



**Vestavia Hills
Board of Zoning Adjustment Agenda
June 19, 2025
6:00 PM**

1. Roll Call
2. Approval Of Minutes
3. BZA-25-9 **Ryan Farrell** is requesting a **Front Setback Variance** for the property located at **509 Montgomery Hwy.** The purpose of this request is to reduce the front setback to 20' in lieu of the required 50', to build a cover for an existing deck. The property is owned by City of Vestavia Hills and is zoned **Vestavia Hills R-2.**
4. BZA-25-10 **Allen Corey** is requesting a **Variance for Location of Fence in the Front Setback** for the property located at **3900 Asbury Park Circle.** The purpose of this request is to build a privacy fence in the front setback. The property is owned by Allen Corey and is zoned **Vestavia Hills R-8.**
5. BZA-25-11 **Samantha Parr** is requesting a **Front Setback Variance** for the property located at **4220 Milhaven Drive.** The purpose of this request is to reduce the front setback to 29' in lieu of the required 50', to expand the living room and build a covered front porch. The property is owned by Bob Summerville and is zoned **Vestavia Hills R-2.**
6. BZA-25-12 **Ryan Stechmann** is requesting a **Side Setback Variance** for the property located at **4008 Meadowview Circle.** The purpose of this request is to reduce the side setback to 8' in lieu of the required 10', to enclose a carport for an already nonconforming house. The property is owned by Ryan Stechmann and is zoned **Vestavia Hills R-4.**
7. BZA-25-13 **Michael Eric Dale** is requesting a **Front Setback Variance, Side Setback Variance, & Variance For Location of Fence in Front Setback,** for the property located at **2126 Shades Avenue.** The purpose of this request is to reduce the front setback to 15' in lieu of the required 50', to reduce the side setback to 13' in lieu of the required 15' (to build a large addition), and to build a fence within the front setback. The property is owned by Jennifer & Kevin McCain and is zoned **Vestavia Hills R-3.**
8. Time Of Adjournment

CITY OF VESTAVIA HILLS
BOARD OF ZONING ADJUSTMENT
MINUTES

May 15, 2025

The Board of Zoning Adjustment of the City of Vestavia Hills met in regular session on this date at 6:00 PM. The roll was called with the following:

MEMBERS PRESENT:

- Rick Rice, Chairman
- Stephen Greer
- Loring Jones
- Marty Martin, Alt
- Vinay Patel, Alt
- Tony Renta

MEMBERS ABSENT

- Thomas Parchman

OTHER OFFICIALS PRESENT:

- Jack Wakefield, Planner/GIS

APPROVAL OF MINUTES

The minutes of April 17, 2025 were presented for approval.

MOTION Motion to dispense with the reading of the minutes of April 17, 2025 was made by Mr. Jones (with condition that Mr. Wakefield amends the motion to adjourn from the previous hearing) and 2nd was by Mr. Patel. Motion as carried on a voice vote as follows:

- Mr. Greer – yes
- Mr. Jones – yes
- Mr. Martin – yes
- Motion carried.
- Mr. Patel – yes
- Mr. Renta – yes
- Chairman Rice – yes

REAR SETBACK VARIANCE

BZA-24-29 **Brian Rooks** is requesting a **Rear Setback Variance** for the property located at **3923 Westminster Lane**. The purpose of this request is to reduce the rear setback to 10' in lieu of the required 20', to cover patio area in backyard. The property is owned by Keith Windle and is zoned **Vestavia Hills R-6**.

Mr. Wakefield explained that this is a rehearing from the last month.

Keith Windle, 3923 Westminster Lane, was present again for the case and stated that he is looking to cover his back patio area. Because of the setbacks extending all the way to the house on all sides, this is the only area he can have a covered space. He also spoke again to the three items (size, shape, topography) needed for a hardship. He stated that the size of the lot prevents him any addition, because the setbacks meet right at the edge of the house. He stated the lot is narrow, thus the shape of the lot limits buildable area. Finally, he said the lot itself is flat, but immediately at the rear of his lot the topography goes straight up. He stated that there's no option to buy more land and extend the lot lines to allow more space.

Chairman Rice asked if this would be air conditioned?

Mr. Windle said it would not be enclosed for air conditioning.

Chairman Rice then asked what Mr. Windle's hardship was.

Mr. Windle spoke to the three items (size, shape, topography) needed for a hardship. He stated that the primary factor is the size of the lot. He said any other improvements would require a variance, because of the lot size. He stated the lot is narrow, thus the shape of the lot limits buildable area. He also said that all the lots in this neighborhood have the same lot constraints, while also having similar structures.

Chairman Rice stated he is struggling to see a hardship and asked if there are any topography issues.

Mr. Windle stated that there are three factors, and topography is one of them, but the ordinance reads "or" and not "and". Size is one of the factors.

Mr. Jones said he viewed this as a self-imposed hardship because the applicant bought the lot knowing the constraints.

Mr. Windle challenged that just because he bought the lot, the issue is self-imposed. If that were the case, every other person coming for a variance would be buying into those constraints.

Mr. Martin then read the ordinance for variance hardship, and stated that it is imperative to read the rest of the sentence... "that are not applicable to other lands or structures in the same district." That his lot is comparable to other lots in the same district.

Mr. Windle said he didn't know the definition of district there, but he said there are lots in Cahaba Heights that are large enough for a 20' setback, with room for an addition.

Mr. Wakefield said "district" means zoning district. In this case, R-6.

Chairman Rice asked Mr. Wakefield if a removable awning would be allowed.

Mr. Wakefield read the language on the definition of a “building” and “structure” from the Zoning Code.

Mr. Jones said we must address the hardship to be able to approve this variance.

Mr. Windle stated that size is one of the factors and this statutory board must entertain an argument to size of the lot being a hardship.

Mr. Renta mentioned that this lot is already over the minimum square feet in lot area required for an R-6 zoned lot. Meaning size isn't a factor since it meets the minimum lot area for the zoning.

There being no one else present in regard to the request; Chairman Rice closed the public hearing and opened the floor for a motion.

MOTION Motion to APPROVE a 10' Rear Setback Variance to Reduce the Setback to 10' in Lieu of the Required 20', was made by Mr. Renta and 2nd was by Mr. Martin. Motion was carried on a roll call vote as follows:

Mr. Greer – no	Mr. Patel – no
Mr. Jones – no	Mr. Renta – no
Mr. Martin – no	Chairman Rice – no
Motion denied.	

At 6:28 PM, Mr. Jones made a motion to adjourn. The meeting adjourned at 6:28 PM.

Jack Wakefield, Planner/GIS



VESTAVIA HILLS

Board of Zoning Adjustment Planners Report

MEETING DATE

June 19, 2025

AGENDA ITEM

BZA-25-9 **Ryan Farrell** is requesting a **Front Setback Variance** for the property located at **509 Montgomery Hwy.** The purpose of this request is to reduce the front setback to 20' in lieu of the required 50', to build a cover for an existing deck. The property is owned by City of Vestavia Hills and is zoned **Vestavia Hills R-2.**

BACKGROUND

30' Front Setback Variance to Reduce the Setback to 20' in Lieu of the Required 50'.

PLANNER'S REVIEW/RECOMMENDATION

This is a request for a covered porch on the side of Vestavia Fire Station 1. This is an existing deck and the covering would allow consistent use. The applicant contends the corner lot causes a hardship. There is no space for a covered outdoor area, except this location. This is zoned Vestavia Hills R-2.

ATTACHMENTS

1. Application
2. Survey
3. Drawing
4. Drawing
5. Owner's Affidavit

Jack Wakefield
City Planner

BZA-25-9

Variance Application
Status: Active
Submitted On: 5/2/2025




Primary Location

509 MONTGOMERY HWY
VESTAVIA HILLS, AL 35216


Owner

City Of Vestavia Hills
Montgomery Highway 509 Vestavia Hills , AL 35216

Applicant

 Ryan Farrell
 205-978-0218
 rfarrell@vhal.org
 1032 Montgomery Highway
Vestavia Hills , AL 35216

Agenda Information

 **Agenda Scheduling**

June 2025

 **Comments/Delay/Explanation**

Applicant Information

I am filling this out as the
Representative Agent

Billing/Responsible Party

Name

Jeff Downes

Phone #

205-978-0195

Address

1032 Montgomery Highway

City/State/Zip

Vestavia Hills, AL 35216

Email

jdownes@vhal.org

Representing Attorney/Other Agent

Name

Ryan Farrell

Phone #

205-978-0218

Address

1032 Montgomery Hwy

City/State/Zip

Vestavia Hills, AL 35216

Email

rfarrell@vhal.org

Subject Property Information

Subject Property Address

509 Montgomery Hwy

Legal Description of Subject Property

<legend style="color: rgb(0, 0, 0); font-family: verdana, arial; font-size: 10.6667px; font-style: normal; font-variant-ligatures: normal; font-variant-caps: normal; font-weight: 400; letter-spacing: normal; orphans: 2; text-align: start; text-indent: 0px; text-transform: none; widows: 2; word-spacing: 0px; -webkit-text-stroke-width: 0px; white-space: normal; text-decoration-thickness: initial; text-decoration-style: initial; text-decoration-color: initial;">**LEGAL DESCRIPTION**</legend>

SUB DIVISON1: BEACON HILL 4TH ADD RES	MAP BOOK
SUB DIVISON2:	MAP BOOK
PRIMARY BLOCK:	SECONDAR
PRIMARY LOT: 2	SECONDAR
METES AND BOUNDS: LOT 2 RESURVEY OF LOTS 4,8,9,10,11 & 12 FOURTH ADDITION TO BEACON HILL PB 241 PG 82	

REASONS FOR REQUEST

Front Setback Variance

Setback Required*

50'

Setback Requested*

20'

Rear Setback Variance

Side Setback Variance

Setback Required*

na

Other Setback Variance

Lot Area Variance

Lot Width Variance

Variance for location of a fence.

Sign Code Variance

A decision of the Zoning Official which the applicant believes to be contrary to the meaning of the Zoning Ordinance.

Other

ZONING

Vestavia Hills Zoning for the subject property is
unknown

PROJECT

Describe the scope of the project and/or the reason for requesting this variance.*

We would like to cover an existing deck.

HARDSHIP

Please answer the following questions regarding hardship and briefly summarize and describe those things which you feel justify the action requested in the box below. An Undue Hardship is required in order to seek a variance. List, when necessary, the specific sections of the City Code(s) which have a bearing on your request. (Use additional space on separate page if necessary).*

Corner lot causes a hardship. The lot also is very oddly shaped in the rear.

Before any variance is granted, the BZA must find that ALL of the following conditions exist. Please describe each of the following details in order for the BZA to determine if these warrants the described hardship.

1. 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 the other lands or structures in the same district. Please explain:*

Corner lot causes a hardship. The lot also is very oddly shaped in the rear.

2. 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. Please explain:*

This variance, if approved, will not.

3. All literal interpretations of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by others of property in the district in which the property is located. Please explain:*

The odd shape of the lot and corner lot, limits buildable area that most lot owners enjoy.

4. 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. Please explain:*

This will not injure anyone in the community. This is just a cover over an existing raised deck.

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

This is not a self imposed hardship.

6. The variance requested is the minimum variance that will make possible the legal use of the land, building or structure. Please explain:*

This is only extending to the parameters of the existing raised deck.

7. The 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.

8. That a 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.*


Use will not change.

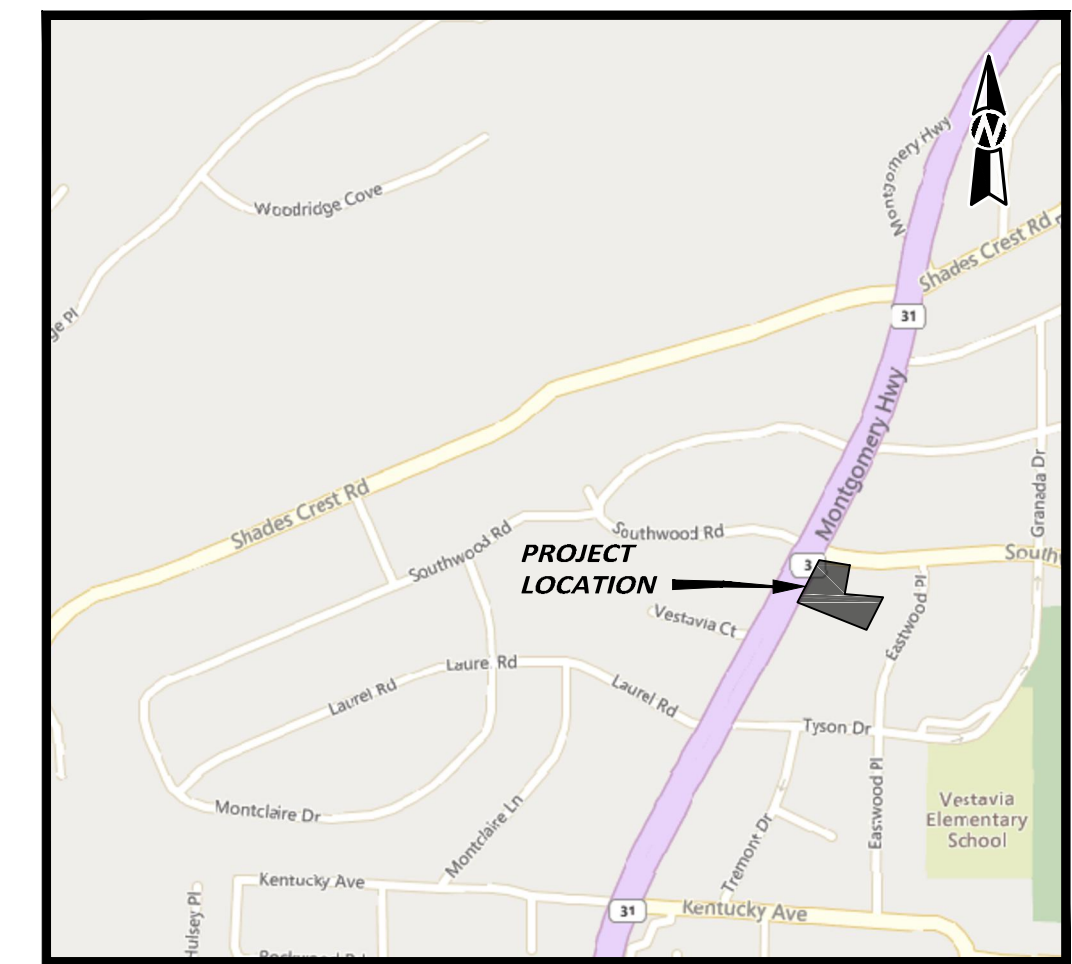
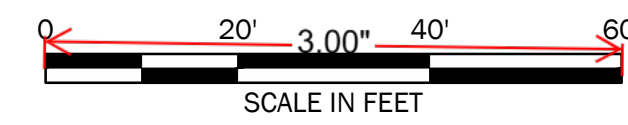
NOTE: In proving that an unnecessary hardship has been imposed on the property as a result of the strict interpretation of this Ordinance, the following conditions cannot be considered pertinent to the determination of whether or not an unnecessary hardship exists: (1) proof that a variance would increase the financial return from land; or (2) personal or economic hardship; or (3) self-imposed hardship. In other words, hardship alone is not sufficient to permit a variance. It must be an "unnecessary hardship." Mere financial loss of a kind, which might be common to all of the property owners in a district, is not an "unnecessary hardship."

OWNER AFFIDAVIT

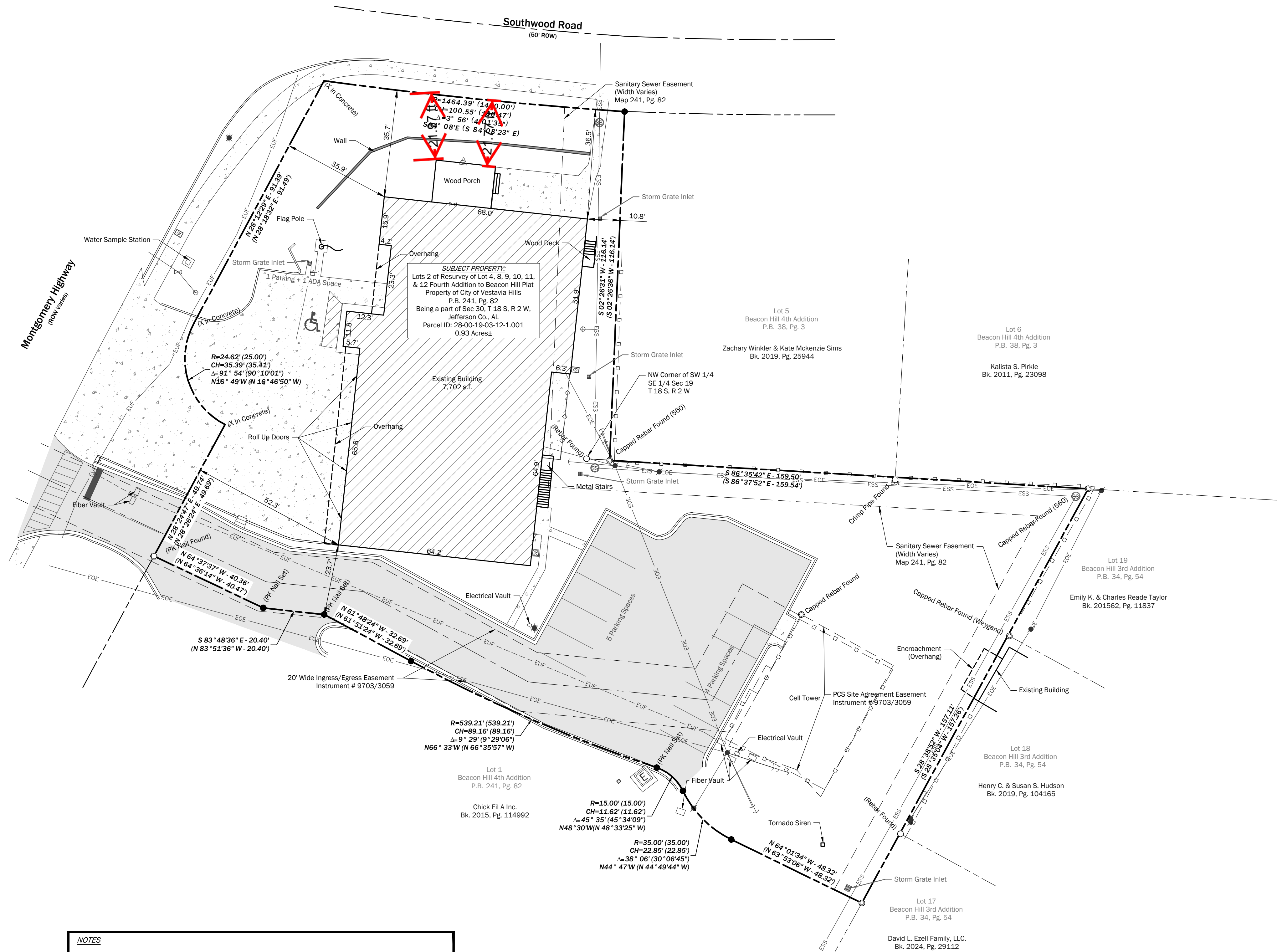
I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing. Simultaneously with the submittal of this application, I am hereby submitting a notarized affidavit signed by the owner of the property in the attachments section of this application. NOTE: Applications cannot be processed without the notarized owners affidavit. Owners authorization may be found on our main page.

Representing Agent Signature 

 Ryan Farrell
May 2, 2025



VICINITY MAP
NO SCALE



NOTES

- All angles and distances for a curve are to their respective chords. All bearings are to Grid North as established by global positioning.
- Not all underground utilities are shown hereon. Utilities that are shown are approximate from observed evidence, available utility plans, and underground utility markings as provided through an Alabama §11 locate request at time of survey. No guarantee or warranty of the accuracy of the location of underground utilities is hereby implied. Utilities should be verified onsite prior to any construction or digging.
- Zoning: Unknown
- Parking: 11 total striped spaces (10 regular + 1 ADA) located on site.
- No portion of the survey limits lies within any special flood hazard area from information as depicted on FEMA Flood Panel 01073C0558 J, effective September 24, 2021.

SURVEY LEGEND

---	EXISTING BOUNDARY LINE
- - - -	EXISTING RIGHT-OF-WAY
- · - · -	EXISTING PROPERTY LINE
- · - · - · - · -	EXISTING SUBDIVISION LOT LINE
- · - · - · - · - · -	EXISTING CHAIN LINK FENCE
- · - · - · - · - · - · -	EXISTING IRON FENCE
- · - · - · - · - · - · - · -	EXISTING WIRE FENCE
- · - · - · - · - · - · - · - · -	EXISTING WOOD FENCE
- · - · - · - · - · - · - · - · - · -	EXISTING CONTOUR 5' INTERVAL
- · - · - · - · - · - · - · - · - · - · -	EXISTING CONTOUR 1' INTERVAL
× EX:150.0	EXISTING SURFACE ELEVATION
ESS	EXISTING SANITARY SEWER MAIN
FM	EXISTING SANITARY SEWER FORCE MAIN
ESD	EXISTING STORM DRAIN
EW	EXISTING WATER MAIN
EGM	EXISTING GAS MAIN
EDE	EXISTING OVERHEAD ELECTRICAL
EUE	EXISTING UNDERGROUND ELECTRICAL
EOC	EXISTING OVERHEAD CABLE TELEVISION
EUC	EXISTING UNDERGROUND CABLE TELEVISION
EOT	EXISTING OVERHEAD TELEPHONE
EUT	EXISTING UNDERGROUND TELEPHONE
ETS	EXISTING TRAFFIC SIGNAL LINE
EUF	EXISTING UNDERGROUND FIBER OPTIC
ESM	EXISTING SANITARY SEWER MANHOLE
ESC	EXISTING SANITARY SEWER CLEANOUT
ESD	EXISTING STORM MANHOLE
ESD	EXISTING STORM DOUBLE WING INLET
ESD	EXISTING STORM SINGLE WING INLET
ESD	EXISTING STORM YARD INLET
ESD	EXISTING STORM GRATE INLET
ESD	EXISTING STORM JUNCTION BOX
ESD	EXISTING WATER VALVE
ESD	EXISTING IRRIGATION CONTROL VALVE
ESD	EXISTING WATER METER
ESD	EXISTING FIRE HYDRANT
ESD	EXISTING WATER SPIGOT
ESD	EXISTING GAS METER
ESD	EXISTING GAS VALVE
ESD	EXISTING MONITORING WELL
ESD	EXISTING ELECTRIC MANHOLE
ESD	EXISTING POWER POLE
ESD	EXISTING GUY ANCHOR
ESD	EXISTING LIGHT POLE
ESD	EXISTING GROUND/LANDSCAPE LIGHT
ESD	EXISTING ELECTRICAL BOX
ESD	EXISTING ELECTRIC METER
ESD	EXISTING A/C PAD
ESD	EXISTING TELEPHONE MANHOLE
ESD	EXISTING TELEPHONE PEDESTAL
ESD	EXISTING CABLE TELEVISION PEDESTAL
ESD	EXISTING AT&T MANHOLE
ESD	EXISTING BOLLARD
ESD	EXISTING MAIL BOX
ESD	EXISTING SIGN
ESD	IRON PIPE / PIN FOUND
ESD	CAPPED REBAR FOUND
ESD	CONCRETE MONUMENT SET
ESD	CONCRETE MONUMENT FOUND
ESD	AXLE FOUND
ESD	PK NAIL FOUND
ESD	CAPPED REBAR SET
SEC	SECTION
T	TOWNSHIP
R	RANGE
R.O.W.	RIGHT-OF-WAY
M.B.L.	MINIMUM BUILDING LINE
PB	PLAT BOOK
DB	DEED BOOK
PG	PAGE
()	RECORD DIMENSION
()	EXISTING TREE
()	EXISTING TREE STUMP
()	EXISTING CONCRETE PAVEMENT
()	EXISTING ASPHALT PAVEMENT
()	EXISTING BRICK PAVERS
()	EXISTING BUILDING
()	EXISTING GRAVEL DRIVE
()	EXISTING RIPRAP LINING

I, Steven G. Faulkner, a Licensed Professional Land Surveyor of the firm of TTL, Inc., Tuscaloosa, Alabama, hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards for Surveying in the State of Alabama, to the best of my knowledge, information, and belief.

WITNESS my hand on this 24th day of April, 2025.

Steven G. Faulkner, PLS
Alabama License No. 24329



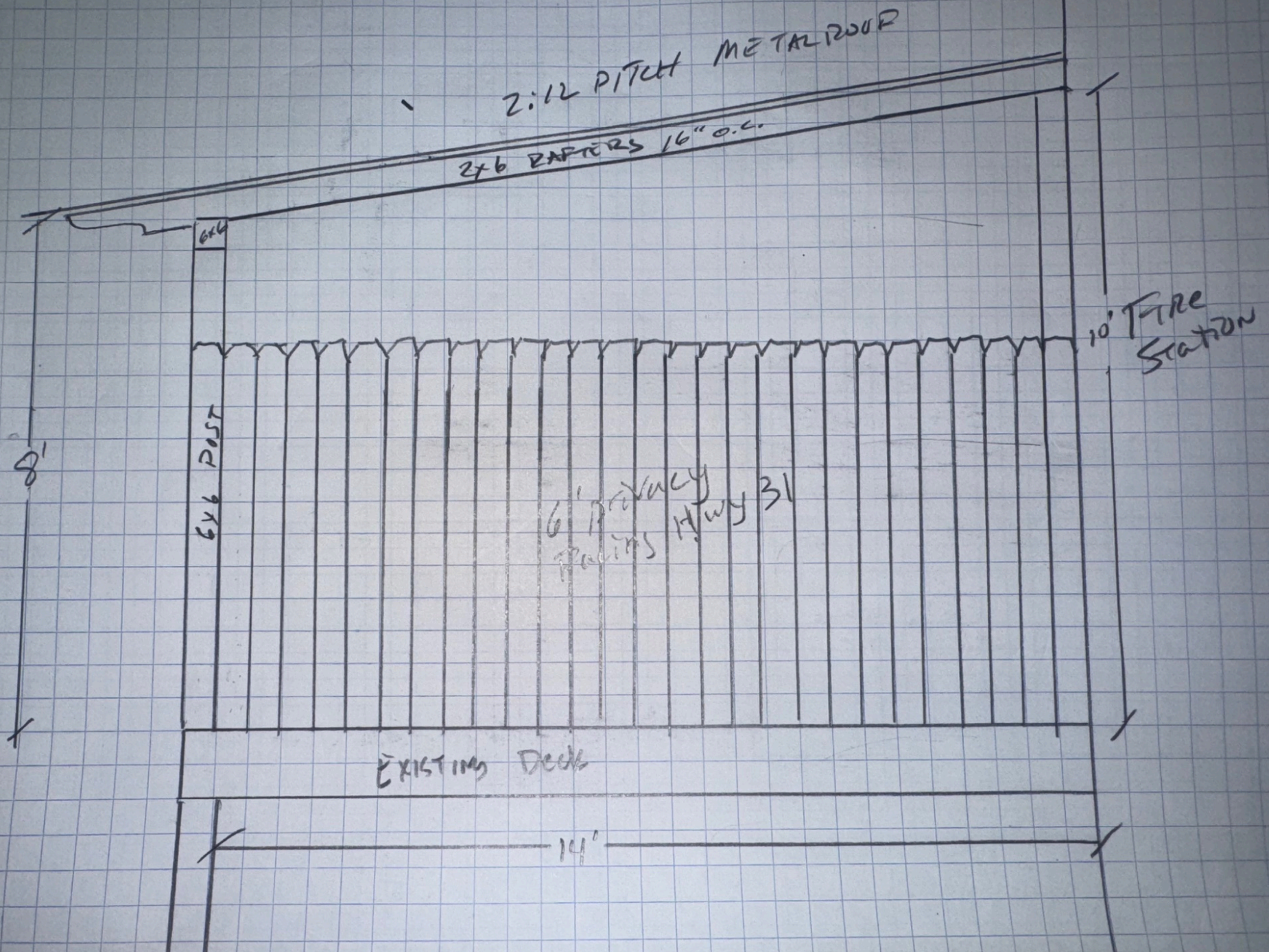
3200 Rice Mine Road NE | Tuscaloosa, AL 35406
205.345.0816 | www.ttlusa.com

Fire Station No. 1
City of Vestavia Hills
509 Montgomery Hwy, Vestavia Hills, Alabama
Jefferson County, Alabama

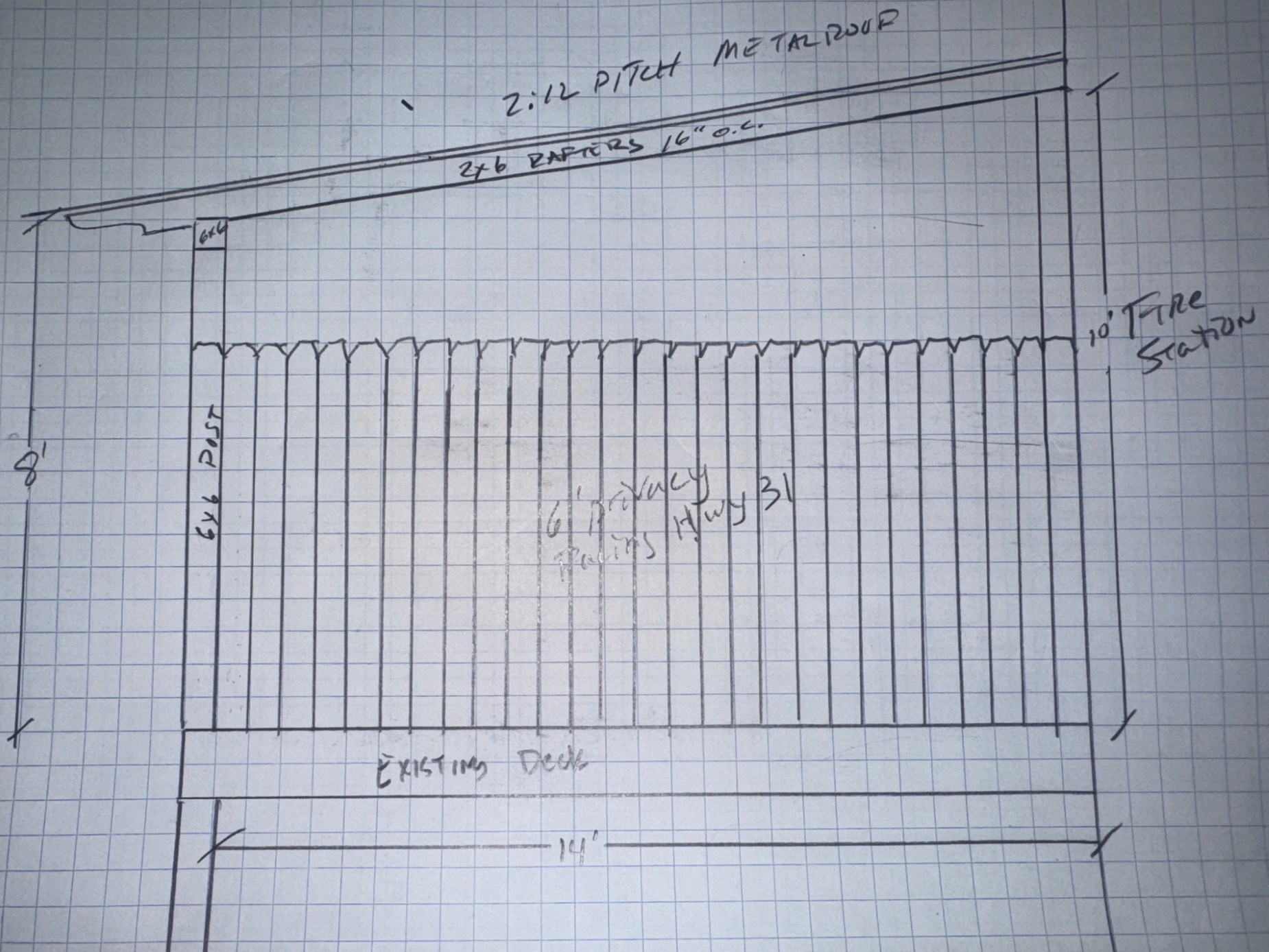
Boundary Survey	
No.	Date
Revision Description	
Drawn By: J.B.H.	Checked By: E.M.H.
Date Drawn: 04/24/2025	Date Surveyed: 04/21/2025
Scale: 1"=20'	Proj. No.: 25-11-0684-00
File Name: 25-0684-Survey.dwg	

Sheet No.
1

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**City of Vestavia Hills
Office of the City Clerk**

OWNER AFFIDAVIT (This form must be notarized):

I do hereby declare that the following statements are correct concerning the subject property located at: 509 Montgomery Hwy, Vestavia Hills, Alabama and that statements submitted in my application are true and that I am: *(please check all that apply)*.

___ the Property Owner and representing myself in said request.

___ the Property Owner, but I am authorizing a Representing Agent by the name of: Ryan Farrell to represent me in the following request:

And am requesting: (please check)

- | | |
|--|--|
| <input type="checkbox"/> Rezoning Request | <input checked="" type="checkbox"/> Request for Variance |
| <input type="checkbox"/> Preliminary Plat Approval | <input type="checkbox"/> Special Exception |
| <input type="checkbox"/> Final Plat Approval | <input type="checkbox"/> Design Review Approval |
| <input type="checkbox"/> Conditional Use Approval | |

Signed:
Owner Signature/Date

STATE OF ALABAMA
COUNTY OF Jefferson

Given under my hand and seal
this 29 day of April, 2025.

Notary Public



My commission expires 18 day of April, 2026.



VESTAVIA HILLS

Board of Zoning Adjustment Planners Report

MEETING DATE

June 19, 2025

AGENDA ITEM

BZA-25-10 **Allen Corey** is requesting a **Variance for Location of Fence in the Front Setback** for the property located at **3900 Asbury Park Circle**. The purpose of this request is to build a privacy fence in the front setback. The property is owned by Allen Corey and is zoned **Vestavia Hills R-8**.

BACKGROUND

Variance for Location of Fence in the Front Setback

PLANNER'S REVIEW/RECOMMENDATION

The applicant is seeking a variance for the location of a fence within the front setback of this townhouse development. The applicant contends the corner lot limits placement of a fence. Engineering has commented that there are no sight distance issues with the proposed fence. The fence will be a 6-foot wooden privacy fence. This is zoned Vestavia Hills R-8.

ATTACHMENTS

1. Application
2. Site Plan
3. Visual
4. Owner's Affidavit

Jack Wakefield
City Planner



BZA-25-10

Variance Application

Status: Active

Submitted On: 5/13/2025

Primary Location

3900 ASBURY PARK CIR
VESTAVIA HILLS, AL 35243

Owner

No owner information

Applicant

Allen Corey
 205-960-2539
 3900asbury@gmail.com
 3900 Asbury Park Circle
Vestavia , AL 35243

Agenda Information

Agenda Scheduling

June 2025

Comments/Delay/Explanation

Applicant Information

I am filling this out as the

Owner

Billing/Responsible Party

Name

Allen Corey

Phone #

205-960-2539

Address

3900 Asbury Park Circle

City/State/Zip

Vestavia

Email

3900asbury@gmail.com

Subject Property Information

Subject Property Address

3900 Asbury Park Circle

Legal Description of Subject Property ?

Lot 63, Asbury Park Second Sector

REASONS FOR REQUEST

Front Setback Variance

Rear Setback Variance

Side Setback Variance

Other Setback Variance

Lot Area Variance

Lot Width Variance

Variance for location of a fence.

Details ?

Townhouse is located on a corner lot. The fence would start approximately half way back from the front of the house to just inside the rear and side right of way setback lines.

Sign Code Variance

A decision of the Zoning Official which the applicant believes to be contrary to the meaning of the Zoning Ordinance.

Other

ZONING

Vestavia Hills Zoning for the subject property is

R-8

PROJECT

Describe the scope of the project and/or the reason for requesting this variance.*

Build a new 6' wood privacy fence to enclose backyard of the townhouse located on a corner. We have 2 young kids and a dog we need a safe place to play.

HARDSHIP

Please answer the following questions regarding hardship and briefly summarize and describe those things which you feel justify the action requested in the box below. An Undue Hardship is required in order to seek a variance. List, when necessary, the specific sections of the City Code(s) which have a bearing on your request. (Use additional space on separate page if necessary).*

Corner lot

Before any variance is granted, the BZA must find that ALL of the following conditions exist. Please describe each of the following details in order for the BZA to determine if these warrants the described hardship.

1. 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 the other lands or structures in the same district. Please explain:*

Corner lot, as a result the survey building line is shown on the front and side.

2. 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. Please explain:*

No, majority of the townhouses in this development have fences in the same location as the proposed fence.

3. All literal interpretations of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by others of property in the district in which the property is located. Please explain:*

We would not be able to build a fence that would enclose any significant portion of the yard. All townhomes in this development have sizeable backyards.

4. 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. Please explain:*

yes, it will be in harmony with the ordinance and neighborhood.

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

Corner lot is an existing condition.

6. The variance requested is the minimum variance that will make possible the legal use of the land, building or structure. Please explain:*

yes, allows fence to be built in standards of typical lot.

7. The 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.

8. That a 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.*

No

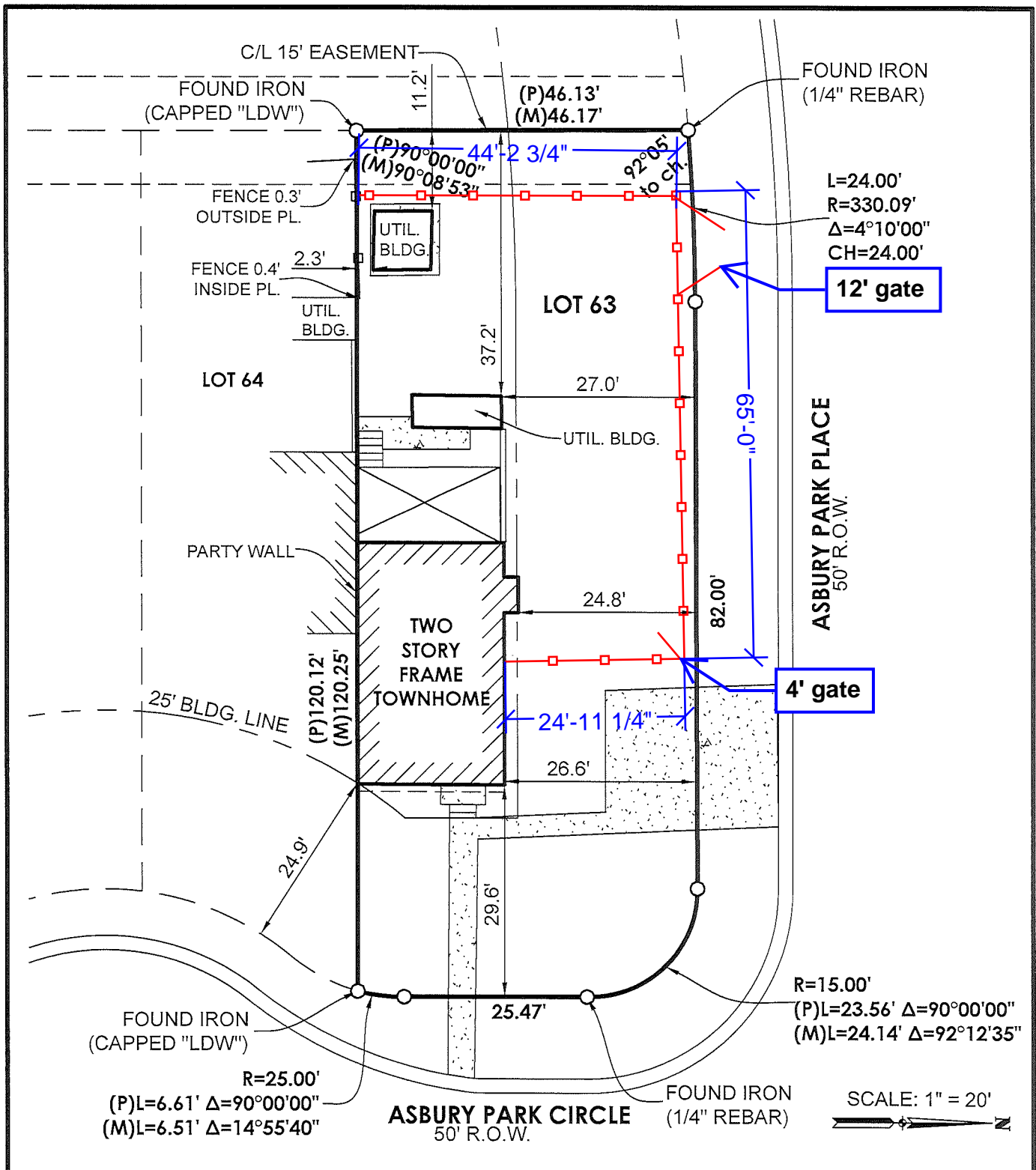
NOTE: In proving that an unnecessary hardship has been imposed on the property as a result of the strict interpretation of this Ordinance, the following conditions cannot be considered pertinent to the determination of whether or not an unnecessary hardship exists: (1) proof that a variance would increase the financial return from land; or (2) personal or economic hardship; or (3) self-imposed hardship. In other words, hardship alone is not sufficient to permit a variance. It must be an "unnecessary hardship." Mere financial loss of a kind, which might be common to all of the property owners in a district, is not an "unnecessary hardship."

OWNER AFFIDAVIT

I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing. Simultaneously with the submittal of this application, I am hereby submitting a notarized affidavit signed by the owner of the property in the attachments section of this application. NOTE: Applications cannot be processed without the notarized owners affidavit. Owners authorization may be found on our main page.

Owner Signature

✓ Allen Corey
May 13, 2025



LEGEND					
° DEGREE	N NORTH	E EAST	L ARC LENGTH	—○— UTILITY LINE	
' FEET OR MINUTES	S SOUTH	W WEST	R RADIUS	—x— CHAIN LINK FENCE	
" INCHES OR SECONDS	P.O.B. POINT OF BEGINNING		⊗ FIRE HYDRANT	□ WOODEN FENCE	
☑ GAS METER	R.O.W. RIGHT OF WAY		○ UTILITY POLE	▨ CONCRETE	
	C/L CENTER LINE		□ JUNCTION BOX		

- NOTES:
- NO TITLE SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED BY THIS FIRM AND LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS AND/OR RIGHTS-OF-WAYS, 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.
 - ALL BEARING AND/OR ANGLE, AND DISTANCES ARE DEED AND ACTUAL UNLESS OTHERWISE NOTED: DEED=(D); MEASURED=(M); RECORD MAP/PLAT=(P).
 - UNDERGROUND PORTIONS OF FOUNDATIONS, FOOTINGS, OR OTHER UNDERGROUND STRUCTURES WERE NOT LOCATED UNLESS OTHERWISE NOTED.
 - THIS SURVEY IS VALID ONLY WITH AN ORIGINAL SIGNATURE AND A LEGIBLE SEAL.
 - BEARING REFERENCE IS BASED ON RECORDED PLAT AND SOURCE OF INFORMATION IS RECORDED PLAT AND FIELD EVIDENCE.
 - TYPE OF SURVEY: FINAL SURVEY



STATE OF ALABAMA
JEFFERSON COUNTY

I, Jeff D. Arrington, a registered Land Surveyor, certify that I have surveyed Lot 63, according to the survey of ASBURY PARK SECOND SECTOR, as recorded in Map Volume 122, Page 63, in the office of the Judge of Probate JEFFERSON County, Alabama; That all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief; That there are no encroachments on said lot except as shown; That improvements are located as shown above. No Flood Zone Determination was requested or performed as part of this survey.

Address: 3900 ASBURY PARK CIRCLE
 Drawing Date: 04/06/2021 By: MA
 Date of Survey: 04/05/2021 Party Chief: KS
 Order No. 77065
 For: LOGAN NORRIS

Jeff D. Arrington
 Jeff D. Arrington, AL Reg. #18664
 Arrington Engineering & Land Surveying, Inc.
 2032 Valleydale Road, Birmingham, AL 35244
 Phone: (205) 985-9315 (Fax 205-985-9385)





City of Vestavia Hills
Office of the City Clerk

OWNER AFFIDAVIT (This form must be notarized):

I do hereby declare that the following statements are correct concerning the subject property located at: 3900 Asbury Park Circle, Vestavia Hills, Alabama and that statements submitted in my application are true and that I am: *(please check all that apply)*.

the Property Owner and representing myself in said request.

the Property Owner, but I am authorizing a Representing Agent by the name of: _____ following request: _____ to represent me in the

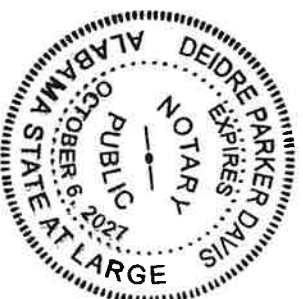
And am requesting: (please check)

- Rezoning Request
- Preliminary Plat Approval
- Final Plat Approval
- Conditional Use Approval
- Request for Variance
- Special Exception
- Design Review Approval

Signed: *Wm. Gary* *5/15/25*
Owner Signature/Date

STATE OF ALABAMA
COUNTY OF *Jefferson*

Given under my hand and seal
this *13th* day of *May*, 20*25*.
Deidre Parker Davis
Notary Public



My commission expires *6th* day of *October*, 20*27*.



VESTAVIA HILLS

Board of Zoning Adjustment Planners Report

MEETING DATE

June 19, 2025

AGENDA ITEM

BZA-25-11 **Samantha Parr** is requesting a **Front Setback Variance** for the property located at **4220 Milhaven Drive**. The purpose of this request is to reduce the front setback to 29' in lieu of the required 50', to expand the living room and build a covered front porch. The property is owned by Bob Summerville and is zoned **Vestavia Hills R-2**.

BACKGROUND

21' Front Setback Variance to Reduce the Setback to 29' in Lieu of the Required 50'.

PLANNER'S REVIEW/RECOMMENDATION

The applicant is seeking a front setback variance to enlarge the living room area and to rebuild/cover an existing raised deck. The applicant contends this is a nonconforming deck currently. The new deck would protrude 3-4' past where it currently exists. This house sits on multiple lots. A resurvey will be needed before permits are given. This is zoned Vestavia Hills R-2.

ATTACHMENTS

1. Application
2. Survey
3. Site Plan and Renderings
4. Owner's Affidavit

Jack Wakefield
City Planner



BZA-25-11

Variance
Application
Status: Active
Submitted On: 5/16/2025

Primary Location

4220 MILHAVEN DR
VESTAVIA HILLS, AL
35243

Owner

Bob Summerville
Milhaven Drive 4220
Vestavia, AL 35243

Applicant

Samantha Parr
 334-419-7734
 samantha@architecturalcooperative.net
 2917 Central Avenue
Suite 101
Homewood, Alabama 35209

Agenda Information

Agenda Scheduling

June 2025

Comments/Delay/Explanation

Applicant Information

I am filling this out as the
Representative Agent

Billing/Responsible Party

Name

Jared Bussey

Phone #

2055333563

Address

2917 Central Ave Suite 101

City/State/Zip

Homewood, AL 35209

Email

jaredb@architecturalcooperative.net

Representing Attorney/Other Agent

Name

Jared Bussey

Phone #

2055333563

Address

2917 Central Ave Suite 101

City/State/Zip

Homewood, AL 35209

Email

jaredb@architecturalcooperative.net

Subject Property Information

Subject Property Address

4220 Milhaven Drive

Legal Description of Subject Property 

THE EAST 1/2 OF LOT 6, BLOCK 1, OF SHADES CAHABA ESTATES, AS RECORDED IN MAP VOLUME 22, PAGE 83, IN THE OFFICE OF THE JUDGE OF PROBATE, JEFFERSON COUNTY, ALABAMA.

REASONS FOR REQUEST

Front Setback Variance

Setback Required*

50'

Setback Requested*

29'

Rear Setback Variance

Side Setback Variance

Other Setback Variance

Lot Area Variance

Lot Width Variance

Variance for location of a fence.

Sign Code Variance

A decision of the Zoning Official which the applicant believes to be contrary to the meaning of the Zoning Ordinance.

Other

ZONING

Vestavia Hills Zoning for the subject property is

R-2

PROJECT

Describe the scope of the project and/or the reason for requesting this variance.*

The scope of the project includes an interior renovation, front and rear additions, and other exterior improvements. If approved, the front addition would expand the existing Living Room by 4'-0" towards the street. A new covered front porch will be added to replace the existing uncovered wood deck. If approved the porch would protrude 3'-4" past the existing deck.

The required front setback of 50'-0" currently lies about halfway within the existing house. Therefore, living space is confined and exterior improvements are limited to cladding material change.

HARDSHIP

Please answer the following questions regarding hardship and briefly summarize and describe those things which you feel justify the action requested in the box below. An Undue Hardship is required in order to seek a variance. List, when necessary, the specific sections of the City Code(s) which have a bearing on your request. (Use additional space on separate page if necessary).*

The required front setback of 50'-0" currently lies about halfway within the existing house, creating an existing non-conforming condition. The existing uncovered wood deck is in need of replacement and any porch improvements would require a variance.

Before any variance is granted, the BZA must find that ALL of the following conditions exist. Please describe each of the following details in order for the BZA to determine if these warrants the described hardship.

1. 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 the other lands or structures in the same district. Please explain:*

The house was located on the property before these zoning regulations were in place, creating a non-conforming condition.

2. 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. Please explain:*

There are other properties in the district that have covered front porches and protrude within the 50'-0" setback.

3. All literal interpretations of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by others of property in the district in which the property is located. Please explain:*

Many homes on the street and in the district have, at a minimum, a covered entrance within the 50'-0" setback. This request would provide the owner a covered entrance. Without the approved variance, the only way to get a covered entrance would require demolition of existing conditioned space.

4. 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. Please explain:*

This request enhances the property visually. The street has heavy vegetation and the addition would not be visible except by the immediate adjacent properties. It does not impede or encroach any adjacent neighbor in a negative way.

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

The circumstances were inherited by the property owner and have not been exacerbated.

6. The variance requested is the minimum variance that will make possible the legal use of the land, building or structure. Please explain:*

The requested variance is not larger than necessary and will provide a reasonably sized covered porch and living space expected in the area.

7. The 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.

8. That a 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.*


The existing use is a residence and will remain a residence. The variance request will not change the use of the property.

NOTE: In proving that an unnecessary hardship has been imposed on the property as a result of the strict interpretation of this Ordinance, the following conditions cannot be considered pertinent to the determination of whether or not an unnecessary hardship exists: (1) proof that a variance would increase the financial return from land; or (2) personal or economic hardship; or (3) self-imposed hardship. In other words, hardship alone is not sufficient to permit a variance. It must be an "unnecessary hardship." Mere financial loss of a kind, which might be common to all of the property owners in a district, is not an "unnecessary hardship."

OWNER AFFIDAVIT

I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing. Simultaneously with the submittal of this application, I am hereby submitting a notarized affidavit signed by the owner of the property in the attachments section of this application. NOTE: Applications cannot be processed without the notarized owners affidavit. Owners authorization may be found on our main page.

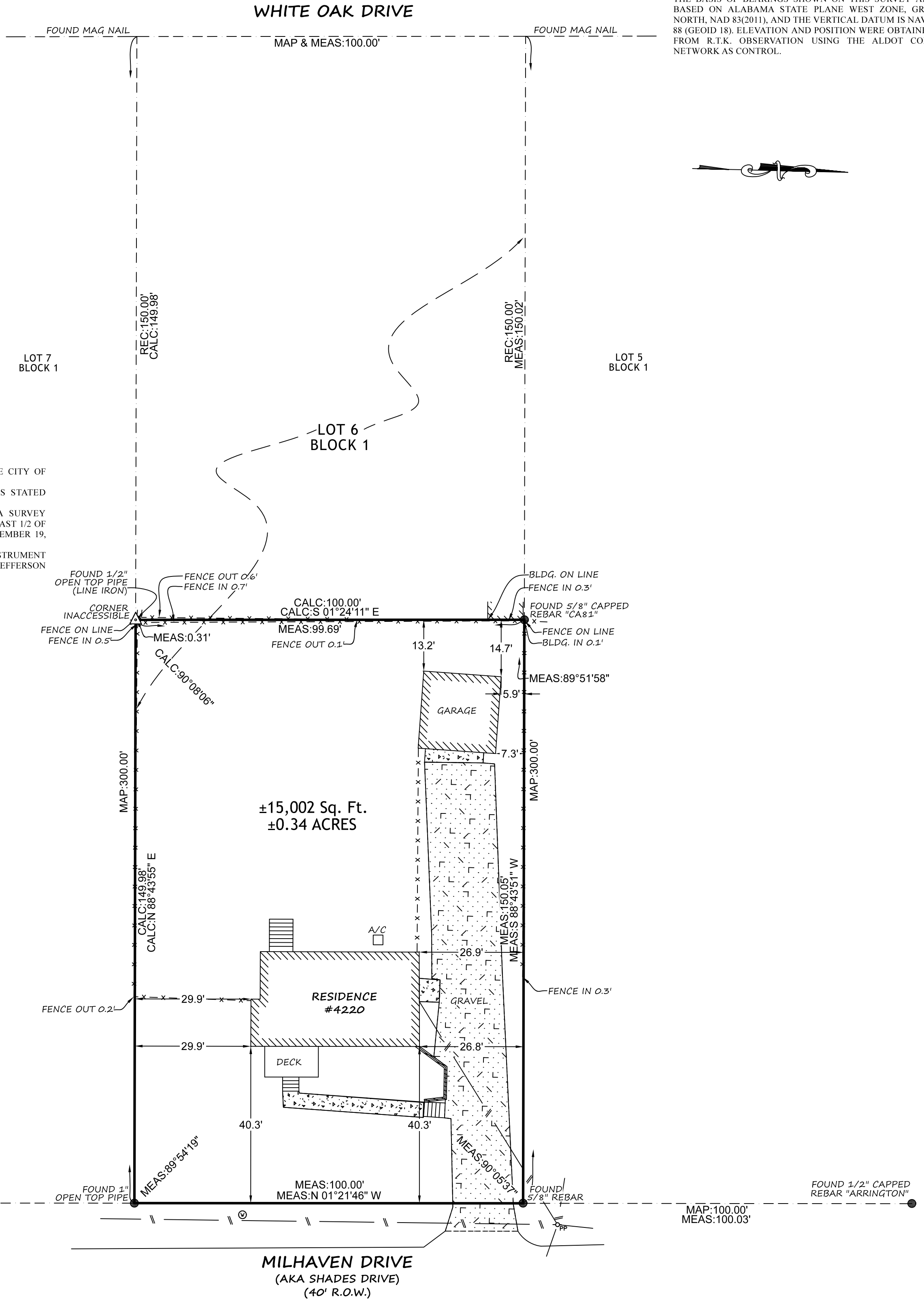
Representing Agent Signature

 Jared Bussey
May 15, 2025

LEGEND

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

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



SURVEYORS NOTES:
 * A RESURVEY RECORD MAP HAS BEEN SUBMITTED TO THE CITY OF VESTAVIA FOR THIS PARCEL HEREIN SHOWN.
 * ALL ANGLES ARE TO BE CONSIDERED MEASURED UNLESS STATED OTHERWISE.
 * THIS SURVEY WAS PERFORMED WITH THE BENEFIT OF A SURVEY PERFORMED BY LAURENCE D. WEYGAND "LS#10373" ON THE EAST 1/2 OF LOT 6, BLOCK 1, OF SHADES CAHABA HEIGHTS, DATED: SEPTEMBER 19, 1994.
 * THIS SURVEY WAS PERFORMED WITH THE BENEFIT OF INSTRUMENT #2025022473 OBTAINED FROM THE JUDGE OF PROBATE, JEFFERSON COUNTY, ALABAMA.

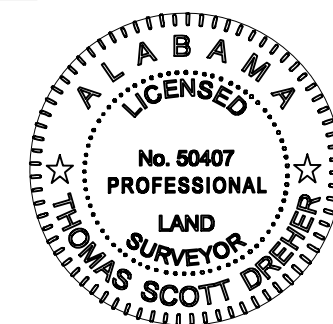
STATE OF ALABAMA
COUNTY OF JEFFERSON)

"PROPERTY BOUNDARY SURVEY"

I, Thomas Scott Dreher, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed THE EAST 1/2 OF LOT 6, BLOCK 1, of SHADES CAHABA ESTATES, as recorded in Map Volume 22, Page 83, 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 MAY 7, 2025. Survey invalid if not signed and sealed.

Order No.: 8862268618
Purchaser:
Address: 4220 MILHAVEN DR

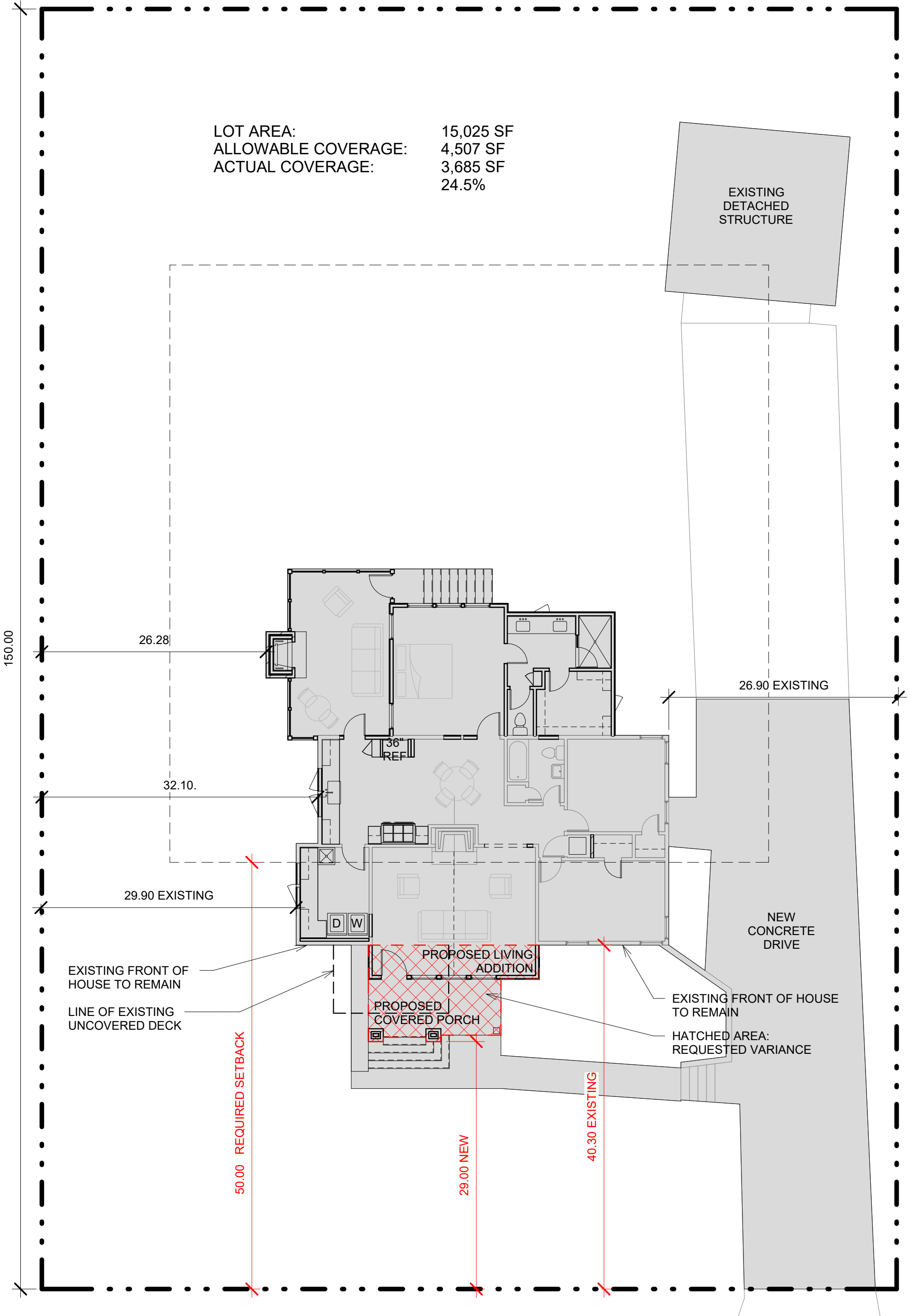
BY: *Thomas Scott Dreher* Date: MAY 13, 2025
Thomas Scott Dreher, PLS AL 50407
173 Oxmoor Road
Homewood, AL 35209
(205) 942-0086



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

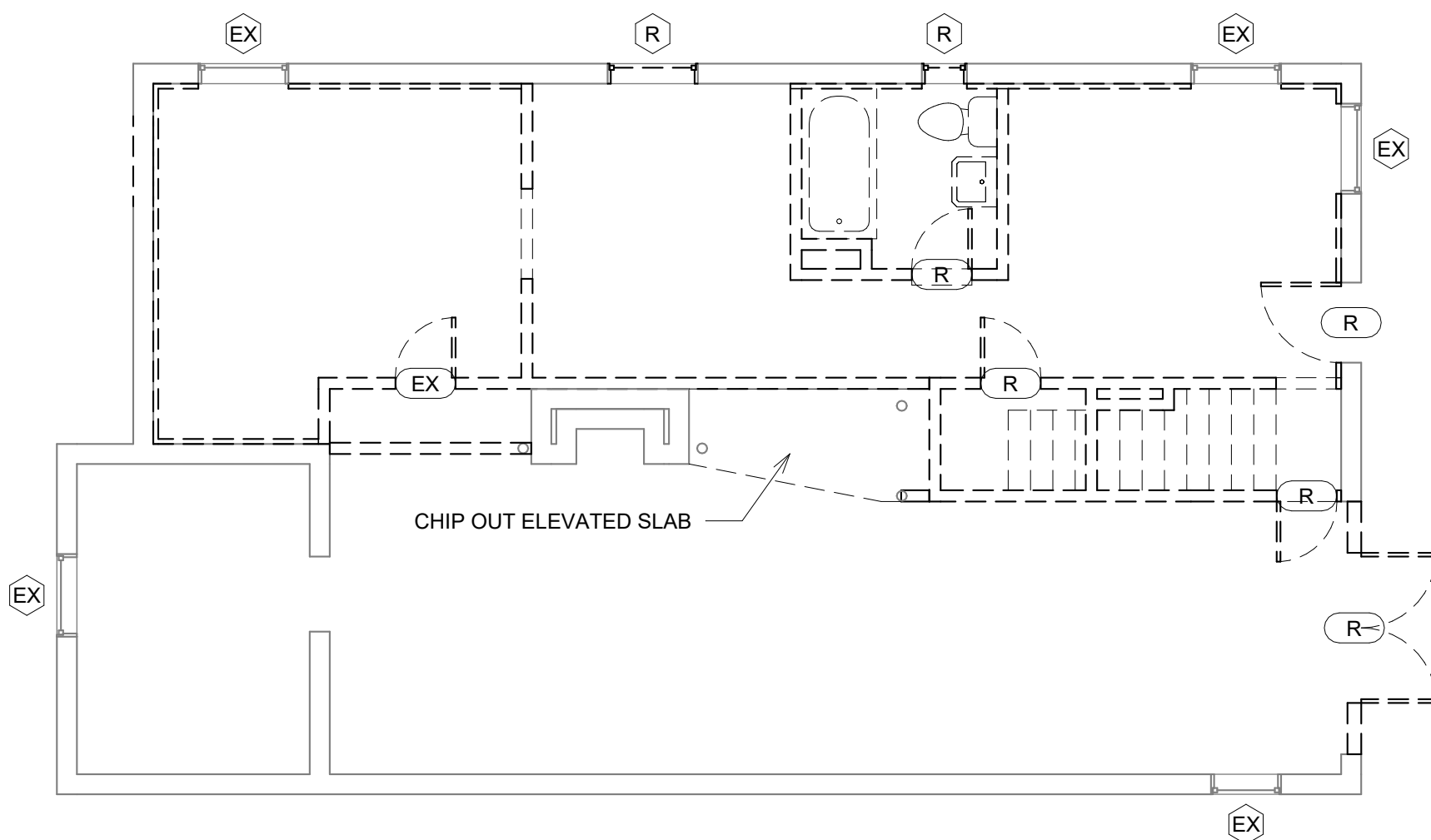
		WEYGAND	
SCALE: 1" = 20'	APPROVED BY: Thomas Scott Dreher PLS AL REG. NO. 50407	DATE OF FIELD WORK: 05/07/2025	Job #: 8862268618
DATE: 05/13/2025	SURVEYED BY: JTD / DRAWN BY: BAB	GRAPHIC SCALE: 1" = 20'	Copyright ©

LOT AREA: 15,025 SF
 ALLOWABLE COVERAGE: 4,507 SF
 ACTUAL COVERAGE: 3,685 SF
 24.5%

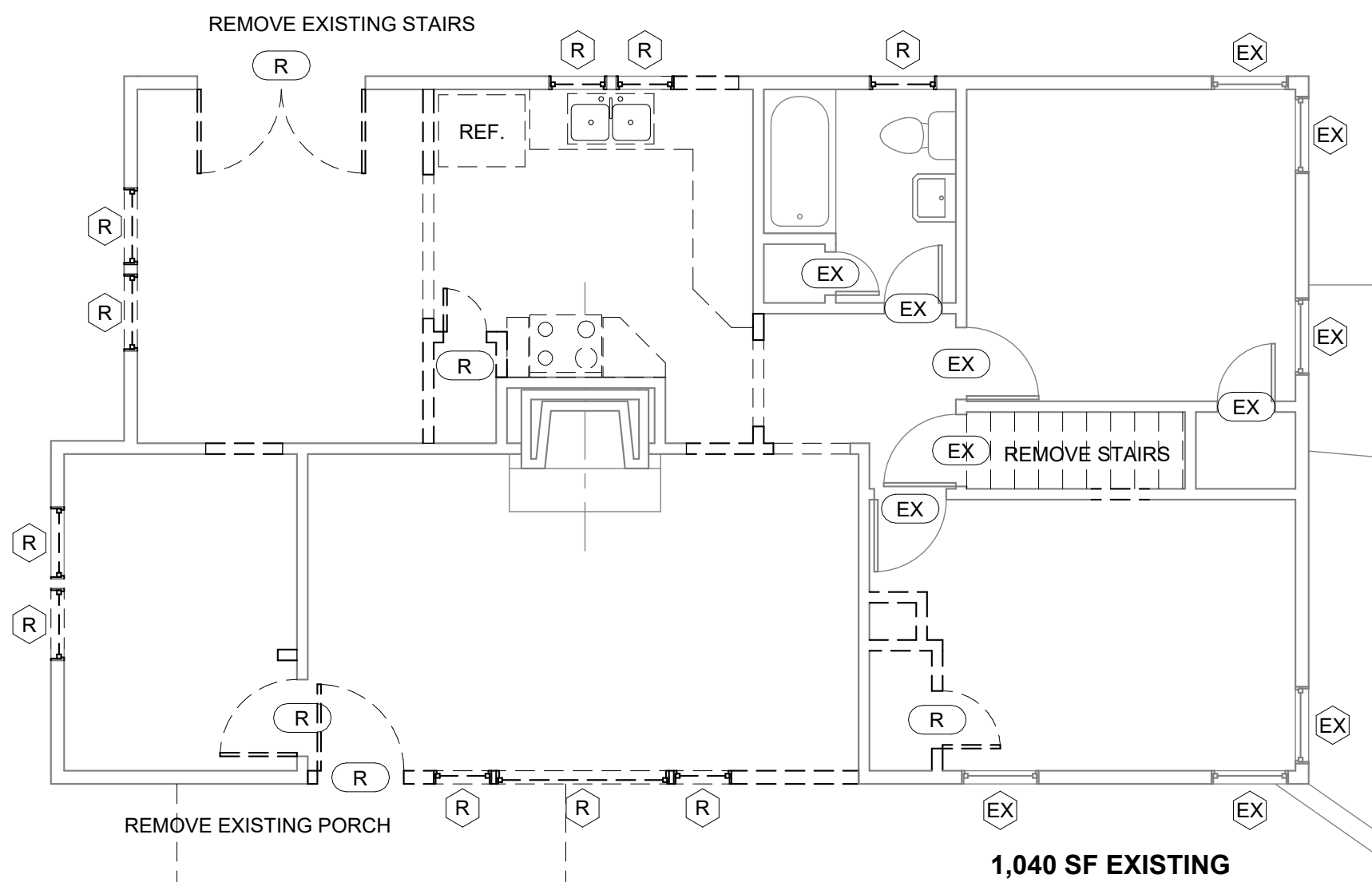


EXISTING FRONT OF HOUSE TO REMAIN
 LINE OF EXISTING UNCOVERED DECK

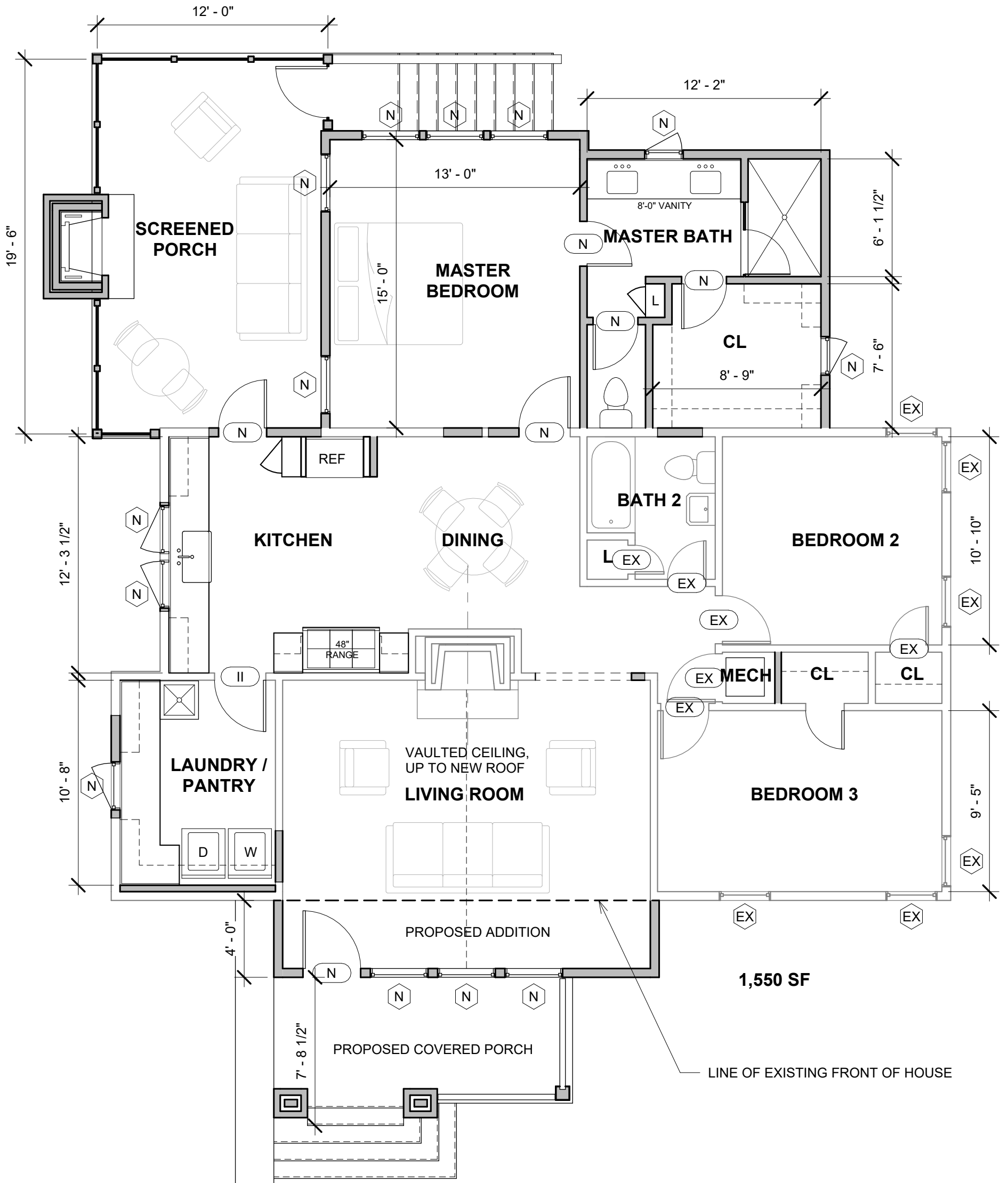
EXISTING FRONT OF HOUSE TO REMAIN
 HATCHED AREA: REQUESTED VARIANCE



② BASEMENT DEMOLITION
3/16" = 1'-0"



① FIRST FLOOR DEMOLITION
3/16" = 1'-0"







**City of Vestavia Hills
Office of the City Clerk**

OWNER AFFIDAVIT (This form must be notarized):

I do hereby declare that the following statements are correct concerning the subject property located at: 4220 Milhaven Drive, Vestavia Hills, Alabama and that statements submitted in my application are true and that I am: *(please check all that apply)*.

the Property Owner and representing myself in said request.

the Property Owner, but I am authorizing a Representing Agent by the name of: Janed Bussey at Architectural Cooperative to represent me in the following request:

And am requesting: (please check)

- Rezoning Request
- Preliminary Plat Approval
- Final Plat Approval
- Conditional Use Approval

- Request for Variance
- Special Exception
- Design Review Approval

Signed:

[Signature] [Signature]
Owner Signature/Date

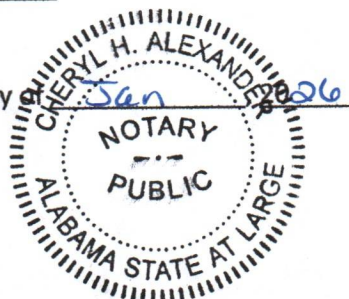
STATE OF ALABAMA

COUNTY OF Tuscaloosa

Given under my hand and seal
this 15th day of may, 2025

[Signature]
Notary Public

My commission expires 4 day Jan 2026



CITY OF VESTALIS HILLS
Office of the City Clerk

OWNER AFFIDAVIT (this form must be notarized):

I do hereby declare that the following statements are correct concerning the title of property located at: 1120 N. LINDEN DRIVE, Vestalis Hills, Alabama and that statements submitted in my application are true and that I am, please check all that apply:

the Property Owner and presenting myself as said request

the Property Owner, but I am authorizing a Representative Agent by the name of DAVID G. WATSON, JR. / 10000 W. 10TH AVENUE to represent me in the following request:

And for requesting (please check):

- Conditional Use Approval
- Final Plat Approval
- Preliminary Plat Approval
- Rezoning Request
- Design Review Approval
- Special Exception
- Request for Variance

Owner signature/Date

STATE OF ALABAMA
COUNTY OF Jefferson

Given under my hand and seal
this 12th day of April, 2022

Notary Public

My commission expires day





VESTAVIA HILLS

Board of Zoning Adjustment Planners Report

MEETING DATE

June 19, 2025

AGENDA ITEM

BZA-25-12 **Ryan Stechmann** is requesting a **Side Setback Variance** for the property located at **4008 Meadowview Circle**. The purpose of this request is to reduce the side setback to 8' in lieu of the required 10', to enclose a carport for an already nonconforming house. The property is owned by Ryan Stechmann and is zoned **Vestavia Hills R-4**.

BACKGROUND

2' Side Setback Variance to Reduce the Setback to 8' in Lieu of the Required 10'.

PLANNER'S REVIEW/RECOMMENDATION

The applicant is seeking a side setback variance to enclose an existing carport. The applicant contends the pie shaped lot forces the existing carport to not conform with the zoning regulations. The lot condenses as it gets closer to the house. This is zoned Vestavia Hills R-4.

ATTACHMENTS

1. Application
2. Site Plan
3. Rendering
4. Owner's Affidavit

Jack Wakefield
City Planner



BZA-25-12

Variance Application

Status: Active

Submitted On: 5/19/2025

Primary Location


4008 MEADOWVIEW CIR
VESTAVIA HILLS, AL 35243


Owner


Ryan Stechmann
Meadowview Circle 4008
Vestavia Hills, AL 35243

Applicant

 Ryan Stechmann

 228-305-0499

 ryan.stechmann@gmail.com

 4008 Meadowview Cir.
Vestavia Hills, AL 35243

Agenda Information

 Agenda Scheduling

June 2025

 Comments/Delay/Explanation

Applicant Information

I am filling this out as the

Owner

Billing/Responsible Party

Name

Ryan Stechmann

Phone #

228-305-0499

Address

4008 Meadowview Cir.

City/State/Zip

Vestavia Hills, AL 35243

Email

ryan.stechmann@gmail.com

Subject Property Information

Subject Property Address

4008 Meadowview Circle

Legal Description of Subject Property ?

LOT 4, ACCORDING TO THE MAP OF MEADOWLAWN ESTATES, AS RECORDED IN MAP BOOK 47, PAGE 4, IN THE OFFICE OF PROBATE JUDGE OF JEFFERSON COUNTY, ALABAMA.

REASONS FOR REQUEST

Front Setback Variance

Rear Setback Variance

Side Setback Variance

Setback Required*

10ft.

Setback Requested*

8ft.

Other Setback Variance

Lot Area Variance

Lot Width Variance

Variance for location of a fence.

Sign Code Variance

A decision of the Zoning Official which the applicant believes to be contrary to the meaning of the Zoning Ordinance.

Other

ZONING

Vestavia Hills Zoning for the subject property is

Residential, R-4

PROJECT

Describe the scope of the project and/or the reason for requesting this variance.*

Our existing house, built in 1957, is existing non-conforming to the 10ft. side setback requirement for R-4. We are currently renovating the house, which includes enclosing a carport into a garage. The east wall of the carport is existing and encroaches into the 10ft side setback by 1ft. The proposed new wall would be constructed on the existing building face line, extending roughly 2 ft. past the existing wall location. Our lot is a pie-piece-shaped lot which is wide at the rear of the lot and narrows toward the front of the lot. The odd shape of the lot limits the existing and proposed use of the structure for parking a vehicle.

HARDSHIP

Please answer the following questions regarding hardship and briefly summarize and describe those things which you feel justify the action requested in the box below. An Undue Hardship is required in order to seek a variance. List, when necessary, the specific sections of the City Code(s) which have a bearing on your request. (Use additional space on separate page if necessary).*

5.5. R-4 Medium Density Residential District

Before any variance is granted, the BZA must find that ALL of the following conditions exist. Please describe each of the following details in order for the BZA to determine if these warrants the described hardship.

1. 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 the other lands or structures in the same district. Please explain:*

The property is a pie-piece-shaped lot which is wide at the rear of the lot and narrows toward the front of the lot. The odd shape of the lot limits the existing and proposed use of the structure for parking a vehicle.

2. 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. Please explain:*

Other property owners on our street have the same setback issue - existing non-conforming since the area was developed and lots laid out without side setbacks.

3. All literal interpretations of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by others of property in the district in which the property is located. Please explain:*

The property is a pie-piece-shaped lot which is wide at the rear of the lot and narrows toward the front of the lot. The odd shape of the lot limits the existing and proposed use of the structure for parking a vehicle.

4. 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. Please explain:*

The requested variance aligns with the intent of the ordinance by maintaining the residential character and scale of the neighborhood. The proposed construction follows the existing building line of a structure built in 1957, which is already non-conforming by 1 foot. Extending the wall by approximately 2 feet along the same line does not introduce a new encroachment but rather continues an existing condition. The renovation will improve the functionality and appearance of the home without negatively impacting adjacent properties or the general welfare.

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

The hardship is not self-imposed. It results from the original design and construction of the home in 1957 and original configuration and shape of the lot. This configuration and shape of the lot was established during the initial subdivision of the neighborhood, which is prior to the adoption of current setback requirements. The lot's irregular, pie-shaped configuration further limits options for compliant expansion. The proposed renovation simply builds upon the existing footprint to enclose a carport, a reasonable and necessary improvement that respects the original layout.

6. The variance requested is the minimum variance that will make possible the legal use of the land, building or structure. Please explain:*

The variance request is limited to a 2-foot encroachment beyond the existing non-conforming wall, which already sits 1 foot into the setback. This minimal extension is necessary to enclose the carport and convert it into a functional garage. No additional encroachment beyond what is required for this specific improvement is being requested, demonstrating that the variance is the least deviation necessary to achieve the intended use.

7. The 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.

8. That a 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.*

The proposed renovation does not involve a change in use. The property will continue to be used as a single-family residence. The variance pertains only to a dimensional requirement and does not introduce any prohibited or non-conforming use.

NOTE: In proving that an unnecessary hardship has been imposed on the property as a result of the strict interpretation of this Ordinance, the following conditions cannot be considered pertinent to the determination of whether or not an unnecessary hardship exists: (1) proof that a variance would increase the financial return from land; or (2) personal or economic hardship; or (3) self-imposed hardship. In other words, hardship alone is not sufficient to permit a variance. It must be an "unnecessary hardship." Mere financial loss of a kind, which might be common to all of the property owners in a district, is not an "unnecessary hardship."

OWNER AFFIDAVIT

I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing. Simultaneously with the submittal of this application, I am hereby submitting a notarized affidavit signed by the owner of the property in the attachments section of this application. NOTE: Applications cannot be processed without the notarized owners affidavit. Owners authorization may be found on our main page.

Owner Signature

 Ryan James Stechmann
May 19, 2025

LEGEND

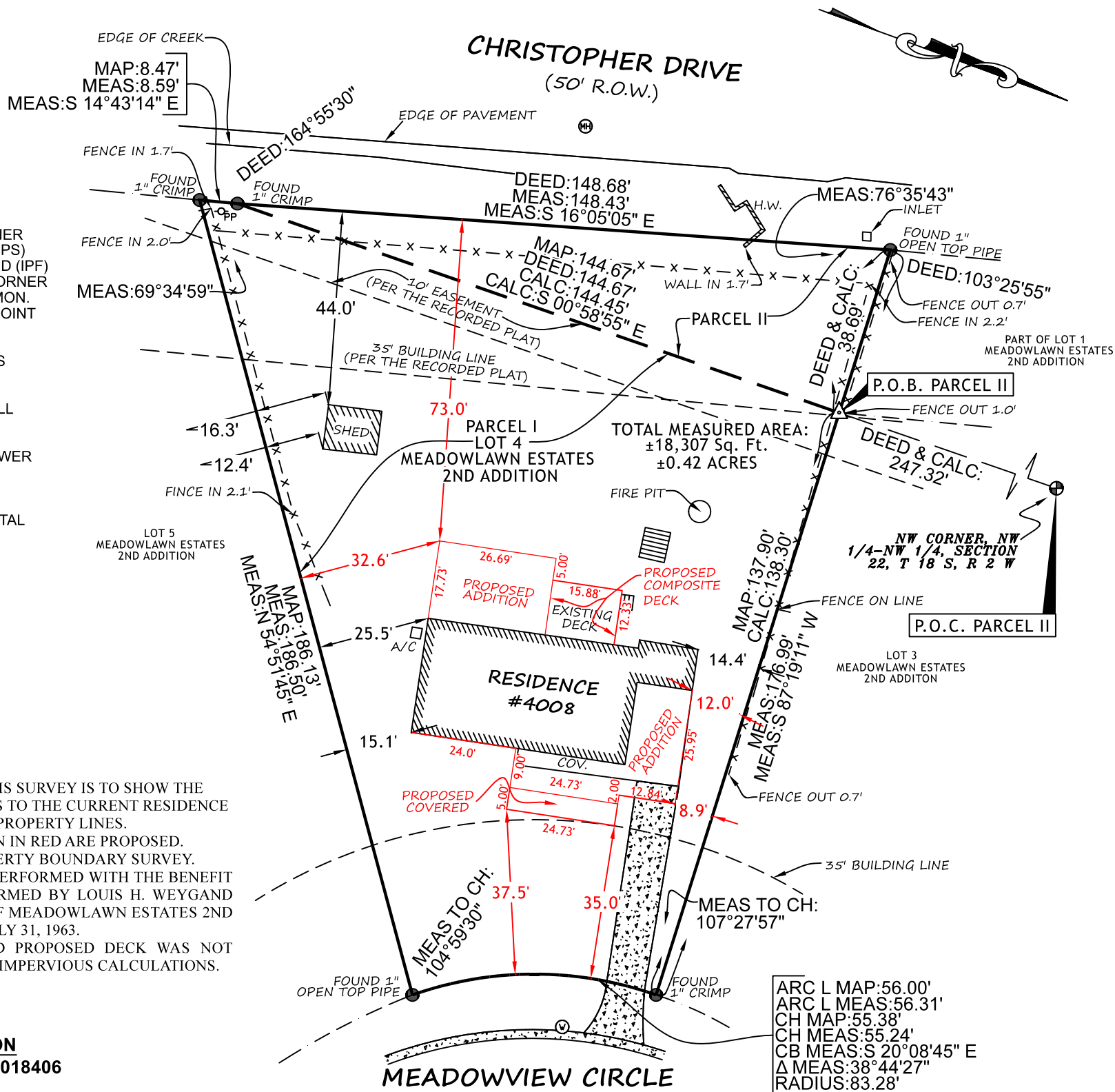
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- P.O.T. POINT OF TERMINATION
- OH OVERHANG
- ASP ASPHALT
- BLDG BUILDING
- RES RESIDENCE
- CALC CALCULATED
- MEAS: MEASURED
- MAP: MAP
- BRG BEARING
- CH CHORD
- R RADIUS
- TAN TANGENT
- Δ DELTA
- ESMT EASEMENT
- HW HEADWALL
- OH OVERHANG
-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

IMPERVIOUS CALCULATIONS:

PRE. CONST. IMPERVIOUS AREA: ±2,327 SQ. FT. OR ±12.7%
 POST CONST. IMPERVIOUS AREA: ±3,073 SQ. FT. OR ±16.8%

SURVEY CONTROL:

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



SURVEYORS NOTES:

- * THE PURPOSE OF THIS SURVEY IS TO SHOW THE PROPOSED ADDITIONS TO THE CURRENT RESIDENCE IN RELATION TO THE PROPERTY LINES.
- * THE FIGURES SHOWN IN RED ARE PROPOSED.
- * THIS IS NOT A PROPERTY BOUNDARY SURVEY.
- * THIS SURVEY WAS PERFORMED WITH THE BENEFIT OF A SURVEY PERFORMED BY LOUIS H. WEYGAND "LS#1347" ON LOT 4, OF MEADOWLAWN ESTATES 2ND ADDITION. DATED: JULY 31, 1963.
- * THE EXISTING AND PROPOSED DECK WAS NOT INCLUDED WITH THE IMPERVIOUS CALCULATIONS.

LEGAL DESCRIPTION

INSTRUMENT #2017018406

Parcel I:

Lot 4, according to the Survey of Meadowlawn Estates, Second Addition, as recorded in Map Book 47, Page 4, in the Probate Office of Jefferson County, Alabama:

Parcel II:

Commence at the Northeast corner of the NW 1/4 of the NW 1/4 of Section 22, Township 18 South, Range 2 West, in Jefferson County, Alabama, thence run South along the East line of said 1/4-1/4 section for 247.32 feet to the Northwest corner of Lot 4 of Meadowlawn Estates Second Addition as recorded in Map Book 47, Page 4, in the Probate Office of Jefferson County, Alabama, said point being the beginning of the parcel herein described, thence continue South along the East line of said 1/4-1/4 section 144.67 feet to a point on the East right of way of a county road, thence 164° 55' 30" right and run Northwesterly along said right of way line for 148.68 feet; thence 103° 25' 55" right and run Easterly, running along an extension of the North line of said Lot 4, for a distance of 38.68 feet to a point of beginning.

STATE OF ALABAMA)

"SPECIFIC PURPOSE SURVEY"

COUNTY OF JEFFERSON)

I, Thomas Scott Dreher, a Registered Land Surveyor, 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 MARCH 26, 2025. Survey invalid if not signed and sealed.

Order No.: 8391520144

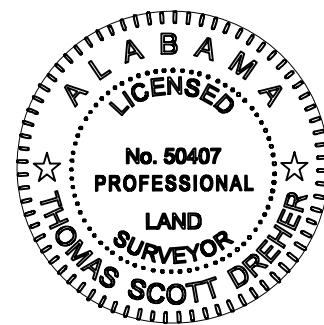
Purchaser:

Address: 4008 MEADOWVIEW CIR

BY:

Thomas Scott Dreher
 Thomas Scott Dreher, PLS AL 50407
 173 Oxmoor Road
 Homewood, AL 35209
 (205) 942-0086

Date: MARCH 26, 2025



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



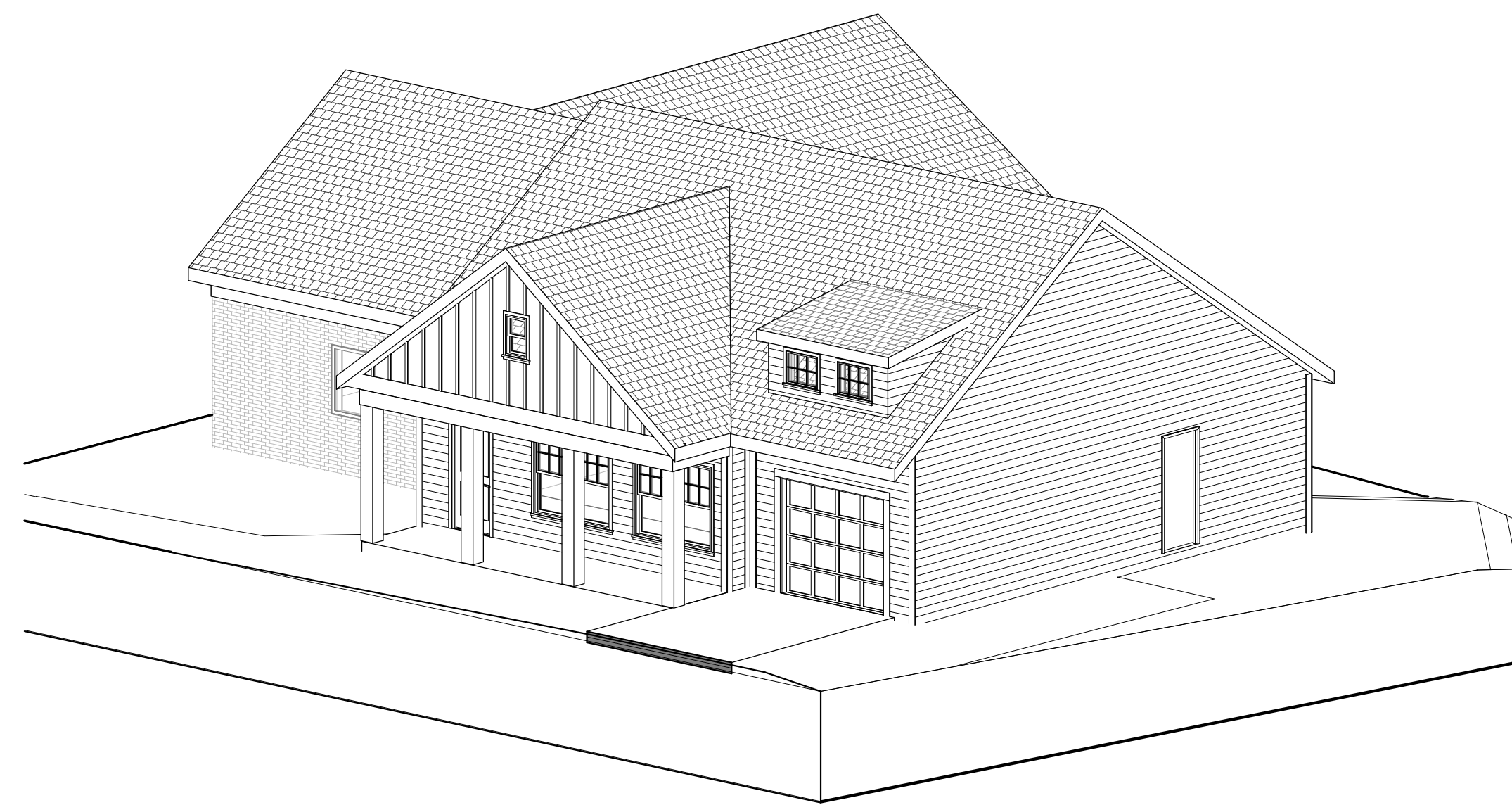
SCALE: 1" = 30'	APPROVED BY: Thomas Scott Dreher PLS AL REG. NO. 50407	DATE OF FIELD WORK: 3/26/2025	SURVEYED BY: JTD / DRAWN BY: BAB	Job #: 8391520144	GRAPHIC SCALE: 1" = 30'	Copyright ©
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4 3D VIEW 2
SCALE:



WEST ELEVATION
SCALE: 1/4" = 1'-0" REF: 1/A-101



3 3D VIEW 1
SCALE:



2 EAST ELEVATION
SCALE: 1/4" = 1'-0" REF: 1/A-101

STECHMANN RESIDENCE - RENNOVATION
CONSTRUCTION DRAWINGS

4008 MEADOWVIEW CIR.
VESTAVIA HILLS, AL

KEY PLAN:

ARCHITECT OF RECORD:

ISSUE DATE:
APRIL 14, 2025

REVISIONS:

NO.	DATE	DESCRIPTION

PROJECT NUMBER:

DRAWING TITLE:
EXTERIOR ELEVATIONS

SHEET NUMBER:
A-200



**City of Vestavia Hills
Office of the City Clerk**

OWNER AFFIDAVIT (This form must be notarized):

I do hereby declare that the following statements are correct concerning the subject property located at: 4008 Meadowview Cir., Vestavia Hills, Alabama and that statements submitted in my application are true and that I am: *(please check all that apply).*

the Property Owner and representing myself in said request.

the Property Owner, but I am authorizing a Representing Agent by the name of: _____ to represent me in the following request:

And am requesting: (please check)

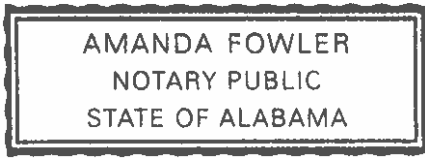
- | | |
|--|--|
| <input type="checkbox"/> Rezoning Request | <input checked="" type="checkbox"/> Request for Variance |
| <input type="checkbox"/> Preliminary Plat Approval | <input type="checkbox"/> Special Exception |
| <input type="checkbox"/> Final Plat Approval | <input type="checkbox"/> Design Review Approval |
| <input type="checkbox"/> Conditional Use Approval | |

Signed:  5/19/25
Owner Signature/Date

STATE OF ALABAMA
COUNTY OF Jefferson

Given under my hand and seal
this 19th day of May, 2025.


Notary Public



My commission expires 30th day of September, 2028.



VESTAVIA HILLS

Board of Zoning Adjustment Planners Report

MEETING DATE

June 19, 2025

AGENDA ITEM

BZA-25-13 **Michael Eric Dale** is requesting a **Front Setback Variance, Side Setback Variance, & Variance For Location of Fence in Front Setback**, for the property located at **2126 Shades Avenue**. The purpose of this request is to reduce the front setback to 15' in lieu of the required 50', to reduce the side setback to 13' in lieu of the required 15' (to build a large addition), and to build a fence within the front setback. The property is owned by Jennifer & Kevin McCain and is zoned **Vestavia Hills R-3**.

BACKGROUND

35' Front Setback Variance to Reduce the Setback to 15' in Lieu of the Required 50' & 2' Side Setback Variance to Reduce the Setback to 13' in Lieu of the Required 15' & Variance for Location of Fence in the Front Setback.

PLANNER'S REVIEW/RECOMMENDATION

The applicant is seeking a front and side setback variance to build a large home addition. The applicant contends the corner lot greatly limits the buildable area. The large addition will mainly traverse the rear of the property, but encroaches in the "side" frontage of the house. This house sits on two lots, and will need final plat approval before permits are given. Engineering has also given guidance that the proposal increases impervious area above the 30 percent threshold. This is zoned Vestavia Hills R-3.

ATTACHMENTS

1. Application
2. Engineering Comments
3. Site Plan
4. Floor Plans
5. Owner's Affidavit

Jack Wakefield
City Planner



BZA-25-13

Variance Application

Status: Active

Submitted On: 5/20/2025

Primary Location

2126 SHADES AVE
VESTAVIA HILLS, AL 35216

Owner

Jennifer & Kevin McCain
Shades Avenue 2126 Vestavia
Hills, AL 35216

Applicant

Michael Eric Dale
 205-873-1676
 eric@ericdale.com
 935 Landale Road
Birmingham, AL 35222

Agenda Information

Agenda Scheduling

June 2025

Comments/Delay/Explanation

Applicant Information

I am filling this out as the
Representative Agent

Billing/Responsible Party

Name	Phone #
Jennifer McCain	205-876-5588

Address	City/State/Zip
2126 Shades Ave	Vestavia Hills, AL 35216

Email

jmccain@xnservices.com

Representing Attorney/Other Agent

Name

Michael Eric Dale

Phone #

205-873-1676

Address

935 Landale Road

City/State/Zip

Birmingham, AL 35222

Email

eric@ericdale.com

Subject Property Information

Subject Property Address

2126 Shades Avenue, Vestavia Hills, AL
35216

Legal Description of Subject Property 

Lots 10 & 11, Block 13 Biltmore Estates (Map Book 17, Page 59)

REASONS FOR REQUEST

Front Setback Variance



Setback Required*

50'

Setback Requested*

15'

Rear Setback Variance

Side Setback Variance

Setback Required*

15'

Setback Requested*

13'

Other Setback Variance

Lot Area Variance

Lot Width Variance

Variance for location of a fence.

Details [?](#)

A small 16" wide curved feature masonry wall from the outside of the right front corner at 17.7 feet to a setback of 15 feet into the right side secondary front, with a maximum height of 8 feet.

A small 16" wide curved feature masonry wall from the outside of the left front corner at 13.7 feet to a setback of 10.7 feet with a maximum height of 8 feet. This would transition to a 4 feet high masonry wall with gate.

Sign Code Variance

A decision of the Zoning Official which the applicant believes to be contrary to the meaning of the Zoning Ordinance.

Other

ZONING

Vestavia Hills Zoning for the subject property is

R3

PROJECT

Describe the scope of the project and/or the reason for requesting this variance.*

Additions to right side/ secondary front and rear of the existing home plus a partial second floor on the left side. The existing carport on the right is generally the line of the new addition. The parking structure is being moved to the right rear addition along the same right side line. On the left, a small portion of the left rear addition (7'-6" feet in depth front to back) would be added to and line up with the existing left side while the remainder of the left addition would align within the 15 feet side setback requirement. We would like to add brick to replace the existing wood siding on the left side which would result in a finished setback of 13.7 feet at the front left corner instead of the existing 14.1 feet.

HARDSHIP

Please answer the following questions regarding hardship and briefly summarize and describe those things which you feel justify the action requested in the box below. An Undue Hardship is required in order to seek a variance. List, when necessary, the specific sections of the City Code(s) which have a bearing on your request. (Use additional space on separate page if necessary).*

This home was built on a corner lot in an area where, at the time of construction, secondary frontages of 50 feet were not typical. We are adding on to a home with this condition. If this was an interior lot, a variance for secondary front would not be required and we would be allowed the typical 15 feet side setback.

Before any variance is granted, the BZA must find that ALL of the following conditions exist. Please describe each of the following details in order for the BZA to determine if these warrants the described hardship.

1. 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 the other lands or structures in the same district. Please explain:*

The lot is located on a corner with the right side facing Trousdale. The existing structure was built without addressing Trousdale as a secondary front. If the full 50 feet secondary front setback was enforced, a home of only 35 feet wide could be built.

2. 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. Please explain:*

Similar conditions regarding additions and build-outs of original homes on corners in this area are common. Variances for secondary frontages have been granted under similar conditions.

3. All literal interpretations of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by others of property in the district in which the property is located. Please explain:*

A variance for side setbacks would not typically be required if this was an interior lot.

4. 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. Please explain:*

A 35 foot wide home -the maximum allowable with enforced setbacks- would be out of character with other homes on this street and neighborhood. We have designed this home to step down gracefully at the ends so as not to tower over other homes. Trousdale ends at this lot and only serves as a lightly-used connector to Chanticleer Lane. The right side/ secondary front setback will not be out of alignment with nearby homes, since there are no other adjacent homes along Trousdale.

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

We are adding on to the existing small home that is original to the property. Applicant has made no changes.

6. The variance requested is the minimum variance that will make possible the legal use of the land, building or structure. Please explain:*

We have kept the additions within existing building lines and setbacks since we are adding on to an existing home. The only request to go over the existing line is the addition of brick to the facade on the left which adds approximately 4.5" in depth to the wall assembly.

7. The 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.

8. That a 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.*


This is a single family residence with no additional living units. The existing utilitarian accessory structure is to be removed and no other accessory structures are to be built with this project. There are no prohibited uses planned for this property.

NOTE: In proving that an unnecessary hardship has been imposed on the property as a result of the strict interpretation of this Ordinance, the following conditions cannot be considered pertinent to the determination of whether or not an unnecessary hardship exists: (1) proof that a variance would increase the financial return from land; or (2) personal or economic hardship; or (3) self-imposed hardship. In other words, hardship alone is not sufficient to permit a variance. It must be an "unnecessary hardship." Mere financial loss of a kind, which might be common to all of the property owners in a district, is not an "unnecessary hardship."

OWNER AFFIDAVIT

I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing. Simultaneously with the submittal of this application, I am hereby submitting a notarized affidavit signed by the owner of the property in the attachments section of this application. NOTE: Applications cannot be processed without the notarized owners affidavit. Owners authorization may be found on our main page.

Representing Agent Signature 

 Michael Eric Dale
May 14, 2025



Engineering Review

Record No. BZA-25-13

Status Completed

Became Active May 22, 2025

Assignee Ethan Fisher

Due Date None

Messages

Ethan Fisher

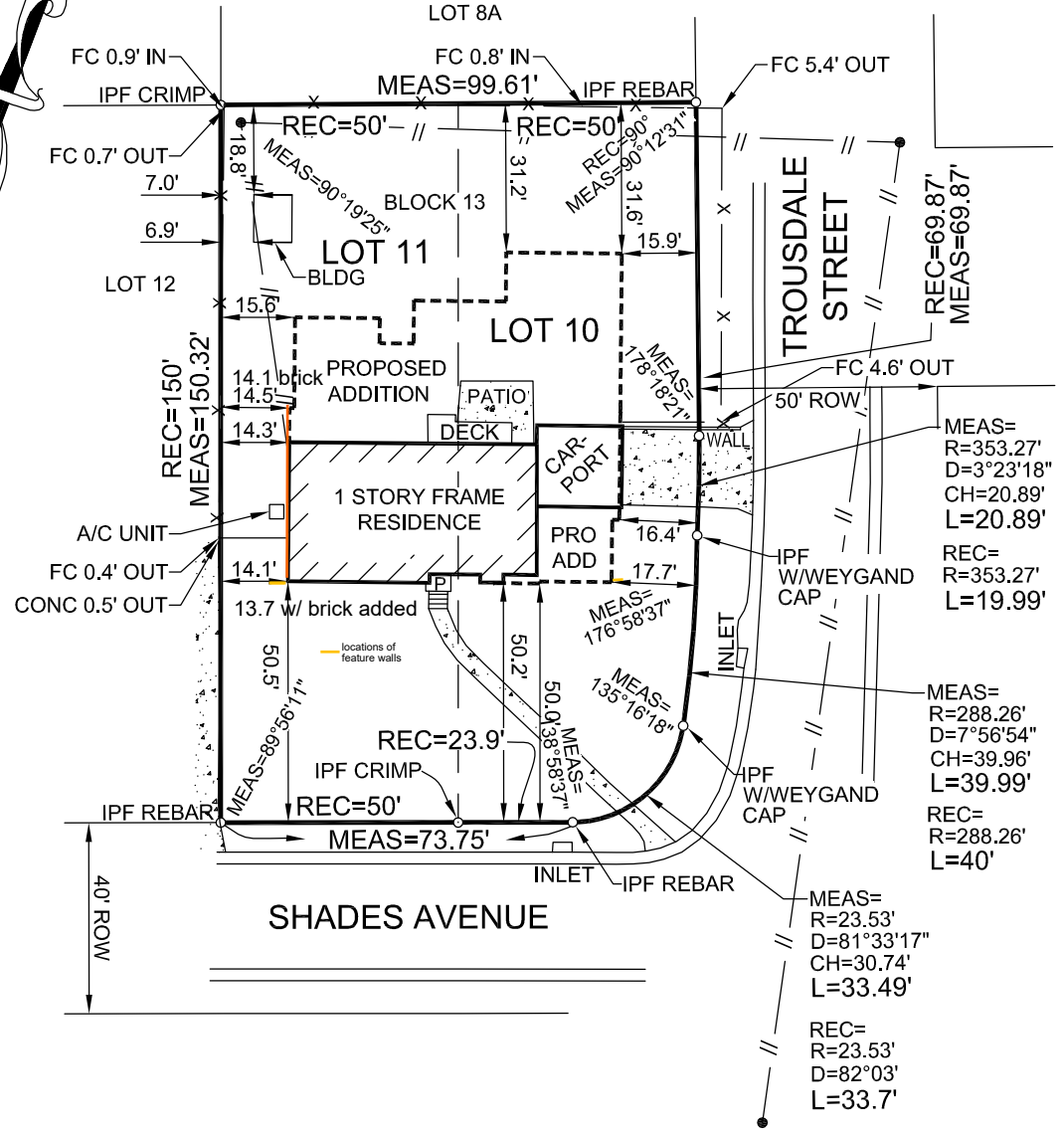
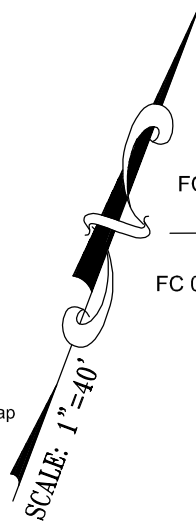
May 27, 2025 at 1:09 pm

Good afternoon,

I am showing that the proposed addition exceeds the 30% impervious lot coverage the city has. We will need to see a plan showing how the improvements will be under that threshold during permitting.

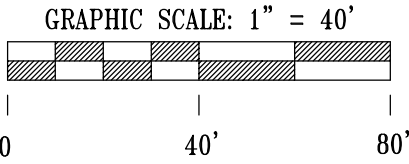
LEGEND:

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



STATE OF ALABAMA
SHELBY COUNTY

I, David B. Entrekin, a registered Land Surveyor, certify that I have surveyed Lots 10 & 11, Block 13, BILTMORE ESTATES as recorded in Map Book 17, Page 59 in the Office of the Judge of Probate, Jefferson County, Alabama; that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief; that the correct address is as follows: 2126 Shades Avenue according to my survey of May 2, 2025. Survey is not valid unless it is sealed with embossed seal or stamped in red.

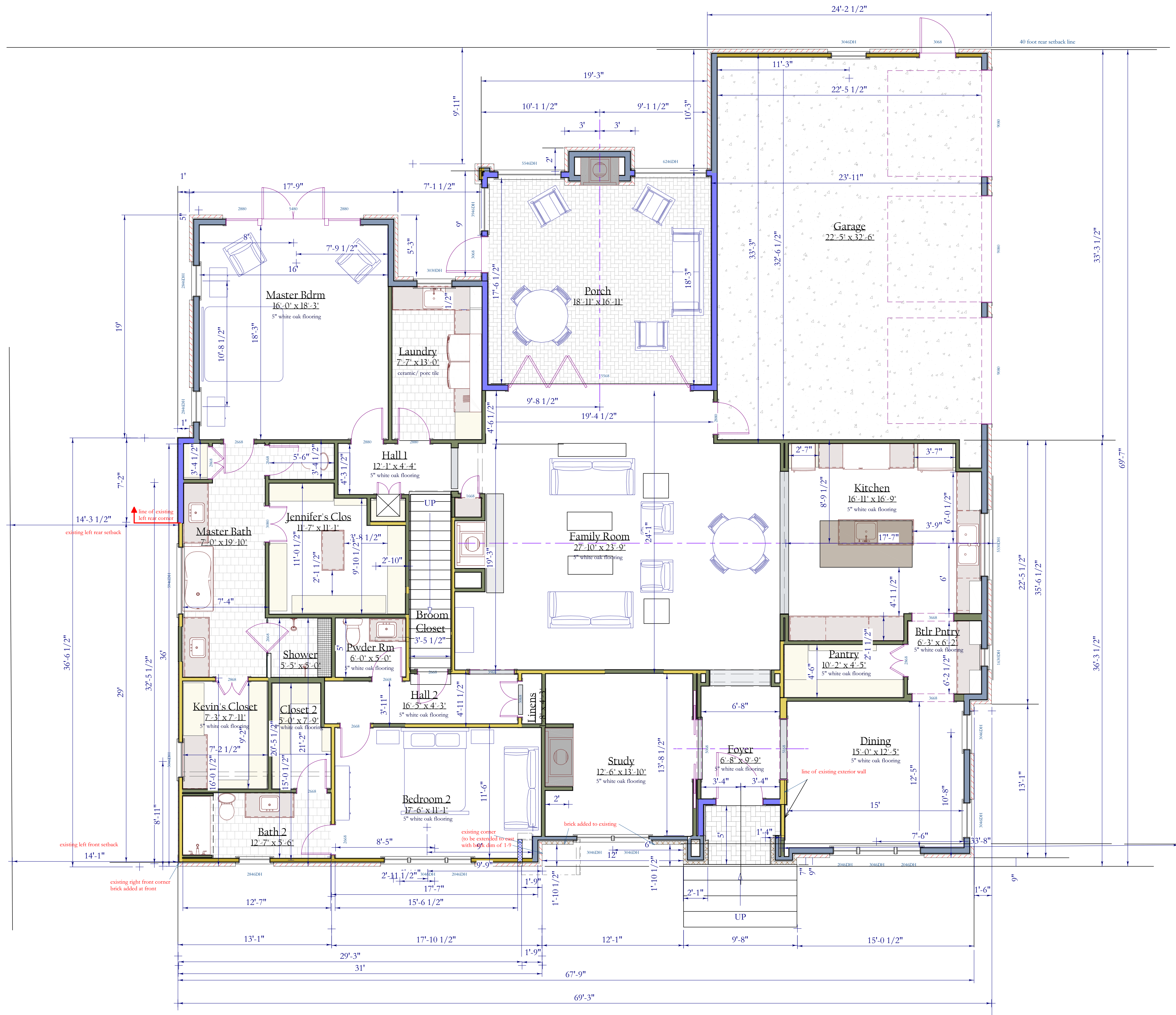


SURVEYING SOLUTIONS, INC.
2232 CAHABA VALLEY DRIVE SUITE M
BIRMINGHAM, AL 35242
PHONE: 205-991-8965

Order No. 330821
Purchaser: Dale
Type of Survey: Property Boundary

David B. Entrekin, Reg. L.S. #30345

Date of Signature



Wall Legend

- Existing 3 1/2" stud wall- exterior or interior
- New 3 1/2" stud wall- exterior or interior
- New 5 1/2" stud wall- exterior or interior

- 05-12-2025 Ext Dim
- 04-34-2025 Review
- 04-15-2025
- 03-05-2025

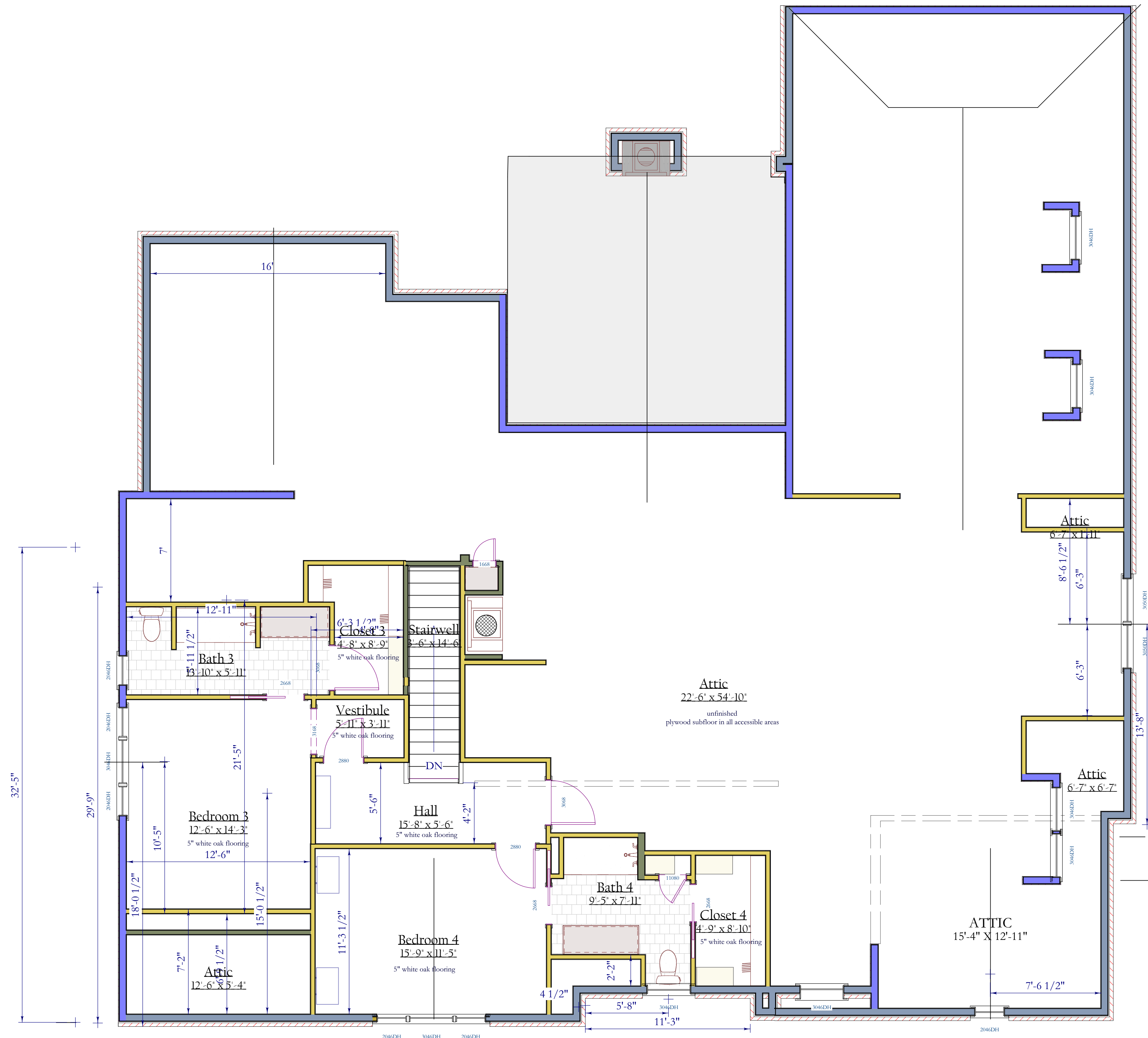
Date	Description
Issued	
Project	Additions & Alterations to 2126 Shades Ave Vestavia Hills, AL for The McCains
Date	March 5, 2025
Description	

First Floor Plan

Scale 1/4" = 1'-0"

Reference North	Drawing #
↑	A.2

Note to Contractor:
Contractor must verify all dimensions and conditions at the site, without exception. Report any discrepancies to the Designer and Owner before proceeding with any related work.
© Do not reproduce without Designer's permission



05-12-2025 Revised
5-8-2025 Review
04-34-2025 Review
04-15-2025

Date Issued
Project Additions & Alterations to
2126 Shades Ave
Vestavia Hills, AL
for
The McCains

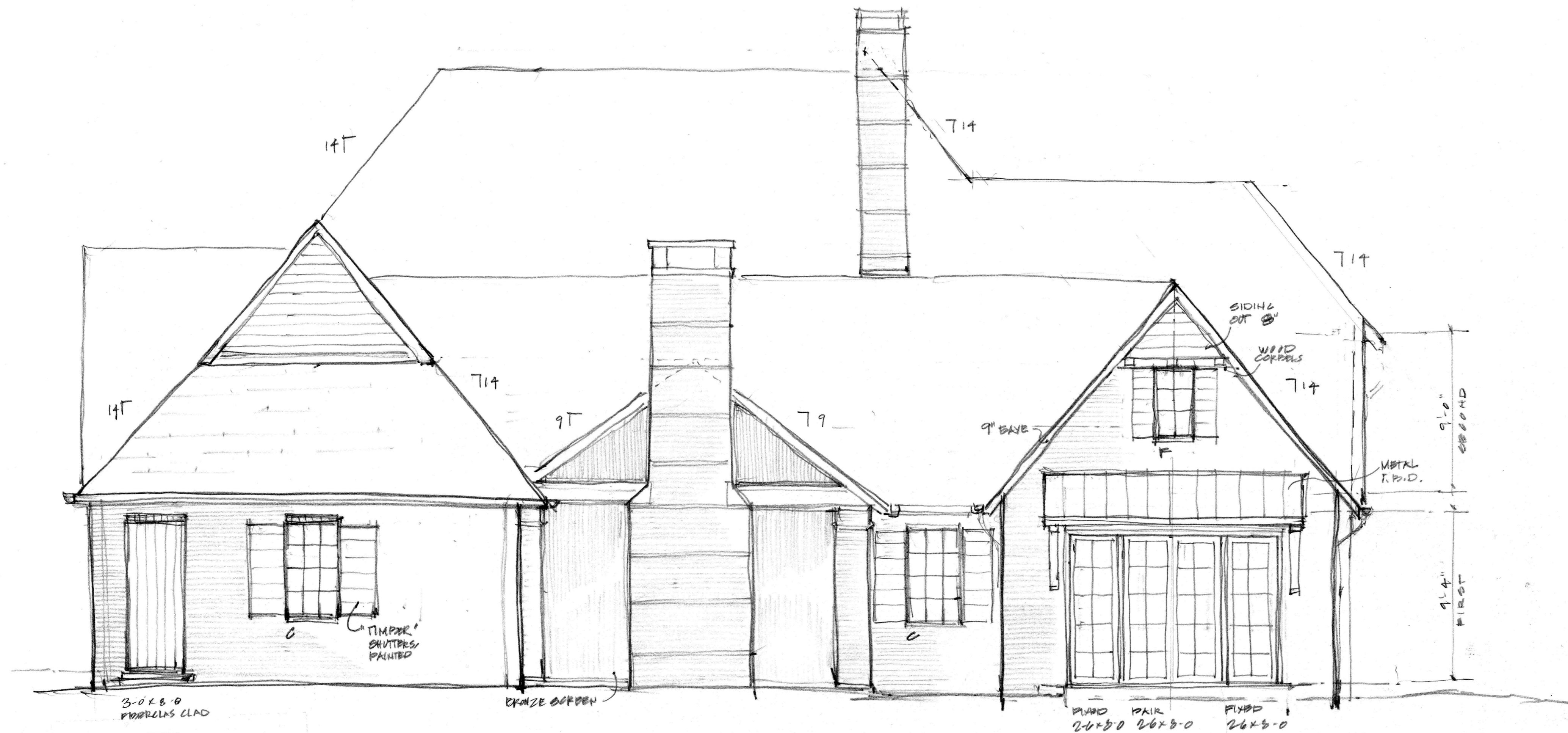
Date
March 5, 2025
Description

Second Floor Plan

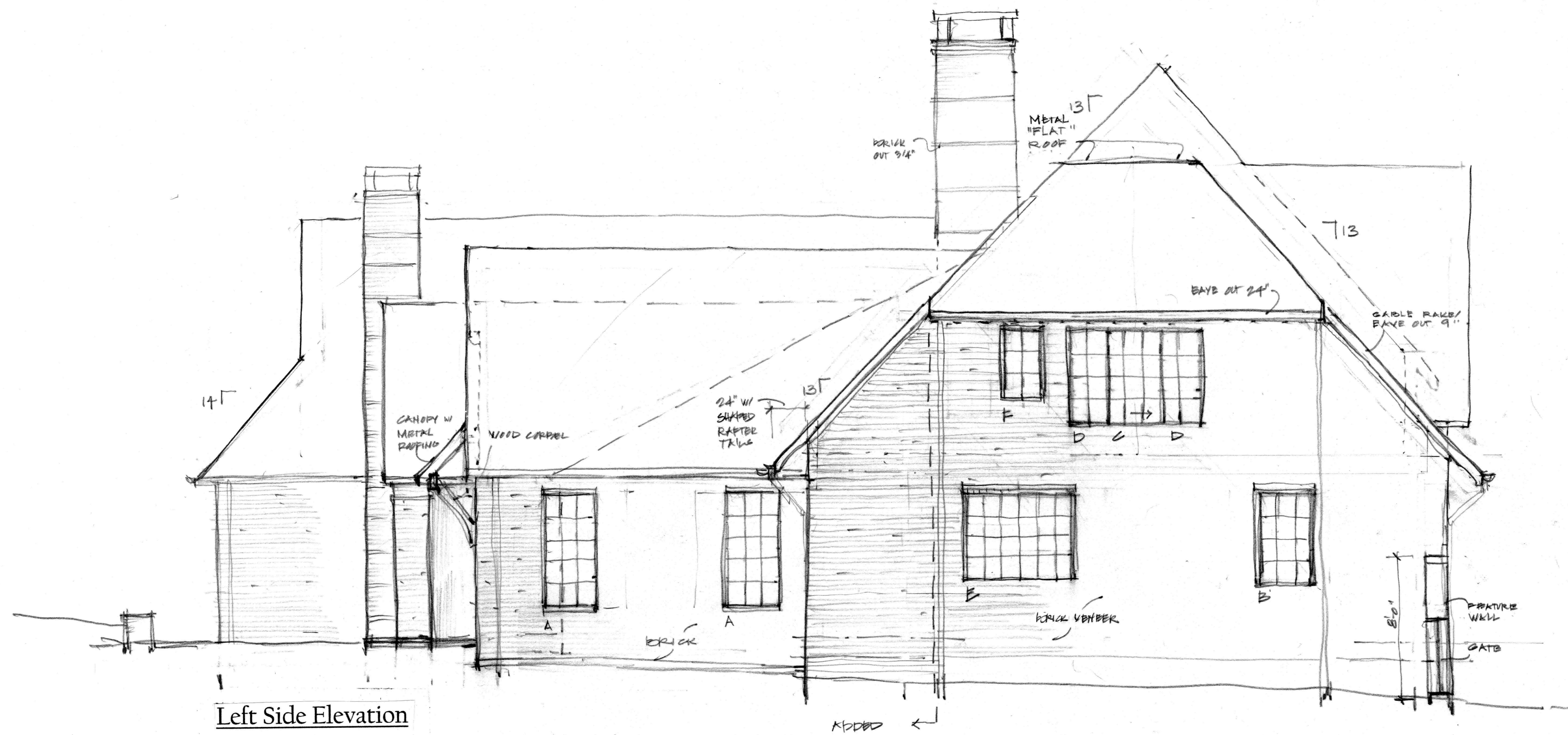
Scale 1/4" = 1'-0"

Reference North Drawing #
A.3

Note to Contractor:
Contractor must verify all dimensions and
conditions at the site, without exception.
Report any discrepancies to the Designer and
Owner before proceeding with any related work.
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Rear Elevation



Left Side Elevation

5-16-25 Review

4/24 Date
1/24 Date

Review
Discussion
Project
Additions & Alterations to
2126 Shades Ave
Vestavia Hills, AL
for
The McCains

Date
April 23, 2025

Description
Rear Elevation
Left Elevation

Scale
1/4" = 1'-0"

Reference North
Drawing #
3DD-6

Note to Contractor:
Contractor must verify all dimensions and
conditions at the site, without exception.
Report any discrepancies to the Designer and
Owner before proceeding with any related work.
© Do not reproduce without Designer's permission



City of Vestavia Hills
Office of the City Clerk

OWNER AFFIDAVIT (This form must be notarized):

I do hereby declare that the following statements are correct concerning the subject property located at: 2126 Shades Avenue, Vestavia Hills, Alabama and that statements submitted in my application are true and that I am: (please check all that apply).

the Property Owner and representing myself in said request.

[checked] the Property Owner, but I am authorizing a Representing Agent by the name of: Michael Eric Dale to represent me in the following request:

And am requesting: (please check)

- Rezoning Request
Preliminary Plat Approval
[checked] Final Plat Approval
Conditional Use Approval
[checked] Request for Variance
Special Exception
Design Review Approval

Signed: [Signature] 5.20.25
Owner Signature/Date

STATE OF ALABAMA
COUNTY OF JEFFERSON

Given under my hand and seal
this 20th day of May, 2025

[Signature]
Notary Public

My commission expires 27 day of November, 2026.

