filed 2-17-05

20050329000142710 1/4 $20.00
Shelby Cnty Judge of Probate,AL
03/29/2005 01:51:06PM FILED/CERT

# VARIANCE OF SET-BACK LINE

I, THE UNDERSIGNED, AM DEVELOPER UNDER THE DECLARATION OF PROTECTIVE COVENANTS, & RESTRICTIONS OF FINAL PLAT OF NOTTINGHAM TOWNHOMES, RECORDED INSTRUMENT #2002-11100 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA. UNDER SAID COVENANTS I HAVE THE POWER TO AMEND SET-BACK LINES AND RESTRICTIVE COVENANTS IN SAID SUBDIVISION.

I HAVE SEEN THE ATTACHED SURVEY DATED 2/15/05 AND PREPARED BY WALTER W. WICKSTROM, JR. ON LOT 5, FINAL PLAT OF NOTTINGHAM TOWNHOMES , AS RECORDED IN MAP BOOK 33, PAGE 111 IN THE OFFICE OF THE JUDGE OF PROBATE IN 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.

NOTTINGHAM, LLC
DEVELOPER

DELTON LANE CLAYTON, AS ITS MANAGER

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE 17th DAY OF FEBRUARY, 2005.

Lou Pierce
NOTARY PUBLIC
MY COMMISSION EXPIRES:
Nov. 3. 2008

20050329000142710 2/4 $20.00
Shelby Cnty Judge of Probate,AL
03/29/2005 01:51:06PM FILED/CERT

# City of Calera

Inspection Services
Planning and Zoning

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
TOMMY MOON
Fire Chief

COUNCIL MEMBERS
DAVID BRADSHAW
JERRY DAVIS
BOBBY PHILLIPS
ERNEST MONTGOMERY
MIKE ROBERSON

February 23, 2005

To Whom It May Concern:

In accordance with Article VII section 1.00 of the City of Calera Zoning Ordinance (attached) the setbacks have been modified for Lot 5 Nottingham Townhomes. If you need further assistance, please feel free to contact me.

Mike Wood
Building Official

POST OFFICE BOX 187 • CALERA, ALABAMA 35040
OFFICE (205) 668-3638 • MAYOR (205) 668-3500 • FAX (205) 668-3821 • Email: www.cityofcalera.org

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

Feb.23. 2005 9:27AM No.5216 P.

20050329000142710 3/4 $20.00
Shelby Cnty Judge of Probate,AL
03/29/2005 01:51:06PM FILED/CERT

# 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 dewelling, office, institutional, industrial or public building may be located upon a lot or tract of land, but such dewellings shall not encroach upon the front, side or rear yards required by the district regulations.

C. In certan 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

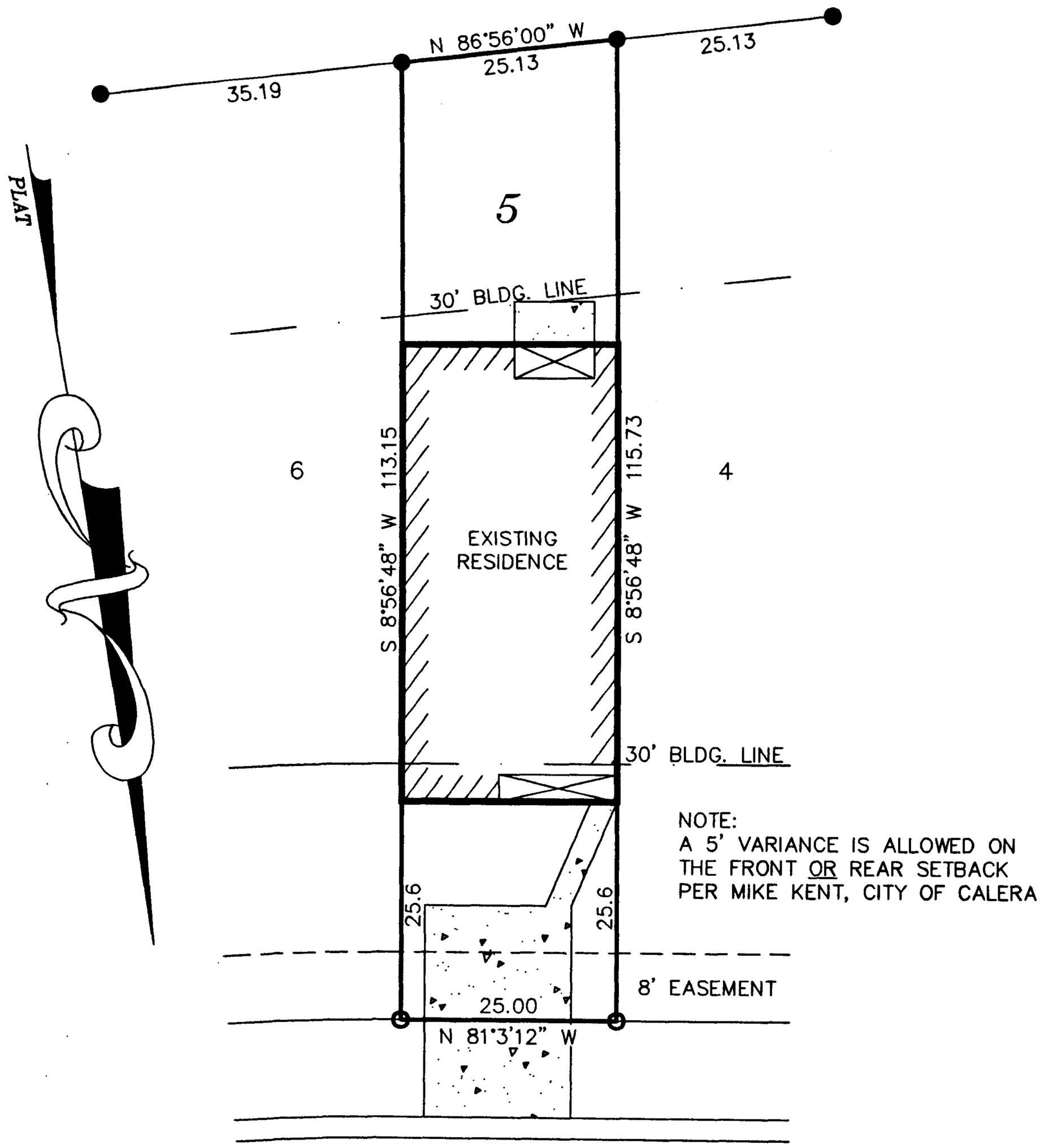
2. Where a building is to be erected on a parcel of land that is within one hundred feet (100´) of an existing building on one (1) side only, such building may be erected as close to the street as the existing building

C. Through lots shall provide the required front yard on both sides.

D. Corner lots shall provide a front yard on each street.

STATE OF ALABAMA
COUNTY OF SHELBY

20050329000142710 4/4 $20.00
Shelby Cnty Judge of Probate,AL
03/29/2005 01:51:06PM FILED/CERT




NOTE:
A 5' VARIANCE IS ALLOWED ON THE FRONT OR REAR SETBACK PER MIKE KENT, CITY OF CALERA

# LITTLE JOHN CIRCLE
## 50' R.O.W.

Survey of Lot 5, Block _____ according to FINAL PLAT OF NOTTINGHAM TOWNHOMES, as recorded in the Office of the Judge of Probate of afore-said County in Plat Book 33, Page 111: The address based on reliable information and sources of said Lot is 126 LITTLE JOHN 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 0135 B * Dated SEPT. 16, 1982

SURVEY FOR: CASH

REQUESTED BY: JIM COLLINS

TYPE OF SURVEY: MORTGAGE SURVEY

DATE OF FIELD SURVEY: 2/15/05

* SHELBY COUNTY FLOOD INFO USED; THIS AREA OF CALERA WAS NOT INCORPORATED AT THE TIME OF F.I.R.M. FLOOD STUDY.

## LEGEND

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

SCALE: 1" = 20'

BASIS OF BEARING USED: PLAT

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

JOB # 9546
DATE: 2/16/05
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 W. Wickstrom

ALABAMA LICENSED LAND SURVEYOR WALTER W. WICKSTROM JR. NO. 18269
INVALID UNLESS SEALED WITH EMBOSSED SEAL OR STAMPED WITH RED INK SEAL

REVISED: