

Homewood Board of Zoning Adjustments

Agenda

Thursday, June 4, 2026, 6:00 P.M.

City Council Chamber

2850 19th Street South, 2nd Floor

Homewood, Alabama 35209

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

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 or to the Secretary to the Board of Zoning Adjustments at fred.goodwin@homewoodal.org. Comments may also be hand-delivered to the Department of Engineering & Zoning, located on the 4th floor of Homewood City Hall. Please include the address or case number and submit them no later than 24 hours prior to the meeting.

Board Members

Chair, 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 – May 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 May 7 meeting)*

2) 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.

a) *(Carried over from May 7 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-26-0032, 2741 BM Montgomery St., Parcel ID No. 2800073009008000, Applicants / Property Owners: Maria Martinez** 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 5-feet to 4.9-feet for a total reduction of 0.1-feet in order to construct an addition.
- 2) **BZA-26-0033 100 Acton Ave., Parcel ID No. 2900144015022000, Applicants / Property Owners: Bryan Nolan; James Craig Boyette & Mary Boyette**
 - 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 right property line from 10-feet to 5.7-feet for a total reduction of 4.3-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: 609 Morris Blvd

Parcel ID: _____ Current Zoning: NPD

Acreage: _____ Proposed Land Use: _____

Applicant: Steve Jones Property Interest of Applicant: _____

E-mail: srobertjones@gmail.com Applicant Phone #: 205-233-3796

Mailing Address: 609 Morris Blvd Homewood AL 35209
City State Zip

Property Owner: Steve Jones

E-mail: srobertjones@gmail.com Phone #: 205-233-3796

Mailing Address: 609 Morris Blvd Homewood AL 35209
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, Steve Jones (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 Steve Jones (Print Applicant) to act as representative in all matters concerning this application.

Steve Jones 2/20/2026 _____
 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.

Steve Jones
Signature of Applicant

2/20/2026
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.

Steve Jones

Applicant Signature

02/20/2026

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: SG

- 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: SG

- 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: SG

- 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: SG

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

Applicable: SG

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

Applicable: SG

- 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: SG

- 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: SG

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.

Steve Jones
Signature of Applicant

02/20/2026
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.

PRIMARY STRUCTURE SETBACKS				
	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				

ACCESSORY STRUCTURE SETBACKS				
Please provide the following information regarding the proposed accessory structure:				
Proposed Height: <u>Above 15'0"</u> Proposed Size (in sq ft): <u>550</u>				
	Existing Setback Dimensions	Setback Dimensions Required by Zoning Regulations	Proposed Setback Dimensions	Total Variance Requested
Right Setback	15'-11 1/2"		16'3"	
Left Setback	3'-2"	10'0"	3'-2 1/2"	6'-9 1/2"
Rear Setback	2'0"	10'0"	2'0"	8'0"
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	

Guest House Addition to Jones Residence

Address: 609 Morris Blvd

Narrative: We're looking to convert a delapidated shed into a Guest House with a kitchen, bathroom and bedroom. We'd like to build the structure on the existing footprint of the shed.

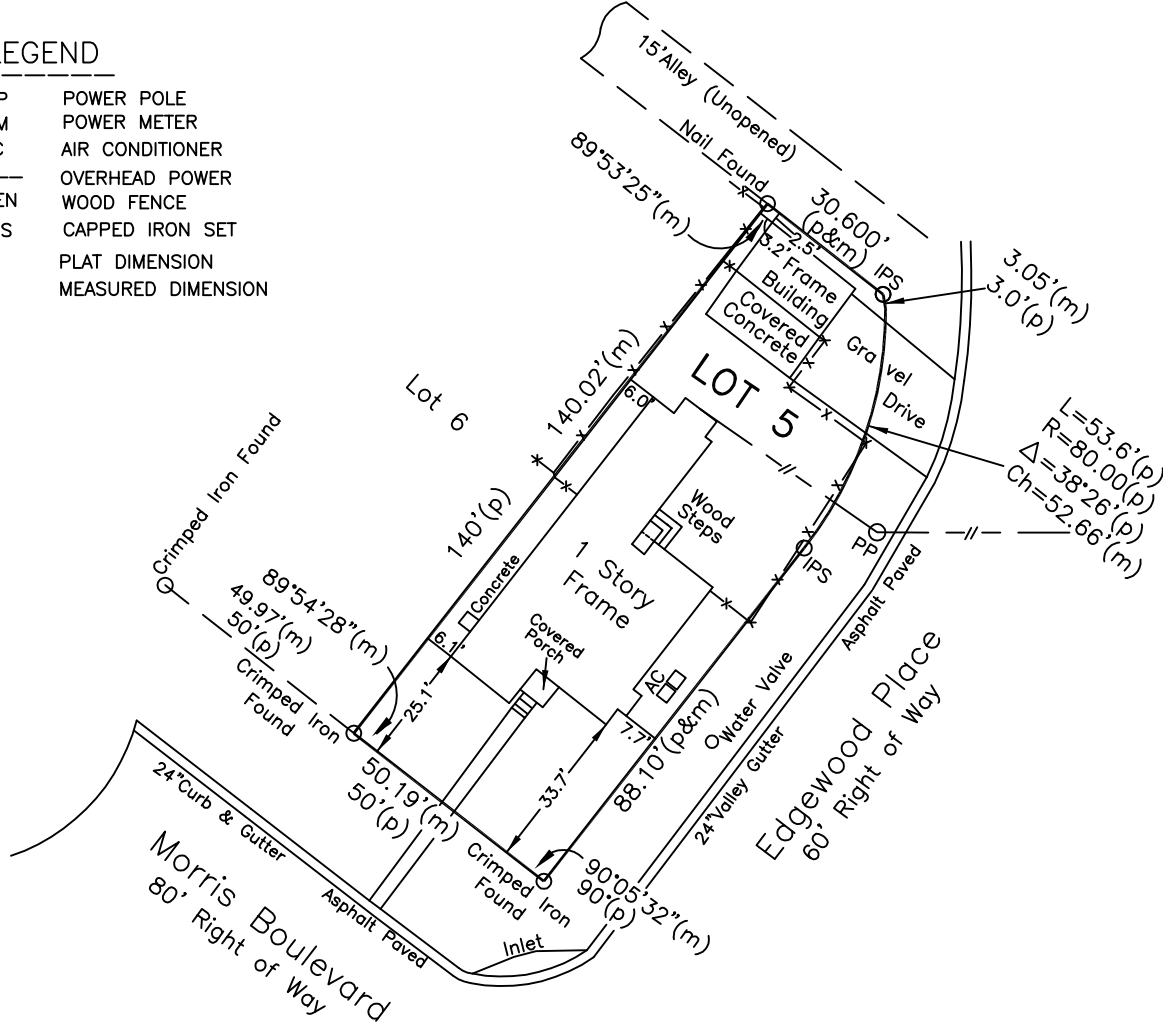
Hardship: Our lot is a corner lot with that shrinks in at the back from the right side because of the road. We won't be able to achieve the required 10'0" setbacks without encroaching on the road. The structure would block the view of oncoming traffic. If we can build from the existing footprint the structure would allow for safe traffic flow (just as the shed does now).

Hardship (2): In order for us to obtain the intended use of the structure (Living Space and Storage) we need to exceed the 25% of primary structure rule for the footprint of the new structure. The primary structure is relatively small compared to other structures in the area which allows us to build the accessory structure and still keep our impervious to pervious ratio within the confines of the code.

Hardship (3): to obtain sufficient parking space for the two structures we need to request a driveway wide enough to contain three parking spaces. That would require us to have 27' of driveway on the roadside which is a variance of 7' over the allowed 20'

LEGEND

- PP POWER POLE
- PM POWER METER
- AC AIR CONDITIONER
- //--- OVERHEAD POWER
- x- FEN WOOD FENCE
- IPS CAPPED IRON SET
- (p) PLAT DIMENSION
- (m) MEASURED DIMENSION



STATE OF ALABAMA
JEFFERSON COUNTY

I, Rowland Jackins, a Registered Land Surveyor in the State of Alabama, hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Land Surveying in the State of Alabama to the best of my knowledge, information and belief for the following described property:

Lot 5 in Block 12, according to the plat of Map of Edgemont, as recorded in Map Book 16, Page 21, in the Probate Office of Jefferson County, Alabama;

I further state that there are no rights of ways, easements or joint driveways over or across said land visible on the surface except as shown, that there are no electric or telephone wires (excluding those which serve the premises only) or structures or supports thereof, including poles, anchor or guy wires on or over said property except as shown, that there are no encroachments except as shown; that the improvements are located as shown above. No underground utilities were located.

According to my field survey of September 25, 2018;



Rowland Jackins, PLS, Alabama Reg.No.18399
 Jackins, Butler & Adams, Inc.
 3430 Independence Drive, Suite 30
 Birmingham, Alabama 35209
 (205) 870-3390

PERVIOUS/IMPERVIOUS

EXISTING:

Total Lot Size: 6,714 S.F.

IMPERVIOUS:

House: 1,757 S.F.
 Accessory Structure: 550 S.F.
 Covered Porch/Steps: 49 S.F.
 Sidewalk: 167 S.F.
 Driveway: 690 S.F.
 Deck: 0 S.F.

Total Impervious: 3,213 S.F.

6,714/3,213 = 48% Impervious

PERVIOUS/IMPERVIOUS

NEW:

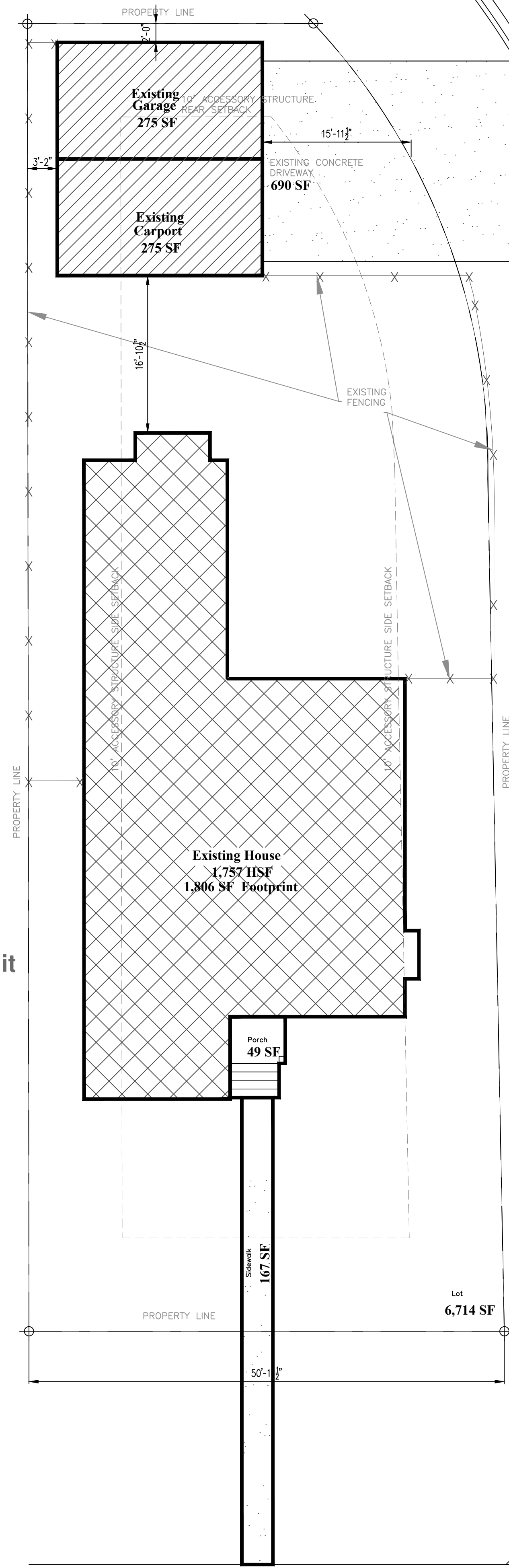
Total Lot Size: 6,714 S.F.

IMPERVIOUS:

House: 1,757 S.F.
 Accessory Structure: 426 S.F.
 Covered Porch/Steps: 203 S.F.
 Sidewalk: 167 S.F.
 Driveway: 760 S.F. Pervious Conc. so 380 S.F. w/50% Credit
 Deck: 0 S.F.

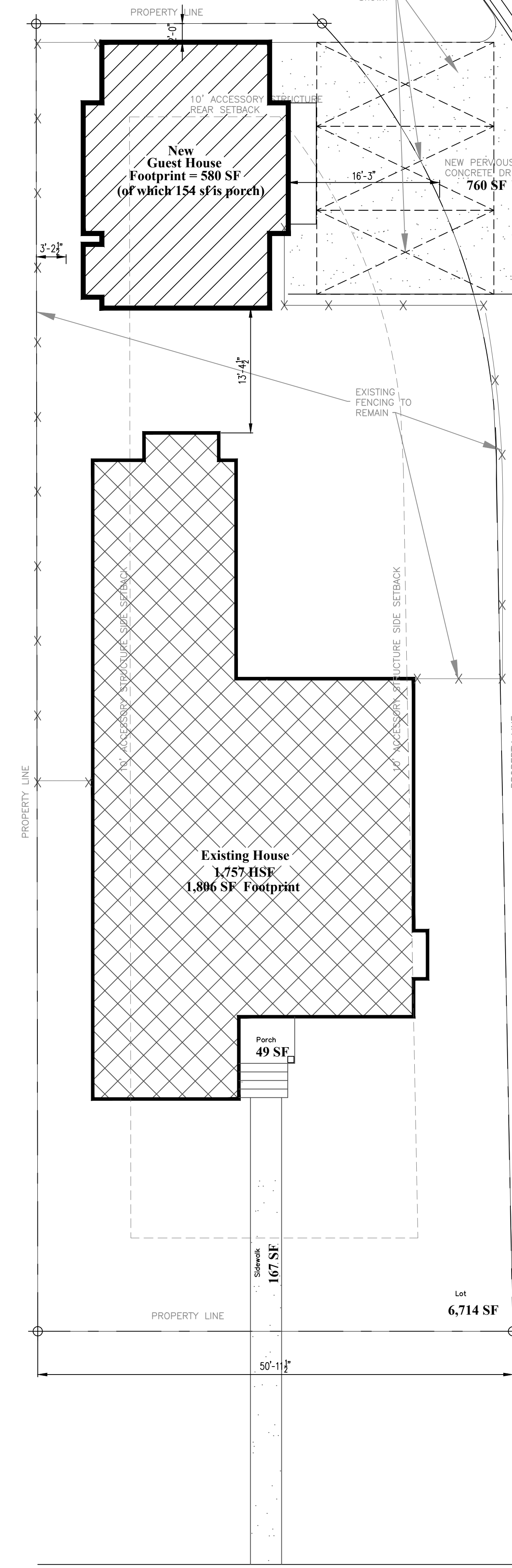
Total Impervious: 2,933 S.F.

6,714/2,933 = 44% Impervious



609 Morris Boulevard

Site Plan
 SCALE: 1/8"=1'-0"



609 Morris Boulevard

Site Plan
 SCALE: 1/8"=1'-0"

Guest Hpuse Addition To
JONES RESIDENCE
 609 Morris Blvd
 Homewood, Alabama

Revisions

Sheet Title
 EXISTING & NEW
 SITE PLANS

job no. **9811**

dwn. by JSF ckd. by JSF

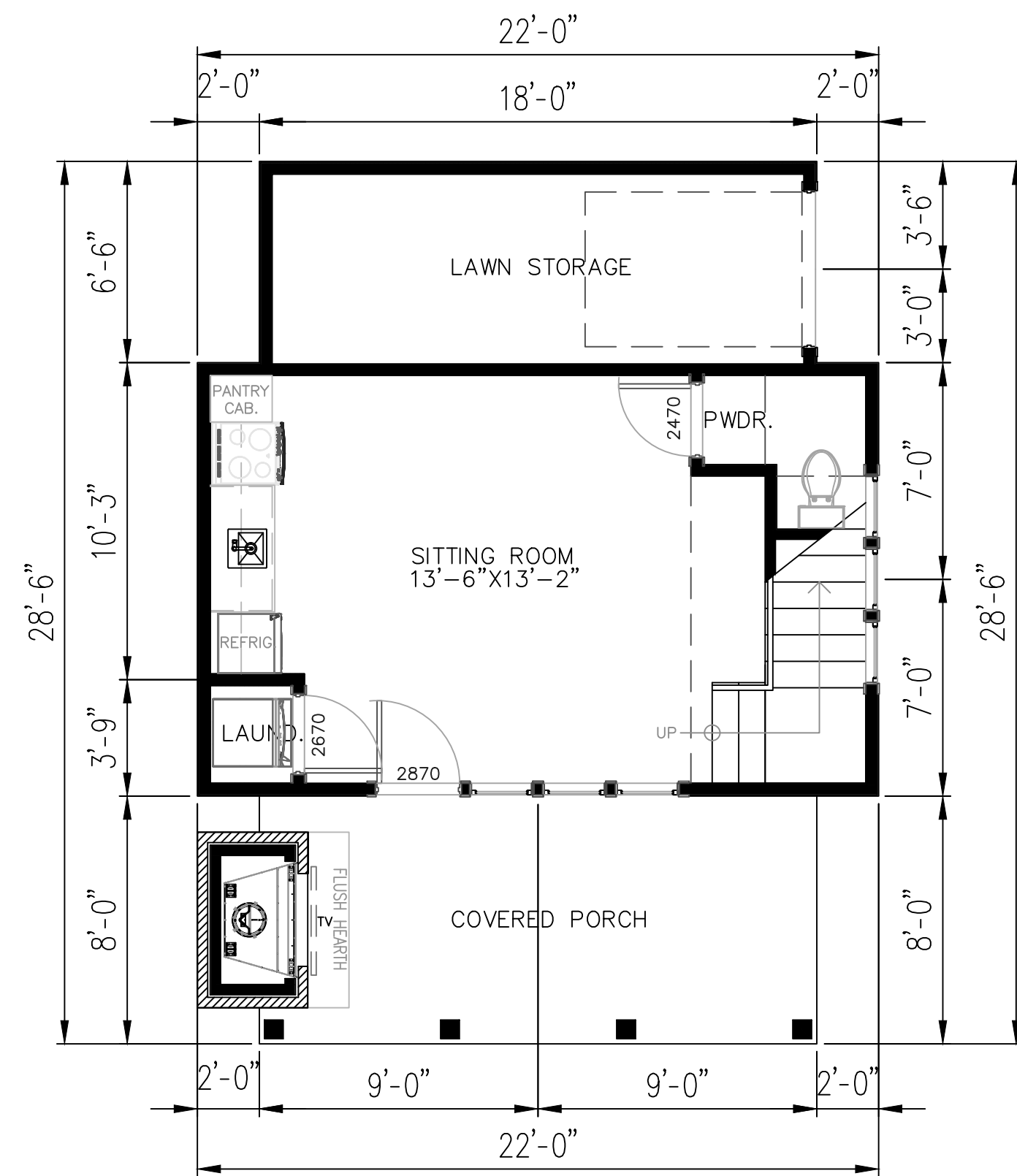
dwg. no. sht. no.

A-1 **1**

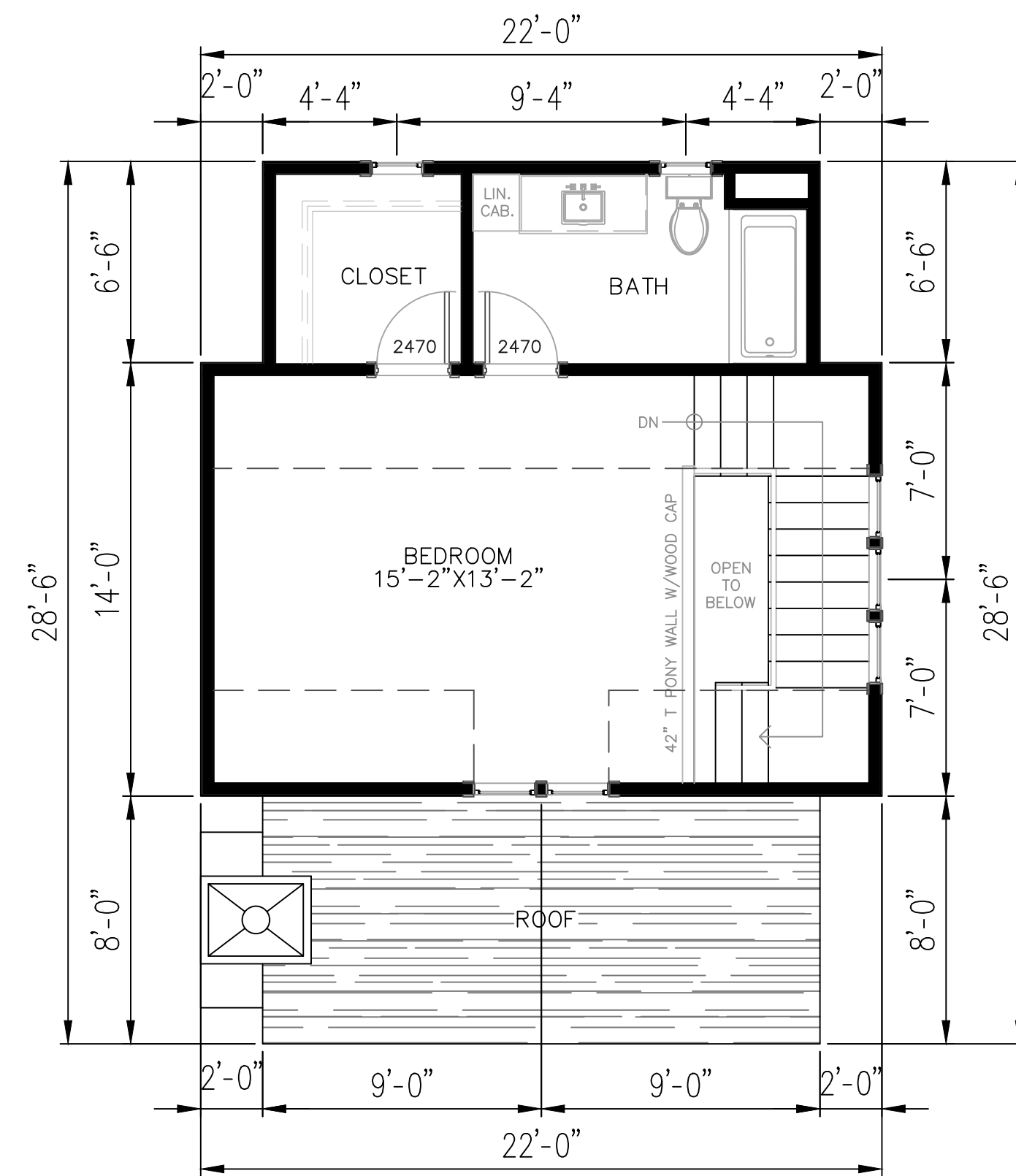
of 3

date 03/17/2026 of 3

M:\DRAW\2400S\2486\2486A07 6-26-97 11:47:13 am EST



Lower Floor Plan
SCALE: 1/4"=1'-0"



Upper Floor Plan
SCALE: 1/4"=1'-0"

Guest House Addition To
JONES RESIDENCE
609 Morris Blvd
Homewood, Alabama

Revisions

Sheet Title

UPPER & LOWER FLOOR PLANS

job no. **9811**

dwn. by JSF ckd. by JSF

dwg. no. **A-2** sht. no. **2**

of 3

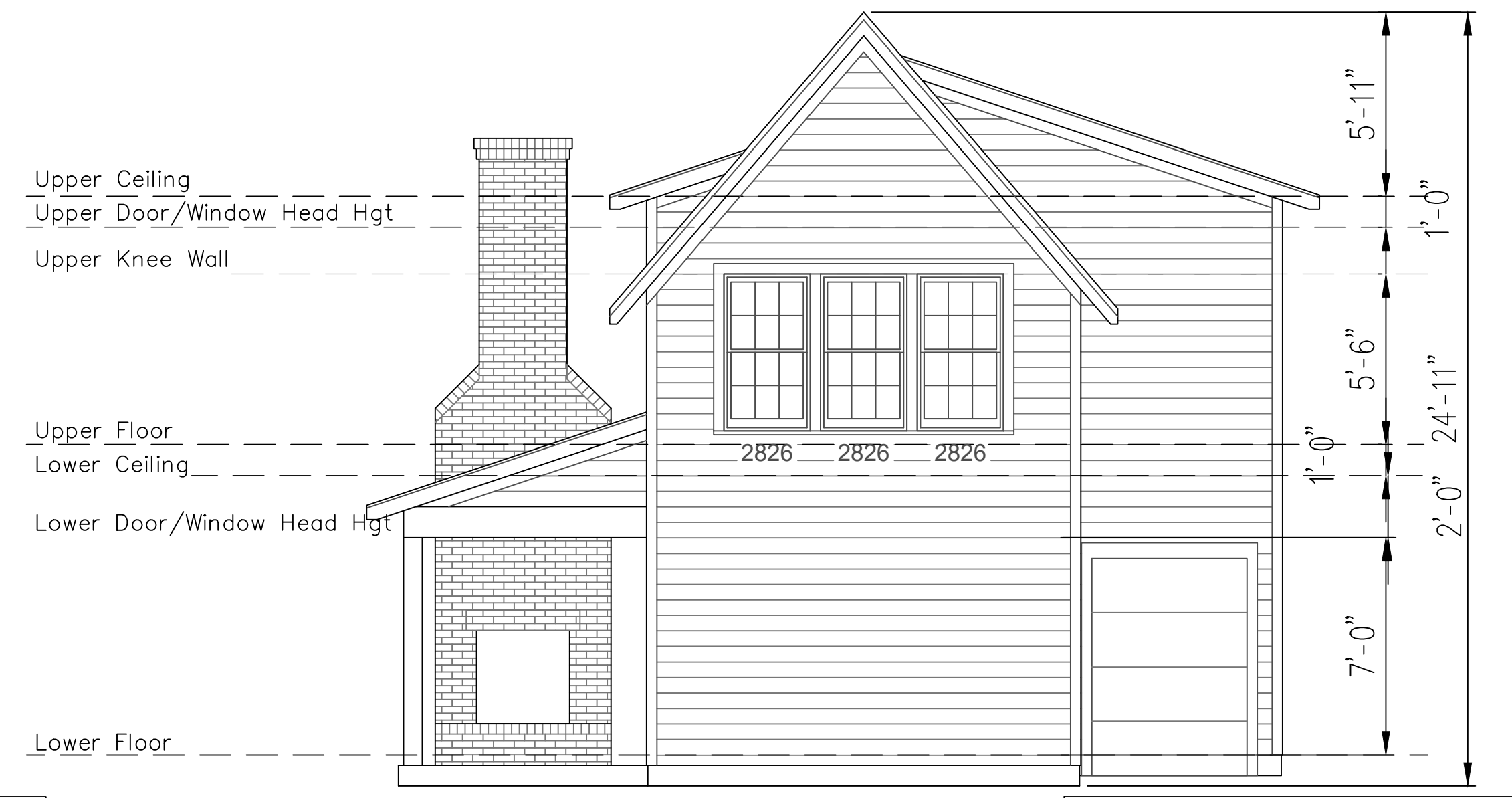
date 02/08/2026 of 3



South Elevation

SCALE: 1/4"=1'-0"

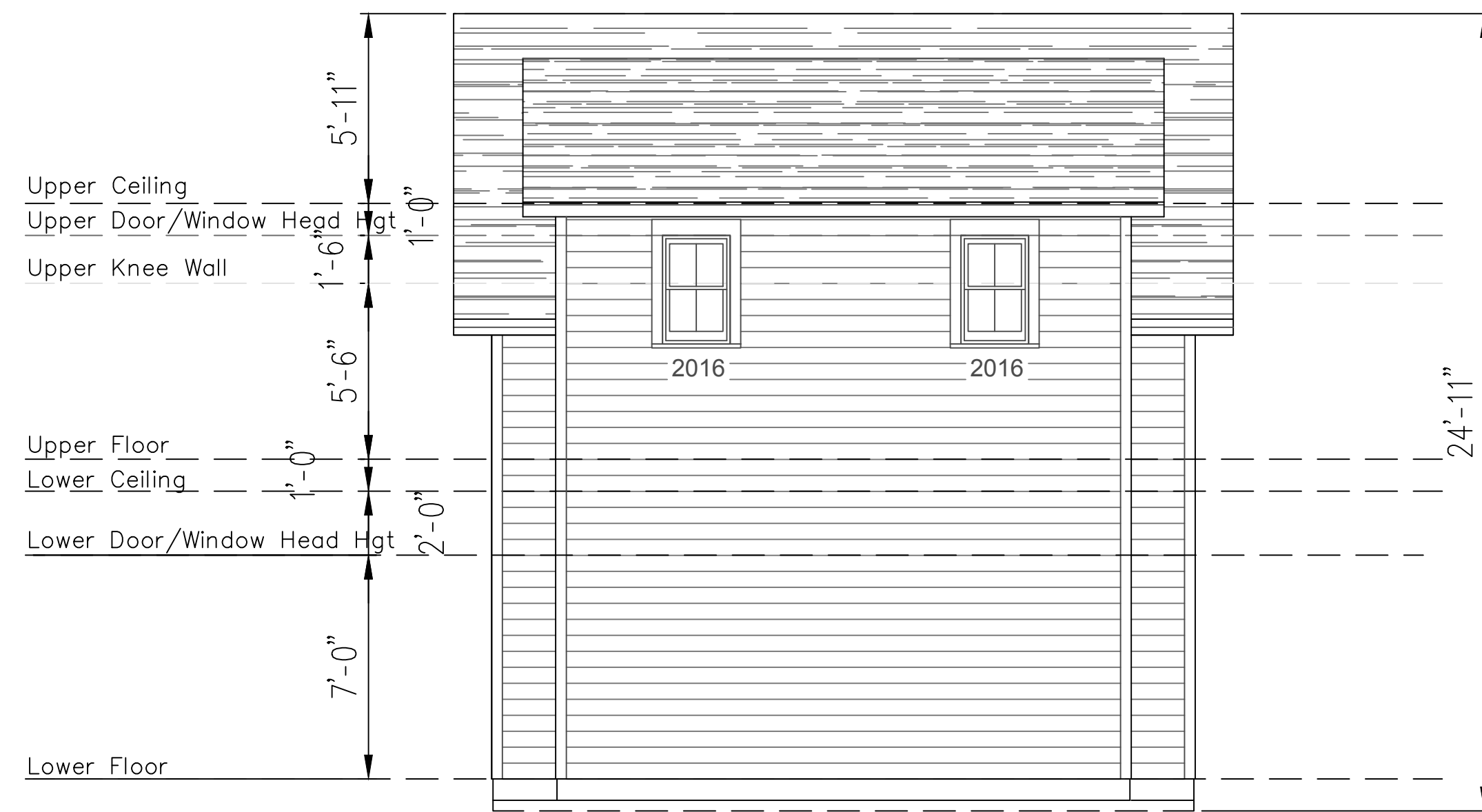
NOTE: EXISTING HOUSE IS 26'-10 1/2" IN HEIGHT



East Elevation

SCALE: 1/4"=1'-0"

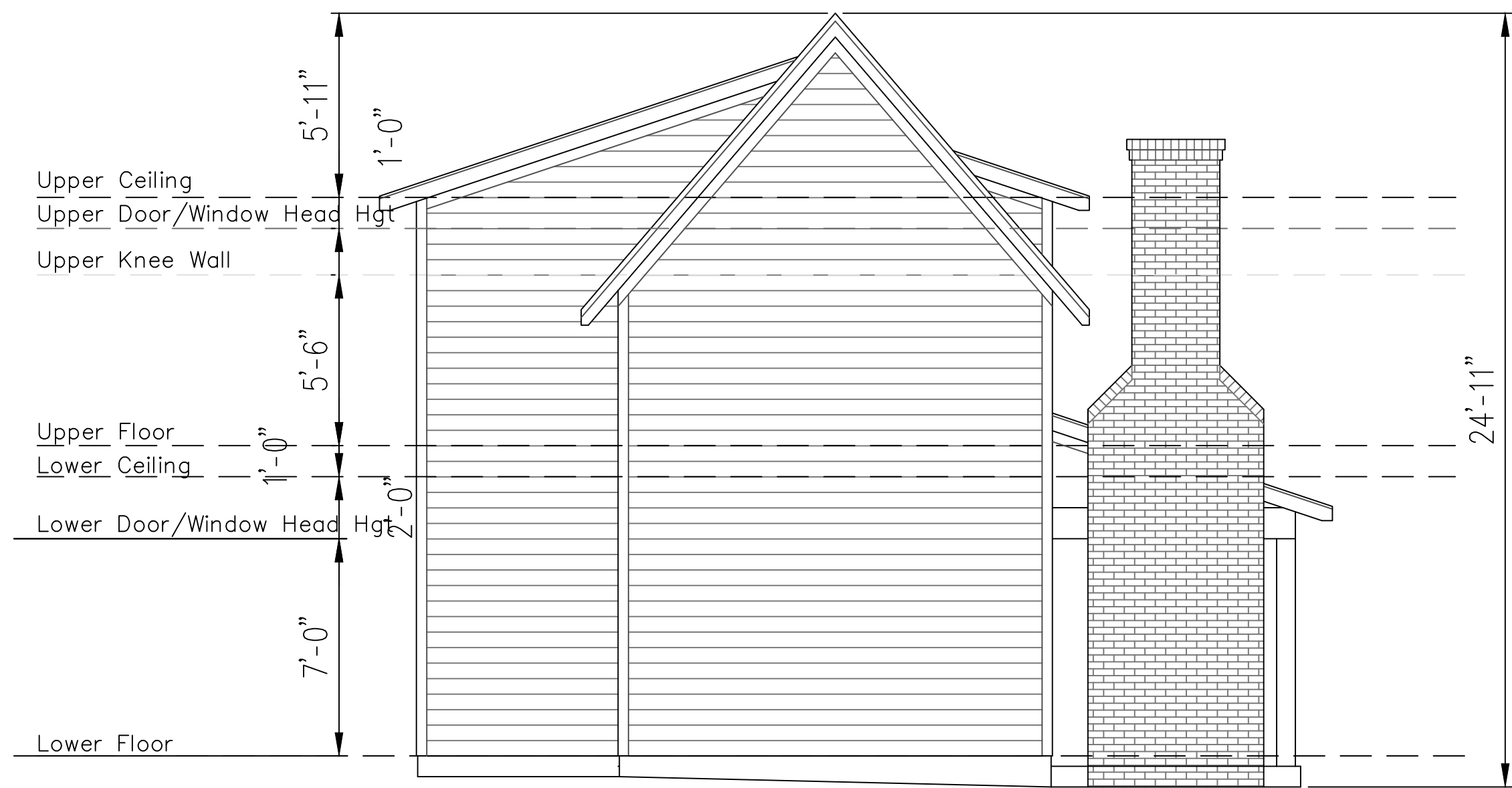
NOTE: EXISTING HOUSE IS 26'-10 1/2" IN HEIGHT



North Elevation

SCALE: 1/4"=1'-0"

NOTE: EXISTING HOUSE IS 26'-10 1/2" IN HEIGHT



West Elevation

SCALE: 1/4"=1'-0"

NOTE: EXISTING HOUSE IS 26'-10 1/2" IN HEIGHT

Guest House Addition To
JONES RESIDENCE
 609 Morris Blvd
 Homewood, Alabama

Revisions

Sheet Title

BUILDING ELEVATIONS

job no. **9811**

dwn. by JSF ckd. by JSF

dwg. no. **A-3** sht. no. **3**

of 3

date 03/17/2026 of 3

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

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

Cale Smith, PE, City Manager

Wyatt Pugh, Director

March 19, 2026

Subject Property: 609 Morris Boulevard

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: April 2, 2026, at 6:00 PM

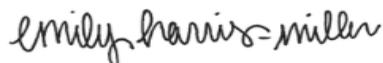
Hearing Location: Homewood City Hall Council Chambers, 2850 19th Street South

Applicants / Property Owners: Steve Jones

Nature of Request: Accessory Structure Setbacks and Size, Parking

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 Emily Harris-Miller at emily.harrismiller@homewoodal.org, or (205) 332-6800. Information regarding live stream viewing, electronic submittal of comments, and publication of case documents are provided on the reverse side of this notice.

Best,



Emily Harris-Miller
Senior Planning Technician

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 2nd floor behind the Council Chambers.

If you wish to view the live stream for this meeting, the "Live Stream" link is available on the home page the city's website at www.cityofhomewood.com. **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 or 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 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

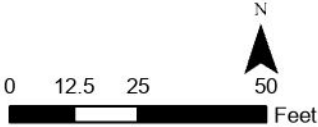
609 Morris Blvd

BZA 26-0020

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 2 of 2)

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

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- 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:

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- Complete legal description
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- 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

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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.

[Redacted signature area]



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				
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	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



SIGNS				
Please provide the following information regarding the proposed sign(s):				
Sign Type: _____		Sign District: _____		
	Existing	Permitted by Zoning Regulations	Proposed	Variance Requested
Number of Signs				
Max Area				
Max Height				
Max Copy Height				
Setback				

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

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

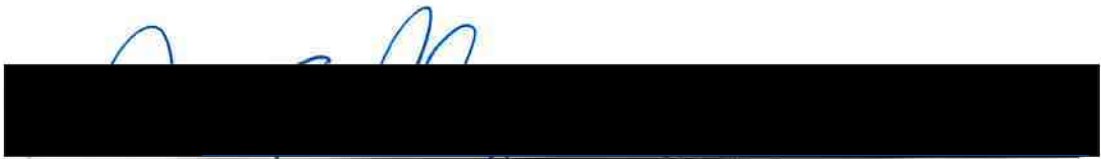
When 903 Westover Drive was constructed—prior to the implementation of modern zoning regulations—it was positioned on the lot slightly askew to the property lines, likely to better align the front of the house with the street. Today, when applying current zoning setback requirements of 10 feet on both 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

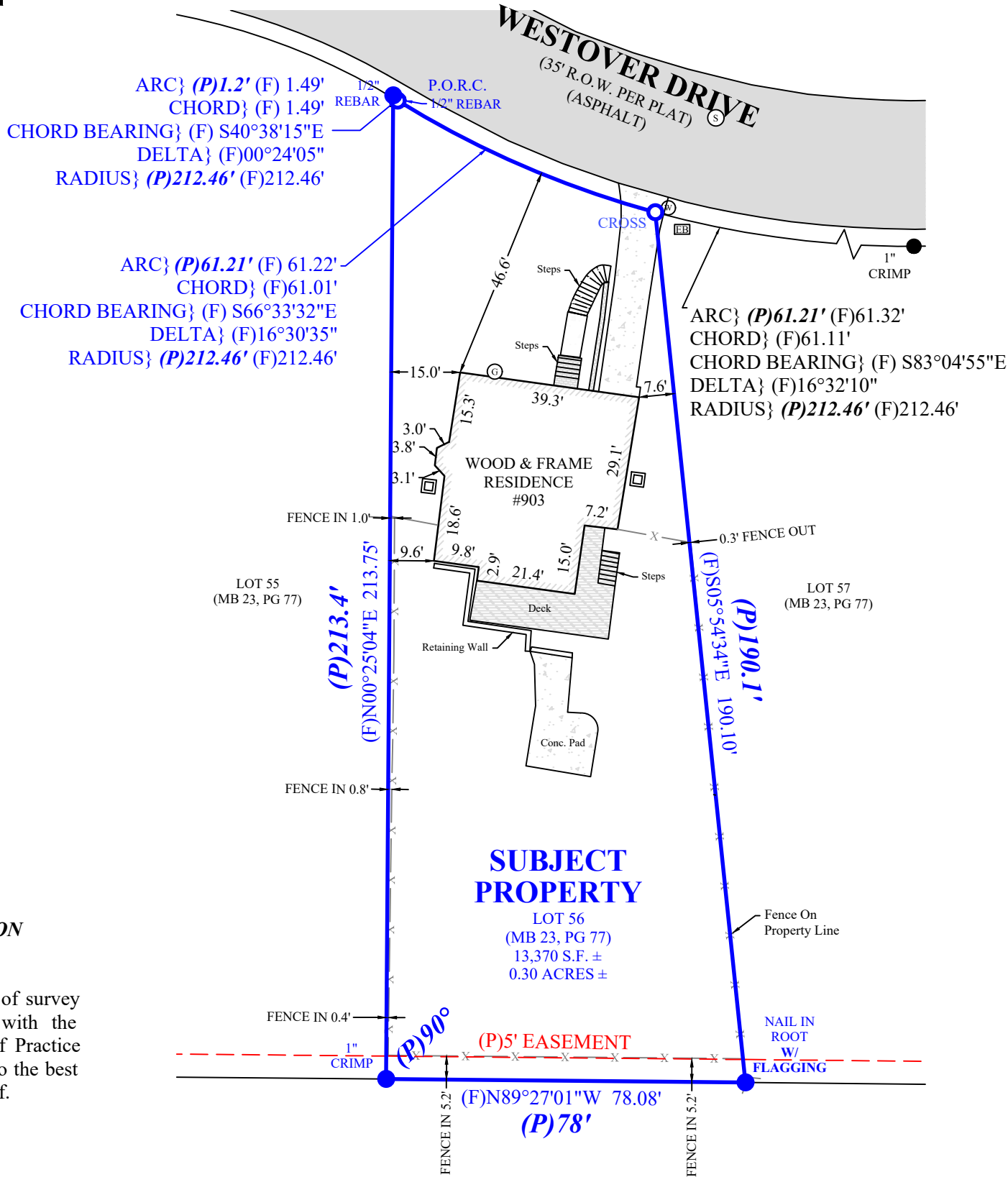
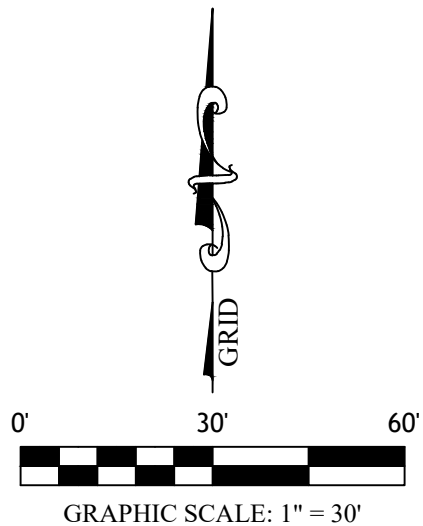
LEGAL DESCRIPTION:

(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

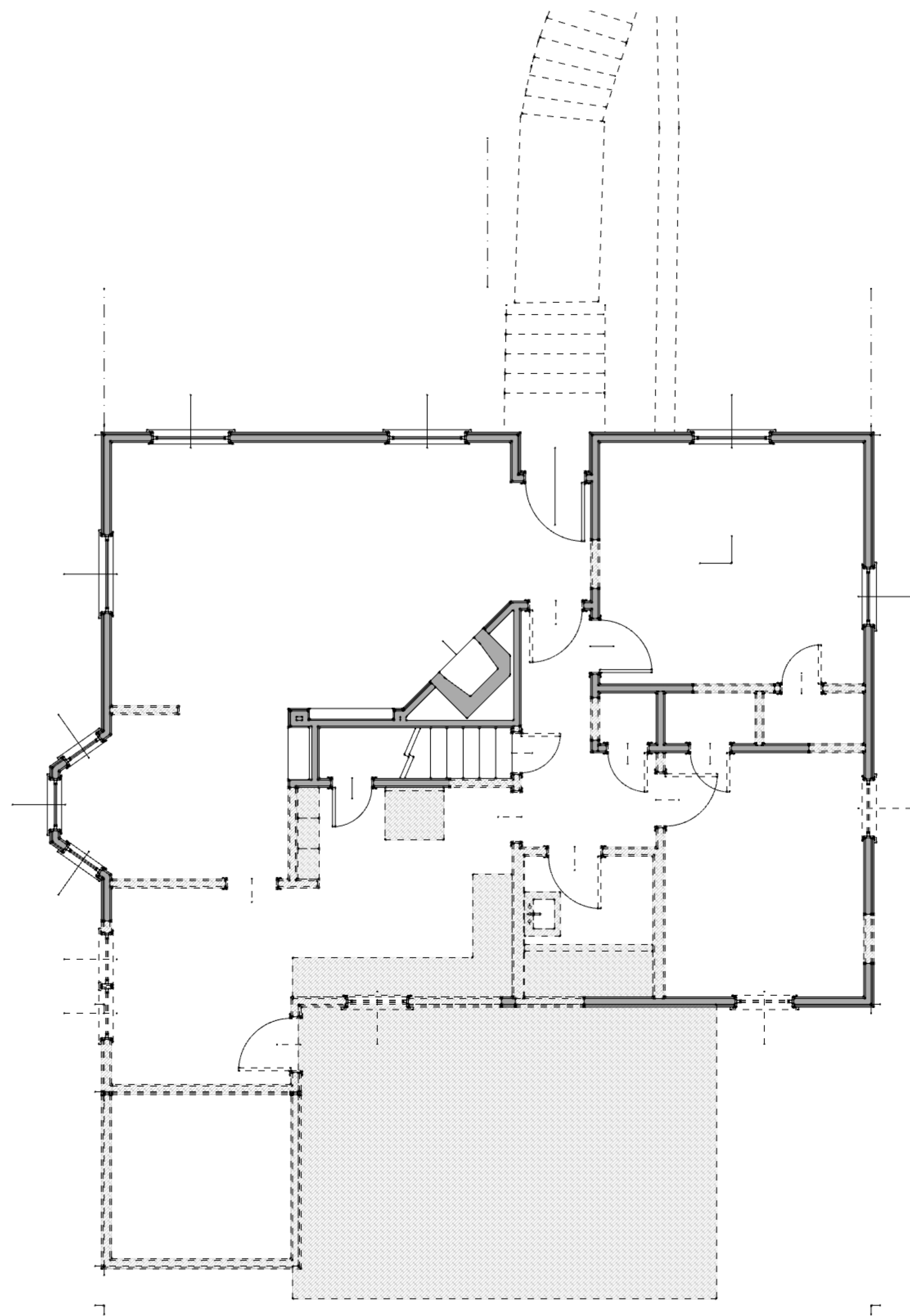
Digitally signed by Jeffery N Lucas
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 dnQualifier=A01410C000001919F30644100
 09682E, cn=Jeffery N Lucas
 Date: 2026.01.27 10:30:33 -06'00'



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

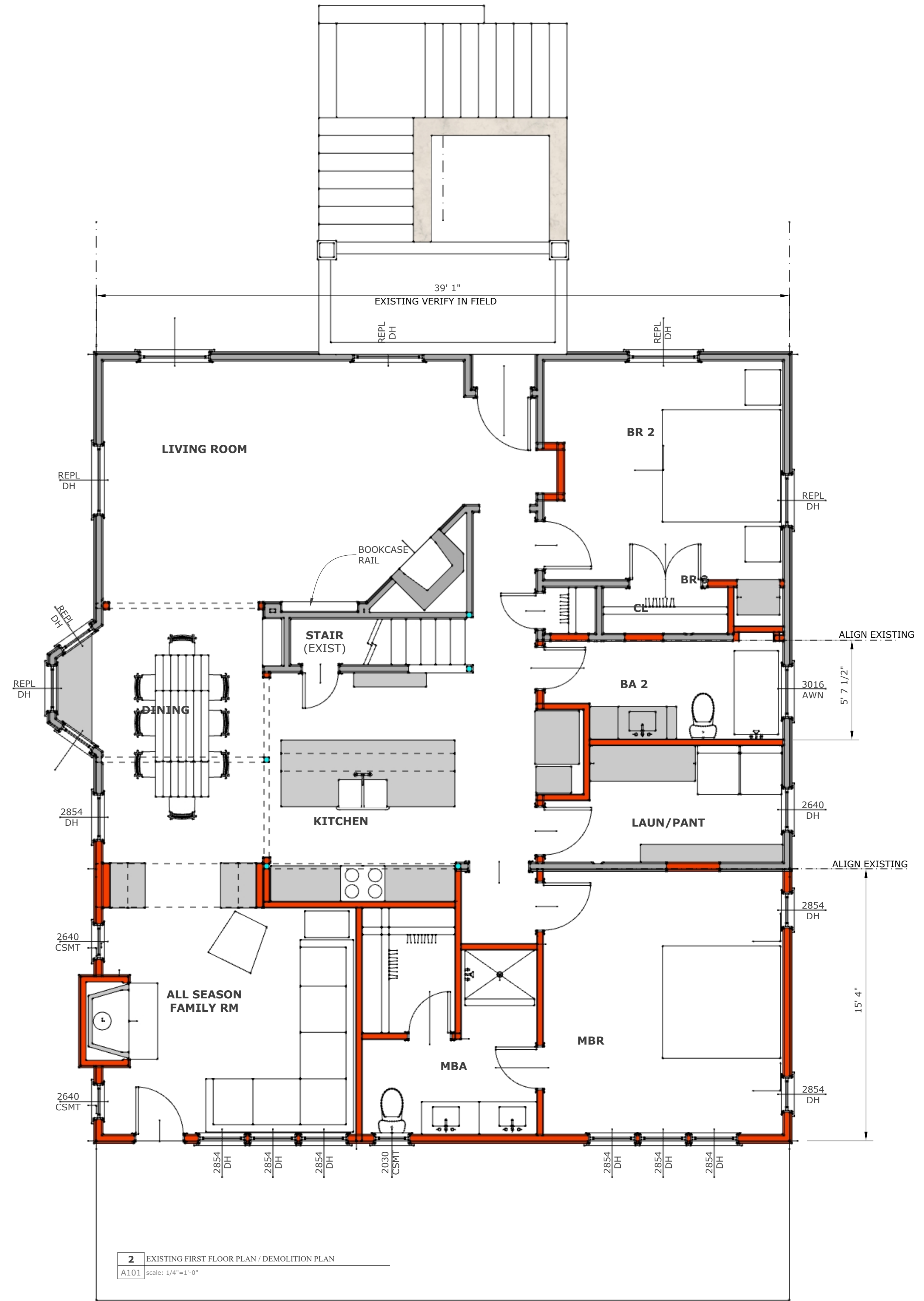
REFERENCES	
> INST #200113/2596	
> MB: 23 PG: 77	

PREPARED BY:	DATE OF FIELDWORK: 01/20/2026	PROPERTY BOUNDARY SURVEY	REVISIONS		
			DATE	DESCRIPTION	BY
<p>WEYGAND 173 OXMOOR ROAD, BIRMINGHAM, AL 35209 EMAIL: INFO@WEYGAND.COM OFFICE: 205-942-0086 WEYGANDSURVEYOR.COM</p>	DATE OF MAP: 01/21/2026	PREPARED FOR: PAULA SMALLEY ADDRESS: 903 WESTOVER DR BIRMINGHAM AL, 35209 JEFFERSON COUNTY JOB NUMBER: 2026-9			
	FIELDWORK BY: DREW McCLELLAN				
	DRAWN BY: VICTOR PINTOR				
	REVIEWED BY: JEFFERY LUCAS				
	APPROVED BY: JEFFERY LUCAS				



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

March 3, 2026



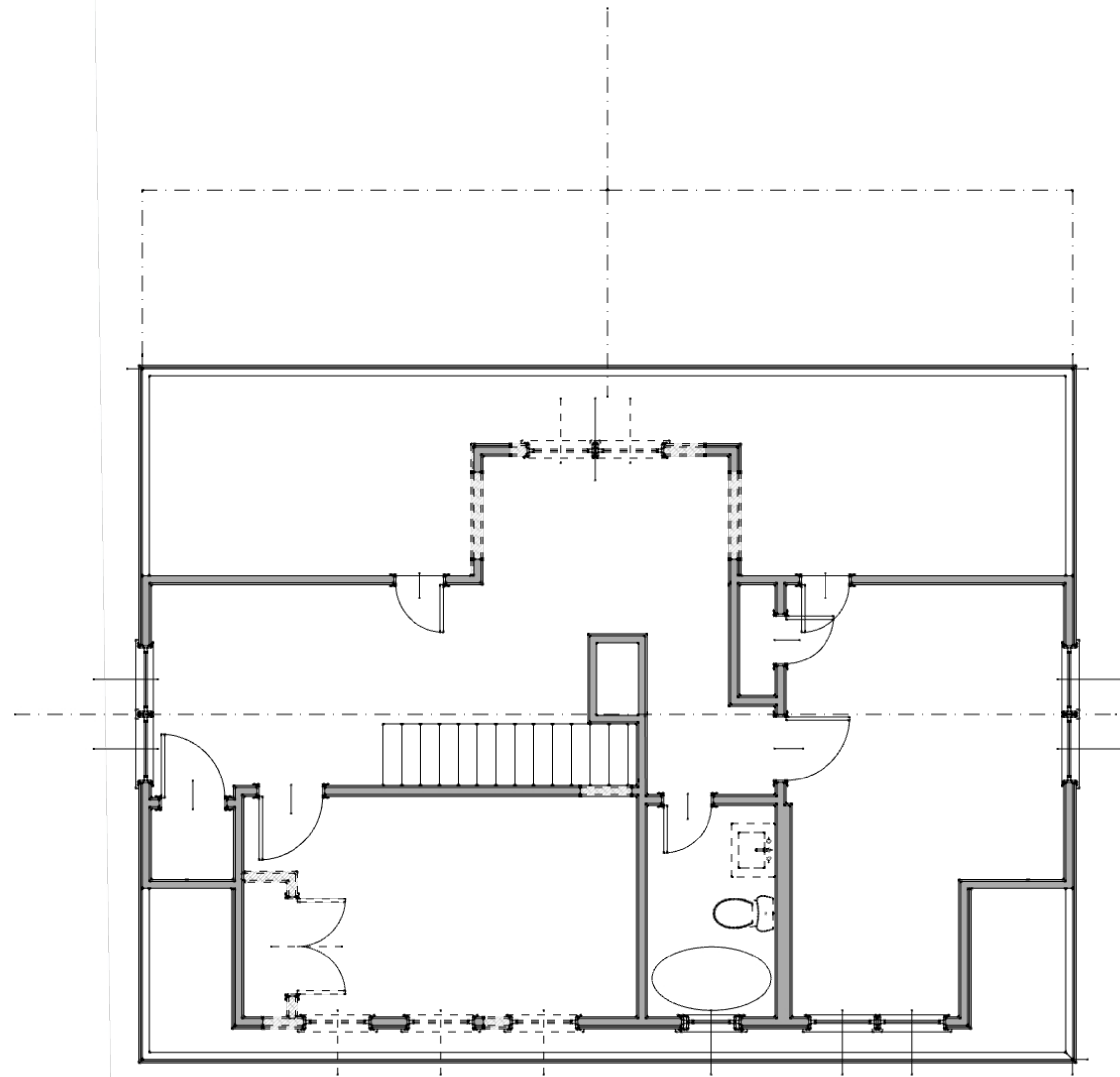
2 EXISTING FIRST FLOOR PLAN / DEMOLITION PLAN
 A101 scale: 1/4"=1'-0"

VARIANCE APPLICATION

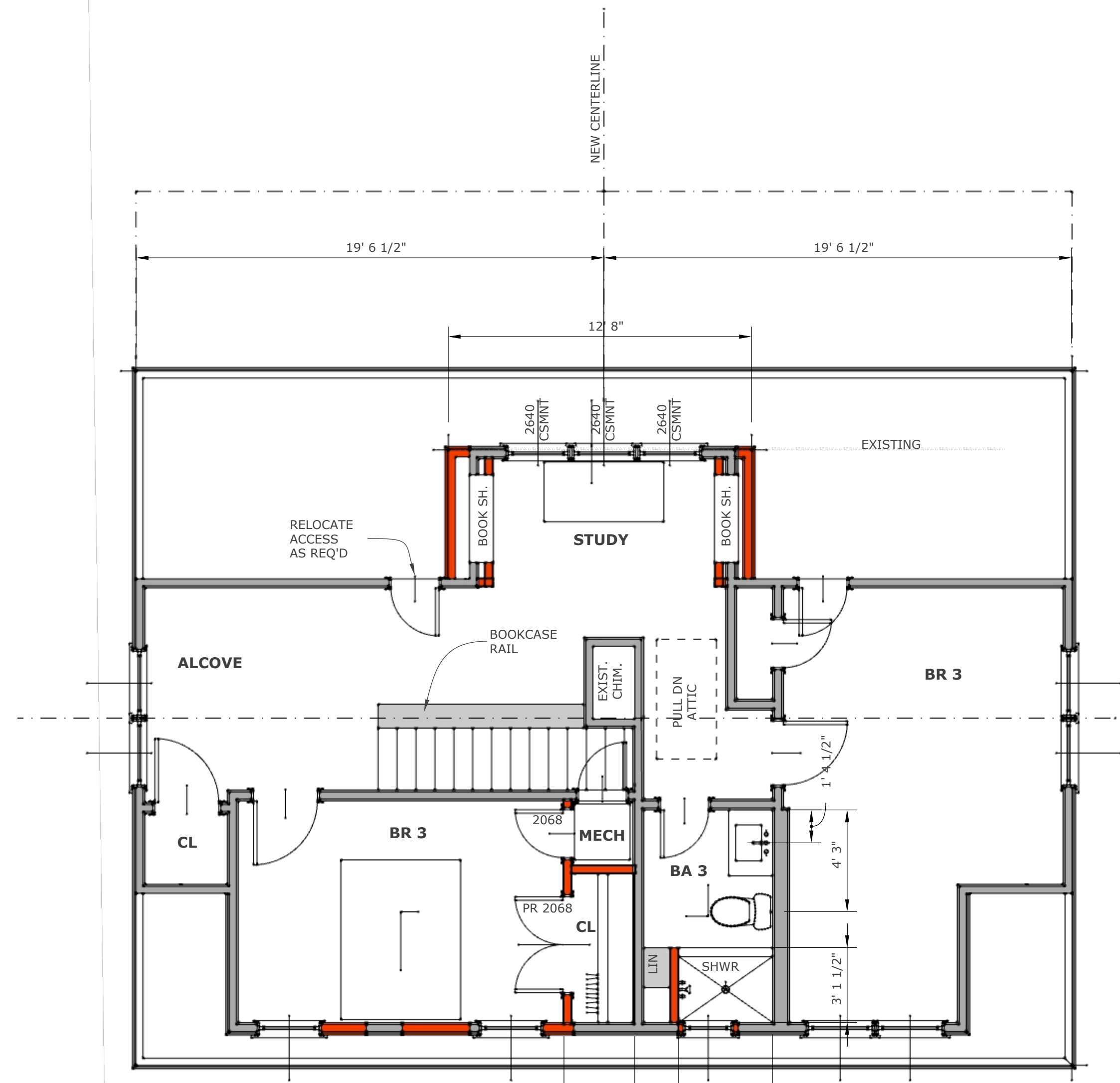
March 3, 2026

REVIEW SET

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

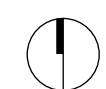


1 EXISTING SECOND FLOOR PLAN / DEMOLITION PLAN
 A102 scale: 1/4"=1'-0"



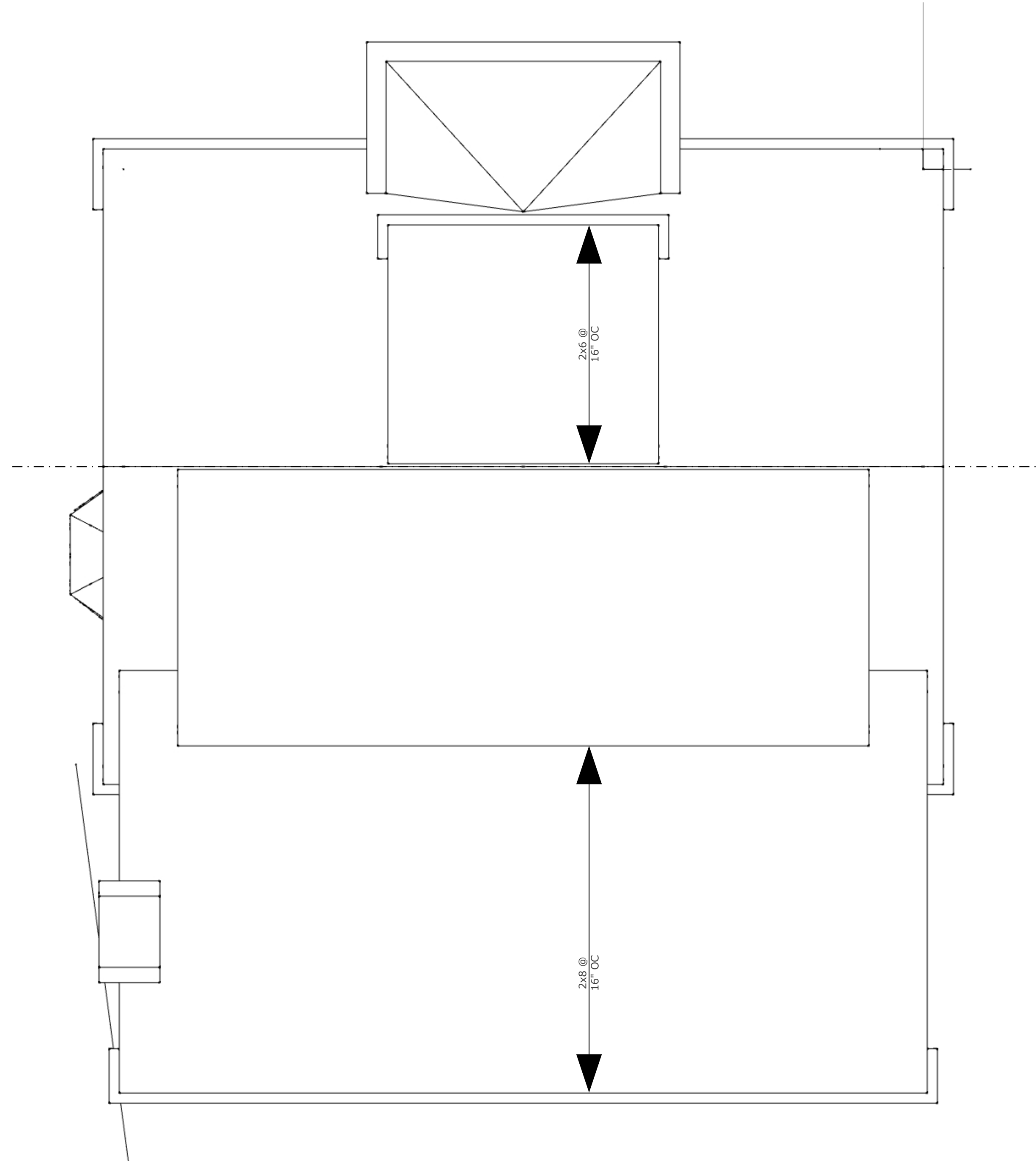
2 EXISTING FIRST FLOOR PLAN / DEMOLITION PLAN
 A101 scale: 1/4"=1'-0"

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

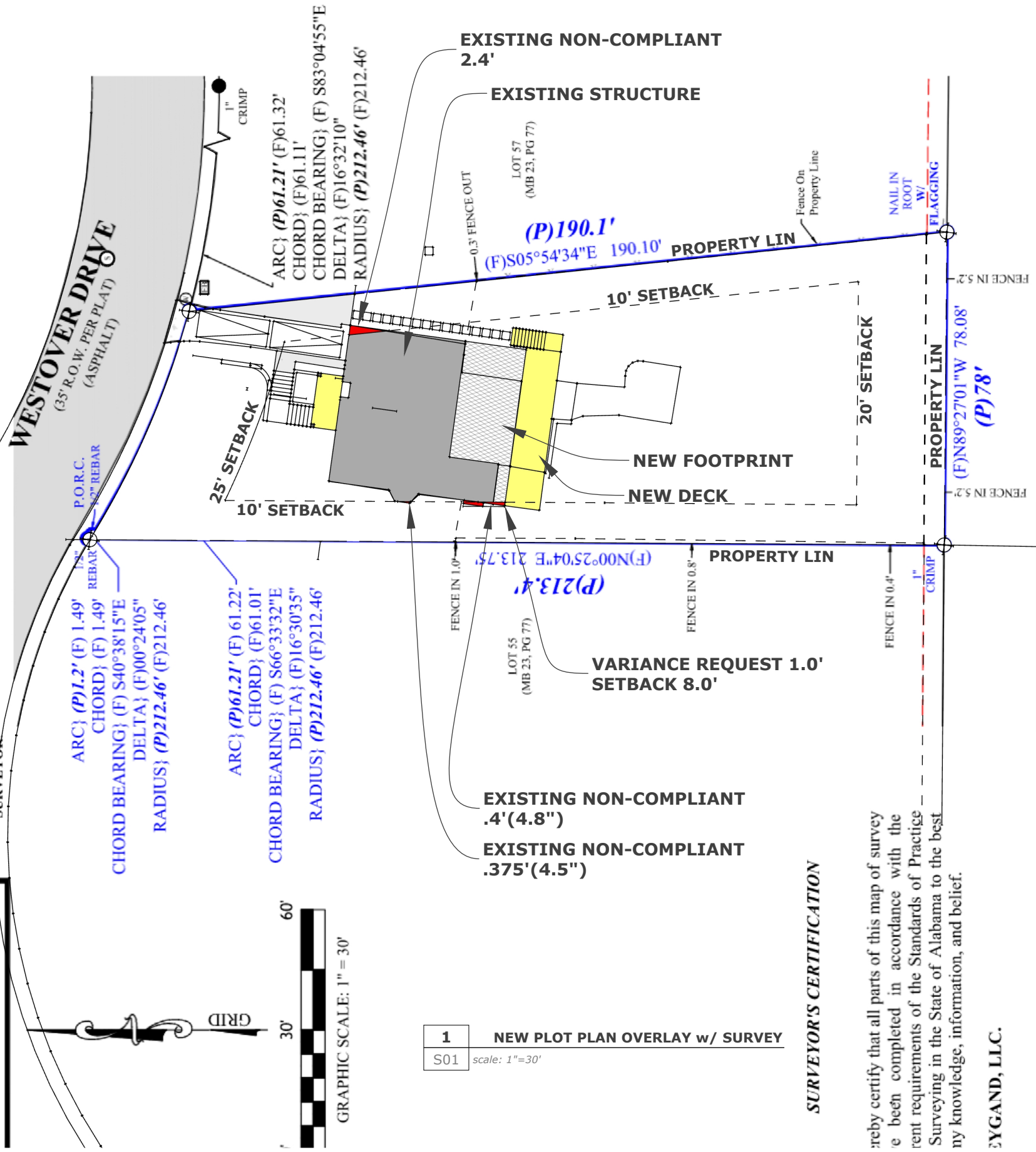
- O.C. POINT OF COMMENCEMENT
- .O.B. POINT OF BEGINNING
- .O.T. POINT OF TERMINATION
- (C) CALCULATED
- (F) FIELD MEASURED
- (D) DEED/RECORD
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- SET IRON PIN AS DESCRIBED
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- ▲ CALCULATED POINT
- AIR CONDITIONER
- ⊕ LIGHT POLE
- ⊖ POWER POLE
- FENCE
- OVERHEAD POWER
- BUILDING LINE
- SUBJECT PROPERTY LINE
- EASEMENT LINE

LEGAL DESCRIPTION:
(PER INSTRUMENT #200113/2596)

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SURVEYORS NOTES:

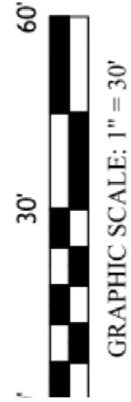
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ARC} (P)1.2' (F) 1.49'
CHORD} (F) 1.49'
CHORD BEARING} (F) S40°38'15"E
DELTA} (F)00°24'05"
RADIUS} (P)212.46' (F)212.46'

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

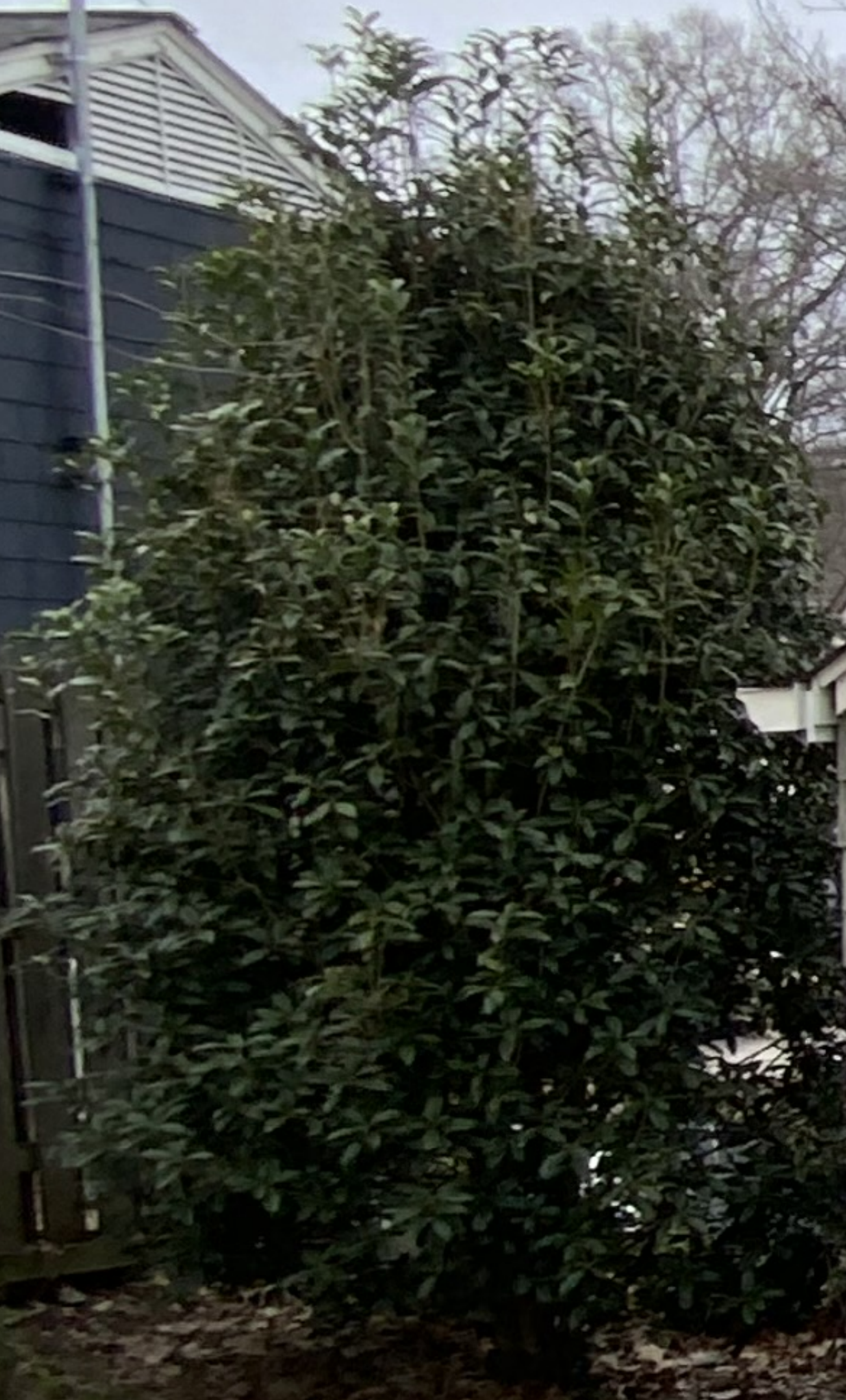






CATHEDRAL CHURCH OF THE ADVENT
LENTEN
**PREACHING
AND
LUNCHES**
ASH WEDNESDAY - MAUNDY THURSDAY
10:00 AM - 12:00 PM









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

2850 19th Street South - 4th 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 19th 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, 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 2nd floor behind the Council Chambers.

If you wish to view the live stream for this meeting, the "Live Stream" link is available on the home page the city's website at www.cityofhomewood.com. **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 or 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 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

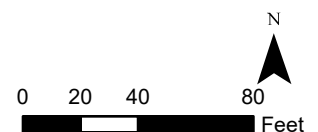
903 Westover Dr

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



City of Homewood
Department of Engineering & Zoning
2850 19th Street South, Homewood, AL 35209
cityofhomewood.com

Planning and Zoning General Application

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

Property Address: 2741 B M Montgomery St.

Parcel ID: _____ Current Zoning: Residential

Acreage: _____ Proposed Land Use: _____

Applicant: Maria Martinez Property Interest of Applicant: _____

E-mail: mmartinez04@Bellsouth.net Applicant Phone #: 205-915-0613

Mailing Address: 4801 5th Ave. South Bham AL 35222

City State Zip

Property Owner: Maria Martinez & Julio Martinez

E-mail: mmartinez04@Bellsouth.net Phone #: 205 915 0613

Mailing Address: 4801 5th Ave. South Bham AL 35222

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, Maria and Julio Martinez (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 _____ (Print Applicant) to act as representative in all matters concerning this application.

[Signature]

Signature of Property Owner 5/19/26 Date

[Signature]

Signature of Applicant 5/19/26 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): _____

Revised December 2025



City of Homewood
Department of Engineering & Zoning
2850 19th Street South, Homewood, AL 35209
cityofhomewood.com

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

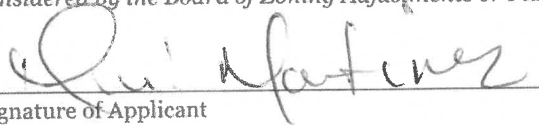
Resurvey Application Requirements

- 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.


Signature of Applicant

5/19/26
Date

Revised December 2025



City of Homewood
Department of Engineering & Zoning
2850 19th Street South, Homewood, AL 35209
cityofhomewood.com

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: _____

- 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: MM

- 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: MM

- 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: MM

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

Applicable: MM

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

Applicable: MM

- 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: MM

- 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: MM

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.

[Handwritten Signature]
Signature of Applicant

5/19/26
Date



City of Homewood
 Department of Engineering & Zoning
 2850 19th Street South, Homewood, AL 35209
 cityofhomewood.com

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	29.9'		29.9'	
Secondary Front Setback	29.5'		29.5'	
Right Setback	16.4' (15.9') near		16.4'	
Left Setback	4.9' (5.3') near 5'		4.9'	3"
Rear Setback	about 37'		~37'	

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	



City of Homewood
 Department of Engineering & Zoning
 2850 19th Street South, Homewood, AL 35209
 cityofhomewood.com

SIGNS				
Please provide the following information regarding the proposed sign(s):				
Sign Type: _____		Sign District: _____		
	Existing	Permitted by Zoning Regulations	Proposed	Variance Requested
Number of Signs				
Max Area				
Max Height				
Max Copy Height				
Setback				

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

Revised December 2025

LEGEND

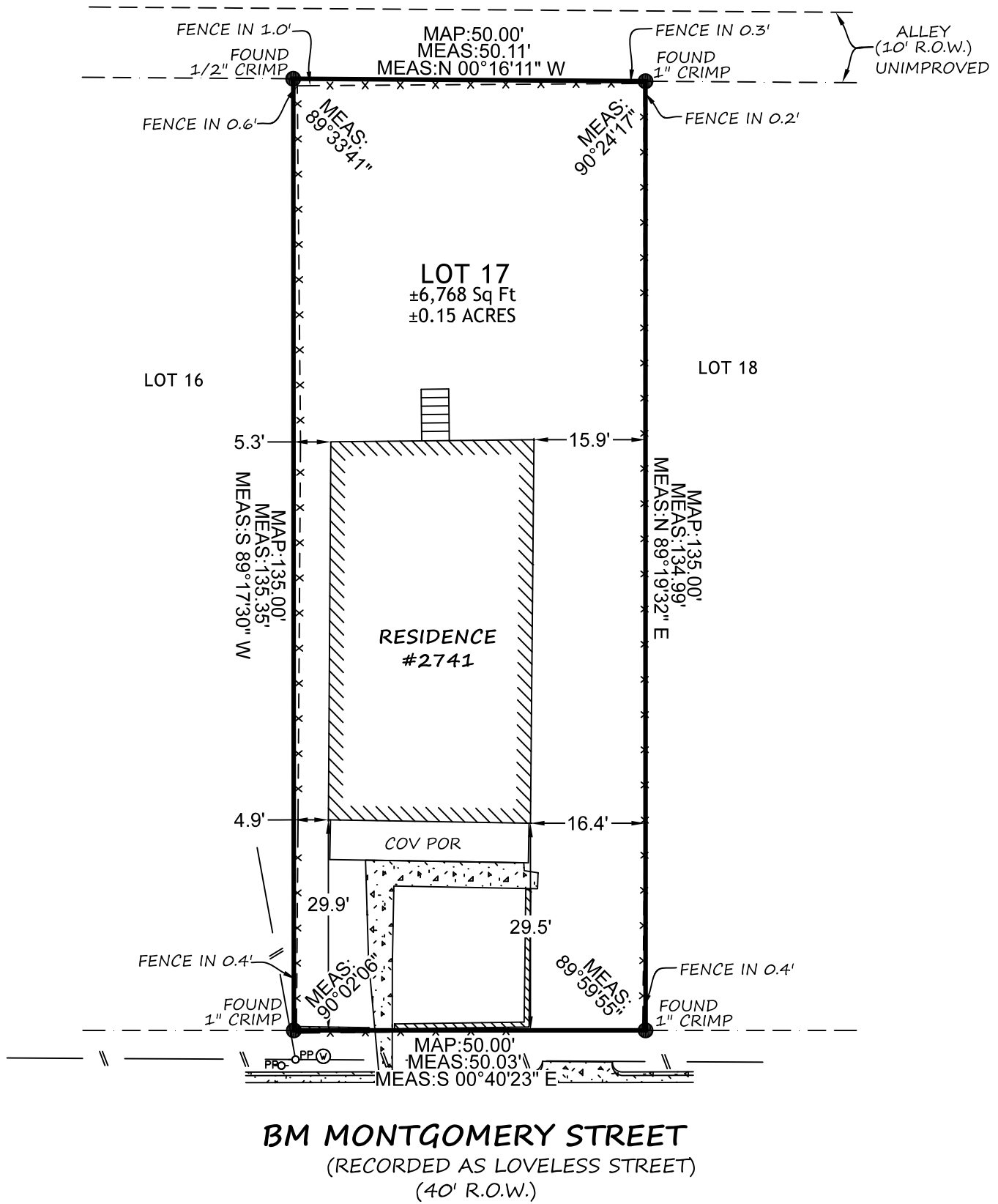
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- P.O.T. POINT OF TERMINATION
- OH OVERHANG
- ASP ASPHALT
- BLDG BUILDING
- RES RESIDENCE
- CALC CALCULATED
- MEAS: MEASURED
- MAP: MAP
- BRG BEARING
- CH CHORD
- R RADIUS
- TAN TANGENT
- Δ DELTA
- ESMT EASEMENT
- HW HEADWALL
- OH OVERHANG
- POR PORCH
- COV COVERED
- R.O.W. RIGHT OF WAY
- A/C AIR CONDITIONER
- IRON PIN SET (IPS)
- IRON PIN FOUND (IPF)
- ⊕ 1/4 SECTION CORNER
- ◻ ECM EXIST. CONC. MON.
- △ CALCULATED POINT
- AC ACRES
- S.F. SQUARE FEET
- ± PLUS OR MINUS
- ▨ DECK
- ⊕ CONCRETE
- ▬ RETAINING WALL
- ↓ GUY ANCHOR
- × FENCE
- OVERHEAD POWER
- PP POWER POLE
- ⊕ MANHOLE
- ⊕ WATER METER
- ⊕ UTILITY PEDESTAL
- ⊕ GAS METER
- ⊕ WV WATER VALVE
- ⊕ FH FIRE HYDRANT
- ⊕ LP LIGHT POLE

SURVEY CONTROL:

THE BASIS OF BEARINGS SHOWN ON THIS SURVEY ARE BASED ON ALABAMA STATE PLANE WEST ZONE, GRID NORTH, NAD 83(2011), AND THE VERTICAL DATUM IS NAVD 88 (GEOID 18). ELEVATION AND POSITION WERE OBTAINED FROM R.T.K. OBSERVATION USING THE ALDOT CORS NETWORK AS CONTROL.

SURVEYORS NOTES:

* INSTRUMENT #2024076106



BM MONTGOMERY STREET
(RECORDED AS LOVELESS STREET)
(40' R.O.W.)

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

"PROPERTY BOUNDARY SURVEY"

I, Thomas Scott Dreher, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot 17, of J T LOVELESS ADDITION TO CLIFTON, as recorded in Map Volume 901, Page 55, in the Office of the Judge of Probate, Jefferson County, Alabama. I hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief; according to my survey of JANUARY 17, 2025. Survey invalid if not signed and sealed.

Order No.: 20242476
Purchaser:
Address: 2741 BM MONTGOMERY ST

BY: Thomas Scott Dreher Date: JANUARY 27, 2025
Thomas Scott Dreher, PLS AL 50407
173 Oxmoor Road
Homewood, AL 35209
(205) 942-0086



Notes: (a) No title search of the public records has been performed by this firm, and land shown hereon was not abstracted for easements and/or rights-of-way, recorded or unrecorded. The parcel shown hereon is subject to setbacks, easements, zoning, and restrictions that may be found in the public records of said county and/or city. (b) All bearings and/or angles are deed/record map unless otherwise noted in such form as Measured (Deed). (c) Underground portions of foundations, footings, and/or other underground structures, utilities, cemeteries or burial sites were not located unless otherwise noted. (d) This survey is not transferable. (e) Easements not shown on recorded map are not shown above. (f) All iron pins set (IPS) by this firm are 1/2" rebar with an orange cap inscribed WEYGAND CA50309 and shall not be removed. (g) All corners set MAG. nails and washer will be silver and inscribed WEYGAND CA50309.



SCALE: 1" = 20'	APPROVED BY: Thomas Scott Dreher PLS AL REG. NO. 50407	DATE OF FIELD WORK: 01/17/2025	SURVEYED BY: JS / DRAWN BY: BAB	Job #: 20242476	GRAPHIC SCALE: 1" = 20'	Copyright ©
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City of Homewood BZA Case Map

2741 B M Montgomery
St.

BZA 26-0032

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

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

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

Cale Smith, PE, City Manager

Wyatt Pugh, Director

May 19, 2026

Subject Property: 100 Acton Ave.

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: June 4, 2026, at 6:00 PM

Hearing Location: Homewood City Hall Council Chambers, 2850 19th Street South

Applicants / Property Owners: Bryan Noland, James Craig Boyette & Mary Boyette

Nature of Request: Side 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, 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 2nd floor behind the Council Chambers.

If you wish to view the live stream for this meeting, the "Live Stream" link is available on the home page the city's website at www.cityofhomewood.com. **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 or 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 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.

COMPLETE AND SUBMIT
PRIOR TO THE DEADLINE DATE

City of Homewood
Board of Zoning Adjustments
Request for Variance



VARIANCE



APPEAL

ADDRESS OF PROPERTY: 100 Acton Avenue

BZA CASE # (assigned by city staff): _____

APPLICANT INFORMATION

Name of Applicant (s): Bryan Noland

Address of Applicant(s): PO Box 661461

<u>Birmingham</u>	<u>AL</u>	<u>35266</u>
City	State	Zip

Telephone Number(s) of Applicant(s): 205-795-3030

Email: admin@streamline-hs.com

Property Interest of Applicant(s): Contractor
(i.e., owner, contract purchaser, agent, architect, contractor, developer, etc)

OWNER INFORMATION – If different from Applicant

Name of Owner(s): James Craig Boyette & Mary Boyette

Address of Owner(s) (ONLY if address is different from property address) otherwise put same:
same

_____	_____	_____
City	State	Zip

Email: daisiesinjune1980@yahoo.com

Telephone Number(s) of Owner(s): 205-317-3018

DESCRIPTION, USE AND ZONING OF PROPERTY (Parcel ID & present zoning can be filled out at time of application submittal)

PARCEL IDENTIFICATION NUMBER: 29 00 14 4 015 022.000

PRESENT USE: _____ vacant X _____ residence

_____ commercial (describe): _____

_____ other (describe): _____

PRESENT ZONING ([City Zoning Map](#)): _____

**COMPLETE AND SUBMIT
PRIOR TO THE DEADLINE DATE**

**City of Homewood
Board of Zoning Adjustments
Request for Variance**

INDICATE THE FOLLOWING

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

	*Required by Zoning Regulations	Setback dimensions as they NOW exist	Setback dimensions AFTER construction	FINAL Setback Variance Requested
Front Bldg. Setback:		55.1'	55.1'	
Front Bldg. Setback: (secondary - corner lot)		53.5'	53.5'	
Right Bldg. Setback		5.7'	5.7'	Continue
Left Bldg. Setback		53.5	53.5	
Rear Bldg. Setback		40.6'	34.6'	
Accessory Structure Height / Setbacks	/	/	/	/
	As Required	Existing NOW	Proposed	Variance Required
Parking				
Height of Structure		12'	12'	

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

INDICATE THE FOLLOWING

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

Proposed Location of Fence *(check all that apply):*

Front Yard
 Side Yard (left)
 Side Yard (right)
 Rear Yard

Description of Proposed Fence *(please include dimensions, materials, etc. of the proposed fence):*

NONE

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 requested addition is for a closet and laundry area inside the home. The laundry has been located in the detached garage with multiple steps and elevation changes and it has become problematic both mechanically and physically.

Further, the primary bedroom in the home was constructed with inadequate closet space (even for a single individual) so this would greatly improve the living conditions.

Bringing the laundry into the home and increasing the closet space would greatly improve our quality of life and help limit further physical issues in the future.

We plan to maintain the existing 5.7’ setback and not encroach any further toward that property line at all.

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

4/21/26
Date



Signature of Owner

4-21-2026
Date



Signature of Owner

4-21-2026
Date

COMPLETE AND SUBMIT
PRIOR TO THE DEADLINE DATE

City of Homewood
Board of Zoning Adjustments
Request for Variance



VARIANCE



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same

_____	_____	_____
City	State	Zip

Email: daisiesinjune1980@yahoo.com

Telephone Number(s) of Owner(s): 205-317-3018

DESCRIPTION, USE AND ZONING OF PROPERTY (Parcel ID & present zoning can be filled out at time of application submittal)

PARCEL IDENTIFICATION NUMBER: 29 00 14 4 015 022.000

PRESENT USE: _____ vacant X _____ residence

_____ commercial (describe): _____

_____ other (describe): _____

PRESENT ZONING ([City Zoning Map](#)): _____

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):

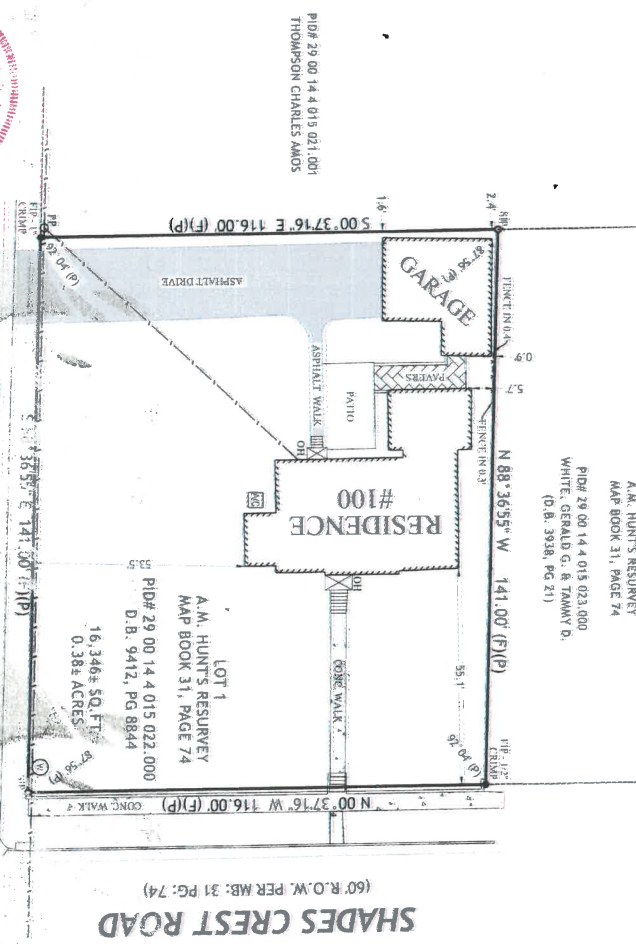
This request is to CONTINUE the non-conforming setback along the north property line of 5.7' for an additional 6'

added to the back (west) side of the primary suite facing the detached garage.

LEGEND	
BO, C	POINT OF COMMENCEMENT
BO, B	POINT OF BEGINNING
FO, B	POINT OF TERMINATION
(C)	CALCULATED
(D)	FIELD MEASURED
(P)	DEED RECORD
(F)	PLAT/MAP
(T)	TYPICAL
N/R	NOT RECOVERED
COV	COVERED
R.O.W.	RIGHT OF WAY
S.F.	SQUARE FEET
DB	DEED BOOK
MD	MAP
MA	MAP AT BOOK
MI	SET IRON PIN (SIP)
MO	ROUND IRON PIN (RIP)
X	FOUND/SET CROSS
A	CONCRETE MONUMENT
CA	CALCULATED POINT
AC	AIR CONDITIONER
WM	WATER METER
UM	UTILITY METER
GM	GAS METER
PH	FIRE HYDRANT
LP	LIGHT POLE
PP	POWER POLE
SM	STORM MANHOLE
GI	GRADED INLET
UI	UTILITY VAULT
EB	ELECTRIC BOX
EM	ELECTRIC METER
PF	FENCE
OP	OVERHEAD POWER
BL	BUILDING LINE

SURVEYOR NOTES:

1. THIS SURVEY OF THE "SUBJECT PROPERTY" WAS CONDUCTED FOR THE PURPOSE OF A 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.
2. SURFACE FEATURES (UNDERGROUND UTILITIES, SERVICE TANKS, ETC.) MINOR FEATURES (SPRINKLERS, VALVES, ETC.) AND TREES AND SHRUBS WERE NOT LOCATED AS A PART OF THIS SURVEY.
3. THE SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE, TITLE REPORT OR TITLE OPINION. THEREFORE, THERE MAY BE OTHER EASEMENTS, RIGHTS-OF-WAY, SETBACK LINES, AGREEMENTS, RESERVATIONS, RESTRICTIONS, OR OTHER SIMILAR MATTERS OF PUBLIC RECORD, NOT DEPICTED ON THIS SURVEY.
4. THE DATE OF FIELD WORK IS THE LAST THAT EITHER THE FIELD OR OTHER 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.
5. BEARINGS BASED ON ALABAMA STATE PLANE WEST ZONE, GRID NORTH, NA83 (2011), WITH VERTICAL DATUM, NAVD83 (GEOID 19), ELEVATION AND POSITION WERE OBTAINED USING GNSS OBSERVATIONS WITH OPUS ADJUSTED SOLUTIONS AND/OR K/L/K OBSERVATIONS USING THE ALDOT CONS NETWORK.



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.
 Digitally signed by Jeffrey N Lucas
 DN: c=US, o=Unaffiliated, d=QJLucifer-A01410C00000191, 9F3564410009682E, cn=Jeffrey N Lucas
 Date: 2025.07.31 07:30:17 -0500

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



LEGAL DESCRIPTION:
 (PER DB 9412, PG 8844)

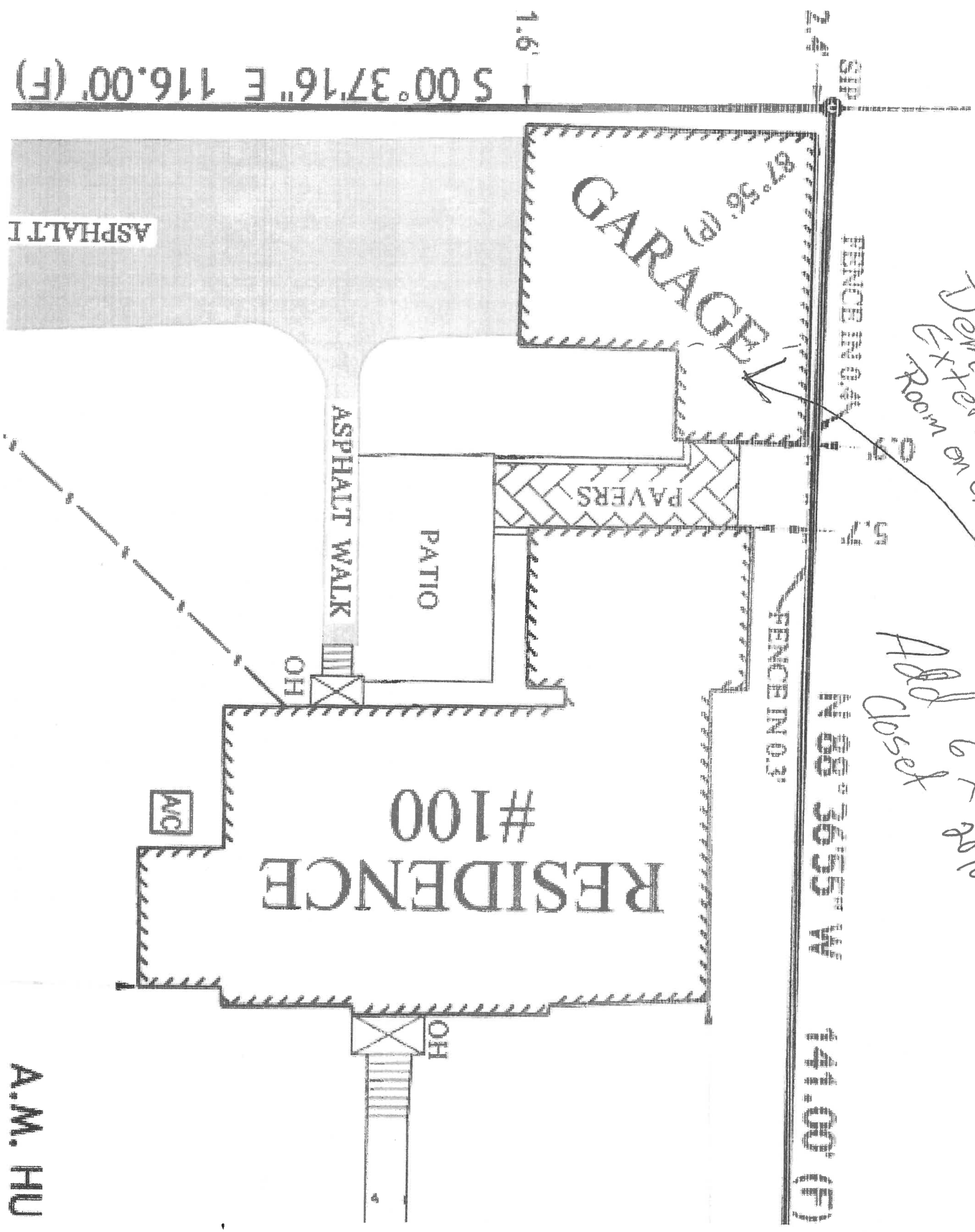
LOT 1, ACCORDING TO A.M. HUNT'S RESURVEY OF LOTS "A," "A," AND "B" OF EIGHTH AND THE WEST 99 FEET OF THE SOUTH 300 FEET OF THE EAST 575 FEET OF THE SE 1/4 OF THE SE 1/4 OF SECTION 14, TOWNSHIP 18 SOUTH, RANGE 3 WEST, AS RECORDED IN MAP BOOK 31, PAGE 74, IN THE PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA.



REFERENCES
 > DB 9412, PG 8844
 > MB: 31 PG. 74

PREPARED BY: WEYGAND 173 OXMOOR ROAD, BIRMINGHAM, AL 35209 EMAIL: INFO@WEYGAND.COM OFFICE: 205-942-0086 WEYGANDSURVEYOR.COM	DATE OF FIELDWORK: 07/25/2025 DATE OF MAP: 07/29/2025 FIELDWORK BY: BLAKE DRAWN BY: JIMMY PINSON REVIEWED BY: JIMMY PEARSON APPROVED BY: JEFFERY LUCAS	PROPERTY BOUNDARY SURVEY PREPARED FOR: JASON HALE ADDRESS: 100 ACTON AVENUE BIRMINGHAM AL, 35209 JEFFERSON COUNTY JOB NUMBER:	REVISIONS <table border="1"> <thead> <tr> <th>DATE</th> <th>DESCRIPTION</th> <th>BY</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	DATE	DESCRIPTION	BY															
	DATE	DESCRIPTION	BY																		

100 Acton Av
 Boyette 1 of 10

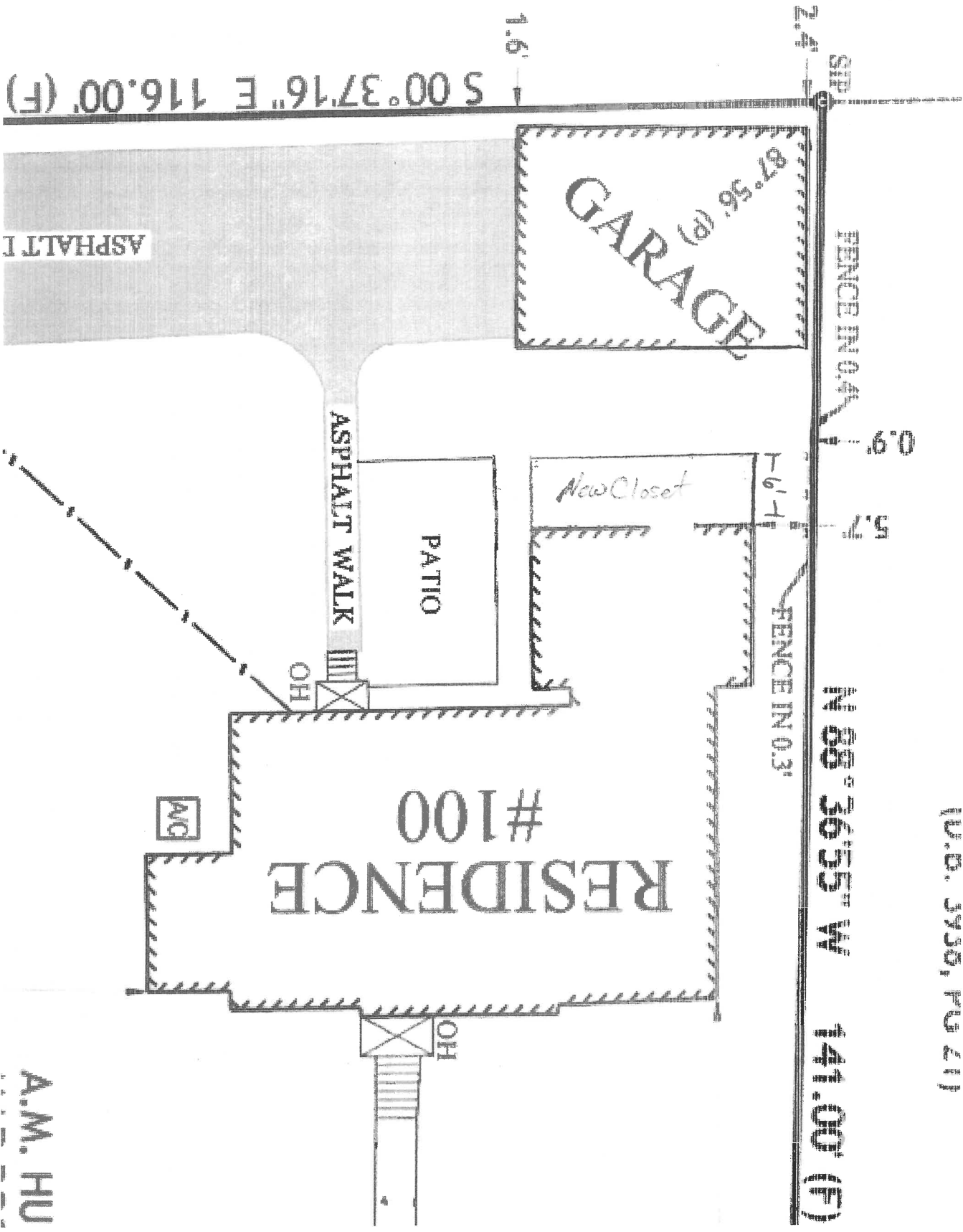


*Demolition
Exterior
Room on Garage*

*Add closet
6' x 8'
20/10"*

A.M. HU

100 Acton A.
Boyette 2 of.



(U.D. 3736, P. 21)

A.M. HU

100 Acton St
 Boyette 3 of 1



100Acta
Boyette
4 of 11



100 Acton
Boyett,
5 of 10

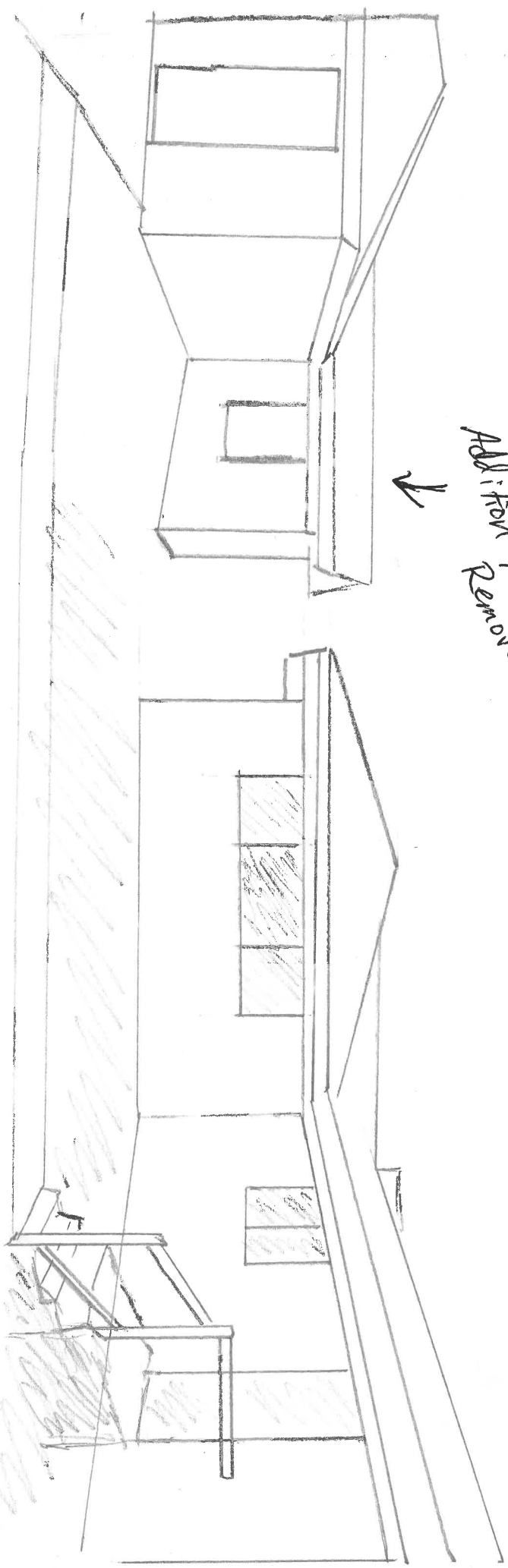


100 Acton #
Boyette
6 of 10

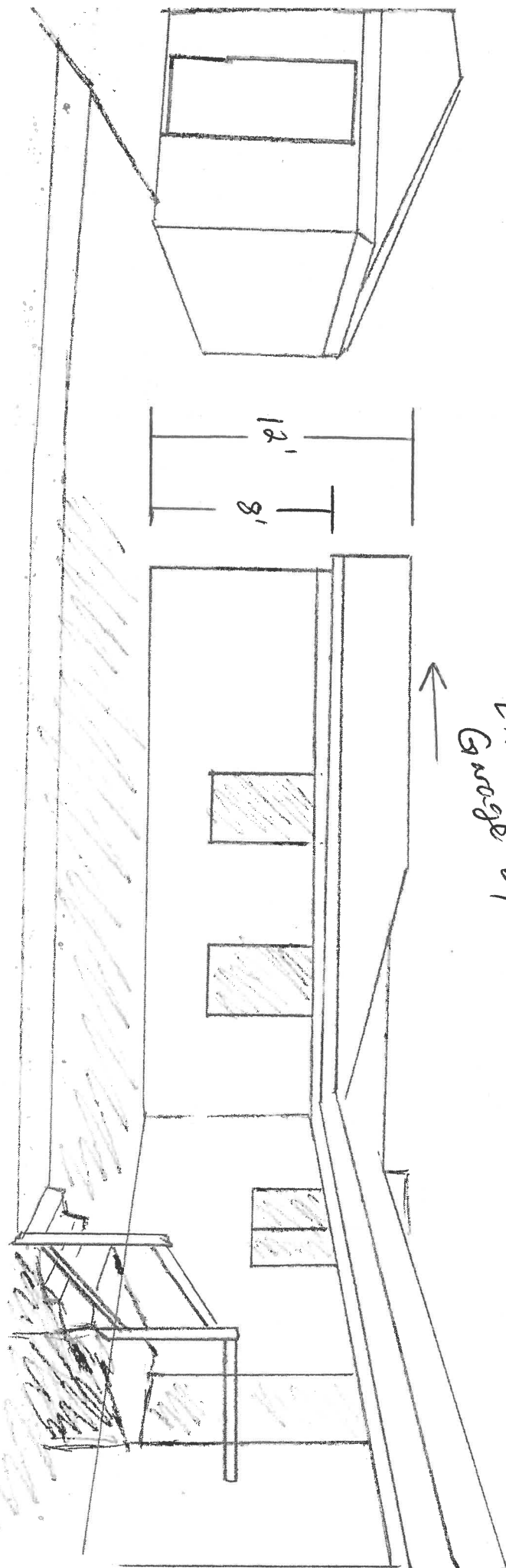


100 Acton
Boyette
7 of 10

Existing Elevation



↓
Addition To Be
Removed



House Foot Print
Extended by 6'
Garage

Proposed Elevation
Change

100 Acton
Boyette
9 of 10



JEFFERSON COUNTY TAX ADMINISTRATION

Printed on: 4/20/2026

2025 ASSESSMENT STATEMENT

Owner

BOYETTE JAMES CRAIG & MARY BREWER (D)

Mailing Address

100 ACTON AVE
BIRMINGHAM AL 35209-6202

PARCEL INFORMATION

Parcel Number	29 00 14 4 015 022.000
Receipt Number	5108002
Account Number	397768
Tax Year	2025
Tax & Cost	\$0.00
Escaped Taxes Due	\$0.00
Amount Paid	\$0.00
Total Due	\$0.00
Due Date	

ASSESSMENT INFORMATION

Location	100 ACTON AVE BIRMINGHAM AL 35209
Neighborhood	16-004.0
Subdivision	HUNTS A M RESUR
Lot	1
Block	
Property Class	3
Acreage	0.000
Exempt Code	6-6
Municipality	12 - HOMEWOOD
School District	
Disability Code	D
Over 65 Code	X

VALUATION SUMMARY

Improvement Value	Land Value	Market Value	Appraised Value	Assessed Value
\$152,000	\$320,000	\$472,000	\$472,000	\$47,200

TAX BREAKDOWN

Millage Type	Municipality	Assessed Value	Millage Rate	Tax	Tax Exemption	Total Tax
STATE	12 - HOMEWOOD	\$47,200	6.50	\$306.80	\$306.80	\$0.00
COUNTY	12 - HOMEWOOD	\$47,200	13.50	\$637.20	\$637.20	\$0.00
SCHOOL	12 - HOMEWOOD	\$47,200	8.20	\$387.04	\$387.04	\$0.00
DIST SCHOOL	12 - HOMEWOOD	\$47,200	0.00	\$0.00	\$0.00	\$0.00
CITY	12 - HOMEWOOD	\$47,200	31.70	\$1,496.24	\$1,496.24	\$0.00
FOREST	12 - HOMEWOOD	\$0	0.00	\$0.00	\$0.00	\$0.00
SPC SCHOOL1	12 - HOMEWOOD	\$47,200	5.50	\$259.60	\$259.60	\$0.00
SPC SCHOOL2	12 - HOMEWOOD	\$47,200	9.60	\$453.12	\$453.12	\$0.00
TAX TOTAL				\$3,540.00	\$3,540.00	\$0.00

Current Due \$0.00

Fees \$0.00

Payments \$0.00

Back Taxes \$0.00

TOTAL DUE \$0.00

Due Date

*100 Acton
Boyette
10 of 10*