

AFFIDAVIT AT TO MODIFIED FRONT SET BACK LINE

I, the undersigned builder acknowledges that the house constructed on Lot 22 Final Plat of Nottingham Townhomes, Map Book 33 Page 111 in the Probate Office of Shelby County, Alabama, and is also known as 141 Little John Circle, complies with the City of Calera Article VII Supplemental Regulations Section 1.00 zoning regulations attached and confirmed with Mr. Mike Wood with the City of Calera.

The Architectural Review Committee has also granted a variance for the set back line to allow the house located on Lot 22 Final Plat of Nottingham Townhomes to be located on the site as shown in the survey prepared by R.C. Farmer dated 2/10/06.

Authentic Building Company, LLC

Brett G. Winford, Member

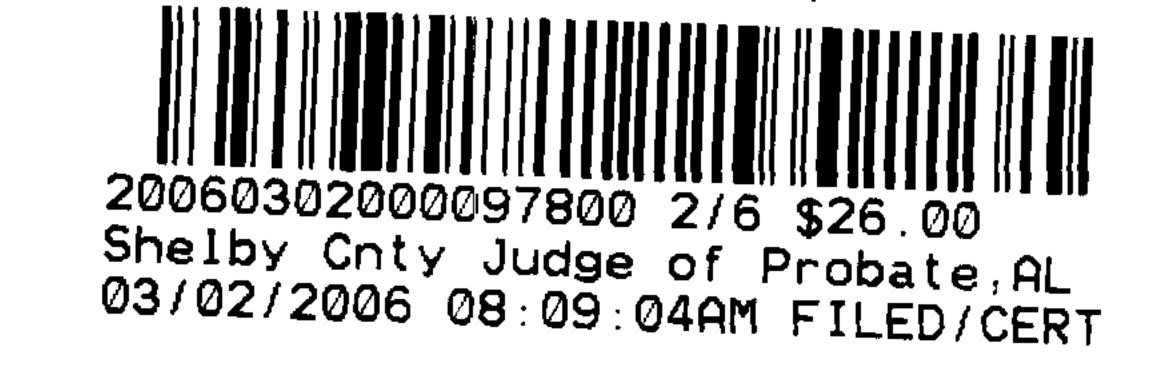
Sworn to and subscribed before me this 28th day of February, 2006

Notary Public

My Commission expires:



City of Calera



Meyor

" LINDA STEELE
City Clerk

JIM FINN
Police Chief

DAVID L. JONES
Public Works Director
MICHAEL WOOD
Ruiking Official

MIKE KENT
Zoning Official

TOMMY MOON

Fire Chief



COUNCIL MEMBERS:
DAVID BRADSHAW

JERRY DAVIS
BOBBY PHILLIPS
ERNEST MONTGOMERY
MIKE ROBERSON

April 6, 2005

To Whom It May Concern:

In accordance with Article VII Section 1.00 of the City of Calcra Zoning Ordinance (attached) the setbacks have been modified for all the lots on the attached final plat in the Nottingham Townhomes Subdivision. If you need further assistance please feel free to contact me at the number provided.

Mike Wood
Building Official
City of Calera

MW/ts

SHELLEY COUNTY HIGHLAY NO. 12 80' FOW 1 × 2 × 2

20060302000097800 3/6 \$26.00 Shelby Cnty Judge of Probate, AL 03/02/2006 08:09:04AM FILED/CERT

1992 FOR THE THE CO. (28) 874 (\$42)

20060302000097800 4/6 \$26.00 Shelby Cnty Judge of Probate, AL 03/02/2006 08:09:04AM 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]

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 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
 - 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 (½) 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 of 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 site 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.

