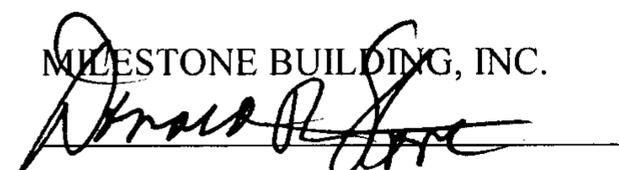


VARIANCE OF SET-BACK LINE

THE UNDERSIGNED BUILDER CONSTRUCTED A HOUSE ON LOT 736 ACCORDING TO THE SURVEY OF KILKERRAN AT BALLANTRAE, PHASE 1, AS RECORDED IN MAP BOOK 33, PAGE 99, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA. THE HOUSE VIOLATES THE BUILDING SIDE SET BACK LINE AS SHOWN IN THE ATTACHED SURVEY; HOWEVER, A VARIANCE WAS OBTAINED FROM THE ARCHITECTURAL CONTROL COMMITTEE AND THE CITY OF PELHAM WHICH APPROVED THE HOUSE BEING CONSTRUCTED AS SHOWN IN THE ATTACHED SURVEY.

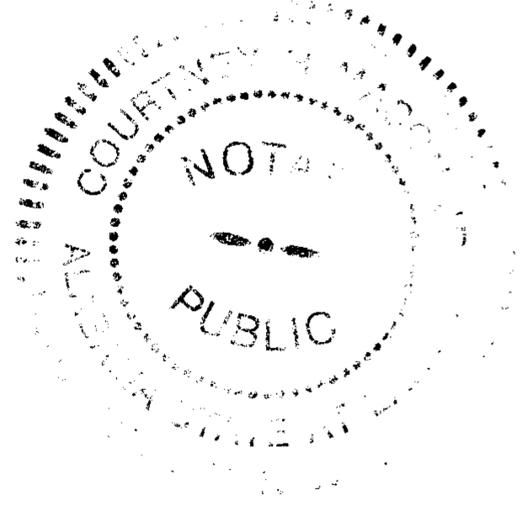
MILESTONE BUILDING, INC.

DONALD R. STONE, PRESIDENT

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE 8TH DAY OF JUNE, 2007.



COURTNEY H. MASON, JR.
COMMISSION EXPIRES MARCH 5, 2011

NOTARY PUBLIC
MY COMMISSION EXPIRES: 3/5/11





20070611000272070 2/4 \$20.00
Shelby Cnty Judge of Probate, AL
06/11/2007 01:32:48PM FILED/CERT

VARIANCE OF SET-BACK LINE

I, THE UNDERSIGNED, J. STEVEN MOBLEY, AM A MEMBER OF THE ARCHITECTURAL REVIEW COMMITTEE UNDER THE DECLARATION OF PROTECTIVE COVENANTS, RESTRICTIONS, EASEMENTS, RIGHTS AND LIENS OF KILKERRAN AT BALLANTRAE, PHASE I AS RECORDED IN INSTRUMENT #2004-37476 AND INSTRUMENT #2004-50555. UNDER SAID COVENANTS THE ARCHITECTURAL CONTROL COMMITTEE HAS THE POWER TO APPROVE THE LOCATION OF BUILDINGS, EASEMENTS AND LOT BOUNDARIES:

I HAVE SEEN THE ATTACHED SURVEY DATED JUNE 6, 2006, AND PREPARED BY R.C. FARMER ON LOT 736, KILKERRAN AT BALLANTRAE PHASE 1, AS RECORDED IN MAP BOOK 33 PAGE 99 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA. UNDER THE TERMS OF THE COVENANTS THE ARCHITECTURAL REVIEW COMMITTEE HAS THE POWER AND DOES HEREBY GRANT A VARIANCE FROM THE SIDE SET-BACK LINE TO PERMIT THE IMPROVEMENTS ON SAID LOT TO BE LOCATED AS SHOWN IN THE ATTACHED SURVEY.

ARCHITECTURAL CONTROL COMMITTEE

BY: *J. Steven Mobley*
J. STEVEN MOBLEY

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE DAY OF 8th JUNE, 2006.

Linda K. Roberts

NOTARY PUBLIC

3-29-09

MY COMMISSION EXPIRES:

20070611000272070 3/4 \$20.00
Shelby Cnty Judge of Probate, AL
06/11/2007 01:32:48PM FILED/CERT



Council Members

Rosemary Metcalf
Mike Dickens
Willard Payne
Bob Sullivan
Karyl Rice

Mayor

Bobby Hayes

City Clerk

Donna Treslar

**BOARD OF ADJUSTMENT MEETING
APRIL 21, 2006**

The Zoning Board of Adjustment for the City of Pelham held a public hearing, **April 21, 2006** at Pelham City Hall, 3162 Pelham Parkway, to consider a request from the terms of the Zoning Ordinance.

Variance request: Variance of 7 feet on back right corner, 2 feet on front right corner on Ballantrae Club Drive due to encroachment into the required front setback line of 35 feet. Property located at **Lot 736, 100 Kilkerran Lane**. Applicant: **Milestone Building Inc. (Don Stone)**.

Meeting called to order at 8:00 A.M. by Leonard Glynn.

Members present were Leonard Glynn, Mike Morgan, Paul Perry, Joe O'Brien and Trace McNeely. Jesse Jowers, City Engineer, and Bob Miller, Building Official, were present also.

Request presented by the builder Don Stone. He stated he pulled lines from the center of the street assuming it was a 50-foot right of way. Ballantrae Club Drive has a 60-foot right of way with 5-foot utility easement on each side. Information given to builder regarding being duly responsible for correct measurements of setback lines. Mr. Stone stated he would plant fast growing shrubbery to offset this encroachment. Joe O'Brien moved to grant variance as requested. Paul Perry seconded the motion and all approved.

Meeting adjourned at 8:05 A.M.

READ AND APPROVED:

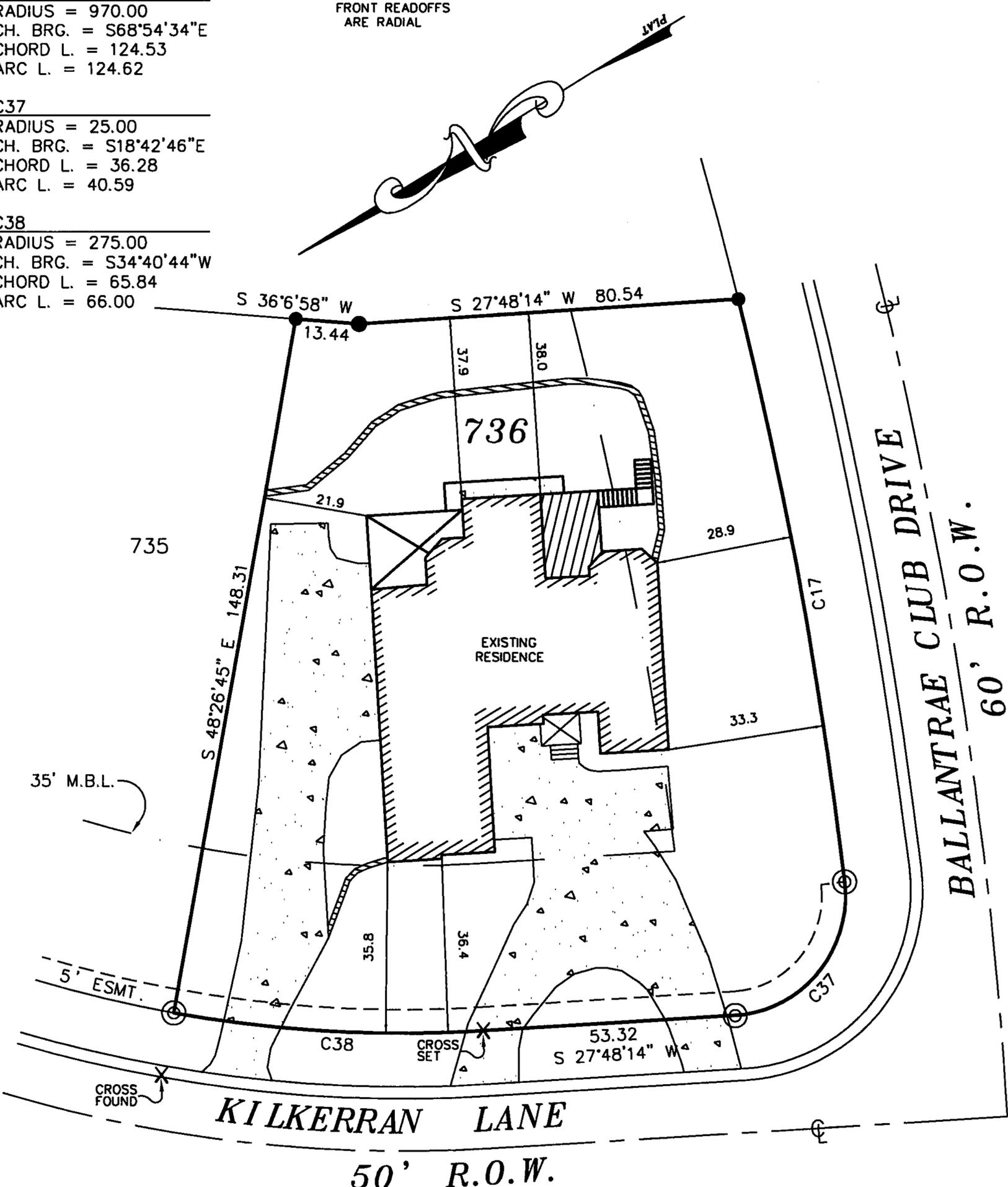
Bob Miller
Building Official

C17
RADIUS = 970.00
CH. BRG. = S68°54'34"E
CHORD L. = 124.53
ARC L. = 124.62

C37
RADIUS = 25.00
CH. BRG. = S18°42'46"E
CHORD L. = 36.28
ARC L. = 40.59

C38
RADIUS = 275.00
CH. BRG. = S34°40'44"W
CHORD L. = 65.84
ARC L. = 66.00

FRONT READOFFS
ARE RADIAL



Survey of Lot 736, Block _____ according to KILKERRAN AT BALLANTRAE
PHASE 1, as recorded in the Office of the Judge of
Probate of afore-said County in Plat Book 33, Page 99; The address based on
reliable information and sources of said Lot is 100 KILKERRAN LANE
_____, Alabama and is INSIDE the corporate limits of
the CITY OF PELHAM; That said lot lies in Zone 'X', according to
F.I.R.M. Community-Panel Number 01117C0220D Dated SEPT. 29, 2006

SURVEY FOR: WALTER BOYD AND DATY THRASHER
REQUESTED BY: DON STONE
TYPE OF SURVEY: MORTGAGE SURVEY DATE OF FIELD SURVEY: 6/06/07

LEGEND

| | |
|-------------------------------------|------------------------------------------|
| ■ - 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 | ℳ - ACRES. |
| ▨ - WOOD DECK | ℄ - CENTERLINE |
| ▨ - COVERED WOOD DECK | ESM'T - 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 # <u>10450</u> | PREPARED BY: <u>R. C. FARMER and ASSOCIATES, INC.</u> 246 YEAGER PARKWAY PELHAM, ALABAMA 35124 |
| DATE: <u>6/07/07</u> | TEL-205-664-2566 FAX-205-664-2616 |
| DRAWN: <u>CB</u> | |
| CHECKED: <u>RCF</u> | |
| SHEET NO of | |

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.

Robert C. Farmer

ALABAMA
NOT VALID
UNLESS
SEALED WITH
EMBEDDED SEAL
OR STAMPED WITH
RED INK SEAL