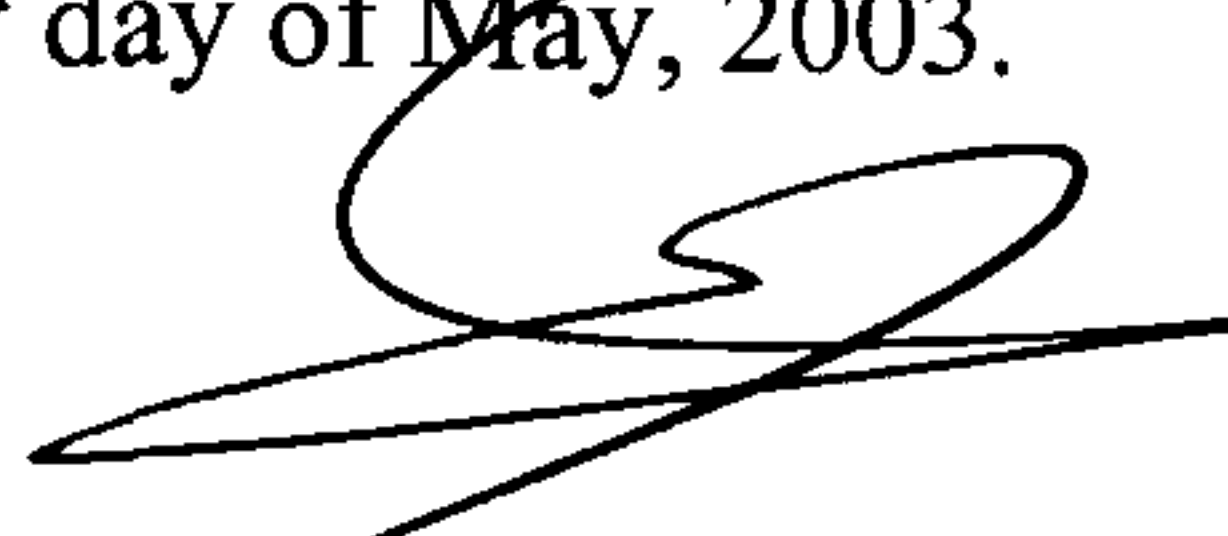
I, the undersigned builder acknowledges that the house constructed on Lot 83 Summerchase, Phase 2, Map Book 24 Page 47 in the Probate Office of Shelby County, Alabama, and is also known as 3332 Summerchase Drive, complies with the City of Calera's RG zoning regulations. Any home constructed in Summerchase with a garage is subject to the 10 foot setback as granted by the city in lieu of the typical 20 foot front setback. Homes built in Summerchase that have garages are permitted to have a 10 foot front setback as required by the city's RG zoning regulations and confirmed with Mr. Mike Wood with the City of Calera. The house at the above referenced address does have a covered garage so the applicable front set back line would be 10 feet.

The Architectural Review Committee has also granted a variance for the set back line to allow the house located on Lot 83 Summerchase, Phase 2, to be located on the site as shown in the survey prepared by M. D. Arrington, dated 5/8/03.

Jackie Williams Co., Inc..

  
\_\_\_\_\_  
Jackie Williams, President

Sworn to and subscribed before me this 23<sup>rd</sup> day of May, 2003.

  
\_\_\_\_\_  
Notary Public  
My Commission expires:

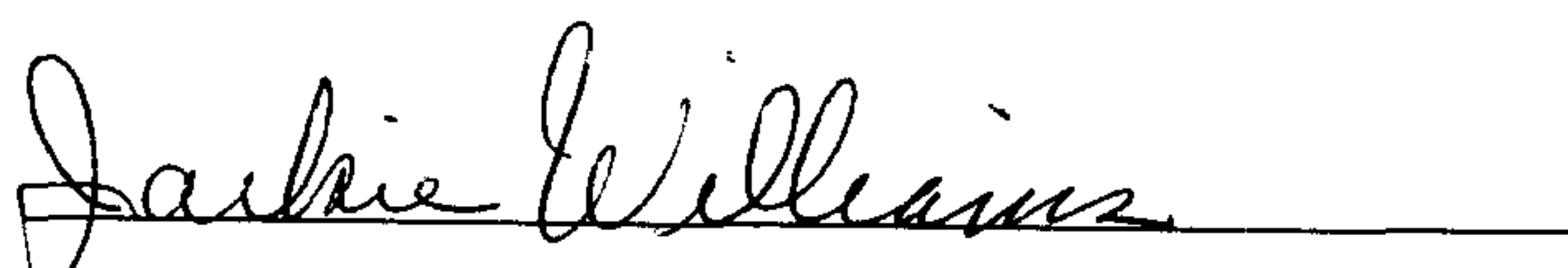
COURTNEY H. MASON, JR.  
COMMISSION EXPIRES MARCH 5, 2007

VARIANCE OF SET-BACK LINE

I, THE UNDERSIGNED, AM ONE OF THE ARCHITECTURAL CONTROL COMMITTEE MEMBERS UNDER THE DECLARATION OF PROTECTIVE COVENANTS, RESTRICTIONS, EASEMENTS, RIGHTS AND LIENS OF SUMMERCHASE PHASE 2 RECORDED IN INSTRUMENT #1999-13859 UNDER SAID COVENANTS I HAVE THE POWER TO AMEND SET-BACK LINES IN SAID SUBDIVISION.

I HAVE SEEN THE ATTACHED SURVEY DATED May 8, 2003, AND PREPARED BY M.D ARRINGTON ON LOT 83 SUMMERCHASE, PHASE 4 AS RECORDED IN MAP BOOK 24 PAGE 47 IN THE PROBATE OFFICE OF 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

  
JACKIE WILLIAMS

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE 23<sup>rd</sup> DAY OF MAY, 2003.

  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 3/7/07

COURTNEY H. MASON, JR.  
COMMISSION EXPIRES MARCH 5, 2007

# 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

May 22, 2003

To Whom It May Concern:

Lot 83 in the Summerchase Subdivision is governed by the old RG regulations of the City of Calera. We have attached a copy of section 10.00 for your reference. Please refer back to these regulations for any future problems that may arise.

If you have any questions, please do not hesitate to contact me.

Thank You,

  
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"*

**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**

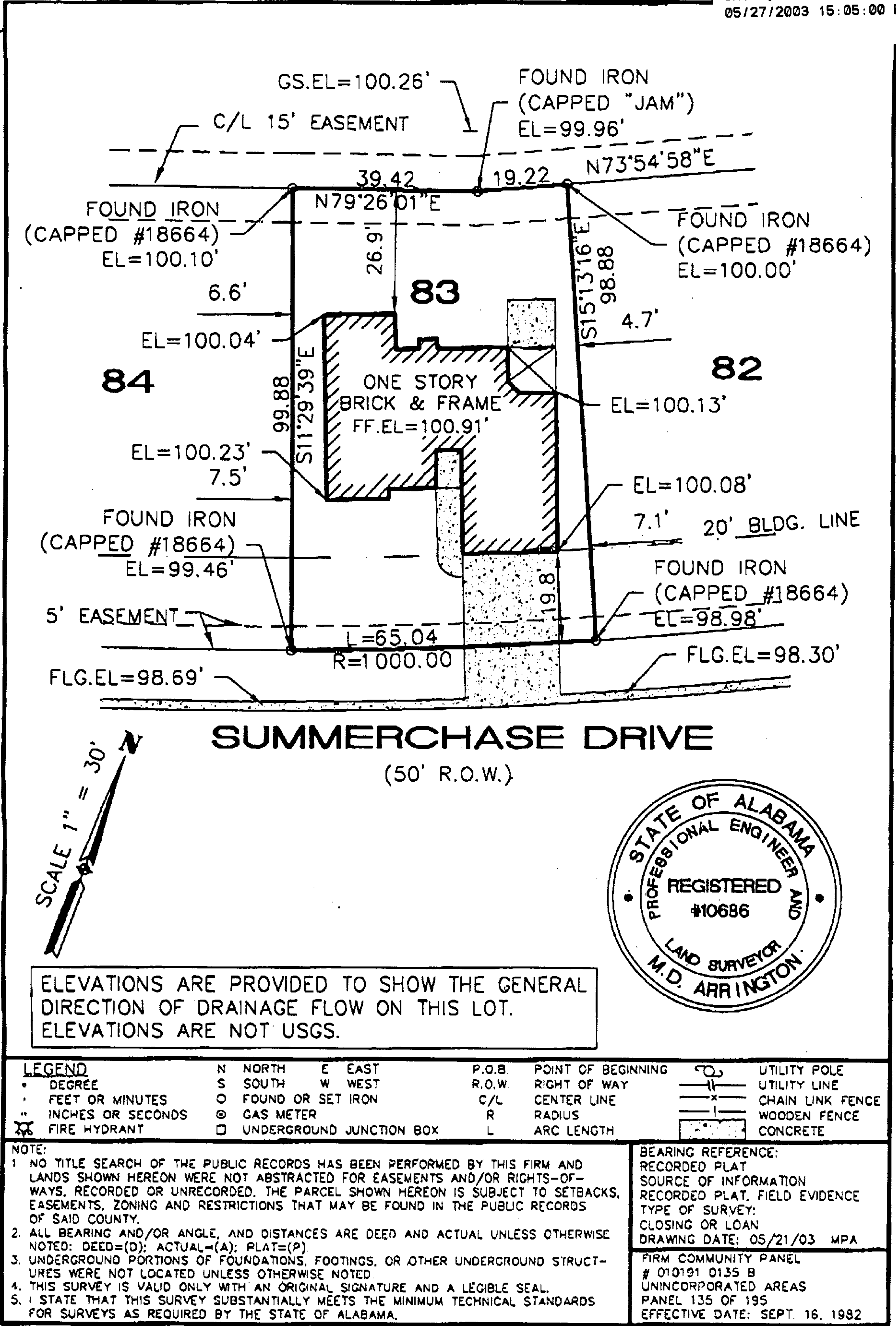
To provide areas suitable for Town-house Residential Dwellings

**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]



20030527000327950 Pg 7/7 29.00  
Shelby Cnty Judge of Probate,AL  
05/27/2003 15:05:00 FILED/CERTIFIED



STATE OF ALABAMA  
SHELBY COUNTY

I, M. D. Arrington, a registered Engineer-Land Surveyor, certify that I have surveyed Lot 83, Block       , according to the survey of SUMMERCHASE PHASE 2 as recorded in Map Volume 24, Page 47, in the office of the Judge of Probate Shelby County, Alabama; 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; 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: 332 SUMMERCHASE DRIVE  
Date of Survey: 05-08-2003  
Order No. 26420 Field Book #: 488  
For: JONES

*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