

**Homewood Board of Zoning Adjustments**  
**Agenda**  
**Thursday, May 7, 2026, 6:00 P.M.**  
**City Council Chamber**  
**2850 19<sup>th</sup> Street South, 2<sup>nd</sup> 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 2<sup>nd</sup> 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.*

While the scheduled hearing is available for live-stream viewing here: <https://www.cityofhomewood.com/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](http://www.cityofhomewood.com/engineering-zoning) or to the Secretary to the Board of Zoning Adjustments at [fred.goodwin@homewoodal.org](mailto:fred.goodwin@homewoodal.org). Comments may also be hand-delivered to the Department of Engineering & Zoning, located on the 4<sup>th</sup> floor of Homewood City Hall. Please include the address or case number and submit them no later than 24 hours prior to the meeting.

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**Board Members**

Chair, Michael Pirkle, Ward 2 | Vice-Chair, Mario Neavez, Ward 1  
John Geer, Ward 3 | William Johnson, Ward 4 | Megan Hand, At-Large

**Supernumeraries**

Dominic Sims                      Keith Young

**Order of Business**

- I. Call to Order**
- II. Roll Call**
- III. Minutes Approval – April 2, 2026**
- IV. Communications/Reports from Chair & Vice Chair**
- V. Old Business**
  - 1) ***BZA-26-0020, 609 Morris Boulevard, Parcel ID No. 2900133007005000, Applicant / Property Owner: Steve Jones***
    - a) *A request for a variance to Article VI. District Development Criteria, Sec. D. Accessory Structures, (2), (b) to reduce the required setback for an accessory structure from 10-feet to 2-feet for a total reduction of 8-feet. (Carried over from April 2 meeting)*
  - 2) ***BZA-26-0028 2501 25th 20th Place South, Parcel ID No. 2800071005010003, Applicant: Mike Brown / Property Owner: 20<sup>th</sup> Place South LLC—Joe Sandner III***
    - a) *A request for a variance to Article X. Signs, Table 2. General Sign Restrictions, Non-Residential Zoning Districts, to increase the maximum permitted number of wall signs per tenant from 1 to 2 and to allow signage above the ground floor. (Carried over from April 2 meeting)*

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.

## **VI. New Business**

- 1) **BZA-26-0026, 903 Westover Dr, Parcel ID No. 2900132029022000, Applicants / Property Owners: Craig & Paula Smalley** a) request for a variance to Article IV. District Uses, Sec. A. Neighborhood Preservation District, (3) Development Regulations, (ii) side, to reduce the required setback along the left property line from 10-feet to 7.6-feet for a total reduction of 2.4-feet, to reduce the required setback along the right property line from 10-feet to 8.0-feet for a total reduction of 2.0-feet in order to construct an addition.
- 2) **BZA-26-0030 1403 Roseland Drive, Parcel ID No. 2900131022005000, Applicants / Property Owners: Josh & Trisha Young**
  - a) A request for a variance to Article IV. District Uses, Sec. A. Neighborhood Preservation District, (3) Development Regulations, (i) front, to reduce the required setback along the secondary frontage property line from 10-feet to 3.3-feet for a total reduction of 6.7-feet in order to construct an addition.
- 3) **BZA-26-0031, 310 Gainswood Rd, Parcel ID No. 2900132003007000, Applicants / Property Owners: David & Cori Johnson**
  - a) A request for a variance to Article IV. District Uses, Sec. A. Neighborhood Preservation District, (3) Development Regulations, (iii) rear, to reduce the required setback along the rear property line from 20-feet to 8.8-feet for a total reduction of 11.2-feet in order to construct an addition.

## **VII. Communications from Staff**

## **VIII. Adjournment**



## Planning and Zoning General Application

(Page 1 of 2 – see page 2 for submittal requirements)

Property Address: 2501 20th Place South, Homewood, AL 35223  
 Parcel ID: 2380007100501003 Current Zoning: C-4b  
 Acreage: \_\_\_\_\_ Proposed Land Use: Multi-tenant office building  
 Applicant: T. Michael Brown Property Interest of Applicant: Agent for proposed tenant and owner  
 E-mail: \_\_\_\_\_ Applicant Phone: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_

Property Owner: 20th Place South, LLC c/o Joe Sandner, III City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 E-mail: \_\_\_\_\_ Phone #: \_\_\_\_\_  
 Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

**Request (check all applicable items):**

- Variance Request
- Rezoning
- Development Plan
- Other BZA Request: \_\_\_\_\_
- Zoning Text Amendment
- Final
- Resurvey
- Amended

**Signatures of Property Owner and Applicant:**

I, Joe Sandner, III (Print Property Owner) am the property owner of the subject property and have read and understood all statements including the filing requirements. I hereby affirm that this application may be denied, modified, or approved with modifications and/or contingencies and that such modifications and/or contingencies must be complied with prior to issuance of building permits.

I authorize T. Michael Brown (Print Applicant) to act as representative in all matters concerning this application.

\_\_\_\_\_  
 Signature of Property Owner Date Signature of Applicant Date

For office use only:	
<input type="checkbox"/> Completed Application form with signatures	Current Zoning District: _____
<input type="checkbox"/> Project Narrative	Proposed Zoning District: _____
<input type="checkbox"/> 2 Hard Copies of Site Plan, Site Photographs, Survey, Mylar, etc.	Special Flood Hazard Area (Y/N): _____
<input type="checkbox"/> Digital Copies of Site Plans, Site Photographs, Survey, Mylar etc.	
<input type="checkbox"/> Application Fee	
<input type="checkbox"/> Other Required Documents: _____	
Date Received in Office: _____	Time Received: _____
Received By: _____	Case Number(s): _____



## Planning and Zoning General Application

(Page 2 of 2)

**All General Applications shall include the following at the time of submittal:**

- One copy of the completed application form, with the original signature of the property owner or his/her authorized agent.
- Application fee
- Project narrative including the following as appropriate: proposed use, detailed project description, reason for request, conditions that the applicant will be willing to proffer
- Current Property Boundary Survey
- Hard copy and pdf copy of all site plans and building elevations. *(Plans and associated documents that are too large to email can be provided on a flash drive.)*
- Restrictive Covenants *(if applicable)*
- Photographs of the site and all existing buildings and structures.
- Proof of Ownership (if property has been purchased within the last 12 months)
- Any variances previously granted by the Board of Zoning Adjustments

***The following additional items will be required based on the nature of the application request and must also be submitted at the time of initial application submittal:***

### Variance Application Requirements

- Completed Variance Request Chart
- Hardship Statement signed by Property Owner and Applicant
- Hardship Criteria Evaluation Form (initialed and signed)

### Final and Amended Development Plan Requirements

- 2 full sized copies, 2 11X17 copies, and a digital copy of the proposed development plan
- Complete legal description
- Other additional information as listed in Article VII. Required Development Plan

### Resurvey Application Requirements

- 2 full sized copies of the resurvey drawing
- 1 full size mylar copy of the resurvey drawing
- Digital copy of the resurvey drawing
- Complete legal description

### Rezoning Application Requirements

- Complete legal description
- Current Zoning District C-4b
- Proposed Zoning District \_\_\_\_\_
- Conditions that the applicant will be willing to proffer. (If applicable, please include in the detailed project narrative)

*By signing below, I acknowledge that all required documents are included in the application package. Additionally, I understand that all applications must be complete by the final application deadline in order to be processed by staff and considered by the Board of Zoning Adjustments or Planning Commission.*

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date



**City of Homewood Board of Zoning Adjustments Applications**

***General Information for Applicant***

The Homewood Board of Adjustment was established pursuant to section 11-52-80, Code of Alabama 1975 and shall have all powers and duties delegated to boards of adjustment by said code, which generally are:

- 1) *Appeal a decision of the administrative official:* To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this ordinance.
- 2) *Special Exception to allow a Home Occupation or other use requiring BZA approval:* To hear and decide special exceptions to the terms of this ordinance upon which the board is required to pass under this ordinance.
- 3) *To authorize upon appeal in specific cases such variance from the terms of the zoning ordinance* as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this ordinance will result in unnecessary hardship, and so that the spirit of this ordinance shall be observed and substantial justice done.

The following pages include necessary information and requirements for applications to the Board of Zoning Adjustments. Please review closely and provide initials and/or signatures to indicate your understanding of the information.

***The Purpose of a Variance***

A variance is an allowance, which permits minor deviation from the zoning ordinance district requirements where individual properties are both harshly and uniquely burdened by the strict application of the law. The power to vary is restricted and the degree of variation is limited to the minimum change necessary to overcome the inequality inherent in the property. Use Variances are specifically prohibited. "Variance" means the modification of the requirements of a zoning district and does not include the substitution of uses assigned to other districts.

- 1) A variance recognizes that the same district requirements do not affect all properties equally; it was devised to permit minor changes to allow hardship properties to enjoy equal opportunities with properties similarly zoned. The applicant must prove that special circumstances or unusual conditions affect the subject property. These must result in uncommon hardship and unequal treatment under the strict application of the Zoning Ordinance. Where some general hardship conditions extend to other properties, a variance cannot be granted. The remedy for general hardship is a change of the map or the text of the Zoning Ordinance.
- 2) The applicant must prove that the combination of the Zoning Ordinance and the uncommon conditions of your property prevent them from making any reasonable use of the land as permitted by the present zoning district. Since zoning regulates land and not people, the following conditions **cannot** be considered pertinent to the application for a variance:
  - a. Proof that a variance would increase the financial return from the land
  - b. personal hardship
  - c. self-imposed hardship

In the case of a self-imposed hardship, the recognition of conditions created after the enactment of the Zoning Ordinance would encourage and condone violation of the law.

- 3) No variance may be granted which would adversely affect surrounding property or the general neighborhood. All variances must be in harmony with the intent and purposes of the Zoning Ordinance.



**Applicant Signature**

**Date**



**Hardship Criteria Evaluation Form**

Prior to granting a variance, the Board of Zoning Adjustment must *examine* and *validate* that the following criteria apply to the request. Please examine the following criteria and initial to indicate their applicability to the variance request. *(The following criteria can be found in Article XI. Administration and Review Procedures, Section B. Variances, (3) Conditions)*

- a) There are extraordinary and exceptional conditions, which are peculiar to the piece of property in question because of its size, shape or topography, that are not applicable to other lands or structures in the same district.

Applicable: Yes

- b) Granting the variance requested will not confer upon the applicant any special privileges that are denied to other owners of property in the district in which the property is located.

Applicable: Yes

- c) All literal interpretations of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other owners of property in the district in which the property is located.

Applicable: Yes

- d) The requested variance will be in harmony with the purpose and intent of this Ordinance and will not be injurious to the neighborhood or to the general welfare.

Applicable: Yes

- e) The special circumstances are not the intended result of the actions of the applicant (i.e., self-imposed hardship)

Applicable: Yes

- f) The variance requested is the minimum variance that will make possible the legal use of the land, building or structure.

Applicable: Yes

- g) That no non-conforming use of neighboring lands, structures, or buildings in the same district, and no permitted or non-conforming use of lands, structures, or building in other districts shall be considered grounds for the issuance of a variance.

Applicable: Yes

- h) That the variance will not allow the permanent establishment of a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.

Applicable: Yes

*By signing below, I acknowledge that I have reviewed and evaluated the criteria, and the application and documents submitted for the requested variance will provide evidence of their applicability to the proposed request.*

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date



### Variance Request Charts

*Please complete only the charts relevant to the proposed variance request project. The information in these charts should reflect the information on the proposed site plans.*

<b>PRIMARY STRUCTURE SETBACKS</b>				
	Existing Setback Dimensions	Setback Dimensions Required by Zoning Regulations	Proposed Setback Dimensions	Total Variance Requested
Front Setback				
Secondary Front Setback				
Right Setback				
Left Setback				
Rear Setback				

<b>ACCESSORY STRUCTURE SETBACKS</b>				
<b>Please provide the following information regarding the proposed accessory structure:</b>				
<b>Proposed Height:</b> _____ <b>Proposed Size (in sq ft):</b> _____				
	Existing Setback Dimensions	Setback Dimensions Required by Zoning Regulations	Proposed Setback Dimensions	Total Variance Requested
Right Setback				
Left Setback				
Rear Setback				
Other:				

<b>FENCES AND WALLS (NOT RETAINING)</b>		
Proposed Height:	Proposed Setback:	Location of Fence:
Description of Fence (dimensions, materials, etc.): _____		
_____		

<b>PARKING</b>		<b>STRUCTURE HEIGHT</b>	
Required Parking Ratio		Existing Height	
Total Spaces Required		Maximum Height Permitted	
Total Spaces Provided		Proposed Height	
Total Variance Requested		Total Variance Requested	



SIGNS				
Please provide the following information regarding the proposed sign(s):				
Sign Type: <u>Wall</u>		Sign District: <u>Non-Residential</u>		
	Existing	Permitted by Zoning Regulations	Proposed	Variance Requested
Number of Signs	<u>2</u>	<u>1 per tenant but see footnote 3+4</u>	<u>1 per tenant per frontage and 1 per column per frontage + column</u>	<u>1 per tenant</u>
Max Area		<u>3 sq. ft per 1 linear foot</u>		
Max Height		<u>Ground Floor</u>	<u>1 per tenant at 4<sup>th</sup> floor + per column</u>	<u>As noted in proposed</u>
Max Copy Height		<u>36"</u>	<u>24" + 44"</u>	<u>One sign on building side 8" larger</u>
Setback				

TREE PROTECTION AND LANDSCAPING				
	Existing	Required by Zoning Regulations	Proposed	Variance Requested
<b>Perimeter Vehicular Access Landscaping</b>				
Width				
Number of Trees or Shrubs				
<b>Interior Landscape Islands</b>				
<b>Foundation Landscaping</b>				
Linear Feet				
Area				
Number of Shrubs				
<b>Other</b>				

**DESIGNATION OF AUTHORIZED AGENT**

20<sup>th</sup> Place South, LLC is the Owner of that certain property located at 2501 20<sup>th</sup> Place South, Homewood, Alabama 35223 (the "Property"). The Owner is aware that Arlington Properties as a proposed Tenant for the Property is asking for a variance to place certain signage on the building located at the Property. The Owner supports the variance request and designates T. Michael Brown of the Bradley Arant Boult Cummings LLP law firm to act as the Applicant for the Tenant and the Owner on this variance request.

**20<sup>th</sup> Place South, LLC**

[Redacted signature block]

[Redacted signature block]

[Redacted signature block]

COMPLETE AND SUBMIT  
PRIOR TO THE DEADLINE DATE

City of Homewood  
Board of Zoning Adjustments  
Request for 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,
- the construction of a fence
- other (describe):

Arlington Properties is proposing to move its corporate headquarters to the building located at 2501 20th Place South, Homewood, Alabama 35223. This is a significant investment for Arlington, but one which if accomplished will bring at least eighty (80) new jobs to the City of Homewood. Because the building will be the corporate headquarters, Arlington has requested that the building owner allow it to place signage at the top of the two sides of the building, as well as on the columns at the front of the building. This signage would allow persons on the two main roadways adjacent to the building (Red Mountain Expressway and Highway 280) to clearly identify Arlington's location. The signage would also provide the City with major landmark office buildings on these two major arteries with anchor tenants located within the City.

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 City has stated that the proposed signage constitutes a "wall sign." While this is not clear under the Ordinance, if the proposed sign is in fact a "wall sign," there are restrictions in the Ordinance as to the location of the signage. Specifically, Article X, Section H, Table 2, Footnote 3 of the Ordinance only allows "wall signs" at at ground level. Applicant seeks advice from the Ordinance to allow for signage on two sides of the Building, located above ground level.

The hardship as to the number and location of the proposed signs is not self-created, but is created by the location of this unique location of this parcel. This parcel is the only property in the City on the east side of Red Mountain Expressway and Highway 280. It is the only property with frontage on those two major traffic routes. There is limited sight access to the property from these roadways and there are no traffic lights or signage that otherwise slow traffic by these parcels. Granting the variance would enhance, not detract from the neighborhood and surrounding parcels and would be consistent with other office buildings in that corridor.

*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



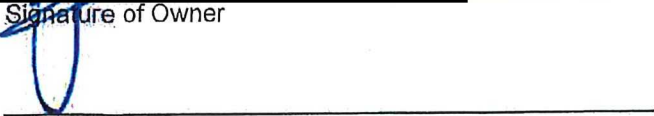
Date



Signature of Owner



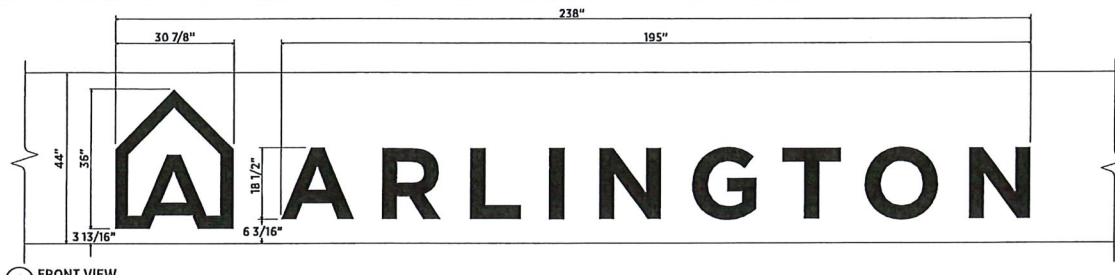
Date



Signature of Owner



Date



1 FRONT VIEW  
SCALE: 1/2" = 1'-0"

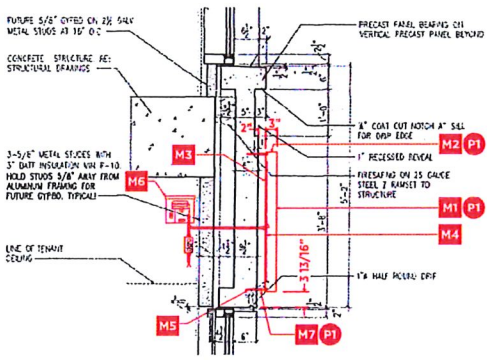
OVERVIEW

Internally illuminated reverse channel letters

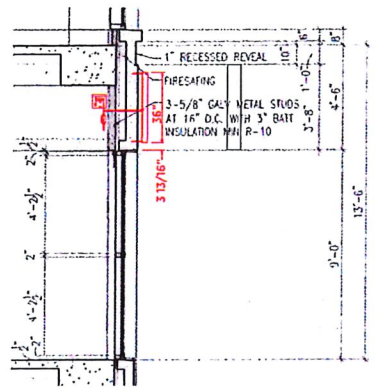
QTY: 2

MATERIALS / FINISHES

- M1 .125 alum faces
- M2 Alum returns
- M3 3/16" clear acrylic
- M4 White LEDs
- M5 Toggle bolts or equiv.
- M6 Power supply
- M7 2" long standoffs
- P1 Black



2 ENLARGED MOUNTING DETAIL  
SCALE: 1/2" = 1'-0"



3 MOUNTING DETAIL  
SCALE: 1/4" = 1'-0"

INSTALLATION

Mount 2" off wall using toggle bolts or equiv and 2" long standoffs.

REVISIONS

STATUS

Client Review



1 **SOUTHEAST ELEVATION**  
SCALE: None



2 **SOUTHWEST ELEVATION**  
SCALE: None



123 West Park Drive, Birmingham, AL 35291  
 205.940.7600 800.272.2191  
 205.940.7199 - Fax  
 www.fravert.com

**Arlington Properties new corporate office**  
 DESIGN REF #: 25121801

EXTERIOR

DESIGNER:  
ABS

MANAGER:  
ALISON  
VANN

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 corporate office\Design\25121801-Corporate  
 Headquarters.cdr

PAGE:  
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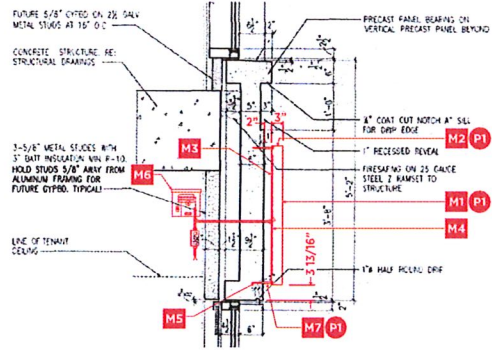




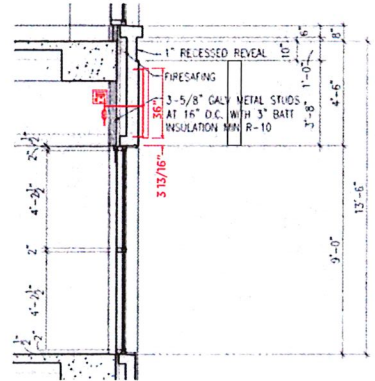


1 FRONT VIEW  
SCALE: 1/2" = 1'-0"

- OVERVIEW**
- Internally illuminated reverse channel letters
- QTY: 2
- MATERIALS / FINISHES**
- M1 .125 alum faces
  - M2 Alum returns
  - M3 3/16" clear acrylic
  - M4 White LEDs
  - M5 Toggle bolts or equiv.
  - M6 Power supply
  - M7 2" long standoffs
  - P1 Black



2 ENLARGED MOUNTING DETAIL  
SCALE: 1/2" = 1'-0"



3 MOUNTING DETAIL  
SCALE: 1/4" = 1'-0"

**INSTALLATION**

Mount 2" off wall using toggle bolts or equiv and 2" long standoffs.

**REVISIONS**

**STATUS**

Client Review



122 West Park Drive, Birmingham, AL 35211  
205.544.7900 405.627.7571  
120154407909 - Rev  
www.fravert.com

Arlington Properties new corporate offic  
DESIGN REF #: 25121801

Signtype  
EXTERIOR

DESIGNER: ABS  
MANAGER: ALISON VANN

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1 **SOUTHEAST ELEVATION**  
SCALE: None



2 **SOUTHWEST ELEVATION**  
SCALE: None



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**Arlington Properties new corporate office**

DESIGN REF #: 25121801

EXTERIOR  
ABS

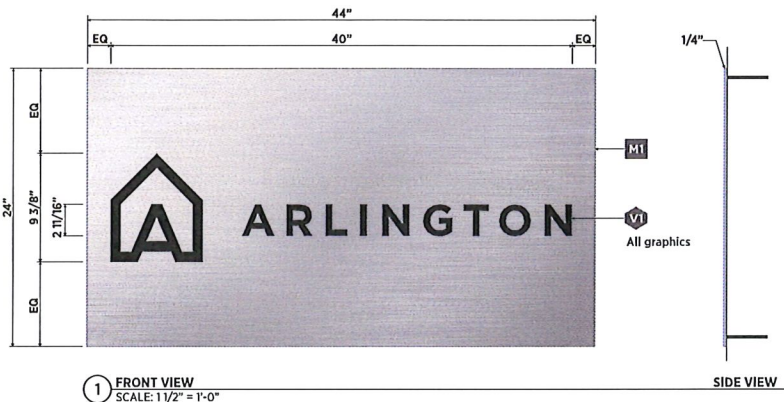
DESIGNER:  
ABS

MANAGER:  
ALISON  
VANN

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Headquarters.cdr

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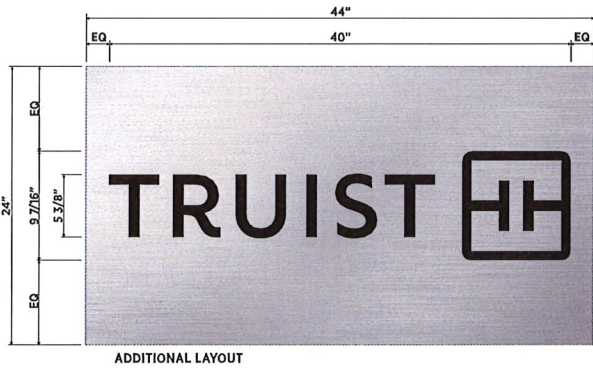
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**OVERVIEW**  
Single faced brushed alum column signs - non-illuminated.

**QTY: 2**

**MATERIALS / FINISHES**  
**M1** .125 brushed alum  
**V1** Black



**2 CONCEPT PHOTO**  
SCALE: None

**INSTALLATION**  
Stud mount flush to wall

**REVISIONS**

**STATUS**  
■ Client Review



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 1.305.443.7100 - fax  
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**Arlington Properties new corporate office**  
 DESIGN REF #: 25121801

EXTERIOR    DESIGNER: ABS    MANAGER: ALISON VANN    A:\Jobs\25121801 - Arlington Properties new corporate office\Design\25121801-Corporate Headquarters.cdr    PAGE: **3**

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**CITY OF HOMEWOOD  
DEPARTMENT OF ENGINEERING & ZONING**

2850 19th Street South - 4<sup>th</sup> Floor  
Homewood, Alabama 35209  
Phone 205-332-6800

**Cale Smith, PE, City Manager**

**Wyatt Pugh, Director**

---

April 21, 2026

*Subject Property: 2501 20<sup>TH</sup> Place South*

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. Please see below for hearing details:

**Hearing Date & Time:** May 7, 2026, at 6:00 PM

**Hearing Location:** Homewood City Hall Council Chambers, 2850 19<sup>th</sup> Street South

**Applicants / Property Owners:** 20<sup>th</sup> Place South, LLC/T. Michael Brown

**Nature of Request:** Sign Code Variance

The applicant or their agent must attend the public hearing to present the request to the Board. Public comments in support or opposition to the petition shall also be heard by the Board at this time. Interested individuals can submit questions or comments to the Department of Engineering and Zoning by contacting Conrad Garrison at [conrad.garrison@homewoodal.org](mailto:conrad.garrison@homewoodal.org), or (205) 709-3191. Information regarding live stream viewing, electronic submittal of comments, and publication of case documents are provided on the reverse side of this notice.

Regards,

Conrad Garrison  
*Zoning Administrator*

cc: Applicant  
Property owner  
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 2<sup>nd</sup> 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](http://www.cityofhomewood.com). **Although Board of Zoning Adjustments meetings may be viewed through the live streaming service, individuals 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 at [fred.goodwin@homewoodal.org](mailto:fred.goodwin@homewoodal.org) or [emily.harrismiller@homewoodal.org](mailto:emily.harrismiller@homewoodal.org). Comments should be submitted no later than 24-hours prior to the meeting and will be provided to 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 at [www.cityofhomewood.com](http://www.cityofhomewood.com) by clicking on the "Upcoming Meetings/BZA" tab.

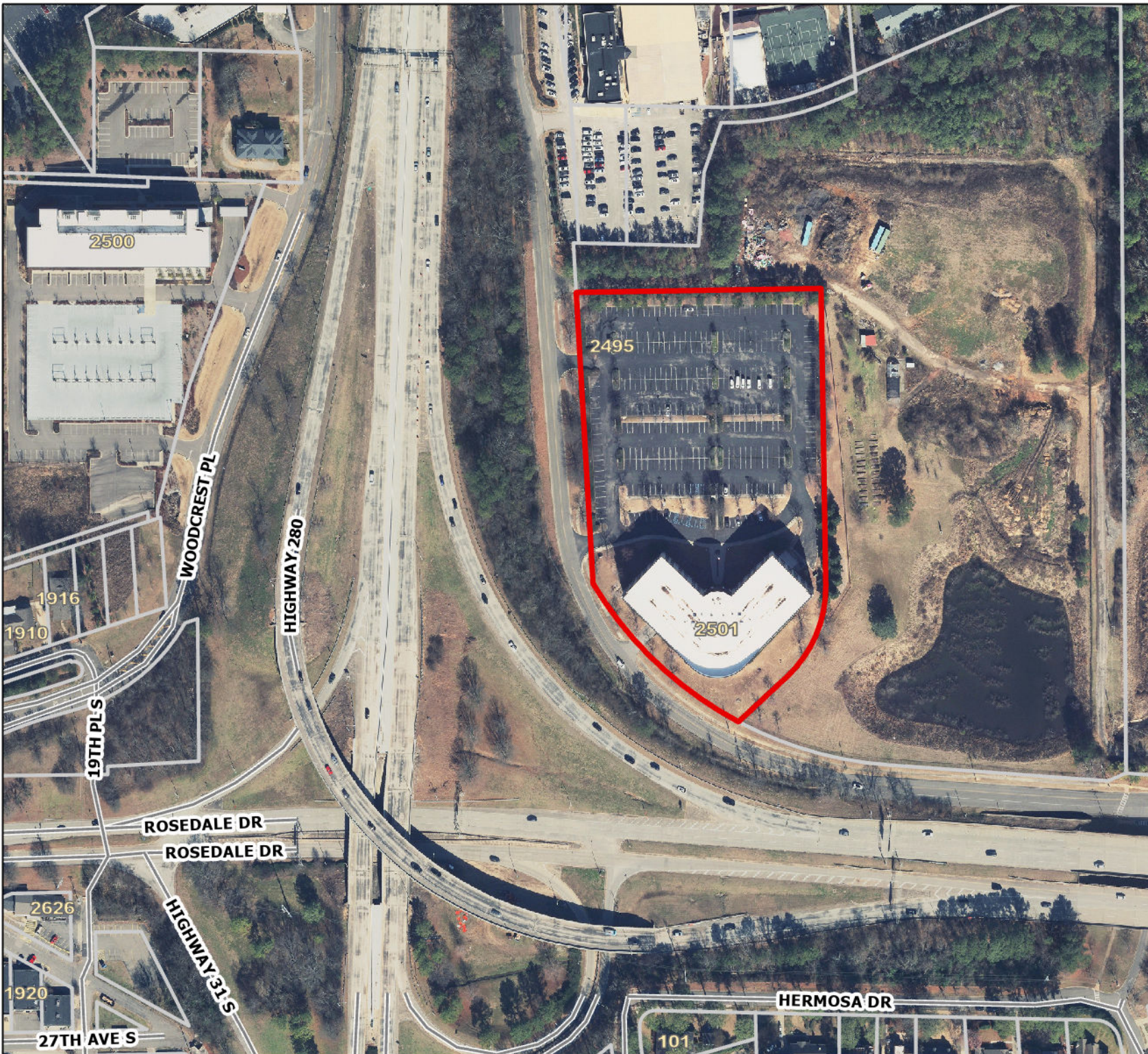
For further information or to review any files or drawings pertaining to this application you may contact our office at (205) 332-6800 or visit between 7:30 a.m. and 4:30 p.m. Monday-Friday.

# City of Homewood BZA Case Map

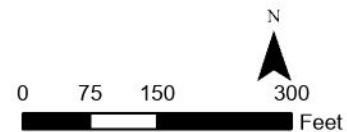
2501 20th Place S

BZA 26-0028

Aerial Photo Map



-  Subject Property
-  Roadway
-  Parcels



THE INFORMATION ON THIS DRAWING WAS COMPILED FROM SEVERAL SOURCES AND SHOULD ONLY BE USED FOR GEREAL INFORMATION AND ORIENTATION. 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



# Planning and Zoning General Application

(Page 1 of 2 – see page 2 for submittal requirements)

Property Address: 903 Westover Drive, Homewood, Alabama 35209

Parcel ID: 29 00 13 2 029 022.000

Current Zoning: NPD

Acreage: .31 Acres (13373 SF)

Proposed Land Use: Single Family Residential

Applicant: Warren Kyle

Property Interest of Applicant: Design Consultant

E-mail: [REDACTED]

Applicant Phone #: [REDACTED]

Mailing Address: [REDACTED]

City State Zip

Property Owner: Craig and Paula Smalley

E-mail: [REDACTED]

Mailing Address: [REDACTED]

City State Zip

### Request (check all applicable items):

- Variance Request
- Rezoning
- Development Plan
- Other BZA Request: \_\_\_\_\_
- Zoning Text Amendment
- Final
- Resurvey
- Amended

### Signatures of Property Owner and Applicant:

I, Craig Smalley (Print Property Owner) am the property owner of the subject property and have read and understood all statements including the filing requirements. I hereby affirm that this application may be denied, modified, or approved with modifications and/or contingencies and that such modifications and/or contingencies must be complied with prior to issuance of building permits.

I authorize Warren Kyle (Print Applicant) to act as representative in all matters concerning this application.

[REDACTED SIGNATURES]

Signature of Property Owner Date Signature of Applicant Date

### For office use only:

- Completed Application form with signatures
  - Project Narrative
  - 2 Hard Copies of Site Plan, Site Photographs, Survey, Mylar, etc.
  - Digital Copies of Site Plans, Site Photographs, Survey, Mylar etc.
  - Application Fee
  - Other Required Documents: \_\_\_\_\_
- Current Zoning District: \_\_\_\_\_  
Proposed Zoning District: \_\_\_\_\_  
Special Flood Hazard Area (Y/N): \_\_\_\_\_
- Date Received in Office: \_\_\_\_\_ Time Received: \_\_\_\_\_  
Received By: \_\_\_\_\_ Case Number(s): \_\_\_\_\_



# Planning and Zoning General Application

(Page 2 of 2)

**All General Applications shall include the following at the time of submittal:**

- One copy of the completed application form, with the original signature of the property owner or his/her authorized agent.
- Application fee
- Project narrative including the following as appropriate: proposed use, detailed project description, reason for request, conditions that the applicant will be willing to proffer.
- Current Property Boundary Survey
- Hard copy and pdf copy of all site plans and building elevations. *(Plans and associated documents that are too large to email can be provided on a flash drive.)*
- N/A  Restrictive Covenants *(if applicable)*
- Photographs of the site and all existing buildings and structures.
- ~~Proof of Ownership (if property has been purchased within the last 12 months)~~
- ~~Any variances previously granted by the Board of Zoning Adjustments~~

***The following additional items will be required based on the nature of the application request and must also be submitted at the time of initial application submittal:***

**Variance Application Requirements**

- Completed Variance Request Chart
- Hardship Statement signed by Property Owner and Applicant
- Hardship Criteria Evaluation Form (initialed and signed)

**Final and Amended Development Plan Requirements**

- 2 full sized copies, 2 11X17 copies, and a digital copy of the proposed development plan
- Complete legal description
- Other additional information as listed in Article VII. Required Development Plan

**Resurvey Application Requirements**

- 2 full sized copies of the resurvey drawing
- 1 full size mylar copy of the resurvey drawing
- Digital copy of the resurvey drawing
- Complete legal description

**Rezoning Application Requirements**

- Complete legal description
- Current Zoning District \_\_\_\_\_
- Proposed Zoning District \_\_\_\_\_
- Conditions that the applicant will be willing to proffer. (If applicable, please include in the detailed project narrative)

*By signing below, I acknowledge that all required documents are included in the application package. Additionally, I understand that all applications must be complete by the final application deadline in order to be processed by staff and considered by the Board of Zoning Adjustments or Planning Commission.*

\_\_\_\_\_

Signature of Applicant \_\_\_\_\_ Date



## City of Homewood Board of Zoning Adjustments Applications

### ***General Information for Applicant***

The Homewood Board of Adjustment was established pursuant to section 11-52-80, Code of Alabama 1975 and shall have all powers and duties delegated to boards of adjustment by said code, which generally are:

- 1) *Appeal a decision of the administrative official:* To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this ordinance.
- 2) *Special Exception to allow a Home Occupation or other use requiring BZA approval:* To hear and decide special exceptions to the terms of this ordinance upon which the board is required to pass under this ordinance.
- 3) *To authorize upon appeal in specific cases such variance from the terms of the zoning ordinance* as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this ordinance will result in unnecessary hardship, and so that the spirit of this ordinance shall be observed and substantial justice done.

The following pages include necessary information and requirements for applications to the Board of Zoning Adjustments. Please review closely and provide initials and/or signatures to indicate your understanding of the information.

### ***The Purpose of a Variance***

A variance is an allowance, which permits minor deviation from the zoning ordinance district requirements where individual properties are both harshly and uniquely burdened by the strict application of the law. The power to vary is restricted and the degree of variation is limited to the minimum change necessary to overcome the inequality inherent in the property. Use Variances are specifically prohibited. "Variance" means the modification of the requirements of a zoning district and does not include the substitution of uses assigned to other districts.

- 1) A variance recognizes that the same district requirements do not affect all properties equally; it was devised to permit minor changes to allow hardship properties to enjoy equal opportunities with properties similarly zoned. The applicant must prove that special circumstances or unusual conditions affect the subject property. These must result in uncommon hardship and unequal treatment under the strict application of the Zoning Ordinance. Where some general hardship conditions extend to other properties, a variance cannot be granted. The remedy for general hardship is a change of the map or the text of the Zoning Ordinance.
- 2) The applicant must prove that the combination of the Zoning Ordinance and the uncommon conditions of your property prevent them from making any reasonable use of the land as permitted by the present zoning district. Since zoning regulates land and not people, the following conditions **cannot** be considered pertinent to the application for a variance:
  - a. Proof that a variance would increase the financial return from the land
  - b. personal hardship
  - c. self-imposed hardship

In the case of a self-imposed hardship, the recognition of conditions created after the enactment of the Zoning Ordinance would encourage and condone violation of the law.

- 3) No variance may be granted which would adversely affect surrounding property or the general neighborhood. All variances must be in harmony with the intent and purposes of the Zoning Ordinance.





### **Hardship Criteria Evaluation Form**

Prior to granting a variance, the Board of Zoning Adjustment must *examine* and *validate* that the following criteria apply to the request. Please examine the following criteria and initial to indicate their applicability to the variance request. *(The following criteria can be found in Article XI. Administration and Review Procedures, Section B. Variances, (3) Conditions)*

- a) There are extraordinary and exceptional conditions, which are peculiar to the piece of property in question because of its size, shape or topography, that are not applicable to other lands or structures in the same district.

**Applicable:** WWK

- b) Granting the variance requested will not confer upon the applicant any special privileges that are denied to other owners of property in the district in which the property is located.

**Applicable:** WWK

- c) All literal interpretations of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other owners of property in the district in which the property is located.

**Applicable:** WWK

- d) The requested variance will be in harmony with the purpose and intent of this Ordinance and will not be injurious to the neighborhood or to the general welfare.

**Applicable:** WWK

- e) The special circumstances are not the intended result of the actions of the applicant (i.e., self-imposed hardship)

**Applicable:** WWK

- f) The variance requested is the minimum variance that will make possible the legal use of the land, building or structure.

**Applicable:** WWK

- g) That no non-conforming use of neighboring lands, structures, or buildings in the same district, and no permitted or non-conforming use of lands, structures, or building in other districts shall be considered grounds for the issuance of a variance.

**Applicable:** WWK

- h) That the variance will not allow the permanent establishment of a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.

**Applicable:** WWK

*By signing below, I acknowledge that I have reviewed and evaluated the criteria, and the application and documents submitted for the requested variance will provide evidence of their applicability to the proposed request.*

\_\_\_\_\_



### Variance Request Charts

*Please complete only the charts relevant to the proposed variance request project. The information in these charts should reflect the information on the proposed site plans.*

PRIMARY STRUCTURE SETBACKS				
	Existing Setback Dimensions	Setback Dimensions Required by Zoning Regulations	Proposed Setback Dimensions	Total Variance Requested
Front Setback	39.6'	33.33' 907 WESTOVER DR	35.25'	N/A
Secondary Front Setback				
Right Setback	9.6'	10.0'	8.0'	2.0'
Left Setback	7.6'	10.0'	7.6'	2.4'
Rear Setback	111.15'	20.0'	104.5'	N/A

ACCESSORY STRUCTURE SETBACKS				
<b>Please provide the following information regarding the proposed accessory structure:</b>				
<b>Proposed Height:</b> _____ <b>Proposed Size (in sq ft):</b> _____				
	Existing Setback Dimensions	Setback Dimensions Required by Zoning Regulations	Proposed Setback Dimensions	Total Variance Requested
Right Setback				
Left Setback				
Rear Setback				
Other:				

FENCES AND WALLS (NOT RETAINING)		
Proposed Height:	Proposed Setback:	Location of Fence:
Description of Fence (dimensions, materials, etc.): _____		
_____		

PARKING		STRUCTURE HEIGHT	
Required Parking Ratio	2 per Dwelling	Existing Height	28.0'
Total Spaces Required	2	Maximum Height Permitted	38.0'
Total Spaces Provided	2 EXIST.	Proposed Height	28.0'
Total Variance Requested	NONE	Total Variance Requested	NONE

# Craig and Paula Smalley Residence Renovation Project

## Craig and Paula Smalley Residence - 903 Westover Drive

### Project Narrative

The Smalley family purchased their 1940's Homewood Shingle Cottage, in 2001. With their three children now grown, the Smalley's desire to transform the house into a warm, inviting, and more spacious environment that allows them to host their children and grandchildren, as well as entertain friends and colleagues.

While the family wants to update their home, they are also committed to preserving the scale and charm that initially attracted them to the property. The existing half-story second floor will remain in place, with the only modification being the relocation of the HVAC equipment. On the main floor, the layout will be reconfigured to create a more open and efficient living space.

In addition to interior updates, the exterior of the house will be refurbished. Plans include installing energy-efficient windows throughout, adding minimal overhangs, and making necessary repairs to the building envelope to ensure both comfort and sustainability.

### Variance Request Hardship

When 903 Westover Drive was constructed—prior to the implementation of modern zoning regulations—it was positioned on the lot slightly askew to the property lines, likely to better align the front of the house with the street. Today, when applying current zoning setback requirements of 10 feet on both the left and right sides, the northeast (NE) and southwest (SW) corners of the house are both non-compliant, with the NE corner encroaching by 2.4 feet and the SW corner by 0.4 feet. The existing bay window also does not comply, encroaching by 0.37 feet.

The NE non-compliant corner will remain unchanged. The requested variance of 2.4 feet would bring the NE corner into compliance, resulting in a 7.6-foot setback. For the existing non-compliant SW corner, the project proposes a 15.33-foot expansion to create a new

family room and master suite, replacing the current screened porch and laundry room. To accommodate this increase in the heated and cooled building footprint, the Smalleys are requesting a 1.0-foot variance, leading to a 9.0-foot setback for this corner. This variance request would also include the existing bay window, bringing it into compliance as well.

The addition of a covered front porch is also planned. This new porch will replace a deteriorating retaining wall and irregular stone steps, providing a safer and more accessible entry from the driveway. Set back at 35.25', according to current zoning setbacks, this porch addition does not require a variance as it is setback well behind the neighbor at 907 Westover Drive @ 33.5'.

The Smalley family believes that these variance requests, if granted, would be consistent with the intent of the current zoning requirements and would allow them to enhance their home while respecting the existing character of the neighborhood.

OWNER: 

APPLICANT: 

**LEGEND**

- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- P.O.T. POINT OF TERMINATION
- (C) CALCULATED
- (F) FIELD MEASURED
- (D) DEED/RECORD
- (P) PLAT/MAP
- \* TYPICAL
- N/R NOT RECOVERED
- COV COVERED
- R.O.W. RIGHT OF WAY
- S.F. SQUARE FEET
- DB DEED BOOK
- PG PAGE
- MB MAP/PLAT BOOK
- SET IRON PIN AS DESCRIBED
- FOUND IRON PIN AS DESCRIBED
- △ CALCULATED POINT
- AIR CONDITIONER
- ☆ LP LIGHT POLE
- PP POWER POLE
- X— FENCE
- OHU— OVERHEAD POWER
- TTTTT BUILDING LINE
- SUBJECT PROPERTY LINE
- EASEMENT LINE

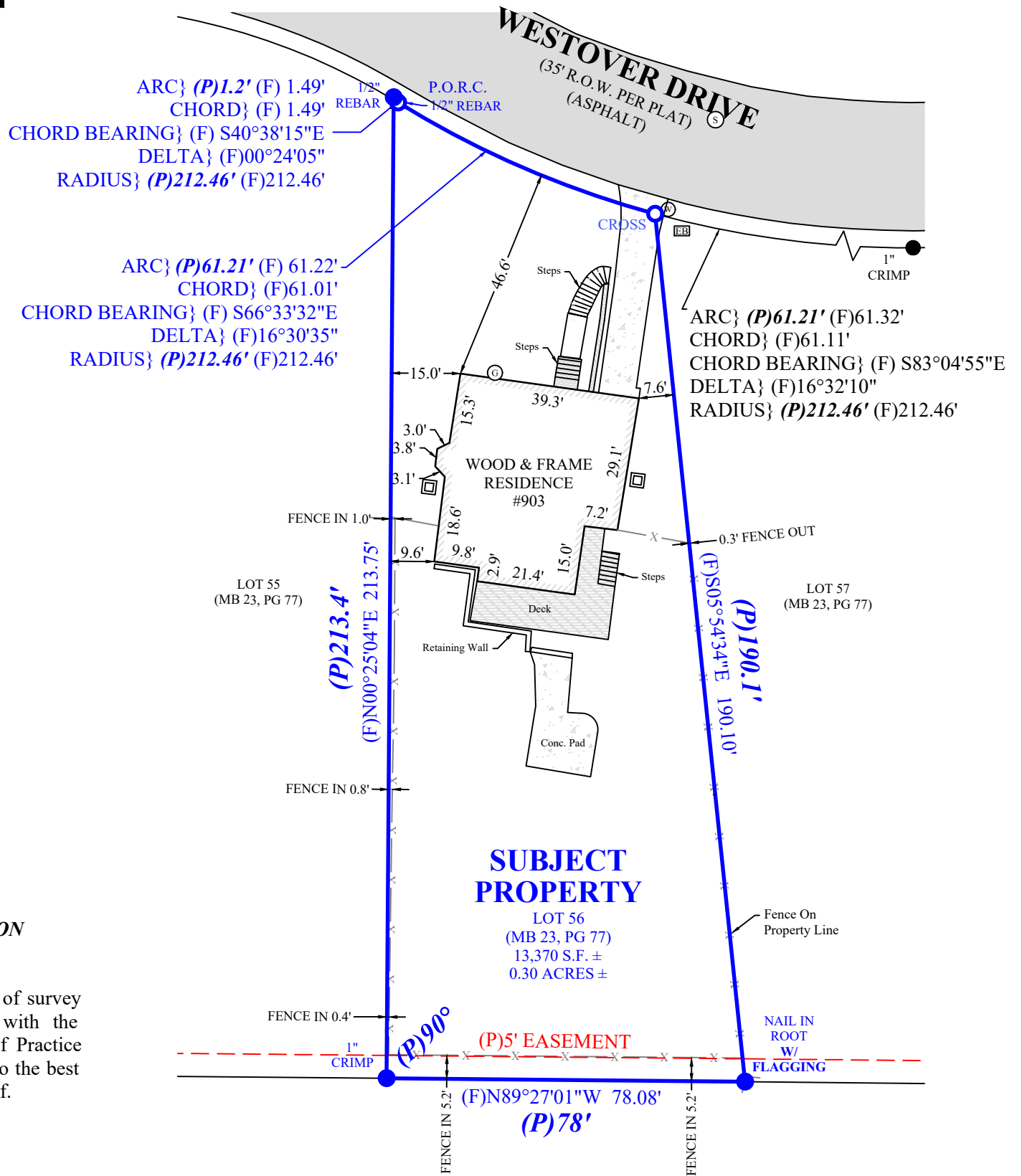
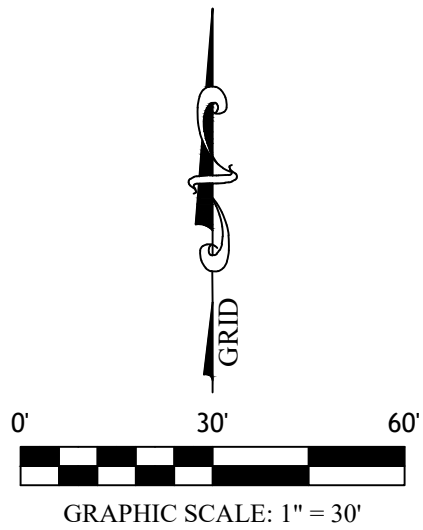
**LEGAL DESCRIPTION:**

(PER INSTRUMENT #200113/2596)

Lot 56, according to a Resurvey of Lots 10 to 20 and 32 to 56, both inclusive of Havenwood, as recorded in Map Book 23, page 77, in the Probate Office of Jefferson County, Alabama.

**SURVEYORS NOTES:**

1. This survey of the "Subject Property" was conducted for the purpose of a Property Boundary Survey only and is not intended to delineate the regulatory jurisdiction of any federal, state, regional or local agency, board, commission or other similar entity. the "Subject Property" refers to the property described heron.
2. All survey measurements are in U.S. Survey feet. Bearings are based on Alabama State Plane Coordinate System, West Zone, Grid North, NAD83 (2011). Positioning was obtained using GNSS observations with OPUS adjust solutions and/or R.T.K. observations using the ALDOT CORS network.
3. Subsurface Features (underground utilities, septic tanks, etc.) minor features (sprinklers, valves, etc.) and trees and shrubs were not located as a part of this survey, unless otherwise shown heron. No visible evidence of burial grounds or cemeteries was observed, Notice is hereby given that "Call-811" or other appropriate utility location service should be notified forty-eight (48) hours in advance of any excavation at this site.
4. The survey was conducted without the benefit of an abstract of title, title report, or title opinion, therefore, there may be other easements, right-of-way, setback lines, agreements, reservations, restrictions, or other similar matters of public record, not depicted on this survey.
5. Property ownership information shown heron (if any) was derived from the GIS/Parcel Identification website for the County and State of the property was identified heron.
6. The date of field work is the last time that either the field or office personnel were on the site and the last direct knowledge that this surveyor has of site conditions. Date of map and date of signature have no relationship to actual site conditions as depicted on this map. **THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED OR "RED" SEAL OF A LICENSED SURVEYOR.**



**SURVEYOR'S CERTIFICATION**

I hereby certify that all parts of this map of survey 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.

**WEYGAND, LLC.**

**Jeffery N Lucas**

Digitally signed by Jeffery N Lucas  
 DN: c=US, o=Unaffiliated,  
 dnQualifier=A01410C000001919F30644100  
 096B2E, cn=Jeffery N Lucas  
 Date: 2026.01.27 10:30:33 -06'00'



Jeffery N. Lucas, PLS AL 16680  
 173 Oxmoor Road, Homewood, AL 35209  
 205-942-0086

REFERENCES	
> INST #200113/2596	
> MB: 23 PG: 77	

PREPARED BY:



**WEYGAND**

173 OXMOOR ROAD, BIRMINGHAM, AL 35209  
 EMAIL: INFO@WEYGAND.COM  
 OFFICE: 205-942-0086  
 WEYGANDSURVEYOR.COM

DATE OF FIELDWORK: 01/20/2026

DATE OF MAP: 01/21/2026

FIELDWORK BY: DREW McCLELLAN

DRAWN BY: VICTOR PINTOR

REVIEWED BY: JEFFERY LUCAS

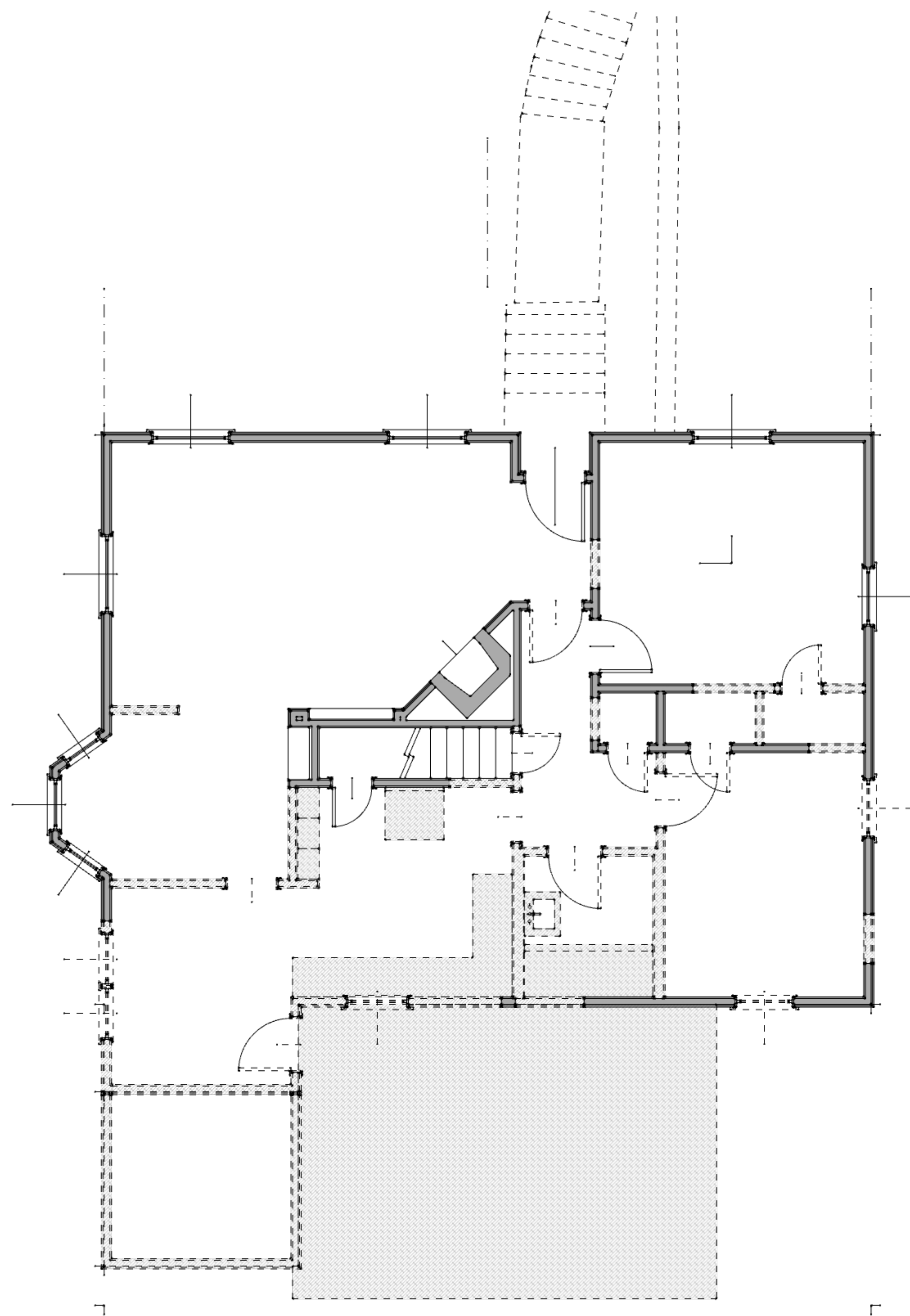
APPROVED BY: JEFFERY LUCAS

**PROPERTY BOUNDARY SURVEY**

PREPARED FOR: PAULA SMALLEY  
 ADDRESS: 903 WESTOVER DR  
 BIRMINGHAM AL, 35209  
 JEFFERSON COUNTY  
 JOB NUMBER: 2026-9

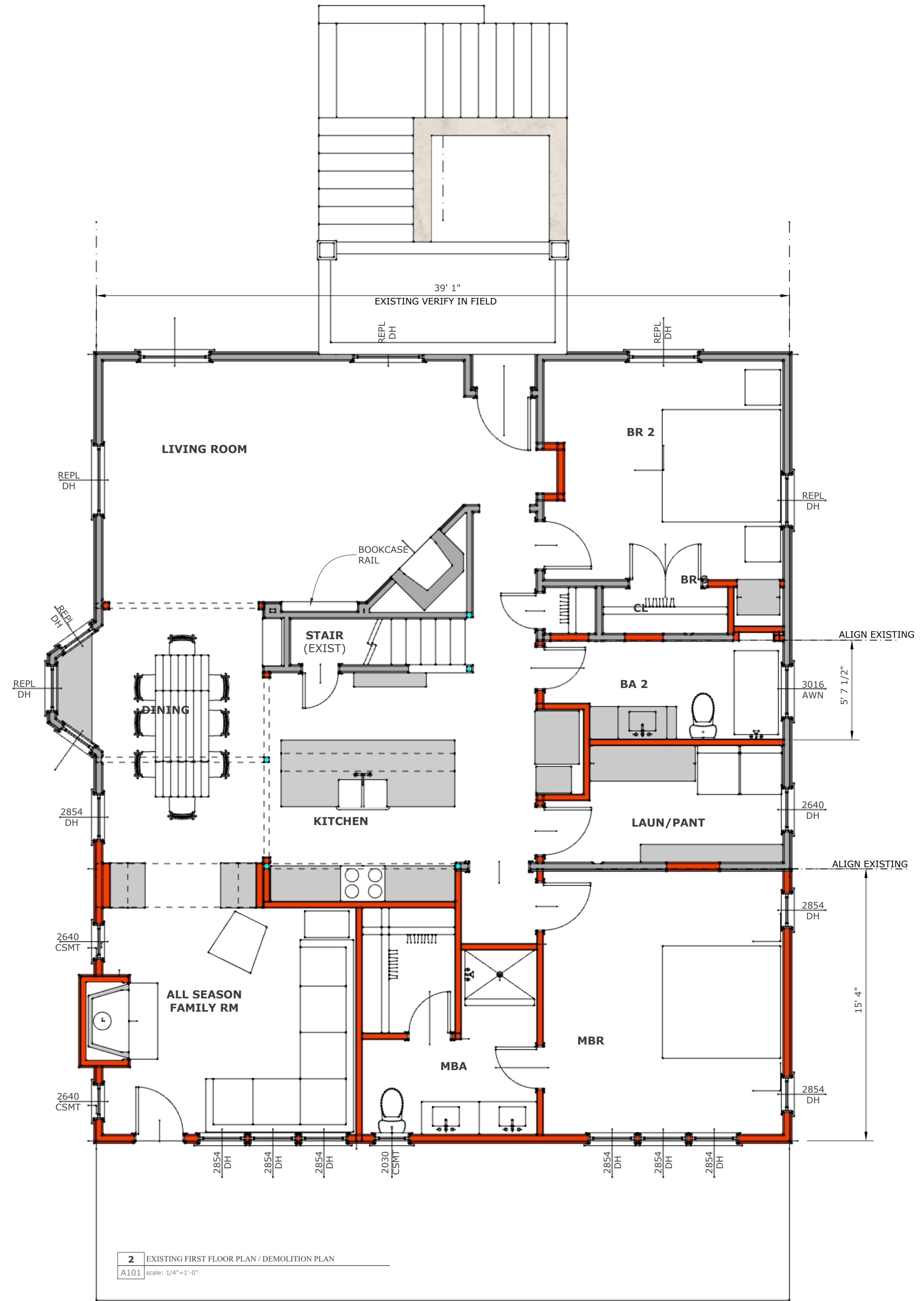
**REVISIONS**

DATE	DESCRIPTION	BY



**1** EXISTING FIRST FLOOR PLAN / DEMOLITION PLAN  
 A102 scale: 1/4"=1'-0"

March 3, 2026



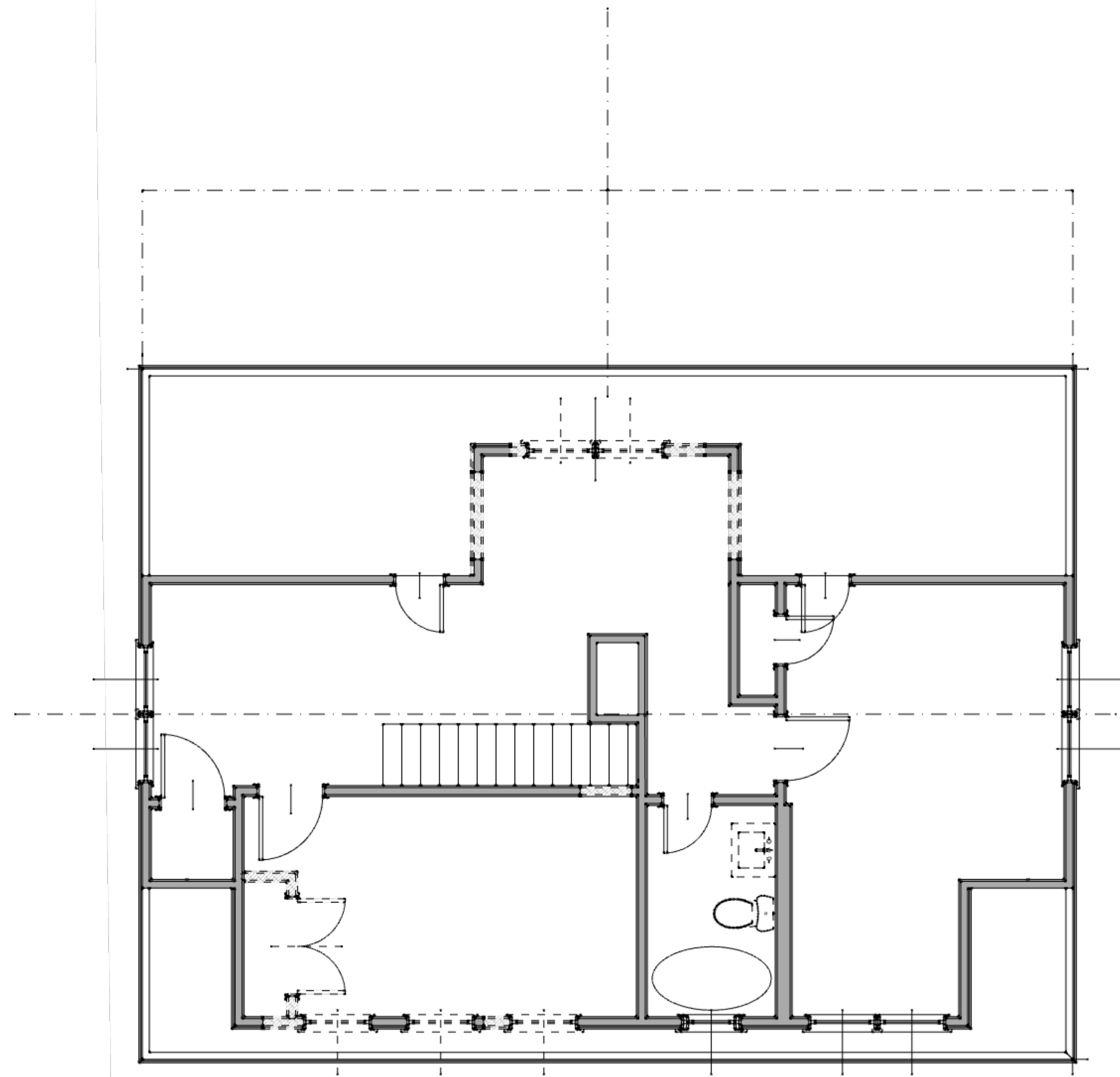
**2** EXISTING FIRST FLOOR PLAN / DEMOLITION PLAN  
 A101 scale: 1/4"=1'-0"

VARIANCE APPLICATION

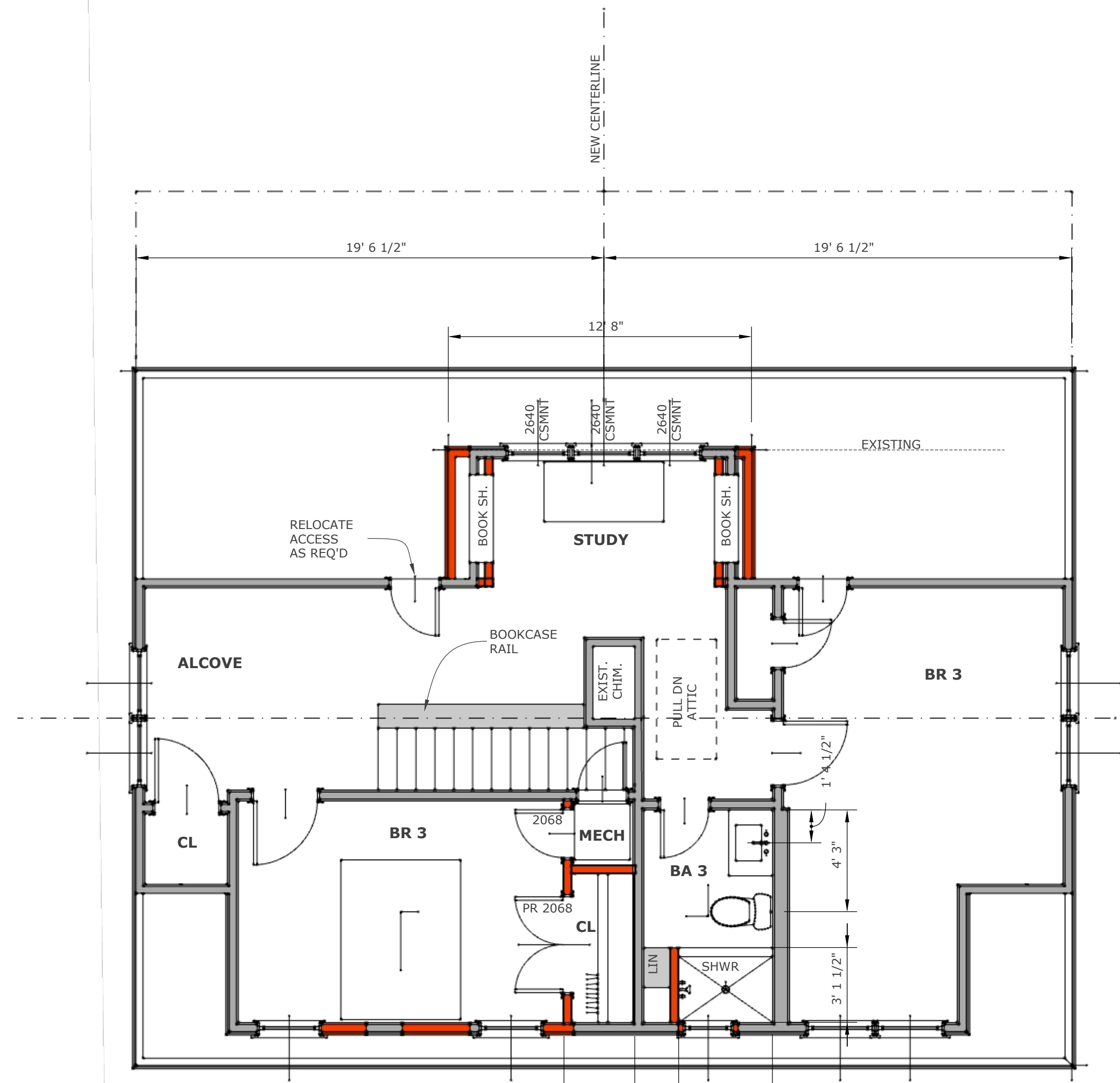
March 3, 2026

REVIEW SET

FULL SIZE PRINT 22x34 1/4"=1'-0"  
 HALF SIZE PRINT 11x17 1/8"=1'-0"

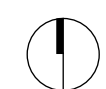


**1** EXISTING SECOND FLOOR PLAN / DEMOLITION PLAN  
 A102 scale: 1/4"=1'-0"



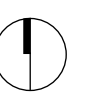
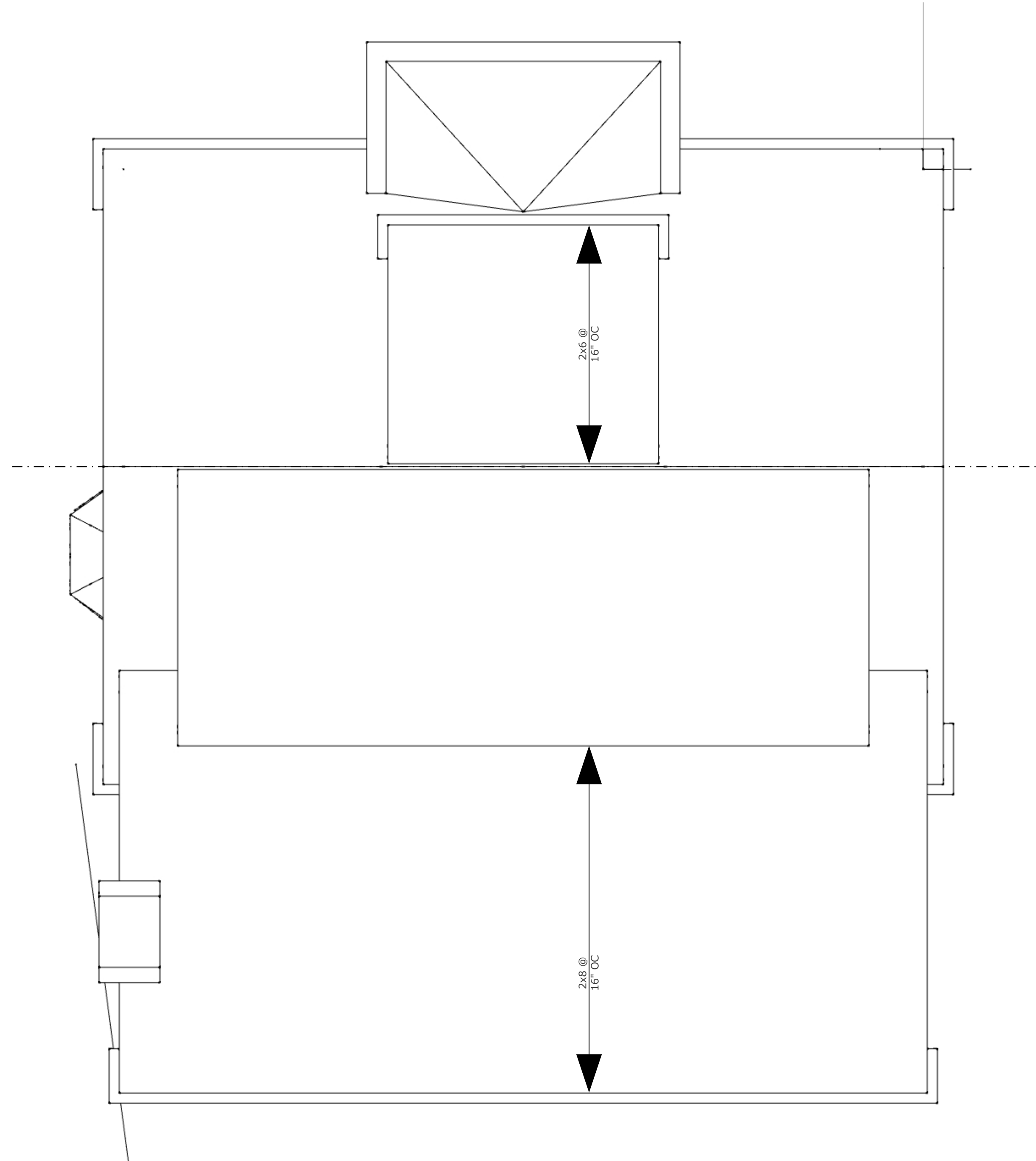
**2** EXISTING FIRST FLOOR PLAN / DEMOLITION PLAN  
 A101 scale: 1/4"=1'-0"

March 3, 2026



FULL SIZE PRINT 22x34 1/4"=1'-0"  
 HALF SIZE PRINT 11x17 1/8"=1'-0"

March 3, 2026



FULL SIZE PRINT 22x34 1/4"=1'-0"  
 HALF SIZE PRINT 11x17 1/8"=1'-0"

**LEGEND**

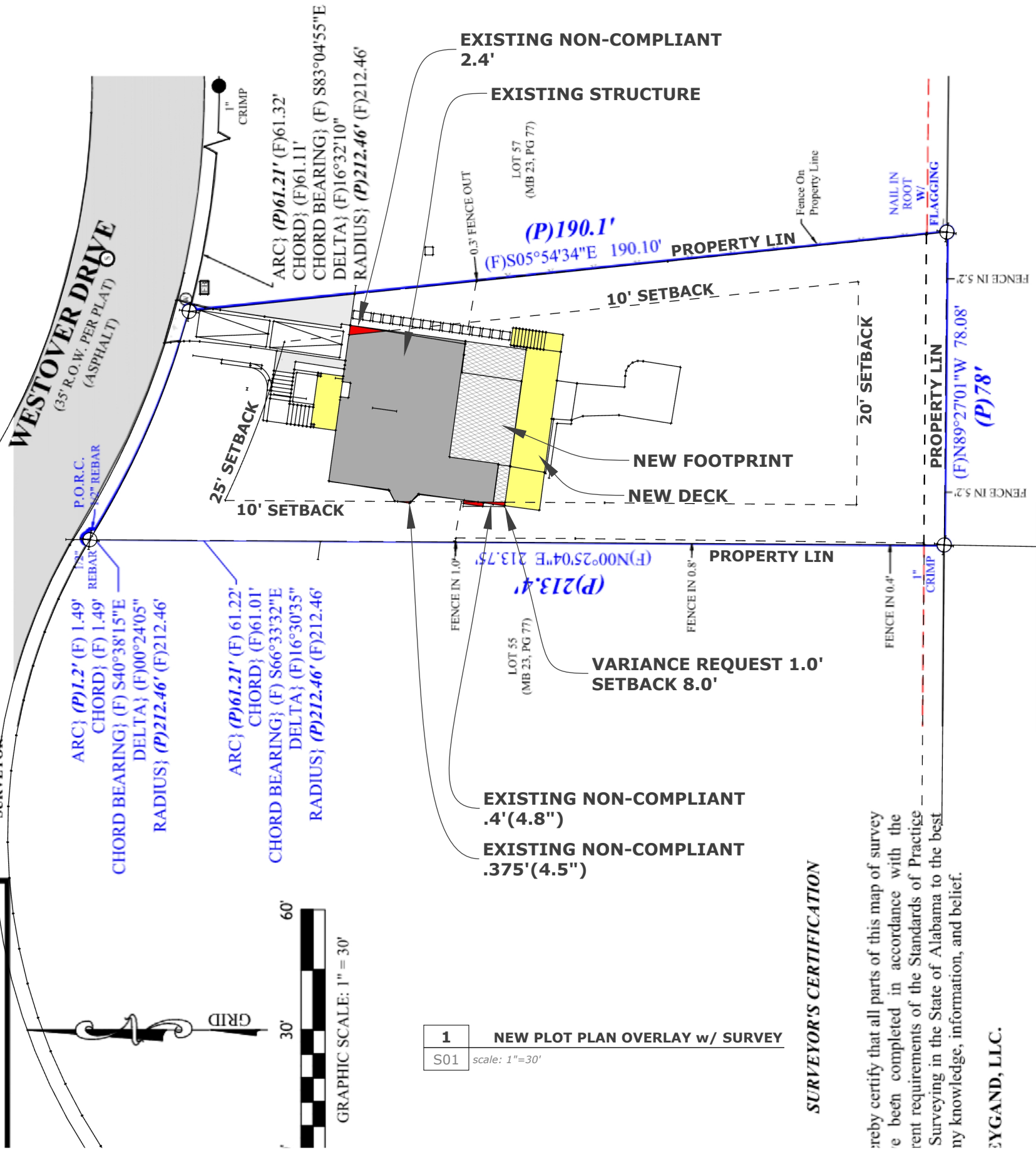
- .O.C. POINT OF COMMENCEMENT
- .O.B. POINT OF BEGINNING
- .O.T. POINT OF TERMINATION
- (C) CALCULATED
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(PER INSTRUMENT #200113/2596)

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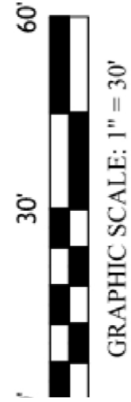
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6. The date of field work is the last time that either the field or office personnel were on the site and the last direct knowledge that this surveyor has of site conditions. Date of map and date of signature have no relationship to actual site conditions as depicted on this map. **THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED OR "RED" SEAL OF A LICENSED SURVEYOR**



ARC} (P)1.2' (F) 1.49'  
CHORD} (F) 1.49'  
CHORD BEARING} (F) S40°38'15"E  
DELTA} (F)00°24'05"  
RADIUS} (P)212.46' (F)212.46'

ARC} (P)61.21' (F) 61.22'  
CHORD} (F)61.01'  
CHORD BEARING} (F) S66°33'32"E  
DELTA} (F)16°30'35"  
RADIUS} (P)212.46' (F)212.46'

ARC} (P)61.21' (F)61.32'  
CHORD} (F)61.11'  
CHORD BEARING} (F) S83°04'55"E  
DELTA} (F)16°32'10"  
RADIUS} (P)212.46' (F)212.46'



1 NEW PLOT PLAN OVERLAY w/ SURVEY  
S01 scale: 1"=30'

**SURVEYOR'S CERTIFICATION**

I hereby certify that all parts of this map of survey have been completed in accordance with the current requirements of the Standards of Practice Surveying in the State of Alabama to the best of my knowledge, information, and belief.

JEFFERY N. LUCAS, PLS AL 16680



Jeffery N. Lucas  
Digitally signed by Jeffery N. Lucas  
DN: cn=US, o=Unaffiliated,  
dnQualifier=A01410C000001919F30644100  
09652E, cn=Jeffery N. Lucas  
Date: 2026.01.27 10:30:33 -06'00'

Jeffery N. Lucas, PLS AL 16680  
Oxmoor Road, Homewood, AL 35209  
1-942-0086

**REFERENCES**  
> INST #200113/2596  
> MB: 23 PG: 77

ARCH DECK

(F)S05-3434

PROPERTY LINE

EXISTING NON-COMPLIANT

10' SETBACK

CONC. PAVING

35.25'

37.58'

PLANTER

PLANTER

NEW STOOP/  
PORCH

62.23'

25' SETBACK

10' SETBACK

EXISTING NON-COMPLIANT

EXISTING NON-COMPLIANT

VARIANCE 8.0'REQUEST

DECK

PROPERTY LINE

1 ENLARGED AREA AT BUILDING AREA  
S01 scale: 1/8"=1'-0"

KYLEStudio 2026







CATHEDRAL CHURCH OF THE ADVENT  
LENTEN  
**PREACHING  
AND  
LUNCHES**  
ASH WEDNESDAY - MAUNDY THURSDAY  
LORD OF MISTERY OF LOVE









**CITY OF HOMEWOOD  
DEPARTMENT OF ENGINEERING & ZONING**

2850 19th Street South - 4<sup>th</sup> Floor  
Homewood, Alabama 35209  
Phone 205-332-6800

**Cale Smith, PE, City Manager**

**Wyatt Pugh, Director**

---

April 21, 2026

*Subject Property: 903 Westover Dr.*

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. Please see below for hearing details:

**Hearing Date & Time:** May 7, 2026, at 6:00 PM

**Hearing Location:** Homewood City Hall Council Chambers, 2850 19<sup>th</sup> Street South

**Applicants / Property Owners:** Craig & Paula Smalley/Warren Kyle

**Nature of Request:** Side Setback Variances

The applicant or their agent must attend the public hearing to present the request to the Board. Public comments in support or opposition to the petition shall also be heard by the Board at this time. Interested individuals can submit questions or comments to the Department of Engineering and Zoning by contacting Conrad Garrison at [conrad.garrison@homewoodal.org](mailto:conrad.garrison@homewoodal.org), or (205) 709-3191. Information regarding live stream viewing, electronic submittal of comments, and publication of case documents are provided on the reverse side of this notice.

Regards,

Conrad Garrison  
*Zoning Administrator*

cc: Applicant  
Property owner  
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 2<sup>nd</sup> 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](http://www.cityofhomewood.com). **Although Board of Zoning Adjustments meetings may be viewed through the live streaming service, individuals 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 at [fred.goodwin@homewoodal.org](mailto:fred.goodwin@homewoodal.org) or [emily.harrismiller@homewoodal.org](mailto:emily.harrismiller@homewoodal.org). Comments should be submitted no later than 24-hours prior to the meeting and will be provided to 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 at [www.cityofhomewood.com](http://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

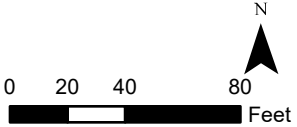
903 Westover Dr

BZA 26-0026

Aerial Photo Map



-  Subject Property
-  Roadway
-  Parcels



THE INFORMATION ON THIS DRAWING WAS COMPILED FROM SEVERAL SOURCES AND SHOULD ONLY BE USED FOR GEREAL INFORMATION AND ORIENTATION. 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



## Planning and Zoning General Application

(Page 1 of 2 – see page 2 for submittal requirements)

Property Address: 1403 ROSELAND DRIVE HOMEWOOD, AL  
 Parcel ID: 2900131022005000 Current Zoning: NPD  
 Acreage: .28 Proposed Land Use: RESIDENTIAL  
 Applicant: ROBERT MARTIN Property Interest of Applicant: CLIENT  
 E-mail: \_\_\_\_\_ Applicant Phone #: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_

	City	State	Zip
Property Owner: <u>JOSH AND TRISHA YOUNG</u>			
	City	State	Zip

**Request (check all applicable items):**

- |  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> Variance Request | <input type="checkbox"/> Rezoning              | <input type="checkbox"/> Development Plan |
| <input type="checkbox"/> Other BZA Request: _____    | <input type="checkbox"/> Zoning Text Amendment | <input type="checkbox"/> Final            |
|  | <input type="checkbox"/> Resurvey              | <input type="checkbox"/> Amended          |

**Signatures of Property Owner and Applicant:**

I, JOSH YOUNG (Print Property Owner) am the property owner of the subject property and have read and understood all statements including the filing requirements. I hereby affirm that this application may be denied, modified, or approved with modifications and/or contingencies and that such modifications and/or contingencies must be complied with prior to issuance of building permits.

I authorize ROBERT MARTIN (Print Applicant) to act as representative in all matters concerning this application.

Signature of Property Owner	Date	Signature of Applicant	Date
-----------------------------	------	------------------------	------

**For office use only:**

<input type="checkbox"/> Completed Application form with signatures	Current Zoning District: _____
<input type="checkbox"/> Project Narrative	Proposed Zoning District: _____
<input type="checkbox"/> 2 Hard Copies of Site Plan, Site Photographs, Survey, Mylar, etc.	Special Flood Hazard Area (Y/N): _____
<input type="checkbox"/> Digital Copies of Site Plans, Site Photographs, Survey, Mylar etc.	
<input type="checkbox"/> Application Fee	
<input type="checkbox"/> Other Required Documents: _____	
Date Received in Office: _____	Time Received: _____
Received By: _____	Case Number(s): _____



## Planning and Zoning General Application

(Page 2 of 2)

### **All General Applications shall include the following at the time of submittal:**

- One copy of the completed application form, with the original signature of the property owner or his/her authorized agent.
- Application fee
- Project narrative including the following as appropriate: proposed use, detailed project description, reason for request, conditions that the applicant will be willing to proffer
- Current Property Boundary Survey
- Hard copy and pdf copy of all site plans and building elevations. *(Plans and associated documents that are too large to email can be provided on a flash drive.)*
- Restrictive Covenants *(if applicable)*
- Photographs of the site and all existing buildings and structures.
- Proof of Ownership (if property has been purchased within the last 12 months)
- Any variances previously granted by the Board of Zoning Adjustments

***The following additional items will be required based on the nature of the application request and must also be submitted at the time of initial application submittal:***

#### **Variance Application Requirements**

- Completed Variance Request Chart
- Hardship Statement signed by Property Owner and Applicant
- Hardship Criteria Evaluation Form (initialed and signed)

#### **Final and Amended Development Plan Requirements**

- 2 full sized copies, 2 11X17 copies, and a digital copy of the proposed development plan
- Complete legal description
- Other additional information as listed in Article VII. Required Development Plan

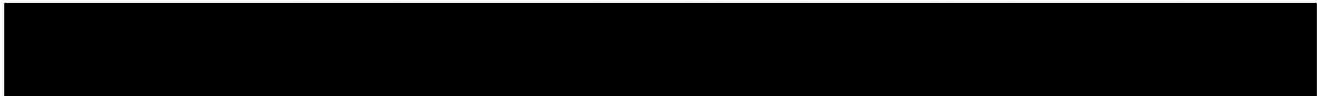
#### **Resurvey Application Requirements**

- 2 full sized copies of the resurvey drawing
- 1 full size mylar copy of the resurvey drawing
- Digital copy of the resurvey drawing
- Complete legal description

#### **Rezoning Application Requirements**

- Complete legal description
- Current Zoning District \_\_\_\_\_
- Proposed Zoning District \_\_\_\_\_
- Conditions that the applicant will be willing to proffer. (If applicable, please include in the detailed project narrative)

*By signing below, I acknowledge that all required documents are included in the application package. Additionally, I understand that all applications must be complete by the final application deadline in order to be processed by staff and considered by the Board of Zoning Adjustments or Planning Commission.*





### Hardship Criteria Evaluation Form

Prior to granting a variance, the Board of Zoning Adjustment must *examine* and *validate* that the following criteria apply to the request. Please examine the following criteria and initial to indicate their applicability to the variance request. (The following criteria can be found in Article XI, Administration and Review Procedures, Section B, Variances, (3) Conditions)

- a) There are extraordinary and exceptional conditions, which are peculiar to the piece of property in question because of its size, shape or topography, that are not applicable to other lands or structures in the same district.

Applicable: RCM *[Signature]*

- b) Granting the variance requested will not confer upon the applicant any special privileges that are denied to other owners of property in the district in which the property is located.

Applicable: RCM *[Signature]*

- c) All literal interpretations of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other owners of property in the district in which the property is located.

Applicable: \_\_\_\_\_

- d) The requested variance will be in harmony with the purpose and intent of this Ordinance and will not be injurious to the neighborhood or to the general welfare.

Applicable: RCM *[Signature]*

- e) The special circumstances are not the intended result of the actions of the applicant (i.e., self-imposed hardship)

Applicable: RCM *[Signature]*

- f) The variance requested is the minimum variance that will make possible the legal use of the land, building or structure.

Applicable: RCM *[Signature]*

- g) That no non-conforming use of neighboring lands, structures, or buildings in the same district, and no permitted or non-conforming use of lands, structures, or building in other districts shall be considered grounds for the issuance of a variance.

Applicable: RCM *[Signature]*

- h) That the variance will not allow the permanent establishment of a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.

Applicable: RCM *[Signature]*

By signing below, I acknowledge that I have reviewed and evaluated the criteria, and the application and documents submitted for the requested variance will provide evidence of their applicability to the proposed request.





**Variance Request Charts**

Please complete only the charts relevant to the proposed variance request project. The information in these charts should reflect the information on the proposed site plans.

PRIMARY STRUCTURE SETBACKS				
	Existing Setback Dimensions	Setback Dimensions Required by Zoning Regulations	Proposed Setback Dimensions	Total Variance Requested
Front Setback	25'	25'	N/A	N/A
Secondary Front Setback	3'-4" at LOWER KITCHEN CORNER	10'	3'-4" KITCHEN <del>8'-10" PORCH</del>	3'-4" KITCHEN * <del>8'-10" PORCH</del>
Right Setback	N/A	N/A	N/A	N/A
Left Setback	10'	10'	N/A	N/A
Rear Setback	N/A	N/A	N/A	N/A

ACCESSORY STRUCTURE SETBACKS				
Please provide the following information regarding the proposed accessory structure:				
Proposed Height: _____ Proposed Size (in sq ft): _____				
	Existing Setback Dimensions	Setback Dimensions Required by Zoning Regulations	Proposed Setback Dimensions	Total Variance Requested
Right Setback				
Left Setback				
Rear Setback				
Other:				

FENCES AND WALLS (NOT RETAINING)		
Proposed Height:	Proposed Setback:	Location of Fence:
Description of Fence (dimensions, materials, etc.): _____		
_____		

PARKING		STRUCTURE HEIGHT	
Required Parking Ratio		Existing Height	
Total Spaces Required		Maximum Height Permitted	
Total Spaces Provided		Proposed Height	
Total Variance Requested		Total Variance Requested	

\* THIS SHEET HAS BEEN AMENDED PER 03/30/26  
 MEETING w/ CONRAD GARRISON and EMILY HARRIS-MILLER.  
 VARIANCE IS BEING SOUGHT FOR PROPOSED NEW 2ND FLP. ONLY.

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**1403 Roseland Avenue: Young Residence**

3 messages

**Robert Martin** <rcmart3220@gmail.com>

Tue, Mar 31, 2026 at 11:59 AM

To: Conrad Garrison &lt;conrad.garrison@homewoodal.org&gt;, Emily Harris-Miller &lt;emily.harrismiller@homewoodal.org&gt;

Hi Conrad and Emily,

Thanks again for meeting with me yesterday. To make sure I have a correct understanding of everything we discussed, here's a list of the items covered; please let me know if I've stated anything incorrectly:

1. The 100 year floodplain info needs to be added to the Youngs' most recent survey. Once done and the property is determined to be not within the floodplain, the need for a variance is no longer necessary, and I can instruct the homeowners to proceed with getting the drawings permitted. **- PRESENTLY BEING ADDED TO SURVEY -**

2. Even though a corner of the Youngs' existing kitchen and back playroom are located within the 10' secondary front setback, these areas can be included within the overall renovation of the main floor, with no variance required, because the work will occur inside the house, and the existing footprint will remain the same, as well as the existing roof above the back playroom (to be converted into a screened porch).

3. A new 2nd floor can be added above the existing main floor, including the area above the existing kitchen, with no variance needed IF the new upstairs bath is reconfigured to NOT extend over the lower, right hand corner where the front secondary setback intersects the house; have I stated this correctly? **- HOMEOWNERS HAVE CHOSEN TO CONTINUE SEEKING VARIANCE FOR PROPOSED NEW 2ND FLR AS DRAWN -**

4. Because the existing back deck is uncovered and there's no concrete slab underneath, it's therefore considered 'pervious,' and can be reconfigured as long as it does not exceed the property line.

Again, I want to adequately relate everything we discussed to the homeowners when I meet with them again. Once I know their decision, I'll certainly let both of you know.

Thanks much,  
Rob Martin  
205-914-6809  
rcmart3220@gmail.com

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**Conrad Garrison** <conrad.garrison@homewoodal.org>

Tue, Mar 31, 2026 at 2:07 PM

To: Robert Martin &lt;rcmart3220@gmail.com&gt;, Emily Harris-Miller &lt;emily.harrismiller@homewoodal.org&gt;

Robert,

All correct. Let us know if you need anything else.

**Conrad Garrison***Zoning Administrator*

City of Homewood

O (205) 709-3191

C (205) 864-9837

[conrad.garrison@homewoodal.org](mailto:conrad.garrison@homewoodal.org)[www.cityofhomewood.com](http://www.cityofhomewood.com)

---

**From:** Robert Martin <rcmart3220@gmail.com>**Sent:** Tuesday, March 31, 2026 11:59 AM**To:** Conrad Garrison <conrad.garrison@homewoodal.org>; Emily Harris-Miller <emily.harrismiller@homewoodal.org>**Subject:** 1403 Roseland Avenue: Young Residence

[Quoted text hidden]



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**1403 Roseland Drive survey**

7 messages


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**Robert Martin** <rcmart3220@gmail.com>  
To: cale.smith@homewoodal.org

Wed, Oct 29, 2025 at 11:27 AM

Mr. Smith,  
Thanks much for taking my call today. Attached you'll find the survey for my property. I appreciate you marking the setback lines on it.  
Josh Young

---

 **1403\_Roseland\_Dr\_survey-Model.pdf**  
165K

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**Emily Harris-Miller** <emily.harrismiller@homewoodal.org>  
To: Cale Smith <cale.smith@homewoodal.org>, Robert Martin <rcmart3220@gmail.com>

Wed, Oct 29, 2025 at 1:13 PM

Robert,

Please see the attached scan. I marked each property line with a different color and labeled them for you. I checked our server and vault files to see if there were any approved variances on file for this address and didn't find evidence of any approved or denied request. See below for an explanation of the property lines:

Because the lot fronts two streets/rights-of-way, the zoning ordinance considers one as the "predominant front" and one as the "secondary front."

- The "*predominant front*" is the property line (fronting street ROW) with the shortest dimension. In this case, the property line fronting Roseland Drive is the "predominant front." From a zoning perspective, this is the property line that should meet front setback requirements. Neighborhood Preservation District (NPD) front setbacks are determined by measuring the front setbacks of adjacent properties within 100-feet. The setback of the adjacent house closest to the property line is the minimum required setback. If it is less than 25-ft, the front setback is 25-feet.
- The "*secondary front*" is the property line (fronting street ROW) with the longest dimension. In this case, the property line fronting Kennilworth is the secondary front. The secondary front setback follows typical side setback requirements for a zoning district, with a 9-ft minimum. The setback along Kennilworth should be 10-ft.
- The last property line (highlighted in blue), which is perpendicular to the predominant front, is a *side property line*. The setback for this line is 10-ft.
- Lastly, *there is no rear property line*. A rear property line is a property line that is neither a side nor a front.

If you have any questions, please feel free to reach out!

Best,

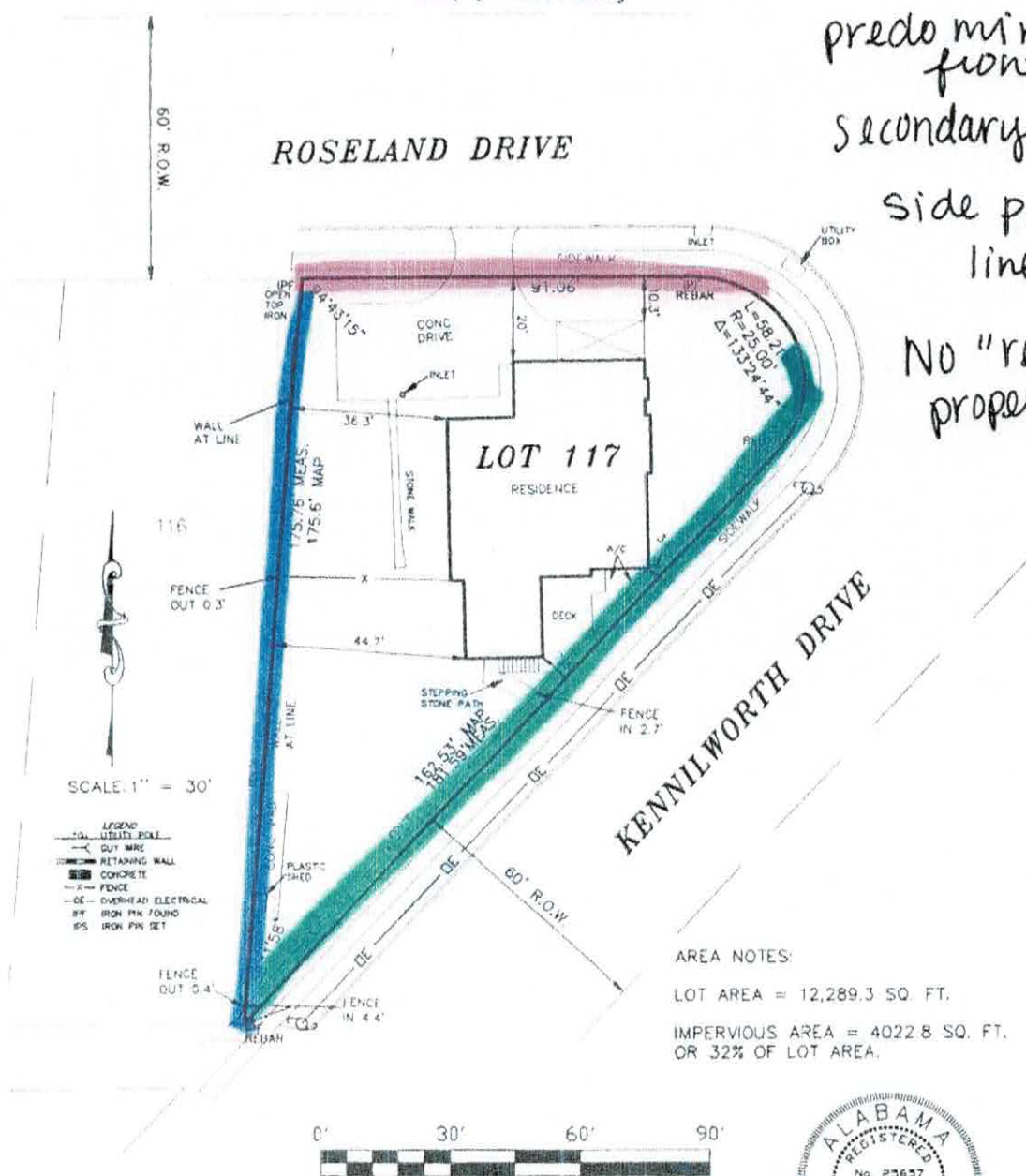
Emily Harris-Miller  
*Senior Planning Technician*  
Dept. of Engineering and Zoning  
City of Homewood  
(205) 332-6829

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**From:** Cale Smith <cale.smith@homewoodal.org>  
**Sent:** Wednesday, October 29, 2025 11:34 AM

REYNOLDS SURVEYING CO., INC.  
Surveying - Land Planning

*Handwritten signature*



predominant front  
secondary front  
side property line  
No "rear" property line

SCALE 1" = 30'

AREA NOTES:  
LOT AREA = 12,289.3 SQ. FT.  
IMPERVIOUS AREA = 4022.8 SQ. FT.  
OR 32% OF LOT AREA.



STATE OF ALABAMA  
JEFFERSON COUNTY

"PROPERTY SURVEY"

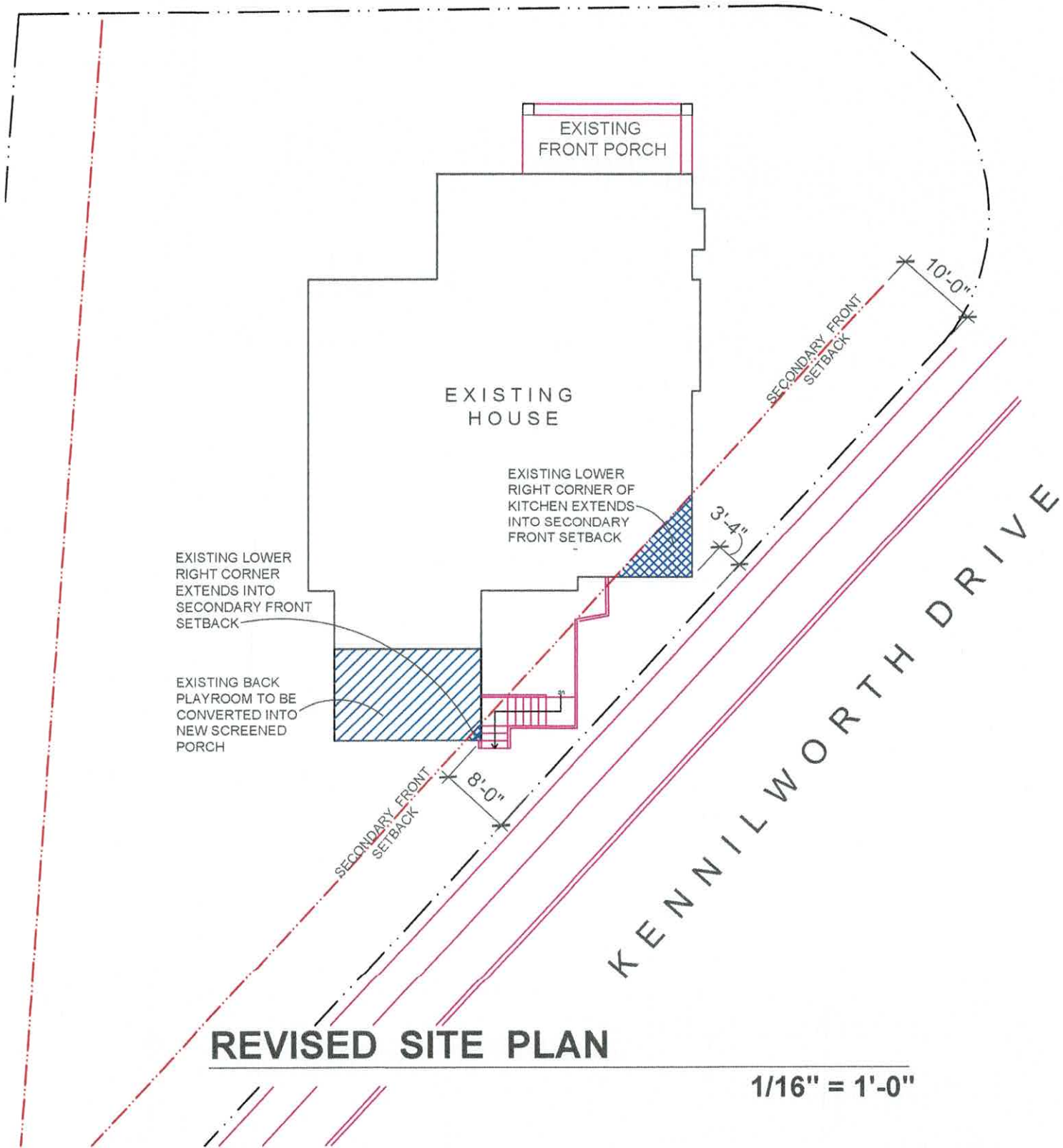
I, Robert Reynolds, a Registered Surveyor, do here by state that this is a true and correct plat or map of Lot 117, Block \_\_\_\_\_, of EDGEWOOD PARK, as recorded in Map Book 7, Page 112 in the Office of the Judge Of Probate in Jefferson County, Alabama. All parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice of Surveying in the State of Alabama to the best of my knowledge, information and belief. The improvements on said premises are as shown. There are no visible encroachments on over or across said lands except as shown. According to my survey this the 2nd day of October, 2025.

NOTE: This survey is not transferable to any additional institutions or subsequent owners.

Owner: Young  
Address: 1403 Roseland Drive

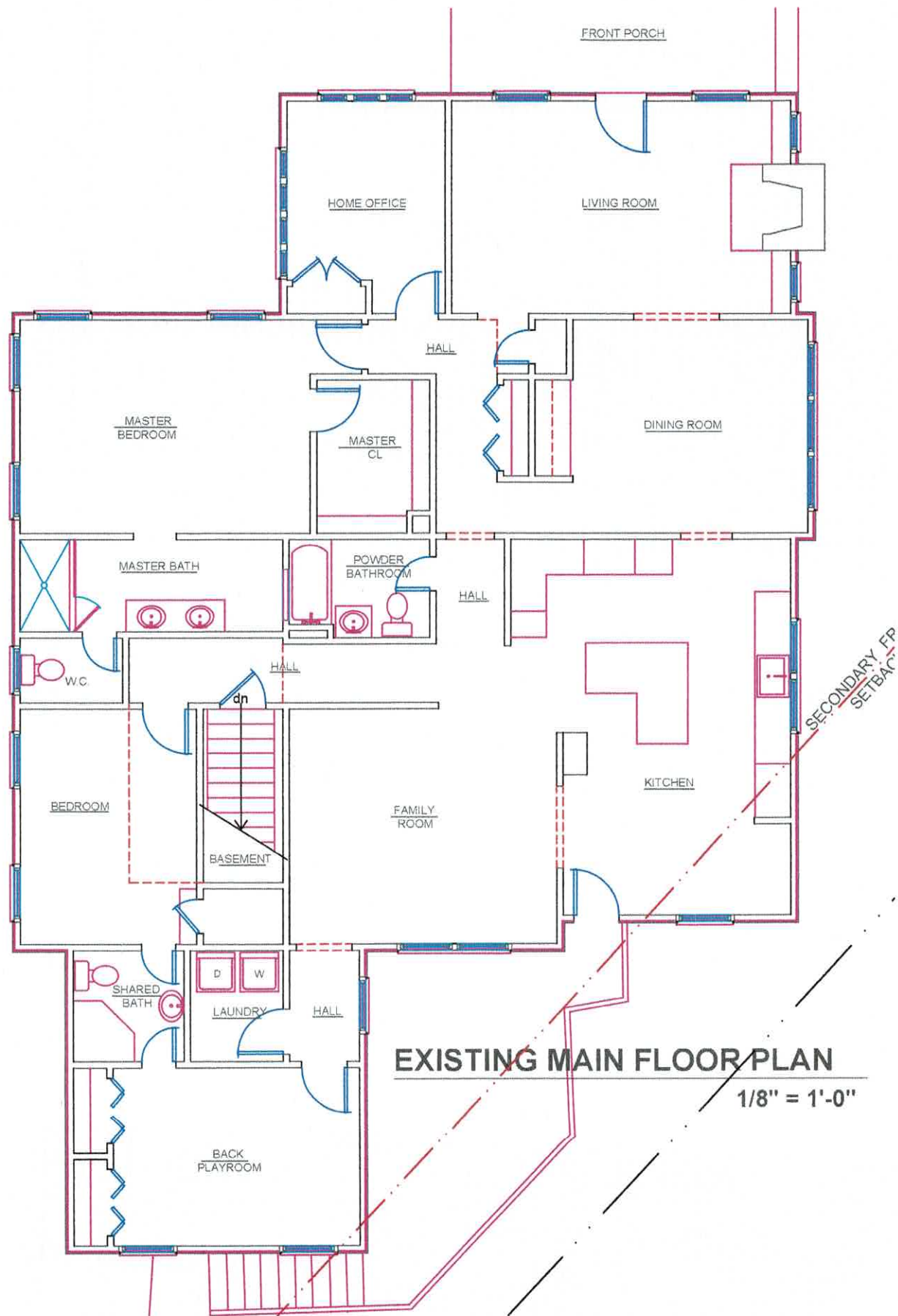
*Robert Reynolds*  
Reg. No. 25657

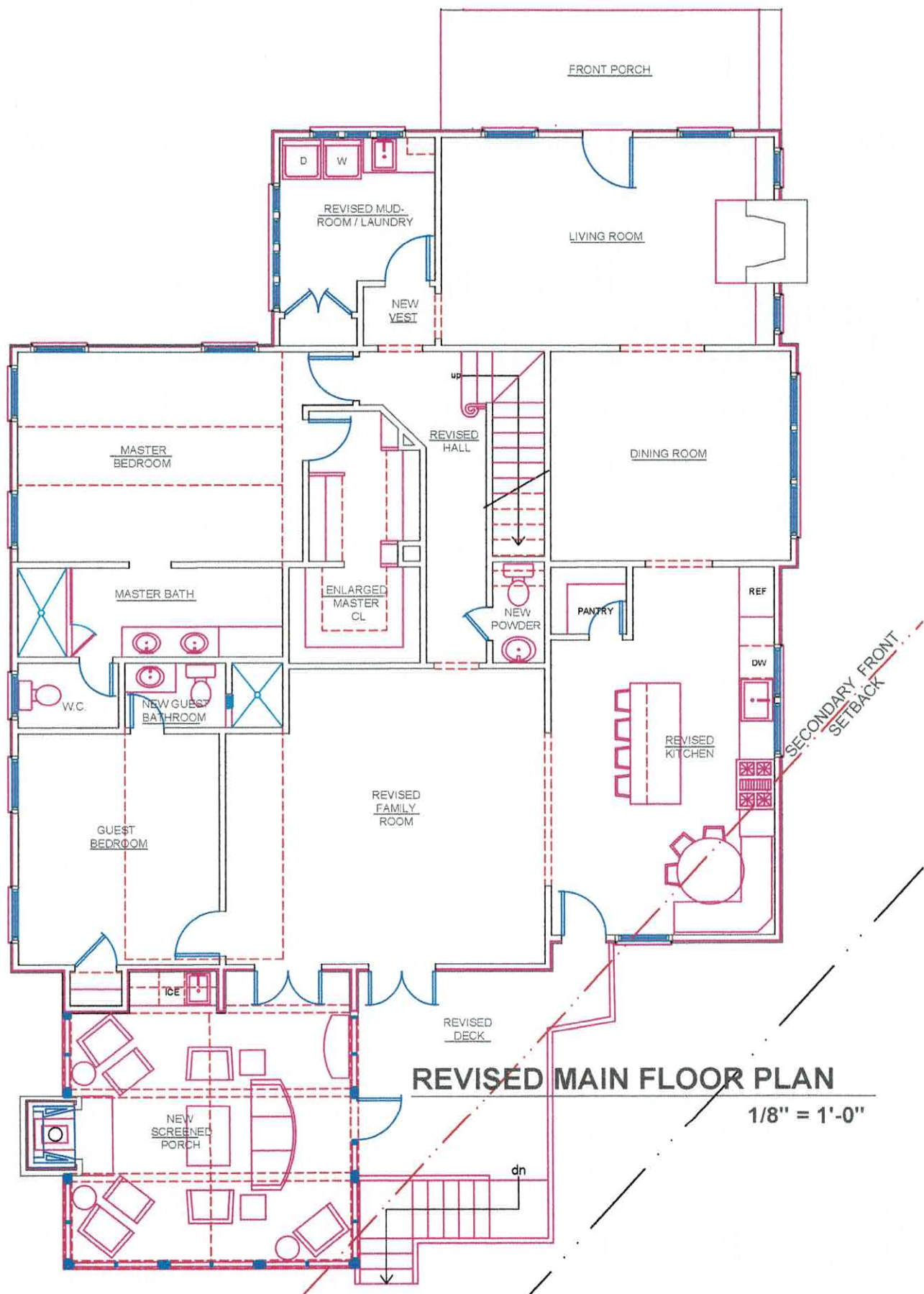
# ROSELAND DRIVE

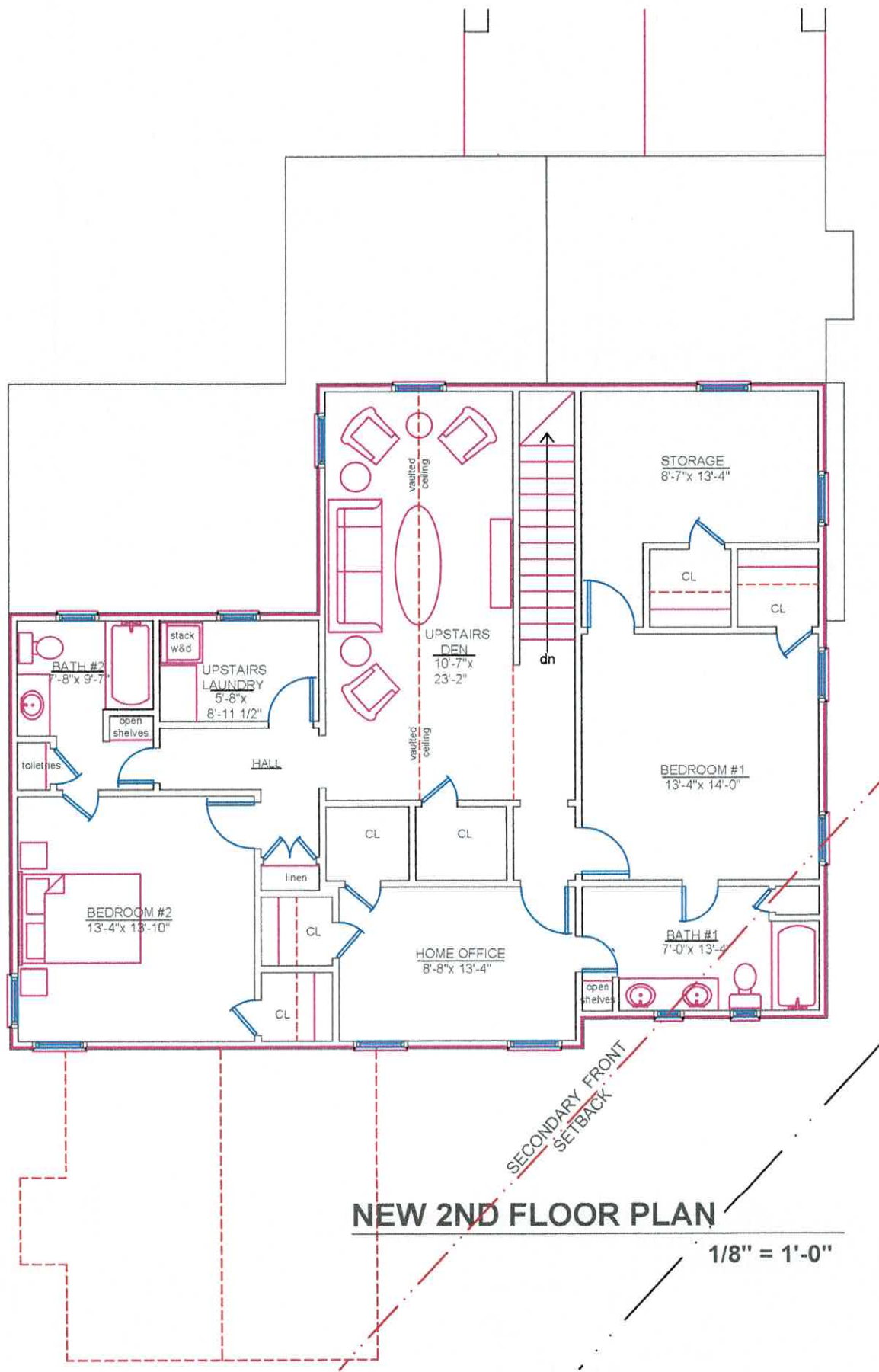


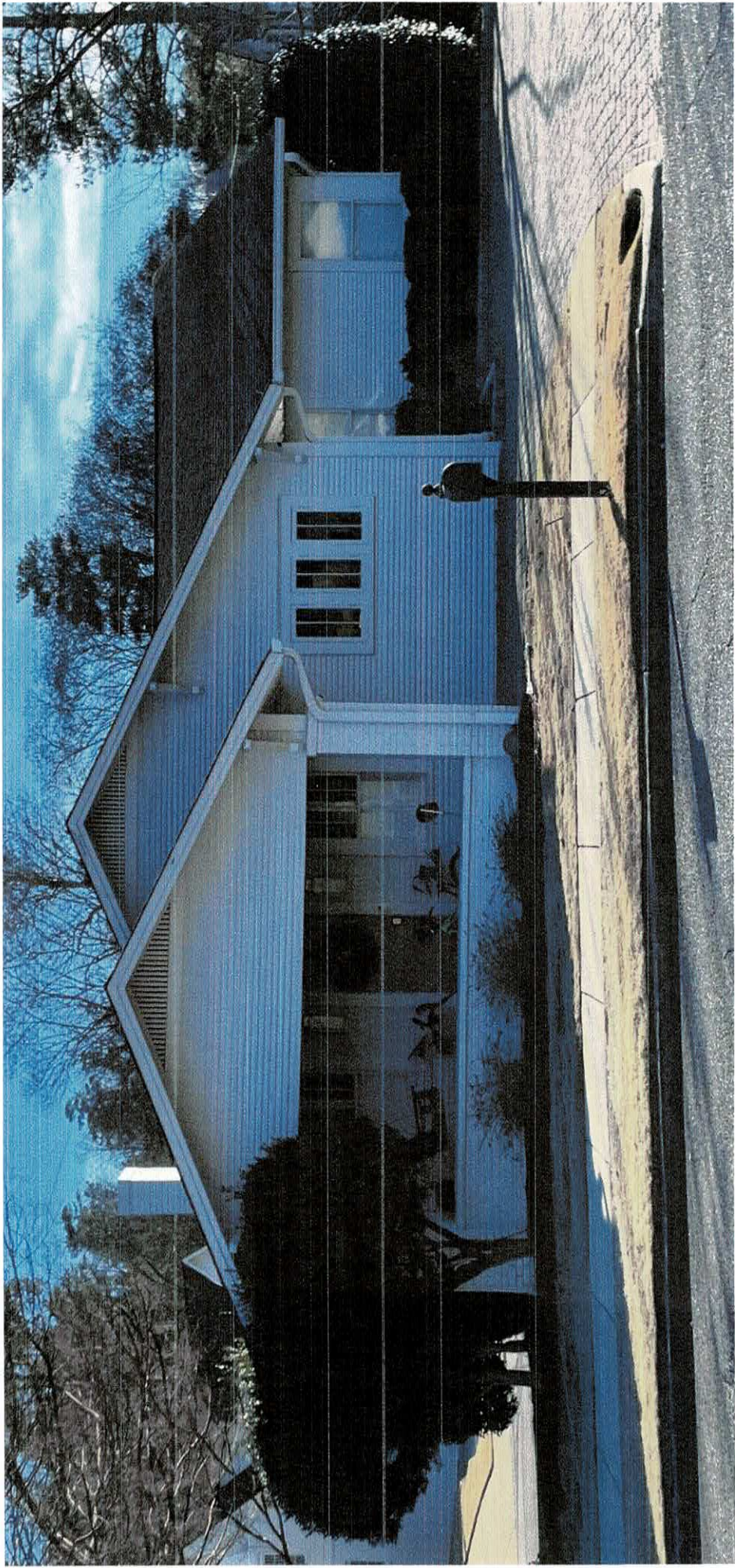
## REVISED SITE PLAN

1/16" = 1'-0"

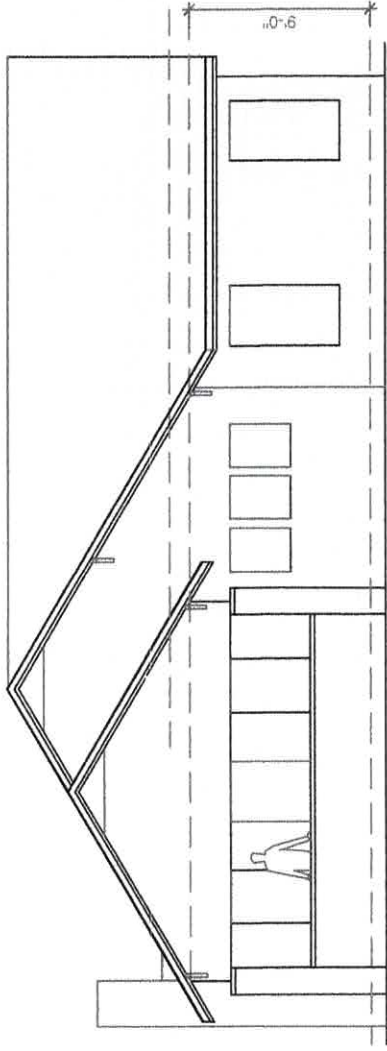






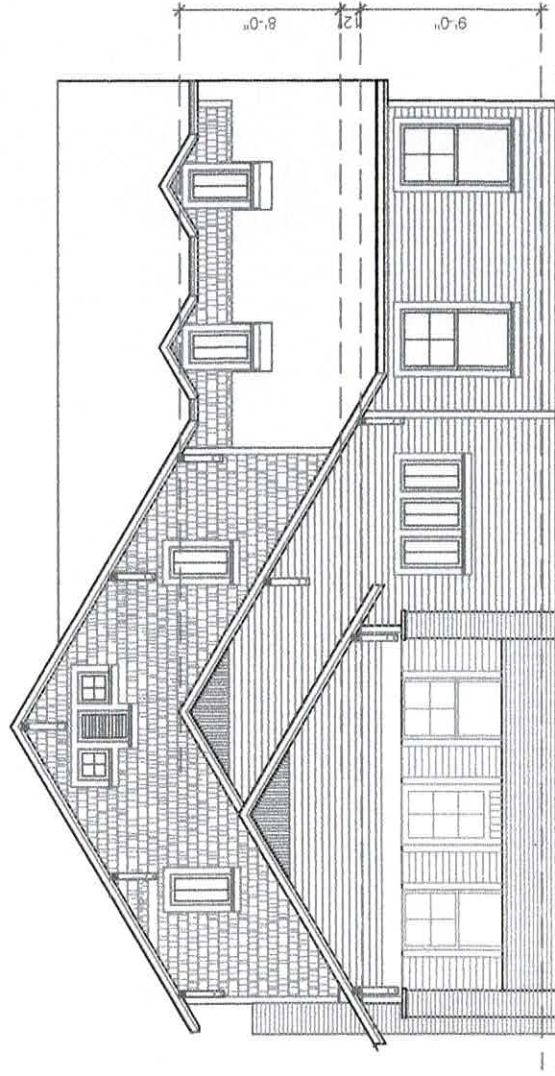


FRONT



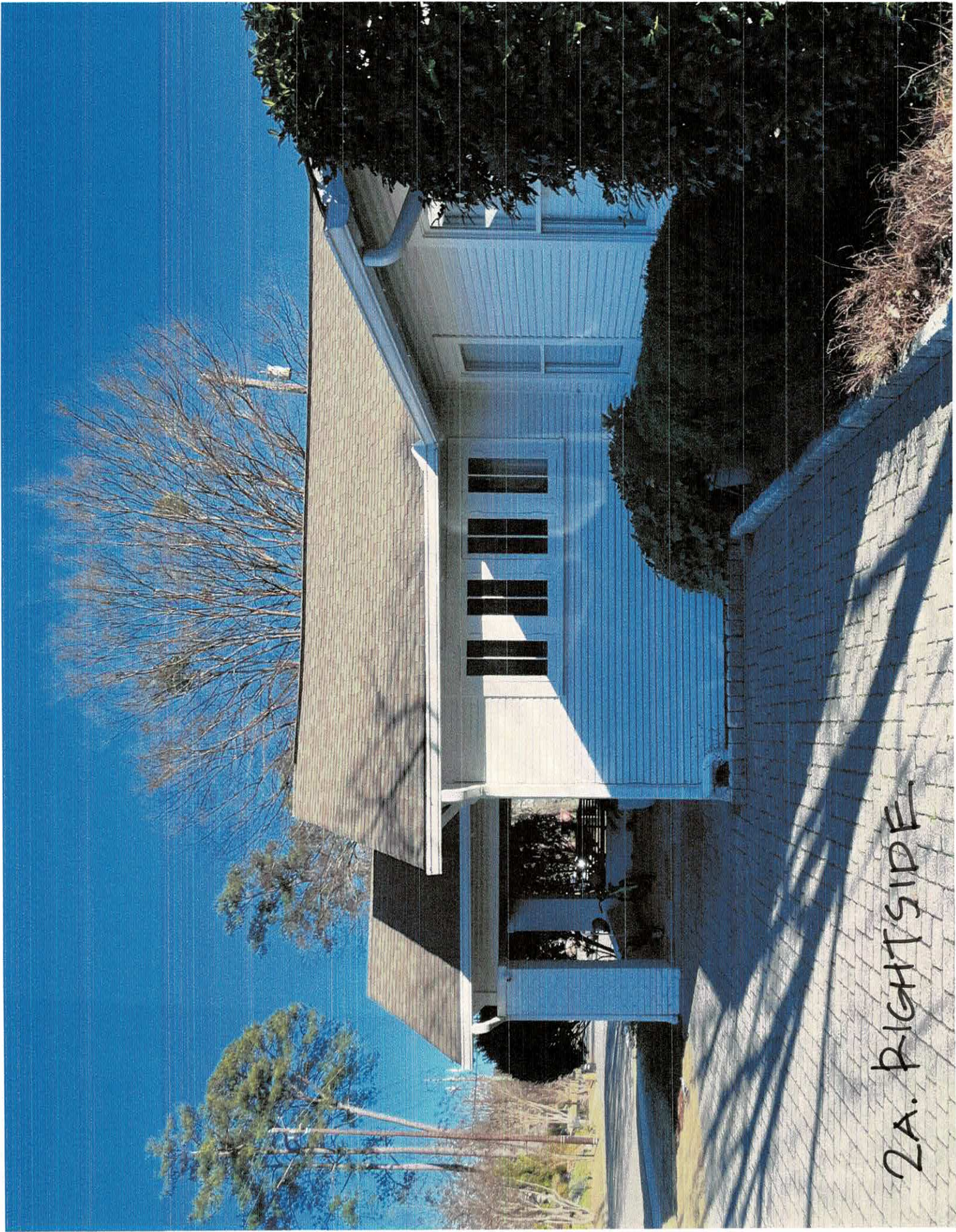
**EXISTING FRONT ELEVATION**

1/8" = 1'-0"

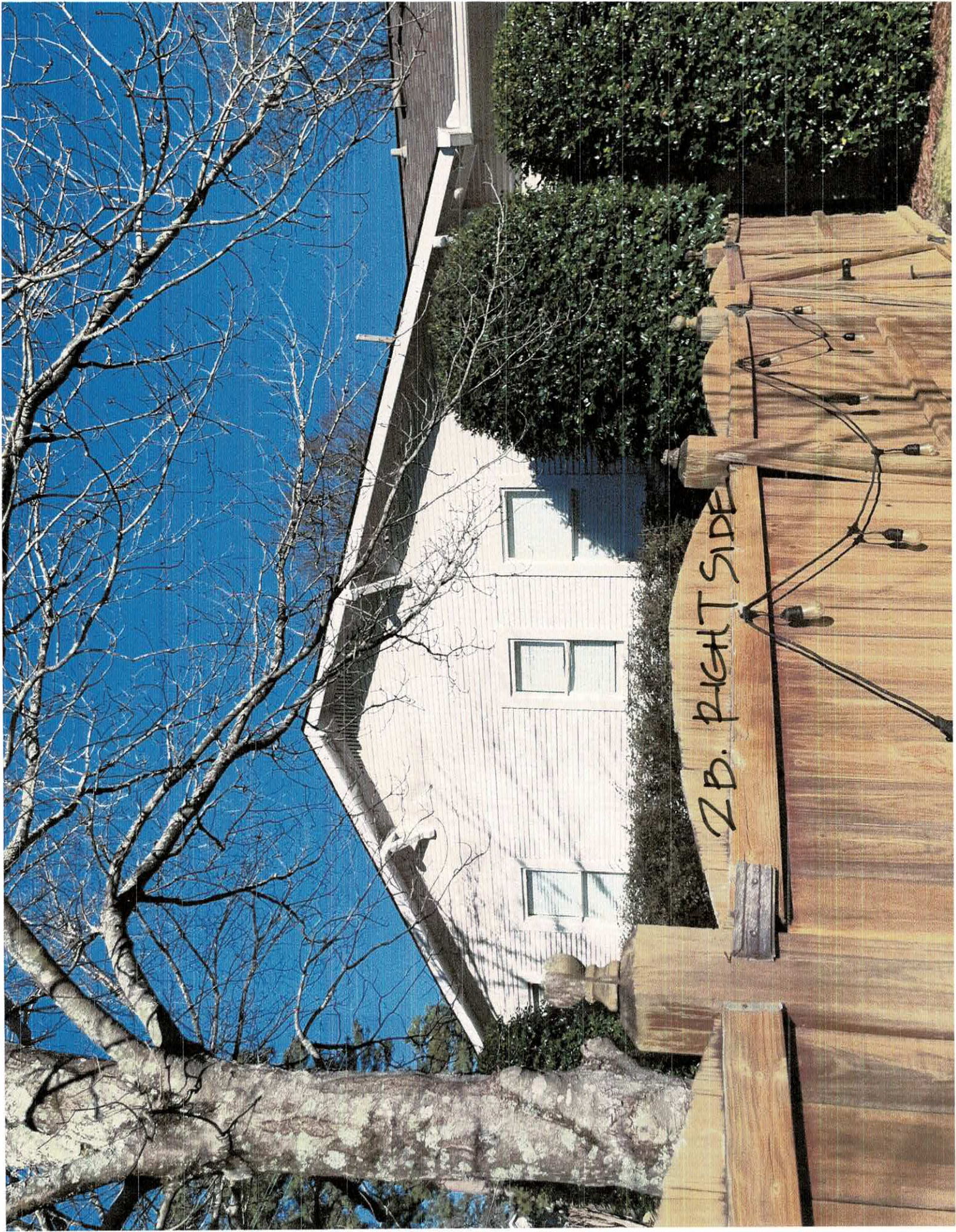


**REVISED FRONT ELEVATION**

1/8" = 1'-0"

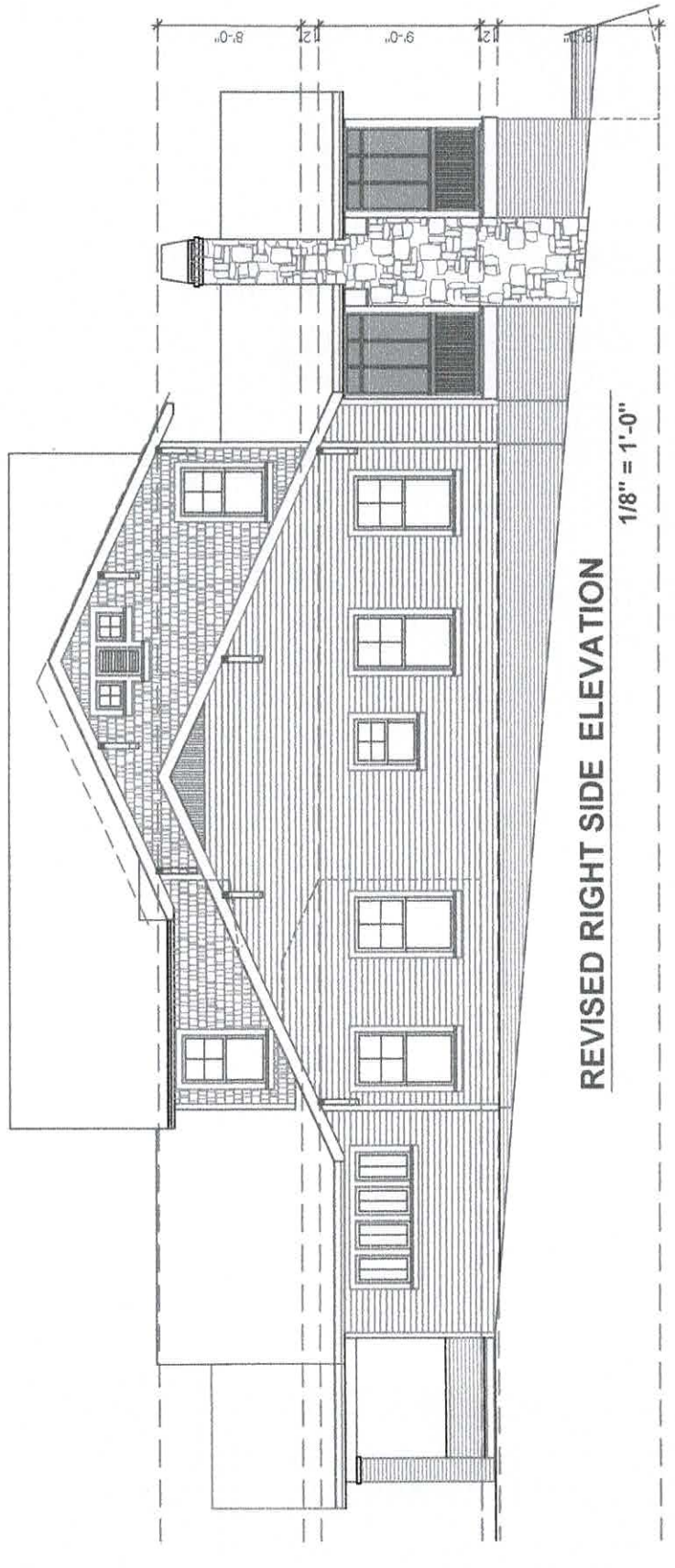
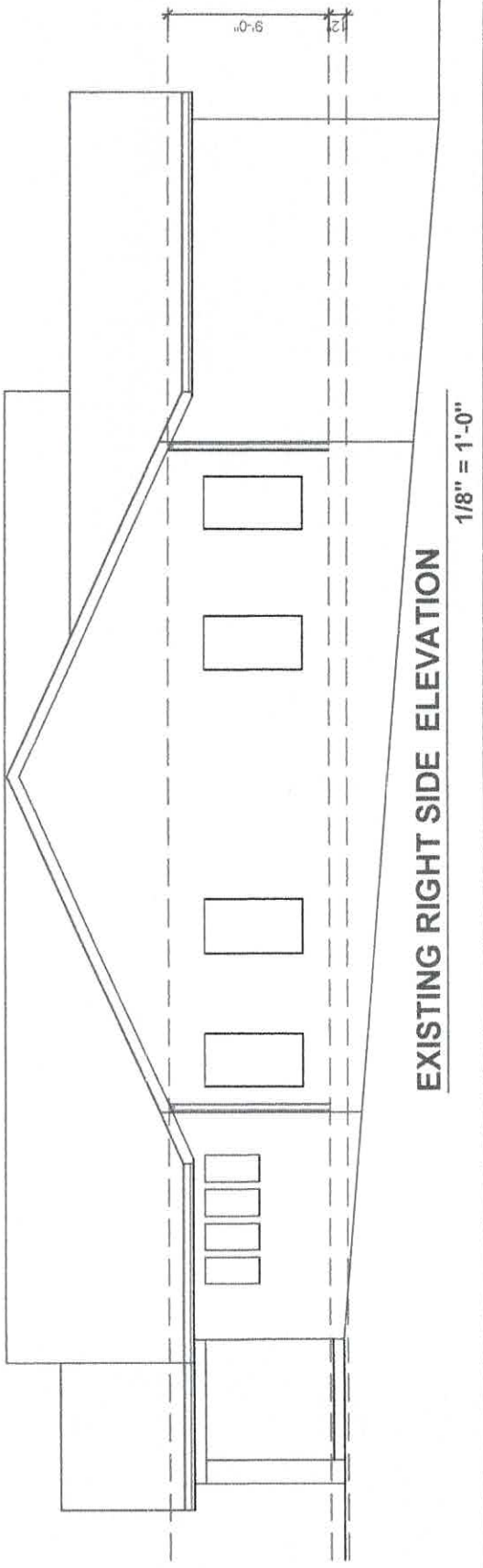


2A. RIGHTSIDE





26. RIGHT SIDE

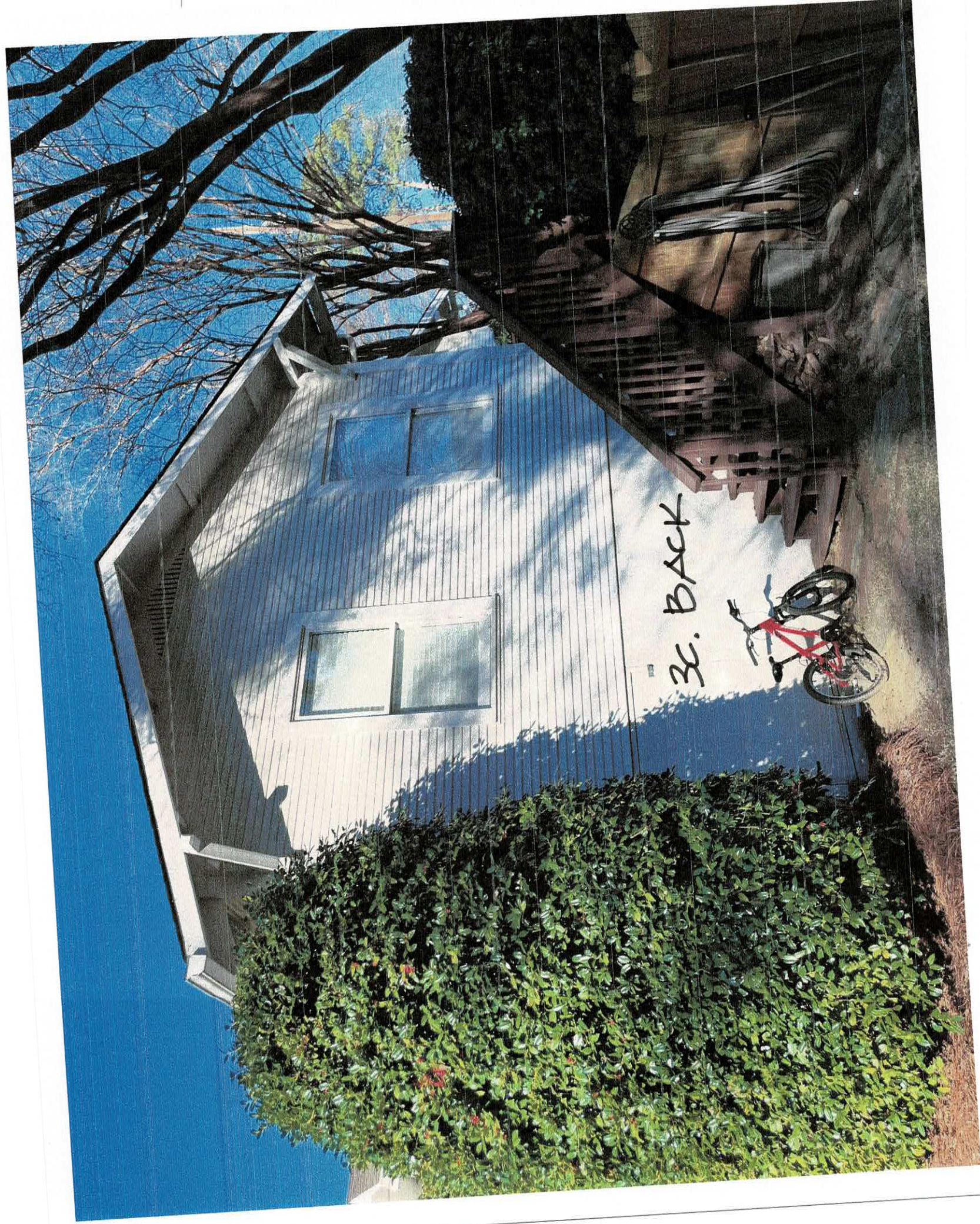




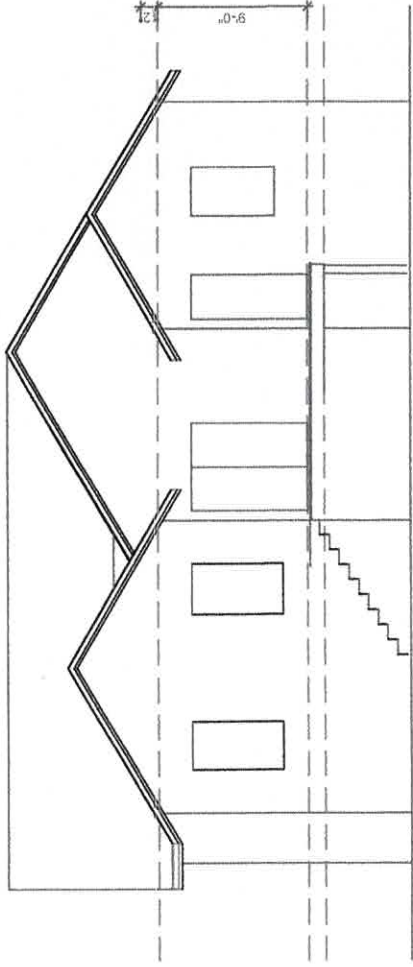
3A. BACK



3B. BACK

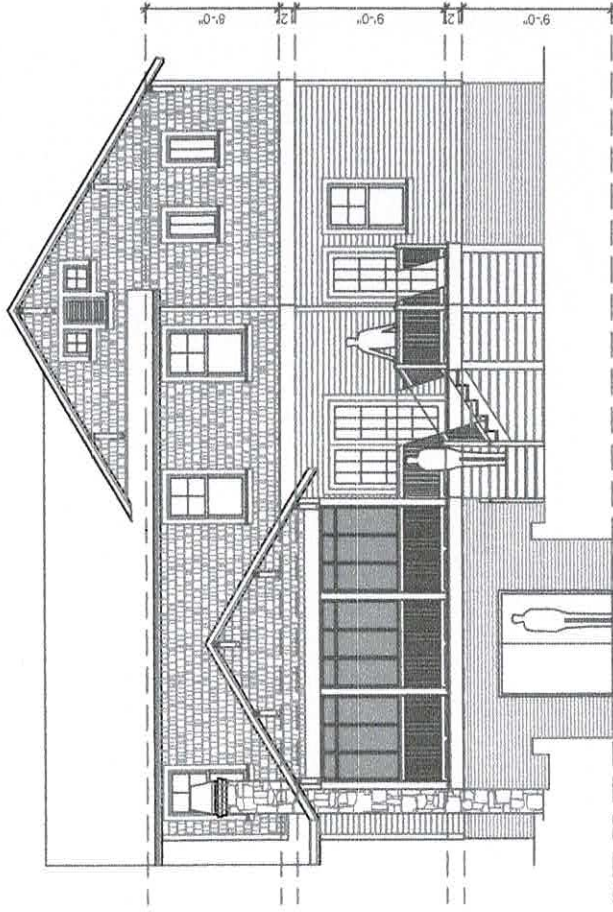


36. BACK



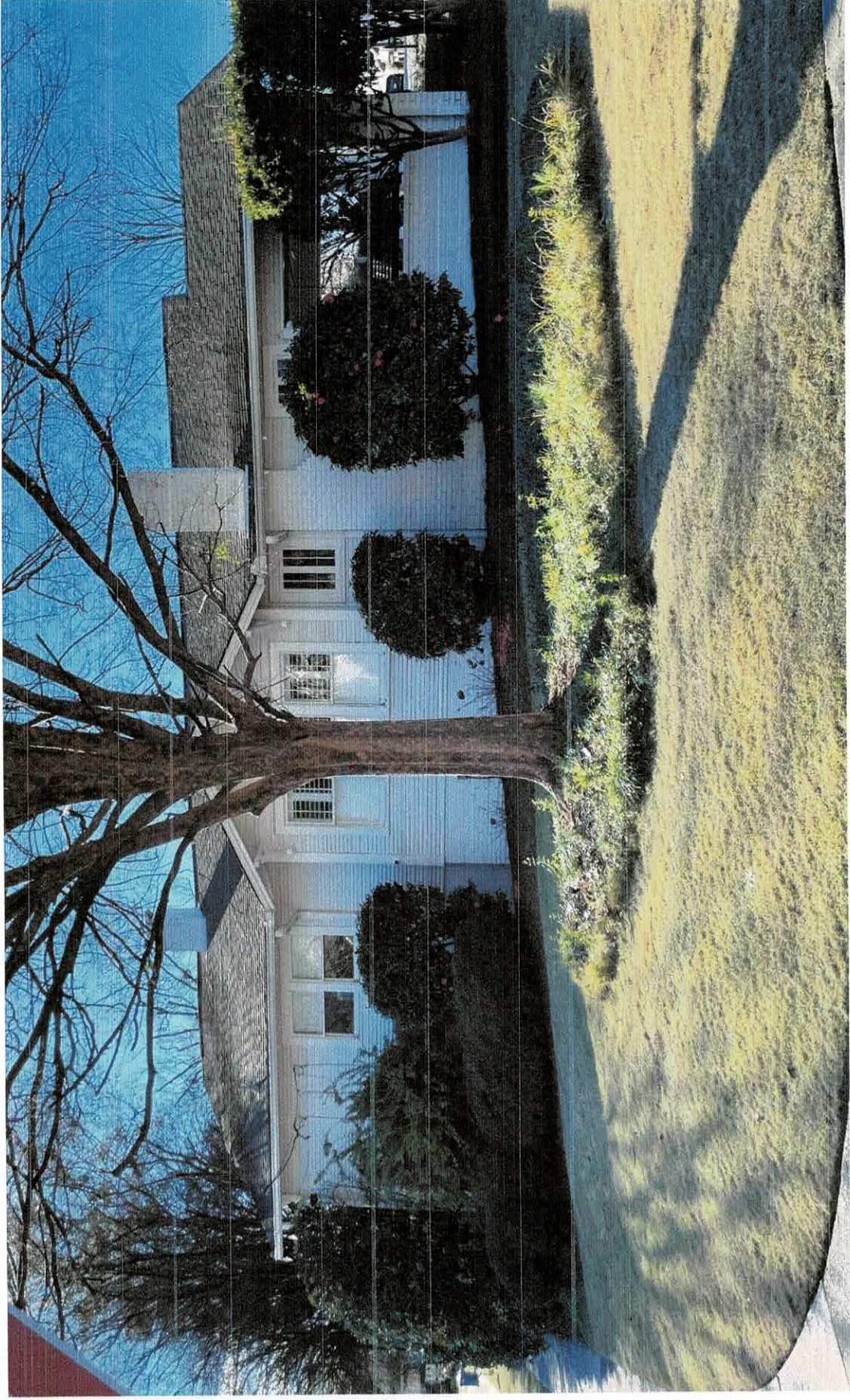
**EXISTING BACK ELEVATION**

1/8" = 1'-0"

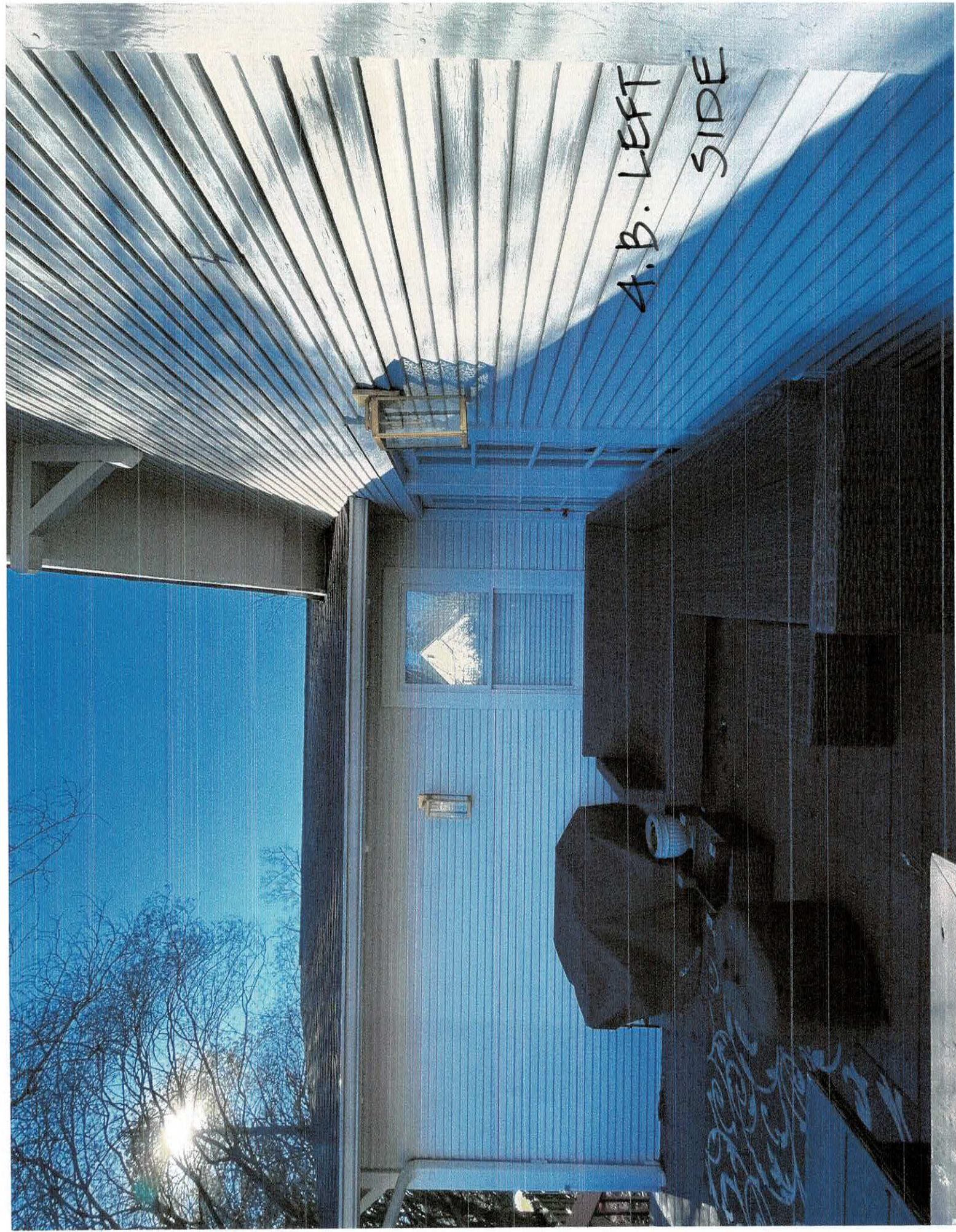


**REVISED BACK ELEVATION**

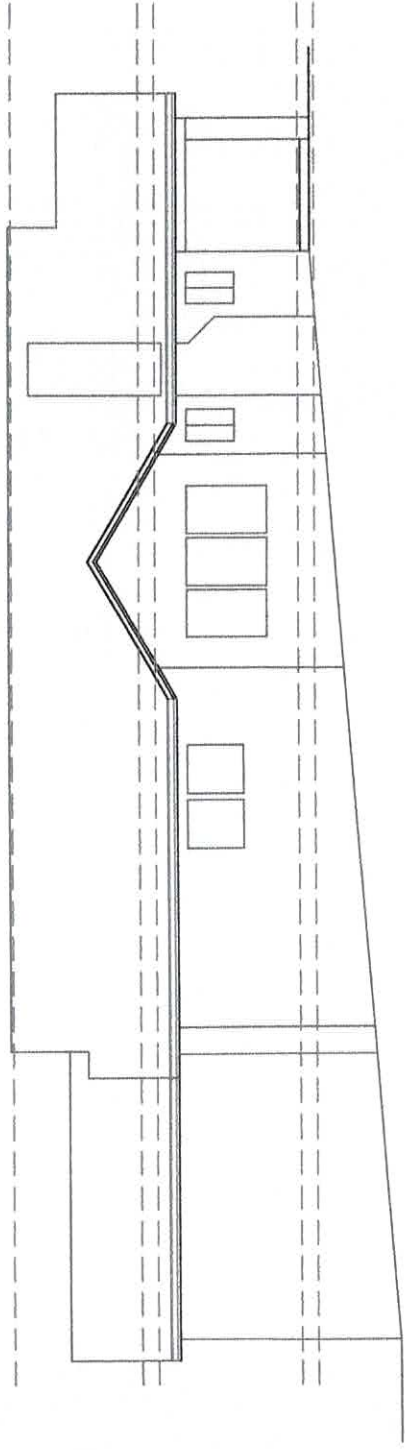
1/8" = 1'-0"



4.A. LEFT SIDE

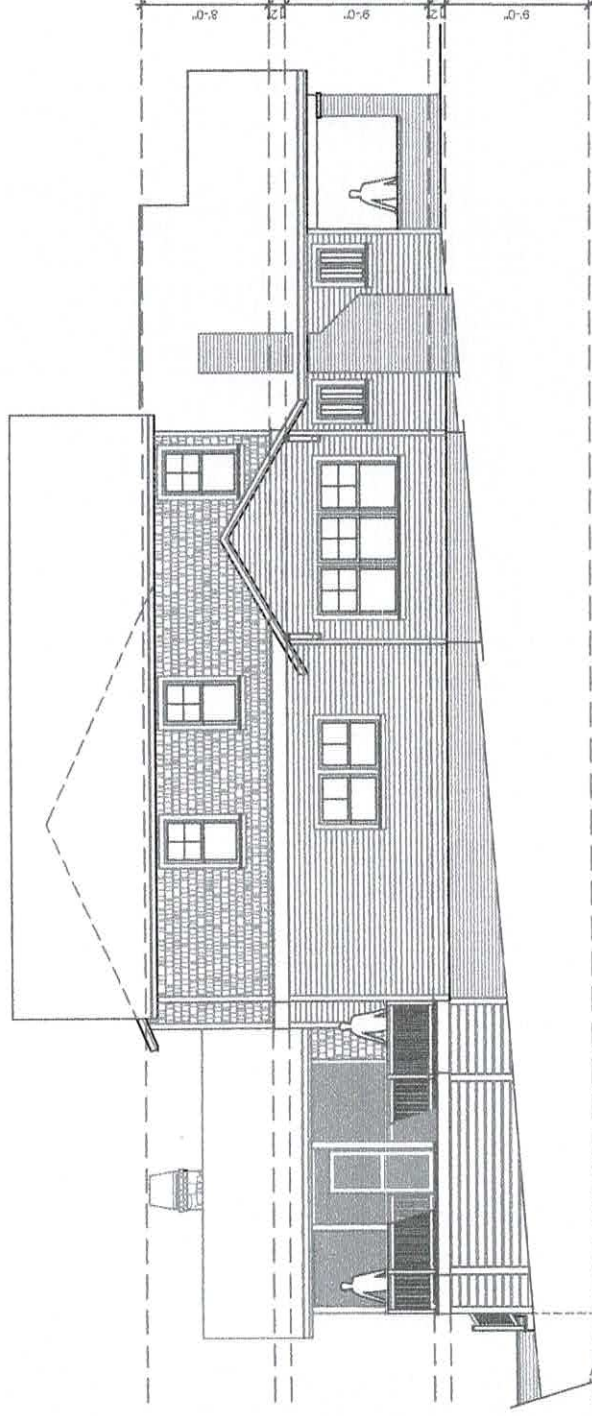


A. B. LEFT  
SIDE



EXISTING LEFT SIDE ELEVATION

1/8" = 1'-0"



REVISED LEFT SIDE ELEVATION

1/8" = 1'-0"

**Project Narrative and Hardship Statement**  
**1403 Roseland Drive – Josh and Trisha Young Res**  
**03/23/2026**

Because the lower right corner of the Youngs' existing kitchen already extends 6'-8" into the required 10-foot secondary front setback along Kennilworth Drive, they are seeking a variance to add a new second floor that will include this corner shared by the kitchen below. No new square feet will be added to the existing footprint of the house.

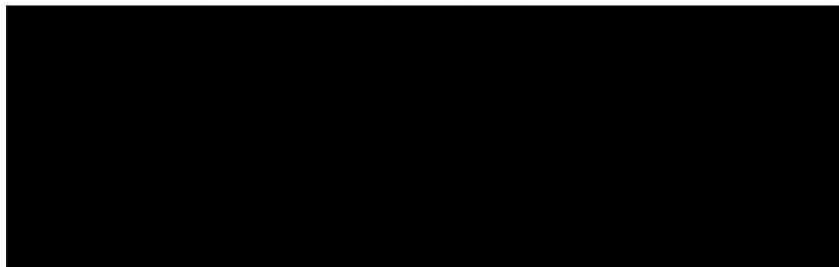
The homeowner's present hardships requiring the need for renovating the main floor and adding a new 2<sup>nd</sup> floor are as follows:

\* Reconfiguring the upstairs bathroom so that it doesn't encroach into the secondary front setback would complicate the overall appearance of the house. While the homeowners are trying to maximize the space available for a new second floor, they're also working to make sure the new exterior elevations stay in keeping with the charm and character of both the existing house AND Homewood, particularly the Roseland Drive view.

\* The Young's children have outgrown their existing bedrooms, and need an area of new bedrooms, baths, and hang-out space with their friends, which constructing the new 2<sup>nd</sup> floor would accomplish.

\*The existing laundry room is also inadequate for this family; the new 2<sup>nd</sup> floor would also greatly benefit these homeowners by providing a stack w&d room for the kids' laundry.

\*There's very little storage in the house as it is currently configured.



**CITY OF HOMEWOOD  
DEPARTMENT OF ENGINEERING & ZONING**

2850 19th Street South - 4<sup>th</sup> Floor

Homewood, Alabama 35209

Phone 205-332-6800

**Cale Smith, PE, City Manager**

**Wyatt Pugh, Director**

---

April 21, 2026

*Subject Property: 1403 Roseland Dr.*

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. Please see below for hearing details:

**Hearing Date & Time:** May 7, 2026, at 6:00 PM

**Hearing Location:** Homewood City Hall Council Chambers, 2850 19<sup>th</sup> Street South

**Applicants / Property Owners:** Josh & Trisha Young/Robert Martin

**Nature of Request:** Front Setback Variances

The applicant or their agent must attend the public hearing to present the request to the Board. Public comments in support or opposition to the petition shall also be heard by the Board at this time. Interested individuals can submit questions or comments to the Department of Engineering and Zoning by contacting Conrad Garrison at [conrad.garrison@homewoodal.org](mailto:conrad.garrison@homewoodal.org), or (205) 709-3191. Information regarding live stream viewing, electronic submittal of comments, and publication of case documents are provided on the reverse side of this notice.

Regards,

Conrad Garrison  
*Zoning Administrator*

cc: Applicant  
Property owner  
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 2<sup>nd</sup> floor behind the Council Chambers.

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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

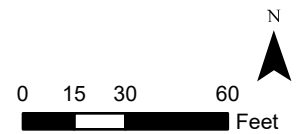
1403 Roseland Dr.

BZA 26-0030

Aerial Photo Map



-  Subject Property
-  Roadway
-  Parcels



THE INFORMATION ON THIS DRAWING WAS COMPILED FROM SEVERAL SOURCES AND SHOULD ONLY BE USED FOR GEREAL INFORMATION AND ORIENTATION. 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



# Planning and Zoning General Application

(Page 1 of 2 – see page 2 for submittal requirements)

Property Address: 310 GAINSWOOD ROAD, HOMEWOOD, AL 35209

Parcel ID: 2900132003007000

Current Zoning: NPD

Acreage: .09

Proposed Land Use: RESIDENTIAL

Applicant: ROBERT MARTIN

Property Interest of Applicant: CLIENT

Mailing Address: \_\_\_\_\_

City State Zip

Property Owner: DAVID and CORI JOHNSON

City State Zip

**Request (check all applicable items):**

- Variance Request
- Rezoning
- Development Plan
- Other BZA Request: \_\_\_\_\_
- Zoning Text Amendment
- Final
- Resurvey
- Amended

**Signatures of Property Owner and Applicant:**

I, DAVID JOHNSON (Print Property Owner) am the property owner of the subject property and have read and understood all statements including the filing requirements. I hereby affirm that this application may be denied, modified, or approved with modifications and/or contingencies and that such modifications and/or contingencies must be complied with prior to issuance of building permits.

I authorize ROBERT MARTIN (Print Applicant) to act as representative in all matters concerning this application.

Signature of Property Owner Date Signature of Applicant Date

**For office use only:**

- Completed Application form with signatures
  - Project Narrative
  - 2 Hard Copies of Site Plan, Site Photographs, Survey, Mylar, etc.
  - Digital Copies of Site Plans, Site Photographs, Survey, Mylar etc.
  - Application Fee
  - Other Required Documents: \_\_\_\_\_
- Current Zoning District: \_\_\_\_\_  
 Proposed Zoning District: \_\_\_\_\_  
 Special Flood Hazard Area (Y/N): \_\_\_\_\_
- Date Received in Office: \_\_\_\_\_ Time Received: \_\_\_\_\_  
 Received By: \_\_\_\_\_ Case Number(s): \_\_\_\_\_



## Planning and Zoning General Application

(Page 2 of 2)

### **All General Applications shall include the following at the time of submittal:**

- One copy of the completed application form, with the original signature of the property owner or his/her authorized agent.
- Application fee
- Project narrative including the following as appropriate: proposed use, detailed project description, reason for request, conditions that the applicant will be willing to proffer
- Current Property Boundary Survey
- Hard copy and pdf copy of all site plans and building elevations. *(Plans and associated documents that are too large to email can be provided on a flash drive.)*
- Restrictive Covenants *(if applicable)*
- Photographs of the site and all existing buildings and structures.
- Proof of Ownership *(if property has been purchased within the last 12 months)*
- Any variances previously granted by the Board of Zoning Adjustments

***The following additional items will be required based on the nature of the application request and must also be submitted at the time of initial application submittal:***

#### **Variance Application Requirements**

- Completed Variance Request Chart
- Hardship Statement signed by Property Owner and Applicant
- Hardship Criteria Evaluation Form (initialed and signed)

#### **Final and Amended Development Plan Requirements**

- 2 full sized copies, 2 11X17 copies, and a digital copy of the proposed development plan
- Complete legal description
- Other additional information as listed in Article VII. Required Development Plan

#### **Resurvey Application Requirements**

- 2 full sized copies of the resurvey drawing
- 1 full size mylar copy of the resurvey drawing
- Digital copy of the resurvey drawing
- Complete legal description

#### **Rezoning Application Requirements**

- Complete legal description
- Current Zoning District \_\_\_\_\_
- Proposed Zoning District \_\_\_\_\_
- Conditions that the applicant will be willing to proffer. *(If applicable, please include in the detailed project narrative)*

*By signing below, I acknowledge that all required documents are included in the application package. Additionally, I understand that all applications must be complete by the final application deadline in order to be processed by staff and considered by the Board of Zoning Adjustments or Planning Commission.*



## City of Homewood Board of Zoning Adjustments Applications

### **General Information for Applicant**

The Homewood Board of Adjustment was established pursuant to section 11-52-80, Code of Alabama 1975 and shall have all powers and duties delegated to boards of adjustment by said code, which generally are:

- 1) *Appeal a decision of the administrative official:* To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this ordinance.
- 2) *Special Exception to allow a Home Occupation or other use requiring BZA approval:* To hear and decide special exceptions to the terms of this ordinance upon which the board is required to pass under this ordinance.
- 3) *To authorize upon appeal in specific cases such variance from the terms of the zoning ordinance* as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this ordinance will result in unnecessary hardship, and so that the spirit of this ordinance shall be observed and substantial justice done.

The following pages include necessary information and requirements for applications to the Board of Zoning Adjustments. Please review closely and provide initials and/or signatures to indicate your understanding of the information.

### **The Purpose of a Variance**

A variance is an allowance, which permits minor deviation from the zoning ordinance district requirements where individual properties are both harshly and uniquely burdened by the strict application of the law. The power to vary is restricted and the degree of variation is limited to the minimum change necessary to overcome the inequality inherent in the property. Use Variances are specifically prohibited. "Variance" means the modification of the requirements of a zoning district and does not include the substitution of uses assigned to other districts.

- 1) A variance recognizes that the same district requirements do not affect all properties equally; it was devised to permit minor changes to allow hardship properties to enjoy equal opportunities with properties similarly zoned. The applicant must prove that special circumstances or unusual conditions affect the subject property. These must result in uncommon hardship and unequal treatment under the strict application of the Zoning Ordinance. Where some general hardship conditions extend to other properties, a variance cannot be granted. The remedy for general hardship is a change of the map or the text of the Zoning Ordinance.
- 2) The applicant must prove that the combination of the Zoning Ordinance and the uncommon conditions of your property prevent them from making any reasonable use of the land as permitted by the present zoning district. Since zoning regulates land and not people, the following conditions **cannot** be considered pertinent to the application for a variance:
  - a. Proof that a variance would increase the financial return from the land
  - b. personal hardship
  - c. self-imposed hardship

In the case of a self-imposed hardship, the recognition of conditions created after the enactment of the Zoning Ordinance would encourage and condone violation of the law.

- 3) No variance may be granted which would adversely affect surrounding property or the general neighborhood. All variances must be in harmony with the intent and purposes of the Zoning Ordinance.



### Hardship Criteria Evaluation Form

Prior to granting a variance, the Board of Zoning Adjustment must *examine* and *validate* that the following criteria apply to the request. Please examine the following criteria and initial to indicate their applicability to the variance request. (The following criteria can be found in Article XI. Administration and Review Procedures, Section B. Variances, (3) Conditions)

- a) There are extraordinary and exceptional conditions, which are peculiar to the piece of property in question because of its size, shape or topography, that are not applicable to other lands or structures in the same district.

Applicable: PCM/EG

- b) Granting the variance requested will not confer upon the applicant any special privileges that are denied to other owners of property in the district in which the property is located.

Applicable: PCM/EG

- c) All literal interpretations of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other owners of property in the district in which the property is located.

Applicable: \_\_\_\_\_

- d) The requested variance will be in harmony with the purpose and intent of this Ordinance and will not be injurious to the neighborhood or to the general welfare.

Applicable: PCM/EG

- e) The special circumstances are not the intended result of the actions of the applicant (i.e., self-imposed hardship)

Applicable: PCM/EG

- f) The variance requested is the minimum variance that will make possible the legal use of the land, building or structure.

Applicable: PCM/EG

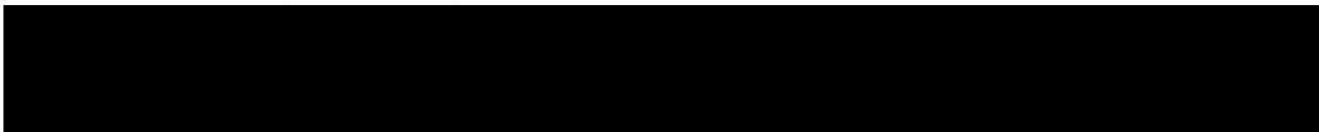
- g) That no non-conforming use of neighboring lands, structures, or buildings in the same district, and no permitted or non-conforming use of lands, structures, or building in other districts shall be considered grounds for the issuance of a variance.

Applicable: PCM/EG

- h) That the variance will not allow the permanent establishment of a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.

Applicable: PCM/EG

By signing below, I acknowledge that I have reviewed and evaluated the criteria, and the application and documents submitted for the requested variance will provide evidence of their applicability to the proposed request.





### Variance Request Charts

Please complete only the charts relevant to the proposed variance request project. The information in these charts should reflect the information on the proposed site plans.

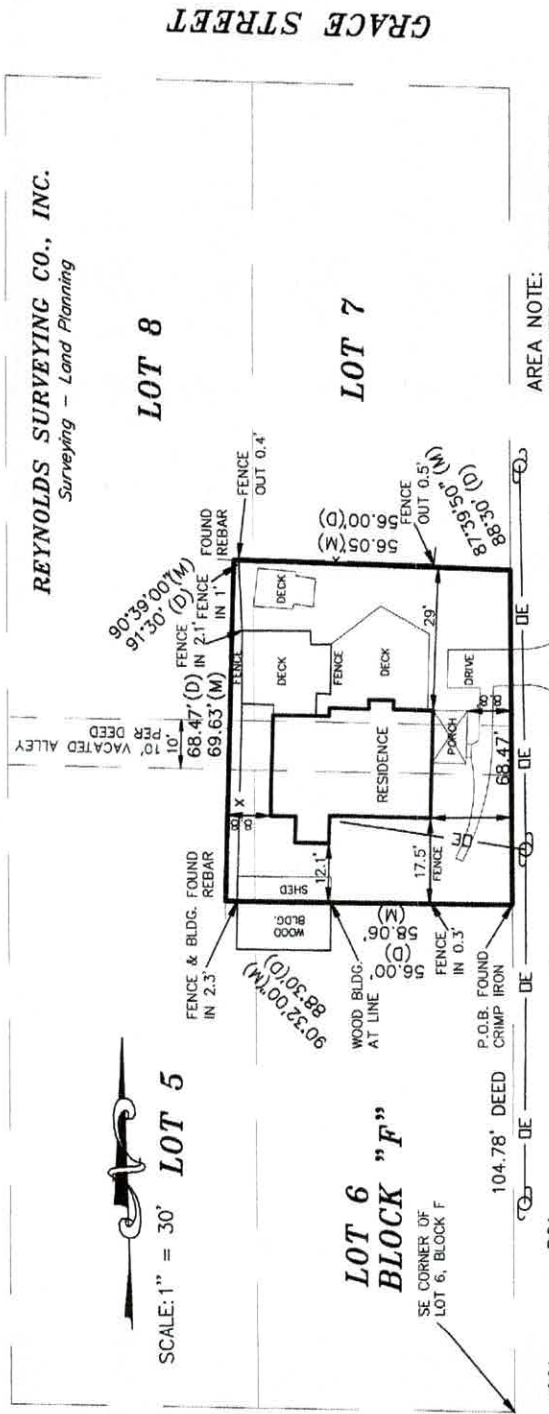
PRIMARY STRUCTURE SETBACKS				
	Existing Setback Dimensions	Setback Dimensions Required by Zoning Regulations	Proposed Setback Dimensions	Total Variance Requested
Front Setback	8.8'	NPD-A.(3)(A)	N/A	N/A
Secondary Front Setback	N/A	N/A	N/A	N/A
Right Setback	29'	10'	N/A	N/A
Left Setback	12.1'	10'	N/A	N/A
Rear Setback	8.8'	20'	8.8'*	8.8'*

ACCESSORY STRUCTURE SETBACKS				
<b>Please provide the following information regarding the proposed accessory structure:</b>				
<b>Proposed Height:</b> _____ <b>Proposed Size (in sq ft):</b> _____				
	Existing Setback Dimensions	Setback Dimensions Required by Zoning Regulations	Proposed Setback Dimensions	Total Variance Requested
Right Setback				
Left Setback				
Rear Setback				
Other:				

FENCES AND WALLS (NOT RETAINING)		
Proposed Height:	Proposed Setback:	Location of Fence:
Description of Fence (dimensions, materials, etc.): _____		
_____		

PARKING		STRUCTURE HEIGHT	
Required Parking Ratio		Existing Height	
Total Spaces Required		Maximum Height Permitted	
Total Spaces Provided		Proposed Height	
Total Variance Requested		Total Variance Requested	

\* FOR PROPOSED NEW 2ND FLR ADDITION  
 (TO BE DESIGNED DIRECTLY ABOVE EXIST BACK SECTOR)



**REYNOLDS SURVEYING CO., INC.**  
*Surveying - Land Planning*

SCALE: 1" = 30'  
**LOT 5**

**LOT 6 "F"**  
 BLOCK "F"  
 SE CORNER OF LOT 6, BLOCK F

**LOT 8**

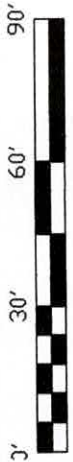
**LOT 7**

AREA NOTE:  
 LOT AREA = 3938.3 SQ.FT.

IMPERVIOUS AREA=1820 SQ.FT.  
 OR 46% OF LOT AREA

**GRACE STREET**

**IRVING ROAD**



STATE OF ALABAMA  
 JEFFERSON COUNTY

**GAINSWOOD ROAD**  
 R.O.W. WIDTH NOT SHOWN ON PLAT

"PROPERTY SURVEY"

- LEGEND
- UTILITY POLE
- GUY WIRE
- RETAINING WALL
- CONCRETE
- FENCE
- OVERHEAD ELECTRICAL
- IRON PIN FOUND
- IRON PIN SET

I, Robert Reynolds, a Registered Surveyor, do hereby state that this is a true and correct plat or map of a part of Lots 5, 6, 7 and 8 of Block F and that portion of a vacated alley lying between said Lots, according to the survey of South Highlands Land Company Annex to South Highlands, as recorded in Map Book 7, Page 3, in the Office of the Probate, Jefferson County, Alabama, being more particularly described as follows: Commence at the Southeast corner of said Lot 6, Block F, and run in a northerly direction along the East line of said Lot 6 for 104.78 feet to the point of beginning; from point of beginning thus obtained, continue along the East line of Lots 6 and 7 for 68.47 feet; thence turn an angle to the left of 88° 30' and run in a westerly direction for 56.00 feet; thence turn an angle to the left of 91° 30' and run in a southerly direction (6 feet west of and parallel to the east line of Lots 8 and 5) for 68.47 feet; thence turn an angle to the left of 88° 30' and run in an easterly direction for 56.00 feet to the point of beginning.

All parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice of Surveying in the State of Alabama to the best of my knowledge, information and belief. The improvements on said premises are as shown. There are no visible encroachments on over or across said lands except as shown. According to my survey this the 20th day of February, 2026.

Owner: Johnson  
 Address: 310 Gainswood Road



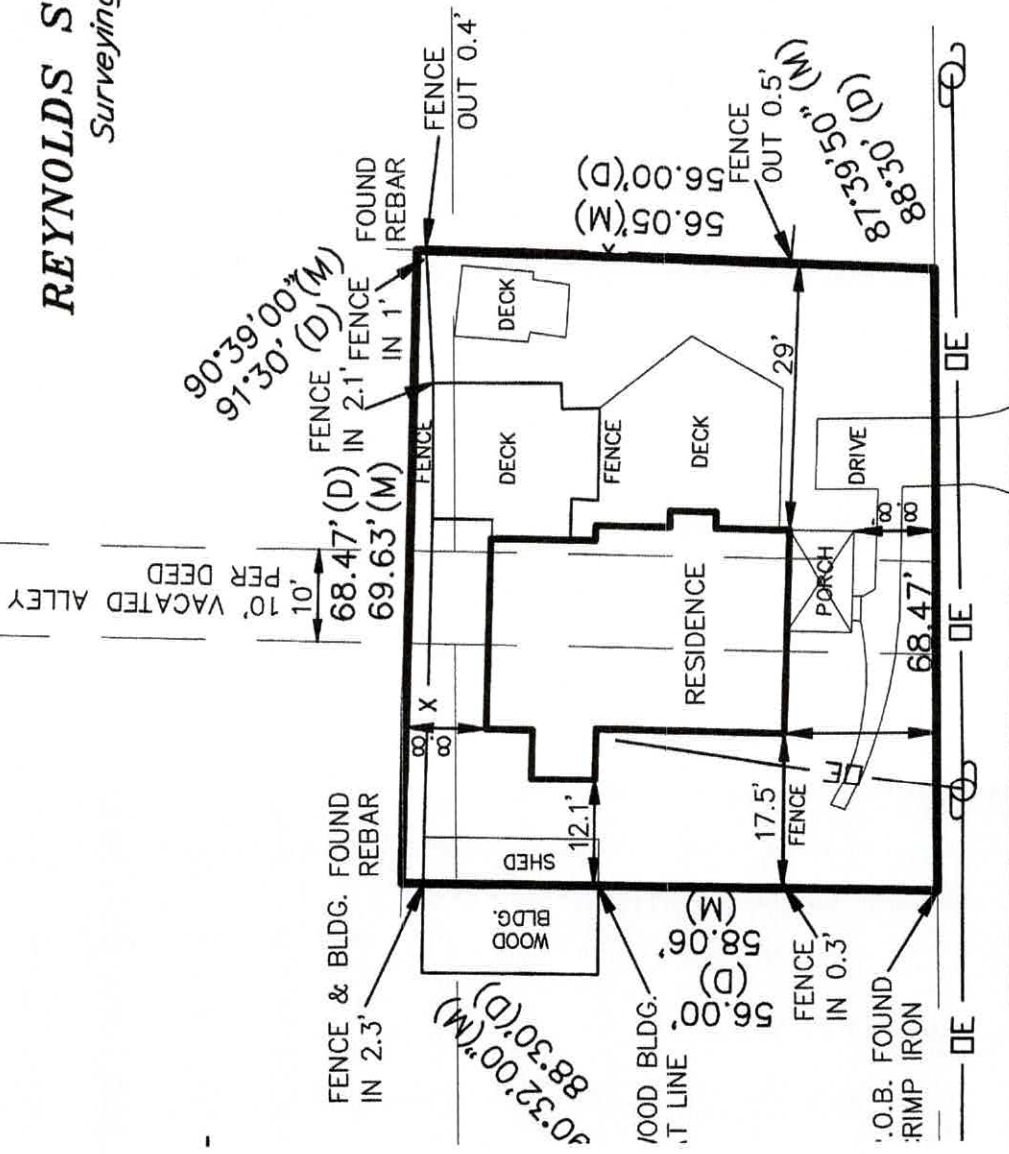
*Robert Reynolds*  
 Reg. No. 25657

# EXISTING SURVEY

**REYNOLDS SURVEYING CO., INC.**  
*Surveying - Land Planning*

**LOT 8**

**LOT 7**



AREA NOTE:  
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 OR 46% OF LOT AREA

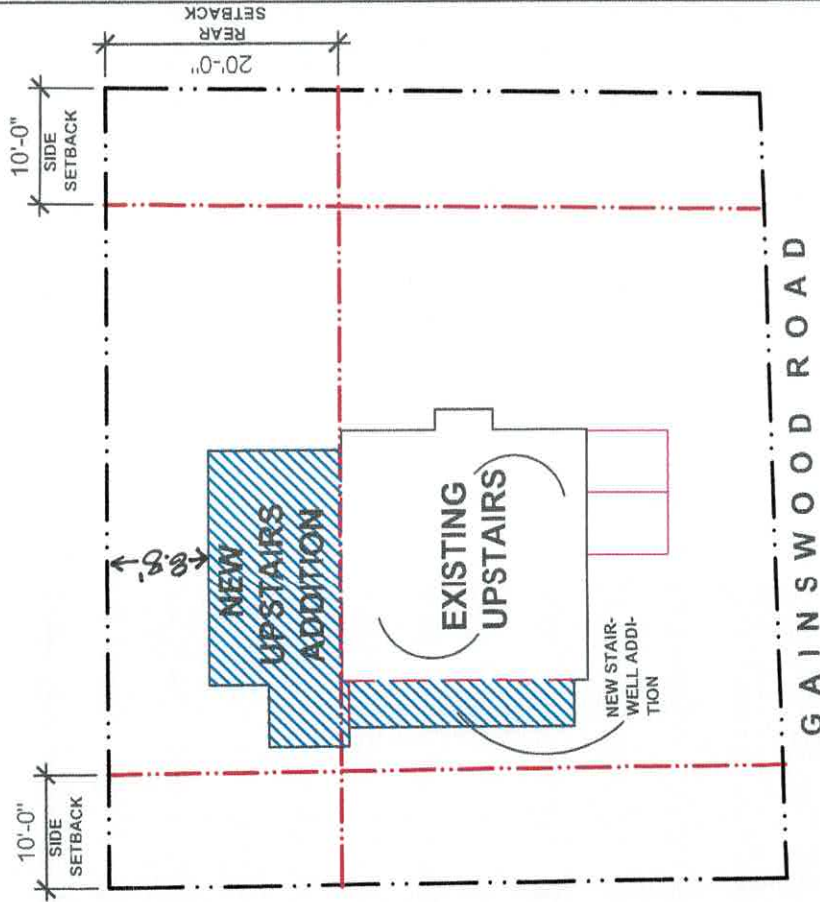
**GAINSWOOD ROAD**

R.O.W. WIDTH NOT SHOWN ON PLAT

**EXIST. SURVEY  
 (ENLARGED)**

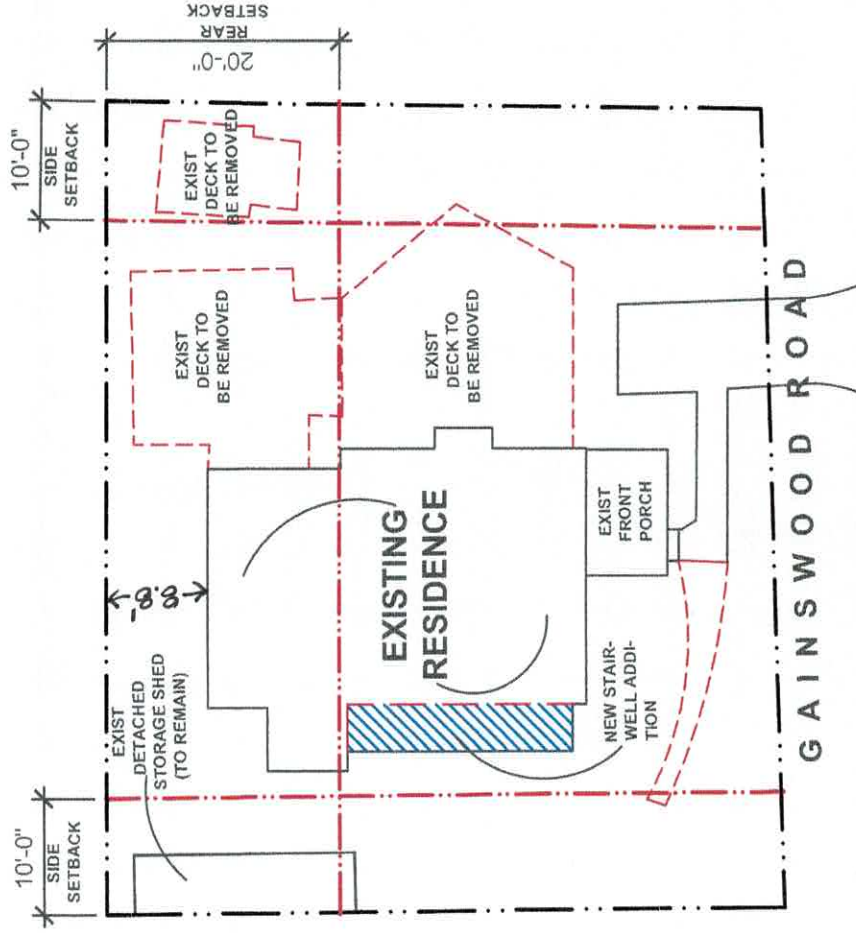
"PROPERTY SURVEY"

**GRACE STREET**



### SCHEMATIC REVISED UPSTAIRS PLAN

1/16" = 1'-0"



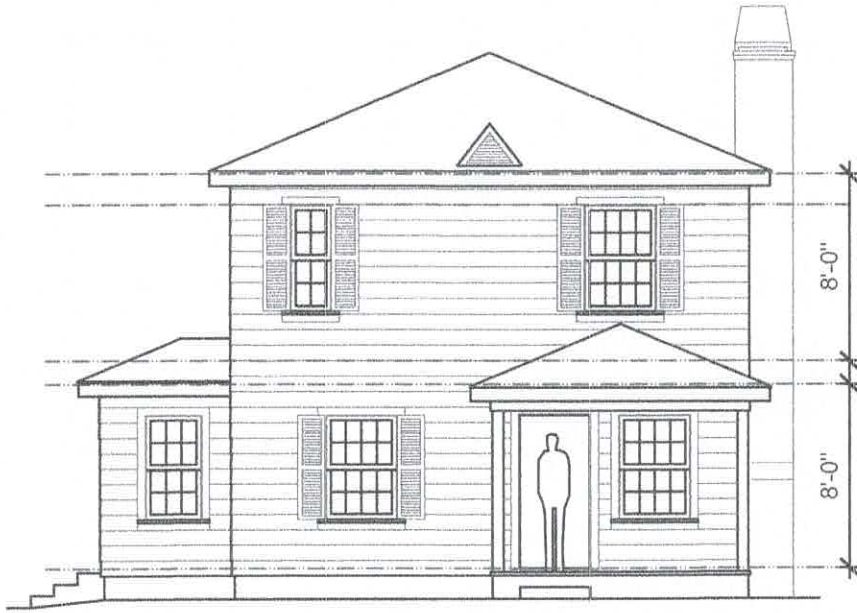
### REVISED SITE PLAN

1/16" = 1'-0"

NOTE: SEE OFFICIAL BOUNDARY & TOPOGRAPHICAL SURVEY FOR 310 GAINSWOOD ROAD, PREPARED BY LICENSED SURVEYOR ROBERT REYNOLDS (AL LICENSE NO. 25657), DATED FEBRUARY 20, 2026



1. FRONT



**FRONT ELEVATION**

$1/8'' = 1'-0''$



**SCHEMATIC REVISED FRONT ELEVATION**

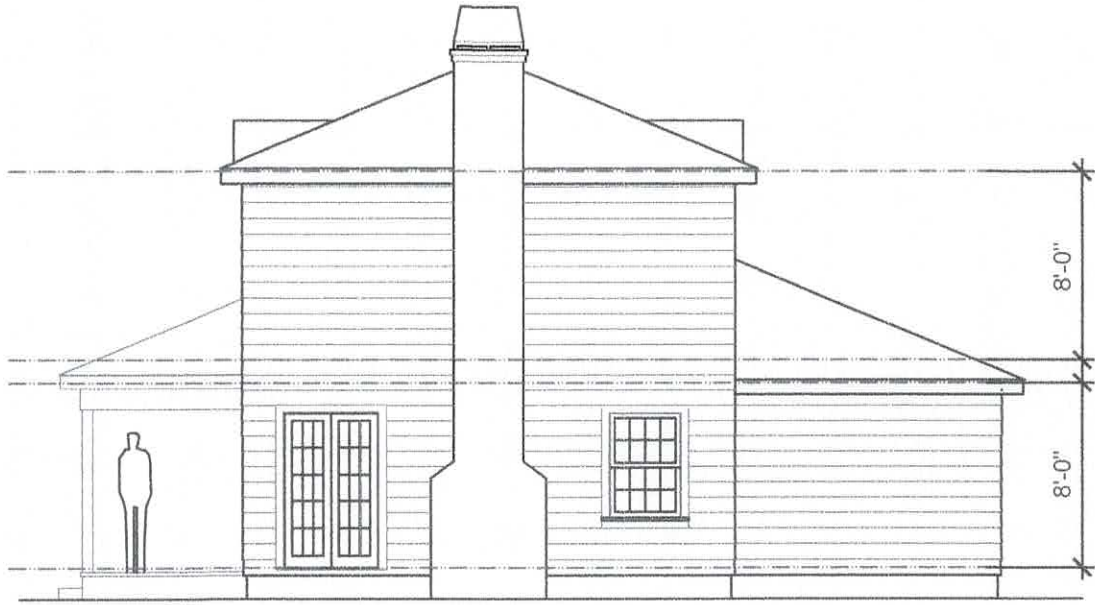
$1/8'' = 1'-0''$



2a. RIGHT SIDE



2b. RIGHT SIDE



**RIGHT SIDE ELEVATION**

$1/8" = 1'-0"$



**SCHEMATIC REVISED RIGHT SIDE ELEVATION**

$1/8" = 1'-0"$



3a. BACK

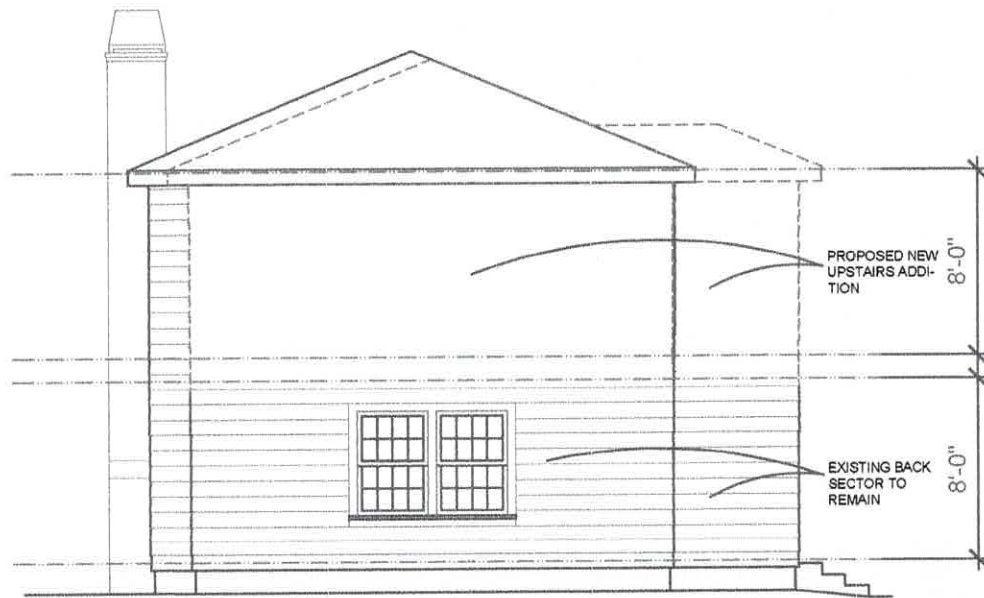


3b. BACK (and STORAGE) SHED



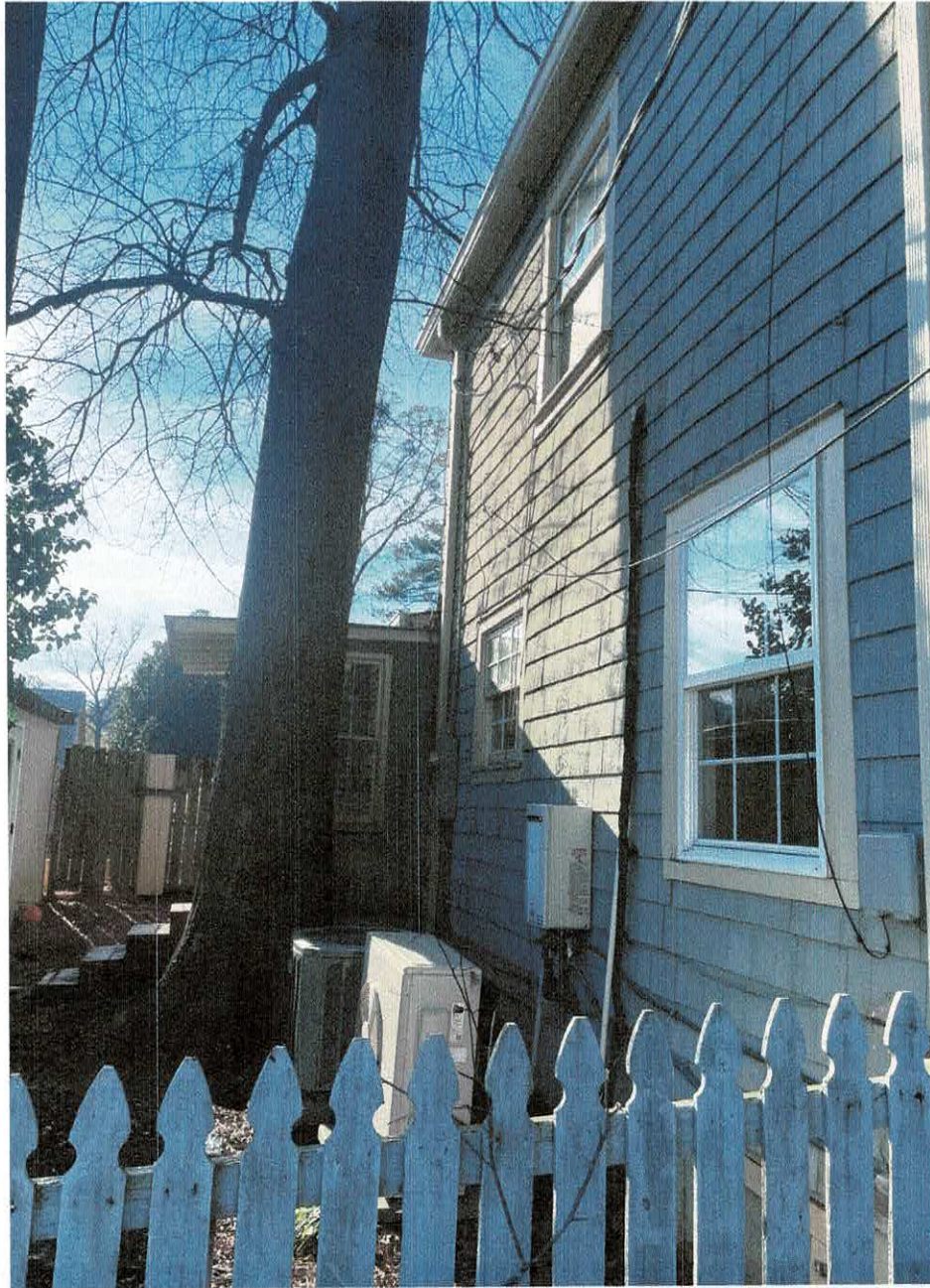
**BACK ELEVATION**

$1/8" = 1'-0"$

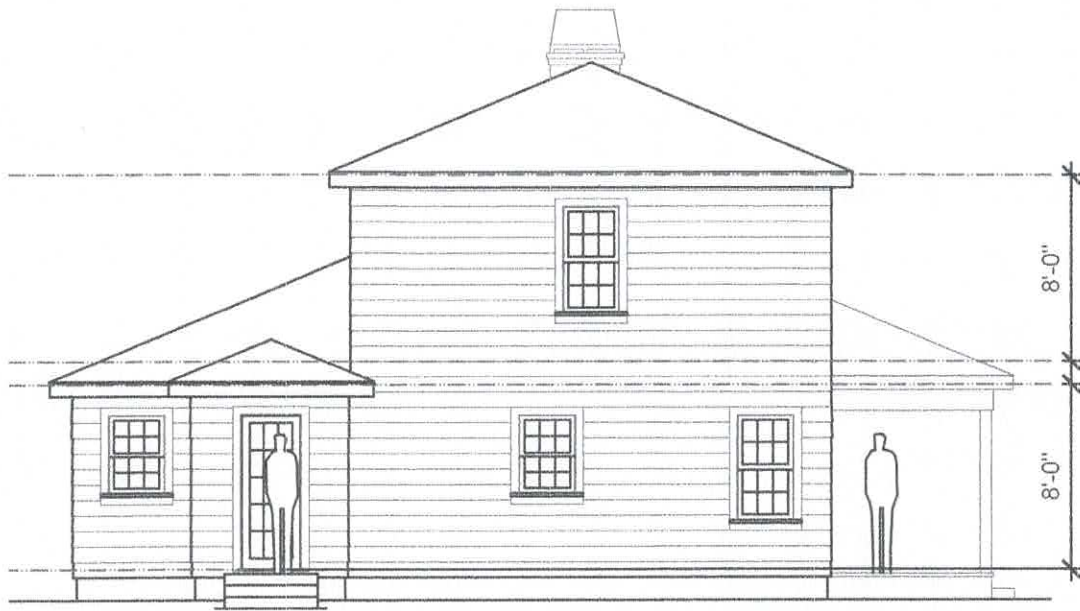


**SCHEMATIC REVISED BACK ELEVATION**

$1/8" = 1'-0"$

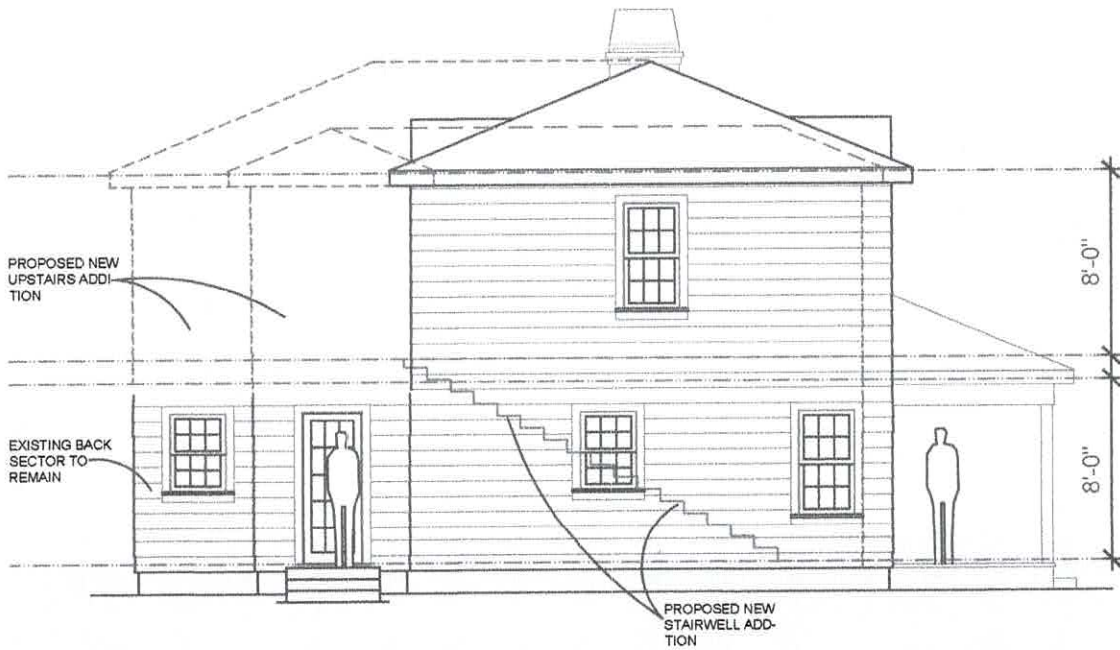


4. LEFT SIDE



**LEFT SIDE ELEVATION**

1/8" = 1'-0"



**SCHEMATIC REVISED LEFT SIDE ELEVATION**

1/8" = 1'-0"

**Project Narrative and Hardship Statement**  
**310 Gainswood Road – David and Cori Johnson Residence**  
**04/07/2026**

Along with improving / renovating the interior spaces of their existing home, David and Cori Johnson are seeking to add a new, second-floor master suite, along with a new stairwell (all to be designed / reconfigured pending variance approval). Presently, the Johnsons' home sits on a 3,938.3 sq. ft. lot that's half the size of many of the properties within the NPD district of Homewood. While the new master suite would be located directly above the existing back sector, the back of their home presently sits only 8.8 feet from the rear property line; as a result, the required 20' rear setback completely engulfs this existing area. Even though the current coverage of their primary residence is 826 sq. ft (which is 21% of the required 37% max), the overall impervious coverage is 46.2% (1.2% over the required 45% max). To reduce this percentage, and achieve more buildable space, the Johnsons plan to remove all of the existing decks, along with a section of the flagstone walk in front. Their storage shed, which is connected to the neighbor's shed and shares a common dividing wall along the property line, is intended to remain. The homeowners also plan to add a new stairway to the left side of the house in order to access both the existing and new upstairs. Other potential renovations would involve removing the centrally located stairs (which do not meet current building codes), along with reconfiguring the upstairs to better accommodate their two teenage children. Apart from the new stairway, the existing footprint of the house would stay the same.

The homeowner's present hardships that necessitate the need for renovating the main floor and adding a new 2<sup>nd</sup> floor master suite and stairway are as follows:

\* Per the required setbacks (in particular the rear), the Johnsons' property is largely hemmed in, leaving them with few options to

renovate or expand their home.

\* The homeowners' current master area is woefully inadequate for their needs and daily comfort. Their 'master' bathroom is presently 3'-5" x 5'-9" (roughly 21 sq. ft.), with a 3'-3" x 3'-8" shower, challenging them to take turns in the mornings when getting ready for work. Their closet is even more minuscule; at 2'-2" x 3'-3" (6 1/2 sq ft), it provides little space to be worthwhile. As a result, the Johnsons have little choice but to store their clothes wherever there's availability.

\* The Johnsons' teenage son and daughter currently share one upstairs bathroom, which is becoming less and less ideal as they grow older.

\* The existing stairway, located in the middle of the house, does not meet current building codes, and would require either being rebuilt or newly constructed somewhere else in the house.



**CITY OF HOMEWOOD  
DEPARTMENT OF ENGINEERING & ZONING**

2850 19th Street South - 4<sup>th</sup> Floor  
Homewood, Alabama 35209  
Phone 205-332-6800

**Cale Smith, PE, City Manager**

**Wyatt Pugh, Director**

---

April 21, 2026

*Subject Property: 310 Gainswood Rd.*

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. Please see below for hearing details:

**Hearing Date & Time:** May 7, 2026, at 6:00 PM

**Hearing Location:** Homewood City Hall Council Chambers, 2850 19<sup>th</sup> Street South

**Applicants / Property Owners:** David & Cori Johnson/Robert Martin

**Nature of Request:** Rear Setback Variance

The applicant or their agent must attend the public hearing to present the request to the Board. Public comments in support or opposition to the petition shall also be heard by the Board at this time. Interested individuals can submit questions or comments to the Department of Engineering and Zoning by contacting Conrad Garrison at [conrad.garrison@homewoodal.org](mailto:conrad.garrison@homewoodal.org), or (205) 709-3191. Information regarding live stream viewing, electronic submittal of comments, and publication of case documents are provided on the reverse side of this notice.

Regards,

Conrad Garrison  
*Zoning Administrator*

cc: Applicant  
Property owner  
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 2<sup>nd</sup> 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](http://www.cityofhomewood.com). **Although Board of Zoning Adjustments meetings may be viewed through the live streaming service, individuals wishing to participate in the public hearing, by speaking in support or opposition to a particular case, must attend the meeting in person.**

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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 at [www.cityofhomewood.com](http://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

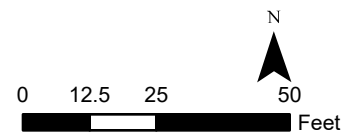
310 Gainswood Rd.

BZA 26-0031

Aerial Photo Map



-  Subject Property
-  Roadway
-  Parcels



THE INFORMATION ON THIS DRAWING WAS COMPILED FROM SEVERAL SOURCES AND SHOULD ONLY BE USED FOR GEREAL INFORMATION AND ORIENTATION. 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