

Homewood Board of Zoning Adjustments
Meeting Agenda
Thursday, September 1, 2022, 6:00 P.M.
City Council Chamber
2850 19TH Street South, 2nd Floor
Homewood, Alabama 35209

Persons who are unable to attend the meeting may view the proceedings on-line by clicking the link in Option 1, or by following the instructions in Option 2 or Option 3. **Please note that public comments cannot be made by persons viewing through Zoom.**

- Option 1: [Click to Connect to Zoom](#) or www.cityofhomewood.com/upcoming-meetings
Option 2: Zoom App - Meeting ID#: 883 5766 5513 | Passcode: 514257
Option 3: By phone: 312-626-6799

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, Matthew Foley, Ward 5	Vice-Chair, Meghan Hand, Ward 4
Houston Wurtele, Ward 1	Scott Alsabrook, Ward 2
Michael Pirkle, Ward 3	

Supernumeraries

Stuart Roberts	John Geer
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Order of Business

- I. **Call to Order**
- II. **Roll Call**
- III. **Minutes Approval – July 7, 2022 & August 4, 2022**
- IV. **Communications/Reports from Chair & Vice Chair**
- V. **Old Business**

1) SV-22-08-07, 115 Riviera Road, Parcel ID No.: 29 00 24 2 013 012.000

Applicants / Property Owner : John & Anne Marie Toullatos

A request for a variance to Article IV, District Uses, Sec. A., NPD Neighborhood Preservation District, d. Setbacks, 2. Side, to reduce the setback along the right-side property line from 10-feet to 5-feet, for a total reduction of 5-feet, to allow for the construction of a covered porch.

VI. New Business

1) SV-22-09-02, 114 Havenwood Court, Parcel ID No.: 29 00 13 2 029 009.000

Applicant: Jared Bussey / Property Owner: David Maman, Birmingham Investments 3, LLC

- a) A request for a variance to Article IV, District Uses, Sec. A., NPD Neighborhood Preservation District, d. Setbacks, 1. Front, to reduce the setback along the front property line from 25-feet to 21.7-feet, for a total reduction of 3.3-feet (3-feet, 4-inches), to allow for the replacement of the covering over an existing non-compliant front porch.*
- b) A request for a variance to Article IV, District Uses, Sec. A., NPD Neighborhood Preservation District, d. Setbacks, 2. Side, to reduce the setback along the right-side property line from 10-feet to 7-feet, for a total reduction of 3-feet, to allow for the construction of a second-story addition to an existing non-conforming single-family dwelling.*

2) SV-22-09-03, 306 La Playa Place, Parcel ID No.: 28 00 07 4 015 020.000

Applicant: Trey Goldstein / Property Owner: Mims & Mary Cooper

A request for a variance to Article V, District Development Criteria, Sec. D., Accessory Structures, (5)., to permit an accessory structure other than a garage or carport to be located in a side yard, to allow for the installation of a swimming pool.

3) SV-22-09-04, 1523 Roseland Drive, Parcel ID No.: 29 00 13 1 019 039.000

Applicant: Trey Goldstein / Property Owner: Chase Christian

A request for a variance to Article IV, District Uses, Sec. A., NPD Neighborhood Preservation District, d. Setbacks, 2. Side, to reduce the setback along the right-side property line from 10-feet to 6.7-feet, for a total reduction of 3.3-feet, to allow for the construction of a new house while utilizing the existing, non-conforming foundation.

4) SV-22-09-05, 1032 Edgewood Blvd., Parcel ID No.: 29 00 13 3 002 040.000

Applicant: Andrew Flage / Property Owner: Andrew & Dominique Flage

A request for a variance to Article IV, District Uses, Sec. A., NPD Neighborhood Preservation District, d. Setbacks, 2. Side, to reduce the setback along the left-side property line from 10-feet to 6.5-feet, for a total reduction of 3.5-feet, to allow for the construction of an addition.

5) SV-22-09-06, 613 Northmoor Lane, Parcel ID No.: 29 00 22 1 010 006.000

Applicant: Billy Higginbotham / Property Owner: Hillary Higginbotham

- a. *A request for a variance to Article IV, District Uses, Sec. A., NPD Neighborhood Preservation District, d. Setbacks, 2. Side, to reduce the setback along the right-side property line from 10-feet to 7-feet, for a total reduction of 3-feet, to allow for the construction of an addition at the rear of an existing, non-conforming single-family dwelling.*
- b. *A request for a variance to Article IV, District Uses, Sec. A., NPD Neighborhood Preservation District, d. Setbacks, 3. Rear, to reduce the rear setback from 20-feet to 16-feet, to allow for the construction of an addition at the rear of an existing, non-conforming single-family dwelling.*

6) SV-22-09-07, 505 Windsor Drive, Parcel ID No.: 28 00 17 2 009 006.000

Applicant: Emily Blumenthal / Property Owners: Michael & Emily Blumenthal

A request for a variance to Article IV, District Uses, Sec. A., NPD Neighborhood Preservation District, d. Setbacks, 1. Front, to reduce the setback from 25-feet to 6-feet, eleven-inches, to allow for the construction of an accessible entrance at the front of an existing, non-conforming single-family dwelling.

7) SV-22-09-08, 225 Poinciana Drive, Parcel ID No.: 28 00 07 4 012 017.000

Applicant: Millhouse Howell Landscape Co. / Property Owners: Richard & Holly Simmons

A request for a variance to Article IV, District Uses, Sec. A., NPD Neighborhood Preservation District, g. to increase the maximum area of ground coverage by all structures from 50-percent to 62-percent, for a total increase of 12-percent, to allow for a swimming pool and hardscape.

8) SV-22-09-09, 377 Lucerne Blvd., Parcel ID No.: 29 00 24 2 001 010.000

Applicant / Property Owner: Ryan D'alessio

- a. *A request for a variance to Article IV, District Uses, Sec. A., NPD Neighborhood Preservation District, d. Setbacks, 2. Side, to reduce the setback along the left-side property line from 10-feet to 9.5-feet, to allow for the construction of a new house while utilizing the existing, non-conforming foundation.*

- b. A request for a variance to Article IV, District Uses, Sec. A., NPD Neighborhood Preservation District, d. Setbacks, 3. Rear, to reduce the rear setback from 20-feet to 12-feet, to allow for the construction of a new house while utilizing the existing, non-conforming foundation.*

VII. Consideration of recommended changes to the City's Fence and Wall Ordinance

VIII. Adjournment

***NOTE:** Prior to the scheduled public hearing, a brief work session will be held for the Board members beginning at 5:30 p.m. in the City Council's Committee Workroom located on the 2nd floor behind the Council Chambers.

**CITY OF HOMEWOOD
BOARD OF ZONING ADJUSTMENTS
Minutes of the July 7, 2022 Regular Meeting**

I. Call to Order

The Homewood Board of Zoning Adjustments met in regular session through a joint in-person / on-line ZOOM meeting on Thursday, July 7, 2022 in the Homewood City Council Chambers, located at 2850 19th Street South, Homewood, Alabama 35209. Chairman Matthew Foley called the meeting to order at 6:02 p.m.

II. Roll Call

Board Members

Chairman, Matthew Foley	Present
Megan Hand, Vice-Chairman	Absent
Michael Pirkle	Present
Houston Wurtele	Present
Scott Alsabrook	Present

Supernumeraries

Stuart Roberts	Present
John Geer	Present

City Staff Present: Cale Smith, Sherri Williams, Fred Goodwin, Angie Montgomery – Engineering & Zoning Department

III. Approval of Minutes

Minutes from the Board's June 2, 2022 meeting were presented for approval. In the absence of any recommended changes or corrections, Chairman Foley made a motion to approve the Minutes as submitted which was unanimously approved by all members present.

IV. Communications/Reports from the Chairman or Vice-Chairman

There were no communications from the Chairman or Vice-Chairman.

V. Old Business

SV-22-06-03, 3006 Cook Street, Parcel ID No.: 28 00 07 3 032 003.000

Applicant(s): Blackmon-Rogers Architects & BRE Cook Street, LLC / Property Owner(s): BRE Cook Street, LLC

- a. A request for a variance to Article VII, Off-Street Parking and Loading Requirements, Sec. K., to allow off-street parking spaces to be entered and/or exited directly from a public street or alley.*
- b. A request for a variance to Article XI, Tree Protection and Landscape, Sec. I. Other Landscaping Requirements, 1, 2, and 3, to proscribe perimeter and interior landscaping for a non-single-family district surface parking area with more than 5 spaces and interior island landscape area, in the form of an island and/or peninsula, within a VA that has 10 parking spaces or more.*

Initial discussion of the case began with a presentation by John Abernathy, representing the owner, BRE Cook Street, LLC (700 Montgomery Highway). Mr. Abernathy explained that the owners were involved with the planned construction of six, attached townhomes located at 3006 Cook Street. Mr. Abernathy noted that, in order to comply with the City's Zoning Ordinance which prohibits off-street parking spaces from being entered or exited directly from a public street or alley, the parking area for the new townhomes would require an excessive amount of asphalt which would have a negative impact on potential water runoff and the visual image of the structures.

As an alternative, Mr. Abernathy requested approval of a revised parking layout plan that would allow the resident's vehicles to park in a row in front of the townhomes, separated by landscaping without having to install landscape islands. According to Mr. Abernathy, the revised layout plan would decrease the amount of the parking lot paving by some 46%, while increasing the amount of landscaping by approximately 42%, resulting in a more positive impact and a more attractive setting for the townhomes.

Following the applicant's presentation, Chairman Foley opened the public hearing on the case to questions or comments from adjacent property owners or other interested citizens. In the absence of any questions, the public hearing was closed.

In the discussion among Board members which followed, Mr. Pirkle inquired as to whether the proposed townhomes aligned with the adjacent apartment buildings located to the immediate north. In response, Mr. Abernathy noted that Cook Street was not straight, but rather was laid out at an angle and was wider in some parts and narrower in others. He pointed out, however, that all of the structures and parking shown on the development plan were located on the owner's property. In response to an inquiry from Mr. Roberts, it was confirmed that the location of the townhomes had not changed from earlier plans presented to the Planning Commission and City Council; that the only change centered around the improved parking area under consideration. Additional discussion followed regarding the 30 ft. width of Cook Street's right-of-way and the fact that the Street was not a through-street and ended near the planned townhomes; a fact which lessened Commissioner's concerns about safety issues associated with vehicles backing out of the townhome parking area into the Street.

In the absence of any further questions or discussion, Mr. Pirkle made a motion to approve Case # SV 22-06-03 as submitted. The motion was seconded by Mr. Geer. Upon a roll call, the vote was as follows:

Houston Wurtele	Aye
Scott Alsabrook	Aye
Megan Hand	Absent
Matthew Foley	Aye
Michael Pirkle	Aye
Mr. Roberts	Present
Mr. Geer	Aye

MOTION PASSED

VI. New Business

SV-22-07-01, 1107 Palmetto Drive, Parcel ID No.: 29 00 13 2 026 001.000

Applicants/Property Owners: Michael J & Laurel Latshaw

A request for a variance to Article IV, District Uses, Sec. A., NPD Neighborhood Preservation District, d. Setbacks, 2. Side, to reduce the setback along the right-side property line from 10-feet to 6.25-feet (6-feet, 3-inches), for a total reduction of 3.75-feet (3-feet 9-inches), to allow for the construction of a overhang above an existing stoop.

Consideration of the item began with a brief presentation by the owner, Michael Latshaw (1107 Palmetto Drive) who explained that he desired to construct an overhang on the western (right) side of his house that would effectively cover an existing side entrance. Mr. Latshaw noted that he had experienced water

damage to the interior hardwood floor at the entry point due to rainfall, and that a covered entry would be both convenient and helpful in protecting family and visitors utilizing the entry. Mr. Latshaw pointed out that, although the house itself did not encroach into the required 10 ft. side setback, the proposed overhang would necessitate the approval of the requested 1.2 ft. side setback variance.

Following these introductory comments, Chairman Foley opened the public hearing on the case to questions or comments from adjacent property owners or other interested citizens. In the absence of any questions, the public hearing was closed.

In the discussion among Board members which followed, it was noted that the Board had received several letters of support from adjacent and nearby property owners. In response to a request for clarification from Chairman Foley to staff regarding the exact amount of the variance being requested, staff noted that the final variance request was for a 1.2 ft. variance which took into consideration the proposed 4 ft. overhang, excluding the 18" allowed for an overhang under the City's Zoning Ordinance.

In the absence of any further questions or discussion, Mr. Roberts made a motion to approve Case # SV 22-07-01 as submitted. The motion was seconded by Mr. Wurtele. Upon a roll call, the vote was as follows:

Houston Wurtele	Aye
Scott Alsbrook	Aye
Megan Hand	Absent
Matthew Foley	Aye
Michael Pirkle	Aye
Mr. Roberts	Aye
Mr. Geer	Present

MOTION PASSED

SV-22-07-02, 407 Sterrett Avenue, Parcel ID No.: 29 00 14 4 010 009.000

Applicant: Jennie Jones, Jennie Leigh Designs / Property Owners: Tony Fernandes and Karen A. Kelley Trustees Of The Fernandes-Kelley Family Revocable Trust Dated October 26, 2018

A request for a variance to Article IV, District Uses, Sec. A., NPD Neighborhood Preservation District, d. Setbacks, 2. Side, to reduce the setback along the left-side property line from 5-feet to 3-feet, for a total reduction of 2-feet, to allow for the construction of an addition to the rear elevation of an existing non-conforming single-family dwelling.

Discussion of the case began with a presentation by the applicant, Jennie Jones with Jennie Leigh Designs (341 Jones Street, Lincoln), representing the owners, Tony Fernandes & Karen Kelley (407 Sterrett Street). Ms. Jones explained that the owners were desiring to add a master bedroom and covered porch addition to the rear of their house in an effort to provide more living space. Ms. Jones pointed out that the house is currently non-conforming, being situated only 3.7 ft. from the left side property line and within the required 5 ft. side setback. She noted that it was the desire of the owners to maintain the architectural integrity and symmetry of the house and build the proposed rear addition in line with existing exterior wall of the house. Ms. Jones explained that, since the existing house is not perpendicular to the street, the planned improvements will bring the new addition even closer to the side setback once it is constructed, thereby necessitating the requested 2 ft. left side setback variance.

Following Ms. Jones' overview of the project, Chairman Foley opened the public hearing on the case to any questions or comments from adjacent property owners or other interested parties. In the absence of any comments, the public hearing was closed.

There being no questions or comments from Board members, Mr. Geer made a motion to approve Case # SV 22-07-02 as presented. The motion was seconded by Mr. Wurtele. Upon a roll call, the vote was as follows:

Houston Wurtele	Aye
Scott Alsabrook	Aye
Megan Hand	Absent
Matthew Foley	Aye
Michael Pirkle	Aye
Mr. Roberts	Present
Mr. Geer	Aye

MOTION PASSED

SV-22-07-03, 1720 & 1722 28th Ave South, Parcel ID Nos.: 28 00 07 3 011 001.000, 28 00 07 3 012 008.000, Applicant / Property Owner: 27th Terrace, LLC

- a. *A request for a variance to Article VII, Off-Street Parking and Loading Requirements, Sec. A., to reduce the minimum dimension of off-street parking spaces from 9-feet wide by 19-feet long, to 9-feet wide by 18-feet long, for a total reduction in length of 1-foot.*
- b. *A request for a variance to Article VII, Off-Street Parking and Loading Requirements, Sec. K., to allow off-street parking spaces to be entered and/or exited directly from a public*

street or alley, along Central Avenue.

- c. *A request for a variance to Article VII, Off-Street Parking and Loading Requirements, Sec. M. Required Parking Spaces for Individual Uses, to reduce the number of required parking spaces from 91-spaces to 63-spaces for a total reduction of 28- spaces.*
- d. *A request for a variance to Article XI, Tree Protection and Landscape, Sec. I, Other Landscape Requirements, 2. Perimeter VA Landscape Area (PVA) b. to reduce the PVA landscape area from 15-feet in width to 5-feet in width, as measured from the back of curb of the VA toward the property boundary, for a total reduction of 10-feet, along 28th Avenue South and at the property line adjacent to the Dance Foundation property (southeast).*
- e. *A request for a variance to Article XI, Tree Protection and Landscape, Sec. I, Other Landscape Requirements, 3. Interior Island Landscape Area Requirements, to proscribe the requirement for a parking island along 28th Avenue South, where 13 parking spaces are proposed.*

Initial consideration of the case began with a presentation by the owner, Mike Mouron (402 Office Park Drive, Mountain Brook) who provided an overview of the proposed development, noting that the subject property had previously served as the site of the former Valley Mall and that the planned redevelopment of the site included provisions for the construction of three separate buildings. Mr. Mouron informed the Board that two of the buildings, comprising a total of 6,840 sq. ft., would be developed as restaurants (Luca's – an Italian theme restaurant and a Hero's Doughnuts and Buns restaurant), while the third building planned for construction would be a two-story South Point Bank branch office, comprising a total of 5,750 sq. ft.

Following these introductory comments, Mr. Mouron proceeded to highlight the specific variances being requested as they related to the planned development. Particular attention was focused on the issue of parking. Mr. Mouron acknowledged and emphasized that the success of the planned businesses depended on the provision of an adequate number of parking spaces. Based on the requirements of the City's Zoning Ordinance, it was noted that the proposed businesses would require 91 on-site parking spaces. Although the applicants were proposing only 63 on-site spaces, leaving a deficit of 28 spaces, Mr. Mouron emphasized that the project's parking needs would be adequately met through cross parking agreements between the different businesses predicated on their different hours of operation; that the main hours of operation for both Hero's and the South Point Bank were during the day, while the expected majority of customers attending Luca's restaurant would be during the evening hours. Under this scenario, the parking demands for each business would vary according to their hours of operation, thereby reducing or lessening the demand on the total number of parking spaces being provided. Mr. Mouron also stressed that it was their intention to require the employees of the two restaurants to utilize

off-site parking spaces as a means to eliminate any competition for the on-site parking spaces being provided. Additionally, Mr. Mouron noted that the 91 required parking spaces was based on the total square footage of the buildings, but that both Hero's Restaurant and the branch bank had drive-thru windows designed to serve customers, thereby reducing the need for some of their customers to actually park. Lastly, Mr. Mouron pointed out that the planned redevelopment site was surrounded by a number of established parking areas; that should the amount of on-site parking being provided prove to be inadequate, that he was prepared to lease additional parking spaces from nearby sites.

Upon the completion of the applicant's presentation, Chairman Foley opened the public hearing on the case to adjacent property owners or other interested parties for questions or comments. In the absence of any comments the public hearing was closed.

In the discussion among Board members which followed, attention was focused on a closer review of the specific variances being requested. In response to an inquiry from Chairman Foley regarding the request to reduce the length of the site's parking spaces from 19 ft. to 18 ft, Darren Hamrick with Sain and Associates (500 Perimeter Park, Birmingham) , acting as project engineer, confirmed that the reduction in length would apply to all of the parking spaces; that, while each parking space actually measures 19 ft. in length to the face of the curb, the layout plan shows each space being only 18th ft. in length measured to the edge of the asphalt. A considerable amount of discussion followed centered around the level of required landscaping for the site and the feasibility of possibly reducing the width of landscaping along 28th Avenue South to permit the installation of a 5 ft. wide sidewalk to facilitate and enhance pedestrian access.

In response to an inquiry from Mr. Mouron regarding the possibility of having to make slight adjustments in the size of the proposed buildings and whether such action might have an impact on the variances being requested, Cale Smith, Director of the Department of Engineering & Zoning, explained that any changes to the square footage of the buildings that would increase the number of required parking spaces would necessitate the need for a new variance; that staff did not have the administrative authority to modify the required amount of parking as determined by the City's Zoning Ordinance. Additional discussion followed centering on the required installation of parking islands at those points on the plan where more than 10 parking spaces were proposed and the request of the applicant to be able to obtain a variance from the requirement. A number of questions followed from Board members relative to the designated parking area for the planned branch bank (whose 9 employees would be allowed to park on-site) and the location of the parking for those restaurant employees being required to park off-site.

Following a limited amount of discussion regarding the order in which the various variance requests would be considered and acted upon, and based upon the desire of the applicant to vote upon each request separately, Mr. Roberts made a motion to approve Case # SV 22-07-03, Item (b.) as outlined. The motion was seconded by Mr. Pirkle. Prior to the vote, staff noted that Mr. Wurtele had requested to recuse himself from voting on the case. As such, staff announced that both supernumeraries would be voting on the separate variances.

- b. *A request for a variance to Article VII, Off-Street Parking and Loading Requirements, Sec. K., to allow off-street parking spaces to be entered and/or exited directly from a public street or alley, along Central Avenue.*

Upon a roll call, the vote was as follows:

Houston Wurtele	Recused
Scott Alsabrook	Aye
Megan Hand	Absent
Matthew Foley	Aye
Michael Pirkle	Aye
Mr. Roberts	Aye
Mr. Geer	Aye

MOTION PASSED

Next, Mr. Roberts made a motion to approve Case # SV 22-07-03, Item (e.) as outlined. The motion was seconded by Mr. Geer.

- e. *A request for a variance to Article XI, Tree Protection and Landscape, Sec. I, Other Landscape Requirements, 3. Interior Island Landscape Area Requirements, to proscribe the requirement for a parking island along 28th Avenue South, where 13 parking spaces are proposed.*

Upon a roll call, the vote was as follows:

Houston Wurtele	Recused
Scott Alsabrook	Aye
Megan Hand	Absent
Matthew Foley	Aye
Michael Pirkle	Aye
Mr. Roberts	Aye
Mr. Geer	Aye

MOTION PASSED

Next, Mr. Roberts made a motion to approve Case # SV 22-07-03, Item (a.) as outlined. The motion was seconded by Mr. Geer.

- a. *A request for a variance to Article VII, Off-Street Parking and Loading Requirements, Sec.*

A., to reduce the minimum dimension of off-street parking spaces from 9-feet wide by 19-feet long, to 9-feet wide by 18-feet long, for a total reduction in length of 1-foot.

Upon a roll call, the vote was as follows:

Houston Wurtele	Recused
Scott Alsabrook	Aye
Megan Hand	Absent
Matthew Foley	Aye
Michael Pirkle	Aye
Mr. Roberts	Aye
Mr. Geer	Aye

MOTION PASSED

Next, Mr. Roberts made a motion to approve Case # SV 22-07-03, Item (d.) as outlined. The motion was seconded by Mr. Alsabrook.

- d. *A request for a variance to Article XI, Tree Protection and Landscape, Sec. 1, Other Landscape Requirements, 2. Perimeter VA Landscape Area (PVA) b. to reduce the PVA landscape area from 15-feet in width to 7.5-feet in width (with a proffer to include the installation of a 5 ft. wide sidewalk) as measured from the back of curb of the VA toward the property boundary, for a total reduction of 7.5-feet, along 28th Avenue South and at the property line adjacent to the Dance Foundation property (southeast).*

Upon a roll call, the vote was as follows:

Houston Wurtele	Recused
Scott Alsabrook	Aye
Megan Hand	Absent
Matthew Foley	Aye
Michael Pirkle	Aye
Mr. Roberts	Aye
Mr. Geer	Aye

MOTION PASSED

Next, Mr. Roberts made a motion to approve Case # SV 22-07-03, Item (c.) as outlined. The motion was seconded by Mr. Alsabrook.

- c. *A request for a variance to Article VII, Off-Street Parking and Loading Requirements, Sec. M. Required Parking Spaces for Individual Uses, to reduce the number of required parking spaces from 91-spaces to 63-spaces for a total reduction of 28- spaces.*

Upon a roll call, the vote was as follows:

Houston Wurtele	Recused
Scott Alsabrook	Aye
Megan Hand	Absent
Matthew Foley	Aye
Michael Pirkle	Aye
Mr. Roberts	Aye
Mr. Geer	Aye

MOTION PASSED

VII. Adjournment

In the absence of any further business to come before the Board, Chairman Foley adjourned the meeting at 7:21 p.m.

Approved:

Matthew Foley, Chair

Attest:

Recording Secretary

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

COMPLETE AND SUBMIT
PRIOR TO THE SUBMITTAL DEADLINE

Request for:



Variance



Appeal

Case #

22-08-07-1
Assigned by City staff

Property Address: 115 Riviera Rd. Homewood AL 35209
City State Zip

Applicant Information: (required)

Name of Applicant(s):

John and Anne-Marie Touliafos

Mailing Address of Applicant(s):

115 Riviera Rd. Homewood AL 35209
City State Zip

Telephone Number(s) of Applicant(s):

Email:

Property Interest of Applicant(s):

owners

(i.e., owner, contract purchaser, agent, architect, contractor, developer, etc.)

Owner information: If the owner is the same as the applicant, write "same".

Name of Owner(s):

same

Mailing Address of Owners(s):

City

State

Zip

Email(s):

Telephone #(s):

Legal Description, Use and Zoning of Property

Parcel Identification Number:

(132 A) 29-00-24-2-013-012.000

Current Use:

vacant/undeveloped

X residential

commercial (describe):

other (describe):

Current Zoning:

Residential

Per current City Zoning map

NPD

Conforming/Nonconforming:

Purpose for requested Variance:

A Variance is requested in conformity with the powers vested in the Board of Zoning Adjustment for the following purpose:

Construction of a new residence

X Construction of an addition to a residence

Construction of an addition to a commercial structure

Construction of a commercial structure

Other (describe):

Reason/hardship for requesting a Variance:
For guidance, see "What is a Variance" on page 1 of instructions.

Thank you for your consideration. We purchased this house 78 years ago. We would say that the porch is the least used part of our house. The house is 6800 sq. feet or so but the porch is too small for even the 5 of us to share a meal there. About 4 years ago my brother purchased the house next door for our elderly parents to live in and we care for them. He is sending an email to state that he is in agreement with any changes to the porch. Due to the angle of the property, we do not have the option to build off the back of the house without encroaching on the setback.

Attach addition page(s) if necessary

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

COMPLETE AND SUBMIT
PRIOR TO THE SUBMITTAL DEADLINE

Property Information Chart

The following must be included with application

1. A recent survey showing existing structures must be included with all Variance requests.
2. A plot plan showing the locations, dimensions and setbacks of all proposed construction must be included with all Variance requests.

Setback Information	*Required by zoning regulations	Setback dimensions currently existing	Setback dimensions after proposed construction	Setback Variance Requested
Front Bldg. Setback Street:				
Front Bldg. Setback Street: secondary front - corner lot				
Right Bldg. Setback	10'	5' Foundation	5' Foundation	
Left Bldg. Setback		13' Porch	5' Porch	
Rear Bldg. Setback				
Accessory Structure Setback: side/rear:				
Property dimensions and structure Information	As required	Currently existing	Proposed	Variance Requested
Lot Area (sq. ft./acres)				
Lot Width				
Parking Spaces				
Height of Structure				
Lot Coverage				
sq. ft. of structures + lot sq. ft.				

*For setback information, refer to the [City of Homewood Zoning Ordinance](#), or contact the Zoning Department directly by calling 205-332-6828 or 205-332-6854 or click on [Zoning Information](#) to email your questions.

The undersigned hereby grants permission for a sign, advertising the BZA hearing date, time and place to be posted on the subject 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 statement or plans submitted herewith are true to the best of my (our) knowledge and belief. I (we) further understand that any relief granted based on falsified information will be null and void.

Signature of Applicant

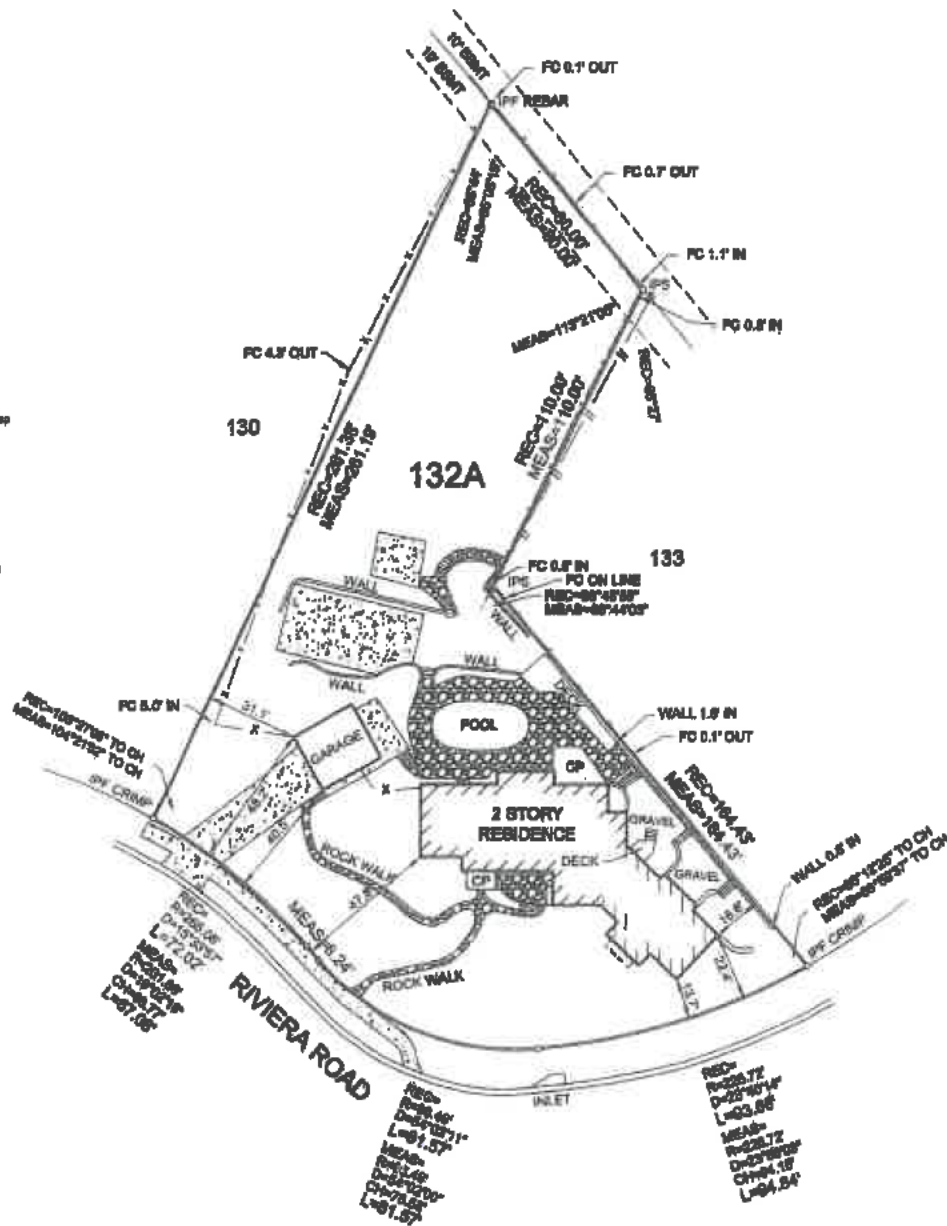
Date

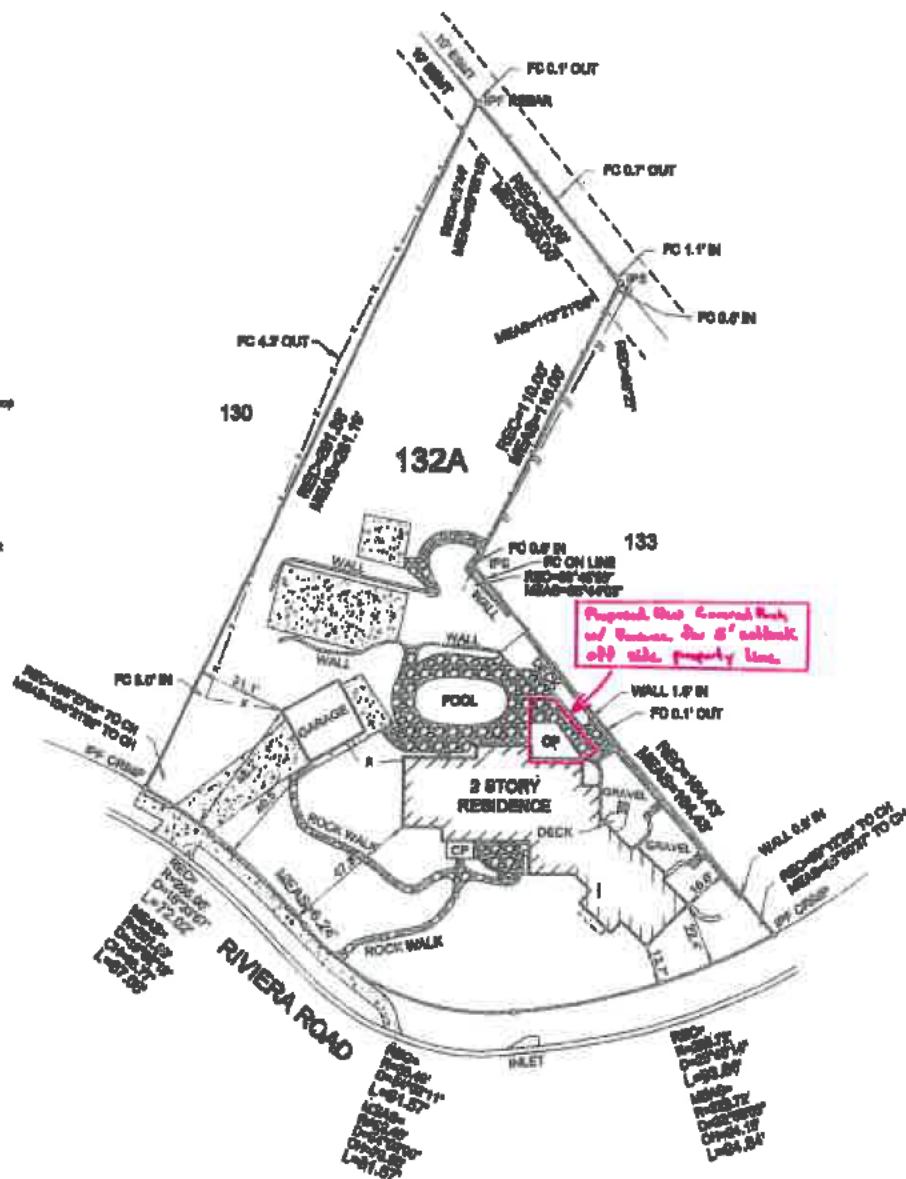
Signature of Owner

Date

Signature of Owner

Date





I, Carl Darcil Moore, a registered Land Surveyor, certify that I have surveyed Lot 132A, PARKERS ADDITION TO LAKE SHORE ESTATES as recorded in Map Book 114, Page 60 in the Office of the Judge of Probate, Jefferson County, Alabama; that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief; that the correct address is as follows: 115 Riders Road according to my survey of June 1, 2022. Survey is not valid unless it is sealed with embossed seal or stamped in red.

Carl Daniel Moore
Carl Daniel Moore, Reg. L.B. #12189

Order of Signatures

WADSWORTH DIVISION JEFFERSON COUNTY PARKERS ADD TO LAKE SHORE ESTATE LOT 129A PARKERS ADD TO LAKE SHORE ESTATE

Angela Montgomery

From: [REDACTED]
Sent: Tuesday, July 12, 2022 10:07 AM
To: Angela Montgomery

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.



Sent from my iPad

Angela Montgomery

From: [REDACTED]
Sent: Tuesday, July 12, 2022 10:08 AM
To: Angela Montgomery

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.



Sent from my iPad

Angela Montgomery

From:

Sent:

To:

Tuesday, July 12, 2022 10:08 AM

Angela Montgomery

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.



Sent from my iPad

Angela Montgomery

From: [REDACTED]
Sent: Tuesday, July 12, 2022 10:08 AM
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Sent from my iPad

Angela Montgomery

From: [REDACTED]
Sent: Tuesday, July 12, 2022 10:08 AM
To: Angela Montgomery

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Sent from my iPad

Angela Montgomery

From: [REDACTED]
Sent: Tuesday, July 12, 2022 10:09 AM
To: Angela Montgomery

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.



Sent from my iPad

Angela Montgomery

From: [REDACTED]
Sent: Tuesday, July 12, 2022 10:11 AM
To: Angela Montgomery

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

** Example: What they would like to build*



Sent from my iPad

Angela Montgomery

From:

Sent:

To:

Tuesday, July 12, 2022 10:11 AM

Angela Montgomery

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

** Example of what they would like to build*



Sent from my iPad

Angela Montgomery

From:

Sent:

To:

Tuesday, July 12, 2022 10:11 AM

Angela Montgomery

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Example of what they would like to build



Sent from my iPad

Angela Montgomery

From: [REDACTED]
Sent: Tuesday, March 1, 2022 2:20 PM
To: Angela Montgomery
Cc: Anne-Marie Touliatos
Subject: Permission

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To whom it may concern:

I am the owner of the residence at 109 Riviera Rd. Having discussed the plans with the owner of the residence at 115 Riviera Road, we are in agreement of the owner's plans to build a porch up to the property line.

Please let me know if you need anything additional from us in this regard.

Sincerely,

Joseph Turman

**CITY OF HOMEWOOD
ENGINEERING & ZONING DEPARTMENT**

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

Patrick McClusky, Mayor

Cale Smith, PE, Director

July 27, 2022

John & Anne-Marie Touliatos
115 Riviera Road
Homewood, AL 35209

Dear Owner/Applicant AND Adjacent Property Owners:

The owner has petitioned the Homewood Board of Zoning Adjustments for a modification to the Homewood Zoning Ordinance for the property located at:

SV-22-08-07, 115 Riviera Road, Parcel ID No.: 29 00 24 2 013 012.000

Applicants / Property Owner: John & Anne Marie Touliatos

A request for a variance to Article IV, District Uses, Sec. A., NPD Neighborhood Preservation District, d. Setbacks, 2. Side, to reduce the setback along the right-side property line from 10-feet to 5-feet, for a total reduction of 5-feet, to allow for the construction of a covered porch.

The Board of Zoning and Adjustments will consider this petition during a meeting to be held at 6:00 p.m. on Thursday, August 4, 2022 in the Council Chambers (2nd Floor) at Homewood City Hall, 2850 19th Street South. If you prefer not to attend the in-person meeting at City Hall, you may join on-line utilizing the attached Zoom instructions **(SEE INSTRUCTIONS ON THE REVERSE SIDE OF THIS NOTICE)**

This letter will serve as notice to the parties in interest and to all adjacent property owners. Any protest to the above referenced petition will be heard at this time. The applicant and/or owner must participate in the meeting to present their case.

Sincerely,


Sherri Williams
Zoning Supervisor

Case #: SV 22-08-07

cc: Chris Waldron, Plantation Porches

You may contact our office for further information or questions at (205) 332-6800 OR visit between 7:30 a.m. and 4:30 p.m. Mon-Fri to review any files or drawings pertaining to this application

115 Riviera Road
Case # SV 22-08-07
Parcel # 29-00-24-2-013-012.000



City of Homewood BZA Case Map

115 Riviera Rd.

SV 22-08-07

Aerial Photo

Subject Property

Parcels



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

ZONING IS SUBJECT TO CHANGE. PLEASE CALL ZONING OFFICE TO CONFIRM ZONING. 332-0628



**CITY OF HOMEWOOD
ENGINEERING & ZONING DEPARTMENT**

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

Patrick McClusky, Mayor

Cale Smith, PE, Director

August 25, 2022

**John & Anne Marie Touliatos
115 Riviera Road
Homewood, AL 35209**

Dear Owner/Applicant AND Adjacent Property Owners:

The owner has petitioned the Homewood Board of Zoning Adjustments for a modification to the Homewood Zoning Ordinance for the property located at:

SV-22-08-07, 115 Riviera Road, Parcel ID No.: 29 00 24 2 013 012.000

Applicants / Property Owner: John & Anne Marie Touliatos

A request for a variance to Article IV, District Uses, Sec. A., NPD Neighborhood Preservation District, d. Setbacks, 2. Side, to reduce the setback along the right-side property line from 10-feet to 5-feet, for a total reduction of 5-feet, to allow for the construction of a covered porch.

The Board of Zoning and Adjustments will consider this petition during a meeting to be held at 6:00 p.m. on Thursday, September 1, 2022, in the Council Chambers (2nd Floor) at Homewood City Hall, 2850 19th Street South. If you prefer not to attend the in-person meeting at City Hall, you may join on-line utilizing the attached Zoom Instructions **(SEE INSTRUCTIONS ON THE REVERSE SIDE OF THIS NOTICE)**

This letter will serve as notice to the parties in interest and to all adjacent property owners. Any protest to the above referenced petition will be heard at this time. The applicant and/or owner must participate in the meeting to present their case.

Sincerely,


**Sherri Williams
Zoning Supervisor**

You may contact our office for further information or questions at (205) 332-6800 OR visit between 7:30 a.m. and 4:30 p.m. Mon-Fri to review any files or drawings pertaining to this application

Instructions: Although the proceedings of the meeting may be viewed on-line, please note that anyone wishing to participate in a discussion of the scheduled cases must attend the meeting in Homewood City Hall in person. If you choose to view the meeting via Zoom, please follow the instructions below:

1st Option: Join on-line at www.zoom.us/join
Meeting #: 883 5766 5513
Passcode: 514257

2nd Option: Join through the app if you already have the Zoom app downloaded:
Meeting #: 883 5766 5513
Passcode: 514257

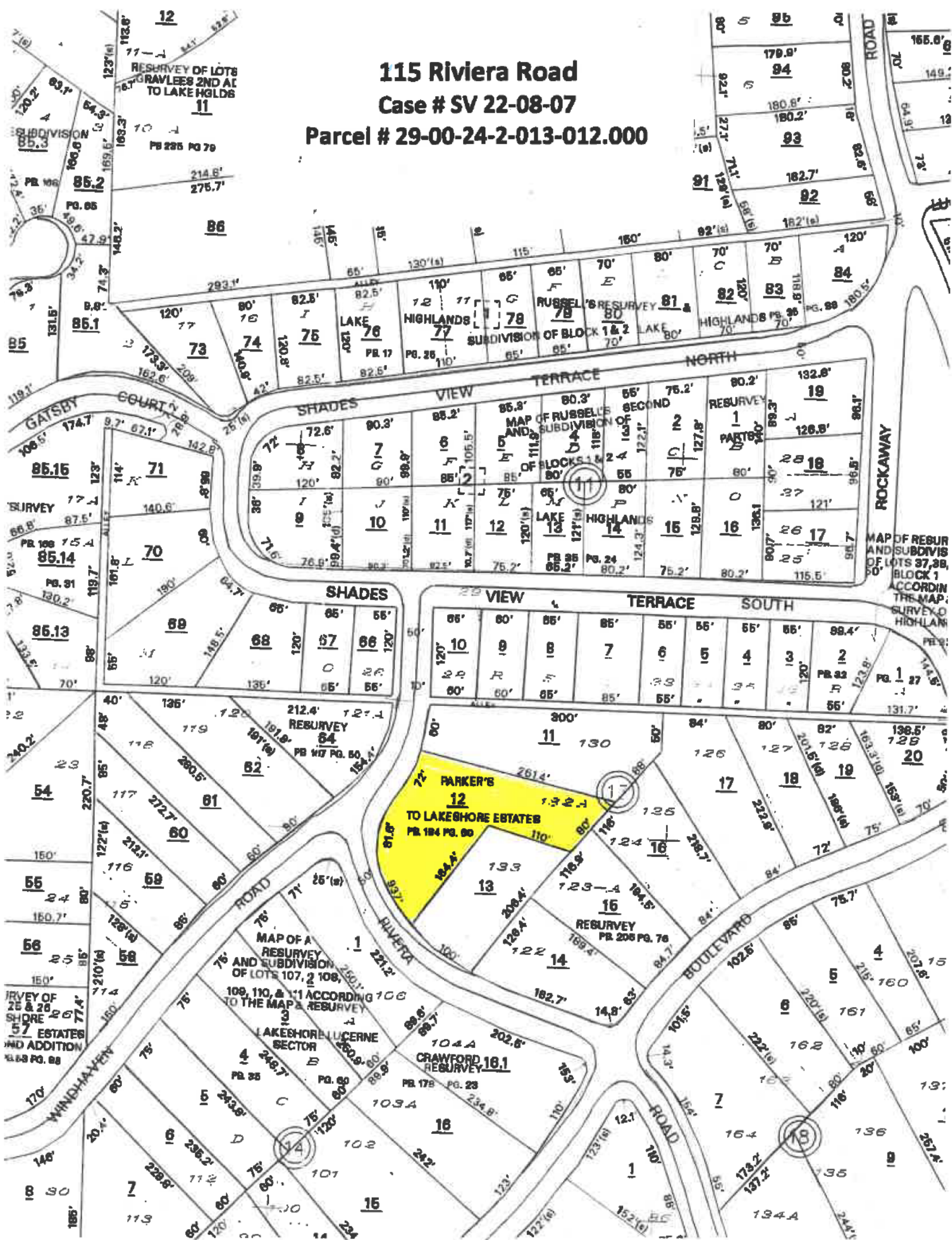
3rd Option: Dial in by phone: 312-626-6799

Comments in support or opposition to cases on the agenda, may be submitted to the Secretary to the Board of Zoning Adjustments at fred.goodwin@homewoodal.org. Comments should be submitted no later than 24-hours prior to the meeting and will be provided to the board's members for their consideration. Please reference the case number or address in your comments.

A copy of the file on this case will be available for review on the City of Homewood's website (cityofhomewood.com) under "Upcoming Meetings/BZA" approximately one week before the scheduled public hearing.

The scheduled public hearing will be preceded by a brief work session 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.

115 Riviera Road
Case # SV 22-08-07
Parcel # 29-00-24-2-013-012.000



City of Homewood BZA Case Map

115 Riviera Rd.

SV 22-08-07

Aerial Photo

Subject Property
Parcels



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

ZONING IS SUBJECT TO CHANGE. PLEASE CALL ZONING OFFICE TO CONFIRM ZONING. 332-6626



City of Homewood
Board of Zoning Adjustments
Request for Variance

APPEAL

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

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

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

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

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

The Variance request does not pertain to the Second Floor.

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

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

PURPOSE OF VARIANCE

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

- ☒ the construction of an addition to a residence,
- ☐ the construction of residence,
- ☐ the construction of an addition to a commercial structure,
- ☐ the construction of a commercial structure,
- ☐ other (describe): _____

**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 bring a survey to verify:

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

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

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

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

Signature of Applicant

Date

Signature of Owner

Date

Signature of Owner

Date

Fred Goodwin

From: Sherri Williams
Sent: Thursday, August 25, 2022 3:35 PM
To: Fred Goodwin
Cc: jaredb@architecturalcooperative.net; Angela Montgomery
Subject: FW: 114 Havenwood Court - Variance
Attachments: 37-22 Havenwood Court 8-12-22.pdf

Dear Fred: Please see email below from Jared. Please include a copy with the BZA packets.

Thanks,
Sherri

Sherri Williams, Zoning Supervisor
City of Homewood. Dept. of Engineering & Zoning
O: 205-932-6835 C: 205-790-1201
www.cityofhomewood.com
[Interactive Zoning Map](#)

From: jaredb@architecturalcooperative.net <jaredb@architecturalcooperative.net>
Sent: Monday, August 15, 2022 3:56 PM
To: Sherri Williams <Sherri.Williams@homewoodal.org>; Angela Montgomery <Angela.Montgomery@homewoodal.org>
Subject: 114 Havenwood Court - Variance

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Sherri and Angie,

I'd like to submit to you some revisions to a Variance request that is scheduled to be heard at the September meeting. I'm asking for a couple of Variances at 114 Havenwood Court. This was previously heard by the BZA and rejected. Since then I made revisions to the request and resubmitted to you for the September meeting. Since that submittal, I've had a meeting with four of the adjacent property owners (2 on each side). I took their comments to heart and made some further revisions. My Variance requests are the same, but I have changed the following:

- Added a parking pad to the front yard. The neighbors expressed concern about parking and doubts that the current driveway could hold two cars. By adding the pad, we won't have a problem holding at least 2 cars.
- Redesigned the exterior. This new design is more traditional, has lower roof slopes, and has a much lower overall height.

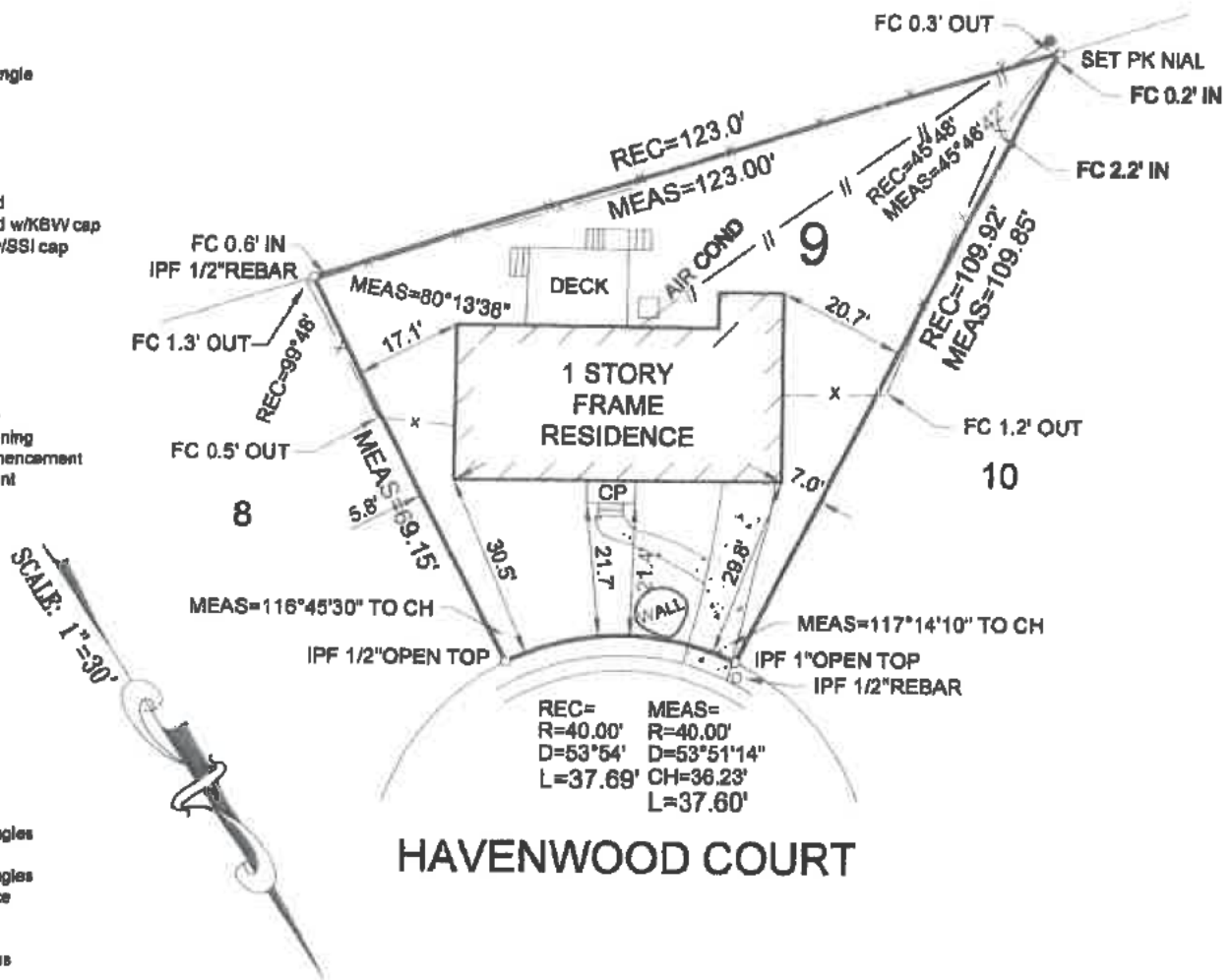
Again, as I stated the Variance request hasn't changed, only my supporting documents, so please replace the original drawings with the attached. If this is a problem, please let me know.

All of this has been done in order to accommodate the neighbors and their concerns.

Thank you.

LEGEND

ASPH = asphalt
 BRG = bearing
 BLDG = building
 CALC = calculated
 CAP = capped iron
 CL = centerline
 CH = chord
 CONC = concrete
 C = covered
 d = deflection
 D = curve delta angle
 E = east
 ESMT = easement
 FC = fence
 FD = found
 HW = headwall
 IPF = iron pin found
 IPF* = iron pin found w/K&W cap
 IPS = iron pin set w/SSI cap
 L = length
 MEAS = measured
 MIN = minimum
 MH = manhole
 N = north
 OH = overhang
 P = porch
 PC = point of curve
 POB = point of beginning
 POC = point of commencement
 PT = point of tangent
 PVMT = pavement
 R = radius
 REC = recorded
 RES = residence
 ROW = right of way
 S = south
 SAN = sanitary
 STM = storm
 SWR = sewer
 SYN = synthetic
 UTIL = utility
 U = uncovered
 W = west
 YI = yard inlet
 ° = degrees
 ' = minutes, in
 " = bearings or angles
 ' = seconds, in
 ' = bearings or angles
 ' = feet, in distance
 AC = acres
 ± = more or less, or plus or minus



STATE OF ALABAMA
 SHELBY COUNTY

I, Carl Daniel Moore, a registered Land Surveyor, certify that I have surveyed Lot 9, HAVENWOOD COURT as recorded in Map Book 24, Page 46 in the Office of the Judge of Probate, Jefferson County, Alabama; that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief; that the correct address is as follows: 114 Havenwood Court according to my survey of May 20, 2022. Survey is not valid unless it is sealed with embossed seal or stamped in red.

SURVEYING SOLUTIONS, INC.
 2232 CAHABA VALLEY DRIVE SUITE M
 BIRMINGHAM, AL 35242
 PHONE: 205-991-8965

Carl Daniel Moore

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

5-24-2022

Date of Signature



Order No. 889064
 Purchaser: Bussey
 Type of Survey: Property Boundary

\ACAD\SUBDIVISION\JEFFERSON COUNTY\HAVENWOOD COURT\LOT9 HAVENWOOD COURT

Lot Area:
Total Coverage:
5,885 sf
2,100 sf
35.5%

Main level addition to
comply with setbacks

No changes to the structure of
this non-compliant condition

No changes to the
structure of this non-
compliant condition

Variance requested to build a new
covering over the front door to replace
the existing one. New covering same
depth as existing.

Variance requested to raise the
roof at this area to match existing
house roof. First floor only. No
Variance pertaining to second story
addition.

Existing tree to remain.
Coordinate placement of parking pad
with tree. Take every effort to preserve
and protect tree.

20.0

10.0

3.0
Variance

7.0

3.3 Variance

21.7

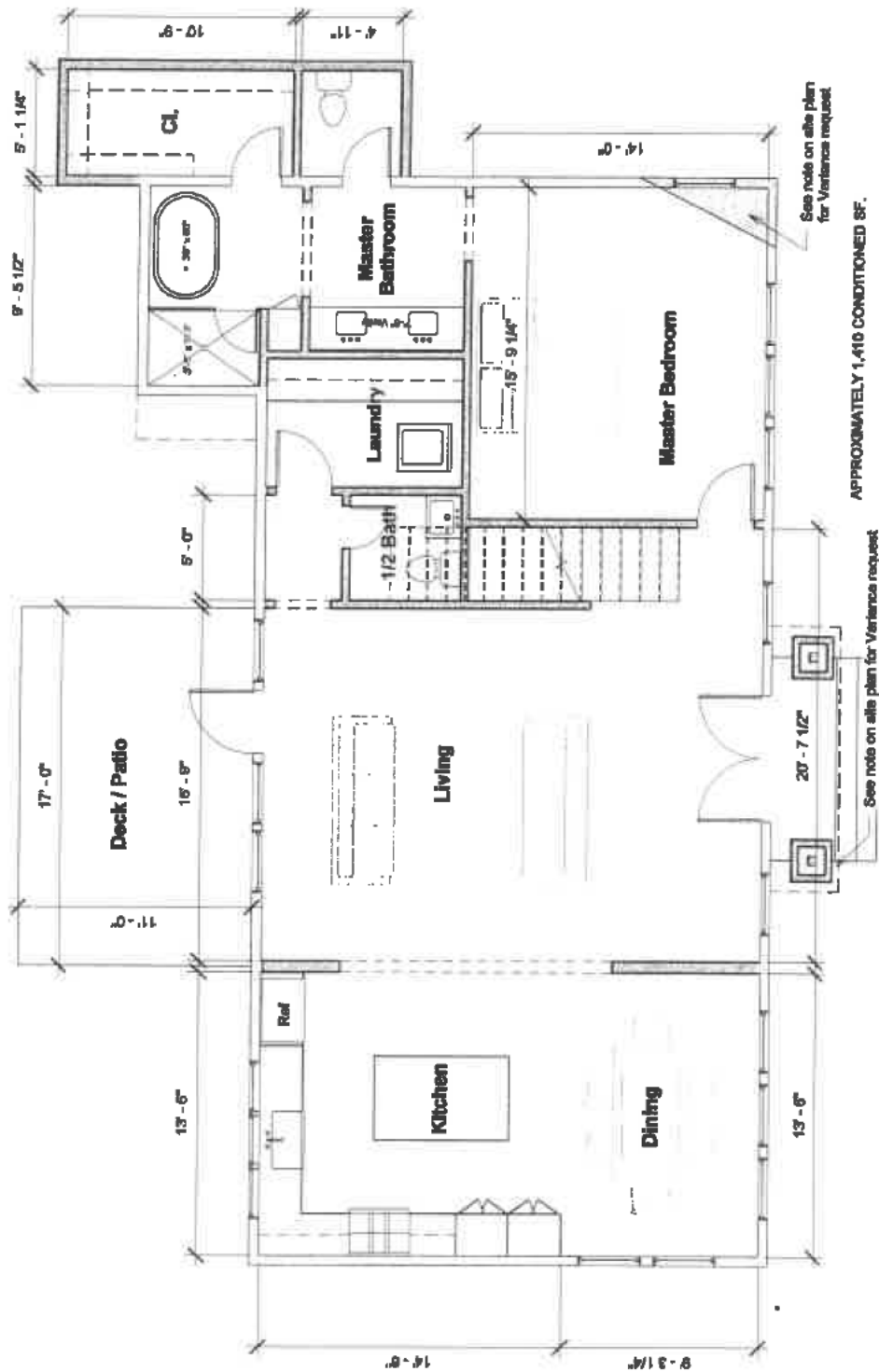
25.0

New Parking Pad

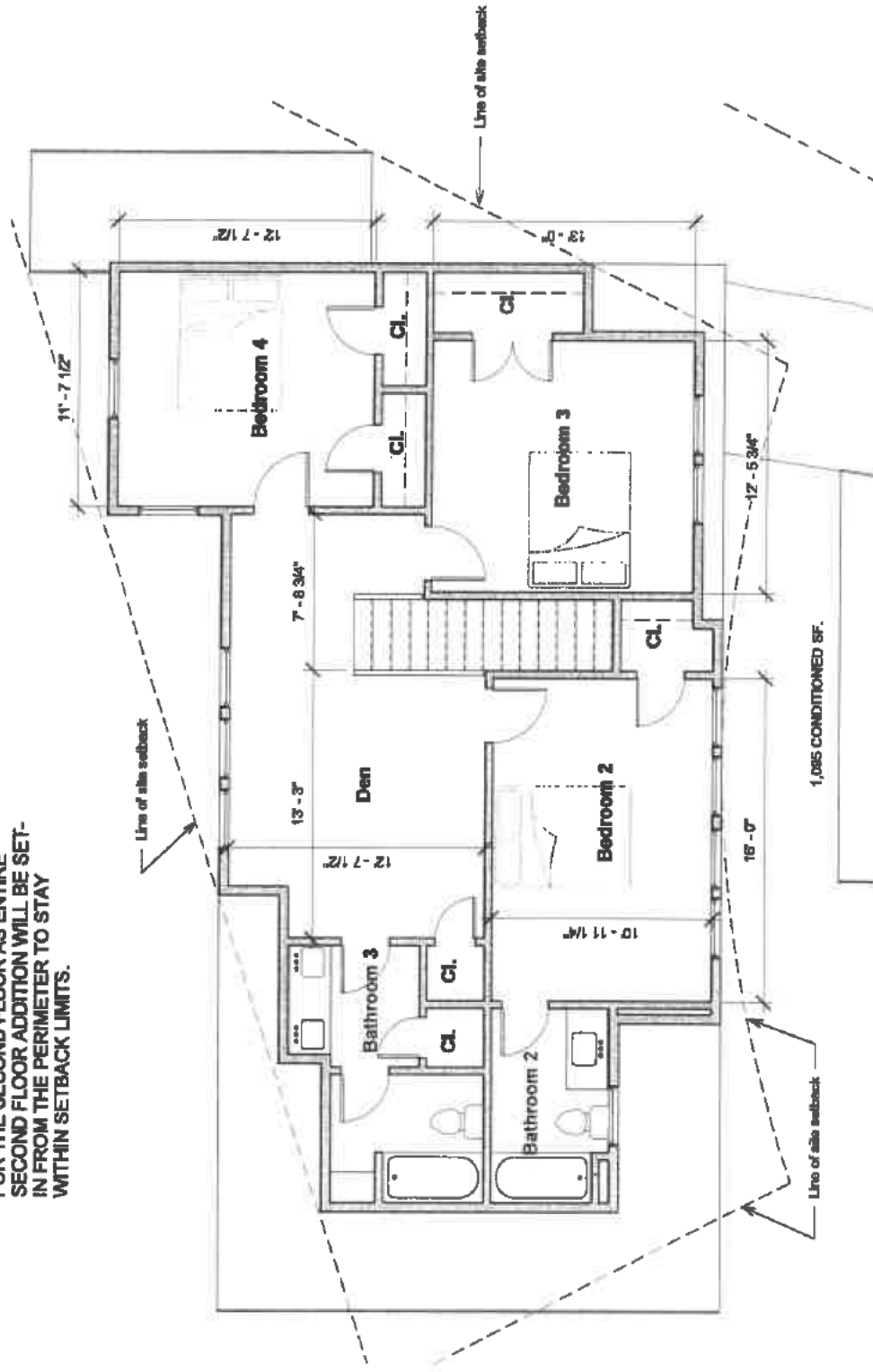
3/32" = 1'-0"

architecturalcooperative

114 Havenwood Court Residence

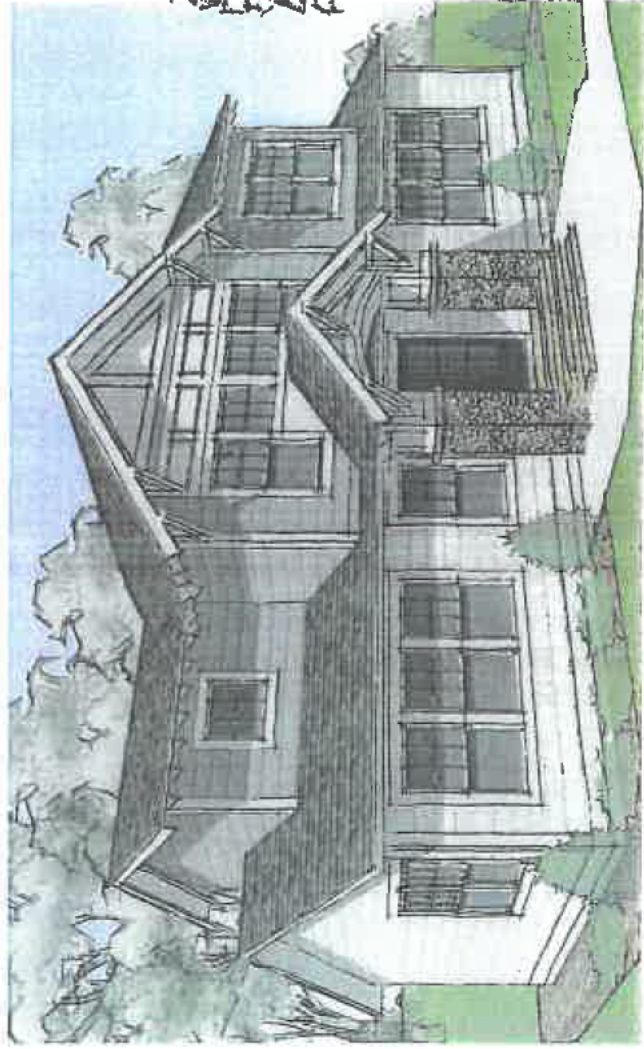
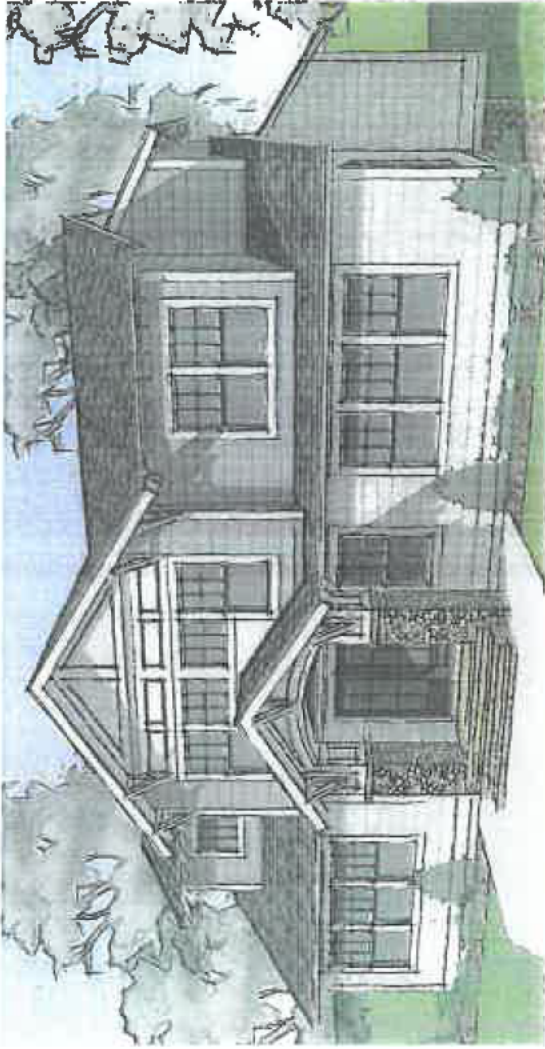


NOTE: NO VARIANCES ARE NEEDED FOR THE SECOND FLOOR AS ENTIRE SECOND FLOOR ADDITION WILL BE SET-IN FROM THE PERIMETER TO STAY WITHIN SETBACK LIMITS.



3/16" = 1'-0"

architecturalcooperative





VARIANCE REQUEST TO RAISE A PORTION
OF THE EXISTING ROOF TO ALIGN WITH
THE EXISTING ROOF OF THE MAIN HOUSE

**CITY OF HOMEWOOD
ENGINEERING & ZONING DEPARTMENT**

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

Patrick McClusky, Mayor

Cale Smith, PE, Director

August 25, 2022

David Maman
c/o Amanda Dabbs
105 Euclid Avenue
Mountain Brook, AL 35213

Dear Owner/Applicant AND Adjacent Property Owners:

The owner has petitioned the Homewood Board of Zoning Adjustments for a modification to the Homewood Zoning Ordinance for the property located at:

SV-22-09-02, 114 Havenwood Court, Parcel ID No.: 29 00 13 2 029 009.000

Applicant: Jared Bussey / Property Owner: David Maman, Birmingham Investments 3, LLC

- a. *A request for a variance to Article IV, District Uses, Sec. A., NPD Neighborhood Preservation District, d. Setbacks, 1. Front, to reduce the setback along the front property line from 25-feet to 21.7-feet, for a total reduction of 3.3-feet (3-feet, 4-inches), to allow for the replacement of the covering over an existing non-compliant front porch.*
- b. *A request for a variance to Article IV, District Uses, Sec. A., NPD Neighborhood Preservation District, d. Setbacks, 2. Side, to reduce the setback along the right-side property line from 10-feet to 7-feet, for a total reduction of 3-feet, to allow for the construction of a second-story addition to an existing non-conforming single-family dwelling.*

The Board of Zoning and Adjustments will consider this petition during a meeting to be held at 6:00 p.m. on Thursday, September 1, 2022, in the Council Chambers (2nd Floor) at Homewood City Hall, 2850 19th Street South. If you prefer not to attend the In-person meeting at City Hall, you may join on-line utilizing the attached Zoom Instructions **(SEE INSTRUCTIONS ON THE REVERSE SIDE OF THIS NOTICE)**

This letter will serve as notice to the parties in interest and to all adjacent property owners. Any protest to the above referenced petition will be heard at this time. The applicant and/or owner must participate in the meeting to present their case.

Sincerely,


Sherri Williams
Zoning Supervisor
cc: Jared Bussey

You may contact our office for further information or questions at (205) 332-6800 OR visit between 7:30 a.m. and 4:30 p.m. Mon-Fri to review any files or drawings pertaining to this application

Instructions: Although the proceedings of the meeting may be viewed on-line, please note that anyone wishing to participate in a discussion of the scheduled cases must attend the meeting in Homewood City Hall in person. If you choose to view the meeting via Zoom, please follow the instructions below:

1st Option: Join on-line at www.zoom.us/join
Meeting #: 883 5766 5513
Passcode: 514257

2nd Option: Join through the app if you already have the Zoom app downloaded:
Meeting #: 883 5766 5513
Passcode: 514257

3rd Option: Dial In by phone: 312-626-6799

Comments in support or opposition to cases on the agenda, may be submitted to the Secretary to the Board of Zoning Adjustments at fred.goodwin@homewoodal.org. Comments should be submitted no later than 24-hours prior to the meeting and will be provided to the board's members for their consideration. Please reference the case number or address in your comments.

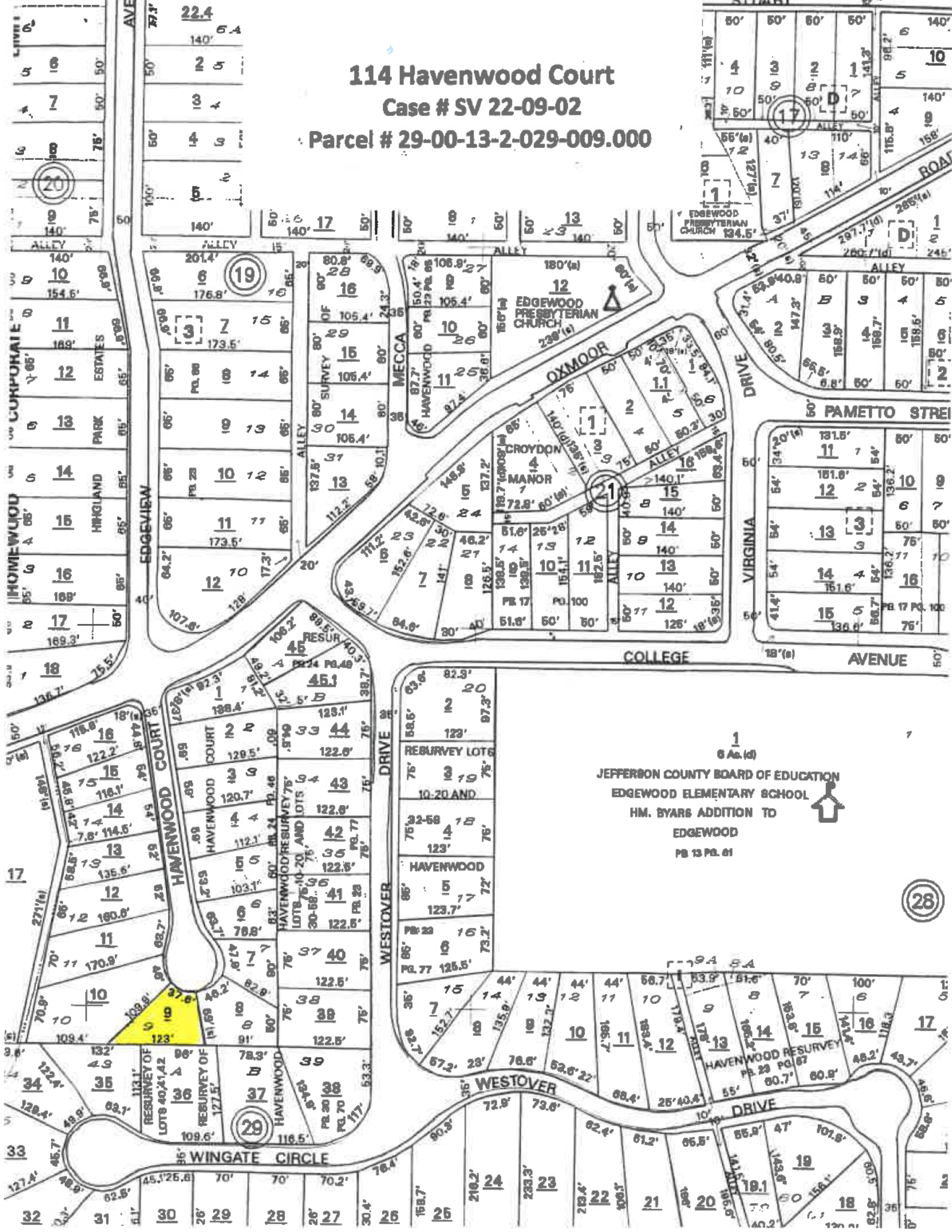
A copy of the file on this case will be available for review on the City of Homewood's website (cityofhomewood.com) under "Upcoming Meetings/BZA" approximately one week before the scheduled public hearing.

The scheduled public hearing will be preceded by a brief work session 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.

114 Havenwood Court

Case # SV 22-09-02

Parcel # 29-00-13-2-029-009.000



City of Homewood BZA Case Map

1114 Havenwood Ct.

SV 22-09-02

Aerial Photo

Subject Property
Parcels



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



Jefferson County Department of Technology

7-18
**COMPLETE AND SUBMIT
PRIOR TO THE DEADLINE DATE**

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



VARIANCE



APPEAL

ADDRESS OF PROPERTY: 306 LA PLAYA PLACE

BZA CASE # (assigned by city staff): SV # 22-09-03

APPLICANT INFORMATION

Name of Applicant(s): COTTON CONSTRUCTION INC

Address of Applicant(s): 1527 ROSELAND DR

Homewood
City

AL
State

35209
Zip

Telephone Number(s) of Applicant(s): 205-413-1862

Email: frey@cottonconstructioninc.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): MIMS & MARY COOPER

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

306 LA PLAYA SAME

City

State

Zip

Email: mims@joefiperinc.com

Telephone Number(s) of Owner(s): 205-335-2212

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

PARCEL IDENTIFICATION NUMBER: 28-00-07-4-015-020.000

PRESENT USE: X vacant X residence

 commercial (describe):

 other (describe):

PRESENT ZONING DISTRICT (City Zoning Map): NPD

COMPLETE AND SUBMIT
PRIOR TO THE DEADLINE DATE

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

PLEASE STATE HARDSHIP – for guidance, see “What is a Variance” on page 1 of Instructions page:

OWNER REQUEST FOR SIDE YARD THERAPY POOL INSIDE
COVERED AND CONCEALED COURTYARD. ELEVATION ABOVE
STREET LEVEL ON L4 PLAT IS OVER 15'

PURPOSE OF VARIANCE

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

- ☐ the construction of an addition to a residence,
- ☒ the construction of residence,
- ☐ the construction of an addition to a commercial structure,
- ☐ the construction of a commercial structure,
- ☐ other (describe): _____

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

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

INDICATE THE FOLLOWING

Applicant must provide a survey to verify:

Setback information	*Required by zoning regulations	Setback dimensions currently existing	Setback dimensions after proposed construction	Setback Variance Requested
Front Setback Street Name				
Front Setback – Corner lot Street Name				
Right Bldg. Setback				
Left Bldg. Setback				
Rear Bldg. Setback				
Accessory Structure Setback: side/rear	/	/	/	/
Property dimensions and structure information	As required	Currently existing	Proposed	Variance Requested
Lot Area (sq. ft./acres)				
Lot Width				
Parking Spaces				
Height of Structure				
Lot Coverage sq. ft. of structures + lot sq. ft.				

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

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

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

Signature of Applicant/Agent

7-18-22
Date

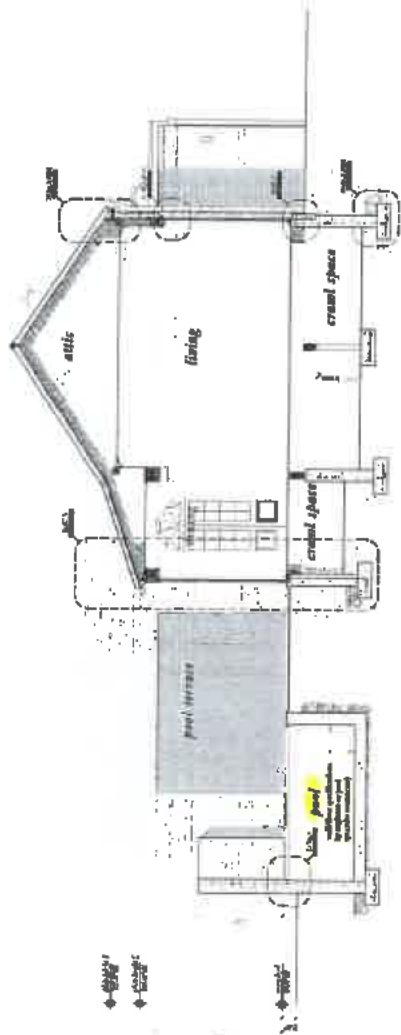
Signature of Owner

Date

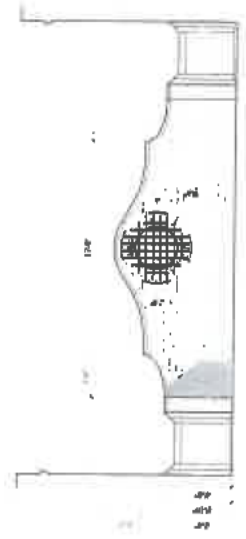
Signature of Owner

Date

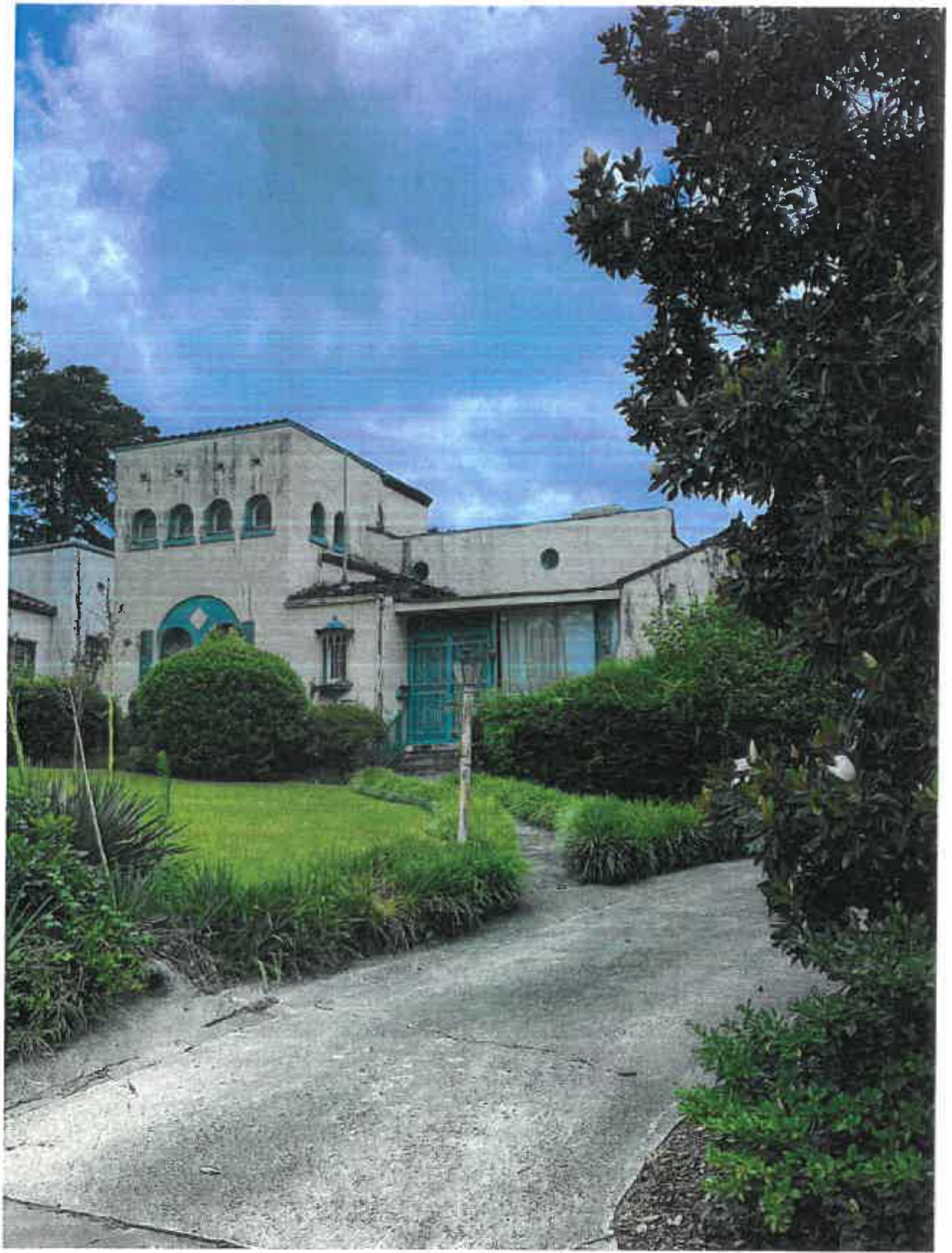




Building Section



Pool Elevation







**CITY OF HOMEWOOD
ENGINEERING & ZONING DEPARTMENT**

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

Patrick McClusky, Mayor

Cale Smith, PE, Director

August 25, 2022

Mims & Mary Cooper
308 La Playa Place
Homewood, AL 35209

Dear Owner/Applicant AND Adjacent Property Owners:

The owner has petitioned the Homewood Board of Zoning Adjustments for a modification to the Homewood Zoning Ordinance for the property located at:

Case # SV-22-09-03, 306 La Playa Place, Parcel ID No.: 28 00 07 4 015 020.000

Applicant: Trey Goldstein / Property Owner: Mims & Mary Cooper

A request for a variance to Article V, District Development Criteria, Sec. D., Accessory Structures, (5), to permit an accessory structure other than a garage or carport to be located in a side yard, to allow for the installation of a swimming pool.

The Board of Zoning and Adjustments will consider this petition during a meeting to be held at 6:00 p.m. on Thursday, September 1, 2022, in the Council Chambers (2nd Floor) at Homewood City Hall, 2850 19th Street South. If you prefer not to attend the in-person meeting at City Hall, you may join on-line utilizing the attached Zoom instructions **(SEE INSTRUCTIONS ON THE REVERSE SIDE OF THIS NOTICE)**

This letter will serve as notice to the parties in interest and to all adjacent property owners. Any protest to the above referenced petition will be heard at this time. The applicant and/or owner must participate in the meeting to present their case.

Sincerely,



Sherri Williams
Zoning Supervisor

cc: Trey Goldstein

You may contact our office for further information or questions at (205) 332-6800 OR visit between 7:30 a.m. and 4:30 p.m. Mon-Fri to review any files or drawings pertaining to this application

Instructions: Although the proceedings of the meeting may be viewed on-line, please note that anyone wishing to participate in a discussion of the scheduled cases must attend the meeting in Homewood City Hall in person. If you choose to view the meeting via Zoom, please follow the instructions below:

1st Option: Join on-line at www.zoom.us/join
Meeting #: 883 5766 5513
Passcode: 514257

2nd Option: Join through the app if you already have the Zoom app downloaded:
Meeting #: 883 5766 5513
Passcode: 514257

3rd Option: Dial in by phone: 312-626-6799

Comments in support or opposition to cases on the agenda, may be submitted to the Secretary to the Board of Zoning Adjustments at fred.goodwin@homewoodal.org. Comments should be submitted no later than 24-hours prior to the meeting and will be provided to the board's members for their consideration. Please reference the case number or address in your comments.

A copy of the file on this case will be available for review on the City of Homewood's website (cityofhomewood.com) under "Upcoming Meetings/BZA" approximately one week before the scheduled public hearing.

The scheduled public hearing will be preceded by a brief work session 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.

306 La Playa Place

Case # SV 22-09-03

Parcel # 28-00-07-4-015-020.000



SHADES
CANABA
ELEM.
SCHOOL

RESURVEY

MONTEBERRY
HOLLYWOOD
RES

MONTEBERRY HOLLYWOOD

LA PRADO

RESURVEY

LA JUNE

**City of Homewood
BZA Case Map**

306 La Playa Pl.

SV 22-09-03

Aerial Photo

 Subject Property
 Parcels



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

ZONING IS SUBJECT TO CHANGE. PLEASE CALL ZONING OFFICE TO CONFIRM ZONING. 332-6628



7-28

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

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



VARIANCE



APPEAL

ADDRESS OF PROPERTY: 1523 ROSELAND DR.

BZA CASE # (assigned by city staff): SV # 22-09-04

APPLICANT INFORMATION

Name of Applicant(s): TREY GOLDSTEIN

Address of Applicant(s): 1527 ROSELAND DR

HOMEWOOD

City

AL

State

35209

Zip

Telephone Number(s) of Applicant(s): 205-413-1862

Email: TREY@COTTONCONSTRUCTIONINC.COM

Property Interest of Applicant(s): CONTRACT PURCHASER / NEIGHBOR NEXT DOOR
(i.e., owner, contract purchaser, agent, architect, contractor, developer, etc.)

OWNER INFORMATION – If different from Applicant

Name of Owner(s): CHASE CHRISTIAN

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

City

State

Zip

Email:

Telephone Number(s) of Owner(s):

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

PARCEL IDENTIFICATION NUMBER: 29-00-13-1-019-039.00

PRESENT USE: X vacant _____ residence

_____ commercial (describe): _____

_____ other (describe): RESIDENCE VACATED BY TENANT

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

NPD

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

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

PLEASE STATE HARDSHIP – for guidance, see “*What is a Variance*” on page 1 of Instructions page:
The existing house was built in 1939 and does not meet the current side setback requirement

of 10-feet. The owner wishes to build a new house on the existing foundation which is still
in excellent condition.

PURPOSE OF VARIANCE

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

- ☐ the construction of an addition to a residence,
- ☒ the construction of residence,
- ☐ the construction of an addition to a commercial structure,
- ☐ the construction of a commercial structure,
- ☐ other (describe):

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

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

INDICATE THE FOLLOWING

Applicant must provide a survey to verify:

Setback Information	*Required by zoning regulations	Setback dimensions currently existing	Setback dimensions after proposed construction	Setback Variance Requested
Front Setback Street Name				
Front Setback – Corner lot Street Name				
Right Bldg. Setback	10	6.7'	6.7'	3.3
Left Bldg. Setback				
Rear Bldg. Setback				
Accessory Structure Setback: side/rear	/	/	/	/
Property dimensions and structure Information	As required	Currently existing	Proposed	Variance Requested
Lot Area (sq. ft./acres)				
Lot Width				
Parking Spaces				
Height of Structure				
Lot Coverage sq. ft. of structures + lot sq. ft.				

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

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

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


Signature of Applicant/Agent

7.27.22
Date


Signature of Owner

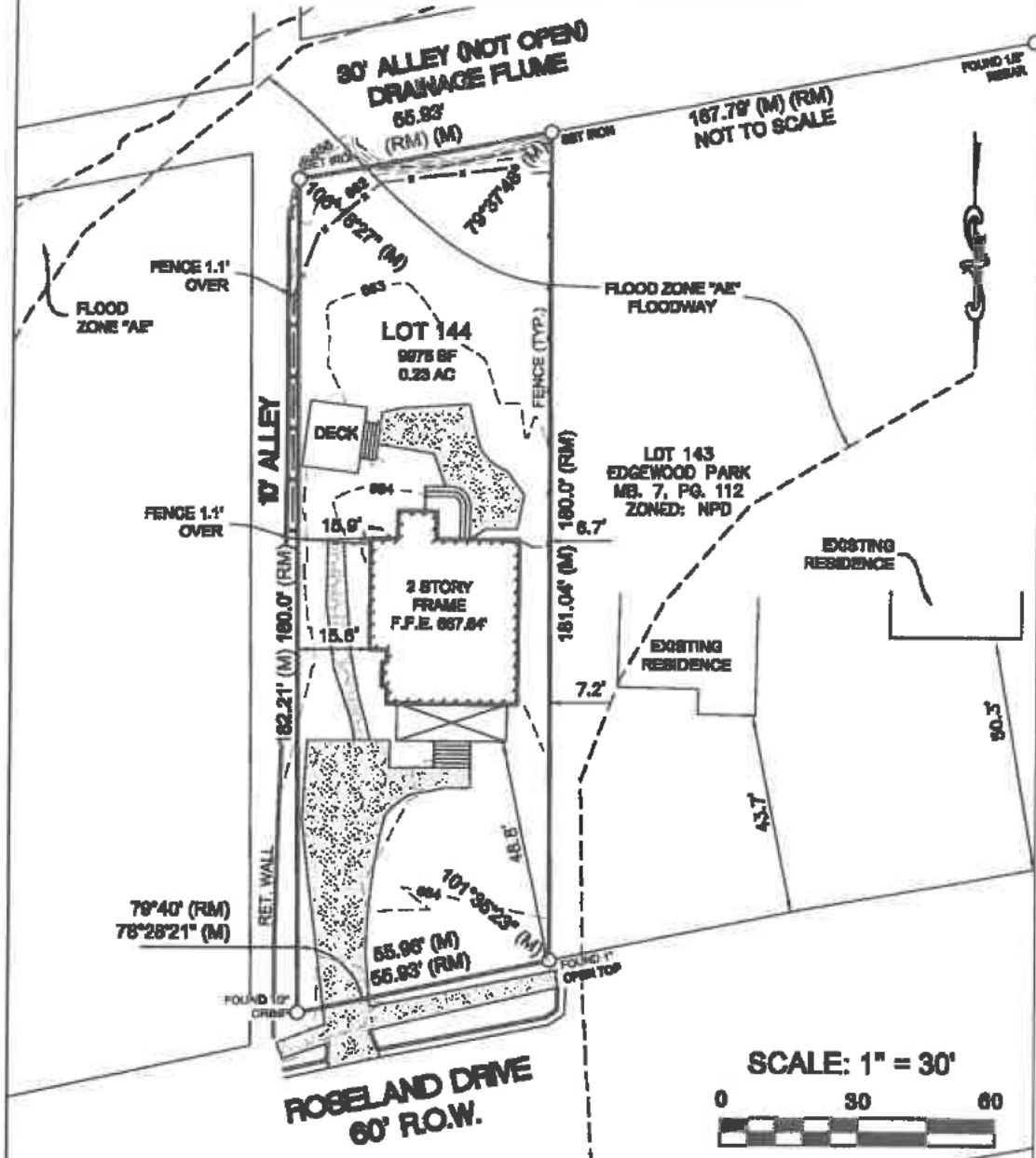
7-28-22
Date

Signature of Owner

Date

BOUNDARY AND TOPOGRAPHIC SURVEY LOT 144

1523 ROSELAND DRIVE, HOMEWOOD, ALABAMA



DESCRIPTION

Lot 144 of EDGEWOOD PARK as recorded in Map Book 7 Page 112 in the Office of the Judge of Probate in JEFFERSON County, Alabama.

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

Surveyor's Signature: [Signature]
 Alabama License Number 28013, Date August 5, 2022

NOTE:

1. North arrow based on GPS.
2. Survey not valid without original signature.
3. According to the Flood Insurance rate map published by the Federal Emergency Management Agency for Alabama (Community panel 01073c05564, effective date 09/24/2021).

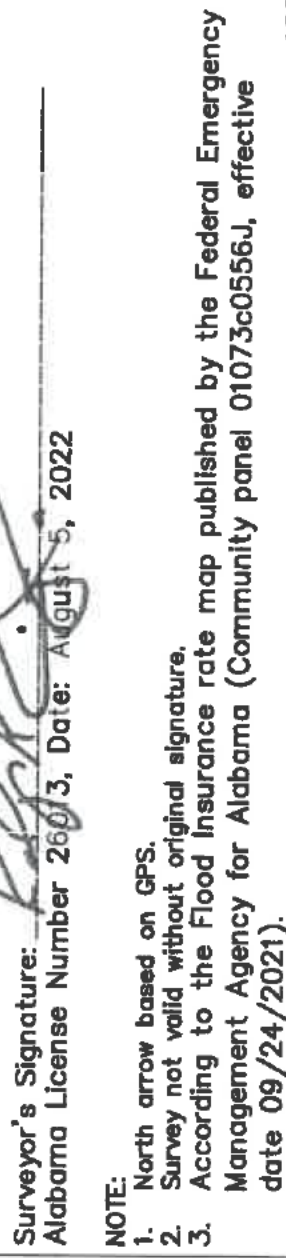
Address: 1523 ROSELAND DRIVE
 Date of Fieldwork: 2022-08-04
 Date of Survey: 2022-08-05
 Job Number: C0110037
 Drawn By: MBA
 Survey For: COTTON CONSTRUCTION
 Type of Survey: BOUNDARY AND TOPOGRAPHIC SURVEY
 Field Book, Page: FB 408, PG



120 BISHOP CIRCLE, SUITE 300
 PHELHAM, AL 35124



1523 ROSELAND DRIVE, HOMEWOOD, ALABAMA



Alabama License Number 26013, Date: August 5, 2022

1. North arrow based on GPS.

2. Survey not valid without original signature.
3. According to the Flood Insurance rate

Address:

Date of Fieldwork: 2022-08-04

Job Number: COTT0037

COTTON CONSTRUCTION

Field Book, Page: FB 409, PG 4

FDG

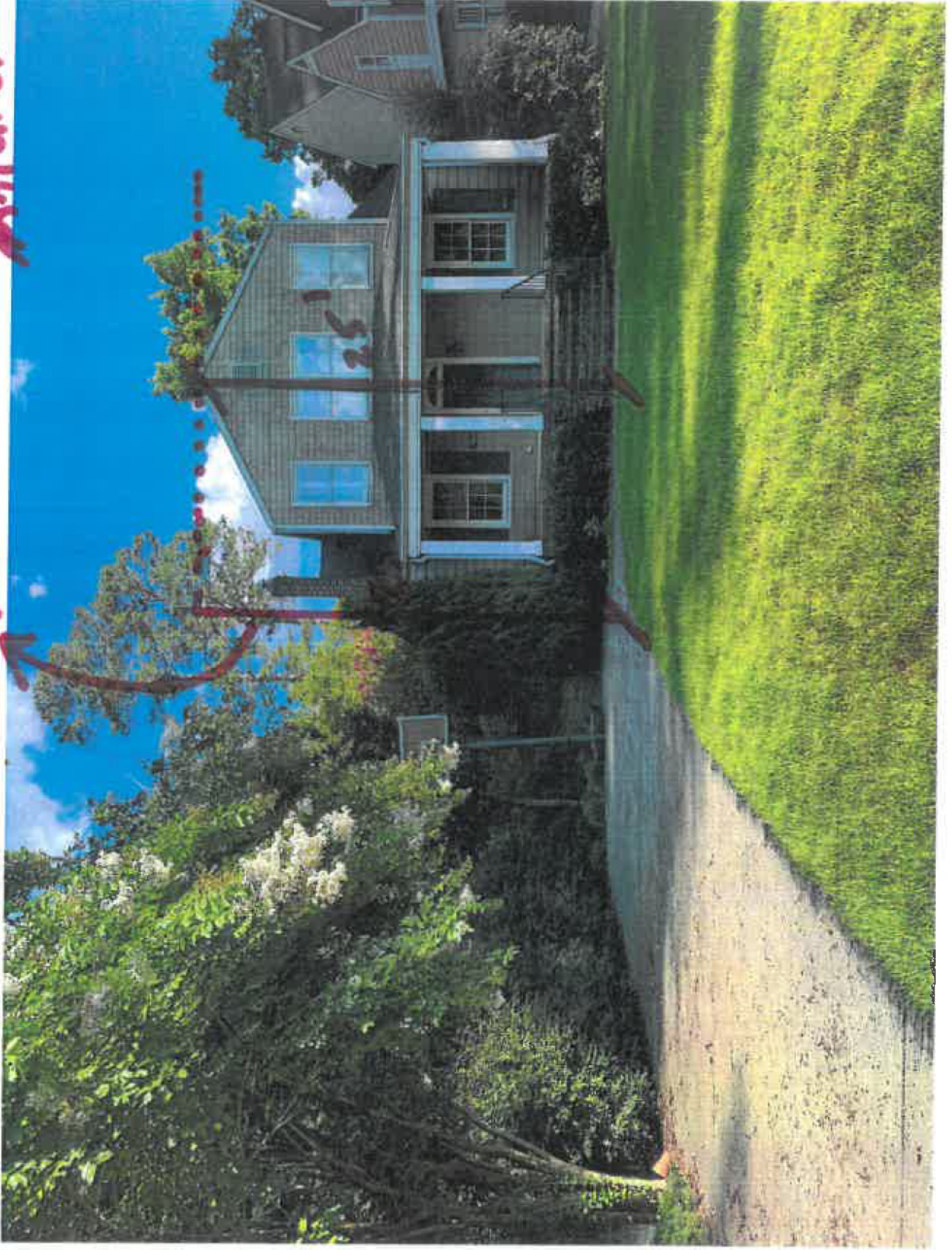
THE

U:\PROJECTS\COTT0037 - 1523 ROSELAND DR\Survey\DWG\COTT0037.dwg



ELEVATION AT HOWLAND DRIVE $\frac{1}{8}'' = 1'-0''$

PROPOSED NEW HEIGHT
MATCH EXISTING





PROPOSED
HEIGHT
MATCH
EXISTING











**CITY OF HOMEWOOD
ENGINEERING & ZONING DEPARTMENT**

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

Patrick McClusky, Mayor

Cale Smith, PE, Director

August 25, 2022

Chase Christian
713 Broadway Street
Homewood, AL 35209

Dear Owner/Applicant AND Adjacent Property Owners:

The owner has petitioned the Homewood Board of Zoning Adjustments for a modification to the Homewood Zoning Ordinance for the property located at:

SV-22-09-04, 1523 Roseland Drive, Parcel ID No.: 29 00 13 1 019 039.000

Applicant: Trey Goldstein / Property Owner: Chase Christian

A request for a variance to Article IV, District Uses, Sec. A., NPD Neighborhood Preservation District, d. Setbacks, 2. Side, to reduce the setback along the right-side property line from 10-feet to 6.7-feet, for a total reduction of 3.3-feet, to allow for the construction of a new house while utilizing the existing, non-conforming foundation.

The Board of Zoning and Adjustments will consider this petition during a meeting to be held at 6:00 p.m. on Thursday, September 1, 2022 in the Council Chambers (2nd Floor) at Homewood City Hall, 2850 19th Street South. If you prefer not to attend the in-person meeting at City Hall, you may join on-line utilizing the attached Zoom instructions **(SEE INSTRUCTIONS ON THE REVERSE SIDE OF THIS NOTICE)**

This letter will serve as notice to the parties in interest and to all adjacent property owners. Any protest to the above referenced petition will be heard at this time. The applicant and/or owner must participate in the meeting to present their case.

Sincerely,



Sherri Williams
Zoning Supervisor

cc: Trey Goldstein

You may contact our office for further information or questions at (205) 332-6800 OR visit between 7:30 a.m. and 4:30 p.m. Mon-Fri to review any files or drawings pertaining to this application

Instructions: Although the proceedings of the meeting may be viewed on-line, please note that anyone wishing to participate in a discussion of the scheduled cases must attend the meeting in Homewood City Hall in person. If you choose to view the meeting via Zoom, please follow the instructions below:

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Meeting #: 883 5766 5513
Passcode: 514257

2nd Option: Join through the app if you already have the Zoom app downloaded:
Meeting #: 883 5766 5513
Passcode: 514257

3rd Option: Dial in by phone: 312-626-6799

Comments in support or opposition to cases on the agenda, may be submitted to the Secretary to the Board of Zoning Adjustments at fred.goodwin@homewoodal.org. Comments should be submitted no later than 24-hours prior to the meeting and will be provided to the board's members for their consideration. Please reference the case number or address in your comments.

A copy of the file on this case will be available for review on the City of Homewood's website (cityofhomewood.com) under "Upcoming Meetings/BZA" approximately one week before the scheduled public hearing.

The scheduled public hearing will be preceded by a brief work session 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.

1523 Roseland Drive
Case # SV 22-09-04
Parcel # 29-00-13-1-019-039.000



City of Homewood BZA Case Map

1523 Roseland Dr.

SV 22-09-04

Aerial Photo

Subject Property
Parcels



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

ZONING IS SUBJECT TO CHANGE. PLEASE CALL ZONING OFFICE TO CONFIRM ZONING. 333-5628



COMPLETE AND SUBMIT
PRIOR TO THE DEADLINE DATE

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

2-31



VARIANCE



APPEAL

ADDRESS OF PROPERTY: 1032 Edgewood Blvd Homewood AL 35209

BZA CASE # (assigned by city staff): SV # 22-09-05

APPLICANT INFORMATION

Name of Applicant(s): Andrew Flagg

Address of Applicant(s): 1032 Edgewood Blvd.

Homewood
City

AL
State

35209
Zip

Telephone Number(s) of Applicant(s): (205) 810-1212

Email: [REDACTED]

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

OWNER INFORMATION - If different from Applicant

Name of Owner(s): ANDREW FLAGE DOMINIQUE FLAGE

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

SAME
City

State

Zip

Email: _____

Telephone Number(s) of Owner(s): _____

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

PARCEL IDENTIFICATION NUMBER: 2900133002040000

PRESENT USE: _____ vacant _____ ☒ residence

_____ commercial (describe): _____

_____ other (describe): _____

PRESENT ZONING DISTRICT (City Zoning Map): NPD

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

I have two hardships to consider:

① We are living in unprecedented times. The current housing market is the strongest it's ever been. Finding a new home to move into, located in Homewood, is both difficult and expensive. Adding on to our current house seems like our best option, however, we must overcome some hurdles. Namely, the need to build within a setback.

② My wife and I have a new child, born Oct. 17th 2021. She was born 5 weeks early and with a rare condition called wulf-hirschhorn. She requires 24-7 care. My mother-in-law has retired and permanently moved in with us to help with our child. We desperately need more space to facilitate another adult and additional medical equipment. Our family of Three has now grown to Five in less than a year.

PURPOSE OF VARIANCE

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

- ☒ the construction of an addition to a residence,
- ☐ the construction of residence,
- ☐ the construction of an addition to a commercial structure,
- ☐ the construction of a commercial structure,
- ☐ other (describe):

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

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

INDICATE THE FOLLOWING
Applicant must provide a survey to verify:

Setback information	*Required by zoning regulations	Setback dimensions currently existing	Setback dimensions after proposed construction	Setback Variance Requested
Front Setback Street Name EDGEMOOD BLVD		33.5ft	/	/
Front Setback - Corner lot Street Name	/	/	/	/
Right Bldg. Setback	10ft	10ft	/	/
Left Bldg. Setback	10ft	6.5ft	6.5ft	6.5ft 3.5
Rear Bldg. Setback	20ft	30ft	20ft	/
Accessory Structure Setback: side/rear	/	/	/	/
Property dimensions and structure information	As required	Currently existing	Proposed	Variance Requested
Lot Area (sq. ft./acres)		.17 ACRES		
Lot Width		70ft		
Parking Spaces		2	4	
Height of Structure				
Lot Coverage sq. ft. of structures ÷ lot sq. ft.				

*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 332-8826 or 332-8854 or by clicking on the following link to email: [Zoning Information](#)

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

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

Signature of Applicant/Agent

Signature of Owner

Signature of Owner

Date

Date

Date

LEGEND

ASP	ASPHALT
BLDG	BUILDING
CALC	CALCULATED
MEAS	MEASURED
CH	CHORD
UNG	LONG CHORD
d	DEFLECTION
Δ	DELTA
ESMT	EASEMENT
HW	HEADWALL
MIN	MINOR
MAN	MANHOLE
OH	OVERHANG
POR	PORCH
R	RABBIT
R.O.W.	RIGHT OF WAY
SAN	SANITARY
STM	STORM
UTIL	UTILITY
AC	ACRES
S.F.	SQUARE FEET
E	ELEVATION
A/C	AIR CONDITIONER
●	POLE
○	ANCHOR
-X-	FENCE
-X-	OVERHEAD UTILITY WIRE
PAVT	PAVEMENT
W/	WITH
TAN	TANGENT
RES	RESIDENCE
LOT	LOT
CON	CONCRETE
DECK	DECK
CONCRETE	CONCRETE
WALL	WALL
COLUMN	COLUMN

CORNER INACCESSIBLE

FENCE OUT 2.2'

FENCE OUT 1.7'

LOT 6

MAP:90°00'00"
MEAS:89°58'35"
FND 1" CRIMP

DRAINAGE DITCH

30.0'

FENCE IN 1.8'

FND CROSS IN WALL
FENCE IN 0.3'

MAP:70.07

LOT 5
BLOCK 5

MEAS:87°22'00"

MEAS:92°45'38"

PATIO

CAR PORT

RESIDENCE
#1032

FENCE IN 0.2'

MAP:114.39
MEAS:114.82'

LOT 4

MAP:111.21'

17.3'

10.1'

10.0'

33.4'

MEAS:89°54'47"

FND 1" OPENTOP

EDGEWOOD BLVD.
(50' ROW)

SCALE: 1"=30'



STATE OF ALABAMA
(JEFFERSON COUNTY)

Property Boundary Survey

I, Ray Weygand, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot 5, BLOCK 5, MIDLAND ESTATES, as recorded in Map Volume 28, Page 72, in the Office of the Judge of Probate, Jefferson County, Alabama. I hereby state that all parts of this survey and closing 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 APRIL 21, 2002. Survey invalid if not sealed in red.

Order No.: 2002002
Purchaser:
Address: 1002 EDGEWOOD BLVD.

Ray Weygand, Reg. L.S. 624873
1000 Chamber Street, Homewood, AL 35209
Phone: (205) 942-0000 Fax: (205) 942-0007
Copyright ©



Notes: (a) No title search of the public records has been performed by this firm and each owner should make his or her own search for records and rights of way, recorded or unrecorded. The present survey is subject to existing, unrecorded, zoning, and regulations that may be found in the public records of said county and city. (b) All bearings and/or angles, are double-checked and noted unless otherwise noted. (c) Underground portions of foundations, ceilings, and/or other underground structures, utilities, easements or buried lines were not located unless otherwise noted. (d) The station with arrow is based on double-checked map. (e) This survey is not for construction. (f) Easements not shown on recorded map are not shown above.

STANDARD ABBREVIATIONS

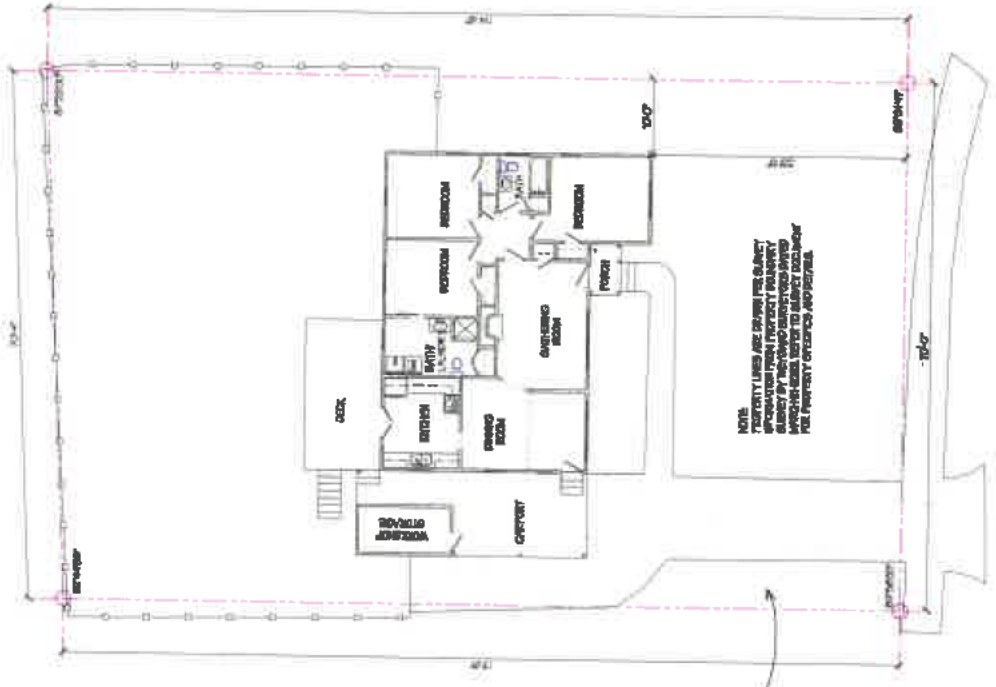
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PLAN INFORMATION	
Project Name	As Built Floor Plan
Client Name	Architect
Project Address	4147 Gardenia Lane - Moody - AL - 35004
Project Description	Architectural - Electrical - Mechanical - 3D
Project Manager	Architect
Project Engineer	Architect
Project Designer	Architect
Project Drafter	Architect
Project Checker	Architect
Project Approver	Architect
Project Date	2024-07-01
Project Status	Completed
Project Location	Moody - AL - 35004
Project Notes	

4147 Gardenia Lane - Moody - AL - 35004
 "If you can dream it, we can draw it!"
 architectural-electrical-mechanical-3D
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REVISION INFORMATION	
Rev	Description
001	Initial Design
002	Revised Design
003	Final Design
004	As Built Design
005	As Built Design
006	As Built Design
007	As Built Design
008	As Built Design
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As Built Floor Plan w/ Property Lines
 024



* currently 01050

As Built Floor Plan w/ Property Lines
 024

Client Information

Project Name: _____
 Client Name: _____
 Address: _____
 City: _____ State: _____ Zip: _____
 Phone: _____ Email: _____
 Date: _____

Project Information

Project No: _____
 Drawing No: _____
 Revision: _____
 Date: _____

Architect Information

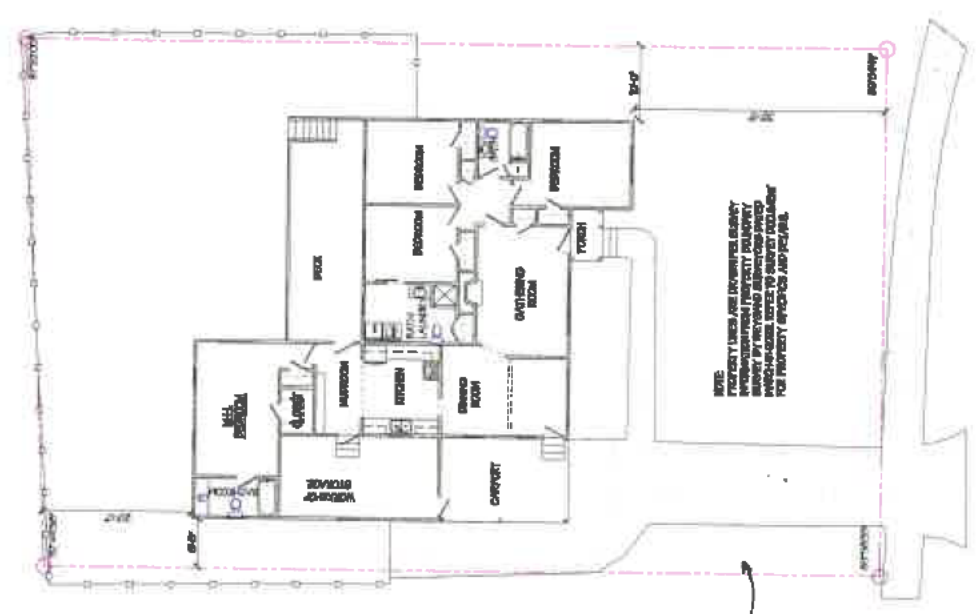
Architect Name: _____
 Address: _____
 City: _____ State: _____ Zip: _____
 Phone: _____ Email: _____
 Date: _____

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Sheet List

No.	Name
01	ALD Title Sheet
02	ALD Site Plan
03	ALD First Floor Plan
04	ALD Second Floor Plan
05	ALD Third Floor Plan
06	ALD Fourth Floor Plan
07	ALD Fifth Floor Plan
08	ALD Sixth Floor Plan
09	ALD Seventh Floor Plan
10	ALD Eighth Floor Plan
11	ALD Ninth Floor Plan
12	ALD Tenth Floor Plan
13	ALD Eleventh Floor Plan
14	ALD Twelfth Floor Plan
15	ALD Thirteenth Floor Plan
16	ALD Fourteenth Floor Plan
17	ALD Fifteenth Floor Plan
18	ALD Sixteenth Floor Plan
19	ALD Seventeenth Floor Plan
20	ALD Eighteenth Floor Plan
21	ALD Nineteenth Floor Plan
22	ALD Twentieth Floor Plan
23	ALD Twenty-first Floor Plan
24	ALD Twenty-second Floor Plan
25	ALD Twenty-third Floor Plan
26	ALD Twenty-fourth Floor Plan
27	ALD Twenty-fifth Floor Plan
28	ALD Twenty-sixth Floor Plan
29	ALD Twenty-seventh Floor Plan
30	ALD Twenty-eighth Floor Plan
31	ALD Twenty-ninth Floor Plan
32	ALD Thirtieth Floor Plan
33	ALD Thirty-first Floor Plan
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99	ALD Ninety-seventh Floor Plan
100	ALD Ninety-eighth Floor Plan
101	ALD Ninety-ninth Floor Plan
102	ALD One Hundred Floor Plan

A4.4
 Proposed Floor Plan
 of Property Lines



* concrete for
 parking

Proposed Floor Plan w/ Property Lines
 SCALE: 1/8" = 1'-0"

KEY TO GRAPHIC SYMBOLS

View Symbols: This symbol indicates the direction of view for the drawing. The symbol is placed at the end of the view line, pointing towards the view.

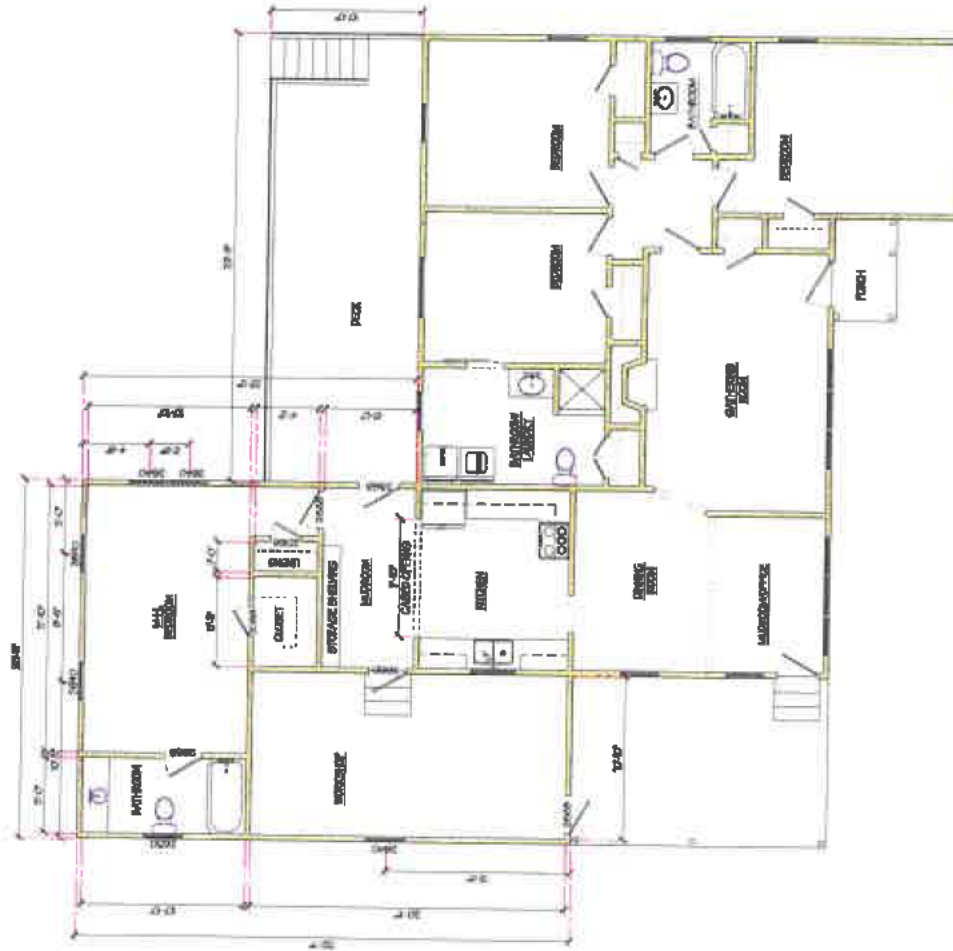


3000



Section Symbols: The right arrow indicates the direction of the section cut. The symbol is placed at the end of the section line, pointing towards the section cut.

Door & Window Symbols: The door symbol is a circle with a dot in the center, representing a first-angle projection view. The window symbol is a circle with a cross in the center, representing a section view.



1 Proposed First Floor Plan

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

PROJECT INFORMATION

A42

Proposed First Floor Plan

#	DATE	DESCRIPTION
1	10/10/2020	Initial Design
2	10/10/2020	Revised Design
3	10/10/2020	Final Design
4	10/10/2020	Construction Documents
5	10/10/2020	As-Built Drawings

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PROJECT INFORMATION

10/10/2020

Initial Design

Revised Design

Final Design

Construction Documents

As-Built Drawings

NOTES AND REFERENCES

Project Name	
At Risk For	
Capital Name	
Address Page	
Project Address	

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Product

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2.3	Sub-Bath, Pave, Pave

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2	Proposed Fuel Use
3	Proposed Fuel Use
4	Proposed Fuel Use

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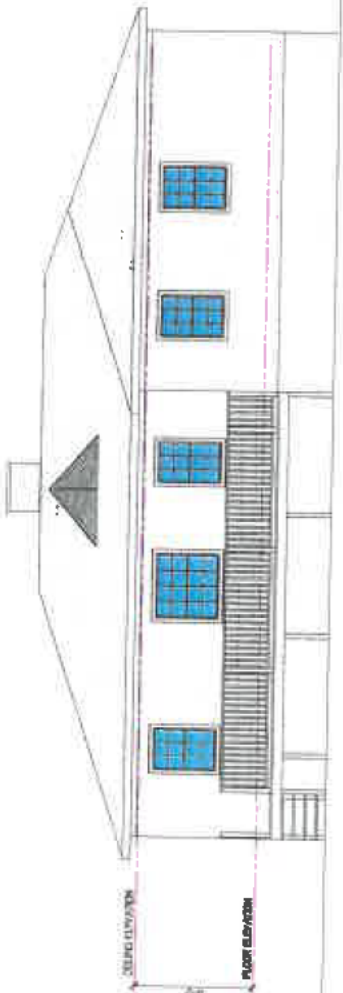
A5.1

Proposed Expenditure

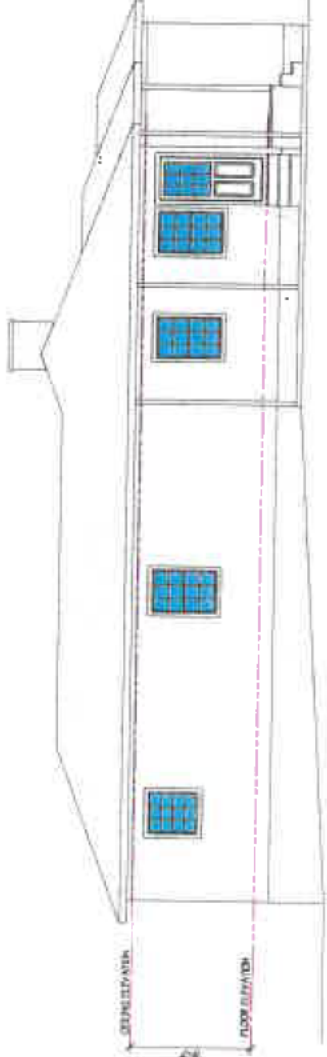
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NOTES

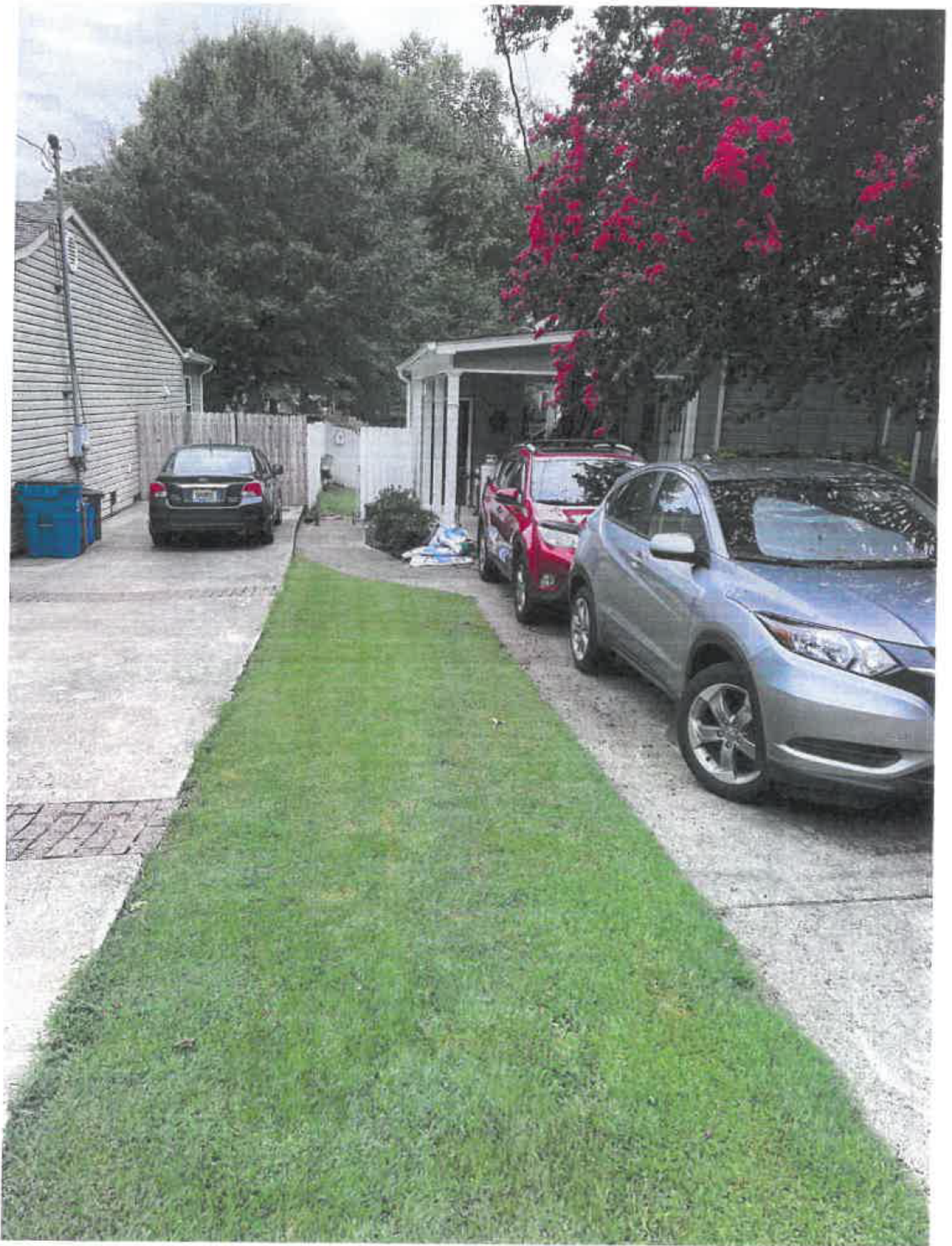
A5.1 Proposed Exemptions



9 Proposed Rear Elevation



1	Proposed Left Elevation
2	Scale: 1" = 10'









**CITY OF HOMEWOOD
ENGINEERING & ZONING DEPARTMENT**

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

Patrick McClusky, Mayor

Cale Smith, PE, Director

August 25, 2022

Andrew & Dominique Flage
1032 Edgewood Boulevard
Homewood, AL 35209

Dear Owner/Applicant AND Adjacent Property Owners:

The owner has petitioned the Homewood Board of Zoning Adjustments for a modification to the Homewood Zoning Ordinance for the property located at:

SV-22-09-05, 1032 Edgewood Blvd., Parcel ID No.: 29 00 13 3 002 040.000

Applicant: Andrew Flage / Property Owner: Andrew & Dominique Flage

A request for a variance to Article IV, District Uses, Sec. A., NPD Neighborhood Preservation District, d. Setbacks, 2. Side, to reduce the setback along the left-side property line from 10-feet to 6.5-feet, for a total reduction of 3.5-feet, to allow for the construction of an addition.

The Board of Zoning and Adjustments will consider this petition during a meeting to be held at 6:00 p.m. on Thursday, September 1, 2022, in the Council Chambers (2nd Floor) at Homewood City Hall, 2850 19th Street South. If you prefer not to attend the in-person meeting at City Hall, you may join on-line utilizing the attached Zoom instructions **(SEE INSTRUCTIONS ON THE REVERSE SIDE OF THIS NOTICE)**

This letter will serve as notice to the parties in interest and to all adjacent property owners. Any protest to the above referenced petition will be heard at this time. The applicant and/or owner must participate in the meeting to present their case.

Sincerely,



Sherri Williams
Zoning Supervisor

You may contact our office for further information or questions at (205) 332-6800 OR visit between 7:30 a.m. and 4:30 p.m. Mon-Fri to review any files or drawings pertaining to this application

Instructions: Although the proceedings of the meeting may be viewed on-line, please note that anyone wishing to participate in a discussion of the scheduled cases must attend the meeting in Homewood City Hall in person. If you choose to view the meeting via Zoom, please follow the instructions below:

1st Option: Join on-line at www.zoom.us/join
Meeting #: 883 5766 5513
Passcode: 514257

2nd Option: Join through the app if you already have the Zoom app downloaded:
Meeting #: 883 5766 5513
Passcode: 514257

3rd Option: Dial in by phone: 312-626-6799

Comments in support or opposition to cases on the agenda, may be submitted to the Secretary to the Board of Zoning Adjustments at fred.goodwin@homewoodal.org. Comments should be submitted no later than 24-hours prior to the meeting and will be provided to the board's members for their consideration. Please reference the case number or address in your comments.

A copy of the file on this case will be available for review on the City of Homewood's website (cityofhomewood.com) under "Upcoming Meetings/BZA" approximately one week before the scheduled public hearing.

The scheduled public hearing will be preceded by a brief work session 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.

1032 Edgewood Boulevard
Case # SV 22-09-05
Parcel # 29-00-13-3-002-040.000



City of Homewood
BZA Case Map

1032 Edgewood Blvd.

SV 22-09-05

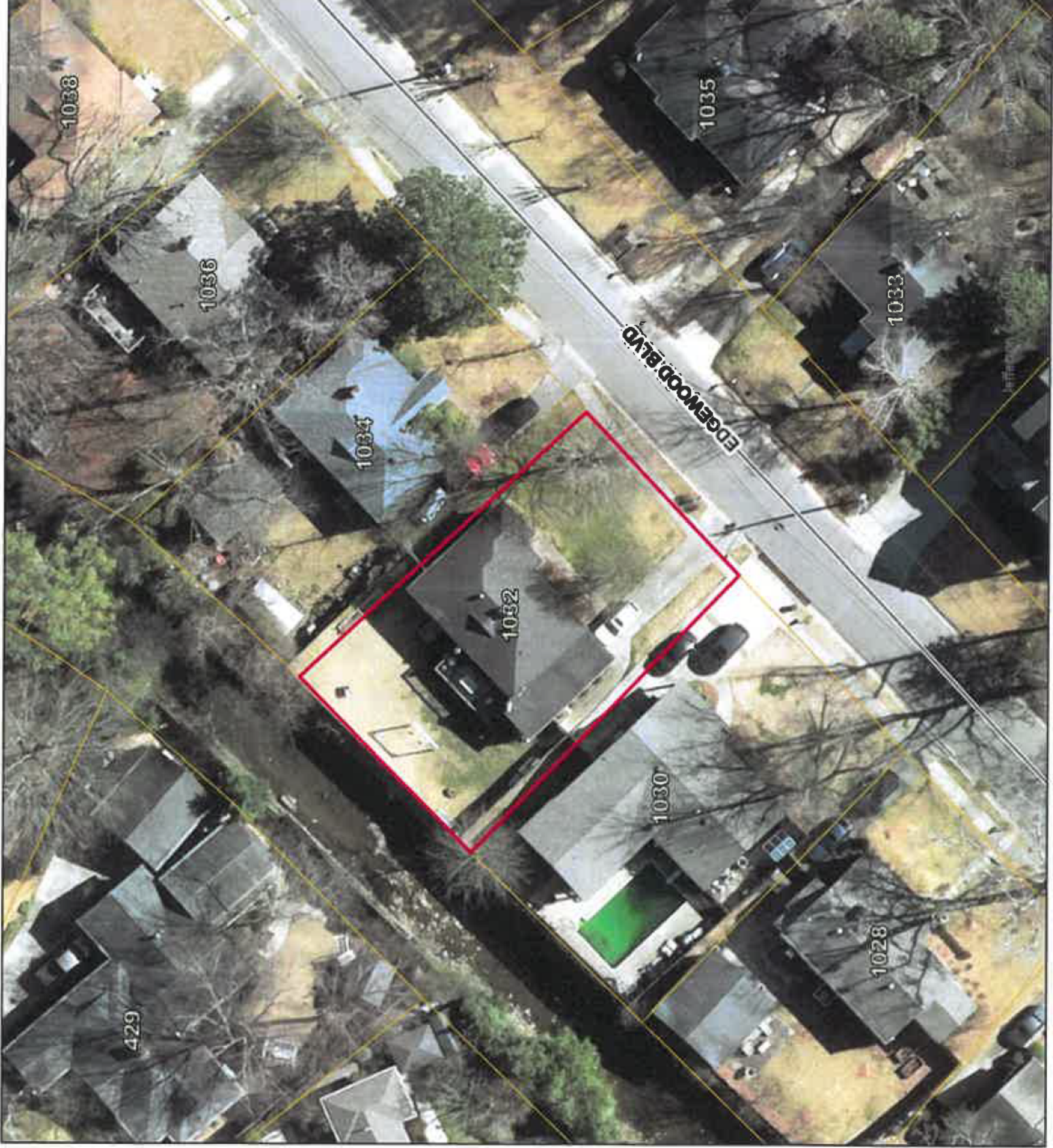
Aerial Photo

 Subject Property
 Parcels



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

ZONING IS SUBJECT TO CHANGE. PLEASE CALL ZONING OFFICE TO CONFIRM ZONING. 332-8628



COMPLETE AND SUBMIT
PRIOR TO THE DEADLINE DATE

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



VARIANCE



APPEAL

ADDRESS OF PROPERTY:

613 Northmoor Lane

BZA CASE # (assigned by city staff):

SV # 22-09-06

APPLICANT INFORMATION

Name of Applicant(s):

Billy Higginbotham

Address of Applicant(s):

1523 Sutherland Place

Homewood

City

AL

State

35209

Zip

Telephone Number(s) of Applicant(s):

[REDACTED]

Email:

[REDACTED]

Property Interest of Applicant(s):

(i.e., owner, contract purchaser, agent, architect, contractor, developer, etc.)

OWNER INFORMATION - If different from Applicant

Name of Owner(s):

Hilary Higginbotham Swafford

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

City

State

Zip

Email:

[REDACTED]

Telephone Number(s) of Owner(s):

[REDACTED]

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

PARCEL IDENTIFICATION NUMBER:

29-00-22-1-010-006.000

PRESENT USE: _____ vacant _____ residence

_____ commercial (describe):

_____ other (describe):

PRESENT ZONING DISTRICT (City Zoning Map):

NPD

Hilary Swafford
613 Northmoor Lane
Homewood, AL 35209

8/02/22

Narrative for Variance

Construct an addition across the rear of 613 Northmoor Lane, that is approximately 20' deep by 56' wide. The addition will include a Master Bedroom Suite (27' wide x 20' deep) which includes a Master Bedroom, Master Bath, Closets, and relocated Laundry, a Screen Porch (18.5' wide x 20' deep) and a Wood Deck (13' x 12') for a Grill. The addition has been designed to provide needed space while preserving the rear yard for future play area for children.

The lot is pie shaped and there are two rear property lines (odd shaped). The house has an existing non-conforming condition on the right side (south) as it is 7.4' from the property line, in lieu of the current requirement of 10'. Because of the "odd" shape lot, the distance from the rear setback will vary from a minimum of 16' to a maximum of 40'.

Variances (3' on the right side and 4' at the rear) are being requested, to build an addition to my home that adds to beauty, character and simplicity of the original house and neighborhood, while minimizing the impact to the site and environment. An addition (a saw tooth design) could be built without variances but, it would look like an obvious addition and not an attempt to look like it may have always been there.

Thanks for your time, service to our city and consideration,

Hilary Swafford

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

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

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

Odd shaped lot

PURPOSE OF VARIANCE

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

- ☒ the construction of an addition to a residence,
- ☐ the construction of residence,
- ☐ the construction of an addition to a commercial structure,
- ☐ the construction of a commercial structure,
- ☐ other (describe):

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

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


INDICATE THE FOLLOWING
Applicant must provide a survey to verify:

Setback information	*Required by zoning regulations	Setback dimensions currently existing	Setback dimensions after proposed construction	Setback Variance Requested
Front Setback Street Name		35'	35'	
Front Setback - Corner lot Street Name		N/A	N/A	
Right Bldg. Setback		7.4'	7.4'	3'
Left Bldg. Setback		10.8'	10.8'	N/A
Rear Bldg. Setback		+/- 34'	+/- 16'	4'
Accessory Structure Setback: side/rear	/	/	/	/
Property dimensions and structure information	As required	Currently existing	Proposed	Variance Requested
Lot Area (sq. ft./acres)		9,397	9,397/0.216	
Lot Width		+/- 71'	+/- 71'	
Parking Spaces		4	4	
Height of Structure		17'	20'	
Lot Coverage sq. ft. of structures + lot sq. ft.		39.7%	44.8%	

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

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

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


Signature of Applicant/Agent

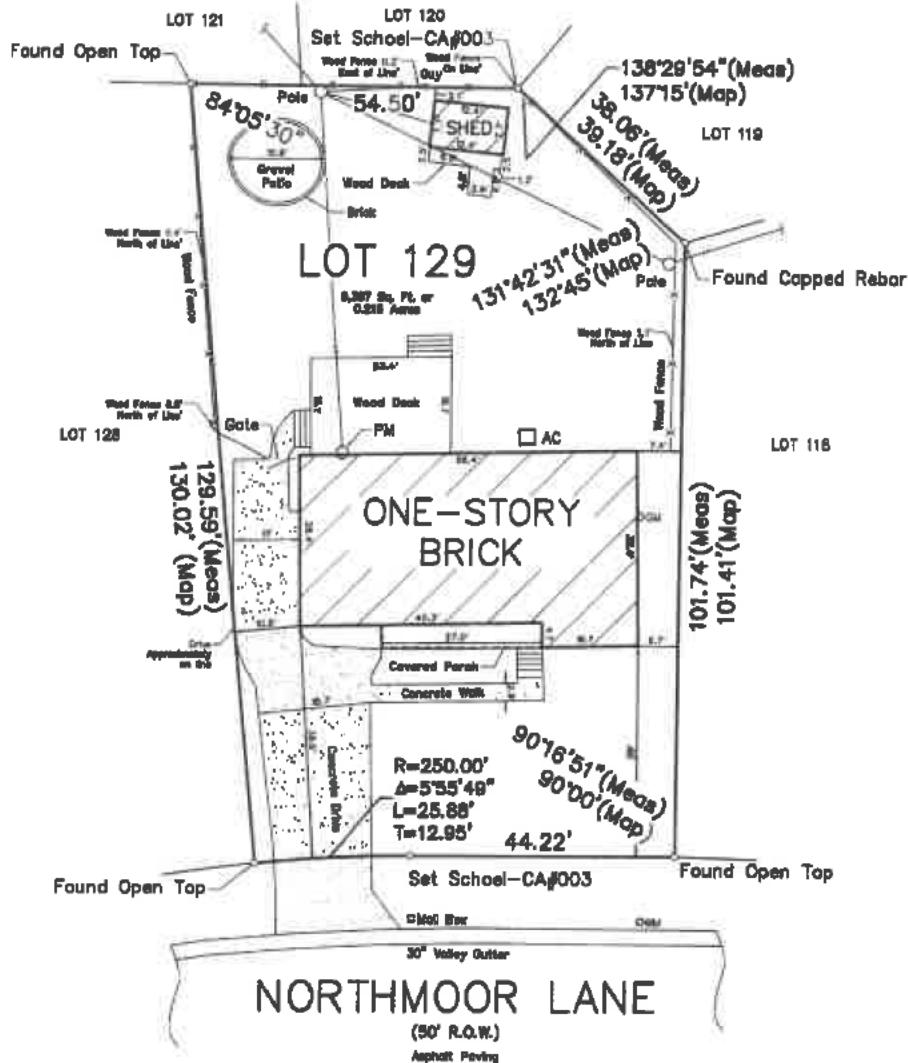
8/02/22
Date


Signature of Owner

08/10/22
Date

Signature of Owner

Date



LEGAL DESCRIPTION

Lot 129, Reese-King's Edgemoor Estates, as recorded in Map Book 54, Page 18 in the Office of the Judge of Probate of Jefferson County, Alabama.

Containing 9.397 Square Feet or 0.215 Acres.

STATE OF ALABAMA
JEFFERSON COUNTY

I, Joseph F. Breighner, Jr., a Registered Professional Land Surveyor in the State of Alabama, hereby certify that this survey and drawing of the parcel described hereon, were made by individuals under my supervision (Field Work completed on July 28, 2022), and 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.

SCHOEL ENGINEERING CO., INC.

Joseph F. Breighner, Jr., Alabama License No. 17818
Issue Date: July 29, 2022
Revised Date: August 3, 2022 (Added Dimensions to Improvements)

Square Footage Table

Pervious	6.427 Sq.Ft.
Impervious	2.970 Sq.Ft.
TOTAL	9.397 Sq.Ft.

Notes:

Impervious area includes the House, Driveway, Sidewalk, and Shed.

Scale: 1" = 20'
Graphic Scale



BOUNDARY SURVEY
613 NORTHMOOR LANE
BIRMINGHAM, ALABAMA

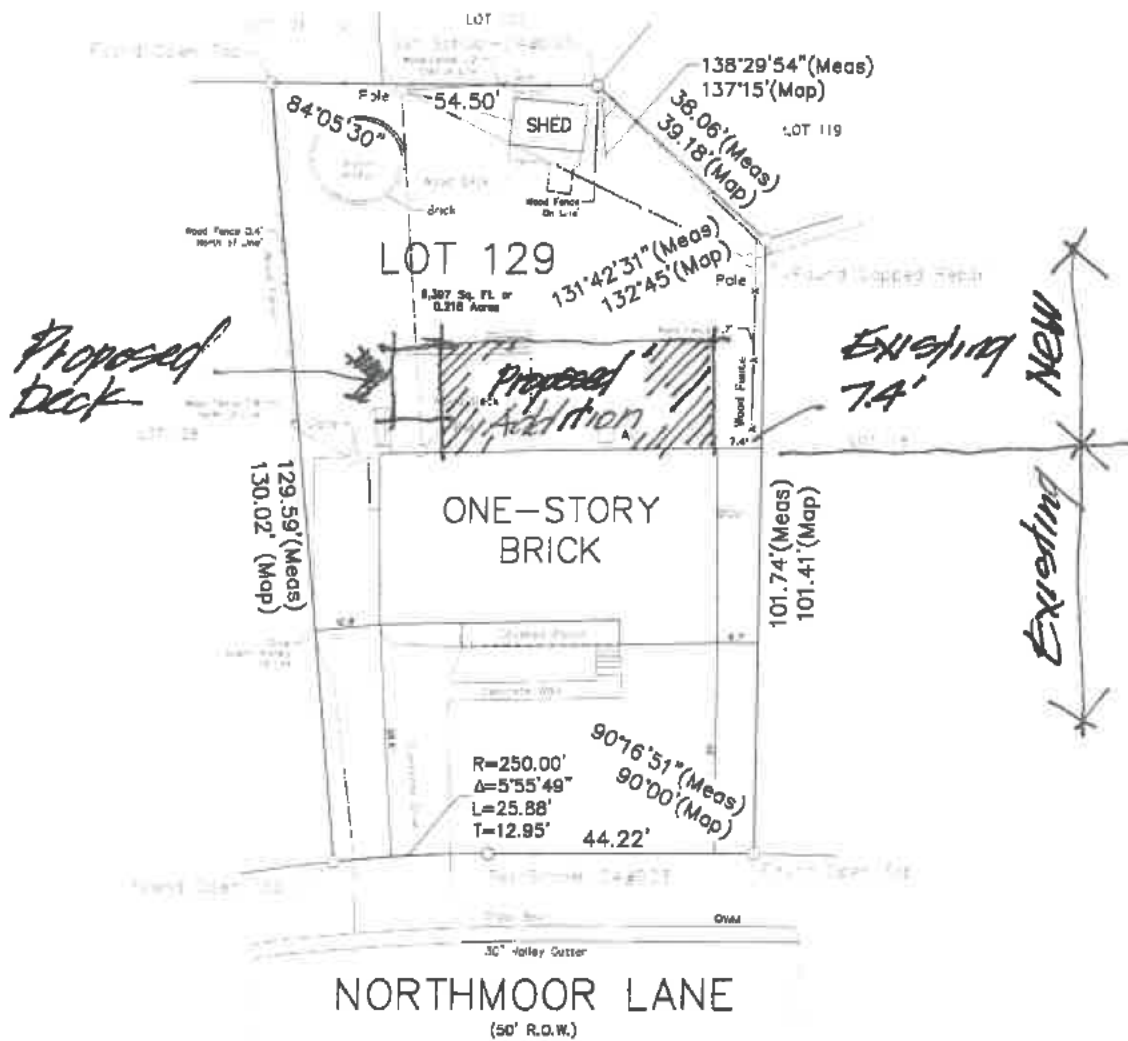
FIELD CREW: VMJ
FIELD BOOK: #3255
DRAWN BY: WTM

Geod Engineering | Land Surveying | Landscape Architecture
Environmental | Water Resources | Linear Engineering | Planning

SCHOEL

1801 20th Street South | 1200 Municipal Park SW, Ste 100
Birmingham, Alabama 35205 | Huntsville, Alabama 35894
(205) 252-0100 | (256) 596-1200

SCHOEL.COM



NORTHMOOR LANE
(50' R.O.W.)

LEGAL DESCRIPTION

Lot 129, Reese-King's Edgemoor Estates, as recorded in Map Book 54, Page 18 in the Office of the Judge of Probate of Jefferson County, Alabama.

Containing 9,397 Square Feet or 0.216 Acres.

STATE OF ALABAMA
JEFFERSON COUNTY

I, Joseph F. Breighner, Jr., a Registered Professional Land Surveyor in the State of Alabama, hereby certify that this survey and drawing of the parcel described herein, were made by individuals under my supervision (Field Work completed on July 28, 2022), and 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.

SCHOEL ENGINEERING CO., INC.

Joseph F. Breighner, Jr., Alabama License No. 17518
Issue Date: July 29, 2022

Scale: 1" = 20'
Graphic Scale



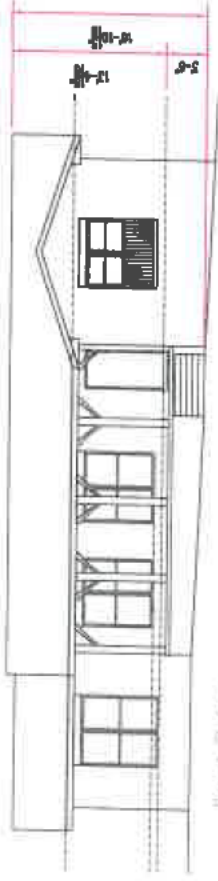
BOUNDARY SURVEY
613 NORTHMOOR LANE
BIRMINGHAM, ALABAMA

SCHOEL

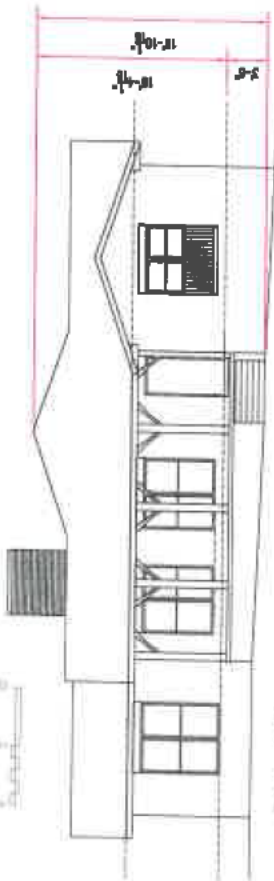
FIELD CREW: VMJ
FIELD BOOK: #3255
DRAWN BY: WTM



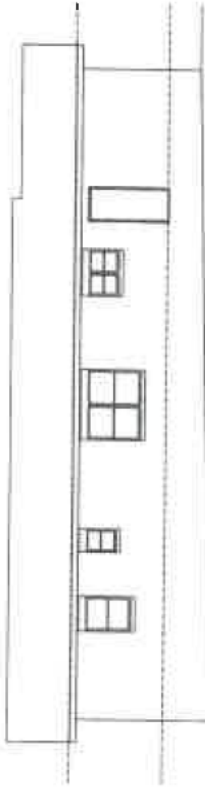
Before 1510 SQUARE FEET (HEATED and COOLED)
After 2110 SQUARE FEET (HEATED and COOLED)
Before 1730 SQUARE FEET (Under Heat)
After 2045 SQUARE FEET (Under Roof)
Lot Size 0.957 SF
Area Covered 4,211 SF (44.8%)
Area NOT Covered 5,186 SF (55.2%)



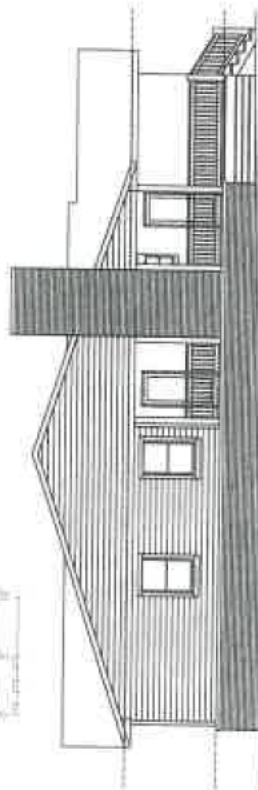
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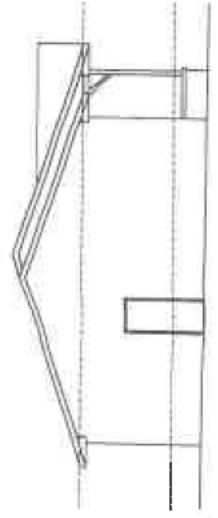
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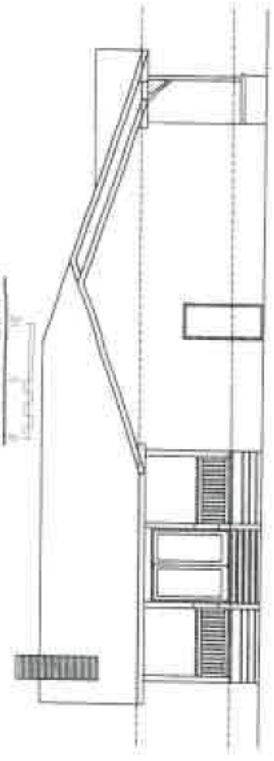
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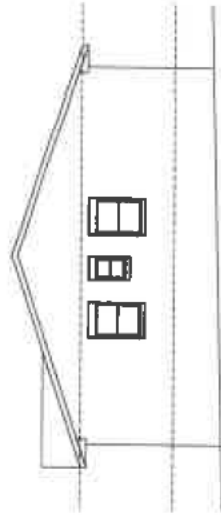
Rear After



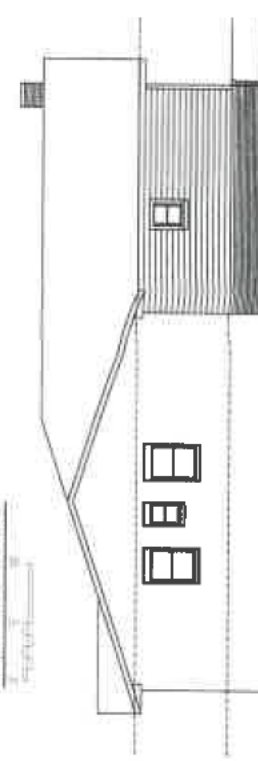
Left Side Before



Left Side After



Right Side Before



Right Side After











**CITY OF HOMEWOOD
ENGINEERING & ZONING DEPARTMENT**

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

Patrick McClusky, Mayor

Cale Smith, PE, Director

August 25, 2022

Hilary Higginbotham Swafford
613 Northmoor Lane
Homewood, AL 35209

Dear Owner/Applicant AND Adjacent Property Owners:

The owner has petitioned the Homewood Board of Zoning Adjustments for a modification to the Homewood Zoning Ordinance for the property located at:

SV-22-09-06, 613 Northmoor Lane, Parcel ID No.: 29 00 22 1 010 006.000

Applicant: Billy Higginbotham / Property Owner: Hilary Higginbotham Swafford

- a. A request for a variance to Article IV, District Uses, Sec. A., NPD Neighborhood Preservation District, d. Setbacks, 2. Side, to reduce the setback along the right-side property line from 10-feet to 7-feet, for a total reduction of 3-feet, to allow for the construction of an addition at the rear of an existing, non-conforming single-family dwelling.
- b. A request for a variance to Article IV, District Uses, Sec. A., NPD Neighborhood Preservation District, d. Setbacks, 3. Rear, to reduce the rear setback from 20-feet to 16-feet, to allow for the construction of an addition at the rear of an existing, non-conforming single-family dwelling.

The Board of Zoning and Adjustments will consider this petition during a meeting to be held at 6:00 p.m. on Thursday, September 1, 2022, in the Council Chambers (2nd Floor) at Homewood City Hall, 2850 19th Street South. If you prefer not to attend the in-person meeting at City Hall, you may join on-line utilizing the attached Zoom instructions **(SEE INSTRUCTIONS ON THE REVERSE SIDE OF THIS NOTICE)**

This letter will serve as notice to the parties in interest and to all adjacent property owners. Any protest to the above referenced petition will be heard at this time. The applicant and/or owner must participate in the meeting to present their case.

Sincerely,



**Sherri Williams
Zoning Supervisor**

You may contact our office for further information or questions at (205) 332-6800 OR visit between 7:30 a.m. and 4:30 p.m. Mon-Fri to review any files or drawings pertaining to this application

Instructions: Although the proceedings of the meeting may be viewed on-line, please note that anyone wishing to participate in a discussion of the scheduled cases must attend the meeting in Homewood City Hall in person. If you choose to view the meeting via Zoom, please follow the instructions below:

1st Option: Join on-line at www.zoom.us/join
Meeting #: 883 5766 5513
Passcode: 514257

2nd Option: Join through the app if you already have the Zoom app downloaded:
Meeting #: 883 5766 5513
Passcode: 514257

3rd Option: Dial in by phone: 312-626-6799

Comments in support or opposition to cases on the agenda, may be submitted to the Secretary to the Board of Zoning Adjustments at fred.goodwin@homewoodal.org. Comments should be submitted no later than 24-hours prior to the meeting and will be provided to the board's members for their consideration. Please reference the case number or address in your comments.

A copy of the file on this case will be available for review on the City of Homewood's website (cityofhomewood.com) under "Upcoming Meetings/BZA" approximately one week before the scheduled public hearing.

The scheduled public hearing will be preceded by a brief work session 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.

613 Northmoor Lane
Case # SV 22-09-06
Parcel # 29-00-22-1-010-006.000



City of Homewood BZA Case Map

613 Northmoor Ln.

SV 22-09-06

Aerial Photo

Subject Property
Parcels



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ZONING IS SUBJECT TO CHANGE. PLEASE CALL ZONING OFFICE TO CONFIRM ZONING. 332-6628



COMPLETE AND SUBMIT
PRIOR TO THE DEADLINE DATE

City of Homewood
Board of Zoning Adjustments
Request for Variance



VARIANCE



APPEAL

ADDRESS OF PROPERTY: 505 WINDSOR DR

BZA CASE # (assigned by city staff): SV# 22-09-07

APPLICANT INFORMATION

Name of Applicant(s): EMILY BLUMENTHAL

Address of Applicant(s): 505 WINDSOR DR

HOMWOOD

City

AL

State

35209

Zip

Telephone Number(s) of Applicant(s): [REDACTED]

Email: [REDACTED]

Property Interest of Applicant(s): OWNER

(i.e., owner, contract purchaser, agent, architect, contractor, developer, etc)

OWNER INFORMATION – *If different from Applicant*

Name of Owner(s): Same

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

City

State

Zip

Email: _____

Telephone Number(s) of Owner(s): _____

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

PARCEL IDENTIFICATION NUMBER: 28-00-17-2-009-006.000

PRESENT USE: _____ vacant _____ residence

_____ commercial (describe): _____

_____ other (describe): _____

PRESENT ZONING (per current City map): NPD

COMPLETE AND SUBMIT
PRIOR TO THE DEADLINE DATE

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 OWNER REQUIRES COVERED WHEELCHAIR
ACCESS TO THE FRONT ENTRANCE OF THE
RESIDENCE.

THE EXISTING PARKING ONLY GIVES ACCESS TO
THE LOWER LEVEL WHERE THERE IS NO
MAIN LEVEL ACCESSIBILITY.

THE PLAN PROVIDES COVERED PARKING AND
PATH TO MAIN LEVEL ENTRY.

PURPOSE OF VARIANCE

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

- ☒ the construction of an addition to a residence,
- ☐ the construction of residence,
- ☐ the construction of an addition to a commercial structure,
- ☐ the construction of a commercial structure,
- ☐ other (describe): _____

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 bring a survey to verify:

	*Required by Zoning Regulations	Setback dimensions As they NOW exist	Setback dimensions AFTER construction	FINAL Setback Variance Requested
Front Bldg. Setback Street:	25'	8'	6'-11"	
Front Bldg. Setback Street: (secondary - corner lot)				
Right Bldg. Setback	10'			
Left Bldg. Setback	10'			
Rear Bldg. Setback				
Accessory Structure Setback: side/rear				
	As Required	Existing NOW	Proposed	Variance Required
Lot Area				
Lot Width				
Parking				
Height of Structure				
Lot Coverage				

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

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

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

Signature of Applicant

8/9/2022

Date

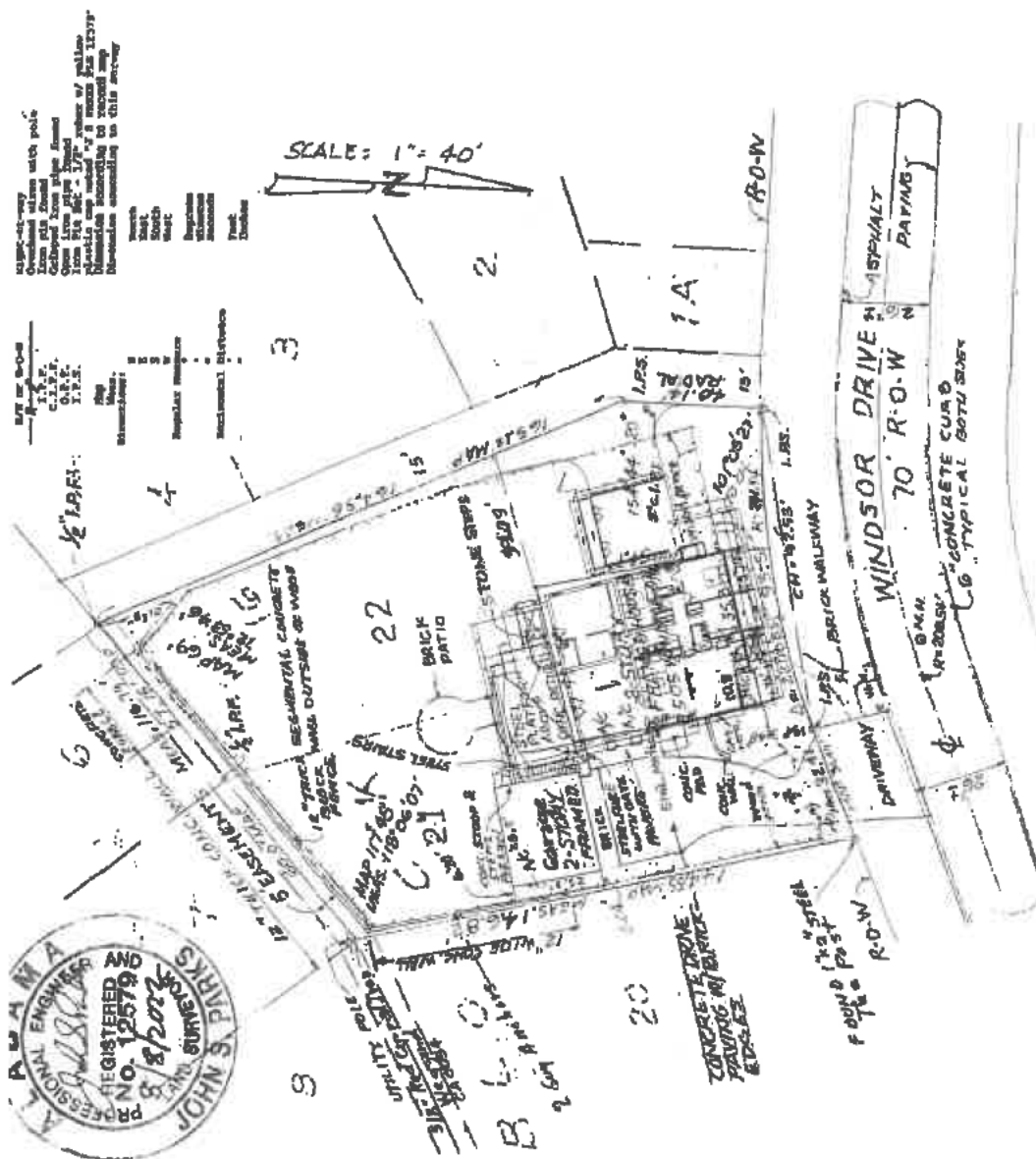
Signature of Owner

8/9/2022

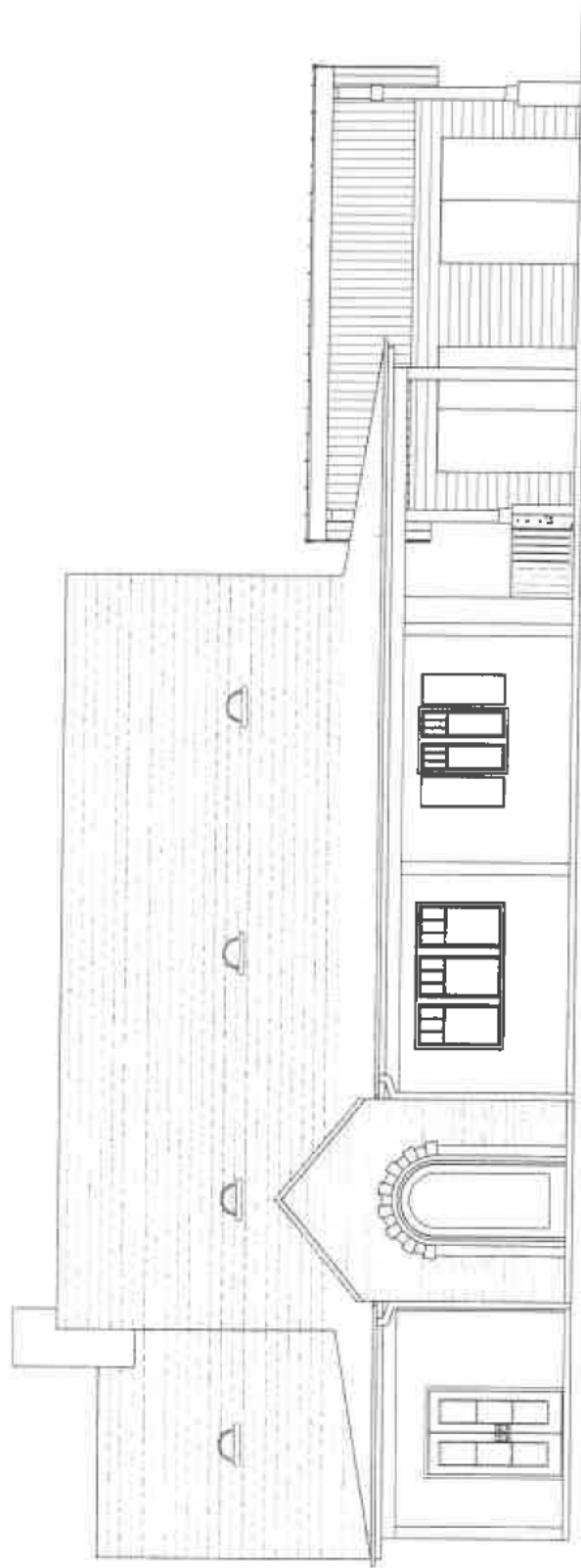
Date

Signature of Owner

Date

BILMENTHAL
RENOVATION505 Windsor Drive
Lawrenceville, AL 36049[illegible]

JOB STROUT



FRONT ELEVATION

1/8" = 1'-0"

JOB STROUT

A-105

Strout Architecture LLC

1700 47TH AVENUE SOUTH LYONVILLE, AL 36016
206 388 8774
WWW.STROUTARCH.COM



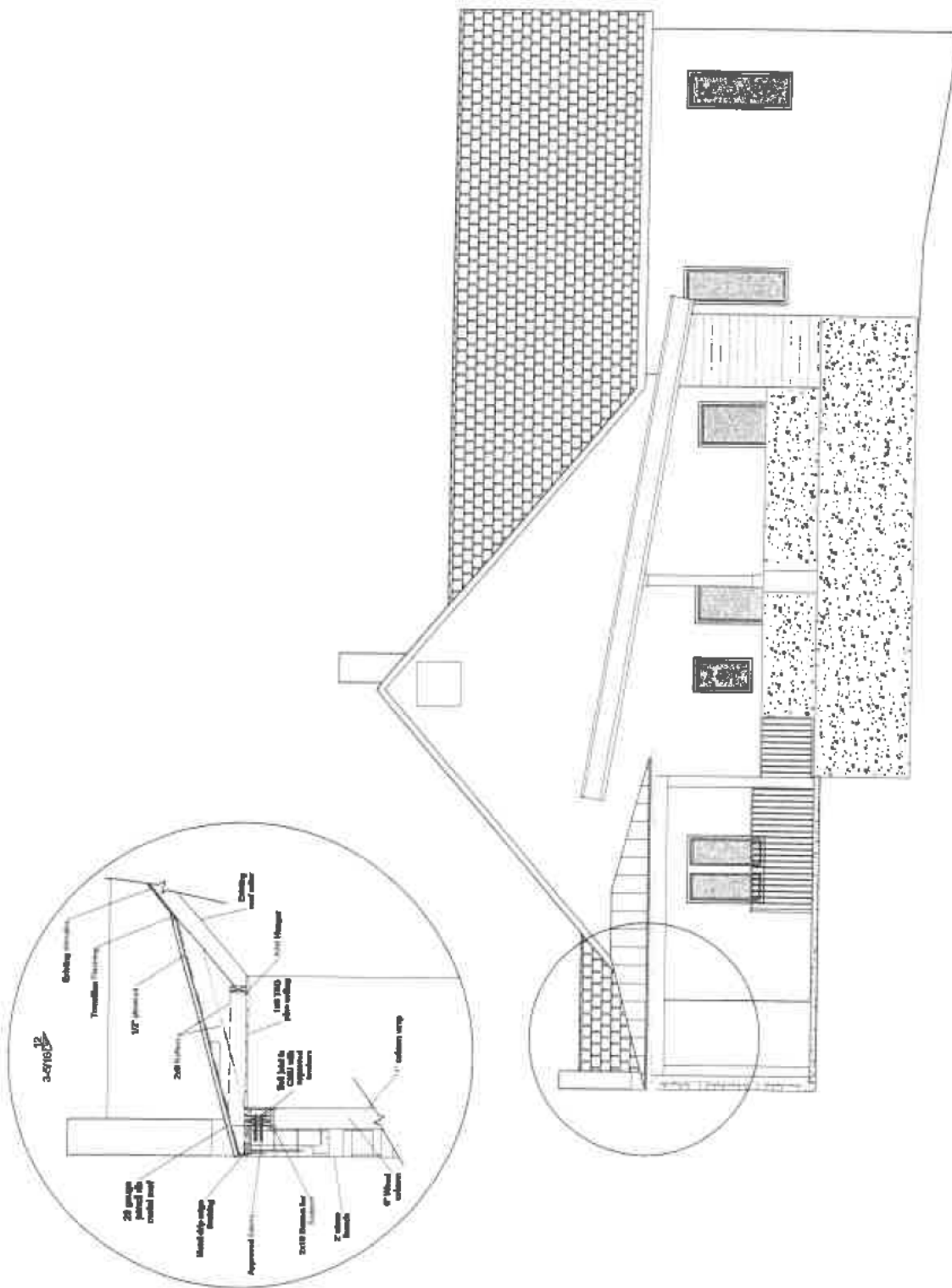
ESSENTIAL
RENOVATION

505 Wilshire Drive
Huntsville, AL 35899

DATE	1/18/18	
BY	JAS	
CHECKED	JAS	
APPROVED	JAS	
PROJECT	RENOVATION	
CLIENT	RENOVATION	
LOCATION	RENOVATION	
DESCRIPTION	RENOVATION	
REVISIONS		
NO.	DATE	DESCRIPTION
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99	1/18/18	1/18/18
100	1/18/18	1/18/18

BLUMENTHAL
RENOVATION505 Vandyke Drive
Homewood AL 35209

Author's address: Department of Mathematics, University of California at San Diego, La Jolla, CA 92037, U.S.A.
E-mail: shashank@ucsd.edu



RIGHT ELEVATION

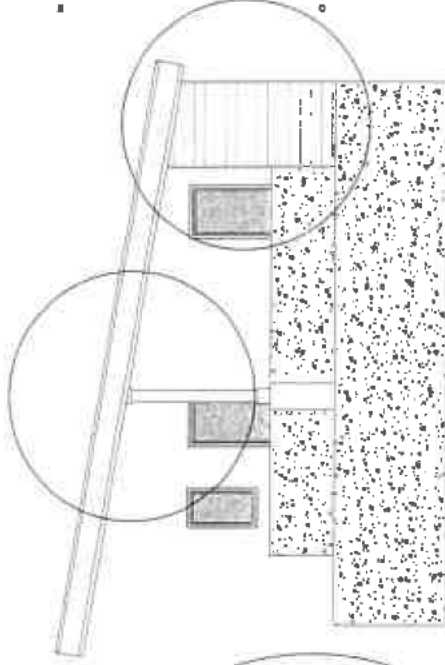
1997-1998



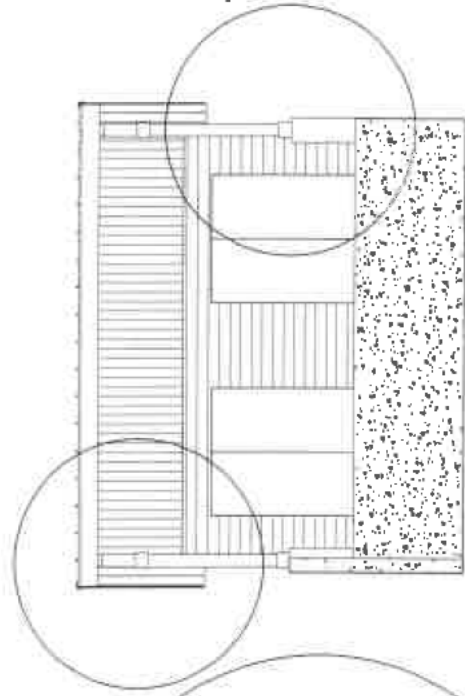
NO.	DATE	DESCRIPTION
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2	10/15/2018	Revised Design
3	10/25/2018	Final Design
4	11/1/2018	Construction Documents

LD STROUT

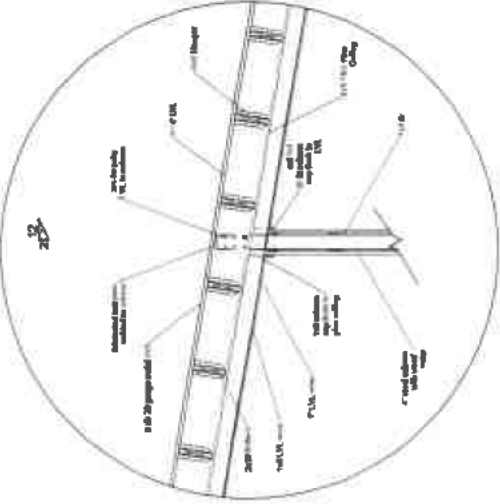
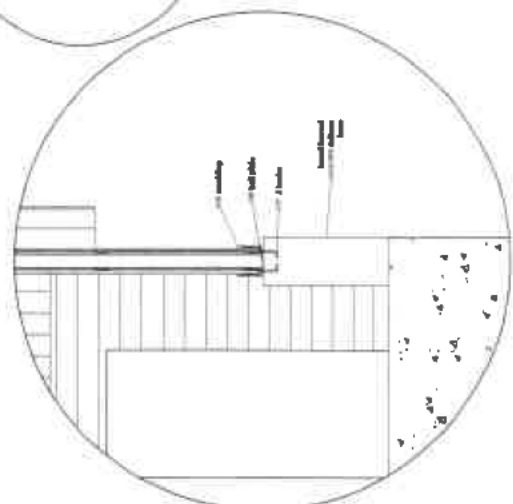
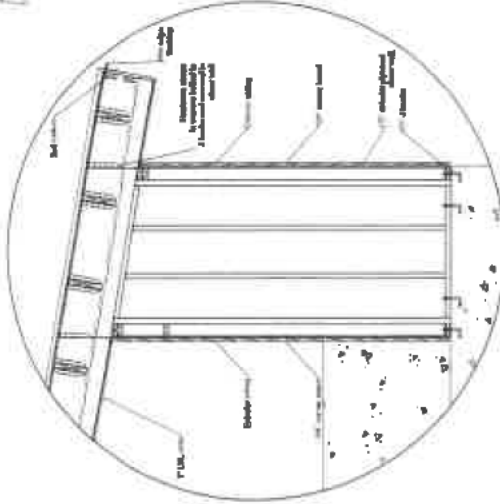
LD STROUT



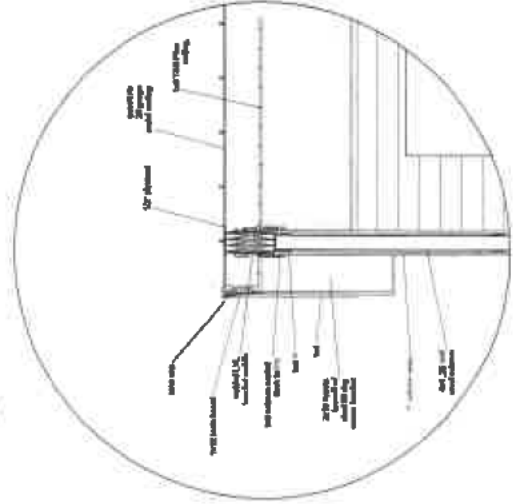
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CAR PORT FRONT ELEVATION 30' - 0"



3 CAR PORT 30' - 0"



Strout Architecture LLC

1755 4TH AVE SOUTH MONTICELLO, AL 35810
256 888 2774
WWW.STROUTARCH.COM



BLUMENTHAL
RENOVATION

500 Windsor Drive
Monticello AL 35808

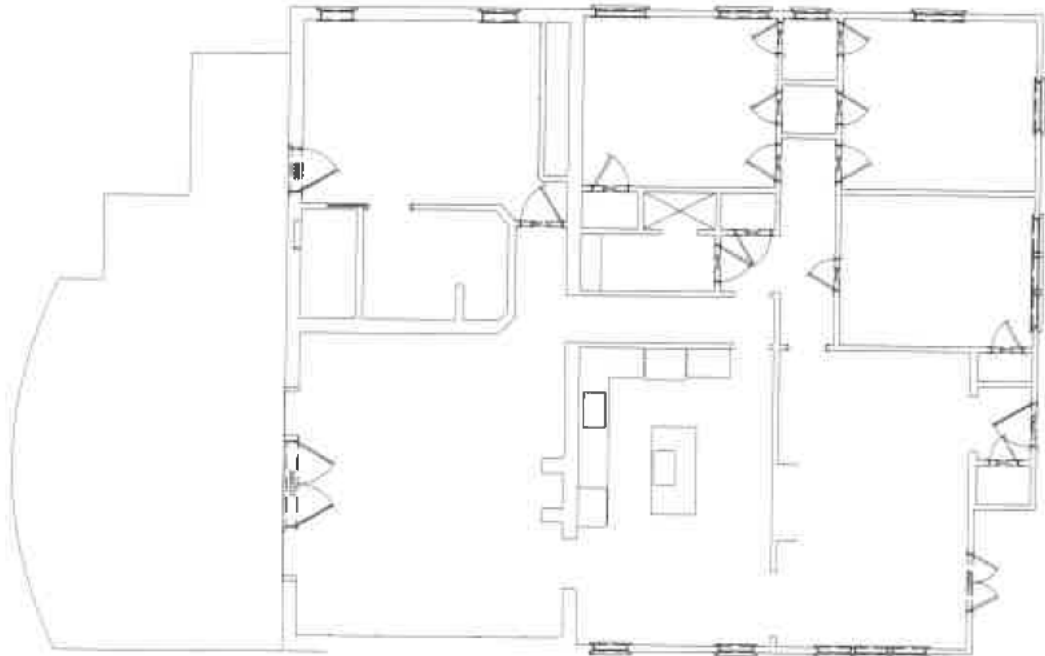
DATE	12/15/10
BY	Strout Architecture LLC
CHECKED	Strout Architecture LLC
APPROVED	Strout Architecture LLC
PROJECT	Blumenthal Renovation
LOCATION	500 Windsor Drive, Monticello, AL
SCALE	AS SHOWN
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Existing

A-101

STROUT

STROUT





BLUMENTHAL
RENOVATION

203 Windsor Drive
Huntsville, AL 35890

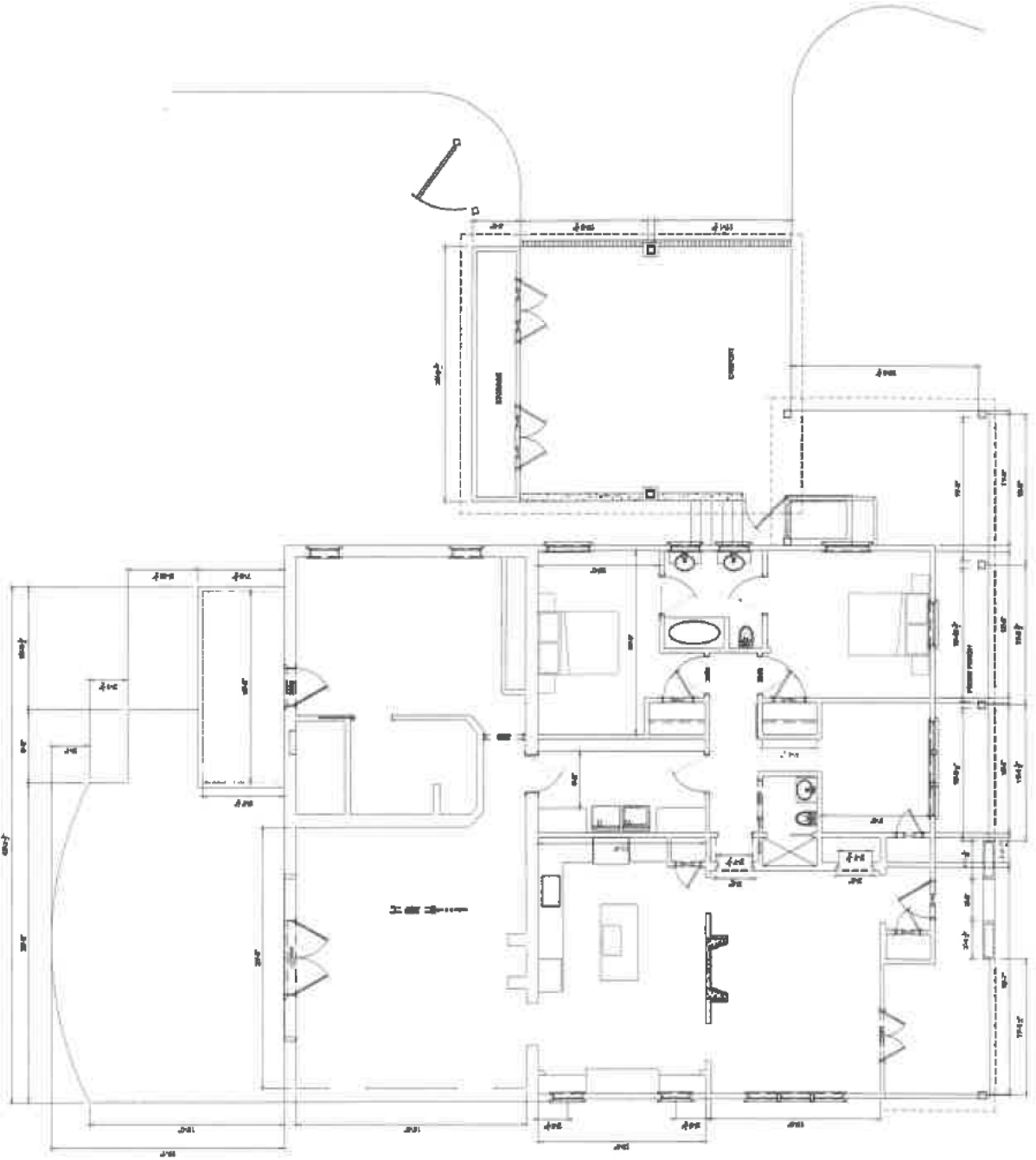
NO.	DATE	DESCRIPTION
1	10/1/14	Initial Design
2	10/1/14	Revised Design
3	10/1/14	Final Design
4	10/1/14	Construction Documents
5	10/1/14	As-Built Drawings

Proposed

A-102

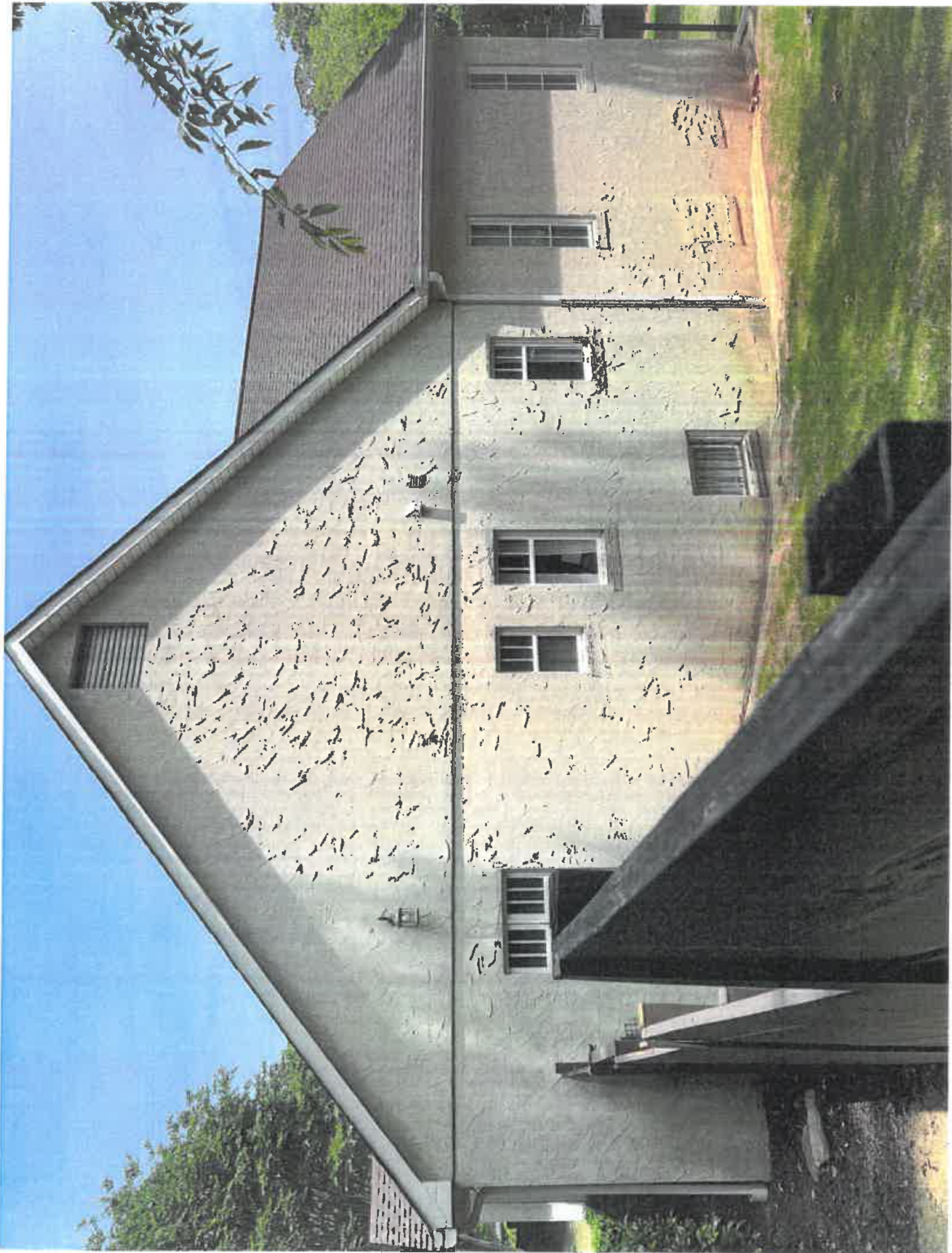
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CITY OF HOMEWOOD
ENGINEERING & ZONING DEPARTMENT

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

Patrick McClusky, Mayor

Cale Smith, PE, Director

August 25, 2022

Michael & Emily Blumenthal
505 Windsor Drive
Homewood, AL 35209

Dear Owner/Applicant AND Adjacent Property Owners:

The owner has petitioned the Homewood Board of Zoning Adjustments for a modification to the Homewood Zoning Ordinance for the property located at:

SV-22-09-07, 505 Windsor Drive, Parcel ID No.: 28 00 17 2 009 006.000

Applicant: Emily Blumenthal / Property Owners: Michael & Emily Blumenthal

A request for a variance to Article IV, District Uses, Sec. A., NPd Neighborhood Preservation District, d. Setbacks, 1. Front, to reduce the setback from 25-feet to 6-feet, eleven-inches, to allow for the construction of an accessible entrance at the front of an existing, non-conforming single-family dwelling.

The Board of Zoning and Adjustments will consider this petition during a meeting to be held at 6:00 p.m. on Thursday, September 1, 2022, in the Council Chambers (2nd Floor) at Homewood City Hall, 2850 19th Street South. If you prefer not to attend the in-person meeting at City Hall, you may join on-line utilizing the attached Zoom instructions **(SEE INSTRUCTIONS ON THE REVERSE SIDE OF THIS NOTICE)**

This letter will serve as notice to the parties in interest and to all adjacent property owners. Any protest to the above referenced petition will be heard at this time. The applicant and/or owner must participate in the meeting to present their case.

Sincerely,



Sherri Williams
Zoning Supervisor

You may contact our office for further information or questions at (205) 332-6800 OR visit between 7:30 a.m. and 4:30 p.m. Mon-Fri to review any files or drawings pertaining to this application

Instructions: Although the proceedings of the meeting may be viewed on-line, please note that anyone wishing to participate in a discussion of the scheduled cases must attend the meeting in Homewood City Hall in person. If you choose to view the meeting via Zoom, please follow the instructions below:

1st Option: Join on-line at www.zoom.us/join
Meeting #: 883 5766 5513
Passcode: 514257

2nd Option: Join through the app if you already have the Zoom app downloaded:
Meeting #: 883 5766 5513
Passcode: 514257

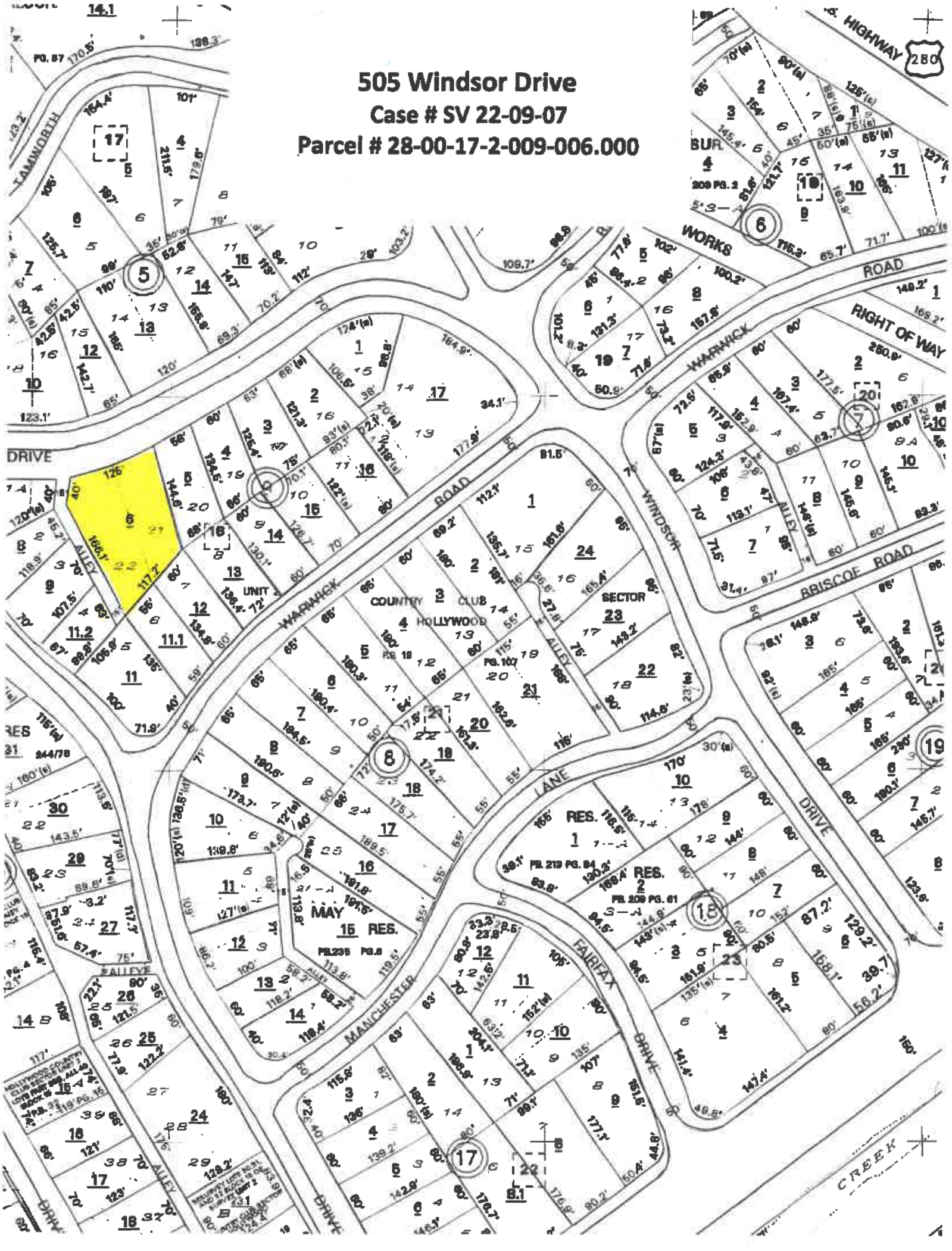
3rd Option: Dial In by phone: 312-626-6799

Comments in support or opposition to cases on the agenda, may be submitted to the Secretary to the Board of Zoning Adjustments at fred.goodwin@homewoodal.org. Comments should be submitted no later than 24-hours prior to the meeting and will be provided to the board's members for their consideration. Please reference the case number or address in your comments.

A copy of the file on this case will be available for review on the City of Homewood's website (cityofhomewood.com) under "Upcoming Meetings/BZA" approximately one week before the scheduled public hearing.

The scheduled public hearing will be preceded by a brief work session 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.

505 Windsor Drive
Case # SV 22-09-07
Parcel # 28-00-17-2-009-006.000



City of Homewood
BZA Case Map

505 Windsor Dr.

SV 22-09-07

Aerial Photo

 **Subject Property**
 **Parcels**



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

ZONING IS SUBJECT TO CHANGE. PLEASE CALL ZONING OFFICE TO CONFIRM ZONING. 332-0628



COMPLETE AND SUBMIT
PRIOR TO THE DEADLINE DATE

City of Homewood
Board of Zoning Adjustments
Request for Variance

Revised



VARIANCE



APPEAL

ADDRESS OF PROPERTY: 225 POINCIANA DRIVE

BZA CASE # (assigned by city staff): SV 22-09-08

APPLICANT INFORMATION

Name of Applicant(s): MILLHOUSE HOWELL LANDSCAPE COMPANY

Address of Applicant(s): 217 COUNTRY CLUB PARK #424

MOUNTAIN BROOK
City

AL
State

35213
Zip

Telephone Number(s) of Applicant(s): 205.510.2670

Email: adam@millhousehowell.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): RICHARD & HOLLY SIMMONS

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

SAME

City

State

Zip

Email: richard@thecenterpharm.com, holly.renne@centerpharm.com

Telephone Number(s) of Owner(s): [REDACTED]

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

PARCEL IDENTIFICATION NUMBER: 28-00-07-4-012-017.000

PRESENT USE: vacant ☒ residence

commercial (describe):

other (describe):

PRESENT ZONING (per current City map): NPD

COMPLETE AND SUBMIT
PRIOR TO THE DEADLINE DATE

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:

Richard and Holly Simmons, the owners of 225 Peirciana Drive, are planning to build a pool in their backyard. To do so, our plan suggests to remove a significant amount of existing impermeable area (the concrete driveway) and replacing this area with a permeable surface (pea gravel). Although the Zoning Ordinance Lot Coverage rules per the City of Homewood are not met based on this design, this project improves the overall permeability to the property.

PURPOSE OF VARIANCE

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

- ☐ the construction of an addition to a residence,
- ☐ the construction of residence,
- ☐ the construction of an addition to a commercial structure,
- ☐ the construction of a commercial structure,
- ☒ other (describe): RENOVATION OF LANDSCAPE RESULTING
IN AN INCREASE IN THE MAXIMUM AREA OF GROUND
COVERAGE ALLOWED

**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 bring a survey to verify:

	*Required by Zoning Regulations	Setback dimensions As they NOW exist	Setback dimensions AFTER construction	FINAL Setback Variance Requested
Front Bldg. Setback Street:	n/a	55'	to remain	n/a
Front Bldg. Setback Street: (secondary - corner lot)	n/a	n/a	n/a	n/a
Right Bldg. Setback	10'	3.5'	to remain	n/a
Left Bldg. Setback	10'	9.6'	to remain	n/a
Rear Bldg. Setback	25'	35'	to remain	n/a
Accessory Structure Setback: side/rear				
	As Required	Existing NOW	Proposed	Variance Required
Lot Area		10,051 SFT	n/a	n/a
Lot Width		61.45'	n/a	n/a
Parking	n/a	n/a	n/a	n/a
Height of Structure	n/a	n/a	n/a	n/a
Lot Coverage	50%	63%	62%	11% ADD'L COVERAGE 12

*For required setback information, please refer to the [Zoning Ordinance Book](#), 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 332-8828 or 332-8854 or by clicking on the following link to email: [Zoning Information](#).

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

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

Signature of Applicant

Date

Signature of Owner

Date

Signature of Owner

Date



WILLIAM E. MILLER
President, American Society of
Mechanical Engineers

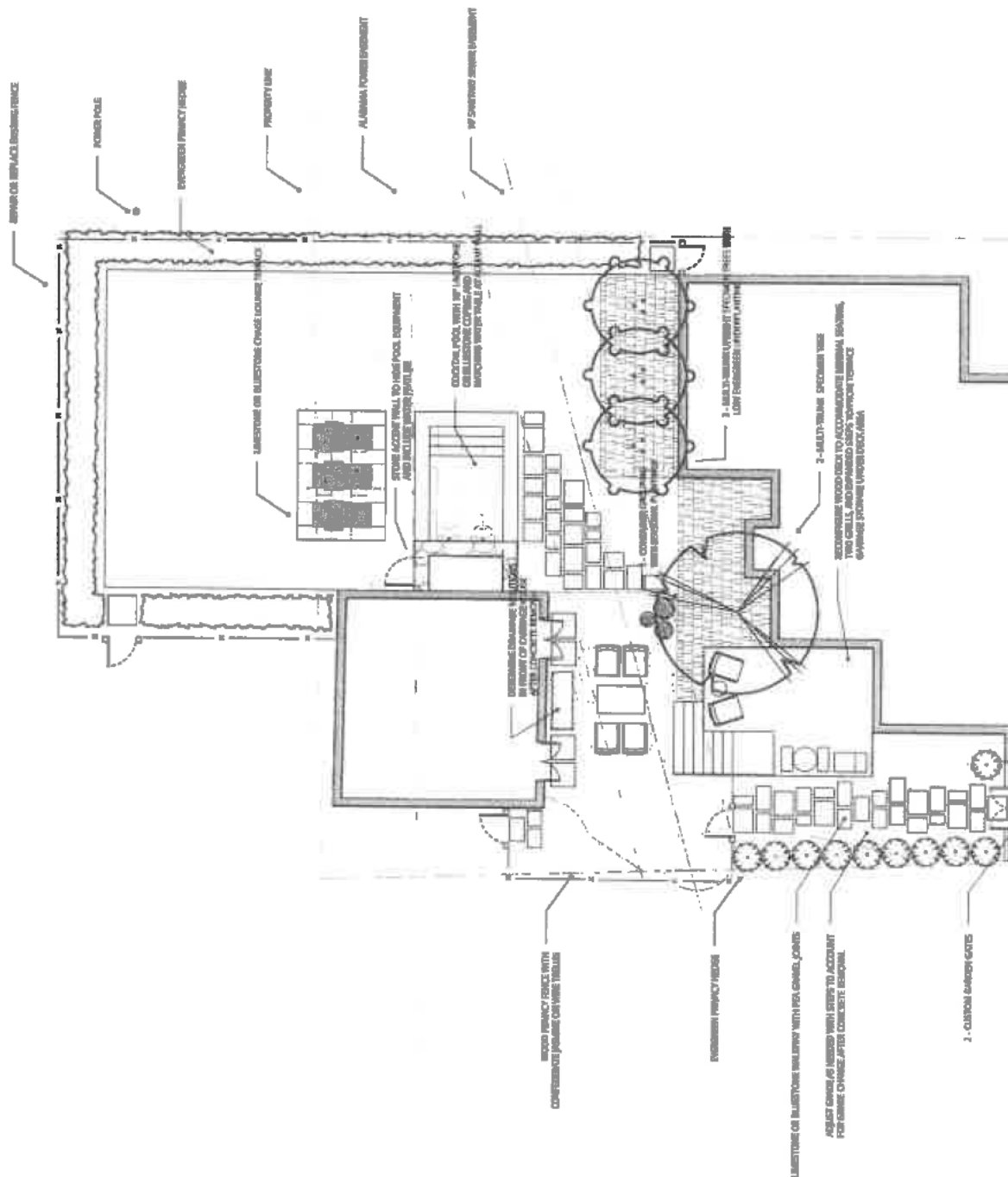
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Richard & Holly Simmons
225 POINCIANA DRIVE
HOMEWOOD, AL 35209

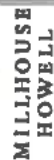
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INTRODUCTION AND MANUSCRIPT CONCEPT

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RETAIL INNOVATION

POOL GARDEN
Richard & Holly Simmons
225 POINCIANA DRIVE
HOMEWOOD, AL 35209

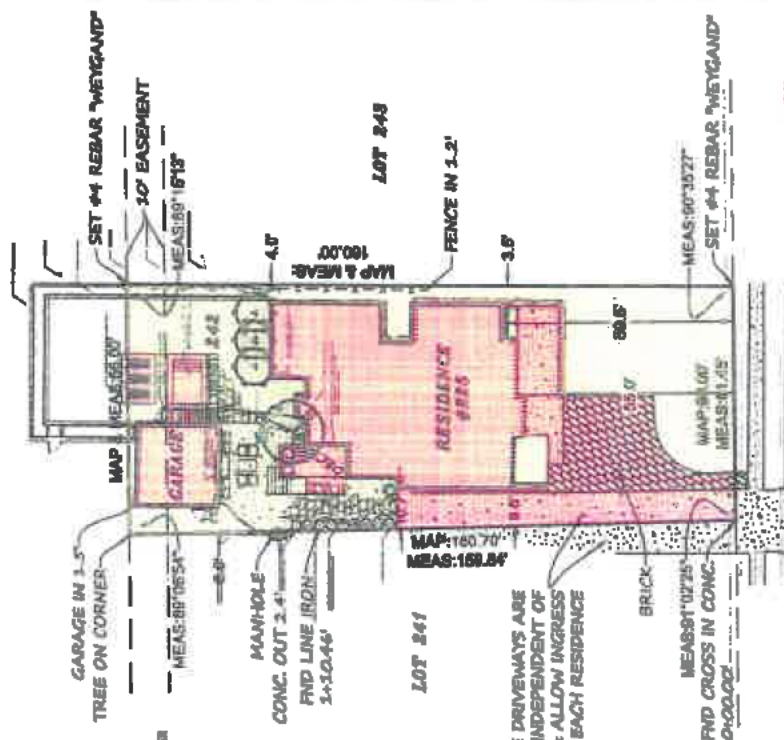
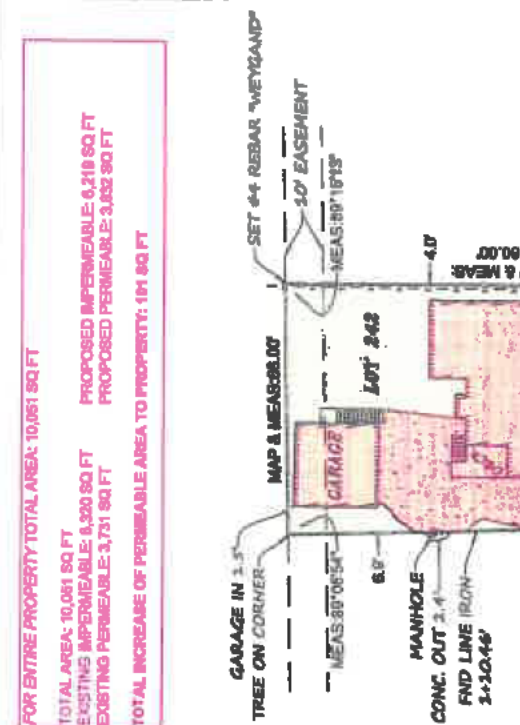
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 Reviewed By: MRLC
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ENTIRE PROPERTY
PERMEABILITY
CALCULATIONS

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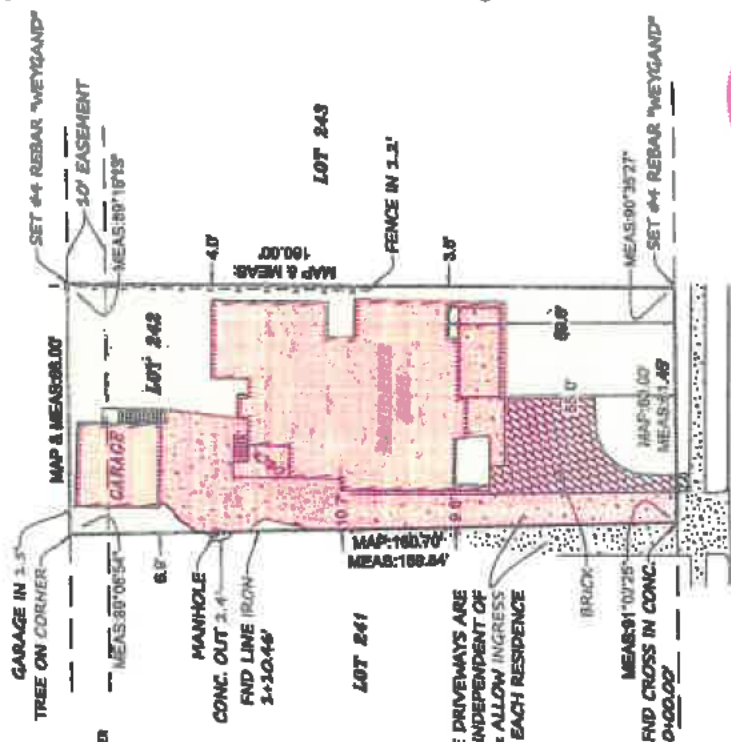
THESE DRIVEWAYS ARE
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EACH OTHER & ALLOW INGRESS
EGRESS TO EACH RESIDENCE

**POINCIANA DRIVE
(60' ROW)**



13TH

1



THESE DRIVEWAYS ARE
CONTIGUOUS & INDEPENDENT OF
EACH OTHER & ALLOW INGRESS
EGRESS TO EACH RESIDENCE

РОДНА НАСТАВА
(60' ДОП)



SCALE: 1"=30'

References

REAR YARD BEHIND RED LINE MAY NOT EXCEED 30% COVERAGE BY ALL STRUCTURES, WHICH INCLUDES SWIMMING POOL, ETC.

TOTAL AREA: 2,480 SQ FT

PROPOSED IMPERMEABLE: 737 SQ FT

PROPOSED PERMEABLE: 1,683 SQ FT

35% OF 2,480 SQ FT = 735 SQ FT IMPERMEABLE

GE IN 1.5'
CORNER

MAP & MEAS: 66.00'

S: 89° 06' 54"

WOOD BRACKET 8'-0"

WHOLE

T 2.4'

LE IRON

4.0'

5



SET #

10

MEAS: 89° 1'

ALABAMA POWER CO.

EXISTING WALL TO NEW POOL 40'-0" (NOT INCLUDING POOL DECK)

242

GARAGE

INTERIOR GARAGE WALLING
W/ 2" X 4" STUDS & 1/2" GYPSUM BOARD

STAIRS

2 - 10' X 10' TRUNK LAMPARAS (POSSIBLE TRUNK WITH LOW PROFILE LAMPARAS, LAMPARAS)



MILHOUSE
HOWELL
ARCHITECTS, P.C.
97 PAGES

ADAM B. MILLHOUSE
Principal
WILL B. HOWELL
Principal

POOL GARDEN
Richard & Holly Simmons
225 POINCIANA DRIVE
HOMESWOOD, AL 35209

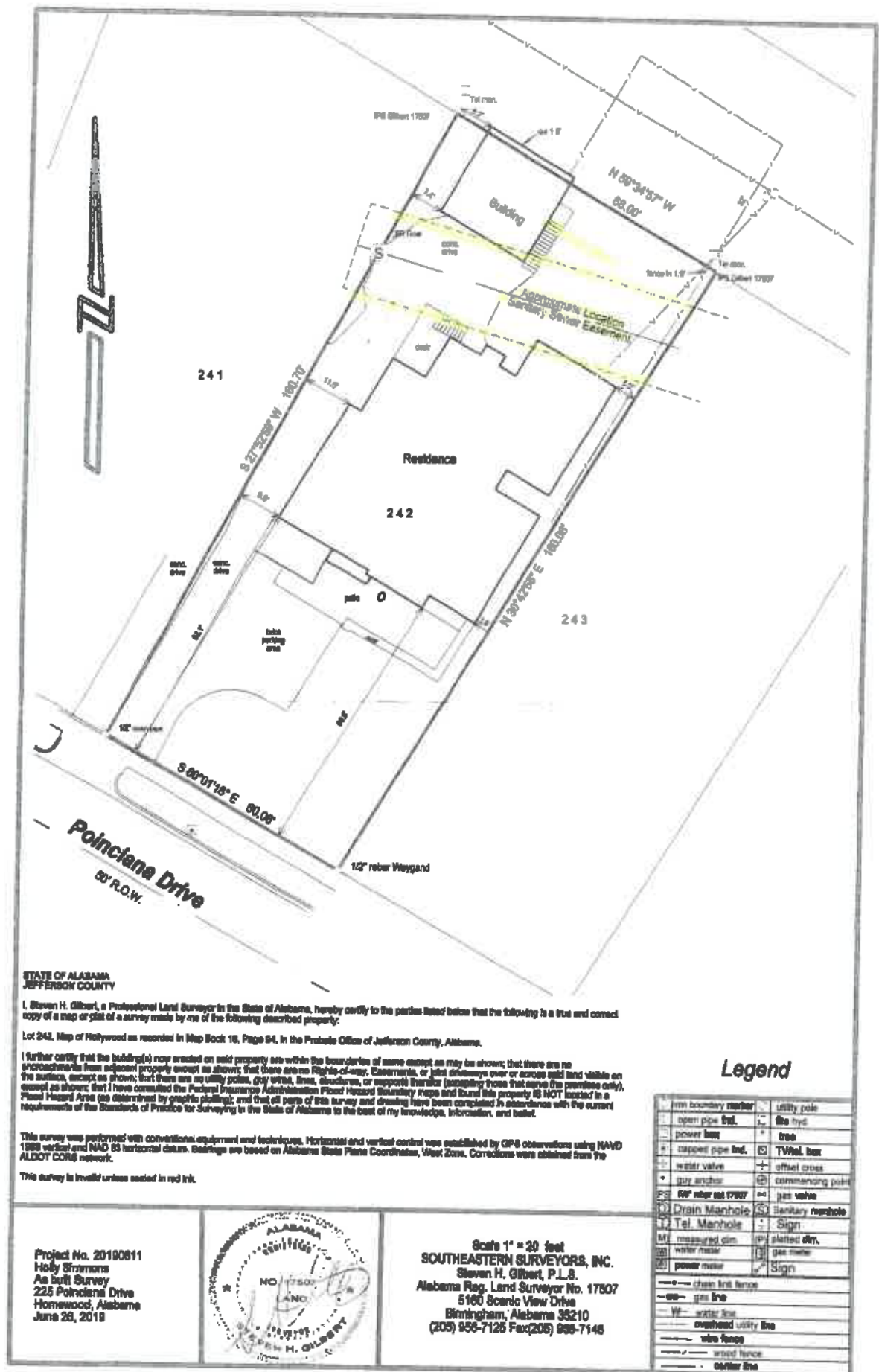
Project No.
Date: 10/10/2022
Drawn By: MHC
Reviewed By: MHC
Scale: 1" = 1'-0"

Revisions:
5/15/2022
5/17/2022
5/25/2022
6/01/2022
6/15/2022

BACKWARD
PERMEABILITY
CALCULATIONS
SHEET
L3.0

Existing Site – Concrete Area to be Removed





STATE OF ALABAMA
JEFFERSON COUNTY

I, Steven H. Gilbert, a Professional Land Surveyor in the State of Alabama, hereby certify to the parties listed below that the following is a true and correct copy of a map or plat of a survey made by me of the following described property:

Lot 242, Map of Hollywood as recorded in Map Book 18, Page 64, in the Probate Office of Jefferson County, Alabama.

I further certify that the building(s) now erected on said property are within the boundaries of same except as may be shown; that there are no encroachments from adjacent property except as shown; that there are no Rights-of-way, Easements, or joint driveways over or across said land visible on the surface, except as shown; that there are no utility poles, guy wires, lines, structures, or supports therefor (excepting those that serve the premises only), except as shown; that I have consulted the Federal Insurance Administration Flood Hazard Boundary maps and found this property is NOT located in a Flood Hazard Area (as determined by graphic plotting); and 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.

This survey was performed with conventional equipment and techniques. Horizontal and vertical control was established by GPS observations using NAD83 vertical and NAD 83 horizontal datum. Bearings are based on Alabama State Plane Coordinates, West Zone. Corrections were obtained from the ALDOT CORS network.

This survey is invalid unless sealed in red ink.

Project No. 20190811
Holly Simmons
As Built Survey
225 Poinciana Drive
Homewood, Alabama
June 26, 2019



Scale 1" = 20 feet
SOUTHEASTERN SURVEYORS, INC.
Steven H. Gilbert, P.L.S.
Alabama Reg. Land Surveyor No. 17507
5100 Scenic View Drive
Birmingham, Alabama 35210
(205) 956-7125 Fax (205) 956-7146

CITY OF HOMEWOOD
ENGINEERING & ZONING DEPARTMENT

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

Patrick McClusky, Mayor

Cale Smith, PE, Director

August 25, 2022

Richard & Holly Simmons
225 Polyclana Drive
Homewood, AL 35209

Dear Owner/Applicant AND Adjacent Property Owners:

The owner has petitioned the Homewood Board of Zoning Adjustments for a modification to the Homewood Zoning Ordinance for the property located at:

SV-22-09-08, 225 Polyclana Drive, Parcel ID No.: 28 00 07 4 012 017.000

Applicant: Millhouse Howell Landscape Co. / Property Owners: Richard & Holly Simmons

A request for a variance to Article IV, District Uses, Sec. A., NPD Neighborhood Preservation District, g. to increase the maximum area of ground coverage by all structures from 50-percent to 62-percent, for a total increase of 12-percent, to allow for a swimming pool and hardscape.

The Board of Zoning and Adjustments will consider this petition during a meeting to be held at 6:00 p.m. on Thursday, September 1, 2022, in the Council Chambers (2nd Floor) at Homewood City Hall, 2850 19th Street South. If you prefer not to attend the in-person meeting at City Hall, you may join on-line utilizing the attached Zoom instructions **(SEE INSTRUCTIONS ON THE REVERSE SIDE OF THIS NOTICE)**

This letter will serve as notice to the parties in interest and to all adjacent property owners. Any protest to the above referenced petition will be heard at this time. The applicant and/or owner must participate in the meeting to present their case.

Sincerely,



Sherri Williams
Zoning Supervisor

cc: Millhouse Howell Landscape Co.

You may contact our office for further information or questions at (205) 332-6800 OR visit between 7:30 a.m. and 4:30 p.m. Mon-Fri to review any files or drawings pertaining to this application

Instructions: Although the proceedings of the meeting may be viewed on-line, please note that anyone wishing to participate in a discussion of the scheduled cases must attend the meeting in Homewood City Hall in person. If you choose to view the meeting via Zoom, please follow the instructions below:

1st Option: Join on-line at www.zoom.us/join
Meeting #: 883 5766 5513
Passcode: 514257

2nd Option: Join through the app if you already have the Zoom app downloaded:
Meeting #: 883 5766 5513
Passcode: 514257

3rd Option: Dial in by phone: 312-626-6799

Comments in support or opposition to cases on the agenda, may be submitted to the Secretary to the Board of Zoning Adjustments at fred.goodwin@homewoodal.org. Comments should be submitted no later than 24-hours prior to the meeting and will be provided to the board's members for their consideration. Please reference the case number or address in your comments.

A copy of the file on this case will be available for review on the City of Homewood's website (cityofhomewood.com) under "Upcoming Meetings/BZA" approximately one week before the scheduled public hearing.

The scheduled public hearing will be preceded by a brief work session 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.

17

B. 210 PG. 21

Case # SV 22-09-08

Parcel # 28-00-07-4-012-017.000

City of Homewood BZA Case Map

225 Poinciana Dr.

SV 22-09-08

Aerial Photo

Subject Property
Parcels



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

ZONING IS SUBJECT TO CHANGE. PLEASE CALL ZONING OFFICE TO CONFIRM ZONING. 332-6628



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

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



VARIANCE



APPEAL

ADDRESS OF PROPERTY: 377 Lucerne Blvd Homewood AL 35209

BZA CASE # (assigned by city staff): SV 22-09-09

APPLICANT INFORMATION

Name of Applicant(s): Ryan D'Alessio

Address of Applicant(s): 1701 1st Ave S Apt 600
Birmingham AL 35233
City State Zip

Telephone Number(s) of Applicant(s): 205-910-8154

Email: [REDACTED]

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

OWNER INFORMATION – If different from Applicant

Name of Owner(s): SAME

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

City

State

Zip

Email: _____

Telephone Number(s) of Owner(s): _____

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

PARCEL IDENTIFICATION NUMBER: 29-00-24-2-001-010.000

PRESENT USE: X vacant _____ residence

_____ commercial (describe): _____

_____ other (describe): _____

PRESENT ZONING DISTRICT ([City Zoning Map](#)): NPD

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

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

PLEASE STATE HARDSHIP – for guidance, see *"What Is a Variance"* on page 1 of Instructions page:

(SEE ATTACHED LETTER)

PURPOSE OF VARIANCE

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

- ☒ the construction of an addition to a residence,
☐ the construction of residence,
☐ the construction of an addition to a commercial structure,
☐ the construction of a commercial structure,
☐ other (describe): _____

There are 2 Pre-existing hardships.

- 1) The original home's structure (two story addition) was found to be non-compliant with current building codes.
- 2) Now that we have made home compliant to building code regulations. The home's original footprint is now non-compliant with current zoning setback rules.

The construction of the original home's addition was found to be dangerous per modern building codes once demo began. This was confirmed through a Homewood building inspector. After construction began the original drywall was removed and the structure was examined by a Homewood inspector. It was found that the 2 story addition built by the previous homeowner (over 1500 SQFT) needed to be demolished and rebuilt to comply with current building codes and to ensure that the structure was safe. I followed the instructions of the building inspector and we complied to the rebuild request. The rear of the house was redesigned, this design was presented to Homewood building permit department and approved. I contacted the building inspector again and consulted him about other concerns regarding the safety of the remaining original structure. Due to the major construction that had to be performed on the rear of the house, the safest and most practical route was to rebuild the rest of the house on the original foundation.

The new zoning ordinances have now resulted in a hardship. Under current coding regulations, two sides of the homes original foundation are now non-compliant. The existing footprint of the home cannot be brought into compliance with the current zoning ordinance by any practical means due to the width and length of the original foundation of the home. Because of this, tearing down the entire structure, raising the existing foundation and rebuilding a new home would be the only other option. My original intention was to renovate the inside of the home and add some curb appeal. I never intended to rebuild the home but didn't have many options once we found out the 2-story addition was improperly built among other things.

Thank you for your consideration of my variance requests.

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

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

INDICATE THE FOLLOWING

Applicant must provide a survey to verify:

Setback Information	*Required by zoning regulations	Setback dimensions currently existing	Setback dimensions after proposed construction	Setback Variance Requested
Front Setback Street Name				
Front Setback – Corner lot Street Name				
Right Bldg. Setback				
Left Bldg. Setback	10	9.5	9.5	.5'
Rear Bldg. Setback	20	12.	12.	.8'
Accessory Structure Setback: side/rear	/	/	/	/
Property dimensions and structure information	As required	Currently existing	Proposed	Variance Requested
Lot Area (sq. ft./acres)				
Lot Width				
Parking Spaces				
Height of Structure				
Lot Coverage sq. ft. of structures + lot sq. ft.				

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

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

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

Signature of Applicant/Agent

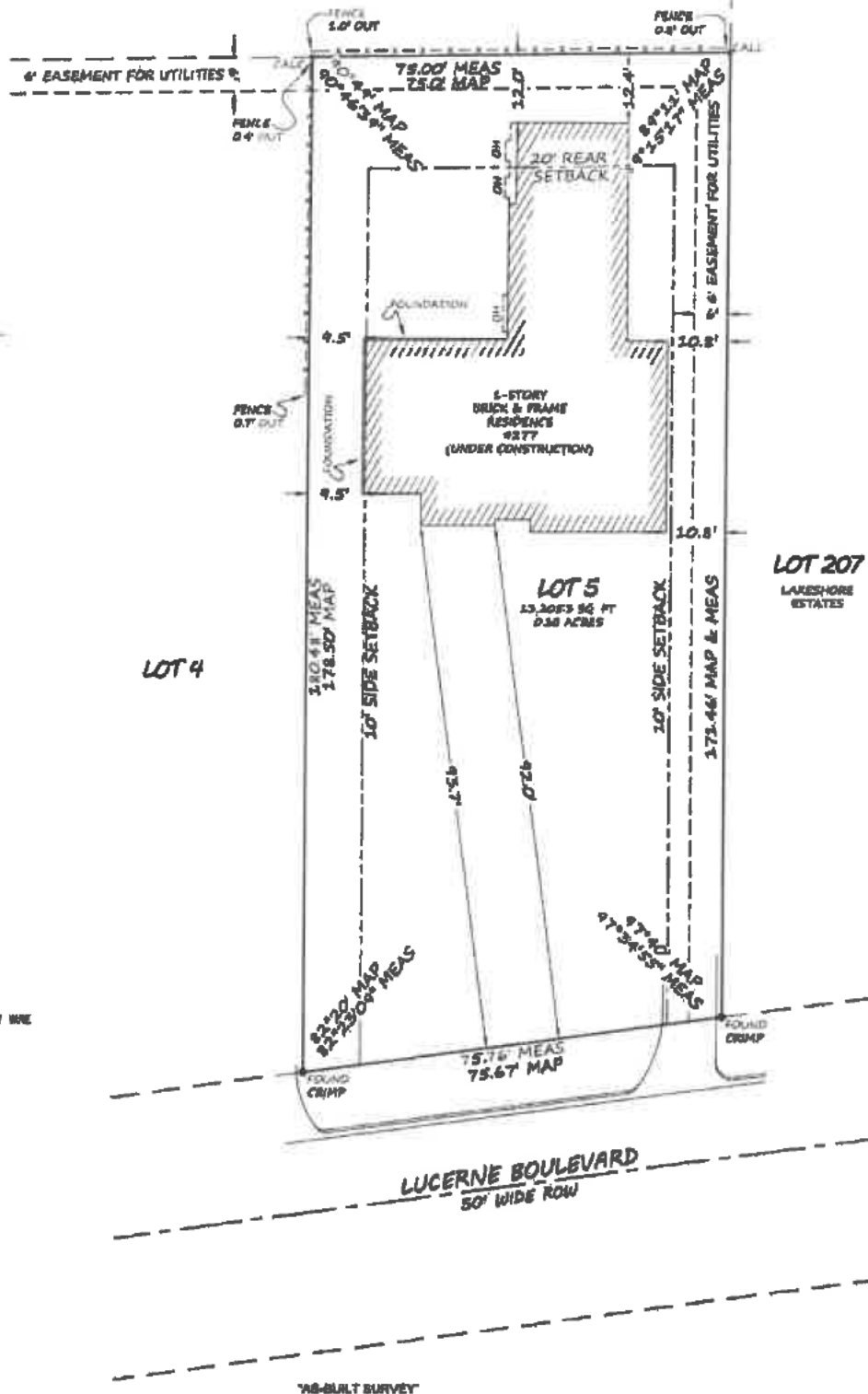
Date

Signature of Owner

Date


Signature of Owner

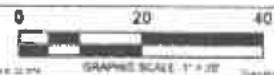
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No. 5754
PROFESSIONAL
LAW
SOCIETY

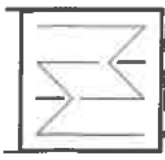
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	FD-302a	DATE OF BIRTH	DATE OF DEATH	DATE OF INTERVIEW	DATE OF REPORT
	NAME	ADDRESS	CITY	STATE	ZIP



GENERAL NOTES

1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. FINISH GRADE IS INDICATED BY A DOTTED LINE.
3. ELEVATIONS ARE SHOWN FROM FINISH GRADE.
4. SEE ARCHITECT'S GENERAL NOTES FOR MATERIALS AND FINISHES.
5. SEE ARCHITECT'S GENERAL NOTES FOR CONSTRUCTION DETAILS.



**DYNALISO
RESIDENCE**

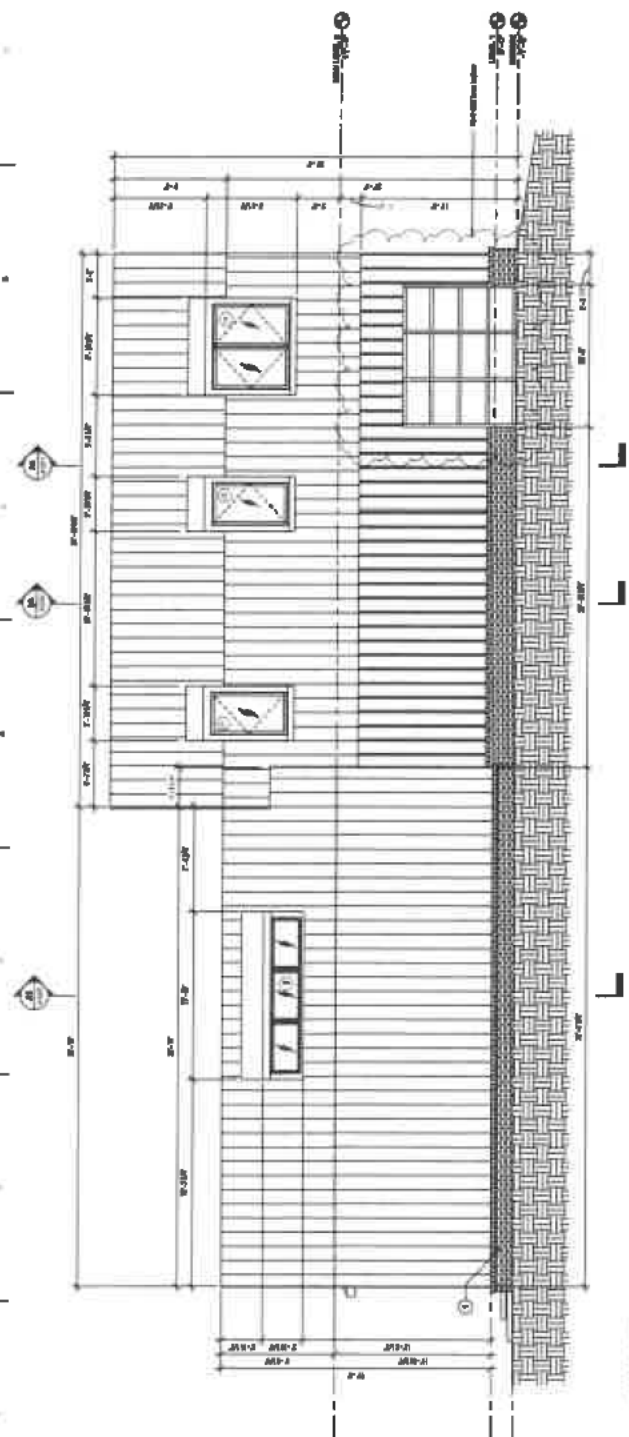
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377 LUMBER BLVD.
NORFOLK, VA 23502

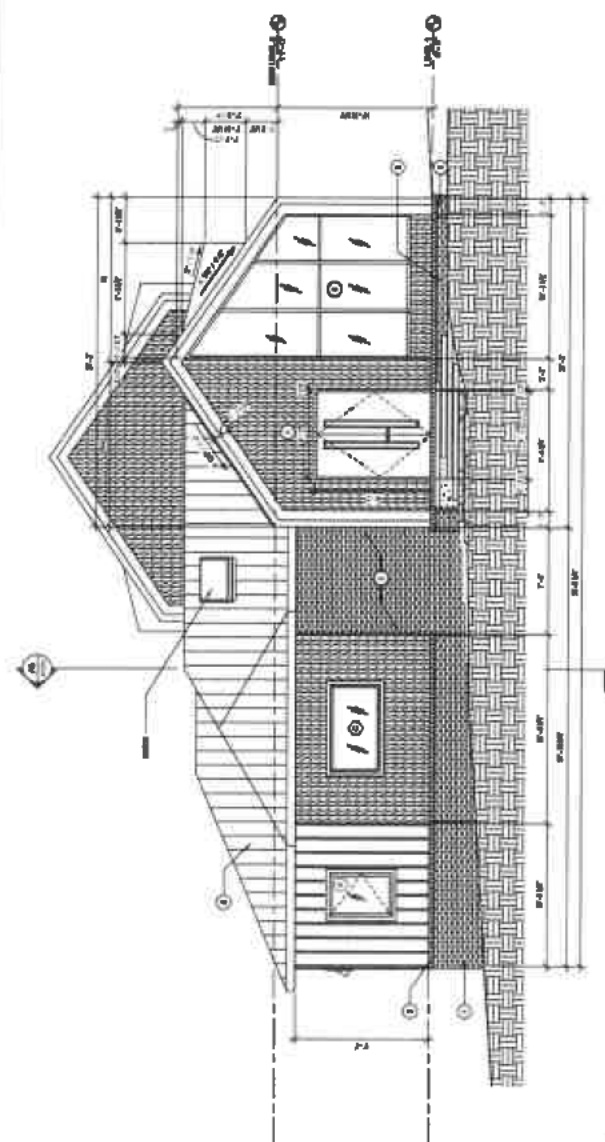
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ELEVATIONS

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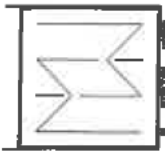
D1 FRONT ELEVATION



A1 SOUTH ELEVATION

GENERAL NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL BUILDING CODE (IBC).
2. ALL MATERIALS SHALL BE OF QUALITY AND SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.
3. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.



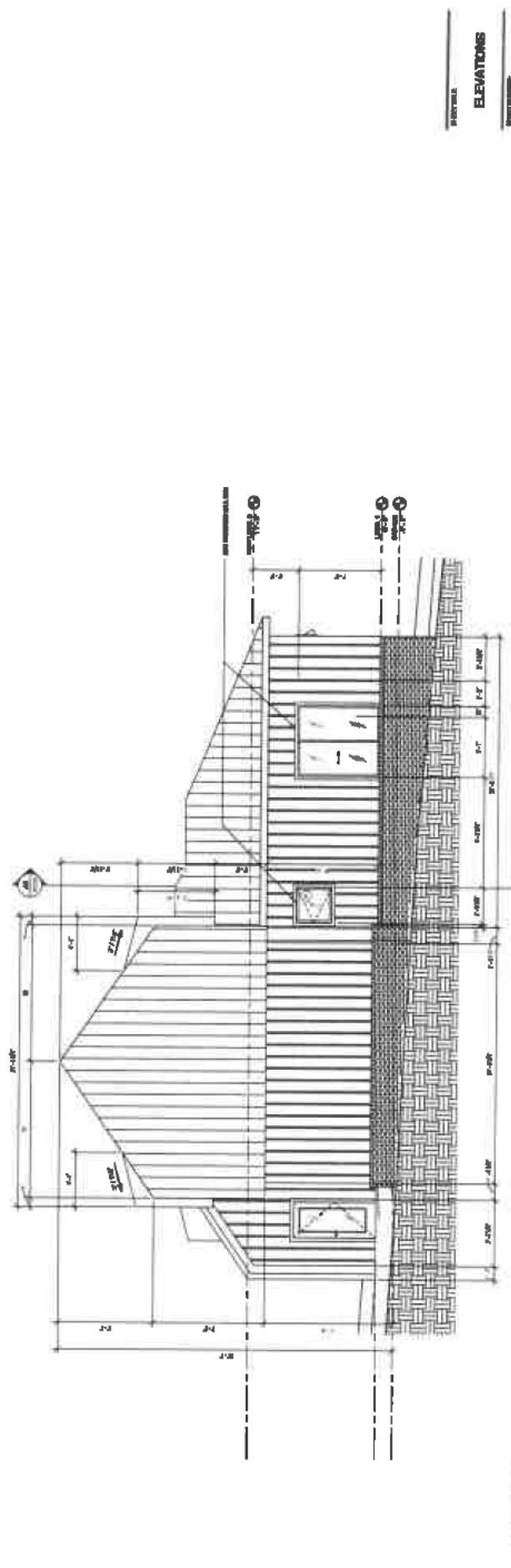
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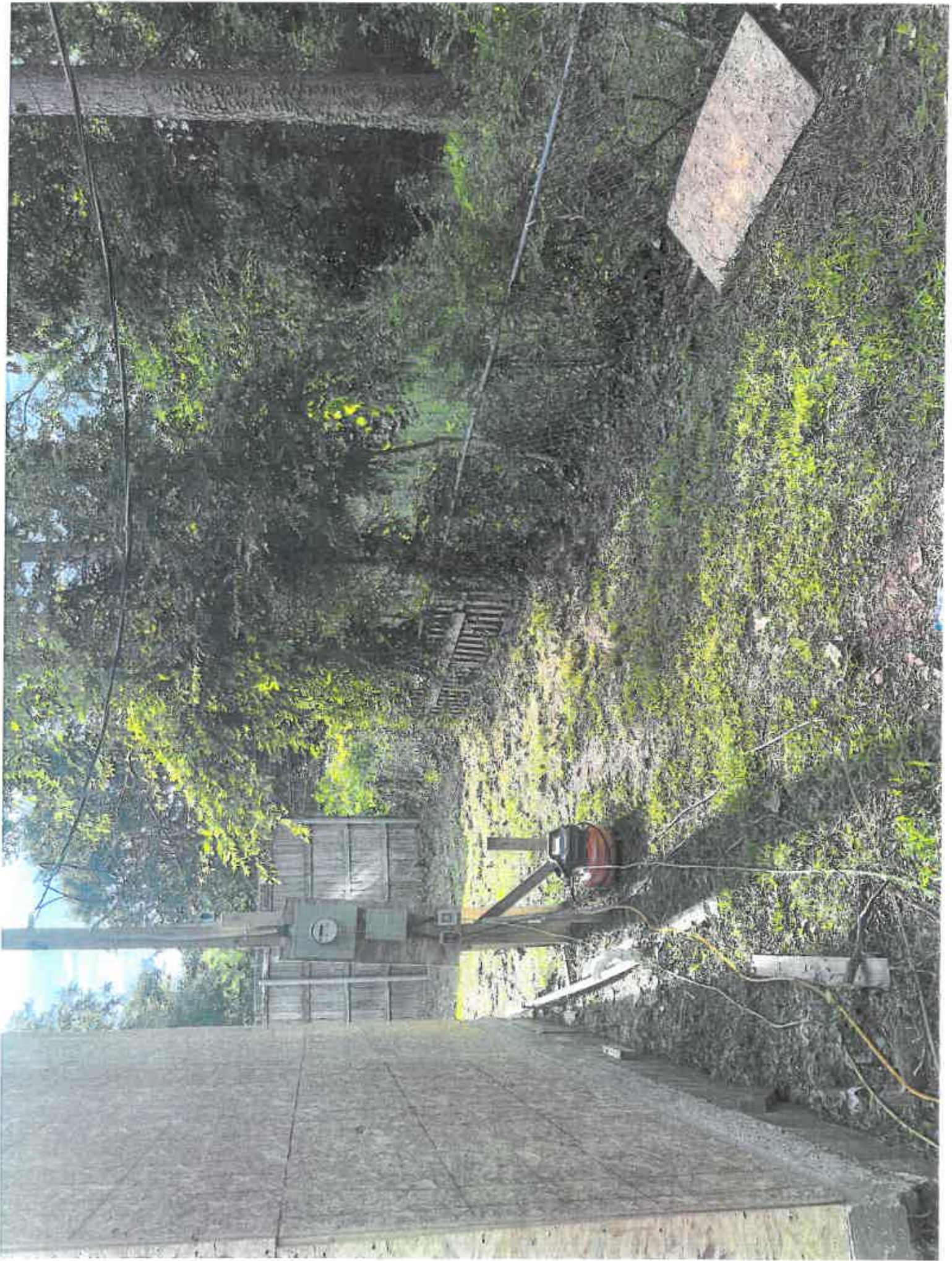
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- 10. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.



ELEVATIONS
A301

A301





**CITY OF HOMEWOOD
ENGINEERING & ZONING DEPARTMENT**

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

Patrick McClusky, Mayor

Cale Smith, PE, Director

August 25, 2022

Ryan D'Alessio
1701 1st Avenue South, Apt. 600
Birmingham, AL 35233

Dear Owner/Applicant AND Adjacent Property Owners:

The owner has petitioned the Homewood Board of Zoning Adjustments for a modification to the Homewood Zoning Ordinance for the property located at:

SV-22-09-09, 377 Lucerne Blvd., Parcel ID No.: 29 00 24 2 001 010.000

Applicant / Property Owner: Ryan D'Alessio

- a. A request for a variance to Article IV, District Uses, Sec. A., NPD Neighborhood Preservation District, d. Setbacks, 2. Side, to reduce the setback along the left-side property line from 10-feet to 9.5-feet, to allow for the construction of a new house while utilizing the existing, non-conforming foundation.*
- b. A request for a variance to Article IV, District Uses, Sec. A., NPD Neighborhood Preservation District, d. Setbacks, 3. Rear, to reduce the rear setback from 20-feet to 12-feet, to allow for the construction of a new house*

The Board of Zoning and Adjustments will consider this petition during a meeting to be held at 6:00 p.m. on Thursday, September 1, 2022, in the Council Chambers (2nd Floor) at Homewood City Hall, 2850 19th Street South. If you prefer not to attend the in-person meeting at City Hall, you may join on-line utilizing the attached Zoom instructions **(SEE INSTRUCTIONS ON THE REVERSE SIDE OF THIS NOTICE)**

This letter will serve as notice to the parties in interest and to all adjacent property owners. Any protest to the above referenced petition will be heard at this time. The applicant and/or owner must participate in the meeting to present their case.

Sincerely,



Sherri Williams
Zoning Supervisor

You may contact our office for further information or questions at (205) 332-6800 OR visit between 7:30 a.m. and 4:30 p.m. Mon-Fri to review any files or drawings pertaining to this application

City of Homewood B7A Case Map

377 Lucerne Blvd.

SV 22-09-09

Aerial Photo

 Subject Property
 Parcels



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

ZONING IS SUBJECT TO CHANGE. PLEASE CALL ZONING OFFICE TO CONFIRM ZONING. 332-9628



ORDINANCE NO. _____

AN ORDINANCE TO AMEND ARTICLE II ENTITLED "DEFINITIONS" TO AMEND THE EXISTING DEFINITIONS FOR "FENCE" AND "PROPERTY LINES" AND TO ADD DEFINITIONS FOR "PRIVACY FENCE," "WALL FENCE," "NATURAL FENCE" AND "SITTING WALL" AND TO ADD SEC. K ENTITLED "ERECTION, LOCATION AND CONSTRUCTION OF EXTERIOR FENCES AND WALLS" TO ARTICLE V ENTITLED "DISTRICT DEVELOPMENT CRITERIA" TO APPENDIX A ENTITLED "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF HOMEWOOD.

BE IT ORDAINED by the City Council of the City of Homewood at a regular meeting, duly assembled, a quorum being present, as follows:

Section 1. That Article II entitled "Definitions" of Appendix A entitled "Zoning" of the Code of Ordinances of the City of Homewood previously adopted by the City Council of the City of Homewood is amended for the following definitions:

- (1) *Fence:* A freestanding barrier intended to mark the boundary of a lot, provide separation and privacy, or as a means of security, protection, confinement, or buffering.

Property lines:

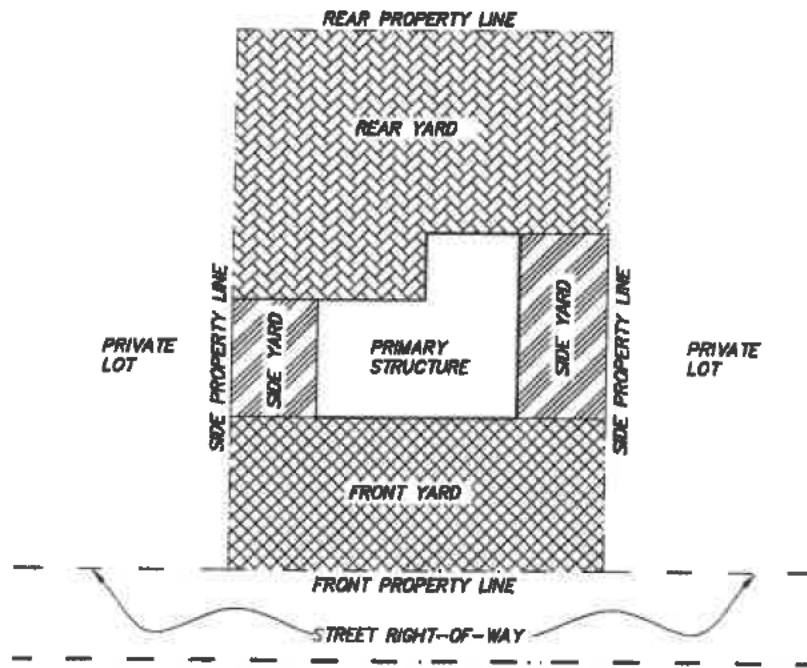
Front property line: Any property line along a street right-of-way.

Side property line: Any property line intersecting a street right-of-way.

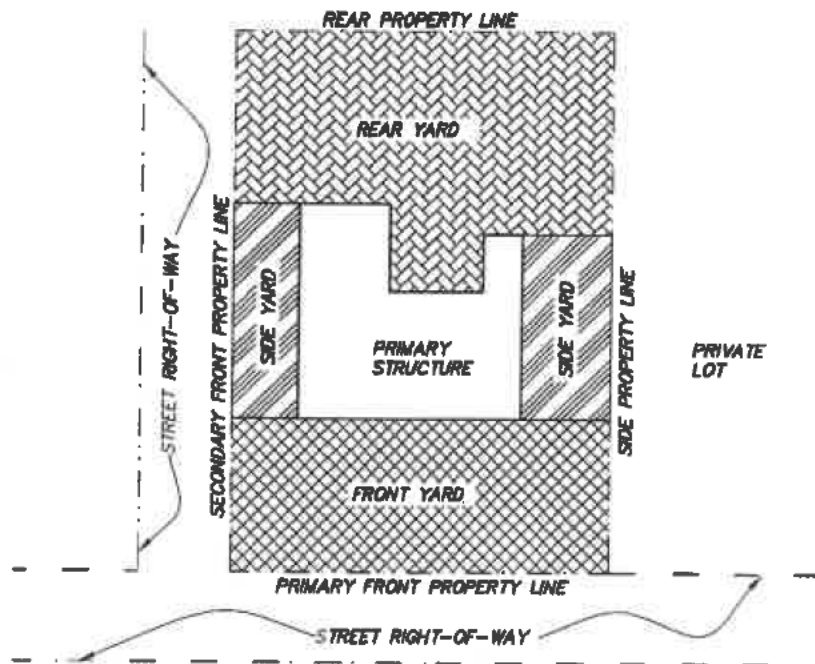
Rear property line: Any other property line that is neither a side nor a front.

Corner lots: Lots fronting two or more streets shall use the frontage with the least dimension as the predominant front property line. The frontage with the longest dimension shall be the secondary front. The area between the secondary front property line and the elevation of the primary dwelling unit shall be considered a side yard. The building setback along the secondary front shall be the applicable side building setback for the zoning district, but not less than nine- (9-) feet. The property line located opposite the predominant front property line shall be the rear property line. The area between the rear property line and the rear corner of the primary dwelling unit, extending horizontally from the side property line to the opposite property line, shall be considered the rear yard for the placement of accessory uses and structures.

INTERIOR LOT



CORNER LOT



- (2) The current definitions for “fence” and “property lines” are deleted and are modified as set out in Section 1 above.

Section 2. That Article II entitled “Definitions” of Appendix A entitled “Zoning” of the Code of Ordinances of the City of Homewood previously adopted by the City Council of the City of Homewood is amended to add the following definitions:

Fence, Privacy: A freestanding barrier made of posts and boards, wire, or vinyl panels, intended to separate two pieces of land, mark the boundary of a lot, provide privacy and security, and prevent escape or intrusion.

Fence, Wall: An upright structure constructed of masonry, plaster, cement, interlocking block, or similar material, serving to enclose, divide or protect an area located within the boundary of a lot, such as a patio. A masonry fence is not a retaining wall.

Fence, Natural: A vegetative barrier formed by a dense row of shrubs or trees intended to separate two pieces of land, mark the boundary of a lot, provide privacy and security, and prevent escape or intrusion.

Wall, Sitting: A freestanding wall built to define an outdoor area and provide seating.

Section 3. That Article V entitled “District Development Criteria” is amended to add Sec. K entitled “Erection, Location and Construction of Exterior Fences and Walls” to Appendix A entitled “Zoning” of the Code of Ordinances of the City of Homewood previously adopted by the City Council of the City of Homewood as follows:

Sec. K. - Erection, Location and Construction of Exterior Fences and Walls.

(1) General Regulations:

- a. All fences and walls located, erected, or constructed in the City of Homewood shall conform to the requirements of this section.
- b. When this section conflicts with the regulations of the building and/or fire code, the building and/or fire code shall prevail.
- c. No exterior fence or wall exceeding twelve- (12) inches in height shall be erected, installed, constructed, or otherwise altered except in strict compliance with the terms and provisions of this ordinance and any other adopted codes and regulations.

- d. The following are exempted from the terms of this section:
1. Temporary or silt fencing on a construction site where land disturbing activity has been approved.
 2. Temporary utility safety measures for work in the public right-of-way or on city property.
 3. Temporary fencing for special events as determined by the Administrative Official.
 4. Fences and walls enclosing public or private utility substations, including cell tower facilities.
- e. No exterior fence or wall shall be erected, installed, constructed, or otherwise altered until such time a permit is issued, or upon the determination by the Administrative Official that a permit is not required.
- f. No permit shall be issued until such time as the Administrative Official approves the plans and specifications for the erection, installation, construction or alteration of an exterior fence or wall.
- g. Permit applications shall be accompanied by a plan or survey, and showing the following in sufficient detail to enable the Administrative Official to ascertain whether the proposed fence or wall is in conformance with this ordinance:
1. The location of the fence or wall.
 2. The dimensions of the fence or wall, including height, width, and length.
 3. A list and description of all materials to be used, including lighting, irrigation system, etc.
 4. A photograph, manufacturer's cut-sheet, or other information that shows the appearance and finish of all materials.
 5. A landscape plan that includes the following information, as necessary for the Administrative Official's review: location, species, (common name), the caliper and/or container size at the time of

installation, and the expected width, height, and percentage of opacity after one-year's growth.

- h.** Chain-link or wire mesh fences are prohibited in a front yard of any residential district.
- i.** Natural fences placed in any front yard shall be maintained at a height that does not exceed three- (3) feet.
- j.** The placement of fences and walls on corner lots must be approved by the City Engineer to ensure visibility is not obstructed.
- k.** A permit application for a fence or wall that will extend into a utility easement or right-of-way must include written approval of the agency governing the easement or right-of-way.
- l.** Sitting walls shall not exceed 24-inches in height or 24-inches in width.
- m.** Fences and walls shall include a gate with a minimum access width of 36-inches.
- n.** Where a retaining wall protects a cut below or a fill above the natural grade and is located on the line separating lots or properties, such retaining walls may be topped by a fence with an overall height, as measured from grade to the top of the fence, that would otherwise be permitted at the location if no retaining wall existed.
- o.** An existing non-conforming fence or wall must be brought into conformance if it is removed, or if 25-percent of the overall fence is altered or replaced.
- p.** An existing non-conforming fence or wall must be brought into conformance if the lot is redeveloped, or if the principal structure is improved to the extent of more than fifty- (50) percent of its current replacement value.
- q.** The following materials shall be prohibited in the construction of fences and walls:
 - 1.** Materials not typically used, designed, or manufactured for fencing such as used metal roofing panels, pallets, tarps, chip board, or plywood.

2. Scrap materials, such as scrap lumber or scrap metal.
 3. Security wire, such as barbed wire, concertina wire, or razor wire.
 4. Electrified fencing, except for underground pet fencing.
- r. No fence or wall shall be erected, installed, constructed, or otherwise structurally altered unless the material utilized therefore is of like-new condition and such that the grade and quality of said material is the same on all sides, including the front and back.
 - s. The finished side of any fence need not face to the outside of the lot on which the fence is constructed. The choice rests with the owner of the fence.
 - t. Fences and walls located in a Special Flood Hazard Area, or a flood prone area as determined by the City Engineer, shall meet the placement and design standards for structures outlined in the City's adopted Flood Damage Prevention Ordinance, including but not limited to:
 1. Certification by a registered professional engineer that the location or materials of the fence or wall will cause no adverse impact.

(2) Regulations for fences and walls in detached dwelling zoning districts:

In addition to (1) General Regulations, exterior fences, and walls to be located, erected or constructed in detached dwelling zoning districts or which will enclose a lot or tract of land used for detached dwelling purposes, in any zoning district, must conform to the requirements of this section.

- a. Fences and walls located in a side or rear yard shall have a maximum height of eight- (8) feet.
- b. No fence shall extend beyond the predominant front wall of a dwelling.
- c. In the case of a corner lot, or a lot with two or more front yards, fences and walls of eight- (8) feet or less in height,

may be permitted within all yards except the predominant front.

- d. Fences and walls shall be set back a minimum of nine- (9) feet from a street right-of-way and five- (5) feet from an accessible alley.
- e. Fences and walls shall include a gate for egress in conformance with applicable building and fire codes.

(3) Regulations for fences and walls in attached-dwelling, commercial, institutional, manufacturing and the planned zoning districts:

In addition to (1) **General Regulations**, exterior fences, and walls to be located, erected or constructed in attached-dwelling, commercial, institutional, manufacturing or planned zoning districts shall conform with this section.

- a. Exterior fences and walls are permitted in the predominant front yard in the manufacturing and institution districts provided that:

- 1. The lot area exceeds 2-acres.
- 2. Fences or walls shall be constructed of an open design material, such as chain-link/wire-mesh, split-railed, or aluminum/wrought-iron, with at least fifty- (50) percent of the surface area open and providing direct view through the fence or wall.
- 3. An open design fence may be mounted on a solid brick base with a maximum base height of two- (2) feet.
- 4. Fences and walls shall not exceed eight- (8) feet in height.
- 5. Fences and walls shall meet applicable wind load requirements.
- 6. Fences and walls shall include a gate for egress in conformance with applicable building and fire codes.

- b. Exterior fences and walls are permitted in the predominant front yard in the attached dwelling unit districts, or on an

attached dwelling site located within a planned district, provided that:

1. Fences or walls shall be constructed of an open design material, such as split-railed, or aluminum/wrought-iron, with at least fifty- (50) percent of the surface area open and providing direct view through the fence or wall.
 2. In attached dwelling unit districts, or on an attached dwelling site located within a planned district, chain-link, wire-mesh and similar materials are prohibited in the predominant front yard, or in any yard visible from a city street or right-of-way.
 3. An open design fence may be mounted on a solid brick base with a maximum base height of two- (2) feet.
 4. Fences and walls shall not exceed four- (4) feet in height.
 5. Fences and walls shall meet applicable wind load requirements.
 6. Fences and walls shall include a gate for egress in conformance with applicable building and fire codes.
- c. Exterior fences and walls are permitted in the commercial and planned districts provided that:
1. Fences and walls shall be permitted in a side or rear yard.
 2. No fence shall extend beyond the predominant front wall of the principal structure.
 3. In the case of a corner lot, or a lot with two or more front yards, fences and walls of eight- (8) feet or less in height may be permitted within all yards except the predominant front.
 4. Fences and walls shall be set back a minimum of nine- (9) feet from a street right-of-way and five- (5) feet from an accessible alley.

5. Fences and walls shall have a maximum height of eight- (8) feet.
 6. Fences and walls shall meet applicable wind load requirements.
 7. Fences and walls shall include a gate for egress in conformance with applicable building and fire codes.
- d. A security fence or wall may be constructed within a side or rear yard of a public or private school, nursery or daycare facility, or a public park or playground provided that:
1. Fences or walls shall be of an open design, such as chain-link, wire-mesh, split-railed, aluminum or wrought-iron, with at least fifty- (50) percent of the surface area open and providing direct view through the fence or wall.
 2. An open design fence may be mounted on a solid brick base with a maximum base height of two- (2) feet.
 3. Fences and walls shall not exceed eight- (8) feet in height.
 4. Fences and walls shall meet applicable wind load requirements.
 5. Fences and walls shall include a gate for egress in conformance with applicable building and fire codes.

Section 4. That all other provisions of Article V entitled "District Development Criteria" of Appendix A entitled "Zoning" except as set out hereinabove shall remain in full force and effect and shall not be affected by this amendment.

Section 5. That on July 25, 2022, at 6:00 p.m., in the City Hall of the City of Homewood, Alabama, be, and the same hereby is, fixed as the time when, and the place where, the City Council will hold a public hearing on said proposed amendment of said ordinance, at which time, all interested parties may appear and be heard.

Section 6. That if any part, provision, or section of this Ordinance is declared to be unconstitutional or invalid by any court of competent jurisdiction, all other parts, provisions or sections of this ordinance not thereby affected shall remain in full force and effect.

Section 7. That this Ordinance shall become immediately effective upon its adoption by