Homewood Board of Zoning Adjustments Agenda

Thursday, February 2, 2023, 6:00 P.M.
City Council Chamber
2850 19TH Street South, 2nd Floor
Homewood, Alabama 35209

*NOTE: Prior to the scheduled public hearing, a brief work session will be held for Board members beginning at 5:30 p.m. in the City Council's Committee Workroom located on the 2nd floor behind the Council Chambers. Members of the public are welcome to attend and observe the work session; however, questions and/or comments from the public will only be considered during the scheduled public hearing.

Persons who are unable to attend the meeting in-person may view the proceedings through Live Stream on the City of Homewood website (https://www.cityofhomewood.com/) or can navigate directly via: https://www.cityofhomewood.com/live-stream. Please note that public comments cannot be made by persons viewing the meeting through Live Stream.

Persons who wish to comment during the meeting may only do so in person. Comments in support or opposition, may be submitted via email to the Department of Engineering & Zoning by clicking the following link: www.cityofhomewood.com/engineering-zoning or to the Secretary to the Board of Zoning Adjustments at freed.goodwin@homewoodal.org. Comments may also be hand delivered to the Department of Engineering & Zoning, located on the 4th floor of Homewood City Hall. Please include the address or case number and submit them no later than 24-hours prior to the meeting.

Board Members

Chair, Meghan Hand, Ward 4 Scott Alsabrook, Ward 2 Vice-Chair, Michael Pirkle, Ward 3 Matthew Foley, Ward 5

(Vacant), Ward 1

Supernumeraries

Stuart Roberts

John Geer

Order of Business

- I. Call to Order
- II. Roll Call
- III. Minutes Approval December 1, 2022 and January 5, 2023
- IV. Communications/Reports from Chair & Vice Chair
- V. Old Business
- VI. New Business
 - 1.) Case # SV-23-02-01, 59 Aspen Cove, Parcel ID No.: 29 00 15 4 005 005.001

 Applicant: Todd Brandt, Osborn Engineering / Property Owner: Pete Dedvukaj,
 Contour Companies
 - a. A request for a variance to Article V., District Development Criteria, Sec. A, Table 1, to reduce the setback along the rear property line from 35 feet to 25.8 feet (25-feet, 10-inches) for a total reduction of 9.2 feet (9-feet, 3-inches) to allow for the restoration of a burned attached dwelling unit structure comprising five (5) apartment homes.

The Agenda of the Board of Zoning Adjustments is subject to change prior to the scheduled meeting. The Board Chair reserves the right to vary the order of the meeting, if warranted. Questions regarding the agenda and meeting may be directed to the Department of Engineering and Zoning at (205) 332-6854.

2.) Case # SV-23-02-02, 114 Havenwood Court, Parcel ID No.: 29 00 13 2 029 009.000 Applicant: Jared Bussey / Property Owners: David Maman

- a. A request for a variance to Article IV, District Uses, Sec. A. NPD Neighborhood Preservation District, (3) Development Regulations, d. setbacks, 1. Front, to reduce the setback along the front of the property line from 25 feet to 21.7 (21-feet, 9-inches) feet for a total reduction of 3.3 feet (3-feet, 4-inches) to allow for the construction of a new house.
- b. A request for a variance to Article IV, District Uses, Sec. A. NPD Neighborhood Preservation District, (3) Development Regulations, d. setbacks, 2. Side, to reduce the setback along the ride-side property line from 10 feet to 7 feet for a total reduction of 3 feet for the construction of a new house.
- c. A request for a variance to Article IV, District Uses, Sec. A. NPD Neighborhood Preservation District, (3) Development Regulations, d. setbacks, 2. Side, to reduce the side setback along the left side property line from 10 feet to 5.8 feet (5-feet, 10-inches) for a total reduction of 4.2 feet (4-feet, 3-inches) for the construction of a new house.
- d. A request for a variance to Article IV, District Uses, Sec. A. NPD Neighborhood Preservation District, (3) Development Regulations, d. setbacks, 3. Rear, to reduce the setback along the rear of the property line from 20 feet to 13.7 feet (13-feet, 9 inches) for a total reduction of 6.3 feet (6-feet, 4-inches) for the construction of a new house

3.) Case # SV-23-02-03, 1823 Windsor Boulevard, Parcel ID No.: 28 00 18 2 014 028.00

Applicant / Property Owners: Teresa and James Cannon

a. A request for a variance to Article IV, District Uses, Sec. A., NPD Neighborhood Preservation District, (3) Development Regulations, d. setbacks, 2. Side, to reduce the setback along the right-side property line from 10-feet to 5.7 feet (5-feet, 9 inches) for a total reduction of 4.3 feet (4-feet, 4-inches), to allow for the existing stairs to remain after the construction of a covered deck.

4.) Case # SV-23-02-04, 1737 Wellington Road, Parcel ID No.: 20 00 18 2 009 015.000 Applicant: Jesse Crosby / Property Owners: Ellie Jo and Faris Malki

a. A request for a variance to Article IV, District Uses, Sec. A., NPD Neighborhood Preservation District, (3) Development Regulations, d. setbacks, 2. Side, to reduce the setback along the left-side property line from 10-feet to 4-feet, 7 inches for a total reduction of 5-feet, 5 inches for the construction of an addition to an existing, non-conforming house.

VII. Communications from Staff

VIII. Adjournment

City of Homewood Board of Zoning Adjustments Request for Variance

X VARIANCE	APPEAL	
ADDRESS OF PROPERTY: 59 Aspen Cove, Ho	omewood, AL 35209	
BZA CASE # (assigned by city staff): SV-23		
APPLICANT INFORMATION		
Name of Applicant (s): Todd Brandt / Osborn Eng	gineering	
Address of Applicant(s): 1111 Superior Ave., Suit		
Cleveland	ОН	44114
City	State	Zip
Telephone Number(s) of Applicant(s): 216.339	.7557	
Email: tbrandt@osborn-eng.com		
Property Interest of Applicant(s): Architect		
(i.e., owner, contract purchaser,	agent, architect, contracto	or, developer, etc)
OWNER INFORMATION – If different from A	nnlicant	
Name of Owner(s): Pete Dedvukaj / Contour Cor		
Address of Owner(s) (ONLY if address is differ		s) otherwise put same:
40950 Woodward Ave., Bloomfield Hills	MI	48304
City	State	Zip
Email: pete@contourcompanies.com		
Telephone Number(s) of Owner(s): 248.530.960	00 / 248.421.1165	
receptione Number(s) of Owner(s).		
DESCRIPTION, USE AND ZONING OF PROP out at time of application submittal)	PERTY (Parcel ID & pres	ent zoning can be filled
PARCEL IDENTIFICATION NUMBER: 29 00 1	5 4 005 005.001	
PRESENT USE: vacant	residence	
commercial (describe):		
X other (describe): Existing, multi-family re	sidential structure.	
PRESENT ZONING (per current City map): R-	5	

City of Homewood Board of Zoning Adjustments Request for Variance

PLEASE STATE HARDSHIP – for guidance, see "What is a Variance" on page 1 of instructions page:

- Portions of an exsiting building were damaged by a fire event. The existing building, including the portions of the building that remain, already encroaches into the rear yard setback of 35.0 feet by about _ 8.4 feet per survey. It is proposed to keep the existing structure that remains and reconstruct the _
damaged portion of the building to match the prior configuration in like, kind and quality making
improvements to the building as needed to comply with current building codes. Granting such variance
would not be contrary to the public interest and literal enforcement of the setback requirements would
result in unnecessary hardship as it would require complete demolition of the remaining structure and
not allow enough area on the site for reconstruction of a similar building. The spirit of the zoning ordinance will be observed and substantial justice will be done by granting such variance.
PURPOSE OF VARIANCE
A variance is requested on the property described below in conformity with the powers vested in the Board to permit:
the construction of an addition to a residence,
the construction of residence,
the construction of an addition to a commercial structure,
the construction of a commercial structure,
other (describe): Reconstruction of an existing, multi-family residential structure.

City of Homewood Board of Zoning Adjustments Request for Variance

INDICATE THE FOLLOWING

The following information can be completed when applying but applicant must bring a survey to verify:

	*Required by Zoning Regulations	Setback dimensions As they NOW exist	Setback dimensions AFTER construction	FINAL Setback Variance Requested
Front Bldg. Setback Street:	35 feet	377 feet	377 feet	
Front Bldg. Setback Street: (secondary - corner lot)				
Right Bldg. Setback	15 feet	48 feet	48 feet	
Left Bldg. Setback	15 feet	1,466 feet	1,466 feet	
Rear Bldg. Setback	35 feet	25.8 feet	25.8 feet	9.2 feet
Accessory Structure Setback: side/rear				
	As Required	Existing NOW	Proposed	Variance Required
Lot Area		33.46 acres	33.46 acres	No
Lot Width				No
Parking		1,105 spaces	1,105 spaces	No
Height of Structure	35 feet	33 feet	33 feet	No
Lot Coverage				No

^{*}For required setback information, please refer to the <u>Zoning Ordinance Book</u>, which is available on the City of Homewood website. If you need to find out how your property is zoned, please contact the zoning department by calling 332-6828 or 332-6854 or by clicking on the following link to email: <u>Zoning Information</u>.

The undersigned hereby grants permission for a sign, advertising the BZA hearing date, time and place to be posted on my property. I (we) attach \$100.00 application fee and promise to pay any additional costs billed separately for extra items related to this variance request.

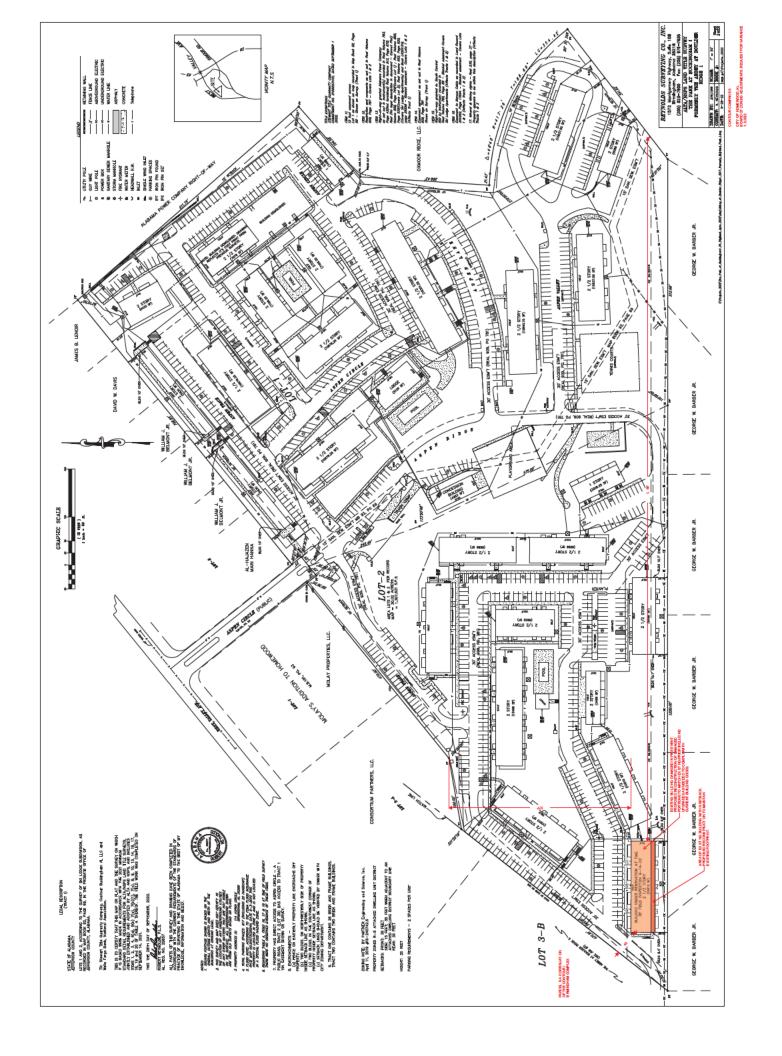
I (we) certify that all of the above statements and the statements contained in any paper of plans submitted herewith are true to the best of my (our) knowledge and belief.

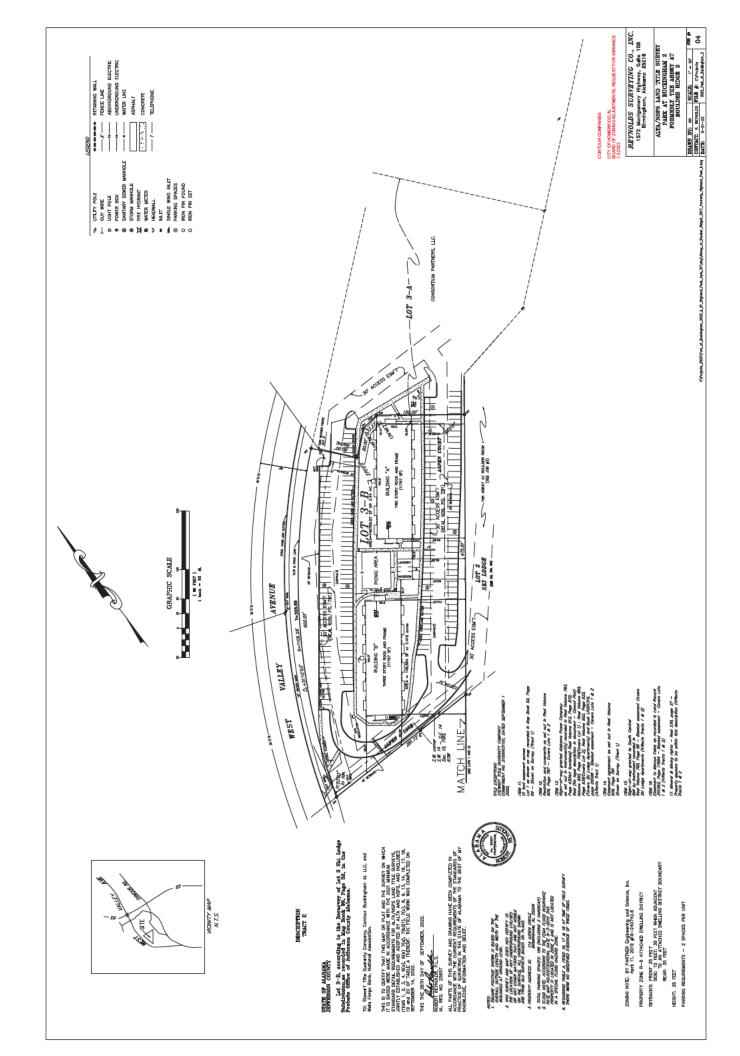
Redacted by City Staff	1.5.2023
Signature of applicant Redacted by City Staff	Date
Signature of Owner	Date
Signature of Owner	Date











THE PARK AT BUCKINGHAM, BUILDING 10 **FIRE RESTORATION**

CONTOUR

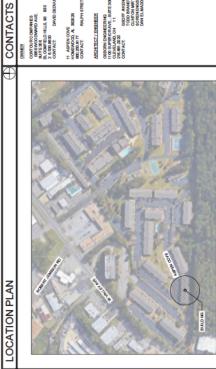
DRAWING INDEX

OSBORN

114 ASPEN COVE, HOMEWOOD, AL 35209



PERMIT 9/29/2021



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HOMEWOOD, AL 35200 THE PARK AT BUCK NGHAM BU LD NG 10 CONTOUR

VICINITY MAP

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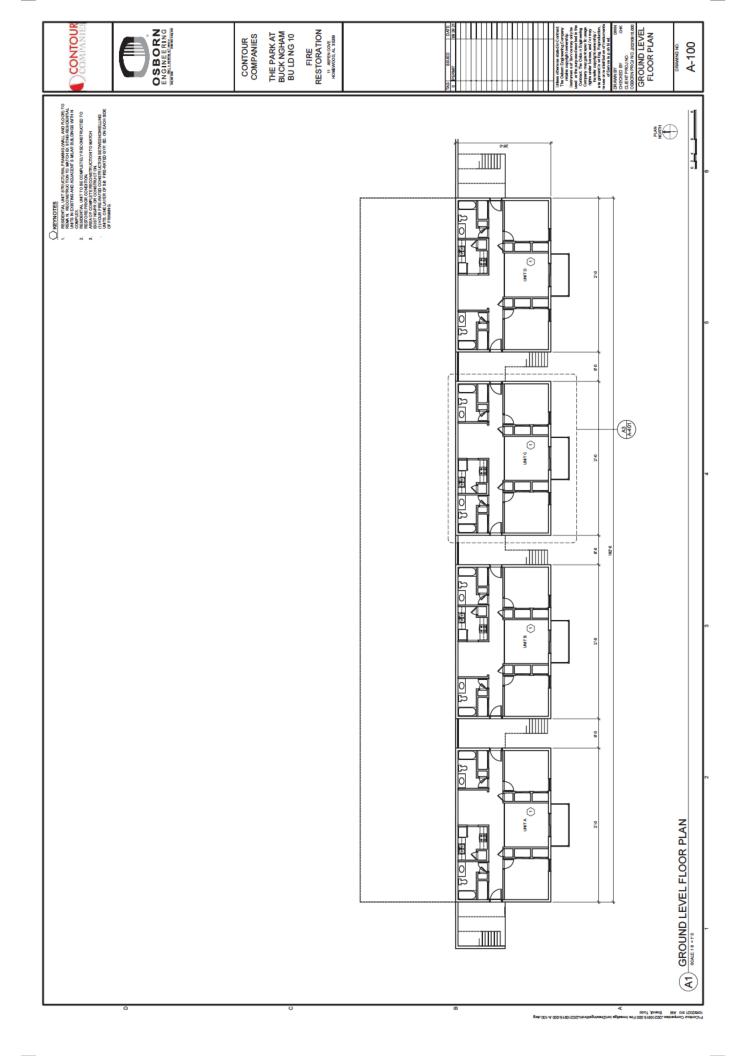


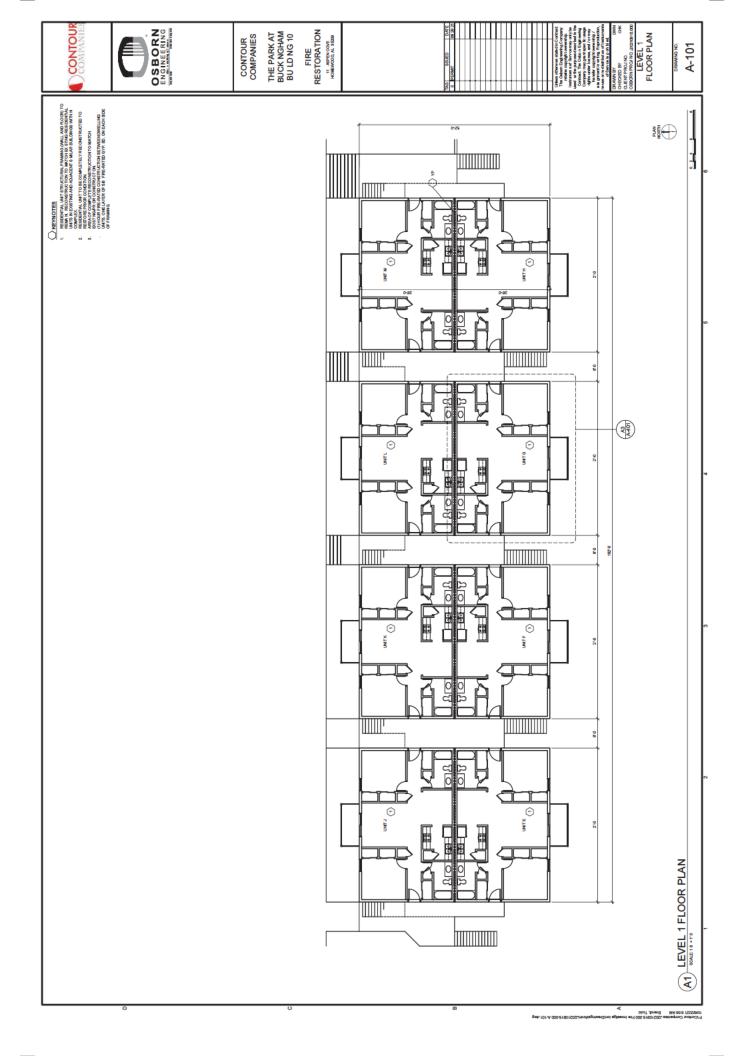


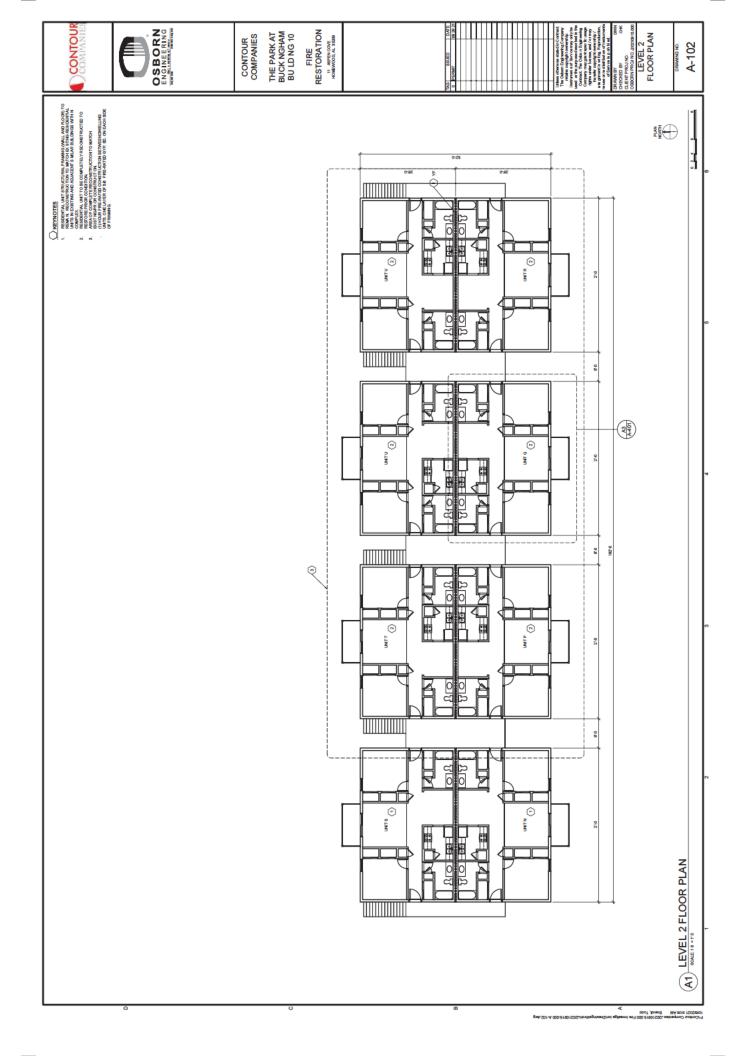


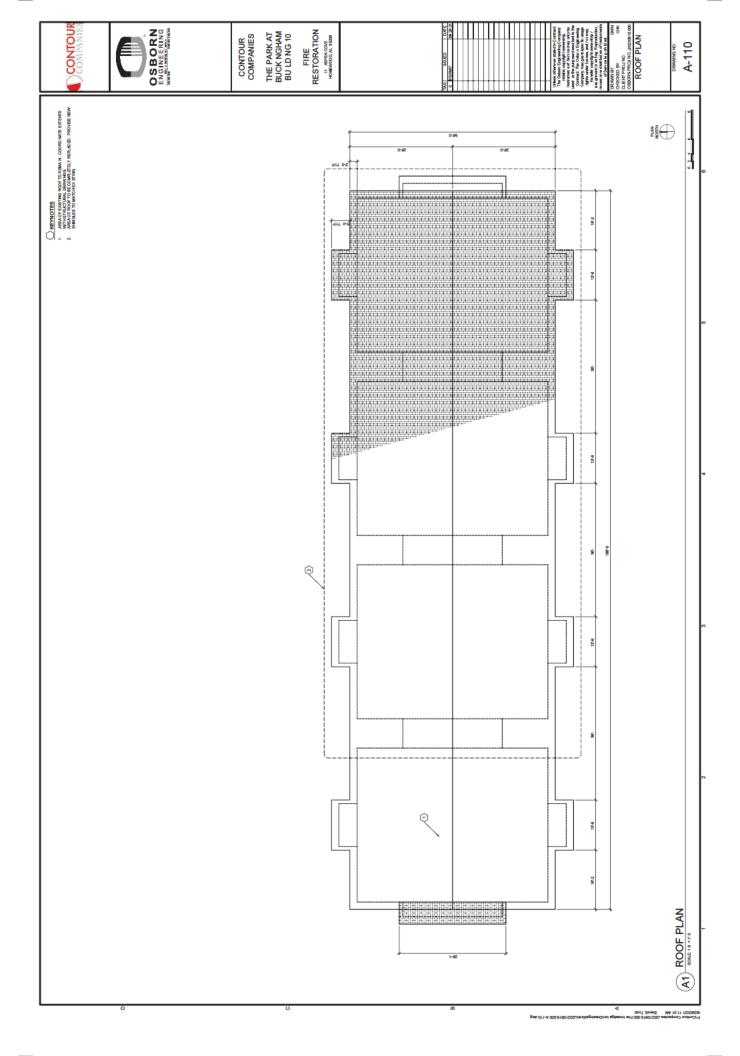


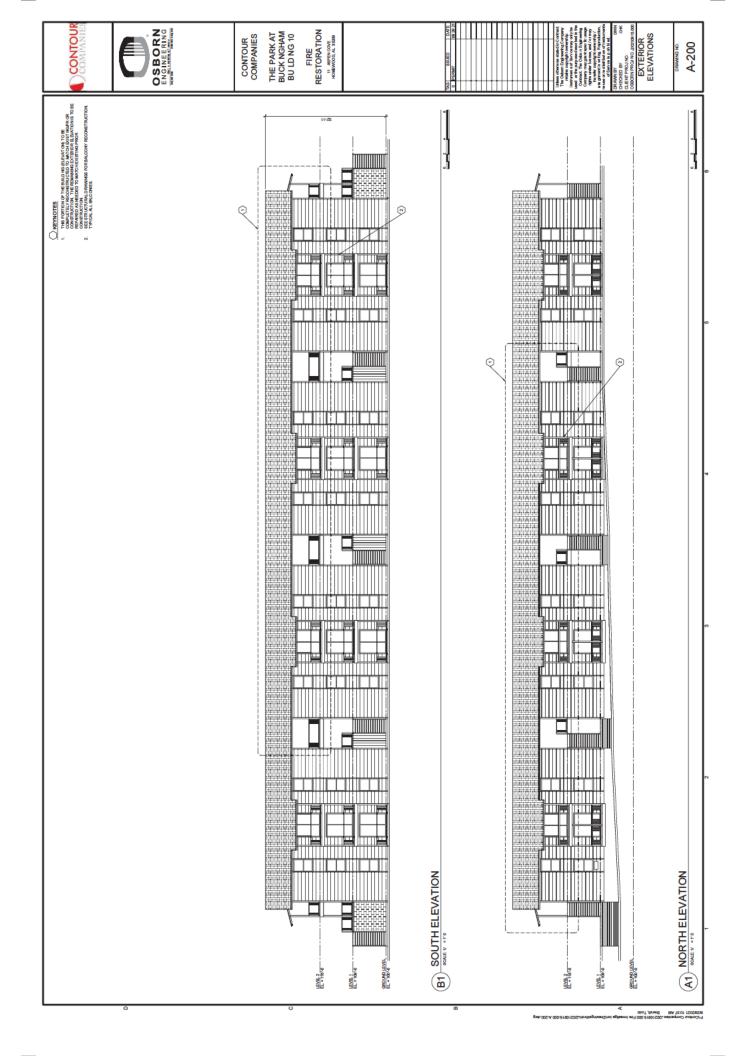


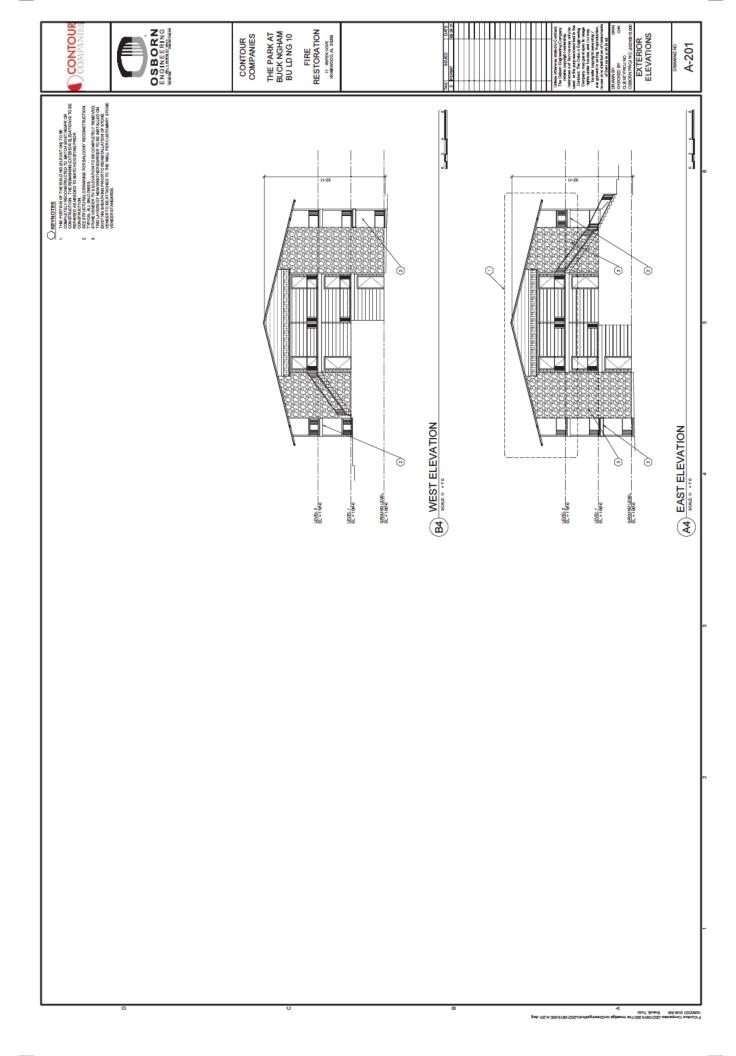


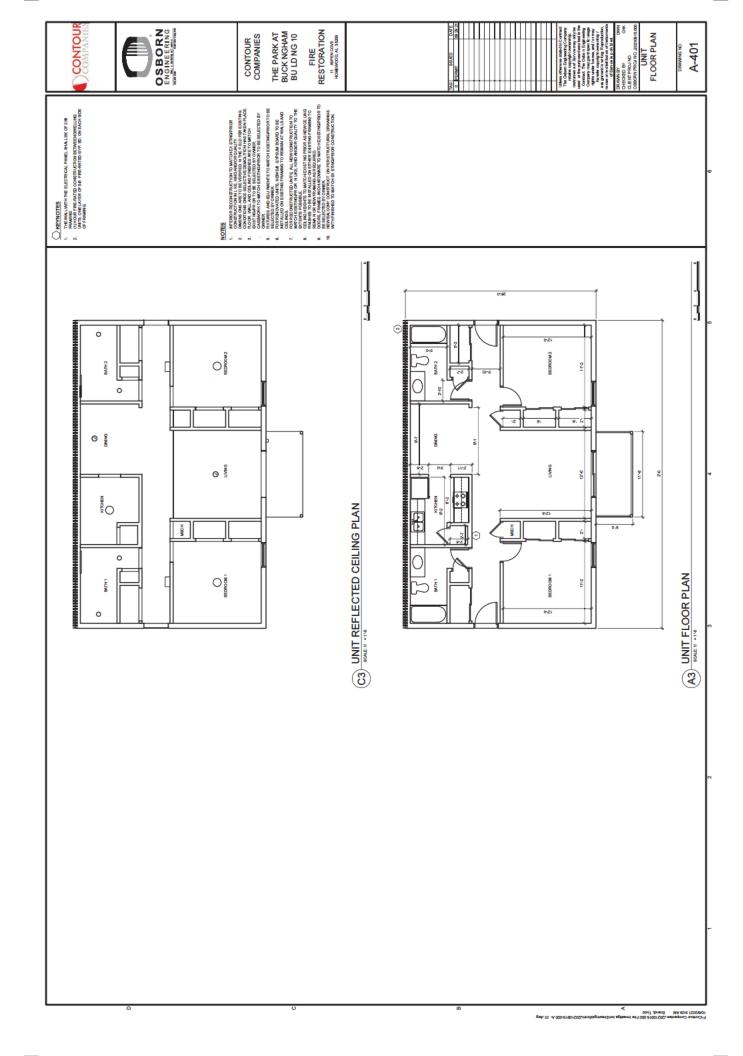












CITY OF HOMEWOOD ENGINEERING & ZONING DEPARTMENT

2850 - 19th Street South - 4th Floor Homewood, Alabama 35209 Phone 205-332-6800 | Fax 205-332-6955

Patrick McClusky, Mayor

Cale Smith, PE, Director

January 27, 2023

Pete Dedvukaj 40950 Woodward Avenue Bloomfield Hills, MI 48304

Re: 59 Aspen Cove, Homewood, Alabama 35209

Dear Property Owner:

This letter shall serve as a public hearing notice to the parties in interest and to all adjacent property owners. The Homewood Board of Zoning Adjustments has been petitioned to modify the zoning regulations, as they apply to the above referenced property, as follows:

Case #SV-23-02-01, 59 Aspen Cove, Parcel ID No.: 29 00 15 4 005 005.001 Applicant: Todd Brandt, Osborn Engineering / Property Owners: Pete Dedvukaj, Contour Companies

a) A request for a variance to Article V., District Development Criteria, Sec. A, Table 1, to reduce the setback along the rear property line from 35 feet to 25.8 feet (25-feet, 10-inches) for a total reduction of 9.2 feet (9-feet, 3-inches) to allow for the restoration of a burned attached dwelling unit structure comprising five (5) apartment home.

The Board of Zoning and Adjustments will consider this petition at its regular meeting to be held at **6:00 p.m. on Thursday, February 2, 2023**, in the Council Chambers (2nd Floor) of Homewood City Hall, 2850 19th Street South. **You or your agent must attend the public hearing to present your request to the Board.** Public comments in support or opposition to your petition shall be heard by the Board at this time.

Additional information regarding live stream viewing and the electronic submittal of comments is provided on the reverse side of this notice.

Sincerely,

Sherri Williams Zoning Supervisor

cc: Applicant

Adjacent property owners

Information and Instructions: The public hearing will be preceded by a brief work session between Board Members and city staff beginning at 5:30 p.m. in the City Council's Committee Workroom located on the 2nd floor behind the Council Chambers.

If you wish to view the live stream for this meeting, the "Live Stream" link is available on the home page the city's website at www.cityofhomewood.com or you can connect directly via: www.cityofhomewood.com/live-stream. Although Board of Zoning Adjustments meetings may be viewed through the live streaming service, persons wishing to participate in the public hearing, by speaking in support or opposition to a particular case, must attend the meeting in person.

Comments in support or opposition may also be submitted via email to the Board Secretary @ fred.goodwin@homewoodal.org. Comments should be submitted no later than 24-hours prior to the meeting and will be provided Board Members for their consideration. Please reference the case number or the address of the subject property in your comments.

A copy of the meeting agenda packet, which includes the file for this case, will be available for viewing and downloading the Friday before the scheduled public hearing. You may access the agenda packet on the home page of the city's website @ www.cityofhomewood.com by clicking on the "Upcoming Meetings/BZA" tab.

For further information or to review any files or drawings pertaining to this application you may contact our office at (205) 332-6800 or visit between 7:30 a.m. and 4:30 p.m. Monday-Friday.



City of Homewood BZA Case Map

59 Aspen Cove

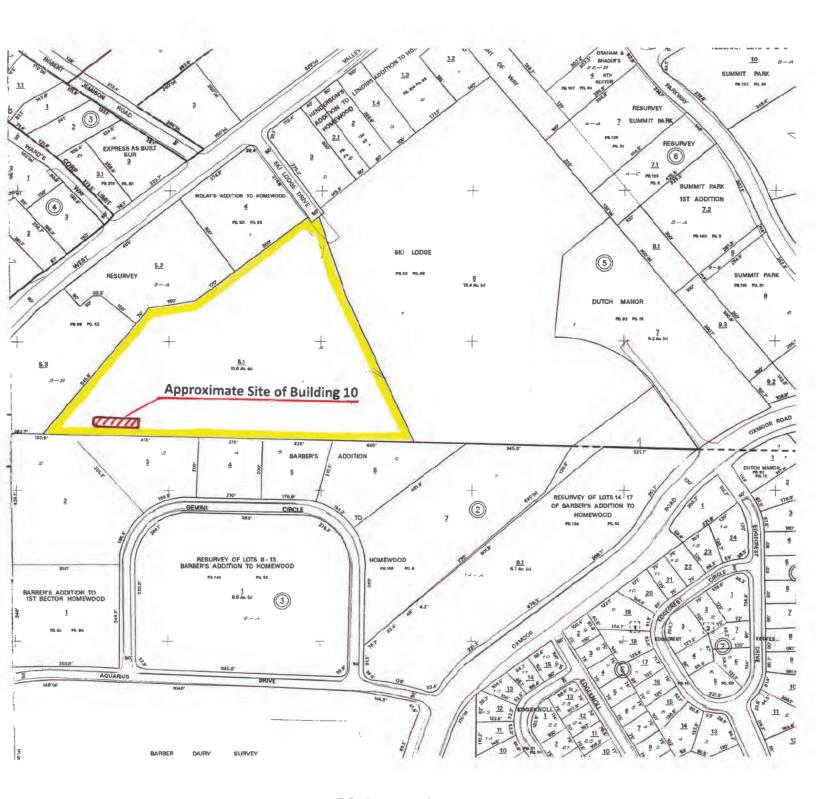
SV 23-02-01

Aerial Photo

Subject Property **Parcels** z **⋖**000 THE INFORMATION ON THIS DRAWING 150 75

AND ORENTATION. THIS DRAWING IS THE PROPERTY OF THE CITY OF HOMEWOOD AND ITS USE BY ANYONE FOR ANY PURPOSE OTHER THAN THAT SPECIFICALLY AUTHORIZED BY THE CITY OF HOMEWOOD IS

ZONING IS SUBJECT TO CHANGE. PLEASE CALL ZONING OFFICE TO CONFIRM ZONING. 332-6828



59 Aspen Cove
The Park at Buckingham
Apartment Homes
(Building 10)
CASE # SV 23-02-01
Parcel # 29-00-15-4-005-005.001

City of Homewood Board of Zoning Adjustments Request for Variance

X VARIANCE	APPEAL	
*		
ADDRESS OF PROPERTY: 114 Havenwood	Court	
BZA CASE # (assigned by city staff):	23-02-02	
APPLICANT INFORMATION		
Name of Applicant (s): Jared Bussey		
Address of Applicant(s): 1604 28th Avenue S	outh	
Homewood	AL	35209
City	State	Zip
Telephone Number(s) of Applicant(s): 205-53 Email: jaredb@architecturalcooperative.net		
Property Interest of Applicant(s): Architect (i.e., owner, contract purchaser, a	agent, architect, contracto	or, developer, etc)
OWNER INFORMATION – If different from Ap	plicant	
Name of Owner(s): David Maman		
Address of Owner(s) (ONLY if address is different	nt from property address)	otherwise put <u>same</u> :
City	State	Zip
Email: david@c13investments.com		
Telephone Number(s) of Owner(s): 205-206-5	715	
DESCRIPTION, USE AND ZONING OF PROPE out at time of application submittal)	ERTY (Parcel ID & prese	ent zoning can be filled
PARCEL IDENTIFICATION NUMBER:		
PRESENT USE: vacant X re	esidence	
commercial (describe):other (describe):		
PRESENT ZONING (per current City map): NP		

City of Homewood Board of Zoning Adjustments Request for Variance

PLEASE STATE HARDSHIP - for guidance, see "What is a Variance" on page 1 of instructions page:

The existing house has numerous non-conforming conditions related to side yard and rear yard setbacks. The Owner wishes to renovate the main level and construct a new second story addition.

The existing non-conforming conditions at the plan-west wide of the house and rear of the house will not be changed or altered in any way. The walls and roof will remain. At the front east (right) corner of the house is an attached garage. A portion of this garage extends over the setback line and has a lower roof on it. Because the house is so small, the

renovation scope will need to use this space for a Master Bedroom and therefore we are requesting a Variance so we can raise the roof over this corner 3' +/- to match the existing roof of the main house structure. This Variance request only pertains to the first

floor roof. The second floor addition will comply with all setback requirements.

The Variance request does not pertain to the Second Floor.

The existing house has a small covered stoop on the front. We are also requesting a 3.3' Variance so we can rebuild a new covering at the front door to protect the entry to the house.

The shape of the lot (extremely wedged shape) and the positioning of the existing house create significant hardships for improvement. Great effort has been taken to eliminate the need for Variances while still improving the house for a family to comfortably use it. However because the garage roof is currently too low to create usable space in that area, we need a Variance to simply raise that roof. The front Variance is needed to be able to maintain an existing condition to simply cover the front door.

able to maintain an existing condition to simply cover the front door.
This Variance was granted on Sept. 1, 2022. As construction got underway the demolition contractor uncovered a large amount of unforeseen rot and termite damage within the exterior walls. The contractor gave him instruction to remove the damaged studs with the understanding that new studs would be sistered next to damaged ones. However, before it could be fully assessed (the contractor was out of town at the time) the demolition worker had removed all of the exterior walls. This came

A variance is requested on the property described below in conformity with the powers vested in the Board to permit:

	of an addition to a commercial structure,
other (describe);	of a commercial structure,

to the attention of the contractor. He contacted the architect, and the City Building and Planning Department. The City of Homewood instructed the contractor that due to the extensive demolition, a new Variance must be granted. This application requests that we be able to rebuild the exterior walls to the exact same height and roof slope that existed before. There will be no difference in size, scale, or materials from what was previously approved. It will only be constructed from new studs and sheathing. Included are the approved Permit Documents.

City of Homewood Board of Zoning Adjustments Request for Variance

INDICATE THE FOLLOWING

The following information can be completed when applying but applicant must bring a survey to verify:

	*Required by Zoning Regulations	Setback dimensions As they NOW exist	Setback dimensions AFTER construction	FINAL Setback Variance Requested
Front Bldg. Setback Street:	25'	21.7	21.7	3.3
Front Bldg. Setback Street: (secondary - corner lot)				
Right Bldg. Setback	10'	7.0	7.0	3.0
Left Bldg. Setback	10'	5.8	5.8	4.2
Rear Bldg. Setback	20'	13.7	13.7	6.3
Accessory Structure Setback: side/rear		-	-	_
	As Required	Existing NOW	Proposed	Variance Required
Lot Area	5855			
Lot Width	varies			
Parking	2	2	2	
Height of Structure	35/38	15	32'	
Lot Coverage	50%	40%	45%	

*For required setback information, please refer to the <u>Zoning Ordinance Book</u>, which is available on the City of Homewood website. If you need to find out how your property is zoned, please contact the zoning department by calling 332-6828 or 332-6854 or by clicking on the following link to email: <u>Zoning Information</u>

The undersigned hereby grants permission for a sign, advertising the BZA hearing date, time and place to be posted on my property. I (we) attach \$100.00 application fee and promise to pay any additional costs billed separately for extra items related to this variance request.

I (we) certify that all of the above statements and the statements contained in any paper of plans submitted herewith are true to the best of my (our) knowledge and belief.

Redacted by City Staff	1-6-23	
	Date	
	1-6-23	
	Date	
Signature of Owner	Date	

LEGEND ASPH = asphalt RRG = bearing BLDG = building CALC = calculated capped iron CAP centerline CL chord CH CONC = concrete FC 0.3' OUT C = covered SET PK NIAL = deflection RECENTION OF THE REAL PROPERTY. D curve delta angle east easement FC FD found FC 2.2' IN headwall HW IPE iron pin found IPE' iron pin found w/KBW cap FC 0.6' IN IPS iron pin set w/SSI cap IPF 1/2"REBAR length MEAS=80°13'38" DECK MEAS = measured MIN minimum MH manhole FC 1.3' OUTnodh 1 STORY OH overhang porch FRAME РĈ point of curve FC 1,2' OUT RESIDENCE POB point of beginning FC 0.5' OUT POC point of commencement 10 point of tangent PVMT = 5,8 8 radius REC recorded RES residence ROW right of way MEAS=116°45'30" TO CH MEAS=117°14'10" TO CH SAN sanitary STM storm IPF 1"OPEN TOP IPF 1/2"OPEN TOP

FC 0.2' IN

ABAM

No. 12 5 PROTESSIONA LAND

STATE OF ALABAMA SHELBY COUNTY

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minutes, in bearings or angles

seconds, in bearings or angles feet, in distance

more or less, or plus or minus

I, Carl Daniel Moore, a registered Land Surveyor, certify that I have surveyed Lot 9, HAVENWOOD COURT as recorded in Map Book 24, Page 46 in the Office of the Judge of Probate, Jefferson County, Alabama; 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; that the correct address is as follows: 114 Havenwood Court according to my survey of May 20, 2022. Survey is not valid unless it is sealed with embossed seaf or stamped in red.

REC=

R=40.00°

D=53°541

MEAS=

L=37.69' CH=36.23'

HAVENWOOD COURT

R=40.00"

D=53°51'14"

L=37.60'

SURVEYING SOLUTIONS, INC. 2232 CAHABA VALLEY DRIVE SUITE M BIRMINGHAM, AL 35242

IPF 1/2"REBAR

PHONE: 205-991-8965

Carl Daniel Moore, Reg. L.S. #12159

5-24-2022

Date of Signature

Order No. 889064 Purchaser: Bussey

Type of Survey: Property Boundary















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114 Havenwood Court Homewood, AL 35209

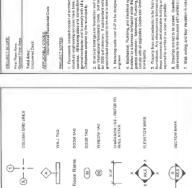


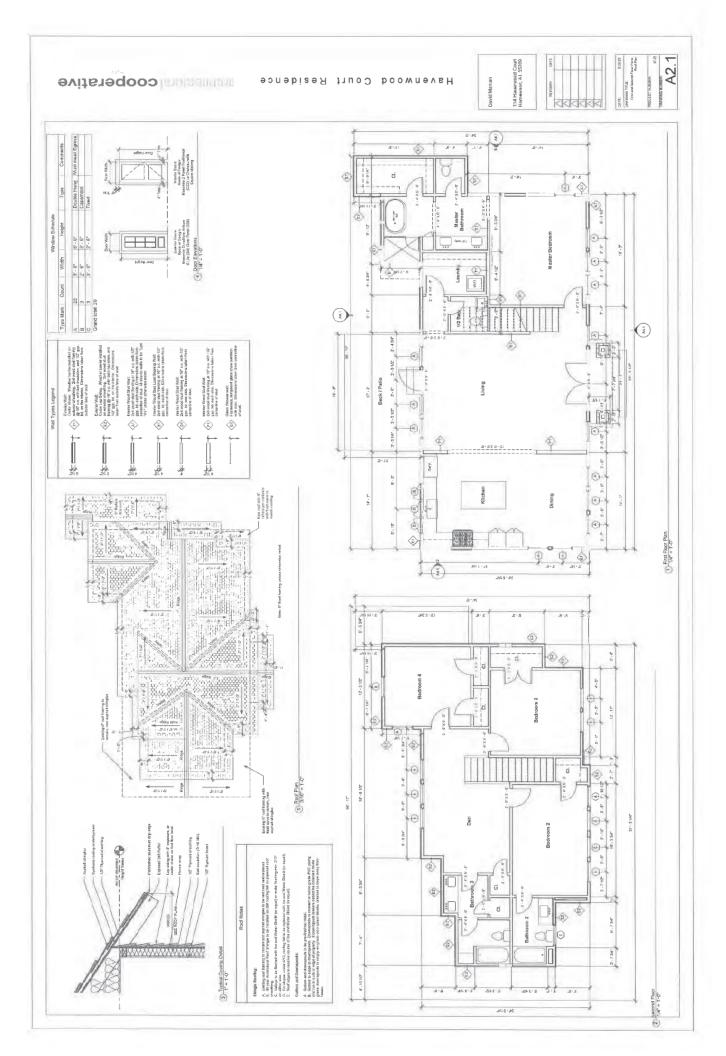


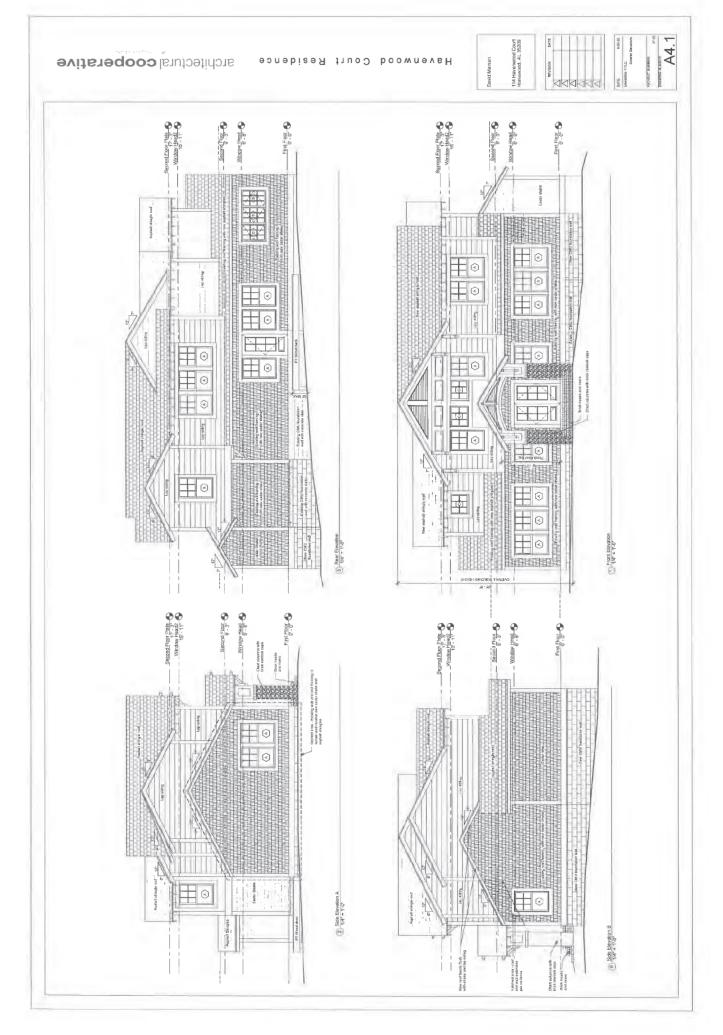


A0.1 A2.0 A2.1 A4.1









CITY OF HOMEWOOD ENGINEERING & ZONING DEPARTMENT

2850 - 19th Street South - 4th Floor Homewood, Alabama 35209 Phone 205-332-6800 | Fax 205-332-6955

Patrick McClusky, Mayor

Cale Smith, PE, Director

January 27, 2023

David Maman Birmingham Investments 3, LLC 105 Euclid Avenue Mountain Brook, Alabama 35213

Re: 114 Havenwood Court, Homewood, Alabama 35209

Dear Property Owner:

This letter shall serve as a public hearing notice to the parties in interest and to all adjacent property owners. The Homewood Board of Zoning Adjustments has been petitioned to modify the zoning regulations, as they apply to the above referenced property, as follows:

Case #SV-23-02-02, 114 Havenwood Court, Parcel ID No.: 29 00 13 2 029 009.000 Applicant: Jared Bussey / Property Owners: David Maman

- a. A request for a variance to Article IV, District Uses, Sec. A. NPD Neighborhood Preservation District, (3) Development Regulations, d. setbacks, 1. Front, to reduce the setback along the front of the property line from 25 feet to 21.7 (21-feet, 9-inches) feet for a total reduction of 3.3 feet (3-feet, 4-inches) to allow for the reconstruction of the home.
- b. A request for a variance to Article IV, District Uses, Sec. A. NPD Neighborhood Preservation District, (3) Development Regulations, d. setbacks, 2. Side, to reduce the setback along the ride-side property line from 10 feet to 7 feet for a total reduction of 3 feet for the reconstruction of the home.
- c. A request for a variance to Article IV, District Uses, Sec. A. NPD Neighborhood Preservation District, (3) Development Regulations, d. setbacks, 2. Side, to reduce the side setback along the left side property line from 10 feet to 5.8 feet (5-feet, 10-inches) for a total reduction of 4.2 feet (4-feet, 3-inches).
- d. A request for a variance to Article IV, District Uses, Sec. A. NPD Neighborhood Preservation District, (3) Development Regulations, d. setbacks, 3. Rear, to reduce the setback along the rear of the property line from 20 feet to 13.7 feet (13-feet, 9 inches)

for a total reduction of 6.3 feet (6-feet, 4-inches).

The Board of Zoning and Adjustments will consider this petition at its regular meeting to be held at **6:00 p.m. on Thursday, February 2, 2023**, in the Council Chambers (2nd Floor) of Homewood City Hall, 2850 19th Street South. **You or your agent must attend the public hearing to present your request to the Board**. Public comments in support or opposition to your petition shall be heard by the Board at this time.

Additional information regarding live stream viewing and the electronic submittal of comments is provided on the last page of this notice.

Sincerely,

Sherri Williams Zoning Supervisor

cc: Applicant

Adjacent property owners

Information and Instructions: The public hearing will be preceded by a brief work session between Board Members and city staff beginning at 5:30 p.m. in the City Council's Committee Workroom located on the 2nd floor behind the Council Chambers.

If you wish to view the live stream for this meeting, the "Live Stream" link is available on the home page the city's website at www.cityofhomewood.com or you can connect directly via: www.cityofhomewood.com/live-stream. Although Board of Zoning Adjustments meetings may be viewed through the live streaming service, persons wishing to participate in the public hearing, by speaking in support or opposition to a particular case, must attend the meeting in person.

Comments in support or opposition may also be submitted via email to the Board Secretary @ fred.goodwin@homewoodal.org. Comments should be submitted no later than 24-hours prior to the meeting and will be provided Board Members for their consideration. Please reference the case number or the address of the subject property in your comments.

A copy of the meeting agenda packet, which includes the file for this case, will be available for viewing and downloading the Friday before the scheduled public hearing. You may access the agenda packet on the home page of the city's website @ www.cityofhomewood.com by clicking on the "Upcoming Meetings/BZA" tab.

For further information or to review any files or drawings pertaining to this application you may contact our office at (205) 332-6800 or visit between 7:30 a.m. and 4:30 p.m. Monday-Friday.



Parcels

City of Homewood BZA Case Map

114 Havenwood Court

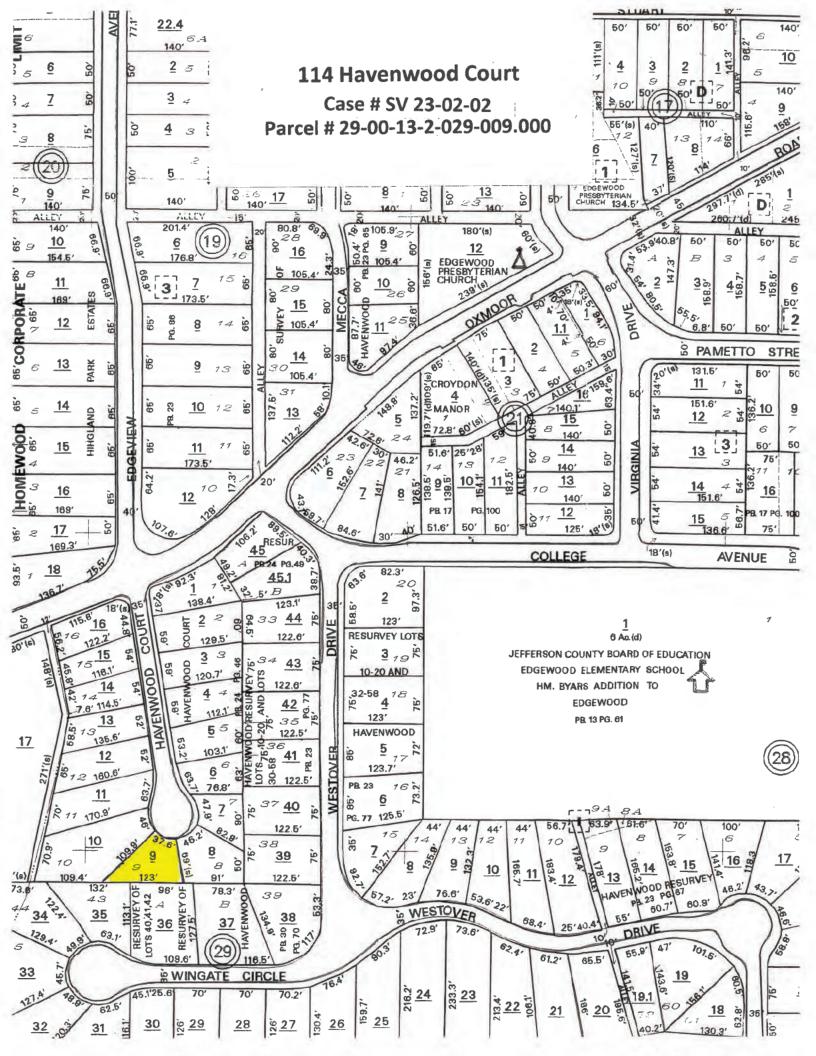
SV 23-02-02

Aerial Photo

12.5

USED FOR GEREAL INFORMATION AND ORENTATION. THIS DRAWING IS THE CITY OF HOMEWOOD AND ITS USE BY ANYONE FOR ANY PURPOSE OTHER THAN THAT SPICIFICALLY AUTHORIZED BY THE CITY OF HOMEWOOD IS PROHIBITED. THE INFORMATION ON THIS DRAWING WAS COMPILED FROM SERVERAL SOURCES AND SHOULD ONLY BE

ZONING IS SUBJECT TO CHANGE. PLEASE CALL ZONING OFFICE TO CONFIRM ZONING. 332-6828



City of Homewood Board of Zoning Adjustments Request for Variance

VARIANCE	APPEAL	
ADDRESS OF PROPERTY:/923_	Windsor Blud	
BZA CASE # (assigned by city staff):		
APPLICANT INFORMATION		
Name of Applicant (s):	1 Teresa Connon	
Address of Applicant(s): 1823 W		
Homewood	AL	35209
City	State	Zip
	edacted by City Staff Redacted by City Staff Redacted by City Staff Redacted by City Staff	ted by City Staff Redacted by City Star
Telephone Number(s) of Applicant(s): Redacted by City Staff Redacted by City S Redacted by City S Email:	Redacted by City Sta	aff
Property Interest of Applicant(s):(i.e., owner, contract purcha	aser, agent, architect, contractor,	developer, etc)
OWNER INFORMATION - If different fro	m Applicant	
Name of Owner(s):		
Address of Owner(s) (ONLY if address is o	different from property address) of	otherwise put <u>same:</u>
City	State	Zip
Email :		
Telephone Number(s) of Owner(s):		
DESCRIPTION, USE AND ZONING OF Pout at time of application submittal)	ROPERTY (Parcel ID & presen	t zoning can be filled
PARCEL IDENTIFICATION NUMBER:	28 00 19 1 01A 0	18.000
PRESENT USE: vacant	residence	
commercial (describe):		
other (describe):		
PRESENT ZONING (per current City map)	: NPD	

City of Homewood Board of Zoning Adjustments Request for Variance

^	ATE HARDSHIP - for guidance, see "What is a Variance" on page 1 of instructions page: Sting 3 true fure is 2" too close to property line @ 9.8" instead
	We are adding a roof to the existing structure. We request
	ce of 2" 30 that we can keep the root line straight.
The new	roof does not further encroach our neighbor. Our neighbor
has sta	ted he does not have any objection to the new structure.
	ion has no affect on any other neighboring properties
	s not visible from the front of the home.
DUDDOSE O	F VARIANCE
	requested on the property described below in conformity with the powers vested in
	the construction of an addition to a residence, the construction of residence,
	the construction of an addition to a commercial structure,
	the construction of a commercial structure, X other (describe): The existing porch is being covered. The
	existing structure is non-conforming and can't be moved.
	We request the variance to allow the new porch roof to
	tie into the existing roof of house without having a set
	hack in the roof

City of Homewood Board of Zoning Adjustments Request for Variance

INDICATE THE FOLLOWING

The following information can be completed when applying but applicant must bring a survey to verify:

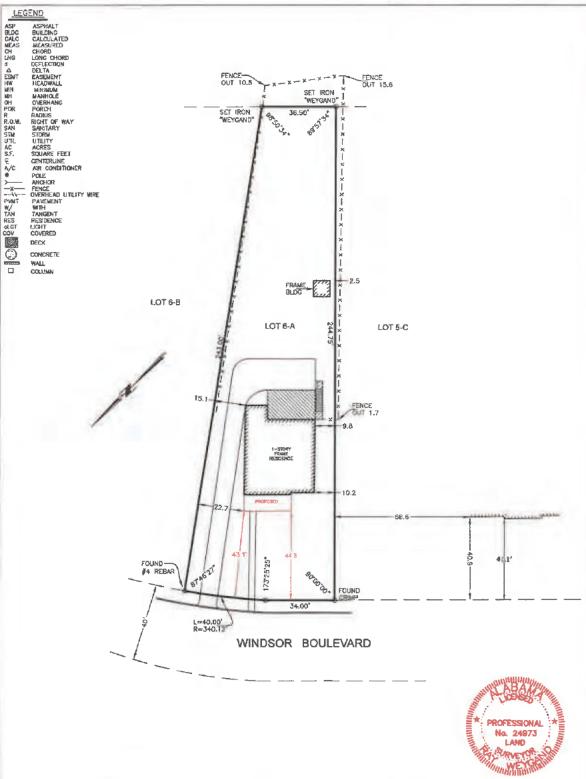
	*Required by Zoning Regulations	Setback dimensions As they NOW exist	Setback dimensions AFTER construction	FINAL Setback Variance Requested
Front Bldg. Setback Street:				
Front Bldg. Setback Street: (secondary - comer lot)				
Right Bldg. Setback	10.0"	5.9 feet	5.9 feet	4.1 feet
Left Bldg. Setback				
Rear Bldg. Setback				
Accessory Structure Setback: side/rear				
	As Required	Existing NOW	Proposed	Variance Required
Lot Area				
Lot Width				
Parking				
Height of Structure				
Lot Coverage				

^{*}For required setback information, please refer to the <u>Zoning Ordinance Book</u>, which is available on the City of Homewood website. If you need to find out how your property is zoned, please contact the zoning department by calling 332-6828 or 332-6854 or by clicking on the following link to email: <u>Zoning Information</u>.

The undersigned hereby grants permission for a sign, advertising the BZA hearing date, time and place to be posted on my property. I (we) attach \$100.00 application fee and promise to pay any additional costs billed separately for extra items related to this variance request.

I (we) certify that all of the above statements and the statements contained in any paper of plans submitted herewith are true to the best of my (our) knowledge and belief.

Redacted by City Staff	//10/23 Date
Signature of Owner	/// /23 Date
Signature of Owner	1-11-23
Signature of Owner	Date



STATE OF ALABAMA)

"PLOT-PLAN"

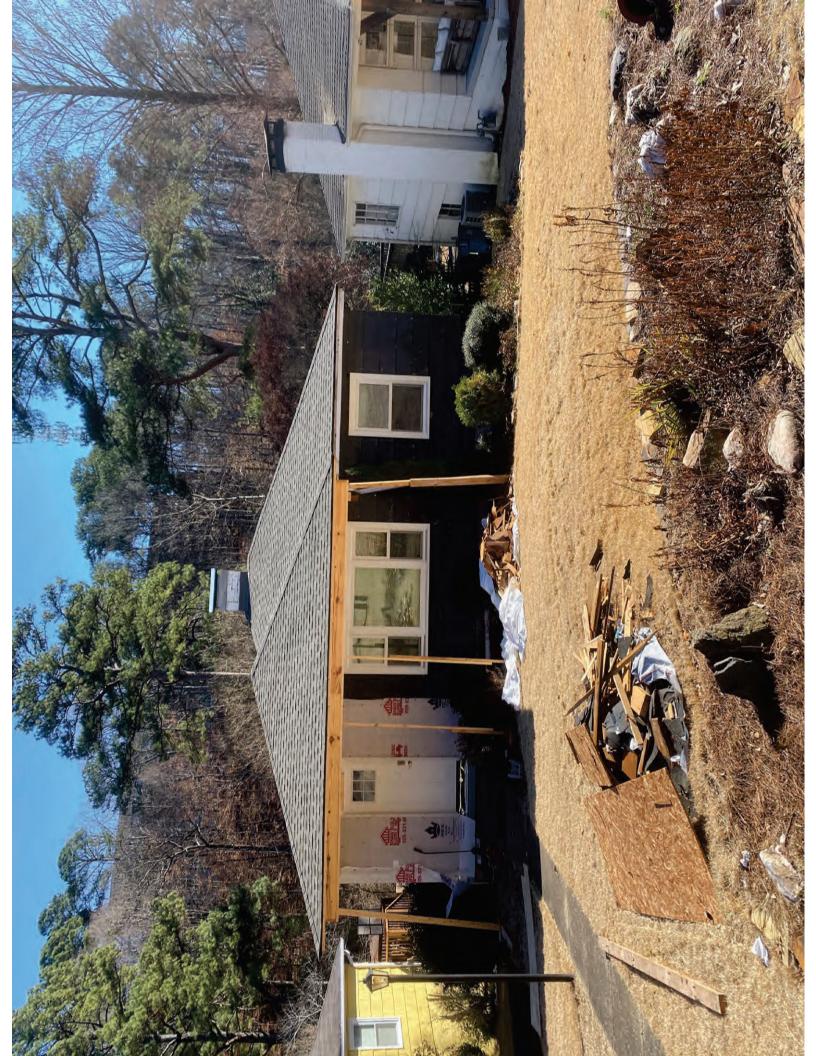
I, Ray Weygand, a Registand Land Surveyor, hereby certify to the purchaser of this property at the time, that I have surveyed Lot, <u>B.A., WINDSOR HEIGHTS</u>, as recorded to Map Volume <u>11</u>, Page <u>55</u>, in the Office of the Judge of Probate, Jefferson County, Alabama I hereby state that all pairs 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 boilet; according to my survey of <u>JULY 5</u>, 2022. Survey invalid if not sealed in red.

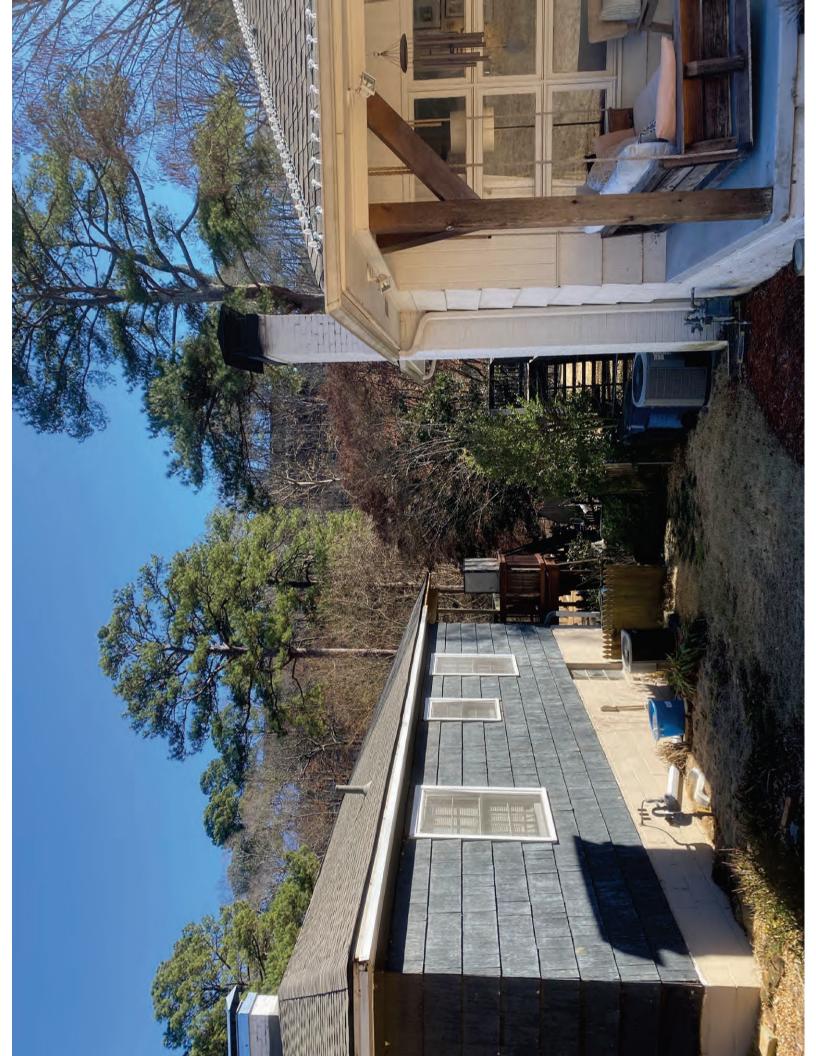
Order No.: 20221094
Purcheser:
Address: 1823 WANDSOR BLVD

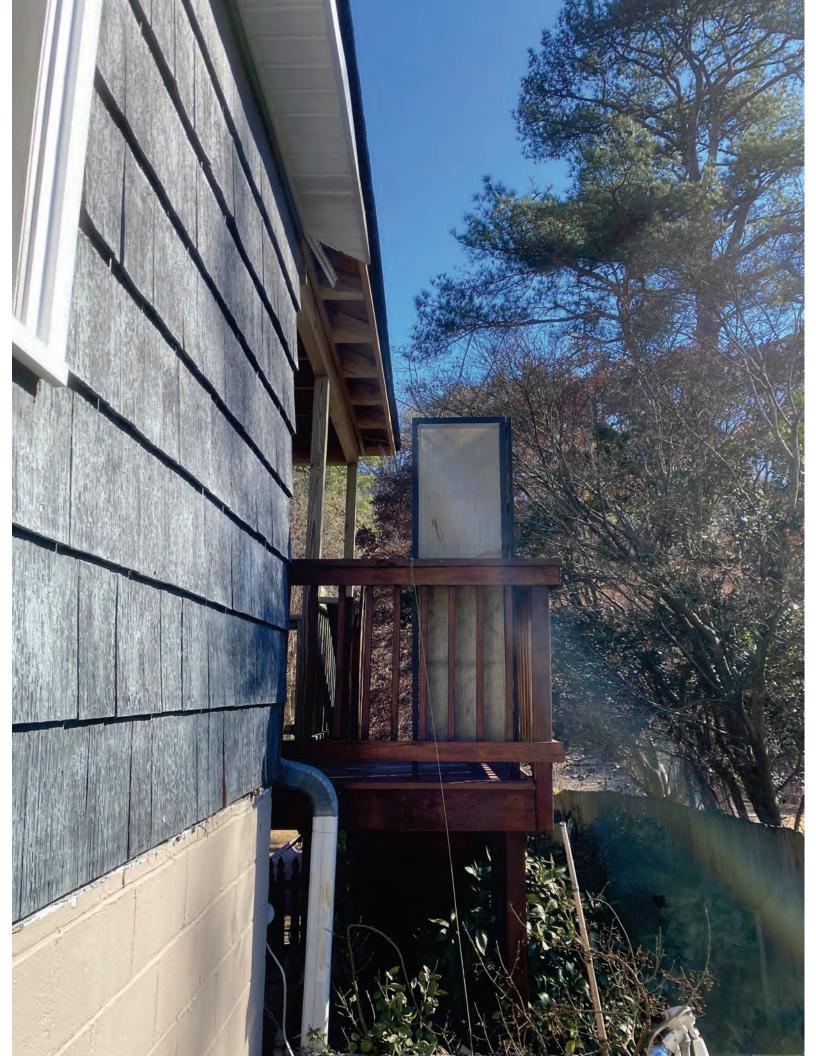
Ray Weygand, 1 S. #24973 159 Oxmoor Road Hentercod, AL 35208 Phono: (205) 942-0088 Fax: (205) 842-0087 Copyright ©



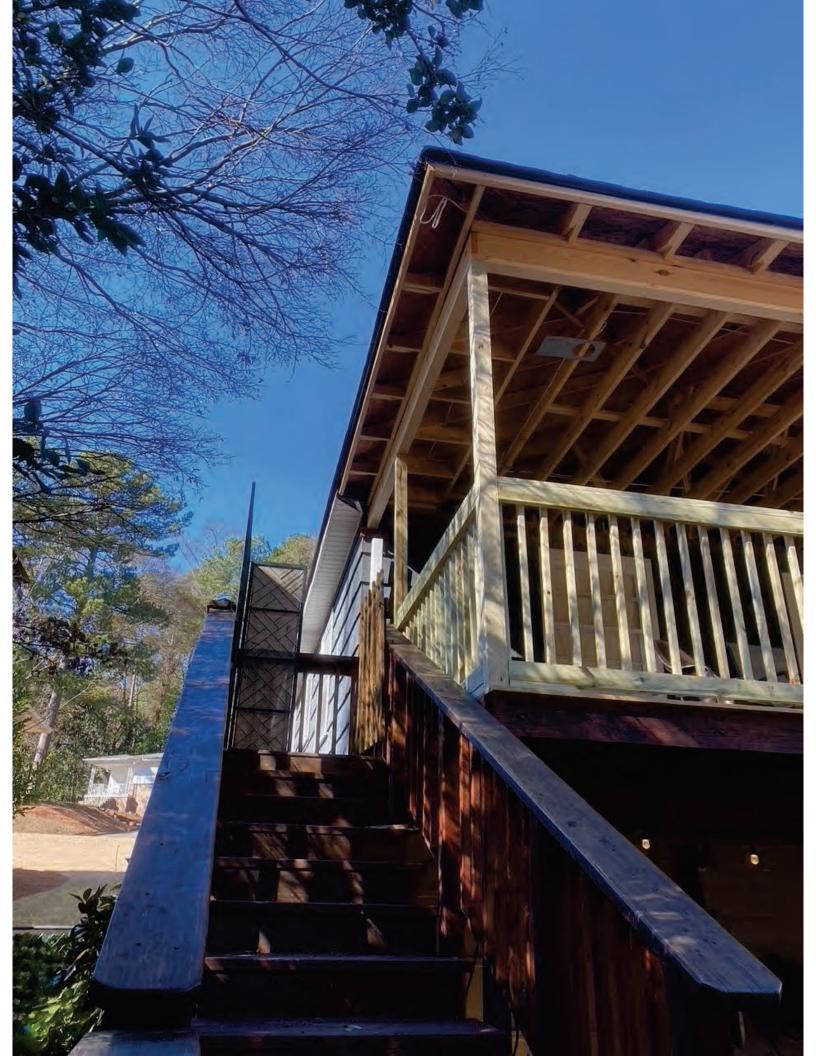
Note: (a) It in title search of the public records has been performed by this firm and land shown hereon was not abstracted for easements and/or rights-of-way, recorded or unrecorded. The preset shown hereon is a object to setbacks, easements, zoning, and restrictions that may be found in the public records of said county and/or city. (b) All locatings and/or angles, are deed/record map and actual unless otherwise noted. (c) Underground portions of foundations, footrags, and/or other underground structures, utilities, cemeteries or burial sities were not located unless otherwise noted. (d) The shown north arrow is based on deed/record map. (e) This survey is not transferable. (f) Easements not shown on recorded map are not shown above.











CITY OF HOMEWOOD ENGINEERING & ZONING DEPARTMENT

2850 - 19th Street South - 4th Floor Homewood, Alabama 35209 Phone 205-332-6800 | Fax 205-332-6955

Patrick McClusky, Mayor

Cale Smith, PE, Director

January 27, 2023

Teresa and James Cannon 1823 Windsor Boulevard Homewood, Alabama 35209

Re: 1823 Windsor Boulevard, Homewood, Alabama 35209

Dear Property Owner:

This letter shall serve as a public hearing notice to the parties in interest and to all adjacent property owners. The Homewood Board of Zoning Adjustments has been petitioned to modify the zoning regulations, as they apply to the above referenced property, as follows:

Case #SV-23-02-03, 1823 Windsor Boulevard, Parcel ID No.: 28 00 18 2 014 028.00 Applicant: / Property Owners: Teresa and James Cannon

a) request for a variance to Article IV, District Uses, Sec. A., NPD Neighborhood Preservation District, (3) Development Regulations, d. setbacks, 2. Side, to reduce the setback along the right-side property line from 10-feet to 5.7 feet (5-feet, 9 inches) for a total reduction of 4.3 feet (4-feet, 4-inches), to allow for the existing stairs to remain after the construction of a covered deck

The Board of Zoning and Adjustments will consider this petition at its regular meeting to be held at **6:00 p.m. on Thursday, February 2, 2023**, in the Council Chambers (2nd Floor) of Homewood City Hall, 2850 19th Street South. **You or your agent must attend the public hearing to present your request to the Board.** Public comments in support or opposition to your petition shall be heard by the Board at this time.

Additional information regarding live stream viewing and the electronic submittal of comments is provided on the reverse side of this notice.

Sincerely,

Sherri Williams Zoning Supervisor

cc: Applicant

Adjacent property owners

Information and Instructions: The public hearing will be preceded by a brief work session between Board Members and city staff beginning at 5:30 p.m. in the City Council's Committee Workroom located on the 2nd floor behind the Council Chambers.

If you wish to view the live stream for this meeting, the "Live Stream" link is available on the home page the city's website at www.cityofhomewood.com or you can connect directly via: www.cityofhomewood.com/live-stream. Although Board of Zoning Adjustments meetings may be viewed through the live streaming service, persons wishing to participate in the public hearing, by speaking in support or opposition to a particular case, must attend the meeting in person.

Comments in support or opposition may also be submitted via email to the Board Secretary @ fred.goodwin@homewoodal.org. Comments should be submitted no later than 24-hours prior to the meeting and will be provided Board Members for their consideration. Please reference the case number or the address of the subject property in your comments.

A copy of the meeting agenda packet, which includes the file for this case, will be available for viewing and downloading the Friday before the scheduled public hearing. You may access the agenda packet on the home page of the city's website @ www.cityofhomewood.com by clicking on the "Upcoming Meetings/BZA" tab.

For further information or to review any files or drawings pertaining to this application you may contact our office at (205) 332-6800 or visit between 7:30 a.m. and 4:30 p.m. Monday-Friday.



City of Homewood BZA Case Map

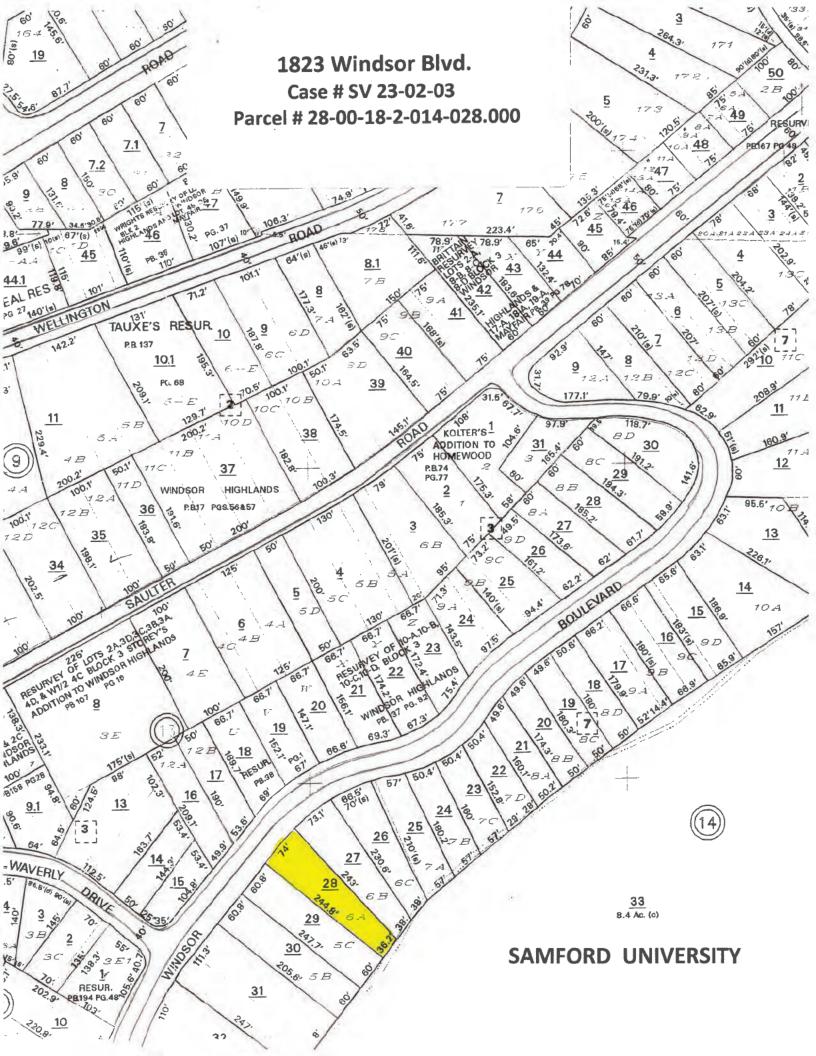
1823 Windsor Blvd

Aerial Photo

<8 40

THE INFORMATION ON THIS DRAWING WAS COMPILED FROM SERVERAL SOURCES AND SHOULD ONLY BE USED FOR GEREAL INFORMATION AND ORENTATION. THIS DRAWING IS THE PROPERTY OF THE CITY OF HOMEWOOD AND ITS USE BY ANYONE FOR ANY PURPOSE OTHER THAN THAT SPECIFICALLY AUTHORIZED BY THE CITY OF HOMEWOOD IS PROHIBITED.

ZONING IS SUBJECT TO CHANGE. PLEASE CALL ZONING OFFICE TO CONFIRM ZONING. 332-6828



City of Homewood Board of Zoning Adjustments Request for Variance or Appeal

VARIANCE	APPEA	AL
ADDRESS OF PROPERTY: 1737	Wallington Rd.	
BZA CASE # (assigned by city staff):	V-23-02-04	
APPLICANT INFORMATION		
Name of Applicant (s): Jassa L.	Crosby	
Address of Applicant(s): 2742 Asco	+ Lang	
Vestavia	AL	35216
City	State	Zip
Telephone Number(s) of Applicant(s):	05-600-3673	
Email: tray@ 11crosbyco		Λ
Property Interest of Applicant(s):		
(i.e., owner, contract purcha	aser, agent, architect, cont	ractor, developer, etc.)
OWNER INFORMATION – If different from	om Annlicant	
Name of Owner(s): Faris & 21		
Address of Owner(s) (ONLY if address is	•	rece) otherwise nut same.
100 mm	dillerent ironi property add	less) otherwise put same.
City	State	Zip
Email: faris@ canabacycle	scom - el pau	emalki@amail.com
•	~	
Telephone Number(s) of Owner(s): 706	-335-5672	205-518-1744
DESCRIPTION, USE AND ZONING OF Pout at time of application submittal)	PROPERTY (Parcel ID &	present zoning can be filled
PARCEL IDENTIFICATION NUMBER: Z	800182009D16000	
PRESENT USE:vacant		
commercial (describe):		
other (describe):		
PRESENT ZONING DISTRICT (City Zonia	ng Map): NPD	

City of Homewood Board of Zoning Adjustments Request for Variance or Appeal

PLEASE STATE HARDSHIP - for guidance, see "What is a Variance" on page 1 of instructions page
Dry to the shape of our lot and that the house
site askaw this limits the appeal possible options
to build the addition for the me nauds of more
badrooms. Please see attached letter
PURPOSE OF VARIANCE A variance is requested on the property described below in conformity with the powers vested the Board to permit:
the construction of an addition to a residence,
the construction of an addition to a commercial structure, the construction of a commercial structure,
other (describe):

Letter of Intent In Support of Request for Variance 1737 Wellington Road, Homewood, AL 35209

This letter of intent is in support of our request for variance to the side yard setback requirement for our existing lot. The intention is to build an addition to a single family residence. Based on the current code, the setback side yard requirement for our lot is ten feet. However, in an effort to complete an addition to our home and avoid the sloping nature of our lot, we are requesting a variance to permit our addition to go a few feet to the east.

Due to the shape of our lot combined with the side yard setback of ten feet, the strict application of the requirements would result in practical difficulties for our addition. The sloping nature of our lot does not allow for an addition further back on the lot. Our request for variance is only for a few feet in the back corner of our lot, will not have a detrimental effect on any parties, and allows for 13'6" of separation between the building structures.

What is perhaps most relevant here, and we ask the board to consider is the following:

- This variance is only for the back corner of our lot and keeps the current footprint of our house intact
- We are unable to move the addition to the other side of our home since it would cause a larger encroachment on our western neighbors
- We have worked with two separate architects to come up with the least impactful and most economical footprint
- We have spoken to our neighbor and the main concern is losing natural light.
 We are incurring the costs of trimming the trees and raising the canopy to allow for more natural light.

Our project would be an improvement to the neighborhood and would result in an overall increase in property value and tax base created by improvement.

Thank you so much for your consideration.

Ellie Jo and Faris Malki Homeowners

City of Homewood Board of Zoning Adjustments Request for Variance or Appeal

INDICATE THE FOLLOWING

Applicant must provide a survey to verify:

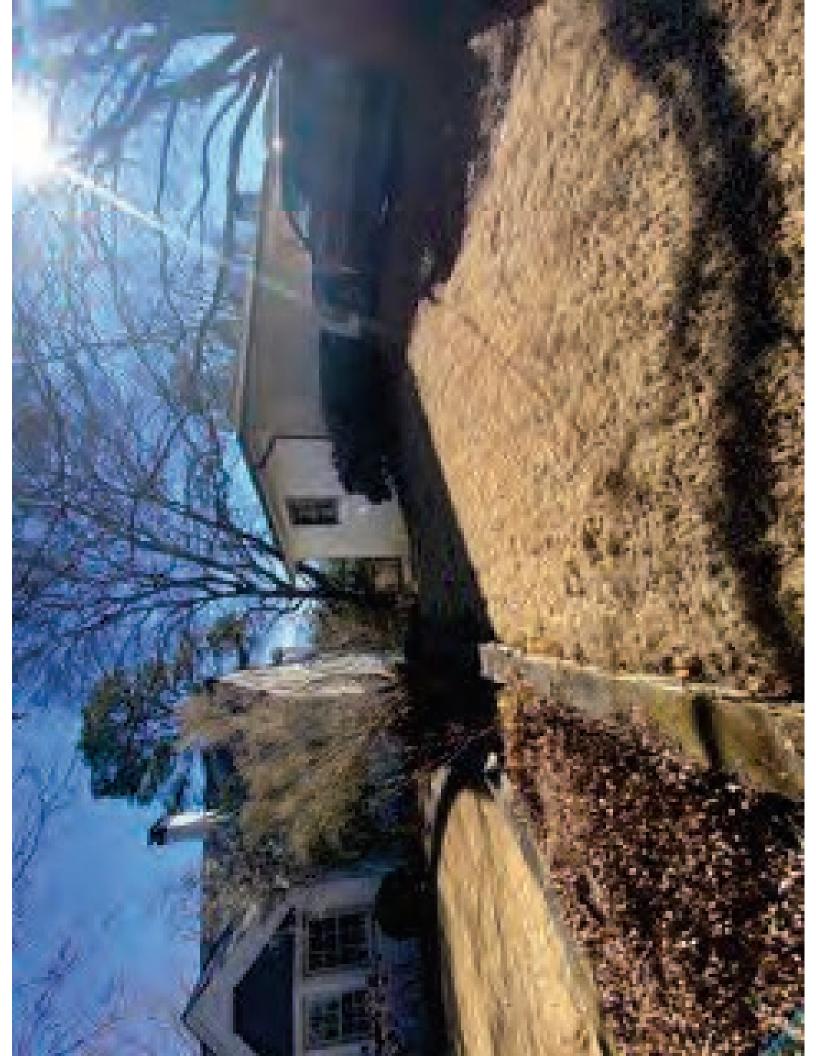
Setback information	*Required by zoning regulations	Setback dimensions currently existing	Setback dimensions after proposed construction	Setback Variance Requested
Front Bldg. Setback Street:				
Front Bldg. Setback Street: secondary front - corner lot				
Right Bldg. Setback	101	149"-159"	5amq	
Left Bldg. Setback €	10"	64"	4'7"	5'5"
Rear Bldg. Setback	20'			
Accessory Structure Setback: side/rear				
Property dimensions and structure information	As required	Currently existing	Proposed	Variance Requested
Lot Area (sq. ft./acres) •		.53 Acres T	1912	
Lot Width •		112 front 00.51	Zace	
Parking Spaces				
Height of Structure •	35	1743"	17'3"	
Lot Coverage sq. ft. of structures ÷ lot sq. ft.		2080	71024	

^{*}Required setback information is available in the Zoning Ordinance which is available on the City of Homewood website. If you need to find out how your property is zoned, please contact the zoning department by calling 332-6828 or 332-6854 or by clicking on the following link to email: Zoning Information

The undersigned hereby grants permission for a sign, advertising the BZA hearing date, time and place to be posted on my property. I (we) attach \$100.00 application fee and promise to pay any additional costs billed separately for extra items related to this variance request.

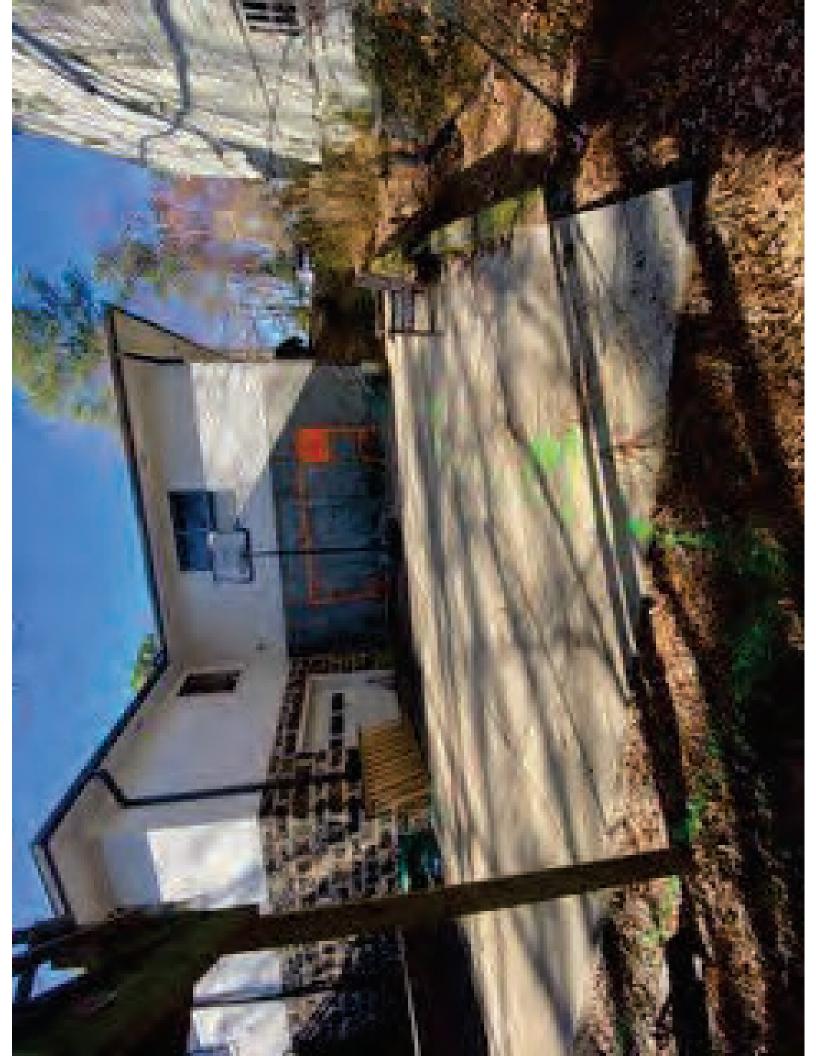
I (we) certify that all of the above statements and the statements contained in any paper of plans submitted herewith are true to the best of my (our) knowledge and belief.

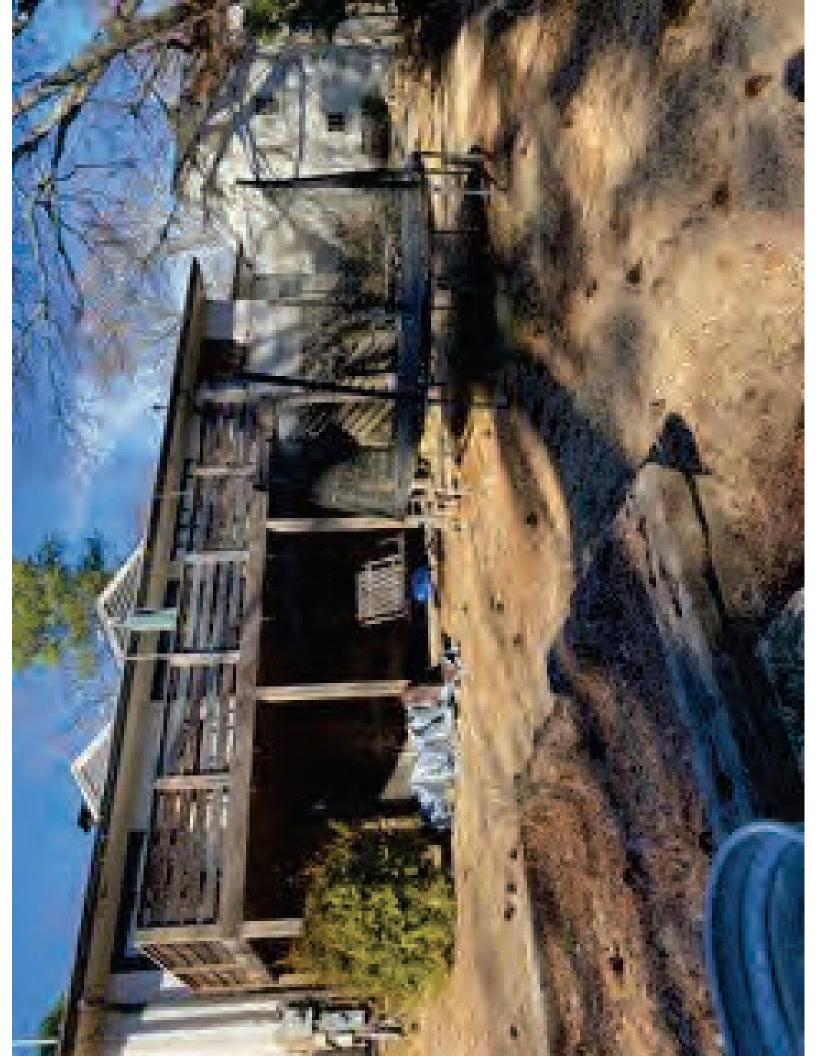
Signature of Applicant/Agent	1 · 1(· 23
0186,1	1.10 23
Signature of Swiner	Date 10-23
Signature of Owner	Date

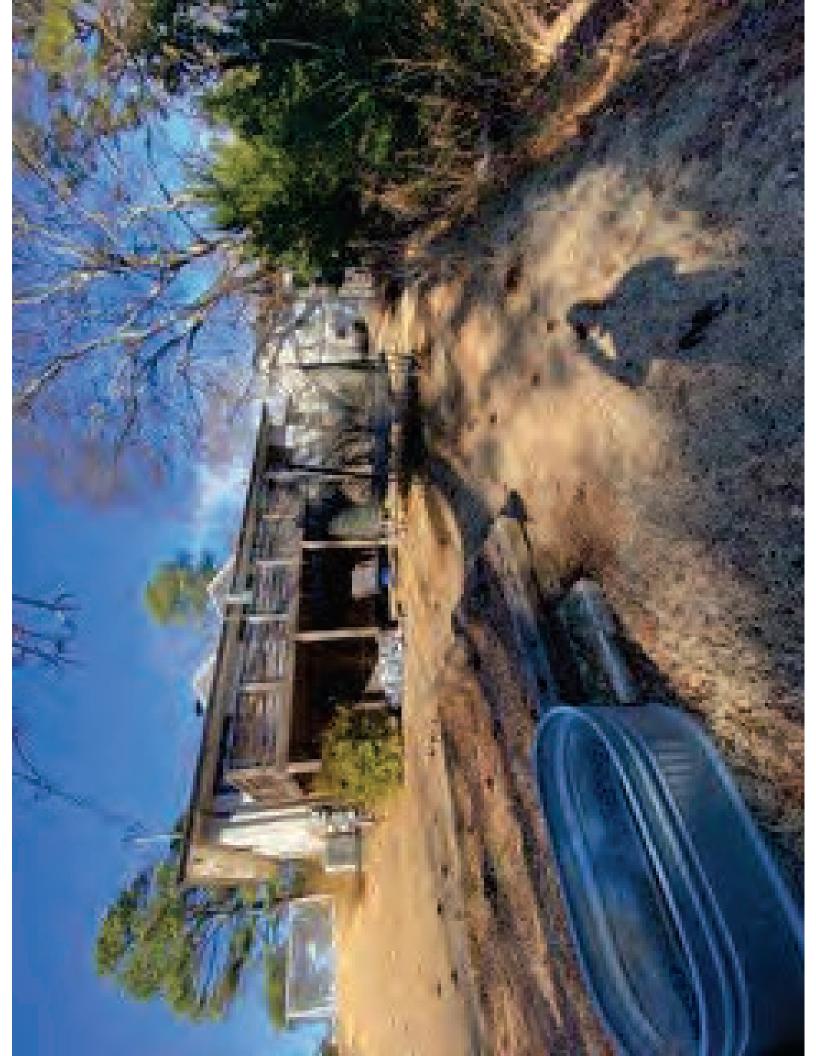




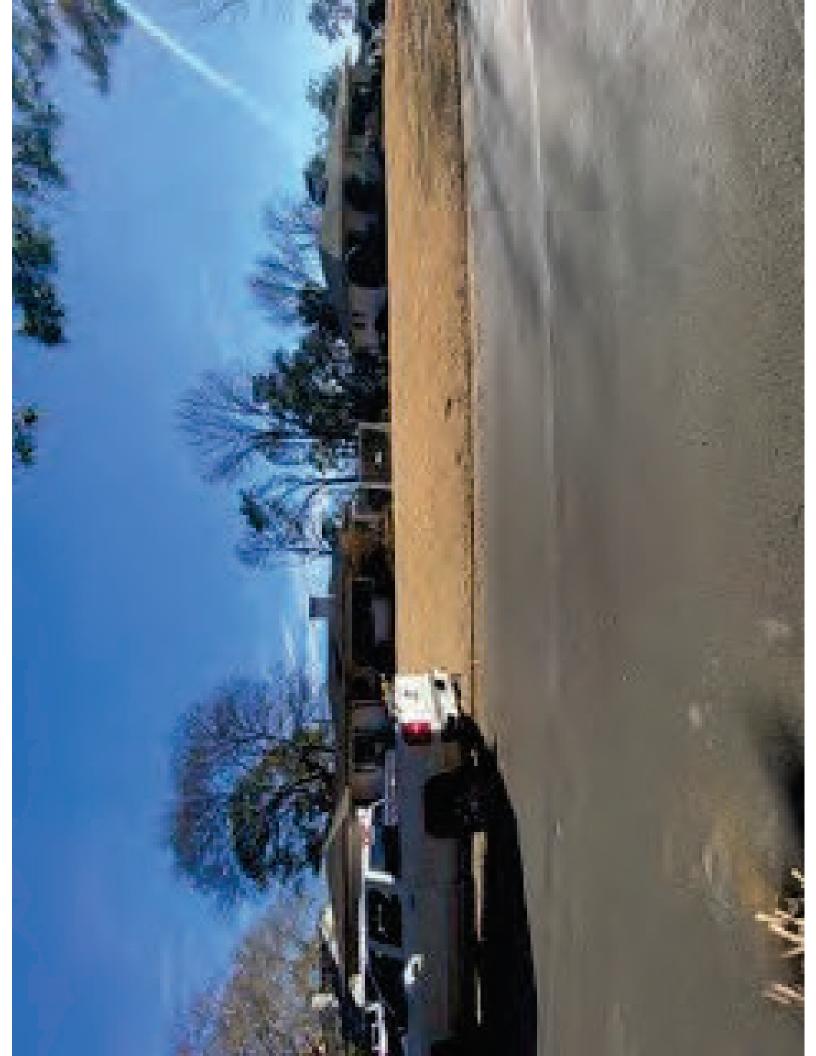


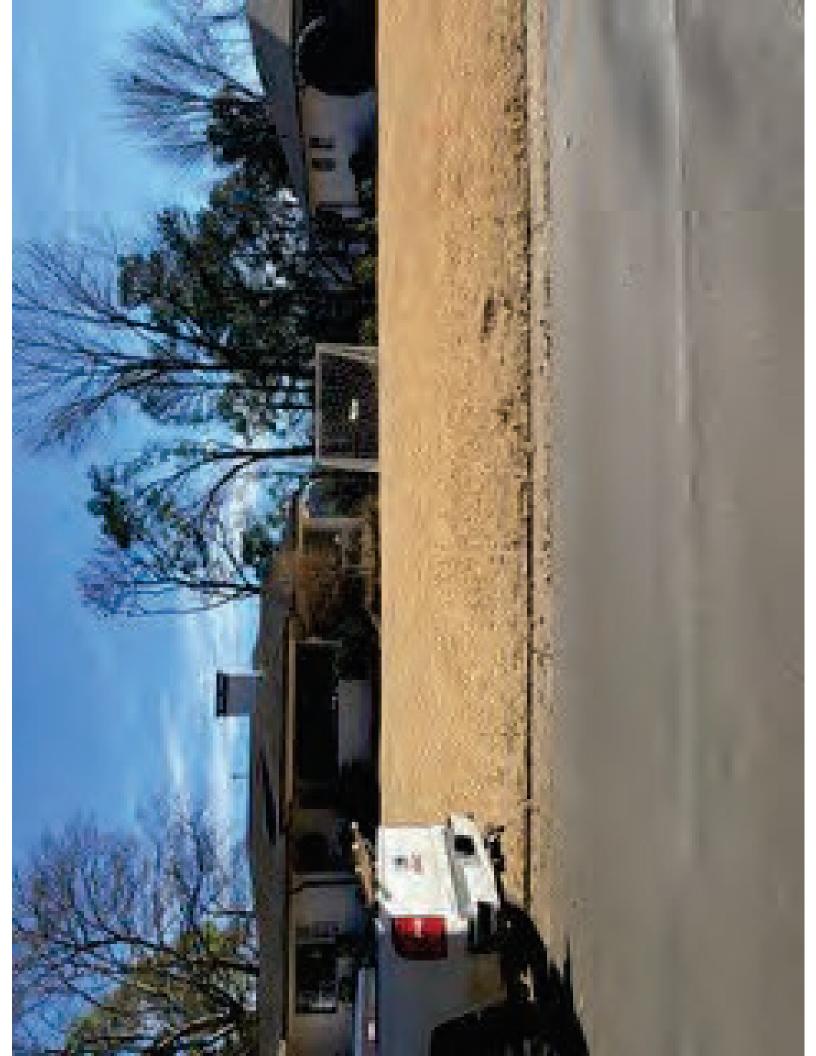




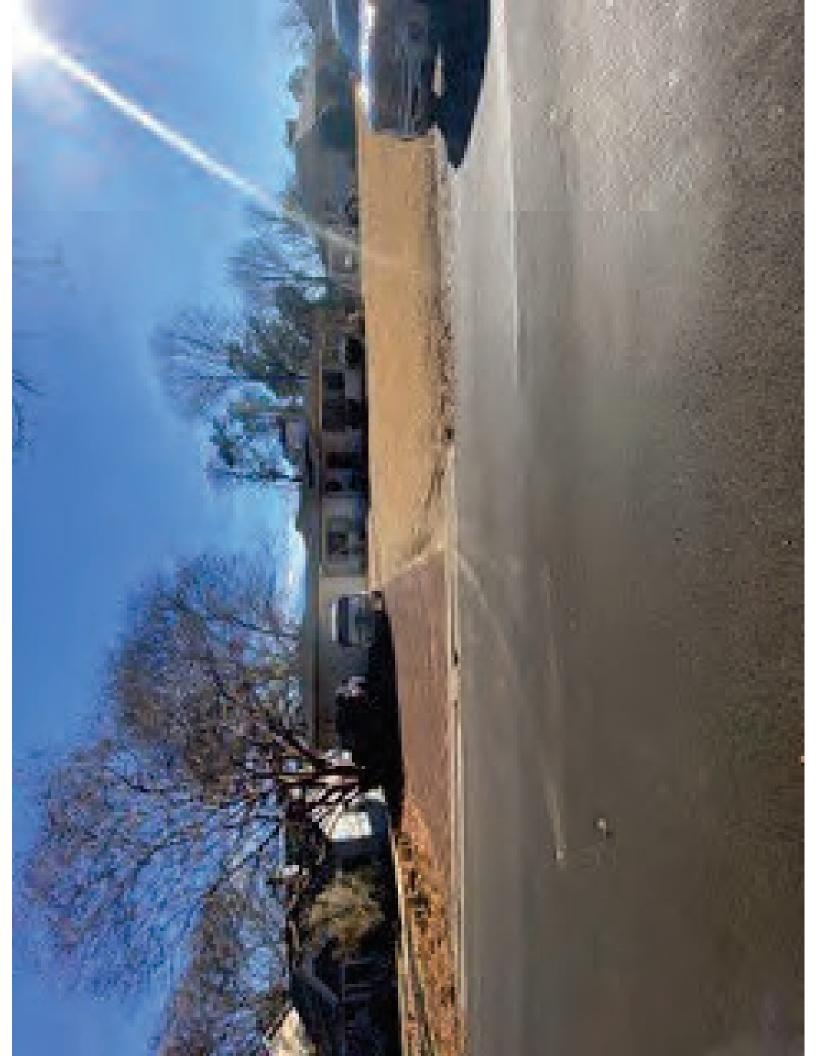


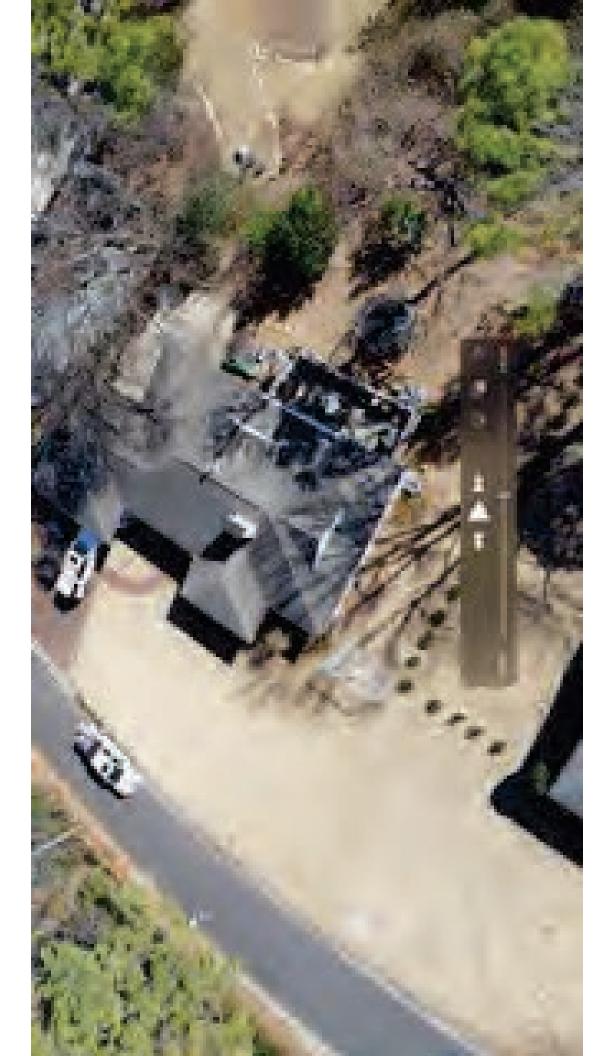


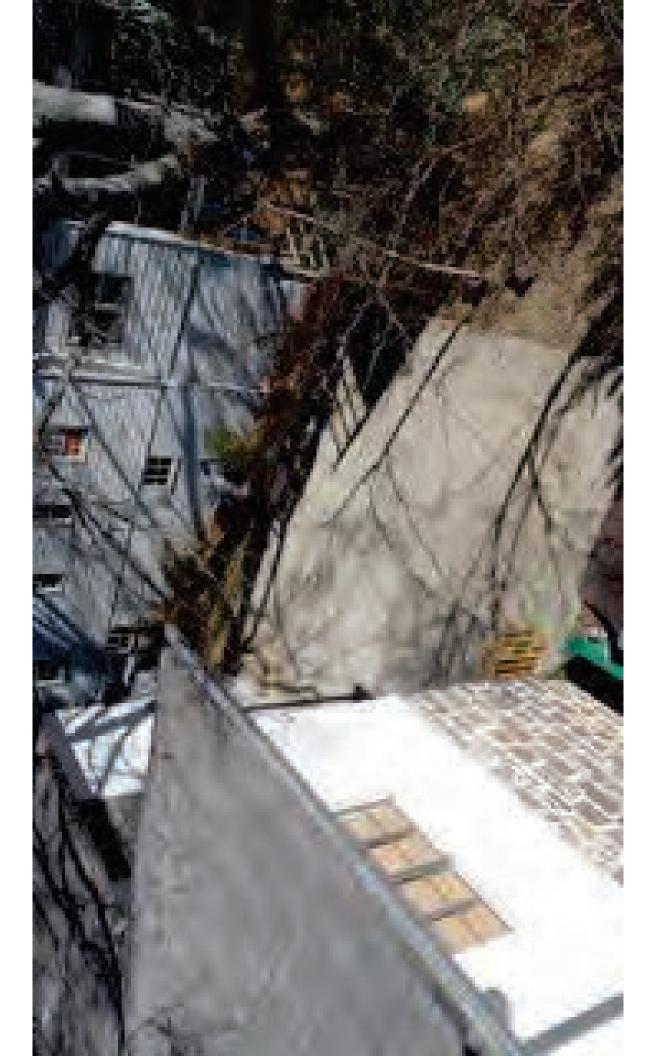


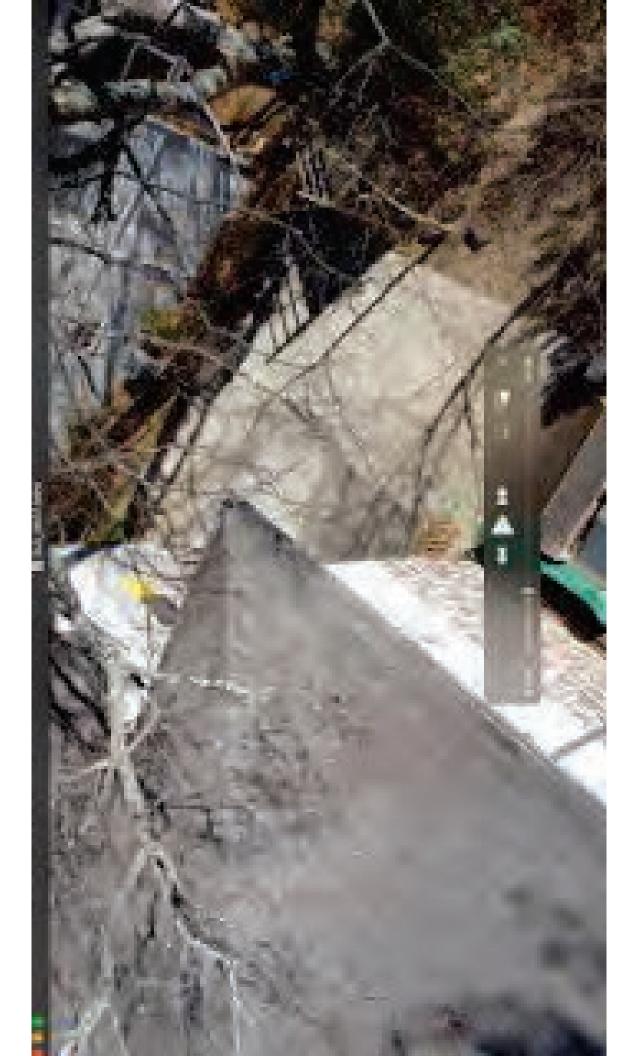


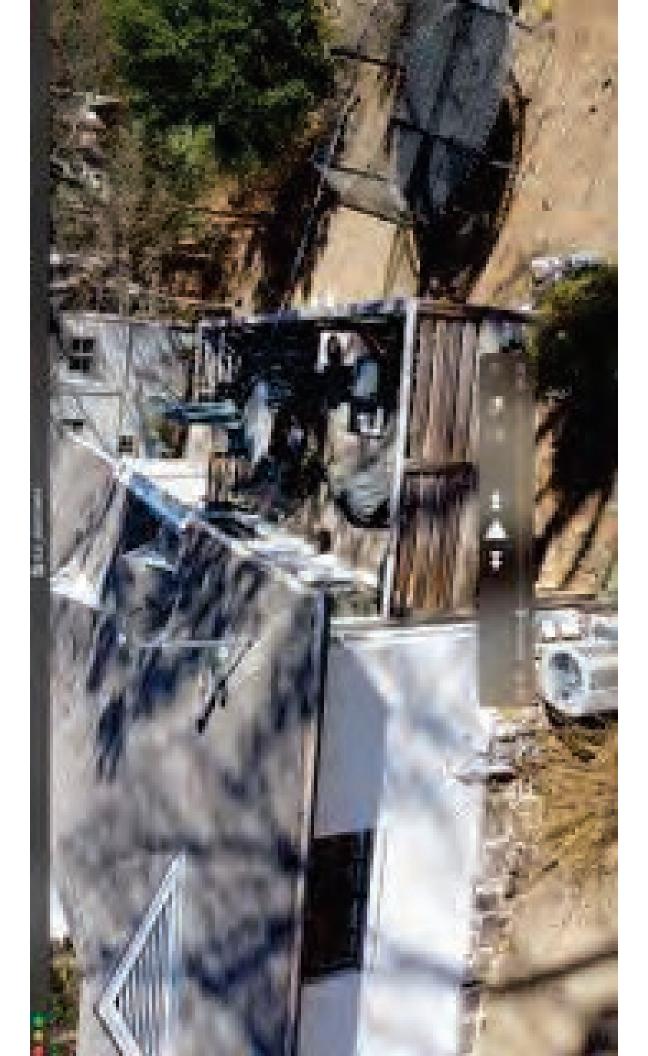


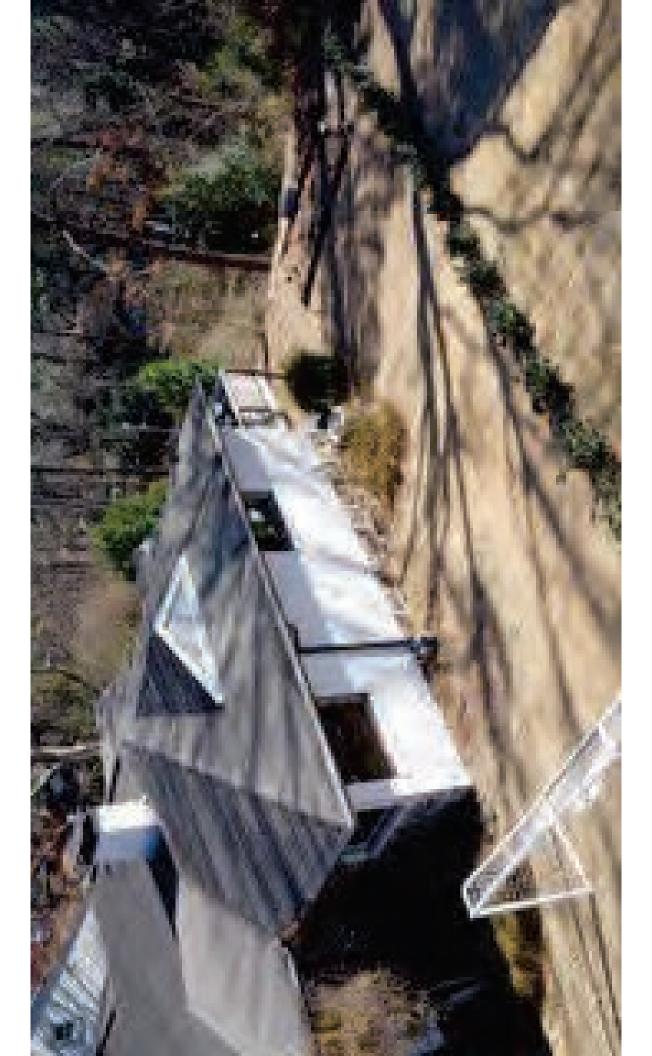


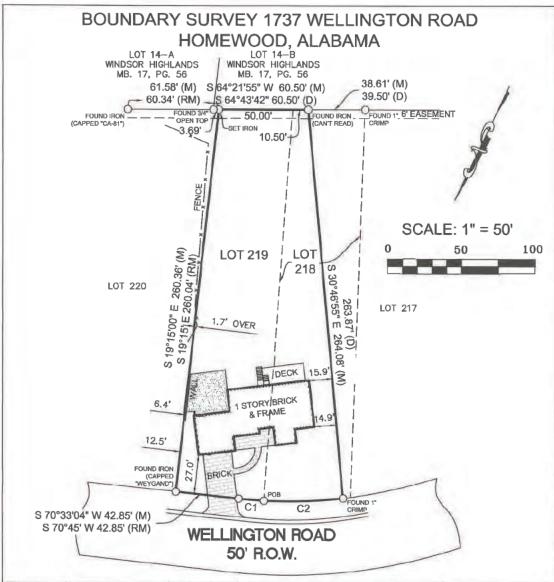












CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	17.15' (M) (RM)	313.33' (RM)	3°08'11" (M)	S 68°58'59" W (M)	17.15' (M)
C2	53.54' (M) 53.05 (D)	313.33' (RM)	9°47'26" (M)	S 62°31'10" W (M)	53.48' (M)

DESCRIPTION: INSTRUMENT 2016008154, AS RECORDED IN THE PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA.

All of Lot 219 and that part of Lot 218, according to Resurvey, as recorded in Map Book 19, Page 53, in the Probate Office of Jefferson County, Alabama, of part of Mayfair, described as follows: Begin at Northeast comer of said Lot 218 and go West along north line of said Lot 218, 53.05 feet; thence left and in a southeasterly direction 263.87 feet to southeast boundary of said Lot 218, intersecting said south boundary at a point 10.5 feet west of southeast corner of said lot; thence east along said south line for 10.5 feet to southeast corner of said Lot 218; thence in a northerly direction along east line of said Lot, 265.03 feet to point of beginning.

I hereby certify 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.

NOTE:

North arrow based on PLAT.

Survey not valid without original signature.

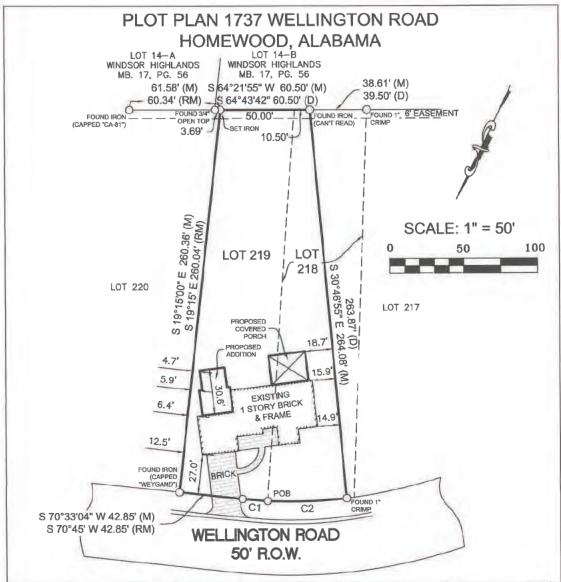
Address:
Date of Fieldwork:
Date of Survey;
Job Number:
Drawn By:
Survey For:
Type of Survey:
Field Book, Page:

1737 WELLINGTON RD
2022-12-22
2023-01-03
JLCC0001
MBA
CROSBY CONSTRUCTION
BOUNDARY SURVEY
FB 71, PG 281



120 BISHOP CIRCLE, SUITE 300 PELHAM, AL 35124





CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	17.15' (M) (RM)	313.33' (RM)	3°08'11" (M)	S 68°58'59" W (M)	17.15' (M)
C2	53.54' (M) 53.05 (D)	313.33' (RM)	9°47'26" (M)	S 62°31'10" W (M)	53.48' (M)

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I hereby certify 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.

NOTE:

North arrow based on PLAT.

2. Survey not valid without original signature.

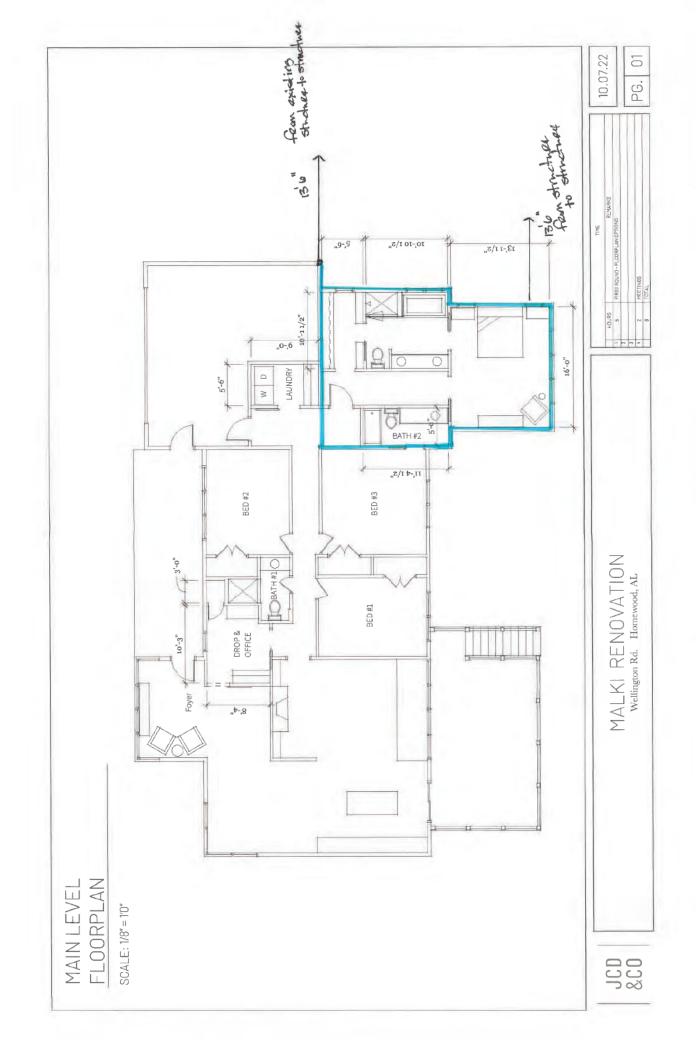
Address:
Date of Fieldwork:
Date of Survey:
Job Number:
Drawn By:
Survey For:
Type of Survey:
Field Book, Page:

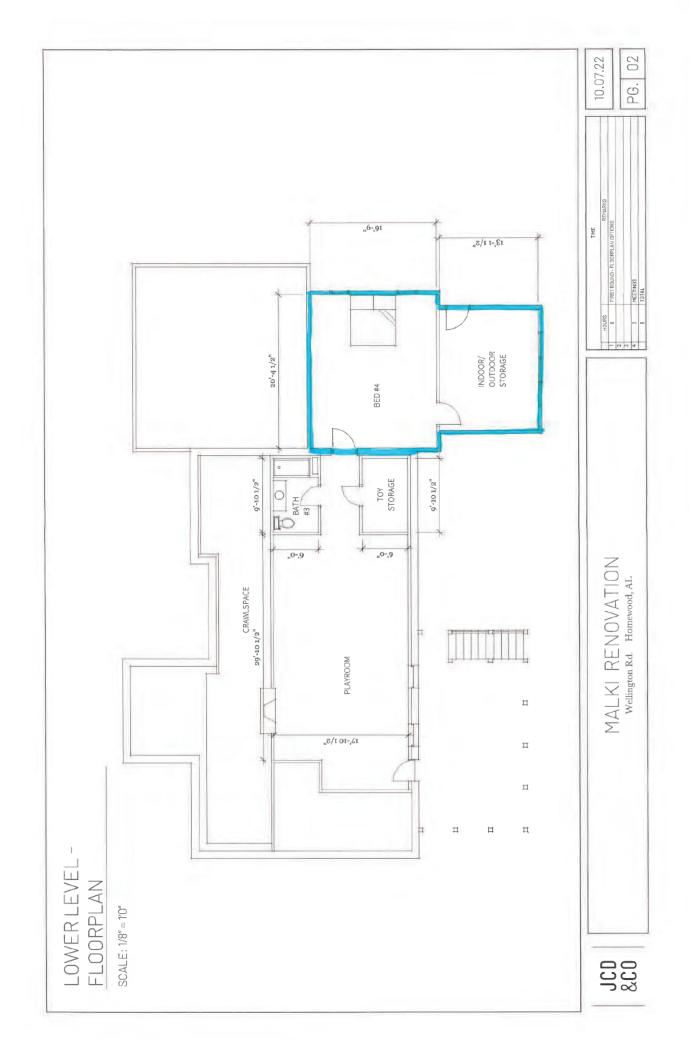
1737 WELLINGTON RD 2022-12-22 2023-01-03 JLCC0001 MBA CROSBY CONSTRUCTION PLOT PLAN FB 71, PG 281



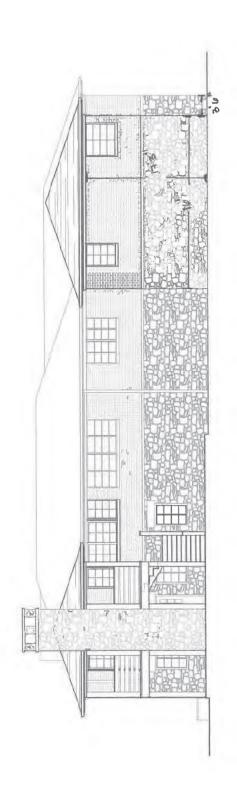
120 BISHOP CIRCLE, SUITE 300 PELHAM, AL 35124



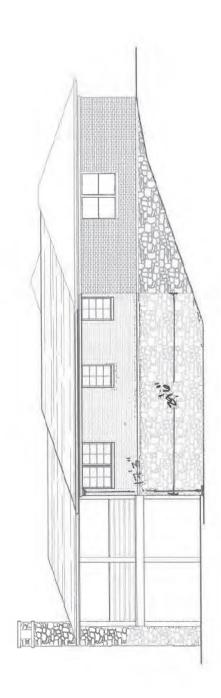












CITY OF HOMEWOOD ENGINEERING & ZONING DEPARTMENT

2850 - 19th Street South - 4th Floor Homewood, Alabama 35209 Phone 205-332-6800 | Fax 205-332-6955

Patrick McClusky, Mayor

Cale Smith, PE, Director

January 27, 2023

Faris and Ellie Jo Malki 1737 Wellington Road Homewood, Alabama 35209

Re: 1737 Wellington Road, Homewood, Alabama 35209

Dear Property Owner:

This letter shall serve as a public hearing notice to the parties in interest and to all adjacent property owners. The Homewood Board of Zoning Adjustments has been petitioned to modify the zoning regulations, as they apply to the above referenced property, as follows:

Case #SV-23-02-04, 1737 Wellington Road, Parcel ID No.: 20 00 18 2 009 015.000 Applicant: Jesse Crosby / Property Owners: Ellie Jo and Faris Malki

a) A request for a variance to Article IV, District Uses, Sec. A., NPD Neighborhood Preservation District, (3) Development Regulations, d. setbacks, 2. Side, to reduce the setback along the left-side property line from 10-feet to 4-feet, 7 inches for a total reduction of 5-feet, 5 inches for the construction of an addition to the existing non-conforming house.

The Board of Zoning and Adjustments will consider this petition at its regular meeting to be held at **6:00 p.m. on Thursday, February 2, 2023**, in the Council Chambers (2nd Floor) of Homewood City Hall, 2850 19th Street South. **You or your agent must attend the public hearing to present your request to the Board.** Public comments in support or opposition to your petition shall be heard by the Board at this time.

Additional information regarding live stream viewing and the electronic submittal of comments is provided on the reverse side of this notice.

Sincerely,

Sherri Williams Zoning Supervisor

cc: Applicant

Adjacent property owners

Information and Instructions: The public hearing will be preceded by a brief work session between Board Members and city staff beginning at 5:30 p.m. in the City Council's Committee Workroom located on the 2nd floor behind the Council Chambers.

If you wish to view the live stream for this meeting, the "Live Stream" link is available on the home page the city's website at www.cityofhomewood.com or you can connect directly via: www.cityofhomewood.com/live-stream. Although Board of Zoning Adjustments meetings may be viewed through the live streaming service, persons wishing to participate in the public hearing, by speaking in support or opposition to a particular case, must attend the meeting in person.

Comments in support or opposition may also be submitted via email to the Board Secretary @ fred.goodwin@homewoodal.org. Comments should be submitted no later than 24-hours prior to the meeting and will be provided Board Members for their consideration. Please reference the case number or the address of the subject property in your comments.

A copy of the meeting agenda packet, which includes the file for this case, will be available for viewing and downloading the Friday before the scheduled public hearing. You may access the agenda packet on the home page of the city's website @ www.cityofhomewood.com by clicking on the "Upcoming Meetings/BZA" tab.

For further information or to review any files or drawings pertaining to this application you may contact our office at (205) 332-6800 or visit between 7:30 a.m. and 4:30 p.m. Monday-Friday.



City of Homewood BZA Case Map

1737 Wellington Rd.

Aerial Photo

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ZONING IS SUBJECT TO CHANGE. PLEASE CALL ZONING OFFICE TO CONFIRM ZONING. 332-6828

