

Homewood Board of Zoning Adjustments
Agenda
Thursday, September 3, 2026, 6:00 P.M.
City Council Chamber
2850 19th Street South, 2nd Floor
Homewood, Alabama 35209

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

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

Board Members

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

Supernumeraries

Dominic Sims Keith Young

Order of Business

- I. *Call to Order***
- II. *Roll Call***
- III. *Minutes Approval– August 6, 2026***
- IV. *Communications/Reports from Chair & Vice Chair***
- V. *Old Business***
- VI. *New Business***
 - 1) *BZA-26-0036, 1409 Ardsley Place, Parcel ID No. 2900124017009000, Applicant: Joe Ellis / Property Owners: Abe Smith a) request for a variance to Article IV. District Uses, Sec. A. Neighborhood Preservation District, (3) Development Regulations, (d) setbacks, (i) front, to reduce the required setback along the front property line from 34.3-feet to 28.2-feet for a total reduction of 6.1-feet, (ii) side, to reduce the required setback along the left property line from 8-feet to 4.3-feet for a total reduction of 3.7-feet.***
 - 2) *BZA-26-0040, 104 Edgewood Blvd., Parcel ID No. 2900132023020000, Applicant: Brittany Noe / Property Owners: Alex & Meredith Husnik a) request for a variance to Article IV. District Uses, Sec. A. Neighborhood Preservation District, (3) Development Regulations, (h) to allow a 12.92% increase in impervious surface area from 45% to 57.92%.***
 - 3) *BZA-26-0041, 109 Edgeview Ave., Parcel ID No. 2900132019009000,***

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

Applicant: Samantha Parr / Property Owners: Joseph & Emily Yates a) request for a variance to Article IV. District Uses, Sec. A. Neighborhood Preservation District, (3) Development Regulations, (d) setbacks, (i) front, to reduce the required setback along the front property line from 38.9-feet to 28.8-feet for a total reduction of 10.1-feet.

VII. Communications from Staff

VIII. Adjournment



Planning and Zoning General Application

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

Property Address: 1409 APPSLEY PLACE

Parcel ID: _____ Current Zoning: KPD

Acreage: _____ Proposed Land Use: _____

Applicant: JOE ELLIS Property Interest of Applicant: ASPH/TEXT

E-mail: _____ Applicant Phone #: _____

Mailing Address: _____

City State Zip

Property Owner: ABE SMITH

Mailing Address: _____

City State Zip

Request (check all applicable items):

- | | | |
|--|--|---|
| ☒ Variance Request | ☐ Rezoning | ☐ Development Plan |
| ☐ Other BZA Request: _____ | ☐ Zoning Text Amendment | ☐ Final |
| | ☐ Resurvey | ☐ Amended |

Signatures of Property Owner and Applicant:

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

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


Signature of Property Owner

5/21/24
Date


Signature of Applicant

5/21/24
Date

For office use only:

- ☐ Completed Application form with signatures
- ☐ Project Narrative
- ☐ 2 Hard Copies of Site Plan, Site Photographs, Survey, Mylar, etc.
- ☐ Digital Copies of Site Plans, Site Photographs, Survey, Mylar etc.
- ☐ Application Fee
- ☐ Other Required Documents: _____

Current Zoning District: _____
Proposed Zoning District: _____
Special Flood Hazard Area (Y/N): _____

Date Received in Office: _____
Received By: _____

Time Received: _____
Case Number(s): _____



Planning and Zoning General Application

(Page 2 of 2)

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

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

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

Variance Application Requirements

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

Final and Amended Development Plan Requirements

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

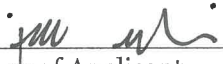
Resurvey Application Requirements

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

Rezoning Application Requirements

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

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



Signature of Applicant

5/21/20

Date



City of Homewood Board of Zoning Adjustments Applications

General Information for Applicant

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

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

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

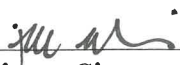
The Purpose of a Variance

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

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

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

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



Applicant Signature

5/21/24

Date



Hardship Criteria Evaluation Form

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

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

Applicable: in

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

Applicable: in

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

Applicable: in

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

Applicable: in

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

Applicable: in

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

Applicable: in

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

Applicable: in

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

Applicable: in

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

in
Signature of Applicant

5/21/21
Date



Variance Request Charts

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

PRIMARY STRUCTURE SETBACKS				
	Existing Setback Dimensions	Setback Dimensions Required by Zoning Regulations	Proposed Setback Dimensions	Total Variance Requested
Front Setback	26.2'	34.3'	26.2'	6.1'
Secondary Front Setback				
Right Setback	4.3'	5.8'	4.3'	3.7'
Left Setback				
Rear Setback				

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

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

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



SIGNS

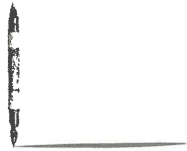
Please provide the following information regarding the proposed sign(s):

Sign Type: _____ Sign District: _____

	Existing	Permitted by Zoning Regulations	Proposed	Variance Requested
Number of Signs				
Max Area				
Max Height				
Max Copy Height				
Setback				

TREE PROTECTION AND LANDSCAPING

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



D W E L L | I N G

ARCHITECTURE

Board of Zoning Adjustments

May 21, 2026

City of Homewood
Department of Engineering and Zoning
2850 19th Street South
Homewood ALABAMA
35209

Re: Variance Request - 1409 Ardsley Place

To all Board Members,

Thank you for the opportunity to present our variance request for the above-mentioned property. The owners propose a new, upper level addition to their existing home. Due to the non-conforming location of the existing structure as it relates to the current NPD regulations, and due to the unusual curvature of the street, we respectfully seek a variance as stated within the enclosed application. The Board's assistance is greatly appreciated, and we look forward to presenting our request at the upcoming meeting on July 9th.

Sincerely,

Joe Ellis, President
D W E L L | I N G

LEGEND

P.O.C.

POINT OF COMMENCEMENT

P.O.B.

POINT OF BEGINNING

P.O.T.

POINT OF TERMINATION

(C)

CALCULATED

(F)

FIELD MEASURED

(D)

DEED/RECORD

(P)

PLAT/MAP

COV

COVERED

R.O.W.

RIGHT OF WAY

S.F.

SQUARE FEET

DB

DEED BOOK

PG

PAGE

MB

MAP/PLAT BOOK

○

SET IRON PIN (SIP)

●

FOUND IRON PIN (FIP)

×

FOUND/SET CROSS

▣

CONCRETE MONUMENT

△

CALCULATED POINT

*

TYPICAL

⊙

WATER METER

⊙

UTILITY PEDESTAL

⊙

GAS METER

⊙

FIRE HYDRANT

⊙

LIGHT POLE

⊙

STORM MANHOLE

⊙

GRATED INLET

⊙

SANITARY MANHOLE

⊙

UTILITY VAULT

⊙

ELECTRIC BOX

⊙

ELECTRIC METER

⊙

FENCE

OVERHEAD POWER

BUILDING LINE

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

WEYGAND, LLC.

Jeffery N
Lucas

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

Digitally signed by Jeffery N Lucas
DN: c=US, o=Unaffiliated,
dnQualifier=A01410C000001919F30
644100096B2E, cn=Jeffery N Lucas
Date: 2025.06.16 16:29:24 -05'00'



SURVEYORS NOTES:

- THIS SURVEY WAS CONDUCTED FOR THE PURPOSE OF A BOUNDARY SURVEY ONLY, AND IS NOT INTENDED TO DELINEATE THE REGULATORY JURISDICTION OF ANY FEDERAL, STATE, REGIONAL OR LOCAL AGENCY, BOARD, COMMISSION OR OTHER SIMILAR ENTITY.
- SUBSURFACE FEATURES (UNDERGROUND UTILITIES, SEPTIC TANKS, ETC.) MINOR FEATURES (SPRINKLERS, VALVES, ETC.) AND TREES AND SHRUBS WERE NOT LOCATED AS A PART OF THIS SURVEY
- THE SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE, TITLE REPORT, OR TITLE OPINION, THEREFORE, THERE MAY BE OTHER EASEMENTS, RIGHT-OF-WAY, SETBACK LINES, AGREEMENTS, RESERVATIONS, RESTRICTIONS, OR OTHER SIMILAR MATTERS OF PUBLIC RECORD, NOT DEPICTED ON THIS SURVEY.
- THE DATE OF FIELD WORK IS THE LAST TIME THAT EITHER THE FIELD OR OFFICE PERSONNEL WERE ON THE SITE AND THE LAST DIRECT KNOWLEDGE THAT THIS SURVEYOR HAS OF SITE CONDITIONS. DATE OF MAP AND DATE OF SIGNATURE HAVE NO RELATIONSHIP TO ACTUAL SITE CONDITIONS AS DEPICTED ON THIS MAP.
- THE BASIS OF BEARINGS SHOWN ON THIS SURVEY ARE BASED ON ALABAMA STATE PLANE WEST ZONE , GRID NORTH, NAD83 (2011), WITH VERTICAL DATUM, NAVD88 (GEOID 18). ELEVATION AND POSITION WERE OBTAINED USING GNSS OBSERVATIONS WITH OPUS ADJUSTED SOLUTIONS AND/OR R.T.K OBSERVATIONS USING THE ALDOT CORS NETWORK

IMPERVIOUS AREA:

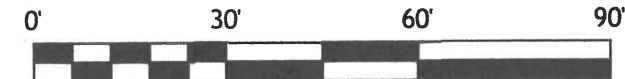
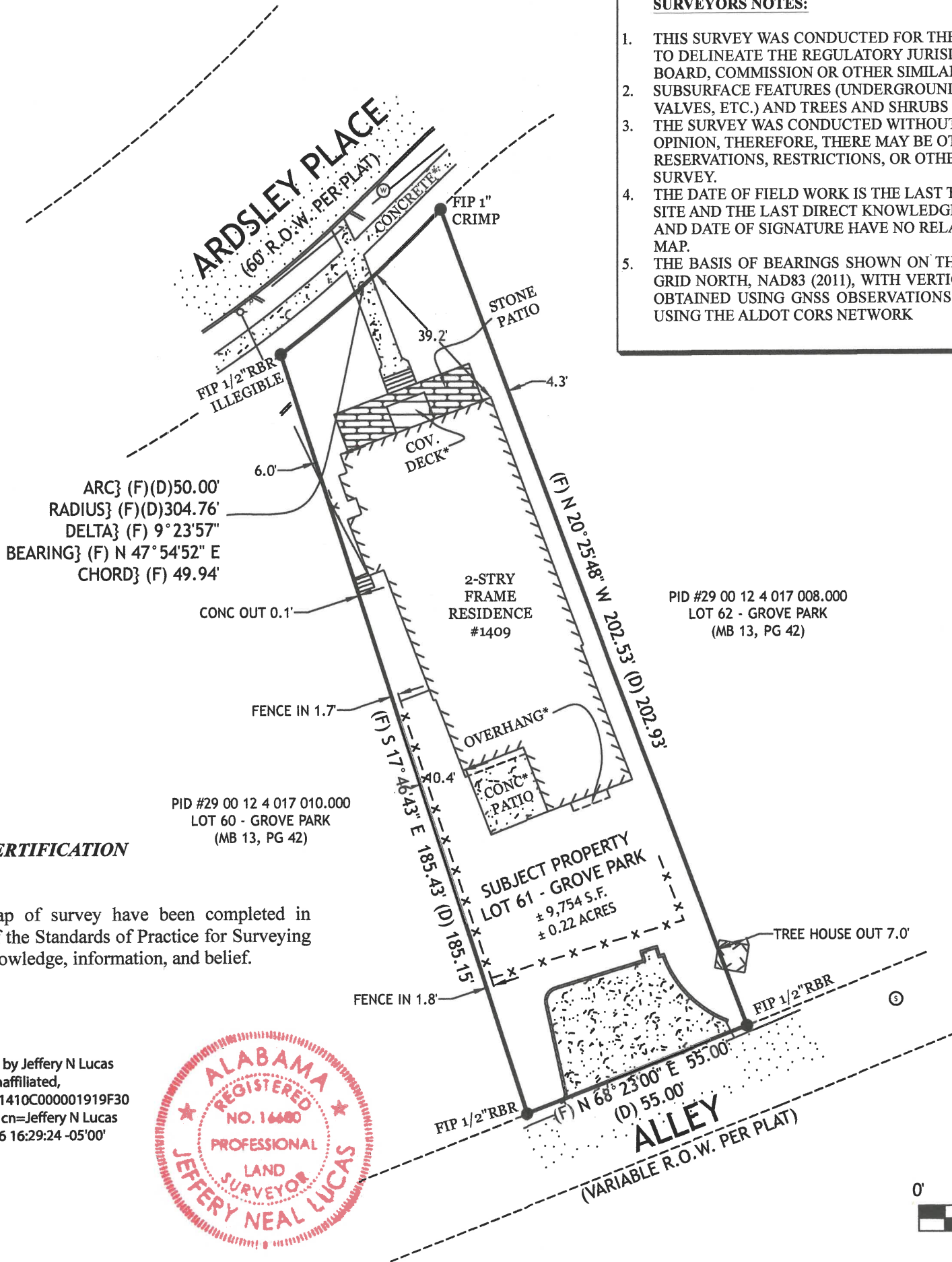
CURRENT IMPERVIOUS AREA=49.87%

LEGAL DESCRIPTION:

(PER DB 200715 PG 12362)

LOT 61, ACCORDING TO THE SURVEY OF GROVE PARK, AS RECORDED IN MAP BOOK 113, PAGE 42, IN THE PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA.

SURVEYOR'S CERTIFICATION

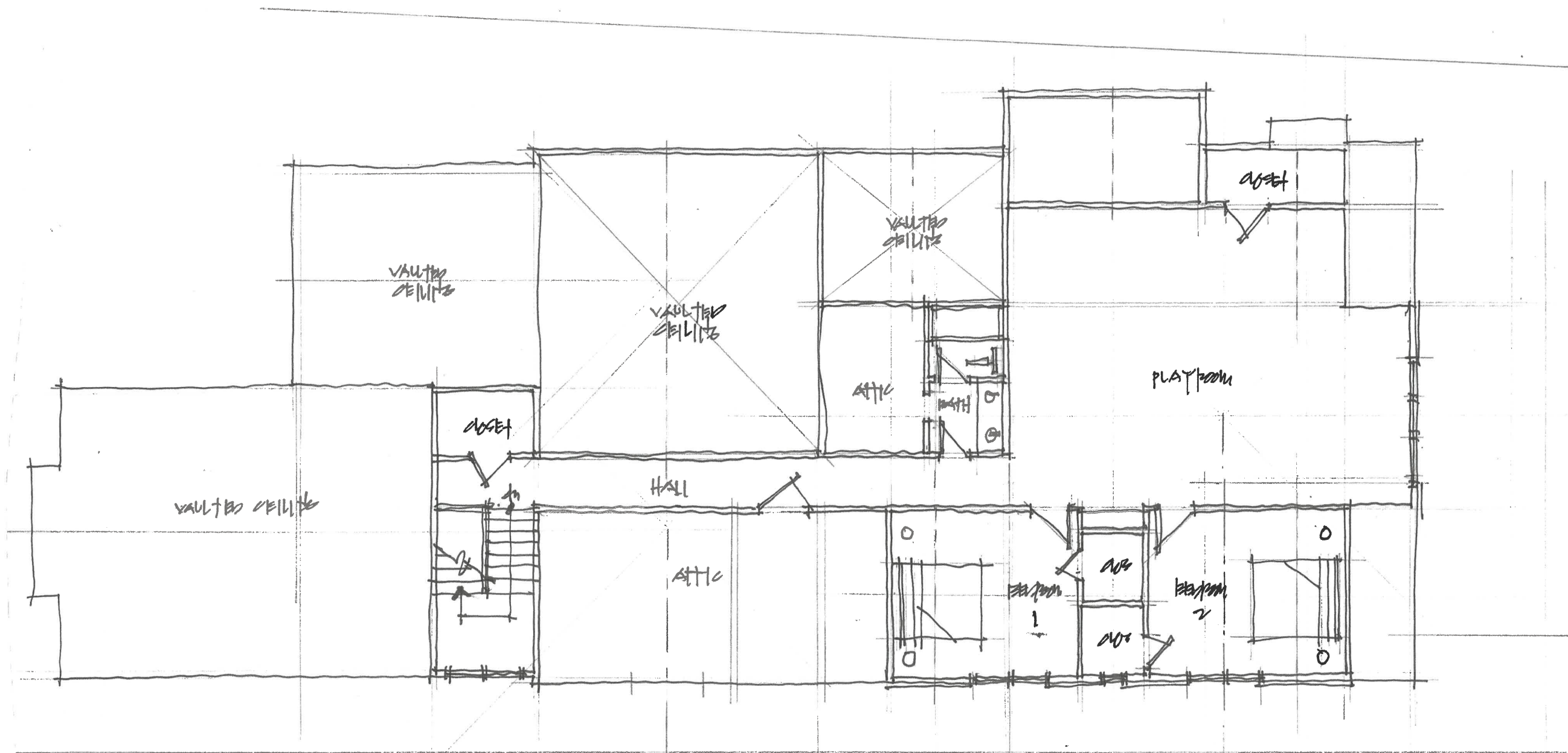


GRAPHIC SCALE: 1" = 30'

REFERENCES

> DB 200715 PG 12362
> MB: 13 PG 42

REVISIONS		PROPERTY BOUNDARY SURVEY	
DATE	DESCRIPTION	DATE OF FIELDWORK:	06/04/2025
		DATE OF MAP:	06/16/2025
		FIELDWORK BY:	AUSTIN GRAING
		DRAWN BY:	JIMMY PINSON
		REVIEWED BY:	JIMMY PINSON
		APPROVED BY:	JEFFERY LUCAS
		PREPARED BY: WEYGAND 173 OXMOOR ROAD, BIRMINGHAM, AL 35209 EMAIL: INFO@WEYGAND.COM OFFICE: 205-942-0086 WEYGANDSURVEYOR.COM	
		PREPARED FOR: BRIAN KROGGARD ADDRESS: 1409 ARDSLEY PLACE BIRMINGHAM AL, 35209 JEFFERSON COUNTY JOB NUMBER: N/A	



Proposed Upper Level Plan

Preliminary Design
Not For Construction

Smith Residence

Homewood

1409 Ardsley Place

1/8" = 1'-0"

March 11, 2026

1



Proposed Side Elevation

Preliminary Design
Not For Construction

Smith Residence

1409 Ardsley Place
Homewood

1/8" = 1'-0"

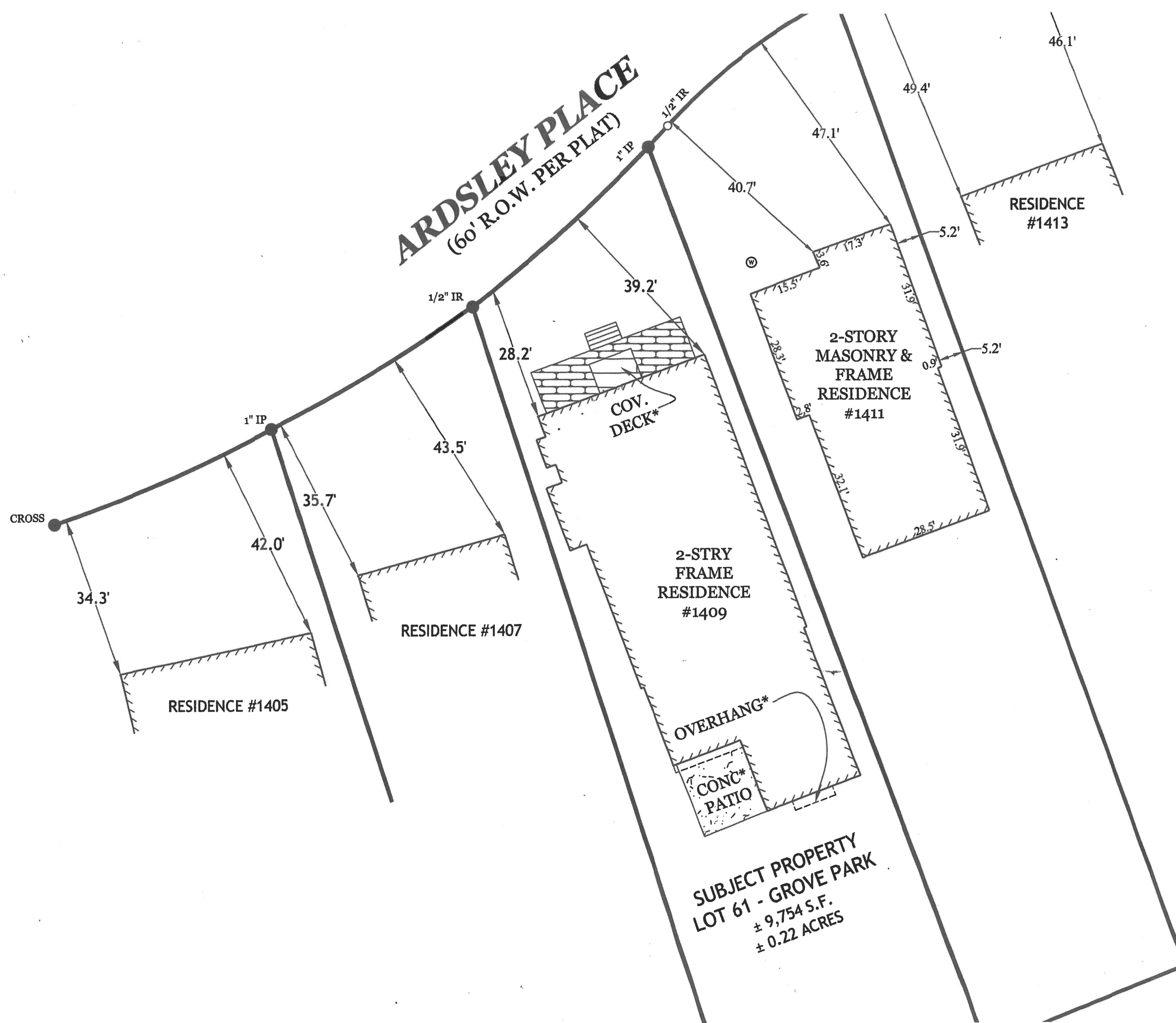
March 11, 2026

2



DWELL | ING
ARCHITECTURE

ARDSLEY PLACE
(60' R.O.W. PER PLAT)



City of Homewood BZA Case Map

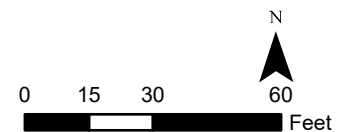
1409 Ardsley Pl.

BZA 26-0036

Aerial Photo Map



-  Subject Property
-  Roadway
-  Parcels



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

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

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

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

Cale Smith, PE, City Manager

Wyatt Pugh, Director

August 19, 2026

Subject Property: 1409 Ardsley Place

Dear Property Owner:

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

Hearing Date & Time: September 3, 2026, at 6:00 PM

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

Applicants / Property Owners: Joe Ellis; Abe Smith

Nature of Request: Front and right side setback variances.

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

Regards,

Conrad Garrison
Zoning Administrator

cc: Applicant
 Property owner
 Adjacent property owners

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

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

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

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

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



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

Planning and Zoning General Application

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

Property Address: 104 EDGEWOOD BLVD, HOMEWOOD, AL, 35209

Parcel ID: 2900132023020000 Current Zoning: NPD

Acreage: 0.25 Proposed Land Use: SINGLE-FAMILY

Applicant: BRITTANY NOE Property Interest of Applicant: RESIDENCE

City State Zip

Property Owner: ALEX & MEREDITH HUSNIK

E-mail: _____
Mailing Address: _____

Request (check all applicable items):

- | | | |
|--|--|---|
| ☒ Variance Request | ☐ Rezoning | ☐ Development Plan |
| ☐ Other BZA Request: _____ | ☐ Zoning Text Amendment | ☐ Final |
| | ☐ Resurvey | ☐ Amended |

Signatures of Property Owner and Applicant:

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

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

Signed by: Meredith Husnik
462E1DD62471482...

Signature of Property Owner

Date

Signed by: Brittany Noe
32164B72A6C34B7...

Signature of Applicant

Date

For office use only:

- | | |
|---|--|
| ☐ Completed Application form with signatures | Current Zoning District: _____ |
| ☐ Project Narrative | Proposed Zoning District: _____ |
| ☐ 2 Hard Copies of Site Plan, Site Photographs, Survey, Mylar, etc. | Special Flood Hazard Area (Y/N): _____ |
| ☐ Digital Copies of Site Plans, Site Photographs, Survey, Mylar etc. | |
| ☐ Application Fee | |
| ☐ Other Required Documents: _____ | |

Date Received in Office: _____ Time Received: _____
Received By: _____ Case Number(s): _____



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

Planning and Zoning General Application

(Page 2 of 2)

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- ☐ Restrictive Covenants *(if applicable)*
- ☒ Photographs of the site and all existing buildings and structures.
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Resurvey Application Requirements

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

Rezoning Application Requirements

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

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

Signed by:

Brittany Noe

32164B72A6C04B7...

Signature of Applicant

7/31/2026

Date



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

City of Homewood Board of Zoning Adjustments Applications

General Information for Applicant

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

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

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

The Purpose of a Variance

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

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

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

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

Signed by:

Brittany Noe

32164B72A6G34B7...

Applicant Signature

7/31/2026

Date



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

Hardship Criteria Evaluation Form

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

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

Applicable: BN

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

Applicable: BN

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

Applicable: BN

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

Applicable: BN

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

Applicable: BN

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

Applicable: BN

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

Applicable: BN

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

Applicable: BN

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

Signed by:

Brittany Nae

32164B72A6C34B7...

Signature of Applicant

7/31/2026

Date



Variance Request Charts

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

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

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

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

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



SIGNS

Please provide the following information regarding the proposed sign(s):

Sign Type: _____ Sign District: _____

	Existing	Permitted by Zoning Regulations	Proposed	Variance Requested
Number of Signs				
Max Area				
Max Height				
Max Copy Height				
Setback				

TREE PROTECTION AND LANDSCAPING

	Existing	Required by Zoning Regulations	Proposed	Variance Requested
Perimeter Vehicular Access Landscaping				
Width				
Number of Trees or Shrubs				
Interior Landscape Islands				
Foundation Landscaping				
Linear Feet				
Area				
Number of Shrubs				
Other				
IMPERVIOUS COVERAGE	57.76%	45%	57.92%	12.92%

To the Members of the Homewood Board of Zoning Adjustments,

On behalf of the property owners, Alex and Meredith Husnik, I respectfully submit this request for a variance from the maximum permitted impervious lot coverage requirement for the renovation and reconstruction of the existing rear covered porch at their single-family residence.

The Homewood Zoning Ordinance permits a maximum impervious lot coverage of 45.00% for this property. The residence and site improvements currently have an impervious lot coverage of 57.75%, making the property an existing lawful nonconforming site. The proposed renovation will result in an impervious lot coverage of 57.92%.

The requested variance is necessitated by the property's existing nonconforming condition rather than the creation of a new nonconformity. The proposed work is limited to the renovation and reconstruction of the rear covered porch and does not alter the residential use or overall character of the property. The slight increase in impervious lot coverage is directly associated with improving an existing portion of the residence rather than expanding the overall development of the site.

Strict application of the current impervious lot coverage requirement would prevent reasonable improvements to a home that has long exceeded the current allowable lot coverage. Granting the requested variance will allow the owners to improve the existing residence while recognizing the property's established nonconforming condition.

The requested variance will not adversely affect neighboring properties, public safety, drainage patterns, or the character of the surrounding neighborhood. The proposed improvements are consistent with the existing development pattern of the property and will not materially change its impact on the surrounding area. Approval of this request will permit a reasonable improvement to an existing residence while remaining consistent with the intent and purpose of the City's zoning regulations.

Thank you for your consideration of this request.

Respectfully,

Signed by:



32164B72A6C34B7...

Brittany Noe

B. Lauren Design, LLC

Signed by:



462E1DD82471482...

Meredith Husnik

LEGEND

PROPOSED

REFERENCE

REFERENCES:
> MB:8 PG:4
> INST #2017079706

LEGAL DESCRIPTION SUBJECT PROPERTY
(PER INST#2017079706)

Lot 6, according to the Survey of Edgewood Terrace, as recorded in Map Book 8, Page 4, in the Probate Office of Jefferson County, Alabama, Birmingham Division.

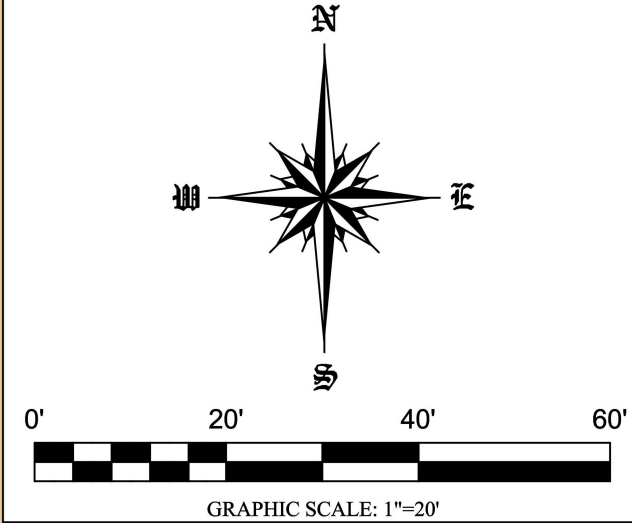
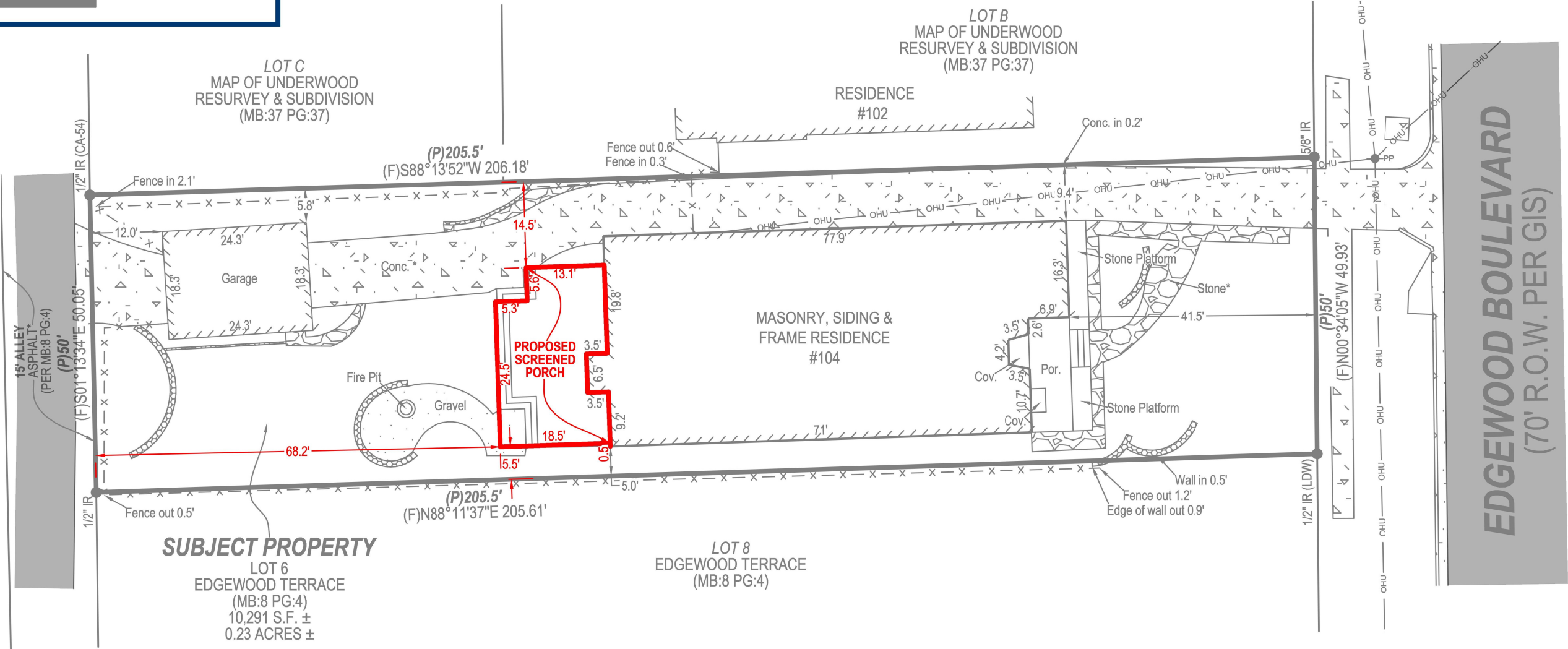
IMPERVIOUS CALCULATIONS:

PRE-CONSTRUCTION:

5,945 S.F. ±
57.76%

POST-CONSTRUCTION:

5,961 S.F. ±
57.92%



SURVEYOR'S NOTES:

- This is not a property boundary survey. This is a PLOT PLAN for the purpose of showing proposed construction of improvements on the Subject Property, being that property shown and described hereon, and is based on a property boundary survey conducted by Weygand, LLC, job # 2026-393, dated 06/18/2026.
- All features shown in red are proposed improvements and have been obtained from the architectural plans entitled The Husniks, prepared by B. Lauren Architecture & Design, and dated 06/08/2026. Weygand, LLC, assumes no responsibility for the accuracy, completeness, or reliability of these plans. It is the responsibility of the client, architect, and/or contractor to verify all dimensions, details, and specifications before proceeding with any construction or development.
- All features shown in grey are improvements that were in existence at the time of the survey referenced above, provided for reference purposes only, and should be field verified before construction of new improvements.
- Weygand, LLC, makes no guarantees or warranties, either expressed or implied regarding the accuracy, completeness, reliability, correctness, appropriateness, or suitability of either the architectural plans or this Plot Plan, which is based on those plans and the survey referenced above.

REVISIONS	
DATE	DESCRIPTION

PLOT PLAN

PREPARED FOR: MEREDITH HUSNIK
104 EDGEWOOD BLVD
HOMEWOOD, AL 35209
JEFFERSON COUNTY
JOB NUMBER: 2026-2026-393

DATE OF FIELDWORK:	06/18/2026
DATE OF MAP:	06/19/2026
FIELDWORK BY:	ALEX B.
DRAWN BY:	ALEX B.
REVIEWED BY:	JEFFERY L.
APPROVED BY:	JEFFERY L.
DEPARTMENT MANAGER	WALTER C.
PRODUCTION MANAGER	MARY K.

PREPARED BY:

WEYGAND

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

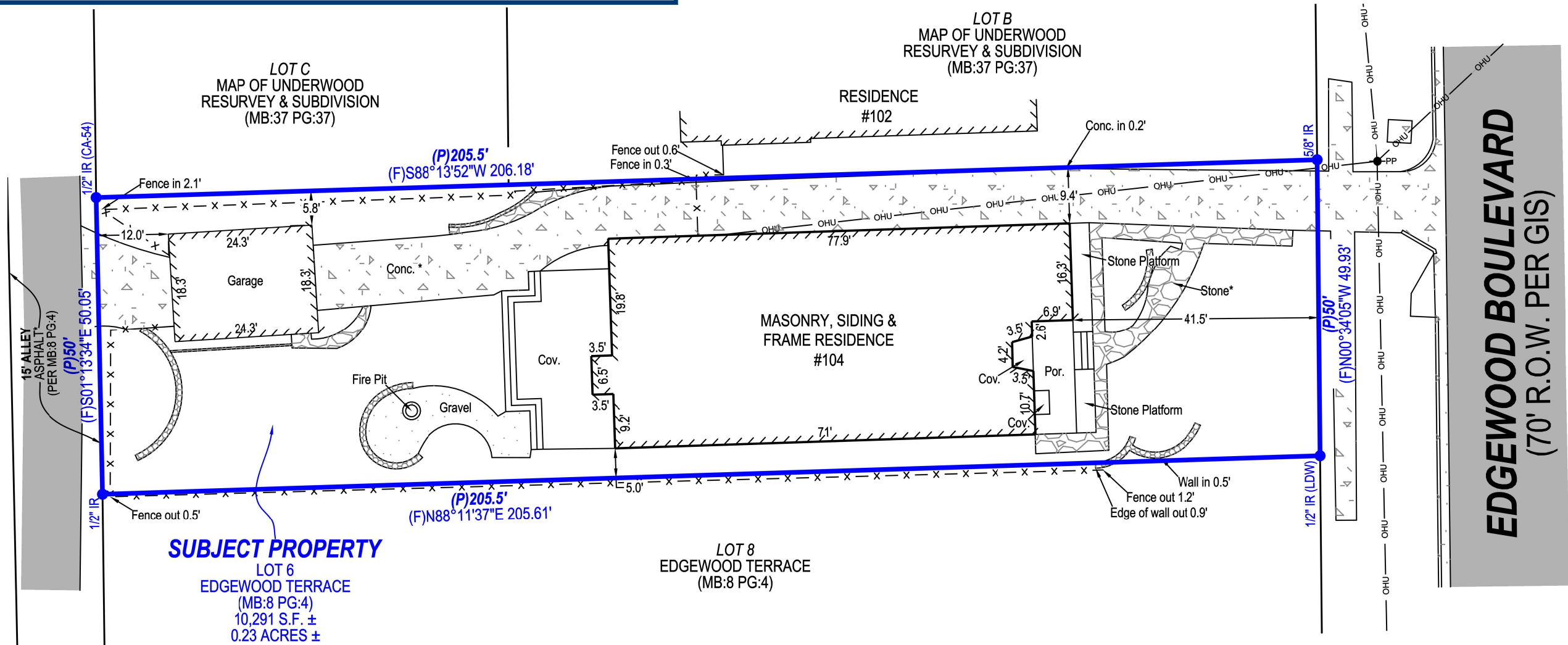
LEGEND			
W: WATER - T: TELEPHONE - TV: CABLE TV - FO: FIBER OPTIC - IR: IRON ROD - IP: IRON PIPE - MAG: MAG NAIL - CM: CONCRETE MON			
P.O.C. POINT OF COMMENCEMENT	— x — FENCE LINE	— — — — — SUBJECT PROPERTY LINE	
P.O.B. POINT OF BEGINNING	(C) CALCULATED	● PP POWER POLE	
P.O.T. POINT OF TERMINATION	(F) FIELD MEASURED	N/R NOT RECOVERED	
* TYPICAL	(D) DEED/RECORD	COV COVERED	
DB DEED BOOK	(P) PLAT/MAP	R.O.W. RIGHT OF WAY	
PG PAGE	PID# PARCEL NUMBER	S.F. SQUARE FEET	
MB MAP/PLAT BOOK	— — — — — EASEMENT/ENCUMBRANCE	● FOUND MON. AS DESCRIBED	
MON MONUMENT	/// BUILDING LINE	△ CALCULATED POINT	
OHU OVERHEAD UTILITY LINE	○ SET MON. "CA50309"	□ AIR CONDITIONER	

REFERENCES:
> MB:8 PG:4
> INST #2017079706

IMPERVIOUS CALCULATIONS:
PRE-CONSTRUCTION:
5,945 S.F. ±
57.76%

LEGAL DESCRIPTION SUBJECT PROPERTY
(PER INST#2017079706)

Lot 6, according to the Survey of Edgewood Terrace, as recorded in Map Book 8, Page 4, in the Probate Office of Jefferson County, Alabama, Birmingham Division.



SUBJECT PROPERTY
LOT 6
EDGEWOOD TERRACE
(MB:8 PG:4)
10,291 S.F. ±
0.23 ACRES ±

SURVEYOR'S CERTIFICATION

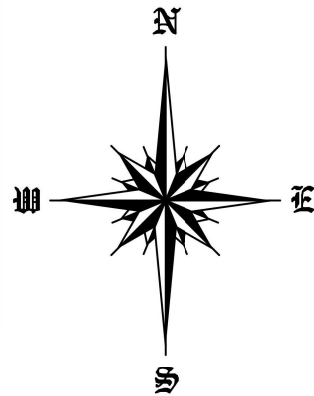
I hereby certify that all parts of this map of survey have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief.

WEYGAND, LLC.

Jeffery N
Lucas

Digitally signed by Jeffery N Lucas
DN: c=US, o=Unaffiliated,
dnQualifier=A01410C000001919F
30644100096B2E, cn=Jeffery N
Lucas
Date: 2026.06.23 12:27:12 -05'00'

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



GRAPHIC SCALE: 1"=20'

SURVEYOR'S NOTES:

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

REVISIONS		BY	
DATE	DESCRIPTION		

PROPERTY BOUNDARY
SURVEY

PREPARED FOR: MEREDITH HUSNIK
104 EDGEWOOD BLVD
HOMESWOOD, AL 35209
JEFFERSON COUNTY
JOB NUMBER: 2026-393

DATE OF FIELDWORK:	06/18/2026
DATE OF MAP:	06/19/2026
FIELDWORK BY:	ALEX B.
DRAWN BY:	ALEX B.
REVIEWED BY:	JEFFERY L.
APPROVED BY:	JEFFERY L.
DEPARTMENT MANAGER	WALTER C.
PRODUCTION MANAGER	MARY K.

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









City of Homewood BZA Case Map

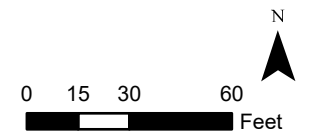
104 Edgewood Blvd.

BZA 26-0040

Aerial Photo Map



-  Subject Property
-  Roadway
-  Parcels



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

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

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

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

Cale Smith, PE, City Manager

Wyatt Pugh, Director

August 19, 2026

Subject Property: 104 Edgewood Blvd.

Dear Property Owner:

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

Hearing Date & Time: September 3, 2026, at 6:00 PM

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

Applicants / Property Owners: Brittany Noe; Alex & Meredith Husnik

Nature of Request: Variance to increase impervious coverage

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

Regards,

Conrad Garrison
Zoning Administrator

cc: Applicant
 Property owner
 Adjacent property owners

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

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

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

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

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



Planning and Zoning General Application

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

Property Address: 109 EDGEVIEW AVENUE HOMEWOOD, AL 35209

Parcel ID: _____ Current Zoning: NPD

Acreage: .26 Proposed Land Use: RESIDENCE

Applicant: SAMANTHA PARK Property Interest of Applicant: _____

E-mail: _____

Mailing Address: _____

City State Zip

Property Owner: JOSEPH + EMILY YATES

E-mail: _____ Phone #: _____

Mailing Address: _____

City State Zip

Request (check all applicable items):

- | | | |
|--|--|---|
| ☒ Variance Request | ☐ Rezoning | ☐ Development Plan |
| ☐ Other BZA Request: _____ | ☐ Zoning Text Amendment | ☐ Final |
| | ☐ Resurvey | ☐ Amended |

Signatures of Property Owner and Applicant:

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

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

Emily Yates
Signature of Property Owner

Date

Samantha Park 7-20-26
Signature of Applicant Date

For office use only:

- ☐ Completed Application form with signatures
- ☐ Project Narrative
- ☐ 2 Hard Copies of Site Plan, Site Photographs, Survey, Mylar, etc.
- ☐ Digital Copies of Site Plans, Site Photographs, Survey, Mylar etc.
- ☐ Application Fee
- ☐ Other Required Documents: _____

Current Zoning District: _____

Proposed Zoning District: _____

Special Flood Hazard Area (Y/N): _____

Date Received in Office: _____

Time Received: _____

Received By: _____

Case Number(s): _____



Planning and Zoning General Application

(Page 2 of 2)

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

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

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

Variance Application Requirements

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

Final and Amended Development Plan Requirements

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

Resurvey Application Requirements

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

Rezoning Application Requirements

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

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



Signature of Applicant


7-20-26

Date



City of Homewood Board of Zoning Adjustments Applications

General Information for Applicant

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

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

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

The Purpose of a Variance

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

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

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

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



Applicant Signature

7-20-26

Date





Hardship Criteria Evaluation Form

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

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

Applicable: SP

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

Applicable: SP

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

Applicable: SP

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

Applicable: SP

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

Applicable: SP

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

Applicable: SP

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

Applicable: SP

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

Applicable: SP

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

Samh [Signature]
Signature of Applicant
amily [Signature]

7-20-26
Date



Variance Request Charts

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

PRIMARY STRUCTURE SETBACKS				
	Existing Setback Dimensions	Setback Dimensions Required by Zoning Regulations	Proposed Setback Dimensions	Total Variance Requested
Front Setback	38.9	38.9	28.8	10.1
Secondary Front Setback				
Right Setback				
Left Setback				
Rear Setback				

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

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

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

NARRATIVE

PROJECT SCOPE:

A VARIANCE REQUEST FOR A NEW ENTRY AND FRONT PORCH AT 109 EDGEVIEW AVENUE, HOMEWOOD AL 35209. THE MAIN SCOPE OF THE PROJECT IS A NEW SECOND STORY ADDITION WHICH WILL COMPLY WITH ALL SETBACKS. THE VARIANCE REQUEST IS ONLY FOR A NEW COVERED ENTRY AND PORCH AT THE FRONT ELEVATION.

REASON FOR REQUEST:

THE EXISTING RESIDENCE WAS ORIGINALLY CONSTRUCTED AT THE ESTABLISHED FRONT SETBACK, LEAVING NO OPPORTUNITY TO ADD A FUNCTIONAL COVERED FRONT ENTRY WITHOUT EXTENDING BEYOND THE CURRENT SETBACK LINE. PROVIDING A COVERED FRONT PORCH WITHIN THE SETBACK WOULD REQUIRE THE REMOVAL OF FUNCTIONAL INTERIOR LIVING SPACE AND WOULD SIGNIFICANTLY IMPACT THE HOME'S LAYOUT.

THE REQUESTED VARIANCE IS LIMITED TO THE MINIMUM ENCROACHMENT NECESSARY TO PROVIDE A MODEST COVERED FRONT ENTRY AND PORCH. THE REMAINDER OF THE PROPOSED ADDITION COMPLIES WITH ALL APPLICABLE SETBACK REQUIREMENTS.

WE BELIEVE THE INTENT OF THE ZONING ORDINANCE SUGGESTS THAT FRONT SETBACKS ARE DETERMINED BY THE TWO ADJACENT NEIGHBORS (WITHIN 100 FEET). THE NEIGHBOR NORTH OF OUR LOT HAS A DOUBLE LOT, MEANING THAT OUR SECOND NEIGHBOR IS JUST OUT OF THE 100 FEET. IF WE CAN CONSIDER THAT NEIGHBOR (115 EDGEVIEW AVE) OUR SETBACK WOULD BE 25'-0" AND OUR PROPOSED ADDITION WOULD NOT NEED A VARIANCE AT ALL. PLEASE SEE SHEET SD-9 OF THIS PACKET FOR MORE INFO.

WE'D ALSO LIKE TO CLARIFY, THAT OUR REQUESTED SETBACK OF 28.8 IS TO *OVERHANGING STRUCTURE/BRACKETS* HOLDING UP THE ROOF. THE SETBACK DIMENSION WHERE THE LOW WALL OF THE PROPOSED PORCH *TOUCHES THE GROUND* IS 30.4 WHICH IS WITHIN REASON OF THE SETBACKS AT THE NORTH SIDE OF EDGEVIEW AVE WHERE THE HOUSES ARE CLOSER TO THE STREET.

THE PROPOSED ENTRY FEATURE WILL ENHANCE THE ARCHITECTURAL CHARACTER OF THE RESIDENCE, PROVIDE A MORE FUNCTIONAL AND WELCOMING PRIMARY ENTRANCE, AND CONTRIBUTE POSITIVELY TO THE OVERALL APPEARANCE OF THE STREETScape. THE REQUESTED ENCROACHMENT IS CONFINED TO THE FRONT ENTRY ONLY AND WILL NOT ADVERSELY AFFECT NEIGHBORING PROPERTIES OR NEGATIVELY ALTER THE CHARACTER OF THE SURROUNDING NEIGHBORHOOD. SEE SHEET SD-8.

SHOULD THE BOARD DETERMINE THAT THE COVERED PORCH IS NOT APPROPRIATE, THE APPLICANT WOULD BE WILLING TO ACCEPT APPROVAL FOR EITHER THE ELIMINATION OF THE OVERHANGING ELEMENTS (BRACKETS WOULD NOT BE FORWARD OF THE COLUMNS) MEANING THE SETBACK WOULD BE 30.4 OR THE APPROVAL OF THE COVERED BRICK ENTRY ALONE AS REDUCED ALTERNATIVES.

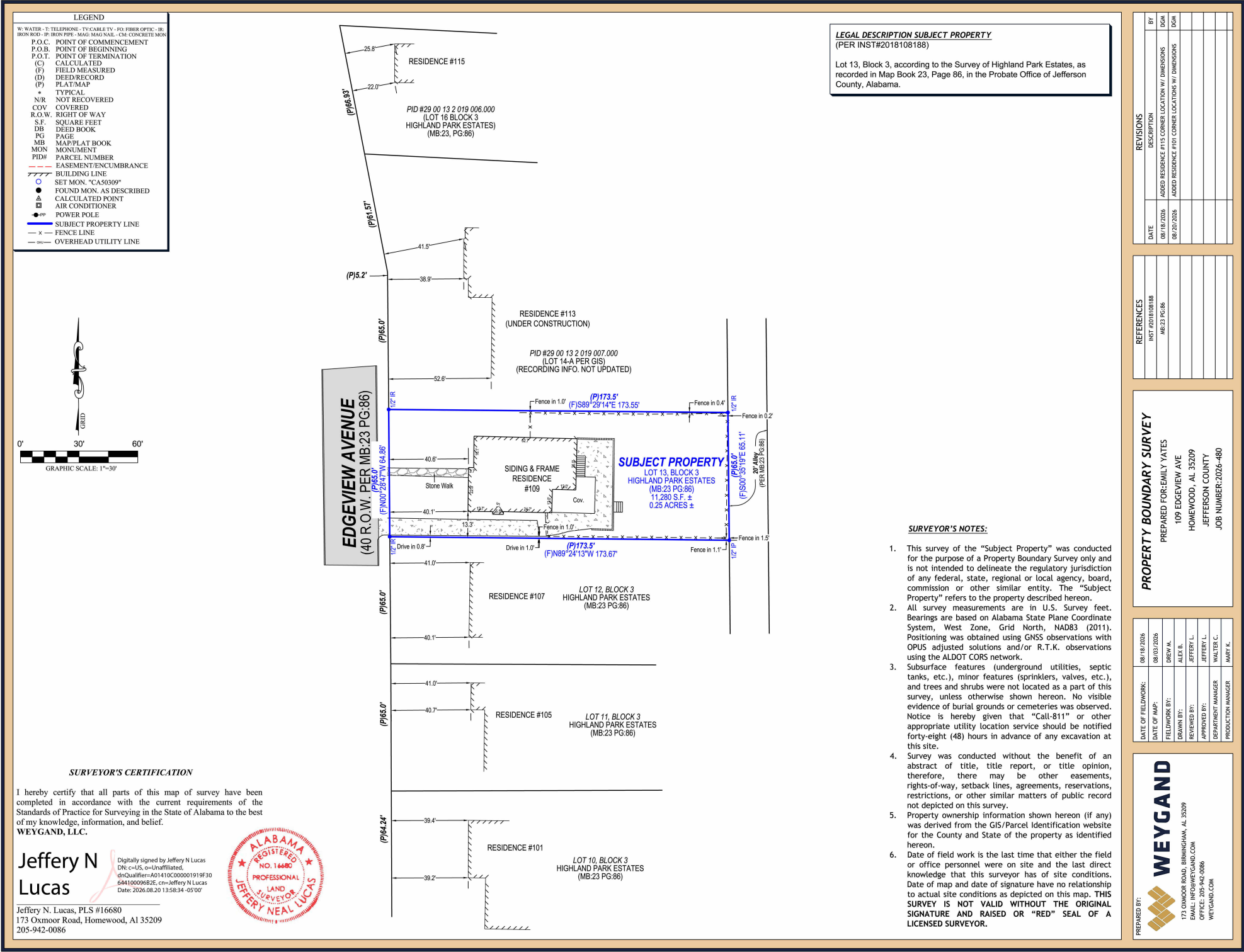
CLIENTS:

JOSEPH AND EMILY YATES
EMILY: EMILYDYATES@GMAIL.COM
615-585-2848

EXTERIOR

- ARCHED PAINTED BRICK COVERED ENTRY
- PAINTED CEDAR SHAKE COLUMNS, BEAMS, AND BRACKETS
- PORCH TO BE ENCLOSED WITH A LOW, SITTING HEIGHT BRICK WALL
- ROOF TO BE ASPHALT SHINGLE WITH EXPOSED RAFTERS

SURVEY BELOW IS NOT TO SCALE.

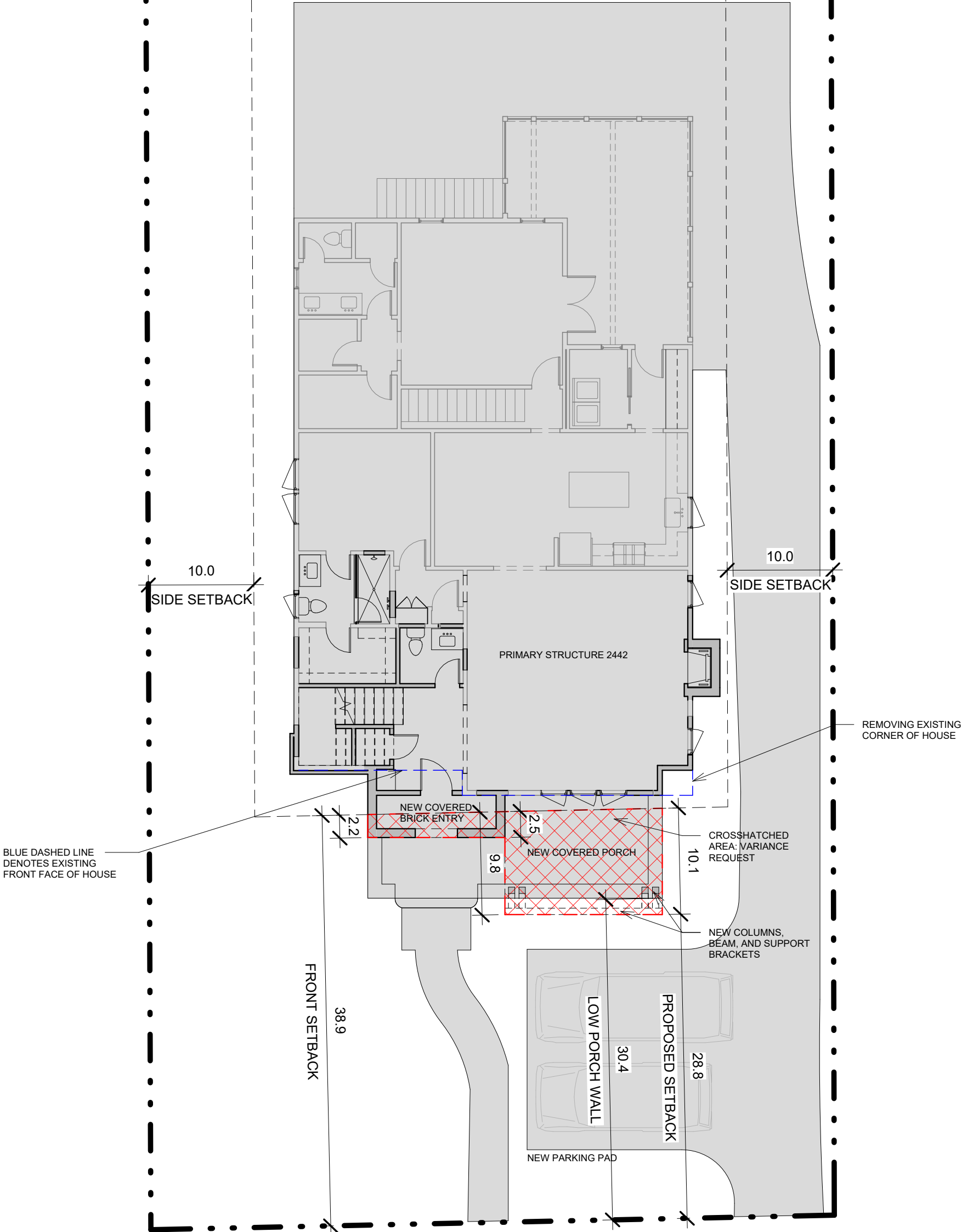


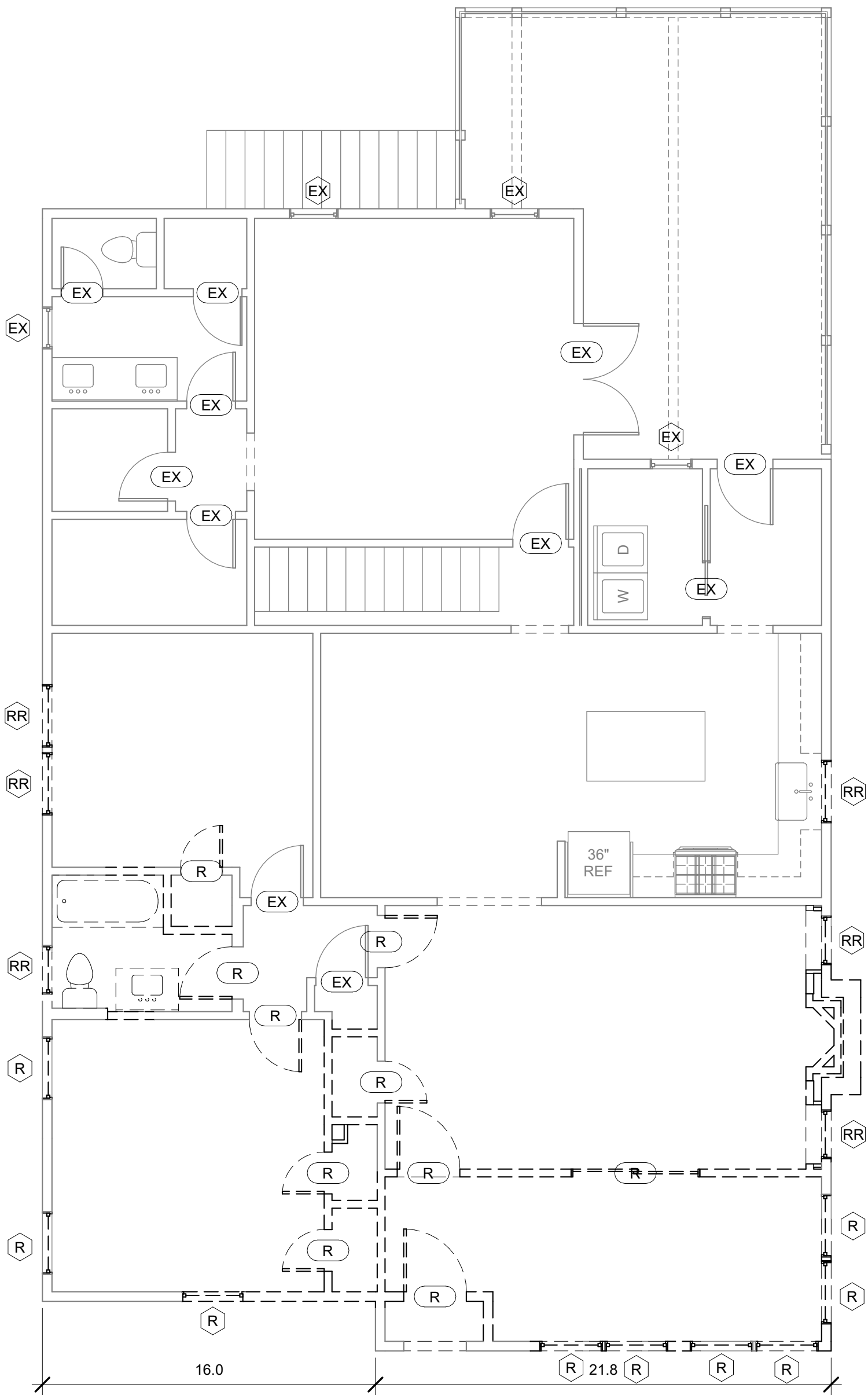
TOTAL LOT: 11,286 SF

ALLOWED LOT COVERAGE: 4,176 SF (37%)
ACTUAL LOT COVERAGE: 2,442 SF (21.6%)

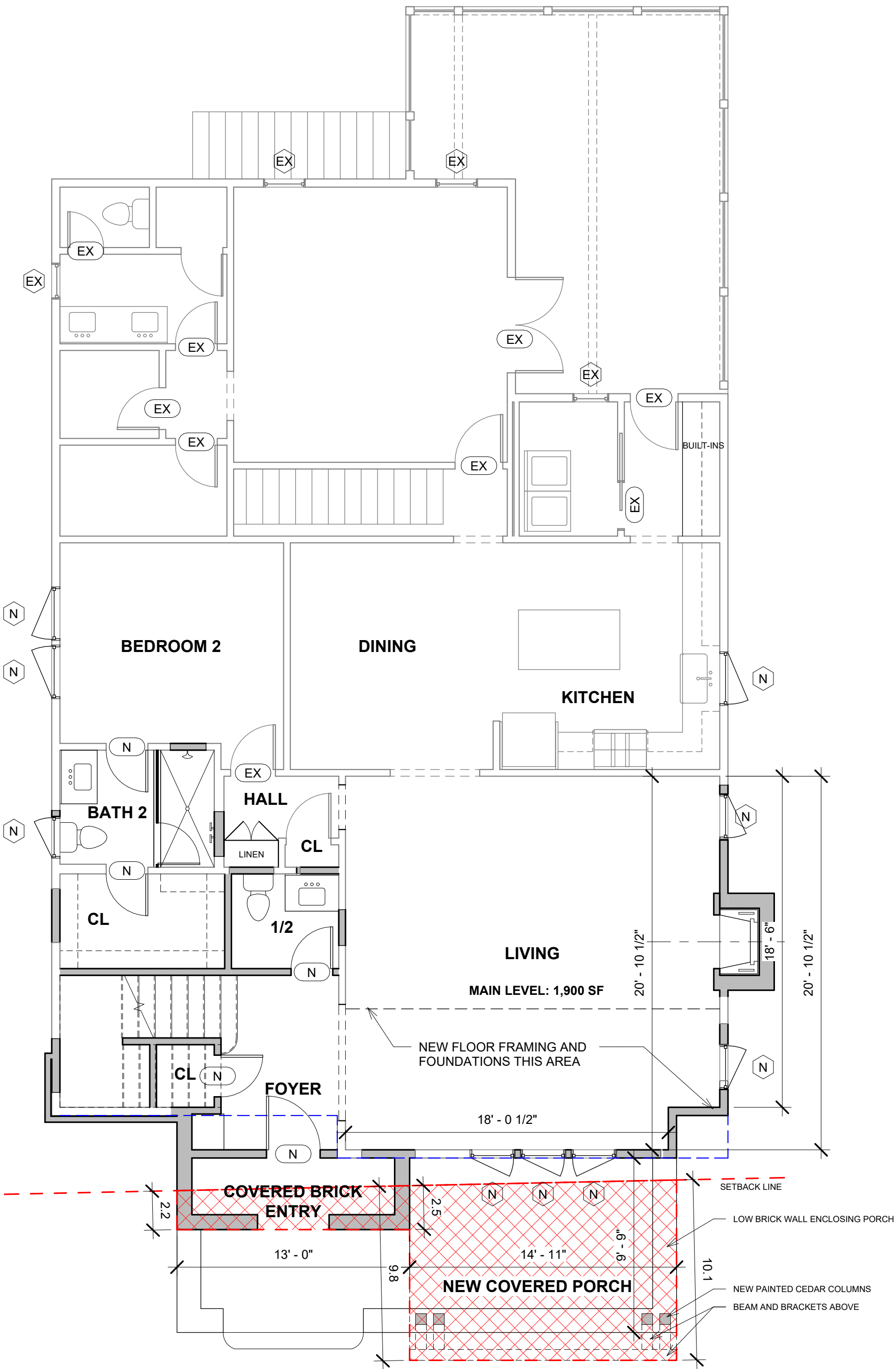
ALLOWED IMPERVIOUS: 5,079 SF (45%)
ACTUAL IMPERVIOUS: 4,626 SF (41%)

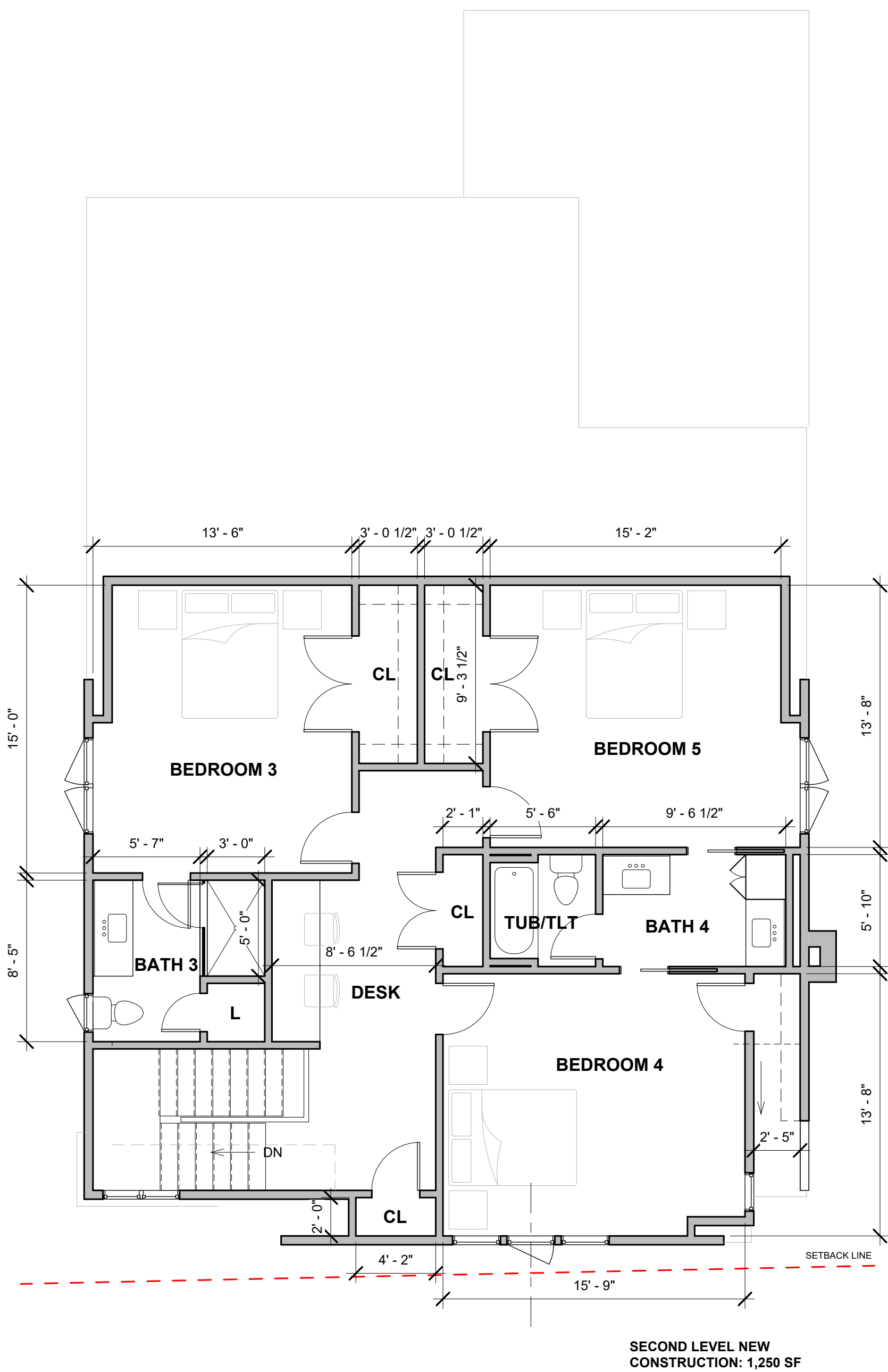
EXISTING IMPERVIOUS: 3,972 SF (35%)
6% INCREASE, THEREFORE NO STORM WATER
RETENTION NECESSARY.





EXISTING MAIN LEVEL: 1,890 SF













FOUR OUT OF THE FIVE HOUSES AT THE TOP OF THE STREET ARE SETBACK 30.5 TO 31.5 FEET.

WHILE OUR PROPOSED *OVERHANGING STRUCTURE* IS SETBACK AT 28.8, THE LOW WALL OF THE PORCH WHERE IT TOUCHES THE GROUND IS 30.4 FROM THE SETBACK.

WE BELIEVE THAT THE "100 FEET" INTENT OF THE ZONING ORDINANCE (ARTICLE IV SECTION A.3.d.i) SUGGESTS THAT THE FRONT SETBACK OF NPD LOTS SHOULD BE DETERMINED BY CONSIDERING TWO HOUSES ON EITHER SIDE OF A PARTICULAR LOT. THE "100 FEET" TYPICALLY DESCRIBES TWO FIFTY FOOT WIDE LOTS ON EITHER SIDE OF ANY HOUSE.

IN OUR SCENARIO, THE LOT NORTH OF 109 EDGEVIEW AVE IS A DOUBLE LOT (111 EDGEVIEW AVE). THIS TECHNICALITY RESTRICTS US FROM CONSIDERING 115 EDGEVIEW AVE IN DETERMINING OUR FRONT SETBACK.

IF WE CONSIDER THIS SECOND HOUSE (115 EDGEVIEW), OUR ALLOWED SETBACK WOULD BE 25'-0" IN WHICH CASE, NO VARIANCE WOULD BE REQUIRED FOR THE PROPOSED PORCH.

PLEASE NOTE THIS IS AN "OLD" AERIAL OF THE STREET TAKEN IN 2025 TO INCLUDE 111 AND 113 HOMES. BEFORE THEY WERE TORN DOWN, THIS IS TO SHOW, THAT 113 SETBACK SLIGHTLY MORE FORWARD THAN THE NEW HOUSE ON THE DOUBLE LOT.

PLEASE NOTE "CONFIRMED SETBACKS" ARE BASED ON SURVEY INFORMATION WE HAVE ON FILE. THE "UNCONFIRMED" NOTES HAVE BEEN FIELD MEASURED BY ARCHITECTURAL COOPERATIVE, NOT A LICENSED SURVEYOR.



213 EDGEVIEW AVE
CONFIRMED SETBACK 30.5

209 EDGEVIEW AVE
CONFIRMED SETBACK 30.5

207 EDGEVIEW AVE
UNCONFIRMED 31.6

205 EDGEVIEW AVE
UNCONFIRMED 35

201 EDGEVIEW AVE
UNCONFIRMED 31.6

115 EDGEVIEW AVE
CONFIRMED SETBACK 22.0

OLD 113 EDGEVIEW AVE
CONFIRMED SETBACK 37.3

NEW COMBINED LOT (NOT
SHOWN ON GOOGLE EARTH
IMAGE, SEE SURVEY)
CONFIRMED SETBACK 38.9

PROPOSED SETBACK OF
OVERHANGING STRUCTURE 28.8
DIMENSION FROM LOW PORCH
WALL 30.4

101 EDGEVIEW AVE
CONFIRMED SETBACK 39.2

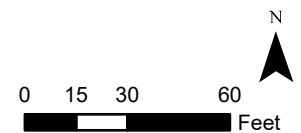
City of Homewood BZA Case Map

109 Edgeview Ave

BZA 26-0041

Aerial Photo Map

-  Subject Property
-  Roadway
-  Parcels



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

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



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

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

Cale Smith, PE, City Manager

Wyatt Pugh, Director

August 19, 2026

Subject Property: 109 Edgeview Ave.

Dear Property Owner:

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

Hearing Date & Time: September 3, 2026, at 6:00 PM

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

Applicants / Property Owners: Samantha Parr; Joseph & Emily Yates

Nature of Request: Front Setback Variance

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

Regards,

Conrad Garrison
Zoning Administrator

cc: Applicant
 Property owner
 Adjacent property owners

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

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

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

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

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