

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 JULY 23, 2003 AND PREPARED BY ROBERT C. FARMER ON LOT 43 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 29th DAY OF JULY, 2003.

NOTARY PUBLIC

MY COMMISSION EXPIRES:

3/5/07

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

Courtney H. Mason

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

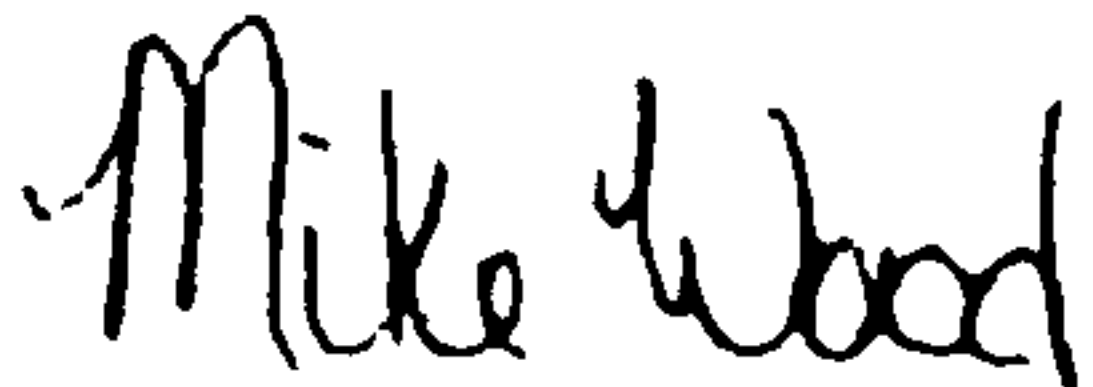


COUNCIL MEMBERS:
ARTHUR DAVIS
LEMOYNE GLASGOW
WINFRED JONES
ROBBY PHILLIPS
TOMMIE L. CADLE MORRISON

July 29, 2003

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 43 in the Marengo Subdivision. If you need further assistance please feel free to contact me at the number provided.


Mike Wood
Building Official
City of Calera

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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.

2.02 Rear Yard Modifications

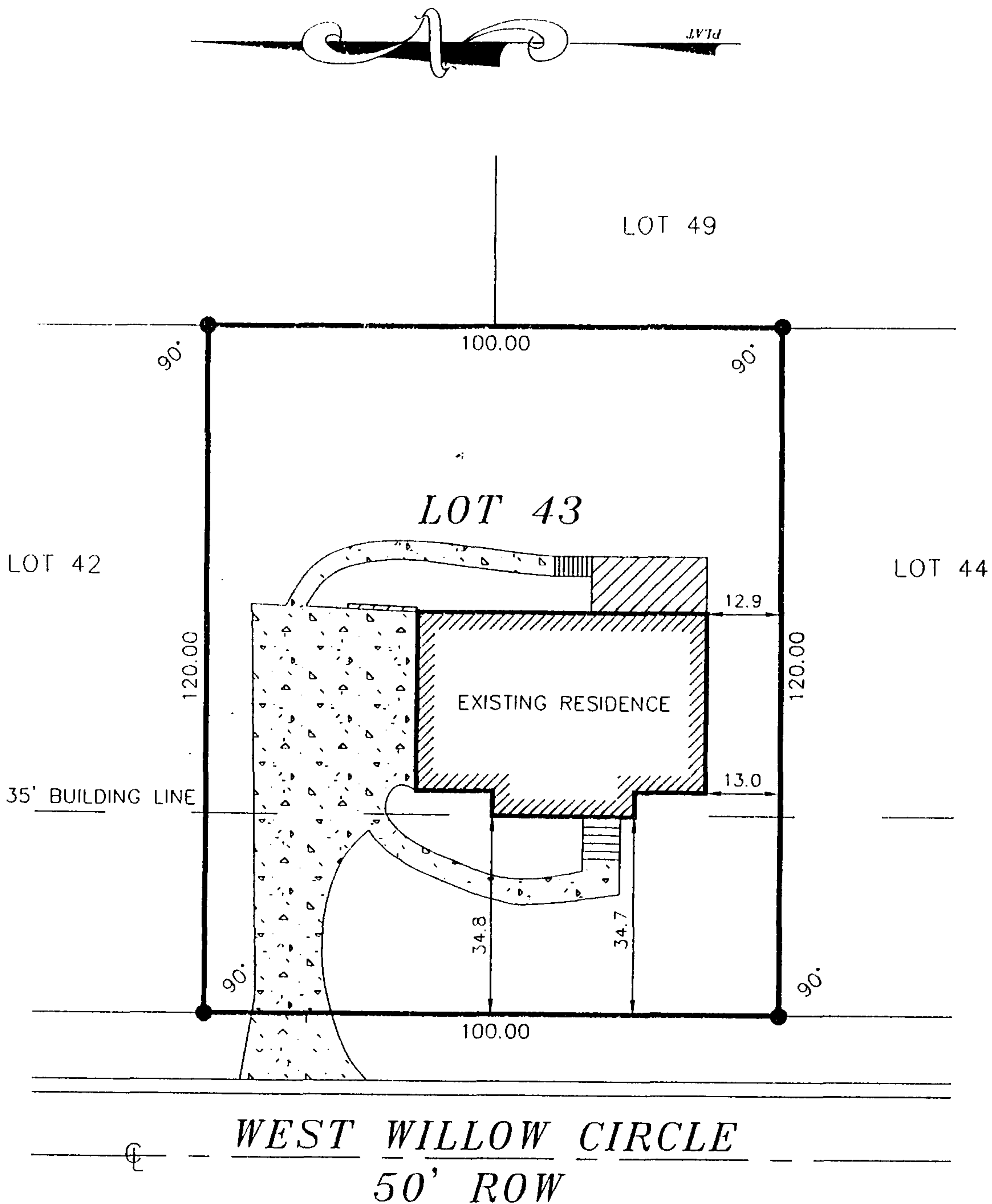
Where a lot abuts an alley, one-half (1/2) of the alley width may be considered as part of the required rear yard.

Section 3.00 Height Modifications

- A. Any limitation on the number of stories shall not apply to buildings used exclusively for storage purposes, with the exception of Mini-warehouses provided such buildings do not exceed the height in feet permitted in the district in which located.
- B. Chimneys, cooling towers, elevators, bulkheads, fire towers, gas tanks, steeples, penthouses, stacks, stage towers or scenery lofts, tanks, water towers, ornamental towers or necessary appurtenances, where permitted, may be erected to any height not in conflict with existing or hereafter adopted ordinances of the City of Calera, except that where permitted in connection with residential uses, such structures shall be limited to a height of twenty-five feet (25') above the average height of structures permitted in that district. [See Article VIII, Section 13.00 for regulations pertaining to commercial transmission towers]

Section 4.00 Fences and Walls

- A. No fence shall be allowed beyond the front yard set-back line in any single family residential district.
- B. The height requirements in any single family residential zone shall be as follows: fences constructed on a side or rear lot line or behind the required front yard as set forth elsewhere in these regulations shall not exceed a height of six and one half feet (6' - 6") as measured from the topmost point of the fence to the ground or surface along the center line of the fence.
- C. The following types of fences are permitted in Residential Zone Districts: masonry walls, ornamental (iron) woven wire (chain link), wood or other man made materials and hedges. The following type of fences are Prohibited: any fence carrying electric current, any fence that utilizes spikes, nails, barb wire or other pointed materials in its construction. However, when warranted, those fence types listed as prohibited above may be permitted in the A-1 Agricultural, M-1 Light Industrial and M-2 Heavy Industrial Districts.
- D. On any corner lots, no fence of any material shall be permitted to encroach a required thirty-five foot (35') building line setback that would hinder sight distances for motorists or pedestrians. No fence, hedge or any type of planting shall be placed or constructed in any location that would hinder access to fire hydrants, including ornamental or split-rail fences.



Survey of Lot 43, 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 238 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: MINOR

REQUESTED BY: SOYA

TYPE OF SURVEY: MORTGAGE SURVEY

DATE OF FIELD SURVEY: 7/23/03

* SHELBY COUNTY FLOOD INFO USED; THIS AREA OF CALERA WAS NOT INCORPORATED AT THE 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 | ESMT - EASEMENT. |
| SCREENED IN DECK | M B L - MINIMUM BUILDING LINE |
| | ROW - RIGHT OF WAY. |
| | - CONCRETE BLOCK WALL |
| | - BRICK WALL |

SCALE: 1" = 30'

BASIS OF BEARING USED: PLAT

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

JOB # 7705

DATE: 7/23/03

DRAWN: SDM

CHECKED: WWW

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 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.

Walter H. Wickstrom

