Homewood Board of Zoning Adjustments
Agenda
Thursday, November 12, 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– October 1, 2026***
IV. ***Communications/Reports from Chair & Vice Chair***
V. ***Old Business***
VI. ***New Business***

1) ***BZA-26-0046, 2907 Central Ave., Parcel ID No. 2800073026004000, Applicant: Christine Thorton / Property Owners: Twin Construction*** *a) A variance to Article X. Signs, Table 5, General Sign Restrictions, Downtown Sign District, to allow for a roof sign.*
2) ***BZA-26-0047, 2908 Independence Dr., Parcel ID No. 2800073030011000, Applicant: Greg Brockwell / Property Owners: Independence Drive Center, LLC*** *a) A variance to Article X. Signs, Table 5, General Sign Restrictions, Downtown Sign District, to allow for a monument sign.*
3) ***BZA-26-0048, 1418 Manhattan St., Parcel ID No. 2900131005007000, Applicant: Robert Martin / Property Owners: Chase & Alex McCain*** *a) request for a variance to Article IV. District Uses, Sec. A. Neighborhood Preservation District, (3) Development Regulations, (d) setbacks, (ii) side, to reduce the required setback along the right property line from 10-feet to 7.6-feet for a total*

reduction of 2.4-feet.

4) ***BZA-26-0051, 1516 Saulter View Rd., Parcel ID No. 2900134008077000, Applicant: Stewart Cato / Property Owners: Stewart Cato*** *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 35.0-feet to 26.0-feet for a total reduction of 10.0-feet. (ii) side, to reduce the required setback along the right property line from 10-feet to 8.6-feet for a total reduction of 1.4-feet.*

VII. ***Communications from Staff***

VIII. ***Adjournment***

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: 2907 CENTRAL AVE SUITE 101

Parcel ID: 28000730260040000 Current Zoning: C-4

Acreage: .45 Proposed Land Use: NO CHANGE

Applicant: CHRISTINE THORNTON Property Interest of Applicant: DESIGNER

E-mail: CHRISTINE@STUDIOVESTIGE.COM Applicant Phone #: 205-222-3763

Mailing Address: 3431 NORWOOD BOULEVARD B'HAM AL 35234
City State Zip

Property Owner: TWIN CONSTRUCTION

E-mail: _____ Phone #: 205-802-3920

Mailing Address: 2907 CENTRAL AVE SUITE 105 HOMEWOOD AL 35209
City State Zip

Request (check all applicable items):

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

Signatures of Property Owner and Applicant:

I, David T. Siegel (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 CHRISTINE THORNTON (Print Applicant) to act as representative in all matters concerning this application.

David T Siegel
Signature of Property Owner Date

Christine Thornton
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): _____

City of Homewood
Department of Engineering & Zoning
2850 19th Street South, Homewood, AL 35209
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Planning and Zoning General Application

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.

_____ 9/14/2026

Signature of Applicant 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.

Applicant Signature _____ **Date** 9/14/2026

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

Hardship Criteria Evaluation Form

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

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

Applicable: _____

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

Applicable: X

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

Applicable: _____

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

Applicable: X

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

Applicable: _____

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

Applicable: _____

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: _____

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: _____

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.

_____ 9/14/2026
Signature of Applicant **Date**

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

Variance Request Charts

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

PRIMARY STRUCTURE SETBACKS				
	Existing Setback Dimensions	Setback Dimensions Required by Zoning Regulations	Proposed Setback Dimensions	Total Variance Requested
Front Setback				
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	

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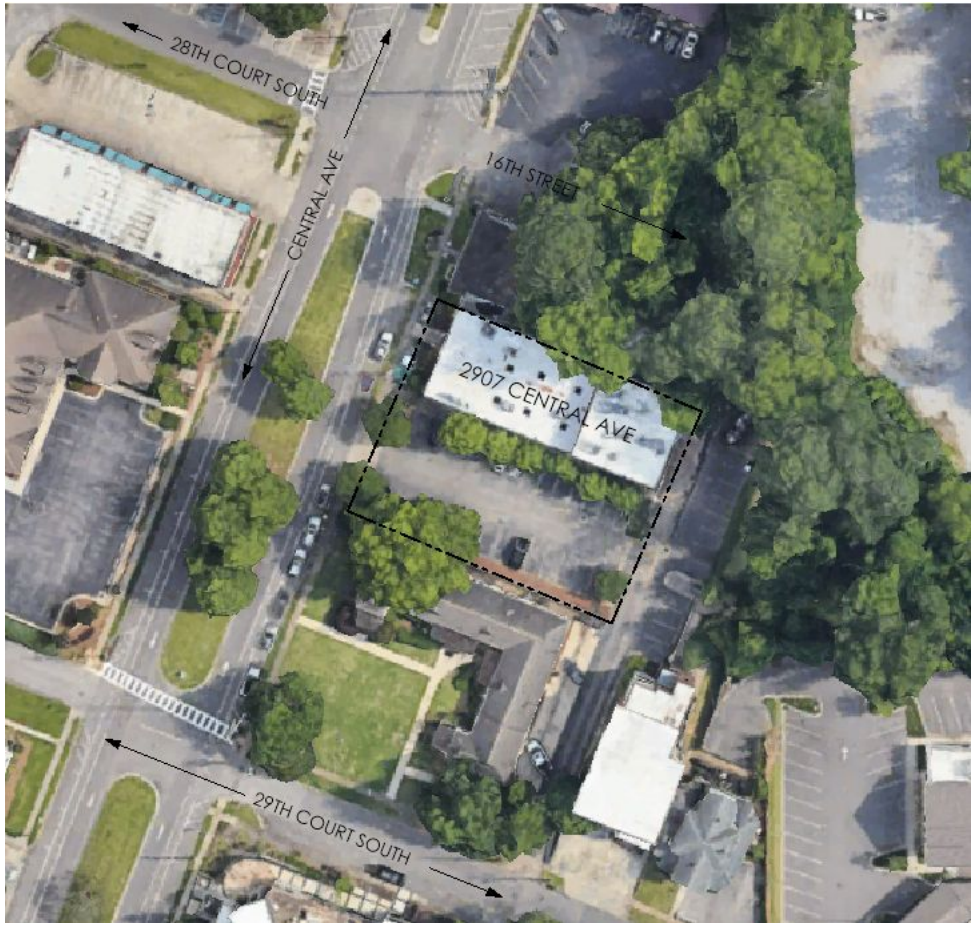
SIGNS				
Please provide the following information regarding the proposed sign(s): Sign Type: ROOF Sign District: DISTRICT 1				
	Existing	Permitted by Zoning Regulations	Proposed	Variance Requested
Number of Signs	2		2	ROOF SIGN
Max Area			93 SF	
Max Height			3'-5 1/2"	
Max Copy Height			30 SF	
Setback			0	

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				

2907 CENTRAL AVE
HOMEWOOD, AL 35209

SIGNAGE VARIANCE PROPOSAL

09.15.2026



2709 CENTRAL AVE SUITE 101

ZONING: C-4
SIGNAGE DISTRICT: DOWNTOWN DISTRICT 1
PARCEL ID: 28 00 07 3 026 004.000

SITE PLAN



EXISTING PRIMARY FACADE



EXISTING SECONDARY FACADE



ADJACENT PROPERTIES



ADJACENT PROPERTIES



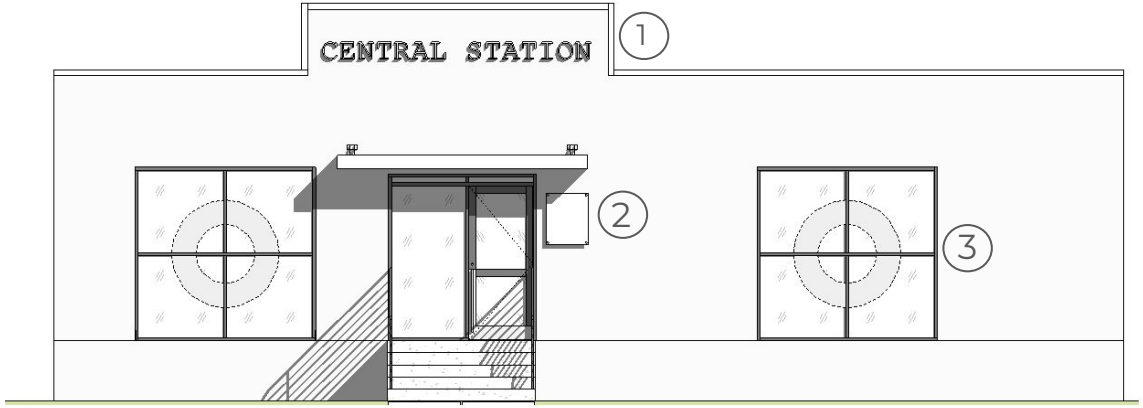
ADJACENT PROPERTIES



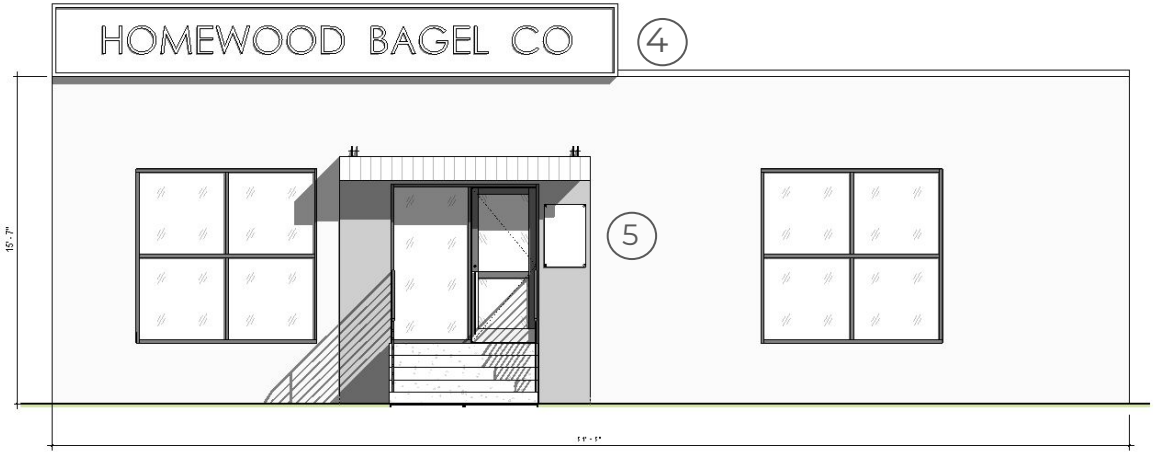
EXISTING PRIMARY FACADE



PROPOSED EXTERIOR IMPROVEMENTS



1 - REMOVE EXISTING BUILDING SIGNAGE
2 - REMOVE AND REPLACE WALL SIGNAGE
3 - REMOVE WINDOW DECALS



4 - NEW ROOF SIGNAGE. TEXT PRINTED ON ALUMINUM COMPOSITE MATERIAL
5 - NEW WALL SIGNAGE. TEXT & GRAPHICS PRINTED ON ALUMINUM COMPOSITE MATERIAL

FACADE FRONTAGE - 865 SF
FACADE LINEAR FRONTAGE - 51’-5”
LINEAR STOREFRONT - 24’-7”

PRIMARY FACADE ELEVATIONS

SIGNAGE TYPES

CANOPY OR MARQUEE SIGN: A permanent on-premises sign affixed, fastened, painted upon or made part of and erected parallel to a canopy or marquee which projects from a building to shield a doorway or window or provide shelter from the weather. The term also includes a shelter above a fuel service island.

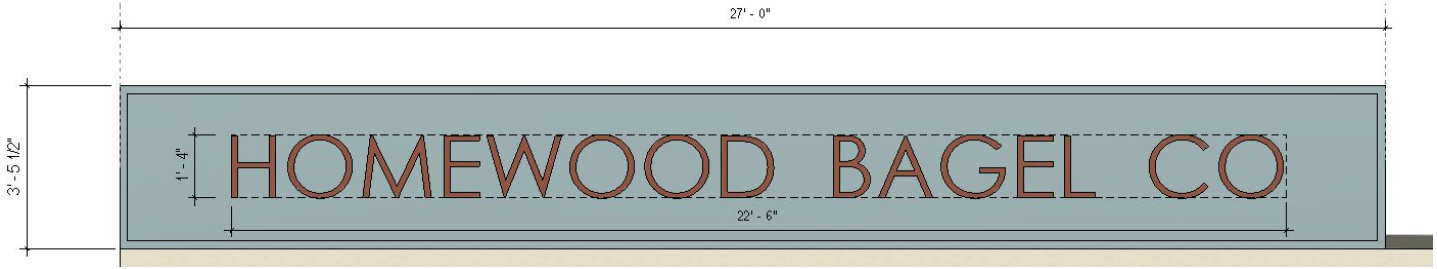
ROOF SIGN: A permanent on-premises sign affixed to the roof of a building.

WALL SIGN: A permanent on-premises sign that is affixed parallel to the building face, below the roof line, within the outer limits of a building wall, and not projecting more than twelve (12) inches from the building face, including such signs painted directly on the surface of a building.

NON RESIDENTIAL ZONING DISTRICT

ATTACHED SIGNS				
ROOF[2]	X	P	P	P
Sign number	n/a	1 per building	1 per building	1 per building
Max. area	n/a	3 sf per linear foot of building	2 sf per linear foot of building	Per Sec. 5-156
Max. copy height	n/a	32 in. max.	24 in. max.	Per Sec. 5-156
AWNING	X	P	P	P

GUIDELINES FOR A NON SIGN DISTRICT



ROOF SIGN

SIGNAGE AREA - 94 SF
COPY AREA - 30 SF



WALL SIGN

SIGNAGE AREA - 6 SF

ENLARGED SIGNAGE INFORMATION



City of Homewood BZA Case Map

2907 Central Ave

BZA 26-0046

Aerial Photo Map

Subject Property
Roadway
Parcels

N

0 12.5 25 50 Feet

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

Docusign Envelope ID: 5EFF5A84-B9EC-88A8-8354-5C6A8DF4475F

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: 2908 Independence Drive, Homewood, AL 35209

Parcel ID: 28-00-07-3-030-011.000

Current Zoning: C-2 subject to downtown sign ordinance

Acreage: 0.6

Proposed Land Use: Allow monument sign

Applicant: Greg Brockwell

Property Interest of Applicant: Attorney for Owner

E-mail: greg@brockwellsmith.com

Applicant Phone #: 205-800-8505

Mailing Address: 2 20th Street North, Suite 1300 Birmingham AL 35203

City *State* *Zip*

Property Owner: Independence Drive Center, LLC

E-mail: agarcia@majorsmgmt.com

Phone #: 941-894-2835

Mailing Address: c/o Majors Management, 1255 Lakes Parkway, Suite 180 Lawrenceville GA 30043

City *State* *Zip*

Request (check all applicable items):

☒ Variance Request

☐ Other BZA Request: _____

☐ Rezoning

☐ Zoning Text Amendment

☐ Resurvey

☐ Development Plan

☐ Final

☐ Amended

Signatures of Property Owner and Applicant:

I, Independence Drive Center, LLC (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 Greg Brockwell (Print Applicant) to act as representative in all matters concerning this application.

DocuSigned by:
Andrew Garcia 10/22/2026
00FFD62ED0D6468...

Signature of Property Owner Date

10/22/2026

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): _____

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Planning and Zoning General Application

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- ☐ Restrictive Covenants *(if applicable)*
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- ☐ 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.

_____ 10/22/2026

Signature of Applicant Date

Docusign Envelope ID: 5EFF5A84-B9EC-88A8-8354-5C6A8DF4475F

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Department of Engineering & Zoning
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City of Homewood Board of Zoning Adjustments Applications

General Information for Applicant

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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.

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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.

_____ 10/22/2026

Applicant Signature **Date**

Docusign Envelope ID: 5EFF5A84-B9EC-88A8-8354-5C6A8DF4475F

City of Homewood
Department of Engineering & Zoning
2850 19th Street South, Homewood, AL 35209
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Hardship Criteria Evaluation Form

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

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

Applicable: Yes

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

Applicable: Yes

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

Applicable: Yes

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

Applicable: Yes

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

Applicable: Yes

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

Applicable: Yes

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

Applicable: Yes

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

Applicable: Yes

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

Signature of Applicant **Date** 10/22/2026

Docusign Envelope ID: 5EFF5A84-B9EC-88A8-8354-5C6A8DF4475F

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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	

Docusign Envelope ID: 5EFF5A84-B9EC-88A8-8354-5C6A8DF4475F

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

SIGNS				
Please provide the following information regarding the proposed sign(s): Sign Type: Monument Sign District: C-2 subject to downtown sign ordinance				
	Existing	Permitted by Zoning Regulations	Proposed	Variance Requested
Number of Signs	0	No	1	Allow monument
Max Area			6' x 5'	None
Max Height			6'	None
Max Copy Height			12"	None
Setback			0'	None

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				

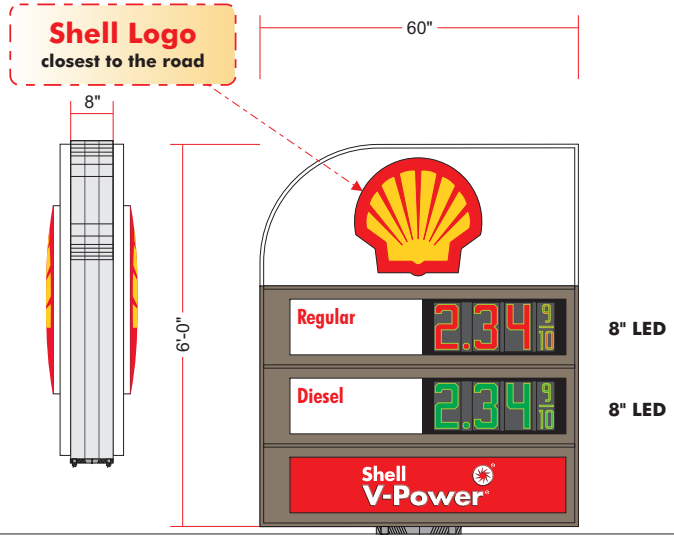
NEW 6′ x 5′ CP
MVI Monument Cabinet.
SHELL ID, 2X REGULAR, 1X DIESEL, 1X V-POWER



STREET SIDE — Top View — C-STORE SIDE

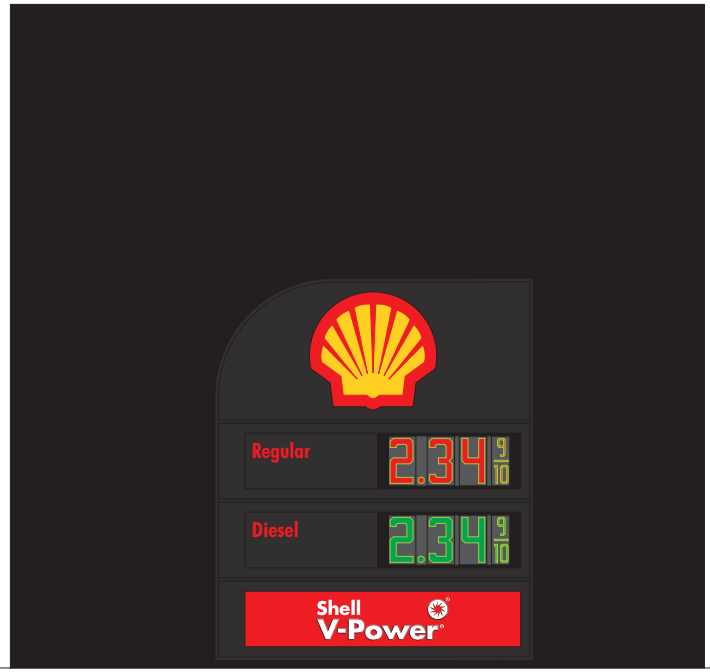
ID-COLORS: PAINT CABINET, SKIRT & RETAINERS:
CABINET INTERIOR: WHITE
CABINET EXTERIOR FACE: SHELL SATIN WHITE
CABINET EXTERIOR CABINET: WHITE B20-3645
NONE ID-COLORS: PAINT CABINET, SKIRT & RETAINERS:
CABINET INTERIOR: SHELL SILVER CHAMPAGNE
CABINET EXTERIOR FACE: SHELL SILVER CHAMPAGNE
CABINET EXTERIOR CABINET:
PANTONE 8004C -SW7039 VIRTUAL TAUPE

MAX INTENSITY DURING THE DAY IS 5,000 "NITS" AND
THE MAX AT NIGHT IS 250 "NITS"
UNCOMFIRMED



Side View — **Cabinet Elevation** — **Side View**

Scale: 1/2" = 1'



Side View

FEDERAL HEATH SIGN COMPANY
www.FederalHeath.com
1500 North Bolton Jacksonville, Tx75766
(903) 589-2100 (800) 888-1327 Fax (903) 589-2101

Revisions:
R1: REVISED TO NEW SIZE -RS 7.6.26

THIS DRAWING IS YOUR FINAL PROOF: IT SUPERCEDES ALL VERBAL AND WRITTEN COMMUNICATION. BY SIGNING BELOW YOU ARE AUTHORIZING US TO MANUFACTURE TO THE ABOVE SPECIFICATION.

Client Approval/Date: _____

Colors Depicted In This Rendering May Not Match Actual Finished Materials. Refer To Product Samples For Exact Color Match.

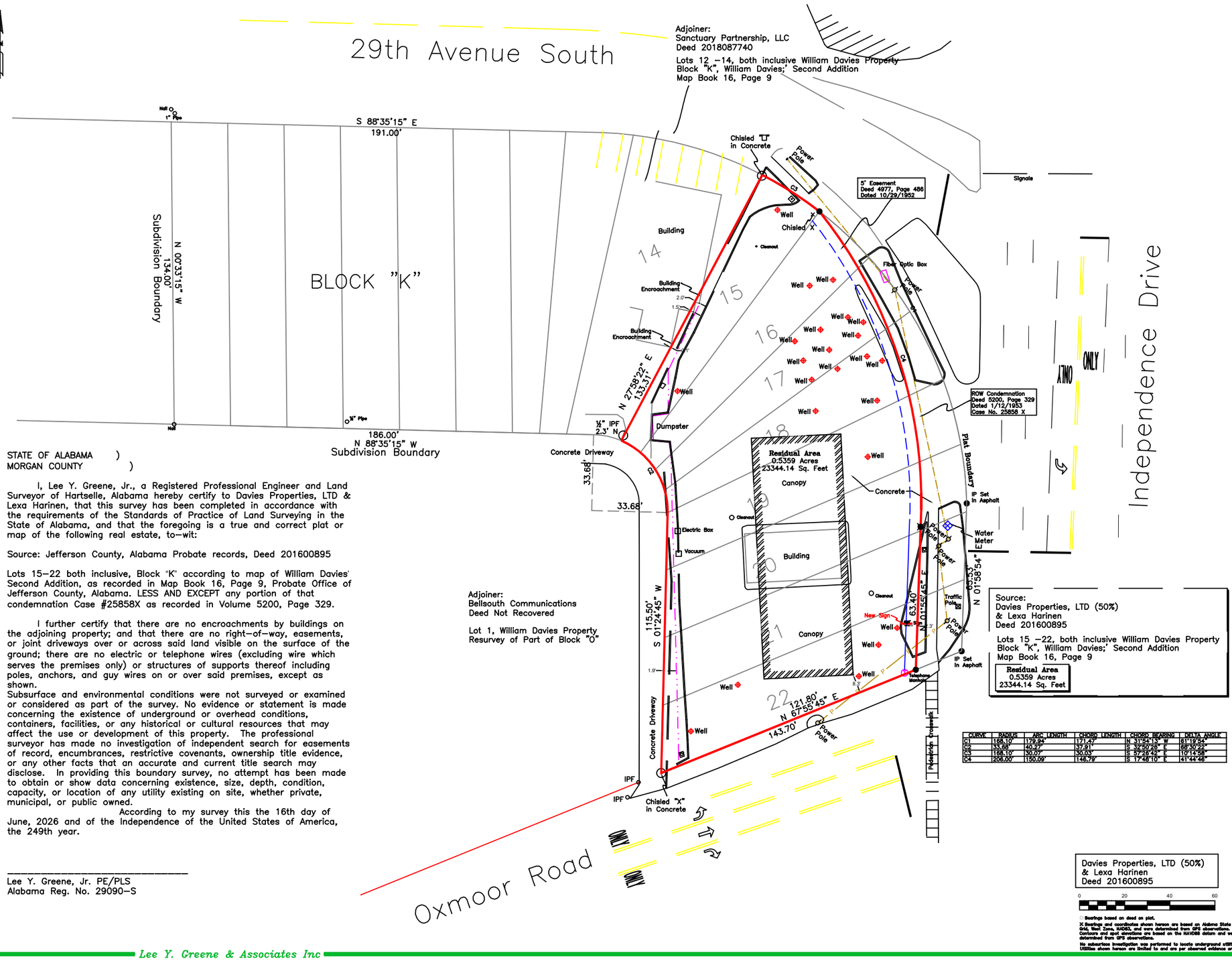
2908 Independence drive,
Birmingham AL

Project Manager: m.NOLAN
Drawn By: R.SEAGROVES

Underwriters Laboratories Inc. — ELECTRICAL TO USE U.L. LISTED COMPONENTS AND SHALL MEET ALL N.E.C. STANDARDS
ALL ELECTRICAL SIGNS ARE TO COMPLY WITH U.L. 48 AND ARTICLE 600 OF THE N.E.C. STANDARDS. INCLUDING THE PROPER GROUNDING AND BONDING OF ALL SIGNS.

BOSS# SV20258463
DATE: 2.6.26
Sheet Number: 1 Of 1

This original drawing is provided as part of a planned project and is not to be exhibited, copied or reproduced without the written permission of Federal Heath Sign Company, LLC or its authorized agent. © 2008



STATE OF ALABAMA)
MORGAN COUNTY)

I, Lee Y. Greene, Jr., a Registered Professional Engineer and Land Surveyor of Hartselle, Alabama hereby certify to Davies Properties, LTD & Lexa Harinen, that this survey has been completed in accordance with the requirements of the Standards of Practice of Land Surveying in the State of Alabama, and that the foregoing is a true and correct plat or map of the following real estate, to–wit:

Source: Jefferson County, Alabama Probate records, Deed 201600895

Lots 15–22 both inclusive, Block "K" according to map of William Davies' Second Addition, as recorded in Map Book 16, Page 9, Probate Office of Jefferson County, Alabama. LESS AND EXCEPT any portion of that condemnation Case #25858X as recorded in Volume 5200, Page 329.

I further certify that there are no encroachments by buildings on the adjoining property; and that there are no right–of–way, easements, or joint driveways over or across said land visible on the surface of the ground; there are no electric or telephone wires (excluding wire which serves the premises only) or structures of supports thereof including poles, anchors, and guy wires on or over said premises, except as shown.
Subsurface and environmental conditions were not surveyed or examined or considered as part of the survey. No evidence or statement is made concerning the existence of underground or overhead conditions, containers, facilities, or any historical or cultural resources that may affect the use or development of this property. The professional surveyor has made no investigation of independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose. In providing this boundary survey, no attempt has been made to obtain or show data concerning existence, size, depth, condition, capacity, or location of any utility existing on site, whether private, municipal, or public owned.

According to my survey this the 16th day of June, 2026 and of the Independence of the United States of America, the 249th year.

_____
Lee Y. Greene, Jr. PE/PLS
Alabama Reg. No. 29090–S

Source:
Davies Properties, LTD (50%)
& Lexa Harinen
Deed 201600895

Lots 15 –22, both inclusive William Davies Property
Block "K", William Davies;' Second Addition
Map Book 16, Page 9

Residual Area
0.5359 Acres
23344.14 Sq. Feet

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	168.10'	179.84'	171.47'	N 31°54'13" W	61°19'54"
C2	33.68'	40.27'	37.91'	S 32°50'29" E	68°30'22"
C3	168.10'	30.07'	30.03'	S 57°26'42" E	10°14'58"
C4	206.00'	150.09'	146.79'	S 17°48'10" E	41°44'46"

GENERAL LEGEND

○	IRON PIN (OR CORNER) FOUND
●	1/2" REBAR SET WITH CAP STAMPED GREENE BKNG-4
(M)	ACCORDING TO THE RECORD PLAT
(S)	ACCORDING TO GROUND SURVEY MEASUREMENT
(S)	SANITARY SEWER MANHOLE
	SANITARY SEWER MAIN
	SANITARY SEWER CLEAN OUT
	ELECTRIC UTILITY BOX
	ELECTRIC TRANSFORMER W/METER
	POWER POLE
	GAS SIGN
	WATER METER
	WATER VALVE
	FIRE HYDRANT
	IRRIGATION VALVE
	ROOF DRAIN
	SINGLE WING STORM INLET
	DOUBLE WING STORM INLET
	REINFORCED CONCRETE PIPE
	AREA LIGHT
	SIGN
	MAIL BOX
	TELEPHONE PEDESTAL
	CABLE PEDESTAL
	AIR CONDITIONER UNIT
	HANDICAP SPACE

Davies Properties, LTD (50%)
& Lexa Harinen
Deed 201600895

0 20 40 60

Bearings based on deed on plat.
X Bearings and coordinates shown hereon are based on Alabma State Plane Grid, West Zone, NAD83, and were determined from GPS observations. Contours and spot elevations are based on the NAVD88 datum and were determined from GPS observations.
No subsurface investigation was performed to locate underground utilities. Utilities shown hereon are limited to and are per observed evidence only.

Lee Y. Greene & Associates, Inc.
Land Surveying & Civil Engineering
P.O. Box 1174, 121 Sparkman Street SW
Hartselle Alabama 35640
(256) 773–2304
(256) 773–2361 FAX
Alabama CA Number 389–LS
Alabama CA Number 1332–E
www.leegreene.com

NOT ORIGINAL WITHOUT RED SEAL AND SIGNATURE

SEAL

© Copyright 2025, Lee Y. Greene & Associates, Inc.

Field Book:	Pages:	Drawing #:
Possession Survey Completed:		
Field Survey Completed:		
Final Plat Completed:		

Revision	Date	By
001	7/13/26 – New Sign	LYG–2

Boundary Survey Of:
Lots 15 –22, both inclusive William Davies Property
Block "K", William Davies' Second Addition
Map Book 16, Page 9
Jefferson County, City of Birmingham, Alabama

Revised: 6/16/26

Date: 11/4/25	Work Order No:	Scale: 1" = 20'
Drawn By: LYG–2		
Computer File No: 2025219.DWG	Calculator File:	Sheet 1 of 1

BROCKWELLSMITH LLC
Attorneys at Law

2 20th Street North | Suite 1300 |
Birmingham, AL 35203
[205] 800-8500 MAIN [205] 928-8110 FAX

GREGORY A. BROCKWELL
DIRECT DIAL: 205-800-8505
EMAIL: greg@brockwellsmith.com

October 6, 2026

To the Members of the City of Homewood Board of Zoning Adjustments:

I write on behalf of the owner of the "Shell Station" property located at 2908 Independence Drive, Homewood, Alabama, in support of a request for a variance to permit the installation of a monument sign at the property.

The requested variance is necessary because strict application of the Homewood Downtown Sign District regulations creates an unnecessary hardship unique to this property and results in a highly inequitable outcome when the property is considered in the context of its surrounding environment. The hardship arises from the property's unique location, historical use, and the practical realities of operating a gasoline service station along the U.S. Highway 31 corridor.

First, the subject property is a gasoline service station situated on a heavily traveled commercial corridor. Although the property has been placed within Downtown Sign District 2, the character of the property is fundamentally different from the traditional downtown storefronts and pedestrian-oriented businesses that the downtown sign regulations were designed to address. The stated purpose of the downtown sign regulations is to ensure that signs are scaled appropriately for a walkable downtown environment. However, this property functions as a highway-oriented commercial use that depends upon visibility to passing motorists traveling along the Highway 31 corridor. The property is therefore being subjected to regulations intended for a traditional downtown environment despite operating under conditions characteristic of a highway commercial property.

Second, virtually every other gasoline service station within the City of Homewood utilizes either a monument sign or a pole sign. A survey of gasoline stations throughout Homewood demonstrates that, with one exception, every station has a monument sign or pole sign visible to passing motorists. Of particular significance, the Chevron station located directly across the street from the subject property possesses a freestanding sign that allows it to display fuel pricing and identify its location to motorists. Denying similar signage to the subject property would place it at a substantial competitive disadvantage compared with neighboring stations that enjoy the benefit of freestanding signage. The inability to display fuel prices and identify the station in a comparable manner impairs the property's ability to compete effectively for the same customer base.

Third, numerous commercial properties along the Highway 31 corridor are improved with monument signs. The requested monument sign would therefore be entirely consistent with the visual character of the surrounding corridor. Rather than introducing a new or incompatible feature, the requested

variance would merely allow this property to function in the same manner as similarly situated commercial properties located along the same roadway.

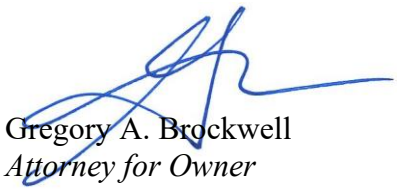
Fourth, the proposed monument sign has been specifically redesigned to conform to the City's monument-sign standards to the maximum extent possible. The applicant has undertaken substantial efforts to ensure that the proposed sign complies with dimensional requirements, setback requirements, and illumination requirements applicable to monument signs. The sign lighting has been modified to permit dimming and code-compliant operation, and the applicant has worked extensively with surveyors and sign professionals to ensure compliance with applicable standards.

Fifth, the property historically contained a pole sign. City records and communications indicate that the site previously utilized a freestanding sign and that the existing controversy arose only after damage to the former structure and the City's determination that replacement would require compliance with the current ordinance. The requested monument sign therefore represents an improvement over the property's historic condition. Instead of recreating a pole sign, which is generally regarded as less aesthetically desirable, the applicant seeks approval of a monument sign that is lower in scale, more attractive, and more compatible with surrounding development.

Finally, denial of the requested variance would be arbitrary and capricious when viewed in light of the property's circumstances. The Board is charged with considering whether strict application of the ordinance creates an unnecessary hardship. Here, the property is uniquely burdened because it is a highway-oriented gasoline station subject to regulations designed for pedestrian downtown businesses. The surrounding gasoline stations and commercial properties are permitted to utilize the very type of signage necessary for effective operation, while the subject property is prohibited from doing so solely because of its placement within a particular sign district. Such a result would deprive the property of rights and opportunities enjoyed by similarly situated businesses and would unreasonably interfere with the property's ability to function as a competitive gasoline service station. Granting the requested variance would not alter the essential character of the area, would not injure neighboring properties, and would merely place this property on substantially equal footing with surrounding businesses.

For these reasons, the applicant respectfully submits that the requested variance satisfies the standards for relief and asks that the Board approve the application.

Very truly yours,



Gregory A. Brockwell
Attorney for Owner

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: 1418 MANHATTAN STREET, HOMEWOOD, AL 35209

Parcel ID: 29000130050070000 | Current Zoning: NPD

Acreage: .17 ACRES (7,444.3 sq. ft) | Proposed Land Use: RESIDENTIAL

Applicant: ROBERT MARTIN | Property Interest of Applicant: CLIENT

E-mail: rcmart3220@gmail.com | Applicant Phone #: 205-914-6809

Mailing Address: 1109 22ND ST SOUTH, B'HAM, AL 35205
City *State* *Zip*

Property Owner: CHASE and ALEX McCAIN

E-mail: chase@listbirmingham.com | Phone #: (205) 388-7669

Mailing Address: 1418 MANHATTAN STREET, HOMEWOOD AL, 35209
City *State* *Zip*

Request (check all applicable items):

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

Signatures of Property Owner and Applicant:

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

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

Signature of Property Owner — 9/21/26 (Date)

Robert Martin — 09/21/26
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): _____

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

Planning and Zoning General Application

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.

Robert Martin
Signature of Applicant

09/21/2026
Date

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

Variance Request Charts

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

PRIMARY STRUCTURE SETBACKS				
	Existing Setback Dimensions	Setback Dimensions Required by Zoning Regulations	Proposed Setback Dimensions	Total Variance Requested
Front Setback	N/A	N/A	N/A	N/A
Secondary Front Setback	N/A	N/A	N/A	N/A
Right Setback	7.6 feet	10 feet	7.6 feet	2.4 feet
Left Setback	11.1 feet	10 feet	N/A	N/A
Rear Setback	37.5 feet	20 feet	N/A	N/A

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

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

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

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.

Robert Martin
Applicant Signature

09/21/2026
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: RCM/CTM

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

Applicable: RCM/CTM

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

Applicable: _____

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

Applicable: RCM/CTM

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

Applicable: RCM/CTM

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

Applicable: RCM/CTM

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

Applicable: RCM/CTM

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

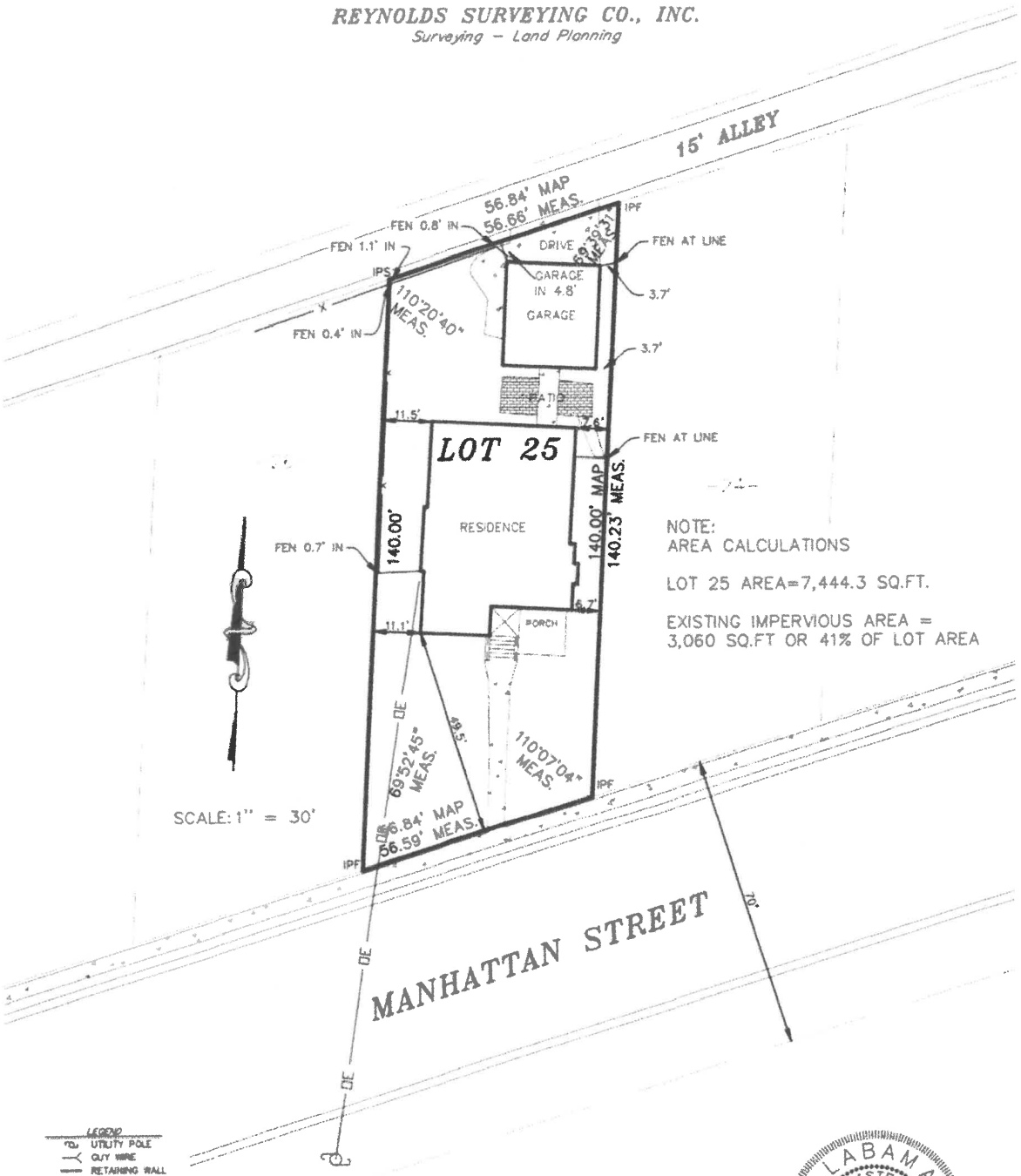
Applicable: RCM/CTM

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.

Robert Martin
Signature of Applicant

09/21/2026
Date

REYNOLDS SURVEYING CO., INC.
Surveying – Land Planning



ALABAMA REGISTERED No. 25657 PROFESSIONAL SURVEYOR ROBERT REYNOLDS

STATE OF ALABAMA
JEFFERSON *COUNTY*

"PROPERTY SURVEY"

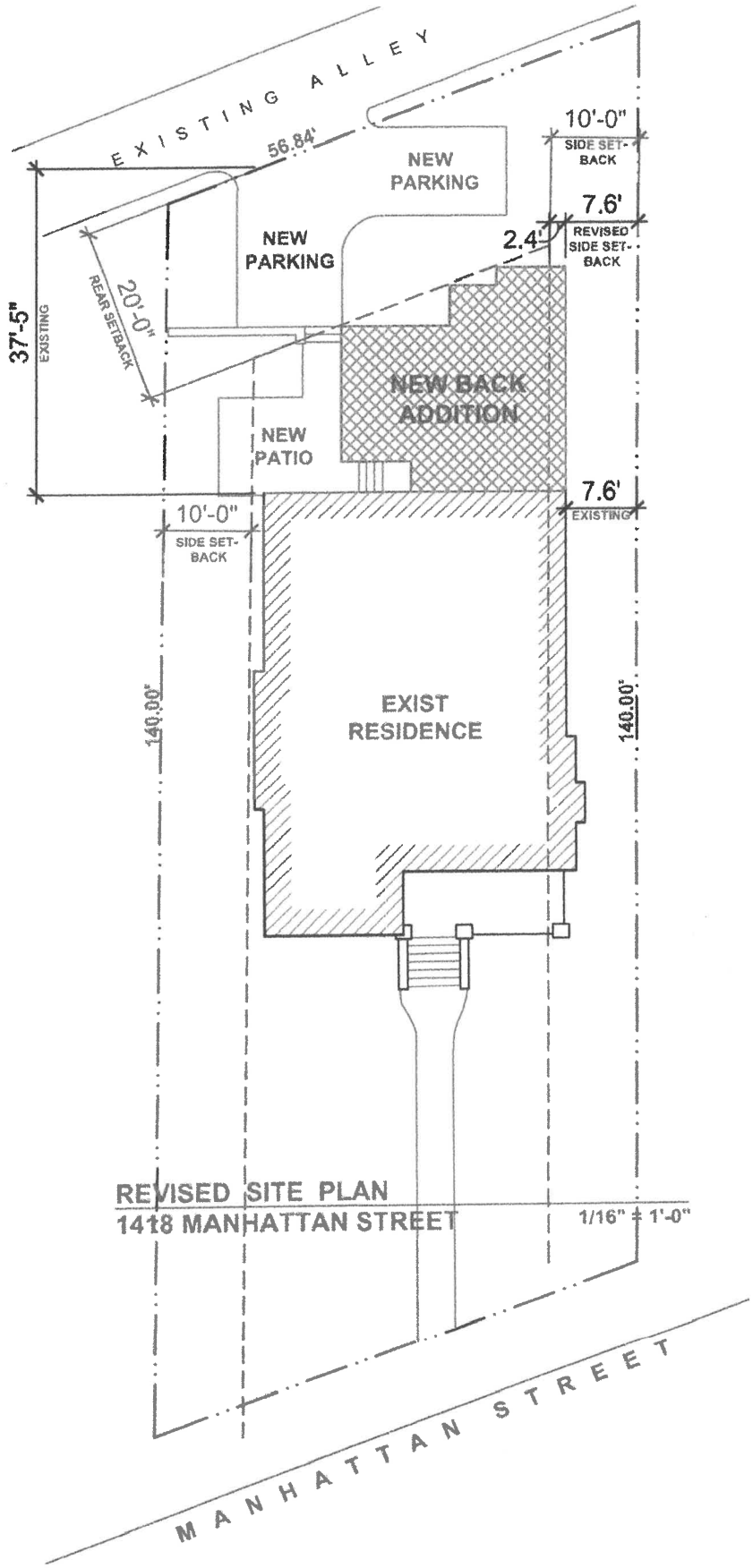
I, Robert Reynolds, a Registered Surveyor, do here by state that this is a true and correct plat or map of Lot 25, *Block* –, *of* GROVE PARK, *as recorded in Map Book* 13, *Page* 42 *in the Office of the Judge Of Probate in* JEFFERSON *County, Alabama. All parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice of Surveying in the State of Alabama to the best of my knowledge, information and belief. The improvements on said premises are as shown. There are no visible encroachments on over or across said lands except as shown. According to my survey this the* 27TH *day of* AUGUST, 2026.

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

Owner: McCAIN
Address: 1418 MANHATTAN STREET

Robert Reynolds
Reg. No. 25657

B158/14



REVISED SITE PLAN
1418 MANHATTAN STREET

1/16" = 1'-0"

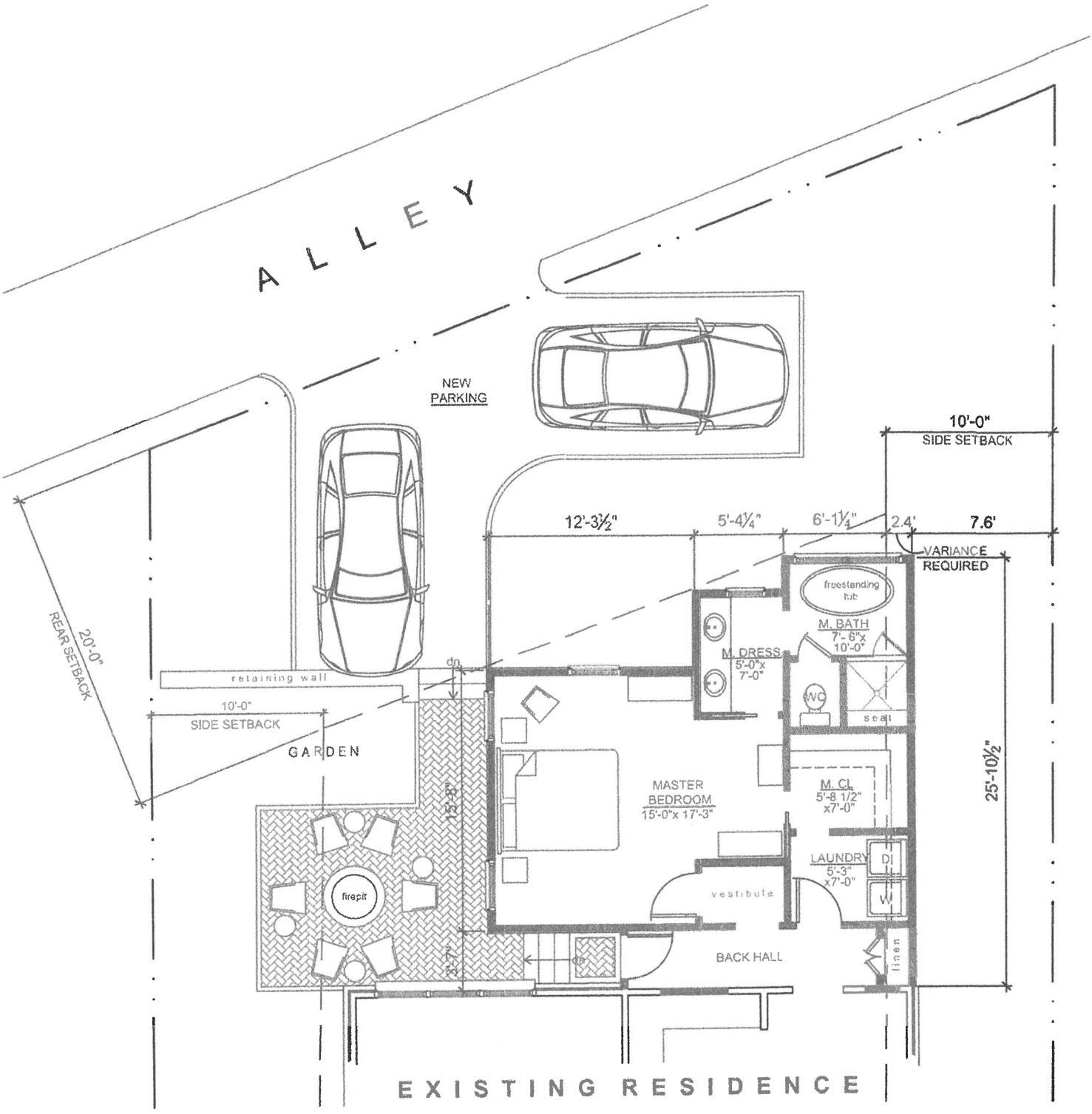
TOTAL AREA: 7,444.3 sq. ft.

TOTAL EXISTING IMPERVIOUS: 3,060 sq. ft.
OR 41% < 45%

TOTAL EXISTING PRIMARY RESIDENCE: 1,650 sq. ft.
OR 22% < 37%

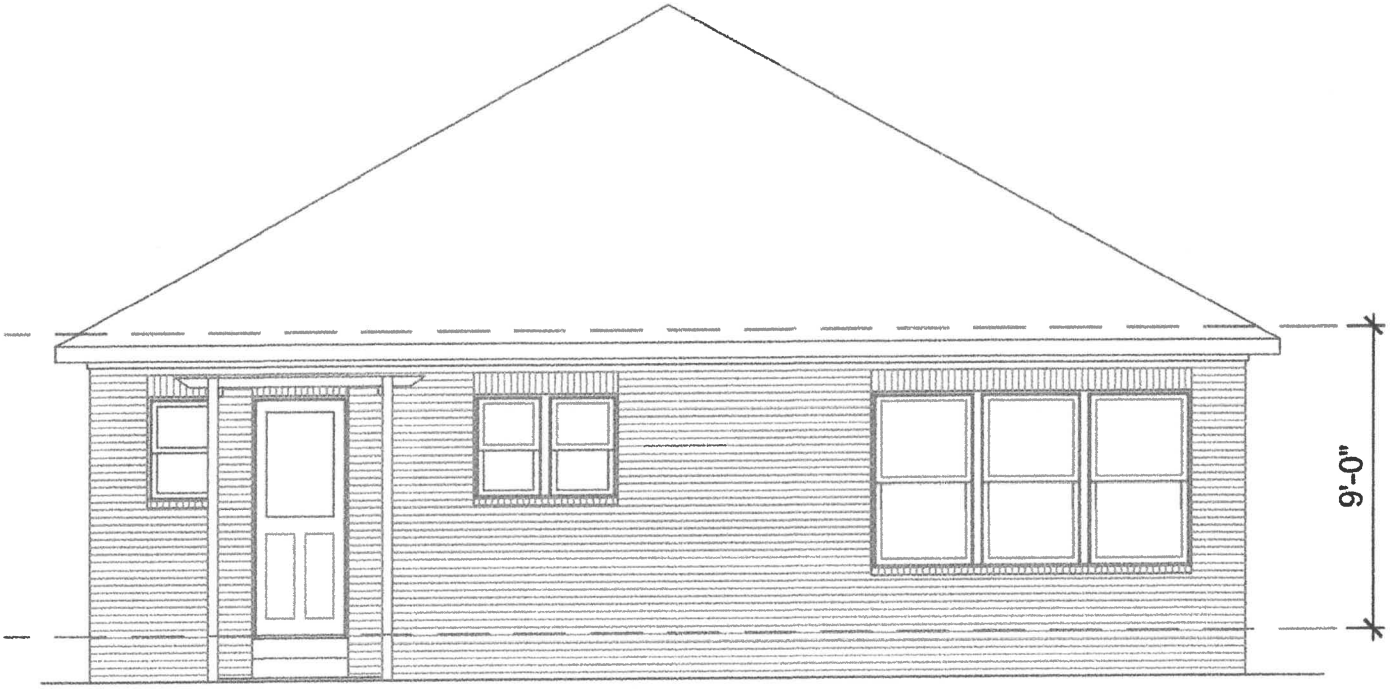
TOTAL REVISED IMPERVIOUS:
3,060 sq. ft. exist
- 1,057 sq. ft. (garage + paving) = 2,003 sq. ft.
+ 1,181 sq. ft (new addition + paving = 3,184 sq. ft.
OR 43% < 45%

TOTAL REVISED PRIMARY RES: 1,650 sq. ft. exist +
534 sq. ft. addition = 2,184 sq. ft.
OR 29% < 37%



REVISED PARTIAL PLAN

1/8" = 1'-0"



EXISTING BACK ELEVATION

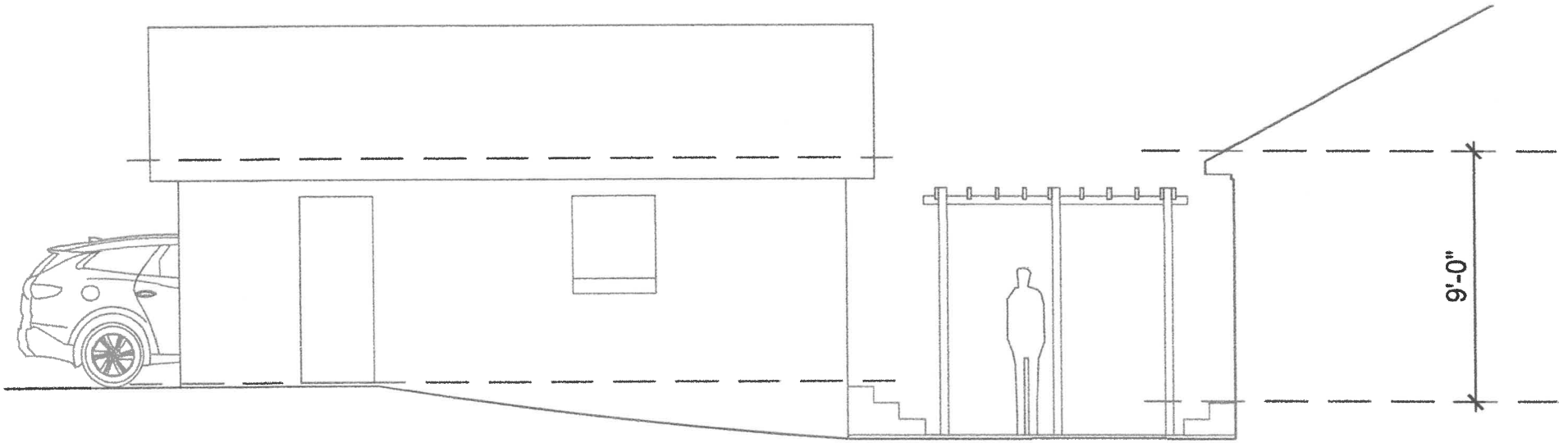
3/16" = 1'-0"



REVISED BACK ELEVATION

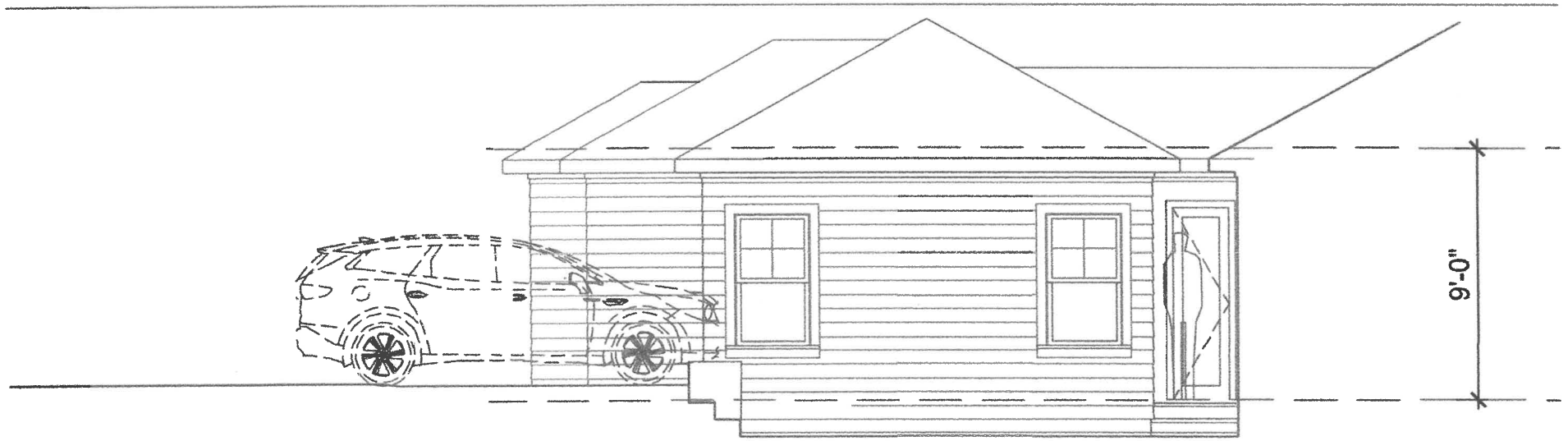
3/16" = 1'-0"





EXISTING PARTIAL SIDE ELEVATION

3/16" = 1'-0"



REVISED PARTIAL SIDE ELEVATION

3/16" = 1'-0"





Project Narrative and Hardship Statement

1418 Manhattan Street – Chase & Alex McCain Res

09/21/2026

Homeowners Chase and Alex McCain are wanting to build a back addition onto their house that will include a new master suite, master closet, laundry room, and hallway leading to the back yard. To make this feasible, they're consenting to tear down their existing garage, as well as removing the existing patio and trellis. Also, to maintain continuity between the existing and new construction, their goal is to align the addition with the existing right side of the house. To do so, they would need 2.4 feet more extending into the right setback line, thus changing the right setback from 10 feet to 7.6 feet (which is the reason for this variance request).

Their hardships that have led to these decisions are as follows:

1. The McCains' house has only one bathroom, and between them getting ready for work in the mornings, along with their two young daughters (ages 7 and 10) preparing for school each weekday, there's just not enough room to accomplish this smoothly.

2. The McCain's master bedroom is roughly the same size as the other two bedrooms in their home, with very limited closet space for clothes and other items. And with one bathroom as mentioned, there is no master bathroom. Furthermore, since all 3 bedrooms are occupied, there's no room for overnight guests.

3. Likewise, there's no separate laundry room. Currently, their washer and dryer occupy a corner of their breakfast room in a built-in cubby, with no means for storing detergent or other supplies.

Homeowner: Chase McCain

Applicant: Robert Martin

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: 1516 Saulter View Road, Homewood, Alabama 35209

Parcel ID: 2900134008077000

Current Zoning: NPD

Acreage: 0.27 acres ± (11,625 sq ft ±)

Proposed Land Use: Single-family residential (existing)

Applicant: Stewart Cato

Property Interest of Applicant: Owner

E-mail: stewartccato@gmail.com

Applicant Phone #: (205) 960-8333

Mailing Address: 1516 Saulter View Road | Homewood | AL | 35209
City | State | Zip

Property Owner: Stewart Cato

E-mail: stewartccato@gmail.com

Phone #: (205) 960-8333

Mailing Address: 1516 Saulter View Road | Homewood | AL | 35209
City | State | Zip

Request (check all applicable items):

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

Signatures of Property Owner and Applicant:

I, Stewart Cato (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 Stewart Cato (self) (Print Applicant) to act as representative in all matters concerning this application.



11/3/26

Signature of Property Owner — Date



11/3/26

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: _____
Received By: _____

Time Received: _____
Case Number(s): _____

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

Planning and Zoning General Application

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 — $100, check payable to City of Homewood
- ☒ Project narrative including the following as appropriate: proposed use, detailed project description, reason for request, conditions that the applicant will be willing to proffer. — see Statement of Hardship, 8 pp; conditions proffered at p. 7
- ☒ Current Property Boundary Survey — Clinkscales Land Surveying, sealed 08/11/2026
- ☒ 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.)* — contractor's deck drawing, survey, structure-plotted survey, Exhibit B
- ☒ Restrictive Covenants *(if applicable)* — the 35'-0" building line is shown on the recorded plat, MB 107 Pg 13
- ☒ Photographs of the site and all existing buildings and structures. — 18 photographs, 15 pp
- ☒ Proof of Ownership (if property has been purchased within the last 12 months) — N/A; acquired 2021
- ☒ Any variances previously granted by the Board of Zoning Adjustments — none

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 — pages 5 and 6 of this application
- ☒ Hardship Statement signed by Property Owner and Applicant — 8 pp, attached
- ☒ Hardship Criteria Evaluation Form (initialed and signed) — page 4 of this application

Final and Amended Development Plan Requirements — not applicable to this request

- ☐ 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 — not applicable to this request

- ☐ 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 — not applicable to this request

- ☐ 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.

_____ 11/3/26

Signature of Applicant — 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.

Applicant Signature _____ **Date** 11/3/26

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: SC

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: SC

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: SC

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: SC

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

Applicable: SC

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

Applicable: SC

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: SC

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: SC

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

Signature of Applicant

Date 11/3/26

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

Variance Request Charts

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

PRIMARY STRUCTURE SETBACKS				
	Existing Setback Dimensions	Setback Dimensions Required by Zoning Regulations	Proposed Setback Dimensions	Total Variance Requested
Front Setback	26'-0"	35'-0" (plat building line)	26'-0"	9'-0"
Secondary Front Setback	—	—	—	Not applicable
Right Setback	8'-6" (EAST side)	10'-0"	8'-6"	1'-6"
Left Setback	WEST side — no change	10'-0"	No change	None requested
Rear Setback	—	—	No change	None requested

Structure partially constructed; position fixed by footings already in the ground. Dimensions shown are those for which relief is sought.

ACCESSORY STRUCTURE SETBACKS

Please provide the following information regarding the proposed accessory structure:

Proposed Height: N/A **Proposed Size (in sq ft):** N/A

	Existing Setback Dimensions	Setback Dimensions Required by Zoning Regulations	Proposed Setback Dimensions	Total Variance Requested
Right Setback	N/A — no accessory structure is proposed with this request			
Left Setback				
Rear Setback				
Other:				

FENCES AND WALLS (NOT RETAINING)

Proposed Height: N/A	Proposed Setback: N/A	Location of Fence: N/A

Description of Fence (dimensions, materials, etc.): N/A — no fence or wall variance is requested with this application

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

Front basis: the 35'-0" building line on the recorded plat, MB 107 Pg 13. Relief is also requested under Art. VI Sec. C(1); the applicant takes no position on which requirement controls — see the attached Statement of Hardship.

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

SIGNS				
Please provide the following information regarding the proposed sign(s):				
Sign Type: N/A		Sign District: N/A		
	Existing	Permitted by Zoning Regulations	Proposed	Variance Requested
Number of Signs		N/A — no signage is proposed with this request		
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	N/A — no tree protection or landscaping variance is requested			
Number of Trees or Shrubs				
Interior Landscape Islands				
Foundation Landscaping				
Linear Feet				
Area				
Number of Shrubs				
Other				

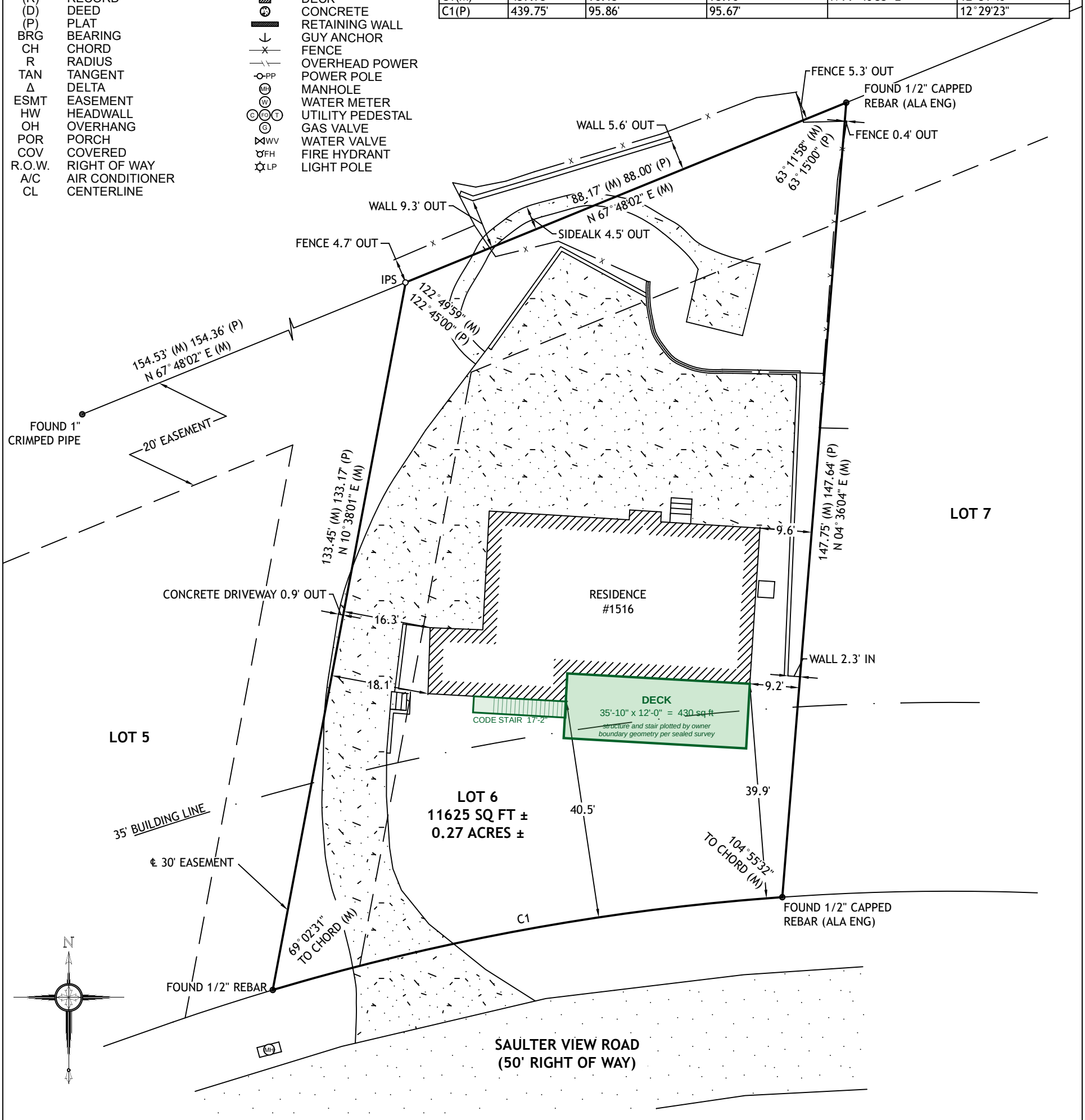
LEGEND

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

SURVEY CONTROL:

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

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1(M)	439.75'	96.15'	95.96'	N 79°40'33" E	12°31'40"
C1(P)	439.75'	95.86'	95.67'		12°29'23"



STATE OF ALABAMA)
COUNTY OF JEFFERSON)

"PROPERTY BOUNDARY SURVEY"

I, Steven J. Clinkscales, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot 6 , JOHNSON-RAST & HAYS ADDITION TO WELLINGTON WOODS, as recorded in Map Volume 107, Page 13, in the Office of the Judge of Probate, Jefferson County, Alabama. I hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief; according to my survey of AUGUST 11, 2026. Survey invalid if not signed and sealed.

Order No.: 26-348
Purchaser: CATO
Address: 1516 SAULTER VIEW ROAD

BY: Steven J. Clinkscales Date: *AUGUST 17, 2026*

Steven J. Clinkscales, PLS AL 37248
12254 US-280
Sterrett, AL 35147
(205) 671-1033

ALABAMA LICENSED No. 37248 PROFESSIONAL LAND SURVEYOR STEVEN J. CLINKSCALES

Notes: (a) No title search of the public records has been performed by this firm, and land shown hereon was not abstracted for easements and/or rights-of-way, recorded or unrecorded. The parcel shown hereon is subject to setbacks, easements, zoning, and restrictions that may be found in the public records of said county and/or city. (b) All bearings and/or angles are deed/record map unless otherwise noted in such form as Measured (Deed). (c) Underground portions of foundations, footings, and/or other underground structures, utilities, cemeteries or burial sites were not located unless otherwise noted. (d) The shown north arrow is based on deed/record map. (e) This survey is not transferable. (f) Easements not shown on recorded map are not shown above. g) All iron pins set (IPS) by this firm are 5/8" rebars with a yellow rebar cap inscribed CLINKSCALES CA-1084-LS or 1/2" rebars with a red cap inscribed PLS37248 CA1084LS and shall not be removed.

CLINKSCALES LAND SURVEYING, LLC

12254 US-280
Sterrett, AL 35147
ClinkSurveying.com

SCALE: 1" = 20'	APPROVED: Steven J. Clinkscales,PLS AL REG. NO. 37248	DATE OF SURVEY: 08/11/2026	Tel: 205-671-1033	
DATE: 08/17/2026		SURVEYED BY: JBC / DRAWN BY: JDF		

0' 20' 40' 60'

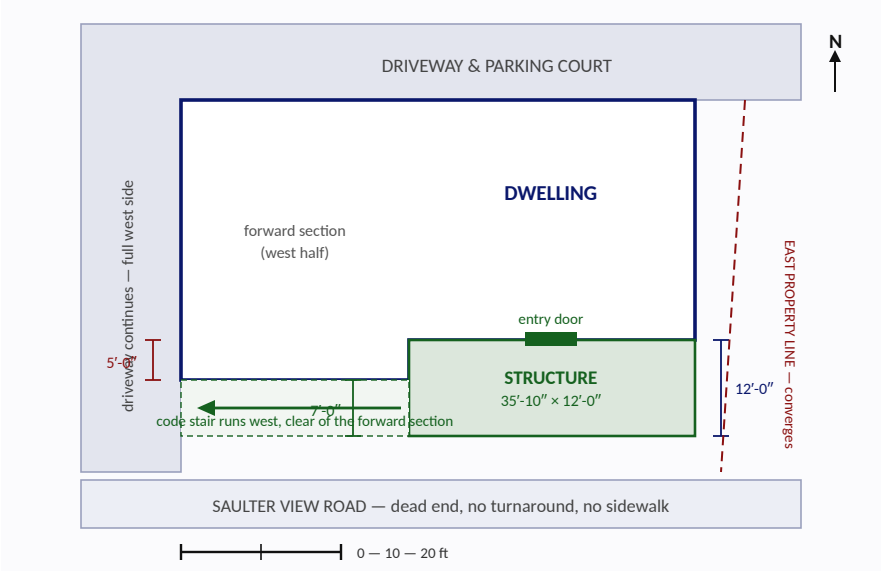
Job #: 26-348 GRAPHIC SCALE: 1" = 20'

Copyright ©

Exhibit — Alternatives Analysis

Each elevation of the dwelling tested as a location for the required entry landing and stair
1516 Saulter View Road, Homewood, Alabama · Lot 6, Johnson-Rast & Hays Addition to Wellington Woods, MB 107 Pg 13

IRC R311.3 requires the landing **at the door**. Its position is therefore fixed by the position of the principal entrance, and the only way to avoid a structure on the south elevation is to relocate that entrance to another face of the dwelling. Each elevation is tested below as an alternative location for it. Findings are taken from the sealed survey of 08/11/2026 unless otherwise noted.



Drawn to scale, 1 inch = 18 feet. Lot lines diagrammatic; dimensioned boundary geometry is on the sealed survey of 08/11/2026.

Elevation	Viable?	Condition found
North rear	**No**	The driveway and parking court span the entire rear of the dwelling and beyond. This is the lot's vehicular zone; there is no ground on which a landing and stair could stand. *Survey: concrete drive shown continuous across the full width north of the dwelling and past it on both sides.*
East	**No**	No door on this elevation. Grade runs across its face. The dwelling itself already stands 9.6 ft from the east property line at its north end and 9.2 ft at its south — inside the required 10 ft side setback for its full depth. A stair here would discharge at the property line. *Survey: 9.6′ and 9.2′ dimensions, east line bearing N 04°36′04″ E.*
West	**No**	The driveway spans the entire west side of the dwelling and is continuous with the parking court at the rear, so the vehicular zone wraps two full faces of the house. The only door on this elevation serves the **lower level** and opens onto that driveway at grade — a storey below the entrance at issue, which stands approximately 6 ft 6 in above grade on the south face. *Survey: concrete driveway shown continuous from the rear parking court down the full west side, 0.9′ out at the boundary; retaining wall noted.*
South front	**Only**	The only main-level door, standing approximately 6 ft 6 in above grade, on the footprint where a deck stood for approximately twenty years and where its original piers remain. The structure is that door's landing and egress. *Survey and site photographs; original piers photographed in place carrying the replacement posts.*

Consequence of relocation. Carrying the entrance to any other elevation does not avoid a structure — it relocates one. A stair discharging at a side property line would require a user to walk the length of the driveway, past the condenser and the gas meter, to loop the dwelling; or to turn back west along some seventy feet of new sidewalk to reach the point the existing stair already serves. Neither outcome places the landing outside a required yard, and both add impervious surface on a slope that is already eroding.

Referenced in the Statement of Hardship at finding (c) of Part I. Grade readings, the stepped south face and the convergence of the east property line are shown on the sealed survey of 08/11/2026 and on Exhibit B.

Statement of Hardship

Application for Variance — Front and Side Setback

Property: 1516 Saulter View Road, Homewood, Alabama

Legal description: Lot 6, Johnson, Rast & Hays Addition to Wellington Woods, Map Book 107, Page 13, Jefferson County

Applicant: Stewart Cato, owner · (205) 960-8333

Zoning district: NPD — Neighborhood Preservation District

Building permit: #BLDR-2026-1245   submitted August 18, 2026   status: in plan review

Relief requested, front: reduction to 26 feet 0 inches at the structure's closest point, measured from the front lot line of Lot 6 as shown on the attached sealed survey to the outermost point of any built element, including deck, stair, landing and footings. Relief is requested from BOTH: (1) the 35-foot building line shown on the recorded plat, Map Book 107, Page 13; and (2) the front setback as established for this property under Article VI, Sec. C(1) and under the district standards applicable in the NPD district, the Zoning Administrator having advised that the front setback here is determined by the neighboring front setbacks. The applicant takes no position on which requirement controls and requests relief from each, so that a single grant resolves the front setback in either case. The applicant further asks that the grant be sufficient to permit the structure in the location shown on that survey, whatever basis of measurement is applied to the front lot line.

As to the dimension: the survey places the dwelling's south wall 39.9 feet from the front line at its east end and the structure projects 12 feet 0 inches from that wall, but the front line is an arc — curve C1 on the survey, radius 439.75 feet — and it converges toward the dwelling as it runs east. The perpendicular distance from the structure's south face to that arc therefore varies continuously along its 35-foot 10-inch length, and the closest approach is not a figure the survey states directly. Relief is requested to 26 feet 0 inches so that the grant certainly encompasses that closest point, footings included, and no further application is required.

Relief requested, side: reduction of the east side setback to 8 feet 6 inches, measured to the outermost point of any built element including footings. The attached survey dimensions the dwelling's east wall at 9.6 feet from the east property line at its north end and 9.2 feet at its south. The structure, continuing that same wall line, stands 9.2 feet from the line where it meets the dwelling and 9.0 feet at its south end. Relief is requested to 8 feet 6 inches rather than 9 feet 0 inches so that the grant encompasses the footings, which project below grade beyond the rim, together with ordinary construction tolerance. The applicant asks the Board to grant to a dimension that certainly contains every built element, so that no further relief is required later.

Summary

The owner is renovating this property. A deck approximately twenty years old is being replaced in the same location, on its original piers and at its original height. The replacement is not an inch-for-inch replication of the prior deck: its east edge was set flush with the east wall of the dwelling, and the east footing was replaced where the original pier had eroded. The replacement is no larger than what stood

there before. A lower tier off the west edge has not been rebuilt, and its original footings remain in the ground.

The lot falls sharply from the street and continuously along the face of the house. The main-level entry door on the south face opens approximately six feet six inches above grade. Measured at the structure, grade lies 4 feet 2 inches below it at the northeast corner, 5 feet 4 inches at the southeast corner, and 9 feet 2 inches at the west end — a fall of five feet across the length of the structure. There is no at-grade location on this parcel where that door's required landing and stair can be placed, and no other elevation of the house can accept them. The deck is not an amenity added toward the street; it is the landing and egress for the home's principal entrance, in the location a deck has occupied for decades.

The relief sought is the minimum that allows that entrance to function.

Part I — Front Setback

Art. XI, Sec. B(3) of the Zoning Ordinance requires the Board to find that all of the following conditions exist. Each is addressed in order, first for the front setback and then, in Part II, for the east side setback.

(a) Extraordinary and exceptional conditions peculiar to the property — size, shape or topography.

The topography is the condition, and it is severe. The parcel falls steeply from the street frontage and continuously across the south face of the dwelling. Measured at the structure, grade lies 4 feet 2 inches below it at the northeast corner, 5 feet 4 inches at the southeast corner, and 9 feet 2 inches at the west end — a fall of five feet across the thirty-six-foot length of the structure. The main floor, where the principal entry door sits, stands approximately 6 feet 6 inches above grade. The lower level is partially below grade, and the depth to which it is buried changes continuously along its length. The dwelling itself records that fall. On the west elevation the lower level walks out at grade onto the driveway; on the south, directly above it, the main floor stands approximately six feet six inches above grade. One storey of this house is buried on one face and open on another.

The practical consequence is that this parcel has effectively no level, buildable outdoor area. Where a flatter lot in the same district accommodates a door landing at grade with no structure at all, this one requires an elevated platform simply to exit the front door. The ground forward of the dwelling — the public right-of-way sliver between the front lot line and the pavement, not the buildable lot — is too steep through most of its length to be crossed on foot, or to carry a sidewalk, without significant retaining systems; it flattens only as it approaches the driveway. It is not a route to anywhere: the street is a dead end, there is no sidewalk, and the strip connects to nothing.

This condition arises from the land. It predates the applicant's acquisition of the property and is not shared by the flatter parcels against which the setback standard was written.

(b) Granting the variance will not confer special privileges denied to other owners in the district.

The relief permits what other properties in the district enjoy without any variance at all: a functional, code-compliant means of entering and leaving the dwelling through its principal door.

The structure stands in the same location as the prior deck, on its original piers, and matches its original height. It is no larger than the prior condition, and it projects no further east than the dwelling's own east wall. A lower tier off the west edge has not been rebuilt, and its original footings remain in the

ground, showing the extent of what stood here before. No enclosed volume is created; the structure is uncovered and open in construction.

(c) Literal interpretation would deprive the applicant of rights commonly enjoyed by other owners in the district.

Strict compliance yields a strip between 4 feet 11 inches and 5 feet 6 inches deep along the face of the dwelling. That variation is not incidental. Two things produce it: the dwelling's south face is stepped, and the front line is an arc that converges toward the dwelling as it runs east. The compliant band is therefore neither uniform in depth nor continuous in line, and the principal entry door opens from the recessed eastern half, where the band is at its narrowest. What can be built within it is an egress path, and not an entrance.

The landing consumes most of the depth. IRC R311.3 requires a landing not less than 36 inches in the direction of travel at an exterior door, kept unobstructed. That requirement attaches to the door itself, not to how often it is used. Of the 4 feet 11 inches of compliant depth at the east end, 36 inches is spoken for; roughly 23 inches remain. That is less than the 36-inch minimum width of a stairway under IRC R311.7.1. No stair can therefore descend from the landing toward the street. The stair must turn and run parallel to the dwelling, within the same narrow band.

Running parallel, it consumes that band. The entry door stands approximately 6 feet 6 inches above grade, and grade falls five feet from the northeast corner of the structure to its west end. Taken at the steepest and tightest geometry IRC R311.7.5 permits — the maximum 7¾-inch riser and minimum 10-inch tread — a stair turning east climbs against that fall and reaches grade in 6 feet 8 inches of run; a stair turning west descends with it, so that the true rise at the foot of the stair exceeds eight feet, and it requires 10 feet 0 inches. With the 36-inch landing at the door, the egress path consumes between 9 feet 8 inches and 13 feet of the band's length, and the whole of its depth, together with the guard required by IRC R312.1 wherever the walking surface stands more than 30 inches above grade.

What strict compliance produces is therefore a passage, not an entrance. Quantified: the existing structure is 35′10″ × 12′0″, or 430 square feet. The landing and the westward stair take 156 inches of the compliant strip's length and the whole of its 4-foot-11-inch depth, leaving a residual porch of approximately 112 square feet — a loss of 318 square feet, or 74 percent of the existing structure. A single outdoor chair with a person seated requires roughly 6 feet. The residual cannot hold furniture and functions only as a walkway. Two of the five south-wall picture windows would open onto a stair run rather than usable porch.

Nor does building nothing avoid construction in the front setback. The entry door stands approximately 6 feet 6 inches above grade whether or not a deck exists. IRC R311.3 still requires a landing at that door and IRC R311.7 a stair to grade, with the handrails, guards and footings that attend them — an elevated structure on a falling slope, within the same setback, at most of a deck's cost and with none of its use. Because the compliant stair must turn and run west, it reaches grade well west of the point the existing stair serves, and roughly forty linear feet of new hardscape — a brick stair, a landing and thirty-five feet of sidewalk — would be required to reconnect the principal entrance to the driveway. The footprint of the original staircase lies directly across the path that new walkway must occupy, and the ground it would cross falls too steeply to be walked without retaining — not a single wall but tiered walls, with walks between them, drainage to carry the water the cut would concentrate, and rooted ground cover to hold the face against erosion. What strict compliance requires is therefore not a length of pavement but a graded, retained and replanted slope: a site-engineering project larger and more costly than the

structure it would replace. Strict compliance does not avoid a structure in the front setback; it only makes the structure useless.

No other elevation can take the landing and stair. The north elevation is the driveway and parking court, which occupies its full width. The west elevation is spanned by the driveway for its full length, continuous with the parking court at the rear, so the vehicular zone wraps two full faces of the dwelling. Its only door serves the lower level and opens onto that driveway at grade — which is itself a measure of the fall across this parcel: the lower level walks out at grade on the west while the main floor stands six feet six inches above grade on the south. That lower door is a storey below the entrance at issue and cannot serve it. The east elevation has no door, and grade runs across its face inside the ten-foot side setback. Moving the entrance to any of them would discharge a stair at a side property line and require a user to walk the length of the driveway, past the condenser and the gas meter, to loop the dwelling — or to turn back west along some seventy feet of new sidewalk to reach the point the existing stair already serves.

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

The purposes a front setback serves — light, air, separation, and open street frontage — are preserved. The structure is uncovered and open in construction. It adds no height over the prior condition and no enclosed volume. It does not obstruct sight lines, alter drainage patterns, or affect any adjoining property's light or air.

The separation a front setback exists to create is present here in fact, and it is permanent. Between the front lot line and the pavement lies an easement strip that cannot be built upon and cannot be occupied: it is too steep through most of its length to carry a walk of any kind without significant retaining, it serves no sidewalk and leads nowhere, and holding a cut in it would require tiered retaining, drainage and rooted ground cover. That strip will remain open ground whatever the Board decides. The distance between the structure and the traveled way is therefore substantially greater than the setback dimension describes, and topography rather than regulation guarantees it will stay that way. The applicant does not suggest this satisfies the setback as measured; the point is that the objective the setback serves is already secured.

The character of the street supports the same conclusion. Saulter View Road is a dead end. It terminates without a turnaround, and this dwelling stands second from its end, so the frontage carries almost no movement beyond the residents of the last two lots. There is no through traffic to screen, no intersection sight line to keep clear, and no sidewalk the structure could crowd. The open frontage a front setback is meant to protect is under no pressure here.

Strict compliance would be the more injurious course. The slope forward of the dwelling is actively eroding — erosion took the original pier at the structure's east corner. Carrying a code stair, landing and some forty feet of walkway across that slope means cutting into it, retaining it in tiers, and replanting to hold the cut. The variance leaves the slope undisturbed. Between the two outcomes it is the variance, not compliance, that better protects the general welfare.

Owners of the other lots in the recorded plat have signed statements of no objection, attached as exhibits.

(e) The special circumstances are not the intended result of the applicant's actions.

The circumstance that creates the hardship is the slope, and it predates the applicant's purchase of the property. The grade beneath and forward of the structure was not created, altered or worsened by any action of the applicant: no fill was placed, no cut was made and no regrading occurred there.

The prior deck's location and footprint likewise predate acquisition. The applicant did not choose to place a structure within the front setback; he replaced a deteriorated structure where one already stood.

The applicant separately acknowledges a construction-sequencing error: a permit application was pending and framing proceeded ahead of issuance. On identifying the setback conflict, the owner halted all deck work and initiated this request. No finish, occupancy, or concealment work has proceeded. That error concerns the timing of the work. It is not the source of the hardship, which is the topography of the land.

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

The relief requested is the least that permits the entrance to function as an entrance. The Strict Compliance Alternative exhibit draws the compliant strip to scale with the landing, stair and guard the building code requires, and the 112 square feet of residual that survives them. The structure's dimensions are not chosen for advantage. Its depth is dictated by the dwelling itself. The south face is stepped: the western half of the house projects five feet further south than the eastern half, and the structure sits against the recessed eastern half. A platform five feet deep or less would dead-end against the projecting western half. Only depth beyond those five feet lets the stair pass in front of it and reach grade. The 12-foot depth that does so is the depth of the prior structure and of the original piers on which it is rebuilt, and its height matches the prior structure's. The applicant does not seek, and will not construct, anything closer to the front line than the 26 feet 0 inches of relief requested.

The applicant offers, as a condition of approval, that no part of any structure on this parcel stand closer to the front line than 26 feet 0 inches, and that the relief not be usable in future setback computations.

(g) No non-conforming use of neighboring lands, structures or buildings is offered as grounds.

The applicant does not rely on the condition of any neighboring property as a basis for this request. This statement rests solely on the topography of this parcel, the code requirements applicable to this dwelling's entrance, and the prior condition of this lot. The reference in the request above to neighboring front setbacks is not offered as a ground for the variance; it identifies the method by which the City has advised the applicable setback is determined, and is included only so that the relief granted reaches whichever requirement controls.

(h) The variance will not allow the permanent establishment of a use not permissible in the district.

The use is residential and permitted in this district. An uncovered deck serving a single-family dwelling is an ordinary and permitted use. Only the location of the structure relative to the front setback line is at issue — not the use itself.

Part II — East Side Setback

The findings required by Art. XI, Sec. B(3) are addressed below as they apply to the east side setback. Where a finding rests on facts already stated above, it is not repeated.

The controlling fact is this: the structure's east edge is flush with the east wall of the dwelling. It does not project one inch further east than the house itself. The dwelling stands 9.6 feet from the east property line at its north end and 9.2 feet at the south, because the east property line converges as it runs south. The structure, continuing that same wall line, therefore lies 9.2 feet from the line where it meets the dwelling and 9.0 feet at its south end. The encroachment is produced by the convergence of the property line, not by anything built eastward.

(a) Extraordinary and exceptional conditions peculiar to the property — size, shape or topography.

The condition is the shape of the parcel. The east property line is not parallel to the dwelling; it converges southward, so the distance from the dwelling's own east wall to that line diminishes along the building's length. The dwelling itself stands within ten feet of that line for its full depth. Any structure built flush with the dwelling's east wall is therefore nonconforming as a matter of geometry, irrespective of its size, and the condition worsens with every foot travelled south. This is a condition of the lot's shape and of the dwelling's position on it, both of which predate the applicant's acquisition.

(b) Granting the variance will not confer special privileges denied to other owners in the district.

No privilege is conferred, because nothing is gained. The structure occupies the same east line as the dwelling it serves. It takes no land, light, air or outlook from the adjoining parcel that the dwelling does not already take. The owner of the adjoining lot has signed a statement of no objection, attached as an exhibit.

(c) Literal interpretation would deprive the applicant of rights commonly enjoyed by other owners in the district.

To comply, the structure would have to be inset from the dwelling's own east wall by the difference between the ten feet required and the 9.0 feet available at its south end — roughly twelve inches — producing a jog in the principal facade and a structure narrower than the house it serves. No other owner in this district is required to build a deck narrower than the dwelling's own footprint in order to serve that dwelling's entrance. The inset would also displace the privacy wall shown on the drawings for permit #BLDR-2026-1245 and require removal of the east footing, which has already been replaced.

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

The purposes a side setback serves — separation between dwellings, light, air and access — are unaffected. The structure is uncovered, open in construction, and adds no enclosed volume and no height over the prior condition. It stands no closer to the adjoining parcel than the dwelling itself. Separation between the two dwellings is unchanged by this request.

(e) The special circumstances are not the intended result of the applicant's actions.

The applicant did not place the dwelling, did not fix the east property line, and did not choose the structure's location. A deck stood in this location for approximately twenty years, and the new structure sits on its original piers. Its east edge was set flush with the dwelling's east wall rather than replicating the prior deck's edge precisely, and the east footing was replaced because the original pier at that corner had eroded. The erosion is itself a product of the slope and drainage across this parcel. Neither choice created the deficiency: the dwelling itself stands within ten feet of the east line for its full depth, so any structure built flush with its east wall is nonconforming as a matter of geometry, whatever its edge replicates. The convergence of the property line and the position of the dwelling upon the lot both

predate acquisition. The deficiency is measured in inches and arises from geometry the applicant inherited.

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

The relief requested is the amount by which the property line converges relative to the dwelling's own east wall, together with a margin that encompasses the footings, which project below grade beyond the rim. Nothing is sought east of the dwelling's wall line. The applicant offers, as a condition of approval, that no part of any structure stand closer to the east line than 8 feet 6 inches.

(g) No non-conforming use of neighboring lands, structures or buildings is offered as grounds.

The applicant does not rely on the condition of any neighboring property. This request rests on the shape of this parcel, the position of this dwelling upon it, and the prior condition of this lot.

(h) The variance will not allow the permanent establishment of a use not permissible in the district.

The use is residential and permitted. An uncovered deck serving a single-family dwelling is an ordinary and permitted use. Only the location of the structure relative to the side setback line is at issue.

Grounds Not Advanced

Per Art. XI, Sec. B(4), the applicant does not offer and does not rely upon increased financial return from the land, personal or economic hardship, or financial loss of a kind common to other owners in the district. The construction-sequencing error acknowledged at (e) above concerns the timing of the work; it is not offered as, and is not, the source of the hardship, which is the topography and shape of the land.

Conditions Offered

The applicant offers the following conditions and asks that any grant be made subject to them. They are stated here so that the Board may attach them to its action.

1. The relief is dimensional and self-limiting. No part of any structure on this parcel will stand closer than 26 feet 0 inches to the front line or 8 feet 6 inches to the east line, measured to the outermost point of any built element including footings. The applicant asks that the relief not be usable in any future setback computation.
2. No relief is sought from the west side setback, and none will be created. All work at the west end — the stair and landings the building code requires, and any restoration of the lower tier that previously stood there — will stand within the footprint of the structure that previously stood there, which the original footings, still in the ground, establish on the site, and will comply with the required west side setback in full.
3. The structure remains unenclosed and unconditioned and will not be converted to enclosed or heated living space. Guards, handrails and the privacy screen shown on the drawings for permit #BLDR-2026-1245 are not enclosure for this purpose.
4. The remaining work is completed under permit #BLDR-2026-1245 and is subject to final inspection.

Exhibits

1. Survey — boundary survey of Lot 6 by Clinkscales Land Surveying, dated August 11, 2026, sealed
2. Survey with structure plotted — structure dimensioned, east edge shown flush with the dwelling's east wall, closest point to each of the front and east lines dimensioned
3. Deck drawing — the contractor's drawing of the structure, showing its dimensions and construction
4. Site photographs — the prior structure in place and during removal, the original piers, the measured fall of grade at four points, and the east side passage
5. East elevation photographs — structure's east edge shown continuous with the dwelling's east wall, and the east footing
6. Prior-footprint evidence — the original piers photographed in place beneath the structure, carrying replacement posts
7. Listing and pre-demolition photographs of the prior deck, showing its greater extent and its lower tier and stair at the west end
8. Strict Compliance Alternative exhibit (Exhibit B) — plan view drawn to scale showing the residual 4'-11" × 22'-10" porch, the required 36-inch landing and stair, the new hardscape strict compliance forces, and the original staircase footprint in overlay
9. Alternatives analysis — each elevation of the dwelling tested as a location for the required entry landing and stair
10. Signed statements of no objection from the owners of the other lots in the recorded plat
11. Recorded plat, Map Book 107, Page 13, showing the 35-foot building line

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Respectfully submitted,

Date: 11/3/26

Stewart Cato, Owner and Applicant

Statement of No Objection

1516 Saulter View Road — Lot 6, Johnson, Rast & Hays Addition to Wellington Woods (Map Book 107, Page 13)

The owner of 1516 Saulter View Road has replaced a deck within the footprint of the deck that stood there previously, and is seeking relief from the 35-foot front setback and from the side setback as they apply to that lot.

Each person signing below is an owner of the property listed with their name and has no objection. The deck does not affect their property's privacy, light, views, or use.

OWNER 1

1521 Saulter View Road, Birmingham, AL 35209 — Lot 2
Property address — Lot no.

Brax Belville — 9-27-26
Printed name(s) — Date

Signature — Co-owner signature (if any)

OWNER 2

1512 Saulter View Rd. 1512, Birmingham. AL. 35209 — Lot 5
Property address — Lot no.

Hiromi Kubagawa — 09/27/2026
Printed name(s) — Date

Signature — Co-owner signature (if any)

OWNER 3

1511 Saulter View Rd, Homewood AL 35209 — 1511 — Lot 4
Property address — Lot no.

Ashley Gilbert Sara Gilbert — 9.27.26
Printed name(s) — Date

Signature — Co-owner signature (if any)

OWNER 4

1517 Saulter View Rd Homewood, AL 35209 — Lot 3
Property address — Lot no.

Jane B. Keith — 9-27-26
Printed name(s) — Date

Signature — Co-owner signature (if any)

Provided for the information of the City of Homewood and neighboring owners.

Statement of No Objection

1516 Saulter View Road — Lot 6, Johnson, Rast & Hays Addition to Wellington Woods (Map Book 107, Page 13)

The owner of 1516 Saulter View Road has replaced a deck within the footprint of the deck that stood there previously, and is seeking relief from the 35-foot front setback and from the side setback as they apply to that lot.

Each person signing below is an owner of the property listed with their name and has no objection. The deck does not affect their property's privacy, light, views, or use.

OWNER 1

1520 SAULTER VIEW RD — Property address
7 — Lot no.

BRENT DORNER — Printed name(s)
9/28/26 — Date

Signature
Sarah Dorner — Co-owner signature (if any)

OWNER 2

1525 SAULTER VIEW RD — Property address
1 — Lot no.

JOHN CARL HASTINGS — Printed name(s)
9/28/26 — Date

Signature
Co-owner signature (if any)

OWNER 3

1524 Saulter View Rd — Property address
8 — Lot no.

G. Matthew Keenan — Printed name(s)
9/28/26 — Date

Signature
Co-owner signature (if any)

OWNER 4

1529 Saulter View Rd — Property address
9 — Lot no.

Brian Bostick — Printed name(s)
9/27/26 — Date

Signature
Co-owner signature (if any)

Provided for the information of the City of Homewood and neighboring owners.

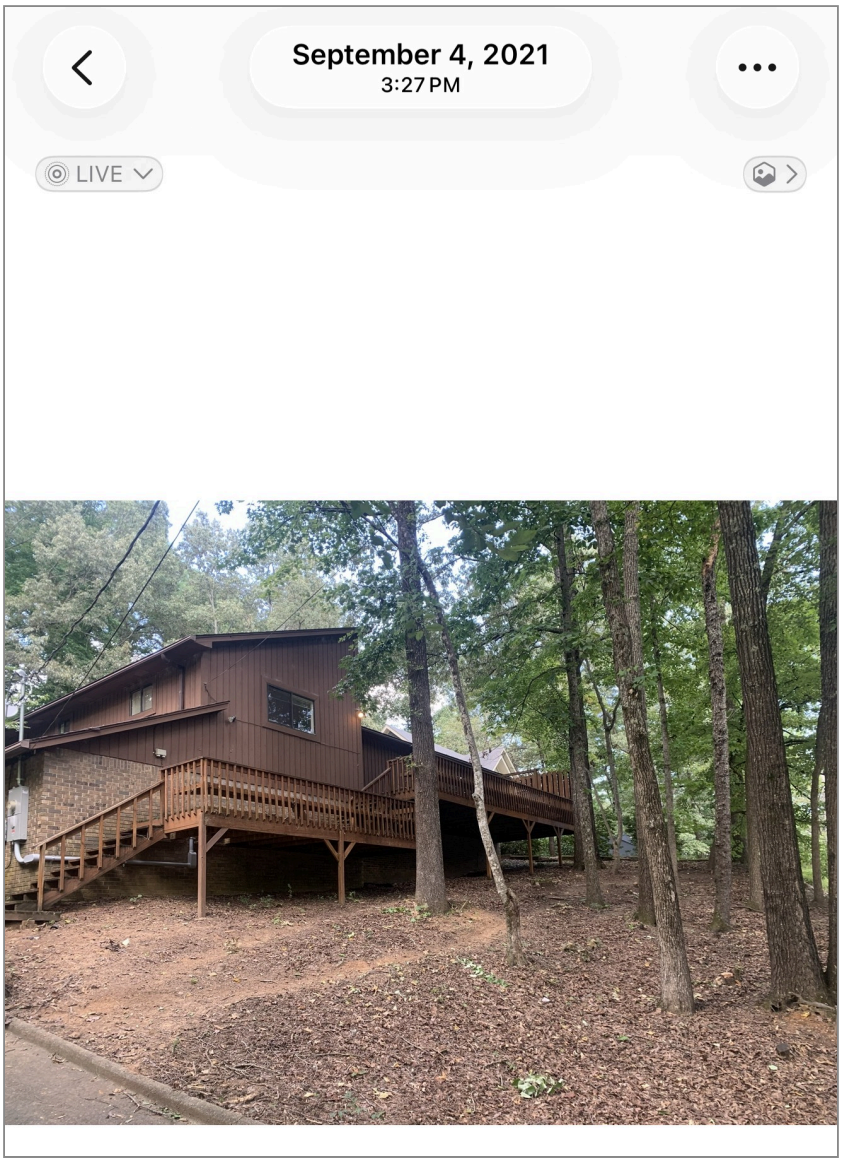
Exhibit — Site Photographs

1516 Saulter View Road, Homewood, Alabama · Lot 6, Johnson, Rast & Hays Addition to Wellington Woods, Map Book 107, Page 13 · Permit #BLDR-2026-1245

Part A — The Prior Structure

A deck stood on this footprint for approximately twenty years, with its stair descending at the west end. These photographs record it in place and during its removal.

PHOTOGRAPH 1



The prior deck, photographed September 4, 2021. The structure spanned the south face on posts above a falling grade, with its stair descending at the west end. The structure now in place occupies this footprint.

PHOTOGRAPH 2



The prior deck from the east, in a listing photograph. The east edge of the deck is flush with the dwelling's east wall; the structure runs west above a falling grade on posts and piers, with its lower tier and stair at the far end.

PHOTOGRAPH 3



The prior deck from the west, with the Saulter View Road pavement at lower left. The structure spanned the south face above a falling grade; its stair descended at the west end.

PHOTOGRAPH 4



The prior deck's west stair, descending to a brick landing at grade. This is the stair alignment shown in overlay on the Strict Compliance Alternative exhibit — the alignment that is eliminated if the structure is held behind the building line.

PHOTOGRAPH 5



The prior deck at the principal entry door. The door opened onto the deck then, as it does now. There is no at-grade landing at this door and never has been.

PHOTOGRAPH 6



The prior deck during removal, viewed from inside the dwelling. Original joists and the west stair remain in place. Saulter View Road is visible beyond.

PHOTOGRAPH 7



Beneath the prior deck. The brick lower level, the original posts and piers, and the fall of grade the structure spans.

Part B — The Original Piers

The structure now in place is carried on the piers of the deck that preceded it. The pads are original; only the posts and bases are new.

PHOTOGRAPH 8



Original piers beneath the structure, carrying replacement posts. The pads are the prior structure's; only the posts and bases are new.

PHOTOGRAPH 9



Original pier, chipped and weathered, carrying a replacement post. Fastener holes from the prior post remain in the pad.

PHOTOGRAPH 10



Original pier, weathered and lichened, carrying a replacement post.

Part C — The Fall of Grade

Measured drop from the structure to grade at four points. Grade falls five feet across the face of the building, from 4'-2" at the northeast corner to 9'-2" at the west end.

PHOTOGRAPH 11



At the dwelling wall. 76 inches from grade to the underside of the deck framing; the entry door sill stands a few inches above that — approximately 6 feet 6 inches above grade.

PHOTOGRAPH 12



Northeast corner of the structure, at the dwelling wall: 4 feet 2 inches. This is the shallowest point on the face.

PHOTOGRAPH 13



Southeast corner, at the structure's outer edge: 5 feet 4 inches. Grade has already fallen 14 inches over the structure's 12-foot depth.

PHOTOGRAPH 14



West end, read at a pier. Detail of the measurement shown in the following photograph.

PHOTOGRAPH 15



West end: 9 feet 2 inches. The structure from beneath, looking along its length. Grade falls five feet from the northeast corner to this point, and the posts lengthen accordingly.

Part D — Other Elevations

Conditions elsewhere on the parcel, relevant to the alternatives tested in the Statement of Hardship.

PHOTOGRAPH 16



The driveway and parking apron, occupying the full width between the retaining wall and the dwelling. There is no width here for a landing and stair, and building one would eliminate the only vehicular access on the parcel.

PHOTOGRAPH 17



The east side passage. The air-conditioning condenser and service equipment stand between the dwelling and the retaining wall. This is the route by which the street would be reached from a stair discharging at the east end.

PHOTOGRAPH 18



The east side passage, looking toward the rear. The gas meter and air-conditioning condenser stand against the dwelling; the neighbouring property is beyond the timbers at right.

Photographs from the applicant's records. The dated photograph in Part A carries its capture date as recorded by the camera. Measurements in Part C are shown with the tape in frame.