



**Vestavia Hills
Board of Zoning Adjustment Agenda
September 18, 2025
6:00 PM**

1. Roll Call
2. Approval Of Minutes: August 21, 2025
3. BZA-24-11 **Cory Reamer** is requesting a **Side Setback Variance** for the property located at **2469 Shades Crest Road**. The purpose of this request is to reduce the side setback to 15' in lieu of the required 17', to build a covered porch in back of house. The property is owned by Cory Reamer and is zoned **Vestavia Hills R-1**.
4. BZA-25-19 **RW Development LLC** is requesting a **Front Setback Variance** for the property located at **2730 Jacobs Road**. The purpose of this request is to reduce the front setback to 40' in lieu of the required 50', to build a house. The property is owned by RW Development LLC and is zoned **Vestavia Hills R-2**.
5. Time Of Adjournment

**CITY OF VESTAVIA HILLS
BOARD OF ZONING ADJUSTMENT**

MINUTES

August 21, 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
- Marty Martin, Alt
- Vinay Patel, Alt
- Thomas Parchman

MEMBERS ABSENT

- Loring Jones
- Tony Renta

OTHER OFFICIALS PRESENT:

Jack Wakefield, Planner/GIS

APPROVAL OF MINUTES

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

MOTION Motion to dispense with the reading of the minutes of July 17, 2025 was made by Mr. Patel and 2nd was by Mr. Parchman. Motion as carried on a voice vote as follows:

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

FRONT SETBACK VARIANCE

BZA-25-19 **RW Development LLC** is requesting a **Front Setback Variance** for the property located at **2730 Jacobs Road**. The purpose of this request is to reduce the front setback to 40' in lieu of the required 50', to build a house. The property is owned by RW Development LLC and is zoned **Vestavia Hills R-2**.

Mr. Wakefield explained that this is a request to extend the proposed house 10' into the front setback due to terrain.

John Mark Rives of RW Development was present for the case, and stated that this is a buildable lot but the terrain makes building to setbacks much more difficult. Building to setbacks would also impact the neighbors more than if the house was pushed toward Jacobs Road. The topography and narrowness of the lot creates a hardship. He said the property is on a three to one slope.

Chairman Rice asked if Mr. Rives is aware of the neighbor concerns.

Mr. Rives, RW Development, stated that he is and has done everything he can to reduce drainage runoff.

Chairman Rice asked what he will do to mitigate the runoff.

Mr. Rives, RW Development, stated that in the neighboring subdivision, he installed bioswales and retaining walls, and could do that for this project as well if needed.

Chairman Rice opened the floor for a public hearing.

Aaron Wright, 2736 Vestavia Forest Drive, stated that he has lived here for over 15 years. Since the new subdivision that was built at the end of the street by the same developer, was completed there has been catastrophic water issues. Mr. Wright had a video of high-level storm water run off from a past rain event. He said people in this area of the neighborhood has experienced damage due to water runoff. He has spoken to City Engineering staff on how to mitigate this runoff, and that is why he is here tonight. Mr. Wright then explained the contents of the video and established a point of view of it for the Board. Mr. Wright said to him this area has now become a waterway because of the fast-moving stormwater runoff.

Sergey Mirov, 2417 Jacobs Road, stated that he has lived here since 1994. He stated that the forest that used to exist at the end of Vestavia Forest Drive, is now a subdivision. That forest used to collect the rainwater that ran down the side of the mountain, and off Jacobs Road. Because the forest is now gone, there is erosion and damage being experienced.

Mr. Greer said he believes it will be beneficial for the neighbor's water issues if the house was pushed forward.

Chairman Rice asked Mr. Rives to expand on that.

Mr. Rives stated that this is true, and if the house were to be built to the setbacks more land would need to be disturbed. The driveway would need to be refigured to get

further back into the steep lot. Meaning more trees cut down and more concrete potentially installed on the lot.

Tara Burt, 1541 Jacobs Road, asked where her property was in relation to the drawings.

Mr. Wright, 2736 Vestavia Forest Drive, asked is it cost prohibitive to put a retaining wall and build the structure up like the other homes, so the driveway can be simpler.

Mr. Rives, RW Development, stated that they intend to use retaining walls.

Olga Mirov, 2417 Jacobs Road, asked where will the water go when the water hits the retaining wall?

Mr. Mirov, 2417 Jacobs Road, stated that the biggest issue at the moment is the clogged street gutters that force stormwater to shoot across Jacobs Road, and down into the neighborhood.

Mr. Wright, 2736 Vestavia Forest Drive, asked if there is any part of the variance that can be done about the water runoff.

Mr. Wakefield broadly explained the permitting process for water runoff. But that there is not much regarding the lot itself. If there is city infrastructure that can use maintaining to prevent added runoff, Public Services could look into it.

Chairman Rice stated that this seems like a larger issue than just one lot being built on.

Brian Kennedy, 1812 Forest Haven Lane, asked what can be done if a developer doesn't follow through on what is required. ADEM has cited the developer for improperly maintained BMPs. Why would we approve something just because there already is an existing issue? Why approve something with no teeth at all?

Mr. Wakefield stated that there is a permit and inspection process, and that would be monitored and dealt with by those city departments. But that the developer could build this by right, and there is no hearing process that would take place.

Mr. Kennedy, 1812 Forest Haven Lane, said he understands that, but this issue will get worse if this is approved. They will be dealing with this long after the variance is approved.

Mr. Patel, asked could we as a Board force him to get a land disturbance permit?

Mr. Wakefield stated that he didn't know 100 percent if they could make that a specific condition. Maybe more broadly that he works with engineering to mitigate runoff.

Mr. Wright, 2736 Vestavia Forest Drive, asked about the previous development's variance, where was that from?

Mr. Wakefield stated it was to move the houses closer to Vestavia Forest Drive, because of a creek running down those lots.

Mrs. Burt, 1541 Jacobs Road, asked where the driveway would be and if electric polls would be moved.

Mr. Rives, RW Development, said the driveway placement depends on if the variance is approved or not. Also, that no polls would be touched.

Mr. Mirov, 2417 Jacobs Road, stated the he believes the best way to fix this issue is to fix the drainage on Jacob's Road.

Mr. Kennedy, 1812 Forest Haven Lane, stated that if you direct the water to the creek directly, it will make the issue worse.

Mr. Rives, RW Development, stated that he agrees with Mr. Mirov. His project would minimally change runoff, and that fixing drainage on Jacobs Road would greatly improve the situation.

Mr. Kennedy, 1812 Forest Haven Lane, stated that it isn't just the water that's the issue. It is the velocity of it that creates the damage.

Mrs. Mirov, 2417 Jacobs Road, stated that the developer will need to capture this water off of Jacobs Road, because the forest used to do that before the subdivision was built.

Chairman Rice, working to bring the dialogue to a close, stated he understands the issues but that the issue seems to be larger than this one lot. He also thinks the proposal will be beneficial to the neighbors in terms of runoff issues, compared to if it was built to the zoning setbacks.

Mr. Wright, 2736 Vestavia Forest Drive, asked if Mr. Rives could point out on the map where the driveway would go. Is there anything the board can do on the design of the driveway?

Mr. Rives, RW Development, stated that if they got the variance the driveway would go almost straight down. If no variance, they would build across the slope.

Mr. Wright, 2736 Vestavia Forest Drive, stated that straight down would make the problem worse.

Mr. Rives, stated that if approved they would build the retaining wall at the front setback and build the house up.

Mr. Rives, RW Development, asked if they have been flooded since 2022.

Mr. Kennedy, 1812 Forest Haven Lane. stated that not since the construction of the subdivision, but he didn't remember the year that was.

Mr. Wright, 2736 Vestavia Forest Drive, asked if he can request this be postponed so that the City Engineer can attend and give feedback.

Chairman Rice stated that he is leaning toward that.

Mr. Martin, stated that it seems to be a pretty steep drop off, and wanted clarification if the retaining wall would be in the front of the house. He also asked if the driveway would feed into the lower end of the house. In essence if you build the house up, there wouldn't be much sloping of the driveway.

Mr. Rives, RW Development, said it would still be below the house. There would be no garage, and that he doesn't want to get a car down there.

Mr. Wright, 2736 Vestavia Forest Drive, stated that if the interior space of the retaining wall is occupied, he can put the driveway anywhere. If this variance is approved there isn't anything stopping him from modifying the driveway. He can have driveway laid that would greatly affect the runoff.

There being no one else present in regard to the request; Chairman Rice closed the public hearing and offered to postpone the case for more information.

Mr. Rives stated he would like to postpone this case.

Case Postponed to September 18th, 2025 Hearing

At 7:14 PM, Mr. Greer made a motion to adjourn. The meeting adjourned at 7:14 PM.

Jack Wakefield, Planner/GIS



VESTAVIA HILLS

Board of Zoning Adjustment Planners Report

MEETING DATE

September 18, 2025

AGENDA ITEM

BZA-24-11 **Cory Reamer** is requesting a **Side Setback Variance** for the property located at **2469 Shades Crest Road**. The purpose of this request is to reduce the side setback to 15' in lieu of the required 17', to build a covered porch in back of house. The property is owned by Cory Reamer and is zoned **Vestavia Hills R-1**.

BACKGROUND

2' Side Setback Variance to Reduce the Setback to 15' in Lieu of the Required 17'.

PLANNER'S REVIEW/RECOMMENDATION

This is a variance that has lapsed, and is in need of an extension. Applicant is seeking a side setback variance to build a covered porch in the rear. The addition is in the back of the house but within the side setback, as the most narrow frontage is the Sheridan Lane side. The opposite of the most narrow frontage on a corner lot is the rear. This makes the addition within the side setback. The applicant contends the corner lot causes a hardship. The house also sits more than 100' off of Shades Crest Road. There is no other location on the lot for this covered porch. Zoned Vestavia Hills R-1.

ATTACHMENTS

1. Reason For Extension
2. Application
3. Survey
4. As Built Survey
5. Owners Affidavit

Jack Wakefield
City Planner

Jack Wakefield

From: Cory Reamer <coryreamer@gmail.com>
Sent: Tuesday, August 5, 2025 9:02 AM
To: Jack Wakefield
Subject: [External] Variance Extension

Good Morning Jack,

Thank you for returning my call yesterday to discuss the extension request for my property variance at 2469 Shades Crest Road.

Since it has been a little over a year since the board approved the original variance, here's a quick recap: Our house sits on a corner lot with a storm drain "creek" running through the front yard. Because of this creek, the house had to be built further back on the property, pushing it closer to the side property lines. In June 2024, we were granted a variance to the side setback to allow construction of a back porch.

We have since completed a full renovation of the house. However, when it came time to start the porch, we had to pause due to the overall costs from the rest of the renovation. We are now ready to move forward and plan to begin construction as soon as possible.

Please let me know if you have any questions or need additional information for this extension request.

Thank you,
Cory



BZA-24-11

Variance Application

Status: Active

Submitted On: 5/17/2024

Primary Location

2469 SHADES CREST RD
VESTAVIA HILLS, AL 35216

Owner

Cory Reamer
Montclair Drive 1827
Vestavia, AL 35216

Applicant

Cory Reamer
 205-706-2330
 coryreamer@gmail.com
 1827 Montclair Drive
Vestavia, AL 35216

Agenda Information

Agenda Scheduling

June 2024

Comments/Delay/Explanation

Applicant Information

I am filling this out as the

Owner

Billing/Responsible Party

Name

Phone #

Cory Reamer

2057062330

Address

1827 Montclair Drive

City/State/Zip

Vestavia/AL/35216

Email

coryreamer@gmail.com

Subject Property Information

Subject Property Address

2469 Shades Crest Road, Vestavia, AL
35216

Legal Description of Subject Property ?

LOT 1 3RD ADD TO VESTAVIA HILLS

REASONS FOR REQUEST

Front Setback Variance

Rear Setback Variance

Setback Required*

na

Setback Requested*

na

Side Setback Variance

Setback Required*

17'

Setback Requested*

15'

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

Vestavia Hills R-1

PROJECT

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

Requesting rear property variance to build covered back porch.
Hardships: 1). Front setback is 60' but location of residence is well beyond that (104') due to creek running through front yard which subsequently puts the house closer to rear setback requirements 2). Corner Lot.

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 original house was built in 1967 and the creek running through the front yard caused the house to be built further back from the front setback requirements. Naturally, the house was pushed back closer to the rear property line and is subsequently at the current rear setback requirements. The two undue hardships for consideration are the location of the creek and the house is on the 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:*

Yes, there is a creek running through our front yard where storm water flows off the mountain. This causes the front of the house to be over 104' from the street in the front. The rear setback is 30' which is how far the back of the house currently sits. If there wasn't a creek, this house would have been built closer to the street allowing for expansion in the back. The house also sits on a corner lot.

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

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:*

Other houses that do not have this hardship have room to add on a covered porch without restriction due to rear setback guidelines.

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 variance will in no way cause injury to the neighborhood or affect 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:*

No, hardship is not self imposed. Topography is the hardship which is not caused by the owner

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 requested will still allow for 15' of room from the porch to the rear property line

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, the variance will not allow any prohibited or not permissible uses.

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

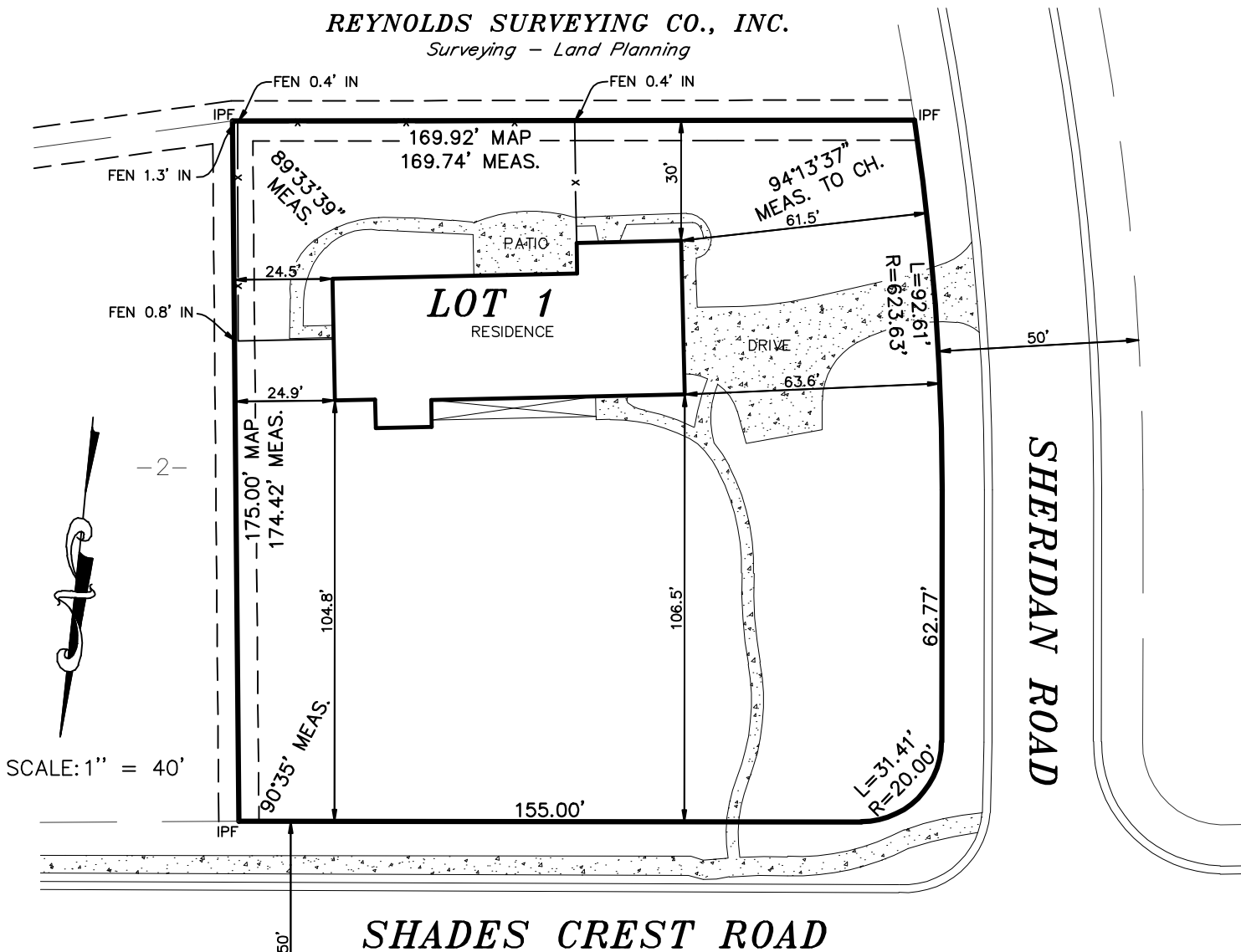
I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing. Simultaneously with the submittal of this application, I am hereby submitting a notarized affidavit signed by the owner of the property in the attachments 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

✓ Cory Reamer
May 17, 2024

REYNOLDS SURVEYING CO., INC.

Surveying - Land Planning



SCALE: 1" = 40'

- LEGEND
- UTILITY POLE
 - GUY WIRE
 - ▬ RETAINING WALL
 - CONCRETE
 - X- FENCE
 - OE- OVERHEAD ELECTRICAL
 - IPF IRON PIN FOUND
 - IPS IRON PIN SET



STATE OF ALABAMA
JEFFERSON COUNTY

"CLOSING SURVEY"

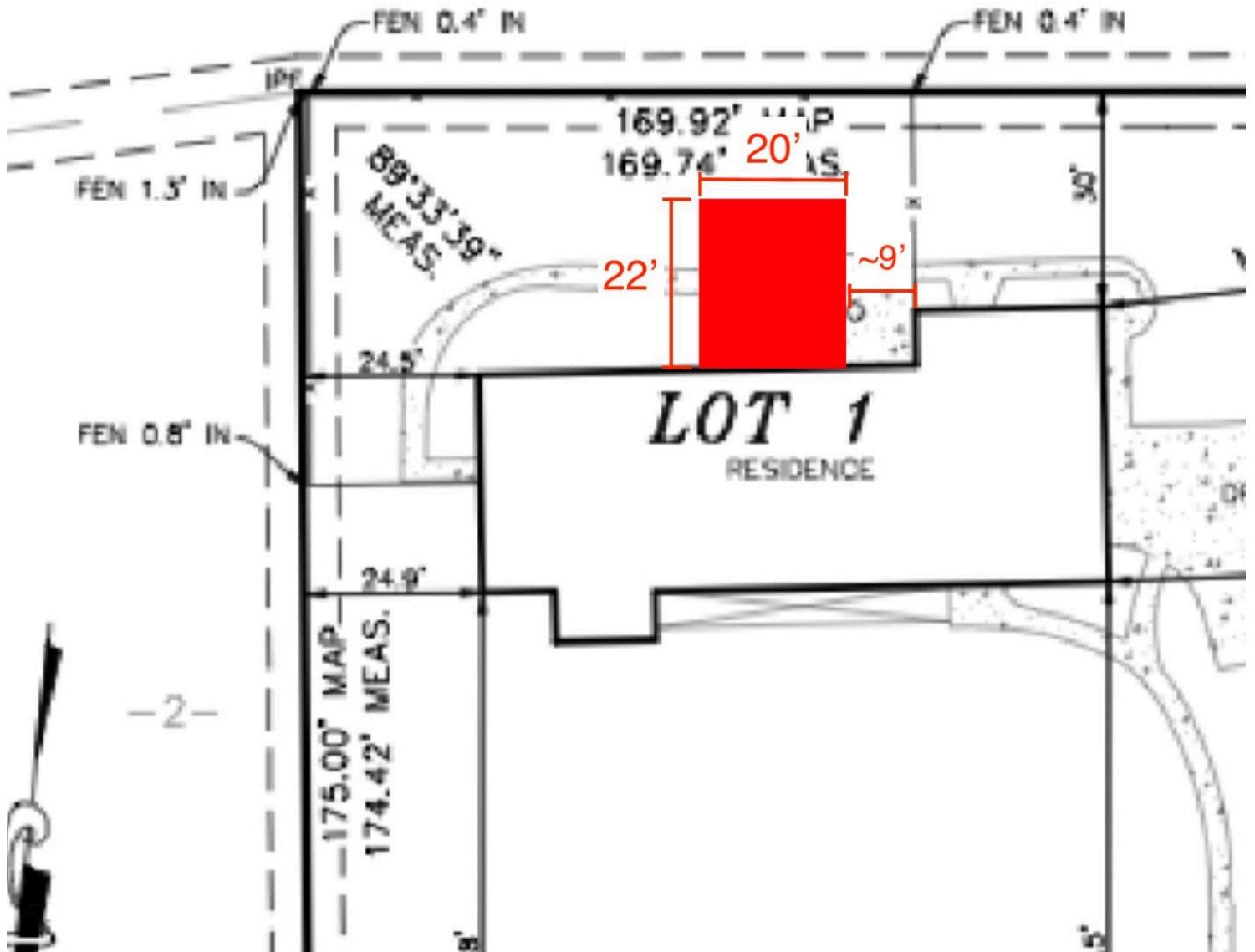
I, Robert Reynolds, a Registered Surveyor, do here by state that this is a true and correct plat or map of Lot 1, Block —, of THIRD ADDITION TO VESTAVIA HILLS, as recorded in Map Book 30, Page 61 in the Office of the Judge Of Probate in JEFFERSON County, Alabama. All parts of this survey and drawing 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 1st day of MAY, 2024.

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

Purchaser: REAMER
Address: 2469 SHADES CREST ROAD

Robert Reynolds
Reg. No. 25657

REYNOLDS SURVEYING CO., IN
Surveying – Land Planning



-2-



**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: 2469 Shades Crest Rd. Vestavia, 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)

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

- Request for Variance
- Special Exception
- Design Review Approval

Signed:

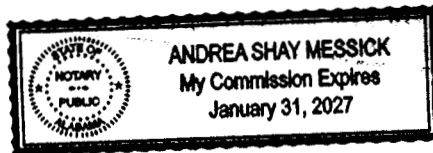
Corey Ramm
Owner Signature/Date

STATE OF ALABAMA

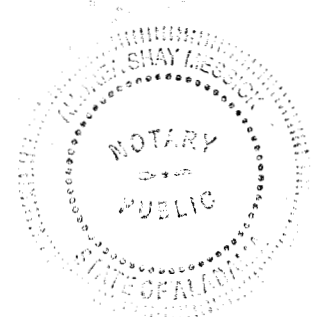
COUNTY OF Jefferson

Given under my hand and seal
this 29 day of April, 2024.

Andrea Shay Messick
Notary Public



My commission expires 31 day of January, 2027.





VESTAVIA HILLS

Board of Zoning Adjustment Planners Report

MEETING DATE

September 18, 2025

AGENDA ITEM

BZA-25-19 **RW Development LLC** is requesting a **Front Setback Variance** for the property located at **2730 Jacobs Road**. The purpose of this request is to reduce the front setback to 40' in lieu of the required 50', to build a house. The property is owned by RW Development LLC and is zoned **Vestavia Hills R-2**.

BACKGROUND

10' Front Setback Variance to Reduce the Setback to 40' in Lieu of the Required 50'.

PLANNER'S REVIEW/RECOMMENDATION

The applicant is seeking a front setback variance to build a house. The applicant contends the steep slope on the back half of the lot, causes a hardship. The house needs to be moved forward to push the structure off the rear slope. The lot is also oddly shaped, being twice as wide as it is deep. There has been a neighbor that has reached out concerned about water runoff onto his property, which is down sloped from the subject property. This is zoned Vestavia Hills R-2.

ATTACHMENTS

1. Application
2. Existing Survey
3. Proposed Site Plan
4. Topography Drawing
5. Vicinity Map
6. Previous Variance Approval Minutes
7. Previous Variance Approval Drawing
8. Owner's Affidavit

Jack Wakefield
City Planner



BZA-25-19

Variance Application
Status: Active
Submitted On: 7/3/2025

Primary Location

2730 JACOBS RD
VESTAVIA HILLS, AL 35216

Owner

RW Development LLC
Shades Crest Rd 2021
Vestavia, AL 35216

Applicant

John Mark Rives
 2021 Shades Crest
 @ Rd
 Vestavia, AL 35216

Agenda Information

Agenda Scheduling

August 2025

Comments/Delay/Explanation

Applicant Information

I am filling this out as the

Owner

Billing/Responsible Party

Name

RW Development LLC

Phone #

████████████████████

Address

2021 Shades Crest Rd

City/State/Zip

Vestavia AL 35216

Email



Subject Property Information

Subject Property Address

2730 Jacobs Rd

Legal Description of Subject Property

VES FOREST 4TH S 29-36-1 **Book:** 47 **Page:** 12

A parcel of land situated in the SW 1/4 of the NE 1/4 of Section 56, Township 18 South, Range 3 West, Jefferson County, Alabama and being more particularly described as follows:

Commence at the SE corner of said 1/4—1/4 section; thence N89°28'45" W a distance of 1026.99' to the Point of Beginning; thence N 89°28'45" W a distance of 137.05' to the easterly right of way line of Jacob's Road; thence N 32°51'33" W along said right of way a distance of 120.06' to the point of a curve to the right with a radius of 948.59', and a central angle of 07°00'28", with a chord bearing of N 29°21'20" W, with a chord length of 115.95', thence along said right of way and said curve an arc length of 116.02'; thence N 71°16'51" E leaving said right of way a distance of 132.42'; thence S 28°28'49" E a distance of 279.59' to the Point of Beginning.

Containing 0.75 acres, more or less.

REASONS FOR REQUEST

Front Setback Variance



Setback Required*

50'

Setback Requested*

40'

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

R2

PROJECT

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

The land is vacant, and a new single family home is being planned to be built. The property was previously approved in 2021 for a front setback variance of 40' in lieu of the required 50'. However, construction was not started prior to the 1 year expiration.

The Variance is being requested due to the undue hardship of terrain, irregular lot shape, and to provide a larger buffer to the neighboring rear property, while aligning with the surrounding properties on Jacobs Rd.

The primary hardship is the terrain sloping away from the road at a 1' drop for every 3' of run. Thus the further the home is from the road, as required by the front setback, the further the terrain falls down, making driveway access more challenging.

The irregular lot shape is over twice as wide (279') than it is deep (132') making the home footprint limited with the existing 30' rear and 50' front setback.

The lot is not very deep, so by requesting a 40' front setback, it would allow the home to be built closer to the street, and allow a larger buffer area to the rear of the home adding privacy between the home and the rear neighbors. The other homes on Jacobs Rd. by this lot are garden home / townhome communities with less than 40' front setbacks.

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).*

Front Setback Variance, reducing the front setback to 40' in lieu of the required 50' in the R2 zoning.

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:*

Correct, the terrain sloping away from the road at a 1' drop for every 3' of run. Thus the further the home is from the road, the further the terrain slopes down, making driveway access an unnecessary hardship.

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:*

Correct, the other homes in the district (Forest Creek Subdivision) were also granted a 40' front setback, when the variance for this property was approved in 2021. The other adjacent homes on Jacobs Rd. are garden homes on Jacobs Cir. or townhomes on St. Margaret's Ct, and both of those communities have less than 40' front setbacks. The neighboring property on Jacobs Rd has less than 40' front 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:*

Correct, building at the current front setback would entail an overly steep driveway compared to the other properties.

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:*

Correct, one of the benefits of requesting this variance would be to provide a larger buffer to the rear of the home, and the reduced front setback is aligned with the other homes on Jacobs Rd.

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

Correct

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

Correct, a 40' front setback is the minimum necessary to make it possible to access the home with still a steep driveway.

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.*

Correct

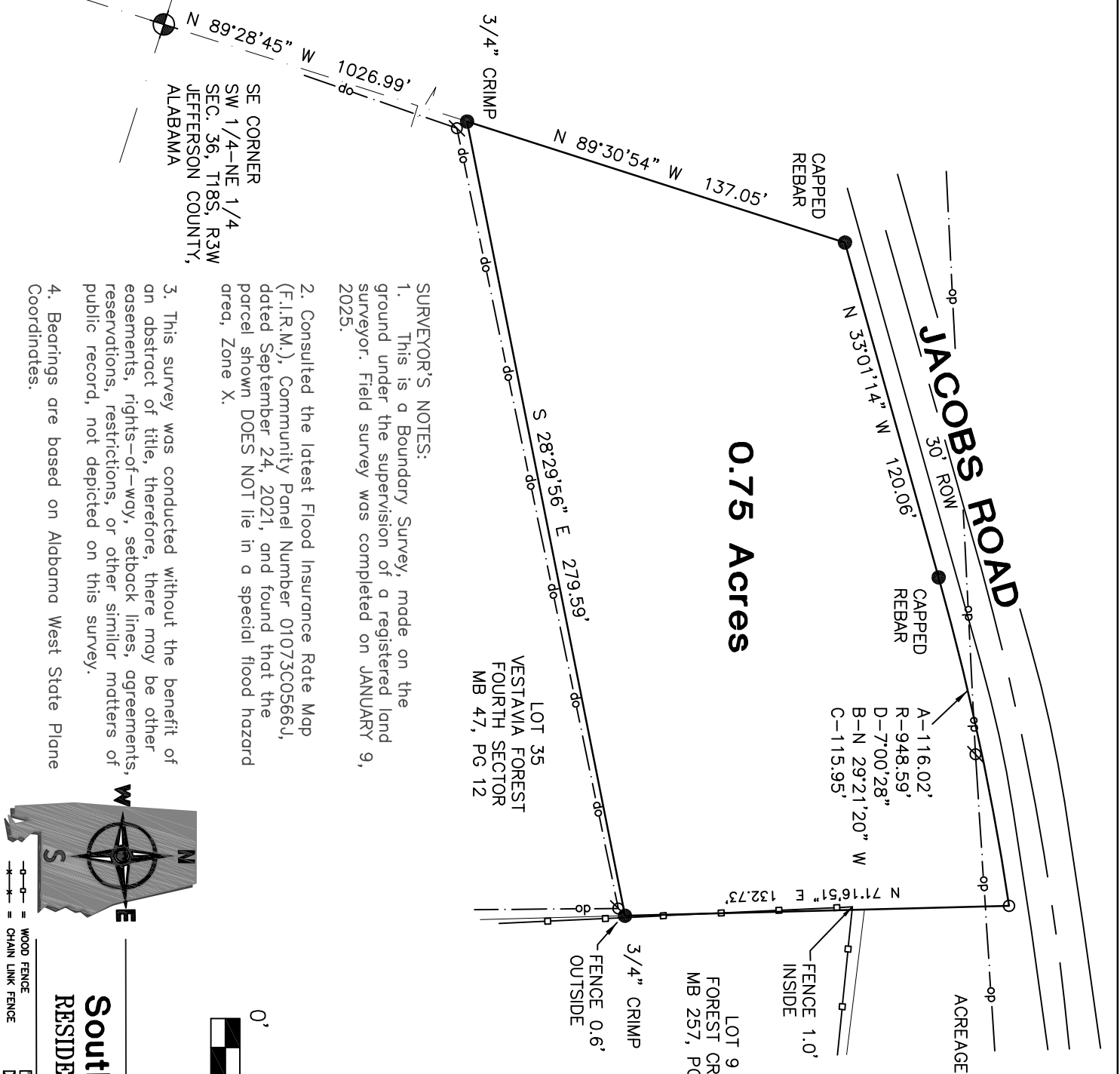
NOTE: In proving that an unnecessary hardship has been imposed on the property as a result of the strict interpretation of this Ordinance, the following conditions cannot be considered pertinent to the determination of whether or not an unnecessary hardship exists: (1) proof that a variance would increase 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

 John Mark Rives
Jul 2, 2025



0.75 Acres

- SURVEYOR'S NOTES:
1. This is a Boundary Survey, made on the ground under the supervision of a registered land surveyor. Field survey was completed on JANUARY 9, 2025.
 2. Consulted the latest Flood Insurance Rate Map (F.I.R.M.), Community Panel Number 01073C00566J, dated September 24, 2021, and found that the parcel shown DOES NOT lie in a special flood hazard area, Zone X.
 3. This survey was conducted without the benefit of an abstract of title, therefore, there may be other easements, rights-of-way, setback lines, agreements, reservations, restrictions, or other similar matters of public record, not depicted on this survey.
 4. Bearings are based on Alabama West State Plane Coordinates.

A parcel of land situated in the SW 1/4 of the NE 1/4 of Section 36, Township 18 South, Range 3 West, Jefferson County, Alabama and being more particularly described as follows:

Commence at the SE corner of said 1/4-1/4 section; thence N89°28'45" W a distance of 1026.99' to the Point of Beginning; thence N 89°28'45" W a distance of 137.05' to the easterly right of way line of Jacob's Road; thence N 32°51'33" W along said right of way a distance of 120.06' to the point of a curve to the right with a radius of 948.59', and a central angle of 07°00'28", with a chord bearing of N 29°21'20" W, with a chord length of 115.95', thence along said right of way and said curve an arc length of 116.02'; thence N 71°16'51" E leaving said right of way a distance of 132.42'; thence S 28°28'49" E a distance of 279.59' to the Point of Beginning.

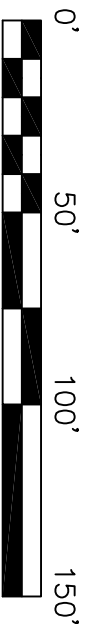
Containing 0.75 acres, more or less.

I hereby state that 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.

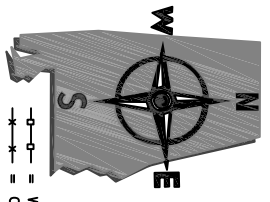
GIVEN UNDER MY HAND AND SEAL, this the 15th day of January, 2025.

William D. Callahan, Jr.

William D. Callahan, Jr., PLS
AL Reg # 28251



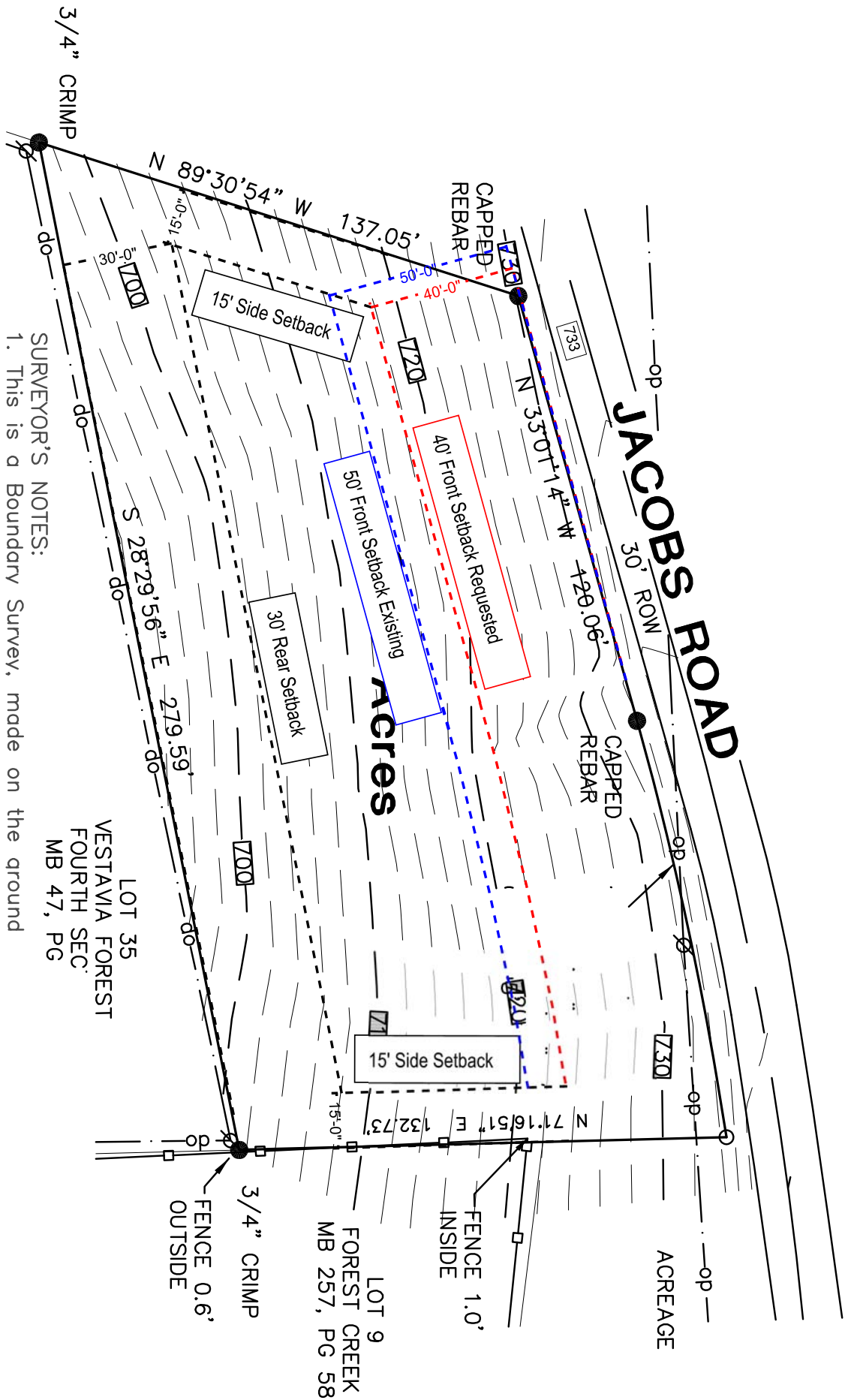
SCALE: 1" = 50'



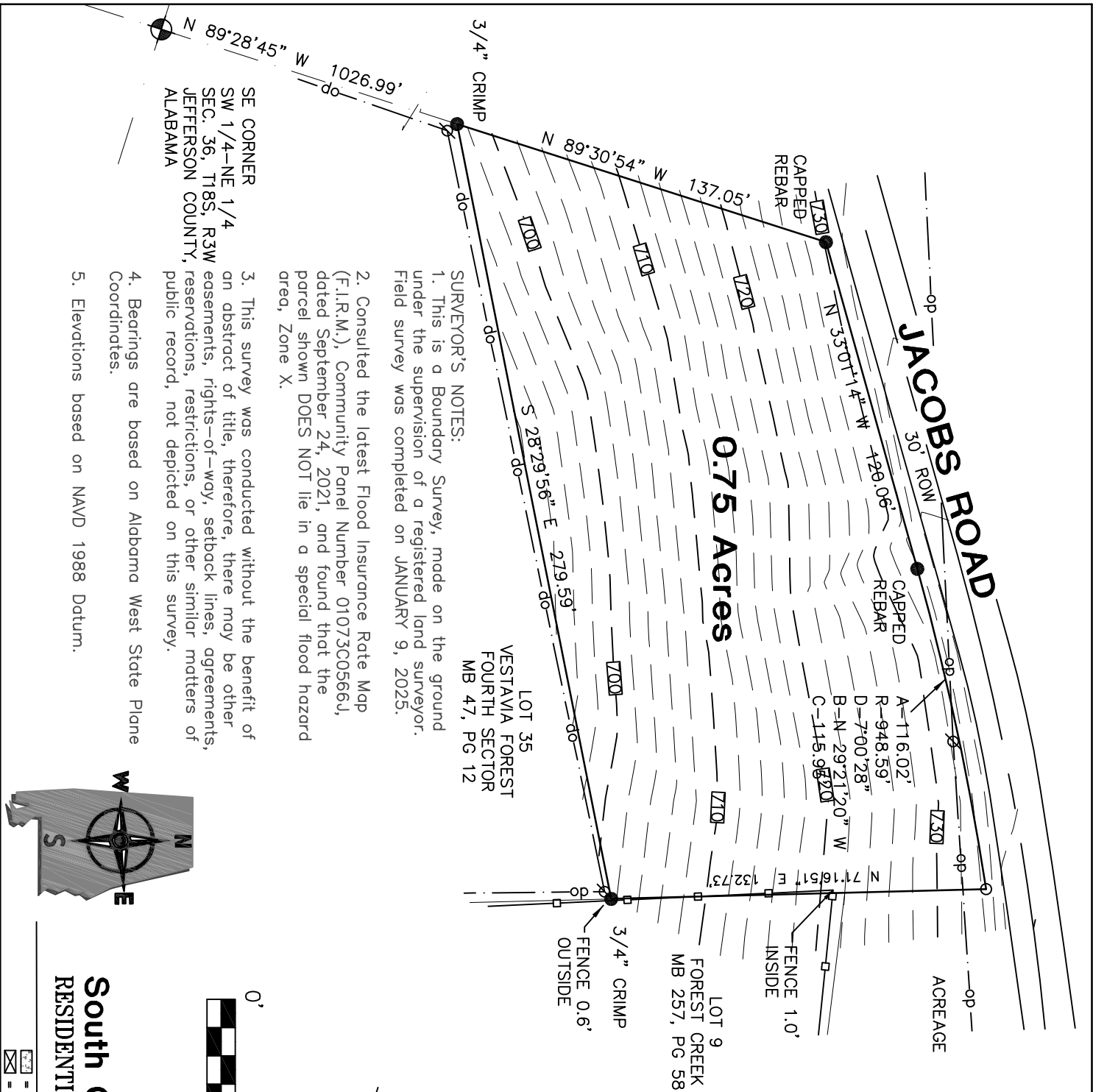
- WOOD FENCE
- CHAIN LINK FENCE
- CONCRETE
- COVERED PORCH/DECK
- U.T.S. = UNABLE TO SET
- RECORDED
- MEASURED
- M.B.L. = MINIMUM BUILDING LINE
- CAPPED REBAR SET
- IRON FOUND (DESCRIPTION)
- ASPH. = ASPHALT
- OPENHOLE POWER
- POWER POLE

South Central Surveying, LLC
RESIDENTIAL & COMMERCIAL LAND SURVEYING

P. O. BOX 917
ALABASTER, ALABAMA 35007
PHONE 205-229-1893



SURVEYOR'S NOTES:
 1. This is a Boundary Survey, made on the ground



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1. This is a Boundary Survey, made on the ground under the supervision of a registered land surveyor. Field survey was completed on JANUARY 9, 2025.
 2. Consulted the latest Flood Insurance Rate Map (F.I.R.M.), Community Panel Number 01073C0566J, dated September 24, 2021, and found that the parcel shown DOES NOT lie in a special flood hazard area, Zone X.
 3. This survey was conducted without the benefit of an abstract of title, therefore, there may be other SEC. 36, T18S, R3W easements, rights-of-way, setback lines, agreements, reservations, restrictions, or other similar matters of public record, not depicted on this survey.
 4. Bearings are based on Alabama West State Plane Coordinates.
 5. Elevations based on NAVD 1988 Datum.

A parcel of land situated in the SW 1/4 of the NE 1/4 of Section 36, Township 18 South, Range 3 West, Jefferson County, Alabama and being more particularly described as follows:

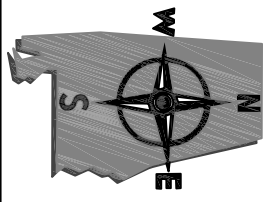
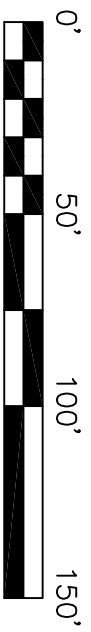
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Containing 0.75 acres, more or less.

I hereby state that 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.

GIVEN UNDER MY HAND AND SEAL, this the 15th day of January, 2025.

William D. Callahan, Jr.
 William D. Callahan, Jr., PLS
 AL Reg # 28251



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 RESIDENTIAL & COMMERCIAL LAND SURVEYING

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 ALABASTER, ALABAMA 35007
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CONCRETE
 COVERED PORCH/DECK
 U.T.S. = UNABLE TO SET
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 M.B.L. = MINIMUM BUILDING LINE
 (C) = CAPPED REBAR SET
 (F) = IRON FOUND (DESCRIPTION)
 ASPH. = ASPHALT



Steelemont Subdivision

Garden Homes across the street

adjacent 2413 Jacobs Rd. has a 34' front setback

Forest Creek Subdivision with 40' front setback to the side

Subject Property

Front setback variance to provide larger buffer from this home

Town Homes across the street

Cross Gate Subdivision

CITY OF VESTAVIA HILLS

BOARD OF ZONING ADJUSTMENT

AGENDA

June 17, 2021

6:00 P.M.

Roll Call.

Approval of Minutes: May 20, 2021.

- (2) **BZA-0521-12** Jennifer Burks is requesting a **Side Setback Variance** for the property located at **913 Haviland Drive**. The purpose of this request is to reduce the side setback to 7' in lieu of the required 15' to build a carport addition. The property is owned by Jennifer Burks and is zoned Vestavia Hills R-2.

- (1) **BZA-0521-13** Andrew and Julie Craft are requesting a **Front & Side Setback Variance** for the property located at **2019 Hickory Road**. The purpose of this request is to reduce the front setback to 30' in lieu of the required 50' & to reduce the side setback to 5' in lieu of the required 15', to build multiple additions. The property is owned by Andrew and Julie Craft and is zoned Vestavia Hills R-2.

- (3) **BZA-0621-22** Matt Lemen is requesting a **Front and Rear Setback Variance** for the property located at **312 Sunset Drive**. The purpose of this request is to reduce the front setback to 27' in lieu of the required 60' & to reduce the rear setback to 22' in lieu of the required 30', to build multiple additions. The property is owned by Matt Lemen and is zoned Vestavia Hills R-1.

Time of Adjournment.

MOTION Motion to approve a variance for the location of a fence in the front setback, with the stipulation that the vegetation be removed according to staff recommendation, for the property located at 2136 Woodhue Circle was made by Mr. Jones and 2nd was by Mr. Renta. Motion was carried on a roll call vote as follows:

Mr. Jones – yes Mr. Renta– yes
Mr. Holley – yes Chairman Rice – yes
Motion carried

SIDE SETBACK VARIANCE

BZA-0521-17 Ann Rayburn is requesting a **Side Setback Variance** for the property located at **1920 Southwood Road**. The purpose of this request is to reduce the side setback to 11’ in lieu of the required 15’ to build a garage addition. The property is owned by the Ann Rayburn and is zoned Vestavia Hills R-2.

Mr. Wakefield described the area where the property is located and read the review which included the purpose of the request, comprehensive plan and staff review.

Jack Stevens was present for the case and stated that the topography caused a hardship.

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

MOTION Motion to approve a 4’ side setback variance to reduce the setback to 11’ in lieu of the required 15’, for the property located at 1920 Southwood Road was made by Mr. Jones and 2nd was by Mr. Renta. Motion was carried on a roll call vote as follows:

Mr. Jones – yes Mr. Renta– yes
Mr. Holley – yes Chairman Rice – yes
Motion carried

FRONT SETBACK VARIANCE

BZA-0521-18 RW Development is requesting a **Front Setback Variance** for the property located at **2700 Vestavia Forest Drive & 2730 Jacobs Road**. The purpose of this request is to reduce the front setback to 40’ in lieu of the required 50’, to group homes closer to the street. The property is owned by the RW Development and is zoned Vestavia Hills R-2.

Mr. Wakefield described the area where the property is located and read the review which included the purpose of the request, comprehensive plan and staff review.

Eric Wade was present for the case and stated the encroachment into the setback came about for a number of reasons: topography, addressing neighbor concerns, minimize water displacement, and buffer in rear.

Mr. Renta asked if this would be for all nine lots and Mr. Wade said yes.

Chairman Rice opened the floor for a public hearing.

Joe Estes (2712 Southview Drive) asked about the overall elevation of homes and buffer depth. He had no concerns after looking at plans during hearing.

Sergey Mirov (2413 Jacobs Road) asked where the homes would be located. Mr. Wade stated close to the creek as possible.

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

MOTION Motion to approve a 10’ front setback variance to reduce the setback to 40’ in lieu of the required 50’, for the property located at 2700 Vestavia Forest Drive and 2730 Jacobs Road was made by Mr. Jones and 2nd was by Mr. Renta. Motion was carried on a roll call vote as follows:

Mr. Jones – yes
Mr. Holley – yes
Motion carried

Mr. Renta– yes
Chairman Rice – yes

VARIANCE FOR LOCATION OF A FENCE

BZA-0521-19

Scott and Lori Planson are requesting a **Variance for the Location of a Fence** for the property located at **3056 Asbury Park Place**. The purpose of this request is to build a fence in the in the front setback. The property is owned by the Scott and Lori Planson and is zoned Vestavia Hills R-8.

Mr. Wakefield described the area where the property is located and read the review which included the purpose of the request, comprehensive plan and staff review.

Scott Planson was present for the case and stated the hardship was a corner lot.

Chairman Rice opened the floor for a public hearing.

PRELIMINARY

REVISIONS

| | |
|--------------|---------------------|
| DRAWN BY: | CLG |
| CHECKED BY: | WHL |
| PROJECT NO.: | JMRV050001 |
| CAD FILE: | C10 PLOT LAYOUT.DGN |
| DATE: | MAY 11, 2021 |

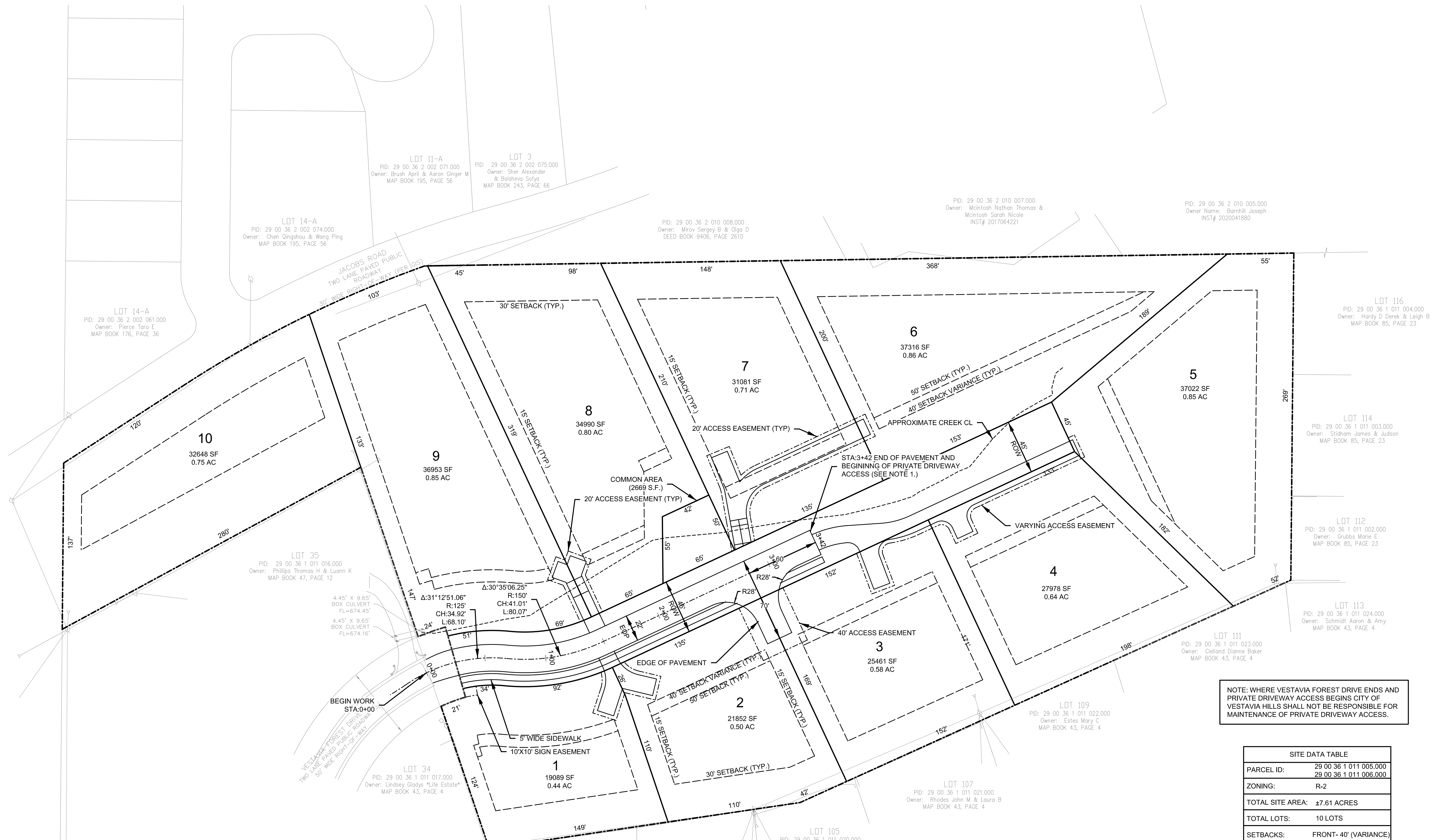
PROJECT: 2700 VESTAVIA FOREST DR. DEVELOPMENT VESTAVIA HILLS, ALABAMA

TITLE: PRELIMINARY PLAT

120 BISHOP CIRCLE, SUITE 300
 PELHAM, AL 35124
 TEL - (205) 403-9158
 FAX - (205) 403-9175

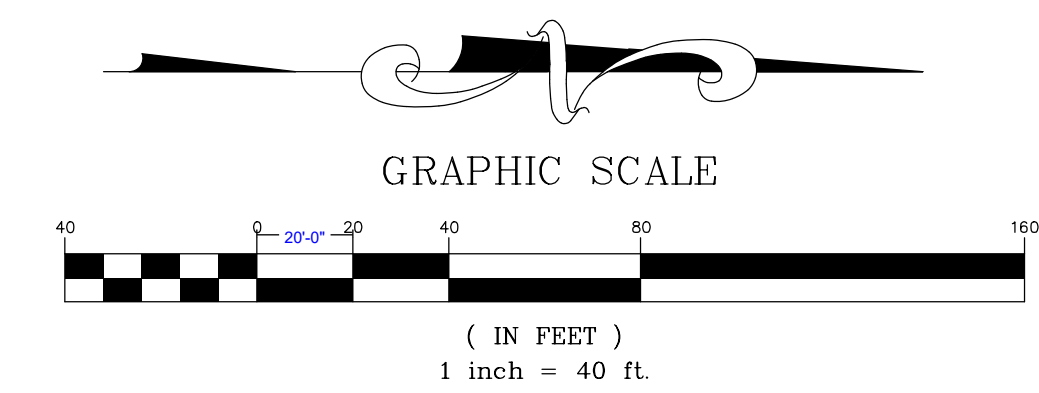
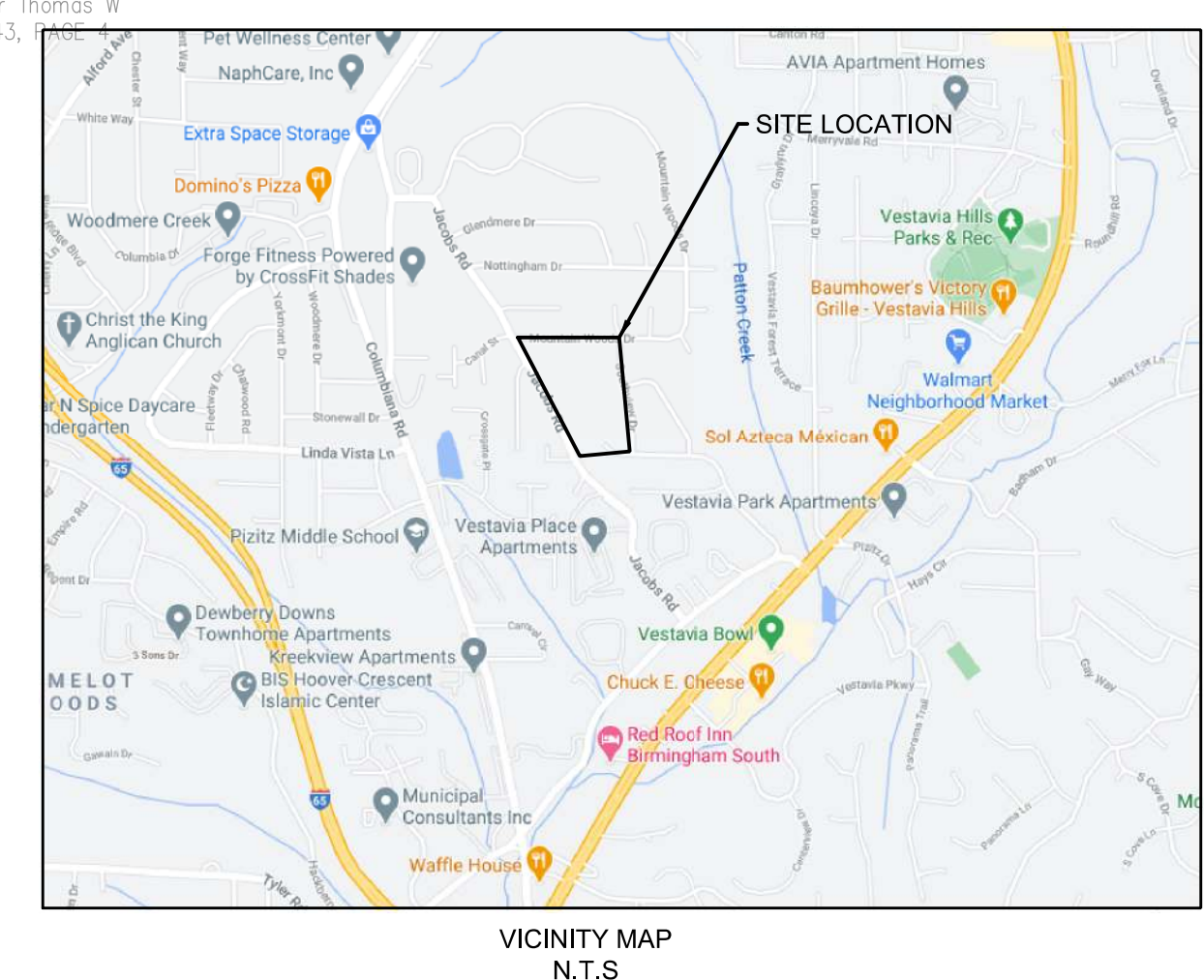
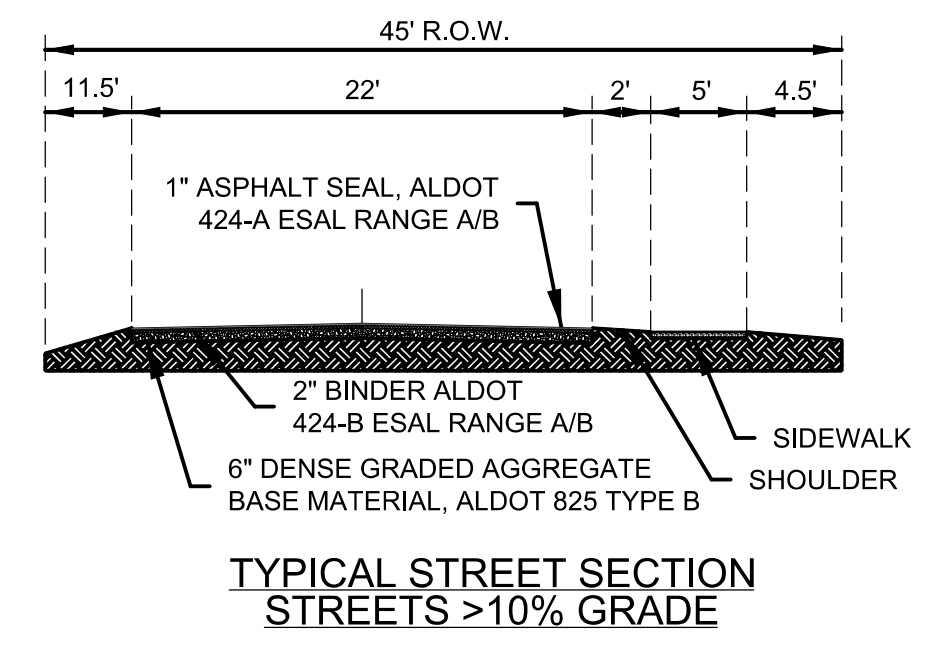
BDG
 ENGINEERING DESIGN GROUP, LLC
 CIVIL ENGINEERING - LAND SURVEYING
 (205) 403-9158

SHEET NO. C1.0



NOTE: WHERE VESTAVIA FOREST DRIVE ENDS AND PRIVATE DRIVEWAY ACCESS BEGINS CITY OF VESTAVIA HILLS SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF PRIVATE DRIVEWAY ACCESS.

| SITE DATA TABLE | |
|--------------------------|---------------------------------------|
| PARCEL ID: | 29 00 36 1 011 005.000 |
| | 29 00 36 1 011 006.000 |
| ZONING: | R-2 |
| TOTAL SITE AREA: | ±7.61 ACRES |
| TOTAL LOTS: | 10 LOTS |
| SETBACKS: | FRONT- 40' (VARIANCE) |
| | REAR- 30' |
| | SIDE- 15' |
| MINIMUM LOT WIDTH: | 100' |
| MINIMUM LOT AREA: | 15,000 S.F. |
| MAXIMUM BUIDLING HEIGHT: | 35' OR 2.5 STORIES, WHICHEVER IS LESS |





**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: 2730 Jacobs Rd., 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)

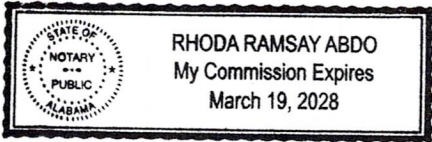
- | | |
|--|--|
| <input type="checkbox"/> Rezoning Request | <input checked="" type="checkbox"/> Request for Variance |
| <input type="checkbox"/> Preliminary Plat Approval | <input type="checkbox"/> Special Exception |
| <input type="checkbox"/> Final Plat Approval | <input type="checkbox"/> Design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

Signed:  7-2-25
Owner Signature/Date
John Mark Riles Member RW Development LLC

STATE OF ALABAMA
COUNTY OF Jefferson

Given under my hand and seal
this 2nd day of JULY, 2025

Rhoda Ramsay Abdo
Notary Public



My commission expires 19th day of march, 2028.