

VARIANCE OF SET-BACK LINE

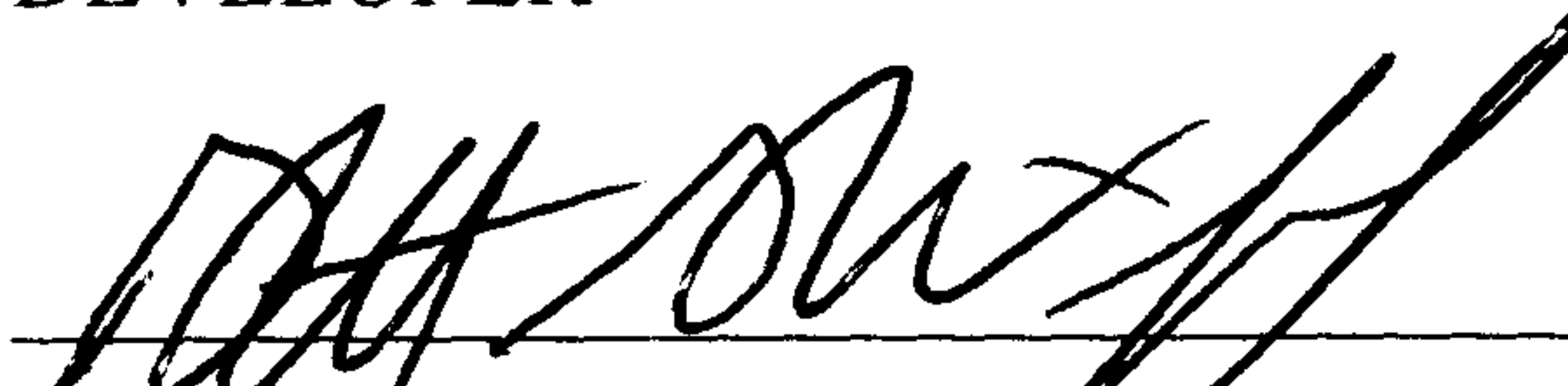
I, THE UNDERSIGNED, AM THE DEVELOPER UNDER THE DECLARATION OF PROTECTIVE COVENANTS, & RESTRICTIONS OF ROSSBURG TOWNHOMES, RECORDED INSTRUMENT # 20050-29000508800 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA. UNDER SAID COVENANTS I HAVE THE POWER TO AMEND SET-BACK LINES AND RESTRICTIVE COVENANTS IN SAID SUBDIVISION.

I HAVE SEEN THE LOCATION OF THE HOUSES ON THE FOLLOWING LOTS, MORE SPECIFICALLY DESCRIBED AS FOLLOWS: LOTS 101-153 AND LOTS 72-73 ROSSBURG TOWNHOMES AS RECORDED IN MAP BOOK 36 PAGE 18, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

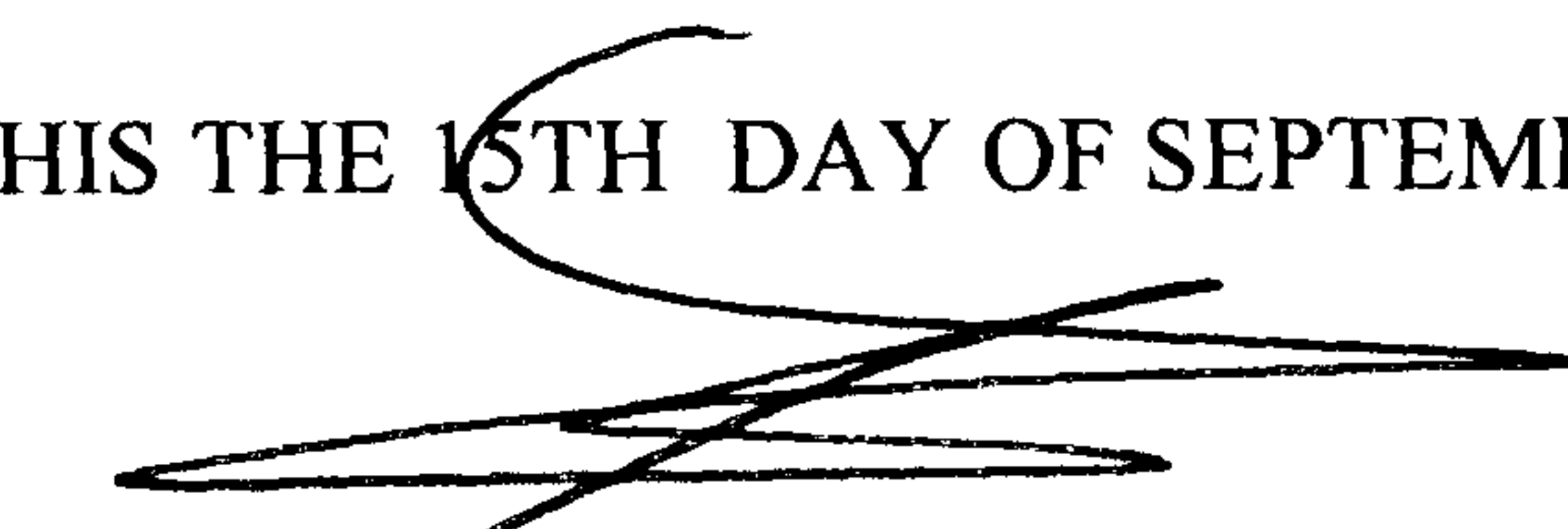
UNDER THE TERMS OF THE COVENANTS, THE DEVELOPER HAS THE POWER AND DOES HEREBY GRANT A VARIANCE FOR ALL OF THE HOUSES ON THE ABOVE DESCRIBED LOTS AND GRANT THE RIGHT FOR THE HOUSES TO BE CONSTRUCTED IN FRONT OF THE FRONT SET BACK LINE ESTABLISHED BY THE DEVELOPER.

IN ADDITION, THE CITY OF CALERA HAS ISSUED A VARIANCE IN ACCORDANCE WITH ARTICLE VII SECTION 1.00 OF THE CITY OF CALERA ZONING ORDINANCE ATTACHED HERETO.

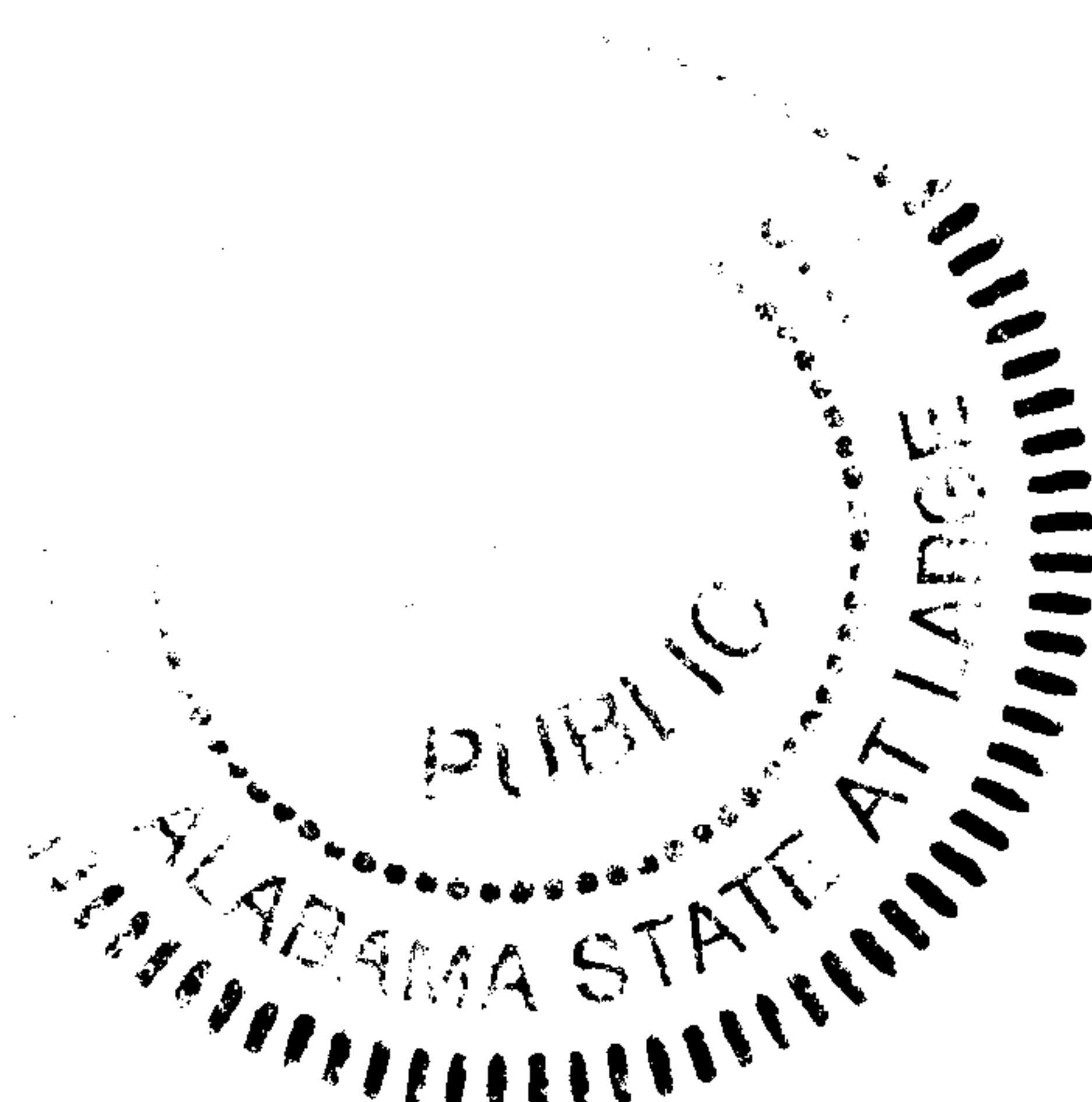
BRAVEHART BUILDING, LLC.  
DEVELOPER

  
BRETT G. WINFORD, MEMBER

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE 15TH DAY OF SEPTEMBER, 2006

  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: 3/5/07

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



# City of Calera

TH

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

20060918000462130 2/3 \$17.00  
Shelby Cnty Judge of Probate, AL  
09/18/2006 01:17:37PM FILED/CERT

May 30, 2006

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 Lots 101- 153 and Lots 72 - 73 in the Rossburg Subdivision. If you need further assistance please feel free to contact me at the number provided.

*Mike Wood*

Mike Wood  
Building Official  
City of Calera

MW/mc

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OFFICE (205) 668-3838 • MAYOR (205) 668-3500 • FAX (205) 668-3821 • Email: [www.cityofcalera.org](http://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.